

## **Anti-Social Behaviour, Crime and Policing Act 2014 – Section 60**

**This Order is made by Wirral Borough Council (“the Council”) under Section 60 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”).**

### **1. Purpose of the Order**

This Order extends the duration of the **Woodchurch PSPO Order 2022** (“the Original Order”), which was made by the Council on **19 December 2022** under Section 59 of the Act.

The Council is satisfied that the conditions under Section 60(2) of the Act are met namely that the Council is satisfied on reasonable grounds that extending the Original Order is necessary to prevent—

- (a) occurrence or recurrence after that time of the activities identified in the order, or
- (b) an increase in the frequency or seriousness of those activities after that time.

### **2. Effect of the Extension**

The Original Order is hereby extended for a period of **3 years**, commencing on **15 December 2025** and expiring after **14 December 2028**, unless varied, discharged or further extended in accordance with the Act.

### **3. Continuation of Provisions**

All prohibitions, requirements, and restrictions set out in the Original Order shall continue to apply throughout the extended period.

1. No person shall drink or attempt to drink alcohol in any public space within the Restricted area following receipt of a requirement not to do so given to them by a Police Officer or an authorised officer.

Where a Police Officer or an authorised officer reasonably believes that a person has been consuming alcohol, or that a person intends to consume alcohol in circumstances in which doing so may lead to a breach of this prohibition, the Police Officer or authorised officer may require that person:

- (i) Not to consume, in breach of the prohibition, alcohol or anything which the Police Officer or authorised person reasonably believes to be alcohol.
- (ii) To surrender anything in that person’s possession which is, or which the Police Officer or authorised person reasonably believes to be, alcohol or a container for alcohol.

A Police Officer or authorised person may dispose of anything surrendered to them as a result of a requirement imposed by him or her in whatever way he or she thinks appropriate.

A Police Officer or an authorised person who imposes a requirement pursuant to this prohibition must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

A requirement imposed by an authorised person is not valid if the authorised person is asked to show evidence of his or her authorisation but fails to do so.

2. No person shall drink or attempt to drink, inhale, inject, or otherwise use or be in possession of any intoxicating substances or "legal highs" or drug paraphernalia including nitrous oxide canisters in any public place within the Restricted Area. This includes substances with the capacity to stimulate or depress the central nervous system.

Where a Police Officer or an authorised officer reasonably believes that a person has been consuming any intoxicating substances including nitrous oxide, or that a person intends to consume any intoxicating substances in circumstances in which doing so would be a breach of this prohibition, the Police Officer or authorised person may require that person:

- (i) Not to consume, in breach of the prohibition, any intoxicating substance or "legal high" including nitrous oxide or anything which the Police Officer or authorised person reasonably believes to be an intoxicating substance or "legal high" including nitrous oxide.
- (iii) To surrender anything in that person's possession which is, or which the Police Officer or authorised person reasonably believes to be an intoxicating substance or "legal high" including nitrous oxide and their containers/cannisters.

A Police Officer or authorised person may dispose of anything surrendered to them as a result of a requirement imposed by them in whatever way he or she thinks appropriate.

A Police Officer or an authorised person who imposes a requirement pursuant to this prohibition must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

A requirement imposed by an authorised person is not valid if the authorised person is asked to show evidence of his or her authorisation but fails to do so.

3. Between the hours of 1500 and 2200 hours each day, any person within any open public space in the Restricted Area who is in a gathering of 2 or more persons must leave the Restricted Area when required to do so by a

