
**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTION 59 PUBLIC SPACES PROTECTION
ORDER**

Warrington Borough Council Public Spaces Protection Order to Control Drinking throughout the Borough of Warrington

This Order is made by Warrington Borough Council ("The Council") under the Antisocial Behaviour, Crime and Policing Act 2014, Section 59 ("The Act").

1. This Order relates to the public space within the area edged red on the plan of Warrington Borough which appears at Appendix 1, being public space in the Council's area to which the Act applies ("The Restricted Area").
2. The Council is satisfied on reasonable grounds that the activities carried on or likely to be carried on in public space within the Restricted Area
 - have had a detrimental effect on the quality of life of those in the locality, or it is likely that they will have such an effect and
 - are, or are likely to be, of a persistent or continuing nature, such as to make the activities unreasonable and justifies the restrictions imposed by the Order.
3. The effect of the Order is to impose the following prohibitions and/or requirements at all times:

Alcohol: any person is prohibited from, at any time, consuming alcohol or having an open alcohol container, in public spaces within the Restricted Area unless subject to exemptions listed in Appendix 2 below

- (i) In the Restricted Area, if a Police Officer, Police Community Support Officer or authorised person from the Council reasonably believes that a person, without reasonable excuse
 - drinks or continues drinking alcohol or anything which the Police Officer, Community Support Officer or authorised person reasonable believes to be alcohol when asked to stop.
 - Fails to surrender any alcohol or anything which the Police Officer, Community Support Officer or authorised person reasonably believes to be alcohol or a container for alcohol in his possession when asked to do

That person commits an offence under section 63 and is liable on summary conviction to a fine not exceeding level 3 on the standard scale or if in receipt of a Fixed Penalty Notice to a penalty up to the statutory maximum.

- (ii) A police officer or authorised person may dispose of anything surrendered under the above provision in any way he or she thinks fit.

4. The Order will remain in force for a period of 36 months from the date of this Order, unless extended by further Orders under the Council's statutory powers.
5. In making this Order the Council has had particular regard to the rights of freedom of expression and freedom of assembly set out in article 10 and 11 of the European Convention on Human Rights.

APPENDIX 1

The Restricted Area: the whole of the Borough of Warrington in accordance with the area edged red on the attached plan.

APPENDIX 2 – EXEMPTIONS

- a. Premises authorised by a premises licence 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 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).

The Common Seal of
WARRINGTON BOROUGH CONCIL
Was hereunto affixed on the
In the presence of

1st day of July 2021

Paul Clisby
Authorised Signatory.

PAUL CLISBY
LEGAL SERVICES MANAGER (CORPORATE)





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WARRINGTON
 Borough Council

**PUBLIC SPACES PROTECTION ORDER (PSPO)
 WARRINGTON BOROUGH – JULY 2021**

Paul CB