

**COMMUNITY SUPPORT MANAGER
COMMUNITY SERVICES**

CHRISTINE ROACH

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Please ask for: Chris Roach
Date: 27 October 2004

Dear Landowner(s) / Occupier(s)

CONSUMPTION OF ALCOHOL IN PUBLIC PLACES – CONSULTATION

Over the years the Council has regularly received complaints about street drinking.

As a result, and following extensive discussion with Hertfordshire Constabulary, the Council has decided to progress the introduction of a Designation Order to regulate the consumption of alcohol in public places throughout the city centre. It is intended that the Designation Order will replace the existing no drinking byelaws.

Under Sections 12-16 of the Criminal Justice and Police Act 2001 Local Authorities have the power to designate areas within which it would be an offence to drink alcohol. If a Designation Order is made the police will have the power to require a person in a designated place not to drink alcohol in that place and to surrender any alcohol or alcohol containers (other than sealed containers) in that person's possession. It will be an arrestable offence for a person to fail to comply. The maximum penalty on conviction for the offence is £500.

It is proposed to recommend to the District Council Licensing and General Purposes Committee the making of a Designation Order to control the consumption of alcohol in public places throughout the city centre. The area is shown and the streets listed on the enclosed plan. The proposed area to be covered by the Designation Order will be identical to that currently covered by the No Alcohol Zone Byelaw. A "public place" means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission. Excluded from the Order will be:-

- Any area which is within the curtilage of any licensed premises or registered club
- Any place where the sale of intoxicating liquor has been authorised by virtue of an occasional licence or permission
- Any place where a Council has granted a permit pursuant to Section 115 (E) Highways Act 1980.

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The Council is also required to consult the licensee of any licensed premises in that place or which they consider may be affected by the Designation Order.

Before making a Designation Order, the Council is also required to take reasonable steps to consult the owners or occupiers of any land proposed to be identified and I am writing to you as such. I would be grateful if you could ensure that the information about this proposal, as it relates to any land with which you are involved, is passed to any other party who in your opinion should be made aware of it.

In the circumstances I would be obliged to receive any comments which you may have upon the proposal to make a Designation Order within 21 days from the date of this letter. I can be contacted in writing at the above address or by email at c.roach@stalbans.gov.uk, alternatively you can telephone me directly on 01727 819305.

Subject to the representations received it is proposed that a Designation Order will come into effect in April 2005.

The Area Commander for Hertfordshire Constabulary, Chief Superintendent Alison Roome-Gifford, has indicated her support for this initiative and acknowledges the contribution it will make to both her own policing objectives and those of our local crime and disorder strategy. She has also indicated that she will support the enforcement of this scheme, within the constraints of current resources, and advises that the additional Police Community Support Officers who will soon be commencing work in the City Centre wards will provide an additional highly visible resource on the street. These PCSOs will undertake enforcement of the proposed Order as one of their primary objectives, together with policing support as and when appropriate. The Area Commander believes that this Designation Order will be an effective tool to combat disorder and particularly anti-social behaviour in a key area of the City.

As part of this initiative the Council will work with local agencies which provide support to street drinkers to ensure that they are made aware of the new restrictions and will seek to encourage effective support through these agencies for the individuals concerned.

Yours faithfully



Chris Roach
Community Support Manager

Enc. Plan of proposed areas to be designated as an 'Alcohol Free Zone'.