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Late Item – Hyde Park and Woodhouse Designated Public Places Order

North West Inner Item 12 – 3rd July 2008

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Report of the Director of Environment & Neighbourhoods

Inner North West Area Committee

Date: 3rd July 2008

Subject: Hyde Park & Woodhouse Designated Public Places Order Update

Electoral Wards Affected:

Hyde Park & Woodhouse

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Council
Function

Delegated Executive
Function available
for Call In

Delegated Executive
Function not available for
Call In Details set out in the
report

Executive Summary

This report provides an updated position statement on the present applications for Designated Public Places Orders in Little London and Hanover & Woodhouse Squares. Further to a deputation to Full Council on 2 July 2008 regarding the current DPPO applications it updates the Committee on advice received from Legal Services to defer the matter to a later meeting of Licensing Panel and provides the Area Committee with a number of options on how to progress the matter.

1.0 Purpose of the Report

1.1 The purpose of the report is to provide the Area Committee with additional information that has come to light since the publication of the report included within the Committee papers for 3 July 2008.

2.0 Background Information

2.1 A report has been produced and is included within the Committee papers, updating Members on the current position with regard to the creation of two DPPOs covering Little London and Hanover & Woodhouse Squares. Reference can be made to this report in terms of full background information.

3.0 Updated position

- 3.1 Advice has been received from the Council's Legal section that the Hyde Park & Woodhouse DPPO report to Licensing Panel, due to be considered on 7 July 2008, be deferred. The basis of this recommendation is that following a deputation to Full Council (Wednesday 2 July) on the matter, Licensing Panel and Executive Board should be given sufficient time to consider the contents of the deputation and if the DPPO application was taken on 7 July due consideration would not have been allowed for.
- 3.2 The report written, as submitted to Licensing Panel, details the receipt of 10 representations made at the time of writing. It was however made clear to Licensing that there would be further representations which would be presented at the meeting, due to the need for the report to be submitted in advance of the consultation deadline.
- 3.3 A number of further representations have been made which would either be presented at the 7 July meeting, or incorporated into the main report, should it be deferred.

4.0 Options for the Area Committee

In light of the issues highlighted above the Area Committee is asked to discuss and consider the following options on how the matter should be progressed:

- 4.1 Proceed as planned to the July Licensing Panel with the two DPPOs currently under consideration.
- 4.2 The current application is withdrawn from Licensing Panel altogether which would mean no DPPO for Little London and Hanover & Woodhouse Squares at this time.
- 4.3 The report to Licensing is deferred as per Legal advice to allow the Executive Board and Licensing Panel time to consider the contents of the deputation to Full Council and for the Area Committee to consider any procedural advice from Executive Board and Licensing Panel on the matter.
- 4.4 The Area Committee duly considers any advice from Executive Board and Licensing Panel on the matter and that a deferred application proceeds for the two DPPOs (excluding the Moor) on the condition that if any evidence of displacement onto Woodhouse Moor of streetdrinkers is found immediate consultation for a DPPO to cover the Moor is commenced.

5.0 Legal and Resource Implications

- 5.1 The implications would differ dependent on the course of action agreed by Area Committee.
- 5.2 Should the Committee support the withdrawal of the DPPO application then there would be a resource implication in terms of that already put into getting to the present stage, and potentially having to repeat the process.

5.3 There would be no legal or resource implication should the applications be deferred to a later Licensing Panel meeting.

6.0 Recommendation

6.1 Based on the options at section 4 the Area Committee is asked to note the contents of the report and is recommended to:

a) Defer the current applications as per Legal advice to allow the Executive Board and Licensing Panel time to consider the contents of the Deputation to full Council and provide the Area Committee with any relevant advice on the matter; and

b) Duly consider any advice from Executive Board and Licensing Panel on the matter and agree that a deferred application proceeds for the two DPPO's (excluding the Moor) on the condition that if any evidence of displacement onto Woodhouse Moor of streetdrinkers is found area management immediately start discussions for a DPPO to cover the Moor.

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