



ROTHER DISTRICT COUNCIL

THE ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

THE PUBLIC SPACES PROTECTION ORDER (NO. 2A) ROTHER

DISTRICT COUNCIL 2021

Rother District Council (in this order called "the Authority") 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 Section 59 of the Act have been met and hereby make the following Order:

This Order comes into force on 1 February 2022 for a period of three years.

The Order relates to public places within the Council's administrative area, within the boundary of the district, as identified in the map of Rother district, appended to the Order. The term "public place" for the purposes of this Order means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

The Council is satisfied that the conditions set out in Section 59 of the Act have been met, being that:

- (a) activities carried out in the restricted areas have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- (b) and the effect, or likely effect, of the activities - is, or is likely to be, of a persistent or continuing nature, or is likely to be, such as to make the activities unreasonable, and
- (c) justifies the restrictions imposed by the Order.

The effect of the Order is to impose the following conditions on the use of land:

1. Consumption of Alcohol in a Public Place (Section 63 of the Act)

The consumption of alcohol in the restricted areas identified in the appended maps of Bexhill, Battle and Camber Parishes, other than within the curtilage of premises licensed under the Licensing Act 2003, is prohibited. Where a constable, police community support officer (PCSO) or duly authorised Rother District Council Officer (hereafter referred to as an "Authorised Officer") reasonably believes that a person:

- i) is or has been consuming alcohol in breach of this prohibition, or
- ii) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition.

The Authorised Officer may require that person:

- i) not to consume, in breach of this Order, alcohol or anything which the authorised officer reasonably believes to be alcohol;
- ii) to surrender anything in the person's possession which is, or which the authorised officer reasonably believes to be, alcohol or a container for alcohol.

2. Nuisance Behaviour

(a) No person shall engage in aggressive or assertive behaviour, or any other behaviour in the restricted areas identified in the appended maps of Bexhill, Battle and Rye Parishes, which may be regarded as anti-social or nuisance in nature, in the course of begging or soliciting for money. The act of begging is deemed as either approaching people for money, or being stationary and asking for money, or positioned on the floor to invite the offer of money or goods. Begging (which separately constitutes an offence under the Vagrancy Act 1824) includes any verbal, written or non-verbal requests (including the placing of hats, containers or other items) for money, donations, good or other material help or assistance.

(b) No person shall sleep or deposit any materials used or intended to be used as bedding in any public space within the restricted area, being the entire Rother district, identified in the appended map of the Rother District Council administrative area. In the first instance, any person contravening this condition, will be given a warning, advice and/or signposted to support services by Authorised Officers. The Order will also apply to persons lying down or sleeping in the open air or within a vehicle or other non-fixed structure such as a caravan or tent without prior permission of the Council. This includes shop doorways and car parks.

An authorised officer who imposes a requirement on a person to comply with these requirements must tell that person that failing without reasonable excuse to comply with the requirement is an offence.

Offences and Penalties

It is an offence for a person without reasonable excuse to engage in any activity prohibited by this Order.

In accordance with section 63 of the Act, a person found to be in breach of this Order by consuming alcohol or refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a level 2 fine (£500.00).

In accordance with section 67 of the Act, a person found to be in breach of this Order other than by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a level 3 fine (£1,000.00).

An authorised person may issue a Fixed Penalty Notice of a maximum of £100.00 to anyone he or she believes has committed an offence as an alternative to prosecution.

General

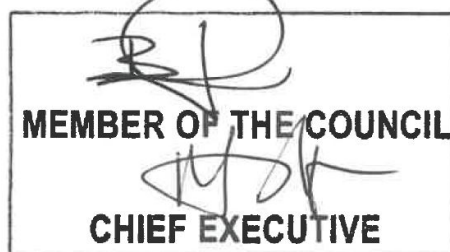
For the purposes of this Order, an authorised officer means an authorised employee of the Council, a person designated by the Council, a constable or a Police Community Support Officer (PCSO).

An "interested person" (as defined in section 66(1) of the Act) may apply to the High Court to question the validity of this Order or any variation thereof on the grounds specified in section 66(2) of the Act within 6 weeks of the date of the Order or any subsequent variation.

