

THIS AGREEMENT is made the day of Two thousand and
eighteen **BETWEEN** (*insert names of community representatives*) (hereinafter
together called “the Community”) of the one part and **BRIGHTON & HOVE
CITY COUNCIL** of Hove Town Hall, Norton Road, BN3 3BQ acting by the
officer who has signed this document (hereinafter called “the Council”) of the other
part

WHEREAS

(1) The Council is the highway authority for Brighton and Hove for the purposes
of the Highways Act 1980 (“the 1980 Act”) and is empowered to make a public
space protection order pursuant to Section 59, 64 and 72 of the Antisocial
Behaviour, Crime and Policing Act 2014 restricting access into St James Court alley
for the purposes of reducing crime or anti-social behaviour

(2) The Council has resolved to make the St James Court Public Space
Protection Order (PSPO) 2018 permitting the erection of a gate at the southern
entry to the St James Court alley subject to the provision and day to day operation
of the gate being procured, installed and operated by interested residents

(3) The Community have agreed to finance and operate the Gate in accordance
with the provisions hereinafter appearing

WITNESSETH

I. **THE** Community hereby jointly and severally agree as follows:

- (i) To work in close partnership with the council to install the
Gate and thereafter to maintain the same to the satisfaction of
the Council
- (ii) To maintain and replace when necessary locking mechanisms
on the gate

- iii) To ensure that BHCC Highways, Cityclean and out of hours service are informed of any change to the combination code or access arrangements

- 2. **IT IS HEREBY AGREED AND DECLARED** that all costs associated with this Agreement (and which for the avoidance of doubt include the installation and maintenance of the Gate) shall be borne by the Community jointly and severally

- 3. THE Council reserves the right to terminate this Agreement should there be any default by the Residents in the terms of the same or should the Council be satisfied that the restriction imposed by the Public Space Protection Order is no longer expedient in all the circumstances for the purpose of reducing crime or anti-social behaviour.

- 4. If this agreement were to be revoked and/or the Public Space Protection Order rescinded, the council reserves the right to remove the gate.

- 5. Nothing contained or implied in this Agreement shall prejudice or affect the rights discretions powers duties and obligations of the Council under all statutes by-laws statutory instruments orders and regulations or other enabling power in the exercise of its function as the highway authority for Brighton & Hove.

SIGNED by the said

SIGNED by the said

SIGNED by the said

SIGNED BY

For and on behalf of Brighton & Hove City Council

DATED _____ **2013**

- and -

Brighton & Hove City Council

AGREEMENT

To erect and maintain a gate at the St James Court alley
Brighton

Abraham Ghebre-Ghiorghis
Head of Law
Brighton and Hove City Council
Hove Town Hall
Hove BN3 3BQ

