

Committee: LICENSING COMMITTEE

Date: 11 June 2013

Wards: All

Agenda item: 5

Subject: Licensing Act 2003

Lead officer: Chris Lee, Director for Environment and Regeneration

Lead member: Cllr Nick Draper, Cabinet Member for Community & Culture

Forward Plan reference number: N/A

Contact officer: Marc Dubet, EH (Pollution & Licensing) Manager

Recommendations:

1. To note the quarterly crime summary report and the introduction of a borough wide controlled drinking zone.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to discuss the crime data and the borough wide controlled drinking zone

DETAILS

2 WIMBLEDON CUMULATIVE IMPACT ZONES (CIZ) CRIME SUMMARY – DECEMBER 2012 TO FEBRUARY 2013

There were 180 Public Order offences recorded on the Police Crime Reporting Information System (CRIS) between 01/09/2012 – 30/11/2012 in Merton; a decrease from 224 recorded in the previous three months. The most common of these offences were: Harassment (71 offences); Public Fear, Alarm or Distress (40); Other Offences against the State & Public Order (25); and Racially or Religiously Aggravated Public Fear, Alarm or Distress (16);

There were no public order offences which took place in the Wimbledon Village CIZ during this time period.

- 2.2 Eight offences took place within the Wimbledon town centre CIZ between 01/12/2012 – 28/02/2013, a decrease from 15 offences in the previous 3 months; The offences in the town centre CIZ can be broken down as follows: Other Offences against the State & Public Order (4); Public Fear, Alarm or Distress (3); and Racially or Religiously Aggravated Public Fear, Alarm or Distress (1).

2.3 Licensed Premises.

There were 69 offences in or outside public houses, licensed clubs and restaurants recorded on the Police Crime Reporting Information System (CRIS) between 01/09/2012 – 30/11/2012 in Merton, a decrease from 90 in the previous three months;

Of these offences, 45 (65%) occurred in the two CIZ areas and can be broken down as follows:

Offence	Total
ABH & Minor Wounding	1
Affray	1
Crim Dam Other Building < £500	2
Crim Dam-Other Prop under £500	1
GBH/Serious Wounding	1
Theft by an Employee	1
Theft From The Person of Another	13
Theft Not Classified Elsewhere	25
Grand Total	45

The venues that these offences occurred in or outside are on the attached Appendix A.

2.4 Fifteen offences were recorded in December, 16 in January and 14 in February. The peak days of offences occurring are over the weekend – Saturday and Sunday, with Friday being the third most common. This is the same as identified in the previous three months.

Offence Day	Total
MON	4
TUE	1
WED	5
THU	5
FRI	7
SAT	13
SUN	10
Grand Total	45

2.5 The peak times for offences to occur were typically during the evenings and early hours of the morning, between 8pm and 2am, with a high point between 10pm and midnight. Again, this is similar to the peak times as identified in the previous 3 month time period.

Offence Time	Total
0001-0200	11
0801-1000	1
1001-1200	1
1201-1400	4
1401-1600	3
1601-1800	1
1801-2000	4
2001-2200	6
2201-0000	14
Grand Total	45

2.6 **BOROUGH WIDE CONTROLLED DRINKING ZONE**

On 25th October 2012 the Licensing Committee considered the option of trigger points to decide when to consult on a Controlled Drinking Zone designation. The Committee understood that a number of communities in the borough would like a local controlled drinking zone in place. The Licensing Committee agreed that it would be simpler and more cost-effective to undertake consultation on the implementation of a pan-borough controlled drinking zone.

2.7 Elected members agreed unanimously at Full Council on the 21st November 2012 to undertake a public consultation on a Borough Wide Designated Public Places Order (also known as a Controlled Drinking Zone). This was borne out of an identified need, where residents requested consideration of this option from their ward members, due to the drink related issues across the borough. Full Council agreed for the formal consultation to be undertaken and for the Chief Executive to have delegated decision making responsibility for its implementation or not.

2.8 The London Borough of Merton carried out a public consultation which ran initially from 4th March 2013 to 1st April 2013 but due to the level of responses received the consultation was extended until 22nd April 2013. The consultation included a Public Notice in the local press; letters sent to resident residential and business properties including licensed premises Borough wide, advertised on Mertons website under Hot Topics. Consultation letters were sent to the leader, Chief Executive and Borough Commanders of all neighbouring boroughs.

