

WEST NORTHAMPTONSHIRE COUNCIL

PUBLIC SPACES PROTECTION ORDER (EMPORIUM WAY) 2023

West Northamptonshire Council, in exercise of its powers under Section 59, 64 and 72 of the Anti-Social Behaviour, Crime & Policing Act 2014 ('the Act'), hereby makes the following Order, which shall be known as the "West Northamptonshire Council Public Spaces Protection Order (Emporium Way) 2023":-

1. This Order shall come into operation on (Date) 2023 and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers or those of any successor Local Authority.
2. This Order relates to Emporium Way, which connects the north of the Market Square to Greyfriars, Lady's Lane and the Mayorhold car park in Northampton, as shown marked red on the attached plan ('the Restricted Area').
3. The effect of this Order is to restrict the public right of way over the Restricted Area for 24 hours per day, 7 days per week and 52 weeks per year.
4. Breach of this Order is a criminal offence, for which an offender is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000), under section 67 of the Act.
5. A Constable or Authorised Person may issue a Fixed Penalty Notice ("FPN") of not more than £100 to a person they reasonably believe has breached this Order, in accordance with section 68 of the Act, as an alternative to prosecution for an offence under section 67 of the Act if paid within 14 days of being issued.
6. The alternative route for pedestrians between the Market Square to Greyfriars, Lady's Lane and the Mayorhold car park is shown marked blue on the attached plan.
7. Responsibility for the maintenance of any fences and gates will lie with West Northamptonshire Council of One Angel Square, Angel Street, Northampton, NN1 1ED.
8. Police, Fire and Ambulance emergency services, statutory undertakers with equipment situated under, over, along or in the highway, Council Officers and other persons

authorised by the Council, shall be exempt from the provisions of this Order. Business premises with their only or principle means of access adjacent to the highway shall also be exempt from the provisions of this Order during periods when the premises are normally used for business purposes.

9. The Council is satisfied that the conditions set out in Sections 59, 64 and 72 of the Act have been satisfied and that it is in all the circumstances expedient to make this Order for the purposes of reducing anti-social behaviour and criminal offences taking place in the Restricted Area. The Council makes the Order because the anti-social behaviour 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 continuing nature such as to make this unreasonable and justifies the restrictions imposed by the Order.
10. In consulting upon the prohibitions within this Order and upon making it, the Council has had particular regard to the rights of freedom of expression and freedom of assembly as set out in Articles 10 and 11 of the European Convention on Human Rights.
11. If any interested person desires 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 the period of six weeks from the date on which this Order is made.

Signed

Name

Role

For and on behalf of West Northamptonshire Council

Dated