CORNWALL COUNCIL
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Cornwall Council Public Space Protection (Alcohol Consumption in Designated Public Places) And Direction to Leave Order 2026

Operational Guidance for Authorised Officers

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Document retention	
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1. Purpose of this Guidance

This document provides operational guidance for police officers, PCSOs and authorised Cornwall Council officers on the lawful, proportionate and consistent use of the Public Spaces Protection Order (PSPO) relating to alcohol consumption in designated public spaces, including the Direction to Leave requirement, within Camborne, Pool and Redruth Electoral Divisions. The guidance is intended to:

- support lawful and defensible decision-making;
- ensure compliance with human rights and safeguarding duties;
- promote consistency of enforcement across agencies; and
- provide clarity on **points to prove**, **record keeping**, and **use of mapped areas**.

This guidance must be read alongside:

- the text of the PSPO (Alcohol Consumption in Designated Public Places) And Direction to Leave Order 2026 and accompanying schedule;
- Home Office statutory guidance on anti-social behaviour powers; and
- Cornwall Council and Devon & Cornwall Police enforcement policies.

2. Legal Framework (Summary)

The PSPO is made under **Part 4, Chapter 2 of the Anti-social Behaviour, Crime and Policing Act 2014**. Failure to comply with a prohibition or requirement of the PSPO without reasonable excuse is a criminal offence. The Direction to Leave included in this PSPO is separate from police dispersal powers under Part 3 of the Act and must be used only in accordance with the wording of the PSPO.

3. Scope and Area of Application

3.1 Restricted Areas

The PSPO applies to defined public spaces within:

- Cornwall (Specified in Schedule 1)

The direction to leave is only applicable to Electoral Divisions of:

- Camborne
- Pool
- Redruth

Schedule 1 also shows official PSPO maps identifying areas to which the direction to leave may be applied.

Officers must ensure they are familiar with the current maps before using Direction to Leave powers. A direction to leave may only apply within the mapped restricted area. It must not be extended beyond the boundary shown on the relevant map.

3.2 Issue of Maps

- Approved PSPO maps must be:
    - available on force and council systems;
    - issued to officers as part of briefing and training; and
    - accessible via mobile devices where possible.
    - Maps can be accessed online at: https://www.cornwall.gov.uk/people-and-communities/use-our-interactive-maps/
- When issuing a Direction to Leave, officers should:
    - explain the **geographical extent** of the restricted area;
    - indicate clear exit routes where practicable; and
    - explain when and where the person may lawfully return.
    - Individual(s) cannot be given a direction to leave under residential exceptions (Preventing a person from entering where they reside).

4. Powers Available to Officers

4.1 Alcohol Consumption Power (Cornwall-wide)

An officer may:

- Require a person **not to consume alcohol** in a public place
- Require a person to **surrender alcohol** (including sealed containers)
- Dispose of surrendered alcohol

4.2 Direction to Leave Power (Camborne, Pool & Redruth only)

Where the statutory and PSPO conditions are satisfied, an officer may:

- Direct the person to leave the **designated CPR area**
- Specify a **proportionate duration** (as set out in the PSPO)

5. Points to Prove

5.1 Alcohol Consumption Requirement

The officer must reasonably believe that:

1. The person is consuming, or intends to consume, alcohol in a public place; AND
2. The consumption **has contributed, or is likely to contribute**, to:
    - Anti-social behaviour, OR
    - Disorder, OR
    - Harassment, alarm or distress; AND
3. The location is **not exempt** under the PSPO (e.g. licensed premises where exemptions apply).

5.2 Direction to Leave (CPR Area)

The officer must reasonably believe that:

1. The person's behaviour is **persisting or escalating**, OR poses a continuing risk; AND
2. A direction to leave is **necessary and proportionate** to prevent further ASB; AND
3. The behaviour is taking place **within the mapped CPR designated area**.

6. Safeguards and Proportionality

Officers must apply the following safeguards at all times:

- **Necessity** – Is the use of the power required to prevent further ASB?
- **Proportionality** – Is the level of intervention the minimum required?

- **Legality** – Does the conduct clearly fall within the PSPO?
- **Reasonableness** – Would another officer reach the same decision?

Additional safeguards:

- Use **Body Worn Video** where available
- Consider vulnerability (e.g. mental health, intoxication, homelessness)
- Give **clear explanations** of requirements and consequences
- Apply discretion appropriately (including signposting to support services)

Children and young people:

- Consider safeguarding duties
- Direction to Leave should be used only where clearly justified

Important note: The Home Office guidance sets out that PSPOs should not be used to target people based solely on the fact that someone is homeless or rough sleeping, as this in itself is unlikely to mean that such behaviour is having an unreasonably detrimental effect on the community's quality of life which justifies the restrictions imposed.

7. Record Keeping Requirements

All uses of the PSPO must be recorded in line with this guidance.

Minimum recording standards:

- Completion of PSPO Enforcement Record Form or Pocket Note Book Entry with Date, time and exact location
- Grounds for reasonable belief
- Details of behaviour observed
- Alcohol surrendered (type/quantity)
- Whether a Direction to Leave was issued (CPR area)
- Duration of direction and boundaries explained
- Where practicable, direction to leave handout issued
- BWV reference (if used)
- Outcome (compliance / non-compliance / enforcement)

- Where there has been a failure to comply issue of Fixed Penalty or arrest/summons.

8. Maps and Defined Areas

8.1 Cornwall-Wide Area

- The alcohol consumption power applies to **all public places** as listed in Schedule 1 of the PSPO, unless specifically exempted.

8.2 Camborne, Pool & Redruth Electoral Divisions (CPR) Direction to Leave Area

- Officers must carry or have access to the **approved PSPO maps** showing the CPR designated area
- The boundaries must be:
    - Clearly explained verbally
    - Shown on a physical or digital map where possible
    - Where practicable, Issue all those who are directed to leave with the appropriate direction to leave handout

Best practice:

- Show the individual the map on a device or paper copy
- Clearly state exit routes if relevant

9. Review and Training

- Supervisors should dip-sample PSPO use for legality and proportionality
- This guidance should be reviewed following any amendments to the PSPO

Any additional operational queries relating to this guidance should be discussed with:

1. Sector Inspector Camborne
   or
2. Cornwall Council ASB Team Manager

10. Exemptions

This Order does not apply:
a) within the curtilage of premises licensed under the Licensing Act 2003, where alcohol is being consumed in accordance with that licence;

b) to any area subject to a Temporary Event Notice or premises licence for the duration of that authorisation;
c) to persons acting with reasonable excuse.