

**Eden District Council**  
**Anti-Social Behaviour, Crime and Policing Act 2014 Section 59**  
**Public Spaces Protection Order**

1. This Order is made by Eden District Council ("the Council") under the Anti-Social Behaviour, Crime and Policing Act 2014, Section 59 ("the Act").
2. This Order relates to the public spaces edged black on the attached plans in Alston, Appleby, Kirkby Stephen, Penrith and Shap within in the Council's area ("the Restricted Areas") to which the Act applies.
3. The Order may be cited as the Eden District Public Spaces Protection Order and shall come into force for a period of 36 months from the date of this Order, unless extended by further orders under the Council's statutory powers.
4. The effect of this Order is to prohibit the consumption of alcohol (licensed premises excluded) or the possession of an open container of alcohol within the Restricted Areas.
5. The Council is satisfied that the conditions set out in section 59 of the Act have been met, being that:
  - a. activities carried out in the Restricted Areas have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public places and they will have such an effect;
  - b. and the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, and is, or is likely to be, such as to make the activities unreasonable;
  - c. and justifies the restrictions imposed by the Order.
6. 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 this Order, or intends to consume alcohol in breach of this Order, the constable or authorised person may require that person:
  - a. not to consume alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
  - b. to surrender anything which is, or which the constable or authorised person reasonably believes to be, alcohol or a container of alcohol.
7. It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under section 63 of the Act and a person guilty of this offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
8. A constable or authorised person may issue a fixed penalty notice of not more than £100 to anyone he or she has reason to believe has committed an offence under section 63 of the Act.

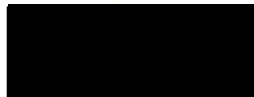
9. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date of this Order.

Dated 3<sup>rd</sup> May 2018

The **COMMON SEAL** of )  
**EDEN DISTRICT COUNCIL** )  
was here unto affixed )  
in the presence of: )



