



# Agenda

Meeting: **LICENSING COMMITTEE**  
Date: **MONDAY 22 JULY 2013**  
Time: **10.00AM**  
Venue: **COMMITTEE ROOM**  
To: **Councillors R Sayner (Chair), K Ellis (Vice Chair), Mrs S Duckett, Mrs P Mackay, Mrs C Mackman, B Marshall, Mrs K McSherry, Mrs S Ryder, R Sweeting and J Thurlow**

## 1. Apologies for absence

## 2. Minutes

To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 13 May 2013 (pages 1 to 3 attached).

## 3. Disclosures of Interest

A copy of the Register of Interest for each Selby District Councillor is available for inspection at [www.selby.gov.uk](http://www.selby.gov.uk).

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests.

Councillors should leave the meeting and take no part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

## 4. Procedure

To outline the procedure to be followed at the meeting (Pages 4 to 5)

## 5. Chair's Address to the Licensing Committee

**6. Application for a Designated Public Places Order (DPPO) to Control Street Drinking in Monk Fryston Parish**

To receive the report of the Senior Enforcement Officer L/13/1 (pages 6 to 39 attached)

**7. Private Session**

**That in accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and public during discussion of the following item as there will be disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 7 of Part 1 of Schedule 12(A) of the Act.**

**8. Application for a Private Hire Driver's Licence**

To receive the report of the Senior Enforcement Officer L/13/2 (pages 40 to 54 attached)

**9. Issue concerning the behaviour of a Licensing Hackney Carriage Driver**

To receive the report of the Senior Enforcement Officer L/13/3 (pages 55 to 63 attached)

**Martin Connor  
Chief Executive**

<b>Dates of next meetings</b>
2 September 2013
7 October 2013
4 November 2013

Enquiries relating to this agenda, please contact Palbinder Mann on:  
Tel: 01757 292207 Email: [pmann@selby.gov.uk](mailto:pmann@selby.gov.uk)

## Minutes

### Licensing Committee

Venue:	Committee Room
Date:	13 May 2013
Present:	Councillors R Sayner (Chair), K Ellis (Vice Chair), J Deans (for Mrs K McSherry), Mrs S Duckett, D Peart (for Mrs P Mackay), Mrs S Ryder, R Sweeting and J Thurlow.
Apologies for Absence:	Councillors Mrs P Mackay (substitute D Peart), B Marshall and Mrs K McSherry (substitute J Deans)
Officers Present:	Caroline Fleming - Senior Solicitor, Tim Grogan – Senior Enforcement Officer, Rachel Howden – Senior Enforcement Officer and Palbinder Mann – Democratic Services Officer

#### **56. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **57. MINUTES**

An error was pointed out in the minutes under section 55 at the bottom of page four as it should have stated “The difference between a licence and consent was clarified” rather than “The difference between a market and consent was clarified”.

#### **RESOLVED:**

**That the Committee receive and approve the minutes of the Licensing Committee on 18 March 2013 with the above amendment and the Licensing Hearing on 11 March 2013 and that they be signed by the respective Chair for each meeting.**

#### **59. PROCEDURE**

The procedure was noted.

#### **59. CHAIR’S ADDRESS TO THE LICENSING COMMITTEE**

The Chair informed the Committee that she had discussed training needs for Committee members with the Senior Solicitor and if members had any specific training needs they should let her know.

The Senior Enforcement Officer updated the Committee on previous cases that had come before the Committee and the current situation with regard to these.

**60. APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE IN RESPECT OF A VOLKSWAGEN TRANSPORTER VEHICLE**

The Senior Enforcement Officer presented the **Report L/12/24** which outlined an application for a Private Hire Vehicle Licence in respect of a Volkswagen Transporter Vehicle, being discreet in manner. The applicant was in attendance.

Councillors were given the opportunity to question the applicant in connection with the application. The Committee then discussed the matter and considered their decision on whether the application should be granted.

**RESOLVED:**

- i) **To receive and note Report L/12/24.**
- ii) **To APPROVE the application for a Volkswagen Transporter Vehicle being discreet in manner.**

**61. PRIVATE SESSION**

**That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, as there will be disclosure of exempt information as defined in paragraph 3 of Part 1 of Section 12A of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006.**

The Committee decided to amend the running order of the agenda.

**62. APPLICATION FOR A HACKNEY CARRIAGE LICENCE IN RESPECT OF A PARTICULAR VEHICLE NOT FULLY ACCESSIBLE TO THE DISABLED**

The Senior Enforcement Officer presented the **Report L/12/26** which outlined an application for a Hackney Carriage Licence in respect of a particular vehicle not fully accessible to the disabled. The applicant was in attendance.

Councillors were given the opportunity to question the applicant in connection with the application. The Committee then discussed the matter and considered their decision on whether the application should be granted.

**RESOLVED:**

- i) To receive and note Report L/12/26.**
- ii) To APPROVE the application for a Hackney Carriage Licence in respect of the particular vehicle not fully accessible to the disabled.**

**63. ISSUE CONCERNING THE BEHAVIOUR OF A LICENSING HACKNEY CARRIAGE DRIVER**

The Senior Enforcement Officer presented the **Report L/12/25** which outlined a complaint that had been received and considered whether the respective driver was a fit and proper person to drive a Hackney Carriage. The driver was in attendance. Two witnesses who had provided statements were also in attendance.

Councillors were given the opportunity to question the applicant and the witnesses in connection with the incident. The Committee discussed the matter and considered all the relevant issues.

**RESOLVED:**

- i) To receive and note Report L/12/25.**
- ii) To SUSPEND the driver for 28 days due to his inappropriate conduct**

The meeting closed at 12.10pm

## **LICENSING COMMITTEE**

### **PROCEDURES TO BE FOLLOWED**

The Licensing Committee acts in a quasi judicial capacity to give a fair hearing to an applicant where a hearing is required by law or equity. When considering the case the only evidence the Members of the Committee can take into account is evidence previously submitted to form the agenda and any verbal evidence given at the actual meeting by Officers representing the Council and by the applicant or his/her representative, and their witnesses. The following procedures must be followed.

1. Procedures to be followed when submitting an application to the Licensing Committee for consideration;
  - i) The Council's Officers will liaise with the Committee Section to arrange a suitable date for the meeting. The applicant and Members of the Committee will be informed of this date in writing and a copy of the procedure note will be included for the applicant.
  - ii) The applicant and Council's Officers will submit any written evidence to the Committee Section for inclusion in the agenda by a given date. If the evidence is to be verbal, this should be stated.
  - iii) If witnesses are to be called the Committee Section must be notified prior to the hearing.
  - iv) Any application for adjournment because of late submission of papers, will in principle be considered sympathetically by the Committee.
  
