

# **DERBY CITY COUNCIL**

## **ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014**

### **PUBLIC SPACES PROTECTION ORDER No 2 of 2022 (the "ORDER")**

#### **AREA 2**

This Order may be cited as Derby City Council Public Spaces Protection Order No 2 of 2022.

Derby City Council in exercise of their powers under Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 ("the Act") and under all the enabling powers hereby make the Order as follows:

1. Order shall come into force on 17<sup>th</sup> January 2022 and shall have effect for 3 years from that date unless extended by any further order made pursuant to the Council's statutory powers.
2. The Order relates to the area shown edged red and the attached plan ("Area 2"). For the avoidance of doubt Area 2 includes the doorway or alcove of any premises or any other outdoor location to which the public or any section of the public have access (on the pavement or otherwise) as of right or by virtue of express or implied permission.
3. The Council are satisfied that the condition set out in Section 59(2) of the Act has been met namely that activities have been carried on with Area 2 which have had a detrimental effect on the quality of life of those in the locality.
4. The Council are also satisfied that the condition set out in Section 59(3) of the Act has been met namely that the 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 prohibitions imposed by this Order.
5. The effect of the Order is to impose the prohibitions specified below on the use of Area 2.

#### **PROHIBITIONS**

1. No person shall consume alcohol in Area 2 (other than in premises specified in section 62(1) of the Act) in a manner which causes nuisance or annoyance to other persons in the locality.
2. No person shall urinate or defecate in Area 2 (excluding public toilets).
3. No person shall loiter in Area 2 either as an individual or in a group if they are causing or likely to cause anti-social behaviour. If asked to disperse by a Police Constable, PCSO or an authorised officer of the Council that person must not return to Area 2 for a period of 24 hours.
4. No person shall beg (using either active or passive methods of obtaining alms) or ask the members of the public for money in Area 2.
5. No person shall ingest, inhale, inject, smoke or otherwise use intoxicating substances (excluding alcohol, tobacco or prescription medicines) in Area 2. Intoxicating substances are psychoactive substances, with the capacity to stimulate or depress a person's central nervous system and are referred to as a New Psychoactive Substances (NPS).

#### **OFFENCES**

1. In accordance with section 63 of the Act a person who fails without reasonable excuse to comply with a requirement imposed on him or her under section 63(2) of the Act, namely:
  - (a) Consuming alcohol in breach of the Order; or
  - (b) Failing to surrender alcohol or a container for alcohol

when required to do so by a Constable or a person authorised for the purposes of Section 63 commits an offence and is liable on summary conviction to a fine not exceeding Level 2 on the standard scale.

2. In accordance with Section 67 of the Act a person who breaches of the Order (other than consuming alcohol in breach of the Order or failing to surrender alcohol to a Constable or

authorised person) commits an offence and is liable on summary conviction to a fine not exceeding Level 3 on the standard scale.

THE COMMON SEAL of

DERBY CITY COUNCIL

Was hereunto affixed

in the presence of:



A handwritten signature in blue ink, consisting of stylized initials, positioned above a dotted line.

Authorised Officer

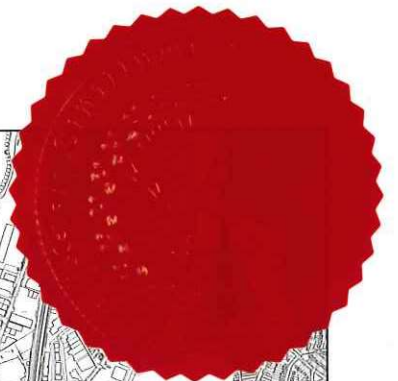
A handwritten signature in black ink, reading "A. M. Pender", positioned above a dotted line.

