

DATED

2023

DRAFT ORDER/

**THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
THE BOROUGH COUNCIL OF PENDLE
(ALCOHOL CONTROL)
PUBLIC SPACES PROTECTION ORDER 2020
EXTENSION AND VARIATION ORDER 2023**

H.P. Culshaw
Head of Legal Services
Town Hall Nelson Lancashire

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
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(ALCOHOL CONTROL)
PUBLIC SPACES PROTECTION ORDER 2020
EXTENSION AND VARIATION ORDER 2023

The Borough Council of Pendle (“the Council”) in exercise of its powers under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) being satisfied that the conditions set out in section 59 of the Act have been met hereby makes the following Order:-

1. The Borough Council of Pendle (Alcohol Control) Public Spaces Protection Order 2020 (“the 2020 Order”) which took effect on 20th October 2020 be extended for a further period of three years from 23rd October 2023.
2. The 2020 Order be varied as shown in Schedule 1 below.
3. This Order applies to the public spaces within the Borough Council of Pendle described in Schedule 2 to this Order and shown edged in blue on the plans annexed to this Order
2. This Order may be cited as the Borough Council of Pendle (Alcohol Control) Public Spaces Protection Order 2020 Extension and Variation Order 2023
3. This Order takes effect on the **23rd October 2023** and continues to have effect for a period of three years thereafter
4. **Offences**
- 4.1 Alcohol control in a public space:

All persons are prohibited from consuming alcohol and must dispose of any vessel believed to contain alcohol, when asked to do so by an authorised person, when it is believed that they are either committing or likely to commit anti-social behaviour in a public space.

An authorised person can require any person:

- a) Not to consume alcohol or anything the authorised person reasonably believes to be alcohol, in sealed or unsealed containers.
- b) To surrender anything in the person’s possession which is, or the authorised person reasonably believes to be alcohol.

Any surrendered items are to be retained by the authorised person and safely disposed of as appropriate

4.2 Exemptions

This provision does not apply to alcohol being consumed within premises (including designated outdoor areas) that have obtained a licence under the Licensing Act 2003 or section 115E of the Highways Act 1980.

4.3 Breaches

Failure without reasonable excuse to comply with clause 4.1 of this Order is a summary offence under section 67 of the Act. A person guilty of an offence under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale

5. For the purposes of this Order:

5.1 'alcohol' means any liquid, intended for consumption by the person in possession of it, containing more than 0.05% alcohol by volume; and

5.2 'authorised person' means an officer or agent acting on behalf of the Council, a police constable or a police community support officer.

The COMMON SEAL of the
BOROUGH COUNCIL OF PENDLE
was hereunto affixed to this document this

day of 2023

in the presence of

Howard Philip Culshaw
Head of Legal Services

SCHEDULE 1

VARIATIONS TO THE 2020 ORDER

1. Amended Plan 3 – to extend the Colne Town Centre boundary along Albert Road as shown on the Plan edged blue
2. Amended Plan 5 – to extend the Nelson Town Centre boundary along Leeds Road and to include Walton Street as shown edged blue.
3. Addition of Plan 6 – to include Swinden Hall Playing Fields Nelson shown edged blue now included in Schedule 2
4. Addition of Plan 7 – to include Bullholme Playing Fields Barrowford shown edged blue now included in Schedule 2

SCHEDULE 2

Plan No.	Area
1.	Barnoldswick Town Centre Victory Park Letcliffe Park
2	Barrowford Town Centre
3.	Colne Town Centre – Linden Road eastwards to Carry Lane for a distance of 50 metres either side of the centre of the A56/B2650 and extending along Albert Road
4.	Earby Town Centre and Sough Park
5.	Nelson Town Centre
6.	Swinden Hall Playing Fields Nelson
7.	Bullholme Playing Fields Barrowford