

AGENDA ITEM NO. 4B

BRISTOL CITY COUNCIL

**MINUTES OF THE MEETING OF THE
LICENSING SPECIAL PURPOSES SUB COMMITTEE
HELD ON 21ST FEBRUARY 2013 AT 2.00 PM**

P Councillor Jay Jethwa
P Councillor Tim Leaman
P Councillor Ron Stone

**LICSP
33.2/13 APOLOGIES FOR ABSENCE**

No apologies.

**LICSP
34.2/13 ELECTION OF CHAIR**

**RESOLVED - that Councillor Jethwa be elected
Chair for the duration of this
meeting.**

**LICSP
35.2/13 DECLARATIONS OF INTEREST**

Councillor Jethwa declared that she was an on and off the premises licence holder. Also, the Inspector in attendance was her ward Inspector.

**LICSP
36.2/13 PUBLIC FORUM**

None.

**LICSP
37.2/13 DESIGNATED PUBLIC PLACE ORDER – FILWOOD**

The committee received a report of the Strategic Director Neighbourhoods and City Development (agenda item no. 4) requesting the Committee to authorise the making of a Designated Public Place Order under section 13(2) of the Criminal Justice and Police Act 2001 in the Filwood area of the City of Bristol. A map showing the proposed area was found at Appendix 2 to the report.

The Committee were introduced to Lloyd Allen, Community Safety Officer, Emma Lake, Policy and Project Support Officer and Stephen Meale, Policy Co-Ordination Manager. The Committee also welcomed Inspector Salmon, a consultee for the proposed Order.

The Form of Order was circulated to the Committee. Emma Lake reported that there were currently 10 of these Orders in Bristol. Such an Order made the act of drinking alcohol outside an arrestable offence when requested not to do so by a Police Officer. Although, it was noted that such requests were at the discretion of the Police and a Designated Public Place Order did not of itself prevent alcohol being consumed within the area.

It was noted that Filwood had been identified as having a disproportionate number of people carrying out alcohol-related anti-social behaviour and in September 2012 the process of designating Filwood with a Public Place Order was begun. The hot spots in Filwood were identified at Appendix 2 to the report.

The consultation process, as prescribed by the regulations, had garnered 163 responses, with 94% in favour and 34 % strongly agreeing with the proposal. There were some comments regarding the extension of the boundary to include other areas but the proposed boundary had been specifically drawn up to cover the hotspots identified and could not deviate from that.

The latest Equalities Impact Assessment had been signed off by the Equalities Team and was due to be

signed off by the Strategic Director. If agreed, this Order would come into effect from 1 April 2013. A statutory notice would need to be published and the Secretary of State notified. Thirty large signs would be placed in the area along with 1000 signs on lampposts.

Pauline Powell, the Committee's Legal Advisor, stated that the Committee had to be satisfied that the consultation had been correctly carried out and that conditions had been met in making the Order and to take into account only material that was relevant to the issue. It was important to be realistic when deciding the 'place' and the test was whether there were problems arising in that 'place'. To enlarge the area without evidence was not reasonable.

The following points arose from comments :-

- The Police would determine who would be allowed to consume alcohol on a case-by-case basis. If individuals did not contribute to a problem they would probably be left alone;
- Without the powers in place that this Order would provide, it was likely that most street drinkers would simply ignore the Police;
- The Inspector reported that interventions had been put in place in the past but this meant that the problem moved to the next street until the problem was going around in a circle;
- A Dispersal Zone had worked in the past but was not permanent and it was felt the problem had now become such that it was necessary to make a permanent Order. Pauline Powell reported that a permanent Order created the potential for those who don't reply to be prosecuted. Once the Order was in place, it would stay forever unless the Council decided to remove it. The Council were bound to consult the Police as the primary consultee in order to ensure that they were satisfied that it could be properly enforced as there was little point in an Order that could not be enforced;

- There had been a lot of partnership work to manage the problem;
- The Police had carried out interventions on the worst offenders which included those on drugs who would congregate outside of schools. Everything had been done that could be done to mitigate the problem but it was now felt the Order was necessary. With the Order, there would be an improvement in anti-social behaviour and this visible change would bring about an increase in the quality of life for residents and improve community confidence. Quality of life indicators had scored low in previous surveys;
- Lloyd Allen reported that this issue had been regularly raised at neighbourhood Forums for the past two years and officers had reassured them that a process was underway and what progress was being made;
- It was a standard requirement to review existing Orders and report back on occasion;
- The locations for the existing 10 Orders were read out.

On consideration, Councillor Jethwa moved that the recommendations be agreed. This was seconded by Councillor Leaman. Councillor Stone indicated his agreement with the recommendations and the decision was therefore unanimous.

