

Sefton Metropolitan Borough Council

Coastal and Visitor Areas Public Spaces Protection Order

Anti-social Behaviour, Crime and Policing Act 2014, Part 4

Sefton Metropolitan Borough Council in exercise of the powers conferred on it by Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 makes the following Order —

1. Citation

This Order may be cited as the **Sefton MBC Coastal and Visitor Areas Public Spaces Protection Order** and for the purposes of any enforcement proceedings, Notices, documents, or correspondence the short title **Coastal and Visitor Areas Order** may be given.

2. Interpretation

- (1) In this Order the expressions "the Authority" or "the Council" shall mean Sefton MBC whose principal offices are Magdalen House, 30 Trinity Road, Bootle, L20 3NJ.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act").
- (3) In this Order any reference to an "Authorised person" means a police officer, or an employee of the Council or other person who is authorised in writing by the Council.
- (4) In this Order any reference to a "Restricted Area" means each public place referred to in **Schedules 1, 2, 3 4 and 5** to this Order together with such other Schedules as may be included under any variation of the Order from time to time

3. Effect

- (1) This Order shall come into force on **xxx**
- (2) This Order is made as the Council is satisfied on reasonable grounds that the two conditions prescribed by section 59(2) and (3) of the Act have been met, namely:
 - (a) **The first condition:**
 - (i) Activities carried on in a public place within the Authority's area have had a detrimental effect on the quality of life of those in the locality ("the Activities"); or
 - (ii) It is likely that activities will be carried on in a public place within the Authority's area ("the Activities") and that they will have a detrimental effect on the quality of life of those in the locality.

and such Activities are set out in the respective Schedules to this Order

(b) **The second condition:**

The effect, or likely effect, of the Activities —

- (i) is, or is likely to be, of a persistent or continuing nature,
 - (ii) is, or is likely to be, such as to make the activities unreasonable, and
 - (iii) justifies the restrictions imposed by this Order.
- (3) This Order relates to each public place referred to in the **Schedules 1, 2, 3, 4 and 5** to this Order ("the Restricted Areas") together with such other Schedules as may be included under any variation of the Order from time to time and —
- (a) prohibits specified things from being done in the Restricted Area ("the Restrictions") as may be set out in the Schedules,
 - (b) requires specified things to be done by persons carrying on the Activities in the Restricted Area ("the Requirements"), or
 - (c) does both of those things.

4. Requirement to provide name and address

- (1) For the purposes of enforcing the provisions of this Order any person when requested by a duly authorised officer of the Authority or to a Police Officer shall confirm their full name, address, and date of birth upon any request having been made in that respect whether verbally or in writing by any such officer and within such time as may be stipulated by that officer.

5. Offence of failing to comply with this Order

- (1) It is an offence for a person without reasonable excuse—
- (a) to do anything that a person is prohibited from doing by a public spaces protection order, or
 - (b) to fail to comply with a requirement to which a person is subject under a public spaces protection order.
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to the Order,
- (4) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the Council.

6. Duration of Order

- (1) This Order will remain in force for the period of **3 years** from the date that it comes into force specified in paragraph 3(1).
- (2) Before the time when this Order is due to expire, the Council may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent —
 - (a) an occurrence or recurrence after that time of the Activities, or
 - (b) an increase in the frequency or seriousness of the Activities after that time.
- (3) The Order may be so extended more than once.

6. Variation and discharge of the Order

- (1) The Council may vary this Order —
 - (a) by increasing or reducing the Restricted Areas.
 - (b) by altering or removing a prohibition or requirement included in the Order or adding a new one.
- (2) Where the Council considers it appropriate to do so the Order may be discharged by the Council before the end of the period that the Order may remain in force specified in paragraph 5(1).

7. Challenging the validity of the Order

- (1) Under the provisions of section 66 of the Act an interested person may within 6 weeks of the making of this Order apply to the High Court to question its validity or the validity of any variation of this Order on the grounds specified in section 66(2) of the Act, namely –
 - (a) that the Council did not have the power to make the Order or variation, or to include prohibitions or requirements imposed by the Order (or by the Order as varied).
 - (b) that a requirement under Chapter 2 of Part 4 of the Act was not complied with in relation to the variation of the Order.

