BUCKINGHAMSHIRE COUNCIL

Anti-Social Behaviour, Crime and Policing Act 2014, Section 60(2)

Public Spaces Protection Order Extension

A Public Spaces Protection Order was made by Buckinghamshire Council (The Council) on 18th October 2017 and may be cited as the Buckinghamshire Council – West End Road Public Spaces Protection Order (the Order).

This Order was made by Buckinghamshire Council under the Anti-Social Behaviour, Crime and Policing Act 2014 Section 59 ('the Act') and was for a duration of three years.

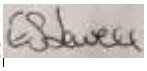
A copy of the Order is annexed hereto.

By a decision made by the Leader of the Council dated 16th October 2020 and in accordance with the previously published schedule and reports, the Order is extended for a further two years commencing 16th October 2020 unless further extended under the provisions of section 60 of the Act.

In making this decision and in accordance with section 60(2) of the Act, the Leader was satisfied on reasonable grounds that the extension was necessary to prevent

a) Occurrence or re-occurrence after that time of the activities identified in the Order, or

b) An increase in the frequency or seriousness of those activities after that time.

Signed: 

Dated:16th October 2020

WYCOMBE DISTRICT COUNCIL
Anti-Social Behaviour, Crime and Policing Act 2014, Section 59
Public Spaces Protection Order

The Order may be cited at the Wycombe District Council – West End Road Public Spaces Protection Order 2017.

Wycombe District Council ("the Council"), being satisfied that the conditions set out in Section 59(2) of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") have been met in relation to the highway subject to this Order, namely that the premises adjoining the highway and in the close vicinity have suffered from criminal activity such as damage to fences and walls, and anti-social behaviour including littering, people loitering drinking alcohol, and noise and nuisance from people passing through the area via the footpath. Accordingly these activities 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 out in the area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and these activities are unreasonable and justify the restrictions imposed by the notice, and that it is in all circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

The Council in exercise of its powers under Sections 59, 64 and 72 of the Act and under all other enabling powers, hereby makes the following Order:

1. The public right of way described in Schedule 1 to this Order shall be restricted at all time except for those persons listed in Schedule 2. This Order authorises the installation of gates which will enforce the access restriction (shown in green on the attached map). The aforementioned gates shall be installed and maintained by the Council. The gates will be locked and unlocked when appropriate by key/code holders.
2. The alternative route for pedestrian access is detailed in Schedule 3.
3. **Any person, other than those persons listed in Schedule 2, who is found on the highway described in Schedule 1, will be in breach of this Order and liable to a fine or penalty described in Schedule 4.**

Schedule 1
The highway in question is that highlighted on the map attached to this Order, being the public right of way (known as footpath HWU/80/1) running between West End Street and Desborough Avenue, behind the houses on West End Road. Access onto the highway is forbidden at all times to all persons except those listed in Schedule 2.

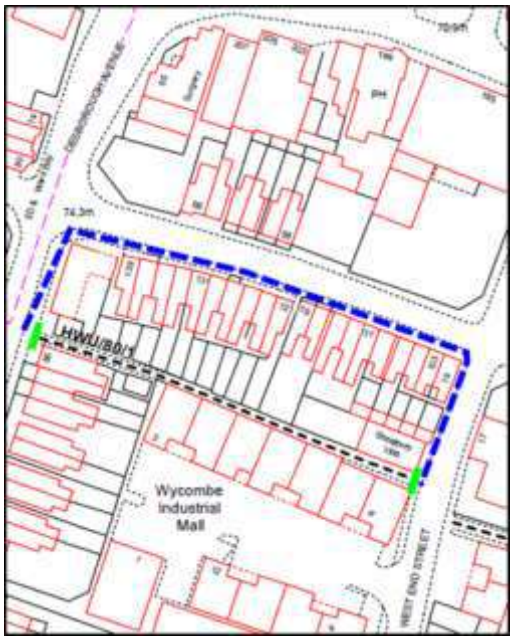
Schedule 2

Nothing in Schedule 1 relating to access only shall apply to:

a) Fire brigade, police or NHS staff when in the exercise of their duties.
b) Employees, contractors or agents of statutory undertakers in relation to gas, electricity or water or telecommunications apparatus as defined in the Telecommunications Act 1994 situated in the relevant highway in connection with the laying, erecting, inspection, maintenance, alteration, repair, renewal or removal of any relevant apparatus.
c) Council staff and its authorised contractors when in the exercise of their duties.
d) Those residents or business owners whose properties directly adjoin the highway specified in Schedule 1, who have a legal right to access the highway. These residents and business owners will be given access via the use of a key/code to unlock the gates. All such persons must ensure that the gates are closed and locked immediately after they are used.
e) Persons using the highway with the express permission or on the direction of a duly authorised council officer in this regard.

Schedule 3

The alternative route for pedestrian access is via West End Road (shown in blue on the map).



Schedule 4

1. It is an offence for a person without reasonable excuse to engage in activity that is prohibited by this Order, in this case to access or use the highway defined in Schedule 1.

2. A person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a fixed penalty notice of a maximum of £100.

The Order shall come in to operation on 18th October 2017 and shall have effect for a period of 3 years thereafter, unless extended by further Orders under the Councils statutory powers.

If any interested person requests to question the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with, then he or she may apply to the High Court within six weeks from the date on which the Order is made.