



**Birmingham City Council (Coventry Road) Public Space
Protection Order**

Anti-Social Behaviour, Crime and Policing Act 2014 – Section 59

Public Space Protection Order

The Order shall come into force on xx 2025 at 00.00hrs

**If you do not obey the order you will be committing a
criminal offence and may be prosecuted by the Council
within a Magistrates' Court for an offence under Section
59 of the Anti-Social Behaviour, Crime and Policing
Act 2014**

THIS ORDER is made by Birmingham City Council (the Council) under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, because the council is satisfied on reasonable grounds that there are activities, carried out or are likely to be carried out in a public space namely the area within and surrounding Birmingham City Centre shown outlined on the map attached (the restricted area) that have had, or are likely to have, a detrimental effect on the quality of life of those in the locality. The effect or likely effect of these activities is of a persistent or continuing nature, such as to make these activities unreasonable, and justifies the restrictions imposed in this order.

These activities include:

- Street trading of goods and services.
- Any peddling of goods and/or services.
- Charity Cash or Digital Collections.
- Obstructing the highway.

THIS ORDER PROHIBITS the following things being done in any public space in the restricted area.

AND REQUIRES specified things to be done by persons carrying on specified activities in the restricted area.

1) Street Trading

Any person is prohibited from, at any time, trading goods or services (with or without payment) within the restricted area without an appropriate consent issued by the Council.

2) Peddling

Any person is prohibited from, at any time, peddling goods or services (with or without payment) within the restricted area.

3) Charity Cash or Digital Collection

Any person is prohibited from soliciting for cash or digital donations for commercial or charity gain without appropriate consent/licence for such collection issued by the Council.

4) Obstruction of the public highway

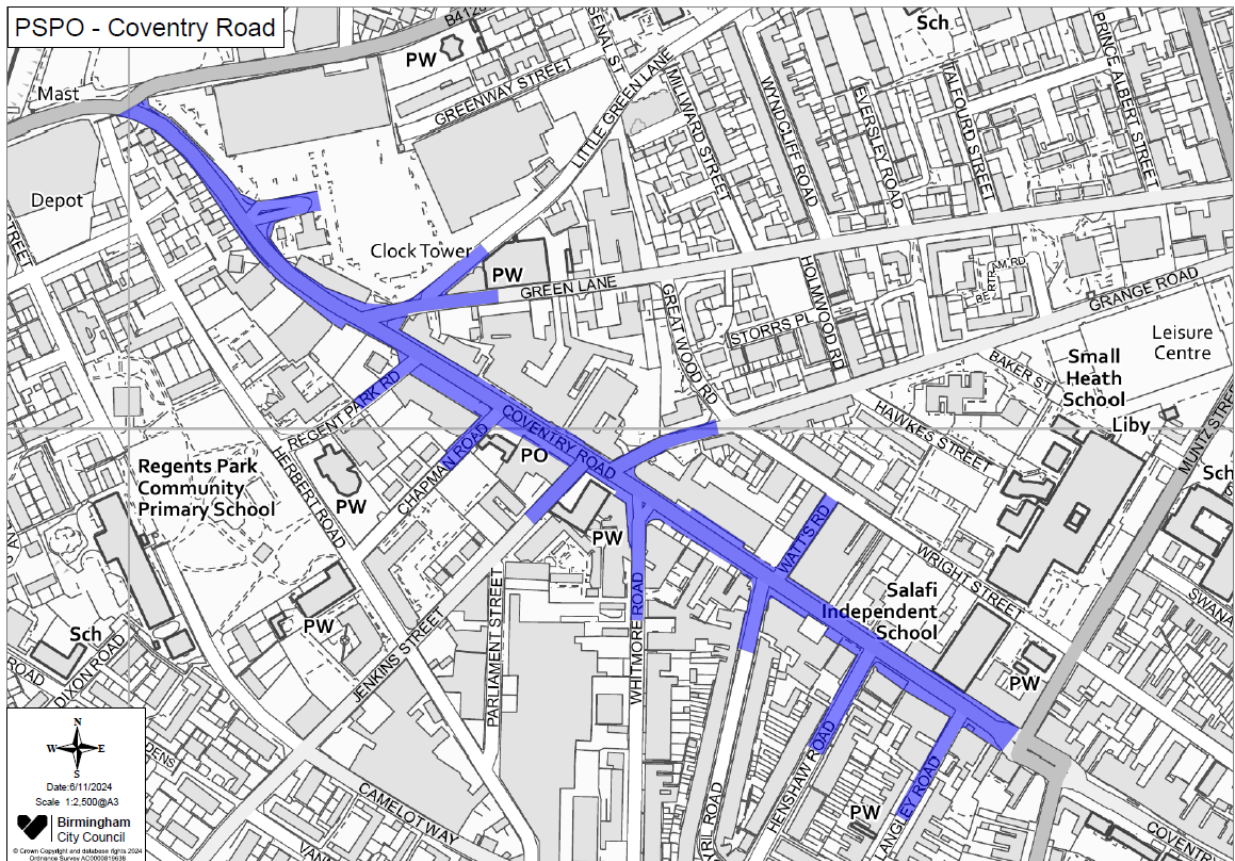
Any person is prohibited from obstructing the highway in any way that hinders the use of highway without lawful authority issued by the Council.

