

## COPELAND BOROUGH COUNCIL

### ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

#### PUBLIC SPACE PROTECTION ORDER NUMBER 1 of 2019 (the "ORDER") – ALCOHOL CONTROL

This Order shall come into operation on 21<sup>st</sup> June 2019 and shall have an effect for three years thereafter, unless extended by further order under the Council's statutory powers.

Copeland Borough Council exercises its powers under Section 59, of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") and under all other enabling powers, hereby makes the following Order.

1. This Order relates to the public spaces described in the Schedule to this Order ("the Restricted Areas")
2. The Council is satisfied on reasonable grounds that the two conditions have been met:
  - a. activities carried on or likely to be carried on in public spaces within the Restricted Areas as described in Schedule 1 and shown edged red on the maps in Schedule 2 have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the Restricted Areas and they will have such an effect;
  - b. the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make these activities unreasonable and justifies the restrictions imposed by this Order.
3. The effect of the Order is to impose the following prohibitions and/or requirements in the Restricted Areas at all times:

#### PROHIBITIONS:

- a. Any person(s) will not: consume alcohol, or be in possession of an open container of alcohol in a public space within the Restricted Areas at any time.
- b. Exemptions shall apply in cases where for the avoidance of doubt the consumption of alcohol is on premises or public space licensed under the Licensing Act 2003.
- c. In the Restricted Areas, if a Police Constable, Police Community Support Officer or person authorised by the Council reasonably believes that a person(s) without reasonable excuse:-
  - i. Drinks or continues drinking alcohol or anything which the Police Constable, Police Community Support Officer or authorised person from the Council reasonably believes to be alcohol when asked to stop
  - ii. Fails to surrender any alcohol or anything which the Police Community Support Officer or authorised person from the Council reasonably believes to be alcohol or a container of alcohol in a person(s) possession when asked to do so

That person(s) commits an offence under Section 63 and is liable on summary conviction to a fine not exceeding level two on the standard scale.

**FIXED PENALTY NOTICES AND OFFENCES:**

4. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
5. In accordance with Section 63 of the Act, a person found to be in breach of this Order by consuming alcohol or by refusing to surrender alcohol to a Police Constable, Police Community Support Officer or authorised person from the Council may issue a Fixed Penalty Notice up to £100, reduced to £50 if paid within 10 days.

**APPEALS:**

In accordance with Section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

Given under the Common Seal of Copeland Borough Council On the

21<sup>st</sup> day of June 2019

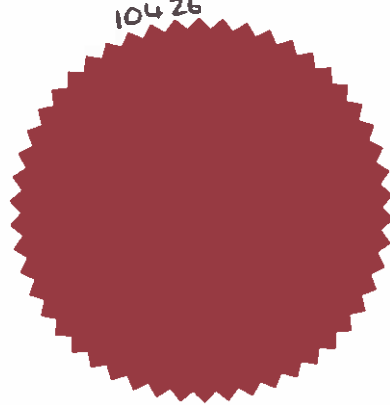
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**THE COMMON SEAL of the COUNCIL**

was hereunto affixed in the presence of:

E. P. G. M. A. M. O. W. Authorised Officer

CEO Designation



**COPELAND BOROUGH COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

**PUBLIC SPACE PROTECTION ORDER NUMBER 1 of 2019 (the "ORDER") – ALCOHOL CONTROL**

**SCHEDULE 1**

**Whitehaven (map one)**

A - Whitehaven Town Centre

B - Land at Hensingham.

C - Land at High Road Kells including playing fields adjacent to the library, St Mary's Church Primary School, Kells County School, Lawsons Close, South Row and the two open areas to the rear of South Row bordering with West Row and Mid Street.

**Cleator Moor (map two)**

A - Cleator Moore Town Square and land extending from the existing designation for Cleator Moor Town Centre southwards, along Jacktrees Road to include the play area opposite Earl Street, eastwards along Ennerdale Road to its end, northwards along Birks Road up to and including Aldby Street, westwards along High Street to the Job Centre.

**Distington (map three)**

Main Street Distington.

**Egremont (map four)**

Main Street Egremont, up to and including the Memorial and including Main Street, Egremont and including the "Horn of Egremont" Land to the North of Main Street and South Street, Egremont covering Chapel Street, Ehen Court Road, Lamb Lane, Church Street, Croft Terrace, Wyndham Place, Beck Green (Skate Park) and Cross Side and adjoining open space to the north and east including Egremont Castle.

