

Further information about Public Space Protection Orders (PSPOs)

The PSPO was introduced by the Anti-Social Behaviour, Crime and Policing Act 2014, and is designed to stop individuals or groups from committing anti-social behaviour. The orders are intended to be used to protect the public from behaviour that is having, or is likely to have a detrimental effect on the quality of life of those in the locality and is persistent and unreasonable. For example, the effect of the soon to expire PSPOs in question will be to prohibit the consumption of alcohol in or on a public highway, car parks and all other land to which the public, or any section of the public, on payment or otherwise, as of right or by virtue of express or implied permission has access within the restricted area.

It is not an offence to drink alcohol in a controlled drinking area. However, it is an offence to fail to comply with a request from a police officer or other duly authorized officer to cease drinking or to surrender alcohol in the area. Failure to comply with a request is an offence which is liable on summary conviction to a fine not exceeding level 2 on the standard scale, currently £1,000. Fixed penalty notices can also be issued.

A PSPO cannot be used to restrict the consumption of alcohol where the premises or its curtilage (a beer garden or pavement seating area) is licensed for the supply of alcohol. Any premises temporarily licensed under a Temporary Event Notice, such as a special event, or where the premises licence is held by the Council, or is occupied by or managed on its behalf and covered by a premises licence held by a third party, are only excluded from this Order during the hours stipulated in their licence and for a period of 30 minutes thereafter. This is because the licensing system already includes safeguards against premises becoming centres of anti-social behaviour and would create confusion and duplication.

Gardens within the curtilage or residential dwellings will not be covered by the Order.

A breach of the PSPO without reasonable excuse would be a criminal offence, subject to a Fixed Penalty Notice of £75 or prosecution. Fixed Penalty Notices can be issued by a constable or other authorised officers. On summary conviction, an individual would be liable to a fine not exceeding level 2 on the standard scale (currently £500).

The six alcohol control PSPOs currently in place in the Borough are:

Eastwood
Beeston North
Beeston Town Centre
Manor Park, Toton
Stapleford
Kimberley