

Annex 1: Draft Public Spaces Protection Orders and Plans

THE COUNCIL OF THE CITY OF YORK ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTION 59

The Council of the City of York Knavesmire Crescent/Curzon Terrace Draft Public Spaces Protection Order 2015

This Order is made by the Council of the City of York ("The Council") under the Anti-Social Behaviour, Crime and Policing Act 2014 Section 59 ("the Act").

1. This Order relates to the public highway described in Paragraph 1 of the Schedule below and defined by cross-hatching on the plan attached to this Order ("the restricted area"), being a public place in the Council's area to which the Act applies:
2. The Council is satisfied that the two conditions below have been met, in that:
 - a. activities carried on in the restricted area as described below, have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and that they will have such an effect. The said activities being urination, dog fouling, fly tipping and drug use.
 - b. that the effect, or likely effect of the activities described above, 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 Order.

BY THIS ORDER

3. The effect of the Order is as follows:
 - a. To restrict the use of the public right of way over the highway within the restricted area described in Paragraph 1 of the Schedule below, the restriction being in place at all times.
 - b. This restriction shall not apply to the occupiers of premises adjoining or adjacent to the restricted area so indicated.
 - c. The alternative to the restricted highway is as indicated in Paragraph 2 of the Schedule below;
 - d. There is authorised the installation of a lockable metal gate at the ends of the restricted highway identified in Paragraph 1 of the Schedule, whose maintenance is the responsibility of the Assistant Director (Transport, Highways and Fleet), West Offices, Station Rise, York, YO1 6GA.
4. The Order will remain in force for a period of 3 years from the date of this Order, unless extended by further Orders under the Council's statutory powers.
5. A person guilty of an offence under conditions (3) (a) above, under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale or fixed penalty notice of a maximum £100.

THE SCHEDULE

1. The highway to be restricted (A-B-C-D) commences at Point A (OS grid reference SE 59583 50248) on the Order map, behind No 36 Knavesmire Crescent and adjacent to No 9 Curzon Terrace, continuing in a south westerly

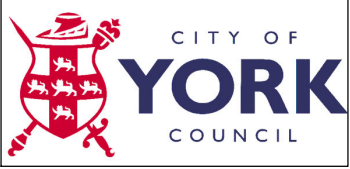
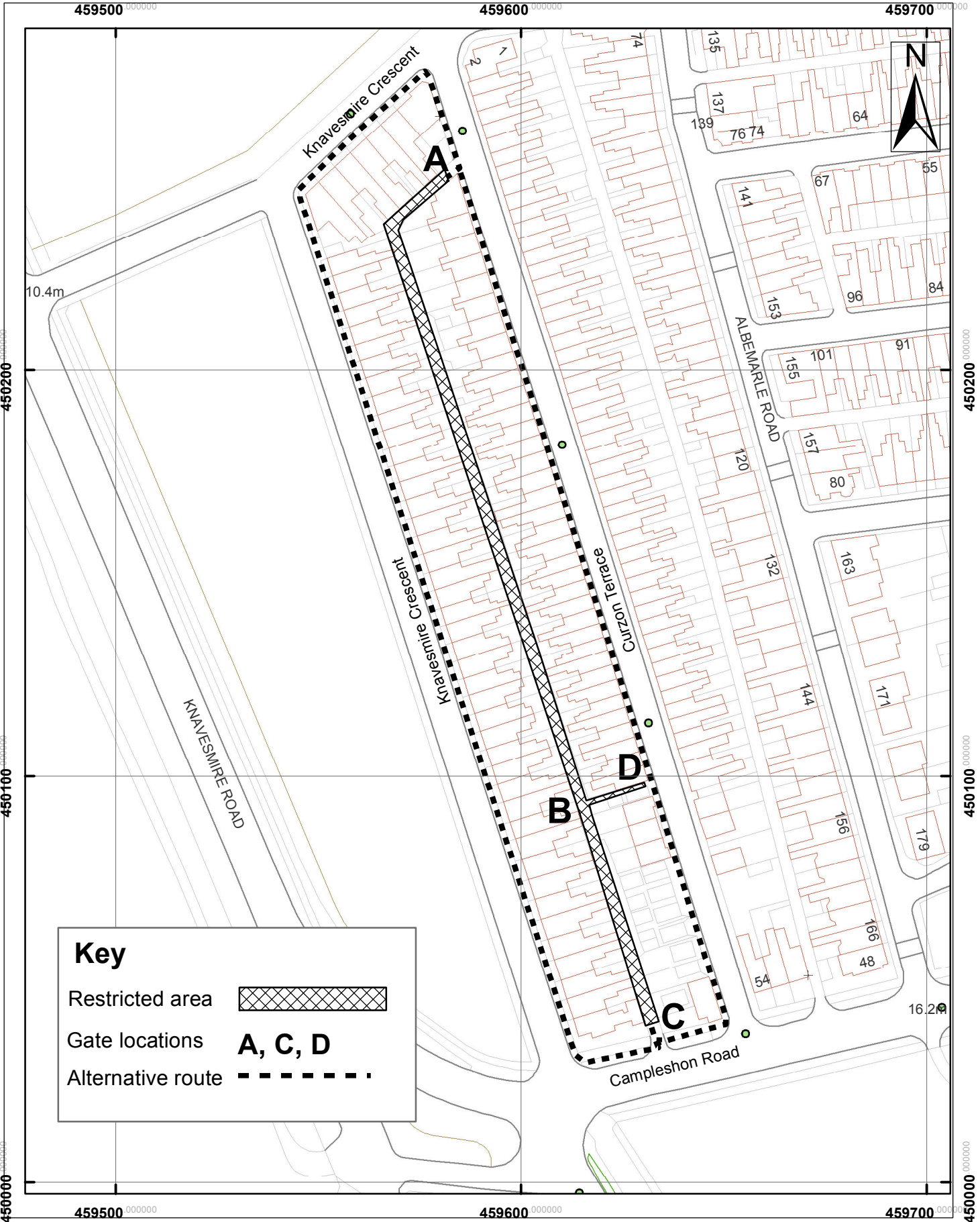
direction for 20 metres, then in a south easterly direction for 207 metres to Point C (OS grid reference SE 59633 50040) at the rear of No 132 Knavesmire Crescent and adjacent to the electricity substation within the alleyway, and also encompassing a short spur running from Point B (OS grid reference 59614 50093) on the Order map, continuing in an easterly direction for 18 metres finishing at Point D (OS grid reference 59630 50098) adjacent to No 79 Curzon Terrace.

