

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

BOROUGH COUNCIL OF BOLTON

**ALCOHOL CONSUMPTION IN PUBLIC PLACES INSIDE THE BORDERS OF THE
BOROUGH OF BOLTON PUBLIC SPACES PROTECTION ORDER (2020)**

The Borough Council of Bolton in exercise of its powers under Sections 59, 60, 62, 63 and 72 of the Anti-Social Behaviour, Crime and Police Act 2014 ("the Act") hereby make the following Order: -

1. This Order shall come into operation on the 20th October 2020 and shall have effect for three years thereafter, unless extended by further Orders under the Council's statutory powers.
2. This Order relates to Alcohol Consumption in Public Places inside the borders of the Borough of Bolton as specified on the Order Plan.
3. Except as provided in Article 4 of this Order, all persons are prohibited at any time from consuming alcohol or having an open alcohol container within the Restricted Area after having been requested by a constable or an authorised person to cease consumption or to hand over the container.
4. The restriction in Article 3 of this Order shall not apply to i) Premises which hold a premises licence or club premises certificate authorising the sale or supply of alcohol and places within the curtilage of such premises; ii) Premises at any time where a valid temporary event notice is in force, during the period when alcohol is being sold or supplied and for a period of 30 minutes thereafter; iii) A place where facilities/activities relating to the sale or consumption of alcohol are for the time being permitted under permission granted under section 115E of the Highways Act 1980; iv) The Town Hall, Library Building, Le Mans Crescent, Victoria Square (all at Civic Centre Bolton), Smithills Sports Centre, Jubilee Centre, Carnegie Hall, Smithills Hall and Horwich Leisure Centre – which all hold licenses to sell alcohol, at times when the said areas are being used for the sale or supply of alcohol and for a period of 30 minutes thereafter.
5. The Council is satisfied that the conditions set out in Sections 59, 60, 62, 63 and 72 of the Act of 2014 have been satisfied and that it is in all the circumstances expedient to make this Order for the purposes of combatting, within the Restricted Area, public nuisance and disorder which have had a detrimental effect on the quality of life of those in the locality. The effect or likely effect of this is of a persistent or continuing nature such as to make this unreasonable and justifies the restrictions imposed by this Order.
6. In accordance with section 63 of the Act, any person found to be in breach of this Order by consuming alcohol or refusing to surrender alcohol to a constable or an authorised person shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale or to a Fixed Penalty Notice (£100).
7. 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.

**THE COMMON SEAL of THE
BOROUGH COUNCIL OF**

BOLTON was hereto affixed
on the **DATE**
in the presence of: -

Authorised Sealing Officer

DRAFT