



Public Document Pack

Melksham Town Council

Town Hall, Melksham, Wiltshire, SN12 6ES

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Town Clerk and RFO Linda Roberts BA(Hons) PGCAP, FHEA,
FLSCC

To: Councillor S Rabey (Chair)
Councillor J Oatley (Vice-Chair)
Councillor P Alford
Councillor P Aves
Councillor G Cooke
Councillor G Ellis
Councillor S Mortimer

15 August 2023

Dear Councillors

In accordance with the Local Government Act (LGA) 1972, Sch 12, paras 10 (2)(b) you are invited to attend the **Economic Development and Planning Committee** meeting of Melksham Town Council. The meeting will be held at the Town Hall on **Tuesday 22nd August 2023** commencing at **7.00 pm**.

A period of public participation will take place in accordance with Standing Order 3(e) prior to the formal opening of the meeting. The Press and Public are welcome to attend this meeting in person, alternatively the public and press may join the meeting via Zoom.

In accordance with the Council's commitment to being open and transparent; all Town Council meetings are recorded and broadcast live. The right to do so was established under the Openness of Local Government Bodies Regulations.

Yours sincerely

Mrs L A Roberts BA(Hons), PGCAP, FHEA, FSLCC
Town Clerk and RFO

Melksham Town Council
Economic Development and Planning Committee
Tuesday 22 August 2023
At 7.00 pm at the Town Hall

Public Participation – To receive questions from members of the public.

In the exercise of Council functions. Members are reminded that the Council has a general duty to consider Crime & Disorder, Health & Safety, Human Rights and the need to conserve biodiversity. The Council also has a duty to tackle discrimination, provide equality of opportunity for all and foster good relations in the course of developing policies and delivery services under the public sector Equality Duty and Equality 2010.

Virtual Meeting Access:

Please follow the joining instructions below for the virtual Zoom meeting

<https://us02web.zoom.us/j/83669876198?pwd=WlAvY1ZsYVNyUIM3VktgajFvOHhtdz09>

Join Zoom Meeting

Meeting ID: 836 6987 6198 **Passcode:** 481965

Participants will be directly let in the meeting by clicking on the above link. There is no waiting room

AGENDA

1. Apologises

To receive apologies for absence

2. Declarations of Interest

To receive any Declarations of Interest in respect of items on this agenda as required by the Code of Conduct adopted by the Council.

Members are reminded that, in accordance with the Council's Code of Conduct, they are required to declare any disclosable pecuniary interest or other registrable interests which have not already been declared in the Council's Register of Interests. Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared on the Register, as well as any other registrable or other interests.

3. Minutes (Pages 1 - 6)

To approve the Minutes of the Economic Development and Planning Committee meeting held on 11 July 2022.

4. Planning Considerations

Members to note that when responding to planning applications consideration should be given to the Melksham Joint Neighbourhood Plan, the Wiltshire Core Strategy and the National Planning Policy Framework (NPPF).

5. Planning Applications

To comment on the following planning applications

5.1 PL/2023/05595

[PL/2023/05595](#) – Householder Application

Address: 38 SANDRIDGE ROAD, MELKSHAM, WILTS, SN12 7BH

Proposal: Sub-division of garden and erection of four-bedroom detached house with off-street parking for three cars

Respond By: 29-08-2023

5.2 PL/2023/06483

[PL/2023/06483](#) - Householder application

Address: 10 LEWINGTON CLOSE, MELKSHAM, SN12 6RP

Proposal: LOFT CONVERSION

Respond By: 29-08-2023

6. Planning Decisions

To note the following planning decisions

6.1 PL/2023/02074

[PL/2023/02074](#) - Householder Application

Address: 16 ST MARGARETS GARDENS, MELKSHAM, SN12 7BT

Proposal: Single storey annexe to the rear of the house.

Decision Date: 24-07-2023 Decision: Withdrawn by Applicant

MTC Decision: No objection but some concerns about the possibility of the annex being used as a letting property.

6.2 PL/2023/04473

[PL/2023/04473](#) - Householder Application

Address: 5 ADDISON ROAD, MELKSHAM, SN12 8DP

Proposal: REAR & SIDE GROUND FLOOR EXTENSION & EXTERNAL ALTERATIONS

Decision Date: 25-07-2023 Decision: Approve with Conditions

MTC Decision: No objection.

6.3 PL/2022/02499

[PL/2022/02499](#) - Full Planning Permission

Address: Land at Clackers Brook, Melksham

Proposal: Restoration of Clackers Brook Including Regrading of Four Sections of Riverbank and Associated Works

Decision Date: 01-08-2023 Decision: Approve with Conditions

MTC Decision: No objection.

6.4 PL/2023/05180

[PL/2023/05180](#) Outline planning permission: Some matters reserved

Address: 62 Lowbourn, Melksham, SN12 7ED

Proposal: 2 New Dwellings with New Access (Outline application with all matters reserved except access).

Respond By 07-09-2023

6.5 PL/2023/00478

[PL/2023/00478](#) - Outline planning permission: All matters reserved

Address: LAND OFF ANGELICA AVENUE, MELKSHAM, WILTSHIRE, SN12 6QJ

Proposal: UP TO 11 UNITS WITH ASSOCIATED ASSECC ROAD (ALL MATTERS RESERVED)

Respond By: 29-08-2023

7. Public Spaces Protection Order for Avon Place Precinct (Pages 7 - 34)

To consider a request from Councillor Goodhind to obtain a Public Spaces Protection Order for Avon Place Precinct to address the serious alcohol-related ASB issue.

At a recent Full Council meeting Sgt Rutter agreed that this is probably the most effective way to go about addressing this problem. (Minutes of the Full Council meeting held on Monday 17th July 2023. Item 554/23 Police Report)

Generally alcohol-related, with an off-licence just a minute away on foot exacerbating the situation. Haine and Smith keep their door locked during opening hours following damage and theft incidents. Costa recently had a window smashed. Beavens butchers agree that a DPPO will help make them and their customers much happier

From a Council and Police perspective it's a great opportunity to show how we're working together to support local businesses.

8. Highways Improvement Request (Pages 35 - 36)

Request for review of weight limit and speed limit.

Eastern way at T junction at point where it joins new but currently unopened road, in a westerly direction to, and including Snowberry lane for it's entire length to it's junction

with Spa road.

Suggest this section of road is subjected to a 30mph speed limit and 3t gvw weight limit for the entire length. These restrictions to come into effect as soon as the new road is opened.

9. Planning Appeal (Pages 37 - 38)

To note and comment on appeal against refusal of planning application PL/2022/04516.

10. Wiltshire & Swindon Tree Warden Scheme (Pages 39 - 40)

To receive the Wiltshire & Swindon Tree Warden Scheme Briefing Note No 23-22

11. Air Quality Action Plan and Air Quality Supplementary Planning (Pages 41 - 42)

To receive the Air Quality Action Plan and Air Quality Supplementary Planning Document (SPD) consultations Briefing Note No. 23-20.

12. EV Charging (Pages 43 - 46)

To receive an update on scheme for EV Charging points in Melksham.

Report of the Town Clerk included as an aide memoire.

Economic Development and Planning Committee 14 November 2022:

320/22 Electric Vehicle Charging Scheme for Melksham

It was proposed by Councillor Rabey, seconded by Councillor Oatley and

UNANIMOUSLY RESOLVED to agree to start the process with the Wiltshire Councilscheme which could be reviewed in the future should additional costs be highlighted. Consideration needs to be taken of officer time available.

Update from Joju Charging:

Email to Town Clerk received 15 August 2023.

“To provide an update for you on the revised Feasibility Study for the six car parks in Melksham, I'm pleased to say that all of the DNO quotes have now been received. Our funders, Mer, have expressed interest in possibly fully funding rapid chargers at two sites, Bath Road and Church Street. They are currently undertaking their own feasibility calculations on those two sites which shouldn't take too long. Once I receive their response back I will update the Feasibility Study and return to you for consideration, and to arrange a further meeting to discuss.

Apologies for the long delay, this was the result of requesting capacity increases for

connection to the grid for the two sites to accommodate possible rapid chargers.”

13. Local Highways and Footpath Improvement Group (LHFIG) Issues

13.1 Town Council Representative on LHFIG

To consider the appointment of a new representation to LHFIG.

13.2 Parking Review

For further consideration of the Parking Review suggestions made by the Committee at the meeting on Monday 6 March 2023. The suggestions were discussed at the meeting and concern raised about the costs of introducing a residents’ parking scheme, including the yearly cost to residents in the City/Alms Houses. It was not clear in the request whether residents were aware of this so that needs to be established.

Cranesbill Road – clarification on exactly what the issue is to be resolved as there are already restrictions in place.

Skylark – more information required as to the rationale

Union Street - There are also highway implications to the suggestions to chicane Union Street.

[Agenda 6 March](#)

[Minute 6 March](#)

13.3 A365 Shaw Bath Road footway improvements (Pages 47 - 60)

To consider approval of a request for Melksham Town Council to contribute £1500 towards the costs of improvement. Item 4.b of LHFIG meeting Thursday 2nd February 2023. Members to note the footway is in Melksham Without.

14. Temporary Road Closure Notifications (Pages 61 - 62)

To carry out Urgent carriageway surfacing and associated works.

Snarlton Lane (part), Melksham; from the property known as 537e Snarlton Lane for approximately 350 m in southwesterly direction.

15. Sparkle Team and Parish Steward

To consider jobs to be undertaken by the Sparkle Team and Parish Steward.

Melksham Town Council

Minutes of the Economic Development and Planning Committee meeting held on Tuesday 1st August 2023

PRESENT: Councillor S Rabey (Chair)
Councillor J Oatley (Vice-Chair)
Councillor P Aves
Councillor G Cooke
Councillor G Ellis

IN ATTENDANCE: Two Melksham Without Parish Council councillors, one Wiltshire councillor and one member of the press were present. One member of the public was present virtually.

OFFICERS:	Linda Roberts	Town Clerk
	Andrew Meacham	Committee Clerk

466/23 Apologises

Apologises were received from Councillor Mortimer, who was substituted by Councillor Westbrook.

467/23 Declarations of Interest

There were no declarations of interest.

468/23 Minutes

The minutes of 11 July 2023 having previously been circulated, were approved as a correct record and signed by the Chair, Councillor Rabey.

469/23 Gillings Planning - Presentation on proposals for Care home on land at Verbena Court

Will Rees introduced Frontier Estates.

Laura Grimason gave details of the proposed home and actions taken.

- 71 beds.
- Provide residential and nursing care.
- Capability to care for dementia patients.
- 900 leaflets sent out to local home online consultation. 3 replies, 12 in support of scheme or in support with reservations and 24 against.

- Two pre-apps submitted, in 2020 and 2021. Discussions held with Wiltshire Council and these have shaped the application they intend to submit.

Ben Garlick introduced his company and gave details of the planned building design.

- 71 beds over three floors
- Each floor has own nurse station, drug store, assisted bathrooms
- Each bedroom en-suite
- Each floor has own dining room and lounge
- Café
- Views from building
- Building materials.

