

SOUTH BUCKS DISTRICT COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

THE SOUTH BUCKS DISTRICT COUNCIL (DORNEY LAKE)
PUBLIC SPACES PROTECTION ORDER 2020

1. **THIS ORDER** is made by South Bucks District Council (“the Council”) in exercise of its power under section 59 in Chapter 2 of Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) because it is satisfied on reasonable grounds, having carried out a consultation in accordance with section 72 of the Act and considered the matters set out therein, that:
 - 1.1 activities carried out, or likely to be carried out, in the public place set out in paragraph 2 below (which are within the Council’s area) either have had a detrimental effect on the quality of life of those in the locality or will have such an effect; and
 - 1.2 the effect, or likely effect, of the activities –
 - a. is, or is likely to be, of a persistent or continuing nature,
 - b. is, or is likely to be, such as to make the activities unreasonable, and
 - c. justifies the restrictions imposed by this Order

2. The public place within which the activities set out in paragraph 3 below are prohibited (“**the Restricted Area**”) is shown edged in red on the plan(s) in the Appendix to this Order and comprises:

**Dorney Lake (and surrounding land, to the north of the River Thames),
Court Lane, Dorney, Buckinghamshire SL4 6QP**

3. The activities which are to be **prohibited** are:
 - 3.1 the consumption of alcohol in breach of an authorised officer’s request to cease its consumption;
 - 3.2 having an unsealed container of alcohol, in breach of an authorised officer’s request to surrender the alcohol or container;
 - 3.3 the consumption of any psychoactive substance¹(colloquially known as a legal high) or possessing a psychoactive substance in breach of an authorised officer’s request to surrender it ;
 - 3.4 using behaviour towards another person (whether on the land or in the lake) which may reasonably be perceived to be threatening, aggressive or intimidating;
 - 3.5 entering the lake in a manner which is reasonably likely to harm any other person in the water;
 - 3.6 using foul or abusive language;

¹ A psychoactive substance is defined in section 2 of the Psychoactive Substances Act 2016 as any substance capable of stimulating or depressing the central nervous system of a person who consumes it, other than an exempt substance (listed in Schedule 1 of that Act as controlled drugs, medicinal products, alcohol or alcoholic products, nicotine and tobacco products, caffeine products and food).

- 3.7 gathering or loitering with any other person(s) in a manner which is (or may reasonably be perceived to be) intimidating or threatening to any other member of the public;
- 3.8 driving a motor vehicle in such a manner that puts any other member of the public at risk of harm;
- 3.9 performing any motor vehicle stunts; and
- 3.10 racing a motor vehicle with any other motor vehicle, or exceeding the speed limits displayed on any sign within the Restricted Area.

4. **Period for which this Order Has Effect**

This Order will come into force on 11th March 2020 and will continue in force for three years expiring on 10th March 2023.

5. **Consequences of Failure to Comply with Restrictions Contained in this Order**

5.1 In respect of the carrying out of an activity prohibited by paragraphs 3.1 or 3.2 above, a police constable, community support officer or person duly authorised by the Council (each hereafter called an "authorised officer") shall be entitled to require any person who is or has been consuming or intends to consume alcohol in the Restricted Area to not consume in the Restricted Area anything which is, or which an authorised officer reasonably believes to be, alcohol, and to surrender anything in his or her possession which is, or which the authorised officer reasonably believes to be, alcohol, or a container for alcohol.

5.2 It is an offence under section 63 of the Act for a person, without reasonable excuse, to fail to comply with a requirement imposed on him or her as set out in paragraph 5.1 above and a person guilty of such an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

5.3 It is an offence under section 67 of the Act for a person, to carry out, without reasonable excuse, any of the activities prohibited by paragraphs 3.3 to 3.10 of this Order and a person guilty of an offence under that section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

5.4 Under section 68 of the Act an authorised officer may issue a **Fixed Penalty Notice** ("FPN") to anyone he or she has reason to believe has committed an offence under section 63 or section 67 in relation to this Order requiring payment of a fixed penalty in the sum of £100. Provided that fixed the penalty is paid within 14 days, a prosecution will not be brought for that offence.

6. **Appeals**

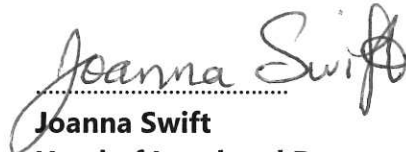
Any challenge to the validity of this Order must be made in the High Court by an interested person within six weeks of the Order being made. The right to challenge also exists where an order is varied by the Council. An interested

person is an individual who lives in, or regularly works in or visits, the Restricted Area and they may only challenge the validity of the Order on two grounds; that the Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by it, or that a requirement under Chapter 2 of Part 4 of the Act was not complied with.

Where a challenge is made the High Court can decide to suspend the operation of the Order, pending its decision, in part or in totality and the High Court has the power to uphold, quash or vary the Order.

Dated: **11 March 2020**

Signed:

A handwritten signature in black ink that reads "Joanna Swift". The signature is written in a cursive style and is positioned above a dotted line.

Joanna Swift

Head of Legal and Democratic Services

On behalf of **South Bucks District Council**

**Council Offices, Capswood, Oxford Road, Denham, Buckinghamshire, UB9
4LH**

