

## **Spelthorne Borough Council**

### **The Anti-Social Behaviour, Crime and Policing Act 2014, Part 4, Section 59**

#### **The Spelthorne Public Spaces Protection Order (Misuse of Public Land)**

Spelthorne Borough Council ('the Council') in exercise of the power under section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 ('the Act') and being satisfied that the conditions set out in section 59 have been met, makes the following order.

This order comes in force on .....2024 and will remain in force for a period of three years from the date unless extended by further order under the Council's statutory powers.

#### **Offences**

##### **1. Tents, bivouacs and similar structures**

A person shall be guilty of an offence if, at any time, they erect or remain within a tent, bivouac, shelter or any other similar structure, with the exception of sun shades, on any public land within the Borough of Spelthorne as specified in Schedule 1 or the areas described in Schedule 2 unless:

- (a) The owner, occupier or other person or authority having control of the land has given consent (generally or specifically) to them to do so

##### **2. Fires, barbecues and cooking equipment using naked flames**

A person shall be guilty of the offence if they make use of a fire, barbecue or any other device using a naked flame on any public land within the Borough of Spelthorne as specified in Schedule 1 or the areas described in Schedule 2 unless:

- (a) The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to them to do so

##### **3. Taxis and private hire vehicles**

A person in charge of a motor vehicle being utilised as a taxi, private hire vehicle, chauffeur vehicle or any other type of vehicle used for hire or reward purposes will be guilty of an offence if they park within the exclusion area described in Schedule 3 unless:

- (a) The person in charge of the motor vehicle is either collecting or dropping off a passenger or passengers from within the exclusion area, or;
- (b) The person in charge of the motor vehicle resides within the exclusion area, or;
- (c) The business operating the motor vehicle is based within the exclusion area

For the purpose of this Order –

- (a) Any item requiring partial or complete assembly will be considered in breach of Section 1 of this PSPO. An umbrella will not be considered in breach of this section.
- (b) Any device other than a cigarette lighter that utilises a naked flame for any purpose will be considered in breach of Section 2 of this PSPO
- (c) Any vehicle being used for the purposes of hire or reward will be considered in breach of Section 3 of this PSPO.
- (d) An 'Authorised Officer of the Council' means an employee of Spelthorne Borough Council who is authorised in writing by Spelthorne Borough Council, a Police Constable or PCSO for the purpose of giving direction or the issuing of a fixed penalty notice under this order.

#### **4. Penalty**

Any person who without reasonable excuse fails to comply with this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Any Authorised Officer may issue a fixed penalty notice to anyone he/she has reason to believe has committed an offence under section 67 of the Act in relation to this Order.

The COMMON SEAL of  
SPELTHORNE BROUGH COUNCIL  
was hereunto affixed in the in the  
presence of:

.....  
Authorised Signatory

### Schedule 1 – Map of administrative area of Spelthorne Borough Council



**Schedule 2 – Additional areas where the use of tents or barbecues is prohibited**

|          | <b>Location</b>         | <b>Address</b>                                     |
|----------|-------------------------|--|
| <b>1</b> | <b>Dumsey Meadow</b>    | <b>Thames Path, Chertsey, Shepperton, TW17 9PB</b> |
| <b>2</b> | <b>Shortwood Common</b> | <b>London Road, Staines-Upon-Thames</b>            |
| <b>3</b> | <b>Staines Moor</b>     | <b>Moor Lane, Staines-Upon-Thames</b>              |

### Schedule 3 – Exclusion area prohibiting parking of taxis and private hire vehicles

