

PROPOSED DRAFT ORDER

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL

PUBLIC SPACE PROTECTION ORDER NUMBER 2 of 2021 (the “Order”)

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

This order may be cited as the City of Bradford Metropolitan District Council Public Spaces Protection (Ilkley Riverside Nuisance etc.) Order Number 2 of 2021. (the Order)

The City of Bradford Metropolitan District Council (“the Council”) in exercise of its powers under Section 59 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and under all other enabling powers hereby makes the following Order:

1. This Order shall come into operation on 1 June 2021 and shall have an effect for 3 years thereafter, unless discharged sooner or extended by further order under the Council’s statutory powers.
2. This Order relates to the riverside area of Ilkley (whole or part to be decided following public consultation) of the City of Bradford Metropolitan District as shown edged red on the attached plan (the restricted area”).
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. namely, that anti-social behaviour and criminal activities have been carried out within the restricted area due to the problematic behaviour of a minority. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the activities will be carried out within that area and have such an effect.
4. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met, namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make the Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

PROHIBITIONS:

1. Person(s) within the restricted area are prohibited from:
 - a) Behaving in a way, including by congregating in a group, that causes or is likely to cause harassment, alarm or distress to an individual or concern for the safety of another person;
 - b) Threatening, abusing or intimidating other people;
 - c) Using foul or abusive language;
 - d) Drunken behaviour and the refusal to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required, to do so by an authorised officer in order to prevent public nuisance or disorder
 - e) Being under the influence of controlled drugs or other psychoactive substances;

- f) Causing an obstruction or jumping from the footbridge over the River Wharfe connecting Ilkley with Denton Road and Middleton Woods
- g) Lighting or being in control of a fire or barbecue;
- h) Littering - not to throw down, drop or otherwise deposit and then leave, litter in any place.
- i) Camping overnight in tents, caravans or camper vans. No sleeping out of doors over night

FIXED PENALTY NOTICES AND OFFENCES:

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 63 of the Act, a person found to be in breach of this Order (in relation to breaches of prohibitions relating to the consumption of alcohol) is liable to be issued with a Fixed Penalty Notice of £100 or on summary conviction to a maximum penalty of a level 2 fine.
3. In accordance with section 67 of the Act, a person found to be in breach of this Order (other than in relation to prohibitions relating to the consumption of alcohol) is liable to be issued with a Fixed Penalty Notice of £100 or on summary conviction to a maximum penalty of a level 3 fine.

APPEALS:

1. 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 a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

APPENDIX (attached):

A street plan of the area of the Council showing the restricted area edged in red.

Given under the Common Seal of
The City of Bradford M D C

On the.....day of.....2021

THE COMMON SEAL of the
COUNCIL

Was hereunto affixed

In the presence of:

.....Authorised Officer

.....Designation