

**THE LONDON BOROUGH OF TOWER HAMLETS
ROPEMAKERS PUBLIC SPACES PROTECTION ORDER NO 4 OF 2018
The Anti-Social Behaviour Crime and Policing Act 2014**

1. WHEREAS the London Borough of Tower Hamlets ("the Council") is satisfied that the requirements of sections 59 to 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") have been satisfied and that it is, in all the circumstances, appropriate to make this Order.
2. WHEREAS the Council is satisfied that activities have been and will continue to be carried out in the RESTRICTED AREA referred to below which have had and will continue to have a detrimental effect on the quality of life of those in the locality, such activities.
3. WHEREAS the Council is satisfied that the effect of the activities is, or is likely to be, of a persistent or continuing nature, and is, or is likely to be such as to make the activities unreasonable and the effect justifies the restrictions imposed by this Order.
4. WHEREAS the Council is satisfied that the prohibitions imposed by this Order are ones that it is reasonable to impose in order to prevent the detrimental effect from continuing, occurring, or recurring or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
5. WHEREAS the Council 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 and Equality Act 2010.
6. This Order may be cited as the LONDON BOROUGH OF TOWER HAMLETS Ropemakers Fields Public Spaces Protection Order 4 2018 and shall come into force on 1st of March 2018 and remain in place for 3 years, unless extended by further orders.
7. **The Order applies to:**
Ropemakers Fields Park and adjacent highways and estate roads including Ropemakers Fields Park and adjacent highways and estate roads including:

- (1) Northey Street (E14 8BT),
- (2) Brightlingsea Place (E14 8DA and E14 8DA),
- (3) Shoulder of Mutton Alley (E14 8BY)
- (4) Ropemakers Fields (Local authority park and E14 8BX),
- (5) Narrow Street (from 1 Blyths Wharf E14 8BF to 154 Narrow Street, E14 8BP including E14 8BB and E14 8BD),
- (6) Barleycorn Way (E14 8DE).
- (7) Three Colt Street south of Narrow Street (E14 8AZ and E14 8AY)
- (8) The Thames Pathway adjacent to Dundee Wharf (E14 8AX) and to the rear of Dunbar Wharf (E14 8BB and E14 8BD)
- (9) The Thames Pathway and green area to the south of the Limehouse Link emergency access point and maintenance yard, up to Belgrave Court (E14 8RL and E14 8RJ).

These areas are shown delineated by a blue line on the plan annexed to this Order and marked Schedule 1. (referred to as the "Restricted Area").

8. PROHIBITIONS:-

- 1. BEHAVIOUR CAUSING OR LIKELY TO CAUSE NUISANCE, HARASSMENT, ALARM OR DISTRESS**
No person shall act (either individually or in a group of two or more people) in a manner causing or likely to cause nuisance, harassment, alarm or distress within the designated Area.
Such behaviour includes (but not limited to) using abusive, foul or offensive language, swearing or causing noise nuisance by shouting or playing of loud music.
- 2. CONGREGATING**
No group consisting of 2 or more persons shall congregate after dark within the restricted area (excluding keep fit groups, dog walkers, sports teams, couples, community groups, unless these groups are causing or likely to cause harassment, alarm or distress to local residents or other park users).
Any person or group instructed by an authorised officer to leave the restricted area, must leave without delay, by the shortest route and not return to the restricted area for a period of 24 hours.
- 3. URINATING OR DEFECATING**
No person shall urinate or defecate within the Restricted Area except in a toilet or premises designated for that purpose.
- 4. UNAUTHORISED VEHICLES WITHIN THE PARK OR ON THE THAMES PATHWAY.**
No unauthorised motor vehicles (including motor car, motor cycles, mopeds and scooters but excluding disability buggies or motorised wheelchairs) shall enter Ropemakers Fields Park or be used on the Thames Pathway.
- 5. RACING VEHICLES & CYCLES**
No person in control of a motor vehicle, motor cycle or bicycle shall drive recklessly, cause nuisance or danger within the Restricted area
- 6. INTOXICATING & PSYCHOACTIVE SUBTANCES**
No person shall drink, inhale, inject, or otherwise use or be in possession of any intoxicating substances or "legal highs" or drug paraphernalia including nitrous oxide canisters within the restricted area. This includes substances with the capacity to stimulate or depress the central nervous system.
- 7. PERSONS IN AN INTOXICATING CONDITION**
Persons in an intoxicated condition are prohibited from the designated restricted area.
Any person believed to be under the influence of an intoxicating substance, drug or alcohol and causing or likely to cause harassment, alarm or distress is in breach of this Order and may also be instructed by an authorised officer to leave the area. Any person instructed by an authorised officer to leave the restricted area, must leave without delay, by the shortest route and not return to the restricted area for a period of 24 hours.