Questions and concerns were raised.

Committee: Site was allocated for a community facility. Hall, Medical Centre, Recycling
Reps: Primary Care Trust and Wiltshire Council advised site not needed for Medical Centre or Recycling. Community Hall facility provided within school.

Committee: School cannot be used at any time during term-times so not a suitable alternative for a Community Hall.

Committee: Public Consultation. Response rate is a concern. Single leaflet drop not sufficient.

Reps: Previous experience suggests that people who are happy with proposals don't respond.

Committee: Councillor Westbrook recently elected. Door to door visits during campaign showed considerable opposition to plan.

Committee: Staffing. Existing care facilities have difficulty recruiting and retaining staff. How will the proposed home ensure staffing levels?

Reps: Design of building and salaries will make the care home an attractive place to work. If the operator did not think they could recruit, they would not pursue the development.

Committee: Parking. Available parking is an issue, especially during school drop-off and pick-up times.

Reps: Operators will encourage car-sharing and explore providing transport. Shift changes will not coincide with school times.

Committee: Public House. The proposed site is near to a busy pub. Have they considered the possible effect on residents.

Reps: Residents need a connection to the outside world and be able to see some activity. Other sites are located near to public houses, an airfield, busy roads etc. A Noise Assessment will be carried out. Enhanced glazing may be considered if required.

Committee: Time scale of build.

Reps: 18-24 months.

Councillor Sankey (Wiltshire Council) agreed with concerns about staffing. As a member of the Neighbourhood Plan Steering Group he commented that the Neighbourhood Plan had not identified any need for a care home and asked how they had identified a need.

Reps: Need shown by aging population, so identified as a national rather than local need.

Joe McCann of Melksham Independent News asked what was good about that particular site and how will they engage with the community.

Reps: Site is next to a local centre with permission for development. Would bring in children from the local primary school and make the café available to the community.

470/23 Planning Considerations

471/23 Planning Applications

472/23 PL/2023/05417

It was proposed by Councillor Cooke, seconded by Councillor Aves, and

UNANIMOUSLY RESOLVED to approve the application.

473/23 PL/2023/05351

The committee expressed concerns over the lack of EV Charging Points, the available levels of public transport in view of the lack of parking spaces and Place Road access.

It was proposed by Councillor Cooke, seconded by Councillor Oatley, and

UNANIMOUSLY RESOLVED to approve the application.

474/23 PL/2023/05617

The committee expressed concerns about the parking allocation and the possible problem of visitors seeking parking in the surrounding area. The committee noted the concerns on the lack of swift bricks.

It was proposed by Councillor Cooke, seconded by Councillor Aves, and

UNANIMOUSLY RESOLVED to approve the application.

475/23 PL/2023/05557

It was proposed by Councillor Oatley, seconded by Councillor Cooke, and

UNANIMOUSLY RESOLVED to approve the application.

476/23 PL/2023/05351

This item was a duplication of item 473/23.

477/23 Planning Decisions

478/23 PL/2023/02647

The decision was noted.

479/23 PL/2023/02986

The decision was noted.

480/23 PL/2023/03807

The decision was noted.

481/23 PL/2023/03875

The decision was noted.

482/23 PL/2022/08340

The decision was noted.

483/23 Sparkle Team and Parish Steward

Councillor Rabey advised that the one-way sign coming out of Weavers Croft is obscured by foliage.

484/23 Neighbourhood Plan

485/23 Confidential Session

It was proposed by Councillor Oatley, seconded by Councillor Aves and

UNANIMOUSLY RESOLVED that in view of the confidential business to be transacted that the public and press be excluded from the meeting.

486/23 Allocations by the Steering Group for approval

The Town Clerk gave an update on the allocation sites and advised that the Steering Group had accepted the allocation in principal.

There was discussion on the information relayed by the Town Clerk and it was noted that the emerging draft Neighbourhood Plan for Melksham had achieved its quota of housing on sites that should not be contentious.

It was proposed by Councillor Rabey, seconded by Councillor Cooke, and

UNANIMOUSLY RESOLVED to approve the allocations as reported.

Meeting Closed at: 8.20 pm

Signed:

Dated:

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GUIDANCE ON DESIGNATED PUBLIC PLACE ORDERS (DPPOs): FOR LOCAL AUTHORITIES IN ENGLAND AND WALES

Contents

Introduction	3
Purpose of the powers	3
Byelaws	3
The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007	4
Which authority has the power to make a DPPO?	4
Partnership working	4
The DPPO process	5
1) Evidence	5
2) Consultation	5
3) Publicity	6
4) Once an order is made	7
Timescales	7
Time lapses	7
Displacement	8
Extending a DPPO area	8
Borough-wide DPPOs	8
Managing objections	8
Evaluating DPPOs	8
Revocation of a DPPO	9
Portsmouth – an example of good practice	9
Enforcement	9
Breaches	10
Signs	10
Replacement signs – wording	11
Wording of a DPPO	11
Other alcohol powers	11
Future legislative changes	11

FAQs	11
List of DPPO areas	12
Contact details	12
Legislative provisions	13
Annexes	14
Annexes A–D: Wording for notices	14
Annex E: Portsmouth case study	18
Annex F: Sample leaflet	21

Introduction

This guide explains the powers given to local authorities in England and Wales to introduce Designated Public Place Orders (DPPOs). The provisions are contained in section 13 of the Criminal Justice and Police Act 2001 and section 26 of the Violent Crime Reduction Act 2006.

The purpose of this guide is to help you get the best out of DPPOs. If your local area has found its own effective system for using this power, then there is no need to consider making changes. Our aim is to ensure good practice from practitioners. The examples we give are merely suggestions that you may wish to try in your local area, particularly if DPPOs are new to you. We are not looking to replace existing local protocols.

This guidance is therefore not compulsory. It merely sets out examples of good practice which you may wish to follow in your local area. Legislative obligations mentioned here are, naturally, compulsory, and we have highlighted all references for your convenience.

Purpose of the powers

On 1 September 2001, sections 12–16 of the Criminal Justice and Police Act 2001 came into force. DPPO powers enable local authorities to designate places where restrictions on public drinking apply. However, they can only be used in areas that have experienced alcohol-related disorder or nuisance.

These powers are not intended to disrupt peaceful activities, for example families having a picnic in a park or on the beach with a glass of wine. While police officers have the discretion to require an individual to refrain from drinking regardless of behaviour, our advice is that it is not appropriate to challenge an individual consuming alcohol where that individual is not causing a problem. Bodies responsible for introducing and enforcing DPPOs must keep in mind section 13 of the Criminal Justice and Police Act 2001 which makes it clear that this power is to be used explicitly for addressing nuisance or annoyance associated with the consumption of alcohol in a public place.

It is important to note that these powers **do not** make it a criminal offence to consume alcohol within a designated area. An offence is committed if the individual refuses to comply with a constable's request to **refrain from drinking**. Those enforcing these powers must take care that they do not state (either verbally or via signage) that the consumption of alcohol in a designated area, in itself, constitutes a criminal offence.

Byelaws

By virtue of section 15 of the Criminal Justice and Police Act 2001, existing public drinking byelaws cease to have effect once an area is designated in accordance with section 13 of the 2001 Act. Any relevant local authority byelaw which was not replaced by a section 13 Designation Order has therefore lapsed by virtue of section 15 of the 2001 Act. Drinking byelaws that were not replaced by a DPPO ceased to have effect on 31 August 2006.

The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

Section 13 of the Criminal Justice and Police Act 2001 enabled local authorities to introduce Designated Public Place Orders (DPPO). The 2001 Act also ensured that pubs and clubs that have a premises licence to sell and supply alcohol under the Licensing Act 2003 could not be designated by a DPPO.

The Licensing Act 2003 brought the licensing arrangements for a range of activities under the same regime. So premises licensed for the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshments hold the same, single authorisation. The Licensing Act 2003 Statutory Guidance also encourages local authorities to seek premises licences for public spaces in order to allow local community events such as open-air festivals, concerts and carnivals to take place without the need for each individual event organiser having to apply for a separate licence. This allows these various events to operate within the terms of licence.

An unintended consequence of this was that, where local authorities were granted a premises licence in respect of public spaces in order to hold regulated entertainment (and in some cases allow the sale of alcohol at certain times) these places could not be designated with a DPPO. This conflicted with local authority wishes to promote community events by licensing public spaces, while also intending to make use of DPPOs in tackling anti-social behaviour drinking.

This unintended problem was rectified by section 26 of the Violent Crime Reduction Act 2006, which came into force on 6 April 2007 amending the 2001 Act, to ensure that premises used by local authorities in this way will only be excluded from a DPPO in which they are located at times when alcohol is actually being sold/supplied and for 30 minutes thereafter. The 2006 Act also ensures that a premises for which a Temporary Event Notice (TEN) permits the supply of alcohol will also be excluded from a DPPO in which it is located for 30 minutes following the supply of alcohol, rather than 20 minutes as was previously the case.

Which authority has the power to make a DPPO?

The local authorities with the power to make a designation order under section 13 are:

- in England, unitary authorities and district councils so far as they are not unitary authorities; and
- in Wales, county councils or county borough councils.

In this context unitary authorities are defined as county councils (so far as they are councils for an area for which there are no district councils), district councils (in areas for which there are no county councils), London borough councils, the common council of the City of London (in its capacity as a local authority) and the council of the Isles of Scilly.

Partnership working

As with any decision to introduce a particular power to tackle anti-social behaviour in a local area, it is essential that you work with the relevant agencies within the Crime & Disorder Reduction Partnership (CDRP) – such as the police – from the start of the DPPO process. In particular, this is to ensure that when the order comes into force, the DPPO is monitored and the police have the resources to be able to enforce it.

The DPPPO process

1. Evidence

The evidence you will require for a DPPPO 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 a belief that the problem could be remedied by the use of these powers. Evidence should be based not just on information you have obtained, but also from the police and members of the local community who have reported incidents of alcohol-related anti-social behaviour or disorder.

Evidence of alcohol-related nuisance could for example include litter related to the consumption of alcohol (e.g. bottles and cans) as well as police information and residents' complaints.

2. Consultation

Before making an order you should consult with the chief officer of police overseeing the area in question. This is to seek the police's views 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.

You should also consult the following:

- the parish or community council covering all or part of the public place to be designated;
- the neighbouring police and local authorities, parish or community councils in cases where a designation order covers an area on the boundaries with that neighbouring authority. This is in order to assess the consequences of the designation order on the neighbouring authority (such as the possible displacement of anti-social public drinking problems) before the designation order is made; and
- any premises licence holder, club premises certificate holder or premises user (as appropriate), in relation to each premises in that place which may be affected by the designation. These are premises where:
 - (i) a premises licence granted under part 3 of the 2003 Act has effect;
 - (ii) a club premises certificate granted under part 4 of the 2003 Act has effect; or
 - (iii) a temporary event notice has been given so that premises may be used for a permitted temporary activity by virtue of part 5 of the 2003 Act.

