

**Decision No 2013/16**



**REPORT TO:** POLICE AND CRIME COMMISSIONER FOR LANCASHIRE

**REPORT BY:** STEVE SOUTHWORTH, ADMINISTRATIVE ASSISTANT

**DATE:** 28<sup>TH</sup> AUGUST 2013

**TITLE:** EARLY MORNING ALCOHOL RESTRICTION ORDER, BLACKPOOL BOROUGH COUNCIL

Appendices 'A' and 'B' refer

## **EXECUTIVE SUMMARY**

Blackpool Borough Council proposes to make an Early Morning Alcohol Restriction Order (EMRO) under Schedule 172A of the Licensing Act 2003.

As part of the consultation process, the Police and Crime Commissioner (PCC) has submitted a representation in support of the proposal.

A Hearing into the proposed Order has been arranged for the 4<sup>th</sup> and 5<sup>th</sup> September, 2013, at the Town Hall, Blackpool, and the PCC has been requested to attend the Hearing.

## **RECOMMENDATION**

That the PCC authorise the attendance of the Deputy Commissioner and / or Chief Executive at the Hearing into the Early Morning Alcohol Restriction Order (EMRO) made by Blackpool Borough Council under Schedule 172A of the Licensing Act 2003, and give evidence on behalf of the PCC in support of the representation previously made.

## **Decision taken by the Police and Crime Commissioner for Lancashire:**

<b>Original decision, as set out in the attached report, approved without amendment</b> (please delete as appropriate)	<b>YES</b>	<b>NO</b>
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**Original decision required to be amended and decision as detailed below:**

**The reasons for the amended decision are as detailed below:**

**Police and Crime Commissioner: Comments**

**DECLARATIONS OF INTEREST**

The PCC is asked to consider any personal / prejudicial interests he may have to disclose in relation to the matter under consideration in accordance with the law, the Nolan Principles and the Code of Conduct.

**STATEMENT OF COMPLIANCE**

The recommendations are made further to legal advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation.

<b>Signed:</b>  <b>Police and Crime Commissioner</b>  <b>Date:</b>	<b>Signed:</b>  <b>Chief Officer:</b>  <b>Date:</b>
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<b>Signed:</b>  <b>Chief Constable</b>  <b>Date:</b>	<b>Signed:</b>  <b>Chief Finance Officer:</b>  <b>Date:</b>
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## Background

Blackpool Borough Council proposes to make an Early Morning Alcohol Restriction Order (EMRO) under Schedule 172A of the Licensing Act 2003.

Lancashire Constabulary has provided evidence about high levels of crime and disorder in the proposed area attributable to the supply of alcohol in that area and it is believed that the creation of an EMRO would be appropriate for the promotion of the licensing objectives.

The effect of an EMRO would be that any premises licence, club premises certificate or temporary event notice in the area in relation to which the Order applied would not have effect to the extent that it authorises the sale or supply of alcohol between 03.00 – 06.00 hours. The proposed Order would apply seven days a week with the exception of Christmas Day and New Years Day until such time as it is revoked or amended.

The proposed EMRO would apply to all or part of Queen Street/Queens Square, Springfield Road, Promenade (from alleyway north of Coral Island to Banks Street including North Pier), Bank Hey Street, Market Street, Dickson Road, Talbot Road, West Street, Corporation Street, Abingdon Street, The Strand, High Street, Adelaide Street, Heywood Street and Victoria Street.

The Police and Crime Commissioner (PCC) has (24<sup>th</sup> July, 2013) submitted a representation in support of the EMRO, on the grounds that it will reduce crime and disorder, improve public safety and reduce public nuisance, in both the EMRO and surrounding areas.

A copy of the PCC's formal representation to the proposal is attached at Appendix 'B'.

The PCC has now been informed that a Hearing into the proposal is scheduled to be held on the 4<sup>th</sup> and 5<sup>th</sup> September, 2013, at the Town Hall, Blackpool, and the PCC has been requested to attend to give evidence in support of the representation previously made.

The PCC is, therefore, requested to authorise the attendance of the Deputy Commissioner and / or Chief Executive at the Hearing into the Early Morning Alcohol Restriction Order (EMRO) made by Blackpool Borough Council under Schedule 172A of the Licensing Act 2003, and give evidence on behalf of the PCC in support of the representation previously made.





**Representations about a proposal to make an Early Morning Alcohol Restriction Order under section 172A of the Licensing Act 2003**

A responsible authority or any other person can make representations to a licensing authority about its proposal to make an early morning alcohol restriction order.

(Please read guidance note 1)

A responsible authority or any other person may make representations during the 42 day period from the day after the day on which the proposal is advertised.

**Part 1 – Personal Details**

I am: (please tick as appropriate)

- An individual or body which is not a responsible authority
- A responsible authority

Name:

Clive Grunshaw, Police and Crime Commissioner for Lancashire

Responsible authority (if relevant):

Address:

Office of the PCC for Lancashire  
PO Box 653  
Preston  
Postcode: PR2 2WB

**Part 2 – Representations**

Please describe the early morning alcohol restriction order in relation to which you are making representations.  
(Please read guidance note 2)

Description of area (postal addresses, ordnance survey map references or description)

All or part of Queen Street/Queens Square, Springfield Road, Promenade (from alleyway North of Coral Island to Banks Street including North Pier), Bank Hey Street, Market Street, Dickson Road, Talbot Road, West Street, Corporation Street, Abingdon Street, The Strand, High Street, Adelaide Street and Victoria Street.