2.9 Details of the crime data to support a Controlled Drinking Zone and the responses to the consultation can be found in Appendix B.

2.10 Following the public consultation, the Chief Executive made the decision to adopt a Borough Wide Controlled Drinking Zone on 29th May 2013. The Chief Executive carefully considered the information that was presented to

him. His decision had regard to the majority view expressed through the consultation and with the view expressed by democratically elected councillors. He felt that it was important that the impact of the ban is kept under review and that the council should ensure that the concerns that have been expressed are kept in mind when the operation of the ban is next examined. He concluded that the ban will enable the police to take action to manage the behaviour of anti-social public drinkers which is clearly a significant concern to local residents

- 2.11 It is intended that the licencing committee will review the Controlled Drinking Zone, every six months in order to assess its impact and will make decisions on its continued viability.

3 ALTERNATIVE OPTIONS

None for the purposes of this report

4 CONSULTATION UNDERTAKEN OR PROPOSED

None for the purposes of this report

5 TIMETABLE

None for the purposes of this report

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

Enforcement of the Controlled Drinking zone will be carried out by the Police.

There will be a cost to the Safer Merton team for the display and maintaining of public notices around the Borough

LEGAL AND STATUTORY IMPLICATIONS

None for the purposes of this report

7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

These are statutory functions and are applied globally. An equalities impact assessment of the attached policy and other related functions of the Service are undertaken on a regular basis

8 CRIME AND DISORDER IMPLICATIONS

The service has a statutory duty to contribute to the reduction of crime and disorder in Merton under section 17 of the crime and disorder act 1988. The prevention of crime and disorder is also one of the objectives of the council's statement of licensing policy. In determining applications it will be the policy of the service to consider the adequacy of measures proposed to deal with related crime and where appropriate it will attach conditions to permissions and licences to deter and prevent crime and disorder both inside and within the vicinity of the premises.

A controlled drinking zone would give the Police an additional power, namely

that of confiscating alcohol in the street where there are concerns about street drinking, these powers can only be granted by the local authority.

9 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

All risk and health and safety implications have been considered in arriving at the final package of service plan measures. Risk ratings are determined for specific activities, including the delivery of outcomes, measures and targets in the plan, and are included within the Council's corporate risk management strategy. Identified risks and actions to minimise them are assessed on an annual basis

10 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix A Crime data for Cumulative Impact Zones.

Appendix B Responses to public consultation on Borough Wide Controlled Drinking Zone

11 BACKGROUND PAPERS

None for the purposes of this report

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**RESULTS OF MERTON’S PUBLIC CONSULTATION FOR A
PROPOSED BOROUGH WIDE DESIGNATED PUBLIC
PLACES ORDER (DPPO)**

(also known as a Controlled Drinking Zone)

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1. Executive Summary

Elected members agreed unanimously at Full Council to undertake a public consultation on a Borough Wide Designated Public Places Order (also known as a Controlled Drinking Zone). This was borne out of an identified need, where residents requested consideration of this option from their ward members, due to the drink related issues across the borough. Full Council agreed for the formal consultation to be undertaken and for the Chief Executive to have delegated decision making responsibility for its implementation or not.

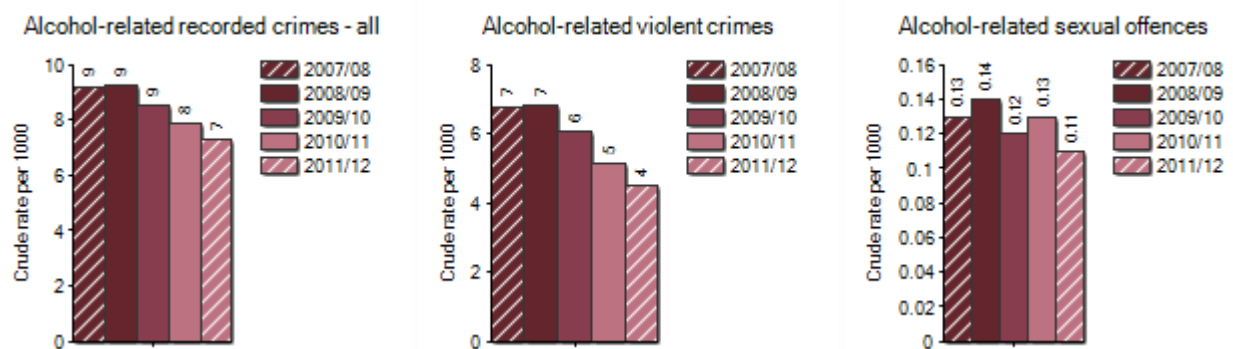
Mertons public consultation ran initially from 4th March 2013 to 1st April 2013 but due to the level of responses received the consultation was extended until 22nd April 2013. The consultation included a Public Notice in the local press; letters sent to resident residential and business properties including licensed premises Borough wide, advertised on Mertons website under Hot Topics. Consultation letters were sent to the leader, Chief Executive and Borough Commanders of all neighbouring boroughs.

