

**NOTTINGHAM CITY COUNCIL BENTINCK PRIMARY AND  
NURSERY SCHOOL RESTRICTION OF PUBLIC RIGHT OF WAY  
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 sections 59(2) and (3) and 64(1) and (2) of the 2014 Act have been met, namely:
- (a) that the persistent deposit of dog faeces, litter, broken bottles, other detritus and other Anti-social Behaviour 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

HEREBY MAKES the following Order

- (iii) 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	has the meaning given in Schedule 3 of the Communications Act 2003
Highway	has the meaning given by section 328 of the Highways Act 1980
Plan	means the plan attached to this Order
Restricted Area	means the land described in Schedule 1 to this Order shown by the solid black continuous line on the Plan
the School	Bentinck Primary and Nursery School, Alfreton Road, Nottingham NG7 4AA

the 2014 Act	means the Anti-social Behaviour, Crime and Policing Act 2014
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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. Barriers installed by the Authority at the points marked 'Gate A', 'Gate B' and 'Gate C' on the Plan are authorised by this Order 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 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 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;
    - (iii) persons carrying out any works for the laying, erection, alteration 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
  - (e) the service for the collection of refuse or other items from premises adjacent to or adjoining the Restricted Area.
  - (f) persons using the Restricted Area with the express permission or on the direction of an Authorised Officer of the Authority

7. The alternative route(s) to the Restricted Area which are available for use to pedestrians during the hours of operation of this Order are described in Schedule 5 to this Order and shown by the bold black broken line(s) between points marked Gates A, B and C 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      2017

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

**Authorised Signatory**

## **SCHEDULE 1**

### **RESTRICTED AREA**

The footpath running from the northern end of Caulton Street (off Alfreton Road), Nottingham at point SK 55785 40833 in a north-easterly direction to a point on Birkin Avenue, Nottingham at point SK 55828 40887 opposite number 8 Birkin Avenue, Nottingham comprising a total distance of 74.0 metres as shown on the Plan by the solid black line between points marked 'Gate A' and 'Gate C' on the Plan.

## **SCHEDULE 2**

### **HOURS OF OPERATION**

Access to the Restricted Area is prohibited at all times on all days EXCEPT between the hours of 08:45 to 09:10 and between 15:00 and 15:30 on any day when the School is open to the daily admission of pupils.

## **SCHEDULE 3**

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

Site Manager, Bentinck Primary and Nursery school. Telephone 0115 9151567 e mail admin@bentinck.nottingham.sch.uk

## **SCHEDULE 4**

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

Site Manager, Bentinck Primary and Nursery school staff. Telephone 0115 9151567 e mail admin@bentinck.nottingham.sch.uk

## **SCHEDULE 5**

### **ALTERNATIVE ROUTES**

During the times specified in Schedule 2 to this Order the alternative routes available will be:

From the point marked 'Gate A' on the Plan on Caulton Street to walk along Caulton Street in a south-westerly direction then turn right onto Alfreton Road then continue in a north-westerly direction then at the first junction turn right

onto Palin Street and continue in a north-easterly direction then turn right at the first junction onto Cope Street then continue in a south-easterly direction until you reach the multi-use games area marked 'MUGA' on the Plan then continue in a south-easterly direction along the footpath to the left of the MUGA to the point marked 'Gate B' on the Plan comprising a total distance of 280 metres as shown by a dashed black line on the Plan.

From the point marked 'Gate B' on the Plan to the right of the multi-use games area marked 'MUGA' on the Plan to walk in a north-westerly direction along the footpath and continue onto Cope Street in a north-westerly direction then turn right onto Palin Street and continue in a north-easterly direction then turn right at the first junction and continue in a south-easterly direction along Birkin Avenue to a point opposite number 8 Birkin Avenue marked 'Gate C' on the Plan comprising a total distance of 240 metres as shown by a dashed black line on the Plan.

From the point marked 'Gate A' on the Plan on Caulton Street to walk along Caulton Street in a south-westerly direction then turn left onto Alfreton Road then continue in a south-easterly direction then at the first junction turn left onto Bentinck Road and continue in a north-easterly direction then turn left onto Birkin Avenue then continue in a north-westerly direction to a point opposite number 8 Birkin Avenue marked 'Gate C' on the Plan comprising a total distance of 205 metres as shown by a dashed black line on the Plan.

THE NOTTINGHAM CITY COUNCIL BENTINCK PRIMARY AND NURSERY  
SCHOOL RESTRICTION OF PUBLIC RIGHT OF WAY PUBLIC SPACES  
PROTECTION ORDER 2017

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