

<b>LONDON BOROUGH OF CAMDEN</b>	<b>WARDS:</b> All
<b>REPORT TITLE</b> Proposal for a Borough-wide Public Spaces Protection Order (PSPO) to promote Responsible Consumption of Alcohol (SC/2026/11)	
<b>REPORT OF</b> Cabinet Member for Safer Communities	
<b>FOR SUBMISSION TO</b> Cabinet	<b>DATE</b> 14 <sup>th</sup> January 2026
<b>STRATEGIC CONTEXT</b>  We Make Camden is our communities' vision and The Way We Work is the Council's response to We Make Camden and sets an ambition that Camden should be a place where 'Everyone is safe at home and safe in our communities'  The introduction of the Public Space Protection Order (PSPO) will enable officers to take action against irresponsible alcohol consumption, helping to ensure that green spaces, streets, housing estates and other public spaces are safe, and that residents, visitors and businesses are actively involved in contributing to a Safe Camden.	
<b>SUMMARY OF REPORT</b>  The Cabinet is being asked to approve the consultation of a draft Public Space Protection Order (PSPO) prohibiting irresponsible alcohol consumption: <ul style="list-style-type: none"> <li>• To stop drinking alcohol or anything that is believed to be alcohol if requested to do so by an authorised officer, and/ or</li> <li>• Surrender any alcohol or anything an officer believes to be alcohol, whether in a sealed or unsealed container, which will be disposed of.</li> </ul> The report is coming to the Cabinet as this impacts all wards and this remains the authority Cabinet. Irresponsible alcohol consumption and the associated ASB is a key concern for communities in Camden and the use of a Public Space Protection Order would impose new restrictions and legal penalties.	
<b>Local Government Act 1972 – Access to Information</b>  No documents required to be listed were used in the preparation of this report.	
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### **RECOMMENDATIONS**

It is recommended that the Cabinet;

1. Approve the draft Public Spaces Protection Order, as set out in section 3 and in the form of the draft order attached at appendix A, for consultation

Signed:



**Oliver Jones, Director of Recreation and Public Safety**

Date: 4<sup>th</sup> December 2025

## **1. CONTEXT AND BACKGROUND**

- 1.1. It is a key ambition of We Make Camden that Camden is a place of safe, strong and open communities as well as an area of green, clean, vibrant, accessible, and sustainable places. Safety is of paramount importance in our communities and Public Space Protection Orders (PSPOs) can be a crucial tool to help deliver safer communities.
- 1.2. The majority of alcohol consumption in Camden is carried out in a responsible way which does not have negative impacts on our communities. However, there are community concerns around anti-social behaviour (ASB) associated with some alcohol consumption.
- 1.3. In 2015 the Council introduced a borough-wide Designated Public Place Order (DPPO), also known as a Controlled Drinking Zone (CDZ) under the pre-existing legislative framework provided by the Criminal Justice & Police Act 2001 (CJPA).
- 1.4. In 2015, the CJPA was repealed by the 2014 Act and in 2017 all existing DPPOs across the England & Wales automatically transitioned to PSPOs for a maximum of three years. This allowed local authorities a period to decide whether or not to make PSPOs.
- 1.5. In 2020, the transitioned PSPO lapsed as the council did not take steps to introduce a new order. Since then, ASB and crime relating to irresponsible use of alcohol in public places continues to be a regular source of concern amongst residents, particularly within the night-time economy.
- 1.6. Camden's 2025 vision also sets out that Camden should be "safe, strong and open..." and a "clean, vibrant and sustainable place..." as two elements of its corporate priorities a place where residents can enjoy a safe environment free from anti-social behaviour.
- 1.7. In addition, a responsible drinking borough will aid the development of a safe and prosperous night-time economy (NTE) and assist in preventing displacement of problematic drinkers from one area of the borough to another.
- 1.8. The responsible drinking PSPO intertwines with Camden's Alcohol Strategy 2025-2030 which states that Camden Council and partners are committed to reducing harm from alcohol in the borough, a responsible drinking PSPO will deal with negative impacts and allow people to be signposted to support services by officers.
- 1.9. It also links with the Government's 10-year drugs strategy 'From harm to hope' which focuses on tackling drug supply, reducing drug demand and improving drug and alcohol treatment and recovery services. The strategy states 'local partnerships should ensure that their plans sufficiently address alcohol dependence and wider alcohol-related harms'.

