

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PUBLIC SPACES PROTECTION ORDER 2018

DERBYSHIRE DALES DISTRICT COUNCIL - ALCOHOL CONTROL

Derbyshire Dales District Council (“the Council”) in exercise of its power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and of all other enabling powers being satisfied that the conditions set out in section 59 of the Act have been met hereby makes the following order:

1. The effect of this order is to impose the following prohibitions and/or requirements in the public places described in the schedule to this order and where appropriate shown edged in red on the plans annexed to this order.

OFFENCES:

1. PROHIBITION OF ALCOHOL CONSUMPTION

- a. Any person who continues consuming alcohol or anything which the Police Officer, Police Community Support Officer or Authorised Person reasonably believes to be alcohol, in the Designated Area when asked to stop by a Police Officer, Police Community Support Officer or Authorised Person under s.63 of the Act commits an offence unless
 - i. he has a reasonable excuse for failing to do so; or
 - ii. that person is subject to the exemptions listed in article 2.
- b. Any person who fails to surrender any alcohol, container for alcohol in his possession or anything which the Police Officer, Police Community Support Officer or Authorised Person reasonably believes to be alcohol when asked to do so by Police Officer, Police Community Support Officer or Authorised Person under s.63 of the Act in the Designated Area, commits an offence unless
 - i. he has a reasonable excuse for failing to do so; or
 - ii. that person is subject to the exemptions listed in article 2.

2. EXEMPTIONS

Nothing in article 1 shall apply to –

- a. 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 (a) or (b) of this article ;

- 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 used within 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 115 of the Highways Act 1980 (highway related uses)
3. For the purpose of this order:
- a. an “Authorised Person” means an employee, partnership agency or contractor of the Council who is authorised in writing by the Council for the purpose of giving direction under the order;
 - b. the “Designated Area” is the land within the Council’s area described by Schedule 1 and edged red on the attached plans;
 - c. “Alcohol” has the meaning given by section 191 of the Licensing Act 2003;
 - d. “Club Premises Certificate” has the meaning given by section 60 of the Licensing Act 2003;
 - e. “Premises Licence” has the meaning given by section 11 of the Licensing Act 2003
 - f. “Supply of Alcohol” has the meaning given by section 14 of the Licensing Act 2003
 - g. a Police Officer, Police Community Support Office or an Authorised Person may dispose of anything surrendered under article 1 in whatever way he or she thinks appropriate

4. PENALTY

A person guilty of an offence under Article 1 above, under section 63 of the Act is liable on summary conviction to a fine not exceeding level 2 on the standard scale or fixed penalty notice of a maximum £100.

5. IN FORCE

This Public Spaces Protection Order shall come into effect on [DATE] for a period of three years until [DATE].

Dated this day of 2018

the COMMON SEAL of DERBYSHIRE DALES DISTRICT COUNCIL was hereto affixed in the presence of:

Head of Corporate Services
No. in deeds register

SCHEDULE 1

Description of land and Designated Areas to which the Order applies:

Ashbourne

Ashbourne Recreation Ground, Cokayne Avenue
Memorial Gardens, Cokayne Avenue
Fishpond Meadow, Park Road
Play Area, Cavendish Drive
Brickyard Play Area, Old Derby Road
Play Area, Highfield Road
Play Area, Thorpe View
Bankcroft Picnic Area, King Edward Street

Bakewell

Bakewell Recreation Ground, Haddon Road
Bath Gardens, Bath Street
Riverside walk, Granby Road

Bonsall

Bonsall Play Area, Clatterway

Cromford

Play Area, North Street
Memorial Gardens, Market Place

Darley Dale

Broadwalk Recreation Ground, Broadwalk
Parkway Open Space, Parkway
Northwood Recreation Ground, Northwood Lane
Willow Way Play Area, Willow Way

Litton

Litton Play Area, Mires Lane

Matlock

Orchard Play Area, Hazel Grove
Dimple Recreation Ground, Megdale
Hall Leys Park, Causeway Lane
Sensory Gardens, Old Englishe Road
Starkholmes Playing Field, Starkholmes Road
Victoria Gardens Open Space, Victoria Hall Gardens
Morledge Recreation Area, Morledge
Denefields, Steep Turnpike
Swan House Grass Area (Pig Meadow), Dale Road
Hurst Rise Playing Field, Hurst Rise

[Sparrow Park, Smedley Street](#)
[Play Area, Cavendish Road](#)
[Allen Hill Park, Allen Hill](#)
[Artist Corner Picnic Area, Artist Corner](#)
[Morledge Recreation Area, Morledge](#)

Dimple Road to its junction with A6

A6 to the new bridge to be built over River Derwent (Bakewell Road)

South western boundary of new A6 link road and including the Council's car park and railway station

From the railway bridge along Snitterton Road to Dale Road

Dale Road to (and including) the play area at Artists Corner

Footpath from Dale Road (footbridge opposite the Boathouse Public House) to Church Street (Duke William Public House)

Church Street to Matlock Green then along Lime Tree Road

To and along East Smedley Street along Smedley Street to Dimple Road

Matlock Bath

[Derwent Gardens, South Parade](#)

[Lovers Walk, North Parade](#)

[Pavilion Park Area, South Parade](#)

[Riverside Picnic Area, Dale Road](#)

Middleton by Wirksworth

[Middleton Play Area, Chapel Lane](#)

Rowsley

[Play Area, Chatsworth Road](#)

Tansley

[Village Green, Church Street](#)

Wirksworth

[Bolehill Playing Field, Old Lane](#)

[Fanny Shaw Playing Fields, Cromford Road](#)

[Gorsey Bank Play Area, Gorsey Bank](#)

[Play Area, The Dale](#)

[Yokecliffe Park, Yokecliffe Drive](#)

INSERT MAPS