

Appendix Z
Response from Councillor Adrian Owens on 5 June 2013

From: Adrian Owens [mailto:adrian@adrianowens.com]
Sent: 05 June 2013 22:52
To: Licensing Enquiries; Jordan, Samantha
Cc: Charlson, Paul
Subject: RE: EMRO-Preliminary Information Request

Dear Samantha,

Please find attached:

1. My comments
2. Supporting incident log to 31 May 2013. Password as previous. It is provided for the purpose of data analysis, though I haven't recently updated my analyses.
3. Police data in response to recent Freedom of Information Request
4. Calculations from the police data

I would be grateful if you could acknowledge receipt.

Regards,

Cllr Adrian Owens
Derby Ward Councillor
Working hard for Ormskirk and Westhead
Tel: 01257 464813
www.adrianowens.com

REQUEST FOR INITIAL OPINION AND EVIDENCE IN RELATION TO A POSSIBLE EARLY MORNING RESTRICTION ORDER IN ORMSKIRK TOWN CENTRE

The evidence is clear. There is a clearly and quite narrowly defined problem – namely the regular disturbance through noise, litter, urinating, minor criminal damage and anti-social behaviour of residents of a small section of Derby ward (mainly St Helens Road and to a lesser extent Ruff Lane and part of Knowsley Road) during the early hours of the morning, typically between 0200 and 0300 hours from students returning from town centre licensed premises to the campus or Small Lane area throughout the year and on most evenings during university term times.

I am unaware currently of any other substantive proposal to address this matter. The University will not consider providing transport from the town centre to campus at these hours. I am not aware that the licensed trade are making any similar proposal.

The SSHH campaign provides some limited benefit. However, it relies on student volunteers and understandably therefore the resource is limited. It operates at most on two evenings per week. Ambitions to increase it to three evenings per week came to nothing. Indeed by May 2013, activity had dropped to one evening per week. On 22 May when I attended to join them for their only evening that week, there was no visible presence of the team between 2300 and 2340 hours.

The campaign also does not cover the whole academic year. The campaign only started on 13 November 2012 and ceased on 28 May 2013. Edge Hill's year commenced on 24 September 2012 and only completes on 7 June 2013. Moreover complaints, including noise, nuisance and criminal damage have been received on evenings when the SSHH campaign has been operating. Some residents have commented that a small minority of students have "taken the mickey" out of the campaign "shouting" SSHH at the top of their voices or congregating and stopping by the SSHH signs that have been erected and singing.

I believe that a firm and targeted police response every night between 0130 and 0330 hours allied with active intervention against inconsiderate behaviour and noise would address the issue. However, in spite of contact throughout this past academic year this has not been forthcoming. More than one resident has commented that police patrols have passed by noise and nuisance incidents without any intervention. At the same time it is recognised that police resources are finite and that they must be prioritised.

Nevertheless, local residents have the right to expect a decent night's sleep and the authorities are currently failing to meet that reasonable expectation. An Early Morning Restriction Order with closing at midnight, for 4 or 5 evenings per week (existing opening to as late as 0230 hours to be permitted on the other 2-3 evenings per week) would be a proportionate, reasonable and effective response to the clearly defined and strongly evidence-based problem we face.

Such a targeted and proportionate EMRO would allow the following:

1. **A night time economy to continue to flourish.** Licensed premises would still be able to open at weekends into the "wee small hours". Moreover, the earlier closing during the week need not be the negative that is asserted by some.

Complaints on the incident log provided with this submission include reports of noise from students going into town at around 2330 hours. They are only starting their night out at that time, facilitated by the current late opening hours. They have often "pre-loaded" with drinks from the off-trade, and this leads to them drinking less than otherwise in the licensed premises. Earlier closing would, I suggest, see students entering the pubs much earlier, perhaps between 2100 and 2200 hours. There is no reason to believe they would drink less - indeed as "pre-loading" will be less - they might drink more in the licensed premises.

Staffing costs in the premises would reduce contributing to a more sustainable business model.

2. **Anti-Social Behaviour to be curtailed** – There are two aspects to this. Firstly, students are likely to return to campus or housing having drunk less than under the current licensing hours. They might then drink more in their digs from pre-bought alcohol from the off-trade, but nuisance to residents will be much reduced in that case. Secondly, there are the natural inhibitions on anti-social behaviour which more passers-by and “busy-ness” create. There are more passers-by and more passing traffic at midnight than at 0300 hours and some of the behaviour reported in our incident log would I suggest not have happened under the increased “surveillance” which a higher number of passers-by at say midnight or soon afterwards would achieve.
3. **Residents to get 6 hours uninterrupted sleep** – Currently residents are woken between 0200 and 0300 hours regularly. As one resident stated, *“As an illustration my ‘complaint’ message was logged at 2.45 and having been out of bed for a full half hour by 3am i was then wide awake.....as I was at 4am and 5am.....and it was more than 3hrs before sleep returned. I am lucky as being retired i can sleep in but I feel sorry for those that have work to go to”*.

