

**CABINET  
4 MARCH 2025**

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**CONSULTATION ON THE RENEWAL OF THE TOWN CENTRE PUBLIC SPACE PROTECTION ORDER  
AND INTRODUCTION OF A BOROUGH WIDE PUBLIC SPACE PROTECTION ORDER**

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**Responsible Cabinet Member – Councillor Jim Garner,  
Stronger Communities Portfolio**

**Responsible Director – Dave Winstanley,  
Executive Director Environment Highways and Community Services**

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**SUMMARY REPORT**

**Purpose of the Report**

1. The purpose of this report is to seek approval to consult on the renewal of a revised Town Centre Public Space Protection Order (PSPO) and to consult on a Borough wide PSPO.

**Summary**

**Public Space Protection Orders**

2. Local partners have a range of tools and powers at their disposal to respond and manage concerns about anti-social behaviour (ASB), from measures aimed at tackling the causes of ASB, awareness-raising, signposting for support, through to enforcement. Used proportionately and only in the right circumstances, PSPOs allow local areas to try and counter unreasonable and persistent behaviour that affects the quality of life of its residents and business. Issuing Fixed Penalty Notices (FPN) will only generally be considered when other means of addressing behaviour have not been successful.

**Town Centre Public Space Protection Order**

3. The town centre PSPO has been in place since 2019, and it was last renewed in 2022. The order lasts for three years, and a review must be undertaken if it is to be renewed. The order has been reviewed and it is proposed to consult on renewal as it is considered necessary to retain the powers in the PSPO to assist managing antisocial behaviour, when it occurs. As part of the renewal process the defined area that the PSPO covers and some of the wording of the existing powers are proposed to be amended to improve the effectiveness of the order and these changes are explained in the main report.
4. It is also proposed to consult on some new powers that could be included in the order. These relate to feeding of wild birds in the town centre that has created multiple issues for users of the town centre and businesses; and the anti-social use of bicycles, scooters, skates and skateboards that can cause issues for the public and businesses. More detail on the proposed powers and the application of them are in the main report.

### **Borough-wide PSPO**

5. It is also proposed to consult on the introduction of a new Borough wide PSPO. It is proposed to consult on additional powers across the Borough where there is evidence to justify the introduction of a PSPO to deal with Begging, where this is being displaced from the town centre, the management of side waste and the increasing issues associated with stray dogs. More detail on the proposed powers and the application of them are in the main report.

### **Recommendations**

6. It is recommended that Members approve consultation on:
  - (a) The renewal of a revised Town Centre PSPO as outlined in this report.
  - (b) The introduction of a Borough wide PSPO as outlined in this report.

### **Reasons**

7. The recommendations are supported by the following reasons:
  - (a) To provide powers to officers, including Police, PCSOs and Civic Enforcement Officers, to manage various types of anti-social behaviour.
  - (b) To improve the quality of life of persons visiting and working in the area covered by the PSPO

**Dave Winstanley**  
**Executive Director – Environment, Highways & Community Services**

### **Background Papers**

The Town Centre PSPO was last considered by Cabinet on 22 June 2022.

Scott Richardson: Extension 6753

Council Plan	The additional powers that a PSPO provides can have a positive influence on multiple priorities in the Council Plan and help deliver the ambition and vision.
Addressing inequalities	There are no impacts as a result of this report. An equality impact assessment is being undertaken during the consultation process, which may identify how the PSPO could address inequality.
Tackling Climate Change	The additional powers associated with dealing with side waste across the Borough could have a positive impact on the amount of waste collected and encourage more recycling.
Efficient and effective use of resources	The additional powers could have a positive impact on the demand for Council resources if behaviour is changed in a positive way.
Health and Wellbeing	Anti-social behaviour within the town centre and other locations around the Borough can impact negatively on the health and wellbeing of individuals.
S17 Crime and Disorder	There will be a positive impact on crime and disorder in the town centre and the borough if the PSPOs are approved following consultation.
Wards Affected	All
Groups Affected	No particular group will be impacted differently as a result of this report.
Budget and Policy Framework	No impact on the Budget or Policy Framework.
Key Decision	No
Urgent Decision	No
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

## MAIN REPORT

### The Existing Town Centre Public Space Protection Order (PSPO)

8. The existing PSPO covers the town centre (extents shown at **Appendix 1**) and came into force on 2 July 2022 and will expire on 1 July 2025.
9. The current town centre PSPO provides the Council with powers to deal with the following:
  - (a) Persons acting in an anti-social manner who continue to drink alcohol in public places, which are not licensed premises, after they have been asked to stop.
  - (b) Persons acting in an anti-social manner who fail to surrender any alcohol in their possession in public places, which are not licensed premises, when asked to do so.
  - (c) Begging
  - (d) Threatening behaviour

### Consultation on the renewal of the Town Centre PSPO

10. The anti-social behaviour activities covered by the PSPO are still an issue within the town centre. In the past twelve months, there has been 204 reports of anti-social behaviour in the town centre. More recently, from 1 September 2024 to 20 December 2024, 94 reports of anti-social behaviour were made which again directly relate to that area.
11. The Council must be satisfied on reasonable grounds that certain conditions have been met to renew or introduce a PSPO. Officers have reviewed the evidence required and despite some improvements and initiatives they are satisfied that the required conditions have been met to consider renewal of the order and the current areas that it covers.
12. The council has continued to work closely with a range of partners to tackle these issues. Examples of initiatives include the PubWatch and ShopWatch schemes, Number Forty, and the monthly Cuppa with a Copper engagement events, which offer reassurance that ASB is being dealt with. Campaigns to encourage people to report ASB have also been run over a number of years. Preventing Begging in Darlington is a multi-agency group which works to reduce the number of people begging in the town and educate the public of the best way to help. PSPOs always work in conjunction with these other and other ongoing initiatives.
13. The key milestones and actions are outlined in **Appendix 2**.
14. Officers have also reviewed the effectiveness of the wording of the current PSPO and there are some amendments recommended relating to the alcohol use clauses to try and improve effectiveness of the order.
  - (a) ALCOHOL controls: It is proposed to remove the wording “acting in an anti-social manner” as this effectively allows drinking to occur until it becomes an issue. The suggested deletion enables proactive approaches to address drinking before it

becomes a problem for the wider community.

15. This will result in proactive enforcement options in relation to alcohol consumption in public spaces and guidance will be developed to ensure an acceptable and proportionate approach is taken by Civic Enforcement Officers in relation to alcohol consumption.

### **New considerations for the Town Centre PSPO**

16. There are some new considerations that are to be consulted upon. It is proposed to extend the area covered by the PSPO to include Victoria Road from the Station entrance area to Feethams as shown at **Appendix A**. This is an important gateway to the town centre that has experienced issues of ASB covered by the PSPO.
17. There are also two activities that the Council receive complaints about in the town centre that cause issues to the public and businesses and it is recommended that the following matters are consulted upon for inclusion in the PSPO.

### **Feeding Birds**

18. Feeding birds in the town centre can cause issues for the public, businesses and potentially to birds and wildlife in the urban environment. The majority of people do follow advice and guidance when asked to refrain from feeding pigeons, but some do not and hence it is recommended that a new condition is consulted upon for inclusion in the town centre PSPO that prevents the feeding of birds/pigeons.
19. There is a substantial bird population in the town centre and a number of initiatives have been tried to manage the situation. For example, physical measures on buildings, deterrents such as birds of prey being flown. However, ongoing feeding is an issue that contributes to multiple issues for the Council, residents and businesses to manage.
  - (a) Health concerns - Pigeons can carry diseases that affect humans, such as histoplasmosis and cryptococcosis, which can transmit to humans through inhalation of contaminated droppings. When people feed pigeons, they increase the likelihood of these birds congregating in large numbers, heightening disease transmission risks within the community.
  - (b) Public safety - Increased pigeon populations due to regular feeding can contribute to safety hazards. Large flocks may create unclean spaces and cause slip-and-fall incidents in heavily trafficked areas. Pigeon feeding can lead to significant environmental issues. Excess food often leads to waste accumulation, attracting pests such as rats and increasing the risk of contamination in our surroundings. This places demand on resources to keep the town clean.
  - (c) Risks to bird populations feeding can create potential hazards for their health. When people feed birds, their natural foraging behaviours are altered, leading to several adverse outcomes:
    - (i) Overpopulation: Regular feeding encourages birds to congregate in large numbers, which leads to increased competition for food and limited resources.

