

**MINUTES of the meeting of Licensing Committee held on 26 July 2011 at 7.00pm.**

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- Present:** Councillors Mike Stone (Chair), Tunde Ojetola (Vice-Chair), Wendy Curtis, Angie Gaywood, Robert Gledhill, Sue Gray, James Halden (substitute for Garry Hague), Victoria Holloway, Tom Kelly, Ben Maney, Gerard Rice and Simon Wootton (substitute for Pauline Tolson)
- Apologies:** Councillor Garry Hague, Ian Harrison and Pauline Tolson
- In attendance:** Lucy Magill - Head of Public Protection  
Jim Nicolson – Community Protection Manager  
Jamie Hollis – Legal Services  
Victoria Freeman – Senior Democratic Services Officer
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**10 MINUTES**

The minutes of the Meeting of the Licensing Committee held on 15 June 2011 and the Extraordinary Meeting of the Licensing Committee on the 11 July 2011, were approved as a correct record.

**11 ITEMS OF URGENT BUSINESS**

The Chair advised that there were no items of urgent business.

**12 DECLARATIONS OF INTEREST**

There were no such declarations.

The Chair informed that Committee that Item 6 on the agenda would be taken next.

**13 DESIGNATED PUBLIC PLACE ORDER THROUGHOUT THE BOROUGH OF THURROCK**

Prior to presenting the report, the Community Protection Manager advised Members that Items 4, 5 and 6 on the agenda were in response to a motion to Full Council requesting that Designated Public Place Orders (DPPOs) be investigated with Essex Police in relation to Little Thurrock rectory and the Flowers Estate, South Ockendon, and a further suggestion to investigate the possibility of a Borough-wide DPPO.

Members were advised that considerable time had been taken in partnership with local police to try and secure the evidence to support the proposals to introduce DPPOs in Flowers Estate, Little Thurrock Rectory and Borough-wide

The Community Protection Manager explained to Members that DPPOs were intended to provide an over-arching background power to other powers already in place to deal with alcohol consumption in public and these included:

- Confiscation of alcohol from under 18's (Under 16's were taken home).
- Power to search and seize alcohol.
- S30 Dispersal Orders as short-term measure to deal with anti-social behaviour hotspots, giving powers to direct people to leave a specified area if concerned they would engage in anti-social behaviour.
- General drunk/disorderly and public order offences.

Furthermore, it was explained to Members that sufficient evidence of anti-social behaviour or nuisance was needed to justify a DPPO and that a DPPO was aimed at dealing with anti-social behaviour and nuisance and not street-drinking per se; and that a DPPO did not create an alcohol-free zone and that individuals were quite at liberty to walk through an area with a DPPO drinking alcohol, as long as the individual did not engage in anti-social behaviour or cause any other form of nuisance.

Members were advised that in an area with a DPPO, Police and Police Community Support Officers (PCSOs) can require anyone drinking alcohol and who is causing anti-social behaviour or nuisance to stop drinking and / or hand over alcohol, and can also issue a Fixed Penalty Notice of £50 and if the individual does not provide their personal details, then they could be arrested and fined up to £500. However, to enable this to be effective, it would be necessary to have the support of the police, but Members were advised that police support was not forthcoming, although police support was in place for the DPPOs already in place in Thurrock (Corringham Town Centre, Stanford le Hope, Aveley Village and Grays Town Centre).

The Community Protection Manager informed Members that DPPOs were due to be replaced shortly by Community Protection Orders, which were expected to be in place by October 2011.

The resolution of the Council motion was read out at the meeting:

*“That the Head of Public Protection be requested to investigate, in partnership with Essex Police, the appropriateness of making a Designated Public Place Order (also known as an ‘alcohol free zone’) to cover South Ockendon and Little Thurrock Rectory in order to*

*address alcohol related anti social behaviour as and when it occurs and that a report be prepared for the Public Protection Committee to advise Full Council on this matter.”*

There was confusion why the resolution had quoted that a Designated Public Place Order was also known as an alcohol free zone, and were advised that this was a phrase used and that a DPPO did not create an alcohol free zone.

Members questioned whether it would be possible for Thurrock Council's enforcement officers to be accredited to confiscate alcohol and were advised that accreditation is a delegated power from the Police and that Essex Police were not currently looking into the possibility of this.

Councillor Rice proposed the recommendation as contained within the report. This was duly seconded by Councillor Gledhill and upon being put to the vote, was unanimously agreed by Members.

**RESOLVED:**

**That the Committee agreed not to initiate consultation on the implementation of a Borough-wide Designated Public Place Order at this time.**

**14 APPLICATION TO IMPLEMENT A DESIGNATED PUBLIC PLACE ORDER IN THE LITTLE THURROCK RECTORY WARD**

The Community Protection Manager presented a report to the Committee on the proposed implementation of a consumption of alcohol Designated Public Place Order (DPPO) in the Little Thurrock Rectory Ward and recommended to Members that the Committee agree not to initiate consultation on the implementation of a Designated Public Place Order in the Little Thurrock Rectory Ward at this time.

Members were advised that there was a typographical error at paragraph 6.2 on page 17 of the agenda, whereby 'Borough-wide' should be replaced with 'Little Rectory'.

Members were concerned that the statistics provided had not capsulated those complaints logged by elected members, and were advised by officers that many complaints were not recorded by police under anti-social behaviour.

The legal advisor informed Members that there should be a solid evidence base to justify proceeding with consultation and potential imposition of one or more DPPOs, given the costs associated with the process. It was suggested to Members that if they felt the evidence presented to them was not a true reflection of the behaviour in the relevant areas, it may be appropriate to revert to the evidence

gathering stage rather than proceeding directly to consultation. The success of any DPPO was also contingent upon adequate support from the local police, who would ultimately enforce any such orders.

The Head of Public Protection informed Members that 'Operation Pitstop' had recently taken place in Lodge Lane, whereby a number of test purchases had been undertaken and that a dispersal order, a tool that dealt with a specific problem at a certain time, had been implemented in Lodge Lane.

Councillor Gledhill, Ward Member for Little Thurrock Rectory, advised Members that Lodge Lane and the Dipping, Delafields Park and the Village Green, Little Thurrock were key hotspots for antisocial behaviour in the area and proposed that:

'The Committee agree to initiate consultation on the implementation of a Designated Public Place Order in Lodge Lane and the Dipping, Delafields Park, The Village Green, Little Thurrock and Blackshots Field'.

The reason provided for including Blackshots Field in the proposal was that if a DPPO was implemented in Lodge Lane and the Dipping, individuals would disband to Blackshots Field.

The proposal was duly seconded by Councillor Kelly and upon being put to the vote, it was agreed that the proposal be carried.

**RESOLVED:**

**That consultation be initiated on the implementation of a Designated Public Place Order in Lodge Lane and the Dipping, Delafields Park, The Village Green, Little Thurrock and Blackshots Field.**

**15 APPLICATION TO IMPLEMENT A DESIGNATED PUBLIC PLACE ORDER FOR THE FLOWERS ESTATE, SOUTH OCKENDON**

Councillor Gledhill proposed that:

'The Committee agree to initiate consultation on the implementation of a Designated Public Place Order to cover the Flowers Estate'

The proposal was duly seconded by Councillor Ojetola and upon being put to the vote, it was agreed that the proposal be carried.

**RESOLVED:**

**That consultation be initiated on the implementation of a Designated Public Place Order to cover the Flowers Estate.**

**The meeting finished at 8.17pm**

Approved as a true and correct record

**CHAIRMAN**

**DATE**

**Any queries regarding these Minutes, please contact  
Victoria Freeman, telephone (01375) 652205,  
or alternatively e-mail [VEFreeman@thurrock.gov.uk](mailto:VEFreeman@thurrock.gov.uk)**