



Officer decision under delegated powers

Title:

Redhill Town Centre Public Space Protection Order 2020-2023 (PSPO)

Background:

- In October 2017 a Public Space Protection Order (PSPO) for Redhill town centre and Redhill Memorial Park was created following public and political consultation
- The life of the order was for 3 years
- Re-instatement, amendment or removal of this order required a full consultation process to be undertaken again
- Under paragraph 4.59 of the scheme of delegation and following the required consultation processes Head of Community Partnerships reviewed whether or not the Public Space Protection Order for Redhill Town Centre should be renewed for a period of three years from

Consultation:

- A public consultation period was held between July 6th 20 and August 17th 20
- Members for the Wards covered by the PSPO were consulted on the 9th September and their views considered
- This meeting was chaired by Cllr Ashford Executive Member for Community Partnerships which community safety falls under

Decision(s):

- It was decided to re-instate the PSPO to run between the 10th October 2020 and the 9th October 2023

- It was decided to clarify the targeted behaviour linked to cycling to include the additional words dangerous or anti-social cycling

Reason(s) for decision:

- It was clear from the Public consultation that targeting of all cycling caused concern and worry
- It was clear from the Public consultation that the order was broadly supported and had positively affected poor behaviour
- Members and the delegated officer were satisfied that the order was proportionate, necessary and focussed on precise harmful behaviours

Alternative option(s):

- Reinstate the current order as it was written
- Undertake no renewal at all removing the order
- If appropriate alter the area the order covers

Appendices:

1. Annexe 1 – The map
2. Annexe 2 – The order

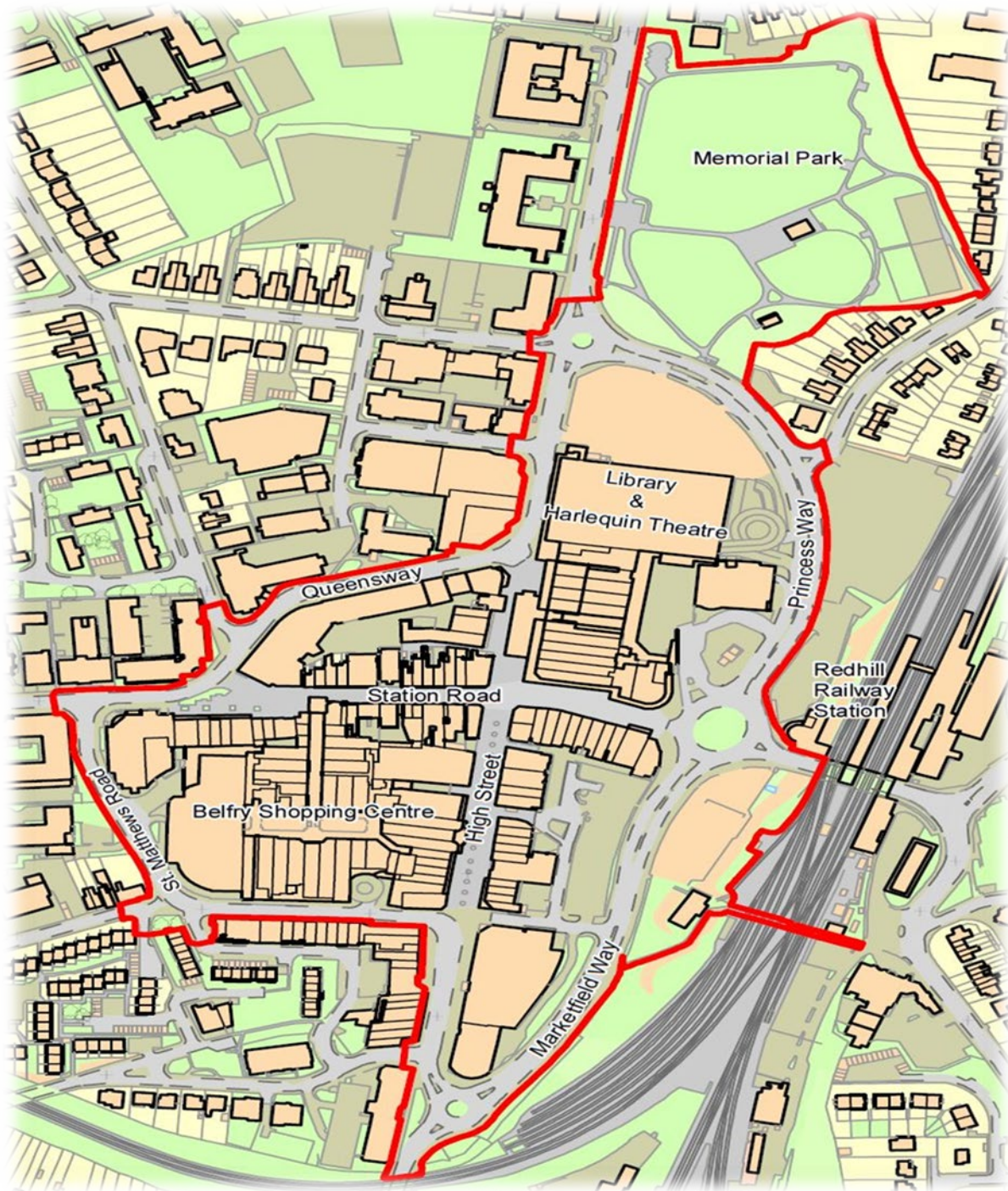
Decision taken by:

Signature: Justine Chatfield

Date: 11/09/20

Post held: Head of Community Partnerships

Annexe 1 – The Map



Annexe 2 – The Order

Notice is hereby given that Reigate & Banstead Borough Council ("the Council") has made the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"):

- 1. The land edged red on the map below being land in the area of the Council is land to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this Order (the Restricted Area).**
- 2. The Order may be cited as the Redhill Town Centre Public Spaces Protection Order and will come into force on the 10th October 2020 for a duration of 3 years, until the 9th October 2023.**
- 3. The Council is satisfied that the conditions set out in Section 59(2) of the Act have been met. Namely that anti-social behaviour and criminal activities have been carried out within the Restricted Area including through the use of alcohol. This activity is having a detrimental effect on the quality of life of those in the locality and is likely that these activities will be carried out with the Restricted Area and will have such an effect.**
- 4. The Council is also satisfied that the conditions set out in Section 59(3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order.**

Prohibitions

- 5. The effect of the Order is to impose the following conditions on the use of the Restricted Area:**
 - 5.1 In the Restricted Area a person commits an offence if without reasonable excuse he or she continues to carry out activities which are prohibited namely;**
 - 5.1.1 Harassing or intimidating residents, businesses or members of the public.**
 - 5.1.2 Threatening any person with violence and / or being verbally abusive towards any person.**
 - 5.1.3 Urinating in an open public place.**
 - 5.1.4 Littering or spitting with the intent to cause harassment, alarm or distress to any person.**

5.1.5 Wearing a piece of clothing with the intent to obscure or hide his/her identity for the purposes of committing crime and/or anti-social behaviour.

5.1.6 Dangerous or anti-social cycling. Skateboarding, or hover-boarding in pedestrianised areas.

5.1.7 Acting, or inciting others to act, in an anti-social manner, that is to say a manner that is likely to cause harassment, alarm or s distress to any person.

5.1.8 Joining or remaining in a group of 2 or more people which is acting in a manner that is likely to cause harassment, alarm or distress to any person.

5.1.9 Consumption of alcohol following a verbal warning by an authorised person to stop.

6. For the purposes of 5.1.8 of this Order:

Provision 5.1.8 of this Order does not apply on premises within the Restricted Area which have a premises licence or club premises certificate for the sale or supply of alcohol. This provision also does not apply to events within the Restricted Area which are licensed for the sale or supply of alcohol.

An authorised person includes a Police Constable, Police Community Support Officer, a Council Officer or any other person authorised by the Council.

Fixed Penalty Notices and Offences

7. In accordance with section 63 of the Act, a person found to be in breach of this Order in so far as consumption of alcohol is concerned is guilty of an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

8. In accordance with section 67 of the Act, a person found to be in breach of this Order in so far as all other restrictions excepting the consumption of alcohol are concerned is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale

9. An authorised person may issue a Fixed Penalty Notice not exceeding £80 to anyone they have reason to believe has committed an offence under this Order.

Appeals

10. In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or

that any requirement of the Act has not been complied with they may apply to the High Court within six weeks from the date on which this Order is made.

Appendix

A plan of the Restricted Area edged red is annexed to this Order.

Executed as a deed by affixing THE COMMON SEAL OF REIGATE & BANSTEAD BOROUGH COUNCIL on the day of 2020,

in the presence of: