



Town and Parish Council

Your ref:

My ref: PSPO/2023 CC/SR

Date: 27th March 2023

Dear Town/Parish Council,

Cornwall Council Public Spaces Protection Order (Alcohol Consumption in Designated Public Spaces): Renewal of the current order for October 2023.

Cornwall Council would like your views on the renewal of the county-wide Public Space Protection Order (PSPO) prohibiting street drinking associated with Anti-Social behaviour.

The current PSPO expires on 1st October 2023 and we are seeking to renew it for 3 years until 1st October 2026. The PSPO gives the police and authorised Officers of the Council powers to confiscate alcohol from a minority of drinkers whose excessive drinking causes problems for others in public spaces.

The county-wide Designated Public Place Order (DPPO) was first introduced in 2010. The purpose of the DPPO was to ensure that the consumption of alcohol in a public place did not cause disorder, nuisance or annoyance to members of the Public.

The 2014 Act automatically transitioned the existing DPPO into a Public Space Protection Order (PSPO) on 20th October 2017, and this is required to be reviewed every three years.

Background

The PSPO is designed to ensure the law-abiding majority can use and enjoy public spaces without experiencing Anti-Social behaviour. These powers are not intended to disrupt peaceful activities and are used explicitly for addressing nuisance or annoyance associated with the consumption of alcohol in a public place. It is not a criminal offence to consume alcohol within a designated area. An offence is only committed if the individual refuses to comply with an authorised officer's request to stop drinking.

A PSPO cannot be used to restrict the consumption of alcohol where premises are licensed for the supply of alcohol as licensing law already includes safeguards against premises becoming associated with nuisance and Anti-Social behaviour.

The current Order is effective across all locations to which the public have access across the county as per the attached (Annexe 1).

Alcohol related Anti-Social behaviour can quickly escalate and have a significant and lasting impact upon communities. Whilst most residents, visitors or people living and working in the county drink socially and behave responsibly, their right to enjoyment of our public spaces can be threatened by those who behave in Anti-Social manner, The PSPO will allow Police and authorised officers to ask individuals to stop drinking and have their alcoholic drinks confiscated, if they are deemed to be acting antisocially. It is an offence to fail to comply with a request to stop drinking or surrender alcohol including any opened or sealed containers in the area covered by the PSPO.

What about street parties and events in parks?

Events within a public place authorised by a premises license or a Temporary Event Notice (TEN) will be excluded from the Police and authorised council officers PSPO powers.

We are writing to you to seek your views regarding the current Public Spaces Protection Order (Alcohol Consumption in Designated Public Spaces) as we know that local Councils know the issues that affect their localities the most and are well placed to identify how best to respond to local needs.

Cornwall Council would like you to consider the attached questionnaire (Annexe 2) and share any comments that you may have with regard to the existing PSPO, any removal of identified locations or the addition of new locations based on community intelligence linked with Anti-Social behaviour.

Your views are important to us and can be recorded on the attached questionnaire or can be sent direct to: Antisocialbehaviour@cornwall.gov.uk The closing date for responses is **26th May 2023**.

Please ensure that you title your responses **PSPO 2023** so that our team can clearly identify them.

Cornwall Council are proposing to ***“Renew the PSPO under the existing terms”***

Proposals are still at a formative stage (a final decision has not yet been made).

Cornwall Council considers that there is sufficient information put forward in the proposals to allow ‘intelligent consideration’ and that there is adequate time for consideration and response. Conscientious consideration will be given to all the consultation responses before a decision is made, however, should you like further information or would like to discuss the matter further, please do not hesitate to contact me.

Yours sincerely

Steve Rowell
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& Anti-Social Behaviour Team Manager

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