- (ii) Nutritional Imbalance: Birds can often consume processed or human food that lacks essential nutrients, resulting in malnutrition and health issues.
- (iii) Disease Transmission: Naturally occurring diseases spread easily in large groups, causing outbreaks that can weaken bird populations.

20. It is recommended that a new condition be consulted upon that would provide additional powers to deter the feeding of birds/pigeons within the Town Centre.

### **Anti-social use of bicycles, scooters, skates and skateboards in the town centre**

21. Another activity that the Council received regular complaints about is the anti-social use of bicycles, scooters, skates and skateboards can cause issues for the public, businesses.
22. The responsible and legal use of bicycles, scooters, skates and skateboards is not an issue. However, some use is not considered social and causes concern in terms of public safety and damage to Council property. For example, the use of street furniture and steps to perform stunts and tricks can cause damage and more importantly safety concerns to the public. The locations that this happens can often be in heavily trafficked. The locations where people gather to perform stunts are also taken out of legitimate use. For example, if stunts are being performed on benches or steps, they are potentially out of use for the function they were installed. For example, a bench may not be available for a person who needs to sit down for health and mobility reasons.
23. It is recommended that a new condition is consulted upon for inclusion in the town centre PSPO and that would provide additional powers to try and deter Anti-social use of bicycles, scooters, skates and skateboards.
24. The condition is anticipated to cover any person entering the town centre PSPO area, identified as riding, cycling, skateboarding, riding a manual scooter or using an E-bike or E-scooter, within the restricted area must not ride in a dangerous careless or inconsiderate manner and/or in a manner that is likely to cause, harassment, alarm or distress to any pedestrian including but not limited to aggressive riding, riding at speed, weaving between pedestrians or performing stunts.
25. More detail on the proposals for consultation are included at **Appendix 3**.

### **Consultation on a new borough wide PSPO**

26. Other authorities have borough wide PSPOs for certain circumstances. Based on experience and evidence from the Civic Enforcement Team and issues that get raised with them a boroughwide PSPO could be considered for certain issues because of the impact on our communities, financially and on service delivery.
27. It is proposed that a borough wide PSPO is consulted upon that would provide the Council with powers to deter and assist manage the following:

## **Begging**

28. Begging is an ongoing concern in the town centre but action being taken has reduced numbers and there is evidence of displacement from the town centre into other parts of the Borough.
29. It is recommended that powers in the town centre PSPO are consulted upon for inclusion in the Borough-wide PSPO.

## **Side waste**

30. Side waste is an ongoing issue that the Council faces and has to manage. There have been 111 reported cases since April 2024. Waste must be placed for collection in a receptacle that is acceptable to the Council. The Council provides adequate receptacles to deal with normal volumes of waste from households. If residents also recycle correctly there is a potential over provision of capacity in the residual waste bin. It is in the interests of the Council and residents both financially and from an environmental perspective to reduce waste generated and recycle correctly.
31. The inclusion of this matter in a borough wide PSPO would provide additional options to staff and provide a more effective way to deter the issue. This would allow a Fixed Penalty Notice (FPN) to be issued after the service of a s46 notice should the householder continue to comply. This is potentially more effective and efficient than progressing matters through the current process, which requires a Community Protection Warning & Notice to be issued before enforcement action can commence through the Courts. The issue of side waste affects most areas of Darlington including the outlying villages. Members should note that if an FPN is issued under a PSPO and it is not paid it still requires court action, unlike parking fines which are civil contraventions.
32. It is recommended that additional powers to manage side waste are consulted upon for inclusion in the borough wide PSPO.

