

London Borough of Hammersmith & Fulham

Community Safety Unit

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Public Spaces Protection Order

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Anti-Social Behaviour, Crime and Policing Act 2014

**London Borough of Hammersmith & Fulham Harassment Public Spaces
Protection Order 2024**

The Council is satisfied that the two conditions below have been met, in that -

- i. activities carried on in the restricted area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in a public place and they will have such an effect;
- ii. the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

The Council of the London Borough of Hammersmith & Fulham, in exercise of its powers under sections 59 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") and all other enabling powers, hereby makes the following order:

1. This Order comes into force on "X June 2024" and ends on "X June 2027" unless extended by further Orders under the Council's statutory powers. The PSPO will remain in place for a maximum term of 3 years, subject to any variation or extension.
2. This Order applies to all public spaces. This means areas of land which the public are entitled or permitted to have access (with or without payment) within the London Borough of Hammersmith & Fulham.
3. The Order imposes that:

No person shall direct verbal or physical attention, including attention of a sexual nature, at or towards a person or group of persons where that attention is likely to cause a person or persons present harassment, alarm or distress or is likely to undermine their sense of safety in a public place.

Such attention includes – but is not limited to:

- *Unsolicited sexualised or obscene comments, propositions or gestures*
- *Persistent questioning*
- *Following someone*
- *Sexist, homophobic or transphobic slurs*
- *Flashing or exposing intimate body parts*
- *Non-consensual physical contact*
- *Whistling or catcalling.*

Penalty

Any person who fails without reasonable excuse to comply with any of the requirements or prohibitions at Articles 4 (i), (ii), (iii), (iv) and (v) in this Order shall be liable on summary conviction to a fine not exceeding level 3 (currently £1,000) on the standard scale.

Fixed Penalty

Police Officers, Police Community Support Officers, the council's Law Enforcement Officers and other authorised personnel can issue Fixed Penalty Notices (FPNs) to people who break these rules. A person committing an offence will have 14 days to pay the fixed penalty of £100 (or £60 if paid within 7 days), failing which they may be prosecuted.

Appeals

Any challenge to this Order must be made at the High Court by an interested person within 6 weeks of it being made. An interested person is someone who lives in, regularly works in or visits the restricted area. This means that only those who are directly affected by the restrictions have the right to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of the Order on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or

requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made, the High Court can decide to suspend the operation Of the Order pending the Court's decision, in part or in whole. The High Court can uphold, quash or vary the Order.

X

Neil Thurlow
Assistant Director of Community Safety, Resili...

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Craig Knight
Superintendent, Metropolitan Police