

Central Bedfordshire  
Council  
Priory House  
Monks Walk  
Chicksands,  
Shefford SG17 5TQ



**please ask for** Miss H Bell  
**direct line** 0300 300 4040  
**date** 6 October 2009

## **NOTICE OF MEETING**

### **REGULATION COMMITTEE**

Date & Time

**Wednesday, 14 October 2009 at 9.30 a.m.**

Venue at

**The Council Chamber, Priory House, Chicksands**

Edwina Grant  
**Acting Chief Executive/  
Deputy Chief Executive &  
Director of Children,  
Families & Learning**

To: The Chairman and Members of the REGULATION COMMITTEE:

Cllrs L Birt (Chairman), T Green (Vice-Chairman), D Bowater, I Dalgarno, M Gibson, K Janes, H J Lockey, Ms J Nunn, A A J Rogers, J A G Saunders, G Summerfield and P F Vickers

[Named Substitutes:

P N Aldis, R D Berry, Ms C Maudlin, D McVicar, B J Spurr and Mrs C Turner]

All other Members of the Council - on request

**MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS  
MEETING**

# AGENDA

## 1. **APOLOGIES FOR ABSENCE**

Apologies for absence and notification of substitute members.

## 2. **MINUTES**

To receive and sign the Minutes of the meeting of the Regulation Committee held on 15 July 2009.

## 3. **MEMBERS' INTERESTS**

To receive from Members declarations and the **nature** thereof in relation to:-

- (a) Personal Interests in any Agenda item
- (b) Personal and Prejudicial Interests in any Agenda item

## 4. **CHAIRMAN'S ANNOUNCEMENTS**

To receive any announcements from the Chairman and any matters of communication.

## 5. **PETITIONS**

To receive petitions in accordance with the scheme of public participation set out in Annex 2 in Part 4 of the Constitution.

## 6. **PUBLIC PARTICIPATION**

To deal with general questions and statements from members of the public in accordance with paragraph 1 of the scheme of public participation set out in Appendix 1 to Part 4 of the Constitution.

## 7. **STATEMENT OF POLICY ABOUT RELEVANT CONVICTIONS**

A copy of the statement of policy about relevant convictions is attached to assist Members in relation to items 8 – 10.

## ITEMS FOR CONSIDERATION IN PUBLIC

REPORTS
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Item	Subject	Page Nos.
8	<b>Alcohol Designation Order - Shefford</b> The report proposes to inform the Regulation Committee of the progress and further steps required for a Designation Order in Shefford.	* 15 - 26
9	<b>Prohibiting the Consumption of Alcohol in Designated Public Places - Arlesey</b> The report proposes to inform the Regulation Committee of the progress and further steps required for a Designation Order in Arlesey.	* 27 - 46

### Exclusion of Press and Public

To consider whether to pass a resolution under section 100A of the Local Government Act 1972 to exclude the Press and Public from the meeting for the following item of business on the grounds that the consideration of the item is likely to involve the disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act.

### ITEM LIKELY TO BE CONSIDERED FOLLOWING THE EXCLUSION OF THE PUBLIC

REPORTS
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Item	Subject	Exempt Para.	Page Nos.
10	<b>Conviction of Licensed Hackney Carriage / Private Hire Driver</b> To make a decision to permit Mr Frederick Butler Leigh, a licensed Hackney Carriage / Private Hire Driver to continue to be licensed in view of his criminal conviction.	* 1	47 - 56
11	<b>Application for Grant of Hackney Carriage / Private Hire Driver's Licence</b> To make a decision on the application to Grant a Hackney Carriage / Private Hire Driver's Licence to Mr Sayed Javed Hashimi.	* 1	57 - 66

- |    |  |     |          |
|----|--|-----|----------|
| 12 | <b>Application for Grant of Hackney Carriage / Private Hire Driver's Licence</b><br>To make a decision on the application to Grant a Hackney Carriage / Private Hire Driver's Licence to Mr Piran Ditta. | * 1 | 67 - 82  |
| 13 | <b>Application for Grant of Hackney Carriage / Private Hire Driver's Licence</b><br>To make a decision on the application to Grant a Private Hire Driver's Licence in respect of Mr Ian James Alexander. | * 1 | 83 - 96  |
| 14 | <b>Application for Grant of Hackney Carriage Driver's Licence</b><br>To make a decision on the application to grant a Hackney Carriage Driver's Licence in respect of Mr Mohammed Kamran.                | * 1 | 97 - 110 |

15. **SPECIAL REGULATION MEETING**

To propose the holding of a Special meeting of the Regulation Committee on Wednesday 13 January 2010 to receive a report on the Taxi Licensing Policy.

**CENTRAL BEDFORDSHIRE COUNCIL**

At a meeting of the **REGULATION COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 15 July 2009

**PRESENT**

Cllr L Birt (Chairman)  
Cllr T Green (Vice-Chairman)

Cllrs D Bowater  
I Dalgarno  
M Gibson  
K Janes

Cllrs H J Lockey  
Ms J Nunn  
A A J Rogers  
G Summerfield

Apologies for Absence: Cllrs J A G Saunders  
P F Vickers

Substitutes: Cllrs Ms C Maudlin (In place of P F Vickers)

Members in Attendance: Cllrs ,  
P N Aldis

Officers in Attendance: Mrs C Bell – Team Leader Public Protection  
Mrs M Clampitt – Democratic Services Officer  
Mr A Fraser – Licensing Enforcement Officer  
Mrs M James – Licensing Officer  
Mr M Woolsey – Principal Solicitor

REG/09/1 **Minutes**

**RESOLVED**

***that the Minutes of the meeting held on 6 May 2009 be confirmed and signed by the Chairman as a correct record.***

REG/09/2 **Members' Interests**

(a) **Personal Interests:-**

None.

(b) **Personal and Prejudicial Interests:-**

None.

REG/09/3 **Chairman' s Announcements**

The Chairman referred to the composition of the Licensing Sub Committee following a request for there to be more than one sub committee. The principle of all 12 members forming a pool from which the sub committee would be drawn was supported. The Democratic Services Officer could then contact all 12 members and the first three available members would serve on the respective hearing.

It was suggested that this proposal could be referred to the Constitutional Advisory Group.

REG/09/4 **Petitions**

The Chairman announced that no petitions had been referred to this meeting.

REG/09/5 **Public Participation**

No applications had been received in accordance with the Scheme of Public Participation set out in Paragraph I of the Scheme of the Public Participation set out in Annex I to Part 4 of the Constitution.

REG/09/6 **Statement of Policy About Relevant Convictions**

The Committee were advised that the Statement of Policy about Relevant Convictions was attached to the agenda for information and guidance at item 7.

REG/09/7 **Suspension of Hackney Carriage & Private Hire Driver's Licences**

The Committee received and considered the report of the Licensing Enforcement Officer concerning the suspension of a Hackney Carriage Licence No. 786 & Private Hire Driver's Licence No. 433 issued by Central Bedfordshire Council (Zone B) in view of the offences declared by Bedford Magistrates Court.

A copy of the application form and supporting documents were attached as an appendix for Members information.

The applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private, the applicant and Officers were asked to withdraw whilst the Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

**RESOLVED**

- 1. that the application for a Hackney Carriage Licence No. 786 and Private Hire Drivers Licence No. 433 submitted by Mr N Hussain be revoked on the grounds of public safety and that he was not considered to be a “fit and proper” person to hold such a licence on the information provided during the meeting.**
- 2. that the applicant be informed in writing of his rights to appeal against this decision to the Magistrates Court and that the appeal must be made within 21 days of written notification of this decision.**

REG/09/8 **Application for Grant of Hackney Carriage / Private Hire Driver's Licence**

The Committee received and considered the report of the Licensing Officer concerning an application for grant of a Hackney Carriage/Private Hire Driver's Licence in respect of Mr A Ditta.

A copy of the application form and supporting documents were attached as an appendix for Members information.

The applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private, the applicant and Team Leader, Health & Safety & Licensing were asked to withdraw whilst the Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

**RESOLVED**

***that the application for a new Hackney Carriage/Private Hire Driver's Licence for Mr A Ditta be refused in this case, subject to the applicant being reminded of his responsibilities to comply with the conditions of the licence and that the Council has powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the licence at any time and that any further convictions could seriously affect continuation or renewal of the licence.***

REG/09/9 **Application for Grant of Hackney Carriage / Private Hire Driver's Licence**

The Committee received and considered the report of the Licensing Officer concerning an application for grant of a Hackney Carriage/Private Hire Driver's Licence in respect of Mr A Rahim.

A copy of the application form and supporting documents were attached as an appendix for Members information.

The applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private, the applicant and Team Leader, Health & Safety & Licensing were asked to withdraw whilst the Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

**RESOLVED**

- 1. that the application for a Hackney Carriage/Private Hire Driver's licence submitted by Mr Rahim be refused in this case under Paragraph 59 of the Local Government Miscellaneous provisions) Act 1976, as the Committee does not consider the Applicant to be a "fit and proper" person to hold such a licence on the information provided during the meeting.***
- 2. that the Applicant be informed in writing of his rights to appeal against this decision to the Magistrates Court and that the appeal must be made within 21 days of written notification of this decision.***

REG/09/10 **Application for Grant of Hackney Carriage / Private Hire Driver's Licence**

The Committee received and considered the report of the Licensing Officer concerning an application for grant of a Hackney Carriage/Private Hire Driver's Licence in respect of Mr A M B Zahoor.

A copy of the application form and supporting documents were attached as an appendix for Members information.

The applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private, the applicant and Officers were asked to withdraw whilst the Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

**RESOLVED**

***that the application for a new Hackney Carriage / Private Hire Driver's licence for Mr M B Zahoor be granted in this case, subject to the applicant being reminded of his responsibilities to comply with the conditions of the licence and that the Council has powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the licence at any time and that any further convictions could seriously affect continuation or renewal of the licence.***



REG/09/11 **Application for Grant of Hackney Carriage / Private Hire Driver's Licence**

The Committee agreed to defer consideration of the application to grant a Hackney Carriage/Private Hire Driver's Licence to Mr S Hashimi, following his non appearance at Committee.

**RESOLVED**

***that consideration of the application for a Hackney Carriage/Private Hire Driver's Licence for Mr S Hashimi be deferred to the next meeting of the Regulation Committee.***

REG/09/12 **Application for Grant of Hackney Carriage / Private Hire Driver's Licence**

The Committee received and considered the report of the Licensing Officer concerning an application for grant of a Hackney Carriage/ Private Hire Driver's Licence in respect of Mr S Ahmed.

A copy of the application form and supporting documents were attached as an appendix for Members information.

The applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private, the applicant and Officers were asked to withdraw whilst the Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

**RESOLVED**

***that the application for a new Hackney Carriage / Private Hire Driver's licence for Mr S Ahmed be granted in this case, subject to the applicant being reminded of his responsibilities to comply with the conditions of the licence and that the Council has powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the licence at any time and that any further convictions could seriously affect continuation or renewal of the licence.***

REG/09/13 **Application for Grant of Hackney Carriage / Private Hire Driver's Licence**

The Committee received and considered the report of the Licensing Officer concerning an application for grant of a Hackney Carriage / Private Hire Driver's Licence in respect of Mr N Rahman.

A copy of the application form and supporting documents were attached as an appendix for Members information.

In accordance with the procedures for hearings held in private, the applicant and Officers were asked to withdraw whilst the Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

**RESOLVED**

1. ***that the application for a Hackney Carriage/Private Hire Driver's licence submitted by Mr N Rahman be refused in this case under Paragraph 59 of the Local Government (miscellaneous provisions) Act 1976, as the Committee does not consider the Applicant to be a "fit and proper" person to hold such a licence on the information provided during the meeting.***
2. ***that the Applicant be informed in writing of his right to appeal against this decision to the Magistrates Court and that the appeal must be made within 21 days of written notification of this decision.***

**REG/09/14 Application for Grant of Hackney Carriage / Private Hire Driver's Licence**

The Committee received and considered the report of the Licensing Officer concerning an application for grant of a Hackney Carriage / Private Hire Driver's Licence in respect of Mr S U Chowdhury.

A copy of the application form and supporting documents were attached as an appendix for Members information.

In accordance with the procedures for hearings held in private, the applicant and Officers were asked to withdraw whilst the Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

**RESOLVED**

3. ***that the application for a Hackney Carriage/Private Hire Driver's licence submitted by Mr S U Chowdhury be refused in this case under Paragraph 59 of the Local Government (miscellaneous provisions) Act 1976, as the Committee does not consider the Applicant to be a "fit and proper" person to hold such a licence on the information provided during the meeting.***
4. ***that the Applicant be informed in writing of his right to appeal against this decision to the Magistrates Court and that the appeal must be made within 21 days of written notification of this decision.***

**REG/09/15 Conviction of Licensed Hackney Carriage / Private Hire Driver**

The Committee agreed to defer consideration of the application to renew a Hackney Carriage/Private Hire Driver's Licence to Mr F B Leigh, following his non appearance at Committee.

**RESOLVED**

***that consideration of the application for a Hackney Carriage/Private Hire Driver's Licence for Mr F B Leigh be deferred to the next meeting of the Regulation Committee.***

**REG/09/16 Conviction of Licensed Hackney Carriage / Private Hire Driver**

The Committee received and considered the report of the Licensing Officer concerning an application for renewal of a Hackney Carriage / Private Hire Driver's licence in respect of Mr S S A Shah.

A copy of the application form and supporting documents were attached as an appendix for Members information.

The applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private, the applicant and Officers were asked to withdraw whilst the Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

**RESOLVED**

***that the application for renewal of a Hackney Carriage / Private Hire Driver's licence for Mr S S A Shah be granted in this case, subject to the applicant being reminded of his responsibilities to comply with the conditions of the licence and that the Council has powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the licence at any time and that any further convictions could seriously affect continuation or renewal of the licence.***

(Note: The meeting commenced at 9.30 a.m. and concluded at 1.00 p.m..)

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# CENTRAL BEDFORDSHIRE COUNCIL

## STATEMENT OF POLICY ABOUT RELEVANT CONVICTIONS

1. Licences for drivers of hackney carriages and private hire vehicles may only be granted where the Council is satisfied that the applicant is a fit and proper person to hold such a licence.
2. The policy is intended to give guidance to applicants where he or she has previous convictions and or cautions.
3. The Council will endeavour to ensure:-
  - (a) That a person is a fit and proper person
  - (b) That a person does not pose a threat to the public
  - (c) That the public are safeguarded from dishonest persons
4. When submitting an application for a licence to drive a hackney carriage/private hire vehicle, applicants are required to declare all previous convictions they may have. Applicants are also required to declare all formal cautions and all endorsable fixed penalties together with details of all criminal matters of which they are currently subject of criminal investigation or prosecution.
5. Existing holders of driver licences are required to notify the Council, in writing, within seven days of receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions)
6. The information given will be treated in confidence and will only be taken into account in relation to the relevant application to assist the Council in determining whether the applicant is a fit and proper person to hold a driver's licence for the purposes of Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976.
7. Applicants should be aware that the Council is empowered by Law to check with the Criminal Records Bureau (CRB) for the existence and content of any criminal record held in their name. This Council abides by the CRB's Policy on the secure storage, handling, use, retention and disposal of disclosure information, which is available on request.
8. The disclosure of a criminal record or other information relating to criminal matters will not necessarily debar an applicant from obtaining a driver's licence. Whether or not an applicant will be granted a licence will depend upon whether or not the Council can be satisfied that the applicant is a fit and proper person to hold such a licence.
9. In accordance with current case law, the Council will not seek to go behind the convictions by reinvestigating the circumstances of the case or questioning the decision of the relevant judicial authority. It will be for

applicants to persuade the Council that the conviction is no longer serious, relevant, or is so old that it should not affect their ability to hold a licence.

10. The Council may fail to be satisfied that an applicant is a fit and proper person to hold a driver's licence for any good reason. If adequate evidence that a person is a fit and proper person is not received, or if there is good reason to question or doubt the evidence provided, it could amount to good reason to refuse a licence.
11. In considering evidence of an applicant's good character and fitness to hold a driver's licence, where previous convictions or other information relating to criminal matters are disclosed, the Council will consider the nature of the offence, when it was committed, the date of conviction, the applicant's age when the offence was committed and any other factors which might be relevant.
12. The Council is also entitled to use other records and information that may be available to it in determining applicants or an entitlement to continue holding a licence. This may include information held by the Council or other Councils, and information disclosed by the Police under the Home Office scheme for reporting notifiable offences.
13. Any applicant refused a driver's licence on the grounds that the Council is not satisfied that he or she is a fit and proper person to hold such a licence has a right of appeal to the Magistrates' Court within 21 days of the notice of refusal.
14. The Council has adopted the following guidelines relating to the relevance of convictions to which it refers in determining applications for drivers' licences.
15. The guidelines will also be taken into account by the Council when dealing with applications for the renewal of existing driver's licences and when considering whether to suspend or revoke an existing driver's licence.

## GENERAL POLICY GUIDELINES

1. Each case will be decided on its own merits.
2. The Council has a duty to ensure, so far as possible, that drivers are fit and proper persons to hold licences.
3. A person with a conviction for a serious crime need not be automatically barred from obtaining a licence but would normally be expected to (a) remain free of conviction for an appropriate period and (b) show adequate evidence that he or she is a fit and proper person to hold a licence. Simply remaining free of conviction will not generally be regarded as sufficient evidence that a person is a fit and proper person to hold a licence.
4. In some circumstances it may be appropriate to depart from the general policy, for example, where the offence is isolated and there are mitigating circumstances. Similarly, multiple offences or a series of offences over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour which will be taken into account.
5. The following examples afford a general guide on the actions which might be taken where convictions are disclosed.

