
DRAFT STATUTORY INSTRUMENTS

2008 No.

The Local Authorities (Alcohol Disorder Zones) Regulations 2008

PART 2

Proposal to designate a locality as an alcohol disorder zone

Consultation over proposal to designate a locality as an alcohol disorder zone

5.—(1) A local authority that publishes a notice in accordance with section 16(2) of the 2006 Act shall—

- (a) give notice in writing of the proposal to designate a locality as an alcohol disorder zone to each licence holder in that locality and the persons specified in paragraph (2);
- (b) invite representations within twenty-eight days from those persons regarding the proposal to designate a locality as an alcohol disorder zone;
- (c) provide each licence holder in that locality with the information set out in paragraphs (3) and (4); and
- (d) provide the persons specified in paragraph (2) with either the information specified in paragraph (3) or details of where that information can be obtained.

(2) The persons are—

- (a) a parish, town or community council in whose area the locality to be designated falls;
- (b) a responsible authority that has responsibility in relation to the locality to be designated or in relation to premises within that locality;
- (c) where the locality of the proposed zone includes or is within five hundred metres of an area where the British Transport Police have jurisdiction under section 31(1)(a) to (f) of the Railways and Transport Safety Act 2003, the Chief Constable of the British Transport Police; and
- (d) such other persons as the local authority considers appropriate.

(3) The information is—

- (a) the geographical area to be designated identified either by name or, if appropriate, by describing its boundaries;
- (b) the basis on which the local authority is satisfied that the conditions in section 16(1) of the 2006 Act (designation of alcohol disorder zone) are met in relation to that locality;
- (c) in general terms, the implications of the proposal and the effect of the designation;
- (d) the disorder or the nuisance or annoyance in or near the locality that has been identified;
- (e) any actions taken to date to address that problem;
- (f) how the designation of that locality would address the problem and in particular—

- (i) the steps it is proposed will be taken by the local authority, chief officer of police, licence holders and, where the locality of the proposed zone includes or is within five hundred metres of an area where the British Transport Police have jurisdiction under section 31(1)(a) to (f) of the Railways and Transport Safety Act 2003, the British Transport Police under an action plan with a view to making the designation of that locality unnecessary;
 - (ii) the non-baseline services it is proposed will be provided by the local authority, the chief officer of police and the British Transport Police in or in connection with an alcohol disorder zone and in return for a charge; and
 - (iii) the total amount of charges it is proposed would be payable under Part 4 of the Regulations (calculated by adding together the charge proposed for each licence holder);
 - (g) the arrangements that will be put in place for reviewing the action plan and designation;
 - (h) the basis on which the local authority will decide whether to designate a locality as an alcohol disorder zone following the publication of an action plan; and
 - (i) where applicable, the fact that the proposal results from a review of an existing alcohol disorder zone, which remains in force pending the making of any new designation.
- (4) The information is—
- (a) any payment it is proposed will be paid to the local authority by the licence holder under the action plan;
 - (b) any charge it is proposed will be paid to the local authority by the licence holder under Part 4 of the Regulations; and
 - (c) the method by which that payment and charge would be calculated.
- (5) In paragraph (2)(b) a responsible authority means a responsible authority within the meaning of section 13(4) of the 2003 Act (responsible authorities).