

Cabinet Meeting Resolution

**Executive
Forward Plan
Reference**

E3008

Proposed Public Space Protection Order to restrict alcohol consumption in public spaces in Bath

Date of Meeting	11-Oct-17
The Issue	<i>This report invites the Cabinet to determine whether, and if so in what way, to continue DPPO restrictions on street drinking in Bath City as a PSPO, following a consultation as required by new legislation.</i>
The decision	<p>RESOLVED (unanimously) that the Cabinet agreed to:</p> <ol style="list-style-type: none"> 1) Consider the outcomes of the consultation on a Public Space Protection Order to restrict street drinking in Bath, as set out in Appendix 1 2) Consider the legal criteria for adopting PSPOs, as set out in Paragraph 4 of this report, and particularly the test set out in paragraph 4.1 3) In the light of 2.1. and 2.2 above make the Bath City Order as set out in Appendix 2 of the report 4) Request the Head of Legal Services or an authorised signatory on her behalf to sign and seal the Bath City Order 5) Request the Divisional Director for Strategy and Performance to undertake further work to update signage and other statutory publicity relating to any agreed Order and ensure the impact of the PSPOs is kept under review 6) Request the Community Safety Partnership to receive regular monitoring reports on the impact of the PSPO, including equalities impacts, and updates on support and treatment available for people who misuse alcohol including street drinkers 7) Thank those who were involved in the consultation process and publicise the outcomes of the consultation.
Rationale for decision	The outcomes of the consultation broadly support the continuation of restrictions on street drinking in the areas as set out, but also reflect concern that the powers used must be proportionate and used to address to alcohol consumption which causes, or is likely to cause, harassment, alarm or distress. This is reflected in the recommendation and allows Avon and Somerset Police to have continuity of enforcement powers with regard to street drinking. The report sets out how the recommendations meet the legal tests required.
Other options considered	<p>Take no action. This option would mean that the existing DPPO would not be replaced by a PSPO in October 2017, and would lapse. This would result in reduced enforcement powers for Avon and Somerset Police to tackle anti-social behaviour.</p> <p>Extend the scope of the PSPO to include new activities and/or wholly new geographical areas. This is not currently proposed. Any further proposals would be considered on their merits and would be subject to statutory</p>

	tests and consultation.
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The Decision is subject to Call-In within 5 working days of publication of the decision
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