



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

**CHILWELL INCLUDING CHILWELL RETAIL PARK VEHICLE NUISANCE PUBLIC SPACES
PROTECTION ORDER**

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area in Chilwell including Chilwell Retail Park and all adopted roads within the area delineated in red on the attached labelled plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the public space:

CAR CRUISING AND ASSOCIATED ACTIVITIES

1. RESTRICTIONS/REQUIREMENTS:

1.1 Subject to the exceptions at 1.2 any person is prohibited from participating in or being a spectator of car cruising and car cruising events including but not limited to the following activities:

- Driving motor vehicles at excessive speed or accelerating aggressively;**
- Racing motor vehicles;**
- Wheel spins;**
- Stunts being performed in motor vehicles;**

- e. **Music being played on equipment installed in a motor vehicle that is audible outside the vehicle;**
- f. **Driving motor vehicles in a convoy of two or more vehicles, whether side by side or in single file;**
- g. **The promotion, publication or organising any car cruising or car cruising events to occur within the Restricted Area, by the internet, email, Facebook, Twitter or any other social media, hoardings, publications or adverts;**
- h. **Repeatedly and inconsiderately excessively revving engines;**
- i. **Congregation of two or more motor vehicles on Chilwell Retail Park;**
- j. **Repeatedly and inconsiderately sounding of a motor vehicle horn in such a manner that it causes or is likely to cause nuisance to persons in the locality;**
- k. **Causing an obstruction on a public highway or publicly accessible place, whether stationary or moving which causes or is likely to cause nuisance to persons in the locality;**
- l. **Creating a danger or risk of injury to road users and pedestrians;**
- m. **Using threatening, foul or abusive language;**
- n. **Creating public nuisance or annoyance;**
- o. **Using threatening, intimidating behavior towards another person; and**
- p. **Recording any of the activities on any device.**

1.2 Exceptions – the restrictions in this Order to not apply to the following:

- a. **A convoy of motor vehicles taking part in a funeral procession and associated congregation;**
- b. **Any activity that has been approved in advance by the Local Authority.**

1.3 A person participates in car cruising if:

- a. **They are the driver of a motor vehicle engaging in the car cruising activities; or**
- b. **They are a passenger in a motor vehicle engaging in the car cruising activities.**

1.4 A person is a spectator of car cruising if they attend a meeting of two or more vehicles engaging in activities of car cruising.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on

and lasts until

At any point before the expiry of this period the Authority can extend the Order by up to three 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.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 it is an offence for a person without reasonable excuse, to do anything prohibited by this Order or fail to comply with a requirement of this Order.

A person guilty of an offence under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 is liable on summary conviction to a fine not exceeding level three on the standard scale, up to £1,000 at the time this Order came into force.

The effects of s.67 of the Anti-social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

DEFINITIONS

Motor Vehicle – a mechanically propelled vehicle intended or adapted for use on road and for the purpose of this Order includes motor cycles which are mechanically propelled vehicles, not being an invalid carriage, with less than four wheels.

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (1) It is an offence for a person without reasonable excuse-
 - (i) To do anything that the person is prohibited from doing by a public spaces protection order, or
 - (i) To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (4) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

EASTWOOD VEHICLE NUISANCE PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of SOUTH EASTWOOD including Tinsley Road and the A610 between Eastwood and Junction 26 of the M1 delineated red on the attached labelled plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CAR CRUISING AND ASSOCIATED ACTIVITIES

1. RESTRICTIONS/REQUIREMENTS:

1.1 Subject to the exceptions at 1.2 any person is prohibited from participating in or being a spectator of car cruising and car cruising events including but not limited to the following activities:

- a. **Driving motor vehicles at excessive speed or accelerating aggressively;**
- b. **Racing motor vehicles;**

