

## APPENDIX 18

### CONSULTATION AND NOTIFICATION- PROPOSED PUBLIC SPACES PROTECTION ORDERS

#### THE NEW FOREST PUBLIC SPACES PROTECTION ORDER 2022 (NO.1) RELATING TO BBQs AND WILDFIRES

#### THE NEW FOREST PUBLIC SPACES PROTECTION ORDER 2022 (NO.2) RELATING TO THE FEEDING AND PETTING OF NEW FOREST PONIES, HORSES, MULES AND DONKEYS

##### Background

New Forest District Council ('the Council') is writing to inform you that it is proposing to make two Public Spaces Protection Orders ('PSPOs') under section 59 of the Anti- Social Behaviour, Crime and Policing Act 2014 ('the Act').

#### 1. **The New Forest Public Spaces Protection Order 2022 (No.1) - relating to BBQs and Wildfires.**

To help reduce the risks from wildfires and BBQs, New Forest District Council is proposing to make a Public Spaces Protection Order, referred to as The New Forest Public Spaces Protection Order 2022 (No 1) ('PSPO No 1').

The full text of the draft PSPO No 1 is available to view on the Council's website at [www.newforest.gov.uk/DraftPSPO1](http://www.newforest.gov.uk/DraftPSPO1)

If made, PSPO No 1 would prohibit the following activities:-

- (a) placing, throwing or dropping items likely to cause a fire,
- (b) lighting fires (of any type) or barbeques (including disposable barbeques and any outdoor temporary cooking facilities or equipment)
- (c) using items which either (i) cause a naked flame or (ii) pose a risk of fire.

PSPO No 1 would only apply to any land within the proposed Restricted Area (shown in blue hatching on the maps set out in Schedule 1 to PSPO No 1) which is open to the air and to which the public are entitled or permitted to have access, on payment or otherwise, as of right or by virtue of express or implied permission. For example, it would not apply to a resident who wanted to enjoy a BBQ in their own garden.

Within PSPO No1 there are proposed exceptions relating to (1) legitimate land management activities undertaken by those with a legal interest in the Restricted Area or their authorised agents and (2) Forestry England Campsites where the activities on those sites comprise the proper use of barbeques and stoves that are purpose built and raised off the ground. These Forestry England Campsites are shown coloured in red on the maps set out in Schedule 1 of PSPO No 1.

Also within PSPO No 1, there are requirements for any person found to be acting contrary to the prohibition, to terminate any of the above activities, and to surrender any item in their possession, if an authorised officer reasonably believes it is being used or is likely to be used, in connection with the above prohibited activities.

#### 2. **The New Forest Public Spaces Protection Order 2022 (No.2) - relating to the Feeding and Petting of New Forest Ponies, Horses, Mules or Donkeys.**

To help reduce the risks associated with feeding and petting New Forest Ponies, Horses, Mules or Donkeys, New Forest District Council is proposing to make a Public

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Spaces Protection Order, referred to as The New Forest Public Spaces Protection Order 2022 (No 2) ('PSPO No 2').

The full text of the draft PSPO No 2 is available to view on the Council's website at [www.newforest.gov.uk/DraftPSPO2](http://www.newforest.gov.uk/DraftPSPO2)

If made, PSPO No 2 would prohibit the following activities:-

- (a) feeding or providing or depositing food for consumption by any New Forest Pony, Horse, Mule or Donkey; or
- (b) petting or touching any New Forest Pony, Horse, Mule or Donkey.

PSPO No 2 would only apply to any land within the proposed Restricted Area (shown in blue hatching on the maps set out in Schedule 1 to PSPO No 2) which is open to the air and to which the public are entitled or permitted to have access, on payment or otherwise, as of right or by virtue of express or implied permission. This Restricted Area comprises the Perambulation of the New Forest.

Within PSPO No 2 there are proposed exceptions relating to (a) any person who is a New Forest Commoner and owner of a New Forest Pony, Horse, Mule or Donkey, or their duly authorised servant or agent; or (b) an Agister.

Also within PSPO No 2, there are requirements for any person found to be acting contrary to the prohibition, to terminate any of the above activities, and to surrender any item in their possession, if an authorised officer reasonably believes it is being used or is likely to be used, in connection with the above prohibited activities.

### Consultation

As required by section 72(3) of the Act, before making the above PSPOs, the Council is required to carry out the necessary consultation, publicity and notification.

Part of the necessary notification involves notifying the parish or community council for the area that includes the proposed Restricted Areas.

The Council has decided to notify with all Town and Parish Councils in the district.

If you would like to respond to the consultation, please visit [www.newforest.gov.uk/PublicSpaceProtectionOrders](http://www.newforest.gov.uk/PublicSpaceProtectionOrders) and answer the consultation questionnaire. If you need help completing the survey online, please request support by telephoning the Council's PSPO consultation helpline on 02380 285917. Paper copies of the relevant documents are also available on request.

Please note that the **consultation period commences at 9:00 am on 5 December 2022** and will remain open until 5:00 pm on 27 January 2023.