

REPORT OF PORTFOLIO HOLDER FOR TRANSPORT AND STREET SERVICES

ALCOHOL DESIGNATION ORDER IN HYSON GREEN TOWN CENTRE – RESULTS FROM CONSULTATION

1 SUMMARY

This report follows on from the report to Council dated 17 October 2005 which sought approval to consult on a proposal to introduce controls on the consumption of alcohol in the streets of Hyson Green town centre.

2 RECOMMENDATIONS

It is RECOMMENDED

- (i) that Members note the representations received as a result of the consultation contained at Appendix 1;
- (ii) that approval for the making of the Order in relation to the area shown by the plan at Appendix 2 be given;
- (iii) that the Acting Director of Corporate Services be authorised to carry out all necessary steps for the making and publicising of the Order.

3 BACKGROUND

3.1 By virtue of the Criminal Justice and Police Act 2001, the City Council may make an Alcohol Designation Order (ADO) to curb the problems brought about by irresponsible drinking in public places. The effect of the Order would be to make it an offence either to continue drinking when asked to stop, or by failing to surrender alcohol when asked to do so. The Order also gives powers to destroy alcohol. Members will be aware that a similar Order was made for an area of the City Centre at the Council meeting on 18 July 2005.

- 3.2 The purpose of the proposed Order is to control street drinking and drinking in public places by making it an offence – either to continue drinking when asked to stop, or by failing to surrender alcohol when asked to do so. The Order also gives powers to destroy alcohol.
- 3.3 Enforcement will be by the Police and the street wardens as accredited officers for whom training has been given in respect of their powers. The Order also introduces Police powers of arrest, solely for the act of continued consumption.
- 3.4 The making of the Order would complement the objectives of the ‘Respect for Nottingham’ group and is an action of the Alcohol-related Crime Task Group in tackling alcohol related crime and disorder. It is proposed that having regard to the results of the consultation exercise, which are reported at Appendix 1 attached, the Council approves the making of an Order for the area under consideration to come into force on 1st April 2006.

4 PROPOSALS

- 4.1 The map at appendix 2 is the area approved for consultation by Council on 17 October 2005 and which was appended to the minutes of that meeting. A different map had incorrectly been included in the agenda for that meeting.
- 4.2 As part of the statutory procedures after making the Order the Council is required to undertake the following:-
- (i) notify the public that the Order has been made and give details of its effects by placing a notice in the local press;
 - (ii) erect permanent signs at the boundaries of, and within, the area to inform the public of the effect of the Order and to comply with enforcement capability.

5 FINANCIAL IMPLICATIONS

The total cost, including administration, legal costs, consultation, notices and signage is to be met from money allocated for this purpose in the Area 4 Committee 2005/06 budget.

6 LEGAL IMPLICATIONS

6.1 The making of a new Order requires an input by legal services in respect of essential administrative work to put the Order in place.

6.2 The key implications for the Council are:-

- (i) publication of Notices;
- (ii) making of the Order;
- (iii) enforcement of the Order.

7 STRATEGIC AIMS

The Council's proposal to make the Hyson Green ADO promotes the Council's corporate aim 'Making Nottingham a Safer City' and is part of the SAFE for Nottingham and Respect Strategies. The consultation procedure outlined in this report meets Council Core Values in consulting with citizens and customers about the impact and effect of the Council's proposals.

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

None

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- Report to Council – 17 October 2005: Hyson Green Alcohol Designation Order.
- The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001
- Home Office guidance letter Criminal Justice and Police Act 2001 - Alcohol Consumption in Public Places, dated 24 August 2001

