

Leicester
City Council

**WARDS AFFECTED: Castle
Westcoates
Spinney Hill**

**Community Safety and Housing Scrutiny
Cabinet
Council**

**5th October 2006
30th October 2006
30th November 2006**

Application for expansion of 2002 Street Drinking Ban

Report of the Corporate Director for Adult and Community Services

1 Purpose of the report

- 1.1 This report proposes an extension to the street drinking ban within Leicester City centre. The ban was originally introduced in 2002 under the powers delegated to Local Authorities in the Criminal Justice and Police Act 2001 S13 (2). Under the same Act, we are now applying for an extension to the ban, which will allow the police to confiscate alcohol consumed in further non-licensed public spaces.

2 Summary

- 2.1 The Police are requesting an extension of the original ban to cover additional streets. These are listed in the main section of the report. The reasons for the extension request being made are firstly due to an increase in alcohol related disorder within the extended area specified and secondly due to the possible displacement from the original ban. Please see the appendix for information relating to incidents in these areas.
- 2.2 The Police have provided evidence of an increase in reported incidents of alcohol related disorder in the streets concerned. The police have indicated that this approach is more effective with the recent introduction of new Neighbourhood Policing Teams. Once endorsed by full council, there will be a 28-day consultation period before the ban can be enforced.
- 2.3 In addition, Leicester City Council's Community Safety Team and Leicestershire Constabulary have received numerous complaints from members of the public and councillors about other areas where official figures on the number of incidences seem low but, nevertheless, have had an adverse impact on the area.

3. Recommendations

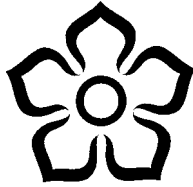
- 3.1 Cabinet is recommended to note and comment on the contents of the report and recommend to Council the agreement in principle of the extension of the original order.
- 3.2 Council is recommended to agree in principle with the extension of the original Order and note that there will be a 28-day consultation period prior to its enforcement.

4. Report Author

David Slade, Community Safety Development Officer. Ext 6031.

DECISION STATUS

Key Decision	No
Reason	Policy and Budget Framework
Appeared in Forward Plan	No
Executive or Council Decision	Council



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Report of the Corporate Director

SUPPORTING INFORMATION

1. Background

1.1 Leicester City Council agreed an alcohol dispersal order under the powers made available in the Criminal Justice and Police Act 2001 back in March 2002. This order covered 21 streets. Recent upsurges in drink related incidents in the surrounding streets have led the Police to request an extension of the ban to cover additional streets and to expand into areas outside of the City Centre that have the same levels of alcohol related disorder.

1.2 The order will give the police power to remove any alcohol from people consuming it in an unlicensed public space within these areas. The roads chosen will be the following:

- Mansfield Street
- Sandacre Street
- Short Street
- Abbey Street
- New Road
- Belgrave Gate
- Haymarket
- St Peters Lane
- Highcross Street
- Silver Street
- Loseby Lane
- Peacock Lane
- St. Martins
- Hotel Street

- Millstone Lane
- Market Street
- Bowling Green Street
- Belvoir Street
- Welford Place
- York Street
- Calais Hill
- King Street
- Princess Road West
- Charles Street
- Halford Street
- Yeoman Street
- Rutland Street
- Wharf Street North
- Wharf Street South
- Manitoba Road
- Kamloops Crescent - Including Park
- Western Boulevard
- Narborough Road (Junction of Hinckley Road to Upperton Road)
- Braunstone Gate
- Conduit Street
- Glebe Street
- Prebend Street (Including Prebend Gardens)
- College Street
- Lincoln Street
- Andover Street
- London Road from Granby Street up to Evington Road (Including the pedestrian underpass)
- Bishop Street
- Uppingham Road Gardens

1.3 The above streets incorporate areas of the City Centre as well as other areas that have similar levels of incidents from elsewhere in the city. The legal and signage costs for the extension of the street drinking ban will come from Safer Leicester Partnership, and an additional 3 streets will be funded separately by the police out of internal police budgets. These streets show similar levels of alcohol related disorder as those mentioned above. These streets are:

- Kinley Road
- Ruddington Walk
- Penkridge Walk

For evidence relating to these streets, please see Appendix A, B and C at the end of this report.