- c. Stunts being performed in motor vehicles;
- d. Music being played on equipment installed in a motor vehicle that is audible outside the vehicle;
- e. The promotion, publication or organising any car cruising or car cruising events to occur within the Restricted Area, by the internet, email, Facebook, Twitter or any other social media, hoardings, publications or adverts;
- f. Repeatedly and inconsiderately excessively revving engines;
- g. Congregation of two or more motor vehicles on Tinsley Road;
- h. Repeatedly and inconsiderately sounding of a motor vehicle horn in such a manner that it causes or is likely to cause nuisance to persons in the locality;
- i. Causing an obstruction on a public highway or publicly accessible place, whether stationary or moving which causes or is likely to cause nuisance to persons in the locality;
- j. Creating a danger or risk of injury to road users and pedestrians;
- k. Using threatening, foul or abusive language;
- l. Creating public nuisance or annoyance; and
- m. Using threatening, intimidating behavior towards another person.

1.2 Exceptions – the restrictions in this Order to not apply to the following:

- a. A convoy of motor vehicles taking part in a funeral procession and associated congregation;
- b. Any activity that has been approved in advance by the Local Authority.

1.3 A person participates in car cruising if:

- a. They are the driver of a motor vehicle engaging in the car cruising activities; or
- b. They are a passenger in a motor vehicle engaging in the car cruising activities.

1.4 A person is a spectator of car cruising if they attend a meeting of two or more vehicles engaging in activities of car cruising.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on

and lasts until

At any point before the expiry of this period the Authority can extend the Order by up to three 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.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 it is an offence for a person without reasonable excuse, to do anything prohibited by this Order or fail to comply with a requirement of this Order.

A person guilty of an offence under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 is liable on summary conviction to a fine not exceeding level three on the standard scale, up to £1,000 at the time this Order came into force.

The effects of s.67 of the Anti-social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The

High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

DEFINITIONS

Motor Vehicle – a mechanically propelled vehicle intended or adapted for use on road and for the purpose of this Order includes motor cycles which are mechanically propelled vehicles, not being an invalid carriage, with less than four wheels.

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (5) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (7) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (8) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

KNAPP AVENUE / MALTHOUSE CLOSE

PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area to the rear of Knapp Avenue and Plumptre Way leading to Malthouse Close delineated red on the attached labelled plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

ANTI-SOCIAL BEHAVIOUR

1. RESTRICTIONS/REQUIREMENTS:

Restriction over the public right of way to the rear of Knapp Avenue and Plumptre Way leading to Malthouse Close identified edged red on the attached plan.

Where a gate or barrier is installed it is required to remain locked and secure at all times except for passage and repassage for the Authorised

Groups. Failure to do so would amount to a breach of this Order.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three 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.

3. RESTRICTION OVER PUBLIC RIGHT OF WAY OVER HIGHWAY

In this Order "the Highway" means the highway at the location shown edged red on the attached plan.

The public right of way over the Highway is restricted at all times so that passage and repassage thereover may not occur to all persons, except:

-) For occupiers of premises adjoining or adjacent to the Highway;
-) Where the Highway is the only or principal means of access to a dwelling;
-) Where the Highway is the only or principal means of access to premises used for business or recreational purposes during periods when the premises are normally used for those purposes;
-) The Police, Fire and Rescue Service or Emergency Ambulance Services;
-) A local authority undertaking a statutory duty; or
-) Any statutory undertaker provider of gas, electricity or water services or communications provider which maintains apparatus in the Highway.

being the "Authorised Groups".

A gate or other barrier may be installed, operated and maintained at any point or points on the Highway as determined from time to time by the Authority. The responsible department for the maintenance and operation of the gates can be contacted on 0115-9177777.

An alternative route is Knapp Avenue to Church Street to Malthouse Close.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will

be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (9) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (10) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (11) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (12) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

BASIL RUSSELL PLAYING FIELDS, NUTHALL

PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area to the rear of Basil Russell Playing Fields in Nuthall within the area delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

DOG FOULING AND DOG CONTROL

1. RESTRICTIONS/REQUIREMENTS:

Subject to the exceptions at Schedule One or consent by the landowner having been given to the person in charge of the dog the following will be a breach of this Order:

1. Dog Fouling

If a dog defecates at any time in the Restricted Area and the person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be in breach of this Order.

