

CHESTERFIELD BOROUGH COUNCIL

CRIMINAL JUSTICE AND POLICE ACT 2001 (AS AMENDED)

LOCAL AUTHORITIES (ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES) REGULATIONS 2007

THE CHESTERFIELD BOROUGH COUNCIL
ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES
ORDER (FOR PART OF THE SOUTH AREA OF
CHESTERFIELD) 2011

Chesterfield Borough Council of the Town Hall, Rose Hill, Chesterfield, Derbyshire ("the Council") hereby makes the following Order under Section 13(2) of the Criminal Justice and Police Act 2001 (as amended) ("the 2001 Act"):

(1) The land described in the Schedule below and edged in blue on the map attached to this Order, being land in the area of the Council, which is land to which the 2001 Act applies, is hereby designated for the purposes of section 13(2) of the 2001 Act.

(2) This Order allows a constable and other accredited persons under sections 41 and 42 and schedule 5 to the Police Reform Act 2002 to require a person, in a designated public place, not to drink alcohol in that place if the officer reasonably believes that a person has consumed alcohol or intends to do so, and to surrender the alcohol and any opened or sealed containers in the person's possession. Any person who fails without reasonable excuse to comply with a constable's request under this provision may commit an arrestable offence and be liable to prosecution or may be issued with a penalty notice.

(3) This Order may be cited as the Chesterfield Borough Council Alcohol Consumption in Designated Public Places Order (for part of the South Area of Chesterfield) 2011.

(4) This Order becomes effective on 11 April 2011.

SCHEDULE

All public places are designated public places within the area bounded by:

The south side of Hollis Lane from the subway under the A61 in a westerly direction to the junction to the east side of Lordsmill Street; and then in a southerly direction along the east side of Lordsmill Street to the south side of the A619 roundabout; and then in a westerly direction along the south side of Markham Road to the Coach Station; and then in a northerly direction to the south side of New Beetwell Street; and then in a westerly direction along the south side of New Beetwell Street and continuing along the south side of West Bars to a point before the junction with Clarence Road; and then in a westerly direction along the north side of West Bars and continuing along the north side of Chatsworth Road (A619) to the junction with Walton Road and Old Hall Road; and then in a southerly direction along the west side of Walton Road to the junction with the A632 (Whitecotes Lane) where it meets the Borough boundary; and then in an easterly direction following the Borough boundary along the south side of Whitecotes Lane (part) and then following the line of Borough boundary to the west and south of Walton Hospital to the point where it meets the west side of Harehill Road; and then following the line of the Borough boundary in a southerly direction to the west side of Langer Lane; and then following the line of the Borough boundary in an easterly direction crossing the A61 and continuing following the line of the Borough boundary crossing the railway line to a point at the most southerly end of The Green, Hasland; and then the boundary follows a north-westerly direction (to the south of Kibworth Close and Bradgate Close) to a point where it meets the railway line to the west of Ingleton Road; and then continuing along the west side of the railway line in a northerly direction to the Horns Bridge roundabout; and it then follows in a northerly direction along the west side of the A61 to the subway at Hollis Lane.

The area referred to in the Schedule is the area within the boundary shown edged in blue on the map attached to this Order.

“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.

There are a number of public places which will not be subject to this Order at all or will only be subject to this Order at certain times. These are listed below:

(a) This Order will not apply to premises in respect of which a Premises Licence (within the meaning of the Licensing Act 2003) has effect which authorises the premises to be used for the sale or supply of alcohol;

(b) This Order will not apply to premises in respect of which a Club Premises Certificate (within the meaning of the Licensing Act 2003) has effect which authorises the premises to be used by the club for the sale or supply of alcohol;

(c) This Order will not apply to a place within the curtilage of premises with a Premises Licence or a Club Premises Certificate;

(d) This Order will not apply to premises that are the subject of a Temporary Event Notice (within the meaning of the Licensing Act 2003) for the period authorised by the notice and for 30 minutes following the sale or supply of alcohol;

(e) This Order will not apply to premises permitted for the sale or consumption of alcohol by virtue of a permission granted under section 115E of the Highways Act 1980;

(f) Where Chesterfield Borough Council holds the Premises Licence which authorises the sale or supply of alcohol, or occupies or has managed on its behalf a premises subject to a Premises Licence authorising the sale or supply of alcohol, this Order will not apply to those premises at times when they are actually being used for the sale or supply of alcohol or at times falling within 30 minutes after the end of such a period. Chesterfield Borough Council holds premises licences for Queen's Park Sports Centre and Queen's Park Cricket Ground which authorise those premises to be used for the sale or supply of alcohol.