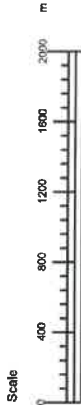
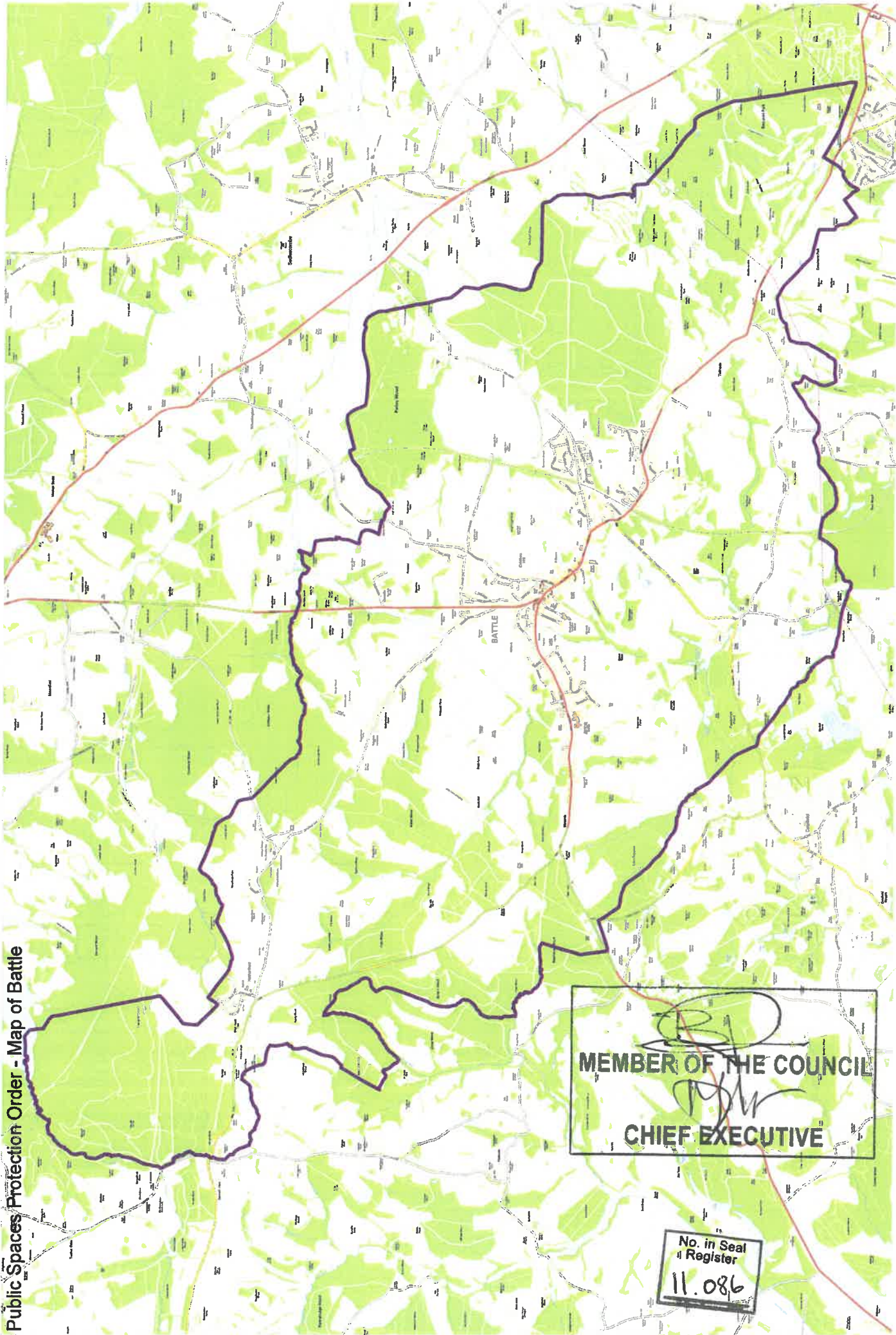
THE COMMON SEAL of
ROTHER DISTRICT COUNCIL

Was hereunto affixed the

Authorised
signatory



Public Spaces Protection Order - Map of Battle




MEMBER OF THE COUNCIL



CHIEF EXECUTIVE

No. in Seal
of Register
11.086

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office. (Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. No further copies may be made. Rother District Council Licence No 100018643 2016.

