

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER 2017

ST JAMES BARTON UNDERPASSES (COMMONLY KNOWN AS THE BEAR PIT)

INCLUDING HAYMARKET WALK

BRISTOL CITY COUNCIL (the Council) in exercise of its powers under section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 (the Act), being satisfied that the conditions set out in section 59 of the Act have been met, including being satisfied that the anti-social behaviour arising from consumption of alcohol and being under the influence and/or in possession of psychoactive drugs in the Restricted Area has had a detrimental effect on the quality of life of those in the locality makes the following order:

1. This Order applies to the public space known as St James Barton Underpass, commonly known as the Bear Pit, including Haymarket Walk, delineated in dashed red on the plan annexed to this Order (the Restricted Area):
 - a. No person in the Restricted Area shall be in possession of any opened or unsealed bottle or container of alcohol.
 - b. No person in the Restricted Area shall be in possession or under the influence of any psychoactive substance as defined by the Psychoactive Substances Act 2016.
2. Any person who without reasonable excuse fails to comply with the requirements of the Order commits an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
3. Any person who fails without reasonable excuse to comply with the requirement of a constable or authorised person not to consume alcohol or anything they reasonably believe to be alcohol; or to surrender anything which the constable or authorised person reasonably believes to be alcohol or a container for alcohol commits an offence and shall be liable, on summary conviction, to a fine not exceeding level 2 on the standard scale.
4. A Fixed Penalty Notice may be issued to a person who a constable or authorised person has reason to believe has committed an offence in relation to this Order, offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty.
5. 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 6 weeks from the date on which this Order is made.

6. The Order shall come into operation on 1 June 2017 and shall remain in place for a period of 3 years.

Date the 2017

THE COMMON SEAL of
BRISTOL CITY COUNCIL was
Hereunto affixed in the presence of:-

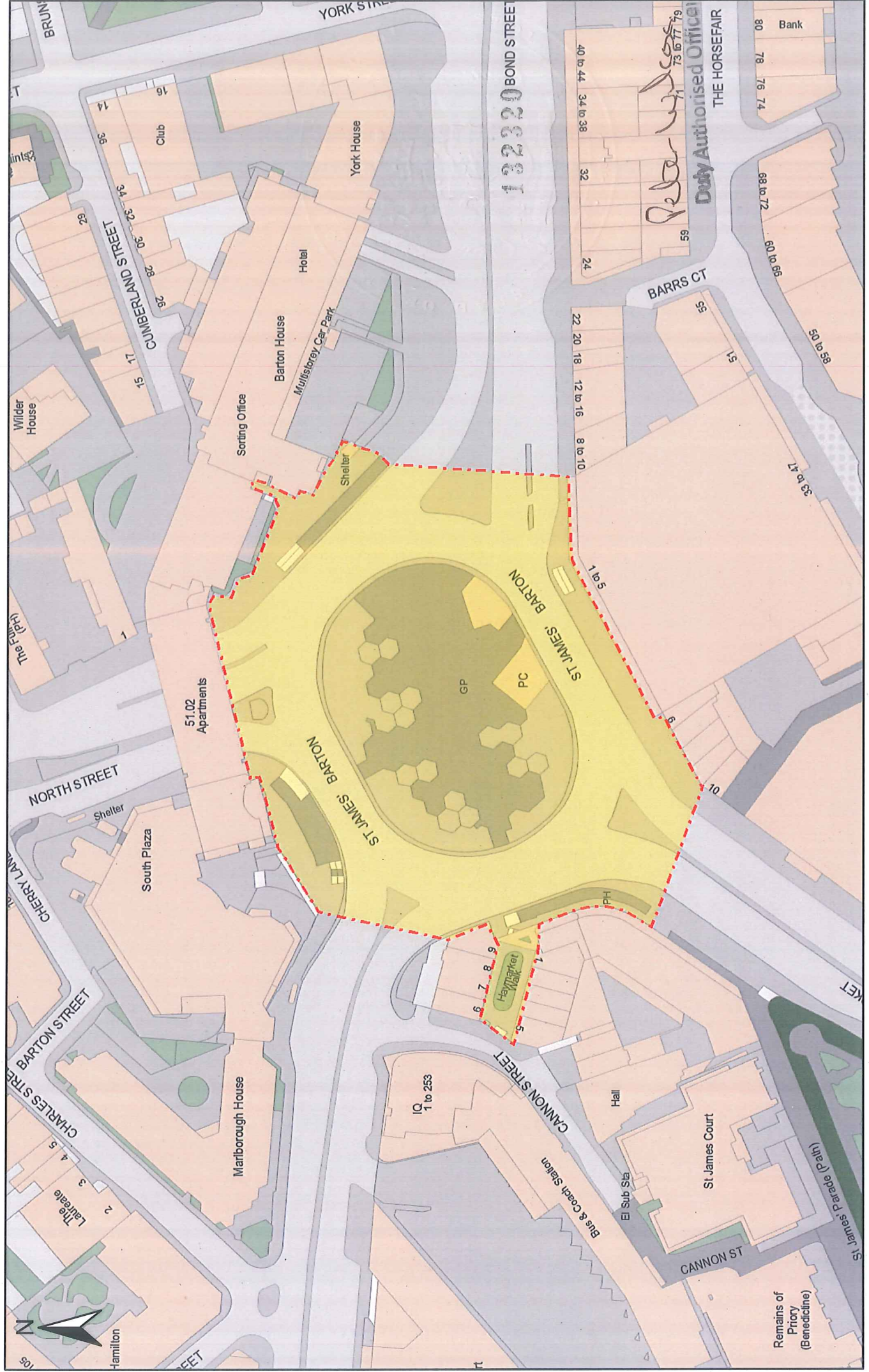
132319

Peter Wilcox

Duly Authorised Officer: *PETER WILCOX.*

Bristol City Council map

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