



# **Public Spaces Protection Order (Street Drinking) Consultation**

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## Summary

1. Public Spaces Protection Orders give police additional powers within a designated area to tackle individuals taking NPS or street-drinking where it is associated with anti-social behaviour (ASB).
2. A Police Officer or Police Community Support Officer can in a designated area (if there is ASB):
  - Require a person not to consume alcohol or take NPS
  - Require a person to surrender any alcohol or NPS in his/her possession
  - Dispose of the alcohol/ NPS
  - Arrest an individual if they fail to comply with the Officer's request.
3. Public spaces protection orders (PSPOs), which came into effect as part of the Anti-Social Behaviour, Crime and Policing Act 2014, are intended to deal with a particular nuisance or problem in a particular area that has a detrimental to the quality of life of those in the locality. They are designed to ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.
4. The application of the PSPO is designed to be broad and focus on the impact that the anti-social behaviour is having on victims and communities. A PSPO can be made by the Council if they are satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space:
  - have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
  - is, or is likely to be, persistent or continuing in nature;
  - is, or is likely to be, unreasonable; and
  - Justifies the restrictions imposed by the PSPO.
5. Before a PSPO can be implemented, a consultation exercise must be carried out (along with relevant advertisement etc.) with the residents in the local community (and other persons specified in the legislation). Evidence is also required to demonstrate that it is desirable to have a PSPO in place within any specified area. Once a PSPO is in place, it must be reviewed every three years. If it is the case that 3 years pass without the PSPO being renewed, the PSPO will become unenforceable.
6. In 2014, the council (with partners) undertook a consultation exercise and subsequently put in place a PSPO around street drinking, for the period January 2015 to December 2017 (three years).
7. A total of 660 responses to the consultation were received. The findings showed that a majority, 83% of the 660 respondents stated that they thought that street drinking was a problem in Leicester. A small minority of just under 9% of the 660 respondents felt that street drinking in Leicester was not a problem for them, with approximately 8% remaining undecided. As a result of this outcome to the

consultation, a street drinking order was put in place.

### **Continuation of Street Drinking order**

8. After a three year period a PSPO must be renewed and as such officers instigated a consultation exercise from 17th January 2017 to 28th February 2017; for a period of 6 weeks to garner the views of the public on the continuation of the street drinking order.
9. At the conclusion of the consultation 765 responses were received; 664 (86.80%) stated that they considered that street drinking was still an issue in the city. Furthermore, 682 of the respondents (89.15%) stated that they supported the continuation of the street drinking order.
10. In terms of the type of problems caused by the street drinkers, respondents stated the following;
  - Noise 294 (38.43%)
  - Verbal abuse 270 (35.29%)
  - Physical abuse 118 (15.42%)
  - Intimidation 270 (35.29%)
  - Littering 283 (36.99%)
  - Other 37 (4.84%)
  - 411 (53.73%) respondents did not answer this question.