



## **BUCKINGHAMSHIRE COUNCIL**

### **Anti-Social Behaviour, Crime and Policing Act 2014, Section 60(2)**

#### **Public Spaces Protection Order Extension**

A Public Spaces Protection Order was made by Buckinghamshire Council (The Council) on 20<sup>th</sup> October 2017 and may be cited as the Buckinghamshire Council – Buckingham Town Centre Public Spaces Protection Order (the Order).

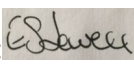
This Order was made by Buckinghamshire Council under the Anti-Social Behaviour, Crime and Policing Act 2014 Section 59 ('the Act') and was for a duration of three years.

A copy of the Order is annexed hereto.

By a decision made by the Leader of the Council dated 16<sup>th</sup> October 2020 and in accordance with the previously published schedule and reports, the Order is extended for a further two years commencing 16<sup>th</sup> October 2020 unless further extended under the provisions of section 60 of the Act.

In making this decision and in accordance with section 60(2) of the Act, the Leader was satisfied on reasonable grounds that the extension was necessary to prevent

- a) Occurrence or re-occurrence after that time of the activities identified in the Order, or
- b) An increase in the frequency or seriousness of those activities after that time.

Signed: 

Dated: 16<sup>th</sup> October 2020

**ANTI-SOCIAL BEHAVIOUR, CRIME AND DISORDER AND POLICING ACT 2014**  
**SECTION 59**  
**PUBLIC SPACES PROTECTION ORDER 2020**

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.
  - 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:

Consuming alcohol or being in possession of an open container of alcohol.
4. The order was automatically converted from a Designated Public Place Orders on 20 October 2017 and must be reviewed prior to its expiration in October 2020.
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.

**THE SCHEDULE**

6. 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: 20 October 2017