## **Stray Dogs**

33. Stray Dogs are increasing in number, and the Council has dealt with 231 dogs since April 2024. The increase is not just a Darlington issue but something that is being experienced across the region. This is placing pressure on organisations that previously worked charitably to support re-homing, but they have had to change their models to cover costs, which has been passed on the Councils. Therefore, we need to be able to try and encourage more responsible behaviour.
34. As mentioned previously officers will always try to encourage compliance. The inclusion of powers relating stray dogs would give enforcement officers another option in terms of how they try and manage the service. The Council would only consider the use of an FPN if engagement and warnings didn't work.
35. It is recommended that additional powers to manage stray dogs are consulted upon for inclusion in the borough wide PSPO.
36. More detail on the proposals for consultation are included at **Appendix 4**.

## **Guidance & Application of the PSPO powers**

37. The use of a PSPO and FPNS is an additional tool the Civic Enforcement Officers who will try and secure compliance by encouragement before enforcement. A draft guidance and application note is included at **Appendix 5** and this will be developed through the consultation and scrutiny process to ensure a consistent and transparent approach to the use and intention of the PSPO is developed.

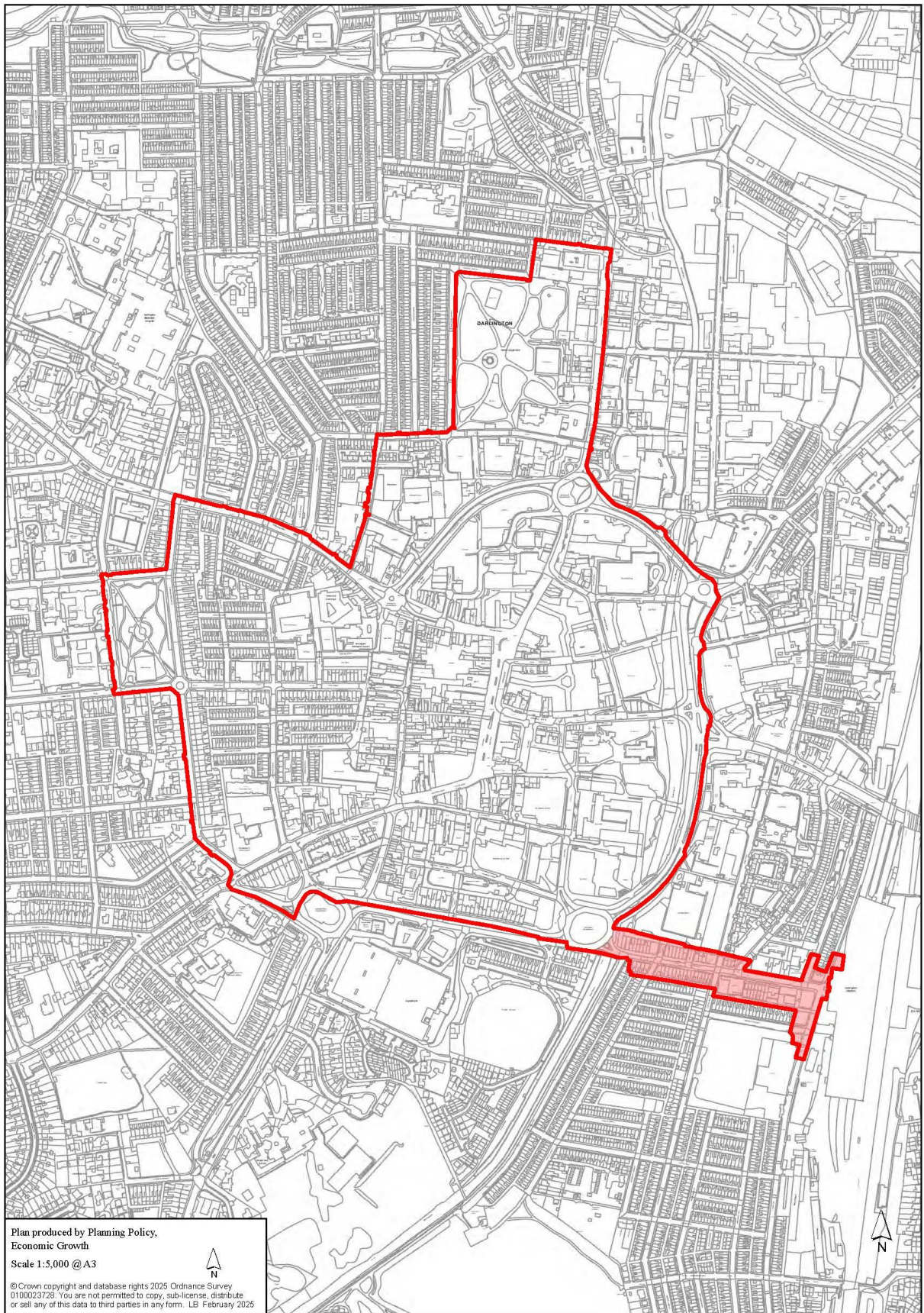
## **Legal Implications**

38. Under section 66 of the Anti-Social Behaviour, Crime and Policing Act 2014 an individual who lives in the restricted area or who regularly works in or visits that area may apply to the High Court to question the validity of a PSPO. The grounds on which an application under this section may be made are either that the local authority did not have the power to make the order, or to include particular prohibitions or requirements imposed by the order; or that a requirement under the 2014 Act was not complied with.
39. If an application under this section the High Court is satisfied that - (a) the local authority did not have power to make the PSPO, or to include particular prohibitions or requirements imposed by it, or (b) the interests of the applicant have been substantially prejudiced by a failure to comply with a requirement under the 2014 Act, the Court may quash the PSPO or any of the prohibitions or requirements imposed by it. It is therefore important that a thorough consultation exercise is carried out in order to mitigate the risk of such a challenge should a decision ultimately be made to renew the town centre PSPO with the proposed changes and for a borough wide PSPO.



### Appendix 1 –Boundary of the Town Centre PSPO.

The shaded area shows the proposed extension to the area covered by the PSPO



Plan produced by Planning Policy,  
Economic Growth  
Scale 1:5,000 @ A3

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## Appendix 2 – Key Milestones

Milestone	Dates	Action
