

LONDON BOROUGH OF ENFIELD

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PUBLIC SPACES PROTECTION ORDER NUMBER 9 of 2017 (the "ORDER")

**WITHIN THE LONDON BOROUGH OF ENFIELD, THE PLAYGROUNDS IN PARKS AND
COUNCIL HOUSING ESTATES SHOWN ON THE ATTACHED MAP**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 9 of 2017.

The London Borough of Enfield exercises its powers under Section 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") and under all other enabling powers, hereby makes the following Order:

1. This Order shall come into operation on 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council's statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as shown filled in green and orange on the attached plan in appendix 1 ("the designated area").
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

The smoking of tobacco, smokeless tobacco products, herbal cigarettes, or any illegal substances within any playgrounds

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the activities will be carried out within that area and have such an effect.

4. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

PROHIBITIONS:

1. No person shall smoke tobacco, tobacco related products, smokeless tobacco products (including electronic cigarettes), herbal cigarettes, or any illegal substances, within the boundaries of an area designated as a children's playground.

AUTHORISED PERSONS:

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

FIXED PENALTY NOTICES AND OFFENCES:

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

APPEALS:

1. In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

APPENDIX 1:

A plan of the London Borough of Enfield, showing the designated area filled in green and orange.

Given under the Common Seal of
the London Borough of Enfield
On the

.....day of.....2017

THE COMMON SEAL of the
COUNCIL

Was hereunto affixed
In the presence of:

.....Authorised Officer

.....Designation



London Borough of
Enfield

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**Parks and Open Spaces
&
Council Residential Estates**

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