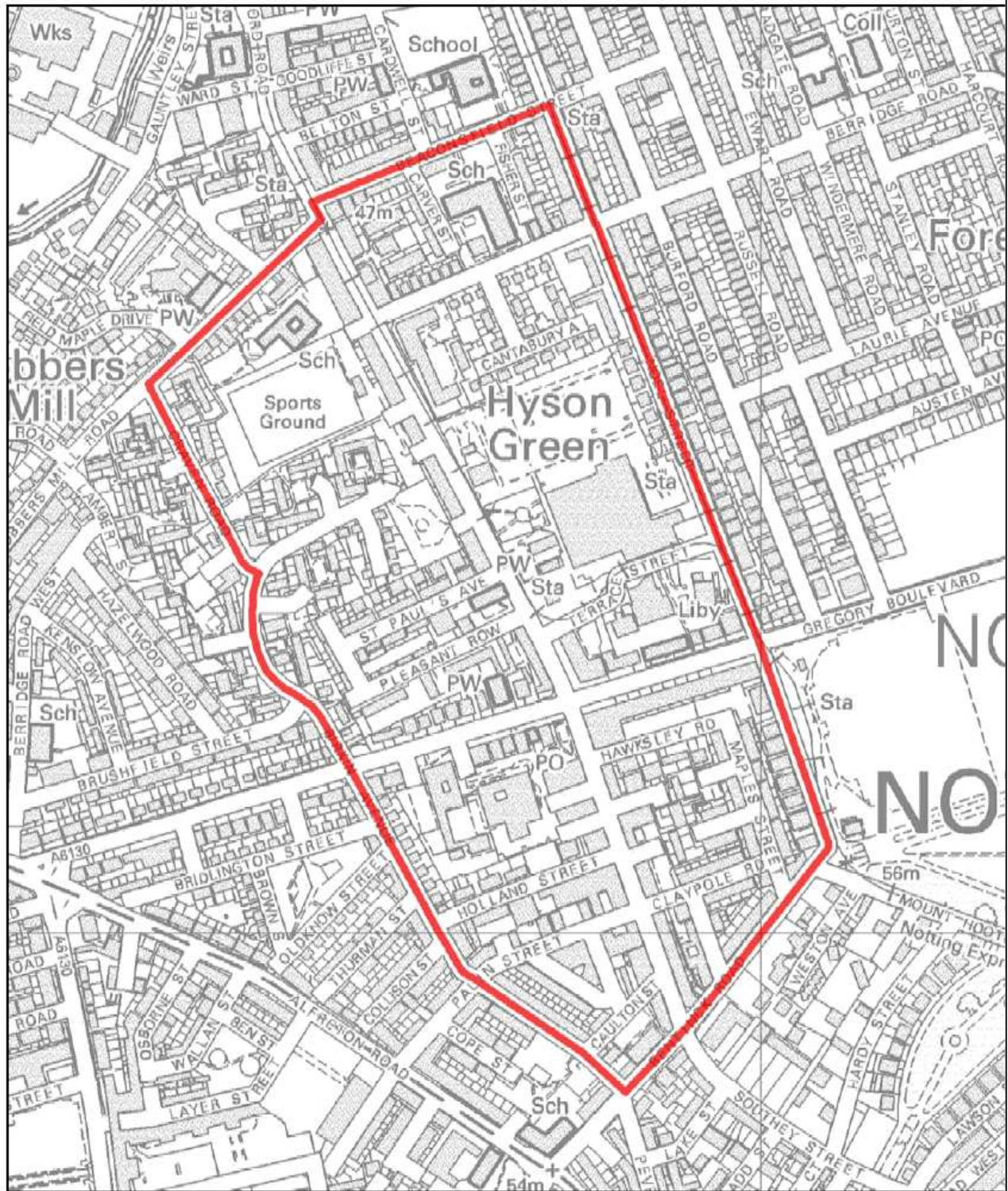
**COUNCILLOR BRIAN GROCOCK
PORTFOLIO HOLDER FOR TRANSPORT AND STREET SERVICES**

APPENDIX 1: ALCOHOL DESIGNATION ORDER RESULTS FROM CONSULTATION

Result of consultation on the proposed Nottingham City Centre Alcohol Designation Order

Name of respondent	Response
Danny Rubins, Chair of Westbridge International Group Ltd	“..drinking in public places and selling drugs on street corners is a considerable nuisance to our staff, for the well being of the company and the general public at large, the sooner your Alcohol Designation Order is implemented the better”.
Ms J Skinner	“I consider it an extreme over reaction to the problems of “nuisance and harassment” caused by people drinking in the public areas. If individuals are committing offences then the police have powers to respond....so I do not understand why additional powers are needed.”
Richard Gratton, ASDA Stores Ltd	As a licensee within the proposed area I would like to agree with the proposals as detailed in your consultation document. I fully support the plan as we have a large issue with drunks in the park adjacent to the store and other areas used by our customers.”
Peter Haywood, Haywood Mills Associates	“Given the increase in problems that we have experienced with the alcoholics in Palin Street, around the local ASDA supermarket and the area between I would support any such move by the City Council”.
A W Riley, Staddon & Sons	“I would like to agree with this

	<p>Order being instigated for the following reasons – those that drink are noisy and foul mouthed...they stagger in, request money, fight...urinate where they stand...We should not have to suffer this.”</p>
<p>Hyson Green Traders Association</p>	<p>The Hyson Green Traders Association wishes to strongly support this order...</p> <p>A number of traders have had customers report to them incidents where they have felt intimidated by people who are, and have been, drinking alcohol to the point of being out of control.</p> <p>Attractive parts of the area ... are the very places frequented by the drinkers and therefore put out of bounds to the very people we want to attract. Irrespective of the direct potential trade benefit to some of our traders, the (Association) as a whole sees great benefit if the Council are able to make this order.</p>



Title: Hyson Green ADO Boundary

Key

Map produced on:
21/09/05

Map produced by:
SB
GIS Team



City of
NOTTINGHAM
City Development



Scale 1:5,000

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