



**Cumberland
Council**

**PROPOSED DRAFT ORDER
CUMBERLAND COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTIONS 59-68
CUMBERLAND COUNCIL PUBLIC SPACES PROTECTION ORDER (NO. 1) 2024**

Cumberland Council ("The Council") hereby makes the following Order under the Anti-Social Behaviour, Crime and Policing Act 2014, Section 59 ("the Act")

1. This Order applies to the public areas shown on the plans annexed to this Order (the Restricted Areas) FOR CONSULTATION:
- a) Challenging anti-social behaviour by groups or individuals in open and Public Spaces and Car Parks in the district (Schedule 1 restricted Areas).
 - b) No person shall beg. Where it causes or is likely to cause anti-social behaviour. (Schedule 1 restricted Areas)
 - c) No person shall camp or sleep overnight with or without a tent, where their behaviour, and the behaviour of their visitors or associates, causes, or attracts anti-social behaviour and/or has a detrimental effect on the quality of life of those in the locality. (Schedule 1 restricted Areas)
 - d) A code of conduct for Buskers is currently in place, therefore, no person shall breach this by causing a nuisance to nearby premises or members of the public. This will also apply to street performers/public speakers and includes obstructing the highway, pavement, or shop entrances, or using street furniture including public seats, lamp posts and railings. (Breach of the code of conduct, or, operating without one, will result in a breach of the PSPO.) (Schedule 1 restricted Areas)
 - e) No selling of goods, no canvassing of services or charities (without prior written consent from the Council, this must be presented to the authorised officer upon request, failure to do so will result in a breach of the PSPO). (Schedule 1 restricted Areas)
 - f) No person shall refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance or disorder. (Schedule 1 restricted Areas)

Where a Police Officer, Police Community Support Officer or a person duly authorised by the Council reasonably believes that a person has been consuming alcohol, or that a person intends to consume alcohol in circumstances in which doing so would be a breach of that prohibition, the person may be required:

- Not to consume alcohol or anything reasonably believed to be alcohol.
- To surrender anything in that person's possession which is, or which may reasonably believe to be alcohol or a container for alcohol.

Anything surrendered to him or her as a result of a requirement imposed may be disposed of by the authorised officer in whatever way he or she thinks appropriate.

A Police Officer or an authorised person who imposes such a requirement 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.

g) Riders of scooters / E-Scooters, Skateboards and Motor Propelled vehicles (mobility scooters are exempt) being used on footpaths so as to cause nuisance and annoyance. (Schedule 1 restricted Areas)

h) A person shall be guilty of an offence if, at any time on any open space, park, pedestrianised area or car park within the District to which this Order applies if they are carrying out any of the following activities(Schedule 1 restricted Areas):

- driving or permitting a vehicle to be used in a manner that causes or is likely to cause harassment, alarm, risk or distress to any person;
- Running or revving of engines in such a manner as to cause a nuisance;
- Racing or driving around the location at speed;
- sounding the horn;
- playing loud music;
- congregating in a car park for the purposes of socialisation without permission; and or
- any variation of the above unless:
 - (i) they have a reasonable excuse for doing so; or
 - (ii) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their doing so

j) Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she:

- fails to keep the dog on a lead and under physical control at all time on any land which has been designated as a dog on lead area, identified in Schedule 2 restricted areas annexed here to
- fails to put a dog on lead by direction by an authorised officer
- allows the dog to foul in a public place and then fails to remove the waste and dispose of it in an appropriate receptacle. ((Schedule 4 restricted Areas)
- takes a dog onto, or permits the dog to enter or remain on, any land which has been designated as a dog exclusion area, identified in Schedule 3 Restricted areas annexed here too.

The provisions of this order relating to the control of dogs shall not apply to any person who is registered blind in accordance with section 29 of The National Assistance Act 1948, to any person and to any person suffering a disability and in sole charge of a dog trained to assist with his/her mobility, manual dexterity, physical coordination or ability to lift and carry everyday objects and the said dog has been trained by a prescribed charity.

Appeals

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who visits the restricted area.

This means that only those who are directly affected by the restrictions have the right to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds; 1) that the Council did not have the power to make the order or to include particular prohibitions or requirements or that 2) one of the requirements of the legislation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the order pending the Court's decision, in part or totality. The High Court has the ability to uphold the order, quash it, or vary it.

A person who is guilty of an offence under the Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

This Order will come into force on day XXXXXXXX and may be cited as CUMBERLAND COUNCIL PUBLIC SPACES PROTECTION ORDER (NO. 1) 2024

This Order shall remain in force until XXXXXXXX 2027

GIVEN under the Common Seal of the Cumberland Council

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Authorised signatory.

SCHEDULE 1 Restricted Areas

Town and City Centre Areas – ASB and Alcohol

Bridge Street Retail Park Whitehaven
Carlisle City Centre
Cleator Moor Town Centre
Cockermouth Town Centre
Derwent Howe Retail Park Workington
Dunmail Park Workington
Egremont Town Centre
Preston Street Retail Park Whitehaven
Whitehaven Town Centre
Workington Town Centre

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Schedule 2 Restricted Areas.

