

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

SEDGEMOOR DISTRICT COUNCIL

PUBLIC SPACES PROTECTION ORDER (No 2)

(MISCELLANEOUS PROVISIONS) (2020)

Sedgemoor District Council (hereinafter called "the Council") hereby makes the following Order in accordance with the provisions of section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") being satisfied that

- a) the conditions set out in section 59 of the Act have been met, namely that the activities set out below have been carried out and are having or likely to have a detrimental effect on the quality of life of those in the locality and/or it being likely that activities will be carried on in a public place and that they will have such an effect and
- b) the effect or likely effect of the activities is or is likely to be of a persistent or continuing nature, is or is likely to be such as to make the activities unreasonable and justifies the restrictions imposed by the is Order and
- c) pursuant to the requirements of section 72 of the Act and having carried out the necessary consultation, notification and publicity

HEREBY makes the following Order

This Order may be cited as the Sedgemoor District Council Public Spaces Protection Order (No 2) (Miscellaneous Provisions) 2020 and will come into force on the *1st* *December* 2020 for a duration of 3 years.

The effect of the Order is to impose the following conditions on the use of the Restricted Areas detailed in the schedule hereto and identified on the plan(s) annexed hereto

The Order allows a police officer, police community support officer (where accredited under section 41, section 42 and schedule 5 to the Police Reform Act) Sedgemoor District Council Enforcement Officers and people accredited through a community safety accreditation scheme (hereinafter referred to as Authorised Persons) to control the activities detailed below:

No night fishing or camping

The effect of the Order is to impose the following conditions on the use of the Restricted Areas detailed in the schedule hereto and identified on the plans numbered 1 & 2 annexed hereto:

- A person commits an offence if they “night fish” (between Sunset – Sunrise) and or camp within a designated area and fail to comply immediately with a direction by an Authorised Person to move on from any location within the designated area and from such proximity as specified by the Authorised Person unless:
- He/she has reasonable excuse for doing so; or
- The owner, occupier or other person or authority having control of the land has expressly consented to he/she doing so
- An Authorised Person may only give a direction under this order 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.
- Any person who fails without reasonable excuse to comply with an Authorised Person’s request under this provision may commit an offence and may be issued with a Fixed Penalty Notice for disorder or may be liable to prosecution pursuant to section 67 of the Act
- A constable or Authorised Person may issue a Fixed Penalty Notice not exceeding £100 to anyone they have reason to believe has committed an offence under this Order

Appeals

In accordance with section 66 of the Act any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that any requirement of the Act has not been complied with may apply to the High Court within six weeks from the date on which this Order is made

Dated this 15th day of December 2020

The Common Seal of
SEDGEMOOR DISTRICT COUNCIL

Was hereunto affixed in the presence of



Authorised Officer



5701

Schedule

(Plan 1 & 2)

1. Taunton Road Ponds Bridgwater
2. Browne's Pond Bridgwater

PLAN 1 Taunton Road Ponds

05/10/2017

Spectrum Spatial Analyst

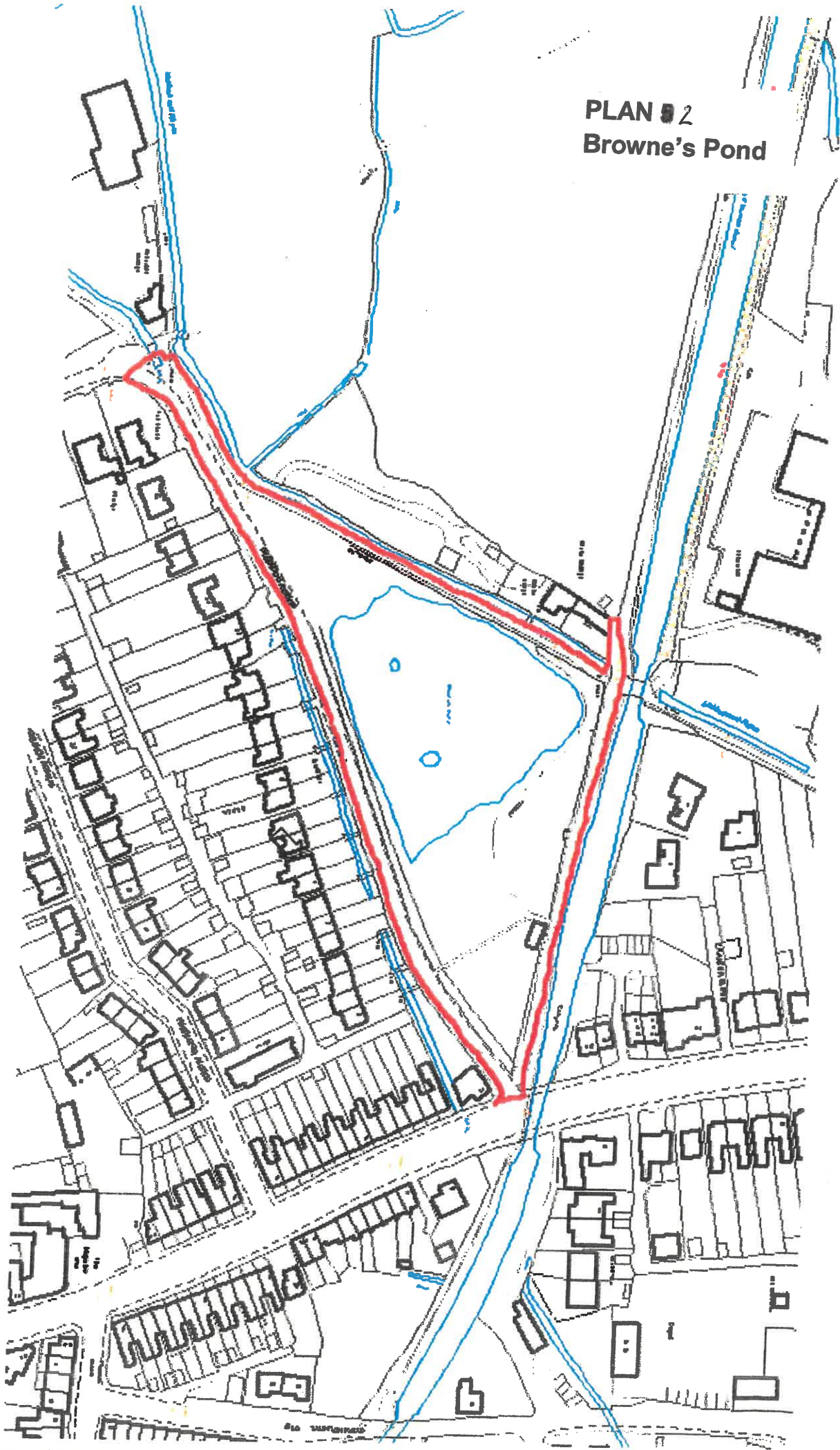


Spectrum Spatial Analyst™

Postcode, Name or Address

Mjwellman

PLAN # 2
Browne's Pond



Mywellman