

# Alcohol Public Space Protection Order 2021

## What is a Public Space Protection Order?

The Anti-social Behaviour, Police and Crime Act 2014 places duties on local authorities to tackle Anti-social behaviour (ASB) by working in partnership with the police, social landlords and other agencies. The Act makes provision for Public Space Protection Orders (PSPO) which are intended to be used to control and restrict anti-social behaviour in public spaces. They can also help by giving local councils and the police additional powers to tackle anti-social behaviour in specific locations.

The exact details of a local Public Space Protection Order can be defined by a local council. They can be blanket restrictions, or they can just be targeted towards certain groups or types of behaviour at certain times of the day. They can also restrict access to public spaces (including some highways) where that route is being used to commit anti-social behaviour.

Once agreed, Orders can be enforced by a police officer, police community support officer and delegated council officers. A breach of the Order is a criminal offence and can be dealt with through the issuing of a Fixed Penalty Notice of up to £100, or a fine of up to £1,000 on prosecution. Any income from Fixed Penalty Notices is likely to be used to offset costs around running the Public Space Protection Order; signage; court fees for failure to pay fines etc.

The PSPO must be reviewed every 3 years.

The PSPO replaces previously existing powers under dog control orders, designated public place orders (also known as Alcohol Control Zones) and gating orders.

## Why introduce this?

The Council previously introduced a PSPO to address alcohol related anti-social behaviour in 2017. This Order has now expired. The Council is now considering whether to implement a further 3 year PSPO to re-establish these powers to better enable police officers and delegated council officers to tackle the problems of alcohol related antisocial behaviour.

The Council has reviewed the number of complaints received regarding street drinking in the borough over the last 5 years. There are a number of hotspot areas where the complaints have been concentrated, these are located within Forest Gate North, East Ham town centre, Canning Town North (around Barking Road) and West Ham on Plaistow Road.

The Council is consulting on whether to introduce the PSPO within these specific hotspot areas for complaints, or whether to introduce the order borough wide, which would assist with dealing with displacement of the problems in the hotspot areas and to address any emerging problems elsewhere in the borough.

### **Alcohol related anti-social behaviour and disorder**

Street drinking is sometimes associated with anti-social behaviour, causing high levels of noise, rowdy and nuisance behaviour, harassment and intimidation of passers-by, as well as the littering of cans and bottles, vomiting and urination in public spaces. There are further concerns with underage drinking, sexual activity, criminal damage and substance misuse.

A PSPO is not a ban on drinking in public places. The PSPO is proposed to tackle alcohol related anti-social behaviour, it is not designed to prevent drinking of alcohol in public places where there are no issues with nuisance or anti-social behaviour. It is not an offence to consume alcohol in a public space; the offence is failing to comply with an officer's request to stop drinking or failing to surrender containers. Authorised officers can only request that alcohol consumption should cease on the grounds that anti-social behaviour is or is likely to occur.

The enforcement of these powers fits into the wider strategy in Newham to address alcohol related harm and crack down on anti-social behaviour. This strategy includes signposting individuals with alcohol and substance misuse issues to drug and alcohol treatments services so they can get the support they need to address their addictions; engaging with local licensed premises to reduce the availability of high strength beers and ciders as well as ensuring that licensing objectives are promoted through responsible retailing of alcohol; and work by Public Health to promote responsible drinking working with health partners such as the NHS.

### **Consultation**

The Council is seeking views from residents, business owners, partners and stakeholders on the proposed Alcohol PSPO. The Consultation is open for 28 days and will close on 24 November 2021.

Please provide your feedback using the survey [link](#) .

You can also find details on the website of data analysis of the complaints received by the council over the last 5 years as well as a draft copy of the proposed order to help inform your responses.

Should you have any questions regarding this consultation, please contact Lisa Hooper, Community Safety Manager [lisa.hooper@newham.gov.uk](mailto:lisa.hooper@newham.gov.uk)

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