One resident, who works in a hospital, rings the complaint line with worrying regularity between 0200 and 0300 hours. Another resident stated that on one night she was woken six times before 0300 hours.

While there would still be complaints around the time of any earlier closing this would, I suggest, be reduced (see 2 above) and in any event would occur earlier in the night. By perhaps 0100 hours residents would be able to sleep in the reasonable expectation of not having that sleep disturbed.

The right of residents to a decent night’s sleep is my main reason for supporting an EMRO and residents rightly should expect a solution to be found that permits them a decent night’s sleep on a regular basis.

4. **Better community relations to develop** – the current arrangements continue to strain relations between “town” and “gown”. A change in licensing hours would help to re-establish a balance and I know some senior staff at the University are personally very supportive of the proposal.
5. **A reduction in economic damage** – the loss of productivity from the lack of sleep of residents in employment is impossible to quantify, yet very real. The incidents of damage to cars through persons dancing on car bonnets; damage to gate posts; road traffic signs being removed; damage to public phone box are easier to quantify.

EVIDENCE

The attached log contains 250 complaints between 23 September 2012 and 23 May 2013. Complaints vary from week to week but continued throughout the year with no evident drop off. There are patterns and the data can be analysed further. Most of the complaints arise from St Helens Road with lesser numbers in Ruff Lane and part of Knowsley Road.

Complaints arise on all evenings of the week but surprisingly Friday and Saturday nights are very low for complaints. This is one of the reasons why I would propose that an EMRO not apply to those nights of the week.

Most complaints arise between 0200 and 0300 hours.

All complaints are available on request either as date/time stamped digital audio files or as dated and timed emails.

In addition, I attach police statistics that detail the number and types of crime and incidents reported between 0000 hours and 0600 hours in 2011/12 and 2012/13 in Ormskirk town centre compared to Chorley town centre. Chorley has fewer licensed establishments open as late as those in Ormskirk.

Chorley's population is also almost double that of Ormskirk. It would therefore be expected that Chorley have almost double the number of anti-social behaviour incidents. Instead the opposite is true; the number of incidents in Ormskirk was 46% higher than Chorley. When calculated as a rate per one thousand population this equates to 12.81 per 1000 population in Ormskirk and only 4.53 per 1000 population in Chorley. Ormskirk's rate of anti-social behaviour between midnight and 0600 hours is nearly **three times** that of Chorley.

The police statistics also showed a sharp rise in assaults taking place in the early hours of the morning in Ormskirk town centre. Assaults after midnight were 58% more frequent in 2012/13 in Ormskirk town centre than in the 12 months previously (71 in 2012/13 compared with 45 in 2011/12).

Conclusion

In conclusion, I would, in the absence of any other convincing and sustainable alternative approach, support the council moving to a formal consultation on introducing an Early Morning Restriction Order for Ormskirk town centre (including all licensed premises within easy walking distance of the University) on 4 or 5 week nights each week.

Adrian Owens
Derby Ward Councillor
6 June 2013

PROFESSIONAL STANDARDS DEPARTMENT

Information Compliance & Disclosure Section

Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB

Tel: 01772 413327 Fax: 01772 412123 Email: information@lancashire.pnn.police.uk

Adrian Owens

Via email: adrianowens@uwclub.net

07 May 2013

Dear Mr Owens,

FREEDOM OF INFORMATION APPLICATION REFERENCE NO: 4643/13

Thank you for your request for information received by Lancashire Constabulary on the 10th April 2013, which was as follows:-

Under the Freedom of Information Act 2000, I would like to request the following information:

a) The number and type of incidents in the Neighbourhood Policing Area of Derby & Ormskirk Town Centre between the hours of midnight and 6am from 1 April 2011 to 31 March 2012 relating to

1. Any public nuisance; 2. Any crime and disorder; 3. Anti Social Behaviour

b) The number and type of incidents in the Neighbourhood Policing Area of Derby & Ormskirk Town Centre between the hours of midnight and 6am from 1 April 2012 to 31 March 2013 relating to

