

SURREY POLICE

Policing In Your Neighbourhood: PCSO Designated Powers

Designation:

All Surrey Police Community Support Officers (PCSOs) are designated by the Chief Constable to exercise the following powers under Part 1 of Schedule 4 of the Police Reform Act 2002 as amended. These powers may only be exercised when on duty and when wearing the prescribed uniform within the Surrey Police force area.

Police Community Support Officer Uniform:

The Chief Constable of Surrey Police has approved the following uniform for Surrey Police Community Support Officers:

- A cap or bowler hat with Royal blue band and Surrey Police badge/crest
- A mid blue uniform shirt or white formal uniform shirt
- A black tie (when worn with formal shirt)
- Mid blue epaulettes marked 'Police Community Support Officer'
- High visibility jacket or vest with the words 'Police Community Support Officer' on the blue reflective panels on the back and on the front left breast
- Black national police uniform fleece and words 'Police Community Support Officer' on the blue reflective panels on the back and on the front left breast
- Surrey Police black uniform cargo trousers or black uniform officer trousers (when worn with formal shirt).
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Surrey Police approved / issued cycle helmets must be worn when cycling, but must be replaced with a cap or bowler hat when patrolling on foot and performing designated functions.

PCSOs are reminded that only authorised Surrey Police issued uniform is to be worn and all staff must comply with the Surrey Police Dress Code.

Duties:

- Tackling local issues with communities by undertaking problem solving activity and using appropriate designated police powers.
- Deterring nuisance and anti-social behaviour using designated police powers when appropriate.

Power	Surrey	Standard / Discretionary
To issue fixed penalty notices for cycling on a footpath: power of a constable in uniform to give a person a fixed penalty notice under section 54 of the Road Traffic Offenders Act 1988 (fixed penalty notices) in respect of an offence under section 72 of the Highway Act 1835 (riding on a footway) committed by cycling.	✓	Standard
To issue fixed penalty notices for littering: power of an authorised officer of a litter authority to give a notice under section 88 of the Environmental Protection Act 1990 (fixed penalty notices in respect of litter).	✓	Standard
Power to issue fixed penalty notices in respect of offences under dog control orders: power of an authorised officer of a primary or secondary authority, within the meaning of section 59 of the Clean Neighbourhoods and Environment Act 2005, to give a notice under that section (fixed penalty notices in respect of offences under dog control orders).	✓	Standard
To require name and address: power to require the name and address of a person whom a PCSO has reason to believe has committed a relevant offence or a relevant licensing offence. (Relevant offences are defined under subparagraph 2(6) of Schedule 4 of the Police Reform Act 2002 and include relevant fixed penalty offences under paragraph 1 of Schedule 4, an offence under section 32(2) of the Anti-social Behaviour Act 2003 (failure to follow an instruction to disperse) and an offence which appears to have caused injury, alarm or distress to another person or loss of or damage to another person's property. A relevant licensing offence is defined as a specified offence under the Licensing Act 2003). Paragraph 1A enables chief constables to designate the power to require name and address without also designating the power of detention.	✓	Standard
To require name and address for antisocial behaviour: power of a constable in uniform, under section 50 of the Police Reform Act 2002, to require a person whom he or she has reason to believe has been acting, or to be acting, in an antisocial manner to give his or her name and address. Subparagraph 3(2) of Schedule 4 provides the PCSO with the power to detain (under subparagraphs 2(3) to (5) of Schedule 4). However, by virtue of paragraph 2(8) of Schedule 4 the power to detain 'has no effect unless a PCSO has been designated with the power of detention under paragraph 2 of Schedule 4'.	✓	Standard
To require name and address for road traffic offences: enables PCSOs to be designated with the power to require the name and address of a driver or pedestrian who fails to follow the directions of a community support officer or police officer under sections 35 or 37 of the Road Traffic Act 1988.	✓	Standard