2. The alternative route is along Knavesmire Crescent and Curzon Terrace, as shown by a bold broken line on the Order map.

THE COMMON SEAL of the)
Council of the City of York was)
this day of 2015)
hereto affixed in the presence of:-)

Assistant Director of Governance & ICT

DRAFT



West Offices, Station Rise
York, YO1 6GA
Telephone: 01904 551550

Anti-social Behaviour, Crime & Policing Act 2014
Knavesmire Crescent/Curzon Terrace Public Spaces Protection Order 2015

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| Public Rights of Way | Reference: Grid Ref 6053 | Drawing No. |

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Public Spaces Protection Order

Anti-social Behaviour, Crime and Policing Act 2014 Sections 59 to 68

City of York Council Draft Public Spaces Protection Order 2015

Curzon Terrace/Albemarle Road

This Order is made by the City of York Council (“the local authority”) under Sections 59 to 68 of the Anti-social Behaviour, Crime and Policing Act 2014 because it appears to the local authority that certain anti-social activities carried on at the public rear alleyway between Curzon Terrace and Albemarle Road, York (OS Grid Reference SE5950), being a public place within the authority’s area, have had a detrimental effect on the quality of life of those in the locality. And further, that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature such as to make the activities unreasonable and which justifies the restrictions imposed by this Order. These said activities being urination, dog fouling, fly tipping and drug use.

