

# ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

## SECTION 59 PUBLIC SPACES PROTECTION ORDER

### BEDFORD BOROUGH COUNCIL Bedford Town Centre Public Spaces Protection Order 2025

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Bedford Borough Council ('the Council') makes this Order, being satisfied on reasonable grounds that the following activities:

- Consuming alcohol in a public space
- Begging
- Using illegal drugs or psychoactive substances
- Riding a cycle or battery assisted cycle (e-cycle/e-bike) in an aggressive or dangerous manner
- Riding an e-scooter or skateboard
- Spitting, urinating and/or defecating in public spaces
- Littering in enclosed public spaces
- Accessing stairwells or rooftops in public car parks and behaving or intending to behave in an anti-social manner

have had or are likely to have a detrimental effect on the quality of life of those in the locality described in paragraph 3 of this Order and referred to as 'the restricted area', or it is likely that such activities will be carried out within that area and have such an effect.

The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, and these activities are unreasonable and justify the restrictions imposed by this Order for the purpose of reducing anti-social behaviour in a public place.

The Council hereby requires by way of this Order that:

#### **1. Conditions in the Order which are prohibitions**

The activities described below are hereby prohibited as from the date of this Order:

- (a) Alcohol consumption  
All persons are prohibited from, at any time, consuming alcohol or having an open alcohol container, in the restricted area identified in Map 1 of this Order unless they are on premises subject to an exemption as detailed in Schedule 1 to this Order.
- (b) Begging  
Within the area identified in Map 1 of this Order all persons are prohibited at any time from:
- i. Approaching another person, who is not a member of their family or their friend either verbally or by conduct to ask for money or other objects or items from that other person.
  - ii. Sitting, standing or loitering or being in possession of a receptacle used to obtain monies, for the purpose of asking for money or other objects or items. This includes the use of signage, children or animals.

- iii. Verbally or by conduct asking for money or other objects or items from other persons in a manner that impedes people from going about their lawful business or causes them to feel intimidated when going about that business (this includes obstructing people, sitting or standing in shop doorways, by ATMs and by parking or other payment machines).
  - iv. Paragraphs (i), (ii) and (iii) above do not apply to any person who is acting under the authority of a permit granted under the Police, Factories Etc. (Miscellaneous Provisions) Act 1916 or other enactment authorising street collections.
- (c) Use of illegal drugs or psychoactive substances
  - i. All person(s) are prohibited from selling, buying, using or preparing to use or using illegal drugs or illegal psychoactive substances.
  - ii. Paragraph (i) above does not apply to a person in possession of a psychoactive substance who may have a lawful reason for such possession.
- (d) Dangerous or aggressive cycling, including battery assisted cycle (e-cycle/e-bike)  
All persons are prohibited from, at any time, including riding on a battery assisted cycle, in a manner which would cause any person in the locality to have reasonable concerns for their safety or the safety of other people, including the cyclist, with in the restricted area identified in Map 3 of this Order.
- (e) Riding an e-scooter or skateboard  
All persons are prohibited from, at any time riding an e-scooter or skateboard in the restricted area identified in Map 3 of this Order.
- (f) Spitting  
All persons are prohibited from, at any time, spitting on to the ground, any bench, chair or other piece of street furniture or any other surface or item in the restricted area identified in Map 1 of this Order.
- (g) Urinating and Defecating  
All persons are prohibited from, at any time, urinating or defecating in any part of the restricted area identified in Map 1 of this Order other than into a toilet to which the public are allowed access.
- (h) Accessing stairwells and rooftops of town centre car parks  
All persons are prohibited from, at any time entering the restricted area identified in Map 2 namely Allhallows Car Park, Lurke Street Car Park, River Street Car Park and Queen Street Car Park for purposes which are not connected to the parking of a vehicle or bicycle therein or the lawful access to a vehicle or bicycle parked therein or other lawful purpose.
  - i. This prohibition in does not apply to any person entering the Restricted Area who is authorised to carry out surveys, repairs or works to the building, equipment or utilities within the Restricted Area.
  - ii. This prohibition in paragraph does not apply to any person who is a member of the emergency services or who is an Authorised Officer and enters the Restricted Area in that capacity.
- (i) Littering in enclosed public spaces.  
All persons are prohibited from, at any time to throw down, drop or otherwise deposit any litter in the restricted area identified in Map 2 namely Allhallows car park, Lurke Street Car Park, River Street Car Park, Queen Street Car Park and Bedford Bus Station.

