

**Housing and Communities Overview and Scrutiny Panel – 18  
March 2026**

**Public Space Protection Order(s) Review & Extension**

Purpose	For Review
Classification	Public
Executive Summary	<p>This report presents the findings of the key stakeholders and Town &amp; Parish Councils consultation undertaken between 28 November 2025 to 19 December 2025. The report also provides the responses from the public consultation undertaken 14 July 2025 to 10 August 2025.</p> <p><b>PSPO 1 prohibits within a defined area:</b> the placing, throwing or dropping items likely to cause a fire; or lighting fires (of any type) or barbeques (including disposable barbeques and any outdoor temporary cooking facilities or equipment).</p> <p><b>PSPO 2 prohibits within a defined area:</b> feeding or providing or depositing food for consumption by any New Forest pony, horse, mule or donkey; or petting or touching any New Forest pony, horse, mule or donkey.</p> <p>In accordance with Section 72(3) of the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act'), prior to extending Public Spaces Protection Orders (PSPOs) 1 and 2, the Council is required to conduct the necessary consultation, publicity, and notification processes. This included a public consultation and consultation and engagement with key stakeholders and Town and Parish Councils located within the areas of the proposed PSPOs.</p>

	<p>The PSPOs were made for a period of 3 years and without extension, will expire on 30<sup>th</sup> June 2026.</p> <p>The report and public consultation outcomes were reviewed by EMT on 24 February 2026, and the findings were noted. EMT support the extension of the orders with further review by members of HCOSP.</p> <p>For the purposes of decision making, this matter is scheduled for review by Cabinet on 1 April 2026 for approval of the proposed extensions to the PSPOs.</p>
<p><b>Recommendation(s)</b></p>	<p><b>The Housing and Communities Overview and Scrutiny Panel (HCOSP) are asked to note the contents of the report and consultation document and are requested:</b></p> <ol style="list-style-type: none"> <li><b>1. Acknowledge the outcomes of the public and key stakeholder consultation on the proposed extension of the PSPOs addressing restrictions on lighting fires and using BBQs in the open Forest, as well as feeding and petting Forest animals.</b></li> <li><b>2. In recognition of the findings of the two consultations, HCOSP support option a</b> <ol style="list-style-type: none"> <li><b>a. the extension of the PSPOs in their current form, effective from 1st July 2026</b></li> </ol> </li> <li><b>3. Supports the report to be submitted and onward reviewed by Cabinet to seek approval to extend the PSPOs for a 3-year period.</b></li> <li><b>4. On the extension of the PSPOs, support actions to improve public awareness of the orders.</b></li> </ol>

	<b>5. Support the Service Manager for Community Safety &amp; Support being authorised by Cabinet to finalise the arrangements with the Partners for enforcement, training and signage.</b>
Reasons for recommendation(s)	<p>Between 1<sup>st</sup> July 2023 and 31<sup>st</sup> March 2025, following the implementation of PSPOs 1 and 2, 399 reports of non-compliant behaviour resulted in delegated officers engaging with over 2,000 members of the public.</p> <p>A public consultation attracting more than 800 submissions demonstrated strong support for the continuation of both PSPOs for a further three-year period.</p> <p>Consultation with key stakeholders and Town and Parish Councils resulted in unanimous support for the extension of both PSPOs.</p>
Ward(s)	All
Portfolio Holder(s)	Councillor Dan Poole - Community, Safety & Wellbeing
Strategic Director(s)	Peter Matthew, Strategic Director Housing & Communities (interim)
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## Introduction and background

- This report outlines the findings of the public & key stakeholder consultation initiated following Cabinet’s decision on 2<sup>nd</sup> July 2025 to consider a proposed three-year extension of the [Public Space Protection Orders](#):
  - PSPO 1** - placing, throwing or dropping items likely to cause a fire; or lighting fires (of any type) or barbeques (including disposable barbeques and any outdoor temporary cooking facilities or equipment).