**Frizington (map five)**

Frizington Road, Frizington from the 30mph sign entering the village to the junction of Coronation Drive/Mill Street, Frizington. Main Street Frizington from the 30mph sign entering the village to the junction of Coronation Drive/Mill Street, Frizington. Mill Street Frizington from the 30mph sign entering the village to the junction of Coronation Drive/Mill Street, Frizington. Mill Street Frizington from the 30mph sign entering the village to the junction of Coronation Drive/Frizington Main Street, Frizington. Play park to the rear of Coronation Drive, Frizington. The grounds of St Paul's Churchyard, Frizington excluding St Paul's Church itself.

**Millom (map six)**

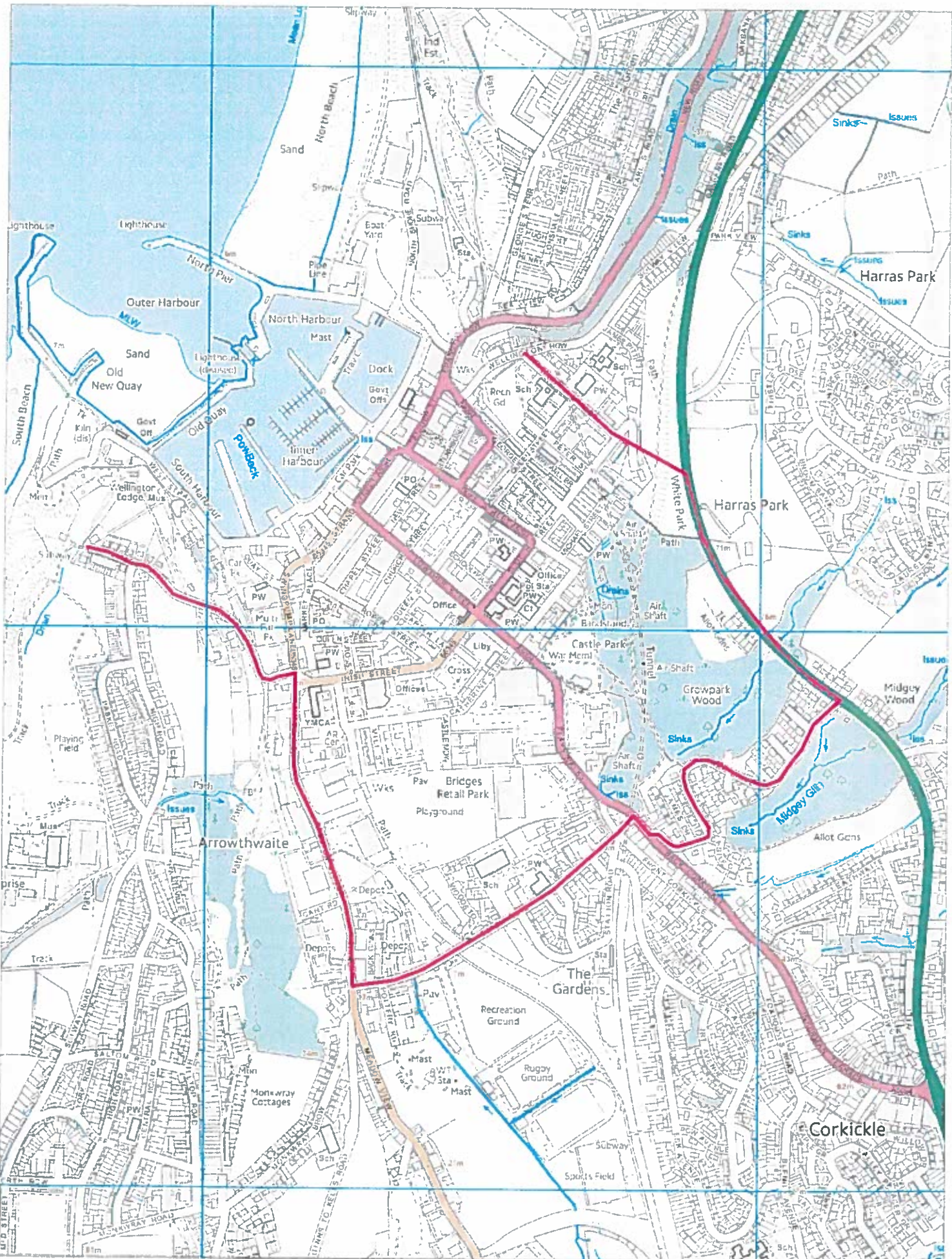
Market Place, and St Georges Park, and land adjoining streets including St Georges Terrace and St Georges Road from its junction with Station Road to Park View Nursery School to include Market Square.