<b>Cabinet</b>	4 Mar 2025	To seek approval to consult on proposals
<b>Consultation Period</b>	<p style="text-align: center;"><b>Consultation and Scrutiny</b></p> <p style="text-align: center;">A 6 week period is proposed to commence 6 Mar - 16 Apr 2025 subject to Cabinet approval to consult.</p> <p style="text-align: center;">The proposals will be considered by the Communities and Local Services Scrutiny Committee as part of the consultation process on .</p> <p style="text-align: center;">Equality Impact Assessment</p> <p style="text-align: center;">This assessment will be undertaken during the period of consultation and considered as part of the report to Cabinet in June 2025.</p>	
<b>Cabinet</b>	June 2025	To consider consultation and make a decision on the Town Centre PSPO order and the introduction of a Borough Wide PSPO
<p><b>If approved the PSPO could be introduced 1<sup>st</sup> JULY 2025</b></p>		

### Appendix 3 Proposed Town Centre PSPO Modifications for consultation

The table below outlines the proposed Town Centre PSPO changes and the rationale for those changes to be consulted upon.

Proposed Terms and Prohibitions	Changes and Rationale
<p><b>Area Covered</b> Proposed change to the boundary of the area covered by the PSPO.</p>	<p>It is proposed to extend the area covered by the PSPO to include Victoria Road from the Station entrance area to Feethams as shown at <b>Appendix A</b>. This is an important gateway to the town centre that has experienced issues of ASB covered by the PSPO.</p>
<p><b>Alcohol</b> Persons who continue to drink alcohol in public places, which are not licensed premises, after they have been asked to stop.</p> <p>Any person who continues drinking alcohol in a public place, which is not a licenced premises, when asked to stop by a constable or a person authorised by the Council for this purpose commits an offence.</p>	<p><b>AMENDED WORDING:</b> It is proposed to remove the wording “acting in an anti-social manner”</p> <p>The wording was introduced upon the making of the last PSPO to tackle those persons acting in a disruptive manner within the Town Centre. However, this has posed challenges operationally with officers being unable to deal with groups of adults who congregate in various locations within the Town Centre to drink alcohol from 8am until their behaviour becomes disruptive.</p> <p>Complaints from local businesses regarding these adults gathering continue to be received, particularly from businesses in and around Tubwell Row and members of the public who walk through St Cuthberts churchyard. The proposed re-wording of the prohibition would allow officers to deal with the groups of adults drinking alcohol before any disruptive behaviour occurred.</p>
<p><b>Alcohol</b> Persons who fail to surrender any alcohol in their possession in public places, which are not licenced premises, when asked to do so.</p>	<p><b>AMENDED WORDING:</b> It is proposed to remove the wording “acting in an anti-social manner” for the same rationale as outlined above.</p>