You should also take reasonable steps to consult the owners or occupiers of the land proposed to be designated. Where residential areas are proposed to be included in the DPPPO area, you should endeavour to consult with residents of those areas. Some councils have notified the local residents by means of a leaflet drop. You may also wish to consider holding residents' meetings. Some have carried out surveys of their residents and businesses to gauge their opinion on the proposal to introduce a DPPPO and to identify any experience of alcohol-related anti-social behaviour or disorder. These data can add to the evidence base required before a DPPPO is introduced.

When you consult any of the parties above, you should describe in writing the effect the order will have at particular times in relation to each category of premises (set out in section 3 (3) (b) of the 2007 Regulations) listed below:

- Premises in respect of which a premises licence has effect which authorises the premises to be used for the sale or supply of alcohol (section 14(1)(a) of the Criminal Justice and Police Act 2001 (“the 2001 Act”) but where section 14 (1B) of that Act does not apply). This provision covers licensed premises at all times of the day.
- 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 a period during which it has been so used (section 14(1)(a) of the 2001 Act where section 14 (1B) of that Act does apply). This provision covers licensed premises during the times of operation of the licence and 30 minutes thereafter – so for example they are not covered at times that they are licensed to sell or supply alcohol.
- Premises in respect of which a club premises certificate has effect which certifies that the premises may be used by the club for the sale or supply of alcohol (section 14(1)(aa) of the 2001 Act). This provision covers clubs that have club premises certificates.
- A place within the curtilage of licensed premises or club premises (section 14 (1B) of the 2001 Act). This provision covers any place within the enclosed area of licensed premises or club premises.
- Premises which by virtue of Part 5 of the Licensing Act 2003 may for the time being be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the last 30 minutes (section 14(1)(c) of the 2001 Act). This provision covers any premises for which there is a valid temporary event notice in force and for 30 minutes thereafter.
- A place where facilities or activities relating to the sale or consumption of alcohol are for the time being permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (section 14(1)(e) of the 2001 Act). This covers places in which the council has given permission for alcohol to be sold pursuant to section 115E of the Highways Act 1980.

3. Publicity

Before making an order, you should publish a notice in the local newspaper:

- identifying specifically or by description the place in question; setting out the effect the order will have on that place, particularly as regards certain times in relation to each category specified in section 3 (3) (b) of the 2007 Regulations;
- identifying any premises to which section 14 (1B) of the Act applies at the time the notice is published; and
- inviting representations as to whether or not an order should be made.

No order should be made until at least 28 days after the publication of the notice. Some local authorities have published the notice in a council publication that is delivered to all residences and businesses within the local authority boundaries. We believe this is an example of good practice as such a newsletter will most likely cover a larger proportion of the population. However, any publications in newsletters of this sort must be in addition to the notice in a local newspaper as this is a legal requirement.

4. Once an order is made

After making an order and before it takes effect, you should publish a further notice in the same local newspaper:

- identifying the place to which the order refers;
- setting out the effect the order will have on that place, particularly as regards certain times in relation to each category specified in section 3 (3) (b) of the 2007 Regulations;
- identifying any premises to which section 14 (1B) of the Act applies at the time the order takes effect; and
- indicating the date on which the order will take effect.

You should send a copy of the DPPO as soon as possible after the order is made to the following address:

Joanne French
Home Office
Alcohol Strategy Unit
4th Floor
Peel Building
2 Marsham Street
London
SW1P 4DF

Telephone number: 020 7035 0066

The Home Office will send you an acknowledgement to confirm receipt of the DPPO order. If you don't receive an acknowledgement within two weeks of sending your paperwork to the Home Office you should contact the Alcohol Strategy Unit to confirm whether or not it has been received.

Timescales

In respect of the length of time allowed for the consultation process, it is for you to decide what constitutes a reasonable consultation period. This might depend on how many premises licence holders and neighbouring local authorities may be affected by the proposed DPPO area. However, our advice is that a period of 4 to 6 weeks gives residents and others a fair opportunity to make representations.

The only statutory requirement in the regulations is that no order can be made until at least 28 days after the notice has been circulated in the local press. There are no other statutory timescales. However, you must consider what, in your view, is both fair and reasonable in terms of timescales for all other aspects of the DPPO process.

Time lapses

If you find that a significant amount of time has elapsed since you first consulted about introducing a DPPO, we would advise you to go back to the initial results of the consultation and review whether there is likely to have been any changes in your local area which might have had an effect on your decision to implement a DPPO.

You will need to:

- look at why the DPPO was not implemented at the time (was it due to resource issues or were there any valid objections?);

- assess whether any circumstances are different now, compared to when the consultation took place;
- revisit the evidence to see if the DPPO is still justified; and
- consider whether any objections are more valid now as compared to when the consultation took place.

Displacement

The creation of designated areas may well lead to anti-social drinking or nuisance being displaced into areas that have not been designated for this purpose. So, prior to designating an area, you should make an assessment of all the areas to where you reasonably believe that the nuisance or disorder could be displaced, ensuring that all those affected by the designation and possible displacement are appropriately consulted. It might be appropriate for you to designate a public area beyond that which is experiencing the immediate problems caused by anti-social drinking if the evidence suggests that the existing problem is likely to be displaced once the DPPO is in place.

Extending a DPPO area

In order to extend the area of a DPPO, a new order has to be produced. This is to ensure that the extended area is just and reasonable. The consultation and publicity processes will need to be re-visited for the new area.

Borough-wide DPPOs

Borough-wide DPPOs are not specifically prohibited in the legislation; however, 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 their borough.

Managing objections

Any objections to a DPPO should be properly considered. Questions that you might wish to consider include:

- does the person/people making an objection have a valid reason?
- does further evidence of alcohol-related anti-social behaviour need to be obtained?

Objections to a DPPO will not necessarily result in its rejection. However, all objections should be thoroughly considered. It would be good practice for you to send a letter to the person objecting, explaining why their objection has been accepted/rejected. In cases where there have been a number of objections on the same or similar points, you may wish to explain more publicly the reasons for continuing with the DPPO. This could be through residents' meetings or an article in a council newsletter.

Evaluating DPPOs

There is no statutory requirement to review a DPPO. However, we would advise that they should be evaluated and reviewed as a matter of good practice. How often a DPPO should be evaluated is a decision for you to make. It would be good practice to review the DPPO at least every two years. The aim of an evaluation is to find out whether the DPPO has stopped/helped to reduce alcohol-related anti-social behaviour/disorder. If it has, is the DPPO still required? Does the area covered by the DPPO need to be reviewed?

The evaluation need not be a lengthy bureaucratic exercise. The policy leads responsible for implementing the DPPO would be advised to review the data on alcohol-related anti-social behaviour before the DPPO was in force, and compare it with more recent data, along with information from the police as to how often the DPPO has been enforced. A judgement can then be made as to the effectiveness of the DPPO in dealing with alcohol-related anti-social behaviour.

As part of the consultation with the police when a DPPO is originally being proposed, it is advisable that local authorities should make their own local agreement with the police about how data will be collected and/or disseminated on how often the DPPO powers are used. This will enable you to have the relevant information available when reviewing the effectiveness of the DPPO.

If it is judged that the DPPO has not proved effective at reducing alcohol-related anti-social behaviour, you will need to identify the reasons behind this before deciding on the next steps. It might be that the problems have been displaced, in which case you may wish to think about extending the area of the DPPO. Alternatively, it might be that the DPPO is not being enforced, in which case you will need to discuss with the police what steps can be taken to address this issue.

Revocation of a DPPO

Under section 13 (3) of the Criminal Justice and Police Act 2001, local authorities have the power to revoke a DPPO. However, the same processes of consultation and publicity will need to be observed when any revocation is being considered. Any local authority which revokes a DPPO must send a notice to the Home Office (at the address above) informing them that a DPPO has been revoked.

Portsmouth – an example of good practice

When Portsmouth Council decided to introduce a DPPO, they agreed a protocol with the police to provide guidance for both the public and the police as to how the DPPO would be enforced. The police and the local authority agreed that individuals with alcohol would not be approached and asked to stop drinking unless 1) they were engaged in anti-social behaviour or disorder; 2) the police were of the view that there was likely to be anti-social behaviour or disorder; or 3) complaints had been received from other members of the public. This approach allowed Portsmouth to target those individuals causing nuisance related to the consumption of alcohol while leaving undisturbed those who were not causing a nuisance.

The guidance from Portsmouth highlighted the importance of not alienating the public by challenging individuals not engaged in anti-social behaviour, and that the use of the power was a discretionary one on behalf of the police, and not a duty to challenge any individual with alcohol. The guidance produced by Portsmouth Council can be found at Annex E and is also available on the Crime Reduction website.

Enforcement

Section 12 of the Criminal Justice and Police Act 2001 provides the police with powers to deal with anti-social drinking in areas that have been designated for this purpose by the relevant local authority under section 13 of the Act. The police (and other accredited persons, under sections 41 and 42 and schedule 5 to the Police Reform Act) have the power to require a person in a DPPO area not to drink alcohol in that area where an officer reasonably believes that the person has, or intends to do so. In addition an officer has the power to ask that person to surrender the alcohol and any opened or sealed containers in their possession.

As Police Community Support Officers (PCSOs) and other accredited persons do not have the power of arrest in these circumstances, a police officer will need to be called if someone fails to comply with the request to refrain from drinking. It is not an offence to drink alcohol in a designated public place, but failure to comply with an officer's requirements in respect of public drinking or the surrender of alcohol without reasonable excuse is an arrestable offence.

Penalties for this offence include:

- penalty Notice for Disorder (PND) £50; or
- arrest and prosecution for a level 2 fine, maximum of £500.

Bail conditions can be used to stop the individual from drinking in the public place pending prosecution for the offence.

Accreditation of PCSOs and others is at the discretion of the Chief Constable of the police force concerned.

Breaches

There is no power to arrest someone who regularly consumes alcohol in a designated public place **unless** they fail to comply with an officer's request to stop when asked under section 12 of the Criminal Justice and Police Act 2001. However, the police can use a whole range of other powers to deal with regular public/street drinkers either by giving them a PND for being drunk or disorderly or by using Acceptable Behaviour Contracts (ABCs) and Anti-Social Behaviour Orders (ASBOs). Directions to Leave under Section 27 of the Violent Crime Reduction Act 2006 could also be used for up to 48 hours if appropriate.

Signs

It is for you to decide on how many signs are required to draw the public's attention to the effect of an order in a particular place. You may also wish to consider any specific local requirements when producing the signs such as having the wording of the sign in other languages. This will obviously be dependent on budgetary constraints.

Signs should not conflict with or obscure traffic signs – you should consult with the local highway authority. They should be placed at the approaches to designated areas and repeated within them.

We suggest avoiding the use of diagonal lines through bottles or glasses on signs as they may suggest some sort of prohibition or ban on alcohol itself. Signs should not suggest that the consumption of alcohol is a criminal offence.

