STATUTORY INSTRUMENTS

2007 No. 806

The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

Consultation

3.—(1) Before making an order, a local authority shall consult—

(a) the chief officer of police for the police area in which the public place proposed to be identified in the order is situated;

(b) the parish or community council if any in whose area the public place is situated;

(c) the chief officer of police, the local authority and any parish or community council for any area near to the public place which it considers may be affected by the designation; and

(d) the premises licence holder, the club premises certificate holder or the premises user, as appropriate, in relation to each premises in that place which it considers may be affected by the designation and which are premises in respect of which—

(i) a premises licence granted under Part 3 of the 2003 Act (premises licences) has effect;

(ii) a club premises certificate granted under Part 4 of the 2003 Act (clubs) has effect; or

(iii) a temporary event notice has been given so that the premises may be used for a permitted temporary activity by virtue of Part 5 of the 2003 Act (permitted temporary activities).

(2) Before making an order, a local authority shall also take reasonable steps to consult the owners or occupiers of any land proposed to be identified.

(3) When a local authority consults any of the parties in paragraph (1) it shall—

(a) describe in writing the effect that the order will have at particular times in relation to each category of premises specified in paragraph (b);

(b) the categories of premises are—

(i) premises falling under section 14(1)(a)(**1**) of the 2001 Act (places which are not designated public places) to which section 14(1B)(**2**) of that Act does not apply;

(ii) premises falling under section 14(1)(a) of the 2001 Act to which section 14(1B) of that Act does apply;

(iii) premises falling under section 14(1)(aa)(**3**) of the 2001 Act;

(iv) premises falling under section 14(1)(b)(**4**) of the 2001 Act;

(v) premises falling under section 14(1)(c)(**5**) of the 2001 Act; and

(**1**) Section 14(1)(a) of the 2001 Act was substituted by paragraphs 119 and 123(1) and (2)(a) of Schedule 6 to the 2003 Act and further substituted by section 26(1) and (2)(a) of the Violent Crime Reduction Act 2006 (c. 38).

(**2**) Section 14(1B) of the 2001 Act was inserted by section 26(1) and (3) of the Violent Crime Reduction Act 2006.

(**3**) Section 14(1)(aa) of the 2001 Act was inserted by section 26(1) and (2)(a) of the Violent Crime Reduction Act 2006.

(**4**) Section 14(1)(b) of the 2001 Act was substituted by paragraphs 119 and 123(1) and (2)(a) of Schedule 6 to the 2003 Act and further amended by section 26(1) and (2)(b) of the Violent Crime Reduction Act 2006.

(**5**) Section 14(1)(c) of the 2001 Act was substituted by paragraphs 119 and 123(1) and (2)(a) of Schedule 6 to the 2003 Act and further amended by section 26(1) and (2)(c) of the Violent Crime Reduction Act 2006.

(vi) premises falling under section 14(1)(e)(**6**) of the 2001 Act; and

(c) identify in writing by postal address or, if there is none, ordnance survey map reference or description any premises within that public place to which section 14(1B) of the 2001 Act applies at the time of consultation.

(**6**) Section 14(1)(e) of the 2001 Act was amended by paragraphs 119 and 123(1) and (2)(b) of Schedule 6 to the 2003 Act.