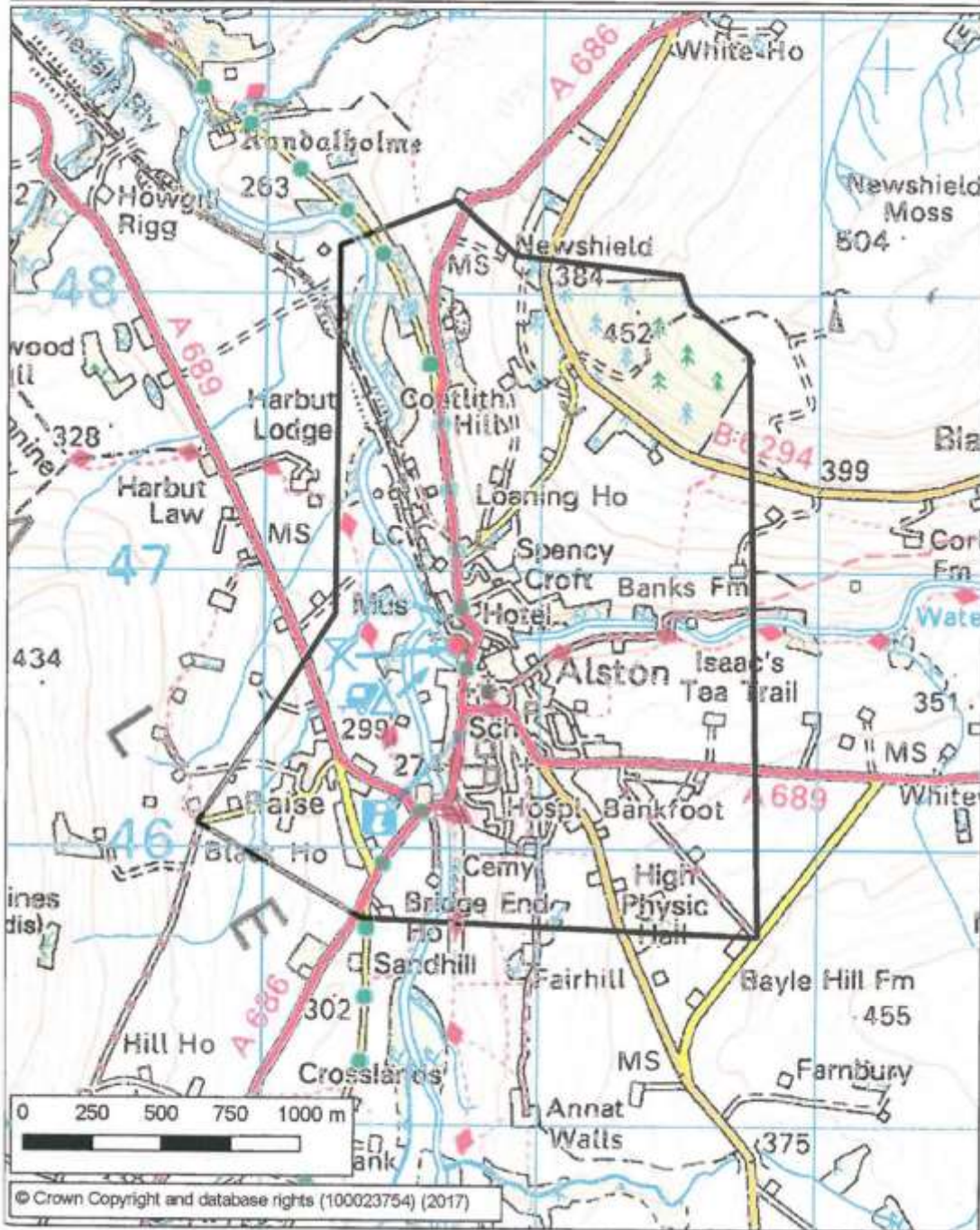
Chairman



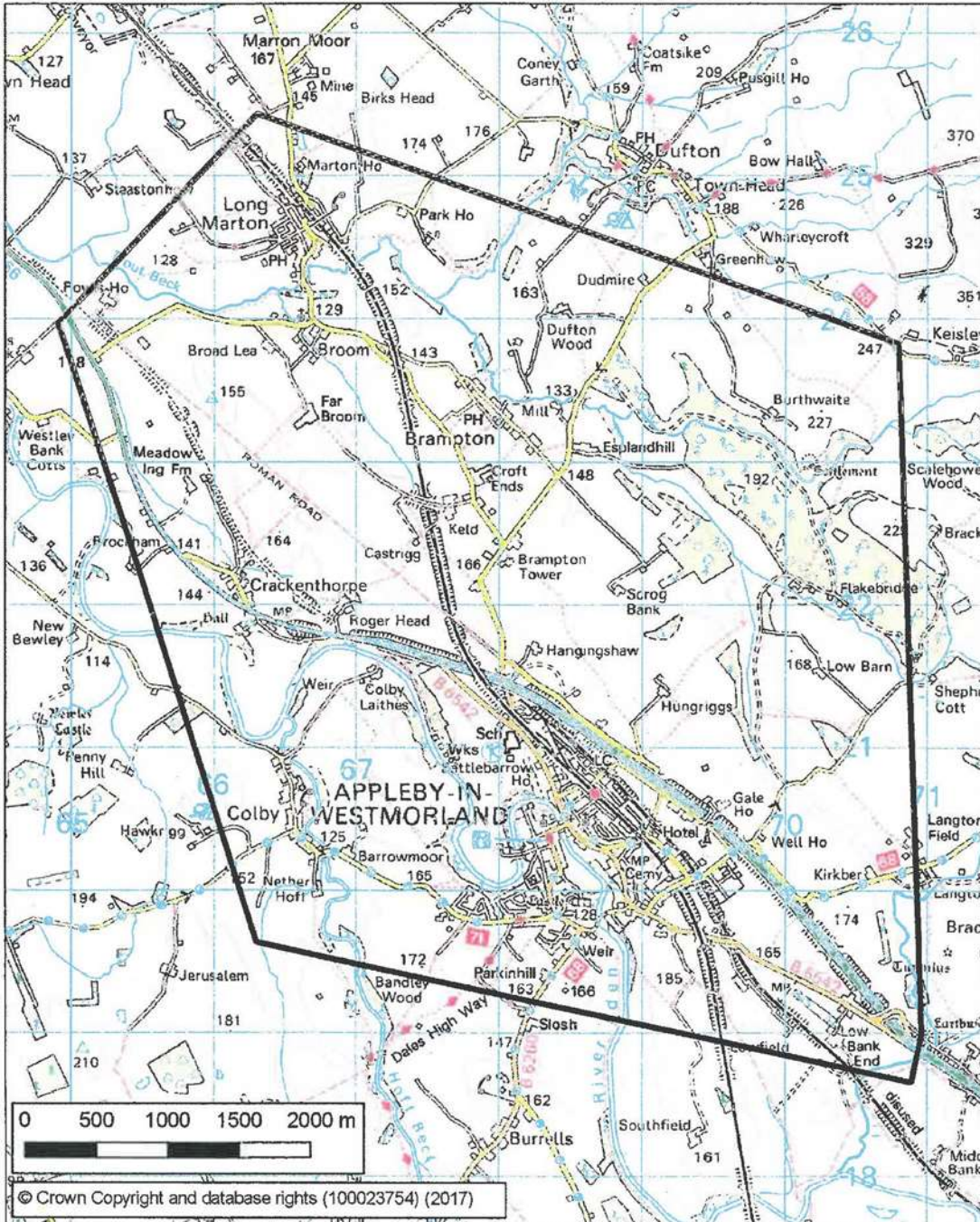
Deputy Chief Executive



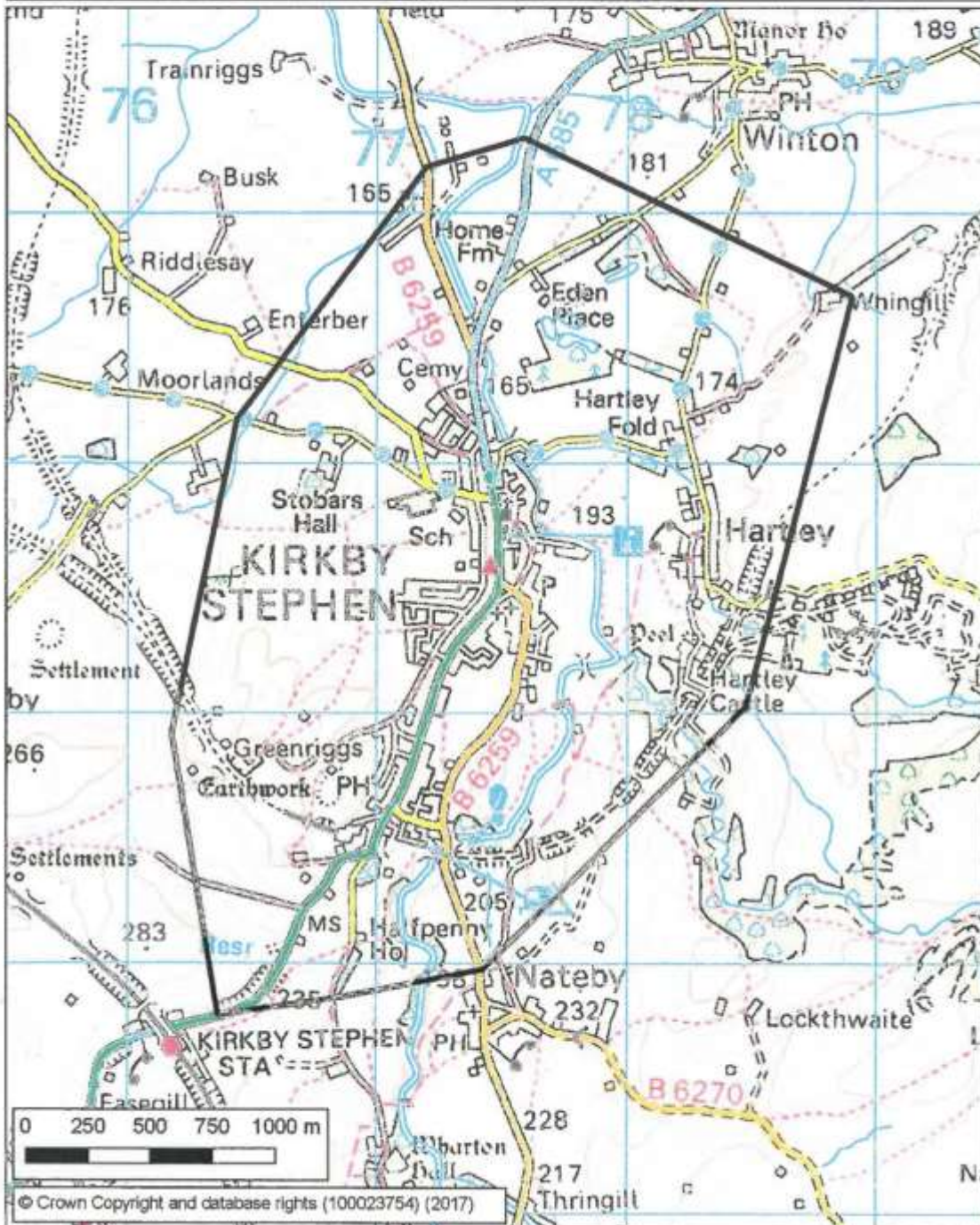
Public Spaces Protection Order  
Alston



Public Spaces Protection Order  
Appleby



Public Spaces Protection Order  
Kirkby Stephen



Public Spaces Protection Order  
Penrith



Public Spaces Protection Order  
Shap