### Offence of Dishonesty

- a. Drivers of hackney carriage and private hire vehicles are expected to be persons of trust. It is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare. A serious view is taken of any conviction for dishonesty. In general, an application less than 3 – 5 years after conviction is unlikely to be considered favourably.
- b. After 3 years the circumstances of the offence, together with any evidence demonstrating that the person is now a fit and proper person to hold a licence, will be taken into account.

### Violence

- a. As hackney carriage and private hire vehicle drivers maintain close contact with the public, a period of 3 to 10 years free of conviction for offences involving violence (depending on the nature and seriousness of the offence) will generally be required before an application is likely to be considered.

### **Drugs**

- a. An application will normally be refused where the applicant has a conviction for an offence related to the supply of drugs and the conviction is less than 5 – 10 years prior to the date of application.
- b. After 5 years the circumstances of the offence, together with any evidence demonstrating that the person is now a fit and proper person to hold a licence, will be taken into account.
- c. An application from an applicant who has an isolated conviction for an offence related to the possession of drugs within the last 3 to 5 years will require careful consideration of the facts.

### **Sexual and Indecency Offences**

- a. As hackney carriage/private hire vehicle drivers often carry unaccompanied passengers, applicants with a conviction for rape, indecent assault, or other similar offences will normally be refused a licence.
- b. Applicants with a conviction relating to sexual offences will normally be refused a licence until they can show a substantial period (usually between 3 and 10 years) free from any such conviction.

### **Motoring Convictions**

Disqualification.

- a. Where an applicant has been disqualified from driving because of a major traffic offence, the applicant will generally be refused unless a period of 3 years free from conviction has elapsed from the restoration of the DVLA licence, and 5 years where the disqualification relates to drink driving or a major traffic offence.
- b. Where several motor traffic offences have resulted in the applicant being disqualified from driving for a period of time, this will normally be taken as reflecting seriously on the applicant's driving standard. Generally a free from conviction must have elapsed from the restoration of the DVLA licence.
- c. In 'totting-up' cases where disqualification is considered by the Court, even if the court does not disqualify a driver (e.g. because of



exceptional circumstances), the Council is likely to refuse a hackney carriage/private hire driver's licence because different criteria apply and an applicant will normally be expected to show a period of 12 months free from conviction from the date the Court made its finding of exceptional circumstances justifying the non-disqualification.

#### Major Traffic Offences.

- a. An application will normally be refused where the applicant has a conviction for an offence within 2 years of the date of the application.
- b. More than one conviction for this type of offence within the last 5 years is likely to merit refusal.

#### Minor Traffic Offences.

- a. Isolated convictions for minor traffic offences should not prevent a person from obtaining a licence. However, the number, type and frequency of this type of offence will be taken into account and if there are several offences of this nature, the applicant will normally be expected to show a period free of conviction of at least 6 months.

### Drunkness

#### With a motor vehicle

- a. A serious view will be taken of convictions of driving or being in charge of a vehicle while under the influence of drink. An application will normally be refused where the applicant has a conviction for an offence within 2 years of the date of the application. More than one conviction for this type of offence or one such offence within the last five years is likely to merit refusal. Where a disqualification has occurred as a result of a drink-drive offence, at least 5 years free from conviction should elapse after the restoration of the DVLA licence before an applicant is considered for a licence.
- b. In addition, applications will normally be required to show a period of at least 5 years has elapsed after completion of detoxification treatment if she or he was an alcoholic.

#### Not in a motor vehicle.

- a. An isolated conviction for drunkenness need not debar an applicant from gaining a licence. In some cases, a warning may be appropriate. However, a number of convictions for drunkenness could indicate a medical problem necessitating critical examination and refusal of a licence. In addition, applicants will normally be required to show a period of at least 5 years has elapsed after completion of detoxification treatment if he or she was an alcoholic.

**Offences under the Town Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976 and Hackney Carriage Byelaws.**

One of the main purposes of the licensing regime set out in the Town Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976 ('the Acts') and Hackney Carriage Byelaws is to ensure the protection of the public. For this reason a serious view is taken of convictions for offences under the Acts (including illegally plying for hire) when deciding whether an applicant is to be treated as a fit and proper person to hold a licence.

In particular an applicant will normally be refused a licence if he or she has been convicted of an offence under the Acts at any time during the 2 years preceding the application or has more than one conviction within the last 5 years preceding the date of the application.

**Spent convictions**

The Council will only consider spent convictions if it appears to be relevant for deciding whether the applicant is a fit and proper person to hold a licence.

**Cautions and Endorsable Fixed Penalties**

For the purpose of these guidelines, formal cautions and endorsable fixed penalties shall be treated as though they were convictions.

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**Meeting:** Regulation Committee  
**Date:** 14 October 2009  
**Subject:** Alcohol Designation Order - Shefford  
**Report of:** Director of Corporate Resources  
**Summary:** The report proposes to inform the Regulation Committee of the progress and further steps required for a Designation Order in Shefford

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**Contact Officer:** Mark Woolsey, Principal Solicitor  
**Public/Exempt:** Public  
**Wards Affected:** Shefford  
**Function of:** Council

#### **CORPORATE IMPLICATIONS**

**Council Priorities:**

- Crime reduction and tackling anti-social behaviour
- To encourage community members to feel safe, at ease and free from crime in their homes and neighbourhoods.

**Financial:**

No direct financial implications, although there will be implication on the use of officer time to progress the matter.

**Legal:**

Criminal Justice and Police Act 2001  
The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

**Risk Management:**

None

**Staffing (including Trades Unions):**

To progress the matter will require Officer time, but there are no other staff implications

**Equalities/Human Rights:**

To be taken into account when considering the evidence for the making of the order.

**Community Safety:**

The use of the powers given to the Police as a result of the Designation Order will contribute to the reduction of anti-social behaviour in the District.

**Sustainability:**

None.

**RECOMMENDATION:**

**that the Regulation Committee:-**

- (a) appoint three members to act as a panel which is authorised to review the Alcohol Designation Order and determine the appropriate area for public consultation.**
- (b) subject to the comments and decision of the panel members, authorise the Assistant Director Legal and Democratic Services to undertake the necessary public consultation.**

**Background**

1. On the 10 September 2008 the former Mid Bedfordshire District Council Regulation Committee, considered a report relating to an application received from Shefford Town Council, in association with the Police, for an Alcohol Designation Order (ADO) for Shefford.
2. The Mid Bedfordshire District Council Regulation Committee appointed a panel of three Members to meet in order to consider and discuss the proposed ADO. The committee also provided the Director of Corporate and Democratic Services with authorisation to undertake the necessary consultations.
3. Attached at Appendix A for members' information is the original report with the application and supporting information.

**Legislative Provisions**

4. By virtue of the Criminal Justice and Police Act 2001, a Local Authority is permitted to designate areas as a designated public place.
5. In order to designate an area the Local Authority must be satisfied that nuisance, or annoyance to members of the public have taken place in that area, or that disorder has taken place in that area, and the nuisance, annoyance or disorder is associated with the consumption of alcohol in that place.
6. Should a public place be designated, the designation order provides the Police with the power to require a person or persons to cease drinking any alcohol and to ask them to surrender the alcohol. Failure to comply with either or both of these requirements would be an offence.

## Steps So Far

7. The panel members along with the Town Council and local Police Officers met on the 18 December 2008, to discuss the application. The panel members listened to the evidence of the Town Council and Police and determined the appropriate areas to include for consultation for the ADO application. A plan and schedule of roads outlining the area is attached for information at Appendix B.
8. The first stage for consultation for an ADO is to consult with Licensees of licensed premises affected by the ADO and any land owners. This consultation began on the 24 February 2009 and lasted until Friday 27 May 2009. Any comments from those consulted needed to be within that time.
9. Two negative responses were received during the consultation period. Set out below are the individuals who proved a response and a summary of its contents.
  - (a) The licensee of The Brewery Tap Public House, 14 North Bridge Street, Shefford

The objection raised outlined that the area consulted upon was too large, and that there was no evidence of there being any alcohol related problems in the northern part of the town. The objector considered that the Police already had sufficient powers to deal with any problems.
  - (b) The licensee of The Woolpack Public House, 1 Hitchin Road, Shefford.

The objection raised is a lack of evidence of nuisance, annoyance or disorder associated with alcohol for the extent of the area proposed.
10. The objections have not been removed.

## Conclusion and Next Steps

11. Since the objections have been received Mid Bedfordshire District Council no longer exists and therefore the appropriate authority to progress this matter is now Central Bedfordshire Council.
12. Unfortunately, the Local Government Review has meant that the 3 members originally appointed to be panel members are no longer part of the Regulation Committee for Central Bedfordshire Council. The work undertaken due to Local Government Review has meant that this is the first opportunity for the Central Bedfordshire Council Regulation Committee to consider the matter.
12. The Regulation Committee are asked to appoint a panel of three members, who be authorised to review the ADO and determine the appropriate area to be included.

13. The Regulation Committee are further asked to authorise the Assistant Director Legal and Democratic Services to progress the matter by undertaking the public consultation, subject to the comments and decision of the panel members.
14. The draft order will be brought before the Regulation Committee for consideration prior to the making being taken to full Council.