Areas for 'Dogs on Leads' – Plans to be Finalised (illustrative purposes only)

Cemeteries

Carlisle	CA2 6AT
Stanwix	CA3 0AT
Upperby	CA2 4LH
Brigham	CA13 0XH
Cockermouth	CA13 9DF
Dearham, Maryport	CA15
St Pauls and Causewayhead	CA7 4PQ
Maryport Cemetery	
Harrington Road, Workington	CA14 2UL
Salterbeck, Workington	CA14 5HW
Flimby, Workington	CA15 8TJ
Netherwasdale Cemetery	CA20 1ET
Low Road Cemetery, Whitehaven	CA28 9HU
Hensingham Cemetery, Whitehaven	
Distington Hall Crematorium	CA14 4QY
Beckermet Cemetery	CA21 2XP
St Joseph's Burial Ground	CA26 3PX
Beck Bottom and Beck Bottom Cemetery, Whitehaven	
North Road Cemetery, Egremont	CA22

Closed Churchyards, Nature Reserves, Parks & Open Spaces

Abbeytown Church	Wigton	CA7 4SY
Banklands	Workington	CA14 3EU
All Saints	Cockermouth	CA13 9PJ
St. Mungo's Church	Dearham	CA15 7HX
St. Nicholas' Church	Flimby	CA15 8TJ
St. Michael's Church	Workington	CA14 2EZ
St. Mary's Church	Maryport	CA15 7HX
St. John's Church	Workington	CA14 3AW
St. Mary's Churchyard	Sebergham	CA5 7HS
St. Mary's Church	Harrington	CA14 5PW
All Soul's Church	Maryport	CA15 7NL
Home Cultram Abbey	Abbeytown	CA7 4SG
St Joseph's Church	Seascale	CA20 1PU
St John's Church	Cleator Moor	CA25 5BY
St John's Church	Beckermet	CA21 2XT
St James's Church and Kirk	Whitehaven	
St Cuthbert's Church	Seascale	CA20 1QU
St Bridget's Church	Moresby	CA28 6PB
St Bega's RC Church	Cleator Moor	CA25 5QH
Silecroft Beach Play Area	Silecroft	LA25 4NY
Ramsey Drive Playing Field	Parton	CA28 6RE
Land at Calderbridge	Whitehaven	CA20 1DB

King George V Playing Field	Cleator Moor	CA25 5JA
Greenbank Playing Field		CA28 9QX
Copeland Athletics Stadium	Hensingham	CA28 8SD
North Road Cemetery	Egremont	CA22 2SY
Church of the Holy Spirit	Distington	CA14 5TD
High Road Welfare Field	Kells	CA28 9PQ
Trinity Gardens, Scotch Street	Whitehaven	CA28 7DG
The Priory Church of St Mary's and St Bega	St Bees	CA27 0DR
St Paul's Church, Church Street	Frizington	CA16 3ST
St Mary's and St Michael's Churchyard	Egremont	CA22 2AY
St Luke's Church, Haverigg	Millom	LA18 4HB
St Leonard's Church, Bankend View	Cleator	CA23 3DB
Egremont Castle	Egremont	CA22 2JW
Skate Park	Egremont	CA22 2DY
Orgill,	Egremont	CA22 2HH
Playing Field, Moor Row	Whitehaven	CA22 2UT
Outrigg	St Bees	CA27 0AN
Playing Field, Arlecdon	Frizington	CA26 3XD
Castle Park	Whitehaven	CA28 7RA
St Joseph's Church	Frizington	CA26 3PX
Playing Field	Lowca	CA28 6PT
Recreation Ground	Moresby	CA28 8XW
Land at High Street	Whitehaven	CA28 7PT
Land at Jericho	Whitehaven	CA28 6TJ
Land at Woodhouse	Whitehaven	CA28 9HZ
Pavillion	Millom	LA18 5DW
Playing Field	Gosforth	CA20 1AN
Trinity Churchyard	Carlisle	CA28 7BU
Ennerdale Road Sports Pitch	Maryport	CA15 8HN
Workington Hall Park Playing Field	Workington	CA14 4AA
Moorclose Sports Field	Workington	CA14 5BF
Jane Pit Playing Field	Workington	CA14 2DB
Lowther Street Playing Field, Flimby	Workington	CA15 8PP
West Lane Playing Field, Flimby	Workington	CA15 8QS
Siddick Ponds	Workington	CA14 1NQ
Harrington Nature Reserve, Pond Area	Workington	CA14 5LB

SCHEDULE 3 Restricted Areas

Areas for “Dog Exclusion” – Plans to be Finalised (illustrative purposes only)

Closed Play Areas (and Skate Parks)