2. The procedure to be followed by the Licensing Committee:
  - i) For each individual case the applicant and any representatives will be shown into the Committee Room at the same time as the appropriate Council's Officers. Witnesses will enter the room at the same time unless there are any objections.
  - ii) The District Solicitor will introduce the applicant, any representatives, witnesses and the Council's Officers to the Members of the Committee.
  - iii) The Chair will introduce Members of the Committee.
  - iv) The Chair will then go through the procedure as follows:

- a) Officers representing the Council will present the case for the Council. They may present such witnesses as they believe are appropriate.
- b) Officers representing the Council, and any witnesses, will then answer questions from the applicant or his/her representative, and from Members of the Committee.
- c) The applicant or his/her representative will then present the applicant's case. They may present such witnesses as they believe are appropriate.
- d) The applicant or his/her representative, and any witnesses, will then answer questions from the Committee and the Council's Officers.
- e) The Council's Officers will then sum up on behalf of the Council.
- f) The applicant or his/her representative will then sum up.
- g) The applicant and his/her representative will then be asked whether they consider they have had a fair hearing and the Committee will take into account any comments, which are then made. The Chair of the Committee will then ask the Council's Officers presenting the case the same question and will again take account of any comments made.
- h) The Council's Officers, the applicant and his/her representative, all witnesses, press and public, will then be asked to withdraw from the meeting whilst the Committee makes their decision on the evidence presented.
- i) The applicant and his/her representative, the Council's Officers, all witnesses, press and public, will be invited back into the meeting to be informed of the Committee's decision.

Following the Committee meeting the Solicitor will inform in writing to the applicant the decision of the Licensing Committee.



**Report Reference Number: L/13/1**

**Agenda Item No: 6**

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**To: Licensing Committee  
Date: 22 July 2013  
Author: Tim Grogan  
Lead Officer: Helen McNeil**

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**Title: Application for a Designated Public Places Order (DPPO) to Control Street Drinking in Monk Fryston Parish**

**Summary:**

On the 18<sup>th</sup> March 2013 the Licensing Committee considered an application submitted by Monk Fryston Parish Council to make a Designated Public Places Order (DPPO) to cover Monk Fryston Parish to control street drinking. Based on the evidence submitted at that time Members resolved to approve a public consultation as prescribed in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007.

This report details the results of that public consultation. Members are asked to consider all the submitted information and decide whether or not to approve a DPPO and the area that it is to cover.

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

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 and reasons for recommended action:**

- 1 Committee consider the results of the public consultation and decide whether or not there is sufficient evidence to show that a nuisance or annoyance or disorder is caused to members of the public or a section of the public in Monk Fryston which is associated with the consumption of alcohol.**



## 2 If so satisfied

(a) Agree the creation of a DPPO for an area in Monk Fryston parish or the whole of Monk Fryston parish and authorise Officers to take the appropriate steps to create the order to come into effect on 5<sup>th</sup> August 2013 or as soon as reasonably practicable after that.

(b) Authorise Officers to place a public notice in the local press as is required under the Local authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

(c) Authorise Officers to arrange the production and installation of the signs prior to the coming into force of the order (any order is not enforceable until after the signs have been erected).

(d) A progress report be submitted in 2 years time to outline the effectiveness of the Order in helping reduce alcohol related anti-social behaviour and disorder.

**Alternative options considered and reasons for recommended action:**

**If the Committee decide against introducing the DPPO the Police would have to continue using existing powers and would have no preventative powers to control street drinking and no action could be taken until a public order offence had been committed.**

### 1. Introduction and 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 (DPPO) that the land is a public place to which the legislation applies.
- 1.3 An order can **only** be made if the Local Authority is **satisfied that nuisance or annoyance to members of the public or disorder has been associated with the consumption of alcohol in that place.** 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 restriction on public drinking will not apply to any premises or area covered by a licence allowing the consumption of alcohol, for example, the premises of licensed public houses, clubs or restaurants and beer

gardens. Other exemptions such as festivals can be allowed through temporary event notices.

- 1.5 Furthermore there will be no restrictions upon public drinking where those drinking are not in any way concerned with nuisance, crime of disorder.

## **2. The Report**

- 2.1 On the 18<sup>th</sup> March 2013 the Licensing Committee considered an application submitted by Monk Fryston Parish Council to make a DPPO to cover Monk Fryston Parish to control street drinking. Based on the evidence submitted at that time Members resolved to approve a wider public consultation as prescribed in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007.
- 2.2 This report details the results of that public consultation. Members are asked to consider all the submitted information and decide whether or not to approve a DPPO and the area that it is to cover.
- 2.3 The application including police evidence is contained in Appendix A.
- 2.4 A map showing the Monk Fryston parish boundary is marked Appendix B.

### *The Consultation Methodology*

- 2.5 The consultation procedure is set out in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 and officers have had full regard to this prescribed procedure throughout the consultation process.
- 2.6 The consultation was launched on the 8<sup>th</sup> May 2013 with the publication of a Public Notice in the Selby Times, see Appendix C. To publicise the launch a press notice was released and a news article appeared in the 13<sup>th</sup> May 2013, see Appendix D. The consultation ran from 8 May 2013 and ended on the 12<sup>th</sup> June 2013.
- 2.7 A public consultation pack consisting of an overview, Information sheet, Consultation response form and map were sent to local businesses, ward councillors and statutory consultees. The information pack is exhibited in Appendix E.
- 2.8 All information and documents were also posted on the Licensing web page of the Council's website and were available for collection from Access Selby and Monk Fryston Post Office.

### *General points for consideration*

- 2.9 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. It is designed to tackle anti-social drinking. A DPPO would allow officers to remove the alcohol element which fuels this behaviour and prevent escalation towards criminal behaviour.
- 2.10 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.
- 2.11 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.
- 2.12 Members must be satisfied that the information provided in the application and a result of the public consultation does establish that there is a problem in that area associated with the consumption of alcohol in that place and that this causes a nuisance or annoyance or disturbance to those people.
- 2.13 Consultation with Legal Services has confirmed that from a legal perspective the key issue in reaching the decision for any DPPO is the evidence supplied, if due process is followed, and the evidence is sufficient then any decision in favour is unlikely to be challenged successfully in the Courts.