**Appendices:**

Appendix A – Mid Bedfordshire District Council Regulation Committee Report of 10 September 2008.

Appendix B – Plan and Schedule of proposed area for designation.

**Background Papers:** (open to public inspection)

Mid Bedfordshire District Council Regulation Committee Report of 10 September 2008.

Plan and Schedule of proposed area for designation.

Criminal Justice and Police Act 2001

Home Office Letter of Guidance

The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

**Location of papers:** Priory House, Chicksands

**Schedule of Designated Public Places  
For Proposed Alcohol Designation Order in Shefford**

Roads

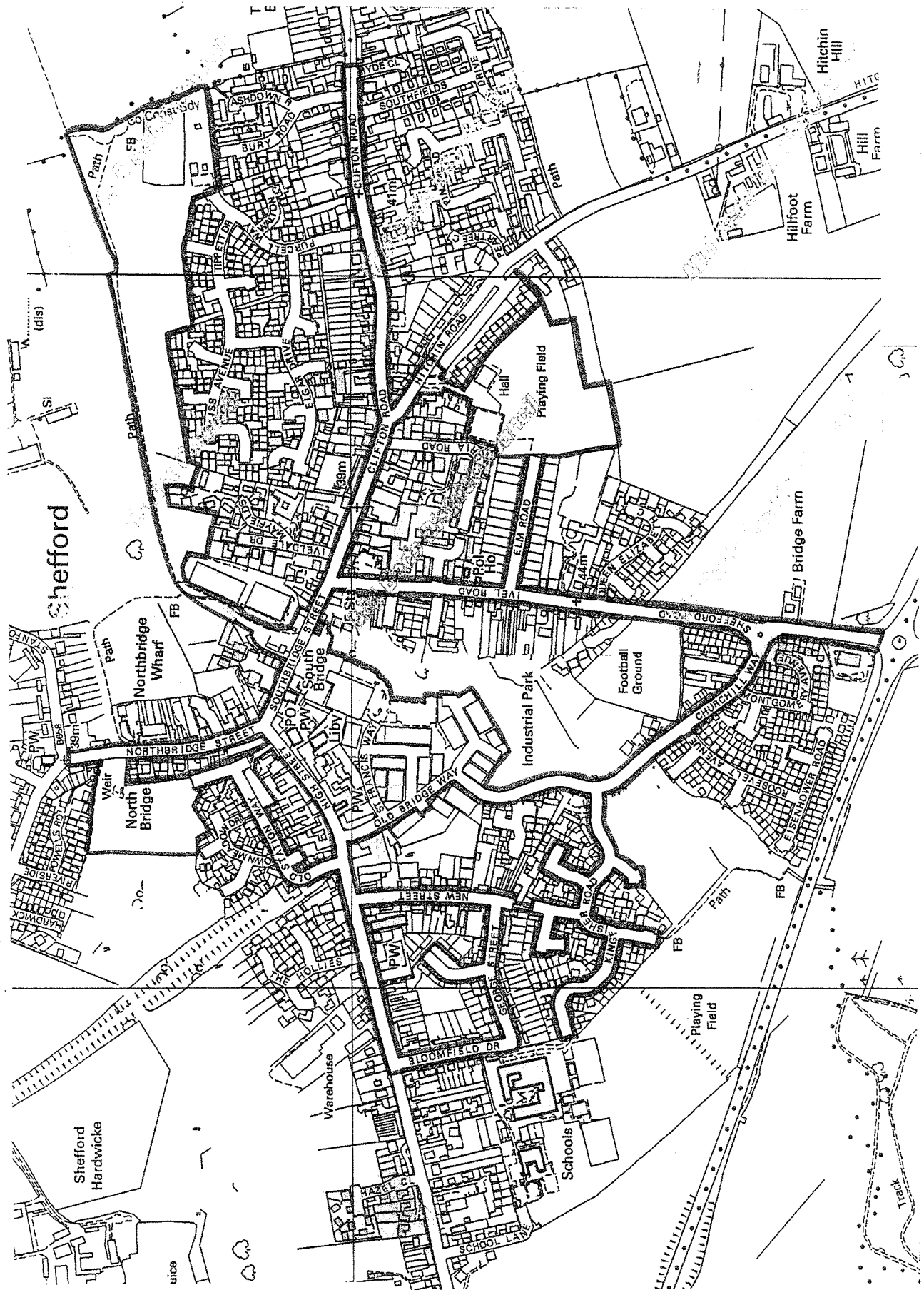
*Amphill Road, from the junction with High Street to the junction with Bloomfield Drive;*  
*Bloomfield Road;*  
*Church Walk;*  
*Churchill Way;*  
*Clifton Road, from the junction with Southbridge Street to the junction with Hyde Close;*  
*Duck Lane;*  
*Elm Road;*  
*George Street;*  
*Heron Close;*  
*High Street;*  
*Hitchin Road, from the Junction with Clifton Road to the junction with the roadway adjacent to Hitchin Road;*  
*Ivel Road;*  
*Kingfisher Road;*  
*Mallard Close;*  
*New Street;*  
*Nightingale Mews;*  
*Northbridge Street;*  
*Old Bridge Way;*  
*Old Station Way;*  
*Osborn Crescent;*  
*Shefford Road;*  
*Southbridge Street;*  
*St Francis Way;*  
*Swallow Close;*  
*The Roadway adjacent to Gladwell House, from the junction at Hitchin Road to the Memorial Playing Fields.*

Footpaths

*The footpath between New Street and Mallard Close;*  
*The footpath from Southbridge Street to the Millennium Green, which runs between the River and Shefford Business Park*

Open Areas

*Somerfield Car Park;*  
*The Meads;*  
*The Memorial Playing Fields;*  
*The Millennium Green;*  
*The Playing Fields off of Hitchin Road;*  
*Town Meadow Car Park;*  
*Waterside.*





<b>REGULATION COMMITTEE</b>
<b>10 SEPTEMBER 2008</b>

<b>SUBJECT</b>	<b>PROHIBITING THE CONSUMPTION OF ALCOHOL IN DESIGNATED PUBLIC PLACES</b>  (To inform the Committee of an application received for a Designation Order in Shefford and the process by which the Order will be made)
<b>REPORT OF</b>	<b>Director of Corporate and Democratic Services</b>
<i>Contact Officer: Mark Woolsey (Tel: 01462 611025)</i>	

**IMPLICATIONS**

<b>SUSTAINABILITY</b>	None
<b>LINK TO COMMUNITY PLAN / CORPORATE PLAN AND OBJECTIVES</b>	<ul style="list-style-type: none"> <li>▪ Crime reduction and tackling anti-social behaviour</li> <li>▪ To encourage Community members to feel safe, at ease and free from crime in their homes and neighbourhoods.</li> </ul>
<b>RISKS</b>	None
<b>FINANCIAL</b>	No direct financial implications, however, staff time will be allocated to facilitate requests for the designation
<b>LEGAL</b>	Criminal Justice and Police Act 2001
<b>PERSONNEL/EQUAL OPPORTUNITIES</b>	n/a
<b>COMMUNITY DEVELOPMENT/SAFETY</b>	The use of the powers given to the Police as a result of the Designation Order will contribute to the reduction of anti-social behaviour in the District.
<b>TRADES UNIONS</b>	n/a
<b>HUMAN RIGHTS</b>	To be taken into account when considering the evidence for making the order.

<b>OTHER DOCUMENTS RELEVANT TO REPORT</b>
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Report of the Police and Flitwick Town Council
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<b>RECOMMENDATION(S):</b>
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(1) That the director of corporate & democratic services be authorised to proceed with the necessary consultations under the local authorities (alcohol consumption in designated public places) regulations 2001, in respect of the possible further alcohol designation order in Shefford;

(2) That the committee appoint three members to meet informally with the director of corporate and democratic services to consider the outcome of the consultation and report back to this committee.

1. Shefford Town Council, with support from the Police, have submitted an application for an Alcohol Designation Order (ADO) to be made for areas in Shefford.

### **Background**

2. Mid Bedfordshire District Council adopted the powers under the Criminal Justice and Police Act 2001 ('The Act') at its meeting of the 22 January 2008, to allow for Alcohol Designation Order applications to be considered in the district.
3. The Licensing & Regulation Committee received a report at its meeting of the 12 May 2004 setting out the provisions of the Criminal Justice and Police Act 2001 and the procedures to be followed for making a Designation Order.
4. The Council has made two previous ADO's in the district, one for the areas of Ampthill, Biggleswade, Cranfield and Flitwick and a further one in the area of Stotfold. A further ADO for Flitwick is currently being consulted upon.