Hunter’s Drive	Seaton	CA14 1QQ
Ennerdale Road	Maryport	CA15 7ND
Camp Road	Maryport	CA15 6JL
Bellbrigg Lonning	Cockermouth	CA13 9BZ
Harris Park	Cockermouth	CA13 0DF
Horse Close Skate Park	Workington Hall Park	CA14 4EA
Kirkstead Play Area	Kirkstead Road	CA2 7RD
Bitts Park	Dacre Road	CA3 8UZ
Briar Bank	Briar Bank	CA3 9SP
Broad Street	Petteril Street	CA1 2AJ
Carliol Drive	Carliol Drive	CA1 2RF
Chances Park	Dunmallet Rigg	CA2 6NU
Clarksfield	Scotland Road	CA3 9HH
Crindledyke	Crindledyke Close	CA6 4BX
Dale End Field	London Road	CA1 3EJ
Denton Holme	Denton Street	CA2 5JY
Fusehill Street	Grey Street	CA1 2HJ
Gleneagles Drive	Fulford Walk	CA3 9RA
Hammond's Pond	Buchanan Road	CA2 4SD
Houghton	Tribune Drive	CA3 0LF
Jubilee Road	Jubilee Road	CA2 4DD
Melbourne Park	Borland Avenue	CA1 2TJ
Milbourne Street	Milbourne Street	CA2 5XD
Morton West	Richmond Green	CA2 6SZ
Parkland Village	Pennine View Close	CA1 3GW
Pasture Walk	Pasture Walk	CA1 2LB
St James' Park	Clifton Street	CA2 5NG
The Beeches	Glaramara Drive	CA2 6QP
Turnstone Park	Fulmar Place	CA2 7NW
Windsor Way	Windsor Way	CA3 0PF
Yewdale Park	Hutton Way	CA2 7TH
Sports Court, Woodhouse	Whitehaven	CA28 9HZ
Play Area, Welfare Fields	Kells	CA28 9BA
Playing Field at Town End	Seascale	CA20 1PZ
Village Green	Kirksanton	LA18 4NN
The Park, Thornhill	Egremont	CA22 2SP
Play Park, Mirehouse Shops	Whitehaven	CA28 8ER
Playground	Whicham	LA18 5LS
Play Area Scalegill Road	Moor Row	CA24 3JN
Play Area and associated land Coronation Drive	Frizington	CA26 3QF
Play Area, East Road	Lowca	CA28 6QH

Community Recreational Park	Ennerdale	CA23 3AS
Playground	Kirkland	CA26 3XX
Playground, Barfs Road	Distington	CA14 5TE
Play Area, Bootle Station	Bootle	LA19 5XB
Recreation Ground	Bootle	LA19 5UL
Play Park, Castle Park	Whitehaven	CA28 7AL
Play Park, Churchill Drive	Moresby	CA28 8XA
Play Area, Fairfield Arlecdon	Frizington	CA26 3XA
Play Area, Gosforth play fields	Gosforth	CA20 1AY
Play Ground, Haverigg Beach	Haverigg	LA18 4GY
Play Area, High Street	Whitehaven	
Play Area, Hinnings Road	Distington	CA14 5UW
Play Area, Jacktrees Road	Cleator Moor	CA25 5BB
Play Area, Jericho	Whitehaven	CA28 6TJ
Play Area	Keekle	CA28 5RQ
Play Area, Ling Road	Egremont	CA22 2JU
Play Area, Main Street	Parton	CA28 6HZ
Playing Field, Mill Hill	Cleator Moor	CA25 5RX
Play Area and Tennis Court, Millom Park	Millom	LA18 4JA
Play Area, Newlands Avenue	Whitehaven	CA28 9SW
Land at Nursery School, Main Street	Frizington	CA28 3PF
Play Area, Orgill	Egremont	CA22 2HL
Play Area, Pica	Workington	CA14 4QA
Play Area, Prospect Row	Cleator	CA23 3DE
Play Area, Recreation Ground	Moresby	CA28 8XW
Play Area, Seascale Foreshore	Seascale	CA20 1PZ
St Nicholas's Gardens	Whitehaven	CA28 7DG
Playing Fields	Ravenglass	CA18 1SW
Kie Park and Basketball Court	Whitehaven	CA28 8ST
Play Area, Hensingham	Whitehaven	CA28 8QL
Play Area, Bank End View	Bigrigg	CA22 2TH
Play Area, Outrigg	St Bees	CA27 0AA
Land at School Green	Beckermet	CA21 2YD
St Bees Beach Play Area	St Bees	CA27 0ES

MUGAs - Carlisle Area

Site Name	1st Line Address	Postcode
Chances Park	Langrigg Road	CA2 6PD
Dale End Field	London Road	CA1 3EJ
Hammond's Pond	Buchanan Road	CA2 4SD
Melbourne Park	Borland Avenue	CA1 2TJ
Raffles	Raffles Avenue	CA2 7EB
Trinity Churchyard	Head Street	CA2 7BQ

Schedule 4 Restricted Area

Whole Cumberland Area – dog fouling.

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