

Appendix 3. Table of Proposed Changes, Consultation Responses and Recommendations

Control of Anti-Social Behaviour and the Consumption of Intoxicating Substances (Exmouth) Order

Existing requirement	Consultation Response	Public Comments	Officer Comment	Recommendation
<p>If a person does not surrender any intoxicating substance including alcohol in their possession when requested by an authorised officer if:</p> <ul style="list-style-type: none"> • They are found to be ingesting, inhaling, injecting, smoking or otherwise using intoxicating substances • They are in possession of such intoxicating substances with the intent of using such intoxicating 	<p>89% agreed 11% disagreed</p>	<p><i>It should be possible to drink alcohol in moderation within the area.</i></p> <p>I do think that the responsible drinking say, beer or lager at an event such as a barbecue on the beach needs to be proportionately handled if there is no littering</p> <p>Alcohol should be allowed and only seized if people are being irresponsible and abusive</p> <p>The suggestions are overly restrictive. People should be able to enjoy an alcoholic drink on the beach. Just because a minority cause a problem this should not be used as an excuse to penalise everyone. The solution is to deal</p>	<p>This is a continuation of the existing requirement of the Control of Anti-Social Behaviour and the Consumption of Intoxicating Substances (Exmouth) Order</p>	<p>It is recommended that the Cabinet agree to keep the current control remains in place</p>

<p>substances within this area, or</p> <ul style="list-style-type: none"> • The authorised person has reasonable grounds to believe that such person is using or intends to use the intoxicating substance within the said area. 		<p>with drunks and problem drinkers not to penalise people simply responsibly enjoying a trip to the beach.</p>		
<p>If a person at any times in a street or public space urinates or defecates they shall be guilty of an offence</p>	<p>94% agreed 6% disagreed</p>	<p>If a person found urinating discretely in a public space due to there being no toilets nearby then they should not be penalised. Many elderly folk have bladder problems and can be caught out unexpectedly.</p> <p>My concerns are closures of public toilets ??</p> <p>As you are in process of closing most of the public toilets, public urination is already a problem.</p>	<p>This is a continuation of the existing requirement of the Control of Anti-Social Behaviour and the Consumption of Intoxicating Substances (Exmouth) Order</p>	<p>It is recommended that the Cabinet agree to keep the current control remains in place</p>

<p>If a person at any times in a street or public open space makes unsolicited or unauthorised requests for money whether expressly requested or impliedly requested from persons not known to them they shall be guilty of an offence</p>	<p>91% agreed 9% disagreed</p>	<p>homeless should still be able to beg, they have no other choice.</p> <p>Some of these things are already criminal offences so why are they not dealt with in this way?</p>		
<p>If a person at any time in a street or public open space behaves individually or in a group in a manner which has resulted or likely to result in a member of the public being intimidated, harassed, alarmed or distressed they shall be guilty of an offence</p>	<p>97% agreed 3% disagreed</p>	<p>Who is going to police these? What about anti social behavior on the beach? As beach cleaner on a Sunday bags and bottles with urine and other waste are often found.</p> <p>You can't stop people drinking or having fun, this is not a theological or fascist country. Providing you aren't breaking any other law, there is no reason for to stop them. You want to stop littering and antisocial behaviour start by investing in youth activities and an active police presence.</p>	<p>This is a continuation of the existing requirement of the Control of Anti-Social Behaviour and the Consumption of Intoxicating Substances (Exmouth) Order</p>	<p>It is recommended that the Cabinet agree to keep the current control remains in place</p>

If when asked by an authorised officer, a person shall be guilty of an offence if they do not disperse away from that group of people.	94% agreed 6% disagreed	No public comments	This is a continuation of the existing requirement of the Control of Anti-Social Behaviour and the Consumption of Intoxicating Substances (Exmouth) Order	It is recommended that the Cabinet agree to keep the current control remains in place
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Proposed change	Justification	Consultation Response	Public Comments	Officer Comment	Recommendation
The Order states that a person shall be guilty of an offence, if at any time in a street or public space, he does not surrender any intoxicating substance including alcohol in their possession when requested by an authorised officer. Exemptions apply in cases where the substances are used for a valid and demonstrable medicinal	To prevent discrimination against certain groups.	77% of respondents agreed 23% of respondents disagreed	<i>The law should be applied in the same way for anyone who offends regardless of reason.</i> There should be no exemptions in public places I disagree with exemptions on cultural or religious grounds.	The change to the exemptions will ensure that the Council fulfils its equality and diversity responsibilities.	It is recommended that the Cabinet agree to this amendment.

<p>use, given to an animal as a medicinal remedy, are cigarettes or vaporisers (tobacco products), or are food stuffs regulated by food safety legislation, or where the use of the intoxicating substances falls within the curtilage of a premises licenced for the sale and consumption of alcohol, and within the operating hours of such.</p> <p>We are proposing to make people who possess substances that are used for recognised cultural or religious practices exempt from offences under this Order.</p>					
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