Dated this day of

The Common Seal of the **Sefton Metropolitan Borough Council**

was hereunto affixed in the presence of -

.....

Duly Authorised Officer

DRAFT

THE ACTIVITIES

The Activities which are prohibited in the restricted areas as shown in Schedules 1, 2, 3 4 and of this order are:

- (1) To light or fuel any open fire nor to use, light or discard any disposable, gas powered or standard charcoal barbecue.
- (2) Fireworks, balloons, and lantern releases.
- (3) Large gatherings of persons such as music and dance events, fun runs, guided walks, sporting activities and exercise classes of forty or more without the express written permission of Sefton Metropolitan Borough Council .
- (4) Events such as lectures, speeches, sermons, busking, live music, bootcamps, sport events, use of generators and other types of entertainment performances/shows are not allowed without prior express written permission of Sefton Metropolitan Borough Council as per our events policy.
- (5) Overnight stays in tents, motorhomes, or caravans without the express written permission of Sefton Metropolitan Borough Council - including, but not limited to, pitching or occupying tents, motorhomes, caravans' sunshades, and windbreaks excepted if in situ a maximum of 12 hours.
- (6) Collecting money without the express written permission of Sefton Metropolitan Borough Council
- (7) Begging or soliciting money
- (8) Advertising any article verbally or by the distribution of leaflets and flyers, circulars, or advertisements of any kind
- (9) Flyposting and other fixed notices on railings, posts or other street furniture without prior express written permission of Sefton Metropolitan Borough Council, and a fee may be chargeable for this. Notices must be taken down within an agreed period.
- (10) Selling goods, products, or services without the express written permission of Sefton Metropolitan Borough Council
- (11) Boat or Paddleboard launching with the exception of certain parts of the coast and lakes as detailed in Schedule 6 with the express written permission of Sefton Metropolitan Borough Council canoes are not allowed other than at designated launching locations as detailed in Schedule 6 and with the express written permission of Sefton Metropolitan Borough Council
- (12) Watercrafts and power kiting without the express written permission of Sefton Metropolitan Borough Council
- (13) Being in charge of any pleasure boat, windsurfer, kite board, paddleboard, jet ski or any other vessel and causing or permitting same to be used in a dangerous manner, without due care or attention or without reasonable consideration for other persons OR failing to comply with instructions from an Authorised Person in respect of said vessel.
- (14) Undertake kite surfing, parakiting or other powered kite activity anywhere on the coast other than the designated Kite beach at Ainsdale Beach as detailed in Schedule 6.

- (15) Bring, ride, beach or launch any jet ski other than at the marine lakes and in compliance with the operators at these locations
- (16) Take part in the activities set out in paragraphs 11,12,13,14,15 without the express written permission of Sefton Metropolitan Borough Council and insurance
- (17) Cycling apart from on cycle paths and routes, following road rules/localized signage
- (18) Riding any cycle without due care and attention or without due care and consideration for other users of that area.
- (19) Climbing on structures such as Southport Pier and outfall pipes on the beach.
- (20) Swimming in lakes ponds or pools unless it has been designated for swimming per Schedule 6
- (21) Allowing dogs in dog free zones on the beach or in fenced off areas or in pools or ponds.
- (22) Horses are not allowed into the designated bathing areas between 1st May and 30th September, nor to enter vegetated areas on or adjacent to the beach or to ride through flocks of roosting/feeding birds or gallop anywhere on the beach
- (23) Horses must not be ridden dangerously or within 2 hours either side of high tide.
- (24) Horses not allowed to be ridden on the coast other than on designated bridleways and those beaches with access via an authorised route.
- (25) Driving outside of the delineated parking area onto the foreshore or into the dunes unless express permission has been granted by Sefton Metropolitan Borough Council.
- (26) Speeding / driving faster than the 10-mph speed limit in the designated areas of the beach car park . Racing, handbrake turns, and other dangerous maneuvers, unlicensed drivers etc. are prohibited.
- (27) Powered flight such as paraglider, para sender, hang glider or other similar craft is not allowed in any restricted area. This includes taking off and landing.
- (28) Bring or permit to be used any remote-controlled vehicle including model aircraft or drone without the express written permission of Sefton Metropolitan Borough Council .
- (29) Being in possession of glass bottles or containers on any beach
- (30) Throwing of objects such as stones, pebbles, or anything else in a manner likely to cause alarm and distress to another person
- (31) Playing golf
- (32) Urinating, spitting, defecating outdoors in these areas
- (33) Ingest, inhale, inject, smoke, or otherwise use drugs or substances believed to be psychoactive substances.
- (34) Possess or release any canister containing compressed gas
- (35) Act in a disorderly manner to cause harassment, alarm, nuisance, or distress to others in the locality
- (36) Bring in or permit to happen anything which pollutes or is likely to pollute the environment or cause harm to flora and fauna or people. This can include chemicals getting into water

