

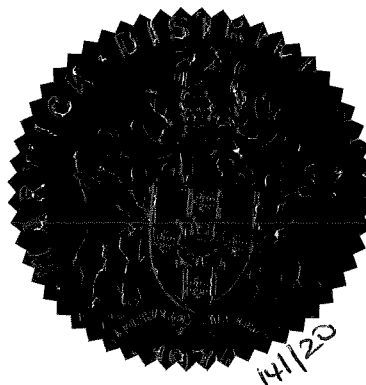
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

WARWICK DISTRICT COUNCIL PUBLIC SPACES PROTECTION ORDER 2020

Warwick District Council ("the Council") in exercise of its powers under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") and under all other enabling powers hereby make the following order:

1. This Order shall come into operation on 21st October 2020 and shall have effect for three years thereafter, unless extended by further order under the Council's statutory powers.
2. This Order relates to alcohol consumption and the use of intoxicating substances in public places within the whole Warwick District (Restricted Area).
3. Except as provided in paragraph 4 of the Order, all persons are prohibited at any time from ingesting, inhaling, injecting, smoking or otherwise using any intoxicating substances (which includes alcohol) and continuing to consume alcohol or use any other intoxicating substance when asked to stop by a police officer or other authorised person or failing to surrender any alcohol or any such substance to a police officer or other authorised person when asked to do so.
4. The restrictions in paragraph 3 of this Order shall not apply to premises authorised by a premises licence or premises club certificate to be used for the supply of alcohol under the Licensing Act 2003, a place within the curtilage of such premises, or to premises or places otherwise exempt from the operation of this Public Spaces Protection Order by Section 62 of the Anti-Social Behaviour Crime and Policing Act 2014.
5. The Council is satisfied that the conditions set out in section 59 of the Act have been met and that it is in all the circumstances necessary to make this Order for the purposes of combatting, within the restricted area, anti-social behaviour, public nuisance and disorder which have had or are likely to have a detrimental effect on the quality of life of those in the locality. The Council believes that the effect or likely effect of this is of a persistent or continuing nature such as to justify the restrictions imposed by this Order.
6. In accordance with section 63 of the Act, a person who fails to comply with a requirement of a constable or authorised person to stop consuming alcohol in breach of this Order, or fails to comply with a requirement of a constable or authorised officer to surrender alcohol is liable on summary conviction to a maximum penalty of a level 2 fine or to a Fixed Penalty Notice of up to £100.
7. In accordance with section 67 of the Act, it is an offence for a person to do anything that the person is prohibited from doing by a public spaces protection order, or to fail to comply with a requirement to which the person is subject under a public spaces protection order. A person guilty of an offence under this section is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice of up to £100.
8. 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.

EXECUTED and DELIVERED as a deed on the date first above written.



The common seal of)

WARWICK DISTRICT COUNCIL)

was hereunto affixed in the presence of:-)

D. M. Jones