

CANTERBURY CITY COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PART 4, SECTION 59

AMENDED PUBLIC SPACES PROTECTION ORDER

THE ORDER

Notice is hereby given that with effect from 30 September 2021 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 was known as the Public Spaces Protection Order (Stour Parks and Gorrell Valley) 2021 ('the Order').

With effect from 10th November 2022 the Order has been varied so as to increase the Restricted Area as defined at paragraph 4 below. The Order now includes footpath CB480 at Chartham as indicated on map 3 below.

The Order shall henceforth be known as the Public Spaces Protection Order (Stour Parks and Gorrell Valley) (Amended) 2022 ('the Amended Order').

PRELIMINARY

1. The Council in making and varying this Order is satisfied on reasonable grounds that:
 - a. The activities identified in paragraphs 6 and 7 of this Amended 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.

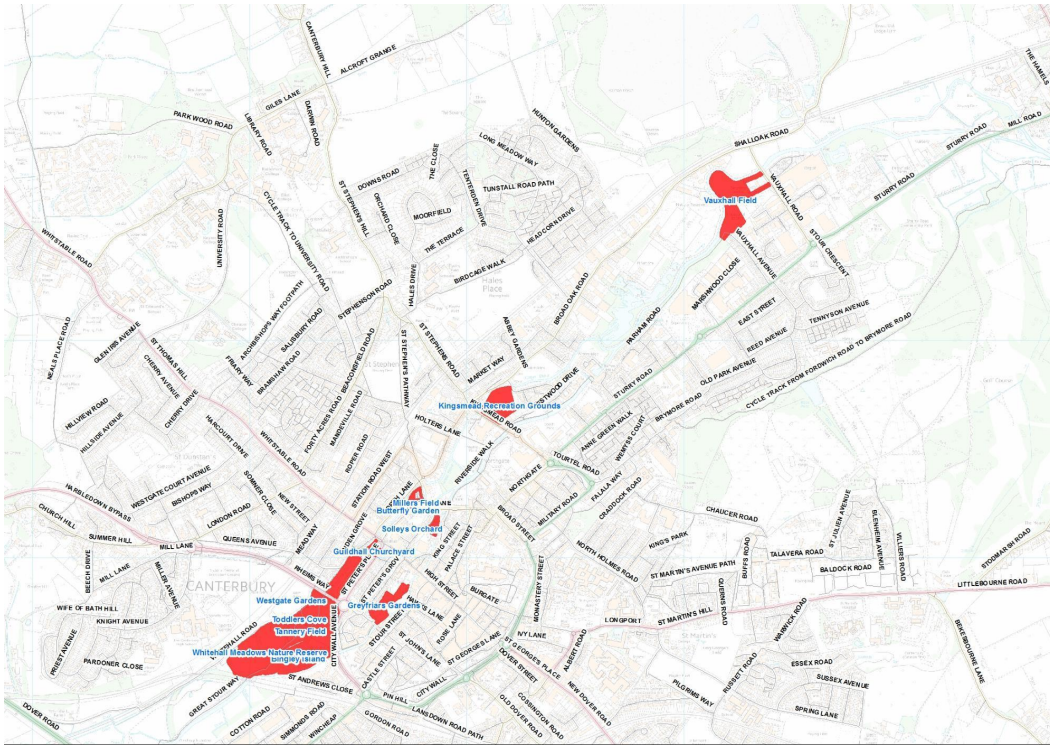
2. The Council is satisfied that the prohibitions and requirements imposed by this Amended Order are reasonable to impose in order to prevent the detrimental effect of the Activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
3. In making and varying this Amended 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

