



## **Ashford Borough Council**

### **The Anti-social Behaviour, Crime and Policing Act 2014**

#### **Part 4, Section 59**

#### **Public Spaces Protection Order**

#### **2 of 2023 – Singleton Lake**

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 31<sup>st</sup> March 2023 and shall have effect for 3 years, unless extended by further orders.
2. This order relates to the public areas shown by the red line on the plan annexed to this order (the restricted area):
  - a) All anglers must have a valid ticket for fishing at the lake from an authorised agent of Ashford Borough Council.
  - b) All anglers must have appropriate rod licence issued by the Environment Agency with them and produce on demand.
  - c) No night fishing - No anglers shall fish at the lake between sunset and sunrise.
  - d) All anglers must fish from the platforms/swims/pegs provided.
  - e) All fish caught must be returned to the lake whether dead or alive.
  - f) Water birds must not be driven away by throwing stones or any missile.
  - g) No lighting of fires.
  - h) No erecting of tents or bivvies.

- i) No damage shall be done to the bankside, trees or water plants by digging, cutting or otherwise.
  - j) No person may remove, displace or otherwise interfere with any life saving equipment (except in an emergency).
  - k) No person may deposit in or on land controlled waste.
  - l) No person may enter the water at any time (except in an emergency situation).
  - m) 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.
  - n) No person shall use foul and/or abusive language.
  - o) No urinating or defecating.
  - p) No amplified music, radio, or other audio is to be played through any device, electronic or otherwise, with the exception of audio devices used in conjunction personal headphones that effectively remain inaudible to other users of the public space.
  - q) No boating on the lake.
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. 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.

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:

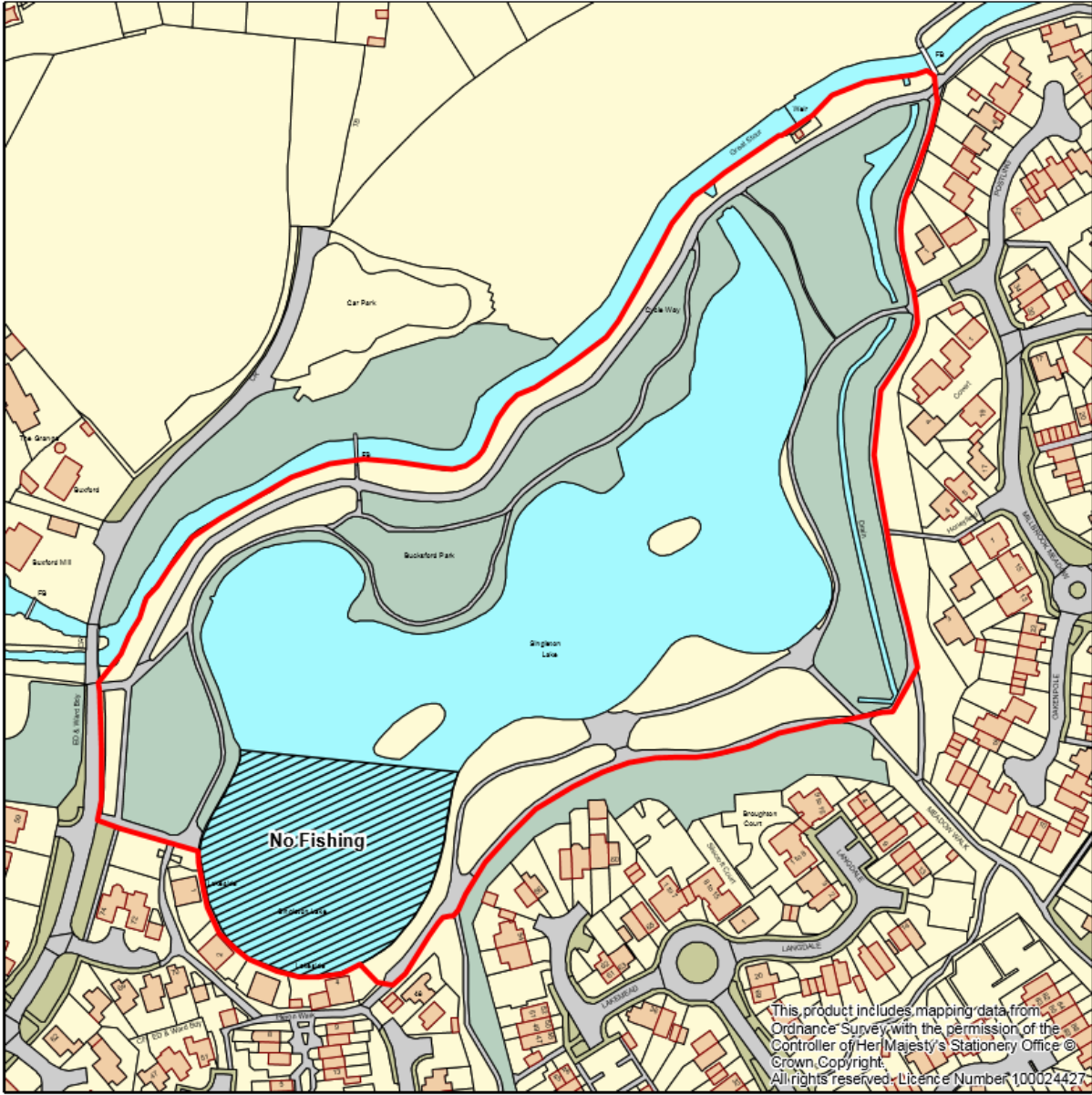
A handwritten signature in black ink, appearing to read 'S. Dawn'. The signature is written in a cursive, flowing style.

Assistant Director of Community Safety and Wellbeing on behalf of Ashford Borough Council.

Dated: 31/3/2023

**Appendix:**

A street plan of the restricted area edged in red.



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