

## APPENDIX 1

### NOTTINGHAM CITY COUNCIL RESTRICTION OF PUBLIC RIGHTS OF WAY (BEVERLEY SQUARE, ST ANNS) PUBLIC SPACES PROTECTION ORDER 2017

#### (ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, CHAPTER 2 SECTION 59 – 75)

1. Nottingham City Council in exercise of its powers under sections 59 – 75 of the 2014 Act and being satisfied that the conditions set out in section 59(2) of the 2014 Act have been met, namely:
  - (a) that Anti-Social Behaviour including urinating, verbal abuse, depositing human excrement, dog excrement, congregating, fighting, littering and damage to property has had
    - (i) a detrimental effect on the quality of life of those in the locality of the Restricted Area, and
    - (ii) is likely to continue to an unreasonable extent, rendering the prohibitions imposed by this Order justifiable, and
  - (b) having considered the likely effect of making this Order on the occupiers of premises adjoining or adjacent to the Restricted Area and where the Restricted Area constitutes a through route having considered the availability of a reasonably convenient alternative routeHEREBY MAKES the following Order
2. In this Order:-

Anti-social Behaviour	as defined in section 2(1)(a) and (b) of the 2014 Act
the Authority	Nottingham City Council
Authorised Officer of the Authority	means an employee of the Authority who is authorised in writing by the Authority for the purposes of Article 6 of this Order.
Electronic Communications Works	as defined in Schedule 3 of the Communications Act 2003
Highway	has the meaning given by section 328 of the Highways Act 1980
Housing Patch Manager	means the officer currently employed by Nottingham City Homes as Housing Patch Manager for the Beverley Square area of St Anns, Nottingham
Plan	means the plan attached to this Order
Restricted Area	means the land described in Schedule 1 to this Order shown by solid black lines marked (A) – (B) and (C) – (D) on the Plan
the 2014 Act	means the Anti-social Behaviour, Crime and Policing Act 2014

3. This Order comes into force on [*insert date*] and remains in effect for a period of three years from that date.
4. Save as provided in Article 6 below, no person shall proceed on foot, pedal cycle, horse or in a vehicle or cause any animal to proceed in the Restricted Area during the times specified in Schedule 2 to this Order.

5. A barrier or barriers may be installed by the Authority for the purpose of enforcing the restrictions provided for in this Order and the contact details of the persons who are respectively responsible for maintaining and operating the barrier or barriers are given at Schedules 3 and 4 to this Order.
6. Nothing in Article 4 shall apply to the following:
  - (a) the personnel of the Ambulance/National Health Services, Fire and Rescue Services or Police proceeding in the Restricted Area;
  - (b) occupiers of premises and the invitees and licensees of occupiers of premises in adjoining or adjacent to the Restricted Area who require access to or egress from such premises;
  - (c) where the Restricted Area is the only or principal means of access to premises used for business or recreational purposes, periods when the said premises are used for such purposes;
  - (d) persons carrying out any of the following operations if the vehicle being used in relation to such operations cannot be conveniently used for such purpose in any other Highway:
    - (i) building, industrial or demolition;
    - (ii) the inspection, maintenance, improvement or repair of the Restricted Area;
  - (e) persons carrying out any works for the laying, erection, alteration, inspection or repair of any sewer, main, pipe or apparatus in, on, under or adjacent to the Restricted Area in connection with the supply of gas, water, electricity or Electronic Communications Works;
  - (f) the service for the collection of refuse or other items from premises adjacent to or adjoining the Restricted Area;
  - (g) persons entering the Restricted Area with the express permission or on the direction of an Authorised Officer of the Authority or with the express permission or on the direction of the Housing Patch Manager.
7. The alternative routes which are available for use by pedestrians during the hours of operation of this Order are described in Schedule 5 to this Order and shown by the bold black broken lines on the Plan.
8. A person who fails without reasonable excuse to comply with Article 4 of this Order commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
9. A person does not commit an offence under this Order by failing to comply with a prohibition or requirement that the Authority did not have power to include in the Order.

Dated this      day of                                  20[xx]

Given under the **COMMON SEAL** )  
Of **NOTTINGHAM CITY COUNCIL** )

**Authorised Signatory**

## **SCHEDULE 1**

### **THE RESTRICTED AREA**

This Order applies to:

1. The land shown on the Plan with a solid black line marked (A) – (B) on the Plan, namely the footpath opposite number 20 Beverley Square, Nottingham running from a point level with the front of the dwelling at 11 Beverley Square (marked (B) on the Plan) between numbers 11 and 12 Beverley Square and running in a north-westerly direction under the section of 12 Beverley Square which overhangs the footpath to a point level with the north-eastern boundary of the rear garden area of 11 Beverley Square (marked (A) on the Plan) and
2. The land shown on the Plan with a solid black line marked (C) – (D) on the Plan, namely the footpath opposite number 17 Beverley Square, Nottingham running from a point level with the front of the dwelling at 14 Beverley Square (marked (D) on the Plan) between numbers 14 and 15 Beverley Square and running in a north-westerly direction under the section of 15 Beverley Square which overhangs the footpath to a point level with the north-eastern boundary of the rear garden area of 14 Beverley Square (marked (C) on the Plan).