bodies plastic waste anywhere but particularly the foreshore where it can be washed out to sea, biosecurity, noise pollution, dog fouling or human waste.

- (37) Bring or be in possession of any weapon, catapult, firearm, bow and arrow, crossbow, knife, or other article likely to cause harm to persons in the area.
- (38) Drinking alcohol in a public place, after being told not to by an Authorised Officer or a Police Constable in order to prevent anti-social behaviour
- (39) No person shall consume alcohol at any time or have an open alcohol container in any public place after request by an Authorised Officer or Police Constable to cease consumption or hand over the container. This provision does not apply to alcohol being consumed on licensed premises

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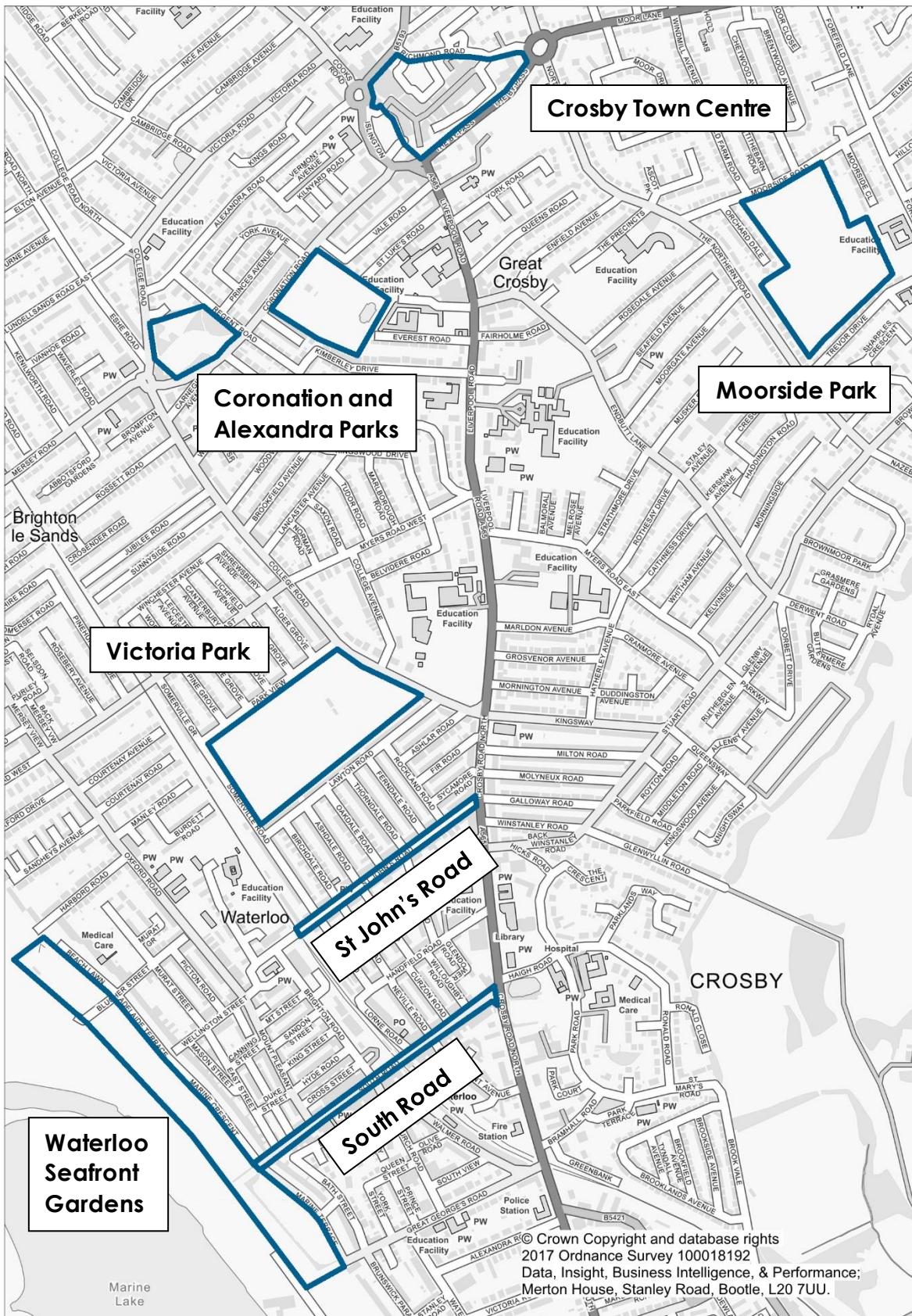
Schedule 1