- 1.10. Public Spaces Protection Orders (PSPO), introduced by the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), allows local authorities to design and introduce requirements and prohibitions relating to a wide range of behaviours where certain conditions are met.
- 1.11. An order can be introduced in a specific public area where the local authority is satisfied on reasonable grounds that two certain conditions are met.
- 1.12. The first condition is that:
- a. activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
  - b. it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect, or likely effect, of these activities:

- Is, or is likely to be, persistent or continuing in nature
  - Is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions being imposed
- 1.13. Any prohibition or restriction imposed must be reasonably necessary in order to prevent the detrimental effect from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
- 1.14. The legislation allows for a PSPO to be in place for a maximum of 3 years from the commencement date but may be extended for a further period of up to 3 years. There is no limit on the number of times the order can be extended, this is however subject to the Local Authority being satisfied that there is a continuation of ASB associated with irresponsible alcohol consumption.

## **2. PROPOSAL AND REASONS**

- 2.1. Tackling ASB and the detrimental effect it has on quality of life is a strategic priority of the Camden Community Safety Partnership. The recommendation to make Camden a responsible drinking borough under a borough wide PSPO will give the Police and council enforcement officers additional powers to target those causing alcohol related ASB and offer them additional support.
- 2.2. The proposal is not for a generic ban on alcohol in public places, as it is recognised that most people use alcohol responsibly. Council Officers, Police Officers, Police Community Support Officers and any other officers authorised by the Council will have the ability to make reasonable decisions as to who is causing antisocial behaviour and who is not.

- 2.3. It will provide reassurance to residents that something is being done to tackle these issues which can have a detrimental effect on communities.
- 2.4. If approved, it would be a criminal offence to breach any of the conditions or the order, and those caught offending could be issued a fixed penalty notice (FPN) of £100 or a fine of £500 on summary of conviction. A person committing an offence will have 28 days to pay the fixed penalty of £100 (discounted to £60 if paid within 14 days), failing which they may be prosecuted. Enforcement would be undertaken by police officers and authorised council officers. All prosecutions would be taken forward by the council. The PSPO would cover Regent's Park and Primrose Hill, which come under the jurisdiction of The Royal Parks, but will not cover Hampstead Heath, which comes under the jurisdiction of the City of London.
- 2.5. Cabinet must be satisfied that any prohibitions and/or requirements imposed are reasonable and necessary in order to prevent the detrimental effect of anti-social behaviour associated with irresponsible alcohol consumption from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence. It is a statutory requirement that local authorities include a specific public consultation within the decision making process (section 5).
- 2.6. The reasons why the potential use of a PSPO requires consideration by the Cabinet are set out below against the requirements of the legislation;

*Has detrimental effect on the quality of life of those in the locality*

- ASB associated with irresponsible alcohol consumption is a key concern for communities in Camden as demonstrated the volume of reports (slide 6 appendix B) to the council on the matter as well as the emergence of this theme in previous Community Safety resident surveys (slide 14 of appendix B) and that without interventions these issues will continue to have a detrimental effect on the quality of life of communities in Camden. A selection of reports illustrating the impact of irresponsible drinking are included in slide 11 and 12 of appendix B.

*Is persistent or continuing in nature*

- As set out on page 6 of the evidence pack (Appendix B) the general trend of complaints associated to alcohol has been relatively stable 2023 across data sources. Additionally on page 8 of the evidence pack it highlights that this trend is present across the majority of wards in Camden.

*Is unreasonable*

- As set out on page 6 of appendix B, the key finding of analysis of the impact is unreasonable due to the continued volume of reports of alcohol related ASB and the negative impact of these activities on them – this is contributing to feelings of concern on individuals' safety in Camden. Additionally, there is a known link between violence against a person and alcohol consumption, it is documented that hate crimes are often more likely to be committed by those who are intoxicated with average monthly hate crime incidents increasing in Camden from 84 per month between December 2024 and May 2025 to 97

average per month between June 2025 and November 2025. It can be suggested that measures to combat irresponsible drinking in Camden could help to reduce incidents of Hate Crime by allowing enforcement action against those who are intoxicated and behaving in an anti-social manner and or harassing others.

Also, it must be noted that alcohol related ASB not only impacts upon residents but also contributes to litter and vandalism associated with alcohol related ASB, and the negative economic impact of these on the borough.

*Justified the restriction being imposed*

The availability of a PSPO is expected to be preventative in the level of unreasonable drinking in the public realm, it will also provide authorised powers the ability to intervene in unreasonable drinking to mitigate the negative impact of the associated ASB on our communities.

