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LICENSING COMMITTEE (MISCELLANEOUS)

DATE: TUESDAY 21 DECEMBER 2010
TIME: 10AM
PLACE: COUNCIL HOUSE, PLYMOUTH (NEXT TO THE CIVIC CENTRE)

Members –

Councillor Mrs Bowyer, Chair
Councillor Delbridge, Vice Chair
Councillors Browne, Drean, K Foster, Gordon, King, Lock, Dr. Mahony,
Mrs Nelder, Mrs Nicholson, Rennie, Reynolds, Williams and Wright

Members are invited to attend the above meeting to consider the items of business overleaf

Members and Officers are requested to sign the attendance list at the meeting.

Please note that, unless the Chair agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used during meetings.

BARRY KEEL
CHIEF EXECUTIVE

LICENSING COMMITTEE (MISCELLANEOUS)

PART I (PUBLIC MEETING)

AGENDA

1. APOLOGIES

To receive apologies for non-attendance submitted by Committee Members.

2. DECLARATIONS OF INTEREST

Members will be asked to make any declarations of interest in respect of items on this Agenda.

3. MINUTES (Pages 1 - 32)

To confirm the minutes of the meetings held on the following dates:

Licensing Committee Miscellaneous -

- 25 August 2010

Licensing Sub Committee (Miscellaneous) -

- 24 August 2010
- 7 September 2010
- 5 October 2010
- 19 October 2010
- 2 November 2010
- 16 November 2010

4. CHAIR'S URGENT BUSINESS

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. APPLICATION FOR THE DESIGNATED PUBLIC PLACES ORDER (DPPO) TO CONTROL STREET DRINKING IN FREEDOM FIELDS PARK AND TOTHILL PARK. (Pages 33 - 84)

The Director for Community Services will submit a report on an application for the Designated Public Places Order (DPPO) to control street drinking in Freedom Fields Park and Tothill Park.

6. EXEMPT BUSINESS

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II (PRIVATE COMMITTEE)

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Committee is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

Nil.

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Licensing Committee (Miscellaneous)

Tuesday 24 August 2010

PRESENT:

Councillor Mrs Bowyer, in the Chair.

Councillor Delbridge, Vice Chair.

Councillors Browne, Drean, K Foster, Gordon, Rennie and Wright.

Apologies for absence: Councillors Lock, Dr. Mahony, Mrs Nelder and Mrs Nicholson

Also in attendance: Ann Gillbanks – Senior Lawyer and Peter Clemens – Senior Licensing Officer

The meeting started at 10.00 am and finished at 10.20 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

8. DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the code of conduct.

9. MINUTES

It was agreed that the minutes of the 15 June 2010 Licensing Committee (Miscellaneous), the 29 June 2010 Licensing Sub Committee (Miscellaneous), the 27 July 2010 Licensing Sub Committee (Miscellaneous) and the 3 August 2010 Licensing Sub Committee (Miscellaneous) were approved as a correct record subject to the following change:

27 July 2010 Licensing Sub Committee (Miscellaneous) – Councillor Lock to be specified as Vice Chair.

10. CHAIR'S URGENT BUSINESS

There were no items of Chair's Urgent Business.

11. APPLICATION FOR CONSENT - PRIVATE SHOP, 31 ATHENAEUM STREET, PLYMOUTH

The Committee having heard from –

(i) the Director for Darker Enterprises;

- the application requests consent to be allowed to open on the Bank Holidays Monday 27 December 2009, Tuesday 28 December and also Monday 3 January 2011;

Members agreed to grant the application to vary the opening times over the Christmas and New Year Bank Holiday and to allow the Private Shop to open on Monday 27 December 2010, on Tuesday 28 December 2010 and on Monday 3 January 2011

12. **EXEMPT BUSINESS**

There were no items of exempt business.

Licensing Sub Committee (Miscellaneous)

Tuesday 24 August 2010

PRESENT:

Councillor Mrs Bowyer, in the Chair.
Councillor Gordon, Vice Chair.
Councillors Drean and Wright. (Fourth Member)

Also in attendance: Debbie Bradbury – Lawyer and Peter Clemens, Senior Licensing Officer

The meeting started at 11.00 am and finished at 3.00 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

1. APPOINTMENT OF CHAIR AND VICE-CHAIR

Agreed that Councillor Mrs Bowyer is appointed as Chair and Councillor Gordon is appointed as Vice Chair.

2. DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the code of conduct.

3. CHAIR'S URGENT BUSINESS

There were no items of chair's urgent business.

4. VARIATION OF PREMISES LICENCE - MAXINES, 89-91 UNION STREET, PLYMOUTH

The Committee having –

- (i) considered the report from the Director for Community Services;
- (ii) considered the written representations and heard from interested parties;
- (iii) heard from the applicant's solicitor and his witnesses that:
 - the premises licence holder had received no indication of concerns about noise from his premises; he did recall receiving a telephone call from a lady approximately two years ago concerning noise but the noise came from another establishment;

- when patrons came in and out of the premises the noise level was monitored in accordance with the requirements of the licence. The premises licence holder regularly crossed the road to check, at various times during the evening and early hours, that the level of music was not audible above the noise level of the traffic in the Union Street area;
- as a result of the Licensing Sub Committee findings on 11 December 2009 Mr McTighe took over as the designated premises supervisor of the premises and accepted all the conditions proposed by the Police;
- the CCTV system had been upgraded and since 11 December 2009 there had only been two or three requests for CCTV which had been dealt with either immediately or within 12 hours. A blind spot had also been rectified and a further CCTV camera added;
- there was no further history of aggravated problems occurring between 2.00 a.m. and close of business on Fridays and Saturdays;
- the new door security company that was put in place had worked efficiently in ensuring the door staff requirements were met;
- the operating schedule and the voluntary use of polycarbonate drinking vessels had been working well;
- four additional members of staff had obtained personal licences;
- the premises licence holder co-operated fully with all the responsible authorities and had the full club watch accreditation; he was also a member of PARC and where appropriate any incidents were logged through the club watch radio scheme;
- an incident occurred on 14 August 2010 and a letter dated 19 August 2010 from Devon and Cornwall Police thanked a member of Maxines doorstaff for their professional prompt assistance;
- an incident occurred between Saturday 6 and Sunday 7 February 2010. The premises licence holder and his staff contacted the Police and assisted in the arrest of offenders helping to prevent a number of officers receiving potentially serious injury. A letter dated 10 February 2010 was referred to which commended the premises licence holder and his staff for the action taken by them;

- a letter of reference dated 30 July 2010 had been provided by Councillor Sue McDonald who was in favour of the application;
- the premises licence holder had to turn away patrons and has had to lay off four members of staff;

(vi) considered representations under the licensing objectives as follows:

a) **Prevention of Public Nuisance –**

- a resident living opposite the premises considered the granting of the variation would cause a public nuisance due to noise during the early hours of the morning. He said he had contacted the proprietor several times to ask that they close the main door as it was propped open and music could be heard; this was considered to be relevant however there was no evidence to support the fact that noise was coming from these premises;
- with the smoking ban in force large groups of people would congregate outside the venue during the early hours to smoke and chat or shout; this was considered to be relevant however the applicant stated there was a smoking area at the rear of the premises and smoking was not permitted at the front of the premises;

b) **Prevention of Crime and Disorder –**

- a resident living opposite the premises was regularly woken by early morning/late night fights outside another licensed premises and he feared that the patrons of Maxines may encourage the antagonists or even partake in the violence if they were in an inebriated state; this was considered to be relevant however there was no evidence to support this;
- heard from Devon and Cornwall Police that on 11 December 2009 the Licensing Sub Committee heard evidence in support of a review of the premises following an incident of violent disorder that occurred on the premises on 15 November 2009;
- the evidence provided demonstrated concerns about management, a lack of control at the premises, issues with CCTV, previous assaults and problems with people queuing to enter the premises;

- the Police suggested a number of conditions to remedy the concerns and these were accepted by the licensed premises holder;
- the records held by the Police indicated that the conditions were working very effectively and that as a direct result there had been a significant reduction in the reported crime and incident logs relating to the premises;
- the records show that in the eight months prior to 11 December 2009 there were 21 incident logs relating to Maxines, 16 related to assaults, fights or disorder, and the others related to missing persons and people wanted by the Police. The majority of these incidents were called in between 3.00 a.m. and 8.00 a.m. During the same period 14 criminal offences were recorded as having taken place at the premises, 5 of these happened after 4.00 a.m.;
- in the eight months following the hearing of 11 December 2009 there were only 4 incident logs relating to the premises, 3 of these related to violence and/or disorder, one was related to an assault on a door supervisor. Two incidents occurred after 4.00 a.m., one at 4.00 a.m. and the other at 4.30 a.m. During the same period seven offences had been recorded at the premises, four of these were violent offences; one was a drugs offence, one a theft and one criminal damage. It was noted that three of the violent offences were the result of one incident in which three men were the subject of criminal charges;
- prior to the implementation of the conditions the poor management of the premises created an environment resulting in serious violence. The current management techniques together with conditions 15 and 16 have had a positive impact on the licensing objective of the prevention of crime and disorder and their retention was necessary to continue to promote the effectiveness of the management of both the premises and licensing objectives;

c) **Protection of Children from Harm –**

- there were no representations;

d) **Public Safety –**

- there were no representations;

e) **Representations in support of the premises –**

- there were eight letters of representation received from interested parties living in the vicinity in support of the premises; these said residents were unable to enjoy the premises after 4.00 a.m. when they were unable to sleep and when they finished work;
- there were not enough premises catering for the trade between 02.00 hours and 06.00 hours which put enormous pressure on those who do operate;
- a local resident had never seen any major incidents stemming from Maxines and considered the premises to be professionally run; patrons felt safe in the premises;

Members considered that this application did fall within an area to which the cumulative impact policy applies however there was no relevant representation made regarding cumulative impact in respect of this application.

Members having heard all the evidence, believe the four incidents that occurred since 11 December 2009 have all, where related to Maxines, been dealt with professionally and responsibly.

Members believe the Premises Licence Holder has a good working relationship with the Police as demonstrated by the letter dated 10 February 2010 and 19 August 2010.

Members having considered all the evidence do not believe condition 15 and 16 remain necessary for the promotion of the prevention of crime and disorder objective.

The Committee agreed that having taken into account all of the above representations the variation application be GRANTED

- (1) Subject to mandatory conditions contained in the Licensing Act 2003 and conditions consistent with the applicants operating schedule.

5. **GRANT OF PREMISES LICENCE - ELBURTON METHODIST CHURCH, SPRINGFIELD ROAD, PLYMOUTH**

The Committee having –

- (i) considered the report from the Director for Community Services;
- (ii) considered the written representation from an interested party;

(iii) heard from the applicant that:

- on rare occasions this premises was let for various activities, in the past this has included charitable organisations;
- in the past he has had requests for concerts, barn dances etc but when the user was told they would need a licence they decided not to continue;
- he envisaged the premises would only be used 2-4 times a year if that; some years not at all;
- in the church he said there was a small platform that could be used for concerts;
- in the hall there was a stage that could be used for dances;
- he said he had spoken to the person who had made a representation, providing him with more information as to why they were requesting this premises licence;
- he said there was a triple layer of bricks between the church and neighbouring property;
- he was expecting to hold relatively quiet activities;

(vi) considered representations under the licensing objectives as follows:

a) **Prevention of Public Nuisance –**

- if granted an unacceptable amount of noise which was not directly attributable to the church and its congregation would invade the front room through adjoining walls; this was considered to be relevant however the applicant said the adjoining wall consisted of a triple layer of bricks and insulation and therefore there should be minimal noise to the adjoining property. He also said he envisaged relatively quiet activities;
- there were in excess of 10 properties that would be affected by noise coming from the church; this was not considered to be relevant as no representations had been made;
- there would be parking congestion caused by potential attendees at functions; this was not considered to be relevant;

- b) **Prevention of Crime and Disorder –**
 - there were no representations
- c) **Protection of Children from Harm –**
 - there were no representations
- d) **Public Safety –**
 - there were no representations;
- e) **Other representations –**
 - a residents house would become unsellable at anywhere near its current market value and there was a lack of necessity for yet another entertainment venue; these representations were not considered relevant as they do not relate to any of the four licensing objectives.

Members agreed that having taken into account all of the above representations the application be GRANTED.

- (1) Subject to mandatory conditions contained in the Licensing Act 2003 and conditions consistent with the applicants operating schedule.

6. **EXEMPT BUSINESS**

There were no items of Chair's Urgent Business.

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Licensing Sub Committee (Miscellaneous)

Tuesday 7 September 2010

PRESENT:

Councillor Mrs Bowyer, in the Chair.
Councillor Delbridge, Vice Chair.
Councillor Wright.

Apologies for absence: Councillors Browne and Lock

Also in attendance:

Debbie Bradbury, Lawyer
Peter Clemens, Senior Licensing Officer

The meeting started at 10.00 am and finished at 2.00 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

7. APPOINTMENT OF CHAIR AND VICE-CHAIR

Agreed that Councillor Mrs Bowyer is appointed as Chair and Councillor Delbridge is appointed as Vice Chair.

8. DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the code of conduct.

9. CHAIR'S URGENT BUSINESS

There were no items of chair's urgent business.

