



Cheshire West & Chester
**Community
Safety
Partnership**



Cheshire West
and Chester

Cheshire West and Chester Council renewal of a borough-wide Public Space Protection Order (PSPO) for the consumption of alcohol in a public place.

Consultation Summary

What is this consultation about?

In October 2014 the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) introduced new powers to tackle anti-social behaviour (ASB), including the power to make Public Space Protection Orders (PSPOs). The Act also required local authorities to review any relevant existing Orders made under previous legislation and ensure their transfer to PSPOs.

The existing PSPO powers relating to the consumption of alcohol in a public place are due to expire in October 2023, as all PSPOs must be reviewed every three years. We would like to hear your views on the current measures covered by the PSPO for alcohol in public places

What does the PSPO for alcohol in a public place cover?

PSPOs can be used to regulate activities in public places that can have a detrimental effect on the local community. They can help by giving local councils and local police additional powers to tackle anti-social behaviour in specified locations.

This PSPO gives the police and authorised Council officers the authority to confiscate alcohol from any person who is drinking alcohol in a public place and is causing, or likely to cause, ASB, disorder, nuisance, or annoyance to members of the public.

It is designed to help manage our public spaces and reduce the risk of members of the public being exposed to ASB caused by street drinking. These powers are not intended to disrupt peaceful activities and are used only for addressing nuisance or annoyance associated with the consumption of alcohol in a public place. An offence is only committed if the person in possession of the alcohol refuses to comply with an authorised officer's request to surrender the container(s).

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.

Breach of the PSPO, without reasonable excuse, is a criminal offence, which can be subject to a £100 Fixed Penalty Notice (FPN) under the Act or prosecution. On summary conviction of an offence an individual would be liable to a level 4 fine (currently up to £2,500).

The Council may consider introducing a Fixed Penalty Notice (FPN) for this offence when it reviews its Enforcement Policy in 2024.



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How to complete the survey

Completing the survey is voluntary and all the information you provide will be treated in the strictest of confidence. No information will be released that could identify an individual or organisation.

You can submit your response:

- Online: www.smartsurvey.co.uk/s/UM8FAO/
- Email: Community.Safety@cheshirewestandchester.gov.uk
- Telephone: 01244 973708, quoting Alcohol PSPO Consultation
- Write to: Cheshire West and Chester Council, Alcohol PSPO consultation, Public Protection Service - Community Safety, The Portal, Wellington Road, Ellesmere Port, CH65 0BA.
- Request a copy of our consultation in alternative formats, including paper and easy read, using the contact details at the bottom of the page.

Please submit your response by Monday 21 August 2023.

If you would like to know more about how we use and store the information you give us in this survey, you can find out by visiting <https://cheshirewestandchester.gov.uk/system-pages/privacy-notices/consultations-privacy-notice.aspx>

How your views will be used

The outcome of the public consultation will be considered by Cabinet in October 2023 and a summary of the consultation findings will be uploaded to the consultation web page and published as an appendix to the Cabinet report on the Council website.

Accessing Cheshire West and Chester Council information and services.

Council information is also available in audio, braille, large print or other formats. If you would like a copy in a different format, in another language or require a British Sign Language interpreter, please email us at: equalities@cheshirewestandchester.gov.uk

Telephone: **0300 123 8 123**

Textphone: **18001 01606 275 757**

Email: equalities@cheshirewestandchester.gov.uk

Web: www.cheshirewestandchester.gov.uk