Public Spaces Protection Order - Bexhill Parish Map




MEMBER OF THE COUNCIL

CHIEF EXECUTIVE

No. in Seal Register
11.086

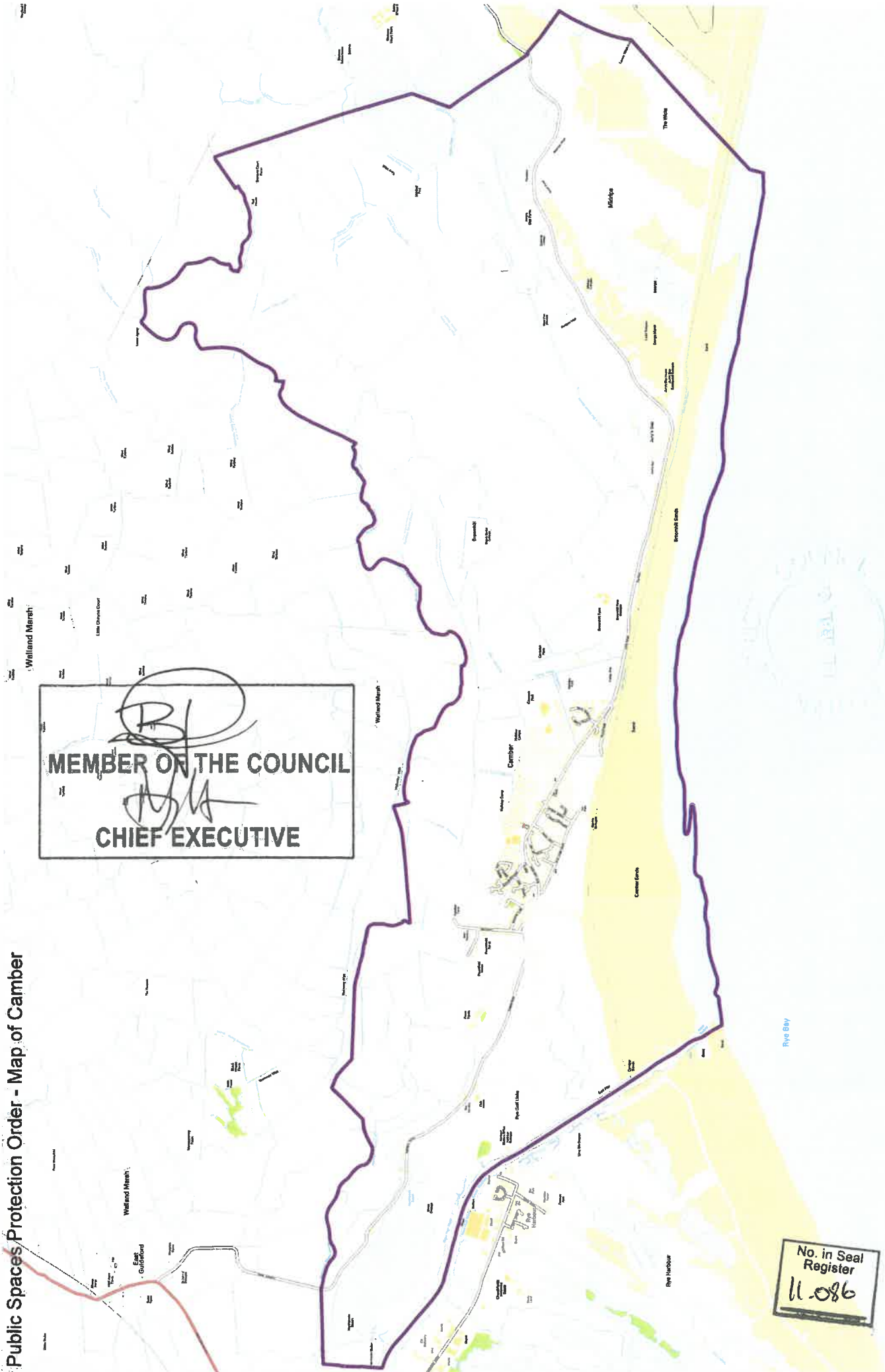
Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office. (Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. No further copies may be made. Rother District Council Licence No 100018643 2016.