- **PSPO 2** - feeding or providing or depositing food for consumption by any New Forest pony, horse, mule or donkey; or petting or touching any New Forest pony, horse, mule or donkey.
2. The current orders referred to as PSPO 1 & PSPO 2 came into force on 1 July 2023 for period of 3 years to expire on 30 June 2026.
  3. Section 60 of the Act states that a PSPO may not have effect for a period of more than 3 years, unless extended under that section.
  4. Before the time when a PSPO is due to expire, the local authority that made the order may extend the period for which it has effect 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.
  5. An extension under section 60 of the Act:
    - a) may not be for a period of more than 3 years;
    - b) must be published in accordance with regulations made by the Secretary of State.
  6. A PSPO may be extended more than once.
  7. The report to Cabinet published in July 2025 can be found here [July Cabinet Report](#) from pages 359-369.

### **Key stakeholder consultation response and analysis**

8. Before extending the period for which a PSPO has effect, the Council must carry out the necessary consultation, publicity, and necessary notification in accordance with section 72(3) of the Act.
9. In meeting these requirements, the Council has consulted with:
  - a) the chief officer of police, and the local policing body, for the police area that includes the Restricted Area. This was achieved through consulting with the District Commander of the New Forest and Police and Crime Commissioner for Hampshire and Isle of Wight.

b) Community representatives that the Council identified as being appropriate to consult. This included consulting with:

- Safer New Forest Partnership
- Hampshire & Isle of Wight Fire & Rescue Service
- Scouts New Forest
- Head Teachers' Forum (secondary schools including colleges)
- Head Teachers' Forum (primary schools)
- The Verderers
- Commoners' Defence Association
- National Park Authority
- Forestry England
- Royal Society for the Protection of Birds
- Campaign for National Parks Charity
- Hampshire and IOW Wildlife Trust
- Go New Forest Community Interest Company
- New Forest Association
- Town and Parish Councils
- Hampshire County Council
- British Horse Society
- Open Spaces Society
- The Ramblers
- The Camping and Caravanning Club
- The Caravan and Motorhome Club
- The New Forest Dog Owners' Club
- Health and Wellbeing Board
- New Forest Access Forum
- New Forest Equestrian Association
- Community First
- Girl Guiding Hampshire West
- National Trust
- The Duke of Edinburgh Award Scheme (Hampshire)
- The Duke of Edinburgh Award Scheme (Dorset)
- Wiltshire Outdoor Learning Team (DofE)

10. The Council also carried out the necessary publicity through publishing the proposal to extend the PSPOs.

11. In addition, the Council carried out the necessary notification of the proposed extension by writing to all town & parish councils in the district and Hampshire County Council.

12. The Act does include a requirement to consult with the owner or occupier of land within the Restricted Areas. However, this only applies where it is reasonably practicable to do so. When the PSPOs were made it was recognised that they both cover a wide geographical area of the New Forest. The area covered, particularly by PSPO No 2 which has the Perambulation as the Restricted Area, has a significant number of people who fall within the category or 'owner or occupier of land within the Restricted Area'. When the PSPOs were being proposed, the decision was taken not to consult with every owner and occupier and this approach has also been followed in this consultation for the proposed extension of the PSPOs.
13. The consultation period with the statutory consultees was undertaken between 28<sup>th</sup> November 2025 and 19<sup>th</sup> December 2025.
14. Letters of invite were circulated to the key stakeholders outlined above to invite formal representative responses via an online form.
15. Detailed outcomes relating to PSPO No. 1 and PSPO No. 2 are provided in Appendix 1 and summarised in paragraphs 17–20 below.
16. A total of 30 responses were received, representing a strong cross-section of key stakeholders, with 50% coming from Town and Parish Councils.
17. Consultation feedback demonstrated unanimous support (100%) for extending PSPO No. 1 (Fire) and PSPO No. 2 (New Forest Animals) for a further three years to 2029.
18. A request to vary PSPO 1 to include Chinese lanterns was requested by one responder. This has been reviewed and there is no evidential data that would support the inclusion of this prohibition within this PSPO.
19. Consistent with the findings of the public consultation, 77% of respondents indicated that there was insufficient awareness and signage advising of the PSPOs.

