

Redditch Town Centre Public Space Protection Order

Frequently Asked Questions

What are Public Space Protection Orders (PSPOs)?

These are areas where if anti-social behaviour has been causing nuisance and disorder Redditch Borough Council can protect the public space. In these areas police officers, police community support officers and officers with authorisation from Redditch Borough Council will be given certain powers to help tackle such behaviour.

In this case, officers can request people to stop drinking alcohol in the restricted area and ask them to surrender their drink and all containers. Anyone using intoxicating psychoactive substances can have their items confiscated and anyone behaving in a threatening, abusive or offensive manner can be asked to leave the area for a set period of time. Breach of a PSPO is a criminal offence and if a person refuses to comply, they can be issued a fixed penalty notice of up to £100 or they could be arrested. On conviction, the fine for breach of a PSPO is up to maximum of £1000.

Can I be stopped or arrested for drinking or carrying alcohol in this public space?

No, a PSPO does not make it illegal to carry or to drink alcohol in a public place. As long as someone is drinking responsibly and is not affecting other users of the space this is acceptable. For example, public spaces are sometimes used for events, fayres and markets where alcohol could be sold and consumed in the area. This activity is not affected by the PSPO unless a person causes anti-social behaviour, nuisance or disorder. Under these circumstances authorised officers will have the power to stop people drinking alcohol within the designated area and seize or dispose of their drink. Failing to comply with an officer's request to stop drinking and/or hand over alcohol is the criminal offence and the person could face a range of penalties.

Do the Police already have these powers?

The Police have powers to deal with serious disorder and public order offences and drug offences under the Misuse of Drugs Act 1971. However, some ASB does not fit within these powers and a PSPO gives authorised officers additional tools to act early in certain situations before ASB escalates and becomes more serious disorder. Where there is no PSPO in operation, it is not an offence to refuse to surrender alcohol, to carry psychoactive substances and items used to take these substances or to refuse an instruction to leave an area for a set period of time. However, any anti-social behaviour or disorder in certain circumstances could give cause for an arrest to be made by a Police Officer.

Will there be signs in Redditch Town Centre alerting people to the new PSPO?

Yes, Protected Public Space signs will be located in multiple places around and within the boundary to show that a PSPO is in place.

Will people still be able to drink or hold alcohol outside of pubs and clubs?

Yes. The PSPO does not make it illegal to drink alcohol within the boundary of a licensed premise. It only relates to a public space so if a person is drinking outside of the boundary of the licensed premise and begins to commit ASB, and they do not comply with the requests of the authorised officer, then they could be at risk of enforcement action.

Are licensed premises affected?

No. A PSPO only relates to alcohol consumption in a public area or space if ASB, nuisance and disorder is present. The ASB, Crime and Policing Act 2014 clearly states that licensed premises are exempt from the restrictions of a PSPO

What about street parties and events in the public space?

Events within a public space authorised by a premises license or a Temporary Event Notice (TEN) are able to take place within a PSPO area. However, anyone committing ASB, disorder or nuisance in the area or breaching any of the other restrictions placed by the Order could be at risk of enforcement action.

Is it already illegal to use drugs in public places?

There are some new drugs and substances that are not covered by the Misuse of Drugs Act 1971. These are known as intoxicating or psychoactive substances with the capacity to stimulate or depress the central nervous system and are defined by the Psychoactive Substances Act 2016. At this time it is illegal to sell these substances but not to possess them. The Government is planning legislation to close this gap but, in the meantime, the PSPO will make it an offence to possess any containers of these substances in the restricted area or to have any item that could be used for taking, smoking, inhaling or ingesting these substances.

Will there be any extra policing put in place to enforce the PSPO?

No. The Police will continue to patrol and respond to incidents as part of their community response, supported by officers authorised by the council where available.

Are there any time restrictions on a PSPO?

No. The PSPO will be in force 24 hours a day, 7 days a week. The PSPO will last for three years and can be extended following a review and a further consultation period. The PSPO can also be reviewed within the three year period if any of the restrictions need adjusting or new restrictions need to be added. Again, this would require a further consultation period of the changes or additions.

What are the benefits of a PSPO?

The main benefits of this proposed PSPO are to help tackle anti-social behaviour associated with street drinking, misuse of psychoactive substances and offensive, threatening behaviour that negatively affects other people using public spaces. PSPO can contain many different restrictions or requirements and they aim to ensure that the law-abiding majority can continue to use and enjoy public spaces, safe from anti-social behaviour, nuisance and disorder.

Other Information

If you or someone you know has an alcohol or drug related problem, there is help available at:

Cranstoun Drug & Alcohol Service

15 Alcester Street
Redditch
Worcestershire
B98 8AE

<https://cranstoun.org/help-and-advice/alcohol-other-drugs/worcestershire/>

Opening times:

9:30am to 5pm Monday to Friday excluding Bank Holidays

Call 0300 303 8200 to make an appointment at the Redditch Hub