

**WYRE BOROUGH COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

**PUBLIC SPACE PROTECTION ORDER 2021**

This Order is made by Wyre Borough Council ("Council") under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("Act") and all other powers it enabling in this behalf.

1. Definitions

For the purposes of this Order, the following definitions will apply:

'alcohol' has the meaning given by section 191 of the Licensing Act 2003;

'authorised person' means any person authorised in writing for the purposes of s63 of the Act by the Council;

'public place' means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission

2. This Order relates to every public place within the area edged in red on the maps which appear at Appendix 1, being public places in the Council's area to which the Act applies ("the restricted area")
3. The Council is satisfied that the two conditions below have been met, in that:-
  - a) activities carried on in the restricted area as described below 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 restricted area and they will have such an effect;
  - b) 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.

**BY THIS ORDER**

4. The effect of the Order is to impose the following prohibitions and/or requirements:
  - (i) No person shall consume alcohol in any public place located within the restricted area when required to not do so by a constable, an authorised police community support officer or an authorised person in order to prevent a public nuisance or disorder.
  - (ii) No person in any public place located within the restricted area shall

refuse to hand over anything in his/her possession which is, or which the constable, the authorised police community support officer or authorised person reasonably believes to be, alcohol or a container for alcohol (sealed or unsealed) when required to do so by the constable, authorised police community support officer or authorised person in order to prevent a public nuisance or disorder.

5. Any person who without reasonable excuse consumes alcohol in any public place in the restricted area when required not to do so by a constable, authorised police community support officer or authorised person or who fails to surrender anything in his/her possession which an authorised person reasonably believes to be alcohol or a container for alcohol (sealed or unsealed) when required to do so by the constable, authorised police community support officer or authorised person commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500) or in the receipt of a fixed penalty notice to a penalty of a maximum of £100.

6. Nothing in Articles 4 and 5 of this Order shall apply to:

(1)(a) premises (other than council-operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;

(b) premises authorised by a club premises certificate to be used by the club for the supply of alcohol;

(c) a place within the curtilage of premises within paragraph 6(1)(a) or 6(1)(b);

(d) premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time;

(e) a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses).

(2) Council-operated licensed premises-

(a) when the premises are being used for the supply of alcohol, or

(b) within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

(3) In this Article-

"*club premises certificate*" has the meaning given by section 60 of the Licensing Act 2003;

"*premises licence*" has the meaning given by section 11 of that Act;

"*supply of alcohol*" has the meaning given by section 14 of that Act.

(4) For the purposes of this Article, premises are "council-operated licensed premises" if they are authorised by a premises licence to be used for the supply of alcohol and-

(a) the licence is held by a local authority in whose area the premises (or part of the premises) are situated, or

(b) the licence is held by another person but the premises are occupied by a local authority or are managed by or on behalf of a local authority.

7. A constable, authorised police community support officer or authorised person who imposes a requirement under paragraph 4 of this Order must tell the

person that failing without reasonable excuse to comply with the requirement is an offence.

8. A constable, authorised police community support officer or an authorised person may dispose of anything surrendered to that constable, authorised police community support officer or authorised person as a result of a requirement imposed by that constable, authorised police community support officer or authorised person in whatever way that constable, authorised police community support officer or authorised person considers appropriate.
9. A requirement imposed by an authorised person under this Order is not valid if that authorised person is asked to show evidence of authorisation and fails to do so.
10. This Order may be cited as **Wyre Borough Council, Public Spaces Protection (Number 1) Order 2021**.
11. This Order shall come into force on **27th February 2021** and shall continue in effect for a period of three years thereafter.

GIVEN under the common seal of The Borough of Wyre this 26<sup>th</sup> day of February 2021

The common seal of                    )  
Wyre Borough Council                )  
was hereunto affixed in the        )  
presence of:

*FC James*

Authorised Signatory



8406



## PSPO Restricted Areas Briefly Described

### *Poulton, Carleton, Thornton Cleveleys and Fleetwood*

The restricted area encompasses that shown in red on the attached maps referenced Wyre Overview; Poulton & Carleton; Thornton & Cleveleys; and Fleetwood, up to the district boundaries with Blackpool and Fylde.

