

## LONDON BOROUGH OF REDBRIDGE

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

#### West Sector PSPO

The London Borough of Redbridge hereby makes the following Public Spaces Protection Order under sections 59-72 Anti-Social Behaviour Crime and Policing Act 2014 ("the Act") and all other enabling powers.

1. This Order takes effect on 1<sup>st</sup> October and shall remain in force for 3 years unless extended under section 60 of the Act.
2. This Order applies to the public spaces as described in Schedule A to this order ("the restricted areas").
3. The Council is satisfied that the two conditions below have been met, in that:
  - (i) activities carried on in the restricted area as described below 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 effect;
  - (ii) 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.
4. The effect of this Order is to impose the following prohibitions and/or requirements in the restricted areas at all times:
  - a. Begging
    - i. Persons in the restricted area are prohibited from begging or seeking money or alms.
  - b. Alcohol
    - i. Persons in the restricted area will on the request of a Police Officer, Police Community Support Officer or authorised person from the Council cease drinking alcohol and will dispose of or surrender any alcohol, or vessel reasonably believed to contain alcohol, in their possession when asked to do so, unless subject to the exemptions listed in Schedule B.
  - c. Loitering
    - i. No person shall loiter in the restricted area if they are causing, or reasonably perceived to be causing, nuisance, intimidation,

harassment, alarm or distress, or using or dealing drugs, directly or indirectly causing damage or other anti-social behaviour.

- ii. A person must leave the area immediately if requested by an authorised person and not return within a period of 24 hours.

d. Spitting

- i. Persons in the restricted area are prohibited from spitting saliva or mucus or any other product from the mouth or nose on to the ground or street furniture.

e. Urination & Defecation

- i. Persons are prohibited from urinating or defecating in a public space within the restricted area except in a premise designed for that purpose.

f. Unauthorised Events

- i. Persons are prohibited from holding an event in a public or open space within the restricted area without the prior approval of the London Borough of Redbridge's Safety Advisory Group in line with their terms of reference.

## Schedule A

This order will apply to all of the area designated by the red boundary line on the map attached to this Order, namely: Woodford Bridge, Monkams, Churchfields, South Woodford, Wanstead Village and Wanstead Park wards of the London Borough of Redbridge, applying to all parks and open spaces owned, managed or maintained by the London Borough of Redbridge. This order will apply to all highways, including all roads, footways, footpaths, alleyways and grass verges within the London Borough of Redbridge.

## Schedule B

### Exemptions

Nothing in this Schedule shall apply to:

- (a) Premises authorised by a premises licence or a temporary event notice to be used for the supply of alcohol;
- (b) Premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
- (c) A place within the curtilage of premises within paras (i) and (ii) above.
- (d) A place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115 of the Highways Act 1980.

## **Offences under this Public Spaces Protection Order**

Any person who, without reasonable excuse, fails to comply with the terms of the Order is guilty of an offence under section 67 of the Act and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale or level 2 for an offence under para b above.

A Police Constable, a Police Community Support Officer, an authorised Council Officer or person authorised by the Council may under section 68 of the Act issue a Fixed Penalty Notice to any persons they have reason to believe has committed an offence in relation to this Order.

The Fixed Penalty will be in the sum of £100.00, to be paid within 14 days.

## **Appeals**

Any challenge to this Order must be made at the High Court by an interested person within 6 weeks of it being made. An interested person is someone who lives in, regularly works in or visits the restricted area. This means that only those who are directly affected by the restrictions have the right to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of the Order on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

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 whole. The High Court can uphold, quash or vary the Order.