

Appendix 1E
Response from Lancashire Constabulary on 12 June 2013

From: Bushell, Anthony [mailto:Anthony.Bushell@lancashire.pnn.police.uk]
Sent: 12 June 2013 14:56
To: Charlson, Paul
Cc: Newton, Edward; Shorrock, Christina
Subject: EMRO Response [NOT PROTECTIVELY MARKED]

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Paul

In relation to my previous e-mail registering our intention to make a response to the consultation for the consideration of an EMRO for Ormskirk Town Centre.

Please find attached said detailed police response in relation to your consultation. If you wish to discuss any aspects of the response please do not hesitate to contact me.

Regards

PS Tony Bushell

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Submission to Ormskirk Licensing Authority on the Consideration of a consultation to Introduce an EMRO

This document forms the response from the Southern Division of Lancashire Constabulary to the recently announced intention of West Lancashire Borough Council (the Council) to consider whether to pursue a formal consultation on the introduction of an Early Morning Restriction Order (EMRO) within Ormskirk town centre.

Introduction

On 31st October 2012 the Police and Social Responsibility Act 2011 made a number of amendments to the Licensing Act 2003. One of these amendments gave local councils acting in their role as a Licensing Authority the power to introduce an Early Morning Restriction Order (EMRO).

An EMRO enables the authority to prohibit the licensable activity of the sale by retail of alcohol for a specified time between 00:00 and 06:00 in any area of its Borough, however the EMRO does not affect the licensable activities of the provision of regulated entertainment or the provision of late night refreshment.

The Home Office have also issued Statutory Guidance under Section 182 of the 2003 Act (the Guidance) relating to the imposition of an EMRO and under 16.2 of the guidance it states that an EMRO is designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol related anti-social behaviour which is not directly attributable to specific premises.

There are, at present, a number of local authorities in England who are at different stages of the EMRO process so the council's considerations are not unprecedented; however in this case those considerations were not instigated as a result of police proposals but instead by members of the council.

Crime and Disorder / Public Nuisance

As stated above, under the guidance, an EMRO is designed to address high levels of crime and disorder and public nuisance.

An examination of Police Crime and Anti-Social Behaviour records over the last 2 years (01/04/11 – 31/03/13) show that an average of 3 criminal offences and 19 ASB incidents each month can be associated with the night time economy from midnight to 0600hrs in Ormskirk. In real terms, over the two year period, this equates to less than 1 crime per week and less than 1 anti-social behaviour incident per day.

These figures clearly demonstrate a low level of crime, disorder and public nuisance within Ormskirk Town centre. Regardless of this Lancashire Constabulary is actively working with partners to try and reduce these levels further.

Partnership Working

The police have established excellent working relationships with a number of partners within Ormskirk, examples of these being;

The Community Safety Partnership, Edge Hill University and it's students Union, which have been involved in providing information and guidance to new students under the Fresher's Week campaign as well as the SSHH Campaign which seeks to reduce the noise made by students returning to their residencies from the town centre.

Local licensees utilising the Pubwatch scheme which seeks to provide information to operators of the pubs and bars as well as the consideration of banning individuals involved in criminal behaviour from the licensed premises.

Street Pastors who patrol the town centre until the early hours of the morning to provide advice and assistance to persons who may be vulnerable or in difficulties.

Council CCTV system which provides early warning of problems within the town and ensures that the licensed premises are able to highlight potential problems to prevent these escalating.

Multi Agency Licensing Team (MALT) which comprises representatives from all the responsible authorities under the Licensing Act, who meet on a regular basis to discuss any problems relating to specific licensed premises and to implement measures to address the issues.

Policing the Night Time Economy

The night time economy in Ormskirk is currently policed successfully under Operation Nightsafe, which is a process used throughout Lancashire and seeks to ensure police patrols are policing the hotspot areas at relevant times to provide a high visibility deterrent against disorder.

One of the main considerations behind the change in licensing legislation was to allow greater freedom for operators of licensed premises to choose when to open and close and for customers to choose where and when they wanted to visit these premises.

It was also felt it would resolve the problems of having a terminal hour which meant that all premises closed at the same time ejecting hundreds of people onto the streets at the same time, which resulted in crime and disorder.

There is no doubt that licensed premises having staggered closing times allows a gradual dispersal of customers from the town which is easier to police.

The imposition of the EMRO under its current format would have the effect of closing all premises at the same time thereby increasing the number of persons frequenting taxi ranks and takeaways, which experience indicates can be hotspots for crime and disorder.

Conclusion

Guidance clear states that the introduction of an EMRO should be based on strong evidence; it states that an EMRO is a "weapon of last resort" and other options should be considered before its implementation. It is a matter for the council to determine if they feel based on all available evidence that this threshold has been met.

Lancashire Constabulary will offer any further support required to the Local Authority with regards it's consideration on this matter.

Chief Inspector Edward Newton

Southern Division – Lancashire Constabulary

