

Public Spaces Protection Orders Alcohol consumption in designated public spaces

Anti-social Behaviour, Crime and Policing Act 2014, Part 4

TAKE NOTICE that:

- 1 Under the provisions of Part 1, Chapter 2 of the Criminal Justice and Police Act 2001 (*"the 2001 Act"*) and section 75 (1) and (2) of the Anti-social Behaviour, Crime and Policing Act 2014 (*"the 2014 Act"*), the **Designated Public Places Orders** (*"DPPOs"*) set out in **Schedule 1** to this Notice are currently in force in the county of Northumberland in respect of alcohol consumption in designated public places.
- 2 In accordance with the provisions of 75(3) of the 2014 Act, with effect from **20th October 2017** the provisions of each of those DPPOs will be treated as if they were provisions of a **Public Spaces Protection Order** (*"PSPO"*) to which Chapter 2 of Part 4 of the 2014 shall have effect.
- 3 Each of these PSPOs shall have effect for a period of not more than **3 years** as from 20th October 2017 **unless** they are extended under section 60 of the 2014 Act.
- 4 The continuing effect of the PSPOs is substantially the same as that of the DPPOs and those provisions are set out in **Schedule 2** to this Notice.
- 5 A person who fails without reasonable excuse to comply with a requirement imposed on him or her under a PSPO commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500).
- 6 In accordance with section 68 of the 2014 Act an authorised person may offer the opportunity of discharging any liability to conviction for an offence by issuing a Fixed Penalty Notice requiring payment of a fixed penalty of £100 or a reduced sum of £80 if paid within 7 days.
- 7 Any reference to an *"Authorised Officer"* shall mean a duly authorised officer of the County Council; a Police Officer; or a Police Community Support Officer.

Dated this 20th day of October 2017

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SCHEDULE 1

The DPPOs

Title	Designated Areas *
The Alnwick Alcohol Consumption in Designated Public Places Order 2007	Alnwick
The Amble Alcohol Consumption in Designated Public Places Order 2007	Amble
The Alcohol Consumption in Designated Public Places (Ashington Town Centre) Order (No. 2)	Ashington
The Berwick-upon-Tweed (Alcohol Consumption in Designated Public Places) Designation Order (No. 1) 2004	<ul style="list-style-type: none"> • Berwick • Tweedmouth • Spittal
The Alcohol Consumption in Designated Public Places for area of Croft Ward Order (No. 1) 2005	Blyth (Croft Ward)
The Alcohol Consumption in Designated Public Places for area of Ridley Park Order (No. 1) 2006	Blyth (Ridley Park)
The Alcohol Consumption in Designated Public Places for area of Cramlington Order (No. 1) 2006	Cramlington
The Morpeth Alcohol Consumption in Designated Public Places Order 2008	Morpeth
The Ponteland Alcohol Consumption in Designated Public Places Order 2008	Ponteland
The Alcohol Consumption in Designated Public Places for the area of Tynedale Order (No. 1) 2006	<ul style="list-style-type: none"> • Allendale • Corbridge • Haltwhistle • Hexham • Prudhoe • Stocksfield
The Alcohol Consumption in Designated Public Places for the District of Wansbeck Order (No. 1) 2004	<ul style="list-style-type: none"> • Hirst Park and Playing Field etc. Ashington • Town Centre, Bedlington etc. • Town Centre, Ashington etc.

* (as more specifically described in the DPPO)

SCHEDULE 2

The continuing effect of the PSPOs

1 The Restricted Area

Those public spaces which are identified in the DPPOs referred to in Schedule 1.

2 The Restrictions

- (1) **Subject to the exceptions** listed in paragraph 2(2) below **and to the requirements** set out in paragraph 3, **no person shall** consume alcohol at any time in any part of the Restricted Area.
- (2) The restriction set out in paragraph 2(1) above does not apply to:
 - (a) premises (other than council-operated licensed 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) above;
 - (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 so used within the 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 115E of the Highways Act 1980 (highway-related uses).

3 The Requirements

Where an Authorised Officer reasonably believes that a person:

- (a) is or has been consuming alcohol in breach of a prohibition in a PSPO; or
- (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition

the Authorised Officer may require that person:

(a) not to consume, in breach of the PSPO, alcohol or anything which the Authorised Officer reasonably believes to be alcohol;

(b) to surrender anything in that person's possession which is, or which the Authorised Officer reasonably believes to be, alcohol or a container for alcohol

and the Authorised Officer must tell that person that failing without reasonable excuse to comply with the requirement is an offence.