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► **Prohibiting public drinking in urban public spaces: a review of the evidence.**

Pennay A., Room R.

Drugs: Education, Prevention and Policy: 2012, 19(2), p. 91–101.

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So-called 'alcohol-free zones' have proliferated across the UK, preventing an individual drinking in public if police believe their drinking is causing a problem. This review of such measures finds they do reassure communities, but at the expense of further marginalising street drinkers.

Summary Policies which restrict where alcohol can be consumed are widely implemented, but not often discussed and little studied. The featured review was concerned with 'street drinking bans' – as distinct from bans on public drinking across entire communities and bans in specific places such as car parks, beaches, shopping centres, churches or schools. The aim was to find and assess studies which evaluated their impacts, particularly on alcohol-related harm and on the community.

Street drinking most often comes to attention when it involves marginalised populations such as homeless people and indigenous or other visible minority groups. Often they benefit on-premise licensed premises, because they restrict opportunities to consume alcohol bought in off-licenses. The advent of 'footpath trading' – restaurants and pubs selling alcohol to drink on designated pavement areas – starkly poses the contrasting treatment of drinkers, often of different social classes: street drinkers on one side of the street, outside the law; those on the other side, within the pub or restaurant's permitted use of public space, within the law.

One reason for the bans is that many citizens fear street drinkers. A survey before the first street drinking ban enacted in the UK in Coventry in 1988 found that though in the past year just 9% of respondents had been insulted or bothered by strangers who had been drinking, up to 60% feared such incidents, and over 60% said they avoided areas where street drinkers congregated. Two-thirds felt "unruly groups of young people" were a problem and over half felt the same of people drinking in public. An analysis of attitudes towards street drinking in Lancaster, England, reported that community members constructed street drinking as disrupting the socio-spatial order, and thus a morally offensive activity. In this context, street drinking bans can serve to bolster perceptions of safety and restore perceptions of moral order.

Despite recent widespread implementation of street drinking laws in urban areas, research in terms of effectiveness or community impact is limited. The featured review found no academic literature, so largely drew on research published as reports, of which 16 were identified across 13 locations. These included two reports from the UK (Lancaster and Winchester); the remainder were from Australia and New Zealand. A major obstacle to understanding the effectiveness and impacts of street drinking bans was the lack of methodological rigour in all these evaluations.

Main findings

The most common theme identified across the evaluations (in at least seven of the 13 locations) was that street drinking bans resulted in negative impacts on marginalised groups, particularly homeless and indigenous people, and the young. This theme was identified in both UK evaluations and all but one from Australia. Impacts included these drinkers being unable to congregate in the same space with the same people they had been drinking with, aggravating their social marginalisation; being over-represented among those fined, aggravating economic marginalisation; and receiving less medical, health and welfare services because community health workers were unable to locate them, aggravating health-related marginalisation.

Unsurprisingly, displacement was also a common theme across the evaluations, identified at seven of the 13 locations. In at least three cases, drinkers moved to more covert and less safe places to drink. Displacement was particularly common in Australia, but was also noted in the UK and New Zealand.

In at least six of the locations community members' perceptions of safety improved following imposition a street drinking ban, though this was not the case in three of the evaluations, where poor perceptions of safety remained. Improvements were particularly common in the UK and New Zealand (the latter related to increased police presence rather than fewer drinkers) but not in Australia.

Five of the evaluations recorded concerns about police under-enforcing the law and targeting certain groups, particularly in Australia and New Zealand.

In one location each in the UK and Australia and two in New Zealand, residents, traders and police reported environmental improvements after implementation of a street drinking ban, notably less litter and broken glass. At two locations including one in the UK, community members and traders praised improvements in the 'look' and 'feel' of either the town square or a busy street due to the absence of a group of street drinkers who had previously gathered there.

Across the evaluations interviews revealed a high level of support for street drinking bans, particularly among police and traders. In Winchester, 10 of 14 service providers interviewed supported the law from a treatment and service perspective. In Lancaster and in another non-UK evaluation there was a moderate to positive degree of community support for the laws, but around a quarter of community members opposed them. In general, supporters cited increased feelings of safety, reduced litter and other amenity problems, and being able to use space previously occupied by day-time drinkers. Critics wanted to be able to drink alcohol in public themselves, were concerned about the negative impacts on themselves and on marginalised groups, or felt the law violated human rights.

