
**PROPOSED DESIGNATION OF PUBLIC PLACES IN
TERMS OF THE CRIMINAL JUSTICE AND POLICE ACT
2001 AND LOCAL AUTHORITIES (ALCOHOL
CONSUMPTION IN DESIGNATED PUBLIC PLACES)
REGULATIONS 2001**

1 SUMMARY

- 1.1 This report seeks to identify and make recommendations for the potential designation of public places in which the consumption of alcohol should be restricted in terms of the above legislation.

2 BACKGROUND

- 2.1 The above legislation gives Local Authorities the powers to make an order to restrict the consumption of alcohol in designated public places provided that they are first satisfied that:-

(a) nuisance or annoyance to members of the public or a section of the public;

or

(b) disorder;

has been associated with the consumption of intoxicating liquor in that place.

- 2.2 Once such an order is made in relation to a designated public place, the Police will become empowered under Section 12 of the Act to require a person not to consume intoxicating liquor and to surrender opened containers of such liquor.

- 2.3 Consultation with the Police (Rayleigh Division) has led to two initial areas being identified (see appendices):

(1) Rochford Market Square and surrounding area

(2) Magnolia Park.

- 2.4 The Police Licensing Officer felt these areas had the most potential need for orders albeit that they felt that Rochford Market Square was preferable, because of the incidents of recorded crime and their ability to enforce it. Clements Hall was also identified by the Police, as a possible area, but Holmes Place, the new leisure contractor, and other organisations hiring the playing fields, may have plans to hold events

around Clements Hall. Hence, in the first instance it is considered that Clements Hall and its immediate environs should not be included.

3 CONSULTATION

- 3.1 If Members agree the principle of this report:
- 3.2 Consultation is required with each Parish Council regarding the designation.
- 3.2 Consultation would be required with the Licensee of any licensed premises (and off-licences) within the proposed designated areas.
- 3.3 Owners of land within the proposed designated areas should also be consulted where possible.
- 3.4 Consultation with local residents would be desirable to ascertain their views on the level of nuisance, annoyance or disorder caused by the consumption of alcohol in public places, and to seek their views on the proposed areas and boundaries of the designated areas.

4 RESOURCE IMPLICATIONS

- 4.1 The Local Authority would be required to publish the area for designation in a local newspaper. The notice should also identify the effect of the order and invite representations. Implementation will require the erection of signs in the designated area to draw the attention of the public to the effect of the order.

5 CRIME AND DISORDER IMPLICATIONS

- 5.1 Criminal damage and anti-social behaviour are both key objectives in the Rochford District Crime and Disorder Reduction Strategy.

6 ENVIRONMENTAL IMPLICATIONS

- 6.1 Implementation of the designated areas where considered justifiable in terms of the above quoted legislation could result in a reduction of noise and disturbance to nearby residents.

7 LEGAL IMPLICATIONS

- 7.1 This order would be made using the Criminal Justice and Police Act 2001.

8 PARISH IMPLICATIONS

- 8.1 The proposals will directly affect the parishes of Hawkwell and Rochford.

9 RECOMMENDATION

- 9.1 It is proposed that the Committee **RESOLVES**

To proceed with the proposals and that the statutory and public consultations be undertaken in respect of the proposed designation of the public places in Rochford Market Square and Magnolia Park. (CEX)

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APPENDIX 1

ROCHFORD MARKET SQUARE AND ENVIRONS

1 Police Report

The Police have provided a range of statistics identifying the following trends:

Market Square/West Street account for the majority – 49% - of recorded crime in Rochford Town Centre. This is mirrored in the % of incidents reported.

The highest reported incidents include:

Alarm, nuisance, disorder/disturbance, damage/arson and violence.

Recorded crime highlights:

Handling/theft, arson/damage, burglary/assault/ABH/GBH and auto crime.

There is a trend for recorded crime to increase late at night, into the early hours. Reported incidents peak in the evening, and most frequently occur at a weekend.

There is a difficulty in identifying a direct linkage from the drinking of alcohol in public places to the crimes identified above.

The Beat Officer, P.C. Quincey has submitted a report based on his experience in the area. He confirms that in summer months there have been instances of alcoholic drinks being consumed in the Market Square. He also says there have been instances where people have congregated around the bench in the Square, becoming loud and disorderly.

2 Rochford District Council – Crime and Disorder Reduction Audit Findings

From the audit conducted earlier this year many local residents living in the Parish of Rochford said that they liked the overall quietness of the area but were concerned about rowdy behaviour in the Market Square.

3 The Area Proposed

The area proposed for the order includes streets associated with the Market Square, where groups may also contribute or traverse whilst drinking alcohol.

The car park at Back Lane has also been included, as people may move to this open space to drink alcohol, potentially causing a nuisance to other property.

4 Police Enforcement

The Police are confident that they can enforce a no alcohol order in the centre of Rochford, being near to the Police Station for a quick response and being a tightly defined area. It should be noted that the Police can only seize an open vessel of alcohol, not those unopened. (This is a recent change).

The Police would wish to review the effectiveness of the initiative within a year of it being established.

5 Comment

With the improvements being made to the Market Square, with the aim of improving the environment and increasing its usage locally, action to prohibit consumption of alcohol in the Market Square and the nearby streets, may encourage those who may otherwise feel intimidated by the fear of groups with alcohol congregating in the area.

APPENDIX 2

MAGNOLIA PARK

1 The Police

In the 38 months up to December 2001, the total recorded crime was 18. The highest (6) being arson/damage. These figures for recorded crime are extremely low. In terms of reported crime, the highest is nuisance, with 23 incidents reported. The peaks for reported crime appear to be in the Summer/Autumn months. The Majority, 44% taking place at the weekend. A significant proportion of the reports occur in the evening including reporting in the early hours.

Again, it is difficult to establish a direct link between the statistics provided and consumption of alcohol in the area.

The Police have confirmed there have been no incidents at the Teen Shelter.

2 Rochford District Council – Crime and Disorder Reduction Audit Findings

From the audit conducted earlier this year many local residents living in the Parish of Hawkwell commented on issues such as litter and quite specifically said that they were concerned with the vandalism in Magnolia Park.

The Parish Council has also complained to the police of;

'30 – 60 (youngsters) at a time meet in the park and consume alcohol, the evidence of which is collected by the parks groundsman'.
'Once they have consumed a large amount of drink, beer, vodka, hooch etc. they then become very rowdy and shout and play radios at 2 am, mostly on Friday and Saturday nights'.

The Parish Clerk has confirmed that this problem is ongoing.

A meeting held last summer, between the parish, Rochford District Council and Essex Police identified the potential for the order in the vicinity of Magnolia Park.

3 The Area Proposed

The area of Magnolia Park and the entrance should be covered by the order. Views would be welcome regarding additional roads which should be included. These areas may wish to celebrate national events with street parties, the order would prohibit consumption of alcohol within the defined areas.

4 Police Enforcement

The Police felt that policing and enforcement at Magnolia would be difficult. It would be resource intensive to patrol, and when incidents were reported, they may be gone by the time the Police arrived.

5 Comment

Whilst the levels of recorded crime are very low in the area, there are a number of reports of nuisance linked to alcohol consumption in the area. The Parish Council has confirmed incidents of this nature are continuing.

ALCOHOL APPENDIX



