

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

### **The Borough of Gosport Town Centre Public Spaces Protection Order 2020**

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

Anti-social behaviour linked to alcohol or drug use

Anti-social behaviour linked to urinating or defecating.

Anti-social behaviour linked to begging

Anti-social behaviour linked to blocking entrances/exits

This Order varies and extends the existing PSPO and comes into force on XXX for a period of 3 years.

The Council hereby makes the following Public Spaces Protection Order for its 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 or authorised Gosport Borough Council Officer, who must present their authority upon request.
- 1.2. "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;
- 1.3. "Restricted Area"** means any land or premises accessible by the public in the area shown edged black on the plan at **Schedule 1** to this order.

#### **2. Restrictions**

- 2.1.** No person shall consume alcohol in any public place in the Town Centre other than at licensed premises.
- 2.2.** No person shall be in possession of any opened vessel containing or purporting to contain alcohol in any public place in the Town Centre.

- 2.3.** No person shall fail or refuse to comply with any requirement of an Authorised Person to cease consumption of alcohol or surrender any alcohol containers to an Authorised Person.
- 2.4.** No person within the Town Centre will ingest, inhale, inject, smoke or otherwise use intoxicating substances (substances with the capacity to stimulate or depress the central nervous system).
- 2.5.** No person will possess any item and or drug paraphernalia that can be used to assist in the taking of intoxicating substances. This includes any device for smoking substances other than e-cigarettes, it also includes needles, except for those packaged and sealed by the manufacturer and stored in a hard case.
- 2.6.** No person shall fail or refuse to comply with any requirement of an Authorised Person to cease consumption of drugs or surrender any drugs or any drug containers or any drug paraphernalia in their possession.
- 2.7.** No person shall urinate or defecate in any public place; this does not include public toilets.
- 2.8.** No person shall beg by making unsolicited and/or unauthorised requests for money (whether expressly requested or impliedly requested by conduct) within the Town Centre. This shall include any verbal, non-verbal or written request from a standing, sitting or lying down position for money, donations or goods, including the placing of hats, clothing or containers.
- 2.9.** No person shall loiter, sit or lay on the floor or on temporary structures in or adjacent to doorways or around pay machines (including banks, supermarkets) in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the Town Centre.
- 2.10.** No person shall congregate in a group of 4 or more people and behave in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the Town Centre.
- 2.11.** No person shall, after being requested to leave by an authorised officer due to them behaving in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the Town Centre without reasonable excuse, remain or return to the Town Centre within a period of 24 hours.

### **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 2 above. A person guilty of an offence under this section is liable on summary conviction to a level 3 fine not exceeding £1000.

**4.** This order shall remain in force until November 2023