

Wyre Forest District Council in exercise of its powers under Section 59, 63 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 ("The Act") makes the following Order:

Wyre Forest District Council

Public Spaces Protection Order

Number 2 of 2023

1. The Order shall come into operation on 1 October 2023 and shall have effect for a period of 3 years thereafter, unless extended by further orders under Wyre Forest District Council's (hereafter 'the Council').
2. The Order applies to Kidderminster ("the Restricted Area"), as shown outlined in red on the plan in the Schedule.
3. The Order applies to all persons within the Restricted Area at all times of the day and night.
4. The Council is satisfied that the conditions set out in Sections 59, 63 and 72 of the Act have been satisfied and that the consumption of alcohol ("the Activity") has been carried out in the Restricted Area and has had a detrimental effect on the quality of life of those in the locality. Further, the Council is satisfied that the effect of the Activity is or is likely to be of a persistent or continuing nature and is or is likely to be such as to make the Activity unreasonable and the effect justifies the restrictions imposed.
5. The Council therefore
 - (i) prohibits, pursuant to section 59 of the Act, the Activity within the Restricted Area, unless the Activity is during, part of and associated with a Council endorsed special event;
 - (ii) requires all persons, pursuant to, section 63 of the Act, when requested to do so by a Police Officer, Police Community Support Officer and or any other Authorised Person, desist from the Activity (or any action reasonably believed to be the Activity), and/or surrender any alcohol (or any item which is reasonably believed to be in alcohol) in their possession.

For the avoidance of doubt, a Police Officer, Police Community Support Officer and or any other Authorised Person may dispose of anything surrendered pursuant to this Order.

6. Offences

Failure without reasonable excuse to comply with a request, from a Police Officer, Police Community Support Officer and or any other Authorised Person, imposed by this Order as set out at 5(ii) above is a criminal offence under s 63 (2) (a), (b) and (6) of the Act. A person guilty of such an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale or to a fixed penalty notice not exceeding £100.

7. If any 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, they may apply to the High Court within six weeks from the date on which this Order is made.

Schedule:

Map of Kidderminster PSPO "Restricted Area"

THE COMMON SEAL of
WYRE FOREST DISTRICT COUNCIL
Was hereunto authenticated
in the presence



A handwritten signature in blue ink, appearing to be "The Mayor", written over a horizontal line.

Authorised Signatory



Blue Pen

