

**The Public Spaces Protection Order
– (Ashfield District Council) 2015 (as extended and varied 2018) (the “Order”)**

NOTICE IS HEREBY GIVEN THAT Ashfield District Council in exercise of its power under the Anti-social Behaviour, Crime and Policing Act 2014 (the “Act”) has extended The Public Spaces Protection Order – (Ashfield District Council) 2015 for a period of 3 years and has varied that Order to include a new prohibition, namely a “Direction to Move on.”

The Order comes into force on 1 October 2018 and shall have effect for a period of 3 years, unless extended by further orders under Ashfield District Council’s statutory powers.

The Order creates offences relating to Prohibition of Alcohol Consumption, Urinating, Direction to move on Dog Fouling, Failure to produce device or other suitable means of removing dog faeces on demand, Dog Exclusion, Dogs on leads, Dogs on lead by direction, Dogs specified maximum amount and:

1. Extends The Public Spaces Protection Order – (Ashfield District Council) 2015 for a period of 3 years – to end on 30 September 2021.
Please note that The Public Spaces Protection Order – (Ashfield District Council) 2015 is currently in force and will remain in force until 30 September 2018 when it will be superseded by the Order.
2. Increases the restricted areas in relation to prohibition of alcohol and urinating (Articles 1 and 2).
3. Increases the Dog exclusion areas (Article 6) to include the children’s play areas at Snowdrop Close and Washdyke Lane in Hucknall.
4. Includes a new prohibition, namely a “Direction to move on” (Article 3) as follows:
 - 3.1 This article applies to land specified in Schedule 1 of this Order.
 - 3.2 A person commits an offence if they fail to comply immediately with a direction by a constable or an Authorised Person to move on from any location on any land to which this article applies to such distance from that location and for such a time period as specified by the constable or Authorised Person unless:
 - (a) he has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has expressly consented to his failing to do so.
 - 3.3 A constable or an Authorised Person may only give a direction under this article if such direction is reasonably necessary to prevent nuisance or behaviour by a person that is likely to cause annoyance or disturbance to any other person.
 - 3.4 In accordance with section 67 of the Act a person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Offences and Fixed Penalty Notices

A person who is guilty of an offence under the Order may be prosecuted and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale. A person who is guilty of an offence under section 63(2) of the Act (continuing to consume alcohol and failing to surrender alcohol) may be prosecuted and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale. Ashfield District Council intends to issue fixed penalty notices to enforce the Order, the amount of the fixed penalty notice will be £100. Failure to pay may lead to prosecution.

This information can also be viewed on the Council website by going to www.ashfield.gov.uk