

LICENSING BOARD

Venue: Town Hall, Moorgate
Street, Rotherham. S60
2TH

Date: Wednesday, 21 March 2012

Time: 9.30 a.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Minutes of the Board held on 15th February, 2012 (herewith) (Pages 1 - 2)
4. Result of Consultation – Designated Public Place Order (report and appendix herewith) (Pages 3 - 20)

Steve Parry, Neighbourhood Crime and Justice Manager, Neighbourhoods and Adult Services, to report.
5. Consultation Responses in Relation to Proposed 2012/13 Fee Increases (Officers to report)
6. Applications for Exemption from Display of Private Hire Vehicle Plate and Door Signs - Posh Travel (report herewith) (Pages 21 - 24)
7. Exclusion of the Press and Public.
The following item is likely to be considered in the absence of the Press and Public as being exempt under the Police Act 1997 and Paragraphs 3 and 7 of Part 1 of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime)
8. Determination of Licensing Issues - House to House Collections (report herewith) (appendices provided separately) (Pages 25 - 27)
9. Applications for the Grant/Renewal/Review of Hackney Carriage/Private Hire Drivers' Licences (reports herewith) (Pages 28 - 41)

**LICENSING BOARD
15th February, 2012**

Present:- Councillor Barron (in the Chair); Councillors Beck, Buckley, Dodson, Donaldson, Falvey, Foden, Goulty, N. Hamilton, Havenhand, Jack, McNeely, Nightingale, Read, P. A. Russell, Sangster and Swift.

Apologies for absence had been received from Councillors Wootton and J. Hamilton.

Q44. MINUTES OF THE BOARD HELD ON 11TH JANUARY, 2012.

The minutes of the previous Licensing Board, held on Wednesday 11th January, 2012, were considered.

Resolved: - That the minutes of the previous meeting of the Licensing Board be agreed as a correct record for signature by the Chairman,

Q45. LICENSING SERVICES: PROPOSED FEES - 2012-13.

Alan Pogorzelec, Business Regulation Manager, Licensing Services, presented a report that detailed proposed fee increases for the 2012-13 financial year in respect to 'private hire and hackney carriage licensing', 'vehicle fees', 'inspection fees' and 'miscellaneous and other fees'.

Fees were reviewed annually in relation to all licensable activities. The Service was legally prohibited from making a profit from the application of fees and any increase must only reflect increased costs and any profits made must be re-invested in the Licensing Service. The proposed fee increase for 2012-13 was suggested at a 3.6% increase to be applied to all relevant fees in relation to licensable activities, rounded-up to the nearest pound. 3.6% was the Government's CPI indices of inflation, as published for the month of January, 2012. It was noted that some fees in relation to the Rotherham Licensing Service were legally prescribed (such as CRB check costs) and would remain unaffected by this proposal.

It was not proposed to increase the fee for the licensing and registration of sex shops within the submitted report, as new legislation was shortly expected in relation to sex entertainment venues. The fees for the licensable activities would be reviewed following the implementation of the new legislation.

Permission was now sought from Elected Members to enter into negotiation with recognised trade bodies in relation to this proposal.

Discussion ensued about the proposed fee increase.

Resolved: - (1) That the report be received and it's contents noted.

(2) That the proposed fee increase of 3.6%, rounded up to the nearest pound, in relation to relevant licensable activities, be approved to progress on to consultation with recognised trade bodies.

(3) That a further report be presented to the Licensing Board at the end of the consultation period detailing the responses received.

Q46. EXCLUSION OF THE PRESS AND PUBLIC.

Resolved: - That, under Section 100A(4) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the Police Act 1997 and in Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

Q47. HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES.

The Licensing Board considered reports by the Director of Housing and Neighbourhood Services relating to the hackney carriage / private hire drivers' licences in respect to Messrs. M.A. and A.K..

Mr. M.A. attended the meeting and was interviewed by the Board.

Resolved: - (1) That the licence held by Mr. M.A. be revoked.

(2) That the application for renewal of licence in respect of Mr. A.K. be refused.

Q48. HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS' LICENCES - APPLICATIONS.

The Licensing Board considered reports by the Director of Housing and Neighbourhood Services relating to the applications for the grant of hackney carriage / private hire drivers' licences in respect to Messrs. M.I.A., A.A.A., U.F.H., M.H., M.N., I.A.(1), D.C.P. and I.A.(2).

Messrs. M.I.A., A.A.A., U.F.H., M.H., M.N., I.A.(1), D.C.P. and I.A.(2) attended the meeting and were interviewed by the Board.

Resolved: - (1) That the applications received in respect of Messrs. U.F.H. and M.H. be refused.

(2) That the applications in respect of Messrs. M.I.A. and A.A.A. be granted for a period of twelve-months, subject to passing the DSA Driving test and medical examination.

