

CONFIRMATION OF VARIOUS DESIGNATED PUBLIC PLACES IN COPELAND

PORTFOLIO HOLDER: Councillor George Clements
LEAD OFFICER: Martin Jepson – Head of Legal and Democratic Services
REPORT AUTHOR: Martin Jepson – Head of Legal and Democratic Services

Summary and Recommendation:	<ul style="list-style-type: none">• This report recommends the confirmation of various Designated Public Places Orders.• That areas at: Whitehaven Town Centre Hensingham Kells Cleator Moor <p>As are more particularly described in this report be made the subject of Designated Public Places Orders</p>
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Impact on other statutory objectives (e.g. crime & disorder, LA21): None

Financial and human resource implications: None

Project & Risk Management: None

Key Decision Status

- **Financial:** No
- **Ward:** No

Other Ward Implications: No

1 INTRODUCTION

- 1.1 This Council has the power to make Designated Public Places Orders for areas within Copeland Borough. The effect of such Orders is to allow a police officer to either confiscate alcohol being consumed in public and/or to require the cessation of such consumption. Failure to comply is a criminal offence.
- 1.2 Over the five years or so during which this legislation has been in force, this Council has made 5 separate orders. Last year, the Executive asked its officers to speak with Cumbria Police with a view to reviewing the effectiveness of the current Orders and the need for Orders for the future.

- 1.3 As a result of this contact, it has been agreed that if further Orders are to be made, they shall be made in a planned way, following a yearly review.
- 1.4 The attached report was submitted to Executive in June of this year, from which it can be seen that Cumbria Police have put forward four separate areas for Designations. The Executive authorised the necessary consultation process to take place.

2. RESULTS OF CONSULTATION

- 2.1 The consultation period, which has now ended, brought no adverse comments on the proposals. However there were two suggestions for additions to the areas consulted on for Hensingham, namely:-
- 1) Snebro Gill footpath from Hensingham Square to Snebro, Mirehouse
 - 2) Grounds of Hensingham Infants School
- 2.2 Members should be aware that this Council is unable to make Orders in respect of areas where no proven problem has been shown to exist. In these cases. Cumbria Police have been consulted and it is anticipated that their response will be available by the time of the Council meeting.

3. CONCLUSIONS

- 3.1 It is recommended that Orders be confirmed for the four areas as described in this report become Designated Public Places.

4. FINANCIAL IMPLICATIONS

- 4.1 The cost of signs is estimated at £1,000. These are able to be financed from existing Street Scene budgets.

List of Appendices: Appendix A – Report to Executive, Appendix B Map of Cleator Moor, Appendix C Kells, Appendix D Whitehaven Town Centre, Appendix E Map of Hensingham

List of Background Documents:

As filed in HLDS file ref: CLO.72

List of Consultees:

Chief Executive
Interim Head of Finance and Business Development
Parks and Street Scene Manager

RESTRICTIONS ON CONSUMPTION OF ALCOHOL

EXECUTIVE MEMBER: Cllr George Clements
LEAD OFFICER: Martin Jepson
REPORT AUTHOR: Martin Jepson

Summary and Recommendation:	That formal consultation takes place in respect of the areas at Whitehaven Town Centre, Kells, Hensingham, and Cleator Moor as described in the report.
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1. INTRODUCTION

- 1.1 Last year the Executive considered a report recommending consultation takes place over the designation of an area of Hensingham as a Designated Public Place. If approved this would have given powers to Cumbria Police to confiscate alcohol being consumed in public and/or ask those drinking to resist from so doing.
- 1.2 At the same time members expressed their concern that such requests were being dealt with in a piecemeal fashion and further that after designating an area, this may have the effect of moving a problem elsewhere.

2. SUBSEQUENT ACTION

- 2.1 As a result of these comments your officers contacted Cumbria Police to discuss them. Following discussions Chief Superintendent Cardwell has appointed one officer, Sergeant Farnworth, to co-ordinate consideration of all applications within Copeland. It has also been agreed that Cumbria Police will review the areas annually and make composite recommendations annually should they feel that additional areas should be designated.
- 2.2 Following a co-ordinated exercise Cumbria Police have now asked that four additional areas become Designated Public Places within Copeland as described below. They have also provided their views on the issue of displacement.