Findings were mixed on whether there was a reduction in the visibility of street drinking following implementation of a street drinking ban. Five evaluations documented a noticeable reduction in visibility, but in another five (including Winchester) there was no impact.

Some reports noted a reduction in crime following a street drinking ban, but generally this could not be causally attributed to the ban. In three evaluations, alcohol-related crime increased following a street drinking ban.

Awareness of street drinking laws was mixed, with up to 60% of survey respondents in some communities either not knowing the law existed or being confused about its provisions, such as which areas were included and during which hours.

The authors' conclusions

None of the 16 evaluations of urban street drinking bans had been translated into a peer-review publication, a surprising absence of an academic dialogue on their impacts. All 16 lacked methodological rigour, making it difficult to understand whether the bans had been effective or not. It was also unclear how 'effectiveness' was and should be measured; none of the evaluations prioritised an outcome or outcomes

against which success could be measured. Like any other public measure that intrudes on individual autonomy, alcohol policies should be formulated on clear ethical principles and with solid evidence concerning effects and side-effects. But street drinking bans have proliferated across urban areas despite the lack of an evidence base.

The most common themes were that street drinking bans result in negative impacts on marginalised groups, often result in displacement, and often improve perceptions of safety among the community. Less common themes were concerns about police enforcement and consistency, improvement in the local environment, and variation between stakeholder groups in support of street drinking bans, ranging from strong support from police, traders and older people, through equivocal support from general community members, to disapproval from young and indigenous people. There was little or no evidence that street drinking bans reduced congregations of drinkers, reduced alcohol-related crime or harm, or were understood and adhered to by the community.

This range of impacts should be carefully considered by local governments when making decisions about such bans. Street drinking laws are likely to impact marginalised groups who prefer to drink outside or have limited alternatives. On the other hand, bans are in the interest of community members who feel unsafe around groups of drinkers, as well as police and traders who value street 'cleanliness' and preventing public drunkenness. Decision-makers might also consider the inequity of allowing cafes, restaurants, bars and hotels to obtain 'footpath' trading licenses, meaning people who can afford to drink in licensed venues are allowed to drink on the street, while others are not.

FINDINGS The featured review commented that none of the evaluations prioritised an outcome, but it is clear that in the UK the primary purpose of 'alcohol-free zones' is to address nuisance and annoyance to other people in the area arising from public drinking. On this count the limited evidence the review was able to uncover suggests that generally, and in the UK in particular, they achieve this objective, but often at the cost of further marginalising the drinkers concerned.

By November 2010 [820 areas](#) in England and Wales had been made subject to designated public place orders. Home Office [guidance](#) explains that the law underpinning these enables local authorities to designate places where police have the discretion to require an individual to stop drinking. It also stresses that "this power is to be used ... for addressing nuisance or annoyance" and that therefore "it is not appropriate to challenge an individual consuming alcohol where that individual is not causing a problem". Orders should be imposed only "in areas that have experienced alcohol-related disorder or nuisance". Drinking as such is not an offence in these areas but it is an offence to continue to drink without reasonable excuse if directed to stop by a police officer. These are not then alcohol-free zones, but are commonly signed as such ▶ illustration.

Local byelaws can be and have been used to create similar zones. In Scotland local authorities can impose byelaws to prohibit drinking in designated public places under provisions contained in the Local Government (Scotland) Act 1973, subject to confirmation by the national government. According to the Scottish government, these powers are meant to address the fact that "public drinking can often be a nuisance to local communities and can greatly hamper the quality of life for residents in a particular area". An example was the decision in [Edinburgh](#) in 2010 to designate two squares 'no drinking of alcohol' zones. Over 480 towns and villages across Scotland, together with built up areas in Glasgow and Edinburgh, have such byelaws.

An alternative or complementary approach to street-drinking bans is to set up day centres where street drinkers can congregate and continue to drink, but not on the streets. Such centres will attract only a sub-section of street drinkers, but for these they [can be valuable](#) and also reduce public nuisance.

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