

CONWY COUNTY BOROUGH COUNCIL PUBLIC SPACE PROTECTION ORDER NOTICE

Anti-social Behaviour, Crime and Policing Act 2014
(Chapter 2)

The area known as “The Donkey Path”, Promenade, Colwyn Bay

Notice is hereby given that Conwy County Borough Council (“the Council”) in exercise of its powers under Sections 59, 63 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and under all other enabling powers, proposes to make the following order:

1. The Order relates to the area described in the schedule below (“the Restricted Areas”) and as shown on the attached plan
2. The Order may be cited as the Conwy County Borough Council –The Donkey Path, Colwyn Bay Public Space Protection Order 2017 and it shall come into force on [24th August 2017] for a duration of 3 years, unless extended by further Orders under the Council’s statutory powers
3. The effect of the Order is to impose the following conditions within the Restricted Areas:
 - (i) **That persons aged 17 years or under, who are not under the effective control of a parent or responsible adult aged 18 years or over, are prohibited from gathering in groups of 3 or more in the Restricted Area. This prohibition will only apply if any of the group is causing or is likely to cause annoyance, harassment, alarm or distress.**
 - (ii) **That behaving in a way which causes or is likely to cause harassment, alarm or distress to another person is prohibited in the Restricted Area.**
 - (ii) **That causing excessive or unreasonable noise is prohibited in the Restricted Area**
 - (iii) **That consuming alcohol or being in possession of open containers of alcohol is prohibited in the Restricted Area.**

Schedule of the restricted areas

The area on the attached map being:

All public space areas within the area known as The Donkey Path, for its entire length from the junction from the promenade in Colwyn Bay leading to The Dingle, to Colwyn Bay Train Station.

The draft of the proposed order is attached. Further details and reasons for making the order may be inspected during normal office hours at the Civic Offices, Colwyn Bay, by prior arrangements. The proposed order is also published on the Council’s website www.conwy.gov.uk.

If you wish to make representations concerning the proposed order, please do so in writing by the 23rd August 2017, stating the reasons for your objection, by email to SaferConwy@conwy.gov.uk or by post to The Head of Regulatory and Housing Services, Conwy County Borough Council, Civic Offices, Abergele Road, Colwyn Bay LL29 8AR.

Dated this 25th July 2017



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Peter Brown (Head of Regulatory and Housing Services)

CONWY COUNTY BOROUGH COUNCIL PUBLIC SPACE PROTECTION ORDER

Anti-social Behaviour, Crime and Policing Act 2014
(Chapter 2)

The area known as “The Donkey Path”, Promenade, Colwyn Bay, Conwy

This Order may be cited as the Conwy County Borough Council – The Donkey Path, Colwyn Bay Public Space Protection Order 2017.

Conwy County Borough Council (“the Council”), being satisfied that the conditions set out in Section 59(2) of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) have been met in relation to the area designated by the attached map and known as The Donkey Path from Colwyn Bay train station to the junction for The Dingle off Colwyn Bay promenade, namely that activities carried out in a public place within the authority’s area have caused crime, disorder and anti-social behaviour in the locality. These activities have had or are likely to have a detrimental effect on the quality of life of those in the locality, and those visiting the area as a tourist location. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, persistent or continuing in nature, and 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.

The Council in exercise of its powers under Sections 59 of the Act and under all other enabling powers, hereby makes the following order:

- (1) That persons aged 17 years or under, who are not under the effective control of a parent or responsible adult aged 18 years or over, are prohibited from gathering in groups of 3 or more in the Restricted Area. This prohibition will only apply if any of the group is causing or is likely to cause annoyance, harassment, alarm or distress.
- (2) That behaving in a way which causes or is likely to cause harassment, alarm or distress to another person is prohibited in the Restricted Area.
- (3) That causing excessive or unreasonable noise is prohibited in the Restricted Area
- (4) That consuming alcohol or being in possession of open containers of alcohol is prohibited in the Restricted Area.

It is an offence for a person without reasonable excuse to engage in activity that is prohibited by this Order. A person found to be in breach of this Order is liable on summary conviction to a fine not exceeding level 3 on the standard scale or to a Fixed Penalty Notice up to £100.

The Order shall come into operation on 24th August 2017 and shall have effect for a period of 3 years thereafter, unless extended by further Orders under the Council’s statutory powers.

If any interested person requests to question the validity of this Order on the grounds that the Council did not have the power to make the Order or to include any particular prohibitions or requirements imposed by this Order or that a requirement of the Act has not been complied with, then he or she may apply to the High Court within 6 weeks from the date on which the Order is made.

Dated this 2017

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Peter Brown (Head of Regulatory and Housing Services)