

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

SECTION 59 PUBLIC SPACES PROTECTION ORDER

THE BEDFORD BOROUGH COUNCIL Cycling Control Town Centre Public Spaces Protection Order 2019

THIS ORDER is made by Bedford Borough Council ('the Council') because the Council is satisfied on reasonable grounds that activities of the nature specified in the restrictions below have been carried out, or are likely to be carried out in a public place in the administrative area of the Council, namely in the main pedestrianised area of Bedford town centre in the area of Harpur Street, Silver Street, Midland Road and Allhallows and, where the activities carried out:

- Are having a detrimental effect on the quality of life of those in the locality, or
- It is likely that those activities will be carried out in a public place within that area that will have such an effect; and
- The effect or likely effect of those activities is or will be persistent or continuing in nature, and is, or is likely to be, such as to make those activities unreasonable; and
- Such as to justify the restrictions to be imposed.

CYCLING CONTROL AREAS

This Order applies to main pedestrianised area of Bedford town centre as shown by grey diagonal shading on the attached map

a) RESTRICTIONS

No person shall cycle/ride a bicycle through the main pedestrian area of the town centre (as shown by grey diagonal shading on the attached map) between the designated times (09:00hrs and 18:00hrs)

b) PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on 19th June 2019 and will expire on 15th May 2022.

At any point before the expiry of this period the Council can review and vary the terms of the Order. As well as varying the Order the Council can also seek to discharge it at any time, subject to their being reasonable grounds to support such a decision.

c) WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 67 Anti-Social Behaviour, Crime and Policing Act 2014 states:

- 1) It is an offence for a person without reasonable excuse:
 - a) To do anything that the person is prohibited from doing by a public spaces protection order, or
 - b) To fail to comply with a requirement to which a person is subject under a public spaces protection order.
- 2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

- 3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.

FIXED PENALTY

An authorised officer may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 14 days to pay the fixed penalty of £75. If you pay the fixed penalty within 14 days you will not be prosecuted.

APPEALS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this Order on two grounds, (i) that the Council does not have the power to make the Order or to include particular prohibitions or requirements; or (ii) that one of the requirements of the legislation has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated: 19th June 2019

The Common Seal of
Bedford Borough Council
was hereto affixed in the presence of

Signed:

Sue Lyons
Authorised Officer



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