2 Issues

2.1 The ban from 2002 has meant that the authority has had a chance to see how the powers work in practice in the city centre. They have proven to be a useful tool for the police in tackling anti social behaviour within the city centre and so the opportunity to expand the ban further within the city centre and in other parts of the city was actively considered.

- 2.2 This ban will also cover areas outside of the city centre and will give the same protection to residents living in those areas that experience similar levels of problems.
- 2.3 The Internal process for this ban requires this report to go through to cabinet and then on to full council before being approved.
- 2.4 Under the conditions of the legislation, a public notice will need to go in the local press once passed by the council. This notice will give names of all the streets in which the ban is to be enforced. Notification will be sent separately to the licensed premises in those areas within the boundary created by the new dispersal zone. Notification will also have to be sent to landowners located in the same area. If no objections are received then, within a period lasting no less than 28 days from the public notice, the ban will be in place. Once in place, each individual street must be signposted at the entrance and exit points notifying people about the changes. Notification will also be sent to the Home office for their records.
- 2.5 The Police are aware of issues of displacement and the policing of the current ban. They state that they have new Neighbourhood Policing Teams in the areas of New Walk, Lee Circle and St Mathews Estate. There will also be a Substantial increase in C.S.O's in the city centre with the aim of having one P.C.S.O on every beat.
- 2.4 The administration work for the setting in place of the ban will be carried out by Leicester City Council Community Safety Team.

3. Recommendations

- 3.1 Cabinet is recommended to note and comment on the contents of the report and recommend to Council the agreement in principle of the extension of the original order.
- 3.2 Council is recommended to agree in principle with the extension of the original Order and note that there will be a 28-day consultation period prior to its enforcement.

4. Financial Implications

- 4.1 Legal costs are lessened this time round because the work is being done through LCC Community Safety. The costs for the signs are £45 per sign and two signs a street. This equals £3960 plus 600 installation costs. The full amount is £4560. This is budgeted for in the Police Borough Command Unit Fund (BCU). The additional four streets are to be funded through internal police budgets. There is no cost to the authority.

Finance author Colin Sharpe X8800

5 Legal implications

- 5.1 Legal advice has been given on the procedure to be followed to implement an extension to the original Order and we will continue to give advice to the client to ensure the correct procedures are followed.
- 5.2 Council should note that at this stage it is requested to agree in principle with the extension of the original Order. Any actual extension will only be made after due

consultation with affected Licensees and the required notices have appeared in the press.

Legal author Rebecca Jenkyn X6378

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6.1

OTHER IMPLICATIONS	YES/NO	PARAGRAPH REFERENCES WITHIN SUPPORTING PAPERS
Equal Opportunities	No	N/a
Policy	YES	Community Safety Strategy
Sustainable and Environmental	YES	YES
Crime and Disorder	YES	YES (See report and appendix)
Human Rights Act	No	No impact provided correct procedures are followed
Older People on Low Income	No	N/a

6.2 Risk Assessment Matrix

	Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/or appropriate)
1	Displacement of drinking problems in to adjacent streets	M	L	Displacement out of heavily populated areas unlikely to cause disruption.
2	Drinkers are moved on but not given help to address long term problems	L	L	Dispersion may assist in sending outside drinkers with problems in to the Dawn centre, which will be a safer environment for all concerned.

L - Low

M - Medium

H - High

L - Low

M - Medium

H - High

7 Background Papers –

7.1 Criminal Justice and Police Act, 2001

7.2 Appendix information, please see attached

8 Consultations

Consulted

Insp. Nick Glynn, Leicestershire Constabulary

Insp. Rosemary Grant

PC Lisa Kelly

PC Anne Watson

Date Consulted

24th July 2006

11th Oct 2006

11th Oct 2006

11th Oct 2006

9. Report Author

Name

David Slade

Job Title

Community Safety Development Officer

Extension number

6031

Supporting Information

City Centre/Hinckley Road

Issues

The majority of the streets being requested are located within the city centre. In the police report requesting the ban, there are around three hundred and sixty one alcohol related incidents on the streets requested in total.

The City Centre has always been a prime area for late night drinking as part of the nighttime economy. In order to ensure a healthy and vibrant city centre, it is necessary to manage this, whilst accepting the part alcohol plays in our culture. Therefore, a ban on continuing to drink in the streets is important for ensuring that the consumption of alcohol at night - whilst inevitable - is controlled within appropriate environments.

