

The Dorset beaches Anti-social Behaviour Related Public Spaces Protection Order 2022

Dorset Council ("the Council") in exercise of its power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) hereby makes the following order:

This Order shall be known as The Dorset beaches Anti-social Behaviour Related Public Spaces Protection Order 2022 and shall come into force on 1st July 2022 for a period of three years, unless extended.

This Order has two sections and should be read in conjunction with the related Schedules.

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Section 1 – Unauthorised camping on beaches

Section 2 - Anti-social Behaviour

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Schedule 1 - Map identifying the Controlled Zone – outlined in red and shaded in pink.

Section 1- Unauthorised camping on beaches

- (1) This Section applies to all public places within the land identified and described in Schedule 1 “the Controlled Zone” and imposes the prohibition contained in subsection (4).
- (2) The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met in that anti-social behaviour has been carried out within the “the Controlled Zone” caused by unauthorised camping resulting in anti-social behaviour, littering, inappropriate disposal of waste and damage to facilities and the environment.
- (3) The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities are persistent or continuing in nature, are such as to make them unreasonable, and justify the restrictions imposed by this order.

Prohibition

- (4) No groups of more than one person shall erect a tent, gazebo, marquee or other temporary structure that is designed or intended to provide shelter or accommodation with the intention of camping overnight, within “the Controlled Zone” without the express prior written permission of the landowner.

Requirements

- (5) If instructed to do so by a police officer or an authorised officer a person shall clear away any temporary structure and associated equipment without delay.

Offence

- (6) A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection 5 commits an offence contrary to section 63(6) of the Anti-social Behaviour, Crime and Policing Act 2014 and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Exemptions

- (8) The prohibition contained within this order does not apply to single individuals who are conducting bona-fide fishing activities, with appropriate equipment, on the beach utilising a bona-fide fishing shelter or person(s) who have express prior written permission of the landowner.

Section 2 – Anti-social Behaviour

- (1) This Section applies to all public places within the land identified and described in Schedule 1 “the Controlled Zone” and imposes the prohibition contained in subsection (4 and 5).
- (2) The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met in that antisocial behaviour has been carried out within the “the Controlled Zone” caused by anti-social behaviour resulting in behaviour that causes harassment, alarm and distress, nuisance and littering.
- (3) The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities are persistent or continuing in nature, are such as to make them unreasonable, and justify the restrictions imposed by this order.

Prohibition

- (4) No person without a reasonable excuse shall act in an anti-social or disorderly manner that causes or is likely to cause nuisance, harassment, alarm or distress to any other person.
- (5) No person who has previously been warned regarding their behaviour under subsection (4) shall refuse to leave any retail, commercial or licensed premises, public building or other area within “the Controlled Zone” when requested to do so by a Police Constable or an Authorised Person.

Offence

- (6) In accordance with section 67 of the Anti-social Behaviour, Crime and Policing Act 2014 it is an offence for a person without reasonable excuse to do anything they are prohibited from doing by section 2(4) and 2(5) of this Order.
- (7) 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.

Requirement placed on you

- (8) If a Police Constable or Authorised Person reasonably believes that a person has acted, or likely to act, contrary to the restrictions placed upon them by this Order, they must leave “the Controlled Zone” or specified location forthwith and not return within a specified period up to a maximum of 48 hours when instructed to do so by a Police Constable or Authorised Person.
 - (a) The Council requires that you terminate the activities described in sections 1 and 2 of this Order and comply with requirement 2(8) if requested to do so within “the Controlled Zone”.

Section 3 – Fixed Penalty Notices

In accordance with Section 68 of the Anti-social Behaviour, Crime and Policing Act 2014, a constable or authorised person may issue a fixed penalty notice to anyone they have reason to believe has committed an offence under this Order. Such notice offers the person to whom it is issued the opportunity to discharge their liability to conviction for the offence by payment of a fixed penalty. The penalty is set at £100.00 to be paid within 28 days but is reduced to £75.00 if paid within 14 days.

Date: 19th May 2022

THE COMMON SEAL OF DORSET COUNCIL

Was hereto affixed in the presence of:-