

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT (2014)

THE BOROUGH COUNCIL OF CALDERDALE

ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES

PUBLIC SPACES PROTECTION ORDER 2020

This Order is made by the Borough Council of Calderdale ("the Council") under the Anti-social Behaviour, Crime and Policing Act 2014, in exercise of its powers under Sections 59, 60, 62 and 72 of the Anti-Social Behaviour, Crime and Police Act 2014 ("the Act"). The Council hereby makes the following Order:

1. This Order shall come into operation at 12:01am on the 21st October 2020 and shall have effect until midnight on 16th June 2022, unless extended by further Orders under the Council's statutory powers.
2. The Council is satisfied that the conditions set out in Sections 59, 60, 62, and 72 of the Act of 2014 have been met. The Council is satisfied on reasonable grounds that doing so is necessary to prevent:
 - a. occurrence or recurrence of the activities identified in the order, and / or
 - b. an increase in the frequency or seriousness of those activities after the expiry of the existing order on 20th October 2020.
3. The effect of the Order will make it a criminal offence to continue to consume intoxicating liquor in a designated public place when required not to do so by a constable or other authorised officer.
4. If a constable or other authorised officer reasonably believes that a person is or has been consuming intoxicating liquor in a designated public place or intends to do so in such a place, the constable or other authorised officer may require the person concerned : -
 - a) not to consume in that place anything which is or which the constable or other authorised officer reasonably believes to be intoxicating liquor.
 - b) to surrender anything in his possession which is or which the constable or other authorised officer reasonably believes to be intoxicating liquor or a container for such liquor, including a sealed container.
5. A constable or other authorised person may dispose of anything surrendered to him in such a manner as he considers appropriate.
6. Any person who fails without reasonable excuse to comply with a requirement imposed upon him by a constable or other authorised person under the above Act commits an offence and is liable to arrest and upon summary conviction to a fine not exceeding level 2 on the standard scale or to a fixed penalty of £80 payable within 14 days.
7. The land described in the Schedule below and shown on the map attached to this Order, being land in the area of the Council, is hereby designated for the purposes of that Act.
8. A map identifying the designated public places is available for inspection at Customer First, 19 Horton Street, Halifax, West Yorkshire, HX1 1QE, and within this document.
9. If any interested person desires to question the validity of this Order on the grounds that the Council has no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

10. An 'interested person' is someone who lives in, regularly works in or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge the Order.

Dated 16th October 2020

GIVEN under the Corporate Common Seal of the Borough Council of
Calderdale on 16th October 2020

THE CORPORATE COMMON SEAL of
THE BOROUGH COUNCIL OF CALDERDALE

Was hereunto affixed in the presence of:-

SCHEDULE:

Halifax, Brighouse, Todmorden, Elland, Sowerby Bridge, Hebden Bridge, Ripponden, Mytholmroyd, and all other populated areas in all Wards within the Metropolitan Borough of Calderdale.