

Alcohol Public Space Protection Order (PSPO)

Frequently asked questions



www.milton-keynes.gov.uk/alcoholpspo

What are the concerns and issues with street/public space drinking?

Street/public space drinking is sometimes associated with anti-social behaviour, causing high level 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.

What are Public Space Protection Orders (PSPO)?

Public spaces protection orders (PSPO) are intended to deal with activities that have taken place in a particular area and have had a detrimental effect on the quality of life of those in the locality. Conditions are put on the use of an 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 Police, Police Crime Commissioner and any representatives of the local community they consider appropriate. The behaviour must also be ongoing or persistent (or there must be reasonable belief that future behaviour will be ongoing or persistent).

Can I be stopped or arrested for carrying alcohol in public spaces?

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

Do the 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.

Would people still be able to drink or hold a bottle 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 the licensed premises and they do not stop drinking if asked to do so by a police officer, police community support officer (PCSO) or authorised officer, then they could be at risk of breaching the PSPO.

What about street parties and events in parks?

Events within a public place authorised by a premises license or Temporary Event Notice (TEN) will be excluded from the PSPO power.

Will there be any extra policing to enforce the PSPO?

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

Are there time restrictions on a PSPO?

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

What are the benefits of a PSPO in areas included in the PSPO?

The main benefits of a PSPO are to reduce street/public area drinking and anti-social behaviour related to alcohol. Additional benefits include a safer and healthy environment, whilst reducing harmful consumption of alcohol and protecting vulnerable people.

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

Visit: www.milton-keynes.gov.uk/health-and-wellbeing-hub/support-for-drugs-alcohol-and-gambling/drugs-and-alcohol

Call: 01908 252026

www.milton-keynes.gov.uk/alcoholpspo