

GENERAL LICENSING REGULATORY BOARD

13th March, 2013

19. **Present:** Councillors C. C. Wraith (Chairman), P Birkinshaw, Bruff, Davies, Duerden, M Dyson, S Green, Johnson, Lamb, M. Sheard, T Sheard, Shepherd, Tattersall, and Worton.

20. **Declarations of Pecuniary and Non-Pecuniary Interest**

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

21. **Minutes**

The minutes of the meeting held on 16th January, 2013 were taken as read and signed by the Chairman as a correct record.

22. **Prohibition of alcohol consumption in designated Public Places**

Further to minute 13 of the meeting held on the 21st November, 2012, Mr Adrian Phillips (Solicitor, Neighbourhood Safety Unit) submitted the representations received following the statutory consultation on the proposal to designate the Oakwell, Old Mill, Honeywell and Dearne Valley Park areas as areas in which the consumption of alcohol was prohibited in public.

In summary, these were as follows:

- Several members of the public felt there were arguments both for and against the proposal and the majority appeared to be in favour of the proposal
- Those concerns that were raised, however, largely related to the following:
 - the ability of the Police to enforce the Order
 - that if objections were raised the Police would not respond to calls from those areas
 - that problem spots would not be targeted in areas that were not covered by the Order
 - that offenders would not be dealt with through more permanent means of action
 - the need for licensed premises to improve standards of behaviour of customers on their premises or when leaving
 - the definition of 'Public Spaces'

Inspector J Mitchell and Sergeant K Baird representing the Central Safer Neighbourhood Team attended the meeting and briefly outlined the rationale for the proposal and the role of the Team in enforcing the provisions of the Order.

In discussing the representations received reference was made to the need for residents to be given some clarification or explanation about the issues raised and it was noted that Inspector Mitchell would be willing to provide an open letter to all residents which could be appended to these minutes and also sent out by Local Ward Members to any residents with concerns. (See **Appendix A** to these minutes).

After considering the representations made in detail it was:

RESOLVED

- (i) that the representations be noted and the proposals to make the Order (as outlined in Appendix 1 to the report previously circulated and now made available) designating the Oakwell area as a place where the consumption of alcohol is prohibited in public be approved and made as soon as reasonably practicable; and
- (ii) that the Assistant Director, (Community Safety Services) be authorised to commission the production of such signs and their affixation as he considers necessary to comply with the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007.

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Chairman



South Yorkshire

POLICE

13th March 2013

Inspector Julie Mitchell
Central Safer
Neighbourhood Area
Commerce House
Barnsley S70 2DX

Dear Resident,

South Yorkshire Police recently made an application to the BMBC Licensing Board to approve a Designated Public Place Order in the Oakwell, Hoyle Mill and surrounding area. This application was approved at a meeting today following consultation with local residents by South Yorkshire Police and local elected members. The order will be put in place within the next few weeks following the installation of signs in the area and an advertisement in the local press. The order will enable police officers and staff to require people to stop drinking alcohol in a public place covered by the order, and to surrender alcohol in their possession. If persons do not comply with such requirements, they commit an offence. The purpose of this additional power is to deter and prevent anti social behaviour associated with alcohol consumption.

The majority of residents who were consulted were in favour of this order being put in place, however there were a few residents who asked for more information or reassurance on how the order would be policed. To allay these concerns, I would like to make the following points:

- Police already have powers to arrest and issue fixed penalty notices in order to deal with offences involving drunkenness (for example, being drunk and disorderly in a public place). This additional order is a preventative measure for us to deal with and prevent low level anti social behaviour before it escalates.
- This power can be used by Police Community Support Officers (PCSOs) who know their beat area and the hot spots where nuisance often occurs. They will be empowered to deal with this issue as an early intervention, freeing up police officers to deal with more serious crimes and disorder.
- Police officers and PCSOs will continue to use other powers and procedures appropriately, and if an individual persistently displays alcohol related anti social behaviour, then more formal sanctions will follow.
- Police patrols are determined by the extent of reported incidents and crimes. Residents are encouraged to let us know of any problems in their local area by phoning 101.

Finally, I would like to emphasise that the vast majority of incidents are dealt with by the Police in a professional and fair manner. Police officers have wide-ranging powers, however we can only police effectively with the consent of the public. Occasionally, we will get it wrong. If you believe you have been unfairly treated in relation to action taken with respect to this new order, please make contact with me and I will review the circumstances and deal with your concerns: email Julie.Mitchell@southyorks.pnn.police.uk

Yours Sincerely

Inspector Julie Mitchell