### *Assessment*

- 2.14 The Act itself, the regulations governing the making of Orders and the associated Home Office Guidance are all written around the premise that a local authority making a DPPO will identify and include in the Order as designated places, specific localised “trouble spots” within their area.
- 2.15 The first requirement for any proposed DPPO is evidence. The guidance clearly states that *“the evidence you will require for a DPPO is that there is an alcohol related nuisance or annoyance to the public in the proposed area/s. You should make an assessment as to the likelihood that the problem will continue unless these powers are adopted. In addition you must have the belief that the problem could be remedied by the use of these powers. Evidence should be based not just on information you obtained, but also from the police and*

*members of the local community who have reported incidents of alcohol-related anti-social behaviour or disorder.”*

*Areas to be designated*

- 2.16 In order to satisfy the criteria described in sub section 13(2) specific locations are normally identified and designated. However, there is a growing trend for urban council areas to be designated in their entirety. Councils with significant rural areas currently have restricted designation to their urban areas as only the latter have been considered to be justified.
- 2.17 Designation of a wider area has the advantage of preventing displacement which is a recognised problem with small areas. As use of the powers within DPPOs is largely restricted to particular areas where there are perceived on-going problems (e.g. street drinking, young people drinking and involved in anti-social behaviour) the issue of ensuring enforcement across the whole of a large area cover by a DPPO needs to be considered but as this is seen as a “tool” has not been found to be a problem for police.
- 2.18 Parish wide DPPO’s are not specifically prohibited by the legislation however the following extract from the Home Office Guidance provides advice:
- “We would advise caution, as, in order for the DPPO to be proportionate, you need to ensure that there is evidence of alcohol related anti-social behaviour in each and every part of the borough. Any local authority considering a borough wide DPPO will need to satisfy themselves that they can justify their decision by pointing to evidence of alcohol related nuisance or annoyance in each and every part of the borough” (Guidance on Designated Public Place Orders for Local Authorities in England and Wales. (Home Office).
- 2.19 As part of the consideration it should be noted that the proportionality of a Parish-wide DPPO could be the subject of a legal challenge by an individual whereby it would be necessary for the Council to provide justification for the order. Legal Services, based on the summation that there will be parts of the parish that have never had ASB (let alone it being alcohol related) e.g. rural areas have expressed their view that the designating of a Parish wide DPPO would seem unlikely.
- 2.20 Describing parish wide orders as not being “in the spirit of the act” and disproportionate was applicable when the legislation was first introduced and remains the case however, since that time there are now examples across the country where they are in place.
- 2.21 Recorded alcohol related crime and anti-social behaviour incidents alone cannot in themselves justify the need for a parish wide order.

That being said the same has been acknowledged in areas where such orders are already in place.

- 2.22 A degree of “professional judgement” is required at this stage of the process, balancing the pros and cons of a parish wide application and Home Office caution in respect of the proportionality of parish wide orders.

#### *Consultation*

- 2.23 The Regulations specify the consultation that the Council is required to undertake. This includes consultation with the chief officer of police in order to seek the police’s view on the nature of the problem and the appropriateness of adopting the powers. It is also in recognition that it will be the police who will have the responsibility for enforcing the resulting restrictions on public drinking.
- 2.24 The Council is also required to consult with licensees of any licensed premises in “that place” and “taking reasonable steps to consult with the owners or occupiers of any land to be identified” (reg 3).
- 2.25 *Risks and uncertainties – parish wide DPPO*
- 2.26 A summary of assessment is provided at Appendix F.

#### *Consultation outcomes*

- 2.27 The results of the public consultation can be seen in Appendix G of this report. The Consultation results seek to present a representative account of the outcome of the public consultation and all responses will be available for scrutiny by Members during the hearing.

#### *Conclusions*

- 2.28 A total of six returns were received in response to the public consultation.
- 2.29 The responses were in favour of a DPPO being granted. The police were against the DPPO being for the whole of the Parish.
- 2.30 There is no statutory requirement to review the effectiveness of a DPPO. However, it would be a matter of good practice to evaluate its effectiveness in two years time to establish whether its introduction has helped to contribute towards the reduction of alcohol related anti-social behaviour and disorder.
- 2.31 The introduction of any DPPO needs to be proportionate and based upon clear evidence of alcohol related anti-social behaviour in all parts of the area to which it is applicable.

## *Recommendations*

2.32 Committee consider the results of the public consultation and decide whether or not there is sufficient evidence to show that a 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.

2.33 If so satisfied

**(a) Agree the creation of a DPPO for an area of Monk Fryston parish or the whole of Monk Fryston parish and authorise Officers to take the appropriate steps to create the order to come into effect on 5<sup>th</sup> August 2013 or as soon as reasonably practicable after that.**

**(b) Authorise Officers to place a public notice in the local press as is required under the Local authorities (Alcohol Consumption in Designated Public Places) Regulations 2007**

**(c) Authorise Officers to arrange the production and installation of the signs prior to the coming into force of the order (any order is not enforceable until after the signs have been erected).**

**(d) A progress report be submitted in 2 years time to outline the effectiveness of the Order in helping reduce alcohol related anti-social behaviour and disorder.**

### **3. Legal/Financial Controls and other Policy matters**

#### **3.1 Legal Issues**

See body of the report.

#### **3.2 Financial Issues**

The costs of advertising and purchase of signage if the application was approved would be absorbed within existing budgets.

### **4. Conclusion**

That Committee consider the application.

### **5. Background Documents**

***S13 Criminal Justice & Police Act 2001***

***S26 Violent Crime Reduction Act 2006***

***Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007******Home Office Circular 013/2007***

***Contact Officer: Tim Grogan - [tgrogan@selby.gov.uk](mailto:tgrogan@selby.gov.uk)***

**Appendices:**

- A Parish Council application and police evidence*
- B Map showing Monk Fryston Parish boundary*
- C Public Notice – Selby Times*
- D Press releases*
- E Public Consultation pack*
- F Risks and uncertainties*
- G Public Consultation results*

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**From:** Monk Fryston Parish  
**Sent:** 13 November 2012 09:31  
**To:** Tim Grogan  
**Cc:**

**Subject:** Monk Fryston: DPPO

Dear Mr Grogan

I can confirm that the Parish Council agreed at the meeting on Tuesday 6<sup>th</sup> November that a DPPO should be created for the whole of the area within the parish boundary. *Minute 81*

Please can you therefore proceed accordingly through to implementation.

I have listed below the names and addresses of the interested parties should you need to contact them. If there are other organisations you need the details for please let me know.

Monk Fryston & Hillam Community Association,

Monk Fryston C of E Primary School, Chestnut Green, Monk Fryston, Leeds, LS25 5PN,

Monk Fryston Parochial Church Council, The Rectory, Main Street, Hillam, Leeds, LS25 5HH

The PC has also agreed to provide funding for the administration etc. Please can you tell me what expenditure will be incurred and when you are likely to need cheques etc so that I can arrange for them to be drawn accordingly.

Yours sincerely

Clerk and RFO  
Monk Fryston Parish Council



Item		Action
	<p>reference for planting committee have been tabled for this meeting.</p> <p>h. Street lighting</p> <p>NYCC report received on condition. Separate PC meeting held to discuss and decide action plan for issues. Repairs and remedial works being put into place. Quote received from NYCC but still not to hand from CSR.</p> <p>* i. DPPO</p> <p>Following the Public meeting called by the council on 16/10/12 the residents who attended indicated the desire to have a DPPO introduced to cover the parish boundary. Resolution raised at this meeting for council to decide the way forward.</p>	
9	Correspondence	
	<p>a There were no aspects arising from previously circulated schedule of post received and issued since the last meeting.</p>	
10	Items For Next Meeting	All
	<p>To agree the revised Standing Orders</p> <p>Items to be with Clerk before 25 November for next meeting on 4 December</p>	

The meeting closed at 9.35pm

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**From:**  
**Sent:** 30 September 2012 12:05  
**To:** Monk Fryston Parish  
**Subject:** Fw: Facebook Crowd  
**Attachments:** IMG\_2540.JPG; IMG\_2544.JPG

— Original Message —

**From:**  
**To:**  
**Cc:**  
**Sent:** Sunday, September 30, 2012 11:44 AM  
**Subject:** Facebook Crowd

Hi

Will you please put this before Tuesday's parish council meeting.