Proposed Terms and Prohibitions	Changes and Rationale
<p>Any person who fails to surrender any alcohol in his possession in a public place, which is not a licenced premises, when asked to do so by a constable or a person authorised by the Council for this commits an offence.</p>	
<p><b>Birds/Pigeons</b> Continuing to feed Birds/pigeons after they have been asked to stop.</p> <p>No person at any time shall provide, or deposit food for the purpose of feeding or attracting birds/pigeons, within the Restricted Area save where the owner, occupier or other person, or authority having control of the land has consented (generally or specifically) to them doing so.</p>	<p><b>NEW PROHIBITION:</b> It is proposed to add a clause into the PSPO to prevent the feeding of birds/pigeons within the Town Centre.</p> <p>Currently enforcement of this falls under s87 of the Environment Protection Act 1990 (Littering Offences). For a fixed penalty notice (FPN) to be issued a person must be seen to deposit waste onto the ground and then leave the area. No offence is committed if a person feeds birds/pigeons and remains in the area until the food is consumed. The Town Centre continues have issues with the number of pigeons, which are attracted by persons feeding them on a daily basis and this prohibition will allow officers to prevent this from occurring.</p>
<p><b>Anti-social use of a skateboards, scooters, skates or bicycles</b> Anti-social use of a skateboard, scooter, skates or bicycle causing damage to property and/or nuisance or annoyance to other persons.</p> <p>No person shall ride upon a skateboard, scooter, skates or bicycle in a manner which could cause damage to property or nuisance or annoyance to one or more persons.</p>	<p><b>NEW PROHIBITION:</b> It is proposed to add a clause to prevent the anti-social use of bicycles, scooters, skates and skateboards in the Town Centre.</p> <p>This is to enable action to be taken against persons who act in an anti-social manner. For example, by riding these into shops, cycling in an aggressive manner towards members of the public before veering away at the last moment and by performing wheelies/stunts in public area. The proposed prohibitions would allow officers to effectively deal with these issues by the use of warnings and fines for young people aged 14 or over, and by issuing fixed penalty notices for adults.</p>
<p><b>Threatening behaviour</b> No person shall use threatening or intimidating behaviour towards any other person.</p>	<p><b>NO CHANGES</b></p>

<b>Proposed Terms and Prohibitions</b>	<b>Changes and Rationale</b>
<b>Begging</b>	<b>NO CHANGES.</b> If Members decide to progress a Borough Wide PSPO it is proposed begging would be included in both the Town Centre PSPO and included in the Borough Wide PSPO.

#### Appendix 4 Proposed Borough Wide PSPO for consultation

The table below outlines proposed inclusions to be consulted upon for a new Borough Wide PSPO.

