



## HILLINGDON LONDON

### Public Spaces Protection Order

#### Anti-Social Behaviour Crime and Policing Act 2014 s.59

Notice is hereby given that London Borough of Hillingdon ("the Council") has made the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 ("the Act"):

The land described in the schedule below ("the restricted areas") 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

The Order may be cited as the (Parks and Public Places) Public Spaces Protection Order ("the Order") and came into force on 1<sup>st</sup> August 2023 for a duration of 3 years.

#### 1. The Public Spaces Protection Order (Borough Wide) 2023

The effect of the Order is to impose the following prohibitions within the 'Restricted Area' relating to all public spaces shown in Schedule 1:

##### Alcohol and Drugs:

- a) A person commits an offence if without reasonable excuse they are in possession of an open container of alcohol and/or are consuming alcohol (other than in premises licensed for the sale of alcohol or at a venue where a Temporary Event Notice is in place) after having been required to stop by an authorised person.
- b) A person commits an offence if without reasonable excuse they fail to hand over immediately any alcohol, whether in an open or closed container, when required to do so by an authorised person who believes that the person has consumed, is consuming or intends to consume alcohol in breach of the prohibition 1 (a) above.
- c) A person commits an offence if without reasonable excuse they are under the influence of controlled drugs and/or other psychoactive substance.

Penalties - In the restricted areas any person who continues drinking alcohol having been required to desist by an authorised officer under condition (a) above or fails to hand over any alcohol in his or her possession when required to do so by an authorised officer under condition (b) a above commits an offence under section 63 and is liable on summary conviction to a fine not exceeding level 2 on the standard scale or fixed penalty notice of a maximum £100

##### Vehicles:

- d) A person commits an offence if without reasonable excuse, they drive a motorised, electric or powered vehicle over any footway, footpath, grass verge adjacent to any part of the public highway or within the Councils Green Spaces. (This prohibition does not apply to those persons using mobility vehicles).



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- e) A person commits an offence if without reasonable excuse, they leave a parked or stationary vehicle engine running on any part of the Public Highway.
- f) A person commits an offence if they use remote controlled model vehicles or aircraft that is likely to cause nuisance from noise or cause harassment, alarm, or distress to another person.
- g) A person commits an offence if they use drones or small unmanned aircraft (SUA) of any mass without the express consent of the Council (condition to apply to the parks and open spaces set out in Annex 1 to this order)  
Penalties – A person who is guilty of an offence under this part of the order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

## **Car Meets, Street Racing**

- h) A person commits an offence if they participate in 'Car meets, street racing' anywhere within the Restricted Areas outlined in the plans annexed to this Order. Participating in 'Car Cruising' means being the driver of, or being carried in or on a motor vehicle, when two or more vehicles (including motorbikes) being on a highway, or a publicly accessible place, at which any such vehicle, or occupant of a vehicle, performs any of the activities listed below:
  - i. Speeding
  - ii. Driving in Convoy
  - iii. Racing
  - iv. Performing stunts
  - v. Sounding horns or playing music as to cause nuisance
  - vi. Using foul or abusive language
  - vii. Using threatening, intimidating behaviour towards another person
  - viii. Causing obstruction on a public highway, whether moving or stationary.
  - ix. Causing obstruction on a public highway, whether moving or stationary.
- i) Participating in any activity stated in clause (h) as a passenger or driver of a vehicle within the Restricted Areas.
- j) Congregating in the Restricted Areas to spectate in any activity stated in clause (h).
- k) Using any water outlet for the purpose of flooding the road to facilitate performing stunts in the Restricted Areas.

- l) To promote, organize or publicise, via email, the internet, Facebook, Twitter or similar social media, or any publication or broadcast any 'car cruising' within the Restricted Areas

### **Urinating, defecating & spitting**

- m) No person shall urinate, defecate, or spit within any public place within the administrative area of the London Borough of Hillingdon (The 'Restricted Area'), except in a premise designed for that purpose.

Penalties – A person who is guilty of an offence under this part of the order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

### **Dogs and vermin**

- n) A person commits an offence if they are in sole charge of more than four dogs in a public place within the administrative area of the London Borough of Hillingdon (The 'Restricted Area') without a licence.
- o) Where a valid licence is in force, a person commits an offence if they are in sole charge of more than six dogs in a public place within the administrative area of the London Borough of Hillingdon (The 'Restricted Area').
- p) A person commits an offence if, without reasonable excuse, any dog in their charge defecates on land within the 'restricted area' and they fail to remove the faeces and deposit it in a dog faeces receptacle, forthwith.
- q) A person commits an offence if they fail to place a lead on a dog (which at the time the person is in charge of or responsible for) when the dog is on a pavement by a road (within 3 metres of a carriageway) or when required to do so by an authorised officer.
- r) A person commits an offence if they place or distribute of any type of food source in a street or Green Space to either feed or attract birds or vermin.