Please state clearly, in the relevant box below, the evidence on which you intend to rely in support of your representations and what the likely effect of the proposal to make the order will have on the promotion of the licensing objectives.

A relevant representation must be about the likely effect of the making of the order on the promotion of the licensing objectives. Those making representations may provide evidence in relation to one of more of the licensing objectives.

The prevention of crime and disorder

I am the Police and Crime Commissioner for Lancashire. I am elected to represent the views of the Public in matters concerning policing and crime. Under the Police Reform and Social Responsibility Act, I am charged with the responsibility for the totality of policing in Lancashire and also for setting out my priorities in a Police and Crime plan.

I am responsible for holding the Chief Constable accountable for the delivery of the effective and efficient policing in Lancashire. It is my responsibility to set the strategic direction of the force and ensure that I am accountable to the public, setting the Policing priorities to meet local needs and holding the Chief Constable to account.

Priorities within the Police and Crime Plan <http://www.lancashire-pcc.gov.uk/Transparency/Plans,-Priorities-and-Progress/The-Police-and-Crime-Plan.aspx>, include targeted initiatives to tackle crime and reoffending, this means that tackling violent crime especially where it is linked to the night time economy, and ensuring swift and effective response to reports of anti-social behavior and ensure the domestic abuse services are a priority.

It is also a priority to champion the rights of victims and to reduce the number of victims by preventing crime and disorder.

I believe that the Early Morning Restriction Order (EMRO) will reduce crime and disorder in both the EMRO area itself and within the surrounding area. It is clear that there is a disproportionate amount of violent crime within the EMRO area which occurs within the NTE with offences being committed between 3am and 6am showing a rising trend, especially so in relation to serious violent crime. Alcohol play a key part in the majority of the crimes associated with the NTE.

Each crime reported results in a victim who suffers either emotional or physical harm and requires investigation and treatment by the emergency services. This places increased demand on already stretched resources.

Public safety

It is my belief that the EMRO will improve the public's safety in both the designated EMRO area and in the surrounding streets by reducing the levels of intoxication post 3am by restricting the sale of alcohol to persons who are already intoxicated.

The public should be able to walk through Blackpool without being put in fear of both verbal and physical abuse by groups of heavily intoxicated people.

Vulnerable people, especially females are particularly at risk of being targeted due to their intoxication.

I believe that a partnership approach to public safety building on the excellent work already taking place in Blackpool means that it is important to look not just at tackling the effects of problems with public safety but that responsible authorities need to look at their powers to take action to eliminate known safety issues.

### The prevention of public nuisance

As previously stated, it is a community priority, within the police and crime plan to make sure that there is a swift and effective response to reports of anti-social behaviour.

Public nuisance linked to alcohol is a problem and I believe that an EMRO will reduce public nuisance in both the EMRO area itself and in the surrounding area by reducing levels of drunk, disorderly and rowdy behaviour in the early hours of the morning.

The EMRO area experiences a disproportionate amount of incidents reported, including for the subcategories of Emergency Response and ASB incidents which occur in the NTE and especially between 3am and 6am.

The residents of Blackpool who live in or near to the designated area should be able to live a quiet and peaceful life and go about their lawful business without being disturbed by drunken and abusive behaviour.

I have been impressed by work that I have seen in other areas such as in Melbourne, Australia, where changes to increase the number of non alcohol based activities available as part of the night time economy has had an impact on public nuisance and community safety issues.

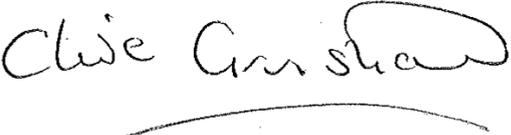
### The protection of children from harm

The designated area of the application and immediately adjacent to it encompasses a number of hotels and residential premises. Children are being affected by experiencing nuisance in and within the immediate vicinity of their hotel rooms from rowdy behaviour in the street, witnessing rowdy behaviour in the town centre in the early morning and encountering it at the hospital when attending for treatment.

### Part 3 – Declaration

I believe that the facts and matters described above are true to the best of my knowledge and belief.

Signed:



Clive Anshar

Date:

24<sup>th</sup> July 2013

### Notes for guidance

1. A responsible authority is a body listed in sections 13(4) and 69(4) of the Licensing Act 2003. This order would enable the licensing authority to restrict the sale of alcohol in the specified area during the specified period, if the licensing authority considers it appropriate for the promotion of the licensing objectives.

2. It is possible that a licensing authority may propose to make more than one early morning alcohol restriction order ("EMRO") in its area. You may wish to replicate the description of the geographical area of the EMRO which the licensing authority has included in the proposed order.
3. A licensing authority proposing to make an EMRO must hold a hearing to consider any relevant representations, unless the authority and each person who has made such a representation agree that a hearing is unnecessary.

Representations must be made no later than **Thursday 25<sup>th</sup> July 2013**.

Representations must be returned to the address below or can be emailed to [licensing.la2003@blackpool.gov.uk](mailto:licensing.la2003@blackpool.gov.uk)

Blackpool Council Licensing Service

PO Box 4

Municipal Buildings

Blackpool

FY1 1NA

If you have any queries concerning the consultation please call the licensing team on 01253 478518