

## **APPENDIX ONE**

### **PROPOSAL FOR A PUBLIC SPACE PROTECTION ORDER – VICAR WATER COUNTRY PARK**

Antisocial Behaviour, Crime and Policing Act 2014

#### Section 59

(1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.

(2) The first condition is that:

(a) Activities carried out in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or

(b) It is likely that activities will be carried on in a public place within that area and that they will have such an effect.

(3) The second condition is that the effect, or likely effect, of the activities:

(a) is, or is likely to be, of a persistent or continuing nature,

(b) is, or is likely to be, such as to make the activities unreasonable, and

(c) Justifies the restrictions imposed by the notice.

(4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) (“the restricted area”) and:

(a) Prohibits specified things being done in the restricted area,

(b) Requires specified things to be done by persons carrying on specified activities in that area, or

(c) Does both of those things.

(5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—

(a) To prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or

(b) To reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

(6) A prohibition or requirement may be framed—

(a) So as to apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories;

(b) So as to apply at all times, or only at specified times, or at all times except those specified;

(c) So as to apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.

(7) A public spaces protection order must—

- (a) Identify the activities referred to in subsection (2);
- (b) Explain the effect of section 63 (where it applies) and section 67;
- (c) Specify the period for which the order has effect.

(8) A public spaces protection order must be published in accordance with regulations made by the Secretary of State.