**COPELAND BOROUGH COUNCIL**

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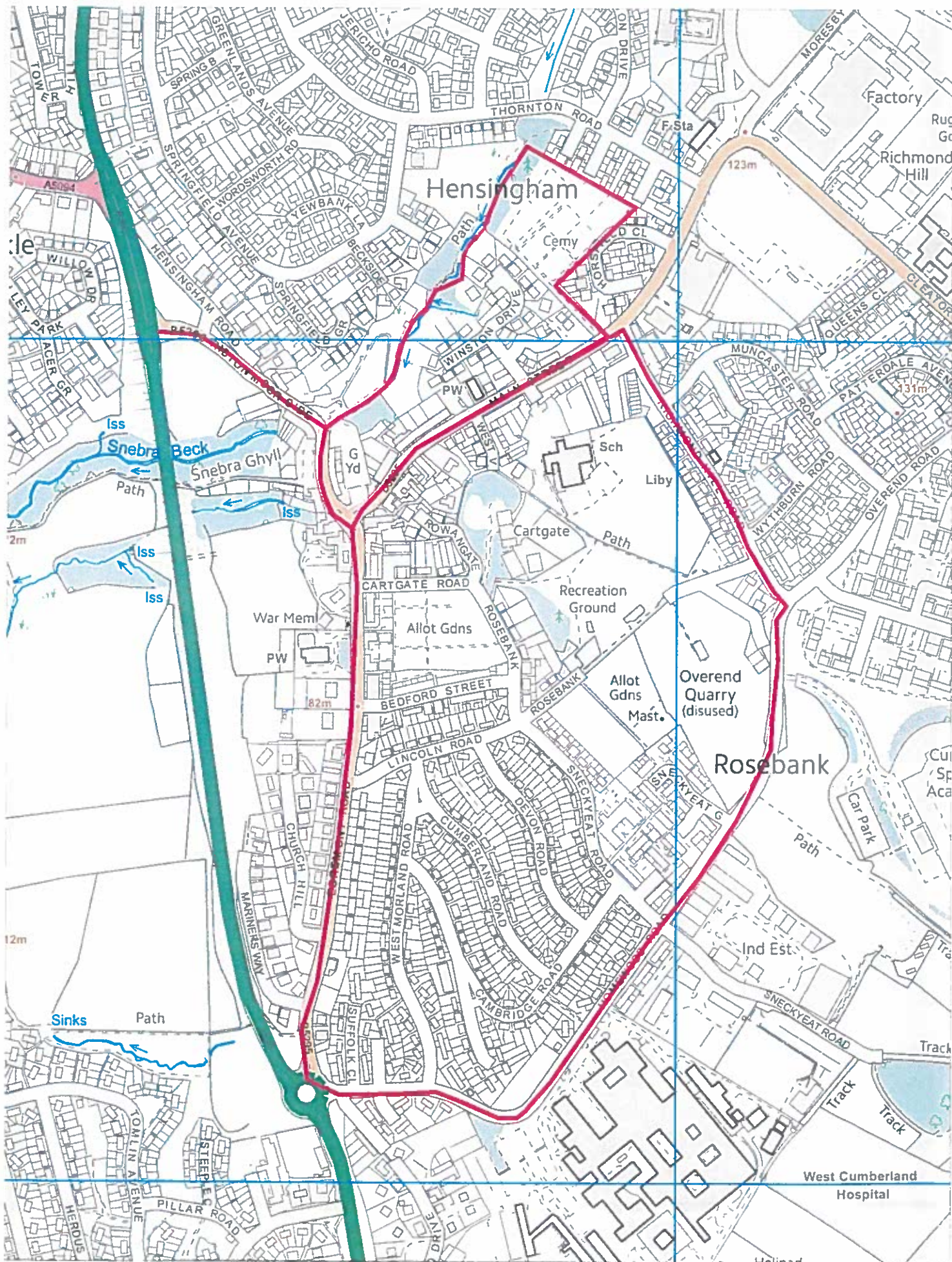
**SCHEDULE 2 - MAPS**



**Whitehaven Map 1A**

Copeland Borough Council  
 The Copeland Centre  
 Catherine Street  
 Whitehaven  
 Cumbria CA28 7SJ