Penalties – A person who is guilty of an offence under this part of the order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Notes relating to condition (k) - placing faeces in a receptacle on the land which is provided for the purpose or for the disposal of waste, shall be sufficient removal from the land under requirement (k) above; being unaware of the defecation or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces; this requirement does not apply if the person is a registered assistance dog owner.

### **Parks and Open Spaces**

- s) A person commits an offence if they light or are in control of or responsible for activity involving a fire, barbecue, or fireworks without the express consent of the Council.
- t) A person commits an offence if they use any device designed or adapted for detecting or locating any metal or mineral on or in the ground without the express consent of the Council.
- u) A person commits an offence if they smoke any substance including cigarettes, cigars, electronic cigarettes (vapes), herbal cigarettes or similar within the boundary of a children's play area.
- v) A person commits an offence if they engage in any type of fishing or dredge or remove any material from any park or open space without the express consent of the Council.
- w) A person commits an offence if they do not leave a park at the designated closing time or when required to do so by an authorised officer.

- x) A person commits an offence if they do not extinguish a fire and/or barbecue or firework (if appropriate and safe to do so), removing all waste and/or associated items for safe disposal.
- y) A person commits an offence if they fail to ensure that any dog (which at the time the person is in charge of or responsible for) having entered a children's play area, leaves that play area forthwith.
- z) A person commits an offence if they use a microphone, loudspeaker, megaphone, loud hailer, or any other similar equipment designed to amplify the volume of speech or music unless authorised by the council.

### **General Prohibitions**

- aa) A person commits an offence if they encamp (with or without a vehicle) without the express consent of the Council.
- bb) A person commits an offence if they are Being verbally abusive to any person or using foul language or behaving in a way which causes or is likely to cause harassment, alarm or distress to another person.
- cc) A person commits an offence if they are engaged in the act of begging for food or money that causes harassment, alarm, or distress to another person.

### **Obstruction**

- dd) Any person who attempts to obstruct an Authorised Officer in carrying out their duties under this Public Spaces Protection Order shall commit an offence.
- ee) Obstruction includes, but is not limited to, giving false information, physically obstructing an Authorised Officer, and refusing to comply with any reasonable instruction given to ensure compliance with this PSPO.

## **2. The Public Spaces Restriction Order (Town Centres) 2023**

The effect of the Order is to impose the following prohibitions within the Uxbridge, Hayes, Ruislip town centres being 'Restricted Town Centre Areas' relating to all public spaces shown in Schedule 2:

### **Amplification**

- a) No person shall use a microphone, loudspeaker, megaphone, loud hailer or any other similar equipment designed to amplify the volume of speech or music unless authorised by the council.
- b) No person shall use mains electricity, battery, or generator power for the purposes of amplification unless authorised as above.
- c) This does not prevent free speech as long as carried out without the use of any equipment stated in 2(a) or 2(b)  
Any person who without reasonable excuse fails to comply with this prohibition commits an offence.

### **Placing of tables, stands, signage or other installations**

- d) No person(s) shall place a table/stand/signage or similar within any part of the public area without written authorisation from the Council.

### **Financial agreements in the street**

- e) Any person involved in stopping people for the purpose of encouraging them to enter into financial agreements for charitable or other purposes, must only operate from a stand and may only approach people a maximum of 2 metres from the stand.
- f) No stand must be placed on the public highway, which includes the pedestrianised area, without the authorisation of the Council.

### **Street Trading and leaflet distribution**

- g) No person shall sell any product or item in outdoor public spaces within the restricted area without having the express written permission or licence from the Council. This includes persons selling from bags, trolleys, or other mobile means.
- h) No person(s) shall distribute any free leaflet, pamphlet, or written word without authorisation of the Council.

NB – 'Authorisation' means Highway Event Permit, Premises Licence, Temporary Event Notice, Green Spaces Lease Agreement, Busking Permit, Leaflet Distribution Permit or other written permission from the Council. Authorisations must be approved prior to any of the above activities taking place and must be available on request by Authorised Officers of the Council.

## **Schedule of the restricted areas:**

### **Schedule 1 – Whole Borough**

### **Schedule 2 – Town Centres**

**‘Authorisation’** means Highway Event Permit, Premises Licence, Temporary Event Notice, Street Trading Licence, Green Spaces Lease Agreement, Busking Permit, Leaflet Distribution Permit or other written permission from the Council.

