

Public Spaces Protection Order 2023 relating to Eureka Park (Swadlincote)

Notice is hereby given that South Derbyshire District Council ("the Council") has made the following Public Spaces Protection Order ("PSPO") under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act").

1. The Order may be cited as the Eureka Park PSPO and comes into force on 14th October 2023 and expires on 13th October 2026.
2. The Order relates to open and publicly accessible land in the area shown shaded in green on the Order Plan. Such land includes but is not limited to, paths, including one Public Right of Way, grassed areas, play facilities, a building used by the Air Cadets, Eureka Bowls Club, Tennis Courts and public amenity spaces.
3. The effect of the Order is to impose the following prohibitions on the use of the land:-
 - (a) *No person shall consume alcohol.
 - (b) *No person shall have unsealed vessels containing alcohol in their possession.
 - (c) No person shall urinate or defecate in a public place, other than in a public toilet.
 - (d) No person shall loiter as an individual or in a group if they are causing or likely to cause anti-social behaviour (ASB). If asked to disperse on instruction of a Police Officer, Police Community Support Officer or authorised officer (from South Derbyshire District Council) individuals must not return to the area for a period of 24 hours.
 - (e) No person shall use a skateboard, scooter, pedal cycle, includes those power assisted, or any mechanically propelled vehicle in such a manner as to cause damage to property or that causes or is likely to cause intimidation, harassment, alarm, distress, nuisance, or annoyance to any person.

*A PSPO will not restrict the consumption of alcohol where the premises or its curtilage is licensed for the supply of alcohol.

4. In respect of prohibition (d) a Police Officer, Police Community Support Officer or authorised officer from the Council may not give direction to a person under the age of 10 years old or that prevents the person.
 - 1) Having access to the place where they live.
 - 2) Attending a place for purposes of employment or a contract of services; or
 - 3) Attending a place by obligation imposed or under enactment or by the order of a court tribunal or expected to attend for the purposes of education/training or receiving medical treatment.
5. Any person who continues drinking alcohol when asked to desist by a Police Officer, Police Community Support Officer or authorised officer from the Council or fails to surrender alcohol when asked to do so by a Police Officer, Police Community Support Officer or authorised officer from the Council commits an offence under section 63 of the Act as follows:-

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Any person who fails without reasonable excuse to comply with this requirement is liable on summary conviction to a fine not exceeding level 2 on the standard scale or fixed penalty notice of a maximum £100.

6. Any person who does not comply with the prohibitions (b - e) shall be guilty of an offence under section 67 of the Act and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale or a fixed penalty notice of a maximum £100.

Dated this 12th day of October 2023.

The Common Seal of
South Derbyshire District Council
was hereunto fixed in the
presence of



S A Bambrick

Chairman of the Council

[Signature]

Chief Executive

