

**CHERWELL DISTRICT COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

**SECTION 59**

**PUBLIC SPACES PROTECTION ORDER**

Cherwell District Council being satisfied on reasonable grounds that the below detailed activities are carried on in a public space, namely, Banbury Town Centre, outlined red on the attached map ( "the Restricted Area"), and that those activities:-

- Have had a detrimental effect on the quality of life of those in the locality
- Are of a persistent or continuing nature such as to make the activities unreasonable
- Justify the restrictions imposed by this Order

HEREBY MAKES the following Order:

**1. CONSUMING ALCOHOL**

- No person shall consume alcohol or have in their possession an open container of alcohol in the open air within the Restricted Area.

Where a constable or authorised person reasonably believes that you are or have been consuming alcohol, or intend to consume alcohol in breach of this Order a constable or authorised person may require you:-

- Not to consume alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol

The constable or authorised officer may dispose of anything surrendered in whatever way he or she thinks appropriate.

**2. BEGGING**

No person shall beg in the Restricted Area.

**3. SLEEPING ROUGH**

No person shall sleep rough in the Restricted Area. For the purpose of this Order sleeping rough is defined as sleeping in the open air or in/ under a temporary structure.

**PENALTIES**

Any person who without reasonable excuse consumes alcohol in breach of this Order or fails to surrender alcohol to a constable or authorised person in breach of this Order commits an offence and shall be liable on summary conviction to a fine not exceeding £500.

Subject to the above, any person who without reasonable excuse carries on an activity which is prohibited by this Order or fails to comply with a requirement of this Order commits an offence and shall be liable on summary conviction to a fine not exceeding £1000.

**FIXED PENALTY NOTICE**

A constable or authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence in relation to this Order. You will have 14 days to pay the fixed penalty of £100.00p. If you pay the fixed penalty within the 14 days you will not be prosecuted. If the fine is paid within 7 days the amount is reduced to £50.00p

**THE PERIOD FOR WHICH THIS ORDER HAS EFFECT**

The Order will take effect from 1 December 2016 until 31 November 2019

Dated.....

The Common Seal of  
Cherwell District Council  
was affixed in the presence of

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Head of Law and Governance