

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 7 February 2013

**PRESENT:** Councillors John Robson (Chair), Vickie Priestley and Ian Saunders

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#### **1. APOLOGIES FOR ABSENCE**

- 1.1 There were no apologies for absence. Councillor George Lindars-Hammond attended the meeting as a reserve Member but was not required to stay.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

- 2.1 No items were identified where resolutions may be moved to exclude the public and press.

#### **3. DECLARATIONS OF INTEREST**

- 3.1 There were no declarations of interest.

#### **4. LOCAL AUTHORITIES (ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES) REGULATIONS 2007 - CITY CENTRE DESIGNATED PUBLIC PLACE ORDER - REVIEW**

- 4.1 The Chief Licensing Officer submitted a report to review the City Centre Designated Public Place Order.

- 4.2 Present at the meeting were Superintendent Martin Hemingway, South Yorkshire Police, Inspector Alex Murthi, South Yorkshire Police, Matthew Burdett, City Centre Safer Neighbourhood Area Officer, Richard Eyre, Head of City Centre Management and Major Events, Tracey Ford, Sheffield Drug and Alcohol Co-ordination Team, Carolyn Forster, Solicitor to the Sub-Committee, Claire Bower and Matt Proctor, Licensing Officers and Jennie Skiba, Democratic Services.

- 4.3 Superintendent Martin Hemingway gave a presentation which summarised the City Centre Designated Public Places Order (DPPO). He stated that the DPPO essentially is an alcohol exclusion or controlled zone which gives the Police additional powers to seize alcohol from anyone causing anti-social behaviour in the area. He added that since the introduction of the zone in the City Centre there had been a significant decrease in the number of incidents of anti-social behaviour. He said that whilst it is not an offence to consume alcohol within a "designated" area, the Police and other trained officers have powers to control the consumption of alcohol in that place. An offence is committed if an individual refuses to comply with the officer's request and refrain from drinking, which is then punishable by a fixed penalty notice or a fine.

- 4.4 Superintendent Hemingway showed a map of the existing area covered by the Order which is an area of land within the inner ring road but extended to Sheaf Street and the Midland Station and stated that the purpose of the review is to extend the Zone from the City Centre to Broomhall and London Road/Highfields. He said that consultation events had been organised within the areas, with invitations being sent out to the voluntary sector and community groups and all treatment providers. Consultation papers and questionnaires had been circulated widely to capture the views of interested persons who were unable to attend the events. He added that the majority of responses received had been fully supportive of the existing Zone and were keen for it to continue.
- 4.5 With regard to extending the Zone to the Broomhall area, he stated that although businesses were in favour of the DPPO, there was strong opposition from local community groups and local councillors as they felt that the Broomhall area did not have issues with alcohol related anti-social behaviour. The main concern was that they did not want their area being labelled as having negative issues with alcohol and felt that street signage would infer this.
- 4.6 Superintendent Hemingway referred to the London Road area and reported that after consultation with local businesses many had stated that they would be fully supportive of the Order as alcohol related anti-social behaviour does impact on their businesses.
- 4.7 Richard Eyre stated that he firmly believed that the DPPO has had a positive effect. He indicated that prior to its introduction there were large numbers of alcohol related incidents in the City Centre and whilst the Order had not solved these issues completely, it had helped the Police to prevent a large number of incidents occurring. There were concerns initially that the Order would alienate street drinkers and displace them to other areas of the City, but this had been found not to be the case. Richard Eyre added that Sheffield had become the first City in Yorkshire to gain a "Purple Flag", which is an accreditation for having a good, safe and vibrant night time. He felt that with the proposed opening of the new Market on The Moor later this year, there was a strong case for keeping the restriction zone to prevent the problems that there had been in the past outside the Castle Market. In response to questions, he stated that the problems in the Castle Market area were now under control.
- 4.8 Tracey Ford stated that street drinkers tended to be people who were vulnerable, problematic drinkers and/or taking prescription drugs. She said that the officers who currently patrol the City Centre were familiar with these vulnerable people and a lot of intelligence had been gathered to help deal with this. She reiterated that the Order had not displaced people and that hardened drinkers tended to drink more discreetly.

- 4.9 In response to questions from Members of, and the Solicitor to, the Sub-Committee, it was confirmed that signs have to be permanently erected on lamp posts to make the Order lawful and that plans for alternative signs would be put in place at a financial cost to the Police. It was confirmed that whilst the guidance indicated that signage should be A4 size, the legislation provided discretion in that pursuant to paragraph 8 of Statutory Instrument 2007/806 signage needed to be "sufficient". Superintendent Hemingway confirmed that notwithstanding those consulted within the Broomhall area did not perceive issues with alcohol related anti-social behaviour, the evidence was that nuisance or annoyance to members of the public or a section of the public has been associated with the consumption of intoxicating liquor in that area. He further confirmed his assessment of the likelihood that the problem would continue unless the powers were adopted and his belief that the problem could be remedied by the use of the powers contained within Section 13 of the Criminal Justice and Police Act 2001.
- 4.10 RESOLVED: That the public and press and attendees involved in the hearing be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.11 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.12 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.13 RESOLVED: That (a) the existing Designated Public Place Order (DPPO) in the City Centre be maintained and that a further review be held in five years' time; and
- (b) the necessary process do proceed with formal consultation to extend the area of the DPPO. Such consultation to be meaningful consultation held with the residents of the Broomhall and London Road/Highfield areas and the outcome of such consultations be submitted to a future meeting of the Licensing Committee.
- 4.14 The Chair of the Sub-Committee wished to formally thank everyone involved in the City Centre DPPO for its success.