Councillors and Police officers have also been getting anecdotal and verbal reports coming through informally about the problems with street drinkers in the area. Whilst this has not been reflected in official statistics for all streets, it is believed that this is down to a lack of public confidence that this ban will help to address.

Approach

The current street drinking ban in the city centre resulted in a reduction from 1050 non-domestic assaults in 2004 to 922 in 2005. The approach this time around will be to introduce a street drinking ban under section 13 of the Criminal Justice and Police Act to the roads given in the report. The hope is that this will give the same level of protection to these streets.

The extended ban will be policed by the provision of Police Community Support Officers, as with the last ban. However, this time around the ban will be in place alongside new neighbourhood policing teams. These will help provide a more proactive policing of the ban.

The Police Violent Crime Teams will also be on hand in order to provide additional resource to the policing and monitoring of this ban. This is in recognition of the link between disorder caused through the open consumption of alcohol and violent incidents, particularly at night.

The street drinking ban also lends statutory provision to the police for exercising powers to effectively deal with intimidating alcohol related disorder, thus helping to alleviate the public confidence issue mentioned above.

Consultation

News of the ban has gone out in the local press (Leicester Mercury). This has informed the public that the issue is being debated. A 28-day consultation period is required following a Public notice to be placed in the press after the ban's approval. So far, however, the consultation has been in the form of gathering anecdotal evidence from the police and the councillors from residents. The Police have over 300 questionnaires and e-mails from members of the public indicating a 100% support for the ban.

The idea of a street drinking ban has also been proposed to the City Centre Joint Action Group, who has given their support to the proposal.

The council and the Police have consulted over the ban, with the Police providing data and information relating to how the ban will be policed (see above) and the council has compiled a report seen by Scrutiny, who have also viewed the supporting data supplied by the police.

