

Public Space Protection Order

Antisocial Behaviour, Crime and Policing Act 2014 (Sections 59, 60, 61, 64 and 72)

The City of Stoke-on-Trent Public Space Protection Order (Gating) 2023

This Order may be cited as The City of Stoke-on-Trent Public Space Protection Order (Gating) 2023.

Notice is hereby given that THE COUNCIL OF THE CITY OF STOKE-ON-TRENT ("the Authority") makes the following PUBLIC SPACE PROTECTION ORDER under sections 59, 60, 61, 64 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act").

THIS ORDER is made by the Authority and relates to the public right of way(s) over highway(s) described and listed in Schedule 1 to this Order and on the map attached at appendix 1 (hereinafter referred to as the "Affected Highways").

The Affected Highways being land in the area of the Council and land to which the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") applies and will be protected by this Order.

The effect of this Order is to restrict entry to the Affected Highways at all times, except for to those persons below:

- a) Owners or occupiers of property adjoining or adjacent to the Affected Highways needing access to the property;
- b) the Police, NHS or Fire and Rescue service when exercising their statutory powers or duties;
- c) employees or contractors of statutory undertakers in relation to gas, electricity, water or telecommunications provider requiring access to their apparatus situated on the Affected Highway;
- d) Council staff and authorised contractors, when exercising their statutory powers or duties.

This Order authorises the installation, operation and maintenance of barriers on the Affected Highways. The location of the barrier is described in Schedule 1.

Alternative route for pedestrians is identified by the thick blue line on the maps attached and described in Schedule 1.

The Council will be responsible for the installation, maintenance and operation of the barriers. They can be contacted on 01782 234234.

AND the Authority is satisfied on reasonable grounds that the conditions set out in Sections 59, 60, 61, 64 and 72 of the Act have been met. The Council makes this

Order because anti-social behaviour in and around the Affected Highways has had a detrimental effect on the quality of life of those in the locality and that the effect or likely effect of this:

- 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 anti-social behaviour 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 anti-social behaviour.

BY THIS ORDER the Public Space Protection Order, Gating (No 1) 2020 (varied 2021) is varied and extended as follows:

1) The Public Space Protection Order, Gating (No 1) 2020 (varied 2021) is extended for a period of three years.

2) The following locations have been added to schedule 1 and are now affected highways for the purposes of this order:

1. 2-30 Hines St. 8-34 Heron St.
2. 1-35 Chilton St. 56-72 Heron St. 229-267 Duke St. 2-6 Hertford St.
3. 1 Hertford St. 213-227 Duke St.
4. 2-14 Chilton St. 36-54 Heron St. 1-11 Hines St.
5. 37-69 Chilton St. 3-13 Hertford St. 185 Duke St.

3) The following affected highway which appears as location 54 in schedule 1 be amended to delete the alternative route:

1. The alley to the rear of Queen Anne Cottage, New Pilgrims Cottage, Tavistock Place and the rear of 2-20 Ford Street.

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER

Failure to comply with this Order, 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 shall come into force on the 20th October 2023 and lasts until 19th October 2026 unless discharged before that date.

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 activities identified in the order from occurring or recurring or to prevent an increase in 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 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.