

NUNEATON & BEDWORTH BOROUGH COUNCIL
ALCOHOL PUBLIC SPACE PROTECTION ORDER 2022 (the "Order")
Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014

Nuneaton & Bedworth Borough Council ("in this Order called the Authority") in exercise of its powers under Sections 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") and under all other enabling powers, hereby makes the following Order:

1. This Order may be cited as the Nuneaton & Bedworth Borough Council Alcohol Public Space Protection Order 2022 ("the Order").
2. This Order shall come into operation on 11 October 2022 and shall have effect for 3 years thereafter, unless extended by further orders under the Authorities statutory powers.
3. This Order relates to those parts of Nuneaton and Bedworth as shown edged red on the attached plan ("the Exclusion Zone").
4. The Authority is satisfied that the conditions set out in Section 59(2) of the Act have been met. Namely that anti-social behaviour and criminal activities have been carried out within the Exclusion Zone through the misuse of alcohol. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that activities will continue to be carried out within that area and have such an effect.
5. The Council is also satisfied that the conditions set out in the Section 59(3) of the Act have been met. Namely that the effect or likely effect of the activities is, or likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order, and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

PROHIBITIONS:

1. **Person(s) within the Exclusion Zone will not:** use alcohol in an anti-social manner within the exclusion zone
2. **Person(s) within the Exclusion Zone will not:** use alcohol in an anti-social manner outside of designated licenced premises or at licensed events
3. **Persons within this area who breach this prohibition shall: surrender alcohol in his/her possession to an authorised person*.**

*An authorised person could be a Police Constable, Police Community Support Officer or Council Officer or their authorised representative and must be able to present their authority on request.

OFFENCES AND FIXED PENALTY NOTICES:

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 63 of the Act, a person found to be in breach of this Order by consuming alcohol in an anti-social manner or by refusing to surrender alcohol to an authorised person is liable to a Fixed Penalty Notice up to £100 or on summary conviction to a maximum fine not exceeding level 3 on the standard scale.

Challenging the Order:

1. 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 form the date upon which the Order is made.

APPENDICES:

A street plan of the Borough of Nuneaton & Bedworth showing The Exclusion Zone edged in red.

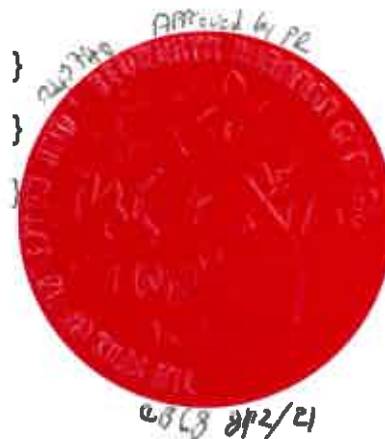
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Nuneaton & Bedworth Borough Council

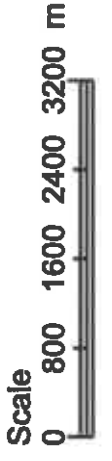
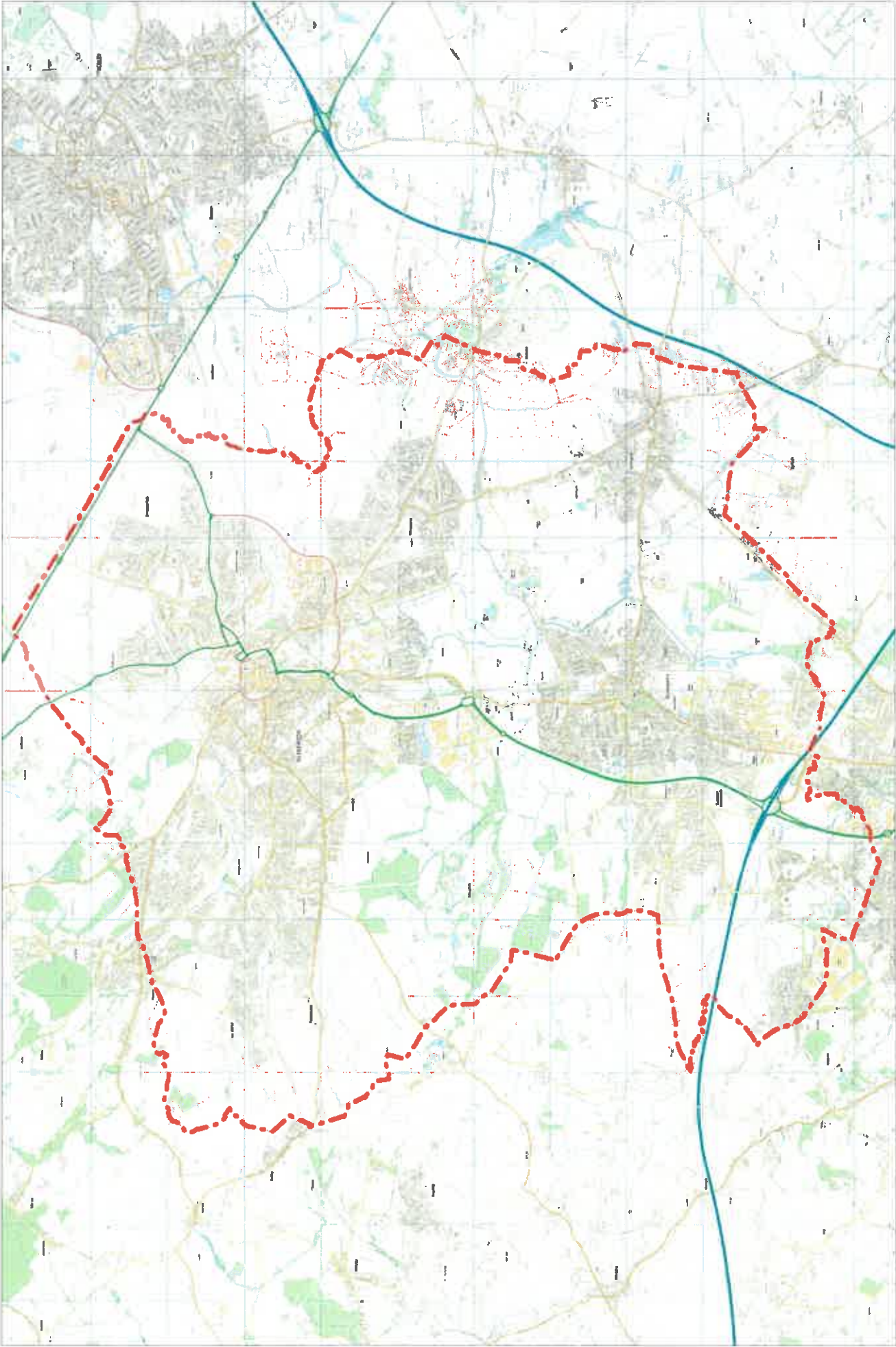
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In the presence of:

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AMY PITTAM
SOLICITOR

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Nuneaton and Bedworth Borough

Scale 1:65000

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