

## **Section 59 The Anti-Social Behaviour, Crime and Policing Act 2014 (the “Act”)**

### **The Borough of Gosport Town Centre Public Spaces Protection Order 2017**

Gosport Borough Council (the “Council”) having been satisfied that the conditions set out at section 59 of the Act are met upon the following detrimental activities being carried on in the Restricted Area:

- anti-social behaviour linked to begging,
- anti-social behaviour linked to alcohol or drug use, and
- urinating or defecating

The Council hereby resolved on 17<sup>th</sup> October 2017 at a meeting of the Community Board to make the following Public Spaces Protection Order for the Restricted Area.

#### **1. Interpretation**

1.1 "Authorised Person" means a Council officer authorised by the chief executive of the Council or police constable or police community support officer, who must present their authority upon request;

1.2 "DPPO" means the designated public places order made by the Council in 2007 for all land or premises open to the public in the Borough of Gosport (other than consumption of alcohol on premises authorised for the sale or supply of alcohol)

1.3 "Public Place" means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission;

1.4 "Restricted Area" means any Public Place in the area shown edged black on the plan at **Schedule 1** to this order.

#### **2. Restrictions**

2.1. No person shall in the Restricted Area engage in any conduct capable of causing or likely to cause harassment, alarm or distress to any reasonable member of the public arising from the consumption of alcohol; the use of drugs; or begging.

2.2 No person shall in the Restricted Area fail or refuse to comply with any requirement of an Authorised Person to cease using drugs; or surrender any drugs, or any drug containers, or any drug paraphernalia in their possession.

2.3 No person shall urinate or defecate in the Restricted Area otherwise than in a facility intended for such use.



2.4 No person who is:

- (a) in breach of paragraphs 2.1 or 2.2 or 2.3 above; or
- (b) in breach of the requirement to cease consumption of alcohol or surrender any alcohol containers to an Authorised Person under the DPPO

shall

- (a) refuse or fail to disperse from a defined Public Place in the Restricted Area; and
- (b) return to the defined Public Place in the Restricted Area within 12 hours of being required to disperse


if required to do so by an Authorised Person.

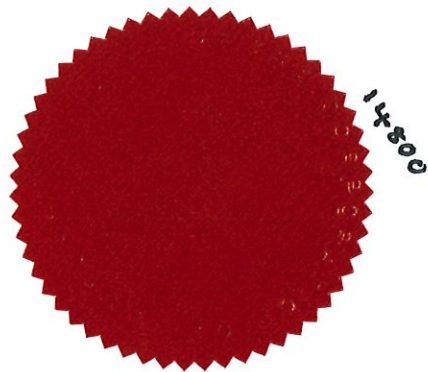
### 3. Penalty

3.1 It is an offence contrary to section 67 of the Act for a person without reasonable excuse to fail to comply with the restrictions in paragraphs 2.1 or 2.2 or 2.3 or 2.4 or 2.5 above. A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding £1,000.

This order shall take effect on 17<sup>th</sup> November 2017 and remain in force until 17<sup>th</sup> November 2020.

