Darlington Council Public Space Protection Order – Darlington Town Centre

Notice is hereby given that Darlington Borough Council (“the Council”) in exercise of its powers under sections 59, 63, & 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) being satisfied that the conditions set out in section 59 of the Act have been met, make the following order:-

**Darlington Borough Council**

**Public Spaces Protection Order**

**Number 1 of 2018**

1. The Order applies to the land described by the map attached and shown edged red, being land in the area of the Council, to which the Anti-Social Behaviour, Crime & Policing Act 2014 applies.
2. The order may be cited as the Darlington Borough Council Public Spaces Protection Order – Darlington Town Centre and shall come into force on…… for the duration of 3 years.
3. The following activities have caused a detrimental effect to the quality of life of those living in the locality :-
4. Persons being intoxicated and drinking alcohol in a public places which are not licensed premises.
5. Begging
6. Threatening behaviour
7. Swearing
8. Obstruction of public access to buildings
9. The effect of this order is to impose the following conditions on the use of the land:
10. In this area any person who continues to carry out activities from which they are prohibited commits an offence namely:
11. Any person who continues drinking alcohol in the designated area when asked to stop by a Police Officer, Police Community Support Officer or Authorised Person from the Council commits an offence.
12. Any person who fails to surrender any alcohol in his possession when asked to do so by a Police Officer, Police Community Support Officer or Authorised Person from the Council commits an offence.
13. No person shall sit or loiter in the designated area for the purpose of begging or asking members of the public for money whether by placing an item before them for receipt of money or otherwise.
14. No person shall use threatening or intimidating behaviour towards any other person.
15. No person shall loiter so as to cause an obstruction on a public highway, either moving or stationary.
16. The Council is satisfied that the conditions set out in sections 59, 63 & 72 of the Act have been met and that it is, in all the circumstances, expedient to make this Order in order to seek to reduce the detrimental effect on the quality of life of those in the locality caused by the activities listed in paragraph 3 above. The effect or likely effect of these activities is, or is likely to be, of a persistent or continuing nature, such as to make these activities unreasonable, and therefore justifies the restrictions imposed by this Order.
17. It is an offence for a person without reasonable excuse to engage in an activity that is prohibited by this Order.

7. A person guilty of an offence under paragraph (i) or (ii) above , in accordance with s.63 of the Act is liable on summary conviction to a fine not exceeding level 2 on the standard scale (£500) or a fixed penalty of a maximum of £100.

8. A person guilty of an offence under paragraphs (iii), (iv) or (v) above , in accordance with s.67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000) or a fixed penalty of a maximum of £100.