1. Any public nuisance; 2. Any crime and disorder; 3. Anti Social Behaviour

c) The number and type of incidents in the Neighbourhood Policing Area of Chorley Town Centre between the hours of midnight and 6am from 1 April 2011 to 31 March 2012 relating to

1. Any public nuisance; 2. Any crime and disorder; 3. Anti Social Behaviour

d) The number and type of incidents in the Neighbourhood Policing Area of Chorley Town Centre between the hours of midnight and 6am from 1 April 2012 to 31 March 2013 relating to

1. Any public nuisance; 2. Any crime and disorder; 3. Anti Social Behaviour

Your request has now been considered and the information you are seeking can be found below:-

This data has been extracted from the incident recording system by searching with the following parameters:

NOT PROTECTIVELY MARKED

- Incidents recorded between 1st April 2011 and 31st March 2013 (inclusive)
- Incidents as above recorded between the hours of 00:00:00 and 05:59:59 (Midnight to 6am)
- Incidents recorded in the following incident locations:
 - CA1J, CA1K, CAP1 (Chorley Town Centre Neighbourhood Policing Team (NHPT) Area)
 - CJ6A, CJ6B, CJ6C, CJ6D, CJ6E, CJ6F, CJ7B, CJ8A, CJP2 (Ormskirk & Derby Town Centre NHPT Area – 28th September 2011 onwards)
 - CK5A, CK4B, CK3C, CK3B, CK3A, CK3D, CKP1 (Ormskirk & Derby Town Centre NHPT Area – pre 28th September 2011)

Please note that due to changes to incident locations and section boundaries as a result of the review of neighbourhood policing the area covered by Ormskirk & Derby NHPT changed on 28th September 2011.

Ormskirk & Derby Town Centre:

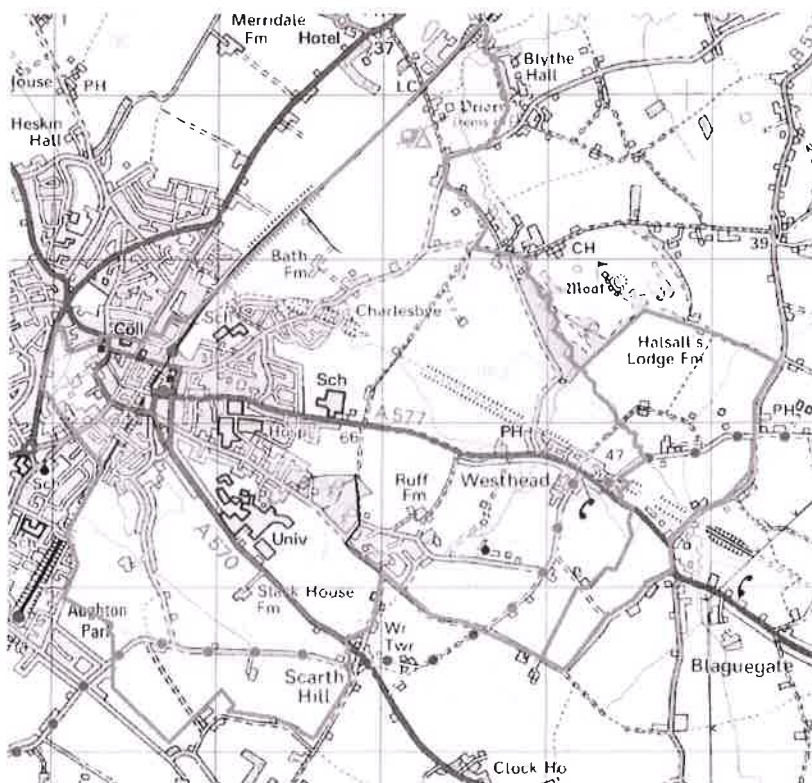
	2011/12	2012/13	Grand Total
All Incidents	805	728	1,533
Crime Related	156	133	289
Public Order	28	17	45
Drugs	34	9	43
Assault	45	71	116
Sexual Offence	2	3	5
Burglary Dwelling	4	3	7
Theft	13	6	19
Criminal Damage Excluding Vehicles	15	13	28
Other Notifiable Crime	2	0	2
Fraud/Forgery	1	1	2
Theft of Vehicle / UTMV	2	1	3
Vehicle Crime	10	8	18
Harassment	0	1	1
Transport Related	39	41	80
RTC - Injury	3	0	3
RTC - Damage Only	2	1	3
Road Related Offence	26	37	63
Highway Disruption	8	3	11
Public Safety / Welfare Related	230	214	444
Missing Person	2	0	2
Collapse / Illness / Injury / Trapped	34	42	76
Sudden Death	1	2	3
Concern for Safety	45	36	81
Alarm - Monitoring Station - Active	14	6	20
Alarm - Police Installed	1	0	1
Alarm - Audible Only	16	12	28
Insecure Premises/Vehicles	3	2	5
Licensing	2	2	4
Suspicious Circumstances	81	85	166
Natural Disaster / Incident / Warning	0	1	1
Domestic Incident	17	14	31

