



LONDON BOROUGH OF BROMLEY

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PUBLIC SPACES PROTECTION ORDER 2023 (ANTI-SOCIAL BEHAVIOUR)

The Council of the London Borough of Bromley (in this Order called “the Council”) hereby makes the following Order pursuant to Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”).

The Order may be cited as the “London Borough of Bromley Public Spaces Protection Order 2023 (Anti-Social Behaviour)”.

This Order has effect for 3 years starting on 1 April 2024, unless it is extended, varied or discharged by further orders under the Council’s statutory powers. This Order can be extended pursuant to Section 60 of the Act.

PART 1 - GENERAL

1.2 The Order applies to all land -

- (a) which is open to the air (including land which is covered but open to the air on at least one side);
- (b) to which the public are entitled or permitted to have access (with or without payment); and
- (c) which is outlined in black on the plan attached as the Schedule to this Order.

PART 2 - ALCOHOL

2.1 This Part of the Order does not apply to the consumption of alcohol on or in the following places-

- a) Premises (other than Council operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;
- b) Premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
- c) A place within the curtilage of premises within Article 2.1 (a) or (b);

- d) 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 30 minutes before that time;
- e) 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);
- f) Council operated licensed premises-
 - i) when the premises are being used for the supply of alcohol; or
 - ii) within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

2.2 A requirement imposed by an authorised person under Part 2 Article 2.4 below is not valid if the authorised person is asked by the person to show evidence of their authorisation and fails to do so.

2.3 A constable or authorised person may dispose of anything surrendered in whatever way they think appropriate.

Offence

2.4 A person who fails to comply without reasonable excuse with any requirements of a constable or authorised person-

- a) to cease consumption of alcohol or anything which the constable or authorised person reasonably believes to be alcohol; or
- b) to surrender anything in their possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol;

on Land to which this Order applies commits an offence.

PART 3 - PSYCHOACTIVE SUBSTANCES

3.1 In this Part of this Order "psychoactive substance" means any substance which;

- a) is capable of producing a psychoactive effect in a person who consumes it; and
- b) is not an exempted substance under section 3 of the Psychoactive Substances Act 2016.

3.2 For the purposes of this Part of this Order-

- a) a substance produces a psychoactive effect in a person if, by stimulating or depressing the person's central nervous system, it affects the person's mental functioning or emotional state; and references to a substance's psychoactive effects are to be read accordingly;

b) a person consumes a substance if the person causes or allows the substance, or fumes given off by the substance, to enter the person's body in any way.

3.3 A constable or authorised person may dispose of anything surrendered under Part 3 Article 3.4 in whatever way they think appropriate.

Offence

3.4 A person who fails to comply without reasonable excuse with any requirement of a constable or authorised person-

a) to cease consumption of a psychoactive substance or anything which the constable or authorised person reasonably believes to be a psychoactive substance; or

b) to surrender anything in their possession which is, or which the constable or authorised person reasonably believes to be, a psychoactive substance or a container for a psychoactive substance;

on Land to which this Order applies commits an offence.

PART 4 - URINATION AND DEFECATION

Offence

4.1 A person commits an offence if at any time they urinate and/or defecate without reasonable excuse for doing so on or within Land to which this Order applies.

SCHEDULE 1: Land covered by this Order

