



London Borough of Newham

The Anti-Social Behaviour Crime and Policing Act 2014

**THE LONDON BOROUGH OF NEWHAM (Psychoactive Substances)
PUBLIC SPACES PROTECTION ORDER 2025**

WHEREAS the London Borough of Newham (“the Council”) is satisfied that the requirements of sections 59 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) have been satisfied and that it is, in all the circumstances, appropriate to make this Order.

WHEREAS The Council is satisfied that the two conditions below have been met, in that

- activities carried on in the restricted area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in a public place and they will have such an effect;
- the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

WHEREAS the Council has had particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights.

THE COUNCIL MAKES the following Order in exercise of its powers under section 59 of the Act. This Order comes into force on “X and ends on unless extended by further Orders under the Council’s statutory powers. The PSPO will remain in place for a maximum term of 3 years, subject to any variation or extension.

This Order applies to all public spaces. This means areas of land which the public are entitled or permitted to have access (with or without payment) within the London Borough of Newham.

The Order imposes that:

- Person/s will not ingest, inhale, inject, smoke, possess or otherwise use psychoactive substances and which is causing or likely to cause harassment, alarm, distress, nuisance or annoyance to members of the public.

Meaning of psychoactive substance and purpose

Psychoactive substance means any substance which is capable of producing a psychoactive effect in a person who consumes it and is not an exempted substance under the Psychoactive Substance Act 2016. For the purposes of this prohibition 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.

For the purposes of this prohibition 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. Exemptions shall apply in cases where the substances are used for a valid and demonstrable medicinal use, given to an animal as a medicinal remedy, are cigarettes (tobacco) or vaporisers or are food stuffs regulated by food health and safety legislation.

Persons who breach this prohibition shall surrender any psychoactive substances in his/her possession to an authorised person. An authorised person could be a police constable, Police Community Support Officer or authorised Officer of the London Borough of Newham and must be able to present their authority upon request.

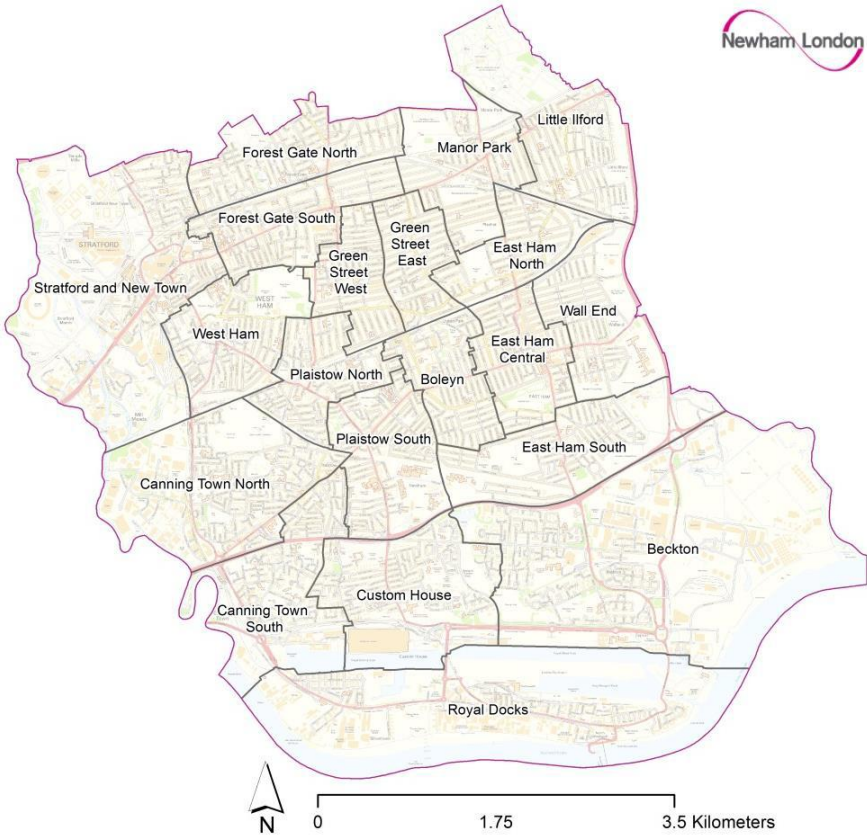
Penalty

Any person who fails without reasonable excuse to comply with any of the requirements or prohibitions in this Order shall be liable on summary conviction to a fine not exceeding level 3 (currently £1,000) on the standard scale.

Fixed Penalty

Police Officers, Police Community Support Officers and the Council's Community Safety Enforcement Officers and other authorised personnel can issue Fixed Penalty Notices (FPNs) to people who fail to comply with any of the requirements in this order. A person committing an offence will have 14 days to pay the fixed penalty of £100 (or £80 if paid within 10 days), failing which they may be prosecuted.

For the avoidance of doubt the proposed PSPO covers the entire borough of Newham to the borough boundary as shown below:



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