10. VARIATION OF PREMISES LICENCE - BAC BAR 38-40 DRAKE CIRCUS, PLYMOUTH

The Committee having –

- (i) considered the report from the Director for Community Services;
- (ii) considered the written representations;
- (iii) heard from the applicant's solicitor that:
 - the applicant was not aware of any instances of crime or disorder which could be attributed to his premises which were well managed and operated by experienced staff;
 - there was a total workforce of between 15 and 20 staff and a manager who held a personal licence. All security staff were S.I.A licensed;
 - there would be no increase in the occupancy above the current level of 150;
 - the outside rear area was not used for any licensable activities at all;
 - the outside rear area was controlled by licensed security staff from 11pm as well as monitored by CCTV at all times when in use;

- there had been no instances recorded of crime, disorder, public safety or public nuisance from the use of the rear area;
 - the current terminal hour for the premises was 4am and there was to be no increase in operating hours. Often they closed significantly earlier on many days;
 - the applicant was not the premises licence holder when consultation over the cumulative impact policy was considered;
 - the number of licensed premises in the area had been reduced in recent months due the closure of café eight, Bar 360 and University Wines;
 - the premises provided seating for about 65% of its capacity;
 - the area was busy as it was the centre of the University student and staff population and these people (including approximately 30,000 students) had to be catered for. Plymouth was economically dependent on the student/staff population and it was contended that they were entitled to expect a level of leisure facility similar to comparable cities;
 - the noise from the use of the outdoor rear area was monitored by bar staff and security staff and behaviour was further monitored by CCTV. There was no licensable activity within that area at any time;
 - the complaint received on 16 December 2009 referred only to music noise and not noise from patrons using the smoking area. The noise from music was immediately addressed and a self-closer was fitted to an external door. There had been no complaints or contact from the Environmental Health Office since;
 - a method statement relating to the use of the rear smoking area had been provided;
- (iv) heard from the applicant's witnesses that:
- two letters had been provided by local residents living above the licensed premises who had no objection to the rear garden area being used after 11.30pm;
 - Mr Carter had taken over the premises in September 2009;
- (v) heard from a representative of Devon & Cornwall Police that:
- the Bac Bar was situated in a cumulative impact area and evidence showed an increase in crime levels within this area;
 - evidence showed that the majority of crime in this area including the increase occurred between the hours of 7pm and 6am and could not be attributed to individual premises;
 - crime in the remainder of the beat area which contained the cumulative impact area was significantly reduced;
 - a document had been provided that detailed the evidence regarding crime levels;

(vi) heard from a representative of the Environmental Regulation Service that:

- the premises were situated in a cumulative impact area and the cumulative impact policy was adopted due to the overall levels of crime, disorder and nuisance prevalent in the area resulting from licensed premises operating until the early hours of the morning. Particularly with regard to the anti-social behaviour and nuisance behaviour of patrons leaving licensed premises and their impact on the surrounding neighbourhood in the early hours of the morning;
- the operating schedule provided by the applicant failed to acknowledge the potential affect of noise from the use of the outside area beyond 11.30pm until close of business at 4am and what measures would be taken to mitigate its affects on and off the premises;
- the department had received complaints concerning a variety of nuisances in North Hill and surrounding areas;
- the operating schedule failed to address how the potential impact from increased use of the outside area would be reasonably controlled to prevent any cumulative impact and noise creep from patrons using the area up to 4am;
- a complaint was received on 16 December 2009 concerning noise from the licensed premises alleging noise disturbance from music provided at the venue;
- the potential effect of increased noise activity from extending the use of the outdoor area would in the opinion of the department contribute further to cumulative impact on the local community;
- during 'Week of Action' on 14 May 2009 the Bac Bar was identified by a Police Officer as being particularly noisy;
- they recommended the application to amend condition B1 was refused.

Members considered the representations made with respect to the cumulative impact policy and considered relevant representations had been made from –

- (vii) the Devon & Cornwall Police that the varying of condition B1 would change the location of the customers of the premises and the rear area would become a recreational area. There was the potential for crime and disorder and public nuisance due to the impact of a large number of people in the rear area after 11.30pm to 4am and with their potential to spill into others and the mixing of this group with other patrons going to and from other licensed premises;
- (viii) a representative of Environmental Health that the varying of condition B1 would create the potential for noise disturbance from the use of the outside rear garden until 4am. It was felt that this had the potential to add to the cumulative effect of noise in the area and cause a nuisance to local residents.

Members considered that –

- it was anticipated that the application would add to the problems of crime and disorder and public nuisance in this area;

- having considered all the evidence they did not believe the applicant had demonstrated fully within their operating schedule there would be no negative cumulative impact on the prevention of crime and disorder objective and the prevention of public nuisance objective.

Members considered the fact that the applicant was not the licensed premises holder when the high level of noise was identified by the Police on 14 May 2009. They also considered the information to be hearsay and were not given enough detail. This was therefore not given any weight in the decision making.

Members heard that the complaint on 16 December 2009 did relate to these premises but was not in respect of the outside rear area.

The Committee agreed that having taken into account all of the above representations the variation application be determined as follows –

- the application to remove condition B1 is granted;
- the application to carry out minor internal alternations is granted;
- the application to incorporate the following condition is granted:
- 'CCTV system to be installed and maintained and made available to the Police to view and download';
- the application for the playing of recorded music (indoors) only is granted.

Subject to mandatory conditions contained in the Licensing Act 2003 and conditions consistent with the applicants operating schedule and the following conditions –

- (1) after 11.30pm no drinks are to be taken outside to the outside rear area;
- (2) after 11.30pm the capacity in the outside rear area is limited to 40;
- (3) after 11.30pm a door supervisor is to be permanently placed in the rear area to monitor the capacity and enforce the no drinks in the outside rear area after 11.30pm;
- (4) after 11.30pm noise levels are to be monitored and controlled to minimise any potential impact on local residents;
- (5) a sign is to be placed in the outside rear area specifying that no drinks are be taken into this area after 11.30pm.

11. **EXEMPT BUSINESS**

There were no items of exempt business.

Licensing Sub Committee (Miscellaneous)

Tuesday 5 October 2010

PRESENT:

Councillor Mrs Bowyer, in the Chair.
Councillor Gordon, Vice Chair.
Councillor Rennie.

Apologies for absence: Councillor Lock

Also in attendance: Sharon Day – Lawyer, Peter Clemens – Senior Licensing Officer , Rachael Harris – Senior Environmental Health Officer and Rhodri Morgan – Environmental Health Officer.

The meeting started at 11.00 am and finished at 11.50 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

12. APPOINTMENT OF CHAIR AND VICE-CHAIR

Agreed that Councillors Mrs Bowyer was appointed as Chair and Councillor Gordon was appointed as Vice Chair for this meeting.

13. DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the code of conduct.

14. CHAIR'S URGENT BUSINESS

There were no items of Chair's Urgent Business.

15. VARIATION OF PREMISES LICENCE - OPEN AIR, 3 AND 4 SHERWELL ARCADE, NORTH HILL, PLYMOUTH

The Committee having –

- (i) considered the report from the Director for Community Services;
- (ii) heard from the applicant's solicitor that they were requesting that the matter be adjourned pending the appeal of the Bac Bar;
- (iii) considered the representations from Devon and Cornwall Constabulary and Environmental Health against the application to adjourn;

Agreed that having listened to what was said by all parties Members acknowledged that all applications must be dealt with on their own merits. However Members considered that the application should be adjourned pending the outcome of the appeal of the Bac Bar which was in the same area as Open Air and where substantially the same representations had been raised. The committee was advised that the issues on which the Court was likely to determine in that appeal may have a bearing on this application. For this reason the adjournment was considered to be in the public interest in accordance with Plymouth City Council's hearing regulations. It was not possible to set a date for the hearing of this application as no court date for the appeal had been provided, however authority to set a new hearing date was delegated to the Licensing Officer once a final appeal date was known.

16. EXEMPT BUSINESS

There were no items of exempt business.

17. **VARIATION OF PREMISES LICENCE - OPEN AIR, 3 & 4 SHERWELL ARCADE, NORTH HILL, PLYMOUTH (E7)**

Minute 15 refers.

Licensing Sub Committee (Miscellaneous)

Tuesday 19 October 2010

PRESENT:

Councillor Mrs Bowyer, in the Chair.
Councillor Drean, Vice Chair.
Councillor Rennie.

Apologies for absence: Councillor Wright

Also in attendance: Debbie Bradbury – Lawyer, Pete Clemens – Senior Licensing Officer, Rachael Harris – Senior Environmental Health Officer and Rhodri Morgan – Environmental Health Officer.

The meeting started at 10.00 am and finished at 11.10 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

18. **APPOINTMENT OF CHAIR AND VICE-CHAIR**

Agreed that Councillor Mrs Bowyer was appointed as Chair and Councillor Drean appointed as Vice Chair for this meeting.

19. **DECLARATIONS OF INTEREST**

There were no declarations of interest in accordance with the code of conduct.

20. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

21. **VARIATION OF PREMISES LICENCE - WATERFRONT, 9 GRAND PARADE, WEST HOE, PLYMOUTH**

The Committee having –

- (i) considered the report from the Director for Community Services;
- (ii) considered the written representations;
- (iii) heard from the applicant that:
 - due to the representations received he had amended his original application;
 - he was withdrawing his variation application apart from the

request for the following opening hours:

Sunday to Thursday 07.00hrs to 00.30hrs
Friday to Saturday 07.00hrs to 01.30hrs

- he believed the two written representations made in respect of the original application were objections to the extension of music and not the earlier opening hours;
- he would like to work with residents and the local authority to resolve any potential concerns

(iv) heard from a representative of Environmental Health that:

- there was no objection to the amended variation application proposed;

(v) considered representations under the licensing objectives as follows:

a) **Prevention of Public Nuisance –**

considered two written representations that referred specifically to extended opening hours. This was not considered relevant as Members agreed with the applicant and did not consider these representations to be in respect of the earlier opening hours requested.

b) **Prevention of Crime and Disorder –**

there were no representations

c) **Protection of Children from Harm –**

there were no representations

d) **Public Safety –**

there were no representations

e) **Representations in support of the premises –**

there was one letter of representation received from an interested party living in the vicinity in support of the premises; this said that from January to June 2010 the area was lifeless and rundown. Rubbish had started to accumulate and tramps were sleeping rough in the area. Unlicensed parties were a regular occurrence. Since the Waterfront gained a licensee the whole environment had changed. It is clean and tidy, is well used and a credit to the city;

The Committee agreed that having taken into account all of the above representations the amended variation application be granted as requested

- (1) Subject to mandatory conditions contained in the Licensing Act 2003 and conditions consistent with the applicants operating schedule.

22. **EXEMPT BUSINESS**

There were no items of exempt business.

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Licensing Sub Committee (Miscellaneous)

Tuesday 2 November 2010

PRESENT:

Councillor Mrs Bowyer, in the Chair.
Councillor Browne, Vice Chair.
Councillor Rennie.

Fourth Member – Councillor Wright

Also in attendance: Sharon Day – Lawyer, Pete Clemens – Senior Licensing Officer, Rhodri Morgan – Environmental Health Officer and David Hughes – Senior Environmental Health Officer

The meeting started at 10.00 am and finished at 2.00 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

23. **APPOINTMENT OF CHAIR AND VICE-CHAIR**

Agreed that Councillor Mrs Bowyer was appointed as Chair and Councillor Browne appointed as Vice Chair for this meeting.

24. **DECLARATIONS OF INTEREST**

There were no declarations of interest in accordance with the code of conduct.

25. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

26. **GRANT OF PREMISES LICENCE - PREZZO, UNITS 16 & 17 MILLS BAKERY, ROYAL WILLIAM YARD, PLYMOUTH**

The Committee having –

- (i) considered the report from the Director for Community Services;
- (ii) considered the representations from Environmental Health;
- (iii) considered the written representations and heard from interested parties present;
- (iii) heard from the applicant in support of the application and additionally that the application was amended to remove recorded music as they only intended to have background music;

(vi) considered representations under the licensing objectives as follows:

a) Prevention of Public Nuisance –

- that the proximity of the premises to residential properties was a cause of concern due to the potential for noise nuisance which may affect local residents in the use and enjoyment of their premises. However Environmental Health put forward conditions which in their opinion were reasonable to control the potential for public nuisance arising from the premises. Following discussions with the applicant it had been agreed to remove public safety condition 1 and the word dusk from public nuisance condition 1. This was considered to be relevant but having listened to the representations from both Environmental Health and the applicant Members felt that conditions 3 – 8 put forward by Environmental Health would be sufficient to address potential for public nuisance but felt that special condition 1 below more appropriately addressed any potential concerns regarding the use of the outside area.

Special condition 1. No tables to be allocated to customers after 2100hrs in the outside area and the outside area must be cleared by 2230 hours.

- Environmental Health suggested that late night refreshment outdoors should be refused due to the potential adverse effect that outdoor activities may have on local residents at night. This was considered to be relevant however this had now been addressed in the special condition above.
- Interested parties objected to the hours of operation of the premises due to the problems they experience with another premises in the same area. There were concerns that patrons would linger past the opening hours causing nuisance through loud talking, banging of car/taxi doors and high spirits, exacerbating problems that they already experience. This was considered to be relevant however Members considered that any potential problem had been addressed through the conditions agreed with Environmental Health.
- granting the licence would double the number of patrons coming and going which will add to noise problems. This would be made worse by the fact that the whole area was hard surfaced landscaping which amplifies the sound. Also noise was exaggerated across the water. This was considered to be relevant however Members considered that any potential problem had been addressed through conditions agreed with Environmental Health;

- noise from refuse bins being taken across the stone pavement late at night would cause disturbance to residents and make existing problems worse. This was considered to be relevant however Members considered that any potential problem had been addressed through conditions agreed with Environmental Health;
 - residents already find difficulty parking in the area and this will be made worse if the licence was granted. Whilst Members noted the concerns of Interested Parties this was not considered to be relevant.
 - concern that the outside seating area would be a source of noise late at night increasing the problems already experienced in the area from other licensed premises. This was considered to be relevant however Members considered any potential problems to be addressed through the special condition 1 above and the conditions agreed with Environmental Health;
 - concern that there would be light pollution as lights from another premises are left on all night causing problems. Whilst Members noted interested parties concern this complaint related to a separate premises and was therefore not considered to be relevant to this application;
 - due to poor transportation links most customers would travel by car or taxi. This would in turn lead to customers congregating outside the premises causing noise disturbance. This was considered to be relevant however Members were reassured by the arrangements the premises have in place for customers using taxis and felt that any potential problems were addressed in the conditions agreed with Environmental Health;
- b) Prevention of Crime and Disorder –
- No representations.
- c) Protection of Children from Harm –
- No representations
- d) Public Safety –

- concern that there would be minimal security to ensure the safe dispersal of clientele when extended hours will result in more drinking and increased risk of disruptive behaviour with the close proximity of the water creating a safety risk. This was considered to be relevant however Members did not consider that this posed a potential risk having taken account the fact that this was intended to be a restaurant and not a vertical drinking establishment;
- concern that as with another licensed premises in the area customers would drink alcohol away from the vicinity of the premises leaving glasses and bottles around the perimeter of the area. This would create a risk to families with small children who frequent the area. This was considered to be relevant and as put forward by the applicant Members considered that special condition 2 below would address this concern.

Special Condition 2: That the supply of alcohol shall be by waiter or waitress service only and ancillary to the consumption of substantial food at tables.

Agreed that having taken into account all of the above representations the application be granted subject to mandatory conditions contained in the Licensing Act 2003, conditions consistent with the applicants operating schedule, conditions 3 - 8 agreed with Environmental Health and special conditions 1 and 2 above.

