



Department of Law, HR and
Asset Management

Surjit Tour
Acting Director

Town Hall
Brighton Street
Wallasey
Wirral
CH44 8ED

to «Name»
«Add1»
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«Add6»

date 13 February 2013

your ref
my ref
tel ext (0151) 691 8606 please ask for Margaret O'Donnell
email: licensing@wirral.gov.uk

Dear Sir/Madam

DESIGNATED PUBLIC PLACES ORDER (DPPO)

On 23 January 2013, following a petition submitted to the Council and supported by Merseyside Police, Members of the Licensing Health and Safety and General Purposes Committee agreed to undertake statutory consultation regarding a Designated Public Places Order (DPPO) under the Criminal Justice and Police Act 2001 within an area of New Ferry. Please find attached a map of the proposed area which is subject to the consultation.

The Criminal Justice and Police Act 2001 provides Local Authorities with powers to designate any public place within its area as being subject to a DPPO if the Authority is satisfied that nuisance or disorder has occurred in that area connected to the consumption of alcohol.

A DPPO does not make it an offence to drink alcohol in a designated place. The effect of an area being subject to a DPPO is that the police are given additional powers in that area to stop people drinking alcohol and confiscate any alcohol in a person's possession in that area.

The procedures that local authorities must follow in designating a public place are set out in The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007. The regulations set out the consultation, publicity and signage requirements that must be met.

In accordance with the regulatory requirement the consultation being undertaken by the Council includes:

- Merseyside Police
- Each Premises Licence Holder or Club Premises Certificate Holder
- Owners or occupiers of any land that may be identified in a designated order

Cont/...

It is important that we consider your views regarding this proposal, please use the enclosed proforma and return your comments in the pre-paid envelope provided, or alternatively you can fax or e-mail your comments.

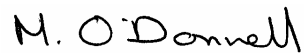
Fax: 0151 691 8215

E-mail: licensing@wirral.gov.uk

The Council wishes to thank you for taking the time to consider this DPPO consultation. Please ensure we receive your views no later than **Friday, 22 March 2013**.

If you have any further enquiries about the DPPO please contact Margaret O'Donnell on 0151 691 8606.

Yours faithfully



Margaret O'Donnell
Licensing Manager

Designated Public Places Order
(New Ferry)

Consultation – February 2013

Your name: _____

Name of Company/Organisation: _____
(if applicable)

Address: _____

Telephone Number: _____

Email Address: _____

Do you wish to receive feed back on the consultation? Yes No

Do you agree that it is necessary to have a Designated Public Places Order in respect of the area identified on the enclosed map? Yes No

Comments – Please use the space below to provide any evidence of public nuisance or disorder linked to alcohol that you have experienced within the area identified on the enclosed map.