Authorised Officer



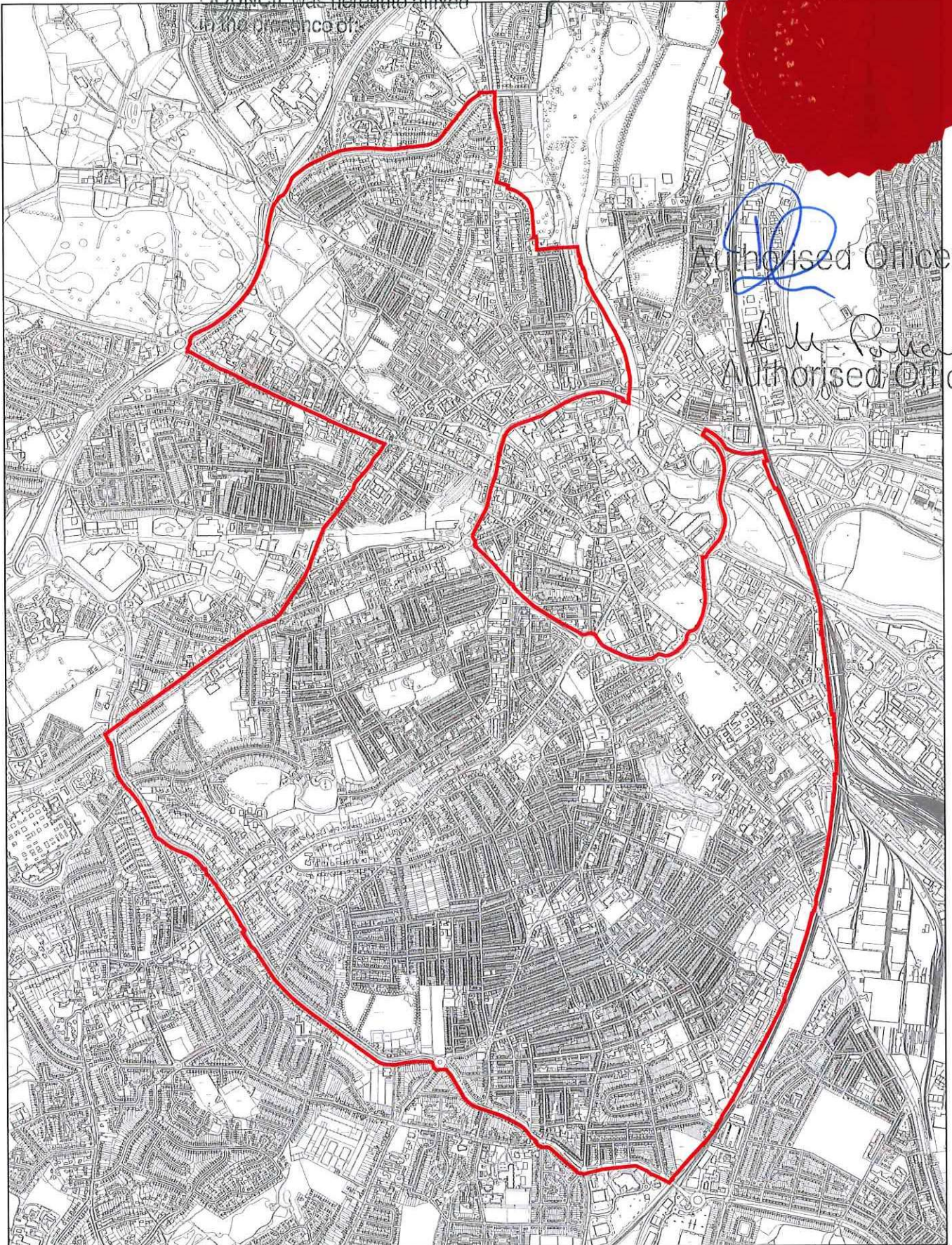
THE COMMON SEAL of DERBY CITY

COUNCIL was hereto affixed  
in the presence of:



  
Authorised Officer

  
Authorised Officer



Derby City Council

## PSPO Area 2

Scale at A3

Drawing No:

Date: 06/12/2017

Map Scale: 1:15000

Contact: C Keen

Department:

C & P

Telephone Number: (01332) 293111



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