BY THIS ORDER

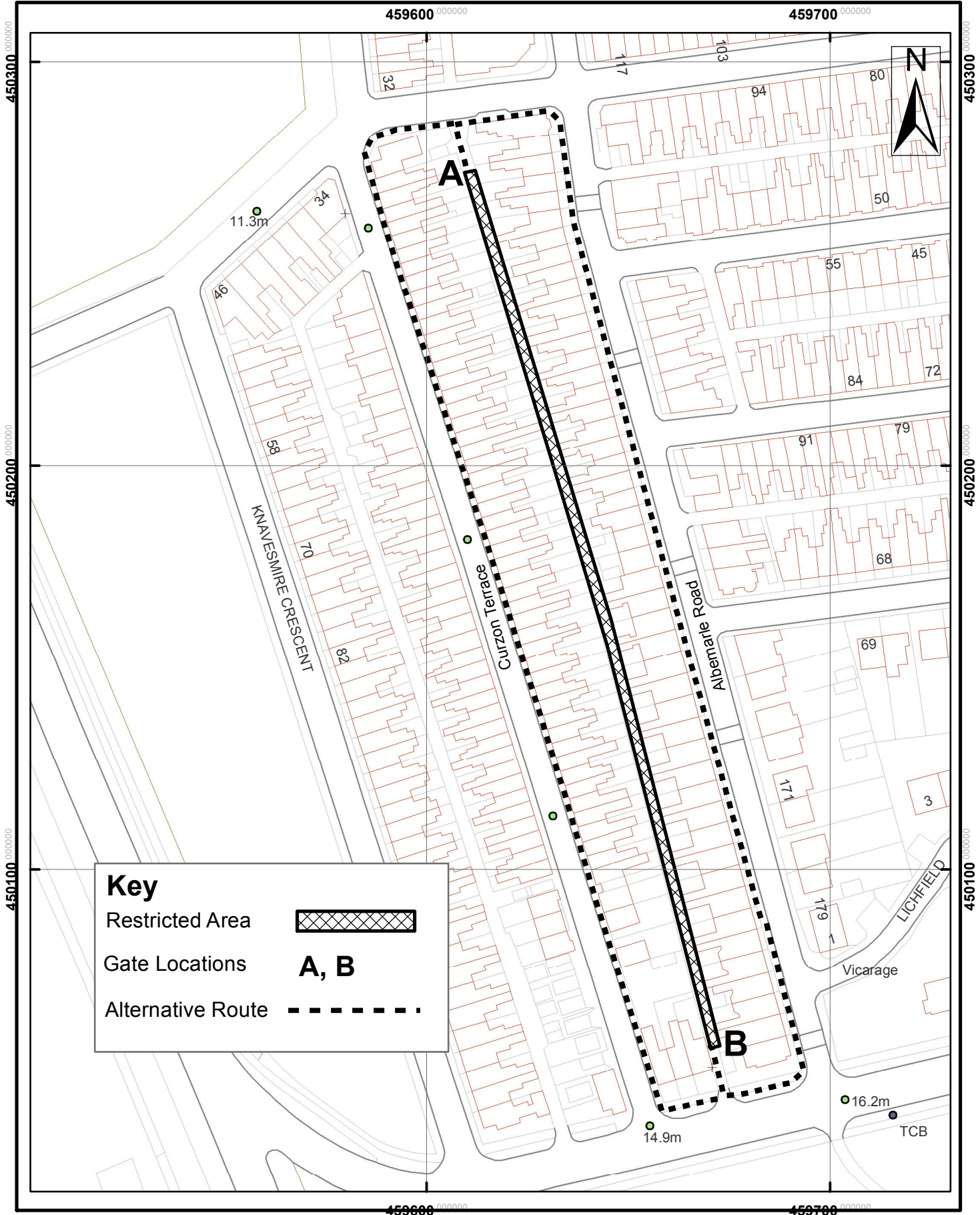
The effect of the Order is as follows:

- 1 To restrict the use of the public right of way over the above mentioned public place (‘the restricted area’) the restriction being in place at all times.
- 2 This restriction shall not apply to the occupiers of premises adjoining or adjacent to the restricted area so indicated.
- 3 Access to the restricted area is to be controlled by the installation of lockable metal gates at either end of the alleyway between Curzon Terrace and Albemarle Road, York, as shown on the attached Order plan. The maintenance of the gates, locks and keys will be the responsibility of the Assistant Director (City and Environmental Services), West Office, Station Rise, York, YO1 6GA.
- 4 The alternative route to the restricted highway is along Curzon Terrace, Queen Victoria Street, Albemarle Road and Campleshon Road.
- 5 It is an offence under section 67 of this Act for a person without reasonable excuse to do anything that the person is prohibited from doing by a Public Spaces Protection Order, or to fail to comply with a requirement to which the person is subject under a Public Spaces Protection Order, and a person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.


- 6 Access to the footpath shall be unrestricted at all times for all authorised local authority employees, the emergency services and statutory undertakers for all purposes in connection with inspection, repair and maintenance of the surface and the street lights and for any other purpose in connection with the undertaking of its statutory functions.
- 7 The Order shall have effect for a period of 3 years from the date of this Order, unless extended by further Orders.
- 8 An interested person wishing to question the validity of a Public Spaces Protection Order may apply to the High Court within the period of six weeks beginning with the date on which the Order is made.

The COMMON SEAL of the)
Council of the City of York)
was this day of 2015)
hereto affixed in the presence of:)


Assistant Director of Governance and ICT
Council of the City of York



Key

Restricted Area 

Gate Locations **A, B**

Alternative Route 



West Offices, Station Rise
York, YO1 6GA
Telephone: 01904 551550

Anti-social Behaviour, Crime & Policing Act 2014
Curzon Terrace/Albemarle Road Public Spaces Protection Order 2015

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