Responses to the consultation were received from a variety of people, this paper sets out the findings of this consultation and offers guidance to the Chief Executive in his decision making capacity in regards to the proposed Borough wide DPPO/CDZ.

2. Police Incidents

LAPE Profile¹

Whilst Merton is ranked relatively low in comparison to other London borough's, Merton is above the national average for alcohol related violence and sexual offences.



The above graphs from the North West Public Health Observatory LAPE (Local Alcohol Profile England) show that for 2011/12 (the most recent figures available), in Merton the rate per 1000 population for alcohol related recorded crime was 7.3. This is below the London average of 11.1 and ranked Merton 5th out of the 32 London boroughs (1 being the lowest crime borough). However, Merton is ranked 230th out of 326 local authorities in England on this measure (A rank of 1 is the best local authority in England and a rank of 326 is the worst in regards to recorded incidents).

In terms of Alcohol related violent crime, the rate for Merton was 4.5 (per 1000 population), which again was below the London average, with Merton ranked 4th. Merton is ranked 171st out of 326 local authorities in England on this measure.

Finally in relation to sexual offences attributed to alcohol, the rate for Merton was 0.1 (per 1000 population). This again was below the London average with Merton ranked 3rd safest in London.² Merton is ranked 152nd out of 326 local authorities in England on this measure.

Police data (where the victim and or suspect had been drinking)

¹ <http://www.lape.org.uk/index.html>

² Alcohol-related recorded crimes, crude rate per 1,000 population. (NWPHO from Home Office recorded crime statistics 2011/12). Office for National Statistics 2010 mid year population were used. Attributable fractions for alcohol for each crime category were applied, based on survey data on arrestees who tested positive for alcohol by the former UK Prime Minister's Strategy Unit.

Looking at locally held data in Merton, during 2012 there were 562 incidents in the borough where either the suspect or victim had been drinking. From these, there were 600 victims who had been drinking and 225 accused persons who had been drinking. The Metropolitan Police service records actual crime and does not always log if alcohol was a contributory factor therefore these figures are unlikely to be a true indication of the use of alcohol in offending and are likely to be underestimated. Anecdotal police evidence is that local anti-social behaviour and crime have stronger linkages to alcohol.

Alcohol flagged Police Computer Aided Dispatch (CAD) Calls

During 2012 there were 641 alcohol-flagged calls to the Police. When these calls were mapped the hotspots were located in the three town centres.

In relation to CAD calls for “Street Drinking” for 2012 there were 30 calls, an increase from 23 calls in 2011.

