

NORTH EAST LINCOLNSHIRE BOROUGH COUNCIL

PUBLIC SPACES PROTECTION ORDER 2022

HAVERSTOE PARK

This Order is made by North East Lincolnshire Borough Council (the Council) in exercise of its power under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act).

- 1) The Order applies to the public areas shown on the map annexed to this Order (the Restricted Area).
- 2) The Council is satisfied that the two conditions below have been met, in that:
 - a) activities carried on in the restricted area 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 public place and they will have such an effect;
 - b) the effect, or likely effect, of the activities 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) This Order will have effect for a 3 year time period.
- 4) The effect of this Order is to impose the following prohibitions:
 1. Any activity or behaviour causing or likely to cause nuisance, alarm, harassment or distress to any other person or causing or likely to cause any other person to be intimidated.
 2. Riding a skateboard, scooter, rollerblades or similar wheeled devices in such a manner as to use any street fixture or street furniture.
 3. Any activity or behaviour that threatens the safety of that person or any other person.
 4. Using foul or abusive language directed at or towards any other person.
 5. Playing music or creating noise (as to cause a nuisance).
 6. Climbing onto any structure or building other than for a lawful purpose.
- 5) The effect of this Order is to impose the following requirement:

Where a Police Constable or an Authorised Officer has reason to believe that a person or group of people is engaged with a prohibited activity as outlined above when required to do so by a Police Constable or an Authorised Officer the person or group of people shall immediately disperse from the Restricted Area and shall not return to the Restricted Area for up to 24 hours.

- 6) Any person who without reasonable excuse fails to comply with any of the prohibitions or requirements commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1000).
- 7) A Police Constable or Authorised Officer may issue a fixed penalty notice to anyone he or she believes has committed an offence. A person committing an offence will have 14 days to pay the fixed penalty of £100, failing which they may be prosecuted.
- 8) Any challenge to this Order must be made at the High Court within 6 weeks of it being made by someone who lives in, regularly works in or visits the restricted area.

The validity of the Order can be challenged on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or requirements; or that proper process had not been followed as prescribed by the Act.

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 North East Lincolnshire
Borough Council was hereunto affixed in
the presence of:

Authorised Signatory