### *Garstang*

The restricted area encompasses that shown in red on the attached map referenced Garstang. The area is bounded by a line starting at Castle Lane just west of Greenhalgh Castle Farm. The line moves south across the fields until it reaches the Lancaster Canal, at which point it follows the path of the canal in a westerly direction until it reaches the River Wyre. The line then follows the path of the River Wyre until it meets Preston Lancaster New Road at a point just east of Hagg Wood, at which point the line moves north along Preston Lancaster New Road, cutting to the west slightly just before Parkside Lane in order to encompass the residential areas. The line then meets Longmoor Lane, and runs in a westerly direction until it meets Ains Pool. The line then runs north following the path of Ains Pool, until it meets the Lancaster Canal, at which point it crosses the canal at the Nateby Crossing Bridge and runs east until meeting Preston Lancaster New Road. The line runs north following Preston Lancaster New Road, then north-west along Cockerham Road until parallel with Acresfield Park, at which point it crosses the fields in an easterly direction eventually joining Acresfield Park. The line then runs north, parallel with Preston Lancaster New Road, before crossing the same, and moving east encompassing the residential areas of both Lancaster Road and Norton Road, before meeting the River Wyre just south of Shrogg's Wood. The line then follows the River Wyre south until it meets the end of Wyre Lane, where it leaves the river and follows the path of Lingart Lane. Leaving the end of the lane the line continues south on the well-defined track to the west of Lower Lingart Farm, encompassing the paths serving the Millennium Green before reaching Castle Lane where it started.

Wyre Overview Map - Restricted Area - Poulton, Carleton, Thornton Cleveleys and Fleetwood



Wyre Overview

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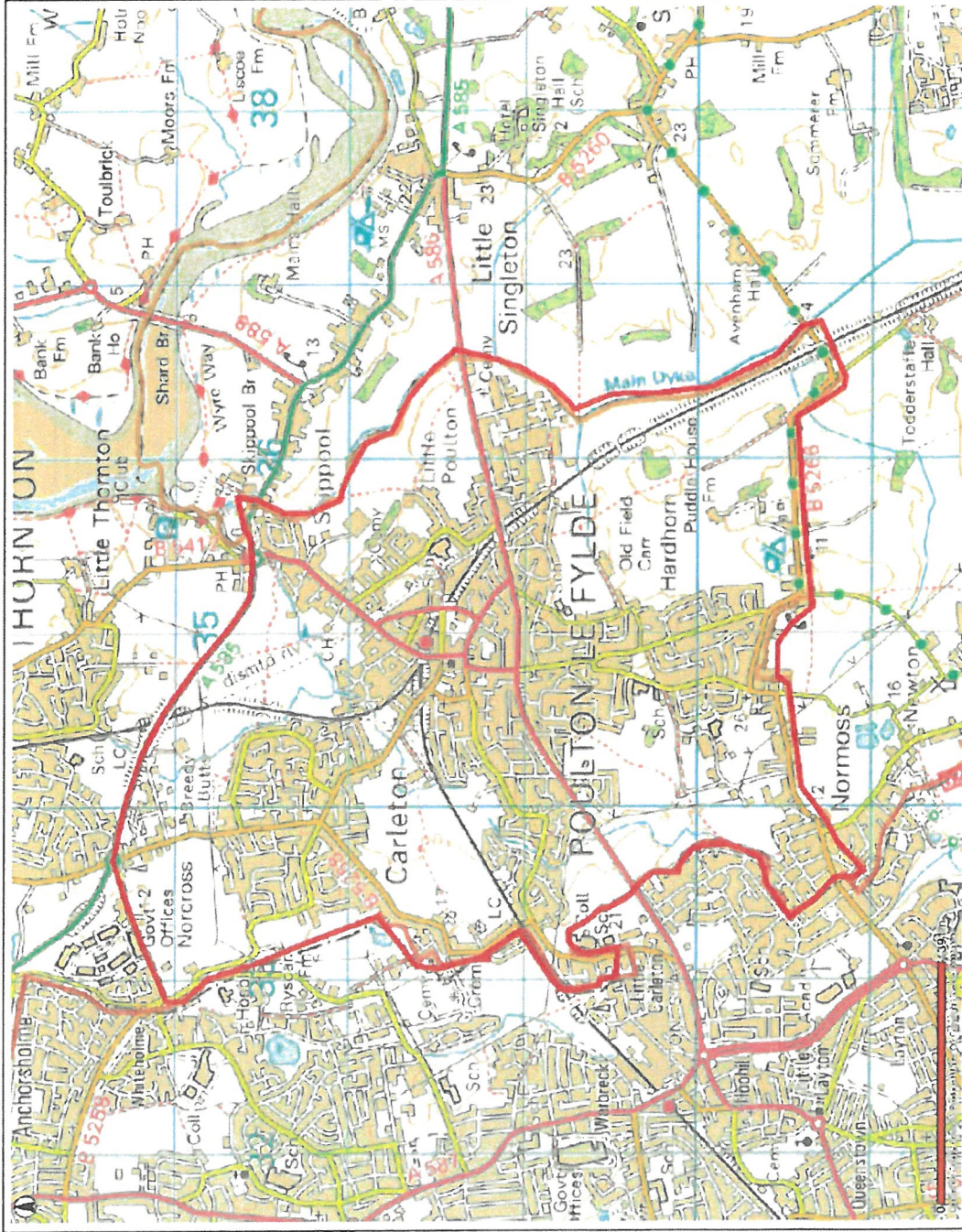