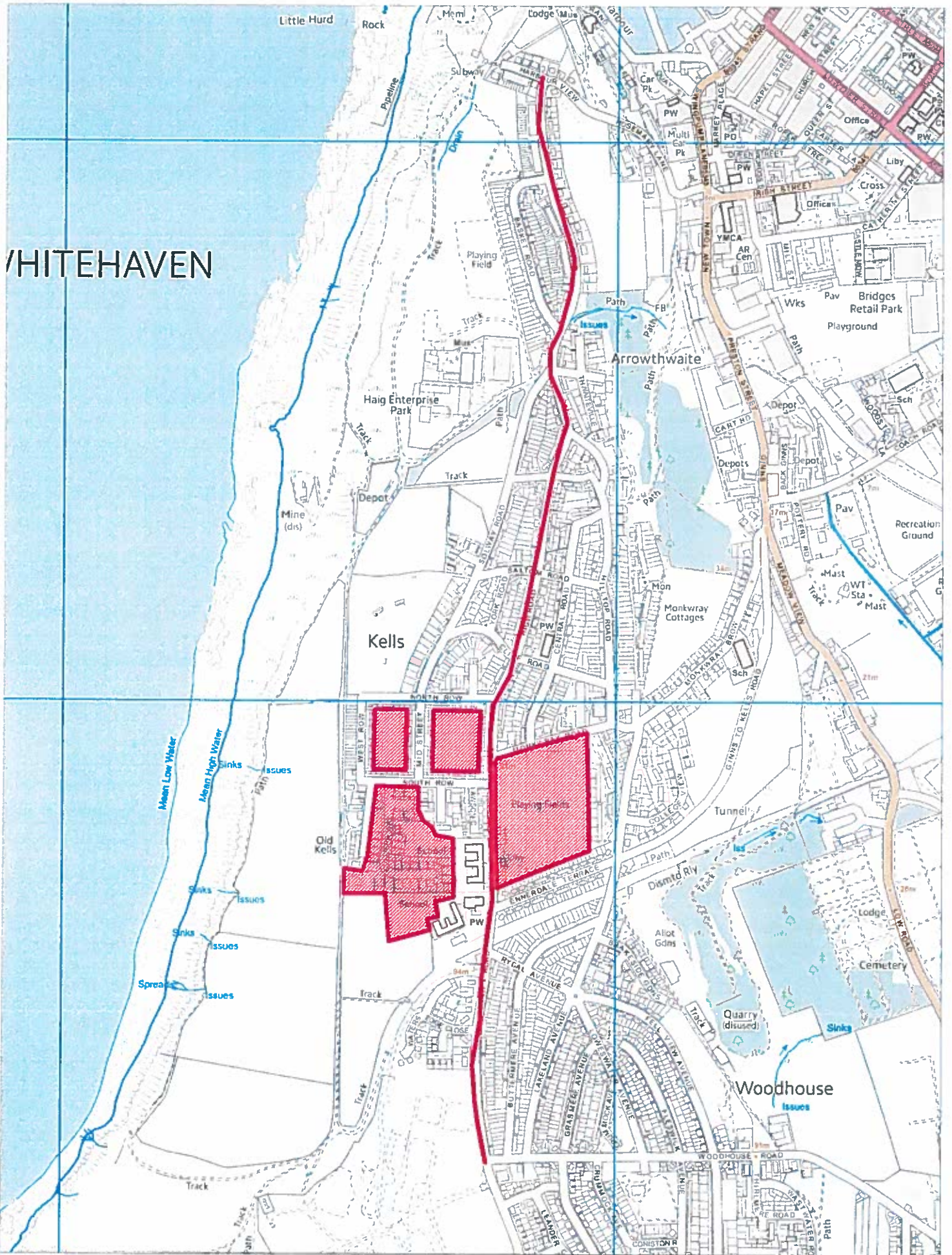




**Whitehaven Map 18**

Copeland Borough Council  
 The Copeland Centre  
 Catherine Street  
 Whitehaven  
 Cumbria CA28 7SJ



