

CHILTERN DISTRICT COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

THE CHILTERN DISTRICT COUNCIL (ALCOHOL CONSUMPTION)
PUBLIC SPACES PROTECTION ORDER 2019

1. **THIS ORDER** is made by Chiltern District Council ("the Council") in exercise of its power under section 59 in Chapter 2 of Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") because it is satisfied on reasonable grounds, having carried out a consultation in accordance with section 72 of the Act and considered the matters set out therein, that:

1.1 activities carried out, or likely to be carried out, in the public places set out in paragraph 2 below (which are within the Council's area) either have had a detrimental effect on the quality of life of those in the locality or will have such an effect; and

1.2 the effect, or likely effect, of the activities -

- a. is, or is likely to be, of a persistent or continuing nature,
- b. is, or is likely to be, such as to make the activities unreasonable, and
- c. justifies the restrictions imposed by this Order

2. The public places within which the activities set out in paragraph 3 below are prohibited ("**the Restricted Area**") are respectively shown edged and hatched in red on the plans in the Appendix to this Order and comprise:

- Chesham Cemetery, Berkhamstead Road, Chesham, Bucks, HPS 3ET
- Chesham Town Centre:
 - o Blucher Street,
 - o The Broadway
 - o High Street,
 - o Market Square, and
 - o Meades Water Garden, Red Lion Road,
- Amersham-on-the -Hill:
 - o Chiltern Avenue
 - o Hill Avenue
 - o Oakfield Corner
 - o Hervines Road
 - o Hervines Park
 - o Chesham Road from Oakfield Corner to junction with South Road
 - o Chiltern Parade
 - o Rickmansworth Road
 - o Surface car park, Rickmansworth Road
 - o Sycamore Road
 - o Woodside Close
 - o Woodside Road to junction with Green Lane

- o King George's Field
 - o King George V Road
 - o Council Offices car park, King George V Road
 - o Hyrons Lane
 - o Darlington Close
 - o Tylsworth Close
 - o Access road to Tudor Court and Windsor Court, King George V Road
 - o Multi-storey car park, Chiltern Avenue
- Old Amersham:
 - o Whielden Street to junction with Haleacre Hospital entrance
 - o High Street to junction with Mill Lane
 - o Mill Lane
 - o School Lane from junction with Church Street to junction with Mill Lane
 - o Barn Meadow Recreation Ground
 - o Church Street
 - o St Mary's Church graveyard
 - o Church Mead
 - o Garden of Remembrance
 - o Market Square
 - o The Broadway
 - o Council surface car park, The Broadway
 - o Footpath between Misbourne Court and Station Road
 - o London Road West to junction with Stanley Hill
- Land at Roundwood Road and Station Forecourt, Amersham
 - o Amersham Station forecourt, Chiltern Avenue
 - o White Lion Road from junction with Stanley Hill to The Pomeroy public house
 - o Raans Road from junction with Woodside Road to junction with Quill Hall Lane
 - o Brudenell Close including Drakes Court
 - o Park Place
 - o Plantation Road from junction with Park Place (south junction) and junction with Mitchell Walk
 - o Roundwood Road
 - o Playground, Roundwood Road
 - o Wooded areas adjacent to and adjoining Roundwood Road
 - o Grove Road
 - o Eagle Close
 - o Quill Hall Lane from junction with Eagle Close to Springett Place
 - o Side road off Quill Hall Lane leading to Ridge House
 - o Park Road
 - o Land between Quill Hall Lane and Park Road
 - o Deans Close

- o Middle Close
- o Popes Close

3. The activities which are to be prohibited are:

3.1 the consumption of alcohol in breach of an authorised officer's request to cease its consumption; and

3.2 having an unsealed container of alcohol in breach of an authorised officer's request to surrender the alcohol or container.

4. Therefore the following Restrictions apply in the Restricted Area:

A police constable, community support officer or person duly authorised by the Council (each hereafter called an "authorised officer") shall be entitled to require any person who is or has been consuming alcohol in the Restricted Area, or intends to consume alcohol in the Restricted Area, to not consume in the Restricted Area anything which is, or which an authorised officer reasonably believes to be, alcohol and to surrender anything in his or her possession which is, or which the authorised officer reasonably believes to be, alcohol or a container for alcohol.

5. Period for which this Order Has Effect

This Order will come into force on 31 October 2019 and will continue in force for three years expiring on 30 October 2022

6. Consequences of Failure to Comply with Restrictions Contained in this Order

It is an offence under section 63 of the Act for a person, without reasonable excuse, to fail to comply with a requirement imposed on him or her as set out in paragraph 4 above and a person guilty of such an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

An authorised officer may issue a Fixed Penalty Notice to anyone that officer believes has committed an offence and provided that fixed penalty, in the sum of £100, is paid within 14 days, a prosecution will not be brought for that offence.

7. Appeals

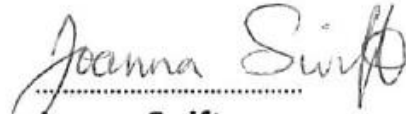
Any challenge to the validity of this Order must be made in the High Court by an interested person within six weeks of the Order being made. The right to challenge also exists where an order is varied by the Council. An interested person is an individual who lives in, or regularly works in or visits, the Restricted Area and they may only challenge the validity of the Order on two grounds; that the Council did not have power to make the order or variation, or to include

particular prohibitions or requirements imposed by it, or that a requirement under Chapter 2 of Part 4 of the Act was not complied with.

Where a challenge is made the High Court can decide to suspend the operation of the Order, pending its decision, in part or in totality and the High Court has the power to uphold, quash or vary the Order.

Dated: **31 October 2019**

Signed:



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Joanna Swift

Head of Legal and Democratic Services

On behalf of **Chiltern District Council**

**King George V House, King George V Road, Amersham, Buckinghamshire,
HP6 SAW**