3. Alcohol Related ASB Cases

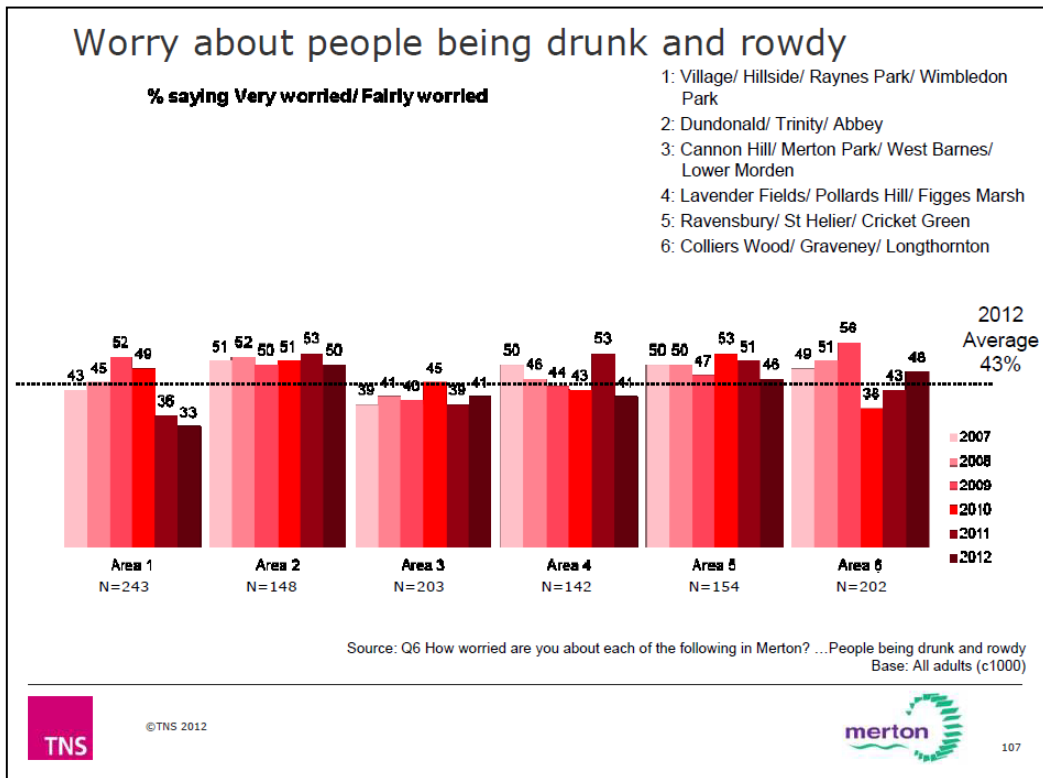
During 2012 there were 77 alcohol related ASB cases reported to the Safer Merton Anti Social Behaviour Unit.

4. Residents Concerns

Annual Residents Survey 2012

The council undertakes a public consultation every year, which asks a range of questions around public perceptions of the borough. One of the questions that is of particular interest, for this profile, is the perception of drunk and rowdy behaviour. The 2012 survey figures showed that 43% of residents were concerned about drunk and rowdy behaviour in the area where they live. This was a 2% point decrease on the 2011 figure.

The areas that were most concerned were the Trinity/Abbey/Dundonald area, all three wards in the vicinity of Wimbledon Town Centre. Other areas showing a higher than the average level of concern include Lavender Fields/Pollards Hill/Figges Marsh and Colliers Wood/Graveney/Longthornton wards.



Strategic Assessment Consultation 2012

Alcohol related disorder was a concern expressed by participants in Safer Merton’s Strategic Assessment Consultation, which took place between October – November 2012. The table below outlines the top concerns for alcohol (respondents indicating an issue was a ‘very big’ or ‘fairly big’ problem).

Drugs and Alcohol	Number of responses	%
Alcohol Disorder/Behaviour	140	33
Street Drinking	136	32
Underage Drinking	108	25
Underage Alcohol Sales	80	19

5. Number of responses to public consultation

The public consultation results were broken down in to if residents thought that a controlled drinking Zone (DPPO) was a good idea (YES) or if it was not (NO). The results were as follows.

Online Consultation

Response	Number of Respondents	Percentage of Respondents
Yes	359	59.34%
No	246	40.66%

Responses received by Email, letter and telephone

Response	Number of Respondents	Percentage of Respondents
Yes	55	44.00%
No	57	45.60%
Neither yes or no	13	10.40%

Total Combined responses

Yes	414	56.71%
No	303	41.51%
Neither Yes or No	13	1.78%

There fore the majority of responses from residents were for the controlled drinking zone however these was a high number of respondents against the controlled drinking zone.

6. Selection of residents comments

There were a high number of responses to the consultation and these were broken down into question groupings. Queries that are not listed here are answered within the main document and/or the responses to the generic questions below.

Questions	Responses
<ul style="list-style-type: none"> • What happens if we want a family picnic with friends in the park? • Where are the homeless permitted to drink? • What grounds are the police able to stop me if they see me carrying a sealed bottle of wine? • What would be the impact of a controlled drinking zone on responsible drinkers who are 	Police will only confiscate alcohol if the person is acting in an inappropriate manner that is linked to or causing asb or a criminal offence.

