

TAMWORTH COMMUNITY SAFETY PARTNERSHIP

NOTICE OF INTENTION TO APPLY A PUBLIC SPACE PROTECTION ORDER **Section 59 Anti-Social Behaviour Crime and Policing Act 2014**

- 1) Following representations from members of the public and in relation to evidence that has been gathered and reviewed, the Tamworth Community Safety Partnership (lead agency Tamworth Borough Council), intends to apply a Public Spaces Protection Order on the area defined below:

AREA KNOWN AS WARWICKSHIRE MOOR NATURE RESERVE AND PLAYING FIELDS RENE ROAD, BOLEHALL

See map attached (outlined in red as the restricted area)

The area includes all spaces within this boundary accessible to the public

- 2) Under the terms and restrictions of the Public Spaces Protection Order the following is **PROHIBITED**:
- a) Congregating or loitering at any time where any **such activity causes or is likely to cause** noise, harassment, alarm or distress
 - b) Causing or permitting excessive amplified music or other noise such as to cause or be likely to cause alarm, harassment or distress as a result of a gathering
 - c) Consumption of alcohol when it is believed that any person is either committing or is likely to commit Anti-Social Behaviour in a public place and must dispose of any vessel believed to contain alcohol, when asked to do so by an authorised person
 - d) Consumption of alcohol by persons under 18 who must dispose of any vessel believed to contain alcohol, when asked to do so by an authorised person at all times
 - e) Barbeques, fires and littering
 - f) Camping
 - g) Smoking, using or selling **ANY** substance likely to cause intoxication or odour nuisance to members of the public

Persons gathering for legitimate social purposes, charitable or other events where there is no intention to cause or permit anti-social behaviour is permitted at all times subject to compliance with all conditions at paragraph 2 above.

- 3) An authorised person can also require any person:
- a) To not consume alcohol or anything the authorised person reasonably believes to be alcohol, in sealed or unsealed vessels.
 - b) To surrender anything in the person's possession which is, or the authorised person reasonably believes to be, alcohol or likely to be used as a container for alcohol

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- 4) If any local resident or member of the public is found to be committing the acts that are prohibited above, the following sanctions may be applied:
 - The issue of a £100 Fixed Penalty Notice payable within 28 days and/or
 - Prosecution for breach of an Order and a maximum penalty fine not exceeding level 3 on the standard scale (currently £1,000)
- 5) It is the intention that this Public Spaces Protection Order will begin on the 1st November 2018 and will expire on 31st October 2021
- 6) If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not be complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this order is made.

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