Each sign erected should also indicate the effect the order will have at particular times in relation to each category specified in section 3 (3) (b) of the 2007 Regulations:

- premises falling under section 14 (1) (a) of the 2001 Act (places which are not designated public places) to which section 14 (1) (b) of the 2001 Act does not apply;
- premises falling under section 14 (1) (a) of the 2001 Act to which section 14 (1) (b) of the 2001 Act does apply;
- premises falling under section 14 (1) (aa) of the 2001 Act;
- premises falling under section 14 (1) (b) of the 2001 Act;

- premises falling under section 14 (1) (c) of the 2001 Act; and
- premises falling under section 14 (1) (e) of the 2001 Act.

A model sign can be found at Annex A.

Replacement signs – wording

If you are considering replacing a sign erected under the 2001 regulations, the wording **does not** need to reflect the amendments made in the 2007 Regulations.

Wording of a DPPPO

The legal title is a Designated Public Place Order (DPPPO). DPPPOs are sometimes misleadingly referred to as Alcohol Free Zones, Drinking Control Areas and Drinking/Alcohol Ban Areas. This can be confusing to members of the public as the purpose of the legislation is not to ban alcohol in a public area, but to give police the powers to deal with anti-social drinking. You will need to take this into account when producing signs/literature for your DPPPO. An example of good practice is a leaflet produced by Ipswich Borough Council (on the Crime Reduction website and reproduced at Annex F).

Other alcohol powers

There are a number of other powers that are available to deal with alcohol-related issues including the confiscation powers available under the Confiscation of Alcohol (Young Persons) Act 1997, Alcohol Disorder Zones, Directions to Leave and Dispersal Orders.

As there are a large number of powers available, you must consider which is the best suited to address any specific issues in your area. A guidance document is available which lists all of the alcohol powers: *A Practical Guide for Dealing with Alcohol Related Problems; What you need to know*. This document can be downloaded from the Crime Reduction website, or a hard copy is available from the address previously on p.7.

Future legislative changes

On 4 March 2008 the Culture Secretary announced that the maximum fine for breach of a DPPPO would be increased to £2,500. No timescale for this has yet been announced.

There will also be further provisions relating to alcohol powers in the forthcoming Policing and Crime Bill. Information on the new provisions will be available on the Crime Reduction website in due course.

FAQs

Q Can local authorities introduce blanket restrictions on alcohol consumption or create Alcohol Free Zones?

A There are no provisions in the Criminal Justice and Police Act 2001 which allow the creation of Alcohol Free Zones or blanket restrictions of drinking in public. Before an area is proposed for designation, you must obtain some evidence that the area has alcohol-related anti-social behaviour or disorder associated with it. Any proposals for a comprehensive ban on public drinking would be considered disproportionate to the intended measures in the 2001 Act.

Q Does a DPPO lead to a universal ban on drinking in the open?

A No. Section 13 of the Criminal Justice and Police Act 2001 allows local authorities to designate public areas for the purposes of section 12 of the Act where they are satisfied that nuisance, annoyance or disorder have been associated with public drinking in that area. A universal ban on drinking in public would be considered disproportionate, and a DPPO should not be introduced for this purpose.

Q Can DPPOs be used for non-alcohol-related anti-social behaviour or disorder?

A No. DPPOs should only be used to tackle alcohol-related anti-social behaviour or disorder. Local agencies should consider using other anti-social tools and powers provided, for example Dispersal Orders, ASBOs and ABCs to tackle non-alcohol-related anti-social behaviour or disorder.

Q Are DPPOs indefinite?

A No. Like section 30 Dispersal Orders they can be reviewed while the order is in place. DPPOs can and should be revoked if they are no longer required.

List of DPPO areas

An alphabetical list of DPPO areas can be found on the Crime Reduction website:
www.crimereduction.homeoffice.gov.uk/alcoholorders/alcoholorders09.htm

Contact details for local authorities in relation to DPPOs

Home Office contacts

Joanne French

Tel: 020 7035 0066

E-mail: Joanne.French@homeoffice.gsi.gov.uk

Emma Lawrence

Tel: 020 7035 4671

E-mail: Emma.Lawrence8@homeoffice.gsi.gov.uk

Legislative provisions

Premises that are not designated as public places – Section 14 of the Criminal Justice and Police Act 2001, as amended by the Violent Crime Reduction Act 2006

- (1) A place is not a designated public place or a part of such a place if it is –
- (a) premises in respect of which a premises licence has effect which authorises the premises to be used for the sale or supply of alcohol;
 - (aa) premises in respect of which a club premises certificate has effect which certifies that the premises may be used by the club for the sale or supply of alcohol;
 - (b) a place within the curtilage of premises within paragraph (a) or (aa);
 - (c) premises which by virtue of Part 5 of the Licensing Act 2003 may for the time being be used for the supply of alcohol which, by virtue of that Part, could have been so used within the last [30] minutes;
 - (e) a place where facilities or activities relating to the sale or consumption of alcohol are for the time being permitted by virtue of permission granted under section 115E of the Highways Act 1980 (c66) (highway related uses).
- (1A) Subsection (1B) applies to premises falling within subsection (1) (a) if –
- (a) the premises is held by a local authority in whose area the premises or part of the premises is situated; or
 - (b) the premises licence is held by another person but the premises are occupied by such an authority or are managed by or on behalf of such an authority.
- (1B) Subsection (1) prevents premises to which this subsection applies from being, or being part of a designated place only –
- (a) at times when it is being used for the sale or supply of alcohol; and
 - (b) at times falling within 30 minutes after the end of a period during which it has been so used.
- (1C) “Premises Licence” and “Club Premises Certificate” have the same meaning as in the Licensing Act 2003.

Annex A

Model sign

**This area has been designated under the
Local Authorities (Alcohol Consumption in Designated Public Places)
Regulations 2007**



If you continue to drink alcohol in this area designated under section 13 of the Criminal Justice and Police Act 2001 when asked not to do so by a police officer or any other person designated to carry out this task under sections 41 and 42 of the Police Reform Act 2002, or fail to surrender any alcohol to a police officer in this area, you may be arrested and would be liable on conviction to a

Maximum fine of £500

- Each sign erected should also indicate the effect the order will have at particular times in relation to each category of premises specified in section 3 (3) (b) of the 2007 Regulations – please see Section 2 (Consultation).

Annex B

NOTICE TO PRESS – PROPOSED AREA TO BE IDENTIFIED (PRE MAKING AN ORDER)

Name of Local Authority

Local Authorities (Alcohol Consumption in Designated Public Places)

Regulations 2007

NOTICE IS HEREBY GIVEN THAT (**Name of Local Authority**) in exercise of its powers under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 proposes to make an order identifying the places 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 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 to prosecution.

[need to set out the effect the order will have at particular times in relation to each category of premises specified in regulation 3 (3) (b) – please see DPPO Process Section 2 – Consultation]

If you wish to make representations about the proposed Order you should send them in writing to the undersigned by **(enclose date)**

SCHEDULE

LAND DESIGNATED BY DESCRIPTION

[Insert Details of the place to be identified]

[Insert Name]

[Insert Name and Address of Local Authority]

[Insert Date]

Annex C

NOTICE TO PRESS – AREA IDENTIFIED IN THE ORDER

Name of Local Authority

Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

NOTICE IS HEREBY GIVEN THAT **(Name of Local Authority)** in exercise of its powers under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 has made an order which shall come into effect on the **(insert date)** identifying places detailed in the schedule below as designated public places pursuant to the Criminal Justice and Police Act 2001 (as amended by the Violent Crime Reduction Act 2006).

The Order allows a police officer, police community support officer (where accredited under section 41, section 42 and schedule 5 to the Police Reform Act) and people accredited through a community safety accreditation scheme to control the consumption of alcohol within designated public places. If they believe that someone is consuming alcohol or intends to consume alcohol they can require them to stop or they can confiscate the alcohol.

Any person who fails without reasonable excuse to comply with an officer's request under this provision may commit an offence and may be issued with a penalty notice for disorder or may be liable to prosecution.

[need to set out the effect the order will have at particular times in relation to each category of premises specified in regulation 3 (3) (b) – please see DPPO Process Section 2 – Consultation]

SCHEDULE

LAND DESIGNATED BY DESCRIPTION

[Insert Details of the place which has been identified in the Order]

[Insert Name]

[Insert Name and Address of Local Authority]

[Insert Date]

Annex D

SAMPLE – DESIGNATED PUBLIC PLACES ORDER

[Insert name of Council]

CRIMINAL JUSTICE AND POLICE ACT 2001

ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES [Insert name and number of Order]

The Council of [Insert name] (in this Order called “the Council”) hereby makes the following Order under Section 13(2) of the above Act:

1. The land described in the Schedule below and or shown on the map attached to this Order, being a public place in the area of the Council which is a public space in which the consumption of alcohol has been associated with disorder, nuisance or annoyance to member of the public or a section of the public, is hereby designated for the purposes of section 13 (2) of the above Act
2. This Order may be cited as Alcohol Consumption in Designated Public Places for the area of.....Order (No....) 2008 and shall come in to force on (*insert date*)

SCHEDULE

List of roads/areas etc

Dated thisday of2008

The Common seal of the **Council**
was hereunto fixed in the presence of (seal)

Annex E

EXAMPLE OF GOOD PRACTICE GUIDANCE TO POLICE AND OTHERS ENFORCING THE DPPO

Hampshire Constabulary
Portsmouth Basic Command Unit
Designated Public Places Order
Enforcement Guidance

1. About this Guidance

Hampshire Constabulary is committed to working in partnership with Portsmouth City Council in supporting the Safer Portsmouth Partnership to deliver the Crime and Disorder Strategy. Key areas of the strategy are to reduce alcohol-related violent crime, disorder and anti-social behaviour and in doing so create a safer Portsmouth where residents and visitors feel reassured.

This guidance is primarily aimed at all operational police staff and other personnel within Portsmouth City boundary who are, or who may be in the future, authorised to stop members of the public consuming alcohol in public places.

It explains how Portsmouth BCU will approach the enforcement of legislation which governs Alcohol Consumption in Designated Public Places. The whole of Portsmouth City has, from 15 August 2005, been designated.

2. General Principles

Discretion

Discretion will be used in the exercise of the new powers which will be carefully monitored to ensure that they are being used appropriately.

Circumstances likely to warrant the use of these powers are where:

- There is current anti social behaviour or disorder
- There is a high likelihood of anti social behaviour or disorder
- Complaints have been received from members of the public concerning an on going or developing problem which may lead to the above

Anti-social behaviour is defined as any behaviour which causes or is likely to cause harassment, alarm or distress.

Street Drinkers

It has been agreed by partners that 'street drinkers' are informed about the new law by outreach workers. They are also being provided with information on treatment services. Officers should use sound judgement when dealing with individuals who are thought to be alcoholics or who may have mental health issues. They should deal with any person in this category in line with Force policy and base any use of the power on the above criteria.

Legislation

The legislation that governs the consumption of alcohol in public places, is provided by, Section 12 of the Criminal Justice and Police Act 2001 as amended by section 199 and schedule 7 of the Licensing Act 2003. (PNLD Ref H3882 and D9612/3/4)

The order covers all public places within Portsmouth City. **It does not cover private enclosed shopping precincts such as Cascades but does cover Gunwharf. It does not apply to licensed premises including outside drinking areas which form part of a licensed premises.**

Section 12(1) states that if a constable reasonably believes that a person is, or has been, consuming intoxicating liquor in a designated public place or intends to consume intoxicating liquor in such a place.