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Civil Dispute	5	2	7
Hoax Calls to the Emergency Services (PSW)	2	4	6
Abandoned Call	7	6	13
Anti-Social Behaviour Related	235	225	460
ASB - Personal	30	32	62
ASB - Nuisance	202	189	391
ASB - Environmental	3	4	7
Administration Related	145	115	260
Pre-Planned Event	1	0	1
Message	16	11	27
Police Generated Resource Activity	62	57	119
Wanted Persons / Police or Court Orders & Bail	6	0	6
Lost / Recovered Property / Found person	12	10	22
Duplicate	43	35	78
Complaints Against Police	5	2	7

The area outlined in green and shaded yellow on the map below shows the current Derby & Ormskirk Town Centre NHPT Area. If you extend the boundaries in the south-eastern area to include the section outlined in green but that is not highlighted in yellow you have the Derby & Ormskirk Town Centre NHPT Area that existed pre 28th September 2011.



Chorley Town Centre:

	2011/12	2012/13	Grand Total
All Incidents	602	582	1,184
Crime Related	149	152	301
Public Order	12	15	27
Drugs	33	32	65
Assault	73	72	145
Sexual Offence	0	1	1
Burglary Dwelling	3	7	10
Theft	9	10	19
Criminal Damage Excluding Vehicles	8	8	16
Fraud/Forgery	2	1	3
Arson	0	1	1
Theft of Vehicle / UTMV	0	2	2
Vehicle Crime	9	3	12
Transport Related	23	16	39
RTC - Damage Only	4	3	7
Road Related Offence	13	12	25
Highway Disruption	6	1	7
Public Safety / Welfare Related	140	123	263
Missing Person	1	1	2
Collapse / Illness / Injury / Trapped	18	18	36
Concern for Safety	29	25	54
Pets / Domesticated Animals	0	1	1
Alarm - Monitoring Station - Active	6	4	10
Alarm - Monitoring Station - Withdrawn	0	1	1
Alarm - Audible Only	13	6	19
Insecure Premises/Vehicles	3	0	3
Licensing	0	2	2
Suspicious Circumstances	42	33	75
Domestic Incident	7	10	17
Civil Dispute	8	10	18
Hoax Calls to the Emergency Services (PSW)	5	6	11
Abandoned Call	8	6	14
Anti-Social Behaviour Related	154	160	314
ASB - Personal	40	28	68
ASB - Nuisance	113	131	244
ASB - Environmental	1	1	2
Administration Related	136	131	267
Test / Training	1	0	1
Pre-Planned Event	1	1	2
Message	20	23	43
Police Generated Resource Activity	37	38	75
Wanted Persons / Police or Court Orders & Bail	30	10	40
Lost / Recovered Property / Found person	6	18	24
Duplicate	38	39	77
Complaints Against Police	3	2	5

NOT PROTECTIVELY MARKED

The area outlined in green and shaded yellow on the map below shows the Chorley Town Centre NHPT Area.



If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request an internal review of our decision, you should write to the Data Protection and Information Officer, Corporate Support and Information Services – Information Compliance & Disclosure Section, Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB or alternatively send an email to information@lancashire.pnn.police.uk. Details of the Constabulary's Freedom of Information Complaint Procedures can be found attached to this email.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner's Office cannot make a decision unless you have exhausted the complaints procedure provided by Lancashire Constabulary. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Bryony Hopkinson
Freedom of Information Disclosure Officer

NOT PROTECTIVELY MARKED

Population	Chorley	Town Centre ASB 0000-0600 per year	Rate per 000 population	Ormskirk	Town Centre ASB 0000-0600 per year	Rate per 000 population
Chorley NE	6651					
Chorley E	6823					
Chorley SW	8597			5723		
Chorley NW	5961			6720		
Chorley SE	6635			5517		
	34667	157	4.53	17960	230	12.81

Populations are from 2010 census

ASB is from Lancashire Constabulary figures Apr 2011-Mar 2013 averaged per year

Ormskirk rate nearly 3 times that of Chorley i.e 12.81 compared to 4.53

Noise and nuisance log

The log contains personal information. The full details of the log will be provided to Members at the meeting.