### **Public consultation response and analysis**

20. Prior to the consultation with the statutory consultees, the Council also carried out a wider public consultation which was conducted between 14<sup>th</sup> July 2025 and 10<sup>th</sup> August 2025.
21. The survey was promoted through multiple channels, including the dedicated PSPO page on the New Forest District Council website,

social media platforms, and targeted email communications to NFDC residents. It was also highlighted on partner agency websites, such as Forestry England and the New Forest National Park Authority. To ensure accessibility, both electronic and paper copies were provided for individuals unable to complete the survey online, with all responses manually entered to guarantee full inclusion in the data analysis.

22. The consultation was delivered via the online platform 'Go Vocal', with hosting and analysis undertaken by NFDC officers. Detailed outcomes relating to PSPO No. 1 and PSPO No. 2 are provided in Appendix 2 and summarised in paragraphs 24–27 below.
23. A total of 842 responses were received regarding the PSPOs. Appendix 2 provides a demographic breakdown of respondents, indicating that 75% identified as residents of the local area.
24. In response to the question, 'Do you support the proposal to extend PSPO No. 1 (fire) for a further three years until 2029?', 98% of respondents indicated support for the proposed extension.
25. Similarly, in response to the question, 'Do you support the proposal to extend PSPO No. 2 (New Forest animals) for a further three years until 2029?', 97% of respondents agreed with the proposed extension.
26. In response to the question, 'Do you think there is sufficient awareness and signage advising of the orders?', 79% of respondents considered the signage to be inadequate. Feedback consistently highlighted the need for more visible, clearer, and strategically placed signage particularly in relation to the rules on feeding and petting New Forest animals.
27. As included at paragraph 4 above. In order to extend the PSPOs, the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:
  - c) occurrence or recurrence after that time of the activities identified in the order, or
  - d) an increase in the frequency or seriousness of those activities after that time.
28. Based on the evidence related to the impact of the PSPOs (which was summarised in the report to Cabinet dated 2 July 2025- [July Cabinet Report](#)) and responses within the consultations, it is the view of officers that the relevant legal tests have been met and, it is

recommended that PSPO No 1 and PSPO No 2 are extended for a further period of 3 years.

### **Awareness & signage**

29. In accordance with Regulation 2 of the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 ('the Regulations'), the Council is required to publish that a PSPO has been made, extended or varied on its website and '*cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to:*
- a) The fact that the order has been made, extended or varied (as the case may be); and*
  - b) The effect of that order being made, extended or varied (as the case may be).'*
30. Consultation feedback highlighted a strong and consistent demand for improved signage relating to the PSPOs, particularly concerning the feeding and petting of New Forest animals. Respondents emphasised the importance of signage that is more frequent, clearer in its messaging, and strategically positioned to maximise visibility and public awareness.
31. The use of the power to make the PSPOs was driven and supported by the Council's partnership working with representatives from, principally, the New Forest National Park Authority, Forestry England and the Verderers (referred to collectively as 'the Partners'). The Partners agreed collectively to support both the enforcement of the PSPOs and the placing of appropriate signage in the Restricted Areas following the PSPOs being made in 2023. It was agreed, prior to the consultation on the proposed extension, that should the proposed PSPOs be extended, the Partners would have a continuing key role to play in respect of both the enforcement of the PSPOs and the placing of appropriate signage in the Restricted Areas.
32. As a result of the two different Restricted Areas for PSPO No 1 (which principally comprises Forestry England managed Land) and PSPO No 2 (which covers the Perambulation of the New Forest), two forms of sign are in place; one which covers both PSPOs and one which covers only PSPO No 2 as there are some areas of land within the Restricted Area for PSPO No 2 which are outside the Restricted Area for PSPO No 1.

