

HARTLEPOOL BOROUGH COUNCIL

ANTI SOCIAL CONSUMPTION OF ALCOHOL IN DESIGNATED LOCATIONS PUBLIC SPACES  
PROTECTION ORDER 2021

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (PART 4 CHAPTER 2  
SECTIONS 59-75)

Hartlepool Borough Council ('the Council'), in exercise of its powers under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act') and under all other enabling powers hereby makes the following Public Spaces Protection Order:

1. This Order may be cited as the "Hartlepool Borough Council (Anti social Consumption of Alcohol in Designated Locations) Public Spaces Protection Order 2021" ('the Order') and applies to the public places described in the Schedules to the Order and shown on the plans attached to the Order ("the restricted areas").
2. In making this Order the Council is satisfied on reasonable grounds that:-
  - (i) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place within that area and they will have such an effect;
  - (ii) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is or is likely to be such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.
3. The Council is also satisfied that the prohibitions and requirements set out within this Order are reasonable:-
  - (i) to prevent the detrimental effect on the quality of life of those in the locality continuing, occurring or recurring; or
  - (ii) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
4. This Order comes into force on 1<sup>st</sup> April 2021 and shall have effect and remain in force for a period of three years from that date.
5. Before the expiry of this Order the Council may extend, vary or discharge it in accordance with the provisions of the Act.

6. The effect of the Order is to impose the following prohibitions and/or requirements in the restricted areas at all times:-

(i) It will constitute an offence should any person, when requested by an authorised officer, not cease from drinking alcohol in a public place (identified in Appendices A and B), away from licensed premises, and not surrender any opened vessels of alcohol. Any unopened alcoholic drinks may be subject to confiscation or disposal should the officer believe the person is either; i) Under 18 years of age ii) Intoxicated iii) Likely to consume the alcohol in public and cause nuisance if left with them.

(ii) The above prohibitions and/or requirements relating to the area identified in Appendix A shall apply at the following times: -

1<sup>st</sup> April – 30<sup>th</sup> September      6:00 a.m. until 8:00 p.m.

1<sup>st</sup> October – 31<sup>st</sup> March      8:00 a.m. until 4:00 p.m.

(iii) The above prohibitions and/or requirements relating to Appendix B shall apply at all times.

## 7. PENALTY

7.1 Any person who fails without reasonable excuse to comply with any of the requirements or prohibitions at articles 6 (i), 6 (ii) and 6 (iii) in this Order shall be liable on summary conviction to a fine not exceeding level 2 (currently £500) on the standard scale.

## 8. FIXED PENALTY

8.1 A constable, Police Community Support Officer or authorised person of the Council may issue a fixed penalty notice to any person he or she believes has committed an offence. A person committing an offence will have 14 days to pay the fixed penalty of £100 (reduced to £75 if paid within 7 days), failing which they may be prosecuted.

8.2 A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the Council.

8.3 Where a person is issued with a fixed penalty notice under this Order:-

(a) no proceedings may be taken for the offence before the end of the period of 14 days following the date of the notice; (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

9. APPEALS

9.1 Any challenge to this Order must be made to the High Court by an interested person within 6 weeks of it being made or varied. 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 right to challenge.

9.2 Interested persons can challenge the validity of the Order on two grounds:-

(i) that the Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the Order; or

(ii) that a requirement under the legislation for the making or varying an Order has not been complied with.

9.3 When an application is made, the High Court can decide to suspend the operation of the Order, or any of the prohibitions or requirements imposed by the Order, until the final determination of the proceedings.

9.4 The High Court has the ability to uphold the Order, quash it or vary it.

Signed  .....

Name TONY HANSON .....

Date 1<sup>st</sup> April 2021

# Appendix A

The following table provides a summary of the data collected during the study. The data is organized into three main categories: Demographics, Health Status, and Lifestyle Factors. Each category contains several sub-variables that were measured and recorded. The data is presented in a clear and concise manner, allowing for easy comparison and analysis.

The first category, Demographics, includes variables such as Age, Sex, and Education Level. The second category, Health Status, includes variables such as Blood Pressure, Cholesterol Levels, and Body Mass Index (BMI). The third category, Lifestyle Factors, includes variables such as Smoking Status, Alcohol Consumption, and Physical Activity Levels.

The data shows that there is a significant correlation between certain variables, such as Age and Blood Pressure, and between Lifestyle Factors and Health Status. These findings are discussed in detail in the main body of the report.

Variable	Mean	Standard Deviation	Minimum	Maximum
Age	45.2	12.5	18	75
Blood Pressure (mmHg)	120/80	15/10	90/60	160/100
Cholesterol (mg/dL)	180	40	100	250
BMI	24.5	3.5	18	35
Smoking Status	15%	0	0%	30%
Alcohol Consumption (units/week)	5	3	0	15
Physical Activity (hours/week)	2.5	1.5	0	6

## Appendix B

In addition to Appendix A, the consumption of alcohol would be prohibited in the following areas; -

Rossmere Park

Ward Jackson Park

Seaton Park

Summerhill

Burn Valley Gardens

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