

## Appendix 2

### **Draft Guildford Town Centre Public Spaces Protection Order (PSPO)**

In the area covered by the Public Spaces Protection Order (“the Restricted Area”):

#### **1. Prohibition on consumption of Alcohol in public spaces**

(1) No person shall consume alcohol or anything an authorised officer reasonably believes to be alcohol in breach of an authorised officer’s request to cease its consumption.

(2) No person shall have an unsealed container of alcohol or anything an authorised officer reasonably believes to be alcohol in breach of an authorised officer’s request to surrender it.

(3) Where an Authorised Person reasonably believes that a person is consuming alcohol or has been consuming alcohol in the restricted area and that the consumption of alcohol is, or is likely to contribute to anti-social behaviour; or where an Authorised Person reasonably believes that a person intends to consume alcohol in circumstances which would be a breach of this Order, then the Authorised Person can take the following steps:

i) Prohibit the person from consuming alcohol or anything which the authorised person reasonably believes is an alcoholic beverage in breach of this Order;

ii) Require that the person surrender any alcohol, or anything which the authorised person reasonably believes to be alcohol, which is in the person's possession including a container for alcohol; and

iii) Dispose of the alcohol in whatever way they consider appropriate.

(4) A requirement imposed by an Authorised Person is not valid if they are asked to show evidence of their authorisation but fail to do so.

(5) This provision does not apply to alcohol being consumed within premises licensed under the Licensing laws.

(6) A person who fails without reasonable excuse to comply with a requirement imposed on him or her commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale, pursuant to section 63 of the Anti-social Behaviour, Crime and Policing Act 2014.

## **2. Prohibition of rowdy, inconsiderate and Anti-Social Behaviour**

(1) Within the Restricted Area all persons, whether individually or in groups, are prohibited from or behaving or inciting others to behave in an anti-social manner which is causing, or is likely to cause, alarm, harassment or distress to others. Such behaviour will include:

i) intentionally or recklessly, shouting, using foul or abusive language, screaming, being verbally abusive or acting in a manner that causes, or a reasonable person would believe would be likely to cause, alarm, harassment or distress;

ii) use of vehicle or wheeled recreational device or wheeled toy which an authorised person believes to be dangerous or anti-social;

iii) acting in an anti-social manner that an authorised person believes is likely to cause harassment, alarm or distress.

(2) The Prohibitions in this Section do not apply to any activities conducted in the public interest, including lawful freedom of expression and freedom of assembly by way lawful demonstrations and other forms of protest or other activities to influence the policy of government, private sector and civil society organisations and individuals.

### **Offence of failing to comply with order**

(1) It is an offence for a person without reasonable excuse—

(a) to do anything that the person is prohibited from doing by a public spaces protection order, or

(b) to fail to comply with a requirement to which the person is subject under a public spaces protection order.

(2) A person guilty of an offence under section 67 of the Anti-social Behaviour, Crime and Policing Act 2014 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) A person does not commit an offence under section 67 by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.

(4) Consuming alcohol in breach of a public spaces protection order is not an offence under section 67 of the Anti-social Behaviour, Crime and Policing Act 2014 (but see above concerning section 63 of the Anti-social Behaviour, Crime and Policing Act 2014).

This Public Spaces Protection Order is in effect from 1 April 2025 to 31 March 2028.

