

TAMWORTH COMMUNITY SAFETY PARTNERSHIP

NOTICE OF INTENTION TO APPLY A PUBLIC SPACE PROTECTION ORDER

Section 59 Anti-Social Behaviour Crime and Policing Act 2014

Public Space Protection Order (Alcohol Control in a Public Place)

1. Tamworth Community Safety Partnership (lead agency Tamworth Borough Council) is satisfied that alcohol related anti-social behaviour is being carried out within the area to which this order applies, it is likely that these activities will continue to be carried out and that this is having or it is likely to have a detrimental effect on the quality of life of those in the locality by causing harassment, alarm and distress.

This order relates to the land inside the area Tamworth town centre marked on the attached map (Schedule 1) which is outlined in red ('the Restricted Area').

This includes all spaces within this boundary that are accessible to the public.

2. Under the terms and restrictions of the Public Space Protection Order, the following applies:-
 - 2.1. **ALL** persons are **prohibited** from consuming alcohol and must dispose of any vessel believed to contain alcohol, when asked to do so by an authorised person, when it is believed that they are either committing or likely to commit Anti-Social Behaviour in a public place.
 - 2.2. **ALL** persons who are or appear to be under the age of 18 are **prohibited** from consuming alcohol at all times and must dispose of any vessel believed to contain alcohol, when asked to do so by an authorised person at all times
 - 2.3. An authorised person can also require any person:
 - a) To not consume alcohol or anything the authorised person reasonably believes to be alcohol, in sealed or unsealed vessels.
 - b) To surrender anything in the person's possession which is, or the authorised person reasonably believes to be, alcohol or likely to be used as a container for alcohol.

Any surrendered items are to be retained by the authorised person and safely disposed of as appropriate.

3. Exemptions

This provision does not apply to alcohol being consumed within premises (including designated outdoor areas) that have obtained a license under the Licensing Act 2003 or section 115E of the Highways Act 1980.

4. Offences under this Public Space Protection Order



A person who is guilty of an offence shall on summary conviction be liable to a fine not exceeding level 3 on the standard scale

A Fixed Penalty Notice of £100.00* will be issued to offenders to be paid within 28 days (reduced to £85.00 if paid within 14 days) which would discharge any liability to conviction for an offence under Section 67(1) of the Act.

**At the discretion of the officer, persons found to be under the age of 16 years may be subject to alternative sanctions as outlined in the Tamworth Borough Council ASB Policy.*

This order may be cited as 'The Public Space Protection Order (Alcohol Control in a Public Place)' and shall come into force on 1 November 2023 and remain in force for a period of three years.

(Previous order 1 November 2020 – 31 October 2023).

5. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not be complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this order is made.