8. LITTER AND WASTE DISPOSAL

No person shall dispose of any litter or controlled waste in the designated restricted area other than in the bins provided.

9. ALCOHOL CONSUMPTION

No person shall refuse to stop drinking or refuse to surrender any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer.

Where a Constable or a person duly authorised by the Council reasonably believes that a person is or has been consuming alcohol, or that a person intends to consume alcohol in circumstances in which doing so would be a breach of that prohibition, the Constable or authorised person may, under section 63 (2) of the 2014 Act, require that person:

- (1) Not to consume, in breach of the prohibition, alcohol or anything which the Constable or authorised person reasonably believes to be alcohol;
- (2) To surrender anything in that person'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 authorised person may dispose of anything surrendered to him or her as a result of a requirement imposed by him or her in whatever way he or she thinks appropriate.
- (4) A constable or an authorised person who imposes such a requirement must tell the person that failing without reasonable excuse to comply with the requirement is an offence
- (5) A requirement imposed by an authorised person is not valid if the authorised person is asked to show evidence of his or her authorisation but fails to do so.

10. OBSTRUCTING PUBLIC OFFICERS

No person shall obstruct any authorised officer in the proper execution of their duties.

11. OFFENCE & PENALTY

- (1) Any person who, without reasonable excuse, fails to comply with the prohibitions in 1- 10 above commits an offence
- (2) Any person who is guilty of an offence under parts 1-10 of the Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) Any person who fails to comply with a request by an authorised officer to cease drinking or surrender alcohol, commits an offence and is liable a fixed penalty notice (FPN) of up to £100, or on summary conviction to a fine not exceeding level 2 (£500) on the standard scale.

12. ENFORCEMENT

- (1) The Order shall be enforced by officers from the Metropolitan Police and officers from the London Borough of Tower Hamlets.
- (2) A constable or authorised person may issue a fixed penalty notice (FPN) to anyone s/he believes has committed an offence.
- (3) A person committing an offence will have 14 days to pay the fixed penalty of £100.00, failing which you may be prosecuted. No further proceedings will be taken against you before the expiration of 14 days following the date of the FPN.

- (4) A constable or authorised person may take necessary and proportionate enforcement action in reference to the Borough's Enforcement Policy & Procedure. This may include referral to support services, low level enforcement or referral to court action

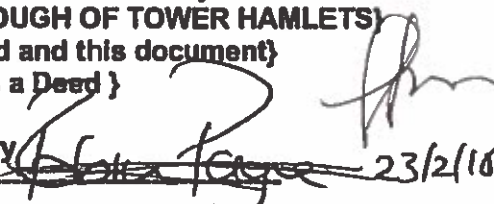
13. APPEALS

In accordance with section 66 of the Act, 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: that the Council did not have power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, 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.

14. For the purposes of this Order:

- a) 'public place' means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission;
- b) 'alcohol' means any liquid intended for consumption by the person in possession of it, containing more than 0.05% alcohol by volume; and
- c) 'licensed premises' means:
- d) premises (other than council-operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;
- e) premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
- f) a place within the curtilage of premises within paragraph C(i) & C(ii)
- g) 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;
- h) 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).
- i) council-operated licensed premises
- j) when the premises are being used for the supply of alcohol, or within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

IN WITNESS WHEREOF THE COMMON SEAL OF
THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF TOWER HAMLETS
was hereunto affixed and this document
thereby executed as a Deed }
in the presence of }
Authorised Signatory  23/2/18