3. DISPLACEMENT

- 3.1 Cumbria Police have written as follows:-

"I am writing following our several recent meetings regarding the above and in response to your original letter to Mr Cardwell dated 2nd October 2006.

You now have a number of requests for further areas to be designated and these include Frizington, Cleator Moor, Whitehaven Town Centre extension, Kells and Hensingham. You also now have substantial evidence to warrant the areas requested being designated.

From your letter and our subsequent conversations I understand that there is concern that the areas that have been designated are merely diverting the problem of anti-social

behaviour. My considered opinion is that this is not the case. My belief is that the original areas requested for designation were too small and very good examples of this are Whitehaven Town Centre and Cleator Moor Square. When we have looked at these areas, important streets were missed out and these included areas where there are off licences. Experience has shown that many of the problems of anti-social behaviour are in the areas of premises selling alcohol for consumption off the premises. Having designated areas covering a substantial radius of such premises has proven to be a successful method of reducing alcohol fuelled behaviour.

One should consider the designated area to be "a tool in the box" for use by Police officers and as such when used appropriately it can be very successful.

I therefore ask that you support these new areas for designation".

4. CLEATOR MOOR

- 4.1 A relatively small area in front of Cleator Moor Library – the Market Square – was designated several years ago.
- 4.2 Cumbria Police's proposal is to designate in addition the following areas as shown on the attached plan No.1:-
 - (a) Birks Road, up to and including Aldby Street and Cross North Street;
 - (b) Jacktrees Road, up to and including the play area;
 - (c) High Street as shown on plan No.1
 - (d) Ennerdale Road as shown on plan No.1
- 4.3 Justification for area (a) includes details of 9 examples of alcohol related anti-social behaviour over a six month period in Birks Road, 4 in Aldby Street and 2 in Cross North Street.
- 4.4 Justification for area (b) includes 20 examples of anti-social behaviour over a six month period, a number of which are clearly alcohol related.
- 4.5 Justification for area (c) includes 38 relevant incidents during this period.
- 4.6 Justification for area (d) includes 26 incidents in a 3 month period.

5. KELLS

- 5.1 High Road Kells and adjoining areas as shown on plan No. 2.
- 5.2 Over a six month period police records show 13 incidents of alcohol related anti-social behaviour in High Street itself and 9 such incidents in the adjoining areas.

6. WHITEHAVEN TOWN CENTRE

- 6.1 A extension to the existing Town Centre designation as shown on plan No.3. The current designation extends out from the harbour only to Queen Street. The Cumbria Police proposal is to extend the designation to Ginns, Coach Road, through Park Drive to the Loop Road and then returning to the Harbour area via High Street and to the north of Whitehaven Railway Station.

- 6.2 In support of this they say the current designate does not cover the areas where most of the licensed premises are situated. Numerous examples of alcohol related incidents in those areas has been provided by the Police.

7. HENSINGHAM

- 7.1 Following the approval by Council last year of an area for designation in Hensingham Cumbria Police have asked for approval for a wider area in Hensingham to be designated as shown on plan No.4.
- 7.2 In support of this a wide range of incident details have been produced, involving over 100 people being stopped by the Police in this area for alcohol related incidents over a 12 month period.

8. RECOMMENDATION AND FUTURE ACTION

- 8.1 It is recommended that in view of the representations by Cumbria Police a formal consultation process begins in respect of the above areas.
- 8.2 Legislation provides that following the formal consultation the final decision on Designation rests with Council. Therefore a final report following consultation would be presented to Council.

9. FINANCIAL AND HUMAN RESOURCE IMPLICATIONS

- 9.1 For the current recommendation some staff time will be involved in consultation. The only substantive expenses will be postage and the cost of a newspaper advertisement, which can be absorbed within existing budgets.

10. PROJECT AND RISK MANAGEMENT

- 10.1 The designation process has been followed successfully on various occasions in the past and if the recommendation is approved very similar processes are likely to be followed.

