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DRAFT STATUTORY INSTRUMENTS

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**2008 No.**

**The Local Authorities (Alcohol  
Disorder Zones) Regulations 2008**

**PART 4**

**Alcohol Disorder Zone: Designation and Charges**

**Rates of charges: calculation of total cost of alcohol disorder zone**

**15.**—(1) The total cost of the alcohol disorder zone shall be calculated by adding together the cost of—

- (a) any chargeable non-baseline services provided by the local authority, the chief officer of police and the British Transport Police in or in connection with the alcohol disorder zone;
- (b) periodic review of the alcohol disorder zone undertaken in accordance with section 17(4) of the 2006 Act (procedure for designation of zones: periodic review); and
- (c) arrangements made for, or in connection with, the imposition, collection and recovery of charges under this Part.

(2) For the purposes of paragraph (1)(a) the following non-baseline services provided by the local authority are chargeable—

- (a) activities undertaken by an inspector appointed under section 72 of the Weights and Measures Act 1985(1) (appointment of inspectors by local weights and measures authority) where undertaken for the purposes of section 154 of the 2003 Act (enforcement role for weights and measures authorities regarding the sale of alcohol to children);
- (b) activities undertaken by the chief executive officer or an environmental health officer of a local authority under section 40 or 41 of the Anti-social Behaviour Act 2003(2) (closure of noisy premises) or under the Noise Act 1996(3) but only in so far as those activities relate to premises in respect of which a premises licence has effect; and
- (c) activities undertaken by an officer of a licensing authority under section 57 (duty to keep and produce premises licence), 59 (inspection of premises before grant of premises licence), 94 (duty to keep and produce club premises certificate) or 96 (inspection of premises before grant of club premises certificate) of the 2003 Act, where that officer is authorised by that authority for those purposes.

(3) For the purposes of paragraph (1)(a) non-baseline services provided by the chief officer of police are chargeable only if they are services provided by a constable or by an employee of a police authority who is designated as a community support officer under section 38(1) of the Police Reform Act 2002(4) (police powers for police authority employees).

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(1) 1985 c.72. Section 72 of the 1985 Act has been amended by S.I. 2006/659.

(2) 2003 c.38. Section 41 of the 2003 Act has been amended by section 106 of, and paragraphs 12 and 13 of Schedule 4 to, the Clean Neighbourhoods and Environment Act 2005 (c.16). Section 40 of the 2003 Act has been amended by section 280 of, and paragraph 59 of Schedule 26 to, the Criminal Justice Act 2003 (c.44) but that amendment is not yet in force.

(3) 1996 c.37.

(4) 2002 c.30.

(4) For the purposes of paragraph (1)(a) the cost of the services provided by the chief officer of police shall be determined by the police authority for the police area in which the alcohol disorder zone is located.

(5) For the purposes of paragraph (1)(a) non-baseline services provided by the British Transport Police are chargeable only if they are services provided by a constable of the British Transport Police or by an employee of the British Transport Police Authority who is designated as a community support officer under section 38(1) of the Police Reform Act 2002 (police powers for police authority employees) as that provision is applied to the British Transport Police by section 28(1)(a) of the Railways and Transport Safety Act 2003(5) (exercise of powers by civilians).

(6) The cost of the services provided by the British Transport Police shall be determined by the British Transport Police Authority.

(7) For the purposes of paragraph (2)(b)—

- (a) the chief executive officer of a local authority means the head of the paid service of the authority designated under section 4 of the Local Government and Housing Act 1989(6); and
- (b) an environmental health officer of a local authority means an officer authorised by that authority for the purpose of exercising a statutory function in relation to pollution of the environment or harm to human health.

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(5) 2003 c.20.

(6) 1989 c.42. Section 4 of the 1989 Act has been amended but none of the amendments is relevant to this instrument.