*K. James*

*SLC*



Poulton Map – Restricted Area – Poulton & Carleton



Poulton Map - Restricted Area - Poulton & Carleton

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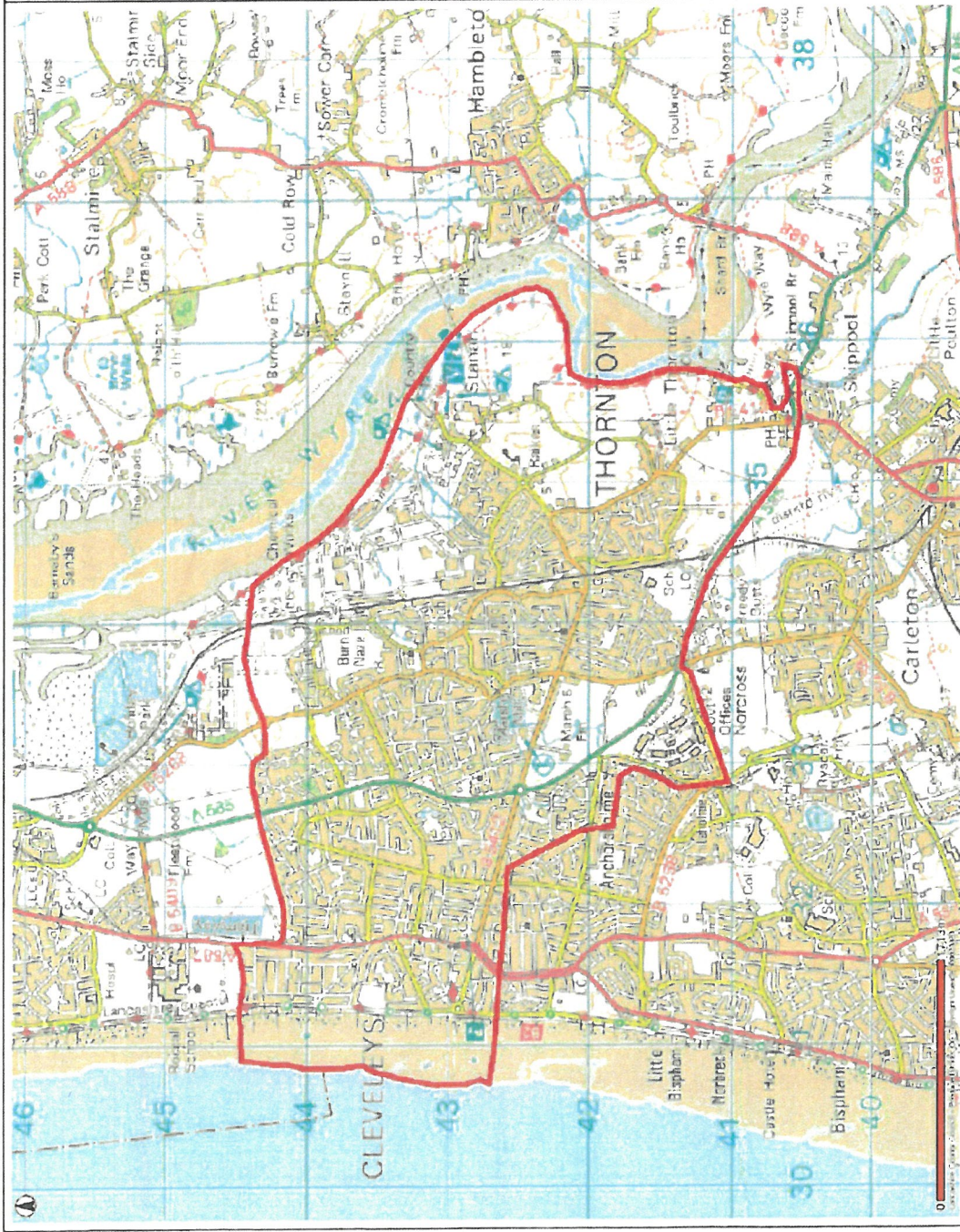
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*AC Jones* *3/2/21*



