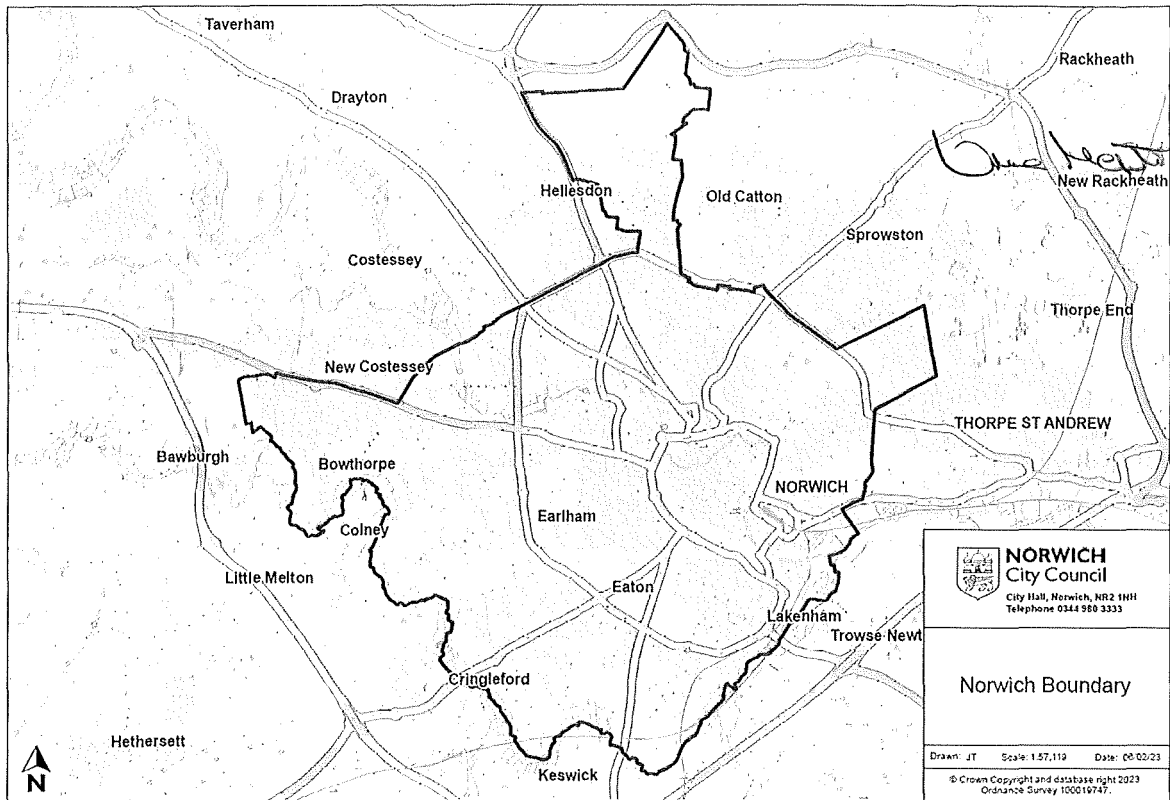


THE NORWICH CITY COUNCIL (CONTROL OF ALCOHOL)
PUBLIC SPACES PROTECTION ORDER 1 of 2024

1. This Public Spaces Protection Order is made by Norwich City Council of City Hall, St Peters Street, Norwich, Norfolk (hereinafter called "the Council"). The Council makes this Order pursuant to section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 which Act is hereafter referred to as "the Act".
2. In this Order "authorised person" means a person authorised for the purposes of section 63 of the Act by the Council.
3. The Council makes this Order as the Council is satisfied upon reasonable grounds:
 - a. that anti-social behaviour associated with drinking alcohol in public places has been carried on or is likely to be carried on within the public places identified in this Order, and that these activities have had or are likely to have a detrimental effect on the quality of life of those living in the locality; and,
 - b. that the effect or likely effect of this activity is or is likely to be of a persistent or continuing nature and is or is likely to be such as to make the activity unreasonable and justifies the restrictions imposed by this Order.
4. This Order applies to all public places within the boundary outlined in red on the plan attached to this Order ("the Restricted Area"). A public place is any place to which the public or any section of the public has access, on payment or otherwise, as of right by virtue of express or implied permission. Public places include but are not limited to the following: car parks (including those provided for customers of a business), sports fields and playing fields and their attached facilities, parks and recreation grounds, public highways (including footway and verges), footpaths and bridleways, public open space land and communal open space owned by the Council or another landowner.
5. No person shall consume alcohol within the Restricted Area after being required not to do so by a constable or an authorised person.
6. A requirement imposed under paragraph 5 of this Order may be given verbally or in writing, and in either case a requirement shall be in effect for a period of one week from the date and time said requirement was imposed.
7. The prohibition contained in paragraph 5 of this Order does not apply to any place specified in section 62 of the Act as a place where a prohibition in a Public Spaces Protection Order on consuming alcohol does not apply.
8. This Order comes into force on **24 July 2024** and continues in force for a period of three years from that date unless it is extended under section 60 of the Act, or is varied or discharged under section 61 of the Act.

9. Under section 63 of the Act, where a constable or an authorised person reasonably believes that a person is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order (or intends to consume alcohol in circumstances in which doing so would be a breach of a prohibition in a Public Spaces Protection Order) then the constable or authorised person may require that person not to consume alcohol or anything which the constable or authorised person reasonably believes to be alcohol in breach of the Order. Under section 63(2)(b) of the Act a constable or an authorised person may require that person to surrender to them anything in their possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.
10. A constable or an authorised person who imposes a requirement on a person under section 63 of the Act must tell the person that failing without reasonable excuse to comply with the requirement is an offence. A requirement imposed is not valid if the constable or authorised person fails to show to the person they are imposing the requirement upon evidence of their authorisation if they are asked to do so by that person.
11. A constable or an authorised person may dispose of anything surrendered under sub-section (2)(b) of section 63 of the Act in whatever way they think appropriate.
12. A person who fails without reasonable excuse to comply with a requirement imposed on them under section 63 of the Act commits an offence and is liable, upon summary conviction, to a fine not exceeding level 2 on the standard scale.
13. Under section 67 of the Act it is an offence for a person without reasonable excuse to do anything that the person is prohibited from doing by a Public Spaces Protection Order, or to fail to comply with a requirement to which the person is subject under a Public Spaces Protection Order. A person guilty of an offence under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale. A person does not commit an offence under section 67 of the Act by failing to comply with a prohibition or requirement that the Council did not have power to include in a Public Spaces Protection Order.
14. Consuming alcohol in breach of this Order is not an offence under section 67 of the Act, but reference should be made to section 63 of the Act.
15. This Order may be cited as the Norwich City Council (Control of Alcohol) Public Spaces Protection Order 1 of 2024.



H20240315

THE COMMON SEAL OF NORWICH CITY COUNCIL was hereunto affixed
on the 24th day of July 2024

in the presence of:-




AUTHORISED OFFICER



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