2.7. The restrictions that are proposed are:

- To stop drinking alcohol or anything that is believed to be alcohol if requested to do so by an authorised officer and/ or
- Surrender any alcohol or anything an officer believes to be alcohol, whether in a sealed or unsealed container, which will be disposed of

2.8. A person who fails to comply with the requirements can be issued a fixed penalty notice of £100.00 or face prosecution in a magistrate's court. A person committing an offence will have 28 days to pay the fixed penalty of £100 (discounted to £60 if paid within 14 days), failing which they may be prosecuted. A referral and support pathway will be implemented to ensure those who are vulnerable or suffering from substance misuse will receive appropriate support. Where children are involved, a safeguarding approach will be adopted through existing referral frameworks so as not to criminalise vulnerable young people.

2.9. Robust evidence is essential when considering if making an PSPO is appropriate. The Council needs to be satisfied that the evidence demonstrates that the conditions in paragraph 1.12 have been met. A detailed review of the current available alcohol-related data has taken place, and the results can be found in Appendix B – summarised in 2.6.

2.10. An Equalities Impact Assessment (EQIA), has been completed and concluded that in making Camden a Responsible Drinking Borough by introducing a PSPO will likely not have a detrimental effect on any person with protected characteristics living, working, or visiting the area.

### **3. OPTIONS APPRAISAL**

3.1. There are two proposed options for Cabinet to consider.

- Option 1 – agree to the consultation of the proposed PSPO in the draft form set out at Appendix A to tackle irresponsible alcohol consumption in Camden, and for the powers to be in place for 3 years.

- Option 2 - do nothing and continue providing advice, guidance and education.

3.2. The Cabinet is recommended to agree to Option 1.

3.3. Option 1 is recommended because of the volume in ASB reports with an alcohol flag as demonstrated in the Appendix B (see section 6) and the desire to continue making Camden a safe borough for all. This option seeks to strike a balance between promoting a vibrant and inclusive night-time economy and supporting our licensed venues while providing a response which seeks to address and prevent irresponsible alcohol consumption and the associated anti-social behaviour which has a negative impact on communities in Camden.

3.4. It should also be noted that the PSPO would not apply in Hampstead Heath, which comes under the jurisdiction of the City of London.

3.5. Council officers would work with the Police to ensure the powers are used to address ASB associated with irresponsible alcohol consumption. The use of the power will be monitored to measure the impact on communities especially in terms of any displacement of activity, which will be assessed by resident surveys. Should a decision to implement the report be proposed, a future report will be presented to Cabinet which will also include a proposed delegation that the PSPO could then be amended with agreement of the Cabinet member.

#### **4. WHAT ARE THE KEY IMPACTS / RISKS? HOW WILL THEY BE ADDRESSED?**

4.1. There is a risk that public expectations of enforcement will not be met. Offenders often do not offend when an officer is present to witness the offence occurring and change behaviour when they are not being observed. An FPN can only be issued when the offence is witnessed by an authorised officer.

4.2. We expect the PSPO to act as a strong deterrent. PSPOs implemented in other areas are deemed effective in both deterring and responding to offending related to irresponsible alcohol consumption.

#### **5. CONSULTATION/ENGAGEMENT**

5.1. Before making a PSPO, a local authority is required to carry out necessary consultation and necessary publicity as specified by the Act.

- 5.2. The constitution maintains the authority to consult on the draft order remains with Cabinet as this order has impact for all wards. Legislation sets out a number of additional requirements for consultation and communication before an order is introduced.
- 5.3. Officers recommend an eight-week public consultation using the Council's consultation platform which will be promoted on the council website and council social media channels on Facebook, X (previously Twitter) to allow residents, businesses and visitors to respond to the Council's proposal. Officers will also liaise with Community Interest Groups such as the Safer Neighbourhood Board, neighbourhood watch groups, ward panels, third-sector organisations and Business Improvement Districts. A copy of the proposed consultation questions can be found in Appendix C.
- 5.4. Officers have already consulted with the borough's Drug and Alcohol Service to ensure that any increase in referrals as a result of the PSPO can be managed. The service expressed support for the proposal. Public Health and Homelessness Services will also be included in the consultation process.
- 5.5. The Council must consult with the local Chief of Police, the local Police & Crime Commissioner and other major landowners in the affected area. In this case this will be the Central-North Basic Command Unit Commander, Mayor's Office for Police & Crime (MOPAC), City of London Corporation (Hampstead Heath), Royal Parks (Primrose Hill) and Registered Social Landlords. City of London Corporation and Royal Parks will be engaged with as land owners. Royal Parks have already granted permission for the PSPO to be enforceable on their land.
- 5.6. An EQIA has been completed and addresses steps around potential negative impacts on communities as well as highlighting the benefits the PSPO will likely bring to Camden. Steps have been taken to ensure that the proposed PSPO would not be used in a discriminatory way and would promote responsible alcohol consumption in Camden.
- 5.7. The EQIA highlights a need to provide improved methods of communicating the introduction of the PSPO to groups that may not have access to that information, such as through social media, on-line or those who may not have English as a first language. The Council is committed to introduce initiatives to provide information on any PSPO through resident meetings, easy read and translated texts and letter drops.