Thornton Cleveleys Map – Restricted Area – Thornton Cleveleys



*AC James* *8/2/21*

Thornton Cleveleys - Restricted Area - Thornton & Cleveleys

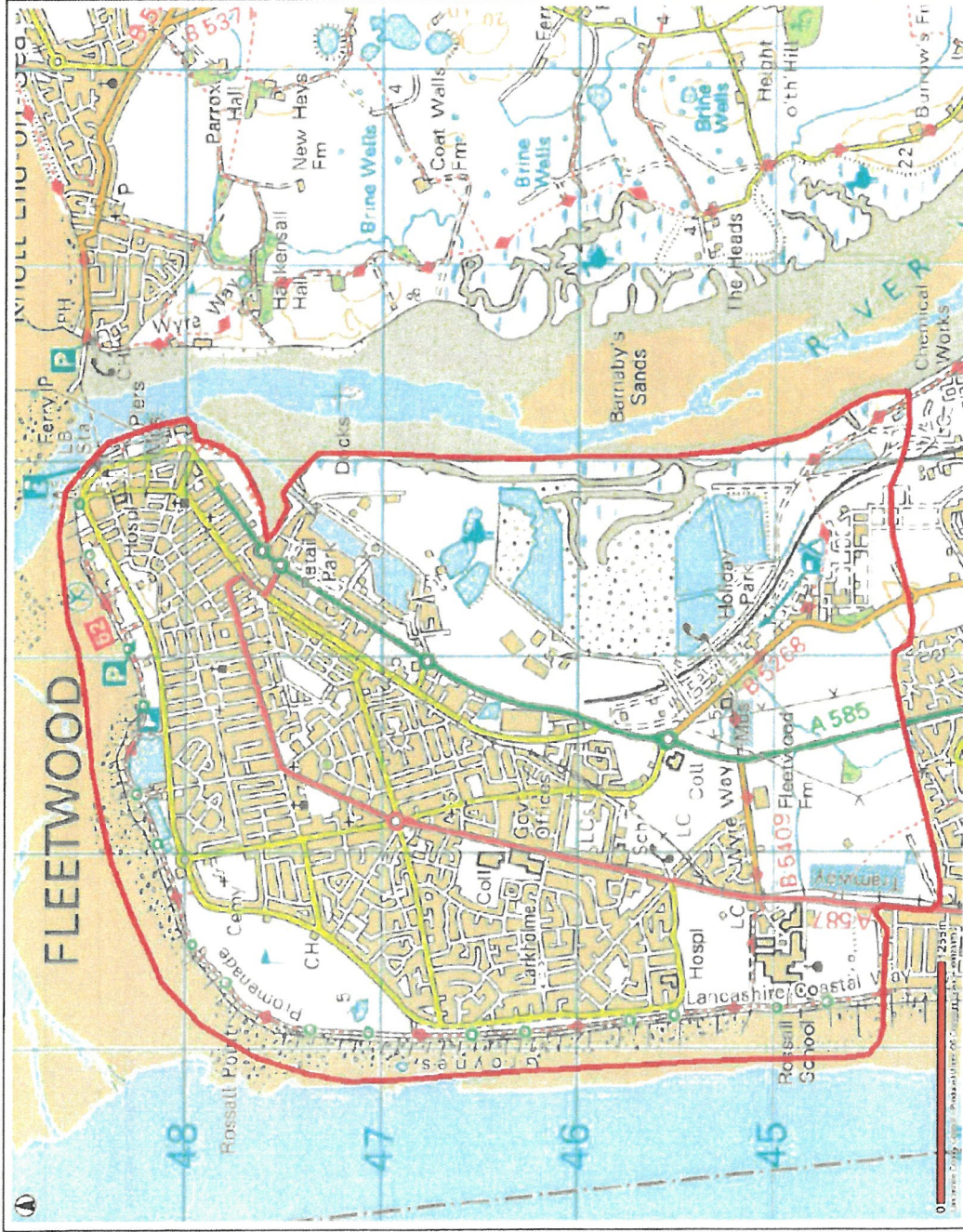
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Fleetwood Map – Restricted Area - Fleetwood



