



TORRIDGE DISTRICT COUNCIL

CONTROLLING ANTI-SOCIAL BEHAVIOUR AND THE PROHIBITION OF ALCOHOL CONSUMPTION IN THE SPECIFIED AREA. PUBLIC SPACES PROTECTION ORDER 2024

This Order is made by Torridge District Council (“the Council”) under the Anti-Social Behaviour, Crime and Policing Act 2014, Chapter 2 Sections 59-75 inclusive (“the Act”)

1. This Order relates to the land described in Paragraph 1 of the Schedule overleaf and shown edged in red on the attached plan (“the Specified Area”), being a public place in the Council’s area to which the Act applies.
2. The Council is satisfied that both conditions (a) and (b) have been met, in that:
 - a The activities carried on in the Specified Area as described in (i) to (iii) below, will have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the Specified Area and that they will have such an effect. The said activities being:
 - (i) Being concerned in Anti-social behaviour within the Specified Area; and/or
 - (ii) The Consumption of alcohol, within the Specified Area; and/or
 - (iii) Aggressive or intimidating behaviour, within the Specified Area
 - b The effect, or likely effect of the activities described above in (i) to (iii) is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.
3. Whilst in the Specified Area a person commits an offence if, without reasonable excuse, or lawful exemption they fail to comply with either of the following conditions and/or fail to comply with the request of an Authorised Officer in this regard, namely:
 - a The consumption of alcohol, or a substance reasonably believed by an Authorised Officer to be alcohol or other intoxicating substance is prohibited in the Specified Area.
 - b On the request of an Authorised Officer, a person within the Specified Area must immediately surrender any container(s) (open or closed) in their possession containing alcohol, or a substance reasonably believed by an Authorised Officer to be alcohol or other intoxicating substance.

NOTES: Any surrendered items may be disposed of by the Authorised Officer in any way he or she deems appropriate. These provisions (3(a) and 3(b)) do not apply to alcohol being consumed at a pre-organised public event with appropriate permissions or licensing, within premises, or at an event

(including designated outdoor areas) that have obtained a licence under the Licensing Act 2003 or other formally regulated location or activity.

- 4 Whilst in the Specified Area a person commits an offence if, without reasonable excuse, they do any of the following:
 - a Fails to leave the Specified Area forthwith and in an orderly manner when requested to do so by an Authorised Officer.
 - b Re-enters the Specified Area within 24 hours of being instructed to leave
Note: *The Authorised Officer must be of the opinion that the individual is causing, or has the potential to cause harassment, alarm or distress to other people in the area, or is of the opinion that the individual is under the influence of an intoxicating substance, or that the individual is breaching another condition or provision of this notice.*
 - c Urinates and/or defecates within the Specified Area, other than within designated public toilets.
 - d Acts in such a manner that is reasonably perceived by the Authorised Officer to be anti-social, aggressive and/or intimidating to any member of the public.
- 5 This Order comes into force on 27 April 2024 and remains in effect for a period of 3 years from that date, unless extended by further Orders under the Council's statutory powers.
- 6 Under Section 63 of the Act, a person guilty of an offence under conditions 3a and 3b above is liable on summary conviction to a fine not exceeding level 2 on the standard scale or a fixed penalty notice of up to £100.
- 7 Under Section 67 of the Act, a person guilty of an offence under condition 4a, 4b, 4c or 4d above is liable on summary conviction to a fine not exceeding level 3 on the standard scale or a fixed penalty notice of £100.

THE SCHEDULE

- 1 The Specified Area is shown edged in red on the attached map, labelled as 'The Schedule' below.