<p>having a picnic in the park with friends or family?</p> <ul style="list-style-type: none"> • Will it be enforced or will easy targets such as people enjoying a picnic in the park be targetted. • Would this stop, for example, friends/family having summer picnics in, say, South Park Gardens which included alcohol? – • Would parents be able to have a glass of wine with a picnic in a park? Possibly not. • I like to have a drink with a picnic e.g. on Wimbledon Common and would not like to have it confiscated. Many European countries have more responsible drinking without introducing prohibition. • . However I am a little concerned about the impact on perfectly legitimate celebratory street parties such as took place during the Diamond Jubilee. Drunken street brawls and bad behaviour anywhere are one thing but a family-oriented street party at which a glass or two of wine is consumed by the adults present is surely quite another. How will this be dealt with under the proposed borough-wide CDZ? • Does making the whole Borough a designated public place include my private residence? • To clarify this CDZ - this is not a ban to drink in public places but to allow the police to control the consumption. So for example a picnic in the park would be acceptable as long as the behaviour is deemed not a nuisance to other members of the public? 	
<ul style="list-style-type: none"> • What happens if we wanted to put on a street party? 	<p>Street parties are covered through Licensing which is covered under different legislation permission from them would need to be sought for this sort of event.</p>
<ul style="list-style-type: none"> • Could this lead to Police to abuse their power should they see any young person carrying alcohol? 	<p>No there are currently Controlled drinking zones in Mitcham and Wimbledon town centre and no complaints have been made.</p>
<ul style="list-style-type: none"> • Is this to consume in public or private? • Does this include my back garden? • Would alcohol be confiscated from one drinking in their front garden on private land? 	<p>It is a Public places order.</p>
<ul style="list-style-type: none"> • What will happen to the alcohol that is confiscated? 	<p>Alcohol will be poured away.</p>
<ul style="list-style-type: none"> • What if there is no nuisance being caused? 	<p>No action will be taken.</p>
<ul style="list-style-type: none"> • Have you informed Liberty of your proposal and has the civil liberties organisation agreed that the legislation can be used in such a broad 	<p>This is national legislation that Liberty would need to discuss with the government.</p>

<p>fashion</p>	
<ul style="list-style-type: none"> • What current information/evidence is available to justify the whole of the London Borough of Merton to be designated a CDZ? • In para 2 you mention 'reported anti-social behaviour.' Please can you give details regarding the frequency and location of these instances and whether they have been increasing in say, the last five years? • Frequency and location of ASB in the last 5 years • Is there any data comparing the performance of Merton and other boroughs? • What current information/documentation is available to justify a CDZ? • Please supply me with the crime statistics for the London Borough of Merton, specifically with relation to alcohol related ASB? 	<p>The council is basing this suggested power on the basis of police data. This can be found on the police site, this is inline with best practice guidance from the home office in regards to enabling this power. Anecdotal data of residents perceptions and health data (A&E and ambulance service) have supported the polices assertion that this is a positive power for them, elected members have been lobbied by their communities to implement this power in numerous areas across Borough.</p> <p>Police website www.police.uk</p>
<ul style="list-style-type: none"> • Can you let me know if there will be any exceptions within the CDZ? For example the common areas 	<p>A designated public place is 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. http://www.legislation.gov.uk/ukpga/2001/16/section/16</p>
<ul style="list-style-type: none"> • Referring to Section 12 (4), please explain what is meant by a summary conviction? • Referring to Section 12 (4), please explain what is meant by a summary conviction? 	<p>I would refer you to the home office guidance http://www.crp-news.com/secure/assets/n20081228.144013_4957640df10c.pdf</p>
<ul style="list-style-type: none"> • Who, within the London Borough of Merton, has the authority to enforce the considered CDZ and if so, what action is available to them? • Although the letter only refers to the Police, the Act also allow accredited person to enforce the zone. What companies in the borough will be supplying such accredited persons? How will the public be made aware of these companies? Will Merton Council be maintaining a list of companies taking part? 	<p>Only Police can enforce the Controlled Drinking zone unless certified/agreed by the Borough Commander</p>
<ul style="list-style-type: none"> • Have any other boroughs implemented a borough wide CDZ? 	<p>Yes other boroughs have implemented borough wide CDZ'S.</p>
<ul style="list-style-type: none"> • Is the problem localised or general throughout the borough? 	<p>There are pockets across Borough.</p>