## **SCHEDULE 2**

### **HOURS OF OPERATION**

All times on all days

## **SCHEDULE 3**

### **MAINTENANCE OF BARRIER(S)**

Neighbourhood Development Officer, Nottingham City Council's Neighbourhood Management team for St Anns. Contact telephone number (0115) 9155555.

## **SCHEDULE 4**

### **OPERATION OF BARRIER(S)**

Neighbourhood Development Officer, Nottingham City Council's Neighbourhood Management team for St Anns. Contact telephone number (0115) 9155555.

## **SCHEDULE 5**

### **ALTERNATIVE ROUTE**

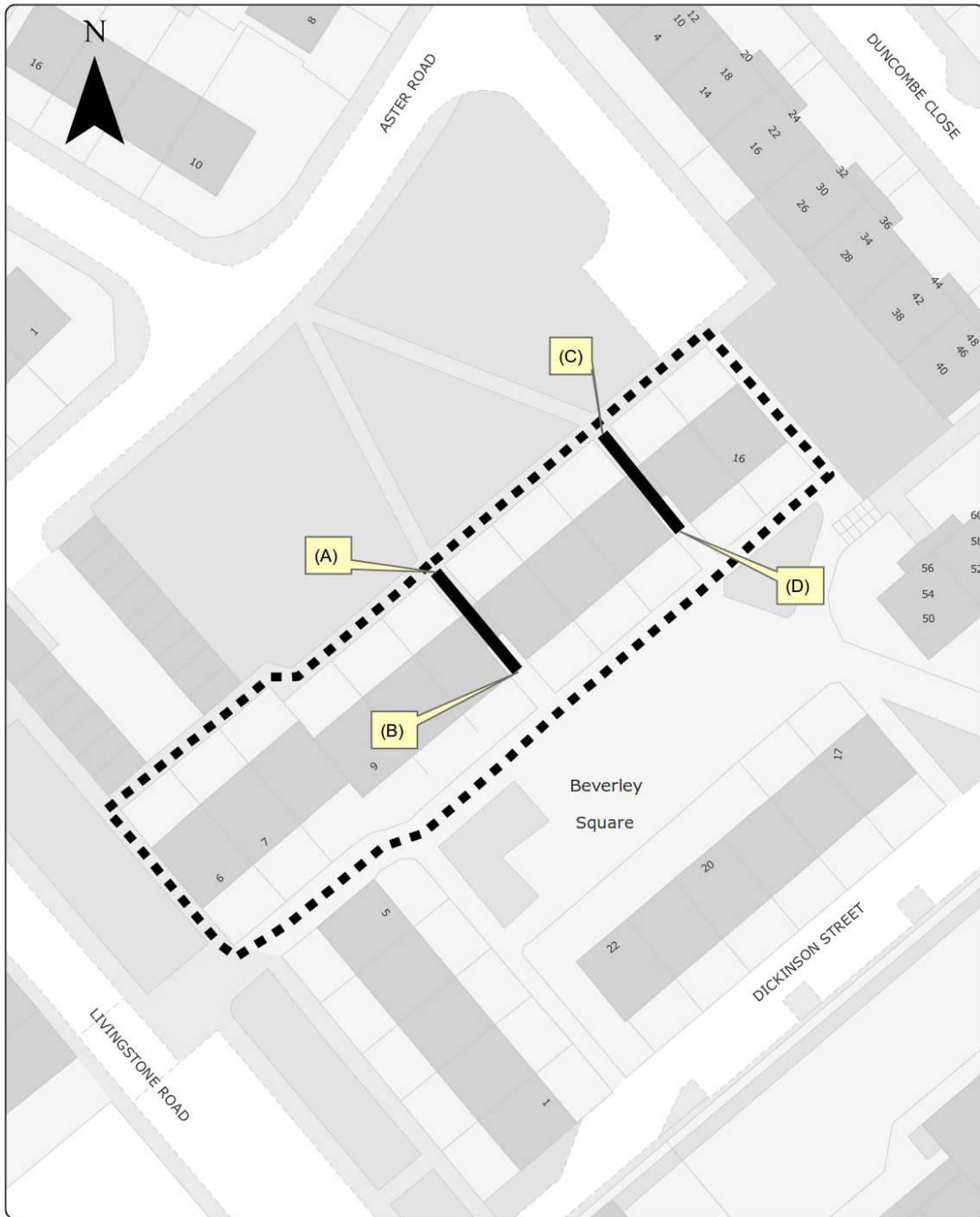
Commencing at point (A) on the northern end of the footpath adjacent to property numbers 11 / 12 Beverley Square continue west for 40 metres to Livingstone Road then turn left and continue south along Livingstone Road for 20 metres then turn left

and continue east for 75 metres passing the southern ends of the footpaths marked point (B) and (D) to property number 16 Beverley Square then turn left and continue north for 17 metres towards Aster Road then turn left and continue west for 35 metres passing the northern end of the footpath marked (C) to point (A). Total distance is 187 metres.

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(BEVERLY SQUARE, ST ANNS) PUBLIC SPACES PROTECTION ORDER 2017

(ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, Chapter 2,  
SECTION 59 – 75)

# Proposed Public Spaces Protection Order: Footpaths at Beverley Square, St Ann's



## Legend

- AB CD Restricted Areas: footpaths subject of proposed Public Spaces Protection Order
- Alternative Routes



1:500