Proposed Terms and Prohibitions	Changes and Rationale
<p><b>Begging</b> No person shall sit or loiter in any place for the purpose of begging. No person shall ask members of the public for money whether by placing an item before them for the receipt of money or otherwise.</p> <p>The guidance (page 8) states: “The activity restricted by an Order must be carried out in a public place, which is defined in the legislation as ‘any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.”</p> <p>In effect, FPNs can be issued for begging in these areas.</p>	<p><b>EXISTING PROHIBITION WIDENED FROM TOWN CENTRE PSPO TO BOROUGH WIDE PSPO:</b> As a result of the action taken in the Town Centre to deal with the issue of begging, the issue is being displaced to other areas with Darlington. Beggars now are active in areas such as Cockerton, Neasham Road retail park, North Road retail park and reports have been received from ASDA on Whinfield Road of beggars in that location. The extension of the prohibition would allow the enforcement element of our four-tier approach to deal with the issue into any area of Darlington where begging occurs.</p>
<p><b>Household waste presentation</b> In relation to household waste presentation, each Relevant Person is required to ensure that all household waste presented, or to be presented for collection from Relevant Premises shall be contained in receptacles of such kind and number as may be specified in any notice served by the Council under Section 46 of the Environmental Protection Act 1990 and in accordance with any further requirements of such notice.</p> <p>Each Relevant Person shall have an equal and separate responsibility in relation to the requirement above, whether physically present at the Relevant Property or not.</p> <p>No person shall be in breach of these requirements if that person demonstrates that they have taken all reasonable steps available to that person to secure compliance,</p>	<p><b>NEW PROHIBITION:</b> This would allow a Fixed Penalty Notice (FPN) to be issued after the service of a s46 notice should the householder continue to mispresent their waste. This is potentially more effective and efficient than progressing matters through the current process which requires a Community Protection Warning &amp; Notice to be issued before enforcement action can commence.</p> <p>The issue of side waste affects most areas of Darlington including the outlying villages.</p>



Proposed Terms and Prohibitions	Changes and Rationale
<p>provided that proof of the same will lie with that person.</p> <p><i>This applies to all persons (“the Relevant Person”) in a position to control residential premises located within the Restricted Area (“the Relevant Property”).</i></p> <p><i>For the purposes of this Order, Relevant Person means any person residing in, whether permanently, or temporarily, by legal right or simple occupation, any premises situated in the specified area and any owner or managing agent of any premises let on a periodic tenancy and situated within the Restricted Area.</i></p>	
<p><b>Allowing a dog to stray</b></p> <p>A person who is responsible for a dog must not permit, allow or fail to prevent the dog from being unaccompanied in the Restricted Area.</p> <p>Where a person who is responsible for a dog wishes to rely upon an exemption set out in this Order, they must demonstrate that they satisfy the requirements of the exemption.</p> <p>Shall not apply to a person who is on the Registered as blind or partially sighted and is responsible for an assistance dog. For the purposes of this Order an “Assistance Dog” is defined as:</p> <ul style="list-style-type: none"> <li>a) A dog which has been trained to guide a blind or partially sighted person; or A dog which has been trained to assist a deaf person; or</li> <li>b) A dog which has been trained to assist a disabled person who has a disability that consists of epilepsy or otherwise affects the person’s mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects.</li> </ul>	<p><b>NEW PROHIBITION:</b> The introduction of this prohibition would allow officers to issue FPN’s to those persons who allow their dog to stray, with exemptions in place for assistance dogs.</p> <p>There is increasing demand on the service and need to kennel stray dogs. The PSPO is seen as an option to enable officer to encourage more responsible ownership.</p>

## Appendix 5 Draft Guidance and Application of PSPO powers

### Town Centre

Prohibition	Use
Alcohol prohibitions	<p>In areas frequented by known “street drinkers” (e.g. St Peters Churchyard &amp; Tubwell Row) officers will approach the individuals and advise them of the terms of the order and request that they either stop drinking and surrender any alcohol or move outside of the PSPO area. If persons do not comply with the instructions, their details will be obtained, and a fixed penalty notice (FPN) will be issued.</p> <p>The prohibition may also be used where events are taking place within the PSPO area and persons are becoming problematic but not committing public order offences.</p> <p>This will not be applied to responsible legal alcohol consumption. For example, a picnic or other event.</p>
Feeding wild birds	<p>Persons who are witnessed feeding wild birds in the PSPO area will be approached and advised of the terms within the PSPO and requested to stop.</p> <p>Where these persons continue to feed the wild birds, their details will be taken, and a FPN will be issued.</p>
Anti-social use of cycles etc.	<p>Where persons are witnessed riding/skating in an anti-social manner as outlined in the order they will be approached by officers and instructed to stop.</p> <p>If the person is identified as aged between 10 and 18 and carries out the instruction to stop, a verbal warning will be given, this being followed up in writing to both the young person and their parent/guardian. Where the behaviour continues despite this instruction the details will be taken and action taken as detailed below.</p> <p><b>Aged 18+ – A FPN will be issued</b></p> <p><b>Persons aged 16 &amp; 17 –</b> details will be taken, and consultation will take place with the Youth Justice &amp; Engagement Service as to whether a FPN should be issued. If a FPN is issued, the parent/guardian will be informed. Where a FPN is</p>