RESOLVED - (i) that the council shall make an Order in the form (or like form) as annexed as to these minutes to come into effect on 1st April 2013

(ii) that the Director of Neighbourhoods be authorised and instructed to:

(a) publish a Notice in accordance with Regulation 9 of the relevant

- regulations, such
publication to occur in
advance of the date on
which the Order becomes
effective;**
- (b) secure the erection of such
signs as he considers
sufficient to draw attention
of members of the public in
that place to the effects of
the Order; and**
- (c) send a copy of the Order
made pursuant to this
resolution to the Secretary
of State.**

(Meeting ended at 2.30 pm.)

CHAIR

**APPENDIX (Special-
Purposes Sub-Cttee
21.2.13)**

CRIMINAL JUSTICE AND POLICE ACT 2001

**ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES
(FILWOOD)ORDER 2013**

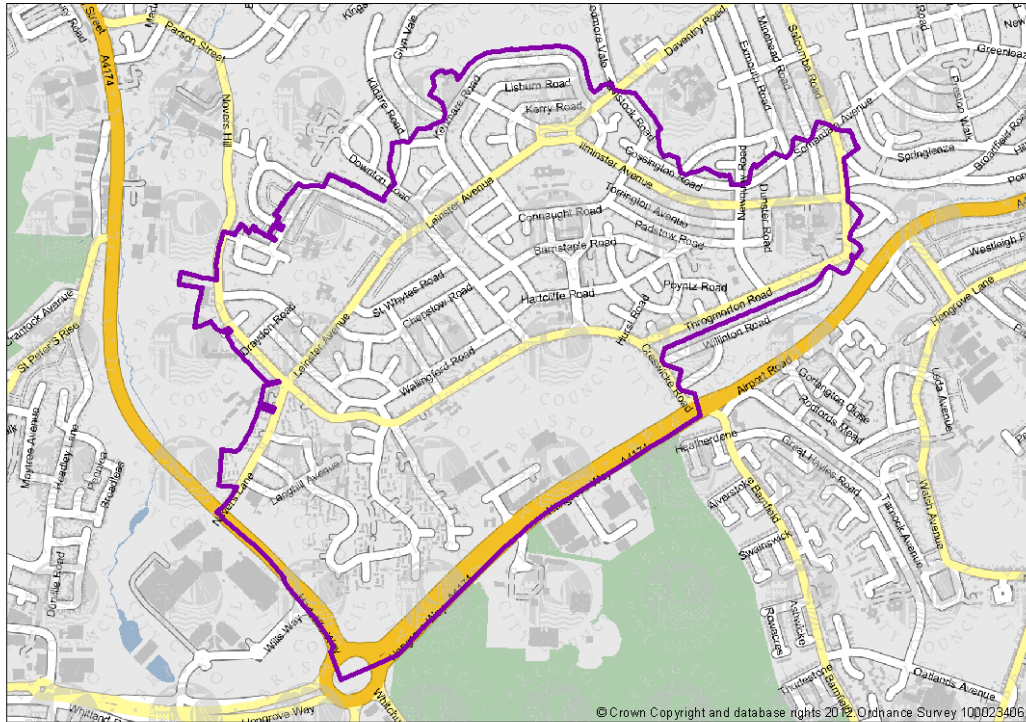
The City Council of Bristol in pursuance of the powers conferred in that behalf under Section 13(2) of the Criminal Justice and Police Act 2001 (“the Act”) hereby make the following Order:

1. The public place in the City of Bristol described in the First Schedule and shown for identification on the map in the second schedule shall be a designated public place within the meaning of section 13(1) of the Act;
2. The Order may be referred to as the Alcohol Consumption in Designated Public Places (Filwood) area of Bristol Order 2013; and
3. The Order shall take effect on THE FIRST DAY OF APRIL TWO THOUSAND AND THIRTEEN (1 April 2013).

FIRST SCHEDULE

The area within and following the boundary of: Throgmorton Road to its junction with Creswicke Road, Creswicke Road to its junction with Hengrove Way, Hengrove Way to Hartcliffe Way, Hartcliffe Way to its junction with Novers Lane, Novers Lane, Novers Hill to its junction with Novers Road, Novers Road to its junction with Novers Park Road, Novers Park Road, across to Downton Road and its junction with Kildare Road, Kildare Road to its junction with Tralee Walk, Tralee Walk, Kenmare Road to its junction with Daventry Road, Daventry Road to its junction with Tavistock Road, Tavistock Road, Cossington Road to its junction with Somerdale Avenue, Somerdale Avenue to its junction with Salcombe Road, down Salcombe Road to its junction with Throgmorton Road. The area is located in the Filwood ward of the City of Bristol.

SECOND SCHEDULE



Given under the seal of the City Council of Bristol the
2013

day of

The Common Seal of Bristol City Council was hereunto affixed in the presence of

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Authorised Officer