

Cabinet Meeting Resolution

Executive
Forward Plan
Reference

E3315

Proposed Public Space Protection Orders to restrict alcohol consumption in public spaces in Bath and Midsomer Norton

Date of Meeting	9-Sep-21
The Issue	The Criminal Justice and Police Act 2001 gave the Police the power to seize and dispose of alcohol if they believed someone is, has or is about to consume it where a Designated Public Place Order is in force. Failure to comply with the Police request was made an arrestable offence and punishable by a fine. Councils were given the power to “designate” and make a Designate Public Place Order where they were satisfied that nuisance or annoyance to members of the public or a section of the public, or disorder, had been associated with consumption of alcohol in that place.
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 and Midsomer Norton, as set out. 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 1) and 2) above make the Bath City Order and Midsomer Norton Order as set out in Appendix 1 of the report 4) Request the Head of Legal Services or an authorised signatory on their behalf to sign and seal the Bath City Order and the Midsomer Norton Order. 5) Request the Director of People and Policy to undertake publicity relating to any agreed Order and ensure the impact of the PSPOs is kept under review 6) Request the Bath and North East Somerset Community Safety and Safeguarding Partnership to receive regular monitoring reports on the impact of the PSPOs, 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 including Midsomer Norton Town Council and publicise the outcomes of the consultation.
Rationale for decision	The Public Spaces Protection Orders which restrict street drinking operating in Bath and Midsomer Norton expired in October 2020. Public Space Protection Orders (PSPOs) are implemented under the Anti-Social Behaviour Crime and Policing Act 2014 (“the Act”). This report invites the Council to determine whether to continue restrictions on street drinking in these areas as PSPOs, following a consultation as required by the

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legislation.

Other options considered

Take no action. This would result in reduced enforcement powers for Avon and Somerset Police to tackle anti-social behaviour.

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 tests and consultation.

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