Bootle Town Centre



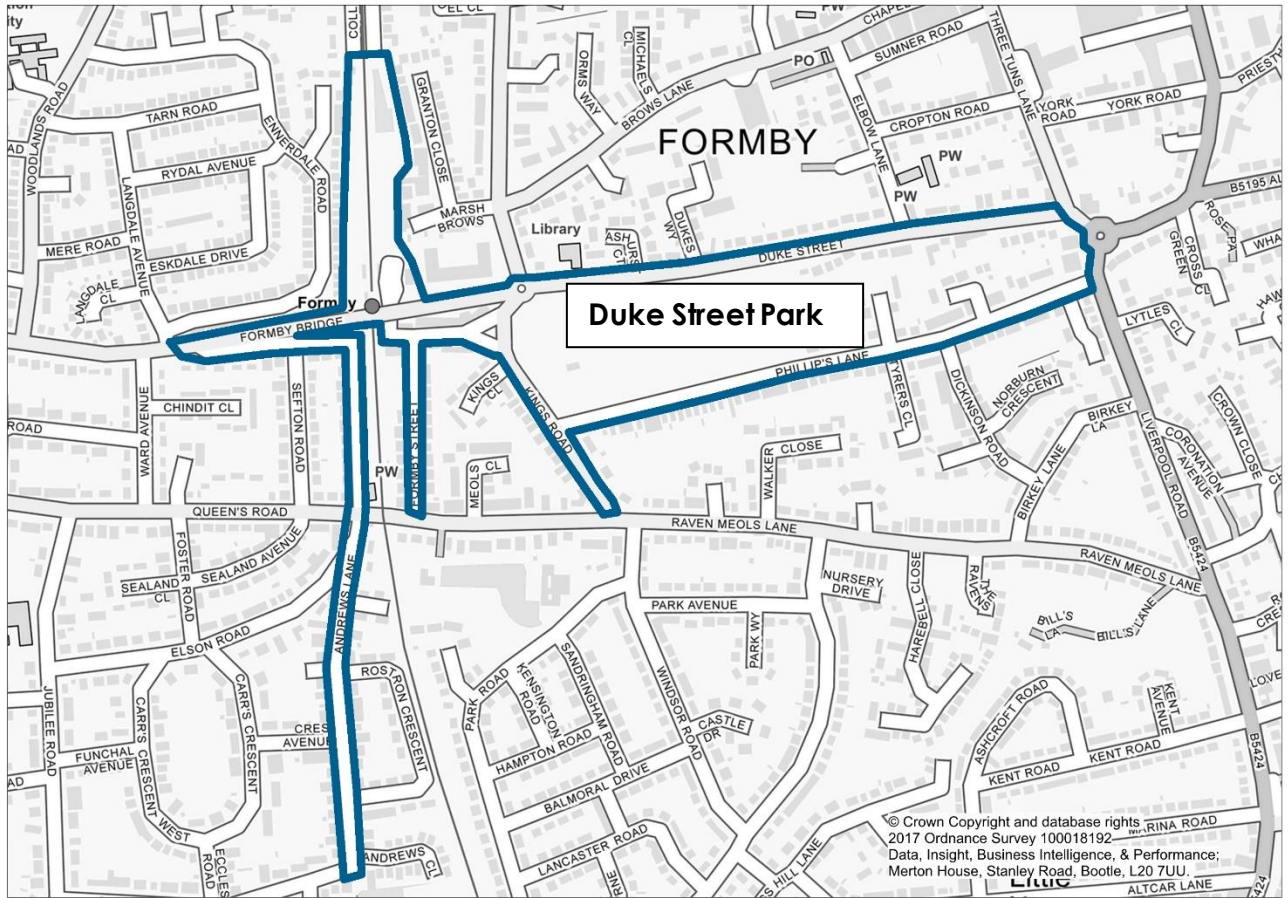
Schedule 2

Crosby and Waterloo Centre



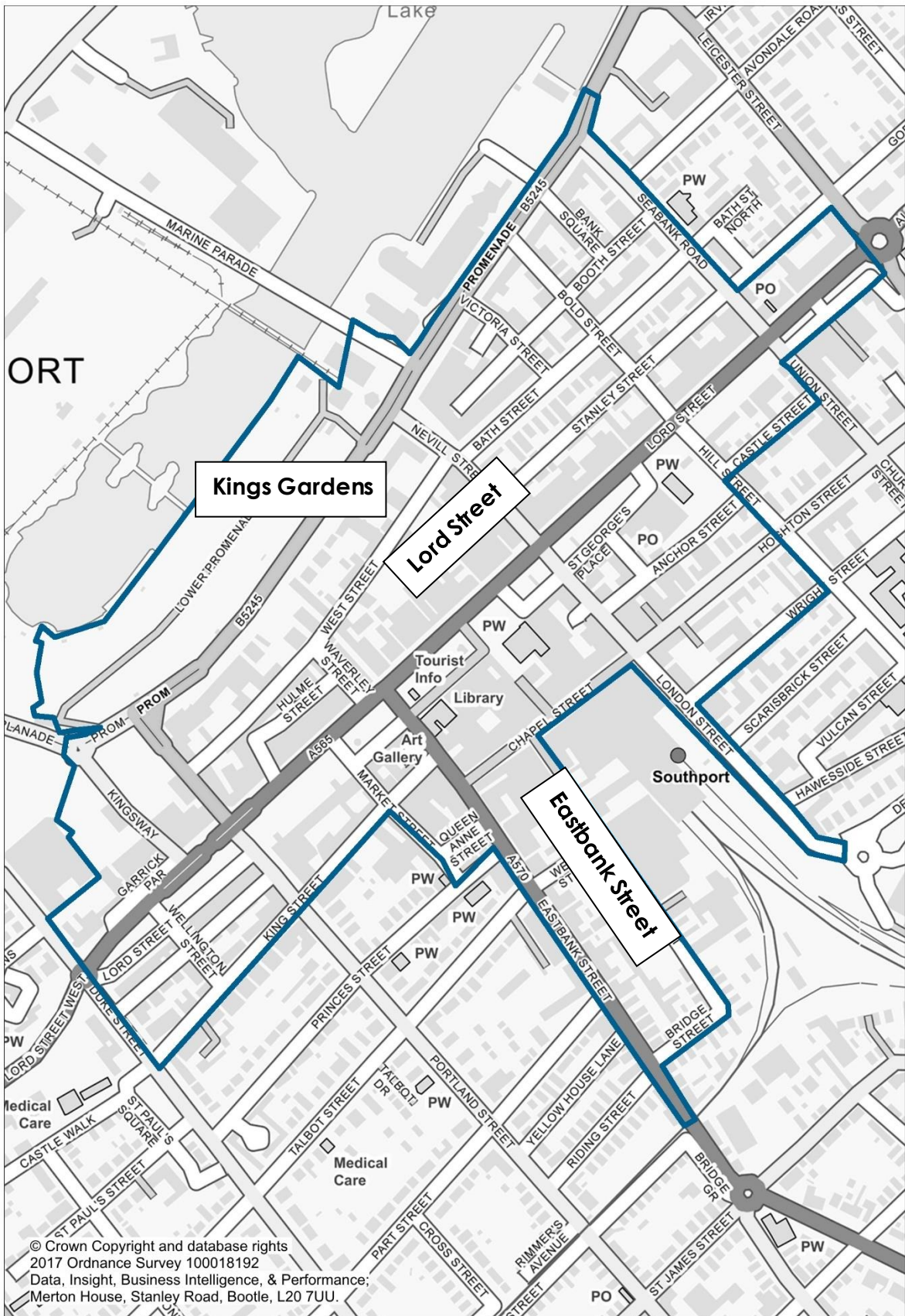