### **The Application**

5. Shefford Town Council has submitted an application for an ADO, with the full support of the local Police Officer.
6. The report from the local Police Officer, in support of the application, broadly details the problems which are being suffered, and is attached at Appendix 1.
7. An ADO is considered necessary due to the number of alcohol related incidents occurring in the town.
8. However, the precise details of the nuisance and the areas affected have not yet been explored. In order to investigate the nuisance and to satisfy the Council that an ADO is necessary and appropriate in these areas it is proposed that, as with previous applications, the consultation be delegated to the Director of Corporate and Democratic Services. The Director of Corporate and Democratic Services will consult with the consultees identified in the legislation and will also receive representations from the Police and Town Council on the precise areas to be designated.
9. To assist in this process it is proposed that the Regulation Committee appoint three Members to meet on an informal basis with the Director of Corporate and Democratic Services, or her representative, and officers from the Community Services Team to consider the outcome of the consultation
10. If it is agreed that an ADO should be made, a recommendation will be made to Council.
11. In view of the Police support it is recommended that consultation under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations

2001 be commenced and be delegated to the Director of Corporate & Democratic Services in respect of the request received from Shefford Town Council.

---

***Background Papers:***

Criminal Justice and Police Act 2001.  
Home Office Letter of Guidance.  
The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2004.  
Licensing & Regulation Committee Report: 12 May 2004.

***Location of Papers:***

Council Reports: 22 January 2004 and 28 July 2005.  
Priory House, Monks Walk, Chicksands, Shefford,  
Bedfordshire SG17 5TQ

***File Reference:***

RL.47.02

**Proposal for an alcohol free zone in Shefford**

**Police Report**

Shefford is a small rural town in Mid Bedfordshire with a rapidly growing population.

It has seven public houses and off licence facilities at the supermarket and mini supermarket on the outskirts of the town. There is also a hotel that holds a licence to sell alcohol and a number of restaurants in the town that are also licensed.

Shefford has experienced a large number of alcohol-related incidents and problems over the last few years. Certain areas in particular have been affected more than others. An alcohol restriction zone is a permanent piece of legislation and although it is accepted that it will not solve all the problems in the Shefford area, I believe that it will reduce the number of alcohol-related incidents and if Policed properly will identify the main offenders.

The main areas identified as Trouble Spots by the Police and the Town Council are as follows;

Somerfields, Black Swan, White Hart, Brewery Tap and The Bridge are situated in the centre of the Town and all these areas are amongst the worst for alcohol related incidents. There are three public houses in close proximity of Somerfields, being The Black Swan, White Hart and The Bridge.

Large groups of youths are always trying to purchase alcohol from Somerfields and when refused have resorted to pestering local residents or other youths above eighteen with ID. There is evidence to suggest that some people in their twenties purchase alcohol for youths to drink in and around the town centre.

Some of the problem areas are Duck Lane, High Street and Old Station Way car park. During the summer months alcohol is consumed at The Meads and near to the river Hiz. There have been complaints of verbal abuse towards members of the public using the town and park/river area.

Offences such as criminal damage within the town are closely connected with the consumption of alcohol. This affects the town not only criminally but drinking in the town also produces litter which is also an offence.

The local Council is responsible for the collection of this and a large amount of the litter is empty alcohol bottles or cans. This is not only expensive, but unsightly for members of the public using the town and its recreational facilities. Beer bottles are being thrown in the street and parks causing them to smash. The broken bottles are left behind leaving a mess but also the obvious danger to residents in the town and dog walkers.

Bottles are also being smashed in the kiddies play area behind the church, Kingfisher Way and Millennium Green. The changing facility at the Millennium Green has had its windows broken several times, by vandalism over the last few years.

High Street

There are four public houses in close proximity to the town centre. The Black Swan, White Hart, The Bridge and the Brewery Tap. Residents who use the facilities in the town have made numerous complaints about underage drinking in the Car Parks and verbal abuse from the offenders when challenged. Cars in the car park have also been vandalised as a result of these individuals. The area outside the public houses in the town centre have been subject to a large number of Public Order incidents mostly alcohol related.

Somerfields Store and the Car Park

Has become a gathering area for drinkers and there have been a large number of complaints from customers about verbal abuse from the groups involved. The security staff call the Police regularly to sort out problems of public order or nuisance from groups of drinkers.

Amphill Road

There have been numerous complaints over the years from residents who live in the area. Most of the complaints are alcohol connected. Reports have been received of drunkenness, abusive language, bottle throwing, fighting and criminal damage.

Churchill Way

These complaints were more frequent until the recent change of ownership of the Esso Filling Station. These reported incidents went down during the building work of the new Tesco but have slowly increased in recent months.

I anticipate there will be more reported incidents during the summer months. To try and improve the quality of life issues for residents in this area I opposed the alcohol sales application for Tesco, which was shortened to 6am – 11pm.

#### Ivel Road

This is another area which has suffered from alcohol related anti-social behaviour. The police have received numerous complaints of criminal damage to vehicles, assault and affray. They also get regular complaints of noise from drunken people using the road, which continues into Clifton Road.

It should be made clear that these problems are not restricted to just the under 18 age group, where police already have confiscation powers. The 18 plus age group are present with the younger element and on many occasions it is they who are obtaining the alcohol and supplying it to the youngsters. The implementation of restriction zones would assist police to combat the problems caused by street drinking by groups and individuals of all ages. It would also assist in instances where the need arises to curtail the effects caused by pub users spilling into the street and disturbing residents during and after licensing hours and effectively result in assisting landlords to keep a tighter rein on their patrons. This in turn should result in an improvement in the quality of life for residents in the areas previously mentioned.

I would like to suggest that area known as Digswell off Hitchin Road remains out of the alcohol free zone, as it is a location, which is used for special events especially during the summer months.

The designation of these particular areas is proportionate to the problem and specific in targeting the areas that generates alcohol-related complaints. This report is therefore submitted to the Mid Beds District Council for due consideration.

Steve Busby      Shefford Neighbourhood Police Officer.

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**Meeting:** Regulation Committee  
**Date:** 14 October 2009  
**Subject:** Prohibiting the consumption of alcohol in designated public places – Arlesey  
**Report of:** Director of Corporate Resources  
**Summary:** The report proposes to inform the Regulation Committee of the progress and further steps required for a Designation Order in Arlesey

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**Contact Officer:** Mark Woolsey, Principal Solicitor  
**Public/Exempt:** Public  
**Wards Affected:** Arlesey  
**Function of:** Council

#### **CORPORATE IMPLICATIONS**

**Council Priorities:**

- Crime reduction and tackling anti-social behaviour
- To encourage community members to feel safe, at ease and free from crime in their homes and neighbourhoods.

**Financial:**

No direct financial implications, although there will be implication on the use of officer time to progress the matter.

**Legal:**

Criminal Justice and Police Act 2001  
The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

**Risk Management:**

None

**Staffing (including Trades Unions):**

To progress the matter will require Officer time, but there are no other staff implications

**Equalities/Human Rights:**

To be taken into account when considering the evidence for the making of the order.

**Community Safety:**

The use of the powers given to the Police as a result of the Designation Order will contribute to the reduction of anti-social behaviour in the District.

**Sustainability:**

None.

**RECOMMENDATION:**

**that the Regulation Committee:-**

- (a) appoint three members to act as a panel which is authorised to review the Alcohol Designation Order and determine the appropriate area for public consultation.**
- (b) subject to the comments and decision of the panel members, authorise the Assistant Director Legal and Democratic Services to undertake the necessary public consultation.**

**Background**

1. On the 7 January 2009, the former MBDC Regulation Committee considered a report relating to the application for an Alcohol Designation Order (ADO) in Arlesey. The application had been received from Arlesey Town Council with the full support of the Police.
2. The MBDC Regulation Committee appointed a panel of three Members to meet in order to consider and discuss the proposed ADO. The committee also provided the Director of Corporate and Democratic Services with authorisation to undertake the necessary consultations.
3. Attached at Appendix A for members' information is the original report with the application and supporting information.

**Legislative Provisions**

4. By virtue of the Criminal Justice and Police Act 2001, a Local Authority is permitted to designate areas as a designated public place.
5. In order to designate an area the Local Authority must be satisfied that nuisance, annoyance to members of the public have taken place in that area, or that disorder has taken place in that area, and the nuisance, annoyance or disorder is associated with the consumption of alcohol in that place.
6. Should a public place be designated, the designation order provides the Police with the power to require a person or persons to cease drinking any alcohol and to ask them to surrender the alcohol. Failure to comply with either or both of these requirements would be an offence.



### Steps So Far

7. The previous panel members, town council representatives and the local Police met on the 4 March 2009 to discuss the application. After hearing evidence presented by the town council and the Police, the panel members decided upon the proposed area to be taken forward to the first stage of the consultation for the ADO.
8. A plan and schedule of roads taken forward for consultation is attached at Appendix B for Members' information.
9. The first stage for consultation for an ADO was to consult with Licensees of licensed premises affected by the ADO and any land owners. This consultation began on the 25 March 2009 and lasted until 22 April 2009.
10. It is pleasing to note that no adverse comments were received during this initial state of consultation. However, there has been a request from Network Rail to extend the ADO to include the station platforms and car park in its ownership.
11. The proposed extension to the Order necessarily requires approval from the members appointed to consider this matter. However, due to The Local Government Review the originally appointed panel members are no longer members of the Regulation Committee and therefore is it necessary to bring the matter back before Central Bedfordshire Council's Regulation Committee.

