

PUBLIC SPACES PROTECTION ORDER
STRATFORD-ON-AVON DISTRICT COUNCIL
STRATFORD-ON-AVON DISTRICT COUNCIL (PUBLIC ALCOHOL
CONSUMPTION AND ALCOHOL RELATED ANTI-SOCIAL
BEHAVIOUR) ORDER 2024

Stratford-on-Avon District Council, in exercise of the power under section 59, 63 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and all other enabling powers, hereby makes the following Order:

1. This Order shall come into operation on _____ 2024 and shall have effect for a period of three years thereafter, unless extended by further orders by Stratford-On-Avon District Council (‘the Council’).
2. This Order applies to the public spaces in the District of Stratford-upon-Avon edged black on the attached plan (“the Restricted Area”).
3. The Council is satisfied that the conditions set out in Section 59, 63 and 72 of the Act have been satisfied and that the consumption of alcohol (“the Activity”) has been carried out in the Restricted Area and has consequently resulted in anti-social behaviour which has had a detrimental effect on the quality of life of those in the locality. The effect, or likely effect of the Activity is of a persistent nature, such as to make the Activity unreasonable, and justifies the restrictions imposed by this Order.
4. Anywhere within the boundaries of the Restricted Area, Police Officers, Police Community Support Officers and any other person duly authorised by the Council are hereby authorised to require a person to stop drinking alcohol and surrender any alcohol container in their possession, where anti-social behaviour is occurring, or in their reasonable belief is likely to occur. Any person who without reasonable excuse, fails to comply with a such a request commits an offence and may be liable to prosecution.
5. A Police Officer, a Police Community Support Officer or any other person duly authorised by the Council imposing a requirement under clause 4 above must tell the person subject to the requirement that failing without reasonable excuse to comply with the requirement is an offence.
6. A Police Officer, a Police Community Support Officer or any other person duly authorised by the Council may dispose of anything surrendered under clause 4 above in whatever way they the deem appropriate.

7. Any person who, without reasonable excuse, fails to comply with clause 4 above commits an offence and may be liable to prosecution. A person who is guilty of an offence shall on summary conviction be liable to a fine not exceeding level 2 on the standard scale.
8. A Police officer, a Police Community Support Officer and any other person duly authorised by the Council under section 68 of the Act may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under this Order.
9. If any person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, they may apply to the High Court within six weeks from the date on which this Order is made.

THE COMMON SEAL of

Stratford-on-Avon District Council

Was hereunto affixed on the _____ 2024

In the presence of

Authorised Signatory

Annex A