27. **GRANT OF PREMISES LICENCE - DEVONPORT PARK PAVILIONS,
DEVONPORT PARK, FORE STREET, DEVONPORT, PLYMOUTH**

The Committee having –

- (i) considered the report from the Director for Community Services;
- (ii) considered the written representations from interested parties;
- (iii) considered the representations from Environmental Health and heard that the applicant had agreed to the conditions they were putting forward;
- (iv) heard from the applicant that he agreed to the conditions put forward by Environmental Health and that he was no longer applying for off sales. He agreed that live music would cease at 2300hrs and the provision of facilities for making music would cease indoors at 2300hrs;
- (v) considered representations under the licensing objectives as follows:
 - a) Prevention of Public Nuisance –

- Environmental Health stated that the proximity of the premise to a residential properties caused concern for the potential for noise nuisance that may affect local residents in the use and enjoyment of their properties. Conditions were submitted which were considered suitable to address the potential public nuisance issues arising from the premises. This was considered to be relevant and members were satisfied that these conditions would address any potential problems;
- Interested parties had concerns that there would be an increase in noise particularly late at night if the premise were to be open for such long hours and with the granting of entertainment on the licence. Noise would come from the entertainment and from rowdy behaviour. This would impact on elderly and vulnerable residents nearby. This was considered to be relevant and members considered that the conditions put forward by Environmental Health would address any potential problems.

b) Prevention of Crime and Disorder –

- the park was already a gathering place for persons who use the park to sit and drink alcohol, behaving inappropriately and being verbally and physically abusive. This was intimidating to those using the park and may increase with the granting of the licence due to it being easier to obtain alcohol. This was considered to be relevant however members considered that this was addressed as the applicant was no longer applying for off sales and in addition a special condition was needed to control the sale of alcohol as follows:

Special condition: Alcohol is only to be supplied as part of a meal served at a table save where it is supplied as part of a pre booked function.

- it was feared that incidents of vandalism would increase which caused distress for vulnerable residents nearby if the licence was granted (due to the ease of obtaining alcohol). This was considered to be relevant however members considered any potential problems were addressed through the removal of off sales from the application and the special condition above;

c) Protection of Children from Harm –

- concern that the park was supposed to be a child friendly space and would not be so if children were subjected to witnessing drunken behaviour. This was considered to be relevant however members considered that this was addressed through the removal of off sales and the special condition above;

d) Public Safety –

- the safety of clients at care homes near the premises would be compromised by the granting of the licence. This was not considered to be relevant as there was no information provided to say in what way safety would be compromised;
- the safety of people in the park would be compromised with the granting of the licence. This was not considered to be relevant as there was no information provided to say in what way safety would be compromised;
- parking in the area was already limited and parking on the road to the pavilion may prevent emergency vehicles from gaining access to the residential home at the end of the road. This was not considered to be relevant as this was an issue to be enforced by other enforcement agencies.

Agreed that having taken into account all of the above representations the application be granted subject to the mandatory conditions contained in the Licensing Act 2003, conditions consistent with the applicant's operating schedule, conditions agreed with Environmental Health and the special condition.

28. **EXEMPT BUSINESS**

There were no items of exempt business.

Licensing Sub Committee (Miscellaneous)

Tuesday 16 November 2010

PRESENT:

Councillor Foster, in the Chair.

Councillor Browne (substitute for Councillor Mrs Nicholson), Vice Chair.

Councillor Wright (substitute for Councillor Gordon).

Apologies for absence: Councillors Mrs Bowyer, Gordon and Mrs Nicholson.

Also in attendance: Debbie Bradbury (Lawyer), Rachal Harris (Senior Environmental Health Officer) and Marie Price (Licensing Officer).

The meeting started at 12pm and finished at 3.35 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

29. **APPOINTMENT OF CHAIR AND VICE-CHAIR**

Agreed that Councillor Foster is appointed as Chair and Councillor Browne is appointed as Vice Chair for this particular meeting.

30. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by councillors in accordance with the code of conduct.

31. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

32. **REVIEW OF PREMISES LICENCE - BORINGDON HALL HOTEL, COLEBROOK, PLYMPTON, PLYMOUTH**

The committee having –

- (a) considered the report from the Director for Community Services;
- (b) considered all written representations;
- (c) heard from a representative of Environmental Health;
- (d) heard from the premises licence holder's representative;
- (e) heard from the designated premises supervisor;

- (f) heard from interested parties;
- (g) heard from a representative of Environmental Health that –
- regular complaints had been received from nearby residents since 2008 relating to excessive noise from the tented marquee, which was a large aluminum framed structure lined with white canvas;
 - it was used all year round for weddings, salsa dancing lessons, parties, proms and corporate events; more complaints were received during the summer months and during the Christmas period;
 - unreasonable disturbance was experienced when live bands were used and more recently when DJ/disco events were held;
 - they had been advised that a noise limiter had been purchased for recorded music. It is not suitable for live music as it would damage the equipment and some equipment such as drums cannot be put through a limiter;
 - officers had met with the hotel owner and the Food and Beverage Manager on numerous occasions to attempt to reduce the impact of noisy activities on local residents;
 - officers had visited the premises during the evening on nine occasions between April 2009 and October 2010 and in their opinion had witnessed breaches of conditions of the premises licence on each occasion;
 - they recommended that the licence conditions are altered to remove permission for the live entertainment to be held in the marquee and that additional conditions were attached to the licence to control regulated entertainment such as DJ's/discos, salsa dancing, etc;
 - on 13 November 2010 there was a noise nuisance from loud music and the public address system at the premises;
- (h) heard from interested parties and considered written representations that –
- for the last three years noise levels coming from the marquee had been both intrusive and annoying;
 - there had been noise from live and recorded music;
 - windows needed to be kept shut to allow residents, including children to sleep;

- fireworks went off between 10.45pm and 11pm without warning and had woken children;
 - residents were unable to use their gardens due to the noise disturbance;
 - an intrusive PA system could be heard until at least midnight and often later and was a regular occurrence every Tuesday when there was a regular salsa night;
 - the management of Boringdon Hall Hotel had continually failed to engage with the local community or routinely monitor noise levels;
- (i) heard from the premises licence holder's representative that –
- there was a problem with the noise from live music and they had stopped taking future bookings for live acts;
 - it was necessary to retain recorded music and a DJ and these noise levels could be adequately monitored;
 - the cost to sound proof the marquee would be obscene and they could not afford to do this;
- (j) heard from the designated premises supervisor that –
- live music was difficult to control;
 - management would work with the Environmental Health to control the noise levels.

Members considered all the representations made under the prevention of crime and disorder licensing objective. They considered the recommendations of Environmental Health and felt that the addition of the conditions proposed would adequately resolve future concerns regarding regulated entertainment at the marquee.

Members considered the requested to hold live music at the marquee of bookings that had already been made. However, Councillors did not believe live music could be adequately controlled and did not feel this could be granted.

Having taken into account all the relevant representations made, the committee agreed to –

- (1) modify the conditions of the licence with the following new conditions added to the licence in respect of the marquee –

- the performance of recorded entertainment must be completed by 00.00 hours;
- the licensee/management will control the sound levels of the music/entertainment; a noise limiting device (the specification and design to be agreed with Environmental Health Service) must be fitted so that all regulated and recorded music is channeled through the device(s); the maximum noise levels will be set by agreement with the Environmental Health Service and will be reviewed from time to time as appropriate;
- all amplified sound sources from the premises will go through the noise limiter;
- a senior member of staff is nominated is nominated as the person responsible for the management, supervision and control of regulated entertainment; this person will be responsible for instructing performers on the restrictions and controls to be applied;
- a senior member of staff (manager) will assess the impact of any noisy activities on neighbouring premises at the start of the activity/entertainment and periodically throughout the activity/entertainment and take action to reduce noise levels if they are found to be excessive/distinguishable above background levels at the nearest residential property; records of these checks must be kept and held at the premises so that they can be inspected by the responsible authorities;
- a nominated person to be available at all times when entertainment is taking place and who is responsible for cooperating and liaising with the police and responsible authorities;
- no further regulated entertainment to be held in the marquee until a suitable and appropriate noise limiting device to be fitted to the satisfaction of the Environmental Health Service in that it will ensure compliance with existing licensing conditions;
- there is to be no live music held in the marquee.

33. **REVIEW OF PREMISES LICENCE - DRAKES DRUM, 19 RADFORD PARK ROAD, PLYMOUTH**

The Committee having –

- (a) considered the report from the Director for Community Services;
- (b) considered all written representations;

- (c) heard from a representative of Devon and Cornwall Police;
- (d) heard from the premises licence holder;
- (e) heard from a representative of Devon and Cornwall Police that –
 - they had serious concerns regarding the management of the premises and the designated premises supervisor's ability to uphold the licensing objectives in respect of the prevention of crime and disorder and protection of children from harm;
 - since June 2010 the police had been working with the management of the premises regarding the CCTV system; in this period there had been two offences of grievous bodily harm which when investigated identified problems with the ability of the system to download images of the offences;
 - the premises had failed two consecutive test purchases within a five week period when they sold alcohol to an underage person;
 - the premises were supplied with advice and a training package regarding sales to underage persons before the first failure on 21 August 2010 and again before the second failure on 18 September 2010;
 - the evidence showed that the management did not formally implement any training policies before either of the test purchase failures;
 - a test purchase was carried out on the premises on 13 November 2010 and no sale was made;
- (f) heard from the premises licence holder that –
 - the CCTV issues had been dealt with, all cameras were working and replaced to monitor potential problem areas and the police had said they were satisfied;
 - all staff had been retrained and had watched the DVD with regard to underage drinkers;
 - the training log had been entered onto their permanent employee file which had been signed and dated;
 - after the first underage sale staff were spoken to and trained, however a record was not kept of this training which had now been addressed;

- a zero tolerance was operated in respect of underage drinkers, violence and drugs and extensive efforts had been made to ensure this did not happen on the premises;
 - the employee who made the first underage sale had previously checked ID prior to the underage sale, however they no longer worked at the premises;
 - in ten months since taking on the Drakes Drum, there had only been two issues of violence; these were both beyond their control;
 - they had at all times cooperated with the local police and had banned at least six people suspected of involvement with drugs and the police had been informed;
 - having spoken with local people, they said it was a much nicer, safer and friendly environment than it was before;
- (g) Councillors considered all the representations made under the prevention of crime and disorder and protection of children from harm licensing objectives and they believed that all concerns had now been addressed.

Having taken into account all the relevant representations made, the Councillors agreed to take no action as they do not consider it necessary to take any steps to promote the prevention of crime and disorder and protection of children from harm licensing objectives.

34. **EXEMPT BUSINESS**

There were no items of exempt business.

CITY OF PLYMOUTH

Subject: Application for the Designated Public Places Order (DPPO) to Control Street Drinking in Freedom Fields Park and Tothill Park

Committee: Licensing Committee (Miscellaneous)

Date: 21 December 2010

Cabinet Member: Councillor Mike Leaves

CMT Member: Carol Burgoyne – Director of Community Services

Author: David Hughes, Senior Environmental Health Officer (Licensing)

Contact: Tel: (01752) 304158
Email: david.hughes@plymouth.gov.uk

Ref:

Key Decision: No

Part: I

Executive Summary:

Licensing Committee is asked to consider an application submitted by the Devon and Cornwall Police, to make a Designated Public Places Order (DPPO) to cover Freedom Fields Park, to control street drinking. The application from the Devon and Cornwall Police also includes a request to consider extending the proposed DPPO to cover Tothill Park in order to cover any effects of displacement from Freedom Fields Park. This report seeks Committee approval to proceed to the public consultation stage after which a further report will be prepared for Committee to decide whether there is sufficient evidence to justify the making of such an order.

Local Authorities were given powers under Section 13 of the Criminal Justice and Police Act 2001 (as amended by Section 26 of the Violent Crime Reduction Act 2006) to designate an area where nuisance and annoyance to members of the public, or disorder is arising that is associated with consuming alcohol in public places.

The prescribed procedure on how to implement a DPPO is set out in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

Corporate Plan 2010 – 2013 as amended by the four new priorities for the City and Council:

- Raising Aspiration
- Value for Communities

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

If the Committee consider that sufficient evidence has been submitted the Local Authority has a duty to undertake a wider public consultation. Resources would be required to run the consultation process and there are also financial implications in relation to advertising of the proposals and if approved the preparation of signs to be placed throughout the designated area.

The Customer Data Integration Project has committed to funding the costs of advertising and purchase of signage if the application was approved. This external grant has been provided by the Department for Communities and Local Government from the National Efficiency and Transformation Capital Fund.

The resources required to run the consultation process would be absorbed within existing budgets.

Other Implications: e.g. Section 17 Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Recommendations & Reasons for recommended action:

1. That Committee consider the evidence submitted and decide whether there are sufficient grounds that nuisance or annoyance or disorder is caused to members of the public or a section of the public which is associated with the consumption of alcohol in those areas in the area of Freedom Fields Park to authorise a statutory public consultation.
2. That Committee consider the evidence submitted and decide whether there are sufficient grounds that nuisance or annoyance or disorder may be caused to members of the public or a section of the public which is associated with the consumption of alcohol and the effects of displacement to Tothill Park, to authorise a statutory public consultation.
3. If so satisfied then the Committee authorise the Public Protection Service to carry out the required statutory consultation as prescribed by the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 in the areas of Freedom Fields Park and Tothill Park and then report back detailing the results of that consultation in order that Committee can consider approving the application by the granting of the Designated Public Place Order.

Fin	LG CoSF ED1011 006. 06.12.10	Leg	AG/ 10411/ 7.12.10	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member: Carol Burgoyne											

1.0 BACKGROUND

- 1.1 The Criminal Justice and Police Act 2001 introduced the power for Local Authorities to designate public places in which it becomes an offence for a person to carry on drinking alcohol when they have been requested to stop by a police officer. Powers of confiscation of alcohol (or anything which the officer believes to be alcohol) also apply to such areas.
- 1.2 Before the police can invoke these powers the Council must, under Section 13 of the Criminal Justice and Public Order Act 2001, make an order (Designated Public Places Order (DUPO) that the land is a public place to which the new legislation applies.
- 1.3 An order can only be made if the Local Authority is satisfied that there is nuisance or annoyance to members of the public in a particular area, which is associated with the consumption of alcohol. Local Authorities are required to make an assessment based on the evidence submitted about the level of anti-social drinking and disorder before proceeding.
- 1.4 The creation, amendment or revocation of a Designated Public Places Order is not a function that can be dealt with by the Cabinet by virtue of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 and was delegated to this Committee by virtue of Council Minute 10 on the 13 June 2005

2.0 THE PROPOSAL

- 2.1 The Council have received an application from Devon and Cornwall Police to create a new DPPO, which would encompass Freedom Fields Park and Tothill Park as a consequence of potential displacement. The full application, including statistical and community evidence is contained in Appendix A. The maps has been extracted from the application and is marked Appendix B

The application has identified the following main points;
- 2.2 Freedom Fields park is a heritage park that has been awarded a green flag
- 2.3 There has been a marked increase in anti-social behaviour and disorder associated with 'street drinking' within Freedom Fields Park, throughout 2010. The main problems relate to drunkenness, aggressive behaviour, disorderly behaviour, urination, littering and underage drinking.
- 2.4 The police have contributed proactively to numerous multi-agency problem solving initiatives with Plymouth City Council partners including:
 - Plymouth Access to Housing (PATH)
 - Harbour Drug & Alcohol Services
 - Anti-Social Behaviour Team
 - Community Engagement
- 2.5 None of these initiatives have effectively addressed the existing problem of street drinking within Freedom Fields Park and how it contributes to nuisance and disturbance, in a proactive and effective way. Currently without a DPPO police officers are playing 'catch-up' and are unable to act until public order offences arise as a consequence. A DPPO would allow a proactive, preventative approach to be taken.

