



WHAT YOU NEED TO KNOW ABOUT THE ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014 – PUBLIC SPACES PROTECTION ORDERS

This briefing is one of eight papers that set out the new powers and tools available in the Anti-Social Behaviour, Crime and Policing Act 2014. These powers come into operation from 20 October.

Purpose:

To stop persistent anti-social behaviour in public spaces that impact on quality of life locally.

Test:

These orders can be issued where activities carried on in a public space:

- have or are likely to have a detrimental effect on quality of life for those in the locality and
- is of a persistent/ continuing nature or is unreasonable and
- justifies the restrictions imposed by the order.

Who can apply?

Local authorities: district authorities in two tier areas, unitary authorities, London boroughs, City of London Corporation. (Not town or parish councils.)

What the order includes:

- the orders can prohibit and/or require specified things to be done, where these are reasonable to reduce or prevent the detrimental effect
- a prohibition can be framed to apply to all persons or those in specified categories, to apply at all or only specified times, in all or specified circumstances
- the order can last for a period up to three years, and can be extended during that time, more than once.

Detail:

- the local authority should consult with the police, the Police and Crime Commissioners, and other relevant bodies, including the owner/occupier of the land in the restricted area, in respect of application for an order.



- The local authority must follow [the regulations](#) now issued by the Secretary of state, when an order is made, extended, varied or discharged.

Appeal:

- challenges to a public spaces protection order can be made by interested persons – those living or regularly working in/visiting the area - within a period of 6 weeks from commencement of order.

Penalty on breach:

Failure to comply with the order is a criminal offence punishable by a fixed penalty notice or a fine on prosecution.

Tips:

- engage with the local authority to understand how, when and under what circumstances they would apply for the order
- ensure that your partners are aware of and liaise with you in relation to public spaces on your estates
- consider if and how, used appropriately, this can support your other interventions to tackle ASB, where there are public spaces and behaviour in them affecting your tenants and residents.

CIH policy and practice contact: [Sarah Davis](#)

Sign up to the [Respect Charter](#) – the ASB Charter for housing. It will help you to examine and improve your ASB services, to ensure that they are delivered effectively and efficiently.

For more information on how we can help you to prepare for and use the new tools and powers, and support your work on anti-social behaviour, contact [Gez Kinsella](#) or see our [website](#).