<p>To require persons drinking in designated places to surrender alcohol: requires a person whom a PCSO reasonably believes is, or has been, consuming alcohol in a designated public place or intends to do so, to not consume that alcohol and to surrender any alcohol or container for alcohol. Power to dispose of alcohol surrendered.</p>	<input checked="" type="checkbox"/>	Standard
<p>To require persons aged under 18 to surrender alcohol: requires a person whom a PCSO reasonably suspects is aged under 18, or is or has been supplying alcohol to a person aged under 18, to surrender any alcohol in their possession and to give their name and address. Power to require such a person to surrender sealed containers of alcohol if the PCSO has reason to believe that the person is or has been consuming or intends to consume alcohol. Power to dispose of alcohol surrendered.</p>	<input checked="" type="checkbox"/>	Standard
<p>To seize tobacco from a person aged under 16 and to dispose of that tobacco.</p>	<input checked="" type="checkbox"/>	Standard
<p>To seize drugs and require name and address for possession of drugs: enables PCSOs to be designated with a power to seize concealed drugs or drugs found when searching for alcohol, tobacco or other items if the PCSO reasonably believes the person is in unlawful possession of them. The PCSO must retain the drugs until a constable gives them further instructions. If a PCSO finds drugs in a person's possession or has reason to believe that a person is in possession of drugs and reasonably believes such possession is unlawful, the PCSO may require that person's name and address.</p>	<input checked="" type="checkbox"/>	Standard
<p>Power to enter and search any premises for the purposes of saving life and limb or preventing serious damage to property.</p>	<input checked="" type="checkbox"/>	Standard
<p>To seize vehicles used to cause alarm: power to stop and seize a vehicle which a PCSO has reason to believe is being used in a manner which contravenes sections 3 or 34 of the Road Traffic Act 1988 (careless and inconsiderate driving and prohibition of off-road driving) and is causing alarm, distress or annoyance under section 59 of the Police Reform Act 2002.</p>	<input checked="" type="checkbox"/>	Standard
<p>To remove abandoned vehicles under regulations made under section 99 of the Road Traffic Regulation Act 1984. A PCSO designated under this paragraph has the power to order the removal of a vehicle under regulation 3 of the Removal and Disposal of Vehicles Regulations 1986. This relates to vehicles that have broken down or been permitted to remain at rest on a road: (a) in a position, condition or situation causing obstruction or danger to persons using the road, or (b) in contravention of a prohibition contained in Schedule 1 of the regulations.</p>	<input checked="" type="checkbox"/>	Standard

To stop cycles: powers of a constable in uniform to stop a cycle under section 163(2) of the Road Traffic Act 1988 when a PCSO has reason to believe that a person has committed the offence of riding on a footpath.	<input checked="" type="checkbox"/>	Standard
To control traffic for purposes other than escorting a load of exceptional dimensions: powers to direct traffic (for purposes other than escorting loads of exceptional dimensions) based on the powers constables have under sections 35 and 37 of the Road Traffic Act 1988. It also gives PCSOs the power to direct traffic for the purposes of conducting a traffic survey. PCSOs designated under this paragraph must also be designated with powers under paragraph 3A of Schedule 4 to the Police Reform Act.	<input checked="" type="checkbox"/>	Standard
To carry out road checks: power to carry out a road check which has been authorised by a superintendent (or a police officer of higher rank) and power to stop vehicles for the purposes of carrying out a road check.	<input checked="" type="checkbox"/>	Standard
To place signs: enables PCSOs to be designated with the power of a constable under section 67 of the Road Traffic Regulation Act 1984 to place and maintain traffic signs.	<input checked="" type="checkbox"/>	Standard
To enforce cordoned areas: under section 36 of the Terrorism Act 2000.	<input checked="" type="checkbox"/>	Standard
To stop and search in authorised areas: powers under the Terrorism Act 2000 in authorised areas to stop and search vehicles and pedestrians when in the company and under the supervision of a constable.	<input checked="" type="checkbox"/>	Standard
To photograph persons away from a police station: enables PCSOs to be designated with the power to photograph a person who has been arrested, detained or given a fixed penalty notice away from the police station.	<input checked="" type="checkbox"/>	Standard
To issue penalty notices in respect of offences of disorder: power of a constable in uniform to give a penalty notice under Chapter 1 of Part 1 of the Criminal Justice and Police Act 2001 (fixed penalty notices in respect of offences of disorder).	<input checked="" type="checkbox"/>	Discretionary
To issue fixed penalty notices for truancy: power of a constable to give a penalty notice under section 444A of the Education Act 1996 (penalty notice in respect of failure to secure regular attendance at school of registered pupil).	<input checked="" type="checkbox"/>	Discretionary
To issue fixed penalty notices for excluded pupil found in a public place: power of a constable to give a penalty notice under section 105 of the Education and Inspections Act 2006 (penalty notice in respect of presence of excluded pupil in public place).	<input checked="" type="checkbox"/>	Discretionary