<ul style="list-style-type: none"> Are there any relevant documents or comments from the Borough's Police Officers? 	<p>Borough Commander and staff recommended this action and fully support it.</p>
<ul style="list-style-type: none"> What motivated the council to contemplate such action to incur this expense? Who put forward this motion in the first place? Do the police agree and want these changes? 	<p>Unanimous full council decision to consult on Controlled Drinking Zone, supported by the police on behalf of the community.</p> <p>Please go to http://www.merton.gov.uk/democratic_services/w-agendas/w-minutes/3560.pdf</p>
<ul style="list-style-type: none"> Why should everyone suffer restrictions because of the antisocial behaviour of a tiny minority? Why penalise everyone for the indiscretions of a few? 	<p>Legislation is to tackle the tiny minority and support the wider community.</p>
<ul style="list-style-type: none"> If at an event a few people become unruly, would the MPS then confiscate everyone's alcohol? 	<p>No only if a person was committing a criminal act or anti social behaviour.</p>
<ul style="list-style-type: none"> How will you keep track of fines or penalties? 	<p>Reporting back to the licensing committee on a 6monthly basis.</p>
<ul style="list-style-type: none"> Will people be expected to produce ID? 	<p>If a person does not comply with the Police Direction they could be asked to provide ID</p>
<ul style="list-style-type: none"> Have you already decided to implement the CDZ? When if decided will it be implemented? 	<p>The CDZ has not already been decided, Consultation has now been extended until April 22nd 2013 and if it is to be implemented a public notice will be circulated.</p>
<ul style="list-style-type: none"> Under the statement 'liable to prosecution' what offence/prosecution does this entail? 	<p>This would be case by case dependant.</p>
<ul style="list-style-type: none"> What allows the police to judge who/when to confiscate alcohol and what will limit them from simply 'taking' alcohol from anyone in Merton? 	<p>As in any crime they have to believe a criminal act or asb has taken place.</p>
<ul style="list-style-type: none"> Why are you not targeting the many shops where there is under-aged people buying alcohol? 	<p>Trading standards investigate these issues regularly.</p>
<ul style="list-style-type: none"> Why would the London Borough of Merton want to create a criminal offence which is impossible to enforce/ 	<p>This is government legislation not Merton specific and is enforceable.</p>
<ul style="list-style-type: none"> The website map only shows Mitcham yet it is a borough wide CDZ 	<p>Mitcham town centre is currently a CDZ and that is why it is publicised.</p>
<ul style="list-style-type: none"> Have you got the man power to enforce this? 	<p>Yes,</p>

	Police will enforce the CDZ in their day to day duties
<ul style="list-style-type: none"> • How do you define 'responsible consumption' 	An officer would make that judgement re ASB and Crime
<ul style="list-style-type: none"> • If implemented, what steps will the council be taking to monitor police implementation of the zone? • Will the Council require an annual or 2 yearly evaluation? 	The CDZ will be reviewed by the Licensing committee 6monthly.
<ul style="list-style-type: none"> • Will this also cover drug related problems 	No
<ul style="list-style-type: none"> • Is this to make our streets safer for residents or the police? 	Safer for residents.
<ul style="list-style-type: none"> • Will this cover outside pubs and restaurants? 	It will cover public areas not defined in the curtilage of licenced premises.
<ul style="list-style-type: none"> • What level in the police service, if applicable, any officer within the local authority who has the power to attest in the circumstances? 	Only police officers have the powers to arrest in any circumstance's
<ul style="list-style-type: none"> • Please could you give me a current list of designated public places or direct me to them? 	http://www.merton.gov.uk/community-living/communitysafety/safermertonmyneighbourhood/safermertonantisocialbehaviour/safermertoncontrolleddrinkingzone.htm
<ul style="list-style-type: none"> • The council must feel there is a good reason for proposing this measure, what is it? 	Requests from the community, police information regarding alcohol related instances
<ul style="list-style-type: none"> • Can you let me know if there will be any exceptions with the CDZ? E.g. common areas? 	The whole of the London Borough of Merton is covered. Covering the whole borough due to displacement.
<ul style="list-style-type: none"> • Why did the consideration for a DPPA (CDZ) come about? 	Due to concerns predominately regarding night-time activity associated with alcohol related crime and asb
<ul style="list-style-type: none"> • Why cannot any instances of drink related ASB be dealt with using existing laws and by-laws without resorting to a CDZ? 	This is a bespoke piece of legislation for dealing with specific alcohol related issues.
<ul style="list-style-type: none"> • What is a direction? 	A direction is when a Police officer asks you to do something.
<ul style="list-style-type: none"> • Why were there no contact details on the website? 	This is mainly a web based consultation however details of how to respond in writing are on the letter issued.
<ul style="list-style-type: none"> • How much will enforcing this zone cost? 	There will be no additional cost to enforcing the controlled drinking zone as this will be done within normal policing duties
<ul style="list-style-type: none"> • What would be the impact of a controlled drinking zone on responsible drinkers who are 	No impact.