### Conclusion and Next Steps

12. The Regulation Committee are asked to appoint a panel of three members, who be authorised to review the ADO and determine the appropriate area to be included.
13. The Regulation Committee are further asked to authorise the Assistant Director Legal and Democratic Services to progress the matter by undertaking the public consultation, subject to the comments and decision of the panel members.
14. The draft order will be brought before the Regulation Committee for consideration prior to the making being taken to full Council.

### Appendices:

Appendix A – Mid Bedfordshire District Council Regulation Committee Report of 7 January 2009.

Appendix B – Plan and Schedule of proposed area for designation.

### Background Papers: (open to public inspection)

Mid Bedfordshire District Council Regulation Committee Report of 7 January 2009.

Plan and Schedule of proposed area for designation.

Criminal Justice and Police Act 2001

Home Office Letter of Guidance

The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

**Location of papers:** Priory House, Chicksands

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**Schedule of Designated Public Places  
For Proposed Alcohol Designation Order in Arlesey**

Roads

Stotfold Road, from the junction with the roundabout at the A507 to the junction with the entrance to the Fox and Duck Public House;  
Stotfold Road from the junction with the roundabout at the A507 to the junction with Church Lane;  
The Hermitage;  
Old Oak Close;  
Vicarage Close;  
Church End;  
The Poplars;  
Chase Close;  
Glossop Way;  
Chancellors;  
St Peter's Avenue;  
Glebe Avenue;  
House Lane;  
Saffron Close;  
The Rally;  
Carters Way;  
Carters Close;  
Bury Mead;  
Chase Hill Road;  
High Street;  
Lymans Road;  
Cox's Way;  
Everest Close;  
Hillary Rise;  
Gothic Way  
Lynton Avenue;  
Primary Way;  
Chapel Drive;  
Davis' Row;  
Station Road;  
Hospital Road;  
Lathony Court;  
Albert Road;  
Lamb Meadow;  
Howberry Green;  
Hitchin Road;

Footpaths

The footpath between House Land and Glossop Way;  
The footpath between Church Lane and The Poplars;  
The footpath between the Poplars and Chase Close;  
The footpath between Chase Close and House Lane;  
The footpath which travels from the junction of Bury Mead and The Rally to the junction of Bury Mead and Church Lane, to include all of the entrances and exits onto Chase Hill Road and High Street;

The footpath between Cox's Way and Gothic Way;  
All of the footpaths between Everest Close and Gothic Way;  
The footpath between Gothic Way, Hillary Rise and the track which runs to the South of Lynton Avenue;  
The track that runs from the junction with High Street, to the South of Lynton Avenue, to the entrance to the open area of land used as allotments;  
The footpath between Lathony Court to Station Road;  
The footpath between Lamb Meadow and Hitchin Road;  
The track, which runs between the South side of London Row and the North side of Arelsey Town Football Club, between the junction at Hitchin Road and the Track which runs to the South of the Blue Lagoon;  
All of those tracks and footpaths that encircle the blue lagoon, including the tracks made through the area of land to the South East of the Blue Lagoon now referred to as the disused pit;  
The footpath which encircles the Green Lagoon from the junction with the track covering the entire circle around the Green Lagoon.

Open Areas

The open area of agricultural land to the east of the Hermitage, bordered by Stofold Road and Pick's Brook;  
The grassed area of land between Saffron Close and Glebe Court;  
The grassed and pedestrian area of land between the two ends of the Rally;  
The Playing Fields to the rear of Gothic Mede Lower School, to include the Child's Play Area;  
The open area used as allotments to the East of Hillary Rise;  
The open area of grass at the South end of Howberry Green, to include the playground;  
The open grassed area of land to the North East of the Yachting Club at the Blue Lagoon;  
The open grassed area of land to the West of the Yachting Club and at the edge of the Blue Lagoon;  
The open area of land to the south of the Blue Lagoon, border by the footpaths.