After last night's episode at the Community Centre and the school, with the crowds of young people from both villages and surrounding areas, it is evident that something will have to be done to deal with the problems raised by the "facebook gathering". Helpers spent over two hours on Sunday morning clearing cans, bottles, beer cartons and dealing with quantities of broken glass on the Centre play area, car park and school grounds.

This is the fourth time the group of young people have assembled in Monk Fryston and left the Community Association and the School to deal with the mess. The police are sympathetic but do not have the resources to stay around and keep an eye on the situation. As soon as the police arrive on the scene the crowd does a vanishing act and returns after the police have departed. There is no doubt that the mindless antisocial behaviour and vandalism is fuelled by alcohol. The police have limited powers to deal with the situation as it is not an offence to consume alcohol in public places in Monk Fryston or Hillam.

This problem has been effectively dealt with in Sherburn by the parish council passing a bylaw making Sherburn an alcohol free area where it is an offence to consume alcohol on the streets and public places. Unfortunately, this has had the effect of moving the group to the Community Centre and school where there are no restrictions on the consumption of alcohol.

Attached are a couple of photos indicating the mess to be cleared up.

The purpose of this letter is to request the Parish Council to consider initiating a bylaw making Monk Fryston an alcohol free area.

Yours Sincerely

Neighbourhood Watch Coordinator  
Community Association Honorary President





**Tim Grogan**

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**From:** Monkfryston Parish Council Clerk [clerk@monkfrystonparishcouncil.net]

**Sent:** 08 October 2012 08:28

**To:** tim grogan

**Cc:**

**Subject:** Anti social behaviour in Monk Fryston

**Attachments:** DPPO Meeting.pptx

Dear Mr Grogan

Further to our recent conversation I can confirm that the initial meeting has been arranged for Tuesday 16 October 2012 at 7.30pm at the Community Centre in Monk Fryston. I have attached a copy of the notice that is being circulated notifying interested parties of the event.

The PC looks forward to receiving your address on the evening

Yours sincerely

Clerk and RFO  
Monk Fryston Parish Council

**From:** @northyorkshire.pnn.police.uk]  
**Sent:** 10 February 2013 09:35  
**To:** Tim Grogan  
**Cc:**  
**Subject:** FW: Monk Fryston AEZ [NOT PROTECTIVELY MARKED]  
**Importance:** High

Tim

Firstly up until January 2012 we only had isolated incidents in Monk Fryston and all was well with the school allowing youths to use the grounds on an evening. We did have a problem in 2011 when during the late summer youths from the area and the village camped out on the football field in Hillam causing damage to the field and generally walking around Hillam with alcohol.

However in 2012 the following happened and I shall outline the dates for you to get an idea that this is a seasonal thing centered around good weather when youths can get out on the street however here goes:

11/3/12 Youths reported as loitering around the Monk Fryston Playground area on Vicarage Lane.

24/3/12 Report of 6 to 8 Youths hanging around Primary School

18/05/12 Group of 5 youths throwing bricks in Orchard Close, Monk Fryston

23/7/12 Report of youths around 6 causing disturbance around 2020hrs in Water Lane, Monk Fryston

23/07/12 Report of youths shouting at local residents for grassing them to police (see above report)

25/07/12 Report of youths at 2149hrs in Water Lane shouting and laying in the road and swearing

3/8/12 Report of group of 10 youths in Water Lane at 2048hrs who had been causing ASB all day in the location

5/8/12 Report of information of large camp out in Hillam and youths to meet up at Monk Fryston. Police found organiser (local youth) via Facebook and stopped gathering.

8/8/12 Report of youths at 2133hrs in Water Lane shouting and screaming at passers by

25/8/12 Report of fight at 2152hrs in The Crescent, Monk Fryston involving five persons.

21/9/12 Report of approx 15 youths gathering on school field drinking and have had ongoing issues with broken bottles and cans on area

22/9/12 Report of concern to police of ongoing issues around Monk Fryston playground re broken bottles and cans due to gathering youths on an evening

29/9/12 Report at 2244hrs of 20 to 30 youths drinking and fight ongoing around community building and Playground area in Monk Fryston

30/09/12 Report by community member to Police of ongoing drinking issues around Community Centre where youths are arranging to meet up via Facebook

1/10/12 Report to Police of probable Facebook arrangements being made for meet up in Monk Fryston

15/10/12 Report of eggs being thrown from cars at local residents

Tim,

I have myself cleaned up the area around the playground whilst youths were there and even taken one youth home having picked him up from the floor drunk and taken him back to his parent in Burton Salmon. On this occasion the glass on the playground area was terrible. They then frequent Hillam

I have also come across youths who are driving from Garforth and bring alcohol with them and meeting up with youths from Monk Fryston and then they sit in the school grounds obviously passing it around.

Hope this assists

\*\*\*\*\*

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# Monk Fryston Parish

1:21,500

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## Public & Legal Notices

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### Public Notices

#### Selby District Council

NOTICE  
DESIGNATED PUBLIC PLACES ORDER  
CRIMINAL JUSTICE AND POLICE ACT 2001  
LOCAL AUTHORITIES (ALCOHOL CONSUMPTION IN  
DESIGNATED PUBLIC PLACES)  
REGULATIONS 2007

NOTICE IS HEREBY GIVEN THAT Selby District Council in exercise of its powers under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 proposes to make an order identifying the area detailed in the schedule below.

The Order allows a constable and other accredited persons under Section 41, Section 42 and Schedule 5 to the Police Reform Act 2002 to require a person, in a designated place, not to drink alcohol in that place if the officer reasonably believes that a person has consumed or intends to do so, and to surrender the alcohol and any opened or sealed containers in the person's possession. Any person who fails without reasonable excuse to comply with a constable's request under this provision may commit an offence and be liable for prosecution.

A place is not a designated public place for the purpose of the Order if it is:

- Premises in respect of which a premises licence has effect which authorises the premises to be used for the sale or supply of alcohol;
- Premises in respect of which a premises licence has effect which authorises the premises to be used for the sale or supply of alcohol but only at times when it is being used for the sale or supply of alcohol or at times falling within 30 minutes after the end of the period it has been so used;
- Premises with a club premises certificate, which authorises the premises to be used by the club for the sale or supply of alcohol;
- A place within the curtilage of premises with a premises licence or club premises certificate;
- Premises that are the subject of a Temporary Events Notice for the period authorised by the notice and for 30 minutes following the sale or supply of alcohol; and
- Premises permitted for the sale or consumption of alcohol by virtue of a permission granted under section 115E of the Highways Act 1980.

Dated: 8 May 2013

Mr J Price-Jones, Solicitor to the Council

#### SCHEDULE

DESCRIPTION OF LAND TO BE DESIGNATED: Administrative boundary of Monk Fyston

A map and associated information showing the proposed designated area is available at Access Selby, Market Cross Shopping Centre, Selby, YO8 4JS during normal opening hours, alternatively the information may be viewed on the District Council website [www.selby.gov.uk](http://www.selby.gov.uk).

If you wish to make representations about the proposed Order you should send them in writing to:

Mr T Grogan, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT or by email [tgrogan@selby.gov.uk](mailto:tgrogan@selby.gov.uk) by the 12 June 2013. Alternatively, please visit the Council's website [www.selby.gov.uk](http://www.selby.gov.uk) or Access Selby and fill in the Consultation Response form.

#### Selby District Council

NOTICE OF APPLICATION FOR PLANNING PERMISSION  
TOWN AND COUNTRY PLANNING (GENERAL  
DEVELOPMENT PROCEDURE) ORDER 1995 NOTICE  
UNDER ARTICLE 8

Notice is hereby given that an application has been made to Selby District Council in respect of the following proposal:

A. Retrospective application to fell Alder tree (T01) under TPO 23/2003 at the side of 8 Pinhold Avenue, Sherburn in Emet by Selby District Council. Ref: 2013/0313/TPO.

Electronic copies of the application, plans and documents which accompanied it are available for inspection at Access Selby, 8-10 Market Cross, Selby, Sherburn Community Resource Centre, Selby District Council Community Office, Finkle Hill, Sherburn in Emet and at Doncaster library, Station Road, Doncaster during normal opening hours. Applications can also be viewed using the authority's "PublicAccess" website at [www.selby.gov.uk](http://www.selby.gov.uk). Please note that on Wednesdays Access Selby will not open until 10.00am to allow for staff training. Any person who wishes to make representations to the District Council about the application should do so in writing during the period of twenty-one days beginning with the date of publication of this notice to the address below.

Lead Planning Officer, Civic Centre, Doncaster Road, Selby YO8 9FT  
Date: 8 May 2013.

MARY CARR; RALPH LODGE; MARY HUBIE AND MARY ROBINSON'S BREAD CHARITY; MARY ROBINSON POOR BEQUEST; WEDDALL.

The Trustees of these named charities intend to transfer any remaining funds to the Barby United Charities on 1st July 2013 and the Trustees of Barby United Charities will thereafter administer the funds. If any person wishes to make representations to the Trustees about this proposal they should do so within 21 days to Revd Francis Loftus, 19 Green Lane, North Duffield, Selby YO8 5RR.

### Accounting & Financial Services

#### O'Brien and Co.

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31a FINKLE STREET, SELBY

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Call Stephen O'Brien on  
**Selby 213873**

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## Appendix C



Date local  
people at:

Meeting  
Place

[www.selby.gov.uk](http://www.selby.gov.uk)



### Single Ladies

**SOUL** mate required, attractive black female, N/S likes cinema, eating out, days away seeks attractive N/S male with similar interests. Tel No: 0906 515 7224 Box No: 404459

**52YR** old slim blue eyed trendy, fashionable female seeking genuine caring male with GSOH who enjoys cinema, travel meals in/out, good wine, relaxing and chilling. Tel No: 0906 515 7224 Box No: 404415

**DESIGNER** lady young 61, GSOH, many interests, n/s seeks similar aged, caring, gentle genuine gent wanting friendship, maybe more. Tel No: 0906 515 7224 Box No: 404311

**LINDSEY** 41, 5ft 11ins, long black straight, green eyes, attractive, genuine and looking for love. Tel No: 0906 515 7224 Box No: 404317

**ATTRACTIVE** fun loving female, mid 40's, likes shopping, day/meals out, seeking financially sound male to spoil me. Tel No: 0906 515 7224 Box No: 402133

**72YR** old slim, caring Chesterfield lady, GSOH, own home, seeks similar nice gent to share life and LTR. Tel No: 0906 515 7224 Box No: 403463

**FEMALE** attractive, early 50's, easygoing, genuine, seeks tallish male, 40-50's, N/S for friendship, maybe more. Tel No: 0906 515 7224 Box No: 403207

**CHRISTINE** Yorkshire lady, 60's, young at heart, N/S, likes countryside, meals out, holidays, theatre, cinema, socialising, seeks N/S gent of similar age, honest, caring and genuine. Tel No: 0906 515 7224 Box No: 403199

**SUE** 62 widow, slim, fun loving, N/S, own house, likes meals out, holidays, cinema, seeking N/S similar aged honest, caring genuine gent. Tel No: 0906 515 7224 Box No: 404135

**LEEDS** widow, early 70's, seeks genuine, caring gent of similar age to share happy moments with. Tel No: 0906 515 7224 Box No: 397177

**SLIM** fun loving, outgoing, spontaneous, tactile, 40yr old brunette; enjoys life, seeks light-hearted, fun, spontaneous male. Tel No: 0906 515 7224 Box No: 340099

**HI** I am Sara 21, a petite single mum, sporty, caring and looking for reliable, well groomed male 30-40yrs for adult 1-2-1. Tel No: 0906 515 7224 Box No: 402771

**KATHY** 57, attractive, easy-going, honest, genuine, 5ft 6ins, seeks someone special. Tel No: 0906 515 7224 Box No: 398821

**ABBY** is a passionate sexy girl seeking some fun times. Tel No: 0905 002 1959 Box 373603

**SUE** 47, looking for LTR with genuine, caring male. Tel No: 0906 515 7224 Box No: 399569

**LINDSAY** 41, 5ft 11ins, attractive, black hair, green eyes, genuine, seeks Mr Right. Tel No: 0906 515 7224 Box No: 395515

**KAREN** 53, Leeds, medium build, blonde hair, N/S, honest, caring, likes nights in/out, seeking someone special. Tel No: 0906 515 7224 Box No: 403165

**72YR** old Chesterfield lady, slim, N/S, likes outings, holidays, seeks similar, kind-hearted gent for nice times and LTR. Tel No: 0906 515 7224 Box No: 403317

**50YR** old slim, attractive brunette, seeking relationship with male, like's walks, theatre, meals out, weekends away and cosy nights in. Tel No: 0906 515 7224 Box No: 403879

**KERRY**, student nurse, just 19yrs. Very naughty girl! Call to hear what I've got to say, ACA2. Tel No: 0905 002 1957 Box No: 228864

**SHEFFIELD** lady, blonde, attractive, blue eyes

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SELBY

# Council consultation to tackle drinking

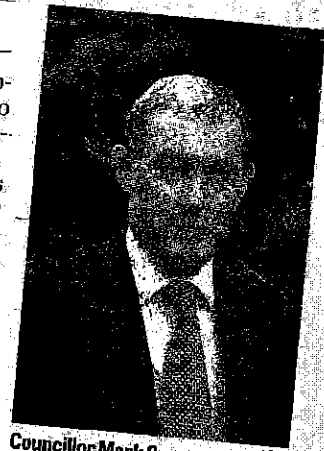
## CRIME

A booze ban could be introduced in a village in a bid to reduce booz-fuelled anti-social behaviour.