11. IMPACT ON CORPORATE PLAN

- 11.1 If implemented, Designations are likely to contribute to the reduction of, or fear of crime (section 3.2.3)

List of Appendices Plans 1 to 4

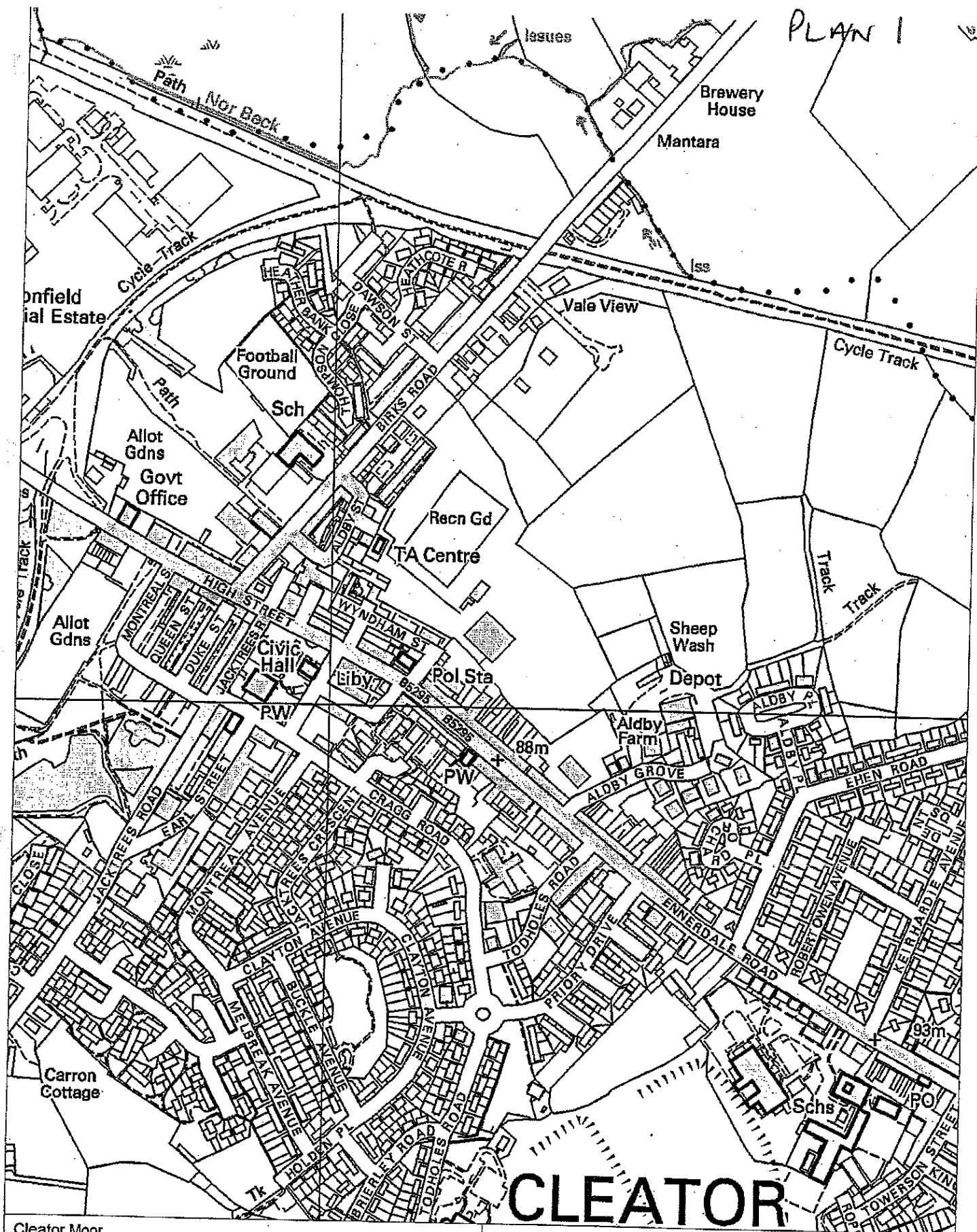
List of Background Documents: Papers on HLDS file 72