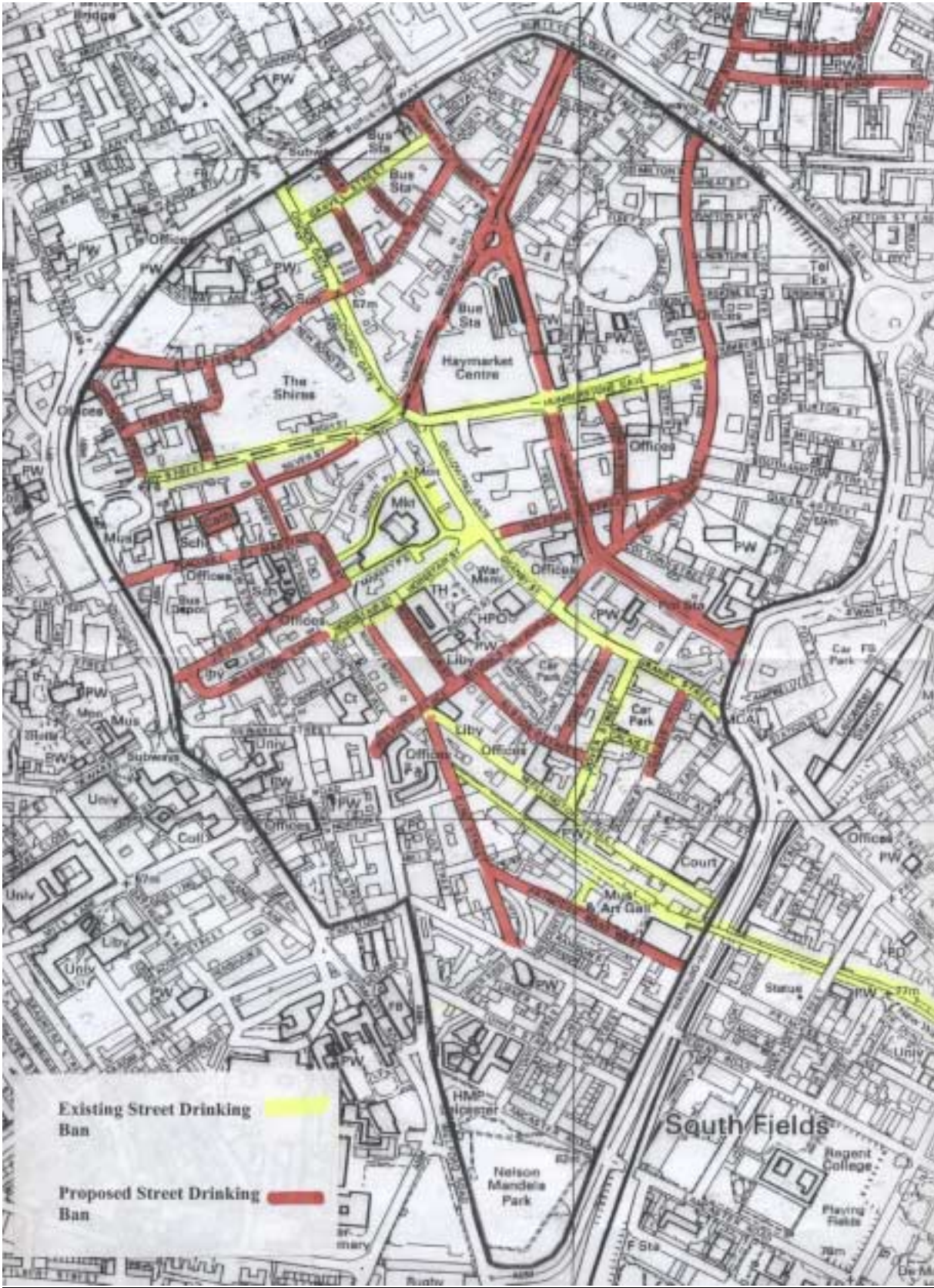
Evidence and mapping

Police have over 300 questionnaires returned from members of the public indicating a 100% support for the ban. A report compiled by PC Kelly also gave the statistics for the 361 in streets designated by the police as falling under the city centre area of the city. However, the report also highlighted 73 incidents in the same period for Braunstone Gate and 11 for the St Mathews estate, which would also be covered under the proposed extension of the ban.

Streets Proposed

Mansfield Street
Sandacre Street
Short Street
Abbey Street
New Road
Belgrave Gate
Haymarket
St Peters Lane
Highcross Street
Silver Street
Loseby Lane
Peacock Lane
St Martins
Hotel Street
Millstone Lane
Market Street
Bowling Green Street
Belvoir Street
Welford Place
York Street
Calais Hill
King Street
Princess Road West
Charles Street
Halford Street
Yeoman Street
Rutland Street
Wharf Street North
Wharf Street South
Manitoba Road
Kamloops Crescent
Western Boulevard
Narborough Road (Junction of Hinckley Road up to Upperton Road)
Braunstone Gate
Bishop Street

The map gives details of how the streets will be affected by the new extension. It also shows where the new areas fall in relation to the existing streets.



Spinney Hills/Highfields

Issues

There has been increased street drinking in the past 12 months leading to a rise in reports and complaints to Spinney Hill Police station. In a 3 month period, from 1st December 2005 to 28th February 2006, there were 18 incidents reported to the police along the roads of Conduit Street, Glebe Street, Pre bend Street and College Street. This does not include the substantial increase in London Road, which is indicated in the graphs below.

There is the provision, within the chosen area, for targeted intervention to be given to people identified as having genuine drinking problems. This is with the addition of the Dawn Centre that can work with street drinkers.

Nevertheless, there is a month on month increase in the figures for 05/06 as compared to 04/05; this is illustrated in the graph below, which needs to be addressed.

Approach

Extending the ban to cover this area, whilst implementing it with neighbourhood policing teams and community support officers, is considered by the police to be the best way to proceed.

This may also help encourage people with genuine problems back in to the Dawn Centre, were they can be given proper help in order to help address the causes of their alcoholism, if this is an issue.

Consultation

The police have consulted residents and members of the general-public in those areas and found high support for a ban. The community safety office at Leicester city council has also been involved in Prebend gardens looking at issues around prostitution and 'Kerb Crawling' as well as alcohol related disturbances related to those problems.

The City Councils Community Safety Office has been responding to enquiries from Councillor Kitterick for CCTV camera's in the area. Whilst a solution involving CCTV cameras is not always the best or most practical, a drinking ban can make a feeling of being observed on any street where it is enforced, helping to alleviate problems.

At a meeting in the Dawn centre, the idea of a street drinking ban was proposed and broadly agreed with. This is pertinent as the Dawn Centre will be a part of any strategy to address long-term issues. The Highfields Joint Action Group has also been consulted.