Definitions

"Authorised Officer" means a Police Constable, Police Community Support Officer or Council Officer, The Council Officer shall present their authority upon request (as long as it is practicable to do so)

"Restricted Area" shown outlined on the map attached.

The **restricted area** covers all "public place" which 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. This includes public highway, private forecourts, and car parks.



THIS PUBLIC SPACE PROTECTION ORDER WILL BE EFFECTIVE FROM 2 WEEKS BEFORE RAMADAN, DURING RAMADAN, DURING EID AL-FITR AND TWO WEEKS AFTER EID-AL-FITR .

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THIS ORDER WILL BE IN FORCE FOR A PERIOD OF 3 YEARS AND WILL EXPIRE ON THE XX 2028 AT 23.59HRS.

Right to challenge the validity of this order

An interested person may apply to the High Court to question the validity of this order. An interested person is someone who lives in, regularly works in, or visits the restricted area. An application must be made within the period of 6 weeks beginning with the date on which the order is made. This right to challenge also exists where an order is varied by a council. Interested persons can challenge the validity of a PSPO on two grounds. They could argue that the council did not have the power to make the order, or to include particular prohibitions or requirements. In addition, the interested person could argue that one of the requirements (for instance, consultation) had not been complied with.

When the application is made, the High Court can decide to suspend the operation of the PSPO, pending the verdict in part or in totality. The High Court has the ability to uphold the PSPO, quash it, or vary it.

SIGNED

DATED

Duly Authorised Officer

Director of City Operations

Directorate

SIGNED

DATED

Duly Authorised Officer

West Midlands Police

Any enquiry relating to this order may be made from 09.00 – 16.00 hours Monday to Friday at:

Tradingstandards@birmingham.gov.uk

Offence and Penalty on breach.

It is an offence for a person, without reasonable excuse, to:

- Do anything that the person is prohibited from doing by a PSPO ; or
- Fail to comply with a requirement to which the person is subject under a PSPO.

A person does not commit an offence by failing to comply with a prohibition or requirement that the Council did not have the power to include in the PSPO. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Depending on the behaviour in question, the enforcing officer could decide that a fixed penalty notice (FPN) would be the most appropriate sanction. The FPN can be issued by a police officer, or other authorised person. In making the decision to issue a FPN, the officer should consider that if issued, payment of the FPN would discharge any liability to conviction for the offence. However, where the FPN is not paid within the required timescale, court proceedings can be initiated (prosecution for the offence or failing to comply with the PSPO).