

Cheltenham Borough Council Public Spaces Protection Order

Anti-social Behaviour, Crime and Policing Act 2014, Part 4

Notice is hereby given that Cheltenham 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 make the following Public Spaces Protection Order :

Public Spaces Protection (Cheltenham) Ticket Tout Order 2018

Number 1 of 2018

1. The land described by the map(s) attached and shown edged red being land in the area of the Council is land to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this Order ("Protected Area").
2. The Order may be cited as the Public Spaces Protection (Cheltenham) Ticket Tout Order 2018 and shall come into force on 1 March 2018 for the duration of [3 years].
3. The following activities have caused a detrimental effect to the quality of life of those living in the locality:-
 - a) Persons offering to sell tickets for restricted events
 - b) Persons exposing for sale tickets for restricted events
 - c) Persons making available for sale by another tickets for restricted events
 - d) Persons advertising tickets for purchase for restricted events
 - e) Persons giving away or offers tickets for restricted events in exchange for the purchase of some other goods or services
4. The effect of this Order is to impose the following conditions on the use of the Protected Area during Restricted Events: Any person, other than the Official Organiser of any of the Restricted Events, who (i) Offers to sell tickets for any Restricted Event; (ii) Exposes for sale tickets for any Restricted Event; (iii) Makes available for sale by another tickets for any Restricted Event; (vi) Advertises that tickets for any Restricted Event are available for purchase; and/or (v) Gives tickets for any Restricted Event to a person who pays or agrees to pay for some other goods or services or offering to do so commits an offence.
5. "Restricted Events" referred to are:
 - a) "The Festival" (March)
 - b) "The November Meeting" (November)
 - c) "The Showcase" (October)
6. "Official Organiser" means:

a) "The Steeplechase Company (Cheltenham) Limited"

7. All persons within the Protected Area are not to behave either individually or in a group of two or more people in a manner that has resulted in or is likely to result in any member of the public being intimidated, harassed, alarmed or distressed by that behaviour.

a) In this area any person who continues to carry out activities from which they are prohibited commits an offence,

b) If any person is deemed to breach this provision of the Order, an authorised officer may:

i. Order any individual or all members of a group to disperse;

ii. Order any individual or all members of a group to disperse and leave the Protected Area if they live outside of it;

iii. Order any individual or all members of a group to disperse and leave the Protected Area if they live outside of it and not return until a specified time. The specified time will not exceed 24 hours.

c) For those persons who live within the Protected Area the authorised officer may order any individual or all members of a group to disperse.

A person guilty of an offence under conditions 4 or 7 above, under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000) or a fixed penalty notice of a maximum of £80.

8. The Council is satisfied that the conditions set out in section 59 of the Act have been satisfied and that it is in all the circumstances expedient to make this Order to reduce the detrimental effect or to reduce the risk of crime and anti social behaviour, disorder, nuisance and annoyance and its continuance, occurrence or reoccurrence in the Protected Area which has had a detrimental effect on the quality of life of those in the locality. The effect or likely effect of this is of a persistent or of a continuing nature such as to make this unreasonable, and justifies the restrictions imposed by the Order.

9. The restrictions as stated in paragraph 4 applies to all persons

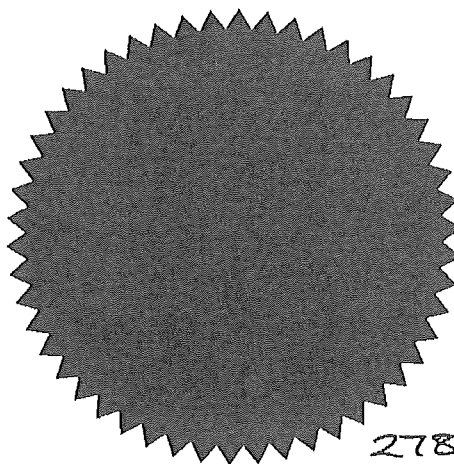
10. If an interested person wishes to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within 6 weeks from the date on which this Order is made.

Executed as a Deed by THE
COMMON SEAL of CHELTENHAM
BOROUGH COUNCIL being affixed
hereto and authenticated by the
undermentioned person authorised
by the Council to act for that
purpose.



Authorised Signatory

22 January 2019



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