

The Public Space Protection Order No. 2 (East Staffordshire Borough Council) 2016

East Staffordshire Borough Council (“the Authority”) has made the following Public Space Protection Order under section 59 of the Anti Social Behaviour, Crime and Policing Act 2014 (“the Act”).

This Order comes into force on 21 December 2016 for a period of 3 years thereafter, unless extended by further orders by East Staffordshire Borough Council (hereafter ‘the Council’).

In this Order an “Authorised Officer of the Authority” means an employee of the authority who is authorised in writing by the Authority for the purposes of giving directions under this Order.

Authorised persons includes “Authorised Officer of the Authority”

The Order applies to the areas shown (“the Restricted Area”), on the attached plans.

The Order applies to all persons within the Restricted Area at all times of the day and night.

The Council is satisfied that the conditions set out in Sections 59, 63 and 72 of the Act have been met and that the activities prohibited in Section 5 below (The Activities) have been carried out in the Restricted Area and have had a detrimental effect on the quality of life of those in the locality. Further, the Council is satisfied that the effect of the 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 the effect justifies the restrictions imposed.

1. Prohibitions

- (i) Persons are prohibited from consuming alcohol in the Restricted Area
- (ii) Persons are prohibited from acting in a manner that causes harassment, alarm or distress as a result of consuming alcohol within the restricted area.

2 Offences

(i) Failure without reasonable excuse to comply with the prohibitions imposed by this Order is a summary offence under Section 67 of the Act. A person guilty of an offence under Section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(ii) Failure without reasonable excuse not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol or to surrender anything in a person's possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

A person guilty of such an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale and or to a fixed penalty notice not exceeding £75.00.

EXECUTED AS A DEED by affixing)
THE COMMON SEAL of)
EAST STAFFORDSHIRE BOROUGH COUNCIL)
This 4th day of January 2017)
In the presence of :-)



AUTHORISED SIGNATORY



16057