List of Consultees: Corporate Team, Cllr Clements

Impact on Crime and Disorder	See 11.1
Impact on Sustainability	Not directly applicable
Impact on Rural Proofing	Not directly applicable
Health and Safety Implications	Not directly applicable
Impact on Equality and Diversity Issues	Not directly applicable
Children and Young Persons Implications	Not directly applicable
Human Rights Act Implications	Not Applicable at this stage

Please say if this report will require the making of a Key Decision

No



Cleator Moor

APPENDIX B

Regeneration
Copeland Borough Council
The Council Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ



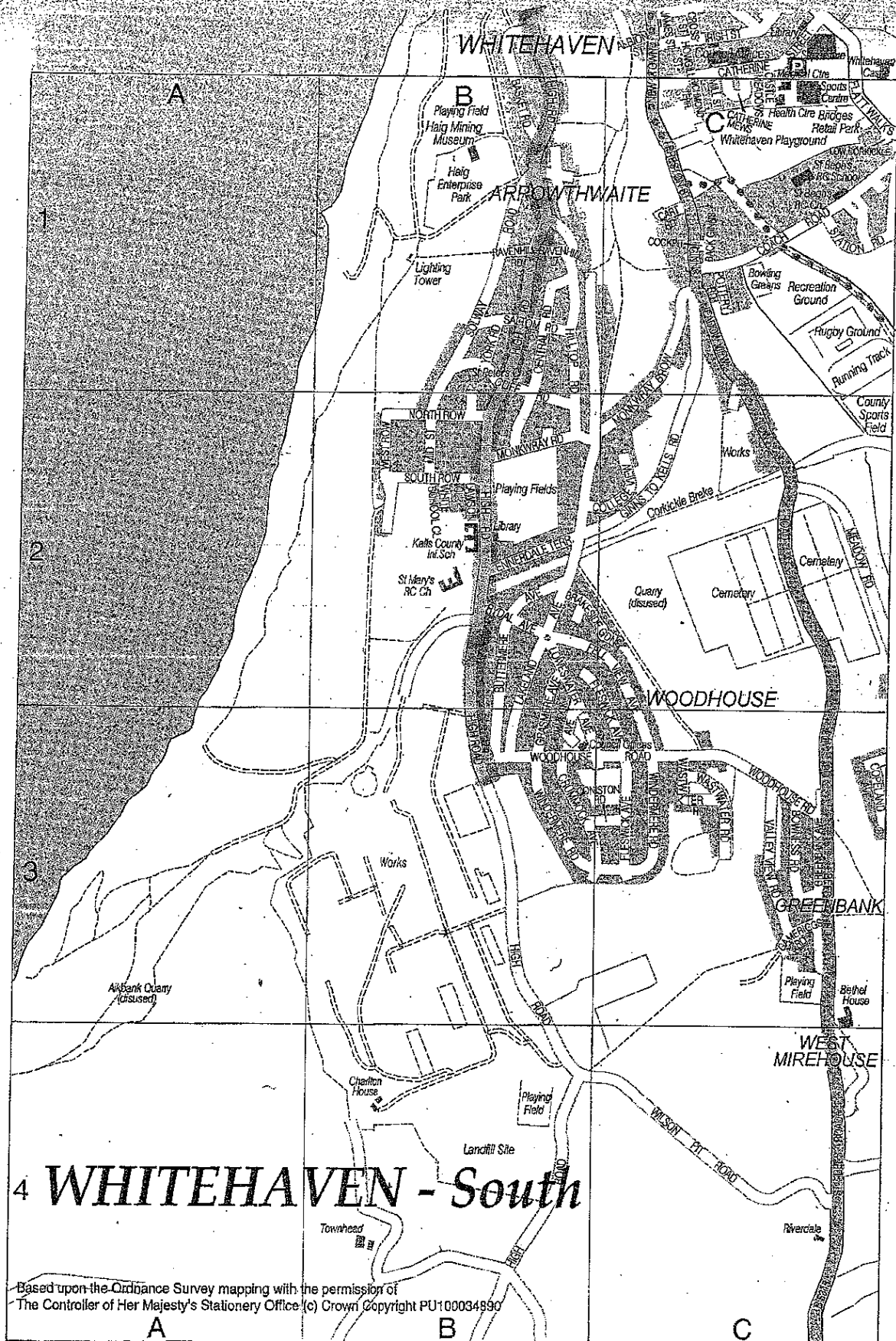
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Date: 29.05.07