(3) That the applications in respect of Messrs. M.N., I.A.(1), D.C.P. and I.A.(2) be granted for a period of three-years, subject to passing the DSA Driving test and medical examination.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:-	Licensing Board
2.	Date:-	21st March 2012
3.	Title:-	Single Rotherham Designated Public Place Order
4.	Directorate:-	Neighbourhood & Adult Services

5. Summary

On 16th November 2011, a report with recommendations was presented to the Licensing Board in respect of the proposal to introduce a single Designated Public Place Order (DPPO) covering a large area of the borough.

After discussion the Licensing Board resolved: (Minute17Q 1-2-3 16/11/11)

1. That the request by the Safer Rotherham Partnership's Joint Action Group for the Council to establish a single multi-location DPPO be noted.
2. That once the area to be designated was confirmed, the making of the proposed DPPO be progressed and consultation as prescribed by the Local Authorities (Alcohol Consumption in Public Places) Regulations 2001 be undertaken.
3. That a future report be submitted to the Licensing Board on the representations made during the consultative process to enable, if supported, the Council to establish a single, multi-location DPPO for Rotherham.

The consultation period ended on the 10th February 2012. With one exception, every response received was in favour of the introduction of the DPPO, with some support for the order to cover the whole of the borough.

A paper outlining the result of the consultation process was presented to the Overview & Scrutiny Management Board (O&SMB) on 16th March 2012. After discussion the Board gave its support for the introduction of a borough-wide DPPO to be recommended to the Licensing Board on 21st March 2012 and that the order is reviewed 12 months from the date it commenced.

6. Recommendations:

That based on the result of the consultation and the recommendation of the O&SMB, the Licensing Board:

1. Approves the introduction of a borough-wide Designated Public Place Order
2. Reviews the Order 12 months from the date of its commencement

7. Proposals and Details

The single Rotherham DPPO consultation period commenced in December 2011 and ended on Friday 10th February 2012.

The regulatory process to establish a DPPO was followed and full consultation was undertaken with the public and premises affected by the proposal.

The process followed is detailed within specific regulations and included consultation with:

- The Police, including the British Transport Police,
- Licensees of licensed premises in the proposed Designated Public Place
- The owners or occupiers of land identified which may be affected
- advertising via a legal notice in the Rotherham Advertiser (Friday 6th January 2012), identifying specifically the area that the Order will cover, setting out the effect of the Order and inviting representation within 28 days for representations;

A covering letter and legal notice was sent to all licensed premises in the Borough and also Parish Councils, Local Councillors, British Transport Police, South Yorkshire Passenger Transport Executive, Supermarkets, Doncaster Council, Barnsley Council and Sheffield City Council. Presentations were also made at Area Assembly meetings where requested.

A consultation page was also added to the Council internet site at www.rotherham.gov.uk/DPPO, inviting responses to the Councils Licensing Department.

As a result of the consultation, 18 responses were received. Details of those who responded and respective comments are shown at **Appendix 1**. With the exception of one response, all are firmly in favour of the introduction of an order, with support for the boundary to be extended to include areas not previously covered. There is also support for the order to cover the whole borough.

A map showing the original proposed DPPO area (yellow shade) and the additional areas proposed during the consultation (lilac shade) is shown at **Appendix 2**. (Due to its size, hard copies of the map will be provided to members at the meeting)

Justification for extended the DPPO area

To make a DPPO the local authority must go through a process of satisfying itself that the order is justified in relation to any particular public place by reference to past problems of alcohol related crime or disorder or antisocial behaviour in that place.

It is clear that alcohol is a contributory factor in anti-social behaviour, criminal damage, nuisance and public place violent crime. It also increases the fear of crime and further deterioration of public areas and acts as a catalyst for an increase in the incidents of alcohol and drug abuse and more serious crimes.

The legislation does not prohibit borough wide or multi-location DPPO areas, but the Home Office guidance states that, in order to include any public place in a DPPO, the Council must be "*satisfied that nuisance or annoyance to members of the public or disorder has been associated with the consumption of alcohol in that place*".

The guidance also advises that the creation of designated areas may well lead to anti-social drinking or nuisance being displaced into areas that have not been designated for this

purpose. Prior to designating an area an assessment should be made of all areas to where that nuisance or disorder could be displaced, ensuring that all those affected by the designation and possible displacement are appropriately consulted. The guidance states that *'It might be appropriate to designate a public area beyond that which is experiencing the immediate problems caused by anti-social drinking if the existing problem could be displaced once the order is in place'*.

It has already been acknowledged and agreed by the Licensing Board on 16th November 2011 that recorded alcohol related crime and anti-social behaviour incidents alone in some of the areas included in the original DPPO area would not justify the need for an order, but that other contributory factors and wider implications need to be considered.

These include:

- Sending out a clear message to our communities of the intent of the Police, Council and partners to tackle alcohol related crime and disorder.
- Having a single area is less confusing to the public than having a number of individual areas where an order is in force.
- The need to consider and address the important issue of displacement of alcohol related ASB from areas where the order is in force to areas where it is not.

The same principles apply to the additional areas that it is proposed are included in the order.

It is clear though that where comment has been made on extending the area of the order, particularly from Parish Councils and Ward Member, support is very strong and there is anecdotal evidence that the areas put forward during the consultation do suffer from alcohol related disorder, but that it is not necessarily formally reported.

Issues of this nature are regularly raised at public meetings including Area Assemblies and Partners and Communities Together meetings (PACTs) when the Police and Council Officers have issues of alcohol related anti-social behaviour in some of our smaller, more isolated communities brought to their attention that have hitherto gone unreported. It should also be considered that there is national acceptance that recorded levels of anti-social behaviour in themselves do not always portray an accurate picture of the problems being experienced in communities.

Since the legislation was first introduced there are now many examples across the country where single, multi-location orders are in place. The experience in these areas is that the public are very strongly in favour of such orders,

In determining the need for the area covered by the DPPO, a degree of 'professional judgement' is required to balance the pros and cons of a single, multi-location application and Home Office caution in respect of the proportionality of borough wide orders.

It will be seen that if the inclusion of the additional areas is agreed, only a relatively small 'populated' area of the borough will not be covered by the order. In view of this, it is recommended that for the reasons given above, an order is approved that is enforceable across the entire borough.

8. Finance

The Safer Rotherham Partnership has provided £8,000.00 to cover the cost of the introduction of a DPPO, including signage.

9. Risks and Uncertainties

A summary of assessment was provided and considered at Appendix 4 of the original paper that was presented to the Licensing Board on 16th November 2011.

10. Policy and Performance Agenda Implications

Policy/Strategic Position

RMBC Corporate Strategy – Helping to create safe and healthy communities/Improving the environment

- People feel safe where they live
- ASB and crime is reduced
- People enjoy parks, green spaces, sports, leisure and cultural activities
- Clean streets

11. Background Papers and Consultation

Research

- Criminal Justice & Police Act 2001
- Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007
- Guidance on Designated Public Place Orders for Local Authorities in England and Wales. (Home Office), November 2009
- Designated Public Place Orders; House of Commons Library SN/HA/4606, December 2009
- Rotherham Borough Alcohol Related Crime & Disorder Temporal Analysis 2009.
- Safer Rotherham Partnership Joint Strategic Intelligence Assessment.
- Local Authority Profiles for England – Profile for Alcohol Related Harm for Rotherham; Yorkshire and Humber Public Health Observatory www.nwph.net/alcohol/lape

Consultation

As outlined in the report and shown at Appendix 1.

Contact Name:- Steve Parry, RMBC Neighbourhood Crime & Justice Manager
Tel 01709 (3)34565. steve.parry@rotherham.gov.uk

1. ANSTON PARISH COUNCIL

From: Michael Gazur [mailto:Michael.Gazur@anston.gov.uk]
Sent: 13 February 2012 14:17
To: Bragg, Deborah
Subject: Proposal to introduce and alcohol Order

Dear Deborah,

Further to your letter dated 6th January 2012 regarding the proposal to introduce an Order under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001.

The Anston Parish Council would like to voice its full support for such a measure.

Yours sincerely

Michael Gazur
Clerk to the Anston Parish Council
The Parish Hall
15A Ryton Road
North Anston
Sheffield
S25 4DL

2. ASTON-CUM-AUGHTON PARISH COUNCIL

Hello Steve

Aston-cum-Aughton Parish Council at its meeting yesterday evening, resolved to fully support the proposed introduction of an Order which will cover an extensive area of the Rotherham Borough, including the whole of the Parish of Aston-cum-Aughton.

I trust this support will be taken into consideration before the final decision is taken.

Regards
Alan J Hodkin
Clerk to Aston-cum-Aughton Parish Council

3. BRITISH TRANSPORT POLICE

From: Bridges, Graham [mailto:graham.bridges@btp.pnn.police.uk]
Sent: 23 January 2012 10:37
To: Licensing
Subject: Proposal to introduce a DPPO within Rotherham Borough

For the attention of Deborah Bragg

I am receipt of your letter regarding the above inviting comments on the proposal. I have also viewed the proposed map of the area subject of the DPPO on your website.

I am pleased to see that Rotherham railway station is included within the proposed area and welcome this order. DPPO's have proved to be effective in other areas and it is important from my point of view that the railway station is included at the outset.

In the past it has proved very difficult to get railway stations included after the order has been granted. If they are not included at the outset there is a danger that they will become a "drinking oasis" within the town centre or proposed area.

Any measure that helps reduce crime, the fear of crime and anti social behaviour at rail stations is welcomed by the British Transport Police.

Regards

Graham Bridges
Sector Inspector
Doncaster
0114 2592033

4. COUNCILLOR BECK – WARD 18 (WALES WARD)

From: Beck, Dominic

Sent: 09 January 2012 17:31

To: Bragg, Deborah

Subject: RE: Consultation on Proposed Designated Public Places Order

Dear Deborah,

I have only a few comments to make which I would like to be fed into the formal consultation. I would be in favour of a borough wide DPPO as it demonstrates consistency in policing and indeed clarifies for residents who may take personal issue with this order, in terms of ensuring that police and PCSO are brought to the attention of potential breaches of the order. We don't want a scenario where residents don't report instances because they are uncertain as to whether the geographical location is actually within the designated zone. Indeed with the best will in the world communicating a fragmented order zone to the public will of course throw up a few challenges.

In the event that a borough wide order is unachievable I would certainly like to see Harthill, in the Wales ward incorporated into this order. Harthill would be regarded as an affluent village with very few problems however on a Friday and Saturday night it is a completely different story. Gangs of youths enter the village, generally from Kiveton Park with alcohol and roam the streets until

silly hours in the early morning. A reason for this is that they perceive Harthill as an easy place to go about their activities and that the police won't find them. I can't emphasise strongly enough how extending the zone in this particular area of the borough would have a positive impact. Displacement of potential problems is the main concern with this order and I would like these few points seriously considering.

Personally I really don't see why he shouldn't/couldn't have a borough wide order. The areas that are not currently in the zone are intrinsically those which have the least propensity of crime, so extending the order to these areas will not over stretch policing resources to the extent that the priority areas will adversely suffer. It will safeguard the authorities against any bad press by having a blanket DPPO and will show as stated previously, consistency, bi-lateral thinking and a one size fits all attitude.

Regards

Dominic

Cllr. Dominic Beck

Rotherham Borough Councillor for Ward 18- Wales Ward

5. DALTON PARISH COUNCIL

From: Sue Lewis [mailto:daltonpc@hotmail.co.uk]

Sent: 28 January 2012 23:49

To: Bragg, Deborah

Subject: Proposal to Introduce an Order on Consumption in Designated Public Places Which Covers an Extensive Area of Rotherham

Hi Deborah,

Your correspondence regarding the above was circulated to Members of Dalton Parish Council at our January meeting and I was instructed to advise you that Dalton Parish Council welcome such an Order.

Regards.

Sue

Sue Lewis

Clerk to Dalton Parish Council

(01709) 702348

6. HARTHILL & WOODALL PARISH COUNCIL

From: Les Wheatley [mailto:les.wheatley@btinternet.com]

Sent: 13 January 2012 11:59

To: Bragg, Deborah

Subject: Fw: Consultation on Proposed Designated Public Places Order

Hello Deborah

This matter was discussed at the Harthill with Woodall Parish Council meeting earlier this week following the exchange of correspondence between Cllr. Beck and yourself.

The Parish Council fully agrees with Cllr. Beck's analysis and very much hopes that the village of Harthill can be included in the DPPO when it is established for the reasons stated in Cllr. Beck's submission.

The Council would be grateful if its views could be included in the consultation process. I am happy to discuss further if you wish.

Kind regards
Les Wheatley
Clerk to Harthill with Woodall Parish Council
Tel 01246 434908

7. Laughton-en-le-Morthen Parish Council (Incorporating Brookhouse, Carr, Slade Hooton and Newhall)

Deborah Bragg
Licensing Manager
Reresby House
Bow Bridge Close
Rotherham
S60 1BY



2nd February 2012

Dear Ms Bragg

Re: Proposal to introduce an order covering parts of Rotherham Borough

Further to our e-mail correspondence, Councillors have asked me to comment on the proposal which will designate certain areas where restrictions on public drinking will be applied. As a Parish Council, we are aware of the concerns our parishioners have in relation to the problems caused by people drinking in public places. We fully support the Borough Council's proposal, but would ask that our parish area is also covered by the regulations.

We have had reports of anti-social behaviour and public nuisance, largely associated with alcohol usage. Furthermore, there are parts of the parish where our ditches and verges are littered with empty lager cans which are often cleared up by local residents. We would welcome the order which would allow people to be prevented from consuming alcohol in these areas.

Our parish area covers Laughton-en-le-Morthen village along with the hamlets of Brookhouse, Carr, Slade Hooton and Newhall. We ask that all our areas are covered by the proposed regulation, as our surrounding areas are

included in your list: Laughton Common, Dinnington, Maltby, Thurcroft and Hellaby. If we are to be excluded, this could cause further problems for us as a parish if word gets round that our area allows the consumption of alcohol away from licensed premises.

I hope you take our concerns into account when making your decision on the proposal, which we feel is necessary for the whole borough. We are happy to meet with representatives of the council to discuss our concerns and reasons for inclusion further.

I look forward to hearing from you once the proposal has been revised.

Yours sincerely

Samantha Brooks
Clerk to the Council

8. Maltby Environmental Group Maltby Wood Lee Common and Craggs Meadow Steering Group

Dear Mr Richmond,

Re Public Notice Published Friday 6th January 2012 Regarding Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

I write at the request of **Maltby Environmental Group** and also at the request of the **Maltby Wood Lee Common and Craggs Meadow Steering Group** (of which I am also Honorary Secretary) to submit comment with regard to the boundary of the proposed DPPO area in Maltby.

Maltby Wood Lee Common and Craggs Meadow Steering Group discussed the matter at its meeting held on Wednesday 25th January. Comment was minuted at item 9 and is reported below.

***9.Framing Comment on Maltby's DPPO Boundaries** The group looked at the boundaries in the Maltby area and commented (1) that the boundary immediately south of Hooton Levitt was undefined on the ground and (2) that in view of likely 'displacement', the whole of the Maltby Commons Local Nature Reserve including the Low Common SSSI should be included within the DPPO area. Possibilities were (a) a boundary running down Stoney Well Lane and along the watercourse or (b) extending the boundary from Stoney Well Lane down the western edge of Long Plantation to end on the A634 on the Maltby side of Stone. (c) Including all of Maltby Ward within the boundary*

After the meeting, further detailed work was undertaken on these suggestions which were then passed on for the consideration of Maltby Environmental Group.

Maltby Environmental Group met on Wednesday 1st February. In the light of the above suggestions, the group spent a considerable time looking at printed copies of a section of the ROAM system DPPO map in association with OS maps. Members also contributed of their intimate knowledge of the areas in Maltby which are vulnerable to alcohol fuelled anti-social behaviour. Additionally, and as a result of my research on this matter via reports on a number of local authority websites nationally, I was able to identify to members that 'displacement' issues were the overwhelming risks to be guarded against by those defining DPPO areas. The group's unanimous decision was to reject suggested boundaries a and c (above) and unequivocally to support suggested boundary b. which I now define in further detail and which I am happy to draw on a map for you.

SUGGESTED BOUNDARY REVISION

From GR SK 565930 (the point where the mineral line serving Maltby Colliery crosses the RMBC Boundary) our proposed boundary would run SW (as presently defined) only as far as the A631. There, instead of following the mineral line, it would turn east to follow the A631 for the short distance to its junction with Stoney Well Lane. The proposed boundary would then follow Stoney Well Lane SSE to Sandbeck Lodge then pick up the field boundary S of the pond and go W/N/W and S to skirt the northern section of Long Plantation. It would then continue S to follow Long Plantation's western edge and that of Rough Park before rejoining your proposed DPPO boundary on the A634 just west of Stone.

This boundary offers enormous advantages in operational terms. It encloses within a clearly defined and shorter boundary the Maltby Commons Local Nature Reserve including the Low Common SSSI Pieces Holt, Hell Wood and adjacent land all of which is known to be vulnerable to ASB emanating (via over- bridges and the level crossing) from Maltby Colliery Spoil Heap, Tickhill Road, White City/'Abbey Reach', Birks Holt and Blyth Road. Its adoption would offer an enhanced envelope of DPPO protection to the whole of eastern Maltby and hugely simplify enforcement.

Your comments on this matter will be greatly appreciated.

Yours faithfully,

Alice Rodgers

9. MALTBY TOWN COUNCIL

From: Ann Stewart [mailto:maltby.town@btconnect.com]

Sent: 07 February 2012 16:40

To: Licensing

Subject: Alcohol Consumption in Designated Public Places

For the Attention of Deborah Bragg – Licensing Manager

Dear Deborah

The letter sent outlining the proposal to introduce an order which covers an extensive area of the Rotherham Borough was presented to Maltby Town Council on Thursday 3rd February.

The Town Council wholeheartedly support the proposal. On investigation it was found that the proposal does not cover the Craggs or the low common area of Maltby. These two places suffer the most from alcohol related anti-social behaviour. Therefore, we would respectfully request that the above mentioned sites are included in the proposal.

We look forward to hearing about any further developments and trust the proposal will go through with little or no delay.

Yours sincerely
Ann Stewart
Clerk and RFO
MALTBY TOWN COUNCIL
The Edward Dunn Memorial Hall
Tickhill Rd, Maltby S66 7NQ

Tel: 01709 814060

10. MASONS ARMS – WICKERSLEY

From: Neil Moore [mailto:neil.j.moore@btinternet.com]
Sent: 13 January 2012 19:01
To: Licensing
Subject: Alcohol Orders (Effect on Masons Arms Wickersley)

Hi Deborah

Just thought I would reply to the letter received informing us about restrictions to public places.

We at Masons Arms Wickersley fully support the proposed order.

It is a constant battle that we perform daily to stop people walking off the premises with open vessel alcohol. Not only is it a financial cost to the business but a nuisance to local people because they end up with the glasses/bottles in their gardens etc.

The effectiveness of the order will depend on enforcement. Sorry to say but I do not feel other licensees in my local area will proactively manage the policy which just makes my job harder.

I would want to see an effective information campaign & simple signage program to introduce the new order & help in enforcing the policy for the first few weeks.

Other ideas that may help:

All SIA door team will get an endorsement on their license if they are not active in enforcing the order.

All license holders to receive warnings (second warning requires investigation by licensing team) if found to not be enforcing the policy.

All taxi drivers will have their taxi permit revoked if they allow open vessel alcohol to be taken into or consumed in their taxi.

Regards

Neil Moore
Masons Arms Wickersley

11. **'DAVE' - NEGATIVE RESPONSE**

From: dave [mailto:ukspreads@blueyonder.co.uk]

Sent: 13 January 2012 13:59

To: Licensing

Subject: more freedoms dissolved

There are more 'statutes & legislation' than there are people in the UK! This control rush...is it a disease? I and my family have lived in Rotherham from generation to generation and we have seen horrific changes. It will soon be against the law to speak to someone in the street for fear of them 'collaborating to overthrow the government' I take my dog for a walk around late evening (from 11pm – 1am) I have been watched by a police helicopter from afar just in case I forget to pick up his 'accidents' or could it be that I am a suspect? It really is becoming unbearable to live in this country (or any other for that fact) if our ancestors could see what you've done I am certain they would haunt you for the rest of your lives. It is beyond insane; and that is putting it mildly to say the least. So it is now on the table for drinkers to be stripped of their property and fined...why oh why am I not surprised? Any more laws you'd like to bring in? Such as; running on the pavement, breathing onto someone, wearing the wrong clothes, looking suspicious (already implemented), driving a dirty car, kissing in public, filming the police (oops, already sorted), looking at children, using a mobile phone whilst walking, looking at women and vice versa, staring into a shop window (already spreading from the south) and all the other things that we normally do on a daily basis. Let's face it, what you are looking for is a completely subservient society that can be 'told' what to do, how to do it and when to do it! You do realise that this is a disease of the mind? Why control? Why power? Why money? As human beings we are made from infinitesimal pieces of energy called 'atoms' these atoms NEVER die, they are simply converted into something else (a spirit for example) now considering this, do you think that control, power and lust will change anything? Sorry for the astral lesson but you are in a word 'pathetic' we as a human race are equipped naturally to create a far better 'freer' world, if only those with diseased minds could see this...

Regards
David.

12. ORGREAVE PARISH COUNCIL

From: orgreavepc@tiscali.co.uk [<mailto:orgreavepc@tiscali.co.uk>]
Sent: 25 January 2012 13:03
To: Licensing
Cc: Swift, John; Julie Jackson
Subject: Alcohol Consumption In Designated Public Places - Orgreave

For the attention of Deborah Bragg,

We are in receipt of your letter dated 6th January 2012 regarding the Local Authorities (Alcohol Consumption In Designated Public Places) Regulations 2011.

This consultation was an agenda item at our January Parish Council meeting.

It was noted by the Parish Councillors that Orgreave has been omitted from the land designated by description. We can confirm that we have an ongoing problem with youths drinking on our playground/playing field and we therefore request that Orgreave is considered to be added to the designated area.

I am sure that Julie Jackson, our local Police Community Support Officer will offer her support in our request.

Should you need to discuss this, please do not hesitate to contact me.

Regards

Debbie Morris
Clerk/Finance Officer
451 Retford Road
Sheffield
S13 9WB
Tel: 0114 2696381

13. RMBC GREEN SPACES

From: Lee, Andy
Sent: 20 January 2012 14:09
To: Licensing
Subject: FW: Alcohol Consumption Order Consultation

Deborah

Thank you for your letter of 6th January setting out the proposal to introduce an order relating to the restriction of alcohol consumption in designated public places. I believe this proposal will be beneficial to the majority of users of Parks, Recreation Grounds and Public open space within the designated areas you propose. It will help reduce both anti-social behaviour that is encountered by green space users and the fear of anti-social behaviour which can otherwise prevent the proper enjoyment of these places by the majority.

While not all alcohol consumption within parks has a negative impact, eg a bottle of wine with a picnic or alcohol consumed sensibly during specific events, the proposed order will give us and partner agencies a tool that can be used to mitigate against the worst effects of inappropriate alcohol consumption and persistent perpetrators of ASB.

I would suggest including the whole of Ulley Country Park in the designated area as one side of the park is in the area and one side not and is an area where alcohol is consumed by illegal swimmers during the summer. I would also suggest that Firsby Reservoirs, near Ravenfield are included in the designation as this also attracts swimmers and alcohol is often a contributory factor to the ASB that is encountered by staff.

Regards

Andy Lee
Urban Green Spaces Manager
Streetpride
Environment & Development Services
Rotherham Metropolitan Borough Council

**14. Rother Valley South Pub Watch Dinnington, N & S Anston,
Woodsetts, Laughton Common, Kiveton & Wales C/o The Gallows
Public House, Hangsman Lane, Laughton Common S25 3PF**

Fao: Deborah Bragg

Dear Ms Bragg,

Re: Local Authorities (Alcohol Consumption in Designated Public Places)
Regulations 2001

Proposal to introduce an order which covers an extensive area o the
Rotherham Borough

As a Pub Watch we welcome any exercise to help to combat anti social behaviour. Being in the licensing trade we have all at some point experienced anti social behaviour in some form or other.

We have a few concerns and queries regarding the order which are as follows:

- **Why does the order not include all the Rother Valley South? E.g.:
Laughton En Le Morthen, Brookhouse, Harthill?** These are areas the Pub Watch and police cover.

- A designated public place – is this to include beer gardens in public houses?
- If a customer is outside and not in the beer garden, e.g.: smoking or near the doors is this classed as a public place?
- The late night levy seems to be aiming at public houses? Why?
- The levy if introduced does not include late night licensed premises such as supermarkets and restaurants?
- People leaving licensed premises, will they be an easy target for this order to be enforced?
- It would be best to target anti social behaviour from the misuse and sale of alcohol from off sales premises i.e.: supermarkets, off licences etc, this does not seem to be addressed in the order? All day venues i.e.: supermarkets and garages with licences from 8am to 10pm or even 24 hours being able to sell alcohol, RMBC are the one's issuing these licences?
- Public houses are a controlled place for drinking and socialising, all day venues as above are not monitored as in a public house
- Where will the money come from to police this order?
- Pub watch struggle to have a police representative attend meetings to help with issues that are mostly anti social related, where will the resources come from to enforce the order?
- As publicans we experience anti social behaviour from people 'Pre Loading' at home before coming out, how will the order address this issue?
- Drugs are now more related to crime/ anti social behaviour than alcohol how will this be addressed?

It is with great concern that we feel this order does not seem to address the main problem which causes the majority of anti social behaviour, being able to purchase large quantities of alcohol at cheap or even below cost at any time of the day or night. **No policing** can stop people drinking at home and 'pre loading'. This order will not stop the bigger issue.

Public Houses are a controlled and social part of drinking, the police have less calls and trouble from public houses, because people are drinking responsible, but they experience excessive calls which are alcohol and increasingly drug related, from the street, homes and gardens resulting from people purchasing cheap below cost alcohol.

Please remember Public Houses have strict rules that we enforce to keep our environment as safe as possible and we work closely with the police to keep it

that way. In conclusion we feel this order is just putting a 'band aid' over a much bigger issue that needs to be addressed with urgency. We can be contacted on 07896359958, the above address or return email if you would like to discuss the issue further.

Yours Faithfully
For and on behalf of Rother Valley South Pub Watch
Rother Valley South Pub Watch Committee

15. ROTHER VALLEY WEST AREA ASSEMBLY

Neighbourhoods and Adult Services

Rother Valley West Area Assembly Office
Aston Customer Service Centre
Worksop Road
Swallownest
Sheffield S26 4WD
Tel: 01709 254253
Email: andrea.peers@rotherham.gov.uk



My Reference: KT **Your Reference:** **Contact:**
KT Andrea Peers.

Steve Parry
Neighbourhood Crime & Justice Manager
Community Safety Team

13th February, 2012.

Dear Steve,

Designated Public Place Order Consultation Formal response from Rother Valley West Area Assembly Monday 16th January 2012

At the meeting of the Rother Valley West Area Assembly it was resolved that:

Rother Valley West Area Assembly fully support the introduction of the Designated Public Place Order (DPPO) and request that:

A) Consideration be given to extending the boundary of the DPPO to the Borough boundary.

B) If this is not possible that Ulley, Orgreave and the whole of Ulley Country Park be included in any Order.

Yours sincerely,

J. Swift
Councillor John Swift

Wentworth Valley Area Assembly fully support the introduction of the Designated Public Place Order (DPPO) and request that:

- a) Consideration be given to extending the boundary of the DPPO to the Borough boundary
- b) If this is not possible that Maltby Low and Far Commons and the adjacent area of Local Nature Reserve be included
- c) Consideration be given to extending the powers of Police Community Support Officers to allow these officers to enforce the DPPO.

Yours sincerely

Councillor Sue Ellis
Chair, Wentworth Valley Area Assembly

18. WOODSETTS PARISH COUNCIL

From: WOODSETTS PARISH COUNCIL [mailto:woodsettspc@btinternet.com]
Sent: 30 January 2012 12:42
To: Licensing
Cc: Richard Swann; Monica Carroll
Subject: Designated Places Prohibition Consultation

Further to your letter of 6th January 2012 advising of the proposed Order, this was discussed by the Parish Council at its Meeting on 25th January 2012. The PC resolved to support the proposal to include Woodsetts in the designated area of the Order.

Gordon Smith
Clerk to Woodsetts Parish Council

20 Storth Avenue
SHEFFIELD
S10 3HL
Tel. 0114 2306130

1. Meeting:	Licensing Board
2. Date:	21 March 2012
3. Title:	Applications for Exemption from Display of Private Hire Vehicle Plate and Door Signs – Company – Posh Travel (Vehicle - YP07BBO – Mercedes E220 Silver)
4. Programme Area:	Neighbourhoods and Adult Services

5. Summary

This report concerns an application made for an exemption to the display of the private hire vehicle licence plate and door signs on a private hire vehicle (Mercedes E220 Class – Registration YP07BBO) to be operated by private hire operator company Posh Travel.

The applicant has not been invited to attend today's meeting.

6. Recommendations

THAT MEMBERS INFORM THE LICENSING OFFICER OF THEIR DECISION ON THE MATTER.

7. Proposals and Details

A letter has been received by the Licensing Office requesting consideration of an application for exemption, under the Local Government (Miscellaneous Provisions) Act 1976 Section 75 (3), to display the private hire vehicle plate & door signs on a specified vehicle. The request has been made by the Financial Director for Danieli Holding Limited as a customer of:-

Operators Company Name:	<u>Posh Travel</u>
Premises Location	Todwick, Sheffield
Proprietor/applicant	Mr Craig Robert Lawton
Vehicle Details	Mercedes E220 Class, Silver, Reg. YP07 BBO
Vehicle Age	Registered: 21/05/2007 (4yrs, 9mths)

The letter of request is attached at "Appendix A" of this report.

Sections 48(6)(a) of the Local Government (Miscellaneous Provisions) Act 1976 is to the effect that subject to the provisions of this part of the Act, no person shall use or permit to be used in a controlled district as a private hire vehicle in respect of which a licence has been granted under this section unless a plate or disk issued in accordance with subsection (5) of this section is exhibited on the vehicle in such manner as the district council shall prescribe by condition attached to the grant of the licence.

However the Board is entitled to consider under application from the proprietor of a named private hire vehicle an application for an exemption to display any plate or disk, as stated in the above mentioned section 48(6)(a) of the Act, in the case of a specific licensed vehicle only.

Members must have careful regard to Section 75 (3) on this matter which states; where a licence under section 48 of this Act is in force for a vehicle, the council which issued the licence may, by a notice in writing given to the proprietor of the vehicle, provide that paragraph (a) of subsection (6) of that section shall not apply to the vehicle on any occasion specified in the notice or shall not so apply while the notice is carried in the vehicle; and on any occasion on which by virtue of this subsection that paragraph does not apply to a vehicle section 54(2)(a) of this Act shall not apply to the driver of the vehicle.

Section 54(2)(a) of the Local Government (Miscellaneous Provisions) Act 1976 is to the effect that; A driver shall at all times when acting in accordance with the driver's licence granted to him wear such badge in such position and manner as to be plainly and distinctly visible.

8. Finance

Local Authorities set fee levels which are reasonable and proportionate to the costs incurred in providing the licensing service in terms of administration processes and enforcement responsibilities. Applicants are required to pay a standard application fees with regard to all the licences they obtain.

9. Risks and Uncertainties

Failure to consider each application to the extent that members feel necessary to satisfy themselves they have reached a reasoned decision could lead to inappropriate vehicle operating without identification within the borough.

10. Policy and Performance Agenda Implications

The consideration of plate display exemption requests ensures deliver under the themes of achieving and proud whilst ensuring that the Council continues to maintain its statutory functions and undertakes appropriate licensing of vehicles, drivers and operators to support the delivery of safe communities in Rotherham.

11. Background Papers and Consultation

Local Government (Miscellaneous Provisions) Act 1976.

Contact Name: Katy Giller, Senior Licensing Officer, 4525, katy.giller@rotherham.gov.uk

Danieli UK Holding Limited
722 Prince of Wales Road
Sheffield S9 4EU
United Kingdom

Reg. England 2997333
Phone (44) 114 2800 300
Fax (44) 114 2800 319
info@uk.danieli.com

DANIELI UK Holding Limited

Contact



Date

27 January 2012

Your Ref.

Our Ref.

AB/smo

Dear Sir/Madam

Re: Vehicle Registration Number YP07 BBO

With reference to the above vehicle registered to Mr Craig Lawton of Posh Travel, we write to confirm that this vehicle is frequently used by Mr Lawton to transport our Board of Directors and our overseas visitors attending meetings and discussions throughout the United Kingdom.

We requested Mr Lawton not to secure the licence plates to this vehicle as we felt that our overseas visitors would appreciate the appearance of a chauffeur driver vehicle rather than a plated taxi.

Should you need any further assistance please do not hesitate to contact our office.

Yours faithfully

Andrew Betts
Financial Director
Danieli UK Holding Limited



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