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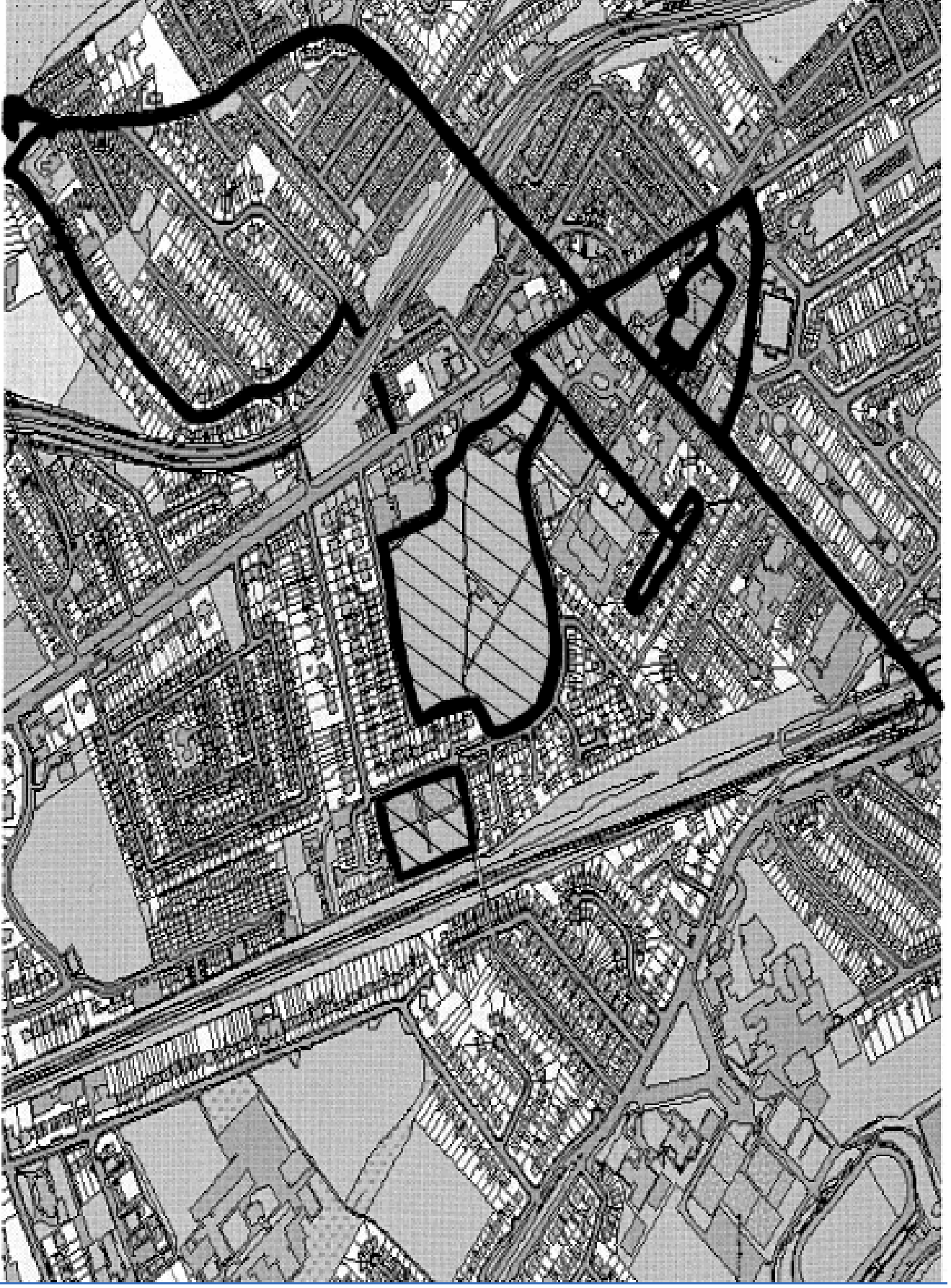
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(please use additional sheets if appropriate)

Designated Public Places Order



ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES

NOTICE IS HEREBY GIVEN THAT Wirral Borough Council is currently consulting on a Designated Public Places Order (DPPO) within an area of New Ferry (as detailed below) in accordance with the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 made under the Criminal Justice and Police Act 2001 (as amended).

The Criminal Justice and Police Act 2001 provides Local Authorities with powers to designate any public place within its area as being subject to a DPPO if the Authority is satisfied that nuisance or disorder has occurred in that area connected to the consumption of alcohol.

A DPPO does not make it an offence to drink alcohol in a designated place. The effect of an area being subject to a DPPO is that the police are given additional powers to stop people drinking alcohol and confiscate any alcohol in a person's possession in that area. A person commits a criminal offence if they fail to stop drinking when asked to do so by a police officer or to give up their alcohol to the officer.

The streets/land subject to consultation is as follows: Bebington Road (between New Chester Road and Old Chester Road) New Chester Road (between Grove Street and Boundary Road) Boundary Road, Woodhead Street (including carpark), Underley Terrace, Olinder Street, Grove Street, Grove Square, Stanley Road, New Ferry Park, Longfellow Drive, New Ferry Road, Thorburn Road, The Esplanade, Land including tennis courts on Stanley Road, Esher Road and Esher Close (including the underground walkway between Esher Road and Esher Close).

A map showing the above areas in New Ferry may be viewed at Wallasey Town Hall and on the Council's Website (www.wirral.gov.uk).

In respect of the categories of premises set out in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulation 2007 a DPPO will have no effect upon:

- A premises in respect of which a premises licence has effect which authorises the premises to be used for the sale or supply of alcohol or within the curtilage of such premises.
- A premises in respect of which a club premises certificate has effect which certifies that the premises may be used by the club for the sale or supply of alcohol or within the curtilage of such premises.
- A premises which, by virtue of Part 5 of the Licensing Act 2003 (permitted Temporary Activities) may be used for the supply of alcohol or which by virtue of that part could have been so used within the last 30 minutes.

- A place where facilities or activities relating to sale or consumption of the alcohol are for the time being permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway related uses).
- New Ferry Village Hall at times when alcohol is being sold or supplied or within 30 minutes thereafter. This premises is owned by Wirral Borough Council and has a premises licence which is held by New Ferry Village Hall Joint Management Committee and authorises the sale or supply of alcohol.

Any person wishing to make representations as to whether or not a Designated Public Places Order should be made in respect of the specified area of New Ferry described above must do so in writing to Wirral Borough Council Licensing Authority, Town Hall, Brighton Street, Wallasey, Wirral CH44 8ED. The closing date for representations is Friday 22 March 2013.