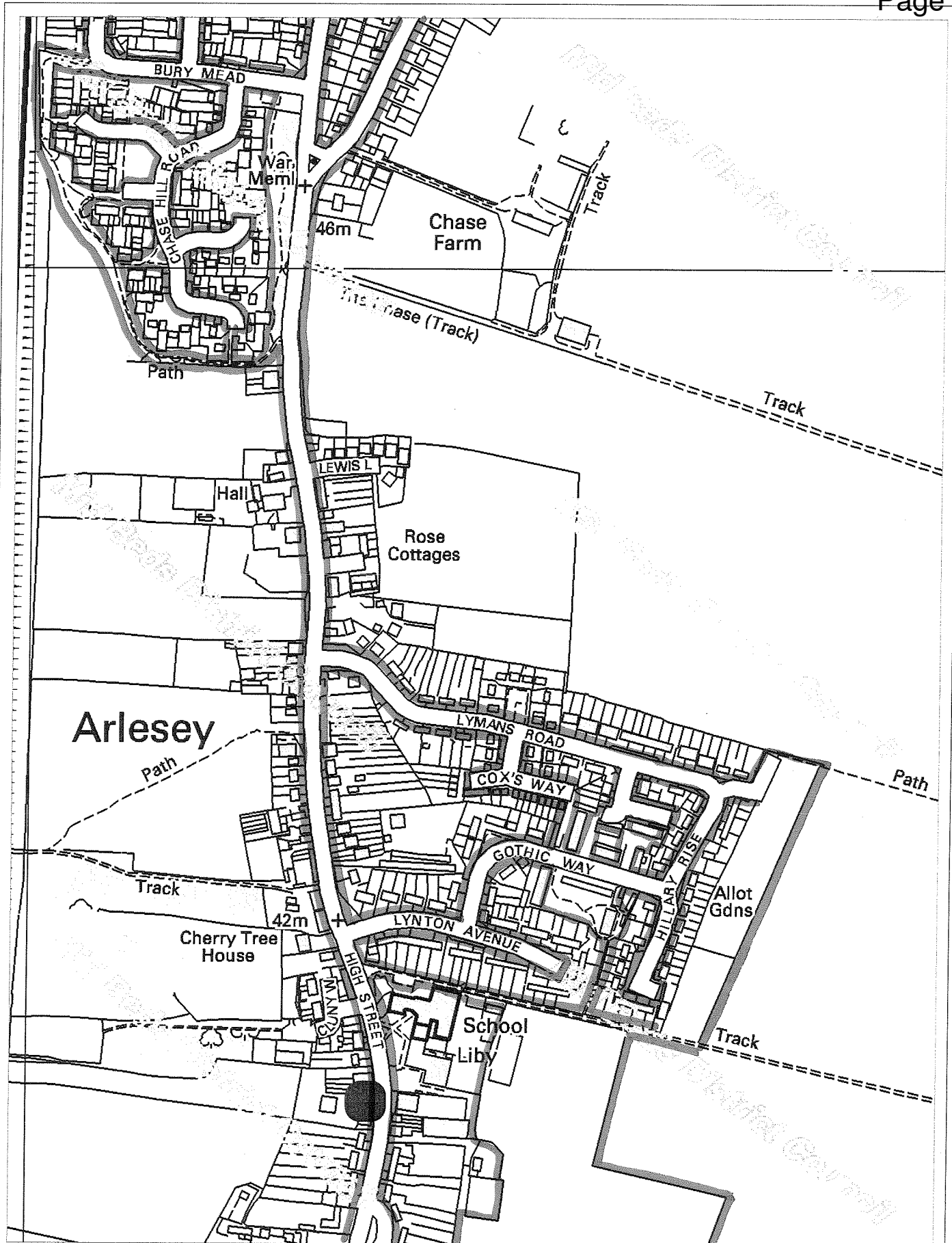


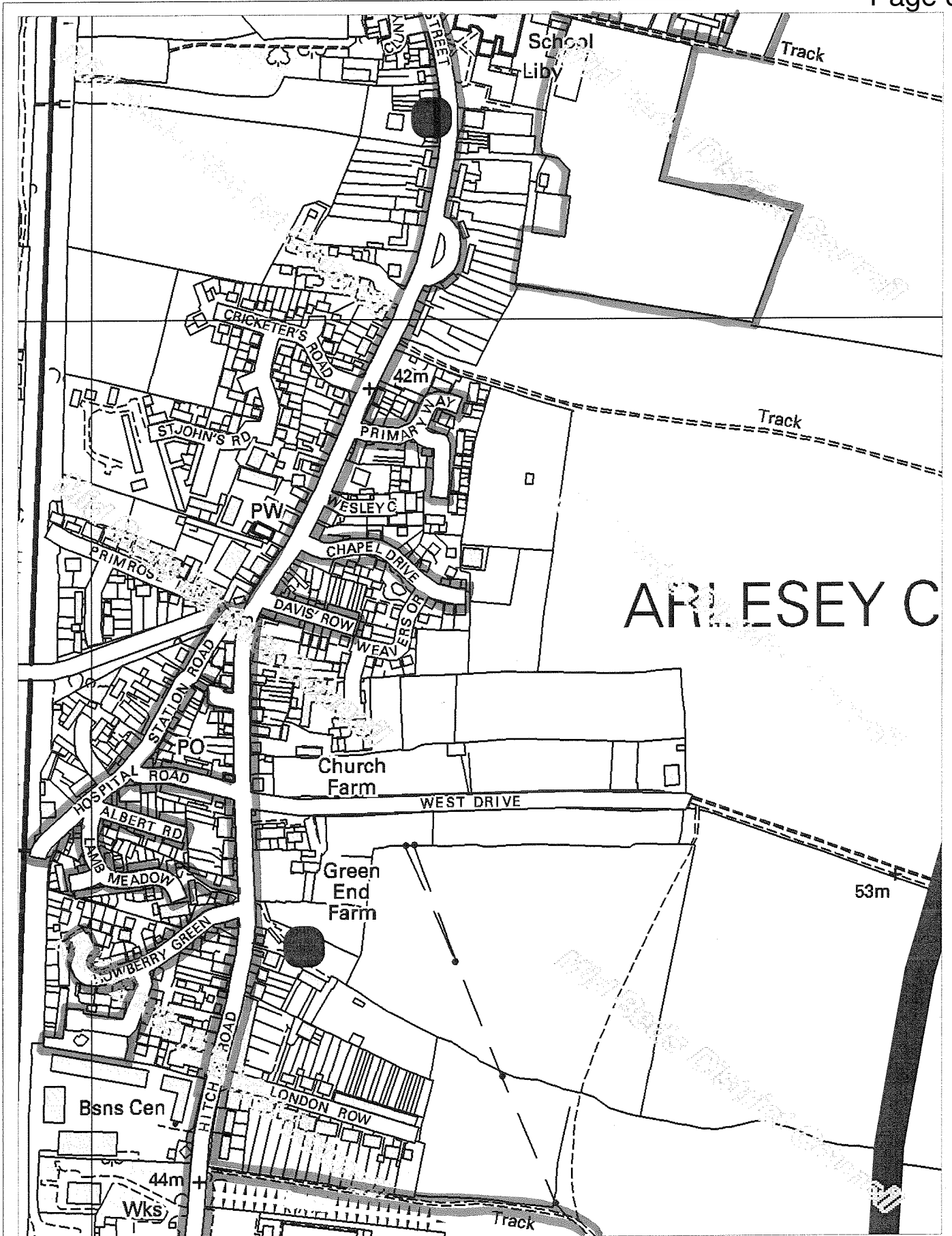
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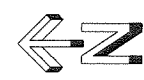


Date: 18 March 2009





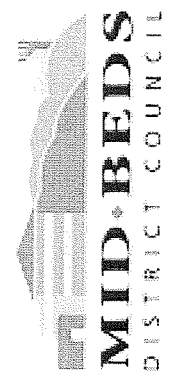




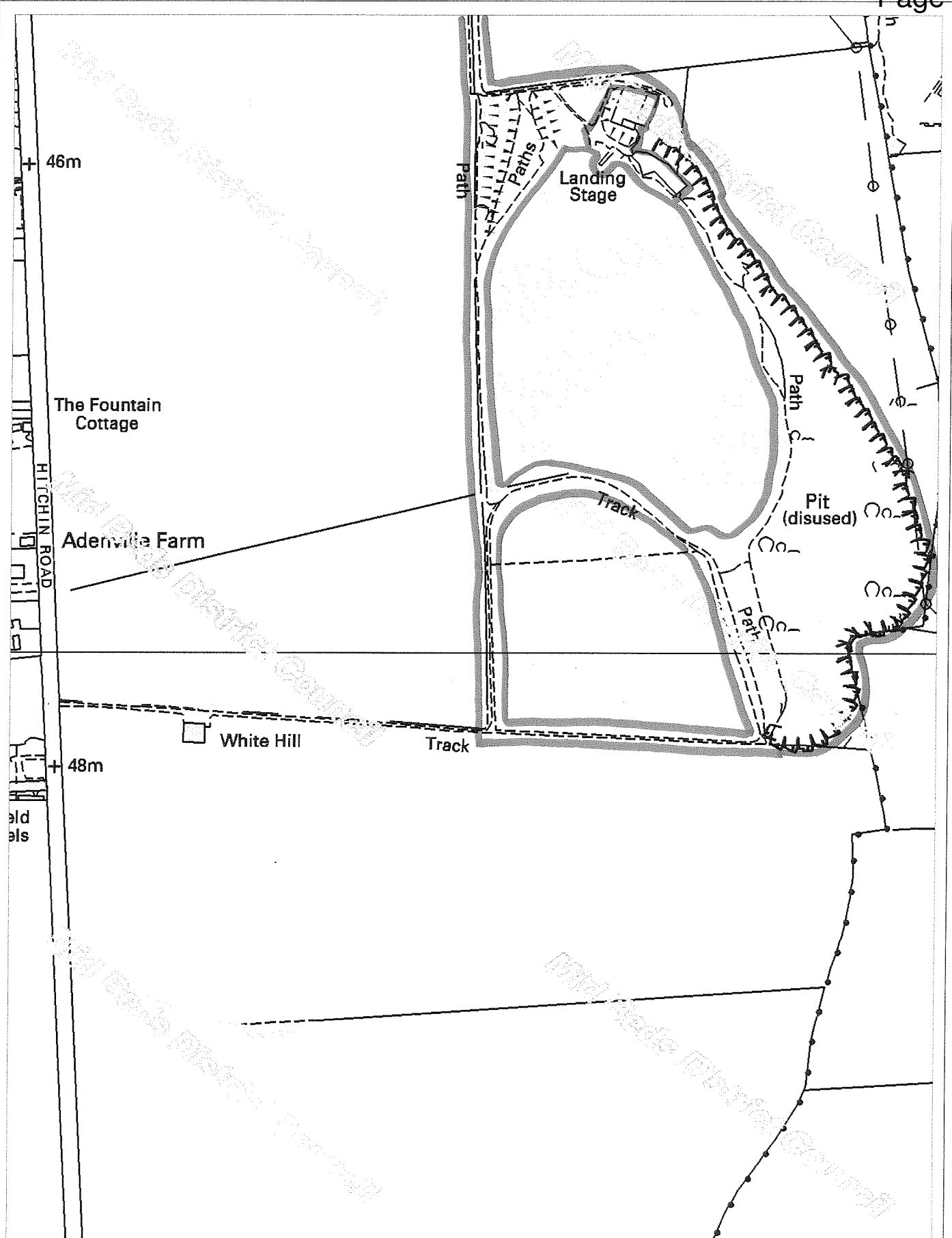
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Date: 20 March 2009







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<b>REGULATION COMMITTEE</b>
<b>7 JANUARY 2009</b>

<b>SUBJECT</b>	<b>PROHIBITING THE CONSUMPTION OF ALCOHOL IN DESIGNATED PUBLIC PLACES</b>  (To inform the Committee of an application received for a Designation Order in Arlesey and the process by which the Order will be made)
<b>REPORT OF</b>	<b>Director of Corporate and Democratic Services</b>
<i>Contact Officer: Mark Woolsey (Tel: 01462 611025)</i>	

**IMPLICATIONS**

<b>SUSTAINABILITY</b>	None
<b>LINK TO COMMUNITY PLAN / CORPORATE PLAN AND OBJECTIVES</b>	<ul style="list-style-type: none"> <li>▪ Crime reduction and tackling anti-social behaviour</li> <li>▪ To encourage Community members to feel safe, at ease and free from crime in their homes and neighbourhoods.</li> </ul>
<b>RISKS</b>	None
<b>FINANCIAL</b>	No direct financial implications, however, staff time will be allocated to facilitate requests for the designation
<b>LEGAL</b>	Criminal Justice and Police Act 2001
<b>PERSONNEL/EQUAL OPPORTUNITIES</b>	n/a
<b>COMMUNITY DEVELOPMENT/SAFETY</b>	The use of the powers given to the Police as a result of the Designation Order will contribute to the reduction of anti-social behaviour in the District.
<b>TRADES UNIONS</b>	n/a
<b>HUMAN RIGHTS</b>	To be taken into account when considering the evidence for making the order.

<b>OTHER DOCUMENTS RELEVANT TO REPORT</b>
Report of the Police with associated figures; Letter from Arlesey Town Council

<b>RECOMMENDATION(S):</b>
(1) That the director of corporate & democratic services be authorised to proceed with the necessary consultations under the local authorities (alcohol consumption in designated public places) regulations 2001, in respect of the possible further alcohol designation order in Arlesey;
(2) That the committee appoint three members to meet informally with the director of corporate and democratic services to consider the outcome of the

**consultation and report back to this committee.**

1. Arlesey Town Council, with support from the Police, has submitted an application for an Alcohol Designation Order (ADO) to be made for areas in Arlesey.

