

**Licensing and Safety Committee - 18<sup>th</sup> March 2008**

**Report of the Director of Law and Property**

**Alcohol Consumption In Public Places – Sedgley Town Centre**

**Purpose of Report**

1. To consider an Order making Sedgley Town Centre a designated public place where the consumption of alcohol would be prohibited other than within the curtilage of licensed premises.

**Background**

2. At its meeting on the 17<sup>th</sup> December 2007 the Committee resolved that a Designation Order for Sedgley Town Centre should be introduced in principle and authorised me to undertake the necessary consultations and publish a notice in a local newspaper.
3. The plan indicating the original proposed designated area, as previously reported to the Committee, is attached at Appendix 1.
4. Attached at Appendix 2 is the original report submitted to the Council on the 5<sup>th</sup> December 2007 from West Midlands Police summarising the problems associated with the consumption of alcohol in and around Sedgley Town Centre within the proposed designated area.
5. Although the Police already have powers to confiscate alcohol from any person who is or appears to be under the age of 18, the benefit of making an Order under Section 13 of the Criminal Justice and Police Act 2001 is that it provides the Police with the power of arrest which is both an important deterrent and a valuable method of enforcement in dealing with this type of anti-social behaviour.

6. Since the meeting of the Committee on the 17<sup>th</sup> December 2007 a letter setting out the effect of the proposal has been delivered to the occupiers of some 300 properties in and around the shopping centre of Sedgley (Appendix 3). In addition the letter has been placed on display in public buildings throughout the proposed designated area. As required by the legislation a public notice of the proposal was published in the Express and Star on the 23<sup>rd</sup> January 2008 and there has been prominent newspaper coverage of the proposal both at the December meeting of the Committee and the meeting of the North Dudley Area Committee on the 30<sup>th</sup> January 2008.
7. The North Dudley Area Committee resolved to support the proposal and to pay £2,000 towards the cost of supplying and installing the necessary signage.
8. At the time of writing this report we have received 32 representations all of which support the proposal. 3 local residents argue that the proposed designated area should be extended to include:-
  - The area bounded by Brownswall Road to the west of Cotwall End Road and the area bounded by Gate Street, Setton Drive and Queen's Road to the east of High Holborn.
  - The wider Brownswall estate where there are two off-licence premises
9. Other representations refer to the need for vigorous enforcement and for additional police resources in Sedgley Town Centre.
10. West Midlands Police have given very careful consideration to the representations referred to in paragraph 8 regarding an extension of the proposed designated area. Their view is that these submissions should be supported and that the Committee would be justified in designating an area that is coterminous with the geographical policing area of Sedgley. A plan of the revised area is attached at Appendix 4 indicating that the area would now include:-
  - The Brownswall estate
  - Cotwall End Nature Reserve
  - High Arcal
  - Turls Hill
  - An area to the north of Gorge Road

At the meeting the Police will produce evidence to support the inclusion of the above areas within the proposed designation.

11. A copy of the draft Designation Order is attached at Appendix 5. There is a legal requirement for us to send a copy of the Order to the Home Office.

12. Before making the Order we must also publish a notice in a local newspaper:-
  - identifying the place that has been set out in the Order;
  - setting out the effect of the Order in relation to that place and
  - indicating the date upon which the Order will take effect.
13. Before the Order takes effect, the Council must erect within the designated place, such signs as are considered sufficient to draw the attention of members of the public in that place to the effect of the Order. The cost of such signage will be reported at the meeting.
14. If an Order is made the Police will monitor its impact and a review will take place in 12 months time.

### **Finance**

15. The funding necessary to implement this proposal (e.g. cost of advertising) will be met from existing budgets. The North Dudley Area Committee have agreed to contribute £2000 towards the cost of providing signage and West Midlands Police have been asked to pay the balance.

### **Law**

16. The Order is made under Section 13 of the Criminal Justice and Police Act 2001 on the basis that there is evidence from West Midlands Police that the drinking of alcohol in public is connected with nuisance or annoyance to the public and to incidents of disorder within the proposed designated area.

### **Equality Impact**

17. This report has no direct equality implications. The making of an Order will help the Police to tackle the growing problem of under-age drinking in public places.

## **Recommendation**

18. It is recommended that the Committee consider the representations summarised in this report, together with the area to be designated as recommended by West Midlands Police, and consider making the Sedgley Town Centre (Alcohol Consumption in Designated Public Place) Order 2008. If an Order is made the Committee is asked to authorise the Director of Law and Property to take all necessary action connected with the making of the Order.

*John Polychronakis*

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## **BACKGROUND PAPERS**

1. 32 e-mails / letters in support of the proposal.
2. Exchange of e-mails between the Council and West Midlands Police.