The Anti-Social Behaviour Crime and Policing Act 2014
The Public Spaces Protection Order (No 5)
Hastings Borough Council 2025

In exercise of the power under Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 ("the Act") being satisfied that the conditions set out in Section 59 of the Act have been met, Hastings Borough Council (in this order called "the Authority") hereby makes the following Public Spaces Protection Order ("the Order").

This Order came into effect on 10 July 2025 for a period of 3 years.

This Order relates to various public spaces within the Borough of Hastings ("the Borough"). The plan of the whole Borough is shown as Map 1 and edged in black, being public space in the Authority's area to which the Act applies.

The effect of the Order is to impose the following prohibitions at all times within the relevant Restricted Areas:-

BY THIS ORDER

1. **Prohibition of drinking alcohol a Public Place within the Restricted Area (land coloured red – Map 2)**

   (i) All persons are restricted from drinking alcohol in any public place located within the Restricted Area as shown coloured red on Map 2. This provision does not apply to alcohol being consumed within premises licensed under the Licensing Act 2003 or Section 115E of the Highways Act 1980.

   (ii) Where an Authorised Person reasonably believes that a person is consuming alcohol or has been consuming alcohol in breach of Paragraph 1(i) (above) then the Authorised Person may require that the person must stop consuming alcohol or anything which the Authorised Person reasonably believes is an alcoholic beverage and the Authorised Person may require that the person must surrender any alcohol, or anything which the Authorised Person reasonably believes to be alcohol, that is in the person's possession including a container for alcohol.

2. **Prohibition to possess alcohol after being requested to surrender it within the Borough of Hastings (land edged Black – Map 1)**

   Where an Authorised Person reasonably believes that a person is, has or intends to consume alcohol within the Borough and is causing, or is likely to cause nuisance or annoyance or alarm or distress or harassment to a member of the

public, or disorder associated with the consumption of alcohol, then the Authorised Person may require that the person must surrender any alcohol, or anything which the Authorised Person reasonably believes to be alcohol, that is in the person's possession including a container for alcohol.

Disposal of alcohol may be undertaken by the Authorised Person in whatever way he or she thinks fit.

3. **Prohibition of Anti-Social Behaviour within the Borough of Hastings (land edged Black – Map 1)**

   Persons are prohibited from intentionally or recklessly, shouting, swearing, screaming or acting in a manner to cause, or likely to cause, nuisance or annoyance or alarm or distress or harassment to a member of the public, or disorder within the Borough of Hastings.

4. **Prohibition of "Aggressive Begging" within the Restricted Area (land edged Black – Map 1)**

   Persons are prohibited from "Aggressive Begging" within the Restricted Area. For the purposes of this paragraph, "Aggressive Begging" means:

   a. Approaching people in order to beg for money in a way that people may find intimidating and/or menacing.

   b. Using verbal requests for money, donations, goods or other materials, help or assistance in a way that people may find intimidating and /or menacing.

   c. Loitering or approaching people in close proximity to a cash machine.

   This prohibition shall not apply to any authorised collections made on behalf of registered charities or other approved organisations with the prior written express consent of the Authority.

AUTHORISED PERSONS

For the purposes of the above prohibitions an "Authorised Person" means a constable, a police community support officer or a person so authorised by the Authority.

EXEMPTIONS

Nothing in Prohibition 1(i) and (ii) shall apply to:-

a. Premises authorised by a premises licence under the Licensing Act 2003 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 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 115 of the Highways Act 1980 (highway related uses);

f. Council-operated licensed premises –

    i. When the premises are being used for the supply of alcohol, or

    ii. Within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

OFFENCES

(a) A person commits an offence if they fail, without reasonable excuse, to comply with an Authorised Person's request pursuant to Paragraph 1 (above) that the person:

    i. Stop consuming alcohol or anything which the Authorised Person reasonably believes is an alcoholic beverage, and/or

    ii. Surrender any alcohol or anything which the Authorised Person reasonably believes to be alcohol, that is in the person's possession including a container for alcohol, and

And the Authorised Person told the person that failing without reasonable excuse to comply with the requirement was an offence. A person convicted of an offence under this Sub-Paragraph (a) is liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale (Currently £500).

(b) A person commits an offence if they breach a prohibition listed in Paragraphs 2 - 4 above without reasonable excuse. A person convicted of an offence under Sub-Paragraph (b) is liable on summary conviction to a fine not exceeding Level 3 on the Standard Scale (Currently £1000).