## **2. Conditions in this Order which are Requirements**

The requirements described below that all persons must comply with as from the date of this Order are:

- (a) Not to consume alcohol [or anything which an authorised officer reasonably believes to be alcohol] in the restricted area when required not to do so by an authorised officer.
- (b) Surrender any alcohol in his or her possession when required to do so by an authorised officer in the restricted area.
- (c) Surrender any drugs or psychoactive substances including any paraphernalia used for the use of such drug or psychoactive substance when required to do so by a Police Officer or Police Community Support Officer.
- (d) Dismount from a cycle, battery assisted cycle, E-scooter or skateboard when requested to do so by an authorised officer
- (e) Leave a public car park when requested to do so by an authorised officer

## **3. The land in relation to which this Order applies land**

The Order applies to the areas of the Bedford town centre identified in Map 1, 2 and 3 in this Order.

## **PERIOD FOR WHICH THE ORDER HAS EFFECT**

**This Order will come into force at 00.00 hrs on 29<sup>th</sup> September 2025 and will expire at 23.59 hrs on 28<sup>th</sup> September 2028.**

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.

## **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 space protection Order, or
  - b) To fail to comply with a requirement to which a person is subject under a public space 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 space protection Order.
- 4) Consuming alcohol in breach of a public space protection Order is not an offence under this section (but see section 63)

### **Section 63 Anti-Social Behaviour, Crime and Policing Act 2014 states that:**

- 1) This section applies where a constable or an authorised person reasonably believes that a person (P) -
  - a) is or has been consuming alcohol in breach of a prohibition in a public space protection order, or
  - b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition.

In this section “authorised person” means a person authorised for the purposes of this section by the local authority that made the public spaces protection Order (or authorised by virtue of section 69(1))

- 2) The constable or authorised person may require P
  - a) not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
  - b) to surrender anything in P's possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.
- 3) A constable or an authorised person who imposes a requirement under subsection (2) must tell P that failing without reasonable excuse to comply with the requirement is an offence.
- 4) A requirement imposed by an authorised person under subsection (2) is not valid if the person - is asked by P to show evidence of his or her authorisation and fails to do so.
- 5) A constable or an authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.
- 6) A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

### **FIXED PENALTY**

An authorised officer of the Council, or constable may issue a Fixed Penalty Notice as an alternative to prosecution to anyone in contravention of the Order. If you do not pay the Fixed Penalty Notice you may 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: .....

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



**David Doome**  
Solicitor  
Service Manager (GPPL)  
Legal Services  
Bedford Borough Council



[seal]

## Map 1

### Purple - Zone 1



## Map 2

### Blue – Zone 2





## Map 3

### Red - Zone 3





## **Schedule 1**

### **Exemptions under the Anti-Social Behaviour, Crime & Policing Act 2014, section 62**

Premises etc to which alcohol prohibition does not apply

- (1) A prohibition in a public spaces protection Order on consuming alcohol does not apply to
  - a. premises (other than council-operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;
  - b. premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
  - c. a place within the curtilage of premises within paragraph (a) or (b);
  - d. premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time;
  - e. a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses).
- (2) A prohibition in a public spaces protection Order on consuming alcohol does not apply to council operated licensed premises
  - a. when the premises are being used for the supply of alcohol, or
  - b. within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.
- (3) In this section-
  - “club premises certificate” has the meaning given by section 60 of the Licensing Act 2003;
  - “premises licence” has the meaning given by section 11 of that Act;
  - “supply of alcohol” has the meaning given by section 14 of the Act.
- (4) For the purposes of this section, premises are “council-operated licensed premises” if they are authorised by a premises licence to be used for the supply of alcohol and
  - a. the licence is held by a local authority in whose area the premises (or part of the premises) are situated, or
  - b. the licence is held by another person but the premises are occupied by a local authority or are managed by or on behalf of a local authority.