

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 11TH JANUARY 2010 AT 6.00 P.M.

PRESENT: Councillors Mrs. R. L. Dent (Chairman), Mrs. C. J. Spencer (Vice-Chairman), Dr. D. W. P. Booth JP, Mrs. J. M. L. A. Griffiths, Ms. J. A. Marshall, S. P. Shannon, Mrs. M. A. Sherrey JP, R. D. Smith, L. J. Turner and P. J. Whittaker

Invitees: PC L. Smith

Observer: Councillor Mrs. C. McDonald

Officers: Mrs. D. Warren, Mrs. S. Smith and Ms. P. Ross

20/09 **APOLOGIES**

Apologies for absence were received from Councillors Miss D.H. Campbell, D. Hancox and D. McGrath.

21/09 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

22/09 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 30th November 2009 were submitted.

RESOLVED that the minutes be approved as a correct record.

23/09 **DESIGNATED PUBLIC PLACES ORDER - HUMPHREY AVENUE, CHARFORD**

Members were asked to consider an application from the Ward Councillor representing the Charford Ward to introduce a Designated Public Places Order (DPPO) which would prevent, when requested, the consumption of alcohol in the Humphrey Avenue, Charford area in an attempt to reduce anti-social behaviour and drinking in these public areas. This matter was being brought before the Committee as the Police, who are responsible for enforcing any restrictions on public drinking in designated areas, were not willing to support this particular request as they had insufficient evidence of anti-social behaviour caused by alcohol consumption in the area, and felt that they already had sufficient measures in place to keep any anti-social behaviour occurring in the area under control.

The Principal Licensing Officer introduced the report which also detailed the published Home Office Guidance relating to Designated Public Places Orders (DPPOs) for Local Authorities in England and Wales. The Committee was

informed that the document set out guidance for local authorities on the issue of evidence required to justify the making of a DPPO as follows:

“The evidence you will require for a DPPO is that there is an alcohol related nuisance or annoyance to the public in the proposed area/s. You should make an assessment as to the likelihood that the problem will continue unless these powers are adopted. In addition, you must have a belief that the problem could be remedied by the use of these powers. Evidence should be based not just on information you have obtained, but also from the police and members of the local community who have reported incidents of alcohol-related anti-social behavior or disorder. Evidence of alcohol-related nuisance could for example include litter related to the consumption of alcohol (e.g. bottles and cans) as well as police information and residents’ complaints.”

The Chairman invited Members to put any relevant questions to the Principal Licensing Officer. In response, the Principal Licensing Officer asked Members to note that no application had been granted without the agreement and support of the Police and that Bromsgrove District Housing Trust were not in support of the DPPO.

The Chairman welcomed Councillor Mrs. C. McDonald, Ward Councillor for Charford, who spoke in favour of introducing a DPPO in this area. In doing so she referred to the Research and Intelligence Unit, Worcestershire County Council, Bromsgrove Profile, August 2009 report. The report provided a rough indication of the 10 wards with the greatest perceived ASB problem, with Charford being one of the wards listed. Councillor Mrs. McDonald indicated that anti-social behaviour in the area had been the number one priority at a Partners and Communities Together (PACT) meeting held on the 3rd March 2009.

The Chairman welcomed PC L. Smith to the meeting and invited Members to put any relevant questions to PC Smith. In response, PC Smith informed Members that, currently, there had been insufficient evidence and data to support the introduction of a DPPO and that between the 1st January 2008 and 31st December 2008 only 4 incidents recorded were ASB related and none were alcohol related. PC Smith requested that Members note that general ASB raised as a priority during PACT meetings held on 3rd March 2009 and 2nd June 2009, were regarding a family who lived in an adjacent street and were not alcohol related incidents and that the Local Policing Team had sufficient measures in place to keep any anti-social behaviour occurring in this area, under control. PC Smith expressed concern that in her opinion the introduction of a DPPO could be detrimental in labelling the area as an anti-social hot spot and therefore increase residents’ perceptions regarding anti-social behaviour and the fear of crime.

Following further discussion and on the information provided it was

RESOLVED that the request to introduce a Designated Public Places Order in the Humphrey Avenue, Charford area be refused.

The meeting closed at 6.43 p.m.

Chairman