**"Park"** means all Parks and Open Spaces that are managed, owned or under the control of The London Borough of Hillingdon.

**"Public Place"** means all land in the open air (including any park, open space, street or highway) owned maintained or managed by the Council.

## **Definitions:**

For the purpose of this Order, the following definitions will apply:

1. Alcohol - this has the meaning given by Licensing Act 2003 s191.
2. Controlled Drugs - this has the meaning given by Parts I, II, III and IV of [Schedule 2 to the Misuse of Drugs Act 1971](#) and in Schedule 1,2,3,4, or 5 of the Misuse of Drugs Regulations 2001, unless prescribed by a medical practitioner. The legislation regarding Controlled Drugs is subject to change and current information regarding Controlled Drugs can be found at [www.dh.gov.uk](http://www.dh.gov.uk).
3. Psychoactive Substances - this has the meaning given by Psychoactive Substances Act 2006 section 2(2).
4. Product - means an article or substance that is manufactured or refined for sale.
5. Street furniture - means objects placed or fixed in the street for public use, such as post-boxes, road signs, and benches.
6. Food source - means any substance containing nutrients, such as carbohydrates, proteins and fats that can be ingested by a living organism and metabolized into energy and body tissue.
7. Powered vehicles - mobility scooter and other forms of powered mobility devices for the disabled are excluded.

