

## Appendix 2 – Proposed Prohibitions and Offences for any new PSPO for Banbury town centre

### PROHIBITIONS

- a) No person shall loiter in the restricted area either as an individual or in a group if they are causing or likely to cause anti-social behaviour. If asked to disperse by a Police Constable, PCSO, or an authorised officer of the Council that person must not return to the restricted area for a period of 24 hours.
- b) No person shall beg (using either active or passive methods of obtaining alms) or ask members of the public for money in the restricted area.
- c) No person shall consume alcohol in the restricted area (other than in residential premises or premises specified in Section 62(1) of the Act) in a manner which causes nuisance or annoyance to other persons in the locality.
- d) No person shall continue to consume alcohol when directed by an officer to stop in the restricted area.
- e) No person shall fail to surrender alcohol or a container for alcohol when requested to do so by an officer in the restricted area.

Save as to;

The prohibition obtained in paragraph d of this Order does not apply to any place specified in Section 62 of the Act as a place where a prohibition in a Public Spaces Protection Order on consuming alcohol does not apply.

### OFFENCES

1. In accordance with Section 63 of the Act a person who fails without reasonable excuse to comply with a requirement imposed on him/her under Section 63(2) of the Act, namely;
  - a) Consuming alcohol in breach of the Order; or
  - b) Failing to surrender alcohol or a container of alcohol when required to do so by a Police Constable or a person authorised for the purposes of Section 63 of the Act commits an offence and is liable on summary conviction to a fine not exceeding Level 2 on the standard scale.
2. In accordance with Section 67 of the Act a person who breaches the Order (other than consuming alcohol in breach of the Order or failing to surrender alcohol to Constable or authorised person) commits an offence and is liable on summary conviction to a fine not exceeding Level 3 on the standard scale.
3. In accordance with Section 68 of the Act a Police Constable or authorised officer may issue a Fixed Penalty Notice.