Section 12(2) The constable **MAY** require the person, not to consume within that place and surrender anything in his possession that the constable reasonably believes to be intoxicating liquor or a container for such liquor.

Section 12(3) A constable may dispose of anything surrendered to him under (2) above in a manner that he considers appropriate. The containers can be either sealed or unsealed, although it is anticipated that it would be rare to seize sealed containers from a compliant person.

Section 12(4) If a person fails to comply with the above requirement, they commit an offence.

Section 12(5) A constable who imposes a requirement under (2) above will inform the person that failure to comply, without reasonable excuse, with the requirement is an offence.

If an individual fails to comply with the request then they can be arrested, it is an arrestable offence.

EXAMPLE OF REQUEST TO STOP DRINKING:

“This is a designated public place in which I have reason to believe that you are/have been drinking intoxicating liquor. I require you to stop drinking and give me the container from which you are/have been drinking and any other containers (sealed or unsealed). I must inform you that failure to comply with my request, without reasonable excuse, is an offence for which you can be arrested.”

IT IS NOT AN OFFENCE TO CONSUME ALCOHOL IN A PUBLIC PLACE UNLESS A PERSON HAS BEEN PROPERLY DIRECTED TO STOP.

Fixed Penalty

Where an offence has been committed it can be dealt with by way of a Penalty Notice for Disorder (PND) with the relevant fine being £50. It is important to remember that this PND can only be issued to offenders 16 years and over, the PND can also be issued on the street.

3. Implementation

Portsmouth City Council has erected signs which promote responsible drinking and inform the public that the area is subject to drinking control. The signs will be clearly visible on the approaches to the City and in areas likely to be most affected by alcohol-related incidents.

As stated above, the object of this order and policy is to prevent crime and disorder and the powers available can be used at the officer's **discretion**. It is **important not to alienate the public**. **For example, it would be inappropriate to challenge individuals consuming alcohol whilst enjoying a quiet picnic on the beach or in one of the city parks.**

This legislation does not affect the placing of tables and chairs outside licensed premises to allow consumption within that seating area, provided that they are properly licensed. Any incidents arising from the consumption of alcohol in these circumstances should be dealt with under the Licensing Act. If non urgent, such matters should be referred to the Licensing Departments of Portsmouth BCU and/or Portsmouth City Council. In urgent cases the advice of the Duty Inspector should be sought.

This order does not affect the power of the Police to seize and retain alcohol from young persons under the Confiscation of Alcohol (young persons) Act 1997.

Disposal of Alcohol

Officers should dispose of alcoholic drinks according to the existing procedures followed in respect of the Confiscation of Alcohol (Young Persons) Act 1997. A compliant adult would normally be asked to pour the alcoholic contents from any open container in their possession. Any debris should be disposed of by placing in the nearest bin. It would be rare to take possession of sealed containers from an adult in these circumstances unless there was a reasonable belief that the person will continue to drink in a public place.

Where a person is non-compliant an officer may find it necessary to seize the alcohol from a person and pour it away. An offence would have been committed in these circumstances and consideration should be given at that point to what penalty measures should be taken. In the event of an arrest being made, where practicable, unopened containers should be retained and shown to the custody officer and then discarded. No receipt will be given but a brief description of what has been seized will be recorded on the C12.

Officers should continue to exercise discretion in the finalising of such a case. Final disposal of the matter could result in no further action/informal warning, PND on the street, arrest with PND or summons/charge disposal. In any case **a C12 stop and account form MUST be completed**. The ASB and seizure of alcohol boxes should be ticked and blue copy forwarded to CSU at KF.

4. Impact of this Guidance

Consultation

Prior to the drinking control order being made, extensive public consultation took place. Portsmouth City Council members, community groups, licensees and trade bodies all supported its introduction.

Equality

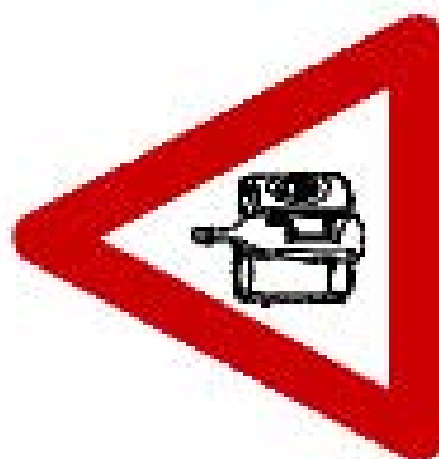
The use of these powers by the police in these circumstances has been assessed to have a risk of affecting race or other community relations. This will be under continual review and based upon public feedback and the monitoring of stop and account records.

Monitoring

Along with our partners the Constabulary will continue to seek feedback from all sections of the community to ensure that these powers are being used appropriately. Police Officers and PCSOs are required to fill in a C12 stop and account form when exercising this power.

Annex F

designated public place



Drink responsibly
or the police could use
their powers to take
away your alcohol
and fine you

Ipswich Borough Council is promoting responsible drinking to people who live, work or visit the town. As part of this campaign, the Council has introduced a Designated Public Places Order which will be effective from 1st December 2007.

What is responsible drinking?

Over 90% of the adult population drink and the majority do so without any problems, the majority of the time. Drinking alcohol is widely associated with socialising, relaxing and pleasure. Drinking within the recommended limits can even provide some health benefits.

The Government's Recommended Safe Drinking limits are:

- a maximum intake of 2-3 units per day for women and 3-4 for men, with two alcohol-free days after heavy drinking; continued alcohol consumption at the upper limit is not advised;

- that intake of up to two units a day can have a protective effect against heart disease for men over 40 and post-menopausal women and some groups such as pregnant women and those engaging in potentially dangerous activities (such as operating heavy machinery) should abstain or restrict at all.

Continued heavy drinking or binge drinking can cause problems for an individual's health. Where drinking is associated with criminality or anti-social behaviour, it has an impact on the individual, their family and the whole community.

What is a Designated Public Place?

The Criminal Justice and Police Act 2007 introduced the power for local authorities to designate public places in which it will become an offence to drink alcohol after being requested not to do so by a police officer. The police will have the power to require the surrender of alcohol and containers in these circumstances and those who fail to comply will be liable to arrest. The restriction for such a ban is a Designated Public Place Order.

What are the benefits of such measures?

The key aims for Ipswich are to:

- provide additional powers to police to deal with persistent alcohol drinking and alcohol related anti-social behaviour;
- reduce disturbances in public places which are alcohol related;
- reduce disturbances in public places;
- contribute to the range of actions which are being delivered to reduce alcohol misuse;

Helpful numbers

- reduce the numbers of street drinkers and loitering areas through continuing enforcement with outreach services.

How to challenge a DPPO

This means that from December 2020 a Police Officer or a Police Community Support Officer may ask you to stop drinking in a public place if:

- you are causing disorder or behaving in an anti-social manner (while drinking alcohol or under the influence of alcohol);
- there is a likelihood of anti-social behaviour or disorder (while drinking or under the influence of alcohol);
- complaints have been received from the public concerning an existing or developing problem.

This order will not affect you if you are drinking responsibly in a public place

National Alcohol Helpline

0800 017 8282

Confidential advice and information to all aspects of alcohol. Calls are free.

Alcoholics Anonymous National Helpline

0800 709 7000

Calls charged at local rate.

Alcoholics Anonymous

01470 258202

Open seven days and alcohol services.

Anti-Social Behaviour

0800 120 0270

Free phone - reporting anti-social behaviour.

Bullock Downville Violence & Abuse

0800 700 0121

24hr Helpline

National Domestic Violence Helpline

0800 2000307

411

0800 210 0200

Information and support for young people.

Crime Stoppers

0800 005 111

Call anonymously with information about a crime.

Domestic Violence

0800 700 00 00

Confidential non-judgemental emotional support.



What will happen if I do not stop drinking alcohol?

If you continue to drink when asked not to your alcohol may be confiscated and disposed of by the officer.

What if I support my abuser?

If you support your abuser and do not continue to behave in an anti-social manner there will be no further action.

Will I be given a criminal record?

You may be arrested and considered for a maximum fine of £500 or issued with a fixed penalty notice.

What will happen if I do not stop my alcohol but continue to behave in an anti-social manner?

You may be arrested and considered of a Public Order offence.

Our aim is to ensure that responsibly businesses and visitors are able to enjoy the benefits of the vibrant lifestyle community. This should be without risk or fear of any nuisance or disorder caused by the behaviour of a few people introduced by alcohol in public.





Agenda Item 8

Highways Improvement Request Form

Contact Details

Name:	Cllr Jennie Westbrook	Date:	14-08-23
Address:	29 Sandridge Road, Melksham, Wiltshire, SN12 7BQ		
Telephone No:	07805495207		
Email Address:	jennie.westbrook@melksham-tc.gov.uk		

Issue Details

Location of Issue:	
Community Area:	Melksham 
Parish or Town Council:	Melksham
Nature of Issue: (Max 600 characters) Request for review of weight limit and speed limit. Eastern way at T junction at point where it joins new but currently unopened road, in a westerly direction to, and including Snowberry lane for it's entire length to it's junction with Spa road. Suggest this section of road is subjected to a 30mph speed limit and 3t gvw weight limit for the entire length. These restrictions to come into effect as soon as the new road is opened.	
How long has it been an issue?	On going
What would you like done to resolve this issue? (Max 600 characters) As above	
Have you been in touch with your local Wiltshire Councillor? (Yes/No)	Yes 

*This form needs to be completed and e-mailed or sent to your local Town or Parish Council.
Town and Parish contact details are available via the link below:*

<https://cms.wiltshire.gov.uk/mgParishCouncilDetails.aspx>

Town or Parish Council Comments: (To be completed by Town or Parish Council only - Max 600 characters)

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19 July 2023

Development Services
Wiltshire Council
Tel: 0300 456 0114
www.wiltshire.gov.uk
PlanningAppeals@wiltshire.gov.uk

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

APPELLANTS NAME:	D.S. Developments
APPEAL SITE:	Plot Adjacent 2 Pembroke Road, Melksham, Wilts, SN12 7NA
PLANNING APPLICATION REF:	PL/2022/04516
PROPOSED DEVELOPMENT:	Erection of pair of single bedroom houses with off-street parking
INSPECTORATE REFERENCE:	APP/Y3940/W/23/3321030
APPEAL START DATE:	18 July 2023

I am writing to let you know that an appeal has been made to the Planning Inspectorate in respect of the above site.

The appeal is against a refusal in respect of the above site, and is to be decided on the basis of Written Representations procedure.

The Planning Inspectorate have introduced an online appeals service which you can use to comment on this appeal. You can find the service through the Appeals area of the Planning Portal – see <https://acp.planninginspectorate.gov.uk>. Alternatively, you can send your comments to west3@planninginspectorate.gov.uk or Planning Inspectorate, Room 3c, Temple Quay House, 2 The Square, Bristol BS1 6PN, quoting the Inspectorate reference. Comments should be received by **22 August 2023**

The Inspectorate may publish details of your comments, on the internet (on the appeals area of the planning portal). Your comments may include your name, address, email address or phone number, please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Any representations received after the deadline will not normally be seen by the Inspector and will be returned.

Any comments you may have already made following the original application will also be forwarded to the Inspectorate (unless they are expressly confidential) but you may withdraw, modify or amplify them now if you wish. All comments received will be copied to the appellant and will be taken into account by the Inspector in deciding the appeal.

If you wish to receive a copy of the appeal Decision Letter, you should write to the Planning Inspectorate specifically requesting one.

The Planning Inspectorate will not acknowledge your letter unless you specifically ask them to do so. They will, however, ensure that your letter is passed on to the Inspector dealing with the appeal.

Finally, you can get a copy of one of the Planning Inspectorate's "Guide to taking part in planning appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>.

Yours faithfully,
Head of Development Management

Wiltshire & Swindon Tree Warden Scheme

Briefing Note No. 23 - 22

Service : Natural and Historic Environment

Further Enquiries to: Paul Robertson email: GAPS@wiltshire.gov.uk

Date Prepared: 20/07/2023

Direct Line: (01225) 718413

Summary of the project

Wiltshire Council's Woodland Grant Application and Planting Support (GAPS) Team, as part of its partnership with Swindon Borough Council's Great Western Community Forest (GWCF), wish to relaunch a Tree Warden Scheme in association with The Tree Council.

The reason for this project

The Wiltshire Council Business Plan states that our mission is to ensure:

- The people of Wiltshire are empowered to live full, healthy and enriched lives.
- Our communities continue to be beautiful and exciting places to live.
- Our local economy thrives and is supported by a skilled workforce.
- We lead the way in how councils and counties mitigate the climate challenges ahead.

To support this Wiltshire Council has produced a Climate Strategy and a Green and Blue Infrastructure Strategy to help meet these aspirations. A central part of these strategies is to promote the enhancement of existing trees and woodlands as well as facilitating the planting of new trees and woodlands across Wiltshire for the benefit of people, nature and to help mitigate climate change.

As mentioned in the previous Woodland Creation Accelerator Fund (WCAF) Cllr Briefing Note, dated 5/10/2022, as part of our successful £294k bid we stated that we would revive the Tree Warden in Wiltshire. With Woodland Officer recruitment completed and the full GAPS Team in place we are now able to relaunch the Tree Warden Scheme. As the GAPS Team is working in partnership with GWCF we can also support Tree Wardens across the Borough of Swindon as well, something that was also in the bid.

The WCAF bid set challenging tree planting targets for the GAPS Team to achieve between 2023-2025.

- 111ha of planting 2023-24 (25% of annual target required by the Climate Strategy)
- 222ha of planting 2024-25 (50% of annual target required by the Climate Strategy)

Only by fully engaging and encouraging local communities to proactively get involved in tree planting at the Parish and Town Council level can we hope to meet these targets.

What will Tree Wardens do?

The Tree Wardens will be able to assist the GAPS Teams with as many of these roles as they feel able:

- Act as a contact and support for tree related matters in their local area
- Identify areas in the community for local tree and woodland planting.
- Protect trees by reporting early signs of pests, disease and vandalism.
- Gather, survey and record information about trees important for wildlife or heritage.
- Get involved in campaigns to raise awareness about the importance of trees.
- With support from GAPS Officers apply for planting grant funding for community projects.
- Co-ordinate local volunteers to manage community tree and woodland planting.
- Set up tree nurseries using seeds collected locally.
- Work with local groups and schools – support The Tree Council's schools orchard programme and Young Tree Champions.
- Lead guided tree walks and give talks to local groups.
- Spearhead Tree Council initiatives and campaigns throughout the year.
- Work with local landowners to identify areas for tree, woodland or hedgerow planting or assist with laying hedges or tagging hedge trees for protection.

Whilst the Tree Wardens will be working under the auspices of the local Town or Parish Council the GAPS Team will support with training, co-ordination, and advice.

Tree Wardens will not adjudicate in local disputes regarding trees, undertake major tree works use machinery or chemicals, work from height, or make any judgements about tree safety. This remains the remit of professional tree experts. The GAPS Tree Warden Scheme is primarily about the proactive facilitating of tree and woodland planting at the community level to meet Council biodiversity and climate targets. It does not replace any of the existing Council structures for dealing with existing tree issues and these enquiries should still be referred to either the Highways or Estates teams through the appropriate channels.

Next steps

We will undertake a communication campaign over the Summer to start recruiting Tree Wardens with a view to beginning online and / or face to face training in September in time to start helping us with the 2023-24 planting season.

Suggested actions for Councillors

Please could you raise this new initiative with your networks and promote it at the Town and Parish Council level. Our aim is to have a tree Warden in each of our Parishes to help us ensure the right trees are planted in the right places for all our communities.

End

Air Quality Action Plan and Air Quality Supplementary Planning Document (SPD) consultations

Briefing Note No. 23-20

Service :

Further Enquiries to:

Date Prepared:

Public Protection

publicprotectionsouth@wiltshire.gov.uk

20 July 2023

We wanted to update you on an upcoming consultation on the Air Quality Action Plan and Air Quality Supplementary Planning Document – documents that detail how the council plans to help ensure the air quality throughout Wiltshire is safe.

Background

As well as transport contributing over a third of all carbon emissions in Wiltshire, it also releases harmful gases that affect the quality of the air. Wiltshire Council monitors air quality across the county to assess the levels of harmful gases in the local environment. This monitoring has shown that the air quality in Wiltshire is very good but in a few heavily trafficked areas they have identified levels of nitrogen dioxide that are too high. Nitrogen dioxide is a product of combustion and in Wiltshire's case the high levels is being caused by emissions from motor vehicles. The biggest contributors are diesel cars and Air Quality Management Areas (AQMAs) have been declared around Wiltshire where the nitrogen dioxide levels are excessive. The council is required by law to produce an action plan detailing the measures that will be used to reduce levels of nitrogen dioxide in these locations.

We have produced a summary of our Air Quality Action Plan alongside a more detailed plan to help inform you how we plan to ensure the quality of the air the local population breathes is safe. The plan contains a list of proposed actions and measures that we will take to improve air quality, more specifically the reduction in levels of nitrogen dioxide in eight areas in the county where levels have been found to be excessive.

The Air Quality Action Plan is being consulted on at the same time as the draft Air Quality Supplementary Planning Document (SPD). This provides an important mechanism to help us achieve the aims and objectives of the action plan.

Key dates

A statutory consultation on both the Air Quality Action Plan and Air Quality Supplementary Planning Document gets underway on 24 July for six weeks and runs until 4 September.

Who can take part in the consultation?

The consultation is open to everyone. A hard copy of the draft Air Quality Action Plan is available in our libraries in towns where Air Quality Management Areas are located. These are Marlborough, Bradford on Avon, Calne, Westbury, Devizes and Salisbury.

How to take part in the consultations

Feedback is welcomed on all documents and people are encouraged to complete short surveys. All the documents, including the surveys to complete, will be found at via the council's consultation portal from 24 July at:

Air Quality Action Plan Consultation – <https://consult.wiltshire.gov.uk/kse/event/37579>

Air Quality Supplementary Planning Document (SPD) Consultation –
<https://consult.wiltshire.gov.uk/kse/event/37581>

A link to both consultations will also be available from 24 July at
<https://www.wiltshire.gov.uk/air-quality-wiltshire>.

Next steps

A summary of responses will be made following the consultation period. These responses will be fully considered and, if appropriate, changes will be made to the draft action plan to help produce a final version prior to the council considering it for formal adoption.

More information

If anyone has any questions or comments about this consultation they can contact the council at publicprotectionsouth@wiltshire.gov.uk or post them to The Environmental Control and Protection Team, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JQ.

Melksham Town Council
Economic Development and Planning Committee
14 November 2022

Electric Vehicle Charging Points for Melksham Town

Report of the Town Clerk in conjunction with Councillor Rabey

1. Purpose of the report

To establish whether the Town Council have an appetite to apply for the funding available through Wiltshire Council and Central Government to enable the Town Council to provide Electric Charging Points at various, agreed, and approved locations in the Town.

2. Background

The Town Council has pledged to do all it can to reduce its carbon emissions in the bid to tackle Climate Change. The Council has a 74-point Action Plan to promote biodiversity, which the Council has a duty to consider and take mitigating steps to reduce carbon emissions to tackle the Climate Change crisis.

According to Carbon Brief, Clear on Climate; 'In most countries, the majority of emissions over the lifetime of both electric and conventional vehicles come from vehicle operation – tailpipe and fuel cycle – rather than vehicle manufacture. The exception is in countries – Norway or France, for example – where nearly all electricity comes from near zero-carbon sources, such as hydroelectric or nuclear power'.

However, while the carbon emitted from burning a gallon of petrol or diesel cannot be reduced, the same is not true for electricity. Lifecycle emissions for electric vehicles are much smaller in countries such as France (which gets most of its electricity from nuclear) or Norway (from renewables).

For example, in the UK, emissions from electricity generation have fallen 38% in just the past three years and are expected to fall by more than 70% by the mid-to-late 2020s, which is well within the lifetime of electric vehicles purchased today.

3. The Pros and the Cons

Pros:

- Battery Electric Vehicles (BEVs) emit no CO₂ from the tailpipe when on the road - a monumental reduction in emissions. Swapping to an EV saves an average of 1.5 MILLION grams of CO₂ annually.
- Any emissions produced tend to be in production. Once an EV gets on the road its emissions are complete - whereas a petrol or diesel engine has a lifetime of CO₂ emissions ahead.
- EVs also tackle noise pollution - the reduction in engine noise can truly contribute to a better environment, particularly in cities

Cons

- Fully electric vehicles (BEVs) take more emissions to create, mostly due to the production of their lithium batteries, but these emissions are more than offset by lower EV emissions in use on the road.
- EVs are not emission-free, as even EVs emit particulates - from road, tyre, and brake wear and tear.

4. Current Situation

The present offer of EV charging points in Melksham is limited; currently there are EV charging points in King Street Car Park, which are out of commission and not due to be recommissioned until 2023 there are also EV charging points planned for use in 2023 at the new Campus.

Councillor Rabey attended a webinar presentation by Wiltshire Council which discussed funding opportunities for Town and Parish Councils. The links to the webinars are below as well as details on how to apply for the grant funding. Attached are the presentation slides.

[Electric vehicles and charging points - Wiltshire Council.](#)

The webpage at the link includes:

- i) [Wiltshire EVCPI grant guidance](#)
- ii) The application form for the grants: [EVCPI Grant Scheme \(wiltshire.gov.uk\)](#)
- iii) Recordings of the presentations at the webinar – each presentation is short (around 10m) and shareable:
 - [National and Wiltshire EV strategy](#)
 - [National ORCS grant](#)
 - [Wiltshire EVCPI grant](#)
 - [Wiltshire Council's charge point installer Joju and their provision of free site assessments](#)
- iv) Link to guidance for the national On Street Residential Charging Scheme (ORCS) grants from Government, which can be used in conjunction with the Wiltshire grants.