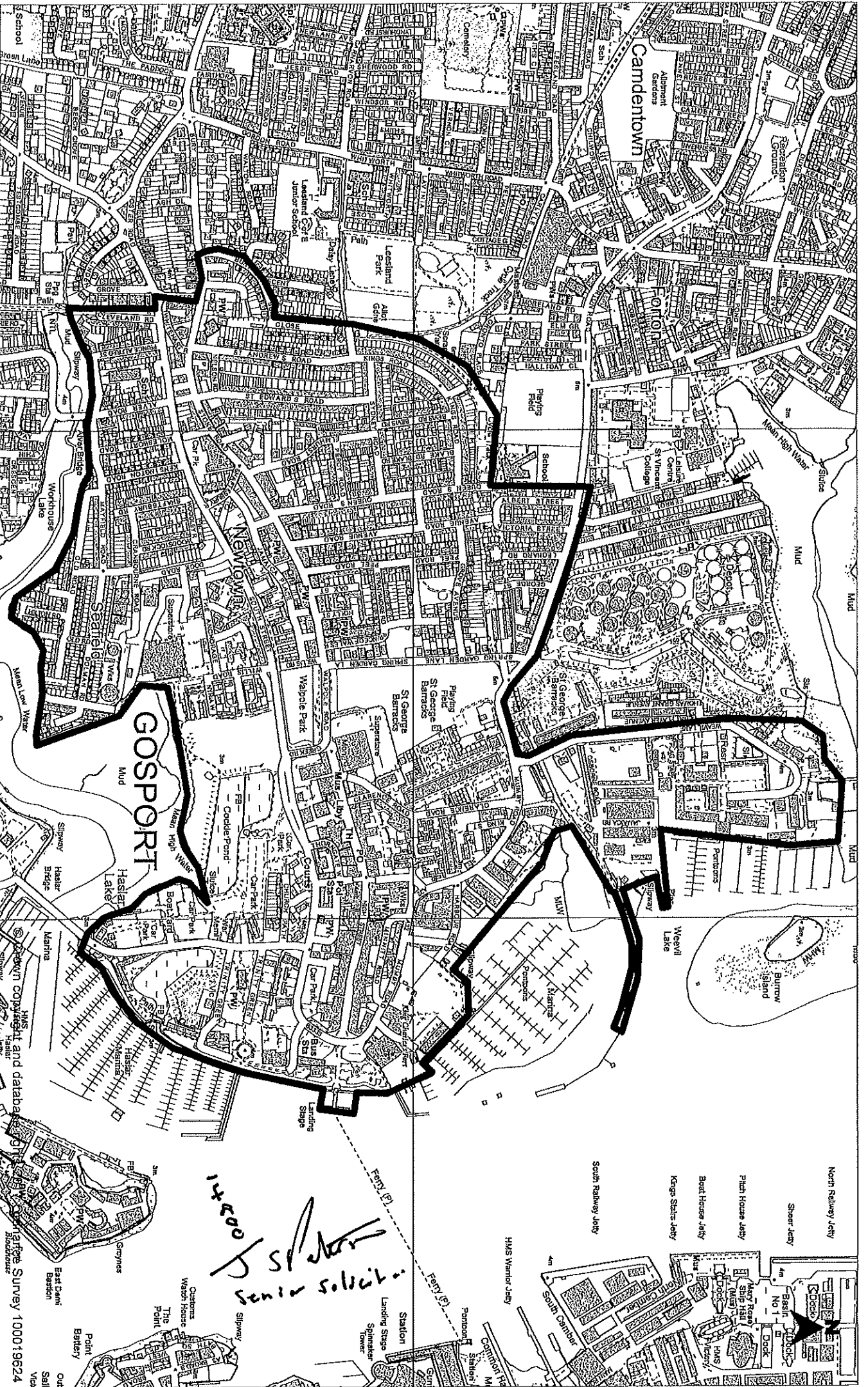
Executed as a Deed by affixing the  
Common Seal of **GOSPORT**  
**BOROUGH COUNCIL** in the presence of:-

  
Senior Solicitor



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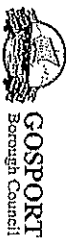


TOWN HALL, HIGH STREET, GOSPORT,  
 HANTS, PO12 1EB.

DATE: 24/08/2017

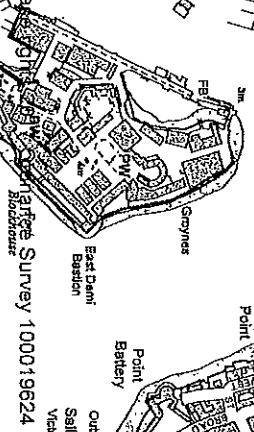
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0 80 160 240 320 400 m



GOSPORT  
 Borough Council

If this map has been transmitted electronically, use the scale bar in preference to the written scale



Map data from Ordnance Survey 100019624

