



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 4

COMMUNITY PROTECTION

CHAPTER 2

PUBLIC SPACES PROTECTION ORDERS [F¹ AND EXPEDITED ORDERS]

Prohibition on consuming alcohol

62 Premises etc to which alcohol prohibition does not apply

- (1) A prohibition in a public spaces protection order [F¹ or expedited order] on consuming alcohol does not apply to—
- (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 paragraph (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 the 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) [F² or by virtue of a pavement licence under section 1 of the Business and Planning Act 2020].

Changes to legislation: Anti-social Behaviour, Crime and Policing Act 2014, Cross Heading: Prohibition on consuming alcohol is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (2) A prohibition in a public spaces protection order [^{F3}or an expedited order] on consuming alcohol does not apply to council-operated licensed premises—
- (a) when the premises are being used for the supply of alcohol, or
 - (b) within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.
- (3) In this section—
- “club premises certificate” has the meaning given by section 60 of the Licensing Act 2003;
- “premises licence” has the meaning given by section 11 of that Act;
- “supply of alcohol” has the meaning given by section 14 of that Act.
- (4) For the purposes of this section, premises are “council-operated licensed premises” if they are authorised by a premises licence to be used for the supply of alcohol and—
- (a) the licence is held by a local authority in whose area the premises (or part of the premises) are situated, or
 - (b) the licence is held by another person but the premises are occupied by a local authority or are managed by or on behalf of a local authority.

Textual Amendments

- F1** Words in s. 62(1) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 7 para. 7\(2\)](#); S.I. 2022/520, reg. 5(j)
- F2** Words in s. 62(1)(e) inserted (31.3.2024) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(9)(a), [Sch. 22 para. 17](#) (with s. 247 Sch. 22 para. 18); S.I. 2024/389, reg. 2(u)
- F3** Words in s. 62(2) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 7 para. 7\(3\)](#); S.I. 2022/520, reg. 5(j)

Commencement Information

- I1** S. 62 in force at 20.10.2014 by [S.I. 2014/2590](#), [art. 3\(c\)](#)

63 Consumption of alcohol in breach of prohibition in order

- (1) This section applies where a constable or an authorised person reasonably believes that a person (P)—
- (a) is or has been consuming alcohol in breach of a prohibition in a public spaces protection order [^{F4}or an expedited order], or
 - (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition.

In this section “authorised person” means a person authorised for the purposes of this section by the local authority that made the ^{F5}... order (or authorised by virtue of section 69(1)).

- (2) The constable or authorised person may require P—
- (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 P's possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

Changes to legislation: Anti-social Behaviour, Crime and Policing Act 2014, Cross Heading: Prohibition on consuming alcohol is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (3) A constable or an authorised person who imposes a requirement under subsection (2) must tell P that failing without reasonable excuse to comply with the requirement is an offence.
- (4) A requirement imposed by an authorised person under subsection (2) is not valid if the person—
- (a) is asked by P to show evidence of his or her authorisation, and
 - (b) fails to do so.
- (5) A constable or an authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.
- (6) A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Textual Amendments

- F4** Words in s. 63(1)(a) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 7 para. 8\(a\)](#); S.I. 2022/520, reg. 5(j)
- F5** Words in s. 63(1) omitted (28.6.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 7 para. 8\(b\)](#); S.I. 2022/520, reg. 5(j)
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Modifications etc. (not altering text)

- C1** [S. 63](#) extended by 2002 c. 30, Sch. 4 para. 5 (as substituted (20.10.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 69\(1\)](#), 185(1) (with [ss. 21](#), 33, 42, 58, 75, 93); S.I. 2014/2590, [art. 3\(c\)](#))
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Commencement Information

- I2** [S. 63](#) in force at 20.10.2014 by S.I. 2014/2590, [art. 3\(c\)](#)

Changes to legislation:

Anti-social Behaviour, Crime and Policing Act 2014, Cross Heading: Prohibition on consuming alcohol is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(2)(ba) inserted by [2022 c. 32 Sch. 11 para. 35\(2\)\(a\)](#)