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Appendix C

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PUBLIC SPACES PROTECTION ORDER (BARBECUES) ORDER 2026

1. This Order is made by the Royal Borough of Windsor and Maidenhead ('the Council') pursuant to section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ('the Act') and all other enabling powers.

2. This Order may be cited as the Royal Borough of Windsor and Maidenhead Public Spaces Protection (Barbecues) Order 2026 and shall come into effect on 8th October 2026.

3. The Council is satisfied on reasonable grounds that:

i. the activities below have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality; and

ii. the effect, or likely effect, of the activities:

a. is, or is likely to be, of a persistent or continuing nature;

b. is, or is likely to be, such as to make the activities unreasonable; and

c. justifies the restrictions imposed by this Order.

4. The activities with which this Order is concerned are:

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Persons using barbecues in public places.

5. The Council is satisfied that the prohibitions which are imposed by this Order are ones which are reasonable to impose in order to prevent the detrimental effect of the activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

6. 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 has concluded that the prohibitions of this Order are compatible with those rights and do not unlawfully infringe those rights.

7. This Order shall be in force for a period of 3 years from the date when this Order is made (shown below in this Order). This Order applies to all persons at all times while it remains in force.

8. This Order applies to 'the Restricted Area' which is the land set out in Schedule A to this Order, being all public places within the boundaries of the Royal Borough of Windsor and Maidenhead.

9. The prohibition imposed by this Order is the following:

i. No person may light, cook with, set up or otherwise use a barbecue or barbecues in the Restricted Area (defined in this Order as all public places within the boundaries of the Royal Borough of Windsor and Maidenhead).

For the purposes of this Order, a barbecue includes any permanent, disposable, temporary, makeshift or homemade barbecue or any open fire for the purposes of heating or cooking food.

10. Under section 67 of the Act, any person who, without reasonable excuse lights, cooks with, sets up or otherwise uses a barbecue or barbecues in the Restricted

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Area shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale or shall be liable to be issued with a fixed penalty notice.

A person does not commit an offence under section 67 of the Act by failing to comply with a prohibition that the Council did not have power to include in this Order.

11. Depending on the circumstances of a person's failure to comply with this Order, a constable or authorised person may decide that a fixed penalty notice should be issued to the person. Under section 68 of the Act, if a fixed penalty notice is issued and the person pays the fixed penalty to the Council before the end of the period of 14 days following the date of the notice, the person will have discharged any liability to conviction for the offence. However, if payment of the fixed penalty is not made within the required period, proceedings may be brought against the person in respect of any offence of not complying with any part of this Order.

12. Under section 66 of the Act, any interested person (meaning any individual who lives in the Restricted Area or who regularly works in or visits the Restricted Area) may apply to the High Court within 6 weeks of the date when this Order is made to question the validity of this Order on the grounds that:

i. The Council did not have power to make the Order or to include particular prohibitions imposed by this Order; and/or

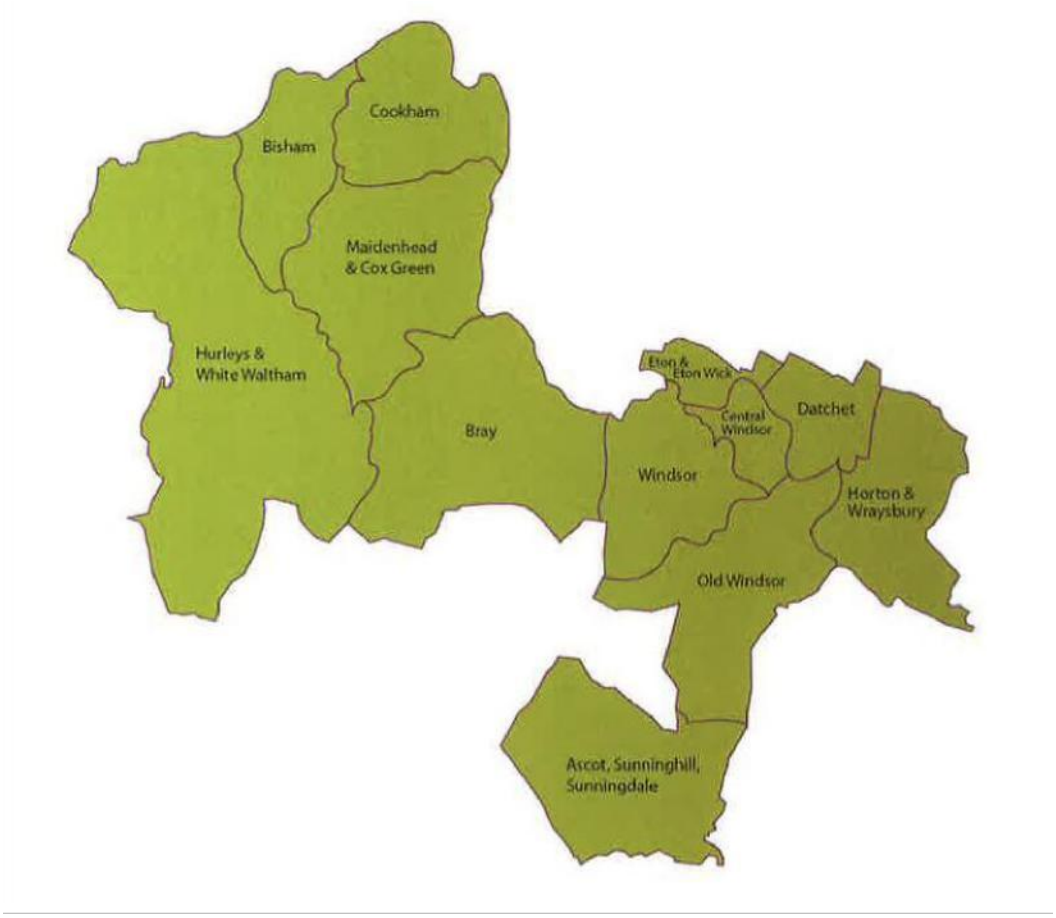
ii. Any requirement under Chapter 2 of the Act was not complied with in relation to this Order.

SCHEDULE A – the Restricted Area

The Restricted Area is all public places within the boundaries of the Royal Borough of Windsor and Maidenhead

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The boundaries of the Royal Borough of Windsor and Maidenhead are shown on the boundary map below



THE COMMON SEAL of the

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

was hereunto affixed

this 8th day of October 2026

[redacted]

in the presence of:

[redacted]

Authorised Signatory

Seal No: 30912