



Ashford Borough Council

The Anti-Social Behaviour, Crime and Policing Act 2014

Part 4, Section 59

Public Spaces Protection Order

3 of 2020 – Ashford Urban

Ashford Borough Council (the Council) 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, makes the following order:


1. The order shall come into operation on 2nd November 2020 and shall have effect for 3 years, unless extended by further orders.
2. This order relates to the public areas shown by the black line on the plan annexed to this order (the restricted area):
 - a) No person shall urinate or defecate in a public place. This includes the doorway or alcove of any premises to which the public has access.
 - b) No person shall refuse 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.
 - c) No person shall use a motor vehicle to perform any of the following activities:
 - (1) Revving of engine (s) (as to cause a nuisance)
 - (2) Repeated sudden and rapid acceleration (as to cause a nuisance)
 - (3) Racing
 - (4) Performing stunts (as to cause a nuisance)
 - (5) Sounding horns (as to cause a public nuisance)
 - (6) Playing music in a motor vehicle (as to cause a public nuisance)
 - (7) Driving in convoy
 - (8) Using threatening , intimidating behaviour towards another person; and
 - (9) Causing obstruction on a public highway, whether moving or stationary.

- d) No persons shall play ball games in areas which is signed as “No ball games”.
 - e) No person shall use foul or abusive language.
3. Any person who, without reasonable excuse, fails to comply with the requirements of this order commits an offence and shall be liable to a fixed penalty notice of £100 or on summary conviction to a fine not exceeding level 3 on the standard scale.
4. Any challenges to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in or visits the restricted area. This means that only those who directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds:

- a) That the Council did not have power to make the order, or to include particular prohibitions or requirements
- b) That one of the requirements of the legislation, for instance consultation, has not been complied.

Where an application is made in the High Court can decide to suspend the operation of the order pending the Court’s decision, in part or in totality. The High Court has the ability to uphold the order, quash it or vary it.

Signed: 

Head of Community Safety and Wellbeing on behalf of Ashford Borough Council

Dated: 30/10/2020

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A street plan of the restricted area edged in black.

