

# Canterbury City PSPO

## CANTERBURY CITY COUNCIL

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

#### PART 4, SECTION 59

#### PUBLIC SPACES PROTECTION ORDER

#### THE ORDER

Notice is hereby given that with effect from 8th January 2024 Canterbury City Council (the Council) made a Public Spaces Protection Order under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act).

The Order shall be known as the Public Space Protection Order (Canterbury City) 2024 ('the Order').

1. The Council in making the Order is satisfied on reasonable grounds that:
  - a. The activities identified in paragraphs 6 and 7 of this Order below ('the Activities') have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality; and
  - b. The effect or likely effect of the Activities:
    - i. Is, or is likely to be, of a persistent or continuing nature;
    - ii. Is, or is likely to be, such as to make the Activities unreasonable; and
    - iii. Justifies the restrictions imposed by the Order.
2. The Council is satisfied that the prohibitions and requirements imposed by this Order are reasonable to impose in order to prevent the detrimental effect of the Activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
3. In making this Order the Council has given particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights.

#### AREA IN WHICH THIS ORDER APPLIES

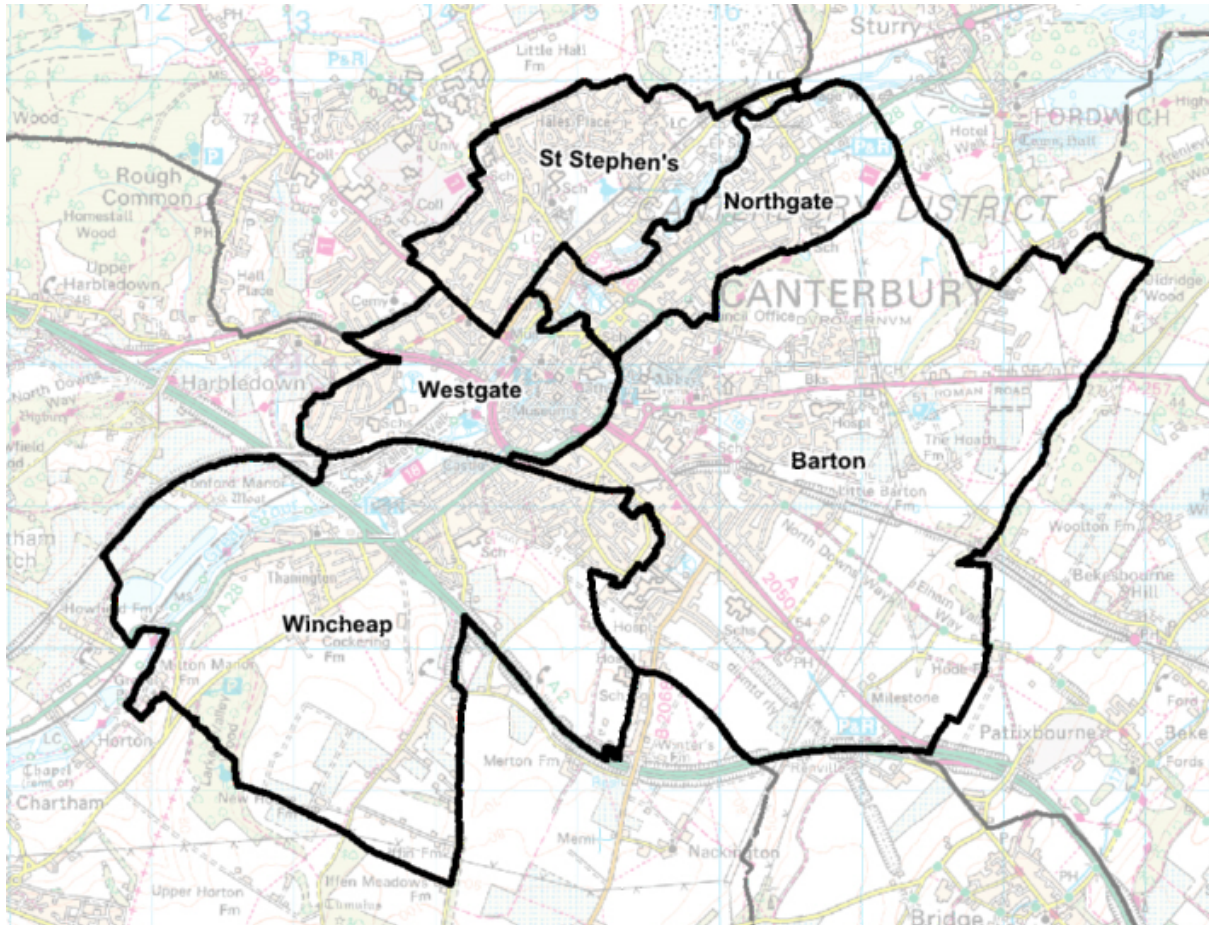
4. With effect from 8th January 2024 this Order shall apply within the areas listed below identified inside the areas marked by the thick black line on the below map ('the restricted area'). The restricted area within which the Order will be enforced fully sits within the established Canterbury City Council electoral wards of Barton, Northgate, St Stephen's,

