

APPENDIX 1B

Prohibitions and actions contained in Public Spaces Protection Order (PSPO)

Person(s) within this PSPO area, whilst situated in the street or other public space where the public have access without payment, shall:

- A. Surrender any intoxicating substance in their possession to an authorised person on request, if they are found to be ingesting, inhaling, injecting, smoking or otherwise using intoxicating substances, or are in possession of such intoxicating substances with the intent of using such intoxicating substances within this area, where the authorised person has reasonable grounds to believe that such person is using or intends to use the intoxicating substance within the said area.**

Notes

Intoxicating Substances is given the following definition (which includes Alcohol and new psychoactive substances [NPS] that are commonly referred to as 'legal highs'): substances with the capacity to stimulate or depress the central nervous system.

Exemptions shall apply in cases where the substances are used for a valid and demonstrable medicinal use, given to an animal as a medicinal remedy, are cigarettes or vaporisers (tobacco products), or are food stuffs regulated by food safety legislation, or where the use of the intoxicating substances fall within the curtilage of a premises licenced for the sale and consumption of alcohol, and within the operating hours of such.

An authorised person shall be a Police Constable, Police Community Support Officer or authorised Exeter City Council Officer, who must be able to present their authority upon request.

A. Not urinate in a street or public open space.

The term 'street' includes any road, footway, beach or other area to which the public have access without payment. It also includes a service area as defined in Section 329 of the Highways Act 1980. Other areas will include parks and retail car parks to which the public have access to without payment.

Exemptions shall apply where authorised temporary public urinals/toilets have been provided in accordance with any specification issued by Exeter City Council, and with its agreement.

B. Not carry out aggressive begging.

Aggressive begging is defined as behaviour that a reasonable person would regard as intimidating and which is designed to cause a member of the general public to offer money to a person not known to them.

Exeter City Council would define that behaviour as:

(1) clearly intimidating, i.e. through the use of threatening language or gestures, or

(2) intimidating by being passive aggressive, such as standing or sitting in close proximity (i.e. within 5 metres) to a cash machine or pay station either singly or in a group of two or more, where people expect privacy and/or feel vulnerable with their money, bank cards, wallets or purse on display.

APPENDIX 1B

- C. Not behave (either individually or in a group of two or more people) in a manner that has caused or is likely to cause a member of the public to suffer harassment, alarm or distress by that behaviour.**
- D. Persons within this area who breach Prohibition D while in a group shall when ordered to do so by an authorised person disperse either immediately or by such time as may be specified and in such a manner as may be specified.**

The manner specified by the authorised person may include a requirement not to re-enter a defined zone within the PSPO area until a certain time, which shall be no later than 6 hours from the time that an authorised person orders persons in a group to disperse.