DATED the 4th day of March 2011

THE COMMON SEAL OF)
CHESTERFIELD BOROUGH COUNCIL)
was hereunto affixed in the presence of:)

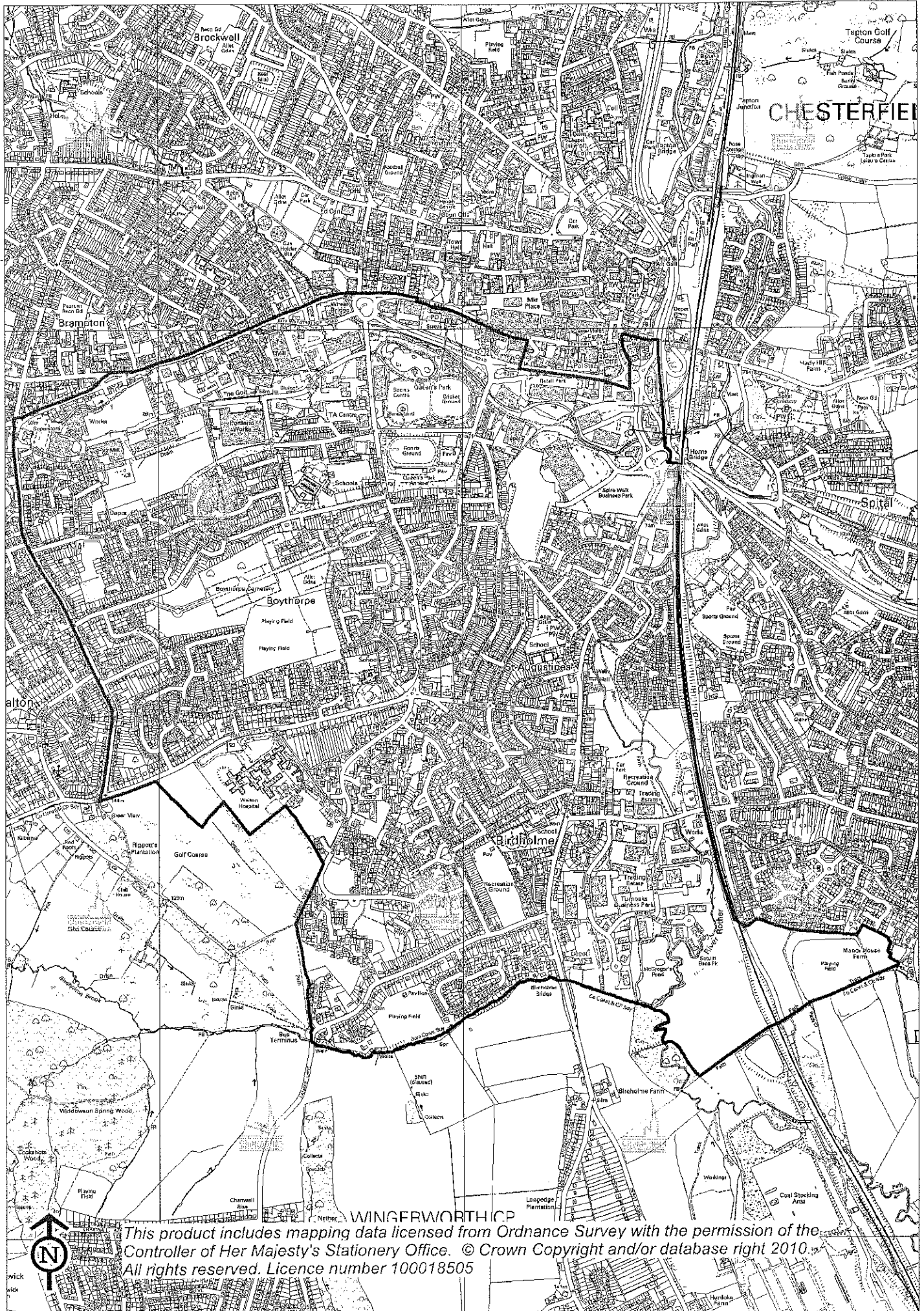
K. P. Mayor

Mayor

Sam T. Co

Authorised Signatory





CHESTERFIELD

WINGERWORTH ICP

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