



Home Office

Norman Baker MP
Minister for Crime Prevention

2 Marsham Street,
London SW1P 4DF
www.homeoffice.gov.uk

Mr David P Tilleray
Assistant Director Community Services
Directorate of People and Places
West Lancashire Borough Council
Robert Hodge Centre
Stanley Way
Skelmersdale
West Lancashire
WN8 8EE

Reference: M3136/14
Your Reference: DT/LM

25 March 2014

Dear Mr Tilleray,

Thank you for your letter dated 28 February to the Home Secretary regarding the Early Morning Alcohol Restriction Order. I am replying as the Minister of State for Crime Prevention.

I am disappointed to hear that West Lancashire Borough Council did not decide to pursue an Early Morning Alcohol Restriction Order formally and thank you for feeding back your views on the process and legislation.

Regarding the legislation, firstly I would like to assure you that this legislation has undergone rigorous Parliamentary scrutiny and this Government believes that it is appropriate. It is the case for all powers that have not yet been used that the legislation remains untested. While this could lead to legal challenges, these factors do not mean that the legislation is not fit for purpose.

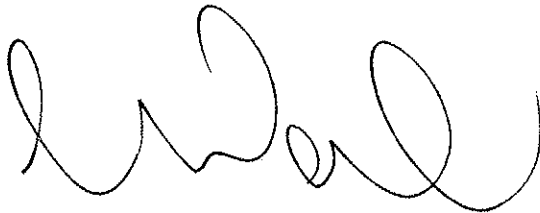
In relation to the guidance issued under section 182 of the Licensing Act 2003, this is regularly reviewed. Whilst we are satisfied that the legislation is sufficiently clear, we will consider whether the guidance should be strengthened to ensure that the effect of the legislation is understood.

However, the fact is that no council has yet decided to invoke these powers, and while there is always a reluctance to "go first" with any new powers, I have asked officials to collect comments and observations received on the EMRO and to report back to me with an analysis. Following that I will decide whether changes to the regime need to be made.

Should you also wish to discuss any of these points further, Home Office officials would be pleased to meet you. You can contact Hannah Phillips in the Drugs and Alcohol Unit at: Hannah.phillips3@homeoffice.gsi.gov.uk.

I hope that this will prove helpful to you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'N. Baker', written in a cursive style.

Norman Baker MP
Minister of State