

# PUBLIC SPACE PROTECTION ORDER

# **INTOXICATING SUBSTANCES**

## INCLUDING ALCOHOL



### What is the Council proposing?

1. To keep an existing Public Space Protection Order (PSPO) with the whole County Borough of Rhondda Cynon Taf being a Controlled Drinking Zone. This does not ban or make it illegal to carry alcohol or to drink alcohol in a public place as long as drinking is done responsibly.
2. To change the PSPO to include Intoxicating Substance Exclusion Zones in **Pontypridd Town Centre** and **Aberdare Town Centre**. These would be defined areas of Pontypridd and Aberdare Town Centre (refer to the enclosed Maps). This prohibits persons in these areas from ingesting, inhaling, injecting, smoking or otherwise using intoxicating substances in public places.
3. To allow consumption of alcohol in the exclusion zones only where the activity is undertaken at a premises or within the boundaries of the premises which is authorised for the supply of alcohol
4. That the fixed fine is set at **£100** (the maximum allowed)

### What are Public Spaces Protection Orders (PSPOs)?

Public spaces protection orders are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. The order could also be used to deal with likely future problems. The Antisocial Behaviour Crime and Policing Act 2014 allows councils to introduce these orders, after consultation with communities and other interested parties. The orders must be reviewed every three years to ensure they are still necessary.

### What will the Borough wide PSPO mean?

The aim of the PSPO is to provide local authorities with the necessary powers to introduce restrictions upon activity and behaviours deemed to be anti-social and occurring in "public spaces".

A PSPO is designed to restrict and prohibit certain behaviours. It is intended that the consumption of alcohol in public spaces will be restricted with a condition that enables a police officer or other enforcement officer to request that a person who is causing anti-social behaviour whilst in possession of alcohol, to stop drinking alcohol. It will also give the police/enforcement officer the right to seize the alcohol. If someone refuses to comply with the request of the police/enforcement officer to stop drinking and to hand over any containers believed to contain alcohol he/she commits a criminal offence.

Once introduced a PSPO can be enforced by both the local authority (authorised personnel) and the police and any breach of the order is a criminal offence which can be discharged via fixed penalty notice (£100) or up to £1000 fine upon prosecution.

### Is the borough wide PSPO a ban on drinking alcohol?

**No.** A drinker's behaviour is the consideration in any action taken by those who enforce the order. It is not intended that those who are sensibly drinking will be subjected to these order's requirements. Home Office guidance reinforces this. However, the drinking of alcohol in the Exclusion Zones will be prohibited, other than in relation to an activity, premises or curtilage authorised to be used for the supply of alcohol by licence or club premises certificate or permission granted under section 115E of the Highways Act 1980.

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### What do we mean by Intoxicating Substances?

**Intoxicating Substances** will be defined as substances with the capacity to stimulate or depress the central nervous system. (this includes alcohol and what are commonly referred to as “legal highs”): Exemptions shall apply where the substances are used for a valid and demonstrable medical use, given to an animal as a medicinal remedy, are cigarettes (tobacco) or vaporisers or are food stuffs regulated by Food, Safety or Health legislation.

### What are the benefits of this PSPO?

The main benefits are to reduce street drinking that is having a negative impact on communities and the environment, whilst reducing harmful consumption of alcohol and protecting vulnerable people.

### Where will the exclusion zones be?

The new Intoxicating Substance Exclusion Zones are proposed to be in **Pontypridd Town Centre** and **Aberdare Town Centre**. See maps overleaf. The existing Public Space Protection Order (PSPO) covers the whole County Borough of Rhondda Cynon Taf being a Controlled Drinking Zone.