If you have identified sites, the first step in applying for the Wiltshire EVCPI grant (up to £2500) is to book a free site assessment from Joju, Wiltshire Council's EV Charging Infrastructure provider. Please contact info@joju.co.uk with 'Wiltshire Council EV Charging Project' in the subject line.

If, having reviewed the materials, you have further questions for the Council, please contact fleet.services@wiltshire.gov.uk

5. Identifying Sites

The Town Council will need to identify sites for EV Charging points and then book a site assessment from Joju.

Page 33 of the Slide Presentation details the grants available, but these are only applicable for schemes on Wiltshire Council land or the Highway.

6. Next Steps - Criteria

Wiltshire Council is introducing these grant schemes to parish and town councils to increase the number of Electric Vehicle Charging Points across the county.

Read the Wiltshire Council Cabinet report of 12th October here: [read the full Cabinet report](#)

- Locations need to be identified and then a site assessment undertaken by Joju. Locations identified to have a high proportion of properties lacking off-street parking and demonstrate a high demand for EV Charging Points if grants are to be successful. Consider all available residential charging options, with solutions designed to balance the needs of residents, businesses, and visitors, while keeping a safe and accessible network of footways, and minimising the amount of street furniture and clutter. This may include off-street and on-street charging infrastructure. EV Charging Points will not be installed in locations where they would restrict footway access.
- Individual site surveys will be required to assess potential on-street locations; this will be part of any grant funding application. It is advisable that some community engagement takes place with residential communities, including through a survey, to understand their needs and determine which locations would be best suited for charging infrastructure.
- There would also have to be consultation with local stakeholders in locations where the potential location of EV Charging Points could be deemed unwelcome or controversial for example in areas where parking is already at a premium. The grant will support town and parish councils with the submission to the Office for Zero Emissions (OZEV) and On Street Residential Charge Point Scheme (OSRC), grant application, and additional Wiltshire Council funding of up to £2,500 per site where on Wiltshire Council responsible land is available.
- Undertake a feasibility study with an EV Charging Point supplier into installing, maintaining, and operating EV Charging Points in Council owned public car parks that are located within a 5-minute walk (400m) of a residential area with a high proportion of households without off-street parking. EV Charging Points at these locations may be eligible for ORCS funding. Enforce Traffic Regulation Orders (TROs) for EV Charging Points to restrict petrol or diesel vehicles parking in electric vehicle charging bays and limit the length of stay for an electric vehicle to parking only whilst charging. These offences will be enforced through Penalty Charge Notices (PCNs).
- Ensure all Council residential EV Charging Points, both off-street and on-street, will allow public access. EV Charging Points will not be considered personal to any individual or business if deemed a residential EV Charging Point.
- Commit to residential EV Charging Points on Wiltshire Council owned land being supplied with electric from green energy suppliers who produce 100% of their electric from zero-carbon sources.

- Encourage community charging facilities by signposting the services available from EV Charging Point sharing providers. Sharing or renting out of home chargers by electric vehicle owners could significantly increase community access to EV Charging Points and remove the barriers to owning an electric vehicle in residential areas without off-street parking.
- Have a webpage on the Council website for residents to suggest locations for electric vehicle charging points. Provide guidance to residents where off-street charging is not available on methods to allow on-street charging in a safe and convenient manner.
- Develop guidance to define where support for residential EV charging points will be given by the council.

7. Considerations

- **Equalities:** The recommendation has potential to improve access to EV Charging Points for those without opportunities to provide the infrastructure on their own property.
- **Climate:** The recommendation has potential for a positive impact.
- **Ecology:** The recommendation has no impact.
- **Staff:** The recommendation has an impact in respect of staff time to liaise with Wiltshire Council, contractors and apply for the grants.
- **Legal:** The recommendation has no impact; Traffic Orders will be dealt with by Wiltshire Council Highways.
- **Risk:** The recommendation has no impact.
- **Benefit to Melksham:** The recommendation has a beneficial impact by providing additional facilities and opportunities to residents.
- **Finance:** The recommendation has minimal impact as it is grant funded. Although at this stage it is not known how much officer time the scheme would take from initial identification of locations to implementation. It is considered a major project.

8. RECOMMENDATION:

To consider how the town council should respond to the scheme and offer of grants through Wiltshire Council to provide Electric Vehicle Charge Points for residents in car parks and on-street.

There is also the option members may want to consider and that is whether the Town Council pursues its own scheme independently of Wiltshire Council.

Linda Roberts
Town Clerk
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Saffi Rabey
Town Councillor
saffi.rabey@melksham-tc.gov.uk

Further Reading for information:

<https://www.local.gov.uk/publications/scoping-role-local-authorities-EV>

<https://bradfordonavontowncouncil.gov.uk/wiltshire-council-and-bradford-on-avon-town-council-launch-electric-car-hire-survey/>

[Bradford Council Charging point survey](#)

<https://online1.snapsurveys.com/interview/00e73ed3-1039-46df-b0c6-1158040645f2>

Melksham Local Highways & Footway Improvement Group

Page 47

	Item	Update	Actions and recommendations	Who
	Melksham LHFIG – Notes of on-line meeting held on Thursday 2 nd February 2023 at 16:30 hrs			
1.	Attendees and apologies			
	Attendees:	Cllr Nick Holder (Acting Chair) Louisa Lewis - Melksham Town Council Alan Baines – Melksham Without Parish Council Pat Tucker – Keevil Parish Council Colin Wade – Semington Parish Council Mary Winterburn – Great Hinton Parish Council Cllr Phil Alford Malcolm Jones – Steeple Ashton Parish Council Martin Rose – Area Highway Mangager Andy Cadwallader – Area Highway Engineer Stuart Renfrew – Highway Engineer Mark Stansby – Snr Traffic Engineer	Area Board to note.	AB
	Apologies:	Cllr Jonathon Seed Linda Roberts – Clerk to Melksham Town Council		
2.	Notes of last meeting			
		The notes of the previous LHFIG meeting held on 27 th October 2022 were presented to the Area Board on 7 th November, passing all recommendations.	LHFIG to note.	All

3.	Financial Position			
		<p>The current balance for 2022/23, less previous commitments stands at £33,431.36 (see Appendix 1).</p> <p>An email from Cabinet Member for Highways and Transport, Cllr Caroline Thomas, was shared (see Appendix 1A), setting out the end of year financial arrangements for the LHFigs. Essentially, all uncommitted funds will be retained by the group and carried forward for use during 2023 / 24.</p>	Area Board to note	AB
4.	Priority schemes			
a)	6055 – Broughton Gifford - Gateways and Traffic Management measures.	<p>An order to install the additional bollards has been issued to our Contractor. Installation is anticipated during March.</p> <p>There are also some remedial road marking measures to complete but more suitable conditions are required to undertake this work.</p>	Area Board to note	AB
b)	A365 Shaw Bath Road Footway improvements – funded by Section 106 monies from George Ward Gardens development.	<p>An outline drawing of the resurfacing work is included as Appendix 2. Regrettably, this job has been pushed back into the next Financial Year, as the work will need to be done during school holidays.</p> <p>With the design now complete it is now apparent that we have a shortfall of funds. The estimate now stands at £29,177.93 inclusive of a 20% contingency to cover any unforeseen work and an anticipated uplift on the rates.</p> <p>Currently there is a sum of £20,077.54 available from a s106 fund, leaving a potential short-fall of up to £9,100.39.</p>	<p>To request that the Area Board grants a sum of £7,000 towards this project.</p> <p>To recommend to the Area Board an allocation of up to £1,500 be given to this project.</p> <p>Melksham Town Council to confirm their contribution of up to £1,500</p>	<p>Cllr Seed</p> <p>Cllr Seed</p> <p>Town Council</p>

Melksham Local Highways & Footway Improvement Group

		Cllr Alford informed the group that the Area Board has a sum of £7,000 allocated for expenditure on open spaces but a suitable project has not been identified. It was proposed that this fund be diverted to this project, with the LHFIG and Town Council each committing up to £1,500.		
c)	Issue 9-20-9 – Melksham Sandridge Road – request to improve footway link to Maple Close	<p>The legal process to dedicate the land is ongoing but the dispute over land ownership has now been resolved. The legal process must be completed ahead of any work on the ground.</p> <p>Design work continues and construction will take place during 2023 / 24.</p>	Area Board to note	AB
d)	Active Travel Scheme - Farmers Roundabout – signing to promote use of shared use cycle route to and from Holt Road and town bridge.	<p>Scheme to be funded from a third tranche of Section 106 money from the George Ward Gardens development. There are funds remaining (£13,034.35) specifically to improve cycleway signing within the town.</p> <p>Town Council have been tasked to consider where additional improvements are needed.</p>	Awaiting update from Town Council	Town Council
e)	Melksham Dunch Lane – funded by Section 106 monies from George Ward Gardens development	<p>Consultation on full closure over rail bridge or one way operation from east to west and new parking controls to be carried out by the Town Council.</p> <p>Town Council to undertake consultation in the New Year (2023).</p>	Awaiting update from Town Council	Town Council
f)	Issue 9-22-1 – Melksham Footway linking Hazelwood Road & St Michaels Road – Request for lighting	<p>Issue submitted by Cllr Hubbard and Melksham Town Council.</p> <p>An Order has been placed with our Lighting Consultants.</p>	Area Board to note	AB

Melksham Local Highways & Footway Improvement Group

		Installation is anticipated during the first two weeks of February.		
g)	Issue 9-22-5 – Melksham Spa Road – safety concerns at access to & from Wharf Court	<p>Issue submitted by Melksham Town Council</p> <p>2 x SLOW markings and reinstatement of the give way line across the entrance to Wharf Court to be done when weather conditions are more suitable.</p>	Area Board to note	AB
h)	Issue 9-22-10 – Berryfield Semington Road – request to install 2 bus shelters	<p>Issue submitted by Melksham Without Parish Council</p> <p>There is a Section 106 fund of £20,662 to provide 2 x shelters with seating, high access kerbs with RTI facility (or to be ready for RTI installation).</p> <p>No update - the project will be advanced when staff resources become available.</p>	Area Board to note	AB
i)	Issue 9-22-12 – Bowerhill Halifax Road – request for drop kerbs to link Brampton Court with Sunderland Close	<p>Issue submitted by Melksham Without Parish Council</p> <p>Parish have met Highways on site. It was agreed that the best solution is to provide 3 sets of drop kerbs, each side of Brampton Court and then over to Halifax Road. The ball park estimate is therefore closer to £3,500.</p> <p>No update - the project will be advanced when staff resources become available.</p>	Area Board to note	AB
j)	Issue 9-22-16 – Berryfield – request for direction signs to new village hall	<p>Issue submitted by Melksham Without Parish Council</p> <p>Request for directional signs for motorists via Telford Drive and Pedestrians from Semington Road via new footway opposite New Inn.</p>	Highways to monitor progress	Highways

