

**Executive functions:**

**Record of decision**

**(a) Record of decision:**

<b>Name and title of officer making decision:</b>	Ian Fitzpatrick, Director of Regeneration and Planning (“the Director”), on behalf of Tim Whelan, Director of Service Delivery
<b>Service/division/department:</b>	Service Delivery
<b>Date decision made:</b>	1 November 2023
<b>Subject matter:</b>	Renewal of alcohol and dog related Public Spaces Protection Orders
<b>Decision taken:</b> <ol style="list-style-type: none"><li>1. To extend by three years, commencing on 24 November 2023, the period for which the Eastbourne Public Spaces Protection Order (Consumption of Alcohol) 2017 has effect.</li><li>2. To extend by three years, commencing on 24 November 2023, the period for which the Eastbourne Public Spaces Protection Order (Dog Ban) 2017 has effect.</li><li>3. To extend by three years, commencing on 24 November 2023, the period for which the Eastbourne Public Spaces Protection Order (Dog Fouling) 2017 has effect.</li><li>4. To extend by three years, commencing on 24 November 2023, the period for which the Eastbourne Public Spaces Protection Order (Dogs on Leads) 2017 has effect.</li></ol>	

**(b) Reasons for decision:**

Under section 60(2) of the Anti-social Behaviour, Crime and Policing Act 2014 (‘the 2014 Act’), the Council may, before a Public Spaces Protection Order (PSPO) expires, renew the order for up to three years if satisfied on reasonable grounds that doing so is necessary to prevent—

- (a) occurrence or recurrence after that time of the activities identified in the order, or
- (b) an increase in the frequency or seriousness of those activities after that time.

In light of (a) communications from the police and Neighbourhood First officers during the period when the four existing PSPOs have been in force, and (b) the outcome of the consultation from 18 September to 13 October 2023 into the proposed extension of the PSPOs, the Director is

satisfied that the section 60(2) criteria above are satisfied in respect of all four PSPOs, and that in each case the extension should last three years.

**(c) Details of any alternative options considered and rejected when making decision:**

It was open to the Director not to extend the duration of the Council's four existing PSPOs at all, or to extend them for less than three years. However, it was considered that the nature of the nuisance behaviour (i.e. street drinking of alcohol and inadequate dog control) and its detrimental effect on those in the locality was such as to justify extending the orders and doing so for the longest period permitted, namely three years.

In accordance with section 72(1) of the 2014 Act, the Director has, in deciding whether to extend the four PSPOs and for what period, had particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention.

**(d) Details of any consultations undertaken:**

In accordance with section 72(3) of the 2014 Act, the Council conducted a formal consultation over its proposal to extend the period for which its four existing PSPOs would have effect. The consultation ran from 18 September to 13 October 2023.

In further compliance with section 72(3), the Council directed its consultation at:

- The Police and Crime Commissioner for Sussex
- Sussex Police
- Relevant community representatives

A report on the consultation, which showed consultees to be in favour of the four existing PSPOs being extended by three years, was submitted to the Director for consideration, who in turn shared it with Cllr Bannister, the Cabinet Member for tourism, leisure, accessibility and community safety. In light of the report and Cllr Bannister's views on it, the Director decided to extend the four PSPOs for three years.

**(e) Source of authority to make decision:**

**Cabinet decision date**

12 July 2017

**(f) Record of any conflict of interest declared by any Cabinet member who was consulted which relates to the decision (if none, state “none”):**

None

**(g) In respect of any declared conflict of interest recorded above, a note of the dispensation granted by the Monitoring Officer (if none, state “none”).**

N/a

**Record of decision compiled by Oliver Dixon, Lawyer and Monitoring Officer, on  
8 November 2023**