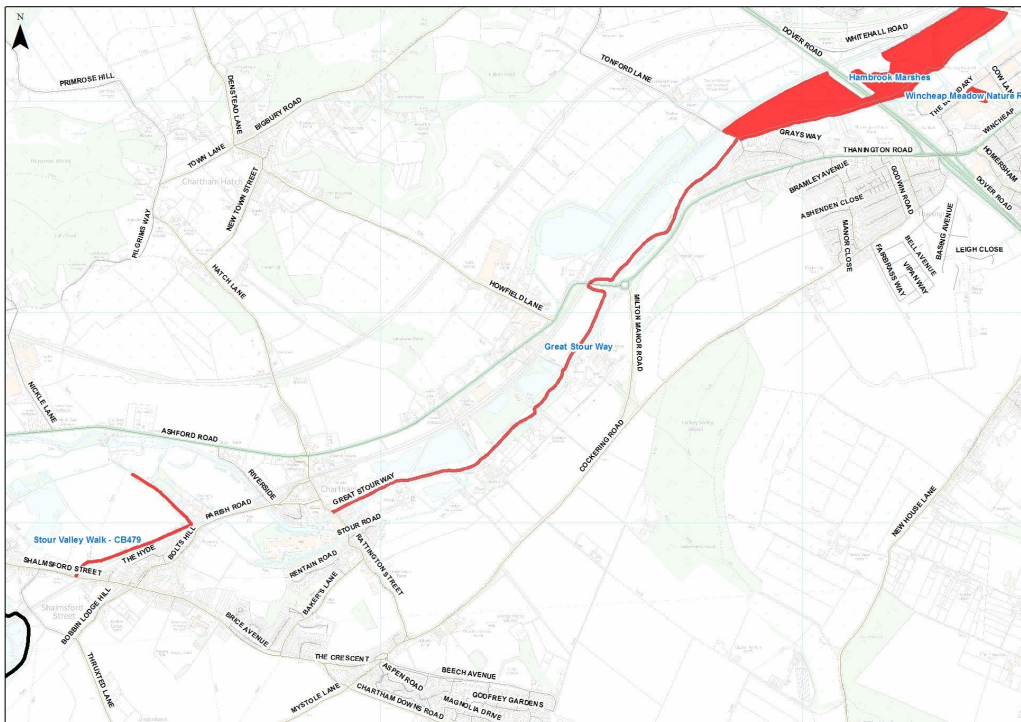
4. With effect from 10th November 2022 This Amended Order as varied shall apply within the areas listed below identified inside the areas marked in red on the attached plans and known as Stour Parks and Gorrell Valley (“the Restricted Area”).

Stour Parks: Kingsmead Field, Vauxhall Field, Greyfriars Fransiscan Gardens, Solleys Orchard, the Butterfly Garden, Millers Field, Guildhall Churchyard, Westgate Gardens, Whitehall Meadows Nature Reserve, Tannery Field, Bingley Island, Toddlers Cove (including the car park), Wincheap Meadow and Nature Reserve, Hambrook Marshes, the Great Stour Way between Canterbury and Chartham, footpath CB479 at Chartham, footpath CB480 at Chartham and the cycle route on the south side of the River Stour from Sturry Road Community Park to Fordwich and the footpaths either side of the river from Fordwich to Westbere Marshes including the land immediately adjacent

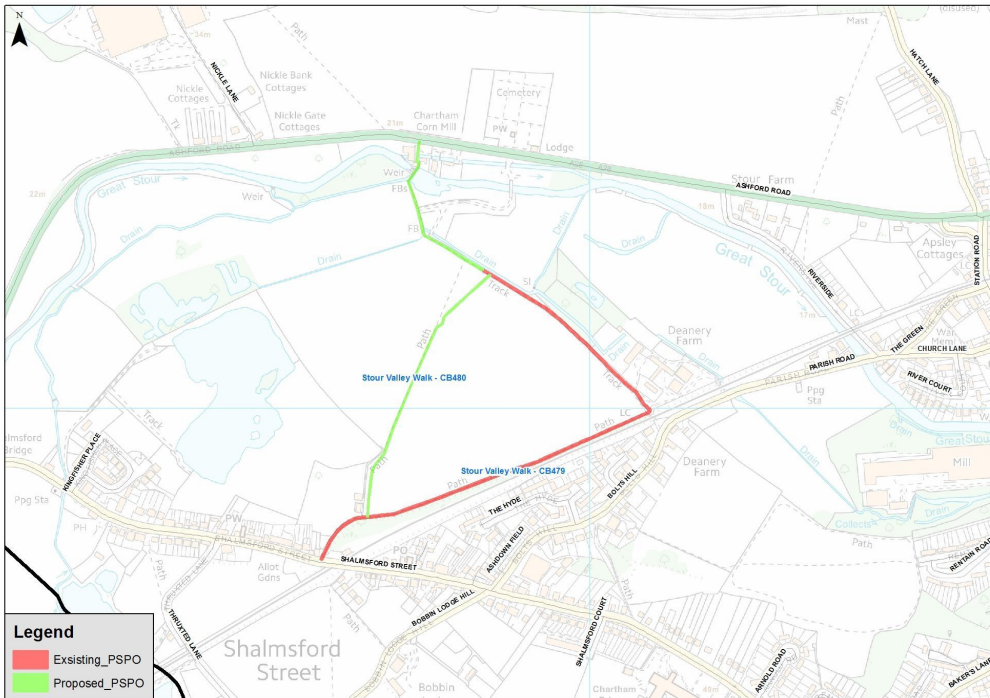
Gorrell Valley: Gorrell Valley Nature Reserve and amenity area, Duncan Down and Benacre Wood.



