

Public Spaces Protection Order No.1 of 2024

Notice is hereby given that Epsom and Ewell Borough Council ("the Council") has made the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"):

ORDER

In exercise of its powers under section 59 of the Anti-Social Behaviour Crime and Policing Act 2014.

1. This Order may be cited as Epsom and Ewell Borough Council Public Spaces Protection Order No.1 of 2024 ("the Order"). This Order takes effect on the **XXXX January 2024** and continues to have effect for a period of three years thereafter.
2. This Order applies to the land within the Epsom and Ewell Borough, being land in the area of the Council, to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this order (the Restricted Area).
3. This Order applies to all persons in 'public places' within the Restricted Area at all times of the day and night, save on where otherwise stated within the prohibitions. For the purposes of this Order, 'public places' means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
4. The Council is also satisfied that the conditions set out in Section 59(3) of the Act have been met, namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order.

PROHIBITIONS

5. The effect of the Order is to impose the following conditions on the use of the Restricted Area:
 - 5.1 In the Restricted Area a person commits an offence if without reasonable excuse they continue to carry out activities which are prohibited namely;
 - 5.1.1 Harassing or intimidating residents, businesses or members of the public.
 - 5.1.2 Threatening any person with violence and / or being verbally abusive towards any person.
 - 5.1.3 Urinating in an open public place.
 - 5.1.4 Littering or spitting with the intent to cause harassment, alarm or distress to any person.
 - 5.1.5 Wearing a piece of clothing with the intent to obscure or hide their identity for the purposes of committing crime and/or anti-social behaviour.

- 5.1.6 Acting, or inciting others to act, in an anti-social manner, that is to say a manner that is likely to cause harassment, alarm or distress to any person.
- 5.1.7 Joining or remaining in a group of 2 or more people which is acting in a manner that is likely to cause harassment, alarm or distress to any person.
- 5.1.8 Consumption of alcohol following a verbal warning by an authorised person to stop. An authorised person includes a Police Constable, Police Community Support Officer, a Council Officer, or any other person authorised by the Council.

6. For the purposes of paragraph 5.1.8 of this Order:

Paragraph 5.1.8 of this Order does not apply to alcohol being consumed within premises licensed under the Licensing Act 2003 or s115E of the Highways Act 1980 have a premises license of club premises certificate for the sale or supply of alcohol. This provision also does not apply to events within the Restricted Area which are licensed for the sale or supply of alcohol.

OFFENCE AND FIXED PENALTY NOTICES

- 7. In accordance with section 63 of the Act, a person found to be in breach of paragraph 5.1.8 of this Order is guilty of an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- 8. In accordance with section 67 of the Act, a person found to be in breach of any other provision of this Order is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- 9. An authorised person may issue a Fixed Penalty Notice of £100 under Section 68 of the Act to anyone they have reason to believe has committed an offence under this Order.

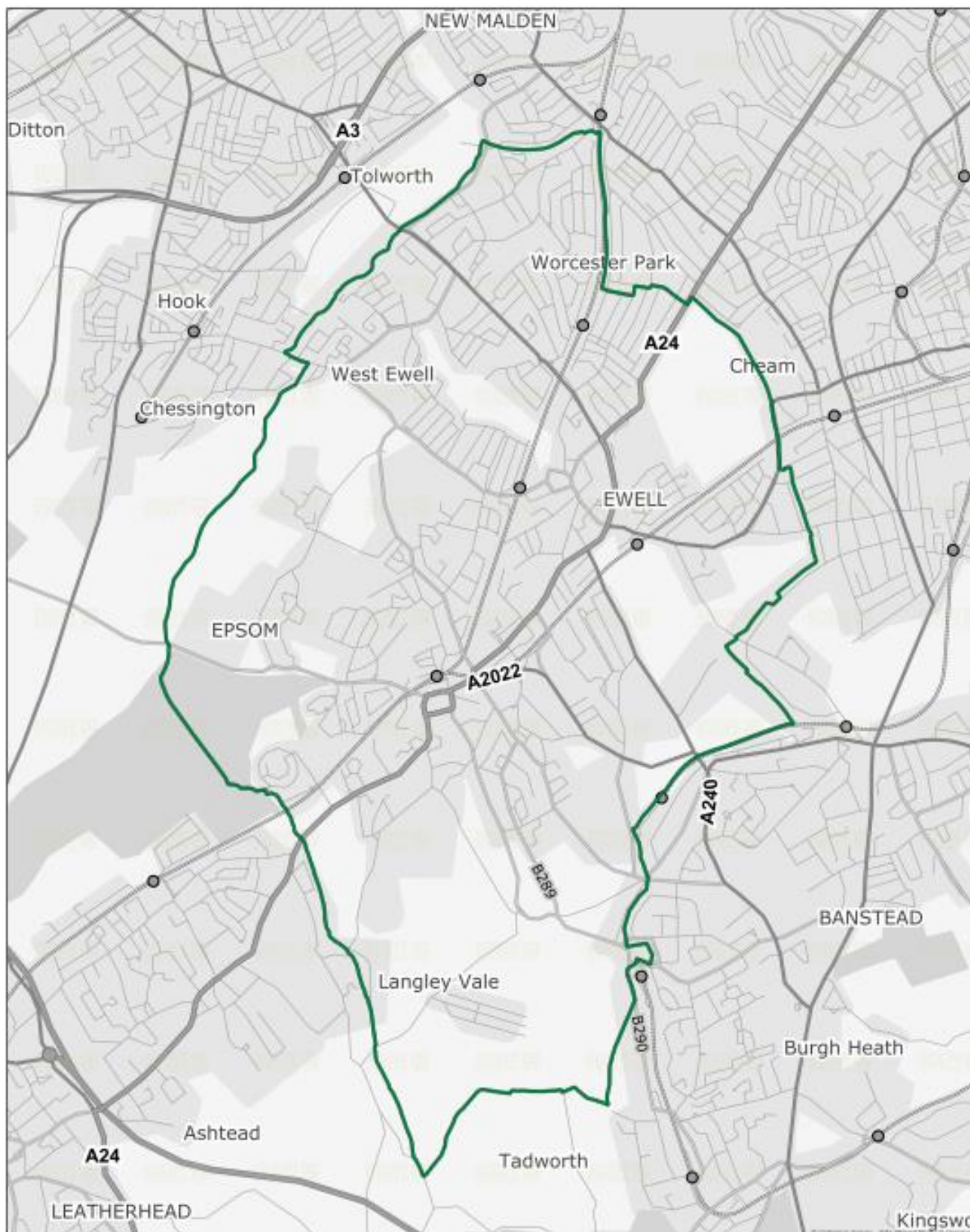
APPEALS

- 10. In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that any requirement of the Act has not been complied with may apply to the High Court within six weeks from the date on which this Order is made. "Interested person" means an individual who lives in the restricted area or who regularly works in or visits that area.

The Common Seal of Epsom & Ewell
Borough Council was affixed in the
presence of:

Authorised Officer

Plan of the restricted area



Restricted area

N
Scale: 1:48000



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