<p>To issue fixed penalty notices for graffiti and fly-posting: power of an authorised officer of a local authority to give a notice under section 43(1) of the Anti-social Behaviour Act 2003 (penalty notices in respect of graffiti or fly-posting).</p>	<input checked="" type="checkbox"/>	Discretionary
<p>To enforce certain licensing offences: the Serious Organised Crime and Police Act 2005 establishes a set of relevant licensing offences. These offences are sale of alcohol to a person who is drunk, obtaining alcohol for a person who is drunk, sale of alcohol to children, purchase of alcohol by or on behalf of children, consumption of alcohol by children and sending a child to obtain alcohol. Where these offences apply specifically to clubs, they are not relevant licensing offences. PCSOs may require name and address but may not detain for those relevant licensing offences that are most likely to be committed by licence holders.</p>	<input checked="" type="checkbox"/>	Discretionary
<p>To disperse groups and remove persons under 16 to their place of residence: where a designation applies this paragraph to a person, that person has within the relevant police area the powers conferred on a constable by section 35 of the Antisocial Behaviour, Crime and Policing Act 2014.</p>	<input checked="" type="checkbox"/>	Discretionary
<p>To remove truants to designated premises etc.: enables a PCSO to be designated with the power of a constable under section 16(3) of (3ZA) of the Crime and Disorder Act 1998 to remove a truant or excluded pupil found in a specified area (as specified in a direction under section 16(2) of the 1998 Act) to designated premises or (in the case of a truant) to the school from which the truant is absent.</p>	<input checked="" type="checkbox"/>	Discretionary
<p>To search for alcohol and tobacco: where a person has failed to comply with a requirement under paragraph 5 or 6 or has failed to allow a PCSO to seize tobacco under paragraph 7 of Schedule 4 to the Police Reform Act 2002 and a PCSO reasonably believes that the person is in possession of alcohol or tobacco, a PCSO may search them for it and dispose of anything found. It is an offence to fail to consent to be searched and PCSOs can require name and address for this offence. As specified in paragraph 3(10) of Schedule 8 to the Serious Organised Crime and Police Act 2005, a PCSO may only detain a person for failure to give an adequate name and address if he or she has been designated with powers under paragraph 2 of Schedule 4 to the Police Reform Act.</p>	<input checked="" type="checkbox"/>	Discretionary
<p>Limited power to enter licensed premises: enables PCSOs to be designated with a power to enter licensed premises under section 180 of the Licensing Act 2003 for the purposes of investigating relevant licensing offences. They may not enter clubs and must enter all premises with a constable unless the premises are licensed for the sale of alcohol off the premises.</p>	<input checked="" type="checkbox"/>	Discretionary
<p>To stop vehicles for testing: powers of a constable in uniform to stop vehicles for the purposes of testing under section 67 of the Road Traffic Act 1988.</p>	<input checked="" type="checkbox"/>	Discretionary

Power to direct traffic for the purposes of escorting abnormal loads.	<input checked="" type="checkbox"/>	Discretionary
Power to serve closure notice for licensed premises persistently selling to children.	<input checked="" type="checkbox"/>	Discretionary
To issue a fixed penalty notice to a cyclist for failing to comply with a traffic direction: gives PCSOs the power of a constable to issue a fixed penalty notice the rider of a cycle under section 35 of the Road Traffic Act 1988, failing to comply with traffic directions.	<input checked="" type="checkbox"/>	Discretionary
To issue a fixed penalty notice for parking in a restricted area outside schools: enables PCSOs to issue a fixed penalty notice for contravention of a prohibition or restriction that relates to stopping, waiting or parking at or near a school entrance under section 5(1) or 8(1) of the Road Traffic Regulation Act 1984. Paragraph 3 of the Anti-social Behaviour, Crime and Policing Act 2014 requires a chief officer to consult the local authority prior to designation of this power.	<input checked="" type="checkbox"/>	Discretionary
To issue a fixed penalty notice for failing to stop for a police constable: gives PCSOs the power to issue a fixed penalty notice under section 163 of the Road Traffic Act 1988 for the offence of failing to stop a vehicle or cycle when required to do so by a constable or traffic officer.	<input checked="" type="checkbox"/>	Discretionary
To issue a fixed penalty notice for driving the wrong way down a one-way street: gives the power of a constable to issue a fixed penalty notice under section 5(1) or 8(1) of the Road Traffic Regulation Act 1984 for contravention of a prohibition or restriction that relates to one-way traffic on a road.	<input checked="" type="checkbox"/>	Discretionary
To issue a fixed penalty notice for causing unnecessary noise: under section 42 of the Road Traffic Act 1988, PCSOs will have the power of a constable to issue a fixed penalty notice for the offence of failing to comply with a construction or use requirement about the use on a road of a motor vehicle that causes excessive noise.	<input checked="" type="checkbox"/>	Discretionary
Power to seize and retain: PCSOs will, when lawfully on a premises, have the same power as a constable under section 19 of the 1984 Act (general powers of seizure) to seize things. They will also have the power to impose a requirement by virtue of subsection 4 in relation to information accessible from the premises and subsection 6 (protection for legally privileged material from seizure). Section 21(1) and (2) (record of seizure), sections 21 (3) to (8) and 22 (access, copying and retention) of the 1984 Act have effect.	<input checked="" type="checkbox"/>	Discretionary
To confirm the identity of a charity collector: PCSOs will have the power of a constable under section 6 of the House to House Collections Act 1939 to require name, address and signature, and under section 4 to produce their certificate of authority.	<input checked="" type="checkbox"/>	Discretionary

<p>To stop cycles: the standard power to stop a cycle is extended to those listed in paragraph 1(2B)(a) to (e), (f) (i) or (g).</p>	<input checked="" type="checkbox"/>	Discretionary
<p>To disperse persons from a specified area: enables a PCSO (once authorised by a police inspector) to require a person committing or likely to commit antisocial behaviour, crime or disorder to leave an area for up to 48 hours. A PCSO may also confiscate any item that could be used to commit antisocial behaviour, crime or disorder. A person under 16 can be taken home or to a place of safety. A direction cannot be given to someone under 10 years old.</p>	<input checked="" type="checkbox"/>	Discretionary
<p>To issue a community protection notice (CPN): following the issue of a written warning, a PCSO can issue a CPN against any person aged 16 or over, business or organisation committing antisocial behaviour which spoils the community's quality of life.</p>	<input checked="" type="checkbox"/>	Discretionary
<p>To issue a fixed penalty notice for failure to comply with a community protection notice: section 53 of the Anti-social Behaviour, Crime and Policing Act 2014 gives designated PCSOs power to issue a fixed penalty notice for breach of the terms of a community protection notice, provided that the conduct has taken place in the relevant police area.</p>	<input checked="" type="checkbox"/>	Discretionary
<p>To require a person not to consume alcohol and/or to surrender alcohol where a Public Spaces Protection Order (PSPO) is in place: designated PCSOs have the power to require a person reasonably believed to have been consuming alcohol in breach of a PSPO: 1. Not to consume alcohol or anything reasonably believed to be alcohol. 2. To surrender any alcohol or alcohol container.</p>	<input checked="" type="checkbox"/>	Discretionary
<p>To issue a fixed penalty notice for failure to comply with a Public Spaces Protection Order: following the implementation of a PSPO by the local authority, a designated PCSO can issue a fixed penalty notice to an individual who fails to comply with a PSPO. Under this power, PCSOs can also issue a fixed penalty notice for failure to comply with a request to cease drinking or surrender alcohol or an alcohol container.</p>	<input checked="" type="checkbox"/>	Discretionary

LIST OF PENALTY NOTICES FOR DISORDER THAT CAN BE DESIGNATED BY CHIEF OFFICERS under paragraph 1(2)(a) of Schedule 4 to the Police Reform Act 2002 (see Annex B)

Offences for which PCSOs may issue penalty notices for disorder under Chapter 1 Part 1 of the Criminal Justice and Police Act 2001	Surrey	Standard / Discretionary
Sale of alcohol to a person under 18	<input checked="" type="checkbox"/>	Discretionary
Purchase of alcohol for a person under 18	<input checked="" type="checkbox"/>	Discretionary
Delivery of alcohol to a person under 18 or allowing such delivery	<input checked="" type="checkbox"/>	Discretionary
Wasting police time, giving false report	<input checked="" type="checkbox"/>	Discretionary
Using public electronic communications network in order to cause annoyance, inconvenience or needless anxiety	<input checked="" type="checkbox"/>	Discretionary
Knowingly giving false alarm to a person acting on behalf of a fire and rescue authority	<input checked="" type="checkbox"/>	Discretionary
Causing harassment, alarm or distress	<input checked="" type="checkbox"/>	Discretionary
Throwing fireworks	<input checked="" type="checkbox"/>	Discretionary
Consumption of alcohol by a person under 18 or allowing such consumption	<input checked="" type="checkbox"/>	Discretionary
Buying or attempting to buy alcohol by an under 18	<input checked="" type="checkbox"/>	Discretionary
Sells or attempts to sell alcohol to a person who is drunk	<input checked="" type="checkbox"/>	Discretionary