

**ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES**  
**PUBLIC CONSULTATION NOTICE**

**Section 13 Criminal Justice and Police Act 2001 Glasgote Close Shirley**

NOTICE IS HEREBY GIVEN THAT Solihull Metropolitan Borough Council in exercise of its powers under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 proposes to make a Designated Public Places Order to cover the whole area of Glasgote Close, Shirley.

A Notice and Plan can be viewed at offices of Solihull MBC at the Council House, Homer Road, Solihull between 9.00 am to 4.00pm Monday-Friday and on the council's website – [www.solihull.gov.uk](http://www.solihull.gov.uk)

Please note that the Metropolitan Borough Council of Solihull is satisfied, in principle, that this area, namely Glasgote Close, Shirley should be designated as an area where the consumption of intoxicating liquor in public may be prohibited.

The effect of the proposed Order will be to grant Police and other accredited persons, including Community Support Officers, the power to require any person drinking alcohol in the designated area to stop drinking and/or surrender any container of alcohol in that person's possession.

Any person, who without reasonable excuse, fails to comply with the officer's request may commit an offence and be liable to prosecution.

It is not intended to implement a comprehensive ban on drinking in the open air but rather to eliminate anti-social drinking and the associated nuisance, annoyance and disorder.

The following places are excluded from the Designated Public Places Order:

- i. Premises where a premises licence or club premises certificate is in force for the supply and sale of alcohol under the Licensing Act 2003 and any place within the curtilage of these premises (e.g. pubs, clubs, restaurants, off-licences).
- ii. Premises subject to a premises licence issued in respect of a Temporary Event Notice under the Licensing Act 2003. This exemption applies only during the times of operation of the licence when alcohol is being sold or supplied and 40 minutes thereafter – such premises will not be exempt from the Order any other time when they are not licensed to sell or supply alcohol.
- iii. Places where the sale or consumption of alcohol is permitted on public highways by virtue of permission granted under S.115E of the Highways Act 1980.
- iv. Premises where a Premises Licence or Club Premises Certificate is in force to serve alcohol under the Licensing Act 2003 and places within the curtilage of these premises (e.g. pubs, clubs, restaurants, off-licences);

Power to make such a designation is contained in Section 13 of the Criminal Justice and Police Act 2001. In order to make an Order designating a public place, the Council must be satisfied that:

- (a) nuisance or annoyance to members of the public or a section of the public, or
- (b) disorder, has been associated with the consumption of intoxicating liquor in that place.

This notice:

- (a) explains the reasons why the Council considers that a Designation Order should be made;
- (b) explains the consequences of designation;
- (c) invites you to comment on the proposed designation order before a final decision is taken

The Council is satisfied that there have been incidents that have created a nuisance or annoyance to members of the public and there has been disorder associated with the consumption of alcohol in this area.

Representations with respect to these proposals should be made in writing and addressed to Director of Governance, P O Box 18, Council House, Solihull, West Midlands, B91 9QS ref SG/

Or by email: [sgill@solihull.gov.uk](mailto:sgill@solihull.gov.uk). Comments must be received by 3<sup>rd</sup> March 2012 if they are to be taken into account.

