

NORTH DEVON DISTRICT COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER

In exercise of the power under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), being satisfied that the conditions set out in sections 59 and 64 of the Act have been met, the North Devon District Council (NDDC) hereby makes a Public Spaces Protection Order, in relation to the area known as the Pannier Market, Barnstaple EX31 1BW (the Restricted Area) as outlined in red on the location plan.

Such order shall apply to all persons except to attendees of events operated or authorised by NDDC.

The terms of the order are as follows:

- (1) No person may use the Restricted Area for the following purposes:
 - a. The consumption of alcohol
 - b. Littering
 - c. The possession or consumption of controlled drugs, other than under a prescription
 - d. Behaving in a manner likely to cause intimidation, harassment, alarm or distress
 - e. Ball games or skateboarding
- (2) In order to ensure compliance with the above restrictions, the NDDC will secure the Restricted Area at 18.00 hours each evening, and open it at 5.00 hours each morning
- (3) The public highway between Butchers Row and Market Street will be closed, pursuant to paragraph (2) above, through the operation of barriers
- (4) Between 18.00 hours and 5.00 hours the following day, no person shall refuse to leave the Restricted Area when required to do so by an authorised person
- (5) Any person who, without reasonable excuse, fails to comply with the requirements of this Order commits an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale

- (6) Where a constable or authorised person reasonably believes that a person is consuming alcohol in breach of this Order, or intends to do so in breach of the Order, the constable or authorised person may require the person not to consume alcohol in breach of the Order and to surrender anything in the person's possession which the constable or authorised person believes to be alcohol
- (7) A person who fails without reasonable excuse to comply with a requirement imposed on him or her under paragraph (6) above commits an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale
- (8) This Order shall come into force on 1st February 2022 and shall remain in place for a period of 3 years.

Dated this 24th January 2022

THE COMMON SEAL of NORTH DEVON
DISTRICT COUNCIL was hereunto fixed
In the presence of:

