

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

SECTION 59

PUBLIC SPACES PROTECTION ORDER 2016 (as extended 2019)

This Order is made by Aylesbury Vale District Council ('The Council') under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act').

1. This order relates to the land described in Paragraph 1 of the Schedule below and defined by the red border on the plan attached to this Order ('the restricted area'), being a public place in the Council's area to which the Act applies:
2. The Council is satisfied that the 2 conditions below have been met, in that:
 - a. 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 that they will have such an effect. The said activities being:
 - 1) The consumption of alcohol and anti-social behaviour associated with the consumption of alcohol, taking place in the public place.
 - 2) Public urination and defecation.
 - 3) Aggressive or intimidating behaviour.
 - 4) Dog fouling.
 - 5) The unauthorised parking of motor vehicles on the public realm of Kingsbury and Market Square.
 - b. That the effect, or likely effect of the activities described above 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.

BY THIS ORDER

3. The effect of the Order is to impose the following prohibitions at all times:
 - a. In the restricted area any person who continues to carry out the following activities from which they are prohibited commits an offence:
 - 1) Consuming alcohol or being in possession of an open container of alcohol.
 - 2) Public urination or defecation.
 - 3) General behaviour reasonably perceived to be intimidating and/or aggressive.
 - 4) Failure of owner or person in control to remove dog faeces.
 - 5) Parking without permission or authority on the public realm of Kingsbury and Market Square.
4. This Order came into force on 11 November 2016. This Order was extended by the Council under Section 60 of the Act for a period of 3 years from 11 November 2019 and will remain in force for that period unless extended by further Orders under the Council's statutory powers.
5. A person guilty of an offence under conditions 3.(a.1) above, under Section 63 of the Act is liable on summary conviction to a fine not exceeding level 2 on the standard scale or fixed penalty notice of a maximum £100.

6. In this area any person who fails to comply with any of the conditions set out in 3.(a.2-5) above, under Section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale or fixed penalty notice of £100 and £60 in respect to unauthorised parking.

THE SCHEDULE

1. The Restricted area shown edged in red on the map attached hereto.

APPEAL

Any challenge to this order must be made in the High Court by an interested person within six 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 power 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 totality. The High Court has the ability to uphold the order, quash it, or vary it.

Date of original Order: 11 November 2016

Date Order extended: 9 September 2019

THE COMMON SEAL OF AYLESBURY
VALE DISTRICT COUNCIL was

Hereunto affixed on
in the presence of

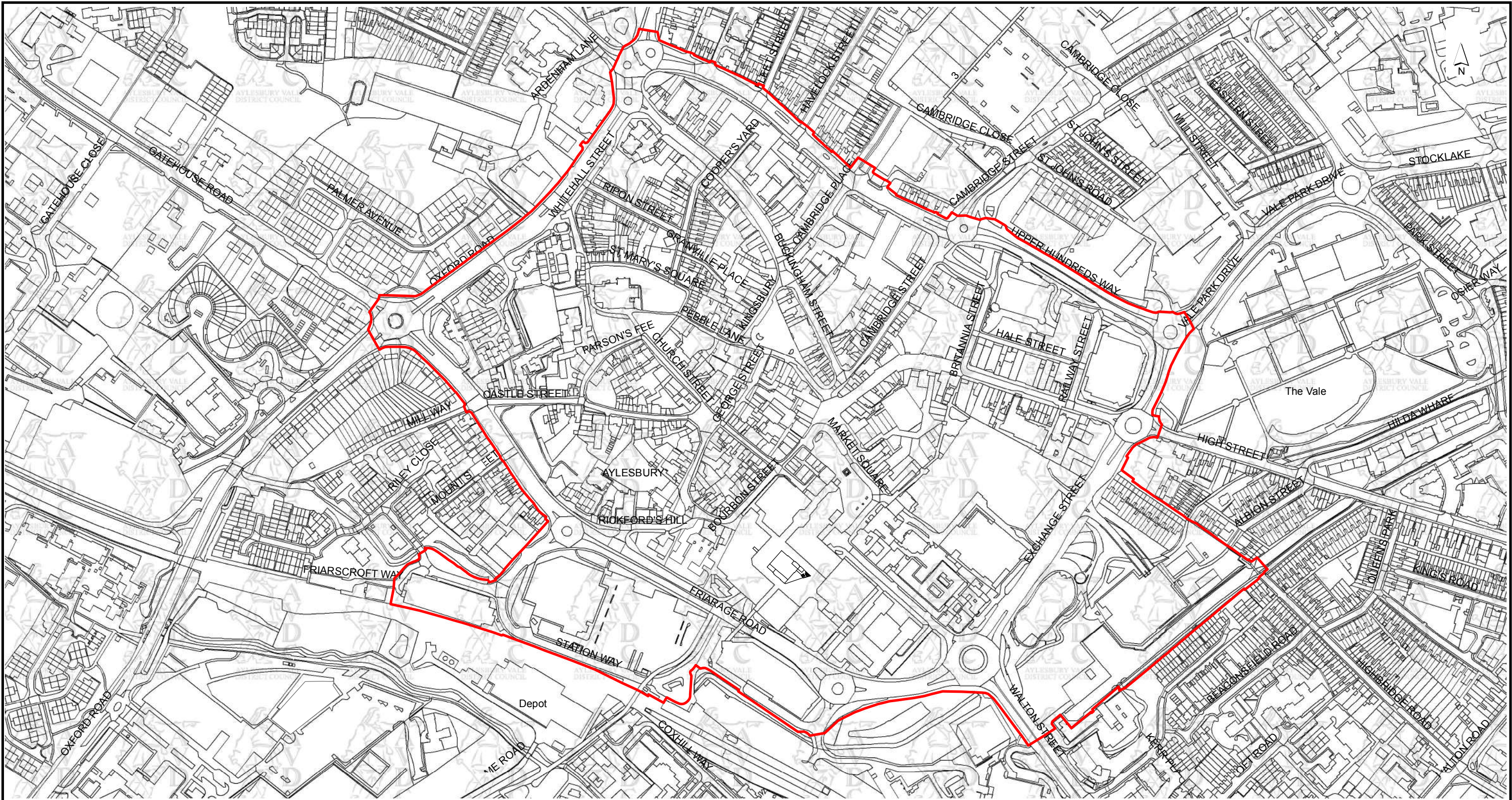
Chairman

Head of Legal Services
MONITORING OFFICER



Judy Braudis

18/245



PROJECT : PSPO ATC DRAFT 1

TITLE:- Proposed PSPO Area
 Aylesbury
 Bucks
 2015

OS Ref : SP8113

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 AVDC LICENCE - No. 100019797 2015
 Derived from the 1:2500 O.S. MasterMap.
 N.B. - Further detail has been added to this Ordnance Survey Map from sources held by A.V.D.C.
 No guarantee can be given as to the accuracy of this additional information.

n/a
 Scale : 1/4000 Date : 21/04/2015 Drawn by : IRC
DRG No: PSPO 1



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