



Belfast City Council

Report to: Health and Environmental Services Committee

Subject: **Review of Bye-Laws prohibiting the Consumption of Alcohol in Designated Places**

Date: 12th April, 2010

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Relevant Background Information

Members will recall that the present Bye-Laws were made by Belfast City Council on 1st February 2007 and came into operation on 12th September 2007.

Over the last two years, the Community Safety Team has undertaken a more intensive programme of joint enforcement of the alcohol bye-laws in conjunction with PSNI Neighbourhood Policing Teams. These operations, to tackle under-age and on-street drinking, take place most Friday and Saturday evenings in neighbourhoods across the city; as well as at major civic events and parades. The operations also focus on preventing the sale of alcohol to minors by working with off licences.

As a result of these operations, there has been a significant increase in the amount of statements submitted by PSNI to BCC for prosecution for breach of the Bye-Laws. In 2006/07, there were 157 prosecutions taken by Belfast City Council for on-street drinking compared with 480 taken from April, 2009 – January, 2010. Moreover, the operations have been positively received by local communities who, alongside elected representatives and partner agencies, often assist in identifying hotspots.

During the process of prosecuting individuals for breach of bye-laws, Council officers have identified areas that are not regulated under the current Bye-Laws and yet are areas where there are incidents of on-street drinking and anti-social behaviour. Moreover, there have been numerous requests for further streets and other areas to be considered for inclusion by Elected Members and communities.

As such, it is proposed that a review is undertaken of the streets and areas included in the present Bye-Laws to determine whether additional streets or areas should also be included; where there is evidence to suggest they have experienced difficulties with on-street drinking or anti-social behaviour.

Key Issues

In order to assist this process, a draft list of areas/streets that are not currently designated, and that have been identified in the course of joint enforcement operations or from requests from communities and Councillors, has been compiled and then classified on the basis of North, South, East and West Belfast (Appendix A). In addition, Appendices B-F contain details of streets and areas that are already designated under the current Bye-Laws.

It is therefore proposed that this information should now be considered by Elected Members to determine if they would wish to add to the existing lists (Appendices B-F) by making suggested additions to Appendix A. This could include, for example, new housing developments, retail developments or open spaces. To assist this process the attached information will be distributed, accompanied by a response template, to all Elected Members. Where required, the Community Safety team is also happy to facilitate party briefings to assist in the completion of this response.

This information will also be forwarded to the PSNI Area Commanders for Districts A and B and shall also be considered by the District Policing Partnership. Informal consultation will also take place with the Department for Social Development (DSD).

A report outlining the new draft Bye-Laws, incorporating the additional streets will then be put before the Committee for adoption and the statutory process for making the Bye-Laws followed, i.e.:

- A Formal Resolution is moved at a full Council meeting;
- A public notice is inserted in the press;
- After one month from the date of the notice, an application is made to the DSD for confirmation of the new Bye-Laws.

DSD's policy on the designation of streets under these Bye-Laws is that streets and areas should only be designated where there is evidence of on-street drinking leading to antisocial behaviour. It is also worth noting that the Criminal Justice (Northern Ireland) Order 2008 allows the Secretary of State to make regulations to change the procedure by which councils should designate public places as well as giving the police additional powers to deal with the consumption or possession of alcohol in designated public places. However, these regulations have not yet been made.

Resource Implications

Financial

Costs to support this process have been included in the Environmental Health Service revenue estimates for 2010/2011. The main costs relate to the erection of signage in the new streets/areas and placing public notices in the press.

Human Resources

The Community Safety Team within the Environmental Health Service will support the review process.

Asset and Other Implications

None.

Recommendations

It is recommended that the Committee:

1. Approves that a review of existing designated places be undertaken; and
2. Agrees the consultation process for Member, as outlined

Decision Tracking

If the Committee endorses the proposed process, the Head of Environmental Health will bring a report back detailing the draft Bye-laws, following consultation with Elected Members, the Police Service of Northern Ireland and the Department for Social Development.

Documents Attached

Appendix A – Draft list of proposed streets/ areas to be included in future Bye-Laws

Appendix B - List of streets/ areas in North Belfast currently designated

Appendix C - List of streets/ areas in South Belfast currently designated

Appendix D - List of streets/ areas in East Belfast currently designated

Appendix E - List of streets/ areas in West Belfast currently designated

Appendix F - List of streets/ areas not currently classified as N,S, E or W