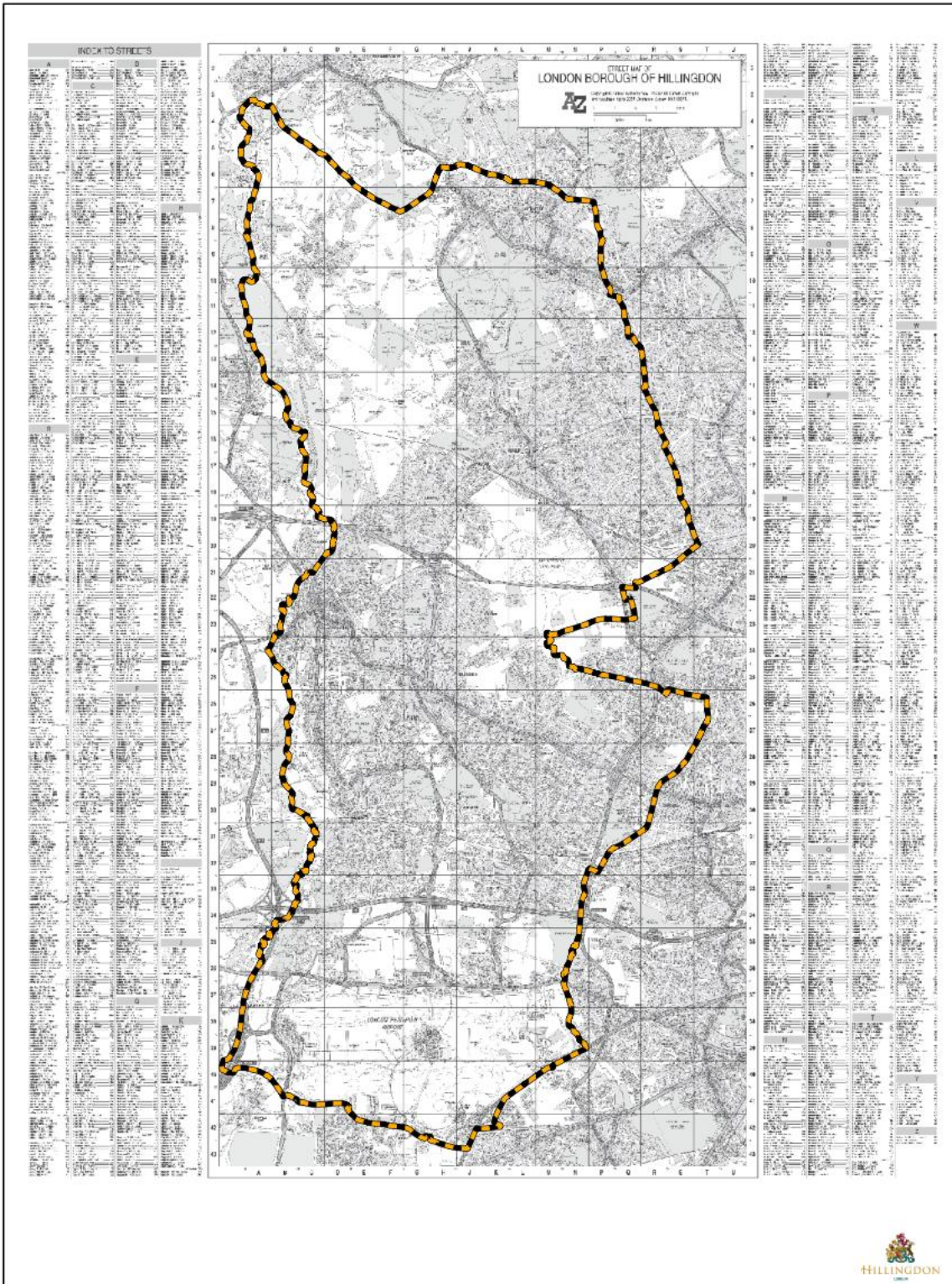
## **General**

An authorised officer means a Local Authority Employee, a person designated by the Local Authority, a Police Officer or Police Community Support Officer. The Council is satisfied that the conditions set out in sections 59, 64 & 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 in the restricted areas. The Council makes the order because anti-social behaviour in the restricted areas 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 in this order. 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 six weeks from the date on which this Order is made.