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Westgate

and

Wincheap.



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## DEFINITIONS

5. For the purposes of the Order:

- a. "Public places" mean 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.
- b. An "Authorised Person" means police constables, police community support officers and any person authorised by the Council to enforce the Order. Any Authorised Person must be able to present their authority upon request.

## PROHIBITIONS AND REQUIREMENTS

6. In the public places within the restricted area a person commits an offence if, without reasonable excuse, he or she engages in activities which, by the Order, are prohibited, namely:

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a) Shouting, swearing or acting in a manner as to cause, harassment, alarm or distress to any person within the Designated Area or on land adjacent to the Designated Area or to any person living nearby.

b) Persistent begging, involving more than one occasion including all passive and active means to receive alms.

This prohibition does not apply to any authorised collections made on behalf of a registered charity.

c) Urinating or defecating in a public place. This includes the doorway or alcove of any premises to which the public has direct or implied access.

d) Defacing such as by graffiti, fly posting, affixing any notice, picture, sign or sticker on any structure, object or surface e.g. underpasses, walls, trees, pavements, bridges, street furniture, signs etc, temporarily or permanently, without permission of the owner.

e) Antisocial riding in the city: anti-social behaviour of delivery riders, this includes:

- Aggressive driving/riding
- Dangerous manoeuvres
- Excessive noise
- Danger to other road users (including pedestrians)
- Damage or risk of damage to private property
- Harassment of individual from vehicles

7. In the public places within the restricted area a person commits an offence if, without reasonable excuse, he or she fails to comply with a requirement to which that person is subject under the Order, namely

a. Stop drinking alcohol or hand over sealed or unsealed containers containing alcohol to an Authorised Person if required to do so. In order to make this request the Authorised Person must only have a reasonable belief that:

(i) the container contains alcohol and that

(ii) the request to stop drinking or to surrender the container is necessary in order to prevent or reduce public nuisance or disorder.

b must provide their name and address if asked to do so by an Authorised Person. In order to make this request the Authorised Person must only have a reasonable belief that the person has breached paragraphs 6 or 7(a) of this Order.

(None of these provisions will apply to persons carrying out maintenance and improvement works with the permission of the Council or where appropriate, the landowner).

### PERIOD FOR WHICH THIS ORDER HAS EFFECT

8. This Order was made on 8th January 2024 and will expire at 11.59pm on 7th January 2027 unless extended by further orders made pursuant to the Council's statutory powers.

### WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

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9. Under section 67 of the Act it is a criminal offence for a person without reasonable excuse to engage in any activity which the person is prohibited from doing by this Order, or to fail to comply with any requirement to which the person is subject under this Order.

10. A person found to be in breach of paragraph 6 or 7(b) in this Order under section 67 is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000)

11. A person found to be in breach of paragraph 7a in this Order under section 63 is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500)

12. Alternatively, in accordance with section 68 of the Act an Authorised Person may issue a fixed penalty notice of up to £100 to anyone he or she believes has committed an offence under section 67 in relation to this Order.

Made this 8th January 2024

A handwritten signature in black ink, appearing to read 'Suzi Wakeham', written in a cursive style.

Signed Suzi Wakeham, Director of People and Place, Canterbury City Council