Selby District Council is considering proposals for the creation of designated public place order (DPPO) to control crime, disorder and nuisance associated with drinking in public places.

If implemented, the DPPO will give police the powers to tackle anti-social behaviour and crime associated with the consumption of alcohol in Monk Fryston. One of the options could be to ban drinking in public.

SDC leader, Coun Mark Crane said: "We've been successful tackling anti-social behaviour in other areas, particularly following the introduction of a bylaw in Selby town centre to deal with those people who think



Councillor Mark Crane.

it is acceptable to use our streets as a public toilet.

"We want to look at how we can work with residents and partners, to ensure alcohol related anti-social behaviour is dealt with properly, quickly and effectively in Monk Fryston. It is all about making sure people feel safe."

# Antisocial crackdown for village

The Press 14/5/13  
by PRESS REPORTER

newsdesk@thepress.co.uk

NEW rules could be brought in to crack down on antisocial behaviour and drunkenness in a village near Selby.

Council officials have launched a consultation with residents in Monk Fryston to discuss potential new measures to tackle the problems.

Selby District Council is considering creating a Designated Public Place Order (DPPPO), which they say could help them to control the "crime, disorder and nuisance associated with drinking in public places".

The order, if passed, would give police the power to tackle antisocial behaviour and crime linked to the consumption of alcohol in Monk Fryston.

Coun Mark Crane, council leader, said: "We've been successful tackling antisocial behaviour in other areas, particularly following the introduction of a byelaw in Selby town centre to deal with those peo-

ple who think it is acceptable to use our streets as a public toilet.

"In this case, we want to look at how we can work with residents and partner organisations, such as the police, to ensure alcohol-related antisocial behaviour is dealt with properly, quickly and effectively in Monk Fryston.

"This is all about making sure people feel safe and secure where they live and helping support businesses in this area too."

If it is passed, the order will mean if a person continues to drink in the area when asked not to do by police they could be arrested or fined up to £500 in court.

Police officers would also be able to arrest anyone failing to surrender alcohol when asked.

Coun Crane said: "This isn't about stopping people enjoying themselves. These orders are a useful tool in tackling crime and disorder associated with drinking in public places and we will give careful consideration to the results of the consultation."

Rural idyll ruined by boozed-up youths running amok

# Alcohol order to prevent 'mayhem' in Monk Fryston

by NICK TOWLE - nick.towle@selbypost.info

One of the most affluent villages in North Yorkshire has been blighted by the very modern curse of booze-fuelled anti-social behaviour.

Leafy Monk Fryston, renowned for its stunning, grade-listed hall and huge, stone-built houses, has recently been dogged by acts of vandalism and loutish behaviour normally associated with inner-city streets and run-down urban estates.

The problems have caused so much consternation among police and council bosses that they are considering imposing strict new measures to tackle public drunkenness in the bucolic village.

Selby District Council has just launched a consultation with the well-heeled villagers asking for their thoughts on the proposed imposition of a Designated Public Place Order (DPPO), which is used to quell crime, disorder and nuisance linked with drinking in public places.

If implemented, the DPPO would give police the powers to confiscate booze from youths causing booze-related anti-social behaviour and crime.

Villagers called for the DPPO following a number of incidents earlier this year and last summer, when teenagers used the social-networking site Facebook to organise a meet-up in the village.

## 'Outsiders' caused chaos

The youths, who were all from outside the Monk Fryston parish, descended on the quaint village in huge numbers and ran amok, smashing windows at the local community centre and rampaging through the grounds of the primary school.

They also broke into people's gardens where they swore at and verbally abused residents.

Following these incidents, Monk Fryston Parish Council held a public meeting to gauge residents'

views on the problem and what action could be taken to stop the incursions.

It was decided that the parish would apply for a DPPO with the district council in a bid to protect the whole village from drunken louts.

The district council has now put the proposals out for consultation, the findings from which will be considered by the authority's Licensing Committee before it makes a decision on whether to impose the order.

Monk Fryston district councillor John Mackman said: "There have been perhaps two or three occurrences of fairly large groups of youths coming into the village and creating mayhem around the school and the community centre in the Water Lane area, and to some extent on Main Street.

"The DPPO would be a comfort to the local community because these youths can be quite intimidating, particularly for the elderly and the young.

"There's been quite a lot of malicious damage to the community centre and in the school area."

The Tory councillor added: "This is a conservation village which is usually quite quiet and reserved, so to be descended on by lots of youths who appear to be intent on causing problems is unfair on residents, and they have decided that they are not going to tolerate it."

Parish councillor Nigel Spofforth said: "At one stage the community centre had to close its gates after 5.30pm every evening and the youths were also getting into the Foundation Field, which was littered with broken glass a few months ago.

"Alcohol does play a part in it. We don't want to be a police state or something like that but



unfortunately these youngsters let themselves down on occasions."

Inspector Richard Abbott, head of safer-neighbourhood policing with Selby Police, said that the order would effectively make Monk Fryston a no-alcohol zone.

"It will give us the opportunity to stop people drinking in the street but it doesn't give us the power of arrest (per se)," he said.

"What it does give us is the opportunity to request that people stop drinking in public from cans, bottles or anything that's been opened.

"If they refuse that request then we can seize the alcohol from them, which stops them drinking."

Although drinking in public is not illegal, people can be arrested if they refuse to co-operate with police.

Councillor Mark Crane, leader of Selby District Council, said: "We've been successful tackling anti-social behaviour in other areas, particularly following the introduction of a bylaw in Selby town centre to deal with those people who think it is acceptable to use our streets as a public toilet.

"In this case, we want to look at how we can work with residents and partner organisations, such as the police, to ensure alcohol-related anti-social behaviour is dealt with properly, quickly and effectively in Monk Fryston."

● Residents can take part in the consultation by visiting the district council's website. The consultation closes on June 12.



## PUBLIC CONSULTATION

### Proposal to introduce a Designated Public Places Order for Monk Fryston

Attached:

Overview  
Information Sheet  
Consultation Response form  
Monk Fryston Parish map

## **Overview**

As part of its commitment to keep the District safe, and in response to a request from Monk Fryston Parish Council to adopt these powers the District Council is proposing to introduce a Designated Public Places Order (DPPO) for Monk Fryston, more commonly known as an Alcohol Control Area or Controlled Drinking Zone.

A DPPO can help to tackle alcohol related anti-social behaviour, disorder and nuisance by providing a Police Officer or Police Community Support Officer the power to stop a person drinking within a public place or to surrender anything they believe to be alcohol. If a person fails to comply with such a request then an offence is committed which may result in a fixed penalty or arrest, prosecution and if convicted a fine up to £500.

The proposed Order would cover highways and public areas as well as areas in private ownership to which members of the public have access including car parks, doorways, forecourts and arcades. The Order would not apply to any area within the boundary of premises licensed for the sale or consumption of alcohol such as pubs, registered clubs or off licences.

These powers are not intended to disrupt peaceful activities. They are intended to tackle nuisance or annoyance associated with drinking alcohol in a public place.

## **Why We Are Consulting**

The Council have a statutory responsibility to consult on the introduction of a DPPO and have therefore created the opportunity for people to comment by creating a survey for members of the community to complete. An Information Sheet and Consultation Response form is attached.

Your comments are invited and should be received no later than **Wednesday, 12 June 2013** so that they may be taken into consideration before a final decision is taken.

## **What Happens Next**

The results of the consultation and feedback received through other channels will be analysed and presented in a report which will go to the Licensing Committee to consider whether to recommend whether or not the Council should implement a DPPO and whether it should be for the whole Parish of Monk Fryston.

# DESIGNATED PUBLIC PLACE ORDERS (DPPOs) Information Sheet



## The Legal Framework

The Council's power to designate a public place is devolved from Section 13 of the Criminal Justice and Police Act 2001. Once in place, a Designated Public Place Order gives the police the power to ask people to surrender alcohol in opened or sealed containers if they believe that person is or has been consuming or intends to consume alcohol and if they fail to comply they can be arrested.

These powers were introduced to help the police deal with the problems of anti-social drinking in public places. DPPOs make it easier for the Council to restrict public drinking in areas that have experienced alcohol related disorder or nuisance.

A DPPO does not ban drinking in public places but it makes it an offence to continue drinking when asked to stop by a police officer.

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

Section 26 of the Violent Crime Reduction Act 2006 clarifies the time at which certain licensed premises fall within a DPPO and specific requirements were introduced for premises serving alcohol in a DPPO area.

A DPPO does not apply in an area that is covered by a premises licence or temporary event notice while alcohol sales are taking place or for 30 minutes after the last sales.

Other forms of authorisation (for example regulated entertainment-only authorisations) are not affected and premises subject to this type of licence can operate within a designated area.

If you would like more information on how DPPOs apply to licensed premises and those operating under temporary event notice contact our Licensing Team on 01757 705101 or email [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk)

## The Process

A DPPO can only be made if the Licensing Committee is satisfied there is enough evidence of disorder – or nuisance and annoyance to members of the public – and that this is associated with the consumption of alcohol in a public place.

An application can be made by any person, group or organisation but are more likely to be successful if a combined submission is made, with supporting evidence provided by all interested groups (for example, the Parish Council, local community groups, the police or support agencies).

There is a statutory procedure laid out in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 which councils must follow in dealing with DPPO submissions.

## **Displacement**

Introducing a DPPO can move problems into surrounding areas that are not designated. This is known as 'displacement'. Before designating an area the Licensing Committee is expected to consider the potential impact on neighbouring areas and ensure that everyone that could be affected has been appropriately consulted.

Where evidence suggests that problems caused by anti-social drinking are likely to be displaced by a DPPO it may be appropriate for the Committee to consider designating an area beyond that which is experiencing the immediate problems.

However, the Committee should always be satisfied that these powers are used proportionately and with enough evidence to suggest that they will be successful in tackling the problem.

## **Frequently asked questions**

### **Q. Can the police confiscate alcohol from young people?**

A. The police have powers to confiscate alcohol in both sealed and opened containers from young people in public and certain other places under the Confiscation of Alcohol (Young Persons) Act 1997. The Licensing Act 2003 makes it clear that an officer may only confiscate a sealed container where he or she reasonably believes that the person is drinking, has been drinking, or intends to drink the alcohol in that place.

### **Q. Who else has powers to confiscate alcohol?**

A. Police officers and police community support officers have powers to control the consumption of alcohol within a designated area. If they believe someone is consuming alcohol or intends to consume alcohol they can:

- require them to stop; and
- confiscate the alcohol, whether the drinking vessel is unopened or not.

### **Q. Does a DPPO lead to a universal ban on drinking in the open air?**

A. No. Premises can apply for a temporary events notice (TEN) for specific events to allow for the temporary suspension of a DPPO in that area.

### **Q. Can councils introduce a blanket restriction on alcohol consumption or create alcohol free zones?**

A. No. There are no provisions in the Criminal Justice and Police Act 2001 allowing the creation of alcohol free zones or blanket restriction on drinking alcohol in public. Before an area is proposed for designation, councils must obtain evidence of anti-social nuisance or disorder associated with public drinking in that area. To create a blanket ban on drinking alcohol in a public place would be disproportionate.

### **Q. Can local authorities extend a DPPO area?**

A. A new order would have to be produced to ensure that the extended area is just and reasonable.

### **Q. What are the penalties for this offence?**

A. Penalty Notice for disorder - £50 fine  
Arrest and prosecution – fine up to £500



# DESIGNATED PUBLIC PLACE ORDERS (DPPOs)



## Consultation Response Form

### Application for a Designated Public Places Order (DPPO) – Monk Fyston

Name	
Address	
Post Code	
Business Name	
Tel.	
Email	

Please note you must provide your name and contact details for your comments to be considered. However, all submissions will be treated in confidence. If you are happy for your personal details to be included in the evaluation report that will be considered by the Licensing Committee please indicate this here:   **Yes**    **No**

<p><b>Question 1</b></p> <p>Have you experienced alcohol related anti-social behaviour in Monk Fyston Parish in the last 12 months?</p> <p>Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>If so, where has this been? (Please give address)</p>
<p><b>Question 2</b></p> <p>How often have you been subjected to this alcohol-related behaviour?</p> <p>Once <input type="checkbox"/>      Twice <input type="checkbox"/>      Weekly <input type="checkbox"/></p>
<p><b>Question 3</b></p> <p>What form did the alcohol-related behaviour take? (Please tick as appropriate)</p> <p>Verbal abuse <input type="checkbox"/>    Physical assault <input type="checkbox"/>    Anti-social behaviour <input type="checkbox"/>    Drunkenness <input type="checkbox"/></p>
<p><b>Question 4</b></p> <p>Who was causing the problem (Please tick as appropriate)</p> <p>Adults <input type="checkbox"/>    Children or teenagers <input type="checkbox"/>    Mixed groups <input type="checkbox"/>    Other (please state).....</p>
<p><b>Question 5</b></p> <p>What action did you take as a result of this behaviour? (Please tick as appropriate)</p> <p>Reported to police <input type="checkbox"/>    Avoided area <input type="checkbox"/>    None <input type="checkbox"/>    Other (please state).....</p>
<p><b>Question 6</b></p> <p>Do you support the proposal of a DPPO for Monk Fyston?    Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Please state your reasons overleaf.</p>

Please submit any other relevant comments overleaf.