SCHEDULE 1
map

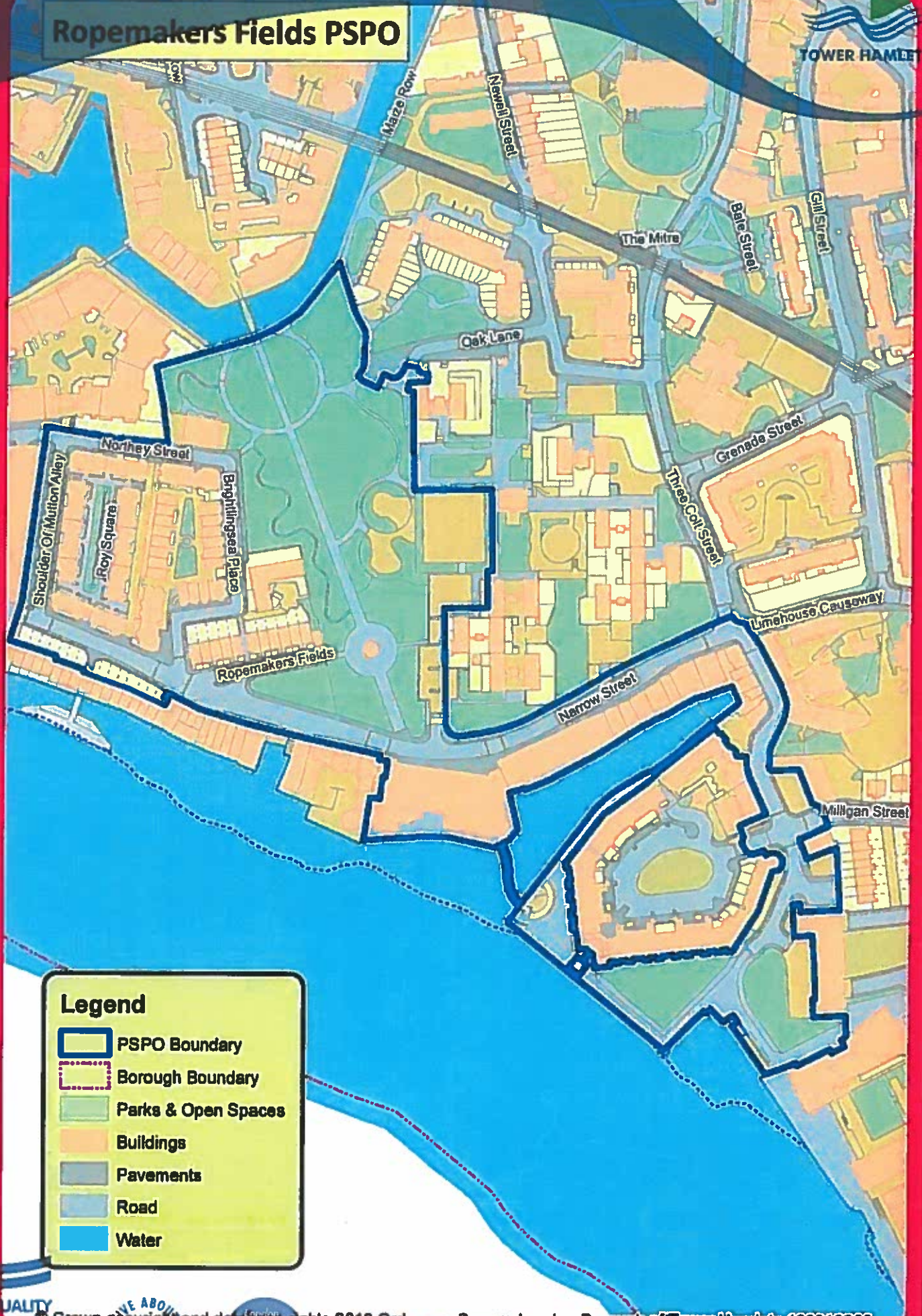
Head of Legal Services
- Environment

LA/18/161







LBTH ROPEMAKERS PSPO ORDER NO4 OF 2018. LEGAL SERVICES.LA. Page 4

Ropemakers Fields PSPO

TOWER HAMLETS



Legend

-  PSPO Boundary
-  Borough Boundary
-  Parks & Open Spaces
-  Buildings
-  Pavements
-  Road
-  Water

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENCE

WALKER
SOLVE ABOUT
DISABILITY

London Living Wage Employer

INVESTORS IN PEOPLE | Silver

Excel Law Society accredited

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LONDON BOROUGH OF TOWER HAMLETS

PUBLIC SPACES PROTECTION ORDER
ANTISOCIAL BEHAVIOUR CRIME & POLICING ACT 2014

OFFICER AUTHORITY

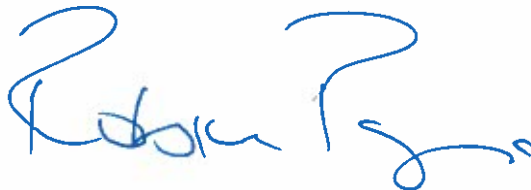
TO: JANET FASAN – DIVISIONAL DIRECTOR (LEGAL DEPARTMENT)

DATE: 19/03/2018

**SUBJECT MATTER: LBTH BOROUGH – PSPO ROPEMAKERS: TO SEAL
THE PSPO** X 2

**AUTHORITY: Paragraph 3.5.1 of the Scheme of Delegation (under
Part 3 of the Constitution) – Please see attached signed Delegated
Authority.**

Signed:



Name: ROBIN PAYNE

Designation: Interim Divisional Director Public Realm