Schedule 3

Formby Centre



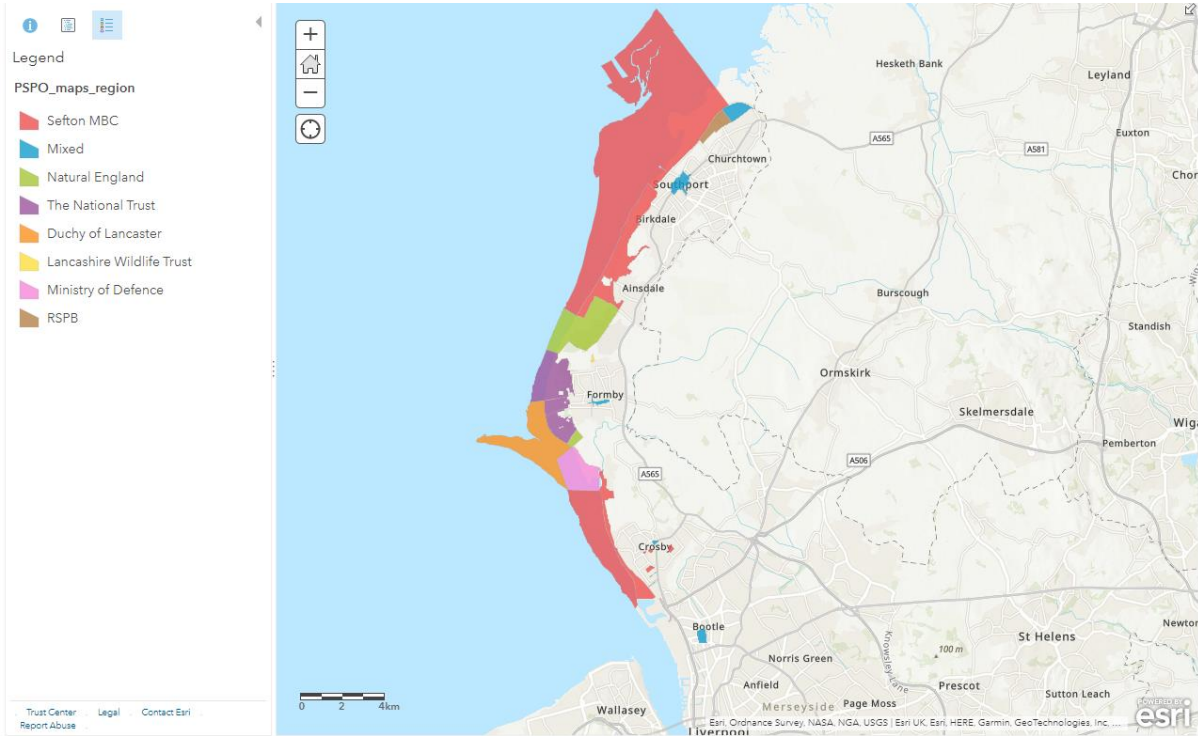
Schedule 4

Southport Town Centre



Schedule 5

Sefton Coast (including foreshore – beach areas covered by tides)



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Schedule 6

Designated Locations

Ainsdale Beach

