# ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

# PUBLIC SPACE PROTECTION ORDER

# BOLSOVER DISTRICT COUNCIL

Bolsover and Hilltown

Public Space Protection Order No. 6 2024

1. This Order shall come into operation on date to be considered 2024 and shall have effect for a period of 3 years thereafter, unless extended by further orders under Bolsover District Council’s (“the Council”) statutory powers.
2. The Restricted Area – this Order relates to all land;
3. in the administrative area of the Authority shown edged red on the map at Schedule 1 of this Order, and
4. to which the public are entitled or permitted to have access (with or without payment)
5. The Activity – the Council is satisfied on reasonable grounds that there are a number of activities, carried out or likely to be carried out in the public space, namely the Restricted Area, that have had, or are likely to have, a detrimental effect on the quality of life of those in the locality. The effect or likely effect of these activities is of a persistent or continuing nature such as to make these activities unreasonable, and justifies the restrictions imposed by this order.
6. Definitions – for the Purpose of this Order:

“The Act” means the Anti-Social Behaviour Crime and Policing Act 2014

“Authorised Officer” means a person authorised by the Council or a Constable

“Restricted Area” means the area outline in red in Schedule 1

1. Prohibited Activities - In exercise of its powers under sections 59 and 64 of the Act the effect of this Order is: to prohibit specified things, and specify things to be done within the Restricted Area subject to the relevant exceptions;

**A.**

(1) An Authorised Officer may require an individual or group to leave the Restricted Area where the Authorised Officer reasonably suspects that the individual or anyone within that group is causing, or is likely to cause, nuisance or disorder, or harassment, alarm and distress to any other person.

(2) An individual, or group required by an Authorised Officer to leave the Restricted Area is:

(i) Prohibited from remaining within the Restricted Area;

(ii) Required to leave the Restricted Area immediately; and

iii) Prohibited from returning to the Restricted Area within 24 hours of being required to leave.

(3) An individual will not breach paragraph A(1) or A(2) above, if they attend a bus-stop within the Restricted Area for the purpose of taking public transport out of the Restricted Area, so long as they are not accompanied by any other person who has also been required to leave the Restricted Area (except for a dependent person).

B.

(1) If an Authorised Officer reasonably suspects that a person who is or has been drinking alcohol in the open air within the Restricted Area is causing or likely to cause a nuisance or disorder, the Authorised Officer may request the person to:

(i) stop drinking alcohol within the Restricted Area; and/or

(ii) hand to the Authorised Officer any container of alcohol in his possession, whether or not it has been opened, and even if it is empty.

(2) A person who has been requested to do either or both of the things referred to at paragraph B1 (i) and B(ii) above, is required to comply with such a request immediately.

C.

No person shall, without reasonable excuse, wear face coverings which conceals or partially conceals their identity in the Restricted Area. For the avoidance of doubt, ‘reasonable excuse’ includes, but is not limited to, religious and health reasons and legal requirements relating to personal protective equipment.

**D.**

Any person riding a pedal cycle, skateboarding or riding a manual scooter must do so in a careful and considerate manner and must dismount if requested to do so by an Authorised Officer.

**E.**

No person shall throw anything in the Restricted Area in a manner which is (or may reasonably be perceived to be) intimidating or threatening to any other person.

**F.**

No person shall urinate or defecate in the Restricted Area other than in a public toilet.

**G.**

No person shall, without reasonable excuse, spit in the Restricted Area

1. Failure to comply with this Order – Criminal Offence – Any person failing to comply with this Order will be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale pursuant to section 67 of the Act. Alternatively a Fixed Penalty Notice may be issued by an Authorised Officer.
2. Appeals – if any interested person wishes to question 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, then they may apply to the High Court within 6 weeks of the date this Order is made.

**EXECUTED AS A DEED**  )

by affixing the common sealof ) [Seal]

**BOLSOVER DISTRICT COUNCIL** )

hereto affixed in the presence of:- )

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(Member)

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(Authorised Signatory)

# SCHEDULE 1 – the Restricted Area

Map to be inserted

# SCHEDULE 2 – Definitions

Definitions for the Purpose of this Order:

“The Act” means the Anti-Social Behaviour Crime and Policing Act 2014

“Car cruising” is defined as 2 or more vehicles in the Restricted Area where any such vehicle or occupant of a vehicle performs any of the prohibited activities

“Motor vehicle” means any mechanically propelled vehicle intended or adapted for use on roads

“Doughnut” means driving a motor vehicle in a tight circle whilst continuing to accelerate

“Drifting” means driving a motor vehicle in such a manner as to cause the rear of the vehicle to slide

“Handbrake turns” using the handbrake to being the motor vehicle to an abrupt stop whilst turning the vehicle

“Wheel spinning” means accelerating to allow the wheels to spin while the motor vehicle is stationary, producing noise and smoke; or accelerating at speed

“Authorised Officer” means a person authorised by the Council

“Interested Person” means an individual who lives in the Restricted Area or who regularly works or visits that area.