

Chester City Public Spaces Protection Order

Cheshire West and Chester Borough Council ("the Council") in exercise of the power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, being satisfied that the conditions set out in section 59 of the Act have been met make the following order:

1. The land described by the map attached and shown edged blue being land in the area of the Council is land to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this Order.
2. The Order may be cited as the Chester City Public Spaces Protection Order and shall come into force on 2 May 2016 for duration of three years.
3. The effect of the Order is to impose the following conditions on the use of the land:
 - (a) In this area any person who continues to carry out activities from which they are prohibited commits an offence namely;
 - i. Persons within the area will not ingest, inject, smoke or otherwise use intoxicating substances. Intoxicating substances being defined as psychoactive substances with the capacity to stimulate or depress the central nervous system, commonly referred to as 'legal highs' but does not include tobacco or prescription medication.
 - ii. Persons within this area will not have in their possessions any open containers of intoxicating substances as defined in paragraph 3(a)(i)
 - iii. Persons within the area will not have any item that can be used to assist in the taking of intoxicating substances defined in paragraph 3(a)(i). This includes any device for smoking substances other than e-cigarettes, it also includes needles - save for those packaged and sealed by the manufacturer and stored in a hard case.
 - iv. No person shall urinate or defecate in any public place; this does not include public toilets.
 - v. No person will consume alcohol in any public place (licensed premises excluded) and shall on the request of a Police Constable, Police Community Support Officer or an authorised Council Officer surrender to them anything in the person's possession believed to be alcohol or a container for alcohol from which they were believed to be consuming the alcohol.

(b) In this area any person who fails to comply with any activity that they are required to undertake commits an offence namely;

1. Persons within the area, on the request of a Police Constable, Police Community Support Officer or an authorised Council Officer failing to surrender any open containers of intoxicating substances in their possession.
2. Persons within the area, on the request of a Police Constable, Police Community Support Officer or an authorised Council Officer failing to surrender any item used to assist in the taking of intoxicating substances and complying immediately with the reasonable request of the requestor to secure safe disposal of any needles in their possession not sealed and stored as directed in Paragraph 3(a)(iii)
3. Persons within the area, on the request of a Police Constable, Police Community Support Officer or an authorised Council Officer failing to comply with the request to dispose of or surrender any containers of alcohol in their possession.

4 A person guilty of an offence under conditions (a) or (b) above, under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale or fixed penalty notice of a maximum £100.

Dated 21 April 2016

The Common Seal of Cheshire West and Chester
Borough Council was affixed in the presence of:

Head of Governance
Karen McIlwaine