- 2.6 Many of the incidences are not criminal offences. Individuals openly consume alcohol, are characteristically loud, fall asleep, occupy benches, intimidate by numbers and appearance and generally take over defined areas. This makes it difficult for a police officer to address the root causes before circumstances escalate to the point where offences occur and action can be taken. This is a continuing frustration to the persons calling for assistance and passers by.
- 2.7 A DPPO would allow officers to remove the alcohol element, which fuels this behaviour and prevent escalation towards criminal behaviour. In addition the introduction of an order will demonstrate to habitual street drinkers that this conduct is no longer tenable.

3.0 POINTS FOR CONSIDERATION

- 3.1 The introduction of a DPPO does not impose a total ban on drinking alcohol in public places but does make it an offence to carry on drinking when asked to stop by a police officer. The order would therefore be used to tackle anti-social drinking.
- 3.2 The Police already have powers under the Confiscation of Alcohol (Young Persons) Act 1997 to confiscate alcohol from any person who is under 18 and dispose of that alcohol in an appropriate manner. In addition, from any person where a police officer reasonably suspects that they intend to supply a person under 18.
- 3.3 The Police also have powers under Section 6-8 of the Violent Crime Reduction Act 2006 to apply for a Drinking Banning Order in situations where an individual of at least 16 years of age has engaged in criminal or disorderly conduct while under the influence of alcohol and a court considers that such an order is necessary to protect the public.
- 3.4 Freedom Fields park has the benefit of a premises licence to provide regulated entertainment i.e. performance of a play, exhibition of a film, live and recorded music, performance of dance. This licence does not include the sale and supply of alcohol. Where a Temporary Events Notice (TEN) were to be granted for a festival or occasion to permit the sale and supply of alcohol within the park, the event would be excluded from the DPPO in which it is located for the duration, together with a period of 30 minutes following the completion of the event.
- 3.5 The application outlines that a consequence of the declaration of a previous DPPO for the City Centre and Stonehouse Neighbourhoods was that street drinkers who did frequent Beaumont Park migrated to Freedom Fields Park. Consequently the effect of granting an order for Freedom Fields Park could also have the effect of displacing street drinkers to nearby Tothill Park that would not have the benefit of an order.

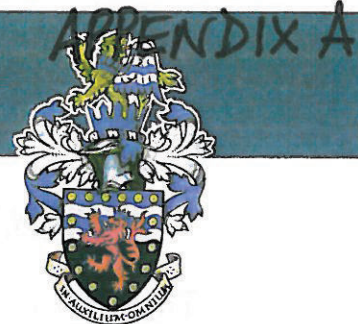
4.0 CONCLUSIONS

- 4.1 The Committee must be satisfied that the information submitted in the application and any additional information submitted during the hearing has established that there is an existing problem in Freedom Fields Park associated with the consumption of alcohol and that this causes a nuisance/annoyance or disturbance to local people, that would warrant a public consultation.
- 4.2 In addition, the Committee must be satisfied as to whether sufficient evidence has been presented that would suggest that if not included Tothill Park would suffer the consequences of displacement and if satisfied confirm that the public consultation is to be extended to include this park.

- 4.3 Once the Committee has decided the extent of the consultation areas Officers can conduct the consultation and report back the results so that Committee may decide whether to approve the application by the granting of an Order.
- 4.4 The Customer Data Integration Project is committed to funding the costs of advertising and purchase of signage if the application was approved; these costs have been estimated at £4K. This external grant has been provided by the Department for Communities and Local Government from the National Efficiency and Transformation Capital Fund.
- The resources required to run the consultation process would be absorbed within existing budgets.
- 4.5 It should be noted that the application is for Freedom Fields Park and Tothill Park and not the residential areas that link the parks.
- 4.6 The question of displacement is an important matter for consideration. The introduction of a DPPO can have the effect of moving street drinking on to neighbouring areas that are not designated. This effect may justify a larger area being designated than solely the identified hot spot.

5.0 RECOMMENDATIONS

1. That Committee consider the evidence submitted and decide whether there are sufficient grounds that nuisance or annoyance or disorder is caused to members of the public or a section of the public which is associated with the consumption of alcohol in the area of Freedom Fields Park to authorise a statutory public consultation.
2. That Committee consider the evidence submitted and decide whether there are sufficient grounds that nuisance or annoyance or disorder may be caused to members of the public or a section of the public which is associated with the consumption of alcohol and the effects of displacement to Tothill Park, to authorise a statutory public consultation.
3. If so satisfied then the Committee authorise the Public Protection Service to carry out the required statutory consultation as prescribed by the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 in the areas of Freedom Fields Park and Tothill Park and then report back detailing the results of that consultation in order that Committee can consider approving the application by the granting of the Designated Public Place Order.

DEVON & CORNWALL
CONSTABULARY

Our ref:

Your ref: 27 SEP 2010

F.A.O. _____

David Hughes
Public Protection Service
Plymouth City Council
Civic Centre
Plymouth
PL1 1AA

PS 4611 Worthington
Police Licensing Department
Charles Cross Police Station
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Plymouth PL4 8HG

26 September 2010

Telephone: 08452777444

I enclose an application for a designated Public Places Order for Freedom Fields Park which has been requested by the Mutley Greenbank Neighbourhood Team.

This application together with supporting documentation seeks approval for a DPPO to encompass the whole of Freedom Fields Park which has recently been blighted by increased levels of antisocial street drinking.

Should you require any additional information then please do not hesitate to contact me.

Yours sincerely

Martin Worthington
Licensing Sergeant
Plymouth BCU

martin.WORTHINGTON@devonandcornwall.pnn.police.uk



DESIGNATED PUBLIC PLACES ORDER (DPPO) APPLICATION

This application relates to the area of Freedom Fields Park, Plymouth as outlined in red on map '1' within **Appendix A**.

Background to the application

Freedom Fields Park is a Heritage Park and has been awarded a green flag. It is situated centrally within a residential area. It is used by many members of the public throughout all times of the day and is open and accessible 24hrs a day. The park has a central seating area, a cafe, a children's play area, a basket ball court and lots of open green spaces. It is enjoyed by young people, families, dog walkers and is the venue for many community events.

Over the past few months with the work that has gone on around Mutley Plain and North Hill with the street drinkers, we have seen a marked increase in anti social behaviour centred around alcohol abuse within the park.

The central covered seating area has been a magnet for 'street drinkers' who meet at the park during the morning, congregating in mass numbers and staying within this area until late into the evening.

Numbers of the group range from 5 to about 20, many of which are alcohol dependent. They have been offered support in the form of referrals to Harbour, and access to housing via PATH (Plymouth Access to Housing) all of which have been declined. We have also taken an educative stance, trying to get them to see what impact they as a group have on all users of the park. Unfortunately, they do not see that they cause a problem.

The persistent offenders are shown in **Appendix B**.

You will be aware that the existing DPPO's in force around Plymouth City Centre, Mutley Plain and North Hill are primarily in force to deal with Night Time Economy problems rather than street drinking and these areas do not cover the park.

The DPPO that covers Beaumont Park has also played a major part in shifting the drinkers to Freedom Fields and it would be my wish if this application is successful to include the nearby park, namely Tothill Park, to prevent yet another displacement. **See map - Appendix C.**

As you can see this park is in very close proximity to Freedom Fields enabling the street drinkers to move to a new location. We can show from the work we have done around Mutley Plain and the existence of the DPPO in Beaumont Park which became effective since August 2009 that the shift of drinkers have moved to the next nearest park area, being Freedom Fields.

As you are aware a DPPO is not about stopping the enjoyment of drinking in local parks but it does give the Police powers to tackle anti social drinking. The problem of enforcement without a DPPO is that officers are always playing catch up, waiting for the street drinking to reach an unacceptable level of anti social behaviour before effective action can be taken.

It should be noted, that many of the street drinkers are not actually committing criminal offences. Individuals will openly drink, be loud, fall asleep, occupy benches, intimidate by numbers, look unkempt but do not reach the threshold of breaking the law. This makes it very difficult for officers to take action, often to the frustration of the community who contact us about the ongoing situation.

The Police have also received reports of defecating in the park, nudity, members of the public being approached by members of this group and generally preventing others from enjoying this park as they should.

A DPPO for this park and the surrounding parks would enable officers to remove the alcohol element at an early stage. This would prevent the escalation of their behaviour. An existence of a DPPO will discourage the nuisance and anti social street drinking taking place at all. This will be achieved through publicity and the information given by officers when enforcing the DPPO. It would soon become common knowledge amongst the group that after a short period of time having alcohol removed from them or being arrested that this practice is unacceptable.

Secondly a DPPO will enable officers to respond effectively employing early intervention tactics breaking the link between alcohol and anti social behaviour. Most importantly the community will have confidence

in the Police and will go a long way to reducing the fear of crime within this locality.

It is my understanding, that Plymouth as a City has a vision which does not include its communities or visitors to our area being intimidated by anti social behaviour fuelled by alcohol. A DPPO would give the Police the tools to help achieve this aim.

Evidence to Support Application

Retrieving statistical data relating to the park and the issue of street drinking is problematic. The level of calls does not reflect the issues that are happening within the park. It is clear, however that this problem came to notice in early February 2010 with the first log reported. At this time the log states drunks in the shelter urinating and causing a problem. Since the first log there have been approximately 22 logs, specifically recording issues of anti social behaviour and disorder amongst the drunks. This is broken down as follows:-

LOG NO	DATE	DESCRIPTION
344	15/2	Drinkers urinating in shelter
215	27/02	Aggressive drunk male in park
596	08/03	Drinkers arguing with youths all drunk
1091	17/6	2 drinkers arguing and causing problems
903	18/06	Drinkers urinating in park by shelter
861	23/06	Drunk male collapsed
658	25/06	Drinkers 10 – 12 in total being abusive
1317	02/07	Drinkers in basketball court
437	16/07	Drunk and disorderly – male urinating
30	21/07	Drunk male laid out on floor
604	22/07	Drunks urinating on benches
307	26/07	Drinkers shouting and swearing in park
68	28/07	Drinkers arguing and fighting
949	30/07	Drunk female throwing bottles
879	03/038	Underage drinkers shouting abuse from shelters
774	04/08	Drinkers on rain shelter
810	04/08	Drinkers on roof of shelter, intimidating
389	17/08	Drinkers throwing cans and swearing
575	28/08	Drinkers swearing in park
228	29/08	Unconscious drinker in bushes
439	08/09	Drunk urinating against wall
813	12/09	Drunks buying alcohol for kids

Together with the above there are a further 19 logs specifically linked to the Park. This ranges from a range of issues from anti social behaviour with youths to the report of a serious sexual assault.

Despite Police intervention the problem has continued to escalate. As a result the issue has been made a priority tasking to target patrols to the area. Attached is the Policing Tasking Sheet used to tackle this issue – **see attached**. We have utilised the Directions to Leave Powers but they continue to use the park in an anti social manner.

Just recently, the Neighbourhood Team conducted a survey in the Park.

110 people were surveyed and the results of their concerns were as follows:-

- 42 people said drinkers in the park (vagrants, ASB urinating) caused a problem.
- 32 people said they had no issues
- 11 people said litter was a problem
- 10 people said criminal damage was an issue
- 6 other issues
- 5 parking /traffic 3 noise
- 2 fear of crime
- 1 drugs
- 1 burglary

We have met with the 'Friends of Freedom Fields Park' who also concur with the action we are taking. This group consists of residents, the local Councillor and the Parks Department. All are in agreement that the drinkers in the park are causing a problem and would support a DPPO application. **See Appendix D – Letter from Friends of Freedom Fields Park.**

Community Evidence to Support the Application

The profound effect this anti-social behaviour has upon other people using the park is evident from the feedback we as the Neighbourhood Team receive from community members.

Attached are letters of support from many residents who use the park on a regular basis. **See Appendix E – letters of support.**

Ward Councillors for the area are also in support.

How the Police Intend to enforce the DPPO

A DPPO does not impose a total ban on drinking alcohol in a public place. It does however, give the Police some powers to deal with persons causing anti social behaviour through drinking. It creates the offence to carry on drinking alcohol when asked to stop by a constable or authorised officer. To note local PCSO's would also have the power to enforce this legislation. At present they are unable to issue Directions to Leave (a temporary measure used by Police), and leaves them limited in dealing with the issue.

The Police and the Neighbourhood Policing Team would continue to undertake specific patrols tackle and target those individuals intent on engaging in Anti Social drinking.

Endorsement from 1st Line Supervisor – NTL PS 6789 Deer

I have reviewed the above and am in full support of the application. I have had the issues raised to me whilst patrolling the area and also noticed the issues off duty. The park is one of the nicest in Plymouth with an amazing view. Many different groups use the area. I have been in the park with the Vagrant drinkers being loud and a general nuisance to the park users. Unfortunately, PC's and PCSO's feel powerless to deal with them as they do not witness any criminal offences, even though they do happen such as urinating.

Endorsement from 2nd Line Supervisor – Inspector Bennett

I have been kept closely up to date with this application by the Neighbourhood Team. I was involved in the recent Engagement Event in Freedom Fields Park (23rd June 2010) where this issue was brought to my personal attention by users of the park. I fully support this application as the problem with anti social drinking is by far the major issue for the residents around the Park and for visitors to the Park. Despite the efforts of the Neighbourhood Team to closely monitor and control, these individuals they have continued to be a problem. This is mainly due to the lack of a Police power to move them on at an early stage before they become a problem and start committing criminal offences. By this stage it is too late and the wider community have been adversely affected. The Neighbourhood Team are fully aware that this is a discretionary power and that it will only be used when necessary. We

have a duty to support the wider community who live and use this park. It is a wonderful area for people to play, walk their dogs or just sit and enjoy the fresh air. All of these activities are being spoiled by the behaviour of a few individuals who have refused help from the Police and our Partner agencies. I feel that this order is the only way forward as everything else has been tried and has failed to solve the problem.

Submitted for consideration.