FIXED PENALTIES

(a) An Authorised Person may issue a Fixed Penalty Notice ("FPN", (the current maximum is up to £100.00) to anyone they have reason to believe has committed an offence as described above.

(b) A FPN is a notice offering the person to whom it is issued to, the opportunity of discharging any criminal liability to conviction for the offence by payment of a fixed penalty to the Authority specified in the FPN.

(c) Where a person is issued with a FPN under this section in respect of an offence:

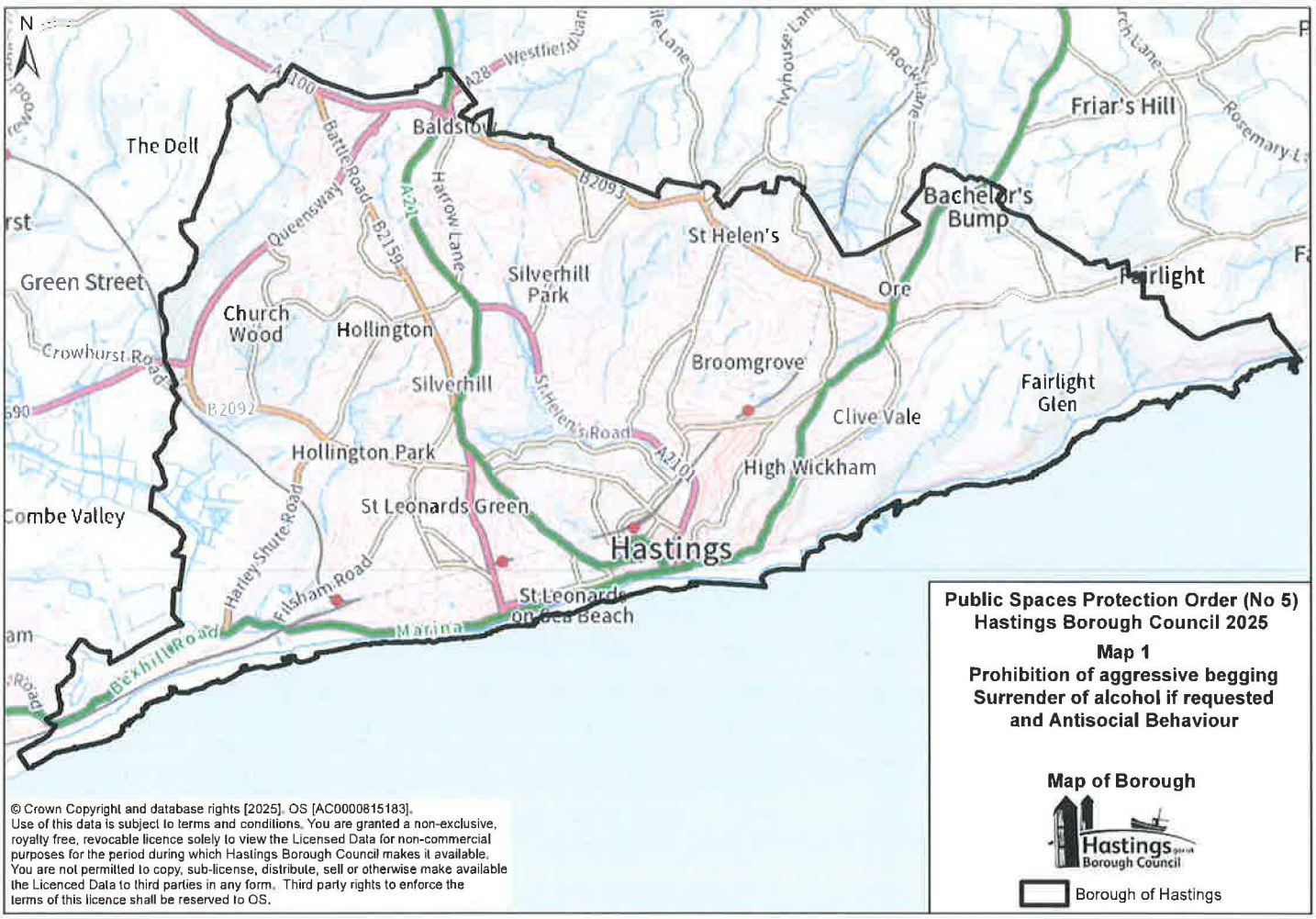
(i) No proceedings may be taken for the offence before the end of the period of 14 days following the date of the FPN, and

(ii) The person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

(d) A FPN will give reasonably detailed particulars of the circumstances alleged to constitute the offence, it will state the period during which proceedings will not be taken for the offence; it will specify the amount of fixed penalty ; it will state the name and address where payment should be made and specify the permissible methods of payment.