33. It is recommended that the Service Manager for Community Safety & Support be authorised to finalise the arrangements with the Partners for enforcement, training and signage.
34. Following agreement with Forestry England, responsibility for signage has been met by them with support of the NPA and Verderers of the New Forest. Should the PSPO extensions be approved, enhancing public awareness through improved signage will be prioritised, informed by the feedback received during the two consultations.
35. When a PSPO is varied or extended the Council must publish it on its website. The Council must also erect notices on or adjacent to the public place to which the PSPO relates to draw the attention of any member of the public using that place to the fact that the PSPO has been extended or varied, and its effect.

### **Enforcement responsibilities**

36. It is an offence under section 67 of the Act to, without reasonable excuse, breach the terms of a PSPO. This can result in the following formal action:
  - a) Prosecution in the Magistrates' Court with a maximum fine of £1000; or
  - b) The issuing of a Fixed Penalty Notice ('FPN') with a maximum penalty of £100.
37. Under section 68 of the Act, a Police Officer or an 'authorised person' (so authorised by the Council) may issue a FPN to anyone whom they believe has breached the terms of the PSPO. For the purposes of the PSPOs, authorised persons are referred to as Authorised Officers.
38. The results of the consultation show that the enforcement of the PSPOs is an important issue.
39. It is acknowledged by the Partners that they have a range of existing resources who are present in and around the New Forest ensuring its good management. Arrangements with the Partners have been in place since the implementation of the PSPOs in 2023. Named officers of the Partner agencies have been designated as Authorised Officers by Cabinet for the purposes of enforcing the conditions of the PSPOs. Forestry England have committed their parking rangers as an additional resource to support compliance of the orders. As these

are new positions, these role profiles will be added to the list of Authorised Officers.

40. The list of relevant job titles will be reviewed with the Partners and any required updates to the Authorised Officers will be provided to Cabinet for agreement and these Authorised Officers will receive refresher training from the Council as detailed in this report.
41. Authorised Officers should take reasonable and proportionate action where they have reason to believe a person has committed, is committing, or likely to commit an offence under the PSPOs as defined by Section 67 of the Act.
42. Such reasonable and proportionate action shall involve the Authorised Officer taking into consideration all relevant circumstances and may include as applicable:
  - a) explaining the effect of the PSPOs;
  - b) referring to visible signage;
  - c) requiring that the activity carried out in breach of the PSPOs is terminated;
  - d) requiring that items that they have reasonable grounds to believe are being, or are likely to be used in conjunction with the activities in breach of the PSPOs be surrendered to them;
  - e) providing a verbal warning; or
  - f) the issuing of a FPN.

### **Corporate plan priorities**

43. The activities of the PSPO 1 & 2 support the Corporate Plan 2024/28 priorities:
  - Empowering our residents to live healthy, connected and fulfilling lives.
  - Protecting our climate, coast, and natural world.
  - Working with our partners at the National Park and other key stakeholders to support the protection and enhancement of natural landscapes, habitats and biodiversity to ensure the future sustainability of the Forest.

### **Options appraisal**

44. The current PSPOs are due to expire on 30<sup>th</sup> June 2026. Following the conclusion of the two consultations and review of the responses, the following options are presented for consideration:

- a) Extend of the PSPOs in their current form, effective from 1<sup>st</sup> July 2026
- b) Variation of the current conditions as outlined in PSPO 1 and 2 from 1<sup>st</sup> July 2026
- c) Discharge one OR both of the PSPOs upon their expiry on 30<sup>th</sup> June 2026.

### **Financial and resource implications**

- 45. Any further extension of either or both PSPOs will result in additional costs. These include ongoing administration and management, updating signage, enhancing media and online awareness campaigns. The current budget of £50,000 is sufficient for the full term of the PSPOs.
- 46. Should the Council proceed with extending the PSPOs, refresher training for authorised officers will be required. This training will be facilitated jointly by the Community Safety team and Legal Services and can be met within existing resources.