Additional Comments:

Completed forms should be sent to:

Mr T Grogan, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT or email to [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk).

Forms must be received by 12 June 2013

For more information call 01757 705101 or email [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk)



# 33 Monk Fryston Parish

1:21,500

**Access Selby**  
A new approach to public service

**SELBY**  
DISTRICT COUNCIL  
Working together with authority

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## Appendix F

### Assessment/Risk of the introduction of a Parish-wide DPPO

#### Pro's

##### In relation to ASB on which a DPPO is based:

- Provides additional powers to police (key partners in the safer Rotherham Partnership) to deal with those who persistently drink in public places and alcohol related anti-social behaviour.
- Overcomes within Parish displacement of public place drinking.
- Avoids the need for future individual DPPO applications with associated costs and potential confusion over which areas are covered
- Provides a consistent approach
- Reducing alcohol related litter
- The existence of separate orders could lead to.

##### Opportunity for communication

- Give a clear message about the unacceptability of anti-social behaviour
- Provides a simpler communication message with the public including expectations in terms of enforcement activity.

##### Links to other none ASB aspects

- Contribute to the range of actions which are being delivered to reduce alcohol misuse. Including reducing:
  - Disturbances in public places
  - Drunkenness in public places
  - Fear of crime
- Promote a sensible drinking culture within the Parish
- Improving the quality of life for residents and visitors to Parish.
- Combining tactical actions on enforcement with out reach support services.

#### Con's

##### Legal & Guidance Test

- Lack of evidence to satisfy that nuisance or annoyance to members of the public or disorder has been associated with the consumption of alcohol in that place (i.e. across the Parish)
- Home office guidance recommends a proportionate response
- A person prosecuted under the legislation could claim that a Parish wide order was not proportionate.

##### Reputation & Communication

- Potential negative perception and reputation of Monk Fryston via media
- There is a risk that the community will perceive the powers as a 'ban' and that this will raise an expectation that public drinking is illegal. This could have a negative impact where this was the expectation and the community did not see a response they deemed relevant.

- There is a risk that the powers may be used inappropriately, e.g. where alcohol is confiscated from those who are not causing, or are unlikely to cause, public disorder and hence lead to dissatisfaction with the police.

## **Monk Fryston Designated Public Places Order Consultation results**

### **METHOD**

An online and paper survey was carried out between 8 May 2013 and 12 June 2013

### **TOTAL NUMBER OF RESPONSES - 6**

### **RESPONSES**

All comments made in response to open ended questions are shown as written by respondents. Spelling and grammar have not been amended so you can view residents comments in their own words.

**Question 1: Have you experienced alcohol related anti-social behaviour in Monk Fryston in the last 12 months? If so, where has it been?**

<b>Responses</b>
1. Yes - Monk Fryston School grounds
2. Yes - the Community Centre
3. Not personally
4. Not personally these events are well known to me through reports from the Parish Council and Community Association
5. Yes - Chestnut Green, small park
6. Yes – Village Centre

**Question 2: How often have you been subjected to this alcohol related behaviour?**

<b>Responses</b>
1. More than twice but not weekly
2. Four times
3. Not applicable
4. Notified at least twice by Parish Council and Community Association
5. Twice
6. Not applicable

**Question 3: What form did the alcohol related behaviour rate?**

<b>Responses</b>
1. Anti-social behaviour
2. Anti-social behaviour
3. Not applicable
4. Reported verbal abuse and Anti-social behaviour
5. Anti-social behaviour
6. Anti-social behaviour and drunkenness

**Question 4: Who was causing the problem?**

<b>Responses</b>
1. children or teenagers
2. children or teenagers
3. not applicable
4. children or teenagers
5. adults
6. adults teenagers or children

**Question 5: What action did you take as a result of this behaviour?**

<b>Responses</b>
1. reported to Police
2. reported to Police
3. not applicable
4. consulted with the parish council and community association prior to public meeting
5. none
6. details not provided

**Question 6: Do you support the proposal for a DPPO for Monk Fryston?**

<b>Responses</b>	<b>Respondents Comments</b>
1. Yes	The open spaces in Monk Fryston are targeted by young people as places to congregate and drink – “Facebook parties”. The school grounds and community centre in particular have been subjected to considerable damage – graffiti, broken equipment, broken glass, and considerable litter. Opportunities for public drinking must be curtailed if this anti social behaviour is to be successfully reduced.
2. yes	Monk Fryston and Hillam Community Association have suffered 4 incidents of Facebook parties where youths from a wide area have gathered and partied on our grounds. The youths caused a lot of disturbance on each evening with Police being called by residents in the area. They also left a lot of debris, including beer cans, broken bottles and other paper rubbish. There was evidence of an attempted break into the Community Centre. As a result, myself and others members of the Community Association, who are all volunteers who raise funds to provide



	<p>and operate the Village playground and Community Centre had to spend time clearing the debris. Worse still we had to close the Playground because of the fear of a child being injured by broken glass. Since the incidents, on police advice, we have closed the Community Centre Grounds on Friday, Saturday and Sunday evenings from 7pm to dawn. This is to ensure the police have the power to ask people to leave our private grounds. However, it means residents cannot use the facilities we provide.</p>
3. yes	<p>I received details from residents of the incidents in the village. I have seen the damage caused and the distress to residents and the community and fully support the application</p>
4. yes	<p>Monk Fryston is a quiet Conservation Village surrounded by pleasant rural countryside. The local community are proud of the village and the parish in which it sits, they respect the environment and the people and property in it. A lot of public money and local TLC goes into the development, up keep and care of the community centre, the play areas, the school and the surrounding area. Wilful destruction of community facilities by anti social behaviour and drunken behaviour must not be tolerated. Anti social behaviour in all its forms causes nuisance and annoyance to members of the public and is intimidating and frightening particularly for the elderly and the very young. Whilst personally not witnessing the events of anti social behaviour these have been substantiated by evidence from the parish council. I strongly support the proposal of a DPPO for the parish of Monk Fryston as this will provide the police with the appropriate powers and support to deter and prevent any reoccurrence of malicious damage and the nuisance and the fear caused by anti social behaviour in the parish of Monk Fryston</p>
5. yes	<p>No additional comments</p>
6. yes	<p>I believe that the DDPO will assist to reduce anti social behaviour. It will also bring further confidence to the community and reduce the fear of crime. I do however believe the DPPO should be reduced in size to cover the village centre (higher populated areas only.)</p>