	<p>not considered to be the appropriate action, a referral into the youth justice &amp; engagement service will be made to work with the young person to prevent further offending.</p> <p><b>Persons aged 14 &amp; 15</b> - details will be taken, and consultation will take place with the Youth Justice &amp; Engagement Service as to whether a FPN should be issued. If a FPN is issued, the parent/guardian will be informed. Where a FPN is not considered to be the appropriate action, a referral into the youth justice &amp; engagement service will be made to work with the young person to prevent further offending.</p> <p><b>Persons aged between 10 &amp; 13</b> – a FPN will not be issued, a referral to the youth justice and engagement service will be made to work with the young person to prevent further offending.</p>
Threatening behaviour	<p>Persons engaging in threatening behaviour will initially be instructed to stop. If the behaviour continues, details will be obtained, and the appropriate action would be taken as detailed below;</p> <p><b>Aged 18+</b> – A FPN will be issued</p> <p><b>Persons aged 16 &amp; 17</b> – details will be taken, and consultation will take place with the Youth Justice &amp; Engagement Service as to whether a FPN should be issued. If a FPN is issued, the parent/guardian will be informed. Where a FPN is not considered to be the appropriate action, a referral into the youth justice &amp; engagement service will be made to work with the young person to prevent further offending.</p> <p><b>Persons aged 14 &amp; 15</b> - details will be taken, and consultation will take place with the Youth Justice &amp; Engagement Service as to whether a FPN should be issued. If a FPN is issued, the parent/guardian will be informed. Where a FPN is not considered to be the appropriate action, a referral into the youth justice &amp; engagement service will be made to work with the young person to prevent further offending.</p> <p><b>Persons aged between 10 &amp; 13</b> – a FPN will not be issued, a referral to the youth justice and engagement service will be made to work with the young person to prevent further offending.</p>

**Boroughwide**

Prohibition	Use
<p>Begging</p>	<p>The approach to dealing with those begging within the Town Centre will be continued boroughwide. Those persons who are found to be begging are offered support with finding accommodation, support to overcome any addictions they may have and encouraged to stop begging and move away from the location before any enforcement action is considered. Those persons found to be habitually begging are discussed at the bi-monthly multi-agency “Begging Group” with agreed targeted actions to support the individual to stop begging.</p> <p>Those individuals who continue to beg despite being offered all available support will be issued FPN’s. Further enforcement action to prevent the individual from carrying out the behaviour in the area will also be considered where the begging group consider it proportionate (e.g. injunctions or criminal behaviour orders).</p>
<p>Household Waste Presentation</p>	<p>Those individuals who are found to be presenting household waste incorrectly on the first instance will be issued with a warning letter and a notice under s46 of the Environment Act 1990 which specifies how waste must be presented in the future. Should any support needs be identified at this time, e.g. assisted bin collection, these will be actioned by the officer.</p> <p>Should an individual continue to present household waste incorrectly a FPN will be issued. Those individuals who habitually present waste incorrectly may be summonsed to Court for the offence.</p>
<p>Allowing a dog to stray</p>	<p>Where a dog is found straying for the first time a warning letter for breaching the PSPO will be issued to the owner stating that if the dog is found to be straying again then a FPN may be issued.</p> <p>A FPN could be issued for allowing dogs to stray and are non-microchipped or those with incorrect chip details. Where a dog is found straying on more than one occasion a FPN will be issued to the owner.</p> <p>Should an owner habitually allow their dog to stray, consideration will be given for a file to be presented to Court of prosecution.</p> <p>Assistance dogs are exempt from the PSPO.</p>