APPEALS

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 a requirement under the Act has not been complied with may apply to the High Court within 6 weeks from the date upon which this order is made. For the purposes of the Act, an interested person is someone who lives in, regularly works in, or visits the Specified Area

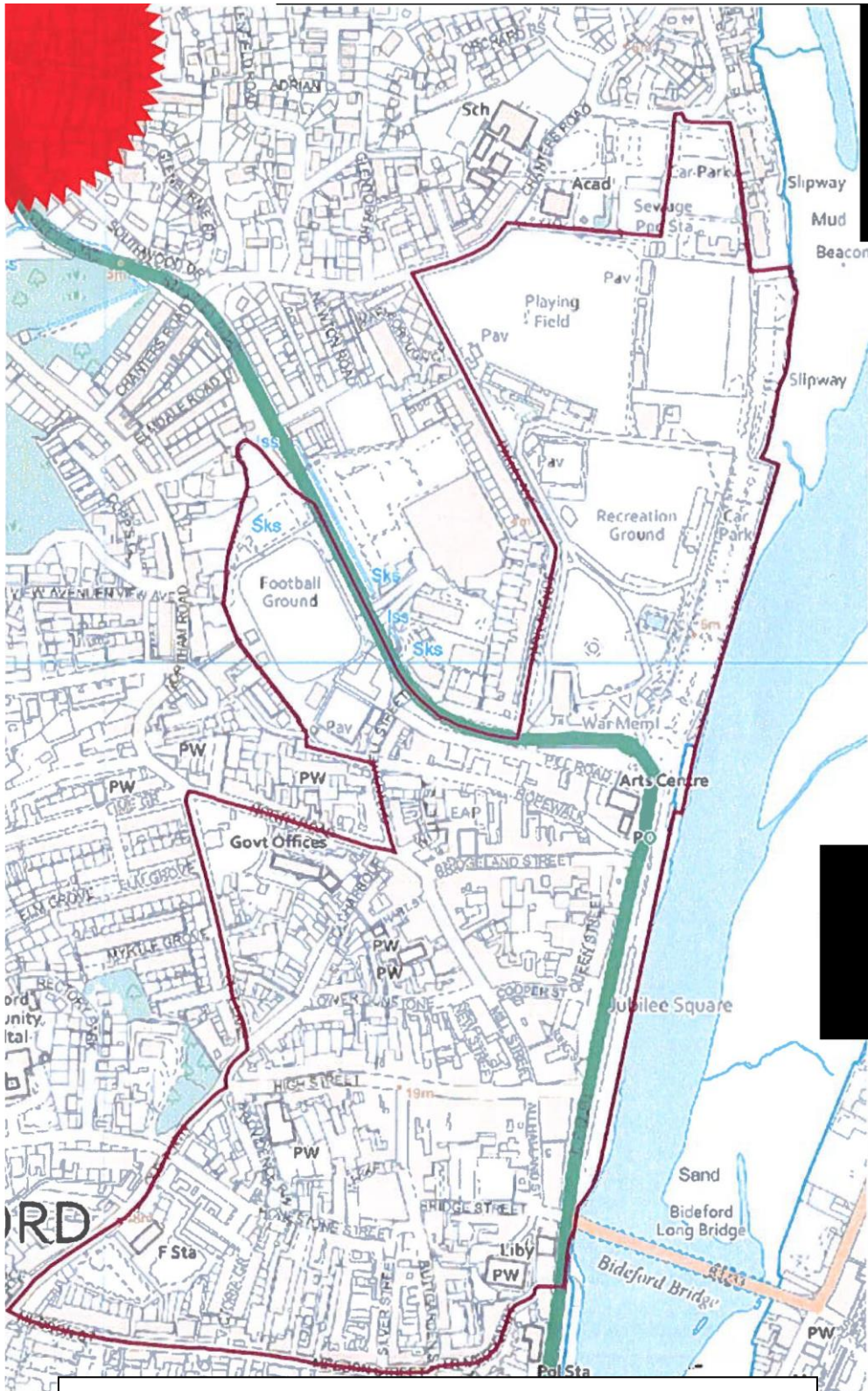
THE COMMON SEAL of TORRIDGE DISTRICT COUNCIL
was here unto affixed in the presence of

Authorised signatory.....

Print name

Dated.....





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