Melksham Local Highways & Footway Improvement Group

		Installation has been delayed due to the response effort to the wintery conditions.		
k)	Issue 9-22-17 – Melksham Without (various roads) – request for Parking Control Measures	<p>Issue Submitted by Melksham Without Parish Council</p> <p>Request for a Parking Review at the following locations:</p> <ul style="list-style-type: none"> • Semington Canal Bridge • Lancaster Road Bowerhill • Avro Way Bowerhill • Merlin Way Bowerhill • Mitchell Drive Bowerhill <p>It was noted that the canal forms the boundary between Melksham Without and Semington Parishes and that measures would be needed on both sides of the bridge. Parking controls within Melksham Without are included in the same legal Order as Melksham Town and so this also presents an opportunity to consider any pressing parking issues within the Town boundary.</p> <p>Issues affecting Semington Parish will need to be considered in tandem with this review.</p> <p>Parking reviews to be discussed under Item 6b.</p>	Area Board to note	AB
l)	Issue 9-19-11 – Bowerhill Portal Road – Request for Bowerhill nameplate and white gates	<p>A suitable location has been agreed with Highways between Herman Miller and the first hangar.</p> <p>The parish have opted for a single gate and village nameplate at a ball park estimate of £3000, inclusive of traffic management.</p> <p>An engineer has been appointed and preliminary design work is underway.</p>	Highways to complete design and estimate to present at the next meeting.	Highways

Melksham Local Highways & Footway Improvement Group

Page 52

m)	Issue 9-22-3 – Melksham The Crays – request for drop kerbs	<p>Issue submitted by Melksham Town Council</p> <p>Drop kerbs to facilitate access for wheelchair users at the junction of The Crays and Montague Place.</p> <p>No update - the project will be advanced when staff resources become available.</p>	Area Board to note	AB
n)	Issue 9-22-6 – Melksham Sandridge Road junction with Snarlton Lane – request for signs to direct drivers to Snarlton Farm	<p>Issue submitted by Melksham Town Council</p> <p>An order has been placed with our Contractor to install the new signs.</p> <p>Installation is anticipated during the first week of March.</p>	Highways to monitor progress	Highways
o)	Issue 9-22-13 – Bowerhill DeHavilland Place and Dowding Way – Request for footway extensions and drop kerbs	<p>Issue submitted by Melksham Without Parish Council</p> <p>A crossing point, to give access into the Industrial Estate and beyond was identified at Cheshire Close via Pegasus Way.</p> <p>The work includes one set of drop kerbs, possible short extension of footway (to line up the crossing point) and removal of 2 x concrete bollards. The Parish request that construction is combined with the Halifax Road project, Issue 9-22-12.</p> <p>No update - the project will be advanced when staff resources become available.</p>	Area Board to note	AB
5.	New Requests and ongoing Issues			

Melksham Local Highways & Footway Improvement Group

a)	Issue 9-19-9 – Bowerhill Falcon Way – Request for Bus Shelter near Kingfisher Drive for southbound travel.	<p>The Parish propose to install a 3 bay shelter measuring 3.06 m x 1.3m which will be RTI compatible. This will require a base (3.5m x 1.5m) complete with electrical ducting and connecting chamber.</p> <p>A ball park estimate to construct the base and install the electrical items should be in the region of £3,000 to £3,500, with legal fees of around £1,500.</p> <p>Highways unable to proceed until the land dedication issue has been resolved.</p>	Action remains with Parish Council to resolve land ownership issues.	Parish Council
b)	Issue 9-22-11 – A350 Beanacre - request for measures to control entry speed at north end of village	<p>Issue submitted by Melksham Without Parish Council</p> <p>A suitable site for a gateway feature was identified and the gateway could include white gates, village nameplates and additional road markings.</p> <p>A ball park estimate to undertake this work is in the region of £8,000 to £10,000, inclusive of traffic management.</p> <p>The Parish have indicated that they are willing to fund this on a 50/50 basis.</p> <p>The LHFIG are content for this Issue to be moved forward.</p>	To recommend to the Area Board that this Issue is added to the Priority Schemes List and to allocate £5,000.	Cllr Seed
c)	Issue 9-22-15 – Melksham junction of Church Street and High Street and Lowbourn – request for audible warning at signal controlled crossing points	<p>Issue submitted by Melksham Town Council</p> <p>Highways commissioned their Traffic Signal Consultants (Atkins) to investigate this matter.</p> <p>Town Council were content with the previous response on the disablement of the audible warnings, but asked why the crossing by Costa had the audible warning enabled?</p>	Highways to chase Atkins for their response.	Highways

Melksham Local Highways & Footway Improvement Group

		Highways awaiting update from Atkins.		
d)	Issue 9-22-19 – Whitley, Corsham Road – request to alter staggered barriers on alleyway between Corsham Road and Eden Grove.	<p>Issue submitted by Melksham Without Parish Council</p> <p>Safety barriers causing access issues to users of mobility scooters.</p> <p>A site inspection has been made and both barriers could be removed and replaced to allow more space for mobility scooters / pushchairs. However, this would also make life easier for cyclists (which are not permitted to ride here) and slightly increase the risk of a child running out into the road.</p> <p>The estimated ball park cost is £750.00.</p> <p>The LHFIG are content for this Issue to be moved forward.</p>	<p>To recommend to the Area Board that this Issue is added to the Priority Schemes List and to allocate £375.00.</p> <p>Parish Council to confirm their contribution of £375.00</p>	<p>Cllr Seed</p> <p>Parish Council</p>
e)	Issue 9-22-20 – Keevil, Martins Road – request to alter barriers and improve condition of footpath surface.	<p>Issue submitted by Keevil Parish Council</p> <p>The footpath in question is a Right of Way, KEEV27 and provides access to the recreation ground. Safety barriers installed at Martins Road cause access difficulties to users of mobility scooters, wheelchairs and children's buggies.</p> <p>Following a site meeting with the Rights of Way officer, Highways and Parish in attendance it was agreed that Highways would consider the access issue and RoW would look at the surfacing improvement. Two estimates sre provided for consideration:</p> <ol style="list-style-type: none"> 1. To remove and replace the safety barrier (with a smaller version), provide a drop kerb and new hardstanding amounts to £900 (ball park). 	<p>To recommend to the Area Board that this Issue is added to the Priority Schemes List and to allocate £7,987.50.</p>	<p>Cllr Seed</p>

Melksham Local Highways & Footway Improvement Group

		<p>2. To provide footpath edging and undertake resurfacing, over a length of approximately 60 metres is estimated at £9750. This would reduce to £6750 if the edging was omitted.</p> <p>The Parish confirmed their contribution of 25%, a sum of £2,662.50, to include the footpath edging and the LHFIFG were content to move this forward.</p> <p>Highways to liaise with Rights of Way to programme this work. The footpath will need to be closed and the Parish have requested that access is maintained for two events, taking place late May and on 17 June.</p>		
f)	<p>Issue 9-22-21 – Melksham Snarlton Lane, Crossing point from Nightingale Close – request for coloured road surface due to safety concerns</p>	<p>New Issue submitted by Cllr Sankey and Melksham Town Council</p> <p>View of the crossing often restricted due to vegetation. A warning sign was previously funded through the CATG / LHFIFG process.</p> <p>There has been no recorded personal injury collisions at the crossing point in the mosr recent 6 year period to June 2022.</p> <p>A ball park figure was quoted for coloured surfacing at £2,500 but the cost of installation, including fees for a road closure will have risen (perhaps significantly), since the quote was issued 2 to 3 years ago.</p> <p>It was noted during discussions that the hedgerow is protected by a preservation order and removal is not an option. The hedge will receive a flail cut as part of the routine maintenance programme.</p>	<p>Highways to arrange a site meeting</p>	<p>Highways</p>

Melksham Local Highways & Footway Improvement Group

		It was agreed that a further site meeting be arranged, to coincide with a school journey time, to agree potential improvements and to determine costs.		
g)	Issue 9-22-22 – Shaw Corsham Road – request to reinstate louvre shuttering on approach to signals	<p>New Issue submitted by Melksham Without Parish Council</p> <p>The old set of traffic signals had louvres fitted to the green lamps. Louvres were omitted on the new signal heads when the lights were replaced in 2020.</p> <p>This was not flagged as a concern as part of the Stage 3 Road Safety Audit (post construction). There has been no recorded personal injury collisions involving southbound vehicles within the vicinity of the signals or the school in the most recent 6 year period to June 2022.</p> <p>A ball park estimate to provide louvres is £750.</p> <p>The Parish are concerned that this omission will be detrimental to safety for those using the Zebra Crossing by the school.</p> <p>Following a discussion the LHFIG are content to move this request forward.</p>	<p>To recommend to the Area Board that this Issue is added to the Priority Schemes List and to allocate £375.00.</p> <p>Parish Council to confirm their contribution of £375.00</p>	<p>Cllr Seed</p> <p>Parish Council</p>
h)	Issue 9-23-2 – Great Hinton – request to replace a wooden stile with a Kissing Gate to create better access to a number of local Footpaths	<p>New Issue submitted by Great Hinton Parish Council</p> <p>The Parish representative has met with the RoW Officer and agreement has been reached with the land owner for this change to take place.</p> <p>An estimate to supply and install the new gate is £480.00.</p> <p>The Parish confirmed that such an improvement would provide better access to three public footpaths in the area and will</p>	<p>To recommend to the Area Board that this Issue is added to the Priority Schemes List and to allocate a sum of £500.00.</p>	<p>Cllr Seed</p>

Melksham Local Highways & Footway Improvement Group

		<p>address points set down in Wiltshire Council's Countryside Access Improvement Plan.</p> <p>Following a discussion the LHFIG are content to move this request forward.</p>		
6.	Other items			
a)	Pavement and Footway Improvement Schemes (pre-LHFIG)	<p>During 2022 the Council completed the footway works in Springfield Gardens, Whitley and the sites in the Berryfield estate. There was no footway patching carried out in 2022, therefore the work at Philips Close remains outstanding. The Ebenezer Chapel footway between Union Street and King George V playing field is with the major maintenance team as a project awaiting funding. It is inspected regularly to ensure it complies with the Council's inspection manual.</p> <p>Below is a list of footway sites submitted for footway funding in 2023/24. All sites are subject to funding. Once the funding has been announced the Council will be in a better position to know what sites will be carried out.</p> <p>Footway reconstruction.</p> <ul style="list-style-type: none"> • Corfe Road, Melksham • Sherwood Avenue, Melksham 29 – 55 on both sides of road • Rope Walk, Melksham adjacent to No9 • Corsham Road, Whitley north of Middle Lane to Top Lane • Berryfield Close, Melksham at the rear of 1 – 7 <p>Footway Slurry sites</p>	Area Board to note	AB

Melksham Local Highways & Footway Improvement Group

		<ul style="list-style-type: none"> Ashley Close, Whitley Tower Road, Melksham including cul-de-sac off Blackmore Road Sherwood Avenue/Savernake Avenue, Melksham Wellington Drive, Bowerhill Birch Grove, