

PUBLIC SPACE PROTECTION ORDER

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 SECTIONS 60 AND 61

The City of Stoke-on-Trent Public Space Protection Order (No.2) 2019

This Order may be cited as The City of Stoke-on-Trent Public Space Protection Order (No.2) 2019.

Notice is hereby given that THE COUNCIL OF THE CITY OF STOKE-ON-TRENT ("the Authority") makes the following PUBLIC SPACE PROTECTION ORDER under section 60 and 61 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act").

THIS ORDER is made by the Authority because the Authority is satisfied on reasonable grounds that the activities identified in this Order have been carried on in a public place within the Authority's area, namely Longton Town Centre shown by a thick red line on the map attached to this Order, and hereinafter referred to as the "Restricted Area" and that the activities have had a detrimental effect on the quality of life of those in the locality and that the effect of the activities:

- a) is of a persistent or continuing nature, and
- b) is such as to make the activities unreasonable, and
- c) Justifies the restrictions imposed by this notice.

AND the Authority is satisfied on reasonable grounds that the prohibitions imposed by this Order are reasonable to prevent or reduce the detrimental effect and the risk of those activities from continuing, occurring or recurring within the Restricted Area.

AND the Authority is satisfied on reasonable grounds that extending the period for which the Order has effect is necessary to prevent the occurrence or recurrence or an increase in frequency after the date it is due to expire, of the activities within the Restricted Area as identified in this Order.

BY THIS ORDER the Public Space Protection Order 2016 is varied and extended as follows:

The Council is satisfied that the following activities have had a detrimental effect within the Restricted Area and are therefore prohibited:

- 1) No person within the Restricted Area shall have in their possession an open vessel containing alcohol other than in the grounds of a licensed premises or in accordance with an organised licensed event.**
- 2) Any person within the Restricted Area is prohibited from engaging in behaviour or using language likely to cause intimidation or distress to visitors, residents and businesses.**

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Failure to comply with prohibition 1) above, where:

A constable or authorised person reasonably believes that

- you are or have been consuming alcohol in breach of this order; or

- intend to consume alcohol in circumstances in which doing so would be a breach of this order

The constable or authorised person may require you -

- Not to consume, in breach of the order, alcohol or anything which is reasonably believed to be alcohol
- To surrender anything in your possession which is, or which is reasonably believed to be, alcohol or a container for alcohol.

It is an offence under section 63 of the Act for a person, without reasonable excuse to fail to comply with a requirement imposed by a constable or authorised person and will be liable on summary conviction to a fine not exceeding level 2 on the standard scale or a Fixed Penalty Notice or both.

Failure to comply with prohibition 2) above, without reasonable excuse, is an offence under section 67 of the Act and you will be liable on summary conviction, to a fine not exceeding level 3 on the standard scale or a Fixed Penalty Notice or both.

PERIOD FOR WHICH THE ORDER HAS EFFECT

This order has been extended and varied and will come into force on the 3rd October 2019 and lasts until 2nd October 2022.

At any point before the expiry of this 3 year period the Council can extend the order by up to 3 years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

APPEALS

Any challenge to this order must be made in the High Court by an interested person within 6 weeks of it being made. An interested person is someone who lives in, works in or regularly visits the Restricted Area. This means that only those who are directly affected by the prohibitions have power to challenge. Interested persons can challenge the validity of this order on two grounds: that the council did not have the power to make the order or variation or to include particular prohibitions or requirements imposed; or that a requirement of Chapter 2 of the Act, has not been complied with in relation to the order or variation.

Dated.....

The Corporate Seal of the Council of

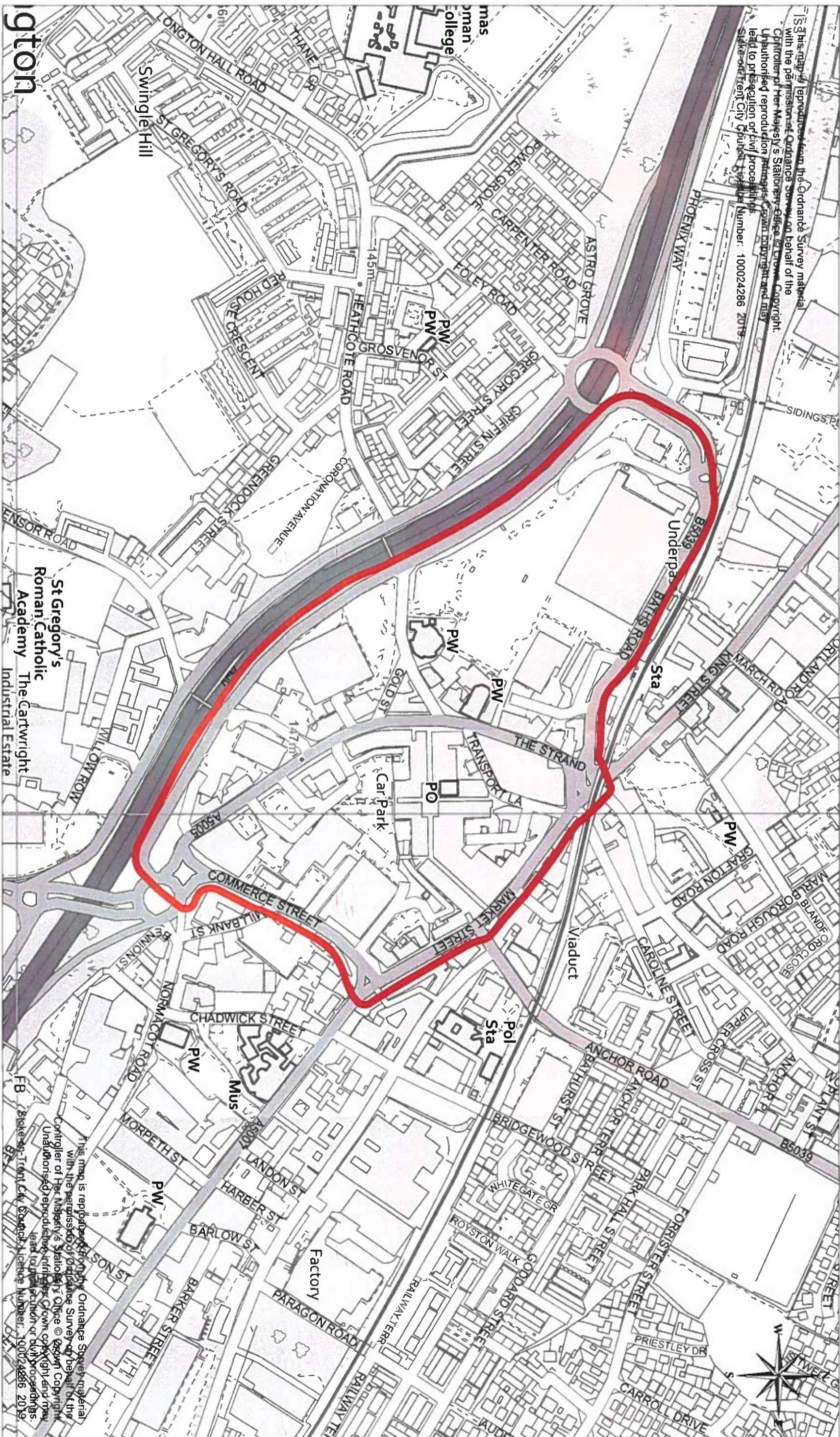
The City of Stoke-on-Trent

Is hereunto affixed in the presence of


Authorised Signatory


Authorised Signatory





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City of
Stoke-on-Trent

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W. S. G. 11/9

Scale	1:4000 @ A3
Date	11 Sep 2019
Drawn By	M Horwell
Drawing Ref	PSPoL
Revision	1