## **6. LEGAL IMPLICATIONS**

- 6.1. Legal comments are substantially embodied within the report.
- 6.2. In deciding whether to make a Public Spaces Protection Order the local authority must have regard to the rights of freedom of expression and freedom of assembly set out in article 10 and 11 of the convention. These articles are not engaged and the proposed PSPO on irresponsible alcohol consumption does not restrict these freedoms.



- 6.3. The Council must take into account in coming to any decision its equality duties under s149 of the Equality Act 2010 and have due regard to them. In summary these legal obligations require the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, advance equality of opportunity between people who share a relevant protected characteristic and those who don't and foster good relations between people who share a relevant protected characteristic and those who don't (which involves tackling prejudice and promoting understanding). Under the Duty the relevant protected characteristics are: Age, Disability, Gender Reassignment, Pregnancy and maternity, Race, Religion, Sex, Sexual orientation.
- 6.4. Paragraph 5.6 provides a summary of the overarching Equality Impact Assessment, which is attached at appendix D. A careful consideration of the assessment carried out is one of the key ways in which Cabinet can show "due regard" to any equalities impact. "Due regard" means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. There must be a proper regard for the goals set out in s.149. Cabinet should be aware that the duty is not to achieve the objectives or take the steps set out in s.149 but to bring these objectives into consideration when carrying out public functions. In summary, the EQIA analyses (at pages 11-14) the equalities impact of the individual proposals recognising that there may be some adverse impacts of the measures as well as positive impacts to promote opportunities to advance equality, for example on grounds of gender, income and protected characteristics associated with hate crimes.
- 6.5. A Local Authority must follow certain guiding principles to ensure that a consultation is fair. These principles are set out in the case of *R v London Borough of Brent, ex p Gunning* [1985] and are frequently referred to as "the Gunning principles":
- The consultation must be at a time when proposals are still at a formative stage.
  - The Local Authority must give sufficient reasons for any proposal to permit of intelligent consideration and response. Those consulted should be aware of the criteria that will be applied when considering proposals and which factors will be considered decisive or of substantial importance at the end of the problem.
  - Adequate time must be given for consideration and response.
  - The product of consultation must be conscientiously taken into account in finalising any statutory proposals.
- 6.6. A PSPO, if made, can last for up to three years before requiring a review; however there is no limit on the number of times an order can be reviewed and extended. The review requirements will be different depending on the prohibitions or requirements being applied. Under section 61 of the Act an order can be varied or discharged at any time by the authority that made it.
- 6.7. A challenge to a PSPO can be made in the High Court, within six weeks of the PSPO being made, only by those interested persons directly affected by the restrictions on the following grounds; a) The local authority did not have the

power to make the order, or to include particular prohibitions or requirements;  
b) The local authority failed to fulfil the statutory requirements governing a PSPO as set out at section 72 of the Act.

- 6.8. Pending the outcome of the appeal, the High Court can suspend the PSPO in whole or in part.

## **7. RESOURCE IMPLICATIONS**

- 7.1. The report seeks Cabinet approval on the consultation of a proposal to introduce a Public Spaces Protection Order (PSPO) to make Camden a Responsible drinking borough.

## **8. ENVIRONMENTAL IMPLICATIONS**

- 8.1 We do not foresee any negative environmental implications to the introduction of this PSPO. The broader environmental impact of the introduction of this Order is positive with potentially less alcohol related litter left on the streets and in our parks.

## **9. TIMETABLE FOR IMPLEMENTATION**

- 9.1. Following consultation, a PSPO can be put into effect following further report to Cabinet seeking authorisation to proceed. Subject to approval from Cabinet, the restrictions set out in the draft order attached as appendix A would then apply in Camden for 3 years and could be renewed by agreement from the Cabinet.
- 9.2. Once authorised, the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014, sets out the manner in which a PSPO must be publicised and requires that once the Order is made we:
- a) Publish the order on the Council's website;
  - b) Cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to:
    - The fact that the order has been made; and,
    - The effect of that order being made.
- 9.3. By law the PSPO will take precedence over any byelaw where the byelaw prohibits the same activity in the same area.
- 9.4. The implementation of enforcement is outlined below

Date	Actions
Jan-February	8 week consultation
June	Cabinet paper to review consultation and evidence base for consideration of implementing the Order.

## **10. APPENDICES**

Appendix A – Draft Order

Appendix B – Evidence Base

Appendix C – Consultation questions

Appendix D – Equalities Impact Assessment

**REPORT ENDS**