### **Legal implications**

- 47. In deciding whether to extend a PSPO, the Council must have regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention for the Protection of Human Rights and Fundamental Freedoms. In respect of PSPO No 1 and PSPO No 2, it is not considered, that these rights are engaged.
- 48. In accordance with section 70 of the Act, a byelaw that prohibits, by the creation of an offence, an activity regulated by a PSPO is of no effect in relation to the relevant Restricted Area during the currency of that PSPO. For the purposes of the PSPOs, this means that, the following do not apply to the respective Restricted Areas for the time that they are in force:
  - a) byelaw 5. iv of the Forestry Commission Byelaws SI 1982 No 648 (PSPO No 1)
  - b) byelaw 16 (1) of the New Forest (Confirmation of the Byelaws of the Verderers of the New Forest) Order 2010 SI 2010 No 993 (PSPO No 2).

These provisions will continue not to apply to the Restricted Areas if the PSPOs are extended.

- 49. Authorised Officers are expected to exercise discretion when issuing Fixed Penalty Notices (FPNs), and the Council retains further discretion regarding decisions to prosecute breaches of the PSPOs.

Both actions issuing FPNs and initiating prosecution proceedings are subject to careful and proportionate decision-making.

50. Regular review and monitoring of activity by the Partners with delegated authority is undertaken to ensure compliance with the Act.

### **Risk assessment**

51. Enforcement of PSPO 1 & 2 is undertaken by staff of Forestry England, National Park Authority and Verderers of the New Forest. Staff of these agencies receive training prior to being granted delegated authority to issue Fixed Penalty Notices. Training encompasses key areas including safe working practices, managing challenging behaviour, and lone working protocols. Each agency with delegated authority remains responsible, as the employer, for undertaking its own risk-based activity assessments.
52. Public and media interest in the PSPOs remains high. The balanced approach of prioritising education and awareness before enforcement has been noted in several online discussions and blogs. This approach is endorsed by key stakeholders with delegated enforcement responsibilities as the preferred.

### **Stakeholder and public consultation**

53. Consultation responses from Forestry England and the National Park Authority were received outside of the main stakeholder consultation process.

*'Forestry England fully supports the continuation and extension of these PSPOs. The New Forest is an internationally designated and highly sensitive landscape, and the behaviours addressed through these orders, particularly the risks associated with fire and the impacts of feeding ponies and other livestock remain significant concerns for the protection of the Forest and for public safety.*

*The existing PSPOs have already proved valuable tools in helping our staff and partners manage visitor behaviour across the Crown Lands. They have supported our teams in engaging with visitors, providing clear and consistent messages, and taking proportionate enforcement action where necessary. This has contributed to reducing harmful behaviours and strengthening awareness of responsible use of the Forest.*

*We also welcome the continued partnership approach between New Forest District Council, the New Forest National Park Authority, Forestry England, and the Verderers of the New Forest. These collaborative arrangements are essential in ensuring joined-up*

*communication, enforcement, and stewardship across the Forest's many access points and visitor hotspots.*

*For these reasons, Forestry England is pleased to support the proposed extensions to the PSPOs and recognises their ongoing importance in safeguarding the special qualities of the New Forest while ensuring that all who visit can do so safely and responsibly.'*

Formal consultation was undertaken with the National Park Authority:

**In relation to PSPO 1:**

*'We are in full support of the PSPO extension. Summer conditions continue to be hotter and drier and the threat and risk of wildfire to the New Forest National Park has become ever-greater. The NPA Ranger team feel PSPO 1 has increased awareness of the risk of fires and acts as a valuable tool for staff to engage with Forest users and have an enforceable course of action available if necessary. It is felt the use of campfires, bbq's and stoves in the National Park has reduced since the introduction of the PSPO and it would be a backwards step to lose the protections it now affords.'*

**In relation to PSPO 2:**

*'Whilst pony/donkey petting and feeding within the New Forest National Park continues it is felt by NPA Rangers and staff on the ground that there is far more awareness that this behaviour is not acceptable. Based on public engagement data this summer compared with the previous 3 summers, fewer people are petting and feeding the livestock. The PSPO serves as a deterrent to many people but after decades/generations of families coming to the New Forest to interact with the ponies and donkeys in this way, we know it is going to take time to change these long-term behaviours. It was never going to simply stop overnight following the introduction of a PSPO but it is making a difference and would be a backwards step to weaken the powers of authorised officers enforcing it.'*

