



## Public Space Protection Order (PSPO) Caernarfon

After you have completed the survey, please place it in the pre-addressed envelope provided and return it to Cyngor Gwynedd either:

- through Caernarfon library;
- through Siop Gwynedd Caernarfon;
- or through the Royal Mail (you will not need to place a stamp on the envelope).

If you require this survey in a different format or language, please phone 01766 771 000 or e-mail [DiogelwchCymunedol@gwynedd.llyw.cymru](mailto:DiogelwchCymunedol@gwynedd.llyw.cymru)

We will collect views on the Caernarfon PSPO until 7 April 2024.

Thank you.

**This questionnaire is anonymous. Please do not include information that would reveal your identity or any other individual unless you wish for us to contact you for further engagement.**

The information you provide when completing this survey will be treated in accordance with the requirements of data protection legislation.

### **What is a Public Space Protection Order (PSPO)?**

PSPOs are one of the powers introduced by the Anti-social Behaviour, Crime and Policing Act 2014. It grants the authorities the power to impose restrictions and requirements on individuals within designated areas, to address specific nuisance(s) or problem(s) in specific areas with the aim of improving the life of visitors and residents in the area.

### **Why is a PSPO being considered?**

In Caernarfon, the decision to consider a Public Space Protection Order (PSPO) is in response to new and increasing types of anti-social behaviour within the designated area. Police data and witness accounts have highlighted the scale of the problem, and the impact this is having on residents, businesses and visitors. Before considering a PSPO, the Local Authority must be satisfied:

- that these behaviours in a public space have had, or are likely to have, a detrimental impact on the quality of life of people in the neighbourhood.
- That these activities are or are likely to be frequent and persistent in nature.
- That these activities are or are likely to be unreasonable.
- That they justify the restrictions outlined.

## **What are the proposed restrictions?**

The restrictions under consideration have been specifically developed to deal with the types of behaviour that cause the most serious problems within this area, which therefore justifies their inclusion. We consider that the following restrictions are appropriate, namely:

1. A person shall not follow a course of conduct which causes, or which can reasonably be perceived to cause harassment, alarm, nuisance, or distress.
2. A person shall not consume alcohol, or anything which an Authorised Person reasonably believes to be alcohol or a container holding alcohol if the Authorised Person asks the person to stop drinking or to surrender the alcohol or container.
3. A person shall not loiter in a state of intoxication through consumption of alcohol or drugs. If an Authorised Person asks a person to leave the area in circumstances where the person has contravened this restriction, the person shall leave immediately.

