

Haringey Council

Agenda item:

[No.]

General Purposes Committee

On 29th March 2010

Report Title: Order Designating Public Places as Controlled Areas for Drinking in Public

Report of: Niall Bolger Director of Urban Environment

Signed : *N Bolger* 18<sup>th</sup> March 2010.

Contact Officer : Robert Curtis Service Manager Street Enforcement Team

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Wards(s) affected: St Ann's ward

Report for: Key Decision

**1. Purpose of the report (That is, the decision required)**

1.1 This report seeks approval for a proposed extension of street drinking controls for the Police through adoption of new controlled areas in respect of alcohol consumption in public places, as defined by sections 12-13 of the Criminal Justice & Police Act 2001. The report confirms the findings of a review of identified problem areas and formal consultation on the proposed extension.

**2. State link(s) with Council Plan Priorities and actions and /or other Strategies:**

- 2.1 Street drinking controls contribute to the achievement of priority two of the Council's five priorities which are creating " A Better Haringey: Cleaner, Greener and Safer
- 2.2 Designated Street Drinking control zones support the Council's alcohol reduction strategy.
- 2.3 Designated Street Drinking control zones are part of the Anti Social Behaviour Strategy action plan to address the links between alcohol and anti social behaviour.

**3. Recommendations**

3.1. That Members note the evidence collated in relation to crime and disorder,

nuisance and anti social behaviour associated with street drinking locations in the proposed area and the responses to the formal consultation on the proposed Order to control alcohol consumption in the public places designated in the appendices 1, 2 and 3 of this report.

- 3.2 That Members confirm that they are satisfied that nuisance or annoyance to members of the public, or a section of the public, and disorder, are associated with the consumption of intoxicating liquor in the public places proposed for designation.
- 3.3 That Members make the proposed Order under section 13 of the Criminal Justice and Police Act 2001 identifying and designating the public places shown in the appendices 1, 2 and 3 of this report areas as areas for controlling the consumption of intoxicating liquor.
- 3.4 That Members agree to the Order taking effect in April 2010 after advance warning has been given in a local newspaper notice and appropriate street signage.

#### **4. Reason for recommendation(s)**

- 4.1 The Police Local Safer Neighbourhood Team contacted the Council and made the Street Enforcement Team aware that due to the current street drinking control zones in close proximity to Wickes store, displacement had occurred and street drinkers had moved to the proposed area causing anti social behaviour and nuisance to local residents.
- 4.2 Local ward councillors were informed by local residents and stakeholders that street drinkers were causing anti social behaviour in the proposed area. Local residents also informed Street Enforcement Team that alcohol related anti social behaviour had increased in the proposed area.
- 4.3 Street Enforcement Officers during the period November 2009 monitored the proposed area and had found evidence to support the view that alcohol related anti social behaviour had increased in the area due to street drinkers.
- 4.4 A formal consultation was carried out between 22<sup>nd</sup> January 2010 and 19<sup>th</sup> February 2010 with regard to the proposed area being formally designated as a street drinking controlled zone. From the consultation positive feedback was collated by Street Enforcement to support this proposal.

#### **5. Other options considered**

- 5.1 No other options have been considered for this report.

#### **6. Summary**

- 6.1 Appendix 1 evaluation report for proposed designated streets

- 6.2 Appendix 2 provides a map and details of the proposed roads for formal designation as Street Drinking Control Zones.
- 6.3 Appendix 3 provides a map showing St Ann's, Seven Sisters and Tottenham Green wards illustrating the position of the proposed area to current street drinking designated zones
- 6.4 Appendix 4 provides feedback from the formal consultation regarding the proposed designated areas.

## **7. Chief Financial Officer Comments**

- 7.1 The service confirms that there will be estimated costs for advertising and signage of £10,000 which will be contained within existing approved Enforcement Service 2010/11 budget.

