

Gateshead Metropolitan Borough Council
Public Spaces Protection Order (Town Centre)
Number 1 of 2020

I, Colin Huntington, Strategic Director of Communities and Environment, on behalf of Gateshead Metropolitan Borough Council (“the Council”) in exercise of the power under sections 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 that section 72 of the Act has been complied with make the following order:

1. The land described by the map attached and shown edged red being land in the area of the Council is land to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this Order.
2. The order may be cited as the Gateshead Metropolitan Borough Council Public Spaces Protection Order (Town Centre) and shall come into force on 23 June 2020 for the duration of three years.
3. The Council is satisfied that:
 - a) The activities set out at paragraph 4 below have had a detrimental effect to the quality of life of those living in the locality
 - b) The effect or likely effect of the activities
 - (i) Is or is likely to be of a persistent and continuing nature,
 - (ii) Is or is likely to be such as to make the activities unreasonable and
 - (iii) Justifies the restrictions imposed by this Order
4. The activities are-
 - a. Persons urinating and defecating in places open to the air.
 - b. Persons taking intoxicating substances in places open to the air.
 - c. Persons being intoxicated and incapable.
 - d. Persons begging by sitting in pedestrian areas with items in front of them for accepting money.
 - e. Persons carrying out promotional and marketing work obstructing footways and public areas and approaching people on the street so as to cause them annoyance
 - f. Promotional leaflets and material being discarded in the street.
 - g. Skateboards, scooters and other wheeled vehicles being used in pedestrian areas so as to cause nuisance and annoyance
 - h. Pigeons being attracted by persons deliberately leaving food for them
5. The effect of this order is to impose the following conditions on the use of the land:
 - a. In this area any person who continues to carry out activities from which they are prohibited commits an offence namely:

- i. No person shall urinate or defecate in any place which is not a toilet.
- ii. No person shall use or consume any intoxicating substance in a place which is open to the air.
- iii. No person shall as a result of intoxication by ingesting drugs or alcohol be in such a condition as to be considered by a constable, any other member of the emergency services or health services or an officer of the Council to be incapable.
- iv. No person shall sit or loiter on the highway or any pedestrian area for the purpose of demanding money whether by placing any item before them for receipt of money or otherwise.
- v. No person shall carry out any promotional, marketing or sales including but not limited to offering goods and services activities in a place open to the air in such a way that causes nuisance or annoyance to any person.
- vi. No person shall offer or distribute promotional leaflets and other materials, hold placards or set up stalls, booths or other temporary constructions.
- vii. No person shall ride upon on a skateboard, scooter, skates, bicycle or other self-propelled wheeled vehicle in such a manner as to cause damage to property or nuisance or annoyance to other persons in the area.
- viii. No person shall deposit any food so as to feed or attract birds.

b. A person guilty of an offence under conditions a (i) – (vii) above, under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000) or a fixed penalty notice of a maximum of £100.

6. The restrictions stated in paragraph 4 apply to all persons.

7. Under section 66 of the Act, an interested person (as defined in that section) may apply to the High Court to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this order. Such an application must be made within 6 weeks of the date this order was made.

Signed



COLIN HUNTINGTON

Strategic Director

Communities and Environment

Date:

23 June 2020