2. Dogs on Leads

A person in charge of a dog in the Restricted Area shall be in breach of this Order, if without reasonable excuse that person fails to keep the dog on a lead.

3. Exclusion of Dogs

A person in charge of a dog shall be in breach of this Order if, at any time, they take the dog onto, or permit the dog to enter, or to remain on, any land comprising the children's play area within the Restricted Area and shown hatched blue on the plan.

For the purpose of this Order –

A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land.

Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on

and lasts until

At any point before the expiry of this period the Authority can extend the Order by up to three 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.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 it is an offence for a person without reasonable excuse, to do anything prohibited by this Order or fail to comply with a requirement of this Order.

A person guilty of an offence under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 is liable on summary conviction to a fine not exceeding level three on the standard scale, up to £1,000 at the time this Order came into force.

The effects of s.67 of the Anti-social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

(13) It is an offence for a person without reasonable excuse-

- (i) To do anything that the person is prohibited from doing by a public spaces protection order, or
- (i) To fail to comply with a requirement to which a person is subject under a public spaces protection order

(14) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale

(15) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order

(16) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)

SCHEDULE ONE THE EXCEPTIONS

- (a) This Order shall not apply to a person who:-
- i. Is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or
 - ii. Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which they rely for assistance; or
 - iii. Who has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day to day activities including affecting their mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects in respect of a dog trained by a Prescribed Charity or such other charity/approved body as is considered appropriate by the Authority and upon which they rely for assistance; or
 - iv. Is training an assistance dog for one of the Prescribed Charities or such other charity/approved body as is considered appropriate by the Authority; or
 - v. Is not a person falling within the criteria mentioned in paragraph i to iv above but who the Authority considers should be exempt due to the impairment of that particular person.
- (b) Nothing in the Order shall apply to the normal activities of a working dog whilst the dog is working. This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of HM Armed Forces.
- (c) Each of the following is a "Prescribed Charity":
- i. Dogs for the Disabled (registered charity number 700454);
 - ii. Support Dogs (registered charity number 1088281);
 - iii. Canine Partners for Independence (registered charity number 803680).



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

BEESTON NORTH

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Beeston North delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three 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.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that 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 breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by

the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (17) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (18) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (19) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (20) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



Broxtowe Borough COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 SECTION 59

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

BEESTON TOWN CENTRE

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Beeston Town Centre delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the

Order by up to three 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.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that 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 breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (21) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (22) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (23) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (24) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

EASTWOOD TOWN CENTRE

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Eastwood Town Centre delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three 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.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that 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 breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by

the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (25) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (26) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (27) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (28) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

KIMBERLEY TOWN CENTRE

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Kimberley Town Centre delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three 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.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that 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 breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by

the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (29) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (30) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (31) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (32) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

MANOR PARK RECREATION GROUND, TOTON

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Manor Park Recreation Ground, Toton delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three 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.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that 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 breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by

the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (33) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (34) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (35) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (36) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

STAPLEFORD TOWN CENTRE

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Stapleford Town Centre delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on

and lasts until

At any point before the expiry of this period the Authority can extend the Order by up to three 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.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that 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 breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means

that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (37) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (38) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (39) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (40) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the areas of:

**BEESTON NORTH
BEESTON TOWN CENTRE
MANOR PARK RECREATION GROUND, TOTON
STAPLEFORD TOWN CENTRE
KIMBERLEY TOWN CENTRE
EASTWOOD TOWN CENTRE**

delineated in red on the attached plans being the "Restricted Areas".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Areas:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Areas.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three 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.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that 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 breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be

prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Areas. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (41) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (42) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (43) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (44) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)