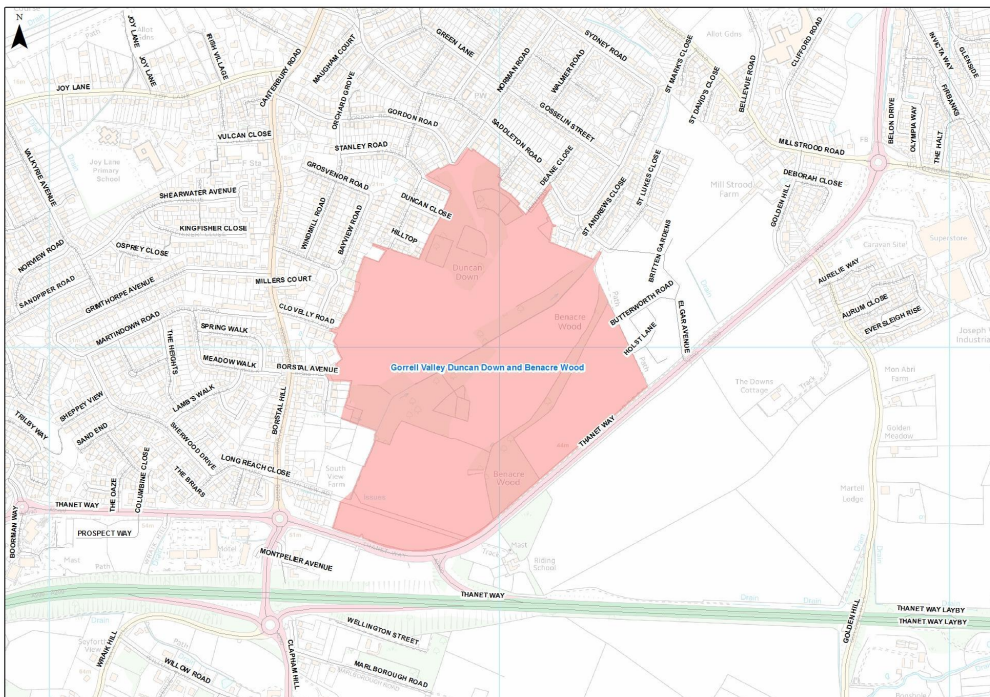
Map 1: Stour Parks (Canterbury)



Map 2: Stour Parks (Canterbury towards Chartham)



Map 3: Stour Parks (footpaths CB479 and CB480 at Chartham)



Map 4: Gorrell Valley

DEFINITIONS

5. For the purposes of this Amended 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 this Amended Order. Any Authorised Person must be able to present their authority upon request.

PROHIBITIONS AND REQUIREMENTS

- 6. Persons within the Restricted Area shall not without the express permission of the council:

- a. Urinate or defecate in any public place inside the Restricted Area (other than within designated public toilet facilities).
- b. Act in a disorderly manner so as to cause harassment, alarm, nuisance or distress to others in the locality.
- c. Light or fuel any open fire.
- d. Use, light or discard any barbeque.
- e. Be in possession of any glass bottle which an authorised person has reasonable cause to believe contains alcohol except where the bottle is being carried in transit.
- f. Drive, ride or be carried on any mechanically propelled vehicle.

For the avoidance of doubt this prohibition applies but is not limited to electric and motorised scooters and motorcycles. This prohibition does not apply to disabled mobility scooters/buggies or wheelchairs.

- g. Engage in recreational camping in any public places within the Restricted Area, including but not limited to pitching or occupying tents overnight.
- h. Remove, damage, deface or vandalise the land in the Restricted Area or any fixtures, fittings, flora and fauna therein.

For the avoidance of doubt this applies but is not limited to fences, barriers,

gates, locks, waste bins, benches, notices and signs, trees, shrubs, flowers and digging over turf or soil for the use of metal detectors.

- i. Remove, disturb or interfere with any wildlife (unless permitted by way of lawful permits such as fishing or angling licences).
- j. Enter or remain within any designated Wildlife Protection Zone if the area is temporarily or permanently marked off for the purposes of protecting wildlife.
- k. Bring or be in possession of any catapult.

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

7. Persons within the Restricted Area must:

- a. Stop drinking alcohol or hand over sealed or unsealed containers containing alcohol to an Authorised Person if asked 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.
8. Any person 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 of this Order.

PERIOD FOR WHICH THIS ORDER HAS EFFECT

9. The Order was made on September 2021 and is hereby varied with effect from 10th November 2022. The Amended Order and will expire at 11.59pm on 29th September 2024 unless extended by further orders made pursuant to the Council's statutory powers.

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

10. 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.

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

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 30th day of September, 2021

Signed, Colin Carmicheal, Chief Executive, Canterbury City Council.

Varied with effect from 10th November 2022

Signed, Suzi Wakeham, Director of People And Place, Canterbury City Council.

Signed: 