Fleetwood Map - Restricted Area - Fleetwood

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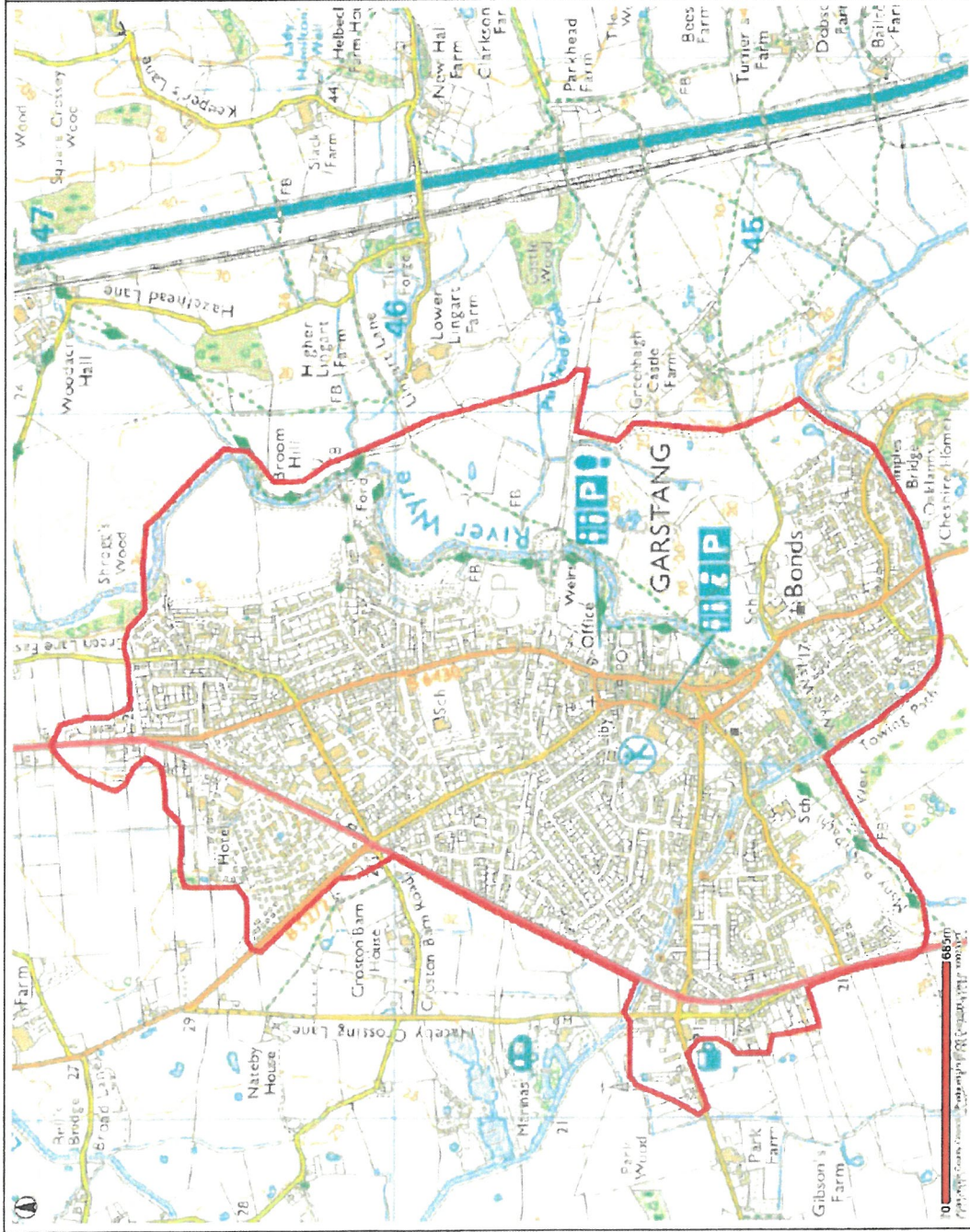
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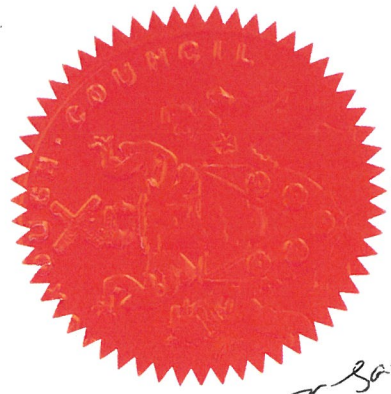
*TC James* *8406*



Garstang Map – Restricted Area - Garstang



- Districts**
- Other
  - Unitary Authority
  - Lancashire Districts



*HC James*  
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Garstang

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