

Designated Public Places Orders

St Albans City and District Council promotes responsible drinking to people who live in, work in, or visit the city. The Council introduced Designated Public Places Orders (DPPO) in St Albans in 2005 and in Harpenden in 2006. This is not a total ban on drinking alcohol in public places.

What is a Designated Public Places Order?

The Criminal Justice and Police Act 2001 introduced the power for Local Authorities to designate public places in which it will become an offence to drink alcohol after being requested not to do so by a Police Officer. The Police will have the power to require the surrender of alcohol and containers in these circumstances and those who fail to comply will be liable to arrest. There is also a power to confiscate when an officer reasonably believes a person is, has, or intends to drink in a (DPPO).

The Violent Crime Reduction Act 2006 (section 26) amended the 2001 Act to ensure that premises used by local authorities will only be excluded from a designated public place in which they are located at times when alcohol is actually being sold or supplied and for 30 minutes thereafter, including Temporary Events Notices (TEN).

Why has this been introduced?

The Government is focused on promoting responsible drinking and reducing alcohol misuse and associated problems such as anti-social behaviour. The key aims are to:

- Provide additional powers to police to deal with persistent street drinking and alcohol related anti-social behaviour
- Reduce disturbances in public places that are alcohol related
- Reduce drunkenness in public places
- Contribute to the range of actions which are being delivered to reduce alcohol misuse
- Reduce the number of street drinkers and hotspot areas

How will this affect me?

This means that a Police Officer, a Police Community Support Officer (PCSO) or an Accredited Person may ask you to stop drinking and/or confiscate alcohol in a public place if:

- You are creating disorder or behaving in an anti-social manner (whilst drinking alcohol or under the influence of alcohol)
- There is a likelihood of anti-social behaviour or disorder (whilst drinking or under the influence of alcohol)
- Complaints have been received from members of the public concerning an on-going or developing problem.

What will happen if I do not stop drinking alcohol?

If you continue to drink when asked not to your alcohol may be confiscated and disposed of.

What if I surrender my alcohol?

If you surrender your alcohol and do not continue to behave in an anti social manner, there will be no further action.

What will happen if I do not hand over my alcohol?

You may be arrested, and if convicted, subject to a maximum fine of £500 or issued with a fixed penalty notice of £50.

What will happen if I hand over alcohol but continue to behave in an anti social manner?

You may be issued with a fixed penalty notice of £80 for disorder and/or arrested and convicted of a Public Order Offence.

What about licensed premises?

Pubs, clubs, restaurants or off-licences would not form part of the designated public place, and any areas covered by local authority premises licences or areas covered by a TEN for alcohol sales would not form part of the designated public place when alcohol is being sold or supplied and for 30 minutes afterwards.

What about areas outside licensed premises?

Areas outside licensed premises that do not form part of the premises that are on Council or Highway land are included in the DPPO.

Will the DPPO be enforced on areas outside licensed premises that are on Council on Highway land?

The DPPO would not be enforced unless complaints are received from members of the public about any of the following:

- Persons are creating disorder or behaving in an anti-social manner (whilst drinking or under the influence of alcohol).
- Complaints have been received from members of the public concerning an on-going or developing problem.

What is the enforcement protocol where complaints have been received?

In the first instance the premises will be asked by the Council and/or the Police to manage their customers within the outside area.

Failure to manage the situation will result in a request for the licence holder/designated premises supervisor (DPS) to ask customers to refrain from taking drinks to the outside area.

If complaints still continue to be received then the DPPO will be enforced. The Police may also seek a review of the premises licence.

Designated Public Places Orders

Contact details for further information:

Community Safety Team
01727 819305

Licensing Section
01727 819541

Hertfordshire Constabulary
0845 3300222



HERTFORDSHIRE

CONSTABULARY