## About you

### 1. Are you completing this questionnaire as

Choose one of the following answers

- an individual (Go to question 2)
- an organisation or business

#### 1.1 Please enter the name of the organisation / business

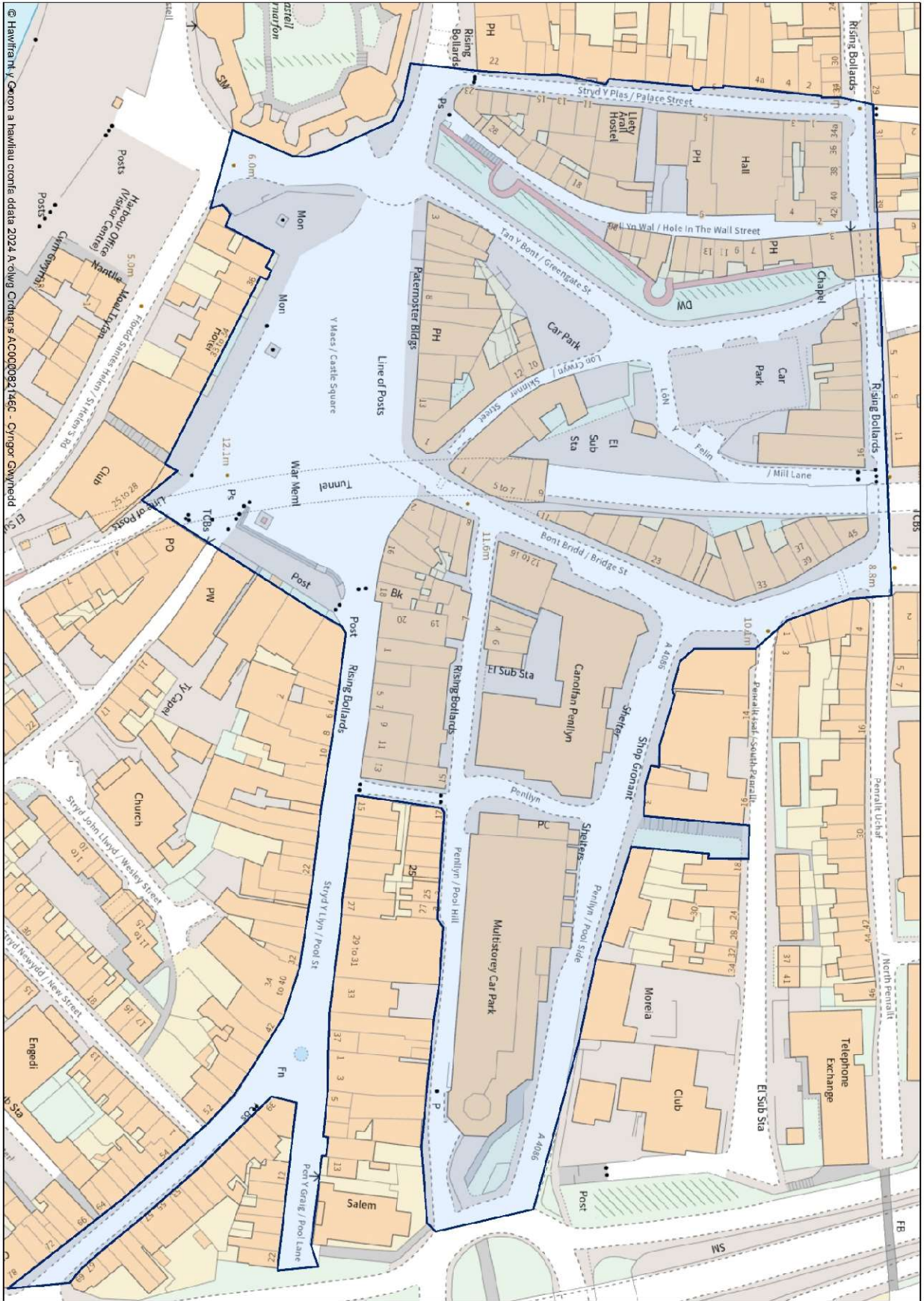
### 2. I am responding to this consultation because I

Choose one of the following answers

- live within / close to the area under consideration
- work within / close to the area under consideration
- visit the area under consideration regularly

- Other:

# Map of PSPO Area Caernarfon



## Public Spaces Protection Order (PSPO) Caernarfon

### 3. Is a PSPO needed in this area?

Choose one of the following answers

- Yes
- No
- Not sure (Go to question 4)

#### 3.1 Explain why you say that

**4. What is your opinion on the proposed area of the PSPO?**

Choose one of the following answers

- Agree
- Disagree
- Not sure (Go to question 5)

**4.1 Explain why you say that**

**5. What is your opinion on the proposed restrictions below and the draft order?**

The 'Draft order' should be referred to for full details. They can be found at the end of this form.

**5.1 A person shall not follow a course of conduct which causes harassment, alarm, nuisance or distress.**

Choose one of the following answers

- Agree
- Disagree
- Not sure

**5.1.1 Explain why you say that**



**5.2 A person shall not consume alcohol if an Authorised Person asks the person to stop drinking.**

Choose one of the following answers

- Agree
- Disagree
- Not sure

**5.2.1 Explain why you say that**

**5.3 A person shall not loiter in a state of intoxication through consumption of alcohol or drugs.**

Choose one of the following answers

- Agree
- Disagree
- Not sure

**5.3.1 Explain why you say that**

**6. Please state any additional comments you have about the CAERNARFON Public Spaces Protection Order.**

A large, empty rectangular box with a thin black border, intended for the user to provide additional comments regarding the CAERNARFON Public Spaces Protection Order. The box is currently blank.