# Schedule 1

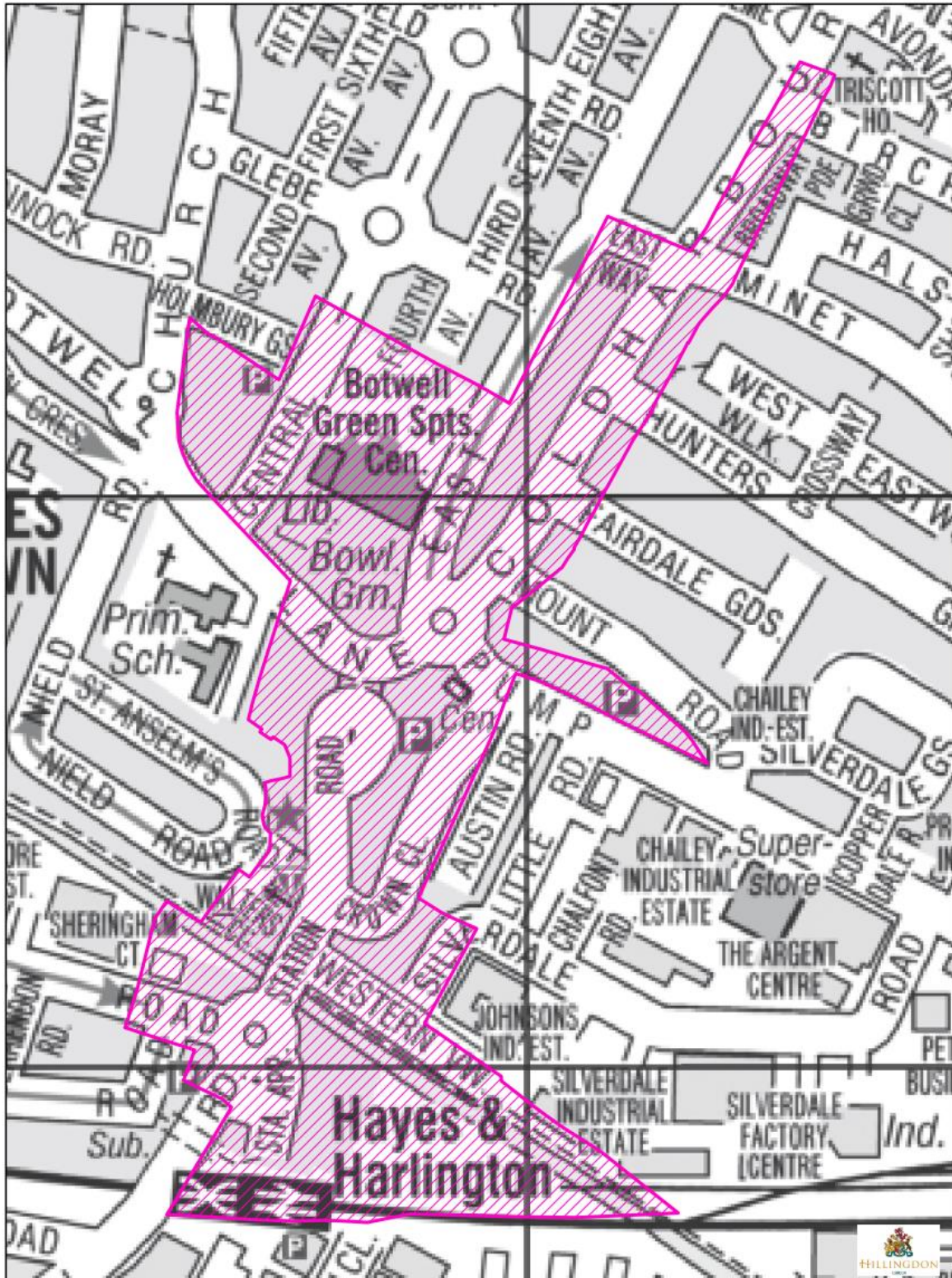
## London Borough of Hillingdon





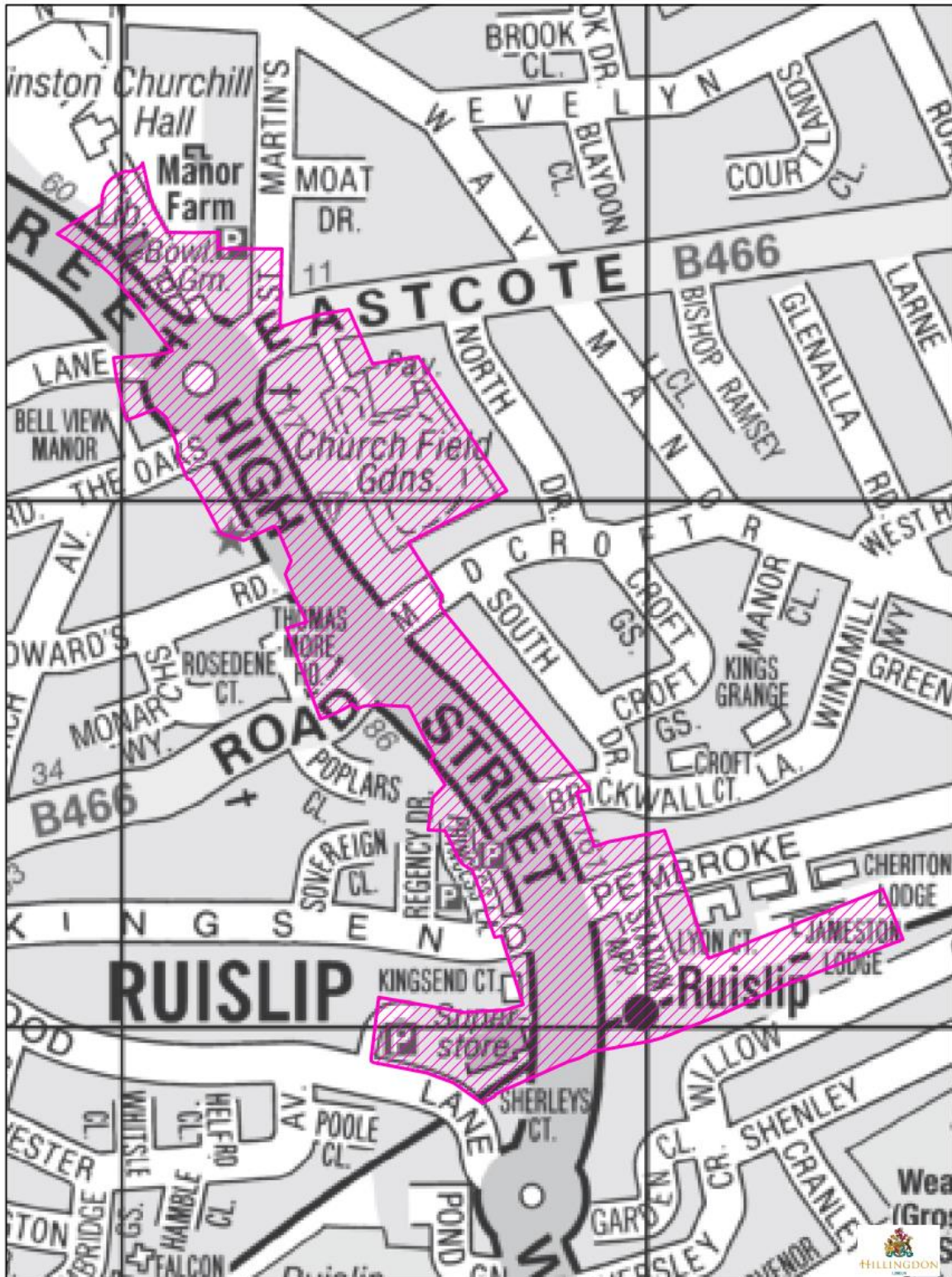
## Schedule 2

### Hayes





# Ruislip





# Uxbridge