**Background**

2. At it's meeting of the 22 January 2008, Mid Bedfordshire District Council adopted the powers under the Criminal Justice and Police Act 2001 ('The Act'), to allow for Alcohol Designation Order applications to be considered in the district.
3. The Licensing & Regulation Committee received a report at its meeting of the 12 May 2004 setting out the provisions of the Criminal Justice and Police Act 2001 and the procedures to be followed for making an ADO.
4. The Council has made three previous ADO's in the district, one for the areas of Ampthill, Biggleswade, Cranfield and Flitwick, one for areas within Stotfold and a further ADO for Flitwick.
5. An application for an ADO for areas within Shefford is currently under consideration prior to the necessary consultation being undertaken.

**The Application**

6. Arlesey Town Council has submitted an application for an ADO, with the full support of the local Police Officer. The letter making the application for the ADO is attached at Appendix 1.
7. The brief report from the local Police Officer, in support of the application, broadly details the problems that are being suffered, and is attached at Appendix 2.
8. An ADO is considered necessary due to the number of alcohol related incidents occurring in the town.
9. However, the precise details of the nuisance and the areas affected have not yet been explored. In order to investigate the nuisance and to satisfy the Council that an ADO is necessary and appropriate in these areas it is proposed that, as with previous applications, the consultation be delegated to the Director of Corporate and Democratic Services. The Director of Corporate and Democratic Services will consult with the consultees identified in the legislation and will also receive representations from the Police and Town Council on the precise areas to be designated.
10. To assist in this process it is proposed that the Regulation Committee appoint three Members to meet on an informal basis with the Director of Corporate and Democratic Services, or her representative, and officers from the Community Services Team to consider the outcome of the consultation

11. If it is agreed that an ADO should be made, a recommendation will be made to Council.
12. In view of the Police support it is recommended that consultation under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 be commenced and be delegated to the Director of Corporate & Democratic Services in respect of the request received from Arlesey Town Council.

---

**Background Papers:**

Criminal Justice and Police Act 2001.

Home Office Letter of Guidance.

The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007.

Licensing & Regulation Committee Report: 12 May 2004.

Council Reports: 22 January 2004 and 28 July 2005.

**Location of Papers:**

Priory House, Monks Walk, Chicksands, Shefford,  
Bedfordshire SG17 5TQ

**File Reference:**

RL.47.04



Mrs Elsie Hare  
(Town Clerk)

Town Council Office:  
Arlesey Community Centre  
High Street  
Arlesey  
Bedfordshire  
SG15 6SN

Tel: 01462 733722  
Fax: 01462 730860  
Email: [atc@4thenet.co.uk](mailto:atc@4thenet.co.uk)  
Web Site: [arleseytc.co.uk](http://arleseytc.co.uk)

Dave Rollings  
Community Safety Officer  
Mid Beds District Council  
Priory House  
Monks Walk  
Chicksands  
Shefford SG17 5TQ

4 March 2008

Dear Mr Rollings

**Alcohol Free Zone – Arlesey, Beds**

At a recent Town Council meeting, Arlesey Town Council gave consideration to local residents concerns, recent police reports to Council, members and Town Council's staffs own experiences of nuisance youths, that it was decided it was now time to apply for an Alcohol Free Zone for Arlesey.

I have enclosed a report from PC Steve Holbrook from our Neighbour Policing Team supporting our application and would appreciate your advice on how this can be achieved.

I look forward to hearing from you.

Yours sincerely



Elsie Hare  
Town Clerk

## PROPOSAL FOR APPLICATION OF ALCOHOL FREE ZONE IN ARLESEY.

### Police Report.

Since the initial application was made at the beginning of 2008, Arlesey has seen the implementation of a new Pub Watch Project. This group sees the Public Houses of Arlesey and Stotfold meet together in an attempt to tackle the issues of patrons that are responsible for incidents of crime and ASB in their premises.

As there is no existing Alcohol Free Zone (A.F.Z.) there is the potential for any patrons that are banned from the public houses to then consume alcohol on the streets of Arlesey.

This aside, the problems to date have mainly involved young people who have obtained alcohol from the local licensed shops in the village. These shops are located away from the meeting areas that the young people use. This results in the young people walking through the village to get to those meeting areas.

These are predominately the area around the Community Centre, Arlesey Train Station and the Church End area of the village.

The groups are of mixed ages with a number being over the age of 18, but a larger number being under the age of 16.

Police and Police Community Support Officers would benefit from the powers assigned to the A.F.Z. because it enables them to target those people that are in this group that are above the age of 18, but who are consuming alcohol with the younger members.

The areas that have been identified encompass the greater part of the village because of Arleseys' geographic layout. It is a very linear village consisting of 3 main roads. These are Stotfold Road, High Street and Hitchin Road.

The Church End area of the village, which lies to north and includes a bubble of residential homes as well as two licensed shops, two Public Houses and The Train Station.

### **Church End:**

This area includes Stotfold Road, House Lane, St Peters Church, St Peters Avenue, Church Lane, The Rally, Grove Court, Bury Mead and Chase Hill Road. These areas are all regularly effected by alcohol related incidents. They are intersected by public footpaths and alleyways. The young people frequent these areas because of the two licensed shops within close proximity to each other. They then travel on foot to the train station where both residents of Church Lane, House Lane, Stotfold Road and Old Oak Close all experience problems with rowdy drunken behaviour as well as assaults and criminal damage.

We also see the same issues in St Peters Avenue as this road joins House Lane to Church Lane which then access The Rally area of the village and St Peters Church.

Reports from the vicar of St Peters Church include expressions of disgust because of the sheer volume of empty alcoholic drink containers and general litter. The Church has also seen repeat damage being caused to the building and grounds.

The Policing plan has seen involvement from Mid Beds ASB team as well as Aragon Housing Youth Involvement.

Visits by Trading Standards and Bedfordshire Police Licensing have also seen local shops fail test purchases.

The residents of Old Oak Close have been subjected to the same level of rowdy intoxicated behaviour from, not only groups of young people, but intoxicated adults as they alight the trains and make their way home of a late evening.

### **The High Street:**

This area of Arlesey has, historically, always suffered the most from ASB, alcohol related and otherwise. This is due largely to the fact that Arlesey Community Centre is situated in the centre of this street which is approximately 1 mile in length.

The Community Centre is home to the local youth club and Village Hall, among other amenities, and the residents of the village travel to it



predominately by foot. What is evident is that when ASB is reported from residents of the High Street a pattern emerges as those responsible either travel to the Community Centre or are travelling back to Church End to go to their homes or the Train Station.

There is often evidence of alcohol consumption at the Community Centre and the playing fields behind them and the High Street itself has suffered the greatest reports of Criminal Damage and ASB.

Joining the High Street near to its centre are Lymans Road, Lynton Avenue and Gothic Way (another bubble of housing with a number of smaller cul-de-sacs as well as the three aforementioned roads). These areas already generate large numbers of calls regarding Criminal Damage and ASB as they are used as “short cuts” to the playing fields at the rear of the Community Centre, and escape routes as there is a network of alley ways and footpaths running through them.

It is my belief that if these areas are not included in the AFZ then they will suffer the greatest displacement from those areas that are included.

This is also the case for those other areas similar in makeup that adjoin the High Street, for example, Cricketers Road which includes the new housing development of St Johns Road.

The High Street is also home to two further Public Houses, The Working Mens’ Club and 1 further licensed shop.

### **Hitchin Road:**

The issues with Hitchin Road are of a similar nature to the High Street. This is because the two roads lead into one another, meaning that those residents from the south of the village wishing to attend the Community Centre can only do so by travelling along Hitchin Road and into the High Street and vice versa when returning home.

Hitchin Road hosts the “retail centre” of the village as it is the location of the bulk of the retail premises. These include a number of fast food / take away outlets, another licensed shop, another Public House and a fully licensed sports club in the shape of Arlesey Town F.C.

Experiences here have seen alcohol related incidents at the fast food outlets from people of all ages not just those under the age of 18 years.

**Completed / Ongoing Work:**

A Policing plan is currently in operation for the Church End area because of the increased level of reported incidents, especially from the Churchyard where young people congregate. It currently forms the top Policing priority for the Arleseey SNT with the aim being to reduce criminal damage and ASB in this area of the village.

Church End has suffered from the displacement of ASB that was experienced at the Community Centre at the beginning of 2008. The Community Centre was the first Policing priority for SNT Arleseey and increased patrols and two successful prosecutions of a young adult who damaged windows at the location, whilst intoxicated, saw the activities move further up the village.

As you can see it is evident that the problem are not restricted to those persons under the age of 18 years. Adults are clearly responsible for their own share of the problems suffered by the village. The restrictions on consuming alcohol consumption in the areas listed is necessary to help in tackling the ever growing problems related to alcohol, and is proportionate to those problems. The human rights of those that maybe subject to any restrictions are taken into account.

This report is submitted to the District Council for their consideration.

PC 395 Steve Holbrook  
Neighbourhood Police Officer  
SNT Arleseey

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