

## **GLOUCESTER CITY COUNCIL**

### **THE COUNCIL OF THE CITY OF GLOUCESTER (PUBLIC SPACES PROTECTION ORDER 2018) (ORGANS ALLEY) EXTENSION ORDER 2024**

**Anti-Social Behaviour, Crime and Policing Act 2014, section 60**

**DATED: 30th day of November 2024**

The Council of the City of Gloucester (referred to hereafter as 'the Council') hereby makes the following Public Spaces Protection Order. The land outlined and hatched in red in Appendix 2 being land in the area of the Council ("the Designated Area") is land to which the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") applies and is protected by the Order.

This Order may be cited as the Council of the City of Gloucester (Public Spaces Protection Order 2018) (Organs Alley) Extension Order 2024 ("the Order").

The Council in exercise of its power under section 60 of the Act and of all other enabling powers being satisfied that that the conditions set out in section 60 of the Act have been met hereby extends the Original Order which came into force on 30th November 2018 and was extended by Order which came into force on 30<sup>th</sup> November 2021, the following shall be the second extended Order coming into force on 30th November 2024.

The Order relates to the footpath known as Organs Alley, (the alleyway between 97 and 99 Eastgate Street and 20 and 24 Russell Street) Gloucester as shown outlined and hatched in red in Appendix 2.

1. This Order remains in force for a period of three years unless extended, varied or discharged by further Order(s) under the Council's statutory powers
2. This Order applies to the land specified in the Schedule.

#### **The following prohibitions are imposed on the use of the Designated Area:**

The public right of way over the highway shall be restricted at all times except for those persons listed in Appendix 1

#### **GENERAL PROVISIONS**

1. A person who fails without reasonable excuse to comply with a requirement imposed on them by this Order will be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale or a fixed penalty notice of a maximum of £80.
2. "Authorised Person" means a person authorised for the purposes of section 63 of the Anti-social Behaviour, Crime and Policing Act 2014 by the local authority that made this order.
3. This order authorises the retention of lockable gates at the affected highway to enforce the restriction of the public right of way.

4. Responsibility for the maintenance and operation of the gates will be with Gloucester City Council at Shire Hall, Westgate Street, Gloucester GL1 2TG (contact Community Wellbeing Team on 01452 396396)

**In issuing the order the Council is satisfied that:**

- 1 (a) Anti-social behaviour ('the named activities') carried out in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality; or (b) it is likely that the named activities will be carried out in a public place within that area and that they will have such an effect
- 2 The effect, or likely effect, of the named activities:
  - (a) is, or is likely to be, of a persistent and continuing nature;
  - (b) is, or is likely to be, such as to make the activities unreasonable; and
  - (c) justifies the restrictions imposed by the notice
- 3 It has had particular regard to the rights of freedom of expression and freedom of assembly set out in Articles 10 and 11 of the European Convention on Human Rights.
- 4 If an interested person wishes to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within 6 weeks from the date on which this Order is made.

THE COMMON SEAL of THE )  
 COUNCIL OF THE CITY OF )  
 GLOUCESTER affixed hereto )  
 Is authenticated by the undersigned )  
 a person authorised by the said )  
 Council to act for the purpose )



*T. Clark*

Authorised Signatory *Tom Clark, Principal Lawyer*

Date: *28<sup>th</sup>* November 2024

The Order can be seen at [\*\*Public Spaces Protection Orders - Gloucester City Council\*\*](#)