Scale

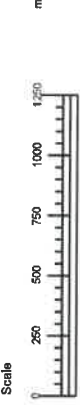
E

Public Spaces Protection Order - Map of Camber

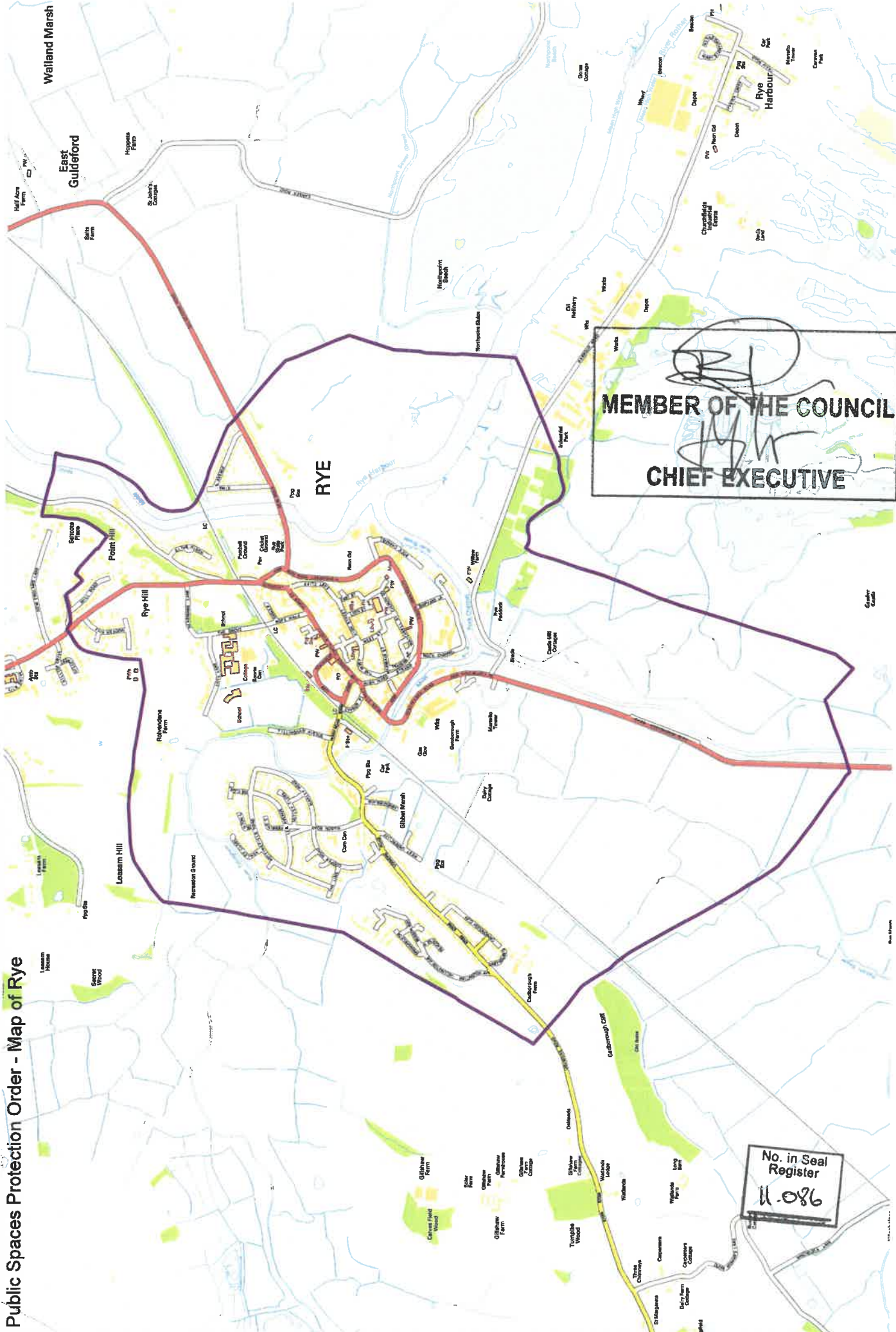


[Signature]
MEMBER OF THE COUNCIL
[Signature]
CHIEF EXECUTIVE

No. in Seal Register
11.086



Public Spaces Protection Order - Map of Rye

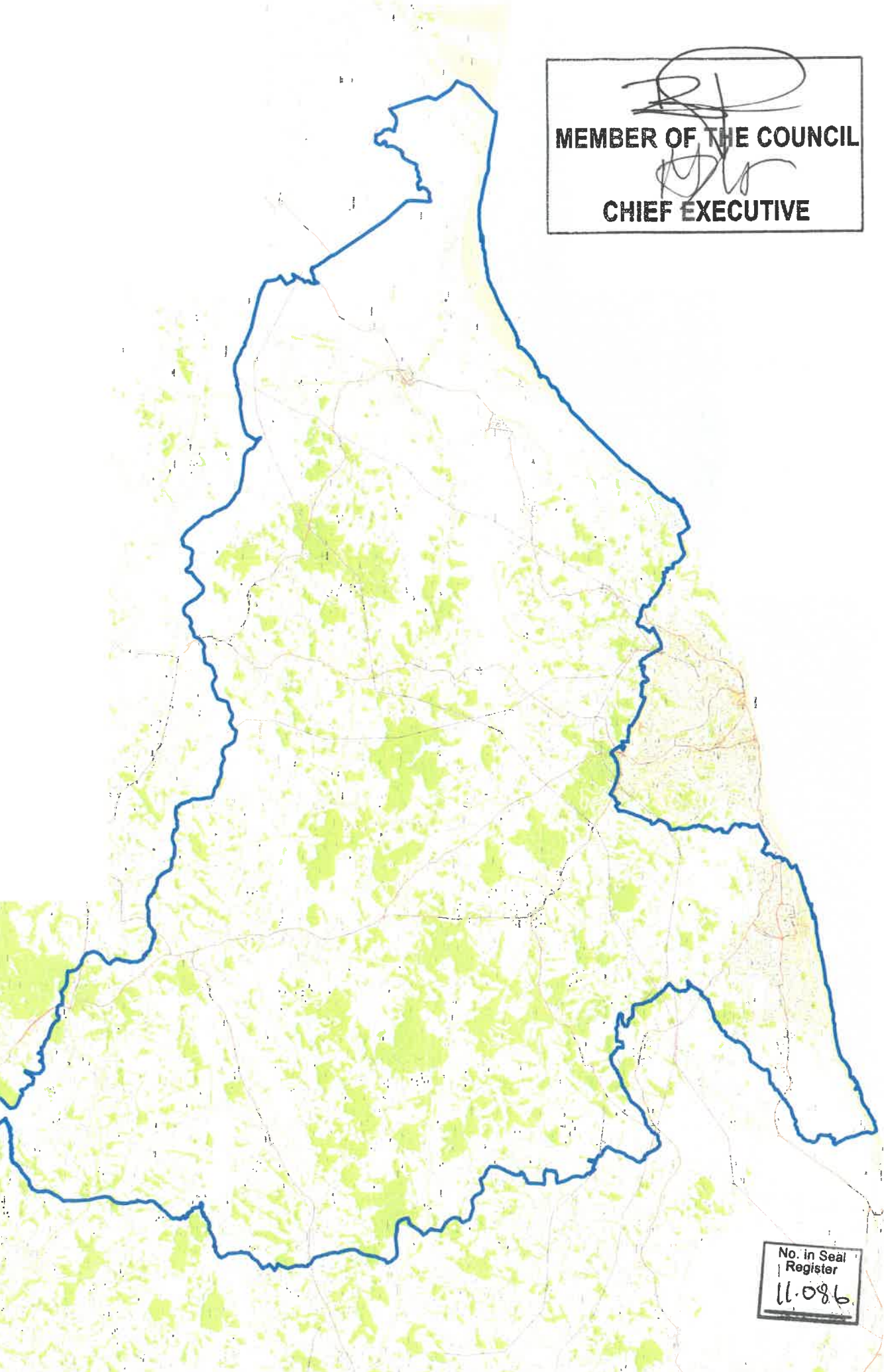


MEMBER OF THE COUNCIL
 CHIEF EXECUTIVE

No. in Seal Register
 11.086

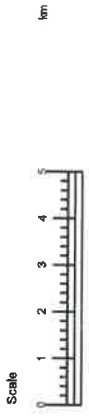
Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office. (Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. No further copies may be made. Rother District Council Licence No 100018643 2016.

Public Spaces Protection Order Map of Rother District




MEMBER OF THE COUNCIL

CHIEF EXECUTIVE



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office. (Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. No further copies may be made. Rother District Council Licence No 100018643 2016.

No. in Seal Register
11.086