### How can I have my say?

Between the **15th January** and the **12th March 2018** you can;

- Visit [www.rctcbc.gov.uk/currentconsultation](http://www.rctcbc.gov.uk/currentconsultation) to fill in an online survey.
- Email us your views at [consultation@rctcbc.gov.uk](mailto:consultation@rctcbc.gov.uk)
- Write to us at  
**FREEPOST: RSBU-HJUK-LSSS,  
Research & Consultation, The Pavilions,  
Clydach Vale, CF40 2XX**
- A Local Engagement event will be held in Aberdare and Pontypridd.  
*Details will be placed on the website when confirmed.*



RHONDDA CYNON TAF

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## Aberdare

Proposed Exclusion Zone for Intoxicating Substances



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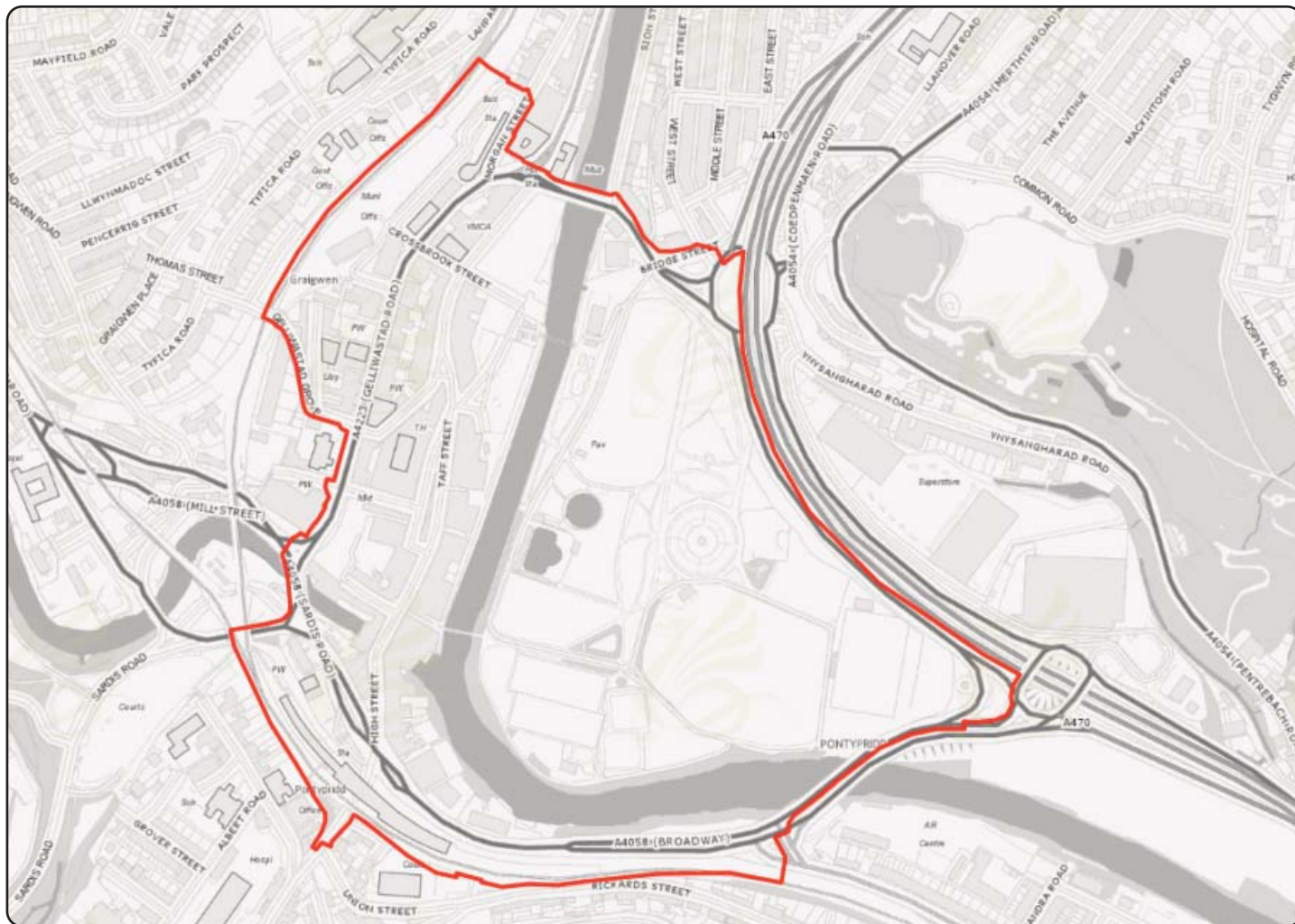
RHONDDA CYNON TAF

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## Pontypridd

Proposed Exclusion Zone for Intoxicating Substances



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