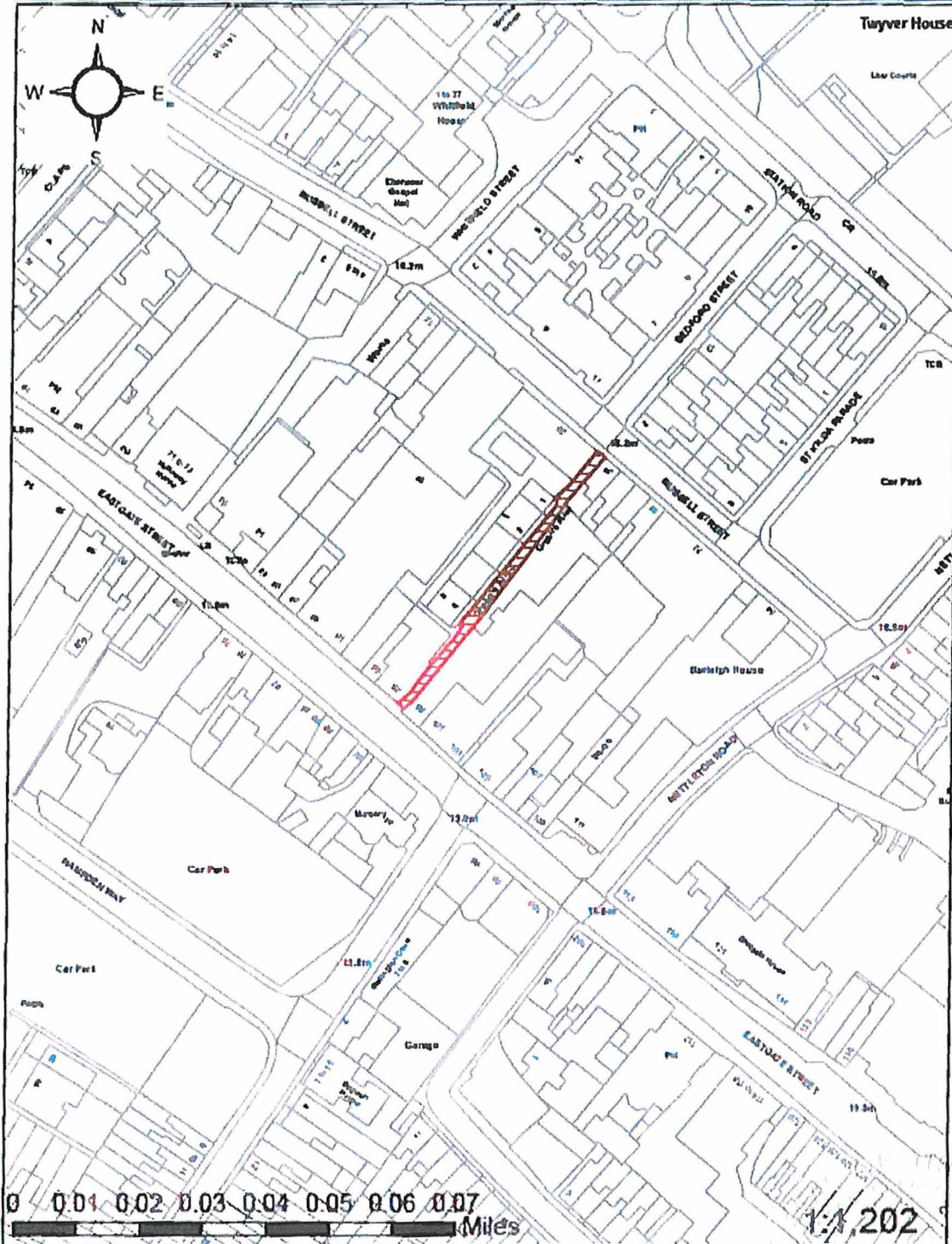
## **Appendix 1**

The public right of way over the highway shown outlined and hatched in red on the attached plan shall be restricted at all times except for those persons listed below:

- a) Owners or occupiers of premises adjacent to or adjoining the highway affected by this order and who have been provided with a key by the Council.
- b) Fire brigade, Police or NHS staff when in the exercise of their duties.
- c) Employees, contractors or agents of statutory undertakers in relation to gas, electricity or water or telecommunications apparatus as defined in the Telecommunications Act 1994 situated in the relevant highway in connection with the laying, erecting, inspection, maintenance, alteration, repair, renewal or removal of any relevant apparatus.
- d) Council staff and authorised contractors when in the exercise of their duties.
- e) Persons using the highway with the permission of or on the direction of a duly authorised Council officer in this regard.

APPENDIX 2

# Gloucester City Council



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