Evidence and mapping

The Police have provided a report showing the numbers of incidents on each of the roads that they have requested for the Spinney Hill/Highfields area. This was provided to Community Safety and made available to Scrutiny.

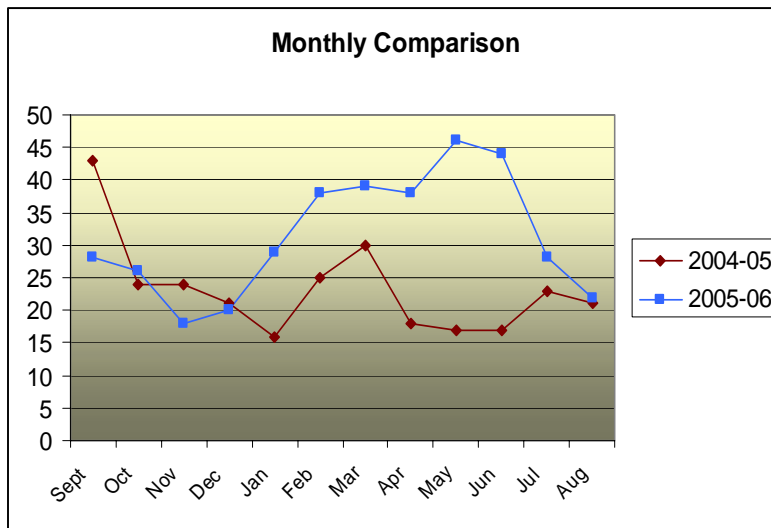
The map below shows the spread of incidents for 2004/05 indicating the rationale behind the number of streets that the Police would like the order to help them cover.



In the map below, a similar exercise is done for the year 2005/06. There does appear to be consistency in the numbers and similar distribution of incidents to support the ban.



The graph below compares these two maps as independent data sets. We can clearly see a monthly rise in incidents from 04/05 to 05/06.



For the area of Uppingham Road Gardens, details of 17 incidents of alcohol related disorder have been provided for the year 05/06, including alcohol related incidents of indecent exposure in this park, which is often used by children. Public consultation by the local police has produced a series of completed questionnaires expressing support for the ban from the parks regular users. A sample of these has been supplied to Leicester City Council Community Safety Office. The nature of the incidents, the show of public support and the type of users of the park needed to be protected, are good indicators that Uppingham road gardens should be included in the ban.

In conclusion, the area requested is small enough to be efficiently targeted and policed by the neighbourhood policing teams in Spinney Hill and has sufficient a problem with alcohol related disorder to warrant a ban.

Roads Proposed

Conduit Street
 Glebe Street
 Prebend Street
 College Street
 Andover Street
 London Road - From Granby street to Evington Road (Including the pedestrian underpass)
 Lincoln Street
 Uppingham Road Gardens

Beaumont Leys

The issues

There have been 38 reported incidents of drinking related disorder, mostly involving Young people, in the streets of Ruddington Walk, Kinley Road and Penkridge Walk between 01/08/05 and 31/08/06. Separate statements of complaint have been received by the police for the same area. Articles have also appeared in the Leicester Mercury in relation to street drinking issues in that area.

A dispersal area (under the ASB Act 2003) is in place for the area. Crack house closures are currently being pursued, linked to problems of street drinking

The Approach

Use the street drinking ban in this limited geographical area. It will be easy to police because of its size and should provide enough of a visible presence to deter youths from drinking in this area. The Ban shall also be a complimentary measure to what is already in place.

Consultation

The police have received numerous complaints and official reports, as mentioned above, from residents in that area. All of these statements refer to the three roads requested. The Local Police station has also consulted with Community Safety at Leicester City council over the appropriateness of the ban.

Evidence

There are 38 reported incidents for the year 05/06 and statements of complaint made available to the Community Safety Office. This is in a small geographical area of one road (Kinley Road) and two passages behind garages and properties (Ruddington Walk and Penkridge Walk). The size of the location, its proximity to residential areas and the amount of incidents reported make it appropriate for a ban.

Roads Proposed

Ruddington Walk
Penkridge Walk
Kinley Close

Evidence assessed by David Slade x6031
Report Author: David Slade