

LEICESTER CITY COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
PUBLIC SPACES PROTECTION ORDER

Notice is hereby given that Leicester City Council ('the Council') has made the following Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act') as follows.

This Order may be cited as the Public Spaces Protection Order (Leicester City Centre Zone 1) and comes into force on XXX. This Order will have effect for a period of 3 years, until XXX.

The order relates to all public places within Leicester City Centre, the boundaries of which are edged red on the plan attached to this order at Schedule 1 ("the Restricted Area").

The Council is satisfied that the two 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 they will have such an effect;
- b. 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.

The effect of the Order is to impose the following prohibitions and/or requirements in the Restricted Area at all times, unless specifically stated:-

DEFINITIONS

“Council” – is Leicester City Council

“Authorised Officer” - could be a Police Constable, or an officer duly authorised by the Council.

Restricted Area – is the map attached to this order

“Loitering” – includes but is not limited to sitting or laying on the floor, in or adjacent to doorways or within 10 metres of cash machines (including banks, supermarkets)

“Begging” – includes but is not limited to any verbal, non-verbal or written request for money, donations or goods, including the placing of hats, clothing or containers. Begging with an intent to intimidate which may include repeated requests. Approaching or following a person whilst making a request. The use of false or misleading information. Attempting to provide or deliver unrequested or unsolicited services or products with a demand or pressure for money

A) Loitering or Begging

A person is prohibited from loitering or begging, in a manner that causes or is likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the Restricted Area

B) Charity or commercial subscription collectors

A person is prohibited from, soliciting for the completion of subscription charity collections. Appropriate permission to carry out cash collections in the City Centre should be obtained from the Council in advance.

C) Pedal cycles, e-bikes, skateboarding and manual scooters

Any person riding a pedal cycle, e-bike, skateboard or riding a manual scooter must do so in a manner that does not cause harassment, alarm, or distress to any person in the designated area and must dismount if requested to do so by a Police Officer or Authorised Officer.

Exemption:

Nothing in this order applies to a person who uses a mobility scooter for access reasons or a person who uses an E-bike or E-scooter as a mobility aid and cannot safely dismount and push a cycle for any significant distance, but these persons must use these aids in a careful and considerate manner.

D) Alcohol

A person shall not within the Restricted Area:

- (i) continue to consume alcohol when asked to stop by an Authorised Officer, or
- (ii) fail to surrender any alcohol in their possession when asked to do so by an Authorised Officer

Any alcohol or container for alcohol surrendered to an authorised person may be disposed of by an authorised person as he or she thinks appropriate in accordance with Section 63(5) of the Act.

E) Microphones, loudspeakers, megaphones, loudhailers or any other equipment used to amplify the volume of speech, music

A person shall not within the Restricted Area:

- (i) Use microphones, loudspeakers, megaphones, loud hailers or any other equipment which are designed to amplify the volume of speech, music or instruments.

Exemptions

- Events activities, marches processions authorised by the council and/or the police
- Peaceful static gatherings or assembly
- Premises or vehicles where these activities are permitted under their licence conditions
- Performers that are permitted to so under a council scheme

F) Temporary structures

A person shall not within the Restricted Area:

- (i) Erect a temporary structure such as a gazebo, tent, marquee, table temporary stall, promotional flag / banner.

Exemptions

- Persons who have obtained prior consent or licence from the council
- Persons engaged in events, activities authorised by the council
- Emergency service or emergency responders

RIGHT OF APPEAL

There is a right of appeal against the making of this order to the High Court by an interested person with 6 weeks beginning with the date on which the order was made. An interested person is someone who lives in, regularly works in or visits the Restricted area. This means only those who are directly affected by the restrictions can appeal. The grounds for appeal are set out in section in section 66(2) of the Anti-social behaviour, Crime and Policing Act 2014

FIXED PENALTY NOTICES AND OFFENCES

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with Section 63 of the Act, a person found to be in breach of this Order by consuming alcohol or by refusing to surrender alcohol to an Authorised Person is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500) or to a Fixed Penalty Notice up to £100.
3. In accordance with Section 67 of the Act, a person found to be in breach of this Order, other than by consuming alcohol or by refusing to surrender alcohol to an authorised person, is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1000) or to a Fixed Penalty Notice up to £100.

THE COMMON SEAL OF THE

LEICESTER CITY COUNCIL

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IN THE PRESENCE OF

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AUTHORISED SIGNATORY

DATED

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