

The Anti-Social Behaviour, Crime and Policing Act 2014

Public Spaces Protection Order - (Thanet District Council) 2017

No. 2 (Alcohol control)

Thanet District Council (in this order called “the Authority”) hereby makes the following Order;

Under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, the authority is satisfied that alcohol related anti-social behaviour is being carried out within the area to which this order applies, it is likely that these activities will continue to be carried out and that this is having or it is likely to have a detrimental effect on the quality of life of those in the locality by causing harassment, alarm and distress.

This order relates to the land inside the area marked on the attached map (Schedule 1) which is outlined in red (‘the Restricted Area’) . This includes all spaces within this boundary that are accessible to the public.

This Order comes into force on Thursday 16th November 2017 for a period of 3 years.

Offences

1. Alcohol control in a public place

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 place.

An authorised person can require any person:

- a) To not consume alcohol or anything the authorised person reasonably believes to be alcohol, in sealed or unsealed vessels.
- b) To surrender anything in the person’s possession which is, or the authorised person reasonably believes to be, alcohol or likely to be used as a container for alcohol.

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

2. Exemptions

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

3. Breaches

If, without reasonable excuse, you fail to comply, with clause 1 of this Order, (Alcohol Consumption) you commit an offence for which the maximum penalty upon summary conviction is a fine not exceeding level 2 on the standard scale.

4. Definitions

Public place means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission. This includes beaches and foreshores.

Authorised person means an officer or agent acting on behalf of Thanet District Council, a police constable or a police community support officer.

Alcohol has the meaning as given by Section 191 of the Licensing Act 2003

5. Date of effect

This Order shall come into effect on Thursday 16th November 2017.

6. Length of Order

This Order shall have effect for a period of 3 years.

TO BE REVIEWED AND UPDATED FOLLOWING COMMUNITY FEEDBACK

Schedule 1 : "Restricted Area"

