

**Roberto Tambini**  
**Chief Executive**

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E-mail address: g.halliwell@spelthorne.gov.uk  
Our Ref: PGH/Cabinet  
Date: 1 May 2014

**Notice of Meeting**

**EXTRAORDINARY CABINET**

**Date: Monday 12 May 2014**

**Time: 18.45hrs**

**Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames**

<b>Members of the Cabinet</b>	<b>Cabinet member areas of responsibility</b>
R.L. Watts (Chairman)	Leader of the Council, Strategy and Human Resources
P. Forbes-Forsyth (Vice-Chairman)	Deputy Leader, Community Safety, Young People, Leisure and Culture
T.J.M. Evans	Finance
N. St. J. Gething	Economic Development and Fixed Assets
V. J. Leighton	Planning and Corporate Development
A. J. Mitchell	Environment (including Parks and Waste Management)
D. Patel	Parking services and ICT
J. M. Pinkerton OBE	Housing, Health, Wellbeing and Independent Living
J. R. Sexton	Communications and Procurement



# AGENDA

Description

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Number

## **1. Apologies for absence**

To receive any apologies for non-attendance.

## **2. Disclosures of Interest**

To receive any disclosures of interest from members in accordance with the Council's Code of Conduct for members.

## **3. Designated Public Place Order**

To receive a report on a proposed Designated Public Place Order for the A308 area at The Parade Sunbury Cross restricting the consumption of alcohol in public places.

1 - 13



**Cabinet****12 May 2014**

<b>Title</b>	Designated Public Place Order for A308 area at The Parade Sunbury Cross restricting the consumption of alcohol in public places.		
<b>Purpose of the report</b>	To make a decision		
<b>Report Author</b>	Brian Kingston, Anti-Social Behaviour Co-ordinator		
<b>Cabinet Member</b>	Councillor Penny Forbes-Forsyth	<b>Confidential</b>	No
<b>Corporate Priority</b>	This item is not in the current list of Corporate priorities but still requires a Cabinet decision		
<b>Cabinet Values</b>	Community		
<b>Recommendations</b>	<p><b>The Cabinet approves that public notices for a Designated Public Place Order for the area of The Parade, Sunbury Cross are published to meet the statutory requirements.</b></p> <p><b>That Cabinet delegates authority to the Assistant Chief Executive in consultation with the relevant Portfolio Holder for them to consider any representations made and following such consideration and (if appropriate) to make the order (subject to any modifications necessary) and place all relevant statutory notices with regards to such making of the order.</b></p>		

**1. Key issues****1.1 Legislative Powers**

1.2 The Home Office has recognised the increasing problem of alcohol related crime and disorder and has introduced a number of legislative improvements to aid local Community Safety Partnerships in tackling the problem. Section 13 of the Criminal Justice and Police Act 2001 enables Local Authorities to designate public places which are subject to restrictions on consuming alcohol. These Orders are commonly known as Section 13 Orders or Designated Public Place Orders (DPPO's).

1.3 Without an appropriate order, Police Officers do not have any powers to require an adult person to cease drinking alcohol within the designated area. A DPPO will enable Police Officers to require people to cease drinking alcohol and confiscate intoxicating liquor within the designated area when they can reasonably justify the need to prevent nuisance behaviour or disorder. Persons failing to comply can be subject to arrest.

1.4 This legislation enhances the existing Police powers when dealing with juveniles and alcohol. Police Officers are currently only able to confiscate and dispose of alcohol in the possession of juveniles.

- 1.5 The legislation relates to open vessels and sealed cans, bottles etc. The aim of DPPO would be to provide uniformed Police Officers with the discretion to use the powers in section 14 of the Criminal Justice and Police Act 2001.
- 1.6 The Act stipulates that the Local Authority shall only make an order to designate any public place if they are satisfied that there is evidence that nuisance to members of the public or disorder has occurred and it is associated by the consumption of intoxicating liquor. A Local Authority is not permitted to grant a blanket Order across the whole of the Borough. Evidence has been provided by the police. This evidence is summarised in the options section below and contained in the appendix 1.
- 1.7 The Act allows the Local Authority to revoke or amend any Order previously made.

## **2. Options analysis and proposal**

- 2.1 Sunbury Cross and the surrounding areas have been coming to the attention of Police due to the large amount of alcohol related anti-social behaviour (ASB) taking place there. This problem has historically been seasonal and generally spikes in the summer months but the local Safer Neighbourhood Police Team feel the issue presents enough of a problem for a permanent year round solution. The main problem area is a number of benches next to the clock tower on The Parade at Sunbury Cross.
- 2.2 People congregate at the benches daily and drink alcohol which often leads to ASB, assaults, public decency offences, thefts and Criminal Damage. From the experience of the local Police and having spoken to local residents and businesses the general feeling is that the benches are only used by the drinkers who congregate there and cause ASB which makes people in the area feel intimidated.
- 2.3 The option of removing the benches has been discussed but Council Officers feel that the benches are the only place to sit at Sunbury Cross and believe that there is nowhere else to re-locate them.
- 2.4 Directions have been made under Section 27 Violent Crime Reduction Act 2006 (directions to leave an area and not return within 48 hours) however, these section 27 direction notices have not been an effective deterrent as there is a regular contingent who continues to return despite being subject to such direction.
- 2.5 All local off-licenses have been spoken to and reminded that serving a drunk person alcohol is an offence for which they will be prosecuted.
- 2.6 Research has been conducted by Police covering the last 3 years of crimes and reports of incidents to Police at Sunbury Cross and shows that there is a significant increase in the number of incidents taking place in the summer months.
- 2.7 The police have indicated that the area any DPPO should cover is as per the attached plane at Appendix 2. They consider that is the appropriate area and allows for reasonable displacement.

## **3. Financial implications**

- 3.1 The Spelthorne Safer Stronger Partnership (Community Safety Partnership) will fund the cost of the appropriate signage required to define the boundaries of the proposed Order.

3.2 There are additional costs for the relevant public notices to be placed in the local newspaper. The cost is estimated at approximately £800.

**4. Other considerations**

4.1 Environmental

4.2 The designated area will be identified by signs mounted on lampposts at the entrance and exits of the area. The location of the signs would be agreed with Council, Police and Surrey County Council Highways Department.

4.3 Legal Implications

4.4 The Council must be satisfied that there is sufficient evidence of alcohol related disorder in the areas specified to justify the Designation. An Order should not be implemented with 28 days of the Public Notice being issued outlining the proposal.

4.5 Risk Management Implications

4.6 The Designation Orders are required to empower local Police Officers to tackle individuals behaving in a disorderly manner whilst under the influence of alcohol. Without this power the Police will be less effective in dealing with this type of behaviour.

**5. Timetable for implementation**

5.1 If approved, implementation by June 2014.

**Appendices:**

**Community Impact Statements**

**Proposed Designated Area Map**

**WITNESS STATEMENT**

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of:

**Paul Thomas**

Age if under 18:

**over 18**

(if over 18 insert 'over 18')

Occupation: **Police Constable 40584**

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date **15/3/14**

Tick if witness evidence is visually recorded

(supply witness details on rear)

1. I am the Neighbourhood Specialist Officer for SUNBURY in the county of SURREY and have been in the role for one year. During my time as NSO for the area the main problem I have encountered has been anti-social behaviour relating to alcohol in and around SUNBURY CROSS. SUNBURY CROSS is made up of a number of shops, businesses and high rise flats located on either side of the A308 STAINES ROAD WEST which is a busy road leading into LONDON. Due to this the area is always busy. This statement was relayed to me by a resident (resident C) in the vicinity of [REDACTED] SUNBURY CROSS. I have the resident's personal details. However, this resident wishes to remain anonymous for fear of reprisals from the people who they speak about in this statement. The statement relates to alcohol related anti-social behaviour in and around SUNBURY CROSS.
2. I have lived at vicinity [REDACTED] for 9 years and since living here have experienced an increasing amount of anti-social caused by the local "drunks" that gather at SUNBURY CROSS. When I first moved to the area it was nice. There were very few problems just the usual groups of kids messing about. However over the last 2 years in particular the "drunks" have been making residents lives hell.
3. The problem has been going on for years but has got worse over the past few years. When the weather is better they always hang around the front of the shops and on the stairwells. It is a normal occurrence for me to come home and find the stairwells urinated and defecated on.
4. They are almost always drunk and make me feel very intimidated as I have to walk past them to get out. When I am home they make me feel like I don't want to ever leave my house and when

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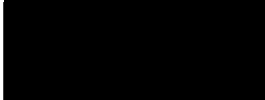
Signature Witnessed by:

M/A



**RESTRICTED (when completed)**Continuation of Statement of : **Paul Thomas**

I am out I don't want to come home. They will sometimes get undressed at the clock tower and also pester passing members of the public to buy them alcohol.

5. I see them injecting drugs and leaving hypodermic needles around which any of the local children could pick up. They regularly swear at people who are just walking past. Because the incidents happen every day it has become normality so I don't phone police. The problems only really occur when the men are actually drunk as they don't generally cause too many problems when they are not drinking.
6. I have been trying to sell my house for the last 2 years. All the people viewing the house were put off because of the area. They commented on gangs of men loitering and drinking in the stairwells and the rubbish. I hate living here because of what these people are doing in the area I live. 

Signature: 

Signature Witnessed by:

N/A

V4.1

**WITNESS STATEMENT**

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B

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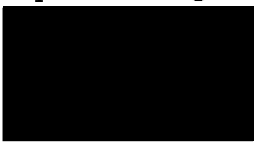
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2. I live at SUNBURY CROSS. When I first moved here the area was a good area. Since living here I have noticed that more and more "drunks" are coming to the area to cause problems. They get drunk and fight with each other every day when the weather is nice.
  
3. I regularly come home and find that the stairwells have been urinated and defecated on. They make the area look really bad. I am trying to move because of what these people are doing in the area that I live. They are always swearing at each other and people walking past.
  
4. I often find cans and bottles of alcohol behind the shops which are left there by the drunks. They hang around all day and are often there until the early hours of the morning. I do not like going out of the house or returning home when they are outside which is pretty much every day in the Summer as they swear at me and my girlfriend and make us feel like prisoners in our own home.

Signature:

Signature Witnessed by: **M/A**

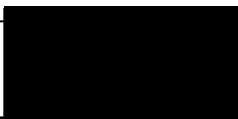
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Continuation of Statement of : **Paul Thomas**

- 5. I am worried about the impact these “drunks” are having on the area. Nobody wants to live here, all my neighbours want to move because of this problem and the children that live in the area should not have to be sworn at and intimidated by them.
  
- 6. The whole atmosphere at SUNBURY CROSS when they are there is horrible. Everyone is sick of having to clean up after these people and being scared of going to and from our own homes in case they attack us or harass us. 



Signature:



Signature Witnessed by:

N/A

**RESTRICTED (when complete)**

**WITNESS STATEMENT**

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B

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2. I have lived at the vicinity SUNBURY for 7 years. When I first moved into my house the area was OK. There were a few problems in the area with anti-social behaviour but over the last few years there have been more and more "drunks" hanging around the area and they have been causing more and more issues for residents. There are a lot of families that live in the area and there are always lots of children in and around the area due to the local skate park and schools in the area. Since living here I have experienced a large amount of anti-social behaviour by "drunks" congregating out by the shops on THE PARADE and also on the stairwells and alleys It happens all the time when the weather is nice and I am sick of coming home to find them drinking, swearing and intimidating me and my neighbours.

3. For the last few years the problem has been getting worse. There used to be an occasional group of men who would sit around and drink and cause a few issues. Now it is a daily occurrence with the "drunks" hanging around the area. There is a group of men who are usually in the area

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Signature Witnessed by: **N/A**

Continuation of Statement of : **Paul Thomas**

but there are also people that I don't recognise coming to the area to drink on the streets and behind the shops. They shout at passers by and attract others to the area who also cause anti-social behaviour.

4. When I finish work I am worried about coming home as I don't know what I am going to find. The "drunks" also leave litter in the area making the area look even worse. I have [REDACTED] who are [REDACTED] and [REDACTED] and I have to tell them to be careful not to touch anything in the stairwells and regularly have to carry them up the stairs to stop them treading in anything such as human faeces.
5. I have been trying to sell my house and have finally managed to sell it but have really struggled, particularly when the viewings were in the Summer. As the potential buyers were put off by the "drunks" hanging around the area.
6. I used to call police but the problems have continued and it has become the norm so I don't bother phoning the police anymore. I think that if the men were stopped from getting drunk in the first place then most of the problems would stop. I think this as when they aren't drinking they don't really cause any problems. The situation makes me feel helpless and I am worried about how it is affecting [REDACTED].

Signature:

Signature Witnessed by:

**WITNESS STATEMENT**

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2. I have lived at vicinity SUNBURY for 7 years. When I first moved to the area it was nice. But I have noticed that the last 2 or 3 years lots of "drunks" congregate out the front by the shops and behind them. Since living here I have seen and heard a large amount of anti-social behaviour caused by the local "drinkers". They are always out in the warmer weather drinking alcohol and getting drunk. They generally hang around either by the benches next to the clock tower on THE PARADE or behind the shops. They are the only people that use the benches and other people are put off from using them. I often see them lying on the benches and they take over that part of THE PARADE.
  
3. In the last few years the problem has got worse with more and more "drinkers" coming to the area and causing problems. They shout and swear at people walking past them and this includes a large amount of children going to and coming from school. I am genuinely scared of going out during the day and night because of the way the "drunks" behave and because of the people that

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Signature Witnessed by:

**RESTRICTED (when completed)**Continuation of Statement of : **Paul Thomas**

hang around with them. I have seen people using drugs in the area and have also found used needles.

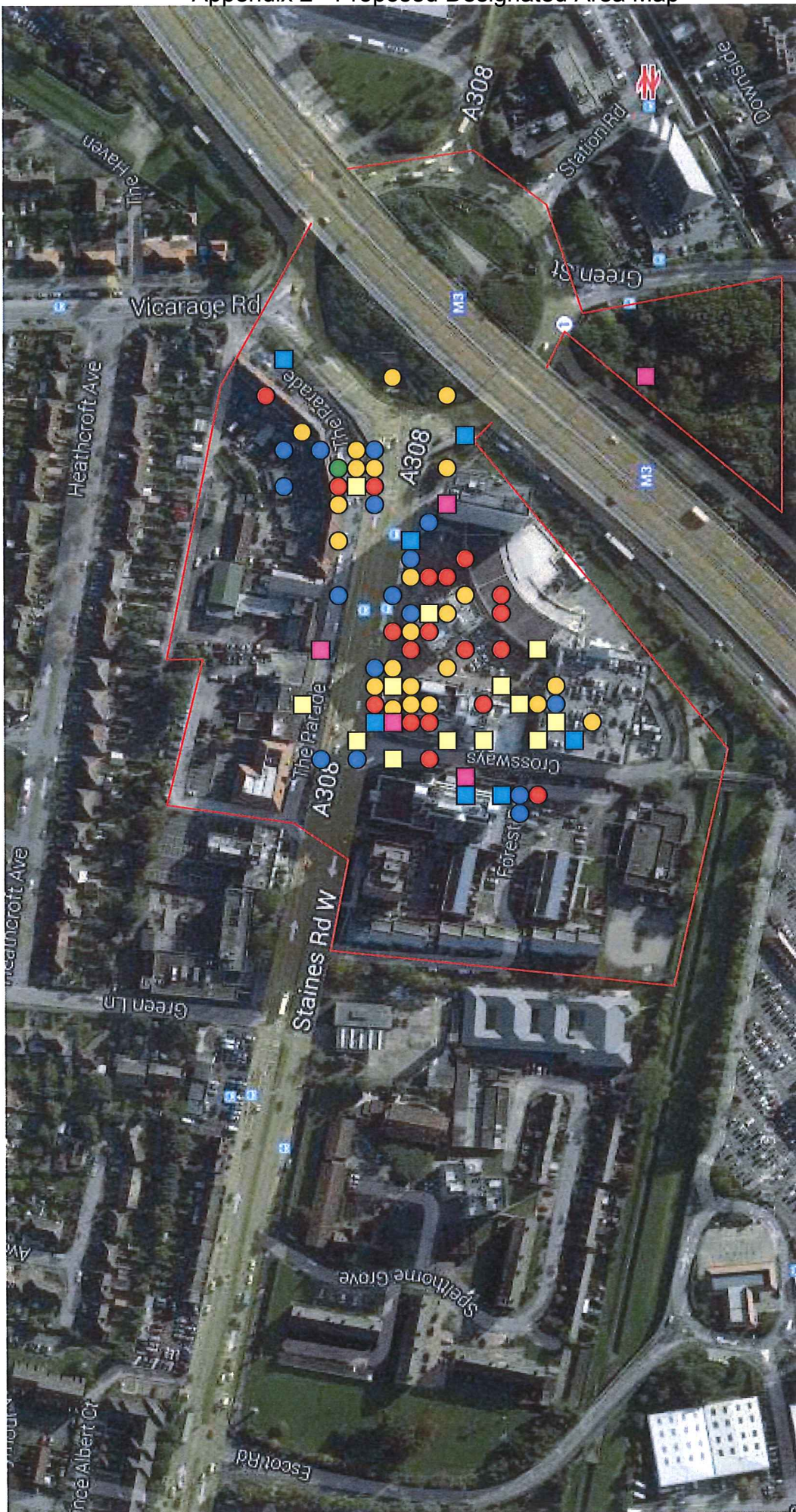
4. I want to move from the area but am not in a position to at the moment. I would be seriously concerned about my ability to sell the house due to the area that it is in and the intimidating atmosphere that the “drunks” create. I have to have my windows closed as I can hear them swearing and fighting
5. I am always picking up litter left by the “drinkers” and cleaning up after they have urinated and defecated [REDACTED]. When the weather is warmer this is a daily thing and I worry about coming home as I do not know what I might find. Last Summer behind the shops one of the “drunks” shouted at me in front of my [REDACTED] and [REDACTED] year old children [REDACTED] Threatening expletive [REDACTED]” He was clearly drunk at the time and scared me and my children. I have also been walking past the benches by the clock tower and have seen the “drunks” urinating and having their [REDACTED]genitals out. When I challenged them they told me to [REDACTED] Expletive [REDACTED]
6. My children have witnessed the “drunks” swear at other children, falling over because they are so drunk and fighting with each other. I don’t want my children to be brought up in an area in which this sort of behaviour is considered normal and acceptable.

Signature:








Signature Witnessed by:

**RESTRICTED (when complete)**







-  = 2011 alcohol, drugs and ASB related ICAD
-  = 2012 alcohol, drugs and ASB related ICAD
-  = 2013 alcohol, drugs and ASB related ICAD
-  = 2014 alcohol, drugs and ASB related ICAD
  
-  = 2011 alcohol, drugs and ASB related crimes
-  = 2012 alcohol, drugs and ASB related crimes
-  = 2013 alcohol, drugs and ASB related crimes