THE COMMON SEAL OF HASTINGS BOROUGH COUNCIL
was hereby affixed this 8th Day of July 2025

Authorised Signatory
P Bond for Chief Legal Officer



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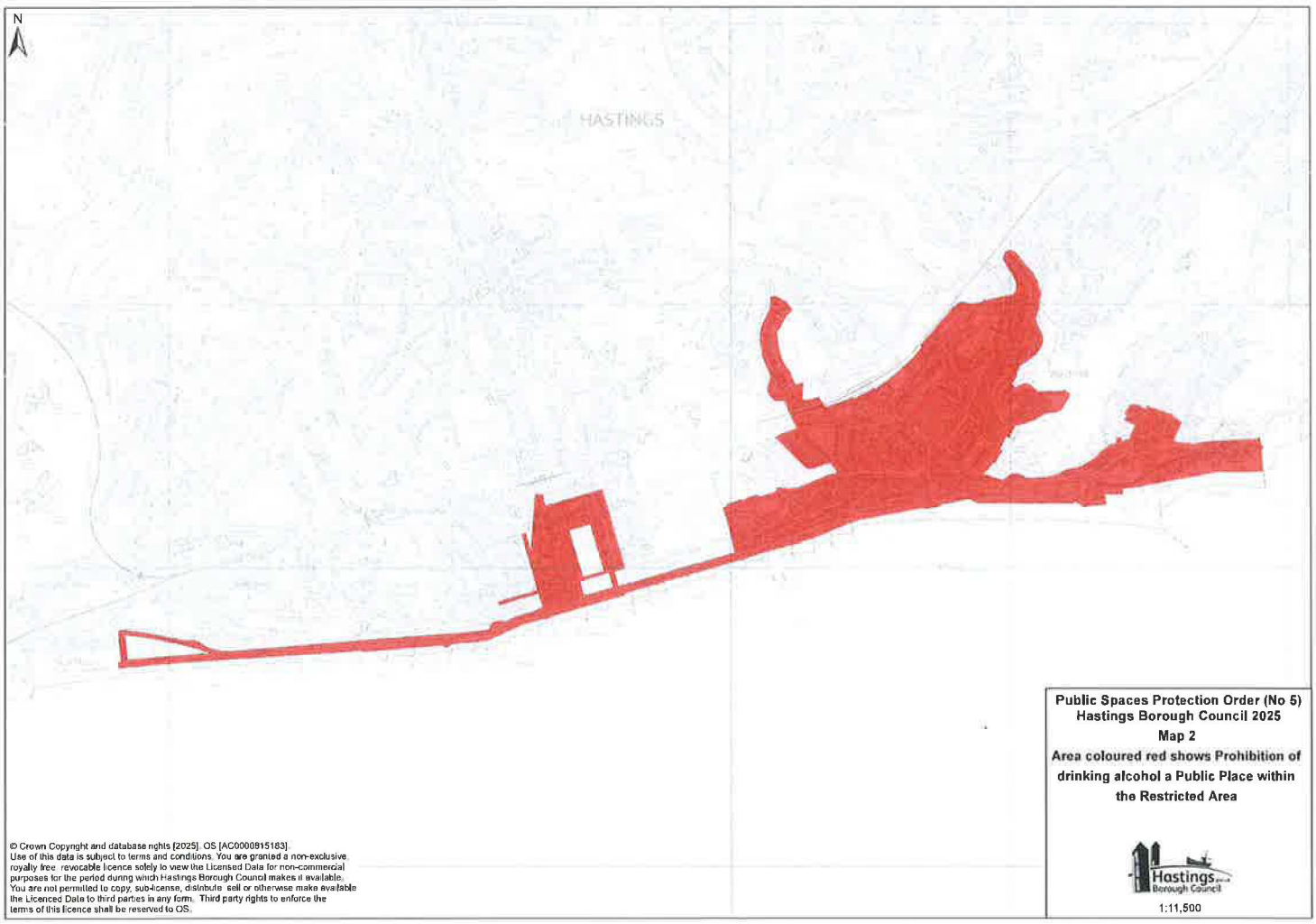
Map 1
Prohibition of aggressive begging
Surrender of alcohol if requested
and Antisocial Behaviour

Map of Borough

Hastings Borough Council

Borough of Hastings



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Map 2
Area coloured red shows Prohibition of drinking alcohol a Public Place within the Restricted Area

Hastings Borough Council

1:11,500

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