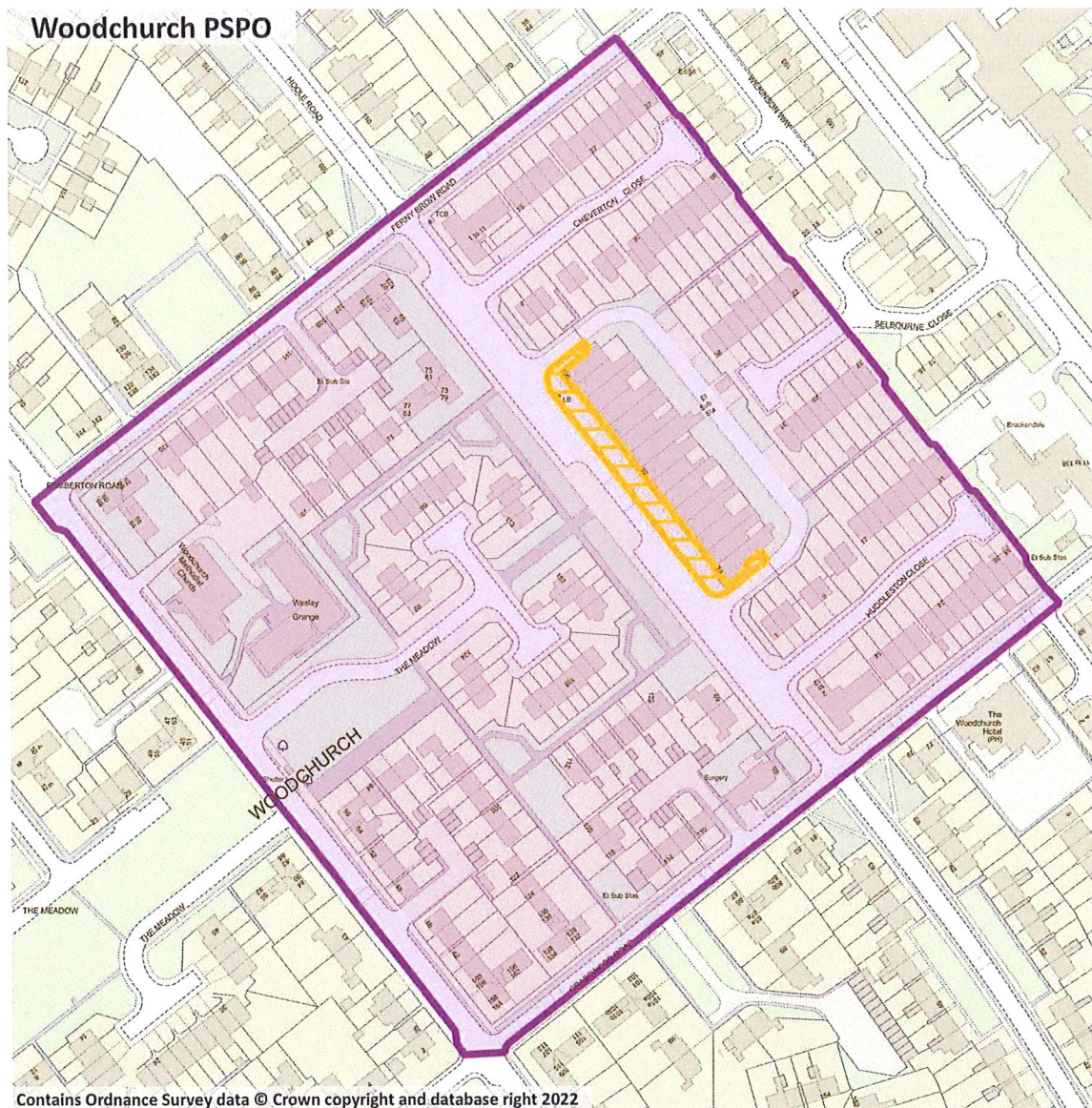
Police Officer or an authorised officer if such officer reasonably believes that any person who is part of the gathering is engaging in or is intending to engage in behaviour that is likely to cause alarm, harassment or distress to any other person within the Restricted Area.

A Police Officer or an authorised person who imposes a requirement pursuant to this prohibition must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

A requirement imposed by an authorised person is not valid if the authorised person is asked to show evidence of his or her authorisation but fails to do so.

4. No person shall wear anything in any open public space within the Restricted area which covers any part of that person's face. This does not include face coverings worn for religious reasons or for health reasons relating to an existing medical condition or vulnerability or required by law.
5. No person shall ride a bicycle, scooter or other wheeled vehicle on the paved area adjacent to the shops on Hoole Road, shaded yellow on the map, within the Restricted area at any time. This prohibition does not apply to any person who requires the use of such a vehicle to address any mobility issues.

**Note:** In this section "authorised person" and "authorised officer" means a person authorised by Wirral Borough Council (or authorised by virtue of section 69(1) of the Act to enforce Orders made pursuant to Chapter 2 of Part 4 of the Act.



#### 4. Restricted Area

The geographical area covered by the Original Order remains unchanged and is defined in the map included here and in the Original Order, described as the area shaded purple which is an area situated within the Upton Ward of Wirral, known as the Woodchurch Estate, including parts of Pemberton Road, Ferny Brow Road, Grass Wood Road and Hoole Road and incorporates and/or extends to The Meadow, Cheverton Close, Huddleston Close as well as the land at Selbourne Close which is located in between Cheverton Close and Huddleston Close and is applicable on all days.

## 5. Offences and Penalties

- (i) It is an offence for a person, without reasonable excuse:
  - a. to do anything that that person is prohibited from doing by The Woodchurch PSPO 2022; or
  - b. to fail to comply with a requirement to which that person is subject under the Woodchurch PSPO 2022.
- (ii) A person guilty of an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (iii) A person does not commit an offence under section 67 of the Act by failing to comply with a prohibition or requirement that the local authority did not have power to include in The Woodchurch PSPO 2022.
- (iv) An authorised officer may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to Woodchurch PSPO 2022.
- (v) A fixed penalty notice is a notice 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 not exceeding £100 to Wirral Borough Council.

## 6. Variation and Discharge

The Council may review, vary, or discharge The Woodchurch PSPO 2022 at any time in accordance with Section 61 of the Act.

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BY THIS ORDER:

Dated: 12<sup>th</sup> December 2025

THE COMMON SEAL OF  
WIRRAL BOROUGH COUNCIL

was hereunto affixed in the presence of



*Handwritten signature*

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