## **8. Head of Legal Services Comments**

- 8.1 Sections 12-13 of the Criminal Justice and Police Act 2001 (CJA 2001) came into force in 2001. These provide Local Authorities with a discretionary power to restrict anti-social public drinking and they provide the police with the power to enforce this restriction. The maximum penalty is a fine of currently £500.
- 8.2 Alongside the CJA 2001, the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001 came into force. The Regulations were amended last year to avoid inconsistencies with the Licensing Act 2003 (S.I. 2007/806). These Regulations set out the procedures and consultation requirements to be followed by Local Authorities in designating public places for this purpose.
- 8.3 To make an order the Local Authority must be satisfied that public nuisance, annoyance or disorder has been associated with public drinking in the area concerned. In general terms the police will have the powers to prevent consumption of intoxicating liquor and power of arrest for non-compliance. This is a discretionary order-making power for the Council. Its enforcement will be at the discretion of the police.
- 8.4 The decision to make a street drinking control order is a non-executive function. Under the Council's Constitution this is within the remit of the General Purposes Committee (GPC). GPC has full authority to make the decision without further authorisation from full Council.

## **9. Head of Procurement Comments**

- 9.1 Comments of Head of Procurement are not required for this report.

## **10. Equalities & Community Cohesion Comments**

10.1 Street Drinking that causes anti social behaviour affects everyone who lives, works and visits a particular area. Specific groups who maybe adversely affected by this are the vulnerable and elderly. The review has identified that there is evidence that among men from some ethnic groups within Haringey, drinking outside is more of a social norm than it maybe for others. Enforcement activity here will therefore have a greater impact on these groups.

## **11. Consultation**

11.1 The Police Senior Management Team have been consulted. The Police sergeant that manages the local SNTs enforcing the proposed zones has been interviewed and consulted.

11.2 Haringey Advisory Group for Alcohol (HAGA) have been consulted regarding the evaluation implementation of Street Drinking Zones within Haringey.

11.3 Ward Councillors, residents and local service providers have been consulted as part of the evaluation process.

## **12. Service Financial Comments**

12.1 The service confirms that there will be estimated costs for advertising and signage of £10,000 which will be contained within existing approved Enforcement Service 2010/11 budget.

## **13. Use of appendices /Tables and photographs**

13.1 Appendix 1 - evaluation report of proposed area carried out by Street Enforcement team.

13.2 Appendix 2 - a map and details of the proposed roads for formal designation as Street Drinking Control Zones

13.3 Appendix 3 - a map showing St Ann's, Seven Sisters and Tottenham Green wards illustrating the position of the proposed area to current street drinking designated zones

13.4 Appendix 4 - feedback from the formal consultation regarding the proposed designated areas

## **14. Local Government (Access to Information) Act 1985**

14.1 Consultation responses from Police SNT's.

14.2 General Purposes Committee report and minutes for 29<sup>th</sup> March 2010.

## Street Drinking Survey – Highlighted Areas

### St Ann's Ward

2. Area including: - Grove Road, Culvert Road, Victoria Crescent, Braemar Road, Edgecot Grove, Russell Road, Kerswell Close, Oulton Road, Cissbury Road, South Grove, Avenue Road, Newsam Avenue.

Originally Proposed by: - Not proposed

Reason for non inclusion: - Not proposed

Highlighted by: - SNT Sgt Nicholas Day (email) - 31<sup>st</sup> January 2008  
 Cllr Catherine Harris (email) – 12<sup>th</sup> February 2008  
 SNT Sgt Tim Hannah / PC Nick Povey (email) – 7<sup>th</sup> August 2009

*Urinating*

*Alcohol Litter*

*Drugs*

*ASB: Dogs*

*Defecation*

*Noise*

*Solicitation*

*Fighting*

*Intimidation*

*Aggressiveness*

*Street Drinking*

Days visited:

**Thursday 12<sup>th</sup> November 2009, 18:00 hours;** Area very quiet due to heavy rain. Some alcohol litter.

**Wednesday 18<sup>th</sup> November 2009, 13:00 hours;** Two males seated on Culvert Road drinking alcohol. Both seemed drunk and were intimidating. Some sign of alcohol litter.

