

TO: REGULATORY COMMITTEE – 4th January, 2006

SUBJECT: EXTENSIONS TO THE RESTRICTED DRINKING ZONE

FROM: COMMUNITY SAFETY

1. PURPOSE OF REPORT

- 1.1 To consider extensions to the current zone under the provisions of the Criminal Justice and Police Act 2001 to empower a Police Constable to require a person not to consume intoxicating liquor and to surrender to the Constable any intoxicating liquor or container for such liquor.

2. BACKGROUND

- 2.1 The Criminal Justice and Police Act 2001 introduced a new power which allows Councils to make the above Order. Authority has been delegated to this Committee to make such Orders. The Council must consult the Area Police Commander, Town/Parish Council and licensees of any area designated by an order.
- 2.2 The Committee decided at a meeting in June 2002 to make an order covering the centre of Leamington and to repeal the byelaws and to replace the old no-alcohol zone. The Order came into effect on 4 November 2002.
- 2.3 Following a request from Whitnash Town Council this Committee decided to identify the number of signs and to cost a district-wide scheme in January 2004. A district-wide scheme was proposed based on work done in Brighton. There were clear cost benefits.
- 2.4 Current Home Office advice is that the new power is not intended to cover whole areas and alcohol related crime and disorder must be evidenced in order for an area to be designated. All the areas where we can prove alcohol-related crime and disorder have been mapped and are attached as appendix 1. There are details in this appendix of incidents relating to individual premises and it is therefore exempt information within paragraph 14 of the Local Government Act 1972.
- 2.5 Before making an Order the Council must publish in a local newspaper circulating in the area, a notice identifying the area to which the Order will relate setting out the effect of the Order and inviting representations as to whether or not the Order should be made. No Order can be made until at least 28 days after the publication of the notice.
- 2.5 After making the Order and before it takes effect, the Council must publish a notice in the local newspaper identifying the area to which the Order will relate setting out the effect of the Order and indicating the date on which it will take effect.
- 2.6 Before an Order can take effect, the Council must erect such signs as they consider sufficient to draw the attention of members of the public to the effect of the Order.

- 2.7 This power was introduced originally in Liverpool City Centre's Gold Zone to reduce the high number of serious woundings caused when beer bottles and glasses were being carried between alcohol licensed premises.
- 2.8 The power was introduced in Leamington Spa town centre principally to tackle the problems caused by the habitual drunkards that the former bye law had failed to do. There were next to no serious woundings but the new power has been successful in that every person approached to date by a police officer has complied.
- 2.9 The top 3 priorities for local people in the consultation on the Audit of Crime, Disorder & Drugs Misuse and the 2005-08 Crime, Disorder and Drugs Misuse Strategy are:
- Violent crime
 - Anti Social Behaviour
 - Fear Of Crime
- 2.10 This adoptive power would have a positive impact on violent crime and would reduce anti social behaviour particularly in our open spaces. Not all the youths causing concern in our open spaces are under 18 and this would give a new power of intervention to a Police Officer. Violent Crime and Anti Social Behaviour are both proven drivers of the Fear of Crime.
- 2.11 A draft order is attached as Appendix 2.
3. **POLICY AND BUDGET FRAMEWORK**
- 3.1 Community safety is a stated priority in the Corporate Strategy 2003 -2007 *Creating a safer environment (CO3)*.
- 3.2 External funding of £6000 has been secured from the Warwick District Crime & Disorder Reduction Partnership for notices, purchase and erection of signs. There are no budget implications for this authority.
4. **RECOMMENDATIONS**
- 4.1 The making of an order in the form attached be approved:
- 4.2 The officers be authorised to carry out the necessary procedure to bring the order into effect: and
- 4.3 If objections to the order are received, following the public notice, a further report be submitted to the Committee.

Pete Cutts
Community Safety Manager

BACKGROUND PAPERS

Regulatory Reports: Criminal Justice and Police Act 2001 – 10 June 2002
Criminal Justice and Police Act 2001 – 15 January 2004

2004 Audit of Crime, Disorder & Drugs Misuse

Letters of support

Areas in District Affected: Kenilworth Warwick Whitnash and Budbrooke

Key Decision: Yes

Included in Forward Plan: Yes

For further information about this report please contact:

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