Scale: 1:10,000

PLANT 2

Whitehaven – South Map



4 WHITEHAVEN - South

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PLANT 3

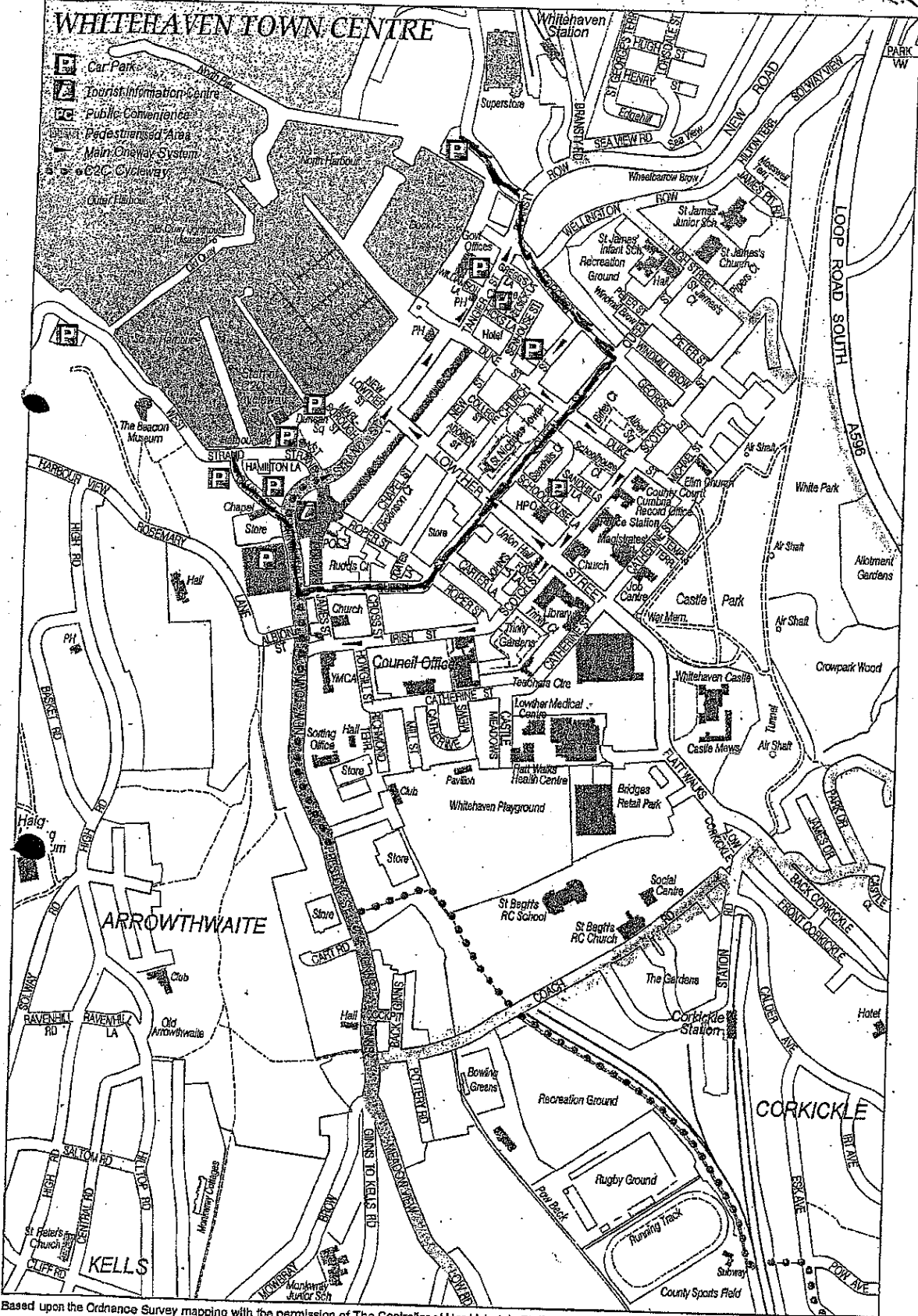
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CLIPPER
REQUESTED