**Thursday 19<sup>th</sup> November 2009, 12:30 hours;** Area quiet, some alcohol litter.

**SCHEDULE  
PUBLIC PLACES TO BE DESIGNATED BY THE ORDER**

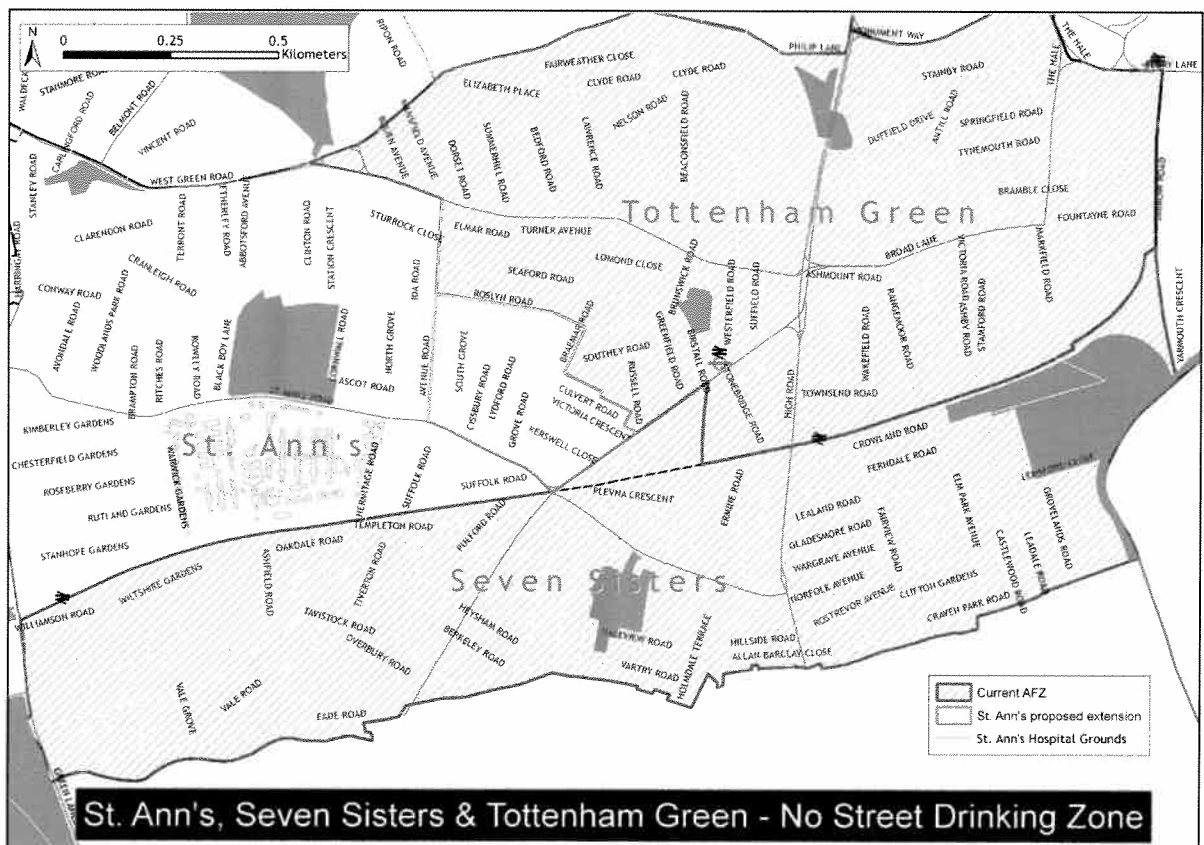
**St Ann's Ward**

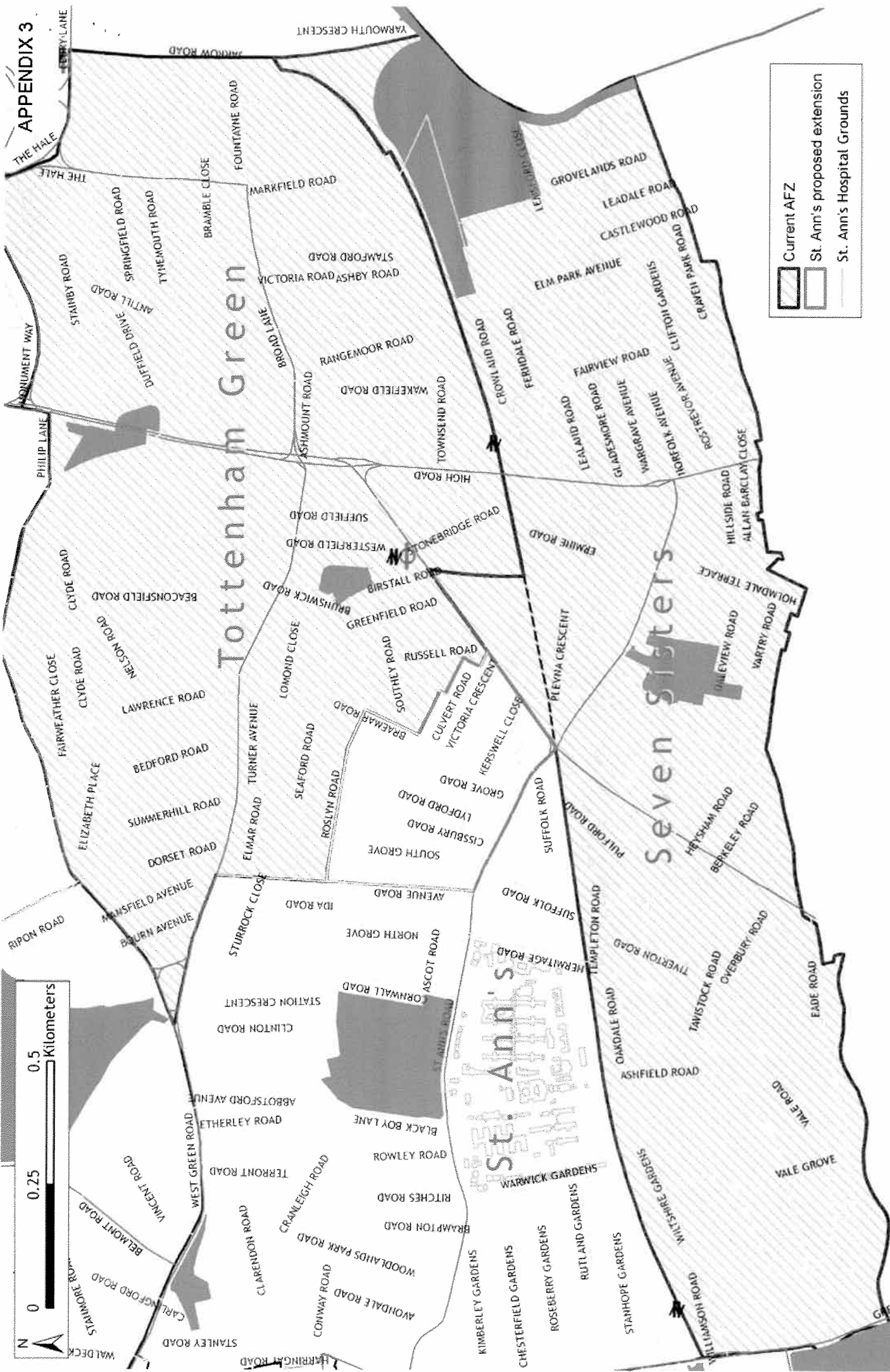
- **Public Highways**

AVENUE ROAD, BRAEMAR ROAD, CISSBURY ROAD, CULVERT ROAD, EDGEWATER GROVE, GROVE ROAD, KERSWELL CLOSE, LYDFORD ROAD, NEWSAM AVENUE, OULTON ROAD, ROSLYN ROAD, RUSSELL ROAD, SOUTH GROVE, VICTORIA CRESCENT

