



# Anti-social Behaviour, Crime and Policing Act 2014

## 2014 CHAPTER 12

### PART 4

#### COMMUNITY PROTECTION

#### CHAPTER 2

#### PUBLIC SPACES PROTECTION ORDERS [F<sup>1</sup> AND EXPEDITED ORDERS]

#### *Prohibition on consuming alcohol*

### **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 [F<sup>1</sup> 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 F<sup>2</sup>... 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, Section 63 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**

- F1** 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)
- F2** 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)

#### **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))

#### **Commencement Information**

- I1** [S. 63](#) in force at 20.10.2014 by S.I. 2014/2590, [art. 3\(c\)](#)

**Changes to legislation:**

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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\(2\)\(a\)](#)