MARCH 2007

Whitehaven Town Centre Map

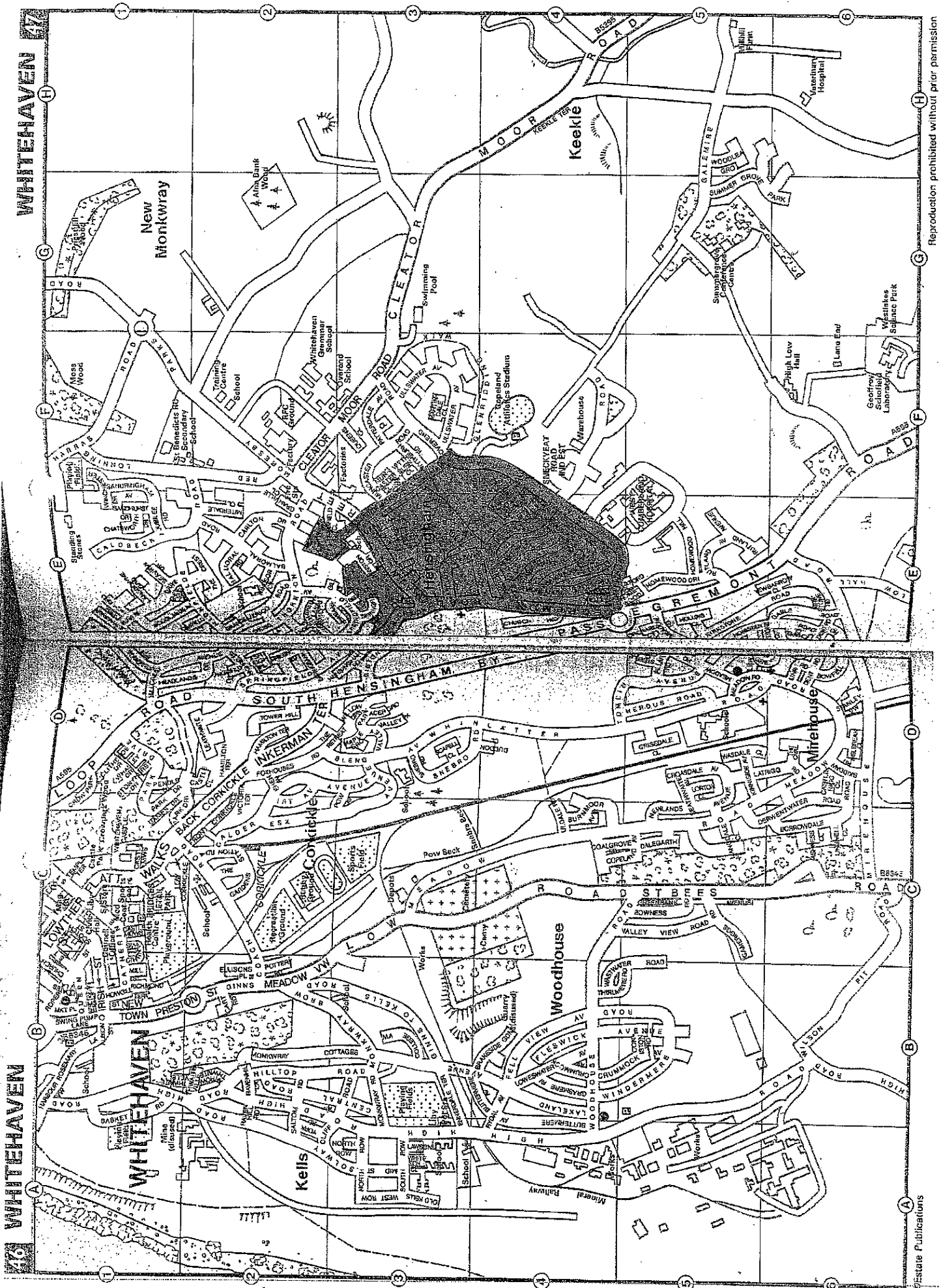
PC 866
TAYLOR
TOWN CENTRE
OFFICER



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APPENDIX D

Plan 4



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APPENDIX E