

CONSULTATION FORM

As a local resident we would like to know what you think of the proposed PSPO.

Your contact details

Name

Address

Postcode

Email.....

Do you agree with the proposal?

Yes, I agree with the proposal

No, I do not agree with the proposal

How to give your feedback

Please give us your feed-back by 28 February 2017

You can either:

- Fill in the attached form and send it back to us to the address below
- Email spc@broxtowe.gov.uk

Please see www.broxtowe.gov.uk for more information

Broxtowe Borough Council
Public Spaces Protection Order Consultation
Communities
Public Protection
Council Offices
Foster Avenue
Beeston
Nottingham NG9 1AB

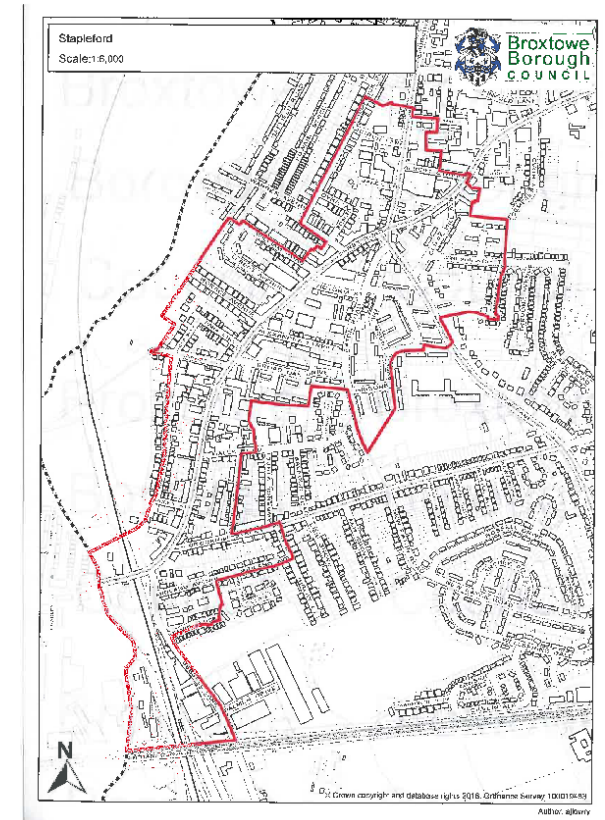
Phone: 0115 917 7777

E-mail: spc@broxtowe.gov.uk



**Broxtowe
Borough
COUNCIL**

Consultation for a Public Spaces Protection Order



WHY HAVE A PUBLIC SPACES PROTECTION ORDER?

We are receiving an increasing number of alcohol related and anti-social behaviour complaints in the Stapleford area. To tackle these problems Broxtowe Borough Council in consultation with Nottinghamshire Police is proposing a Public Spaces Protection Order (PSPO) in the area highlighted on the map. The reason Broxtowe Borough Council is proposing this wide area is to prevent anti-social drinkers just moving on to neighbouring areas.

WHO CAN MAKE A PUBLIC SPACES PROTECTION ORDER?

PSPOs are made by local authorities using powers under Section 59 Anti-social Behaviour, Crime and Policing Act 2014. A local authority can make a PSPO in a **public place** where either:-

- Activities carried on in a public place is or is likely to have a detrimental effect on the quality of life of those in the locality
- The activities are or are likely to be of a persistent or continuing nature, are unreasonable and justify the restrictions imposed by the Notice

WHAT IS A PUBLIC SPACES PROTECTION ORDER?

Public Spaces Protection Orders (PSPOs) help local authorities to deal with the problems of alcohol related anti-social behaviour in public places. **The Order is not a total ban on drinking alcohol in public places.** It just makes it an offence to carry on drinking alcohol when asked to stop by a Police Officer, PCSO or authorised officer. This allows them to deal with people who are behaving antisocially as a result of drinking alcohol.

WHAT CAN AN ENFORCEMENT OFFICER DO?

- If a person refused to stop drinking alcohol their alcohol may be taken away by the enforcement officer and disposed of.
- If a person surrenders their alcohol and does not continue to act in an anti-social manner then no further action will be taken
- If a person surrenders their alcohol but continues to behave antisocially they may be arrested for a Public Order Offence.
- If a person fails to surrender their alcohol they may be arrested and could be fined up to £500.

WHAT ARE THE OFFENCES RELATING TO A PSPO?

It is not an offence to consume alcohol within a restricted area, however, failure to comply with an enforcement officer's request to stop drinking and surrender alcohol, without a reasonable excuse is.

PENALTIES

- A penalty notice for disorder of £80
- Arrest and prosecution for a level 2 fine (up to £500)
- Bail conditions may then prohibit the individual from drinking in public.

DOES THE PSPO AFFECT LICENSED PREMISES?

The PSPO will not stop the consumption of alcohol in any area licensed for the sale and supply of alcohol during normal licensing hours.

HUMAN RIGHTS

New laws must consider the implications for human rights. The PSPO powers are considered reasonable because they are intended to be used **only** against people who are causing a nuisance to others in a public place.