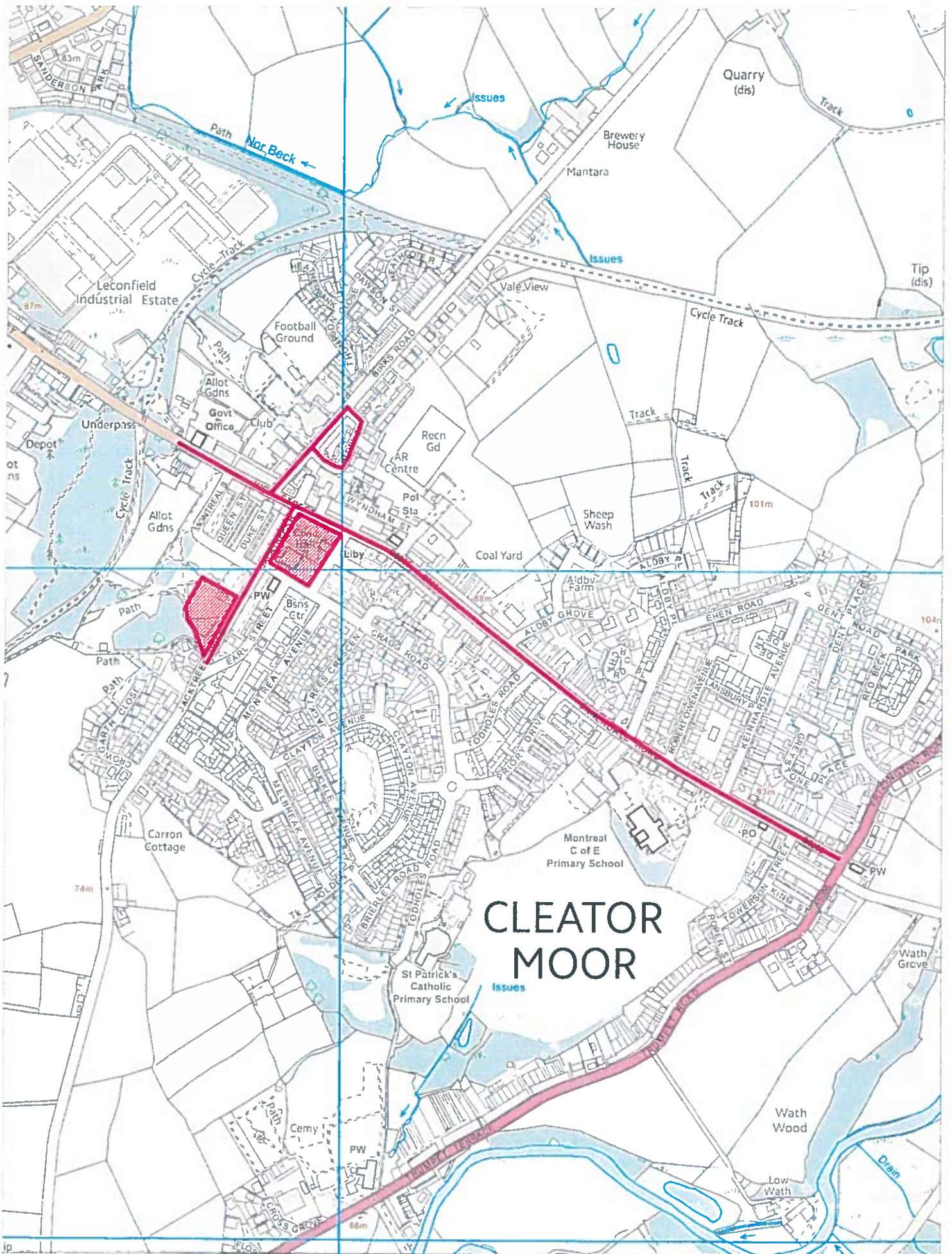


# WHITEHAVEN

Whitehaven Map 1C

Copeland Borough Council  
 The Copeland Centre  
 Catherine Street  
 Whitehaven  
 Cumbria CA28 7SJ



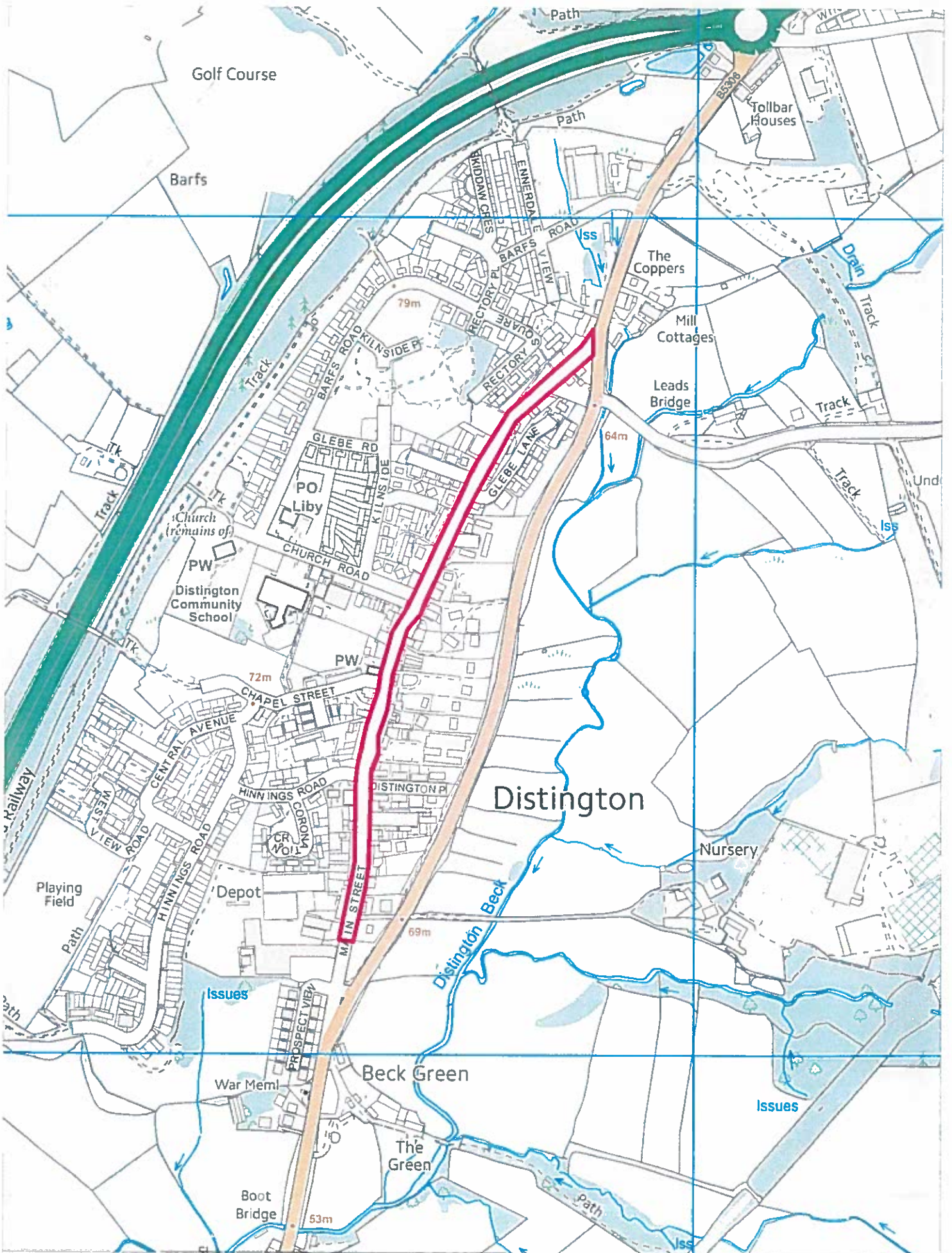


**Cleator Moor - Map 2**

Copeland Borough Council  
 The Copeland Centre  
 Catherine Street  
 Whitehaven  
 Cumbria CA28 7SI



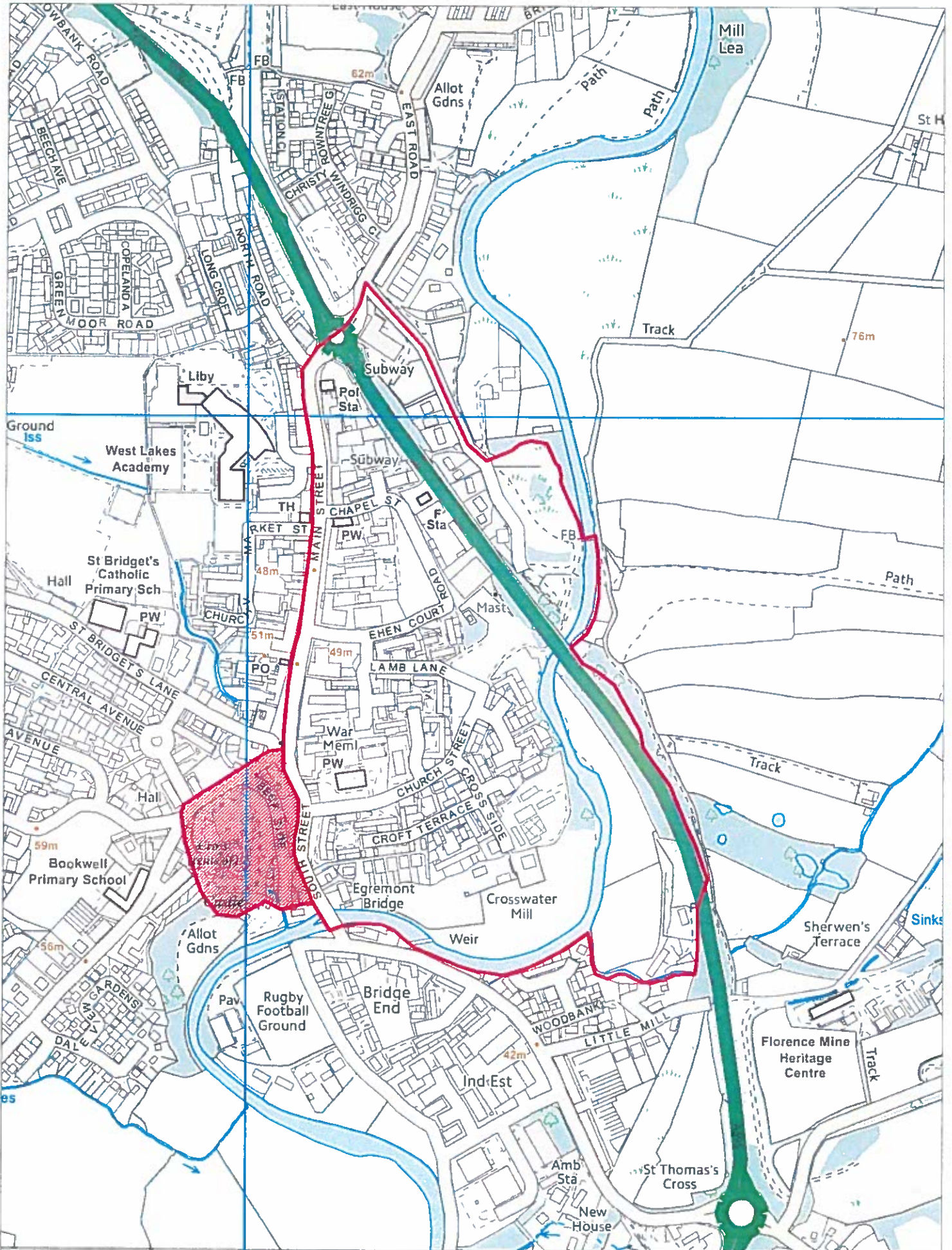




**Distington - Map 3**

Copeland Borough Council  
 The Copeland Centre  
 Catherine Street  
 Whitehaven  
 Cumbria CA28 7SJ

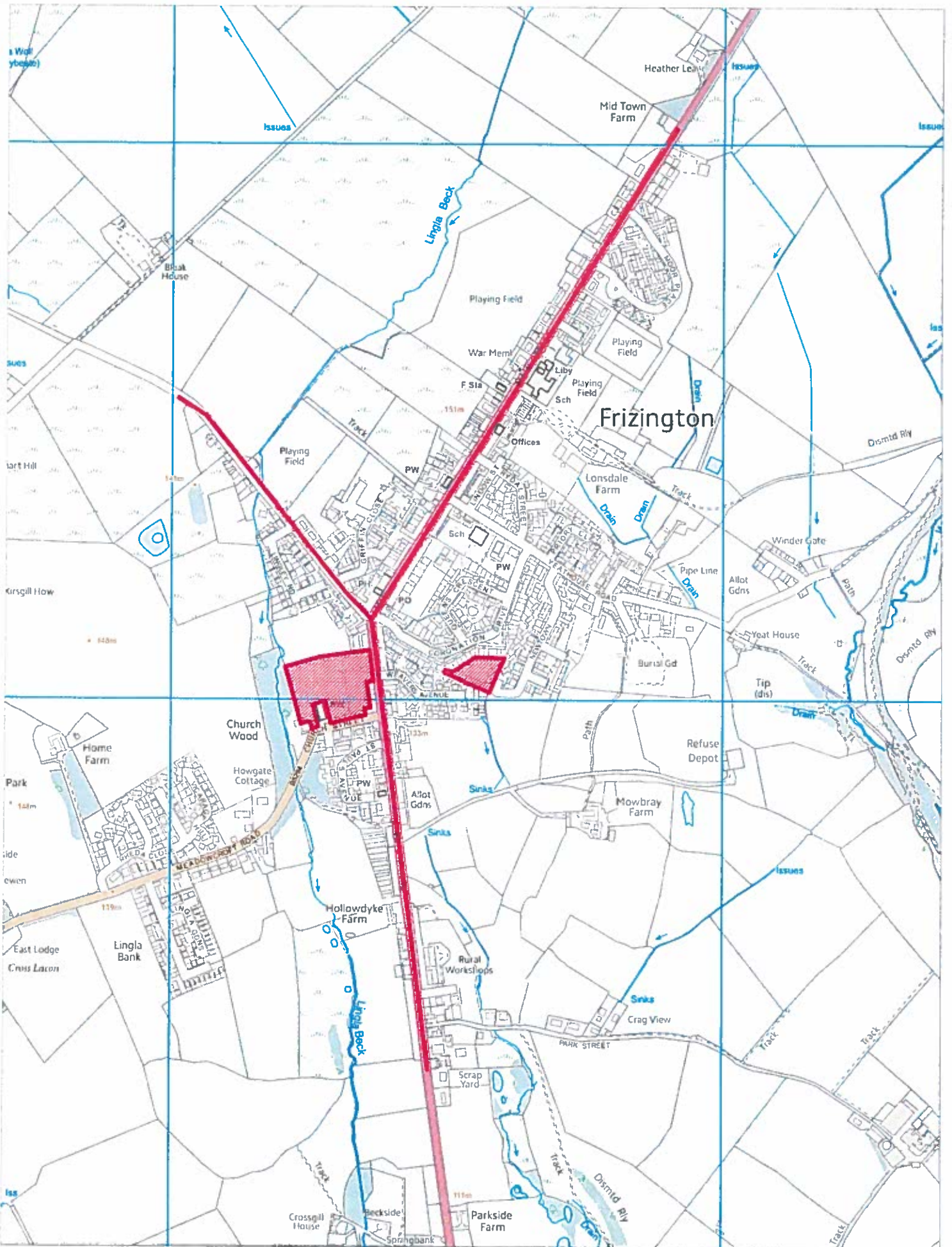




**Egremont - Map 4**

Copeland Borough Council  
 The Copeland Centre  
 Catherine Street  
 Whitehaven  
 Cumbria CA28 7SJ

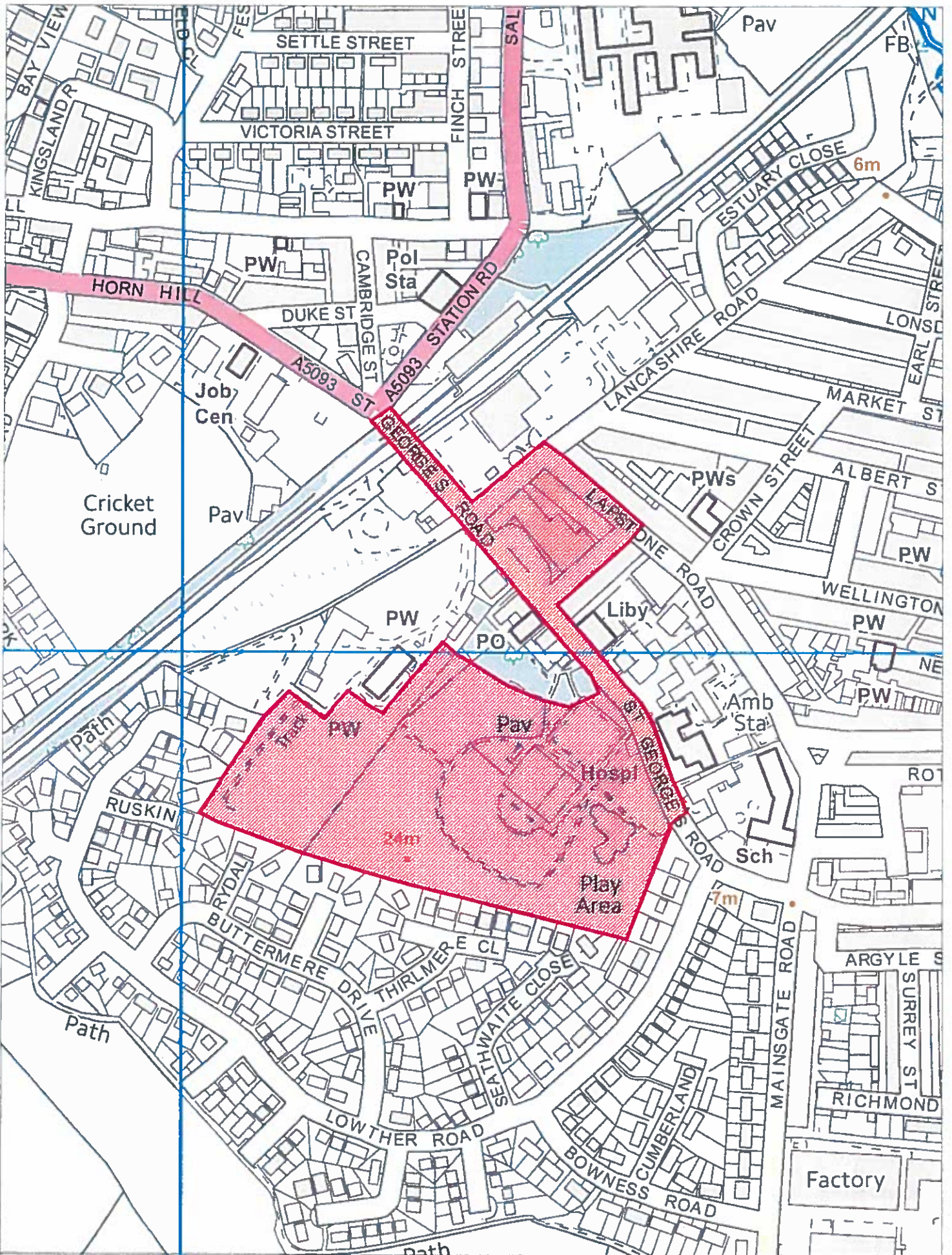




**Frizington - Map 5**

Copeland Borough Council  
 The Copeland Centre  
 Catherine Street  
 Whitthaven  
 Cumbria CA28 7SI





Millom - Map 6

Copeland Borough Council  
 The Copeland Centre  
 Catherine Street  
 Whitehaven  
 Cumbria CA28 7SJ