PC 4507 HUNT
NBM Mutley/Greenbank

Issue				
FREEDOM FIELDS PARK, ASB DRINKERS				
Owner				
PC 4533 WEEKS				
Date	Time	Unit/ Section	Activity	Intel submitted Y/N
06/07/10	0700	D	High vis patrol between 0900-1400hrs. At times patrolled all in order. Spoke to members of the public who are glad of the police presence but insist that street drinkers are still a problem. Advice given as well as 999 and non emergency number.	N
06/07/10	1200HRS	4533/ 4507	Attended park and found the following nominals present; [REDACTED] and [REDACTED]. No Offences disclosed at time but all were aware that their presence was unacceptable and moves were being made to address them.	y
07/07/10	1500	4533	Following drinkers congregated at shelter; [REDACTED] and [REDACTED].	y
07/07/10	1545	30141 30126	Following in shelter, [REDACTED], discussed Harbour referrals with the above group, however all stated that they are already engaged with Harbour and were not interested, with the exception of [REDACTED] who stated that he had a visit from [REDACTED] from PPO scheme who had offered him help which he is intending to take up. All seemed well under the influence and were drinking, other park users appeared to be actively avoiding the central area of the park.	y
08/07/10	1400	PS31 L		
08/07/10	1000hrs	4507	Attended park to canvass foot traffic using park to generate support for dppo application. No drinkers present at the time.	
08/07/07	1500	4533/ 4507	Street drinkers about 10 in number were present on grass area- it is felt police attention in the park is moderating their behaviour.	
09/07/10	1900	PS35 L	4 Street drinkers spoken to in the central shelter, engaged freely in conversation before leaving the area.	

10/07/10	1700	PS 31L		
10/07/10	1500	PC138	Usual drinkers in park, no ASB at that time, many other families enjoying the park	
11/07/10	1400	PS33 L		
12/07/10	1430	PC440	Foot patrol in the Park, spoke with volunteers at the Cafe in the Park and also spoke with the group of drinkers sat in the middle shelter of the park – all were drinking alcohol but AIO. Those there were [REDACTED] [REDACTED] N [REDACTED]	Y
13/07/10		PC440	Foot patrol in the Park, spoke with dog walkers and advised them about the Neighbourhoods aim to have a DPPO placed on the Park and explained the importance of letters of support. Checked the shelter in the middle of the Park, nobody there however there were empty and spilt cans of beer and a smell of urine.	N
13/07/10	2045hrs	PS32L	Foot patrol conducted in the park area. No street drinkers were seen in the location. Only dog walkers and kids using the park.	n
14/07/10	0015	PS33N	Foot patrol of park due to log 6 14/7/10 where possible youths had been seen heading in that direction. ASNT. On arrival [REDACTED] was seen to be just leaving the park by the Greenbank terrace end and he was incow a female.	N
14/07/10	0700	PS 34E	Foot patrol conducted and all in order. No drinkers in the area and mostly dog walkers in the park	
14/07/10	0940	PC440	Foot patrol in Park, spoke to residents and explained the Neighbourhood Teams current actions with dealing with the alcohol related behaviour in Freedom Fields. There were no drinkers in the Park at this time.	N
15/07/10	1400	PS32I	Unable to carry out foot patrol due to live logs	N
16/07/10	0800	PS35E		
16/07/10	0845	PC440	Foot patrol in the Park – Only one male drinking in the middle shelter - AIO	N
16/07/10	1300	PC440 and PC 5827	Foot patrol in the park. Spoke to [REDACTED] [REDACTED] n [REDACTED] [REDACTED] was also seen to join the group. All was in order at this point, although it is obvious these individuals make the other users of the park uncomfortable.	Y

16/07/10	1500	PC440	Foot patrol in the Park – No one seen drinking in the Park.	N
17/07/10	1620	PC440 and PC449	Foot patrol Freedom Fields. [REDACTED] 7 [REDACTED] e and [REDACTED] D [REDACTED]. There was also a woman called [REDACTED], who has recently come out of Trevy House.	Y
17/07/10	1855	PC440 and PC449	Foot patrol in Freedom Fields. Spoke to [REDACTED] [REDACTED] g [REDACTED] n [REDACTED] [REDACTED] e. All were drinking alcohol. When leaving the park saw [REDACTED] entering the Park from the Greenbank Terrace entrance.	N
18/07/10		PS35E	Unable to complete this one today	N
19/07/10	2000	PS32 N	Full foot patrol of park conducted at 0300 hours no one seen.	N
20/07/10	2000	PS 33N	Unable to attend due to section commitments	
21/07/10	2000	PS 32N		
22/07/10	0700	PS33E	Attended park. No drinkers seen, many dog walkers	
22/07/10	1230	4533/ 5827	Attended park- present were [REDACTED] e, [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED] n. Although unsightly, No asb at time.	
22/07/10	1630	PC440	Attended the park. There were a group of drinkers in sat in the middle shelter drinking alcohol, but not seen urinating. Those there were: [REDACTED], [REDACTED] A [REDACTED] on, [REDACTED] [REDACTED], [REDACTED] M [REDACTED] [REDACTED] and [REDACTED]	Y
22/07/10	2000	PS N		
22/07/10	2035	PC449	Attended the park; [REDACTED] was looking for other street drinkers. Steve smelled heavily of drink but was not drinking at this time.	
23/07/10		Ps37e	Unable to get to this	
23/07/10	0930	PC440	No one drinking alcohol in the Park, however the shelter in the middle of the Park was very untidy, there were cigarette ends, empty cans, used lighters and glass smashed on the floor. Spoke to some dog walkers, explained the actions of the Neighbourhood Team with regards to the DPPO and asked several people to write letters of support for this.	N
/24/07/10	1200 approx	PS31E	Attend Park for an area search of a theft from Tesco on Beaumont Road. There were several	

			<p>drinkers in the park in the shelter near to Greenbank Tce. They were advised to move on whilst we conducted our search which they complied with and were believed to go towards Tothill Park. The group included [REDACTED] [REDACTED] [REDACTED] When the group walked off they were joined by [REDACTED] & [REDACTED]. Requested comms to advise local nbm/psco when they commenced their tour of duty</p>	
25/07/10	0700	P20E Ps 5050	Due to the high volume of logs on e/t over the weekend this has not been allocated.	
26/07/10	1400	PS 40L	Unable to action due to ec/10/7613	
27/07/10	1400	PS 41L		
28/07/10	1540	5346	Foot patrol in/around park. Many families enjoying area. [REDACTED] sharing bottle of wine. Both quiet polite and no obvious ASB. W/M with shaved head slim build 5'10 with large tribal tattoo on back of neck left bus shelter as soon as he saw me coming from about 100m away. Unable to ID.	
29/07	2000	PS33N D Section		
30/07/10	1900	PS31L	<p>Attended the park following reports of a group who were drinking in the park and getting out of hand. On arrival spoke to [REDACTED] who was well in drink in the shelter. [REDACTED] was warned about her behaviour and sent home.</p>	
31/07/10	0800	PS34 E	Patrols throughout the day, all in order. Busy all day.	
02/08/10	0700	PS 34E	Patrols throughout the day all in order	
03/08/10	0700	PS E		
03/08/10	2015HRS	PS40L	Foot patrol conducted. No drinkers seen, just dog walkers	
04/08/10	0930	PC449	Foot patrol conducted. No drinkers seen, just dog walkers	
04/08/10	1750	PS32L D Section	<p>Directed to park by comms, sighted [REDACTED], [REDACTED] were seen on a shelter roof at entrance to park from the Greenbank rd side, no alcohol seized, [REDACTED] and [REDACTED] were sat on a bench under the shelter. Foot patrol conducted.</p>	
03/08	0950	PC138	<p>[REDACTED] issued with DTL in Freedom Fields Park. He was continually swearing whilst sat with [REDACTED], [REDACTED] had a bag with several cans of beer inside and it was believed that his behaviour would escalate throughout the day.</p>	Yes
04/08/10	1340	PC449	Report of vagrants urinating at shelter: [REDACTED]	Yes

			3 unknown males and 1 unknown female present lots of bottles stacked nearby. They all left on their own accord.	
06/08/10	1915	PC440 and PC420	Foot patrol Freedom Fields – No drinkers in the Shelter - AIO	No
07/08/10	Lates	Ps 5050	PS 5050 this has not been allocated this evening – all late turn officers have been tasked with patrols of the hoe as a priority due to the recent disorder in the vicinity of the fair.	
08/08	0700	PS40E D Section	Regular patrols all in order	
08/08/10	1800	PS 32N	Area foot patrol at 0030hrs whilst looking for a Misper, all in order. Two member of the public in the park stated they had been there a short while and nothing to note.	
09/08/10		PS33E	UNABLE TO ATTEND DUE TO LOGS	
09/08/10	2000-2010	PS34L	ATTENDED PARK AND PATROLLED AREA. ALL IN ORDER	
09/08/10	0700	PS31E D Section		
10/08/10	0925	PC440	Foot patrol in Freedom Fields Park – No drinkers in the shelter – Shelter looked reasonably clean and tidy – Just a few dog walkers in the Park - AIO	No
10/08/10	1530	PC 6978	Unable to get to this tasking due to other commitments	
11/08/10	1300	Pc 4533	Patrol in park-5 drinkers in shelter from greenbank terrace.all given advice.log received from mind complaining of drinkers.	
12/08/10	1400	PS32 L	Unable to attend due to prisoner	
13/08/10	1700	PS31L		
14/08/10	1700	PS33L		
14/08/10	1555	PC440 and PC449	Foot Patrol Freedom Fields. Spoke to [REDACTED] [REDACTED] [REDACTED] and [REDACTED] were both drinking cans of lager and were both chatty. AIO.	Y
15/08/10	1400	PS33L		
15/08/10	1040	PS32E	AIO. Only dog walkers using the park at the time.	No
15/08/10	1600	PC440 and PC449	Foot patrol in Freedom Fields. Spoke to [REDACTED] who was sat in the shelter in the middle of the Park drinking. Spoke about how messing the floor area around the shelter was. On leaving the park saw [REDACTED] and [REDACTED] entering it at the Greenbank Terrace entrance. [REDACTED] and [REDACTED] sat on the steps closest to Lipson Road.	N

			AIO	
15/08/10		PS35N	High vis patrol throughout shift, all in order at times patrolled.	N
17/08/10		PS33N	Apologies unable to get to this tonight due to 3 x assault statements, passed the park at approximately 0430hrs all quiet.	N
17/08/10	1200hrs	Pc132	Attended park after report of drinkers causing nuisance. A number of drinkers left the park on police arrival.	
18/08/10		PS E		
18/08/10	0905hrs	PC440	Foot patrol in the Park. Spoke to several residents and dog walkers. The shelter in the middle of the Park smelt of urine and there was rubbish such as cans and wrappers left over from the night before. There was one drinker in the park who was not in drink at the time of speaking to him.	N
18/08/10	2200		UNABLE TO CARRY OUT DUE TO LOG 798	
19/08/10		PS35 E	Patrols conducted 1030hrs. Nothing of note	
19/08/10	0915	PC440	Foot patrol in the Park. Spoke to some dog walkers. There were no drinkers in the Park however the middle shelter was looking messy with litter.	N
190810	1400	PS33L D Sect	High Vis patrol throughout 1400-2000hrs. All in order at the time.	N
190810	2130	PS34N A Sect 6722	Foot patrol of park, all quiet, a few passing pedestrians and dog walkers spoken to.	N
190810	2130	PS33N	f/p in the park also, nothing to report	N
200810		PS34 E	f/p conducted. All quiet	
200810	1700	PS32L D Section	Patrolled the area at various times throughout the shift and all appeared quiet and in order.	N
210810	1700	PS32L D Sect		
23/08/10	0900	PC440	Foot patrol in Park – No drinkers sitting in the shelters – A few dog walkers	N
23/08/10	1300	PC440	Foot patrol in Park – No drinkers sitting in the shelters – However the middle shelter was very dirty with broken glass, empty cans and cigarette ends – Spoke to local volunteer who said the drinker's are still a problem and that he had to call the Police last weekend due to their behaviour, he also said the drinkers had been in the shelter today but had left prior to my arrival.	N
24/08/10	2000	PS 33N	Unable to attend during shift due to log commitments and prisoner.	

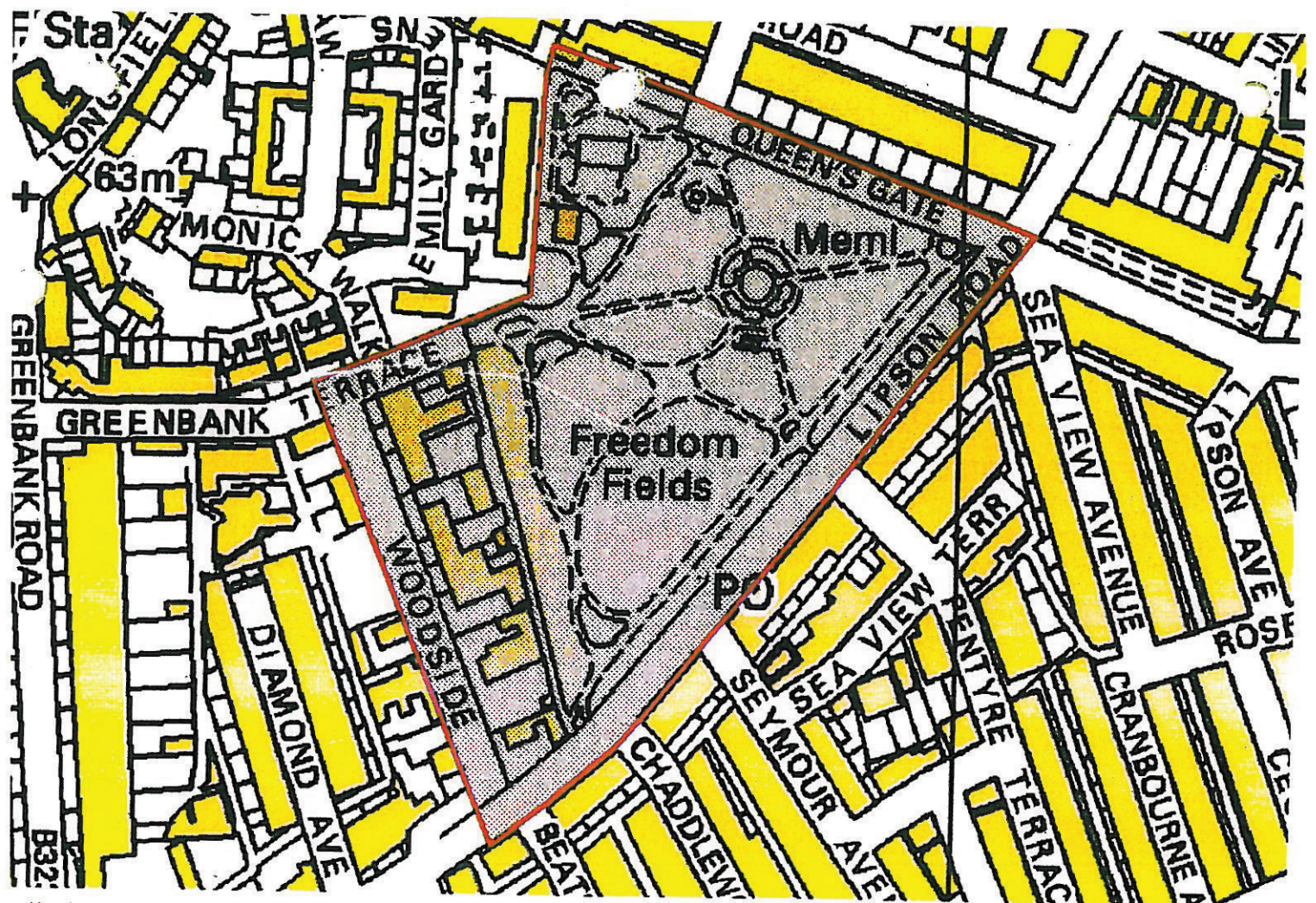
24/08/10	0900	PC440	Foot patrol in Park – No drinkers present	N
25/08/10	0945hrs	PC138	No drinkers in park	N
25/08/10	2000	PS 32N	Mobile patrol conducted however unable to get out on foot due to heavy amount of logs	N
26/08/10	0700	PS33E D Sect	FP in park, all was quiet, plenty of rubbish being cleaned up. Spoke to a male who I now know as [REDACTED]. The male stated that he is a heavy drinker and drinks in the park. He sometimes sleeps rough there on the benches and socializes with other drinkers and drug takers in the park sometimes. This male was later detained under Sec 136 after stating that he was going to return to the park and kill himself. Log 452/26/08/10 gives further details.	
26/08/10	0900	PC440	Foot patrol in Park – Spoke to one drinker, new to the Park this is [REDACTED] – AIO - Spoke to the workers for Plymouth City Council, asked them to clean up the rubbish that was in the Middle Shelter as it appeared to be getting worse – they were happy to do this and were thanked.	Y
26/08/10	2000	PS34 N		
26/08/10	1430hrs	PC138	N87169 [REDACTED] & [REDACTED] (Irish [REDACTED]) drinking in the shelter, no issues.	
26/08/10	1630	PC440	Foot patrol in Park – Spoke to [REDACTED] who was drinking alone – AIO – The Council had cleaned the Middle Shelter (looked much better) Spoke to volunteers in the Cafe. On leaving the Park say [REDACTED] walking towards the shelter.	N
27/08/10	0910	PC440	Foot patrol in the Park – No drinkers – Spoke to a couple of dog walkers.	N
27/08/10	1225	PS33E	Foot patrol in the park – spoke to five males gathered in the shelter in the centre of the park. 1- [REDACTED] who said he was living at 82 Flora court and often meets at the park to socialize. 2-N7345 [REDACTED] who said he sofa surfs and goes the park often. [REDACTED] in company with his small dog he calls Bella and who is friendly, he states he is NFA. 4. [REDACTED] who said he wasn't drinking with the others but goes to the park to meet up. He stated he is staying at the Salvation Army in Devonport. 5. [REDACTED] with a red and grey mountain bike. The shelter was clean and tidy whilst I was there. I spoke to staff in the centre on the park and they said they had no problems with any of the males at that time.	Y
27/08/10	1535	PC440	Foot patrol in the Park – Spoke to [REDACTED]	N

			██████████ and ██████████ who were both sat drinking by the Middle Shelter – AIO – Spoke to volunteers in the Cafe and members of the public	
28/08/10	1420	PC440 and PC442	Log 575 28/08/10 – Attended Park due to report of drinkers causing ASB – On arrival took details from ██████████, ██████████, ██████████, ██████████, ██████████ and ██████████. All were drinking cans of alcohol – No-one was swearing or being abusive whilst we were present.	Y
28/08/10	2000	PC440	Foot patrol in Park – Spoke to ██████████, ██████████ and ██████████ – All were drinking alcohol and sitting on the bench closest to Greenbank Terrace.	N
01/09/10		4533	Primary tasking to remain to record and evidence Police action in support of eventual DPPO application.	
01/09/10	1330	PCSO 30357	Several drinkers in the central shelter, lots of alcohol litter, sex litter, foil and heavy staining to the concrete. 16 year old ██████████ was with the drinkers but not in drink herself. 121 a completed.	
01/09/10	1540	PC 440	Foot patrol in the Park – Spoke to ██████████, ██████████, ██████████. All were drinking alcohol. On leaving the park spoke to ██████████.	N
03/09/10	1545	PC440 and PC5827	Foot patrol in the Park – None of the usual drinkers present. Lots of members of the public enjoying the Park. Spoke to the volunteers in Cafe.	N
03/09/10	1500/1630	4507/4533	Attended the park. Spoke with ██████████ who was well in drink and in company with ██████████, ██████████ and ██████████. It was my concern about ASB with the mix of the company so a DTL was issued to ██████████ at 1630hrs to leave the park. Also in the park was ██████████ of ██████████. He was drinking in the shelter. He was not known to the NBT so suitable advice given re the use of the shelter and the action that will be taken.	
3/9/10	1900	PC 6394 PC 535	Foot patrol conducted and spoke to small group of youths in the shelter area. Were no causing any disturbance. One of the group was ██████████ but he was very quiet.	N
03/09/10	2000	PC446 PC421	Foot Patrol conducted none of the usual drinkers were present at this time but a group of youths were these included ██████████, ██████████, ██████████ and ██████████.	
04/09/10	18:15hrs	PS40L B	Patrol was conducted around the park. There was	N

		section	families in the park and enjoying themselves. No anti social behaviour. Or disturbances.	
05/09/10	11:00 – 11:30	PS 35E E section	Stop on area target [REDACTED] and [REDACTED]. Park was empty of families due to poor weather conditions.	Y
06/09/10	1400 – 2400 hrs	PS37L D Sec	Patrol conducted in park. Hardly anyone around – rain kept everyone indoors.	
07/09/10	0845	PC440	Foot patrol in the Park – No drinkers – Spoke to dog walkers.	N
07/09/10	1100	4507 HUNT	Spoke with [REDACTED] and [REDACTED] Regent Street Plymouth. They were with one other young male. Said they were getting fed up with attention in Freedom Fields so were planning to get their beer and go somewhere quiet. The attention seems to be paying off thank you.	
07/09/10	1500	4507 HUNT	Attended Freedom Fields Park – all quiet no-one around.	
07/09/10	1545	PC440	Foot patrol in Park – Spoke to [REDACTED] and [REDACTED] – who left the Park very soon after – No other drinkers	N
07/09/10	PS34E	PC 2752 HARRIS	I was unable to patrol this area, due to a workload arrest and interview. (EC/10/7652 – [REDACTED])	N
08/09/10			PC133 - DTL FROM PARK 1430 - [REDACTED] [REDACTED] [REDACTED] AND [REDACTED] OIS LOG 439 080910. This report was one of the four urinating in the lane on callers back gate. On Police arrival one of the four were play fighting with [REDACTED] and [REDACTED] who ran on Police arrival.	
			WE CONTINUE TO GET THEM CAUSING ANTI SOCIAL BEHAVIOUR IN THE PARK. THE DPPO APPLICATION HAS BEEN SUBMITTED BUT REJECTED AT THIS TIME AS OTHER MEASURES HAVE TO BE TRIED BEFORE HAND FOR EG DTL ETC. PLEASE CONTINUE TO TAKE ROBUST ACTION WHEN DEALING WITH DRINKERS + HEADCAM FOOTAGE IF AVAILABLE. THANKS.	
08/09/10	PS33L D section		Did not get to this during shift as dealing with other logs	
09/09/10	0730	4507 HUNT	Attended shelter. Noone present. However the shelter had 20 empty beer cans scattered around the seating and also the shelter smelt strongly of urine.	
09/09/10	0915	PC440	Foot patrol in Freedom Fields – No drinkers	N

09/09/10	1215 hours	4507 HUNT	Attended the park. In the middle shelter were [REDACTED] Gary ? and another male who refused to give details along with [REDACTED] and [REDACTED]. Both [REDACTED] and [REDACTED] in breach of their DTL from yesterday and therefore both reported for the offence. Paperwork to be completed by Neighbourhood Officers.	
09/09/10		5827 STEIN	Maps produced by HQ outlining the area for use with the issue of DTL's. Copies of maps given to Patrol for vehicles.	
09/09/10		4507 HUNT	The park has been surveyed for CCTV cameras and the quote submitted to PCC. It is likely that this will go ahead when the ASB mapping process has been completed and funds become available – for information.	
9/9/10		P850	Hi viz foot patrol in park [REDACTED], [REDACTED], [REDACTED], [REDACTED] all drinking. Moved on from park, spoke to local residents who complained about drinkers details passed to NBM	
09/09/10		5827 STEIN	At 1430hrs on 08/09/10, [REDACTED] & [REDACTED] were given DTL's by PC HUNT in Freedom Fields Park. At 1250hrs on Thursday 09/09/10 both males were in Freedom fields Park contravening their DTL so were reported for the offence by PC 5827 STEIN	Yes
110910	1645	D Sect	Due to the High level of incidents/prisoners and routine logs it has not been possible for D Sect to deal with any taskings or targets today PS6167 Boorn	
120910	0700	PS33E D Sect		
130910	2200&0200	PS35N B SECTION	Foot Patrol in Freedom fields park top to bottom, nothing unusual noted.	
140910	0700	PS33E D Sect		
140910	0900	4507 HUNT	Handwritten letter of complaint received from a resident complaining of drunks in the park and urinating in the shelter. Letter describes 1545 hours as a bad time and when there are other users of the park ie children. Letter to be used to support application.	
140910		PS33E	UNABLE TO COMPLETE	
160910	-	4507 HUNT	CCTV VAN booked for 28 th and 29 th of month. This will be utilised in the park overtly acting as a deterrent for the drinkers, capturing evidence and	

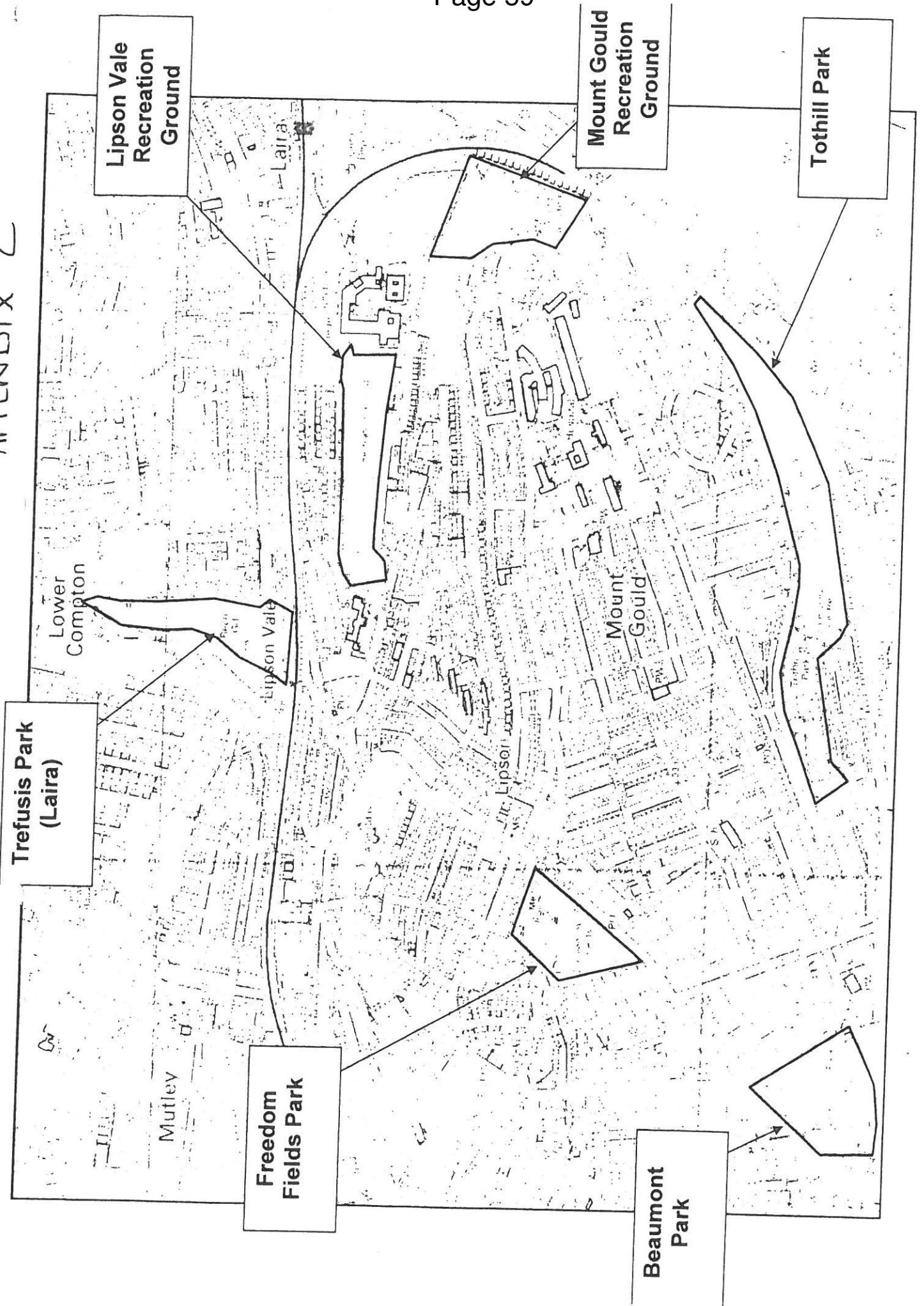
			also as a focal point for engagement.	
15/09/10	1000hrs	5827 Stein	[REDACTED] with new white Alsatian dog & [REDACTED] sat drinking in park.	
16/09/10	1200 hours	PS30E	[REDACTED]; [REDACTED] [REDACTED] and [REDACTED] all issued DTL's from the park. Found in the shelter nearest to the Greenbank Terrace entrance drinking and surrounded by discarded beer cans.	
17/9/10	1500	P850	Hi viz greenbank freedom park [REDACTED] [REDACTED] and [REDACTED] (arrested) also seen was [REDACTED] who left on our arrival	
18/09/10	1900	4507/4533	[REDACTED] and [REDACTED] [REDACTED] in the top shelter next to Greenbank Terrace. No issues.	
19/09/10	0230	PS32L	Mobile patrol conducted of surrounding areas. Nothing of note	
	2200	PS33N	Foot patrol conducted in the park. AIO	
20/09/10	1000	4533	Checked park-No Drinkers present. Shelter relatively clean.	
21/09/10	1700	PC449 & P3	Michael Edwards – stop and search – sharps only Also present [REDACTED] [REDACTED] [REDACTED]	
23/09/10	1845	PS 33L	All walking through the park with alcohol. Lots of members of the public in the park, but nobody causing any trouble or ASB. Members of the public stated they were pleased with the increased police presence to prevent any ASB.	NO



Appendix B – List of Persistent Offenders

N486187
N7345
N26367
N98102
N646729
N610402
N109192
N241306
N8298
N33152
N303854
N235787
N214381
N289585
N559517
N87169

APPENDIX C



■ Chaddlewood Avenue
Lipson
Plymouth
PL4 8RF

13th July 2010

Dear Jackie Hunt,

As the representative of the 'Friends of Freedom Fields' group, I wish to inform you of our increasing concerns about the behaviour of the 'drinkers' who seem to be always in our Park.

They are often to be found in the two shelters and are usually there all day from early morning to evening, at times they argue loudly and use obscene language. During the day when I am there walking my dog I have seen the males urinating in the shelter and on other occasions in the bushes on the far side of the park. At this time of year there are many children playing games, cycling etc: families and older residents who want to enjoy the sunshine in the park, we think that the behaviour of these 'drinkers' male/female should not be tolerated as it is blighting the park for all.

Yours Sincerely,

Friends of Freedom Fields

APPENDIX E

LETTERS & EMAILS OF SUPPORT FOR DPPO APPLICATION

HUNT Jacqueline 14507

From: Rennie, Eddie (CLLR) [Eddie.Rennie@plymouth.gov.uk]
Sent: 08 July 2010 13:08
To: HUNT Jacqueline 14507; Aspinall, Mary (CLLR); Nelder, Jean (CLLR)
Subject: RE: FREEDOM FIELDS PARK PLYMOUTH NOT PROTECTIVELY MARKED
Categories: Red Category

I Totally Support The Need for a DPPO in the park and would ask that this covers all parks in the Mount Gould area
Councillor Rennie

From: Jacqueline.HUNT@devonandcornwall.pnn.police.uk
[mailto:Jacqueline.HUNT@devonandcornwall.pnn.police.uk]
Sent: Thursday, July 08, 2010 12:43 PM
To: Aspinall, Mary (CLLR); Rennie, Eddie (CLLR); Nelder, Jean (CLLR)
Subject: FREEDOM FIELDS PARK PLYMOUTH NOT PROTECTIVELY MARKED

Last week I attended the Friends of Freedom Fields Park meeting to discuss some of my concerns around the incidents that are occurring in the park and the current usage of the park by the alcoholics.

I have recently conducted a survey of over 140 people who use the park and as a result over half of those we spoke to are concerned about the drunks who congregate in the park and cause fear, apprehension and intimidation for other users of the park.

Alongside their general presence, they also urinate and defecate leaving the central covered seating area unusable for other people.

At the meeting I expressed my intention to seek a DPPO for the park giving the police the powers to tackle anti social drinking in the park.

I have been gathering views and letters of support, but as local councillors for the area I would like your support in this application.

Please could you respond to me via email with your support/comments. The application will be submitted by the end of next week.

Many thanks

Jackie Hunt

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***** eSafe scanned this email for viruses, vandals, and malicious content. *****

HUNT Jacqueline 14507

From: Ricketts, Steve (CLLR) [Steve.Ricketts@plymouth.gov.uk]
Sent: 18 September 2010 16:54
To: HUNT Jacqueline 14507
Subject: RE: FREEDOM FIELDS PARK PLYMOUTH - APPLICATION FOR DPPO NOT PROTECTIVELY MARKED

I completely support this application - The Police need the powers to deal with this appalling behaviour!

Cllr Steve Ricketts

Drake Ward

Tel: 0781 0878 491

Chairman of the Health and Adult Social Care O&S panel

Conservative Future National Management Executive 2008/10

From: Jacqueline.HUNT@devonandcornwall.pnn.police.uk
[mailto:Jacqueline.HUNT@devonandcornwall.pnn.police.uk]
Sent: Thu 16-Sep-10 10:45 AM
To: Ricketts, Steve (CLLR); Rennie, Eddie (CLLR); Aspinall, Mary (CLLR); Nelder, Jean (CLLR)
Subject: FREEDOM FIELDS PARK PLYMOUTH - APPLICATION FOR DPPO NOT PROTECTIVELY MARKED

Dear All,

As you know from previous emails Freedom Fields Park, Plymouth is continuing to be the home for many 'street drinkers' who congregate from the early hours of the morning until late into the evening.

I have received many reports from members of the public in the form of letters and Police logs detailing their behaviour from loud and aggressive to urination, intimidation and sexual acts.

I have today, met with the Licensing Department, Sgt Worthington who will now submit the application through to Plymouth City Council for a DPPO – Designated Public Place Order. I understand the next meeting for the Cabinet is in October and I hope that it will be on this meeting's agenda.

To attach to the application, I need an email from each of you outlining your support for such an application. I am sure you have all spoken to people within your constituency who have expressed concern over this issue and I would be grateful for your support.

Please can you reply to me by the end of next week being the 240910 so I can ensure the application goes through to the October committee.

If you wish to contact me please do so on 720608 or via email.

Many thanks

Jackie Hunt
NBM Mutley/Greenbank

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***** [REDACTED] *****

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BEST ACHIEVING COUNCIL OF THE YEAR

[REDACTED]

HUNT Jacqueline 14507

From: [REDACTED]@btinternet.com]
Sent: 20 September 2010 11:40
To: HUNT Jacqueline 14507
Subject: Designated public Place Order for freedom fields park

Having read the neighbourhood beat page I would like to say that I fully support an application for a designated public place order for Freedom Fields park. I live on Greenbank Terrace and witness daily the problems being caused by the drinkers who now treat this park as their 'personal home' having been displaced by DPPOs from their old haunts nearer the city centre.

The drinkers presence undermines the family ethos of this park in a number of ways. They make the shelters no go areas for other park users. Their constant presence provides young Children and young people very unhelpful visual role models. The drinkers often seek to engage passersby in conversation. Adults are more able to discern that getting involved is not the best idea; children are often less discerning. The language and volume of their conversation is also not what you or others want to hear but you can't avoid hearing and is often offensive in content. Begging by the drinkers is both frequent and certainly unpleasant to be on the receiving end of. Begging is not restricted to just passersby in the park, I have seen drinkers accost people on their way to from the park including people on their private drives on Greenbank Terrace. I certainly hope an DPPO can be obtained for this park so that it can be restored to being a safe and enjoyable place for all members of the local community to enjoy.

[REDACTED]

Hill Park Crescent
Greenbank
Plymouth
PL4 8JP

To: PC'S STEIN
HUNT
WEEKS.

We are writing this letter to express our concerns at the recent behaviour in Freedom Fields Park, Greenbank, Plymouth.

We have been living in this area for approximately 60yrs and have been regular users of the park from our own childhood through to the present time. It has always been a focal point over the years where many families with children have enjoyed the facilities. There never used to be any problems in the park until recently.

Over the past twelve months there has been an increase of drinkers in the shelter at the park. There are up to 10-12 of them at any one time which is very intimidating. We hear foul language from them and it smells of stale urine with lots of empty beer cans and bottles strewn all over the place.

They have never said anything to us but we will not stop to enjoy the park in fear of what may happen. It is time that something was done regarding this issue and we would support any order in this park. Please help us restore the park so we can enjoy it once again.

Approximately ~~12~~ 3 or 4 years ago the park had a vast amount of money spent on it for the local community. Now, it is gradually starting to go downhill again.

17/07/10

To Whom It May Concern,

I am writing this letter in support of a Designated Premised Park Place Order to be granted for Freedom Fields Park.

As a local resident and regular visitor to the park I have noticed in recent months a severe increase in the amount of drunks who are frequenting the park, at all hours of the day, and who are acting in a manner that I, and several people whom I have spoken to, deem to be anti-social. This behaviour includes shouting un-repeatable words at the tops of their voices as well as further behaviour which I go into in fuller detail below.

On several occasions I have witnessed the aftermath of drug use in the parks, with dangerous objects being left lying around where any child could pick them up, in the areas where the local drunks frequent, namely the Bus Shelter in the park.

These drunks also regularly have their own pet dogs in tow, which are not under control, and I have witnessed these animals not only fouling in the area, but also attacking other dogs which are being walked in this popular local area.

I feel safer when the Police and Police Community Support Officers are in the area, having mentioned the problems a few times to them in person. I agree fully that Freedom Fields Park needs to have a DPPO, so that when this kind of behaviour happens again, which I am absolutely certain it will, the Police and Police Community Support Officers will have the powers to act on it in the public interest.

I believe that the park, as a central point of the local community, should be a safer place than it currently is, and that people should be able to enjoy one of the most beautiful locations in Plymouth City Centre and should not have to endure the behaviour that is present at the moment because of a small number of people.

Yours sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.A solid black rectangular redaction mark covering a portion of the text at the bottom of the letter.

HUNT Jacqueline 14507

From: [REDACTED]
Sent: 14 July 2010 07:09
To: HUNT Jacqueline 14507
Subject: FW: Mutley/Greenbank - Freedom Fields Park RESTRICTED

From: Plymouth NHP Central
Sent: 09 July 2010 15:06
To: 'Shayne'
Cc: WEEKS Paul 14533; STEIN Jim 15827
Subject: RE: Mutley/Greenbank - Freedom Fields Park RESTRICTED

Sean,
Thank you very much for your email. I will forward your support to the NBM dealing.
Regards

PS 6789 Ben DEER
NTL Central
Charles Cross
Devon and Cornwall Constabulary
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 09 July 2010 11:51
To: Plymouth NHP Central
Subject: Mutley/Greenbank - Freedom Fields Park

FAO: The Neighbourhood Team


I would like to support the application of a DPPO being obtained for Freedom Fields Park.

I use the park daily to walk my dog, and only this morning the few 'drunks' that hang around the centre of the park were harassing the young girls that walk through the park, were urinating in the bin, and generally just being a nuisance. As I have told the PSCOs that have been visiting the park more frequently, they do not usually bother me, but urinating in a bin in the middle of the park is just disgusting! I would not want my mother or younger sisters to witness or worse become affected by such behaviour!

What's worse is that this is how they behave before midday, I wouldn't like to see them after they have been drinking for many hours, as I'm sure they just become much much worse.

The park is one of the best in Plymouth, and I feel it is being ruined by a very small minority. I soon hope to be able to walk my dog in peace without the worry or nuisance of the idiots who congregate in the centre of the park.

With my full support and Kind regards,
[REDACTED]
[REDACTED]

 WEST HILL ROAD
MUTLEY, PLYMOUTH
PL4 7LE

14th July 2010

Devon and Cornwall Police

Dear Sirs

My wife and I have lived here for 11 years with our young family. We have no garden and so we often take our children to play in local parks.

In recent years, our nearest park, Freedom Fields has become a "no go area" because of anti-social behaviour usually fuelled by alcohol. There are also many children and teenagers misbehaving there.

Many of these drunks and yobs are banned from our shop so I would not like to take my children there for fear of abuse.

We take a strong line on not selling alcohol to under-age people and we refuse to serve adults who are intoxicated. However, we can not stop selling alcohol, our shop is close to closing down.

I would welcome a ban on drinking in any public place, particularly parks. If people want to get drunk, they should not be allowed to do so where it infringes on the rights of others, particularly children.

Yours sincerely



EMAIL RESPONSES FOLLOWING SURVEY IN THE PARK:-

I have on several occasions seen the drunks urinating in the centre shelter and have spoken to them and have been sworn at I am a regular dog walker in the park .

[REDACTED]

This is an e-mail in response to the survey I took in freedom park and a return to your corresponding e-mail. Personally i have had no real problems from the people in the park however i do make sure i avoid the benches they hang around in the middle of the park. My two small children and i find them intimidating and would not go near that part of the park. I would certainly feel more comfortable being at the park with my children if they were not there.

[REDACTED]

HI THERE OFFICER HUNT.

IT WAS NICE TO SEE THE COMUNITY POLICE IN FREEDOM FIELDS PARK. HOWEVER I DO HAVE A PROBLEM WITH THE DRINKERS THAT OCCUPY THE PARK ON A DALY BASIS.

I WALK THERE EVERY DAY WITH MY DOG AND COME ACROSS THESE PEOPLE THEY ARE VERY MUCH IN YOUR FACE IT IS NOT SOMTHING YOU WANT SO SOON IN THE MORNING OR AT ANY TIME REALY.

BUT THE MOST UPSETTING THING IS WHEN I WAS WALKING THROUGH THE PARK WITH MY WIFE AND YOUNG GRANDSON AND ONE OF THESE PEOPLE STARTED URINATING AGAINST A TREE IN FULL VIEW HE SIMPLY DID NOT CARE WHO WAS THERE, WE WERE ABLE TO PROTECT MY GRANDSON FROM THIS, BUT HE DIDN'T CARE THAT WE WERE THERE AT ALL HE WAS BLIND TO OUR PRESENCE. ALSO AND MORE IMPORTANTLY THERE ARE YOUNG CHILDREN IN THAT PARK PLAYING GAMES. BUT ON OCCASIONS THERE IS A LOT OF BROKEN GLASS, I HAVE EMAILED PLYMOUTH CITY COUNCIL ABOUT THIS ON MORE THAN ONE OCCASSION, THIS IS AROUND THE CENTRAL SEATING AREA. OVERALL THIS DOES NOT LOOK GOOD TO VISITORS TO A WOUNDERFUL PART OF THE COUNTRY. PLEASE COULD WE HAVE SOMTHING DONE TO SORT THIS PROBLEM
THANK YOU SO MUCH FOR YOUR DEDICATION TO THE COMMUNITY.

YOURS HOPFULLY

[REDACTED]

Thank you for your email, I simply want to re-iterate my concerns regarding certain of those drinkers, (men & woman), who are continually urinating often in full view of children, woman and passersby and those such as myself who live nearby. You certainly have the backing of myself and others who live here or use the park. Best wishes in your endeavours..

[redacted] Sheryn

[redacted] Sheryn [redacted] sheryn@virginmedia.com

Dear Jackie Hunt PC,

My main concern about Freedom Fields Park is the fact that it, and the service lane Woodside Lane that runs alongside, are frequently used to defecate and urinate. Apart from making the park and lane unpleasant, I feel it must be a health hazard.
Many thanks

[redacted] Bingham

Resident of Woodside.

[redacted] Bingham [redacted] bingham@hotmail.com

[Redacted]

Woodside

Plymouth

PL4 8QE

PC Jackie Hunt

PC 4507

Neighbourhood Beat Manager

10 July 2010

Dear PC Hunt

Re: - Escalation of Drunken Vagrants with their Anti Social Behaviour in Freedom Park

My wife and I live in Woodside which is almost adjacent to Freedom Park and visit the park at least twice a day with our dog. We enjoy exercise and convivial chats with all sorts of people and other local residents in this pleasant cosmopolitan area.

We are clear that there is one major problem with this park and its environs. We are reminded of this nuisance every morning, afternoon and evening when we have to avoid the central area of the park around the shelters where drunken vagrants congregate. They are loud, utter foul language, intimidate passers-by and use the shelters as a urinal. We have witnessed young girls being approached, shouted at and showing signs of distress as they do everything possible to avoid male drunks who are clearly out of their mind with drink.

We wholeheartedly support your proposals to apply for a DPPO to prevent anti social drinking in this area. We do not wish to stop other residents, students and visitors using the park for normal socialising, exercise, sport and partying with alcoholic refreshment so long as they do not create a nuisance.

We thank you for the work that your team does despite having little power to stop this nuisance.

Yours sincerely

[Redacted]
Steve and Lynn Bennett

By email

[Redacted]
Councillor Stephen Bennett

By email

Shaftesbury Court

Plymouth

Devon

PL4 8TW

17/07/2010

Dear Sir/Madam

This is a letter of support for a Designated Premised Park Place Order to be obtained for Freedom Fields Park.

As a dog owner and a local resident I use this park on a daily purpose. In recent months the park has been used for drunks to spend their drinking. The majority of them are abusive amongst themselves and abusive to passer bys. On many occasions drugs have been used by the drunks who locate themselves in the bus shelter and often they have their own dogs up there. These dogs are not under their control. They allow them to deposit themselves all over the park with no acknowledgment to pick it up. In addition my seven month old dog has been attacked on several occasions up there and we have had to leave. Their language is appalling and very threatening to the public.

I feel safer when police and community support officers are around, having rang a few times to complain about the problem. I agree that the place needs to have a DPPO, so when this kind of behaviour happens again it can be sorted out.

We as a household, agree that the park needs to be back to being a safer place and place that should be used to enjoy its glorious location same not as a local doss area for the addicts and drunks of our community.

Yours Faithfully

and

Shaftesbury Court

Plymouth

Devon

PL4 8TW

STEIN Jim 15827

From: Plymouth NHP Central
Sent: 26 July 2010 07:39
To: STEIN Jim 15827
Subject: FW: Neighbourhood Team Page Contact Form Submission. RESTRICTED

PS 6789 Ben DEER
Neighbourhood Team Leader Central
Charles Cross Police Station
Devon and Cornwall Constabulary
Ext 01752 720434 Int 32434
Mobile 07595009990
Mobex 872189

From: [REDACTED] mailto:postmaster@devon-cornwall.police.uk]
Sent: 22 July 2010 17:10
To: Plymouth NHP Central
Subject: Neighbourhood Team Page Contact Form Submission.

To reply to this e-mail you must copy and paste the e-mail address within the message below into the to field in outlook. If no e-mail address is present you cannot reply to this e-mail.

The following message was sent via the Neighbourhood Policing web site.

From: [REDACTED]
e-mail: [REDACTED]
Tel: 01752 249511
Address: [REDACTED] Kensington Road,
Freedom Fields,
Plymouth
PL4 7QJ

Neighbourhood: Mutley & Greenbank

I have lived at the above address since March 2010 and it has been great having such a nice park as Freedom Fields nearby. I walk my dog daily and often take my children to the park. The only issue I have is the increasing number of people I see drinking at all hours of the day, especially in or around the central shelter. Their language is often bad and they can be quite intimidating. This together with the litter and especially broken glass means that I often find myself avoiding certain areas of the park which should not be the case. I have just spoken with WPCO Sarah Nicholson who advised me that the best course of action was to contact you.

Regards,

[REDACTED]

HUNT Jacqueline 14507

From: [REDACTED]
Sent: 10 September 2010 17:55
To: HUNT Jacqueline 14507
Subject: Re: re Freedom Fields Park, NOT PROTECTIVELY MARKED

Hello Jackie,

Thanks very much for taking the time to respond to my email to Mary Aspinall regarding FREEDOM FIELDS PARK.

Having read through your response I do feel there is light at the end of the dark tunnel that surrounds the activities of these undesirables who inhabit the park shelters. You may be interested to learn that a lady my wife spoke to last week, who lives in Lipson Rd, saw from her window, a female of the group performing "oral sex" on one of the males at the shelter in the evening and during daylight hours.

I have a broad mind but many others do not, and if the lady my wife spoke to can see their activities from her home window, anyone in the park can see it. There is a time and a place for everything!!

Once again, thanks for your attention on this issue and I look forward to an eventual resolve, if not an early one.

SINCERELY

[REDACTED]
----- Original Message -----

From: Jacqueline.HUNT@devonandcornwall.pnn.police.uk
To: [REDACTED]
Cc: 'mary.aspinall@plymouth.gov.uk'; 'jean.nelder@plymouth.gov.uk'; 'paul.martyn@plymouth.gov.uk'; 'eddie.rennie@plymouth.gov.uk'; 'steve.ricketts@plymouth.gov.uk'
Sent: Thursday, September 02, 2010 10:54 AM
Subject: re Freedom Fields Park, NOT PROTECTIVELY MARKED

Sir,

I am PC 4507 Jackie HUNT and I am one of the Neighbourhood Beat Managers that cover Freedom Fields Park, Plymouth.

I was forwarded an email from yourself via Mary Aspinall with regards to issues you and your wife are experiencing in the Park.

Unfortunately, I have been on leave and therefore I apologise for the delay.

I am well aware of the issue with the drunks in the park and at this time I am in the process of collating evidence to put towards the Council to try and obtain the same order that Beaumont Park has; being a Designated Public Place Order.

The email you wrote clearly demonstrates your frustration about them and with your permission, I would like to include it, along with others that I have in the application. Is this okay with you?

The park has been made a priority for the Neighbourhood Team and other officers that work in the area. It is regularly patrolled and offences dealt with as and when they confront. Unfortunately, most offences occur when we 'the Police' are not around.

If you witness such behaviour, I would encourage you to contact the Police at the time, remain at the scene so you can point out to officers who did what and that way we can deal with them.

Drinking in the park is not an offence we have to have other substantive offences to deal with them and we are powerless to move them.

I totally agree with you in relation to the shelter and I can assure you that I will not look to use removal of the shelter as a way of dealing with the drunks.

The DPPO application process is slow and therefore we have to continue to rely on members of the public to inform us what is going on.

In the meantime, I am also exploring CCTV for the park which would act as a deterrent.

I hope this clarifies our position with regards to the Park. I am working closely with local councillors, the parks department at the council and the support group Friends of Freedom Fields Park about this issue.

You can contact me or my two colleagues PC Jim STEIN, PC Paul WEEKS on 01752 720608 or via return of email.

Regards

Jackie Hunt

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STEIN Jim 15827

From: Plymouth NHP Central
Sent: 26 July 2010 07:40
To: STEIN Jim 15827
Subject: FW: recent Email re Freedom Park RESTRICTED

Good email,
[REDACTED]

PS 6789 Ben DEER
Neighbourhood Team Leader Central
Charles Cross Police Station
Devon and Cornwall Constabulary
Ext 01752 720434 Int 32434
Mobile 07595009990
Mobex 872189

From: Mike and Lesley (mailto:mike.lesley@hlaaonder.co.uk)
Sent: 22 July 2010 22:39
To: Plymouth NHP Central
Subject: recent Email re Freedom Park

Thanks for the mail on the subject of the drunks frequenting Freedom Fields Park. Its good to see something may be done to stop this getting any worse than it is, the numbers are increasing almost on a daily basis , most of the dog walkers report the increase and the out of control behavior. I would suggest that some of them have moved up from Beaumont Park and no doubt will arrive at another location after they vacate Freedom Fields, [REDACTED]
[REDACTED]

Mike Green

 Salcombe Road, Plymouth PL4 7NF

Tel: 

27 July 2010

Jackie Hunt PC 4507
Neighbourhood Beat Manager
Devon & Cornwall Constabulary
Plymouth
Devon

Dear PC Hunt

Re: Anti-social Behaviour in Freedom Fields Park, Plymouth

I would like to express my concerns over the behaviour of a few individuals who are fairly regularly to be seen drinking alcohol and loitering around in Freedom Fields Park throughout the day and sometimes into the evening. As a local dog owner I often visit the park, sometimes twice a day, and the presence of this group of people has made me feel uncomfortable at times. Some of the individuals regularly appear to be under the influence of alcohol or drugs and whilst I have never actually been confronted physically, the general demeanour of this predominantly male group of people is fairly intimidating from the perspective of a single woman.

One particular incident that gave me cause for concern was a couple of months ago whilst I was walking my dog in the park, I saw a group of five or six people sitting around on the grass smoking and drinking cans of beer. From a bit of a distance away, I could see that one of the group was standing talking a police officer, or possibly a PCSO, and the individual was obviously getting quite heated, another member of the group then joined the conversation and also appeared agitated, raising their voice and swinging a lager can around. I didn't see how the interaction ended, but the officer was obviously heavily outnumbered, and although I imagine could have called for back up if necessary, I did find this incident somewhat unsettling.

I am often alone with my dog in the park at both ends of the day, around 6:30am and 6:30pm or later, and feel uneasy seeing groups of people who sometimes appear to be fairly intoxicated; this is unpleasant during daylight hours but worse in the dark. I would like to offer my support to you in your endeavour to address this problem and hopefully make Freedom Fields Park feel like a safer place.

Yours sincerely



Tel: [REDACTED]

[REDACTED] Emily Gardens
Freedom Fields
Plymouth. PL4 7QS.

7th September 2010

Dear Sirs

Designated Public Place to Control the
Drinking of Alcohol.

As residents of a Flat at Freedom Fields,
Greenbank we use the Park quite often, to
get some fresh air & sit on one of the
benches for a hour.

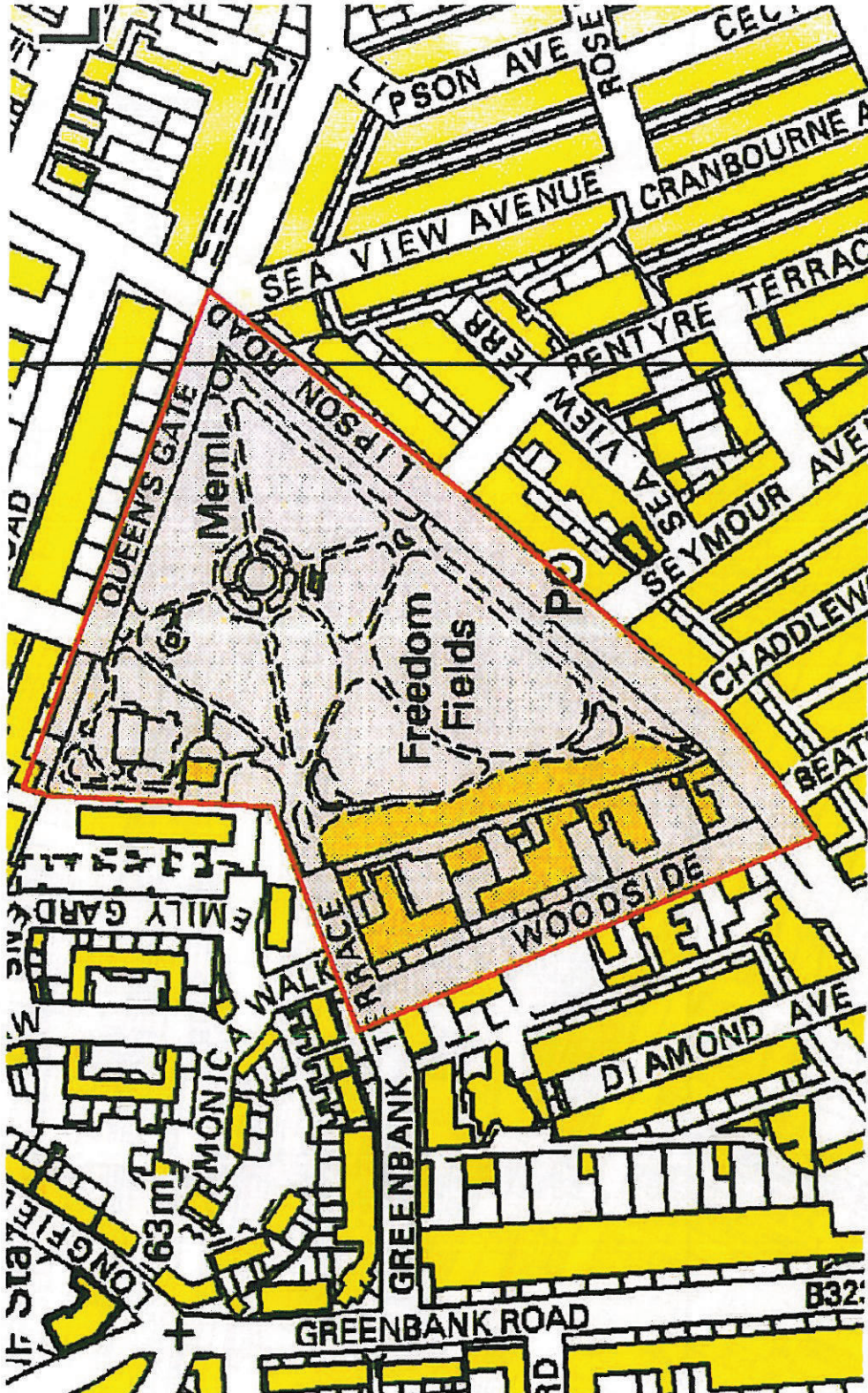
Quite often when we are there in the
afternoon we have noticed that the Shelter
in the middle of the Park has been occupied
by men drinking from beer cans & I
was dismayed when a few weeks ago
at about 3.45pm they were also using
the shelter to urinate. This at a
time when the children were returning
from school

2

I feel very strongly that Freedom Fields
Park should be a place where all members
of the community can enjoy a pleasant hour.
There are few open spaces in this area
for the children & I hope something
can be done

Yours sincerely,

A horizontal black rectangular redaction mark covering the signature.A black rectangular redaction mark covering the address, with a small mark resembling a question mark to its right.



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 Created by the Force Mapping Unit - Contract X22898 (01392.452898)