54. The public consultation was conducted via an online platform over a four-week period, generating responses from in excess of **800 participants**. Consultation questions were reviewed and endorsed by the Partners, including Forestry England, the National Park Authority, and the Verderers' Association.
55. In addition, a statutory consultation was conducted via an online platform over a 3-week period, generating 30 responses.

**Environmental / Climate and nature implications**

56. The primary objective of PSPO No. 1 is to reduce fire-related incidents that pose risks to the health of residents and livestock, and

cause environmental damage, including harm to sites of special scientific interest.

57. Furthermore, implementing measures to prevent fires will help safeguard natural habitats and ensure the long-term sustainability of the Forest's woods, heathlands, and ecosystems. These actions will also deliver positive environmental benefits, including contributing to climate change mitigation.
58. PSPO No. 2, which addresses the feeding and petting of New Forest animals, is intended to protect free-roaming animals from harm. Feeding inappropriate food can result in illness or death and encourages animals to approach access roads, increasing the risk of accidents. Such behaviours also disrupt natural foraging habits, potentially reducing their ability to survive independently. Additionally, the prohibition helps safeguard the public from incidents such as biting or kicking, which may occur when individuals encroach on the animals' personal space.
59. Historic land uses, such as commoning, have shaped the Forest landscape over many centuries. Human activity that interferes with these practices can be detrimental to the Forest and its wildlife as a whole.

### **Equalities implications**

60. The Council has due regard to the Public Sector Equality Duty as set out in Section 149 of the Equality Act 2010. The potential impact of the PSPOs on the wider community, including individuals with protected characteristics, was carefully considered prior to their initial implementation. It is not considered that either PSPO targets individuals with protected characteristics or that they will have a negative impact on such groups. Based on the Equality Impact Assessment (EIA) screening, a new full EIA is not deemed necessary at the point of extension; however, this will be reviewed prior to any future decision to amend or further extend the current PSPOs.

### **Crime and disorder implications**

61. A person who breaches the conditions of a PSPO, without reasonable excuse, commits a criminal offence. This offence is punishable either by prosecution, which may result in a fine of up to £1,000, or by the issuing of a Fixed Penalty Notice (FPN), currently set at £100. Payment of the FPN within the specified period discharges liability for prosecution.

## **Data protection / Information governance / ICT implications**

62. The collection, retention, and deletion of residents' personal data is governed by the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. All data is handled in accordance with these legal requirements and is shared only through established and documented information sharing protocols, ensuring compliance with lawful, fair, and transparent processing standards.

## **Conclusion**

63. Since their introduction in 2023, the two PSPOs have shown that, when applied proportionately and as part of a broader suite of interventions, they effectively support compliance and help bring an end to persistent or unwanted behaviours that negatively impact residents' quality of life.

64. In order to extend the PSPOs, the Council must be 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

65. It is the conclusion of this report that these grounds have been met.

66. Based on the analysis of evidence related to the PSPO use and the data gathered during the two consultations, it is recommended that option A as identified within paragraph 44 for PSPO 1 and PSPO 2 be extended for a further period of three years.

67. A collaborative approach between the Council and the Partners is vital to fostering long-term understanding and compliance with the PSPOs. Ongoing efforts to raise awareness of the PSPOs, while emphasising the unique character and ecological sensitivity of the New Forest, remain essential to effectively engaging both residents and visitors.

### **Appendices:**

Appendix 1 – Key Stakeholder Consultation Result Summary

Appendix 2 – Public Consultation Result Summary

### **Background Papers:**

PSPO 1 - [The New Forest PSPO 1 \(fire\)](#)

PSPO 2 - [The New Forest PSPO 2 \(animals\)](#)