**7. What impact do you believe the decision would have on the Welsh language, its opportunities for use, and its status within the community?**

Choose one of the following answers

- Significant Positive impact
- Slight positive impact
- Neutral
- Slight negative impact
- Significant negative impact

**7.1 Are there any opportunities to adjust what is being proposed in order to have a more positive impact on the Welsh language and its usage, or to eliminate any negative effects?**

**8. In your opinion, is this PSPO likely to have an impact on people facing socio-economic disadvantage?**

Socio-economic disadvantage means poverty of all kinds – financial poverty, digital poverty, living far from services etc

## About you

Answering the following questions will help us ensure we have collected the views of a variety of people and given everyone from all backgrounds a chance to take part. You do not have to answer them.

Any information you provide is strictly confidential. We will not be able to identify you.

The information will only be used for statistical analysis.

If you are completing this survey on behalf of an organisation, do not fill out this section.

### Sex

**Choose one of the following answers**

- Man / Male
- Woman / Female
- I identify in a different way
- I prefer not to say

**Note your age group**

**Choose one of the following answers**

- 15 years old or younger
- 16 - 24 years old
- 25 - 34 years old
- 35 - 44 years old
- 45 - 54 years old
- 55 - 64 years old
- 65 - 74 years old
- 75 - 84 years old
- 85+ years old
- I prefer not to say

**How would you describe your skills in Welsh?**

**Check all that apply**

- Speak, read and write fluently
- Speak, read and write, but not very confidently
- Speak, read and write – I'm learning
- Speak, but can't read or write
- Can't speak or understand Welsh
- I prefer not to say
- Other:

**Nationality or national identity?**

Choose one of the following answers

- Welsh
- English
- Scottish
- Northern Irish
- British
- I prefer not to say

Other:

**What is your race?**

Choose one of the following answers

- White
- Black / African / Caribbean
- Asian
- Gypsy / Irish Traveller
- Mixed / several ethnic groups
- I prefer not to say

Other:



**What is your religion?**

**Choose one of the following answers**

- No religion
- Christian
- Muslim
- Buddhist
- Hindu
- Jewish
- Sikh
- I prefer not to say
- Other:

**Which of these best describes you?**

(You do not need to answer this question if you are under 16)

**Choose one of the following answers**

- Heterosexual / Straight
- Gay man
- Gay woman / lesbian
- Bisexual
- I prefer not to say
- Other:

**Has your gender identification changed from that assigned to you at birth?  
(for example are you trans or transgender etc)**

(You do not need to answer this question if you are under 16 years old)

**Choose one of the following answers**

- Yes
- No
- I prefer not to say

Section 6 (1) of the Equality Act 2010 states that a person is disabled if:

- a. The person has a physical or mental impairment,
- b. and the impairment has a substantial and long-term effect on the person's ability to carry out normal day-to-day activities.

**Using this definition, do you consider yourself a disabled person?**

**Choose one of the following answers**

- Yes
- No
- I prefer not to say

**GWYNEDD COUNCIL**  
**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**  
**GWYNEDD COUNCIL (ALCOHOL AND ANTI-SOCIAL BEHAVIOUR) (CAERNARFON, CRICIETH**  
**AND PWLLHELI)**  
**PUBLIC SPACES PROTECTION ORDER 2023**

Gwynedd Council (“the Council”), in exercise of the powers conferred upon it by section 59 of the Anti-social Behaviour, Crime and Policing 2014 (“the Act”), makes the following Order:

1. The name of this Order is the Gwynedd Council (Alcohol and Anti-Social Behaviour) (Caernarfon, Cricieth and Pwllheli) Public Spaces Protection Order 2023.
2. This Order comes into force on [XXXXXXXXXX] and shall remain in force for a period of 3 years until [XXXXXXXXXX], unless in the meantime it is revoked, amended or extended by further Order under the Council’s statutory powers.
3. This Order applies to the areas outlined in red on the plan attached in Schedule 1 (“the Restricted Areas”).
4. The Council is satisfied that the first condition under section 59(2) of the Act has been met, in that:
  - a. the following activities have been carried out in a public place in the Restricted Areas:
    - i.consumption of alcohol;
    - ii.behaving in a manner that is likely to cause harassment, alarm, nuisance or distress;
    - iii.loitering in a state of intoxication through consumption of alcohol or drugs, and
  - b. these activities have had a detrimental effect on the quality of life of people in the locality, and it is likely that these activities will be carried on in a public place within that area and that they will have such an effect.
5. The Council is satisfied that the second condition under section 59(2) of the Act has been met, in that the effect, or likely effect of these activities is, or is likely to be, of a persistent or continuing nature and is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.
6. The effect of this Order is to impose the following prohibitions and/or requirements in every public place in the Restricted Areas at all times.

**Consumption of alcohol**

7. Subject to article 9, the following prohibitions apply:
  - a. A person (“P”) shall not consume alcohol, or anything which an Authorised Person reasonably believes to be alcohol, if the Authorised Person asks the P to stop drinking.
  - b. P shall not be in possession of alcohol or a container holding alcohol, or anything which an Authorised Person reasonably believes to be alcohol or a container holding alcohol, if the Authorised Person asks the P to surrender the alcohol or container.
8. Subject to article 9, the following requirements apply:
  - a. If an Authorised Person asks P to stop drinking in the circumstances noted in article 7(a), the P shall stop drinking immediately.
  - b. If an Authorised Person asks P to surrender alcohol or a container in the circumstances noted in article 7(b), the P shall surrender the said alcohol or container to the Authorised Person immediately.
9. The provisions of articles 7 and 8 do not apply where the P consumes alcohol within premises or a place which by virtue of section 62 of the Act is exempt from a prohibition in a public spaces protection order on the consumption of alcohol.

**Behaving in a manner that is likely to cause harassment, alarm, nuisance or distress**

10. A P shall not follow a course of conduct which causes, or which can reasonably be perceived to cause, harassment, alarm, nuisance or distress.
11. If an Authorised Person asks a P to leave the area in circumstances where the P has contravened article 10, the P shall leave immediately.

**Loitering in a state of intoxication through consumption of alcohol or drugs**

12. A P shall not loiter in a state of intoxication through consumption of alcohol or drugs.
13. If an Authorised Person asks a P to leave the area in circumstances where the P has contravened article 12, the P shall leave immediately.
14. For the purposes of this Order, a Constable, Police Community Support Officer, and Council officer are Authorised Persons.

**Penalty**

15. A person who without reasonable excuse fails to comply with a requirement imposed by article 8 of this Order is guilty of an offence pursuant to section 63 of the Act and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

16. A person who without reasonable excuse does anything which he is prohibited from doing by articles 10, 12 or 14 of this Order or fails to comply with any requirement imposed by articles 11, 13 or 15 of this Order is guilty of an offence pursuant to section 67 of the Act and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

17. An authorised officer may issue a fixed penalty notice pursuant to section 68 of the Act to any person whom he believes has committed an offence under sections 63 or 67 of the Act as a result of that person doing anything prohibited by the Order or failing to comply with a requirement imposed by this Order.

**Challenging the Order**

18. In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within 6 weeks from the date upon which the Order is made.

Signed the                                  day of                                  2024

**THE COMMON SEAL OF GWYNEDD COUNCIL                  )**  
**WAS HEREUNTO FIXED IN THE PRESENCE OF              )**  
**)**

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**Authorised signatory**