- **Public Rights of Way**

ALLEYWAY BETWEEN VICTORIA CRESCENT AND CULVERT ROAD





-  Current AFZ
-  St. Ann's proposed extension
-  St. Ann's Hospital Grounds

**St. Ann's, Seven Sisters & Tottenham Green - No Street Drinking Zone**

		COMMENTS ON THE PROPOSAL		
TOTAL NUMBER CONSULTED	60	YES	NO	MAYBE
TOTAL RESPONDANTS	6	6	0	0
PERCENTAGE OF RESPONDANTS	10%	10%	0	0
COMMENTS				
<p>Many thanks for your letter dated 22nd January. Through my work as the safer neighbourhood's sergeant for St Ann's ward responsible for the areas highlighted, I wholeheartedly support this application process. I firmly believe that the introduction of this power would provide not just my team, but police on the whole with a vital tool in tackling anti social behaviour linked to street drinking. As a team, we currently have a set priority linked to alcohol and anti social behaviour and so clearly this power would be a powerful tool in our arsenal to assist us meeting the expectations of the public, especially in the areas specified. Thank you for your continued support.</p> <p><b>Tim Hannah St Anns Safer Neighbourhood Sergeant</b></p> <p>Thank you for your letter dated 22nd January, I can confirm that I support this application process and would see the introduction of this power as a vital tool in tackling anti social behaviour linked to street drinking in the roads identified in the consultation documents you have sent me. In reaching my decision to support this application, I have sought the views of the local St Ann's Safer Neighbourhoods Team, who would be at the forefront in our use of these powers. This team currently have public set priorities linked to alcohol and anti social behaviour; this power would therefore further enhance their ability to tackle these important issues. Thank you for your continued support.</p> <p><b>Jon Williams Chief Inspector</b></p> <p>I am in agreement with the proposal and have no additional comments to add.</p> <p><b>Dave Grant</b> <b>Chief Superintendent</b></p> <p>Cllr Harris agrees, <b>Cllr Bob Harris</b></p> <p>I have lived in Edgocot since 1995 and the place is a good place to reside but, the problems we have been having for a number of years is the constant drinking of people and drunken behaviour is a huge problem. We are not able to use the local shops as the drunks are always there all day and into the evening. We have to put up with abuse and loud music with constant swearing from these men. I do hope that this matter can be resolved and it will send out a clear message that we as residents do not have to put up with sort of anti-social behaviour. A number of residents in this area are afraid to go out from midday onwards as the abuse starts to be a constant problem. Please enforce this no drinking ban as the police are doing all they can but the time has now come for action by the council. If there is any more information you need then please contact me.</p> <p><b>Yvonne Denny Edgocot Road Residents Association</b></p> <p>It is the opinion of my wife and I that the proposed extension of the street drinking zone into the St Ann's area (as indicated on the map) should go ahead. As residents of Edgocot Grove and committee members of the Edgocot Grove Residents Association we are particularly concerned about the area around the shops on the ground floor of our building. When we first moved here in September 2005 we noticed that a small group of men frequently congregated in front of the mini-market which includes an off licence. This group often had cans of drink held in paper bags so that passers-by couldn't clearly see them. We assumed they were alcoholic. The behaviour of the men seemed to us to indicate this.</p> <p>They often played very loud recorded music for many hours, sometimes well into the night, but no one appeared to be prepared to confront them. Our flat is well away from this area so the noise did not affect us. The men were never rude to us as senior citizens but young women were obviously embarrassed by their attention. Then one of the men (George Weeks) was given an anti-social behaviour order which prevented him from coming into the area. The rest of the group drifted away and we had a period when it was pleasant for anyone to go to the shops.</p> <p>That all changed when the order came to an end. The group then returned and the estate has been experiencing similar anti- social behaviour to before and the police do not have the means to control this situation. The degree of anti-social behaviour has decreased during the very cold weather for obvious reasons but we expect it will increase again as spring and summer arrive. Regarding the Residents' Association, my wife as the secretary has received numerous complaints which have been reported and must have played a part in this extension being requested. There are residents who will not let their teenage daughters use the front exit of the building unaccompanied, husbands who complain about the group's comments to their wives, and young women who 'hate living here' because of their suggestive and offensive language. We believe that a drinking prohibition will be helpful to the police in dealing with this situation. Please accept our apology for the delay in responding to your e-mail but our broad band has been out of action for a couple of days.</p> <p><b>Roy Goodhew &amp; Anne Goodhew</b></p>				