

THE LONDON BOROUGH OF CAMDEN

PUBLIC SPACES PROTECTION ORDER NO 01 OF 2025 RESPONSIBLE DRINKING

The Anti-Social Behaviour Crime and Policing Act 2014

Section 59

The London Borough of Camden (“the Council”) in exercise of its powers under section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 (“the Act”) hereby makes the following Order:

CITATION, COMMENCEMENT AND DURATION

1. This Order may be cited as the London Borough of Camden Public Space Protection Order No.1 of 2025 (“the Order”).
2. This Order comes into force on **XX** and shall have effect for a period of three years thereafter, unless extended, varied, or discharged by further order(s) under the Council’s statutory powers.

STATUTORY CONDITIONS

3. The Council is satisfied on reasonable grounds that the activity outlined below when carried out in the restricted area have had a detrimental effect on the quality of life of those living in the locality; and it is likely that those activities will be carried on in the restricted area and they will have such an effect;
4. The effect, or likely effect of the activity is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activity unreasonable; and justifies the restrictions imposed by the Order.
5. The Council is satisfied that it is reasonable to impose the restriction outlined below to reduce the detrimental effect and to reduce the risk of its continence, occurrence or recurrence.

ACTIVITY

6. Anti-social behaviour associated with the consumption of alcohol in public places other than in licensed premises. Licensed premises include areas within the "curtilage" of the premises.

THE ORDER APPLIES TO:

7. The land described in Schedule I to this Order ("the Restricted Area")
8. All persons in public places within the Restricted Area, save for on licensed premises, at all times of the day and night.

EXEMPTION

9. This Order shall not apply and in the exemption area which is shown edged red on the attached map ("the Order map") or where prior written notice that it does not apply is given by the Council or the Police to facilitate Temporary Event Notices or other public events.

PROHIBITION

10. No person shall refuse to stop drinking alcohol or hand over containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by a Local Authority Officer, Constable, Police Community Support Officer, or any person authorised by the local authority.
11. A constable or an authorised person may require a person:
 - a) not to consume, in breach of the order, alcohol or anything which the Constable or authorised person reasonably believes to be alcohol;
 - b) to surrender anything in that person's possession which is, or which the Constable or authorised person reasonably believes to be alcohol or a container for alcohol.
12. A Local Authority Officer, Constable, Police Community Support Officer, or any person authorised by the local authority who imposes such a requirement must tell the person that failing without reasonable excuse to comply with the requirement(s) is an offence.
13. A requirement imposed by an authorised person is not valid if the authorised person is asked to show evidence of his or her authorisation but fails to do so

(This does not include a Constable or Police Community Support Officer in uniform).

14. A Local Authority Officer, Constable, Police Community Support Officer, or any person authorised by the local authority that alcohol confiscated can be disposed of by the person who confiscates, in whatever way he or she thinks appropriate.

PENALTY

15. A person who fails without reasonable excuse to comply with a request not to consume alcohol or anything which the Constable or authorised person reasonably believes to be alcohol or a request to surrender anything in his/her possession which is, or is reasonably believed to be alcohol or a container for alcohol commits an offence and is liable on summary conviction to a fine not exceeding level 2 (currently £500) on the standard scale.

FIXED PENALTY

16. A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. 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.

APPEALS

17. In accordance with Section 66 of the Act, any challenge to this order must be made to the High Court by any interested person within 6 weeks of it being made.

An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where the order is varied by the council. Interested persons can challenge the validity of this order on two grounds: That the council did not have the power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance, consultation has not been complied with. When an application is made, the High Court can decide to suspend the operation of the order pending the court's decision, in part or in whole. The High Court has the ability to uphold the order, quash it, or vary it.

INTERPRETATION

18. For the purposes of this Order:

- i. 'Public Place' means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
- ii. 'Alcohol' means any spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor that contains more than 0.5% alcohol by volume; and
- iii. 'Licensed Premises' means: premises (other than council-operated licensed premises) authorised by a premises licence to be used for the supply of alcohol; premises authorised by a club premises certificate to be used by the club for the supply of alcohol; a place within the curtilage of premises.
- iv. premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time;
- v. a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses) or by virtue of a pavement licence under section 1 of the Business and Planning Act 2020, council-operated licensed premises when the premises are being used for the supply of alcohol, or within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

This ORDER is herein made by the London Borough of Camden Executive.

THE COMMON SEAL of the
Council of the London Borough
Of Camden was affixed to
This ORDER in the presence of:

Signature
Authorised Signatory

Name of Authorised Signatory

Date: 2025

SCHEDULE 1

1. Restricted Area

- (a) all public spaces within the London Borough of Camden, as set out in the Order Map. This Order does not extend to licensed premises within the Alcohol Control Area.

2. Exemption

- (b) Licensed premises
- (c) Exemption areas shown edged red on the attached map ("the Order map")
- (d) This Order shall not apply where prior written notice that it does not apply is given by the Council or the Police to facilitate Temporary Event Notices or other public events.

Order Map