having a picnic in the park with friends or family?	
<ul style="list-style-type: none"> How do you propose to combat the irresponsible drinking of alcohol in public within Merton without compromising the joie-de-vivre of well-behaved persons doing the same? 	This does not compromise those who are behaving well and is only directed at those who cause/may cause crime and disorder
<ul style="list-style-type: none"> An alternative could be to implement time restrictions on drinking alcohol in public (e.g. Merton is a controlled drinking zone after 9pm). 	The legislation does not allow for time banded interventions
<ul style="list-style-type: none"> What measures will be in place for regular democratic review of how well the new measures are working? Can this CDZ be wound back should it in fact prove to be overly intrusive and clumsily implemented and if so how would this be done? 	The licencing committee will review the cdz every six months in order to assess its impact and will make decisions on its continued viability
<ul style="list-style-type: none"> If this order is approved. When this is expected to start taking effect? 	It will take place from the date of decision and this will be published in the press and on the council web site
<ul style="list-style-type: none"> Cannot the council instead look at helping communities to set up social clubs for people who have nowhere else to go or who cannot afford to go to a pub? 	This is not to deal with economic issues around drinking but to tackle anti-social behaviour and crime from the minority who drink in public
<ul style="list-style-type: none"> Why not simply use the powers that are already available 	This power is different from other police powers and enables quick response to immediate issues
<ul style="list-style-type: none"> Why is the council seeking ever increasing restrictions on local residents? 	This is not to place restrictions on local resident merely on those who do not behave in a way that is appropriate.
<ul style="list-style-type: none"> The response date on the letter sent to residents by Chris Lee is given as 1st April 2013. The stated response date on the council website is 22nd April 2013 (see above). Please try to get important deadlines clarified to residents. 1st April is Easter Monday and I would suggest never using a deadline that falls in a Bank Holiday weekend. 	Due to demand the date for responses to the consultation has been extended. This was made clear on the web site.
<ul style="list-style-type: none"> If the police and others are sanctioned to confiscate alcohol under this order then I suggest that it is incumbent on them to provide a receipt for every item confiscated, which can then be presented at the nearest police station to reclaim the alcohol after a period of 24 hours. If this doesn't happen then police should account for every item of confiscated alcohol. I would be seriously disappointed if there was any intention of confiscated alcohol finding its way to the Police Christmas Party or similar occasions 	Alcohol confiscated is poured away in front of the person with the alcohol and or they are given a direction to leave with the unopened alcohol should they do this then the alcohol will not be removed or poured away.
<ul style="list-style-type: none"> Why is it people can't have a drink on the tube 	This legislation does not cover the London

<p>does it mean they can't drink fizzy water on tube?</p>	<p>underground as it is not a public place as defined by the legislation</p>
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7., Options for consideration

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

Consultation

A Local Authority shall consider any representations as to whether or not a particular public place should be identified in an Order whether made as a result of a consultation under regulation 3, in response to a notice under regulation 5, or otherwise.

The options for consideration in regards to this Borough Wide Controlled Drinking zone consultation are;

1. Accept the request for a Borough wide controlled drinking zone.
2. Reject the request for a Borough wide controlled drinking zone.

The information as to the rational regarding the agreed or not agreed zone will be published on the Councils web site.