

Public Spaces Protection Order Test Valley Borough Council 2020

Test Valley Borough Council, (in this order called “the Authority”), in exercise of the power under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) being satisfied that the conditions set out in section 59 of the Act have been met hereby make the following order:

**This Order comes into force on XXXX
The Order remains in force for a period of 3 years under
Section 60 of the Anti-social Behaviour, Crime and Policing Act 2014**

It is an offence under Section 63 of the Anti-social Behaviour, Crime and Policing Act 2014 for any person to fail to comply with a requirement under PART 1 and 2 of this Order or do anything a requirement prohibits them from doing under PART 2 of this Order

It is an offence under Section 67 of the Anti-social Behaviour, Crime and Policing Act 2014 for any person to fail to comply with a requirement under PART 1 and 3 of this Order or do anything a requirement prohibits them from doing under PART 3 of this Order

PART 1

1. ORDER REQUIREMENTS

Within these Order Requirements:

(a) An “authorised person” means a Police Officer, an authorised Police Community Support Officer, an authorised Police Community Support Volunteer, an authorised employee of Test Valley Borough Council or a person who is authorised by Test Valley Borough Council for the purposes of giving directions under this Order.

(b) The provisions of Part 2 of this Order apply to all public places contained in the areas edged red on Plans A and B attached to and forming part of this Order.

(c) The provisions of Part 3 of this Order apply to all public places in Andover Town Centre contained in the area edged red on Plan C attached to and forming part of this Order.

PART 2

2A. CONSUMPTION OF ALCOHOL

A person shall not consume alcohol or anything reasonably believed to be alcohol when required to cease such consumption by an authorised person.

2B. SURRENDER OF ALCOHOL & ALCOHOL CONTAINERS

A person shall surrender anything in their possession which is, or reasonably believed to be, alcohol or a container for alcohol when requested to do so, to and by, an authorised person.

PART 3

3A. HARRASSMENT

- (a) A person shall not harass or intimidate residents, businesses or members of the public.
- (b) A person shall not act, or incite 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.
- (c) An authorised person may request that an individual or a group within the area defined on Plan C shall disperse, where they reasonably suspect any person within that group is causing, or is likely to cause nuisance, alarm, harassment or distress to any other person.
- (d) A person is prohibited from remaining (either individually or in a group of two or more people) within the area defined on Plan C after an authorised person has requested that they leave the area or disperse.

3B. PUBLIC HEALTH

A person shall not urinate or defecate in an open public place within the area defined on Plan C.

PENALTIES FOR BREACH OF THIS PUBLIC SPACES PROTECTION ORDER

Breach of the order, without reasonable excuse is a criminal offence, subject to a fixed penalty notice (of £100) or prosecution. If a fixed penalty remains unpaid after the time allowed by statute, then the offender will be liable to prosecution.

For Breach of Part 2: On summary conviction, an individual is liable to a fine not exceeding Level 2 on the standard scale

For Breach of Part 3: On summary conviction, an individual is liable to a fine not exceeding Level 3 on the standard scale