

## **Overview**

### **Why We Are Consulting**

Leicester City currently has a citywide Public Spaces Protection Order (PSPO) around street drinking, which was established in January 2015 and will end in December 2017. The PSPO gives police extra powers to deal with anti-social behaviour related to street drinking.

We are consulting in order to seek the views of residents and communities of Leicester on the continuation of the current Public Spaces Protection Order (PSPO) around street drinking. PSPOs last for a maximum of three years and now community consultation is required to determine how much public support there is to continue with the current street drinking Order to deal with anti-social behaviour related to street drinking within the city.

A PSPO is not an outright ban on street drinking. It is not an offence to consume alcohol in a public space; the offence is failing to comply with an officer's request to stop drinking or failing to surrender the item. The Police can make an arrest for street drinking related to anti-social behaviour.

is necessary as previous street drinking order has proven effective, however the ongoing occurrence such as high level of noise, rowdiness, littering, criminal damage and nuisance behaviour, anti-social behaviour, harassment and intimidation to passers-by is ongoing.

### **Purpose**

Public Spaces Protection Orders (PSPOs) are intended to deal with a particular nuisance or problem (in a specified area) that is damaging the local community's quality of life; by imposing conditions on the use of that area which apply to everyone. They are designed to ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

The continuation of PSPO around street drinking will;

1. Allow council and police officers to continue to take action to protect our communities under the existing legal framework.
2. Allow police officers to make an arrest for any anti-social behaviour related to street drinking
3. Give officers the tools to tackle on-street alcohol consumption
4. Give greater control to deal with street drinking where it is problematic, especially in parks/open areas citywide.

## **Consultation Questions**

If you would prefer to complete this questionnaire online or for more info including a larger version of the map and a Frequently Asked Questions (FAQ) guide – then please visit the Street Drinking consultation available at: <http://consultations.leicester.gov.uk>

**1. Do you think that street drinking continues to be an issue in Leicester?**

Yes  No  Undecided

**2. Have you ever had a problem with street drinkers?**

Yes  No  Prefer not to say

*If you have not been personally affected by Street Drinking then please skip to Question 3.*

**a. Was the problem with?**

An individual  A group

**b. And how regularly was this problem for you?**

Every day  3-4 times a week  2-3 times a month  2-3 times a year

**c. Where did this occur?** (Try to be as exact as possible - i.e. name of park, street, place, postcode etc.)

**d. What was the type of problem caused by the Street Drinkers?**

Noise  Verbal abuse  Physical abuse  Intimidation  Littering

Other \_\_\_\_\_

**3. Do you think that the current order has helped in dealing with street drinking?**

Yes  No  Undecided

**4. Do you support the continuation of a citywide street drinking order?**

Yes  No  Undecided

**5. If there anything else you would like to say about the subject then please use the space below:**

**6. To help us analyse responses - please give us your postcode:**

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Thank you for your time, if you have any queries regarding this process then contact: Priti Narshi, Community Safety Assistant ([Priti.Narshi@leicester.gov.uk](mailto:Priti.Narshi@leicester.gov.uk))

Please return completed forms to: Priti Narshi, Community Safety, Leicester City Council, Phoenix House, 1 King Street, Leicester LE1 6RN

## **FAQs**

### **1. What are the concerns and issues with street drinking?**

Street drinking is sometimes associated with anti-social behaviour, causing high levels of noise, rowdy and nuisance behaviour, harassment and intimidation of passers-by, as well as the littering of cans and bottles and urination in public spaces. There are further concerns with underage drinking, sexual activity, criminal damage and substance misuse.

### **2. What are Public Spaces Protection Orders (PSPO)?**

Public spaces protection orders are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. The order could also be used to deal with likely future problems.

Only a local authority could issue the order, and before doing so, they must consult with the chief officer of police, the Police and Crime Commissioner and any representatives of the local community they consider appropriate. The behaviour must also be ongoing or persistent (or there must be a reasonable belief that future behaviour will be ongoing or persistent).

### **3. Can I be stopped or arrested for carrying alcohol in public spaces?**

A PSPO does not make it illegal to carry alcohol or to drink alcohol in a public place; as long as drinking is done responsibly, a PSPO will only be used to tackle alcohol related anti-social behaviour or disorder. Under these circumstances police will have the power to stop people drinking alcohol and seize or confiscate alcohol within the controlled area.

### **4. Do police already have these powers?**

Police have powers of arrest for criminal offences that can be linked to alcohol. However, it is only an offence to refuse to comply with an officer's request to stop drinking alcohol or to surrender alcohol when asked, where a PSPO is in operation. Where there is no PSPO in operation, it is not an offence alone to refuse to surrender alcohol, although any related anti-social behaviour is.

### **5. Would people still be able to drink or hold alcohol bottles outside pubs?**

Yes. The PSPO does not make it illegal to drink alcohol in a public place. However, if a person was to drink beyond the legal boundary of a licensed premise and they do not stop drinking if asked to do so by a police officer or police community support officer, then they could be at risk of regulation.

### **6. 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 PSPO powers.

### **7. Will there be any extra policing to enforce the PSPO?**

No. Police Safer Neighbourhood Teams will continue to patrol and respond to incidents as part of their community response.

**8. Are there time restrictions on a PSPO?**

PSPO will be in force all hours of the day, every day.

**9. What are the benefits of citywide a PSPO?**

The main benefits of a PSPO are to reduce street drinking. Additional benefits include a safer city and a healthy environment, whilst reducing harmful consumption of alcohol and protecting vulnerable people.

**10. Any other information?**

If you or someone you know has an alcohol related problem, there is help available. You can contact:

If you or someone you know has a drug related problem, there is support available. Please contact:

Turning Point

Telephone: 0330 303 6000

Referrals: [LLreferrals@turning-point.co.uk](mailto:LLreferrals@turning-point.co.uk)

Website: <http://wellbeing.turning-point.co.uk/>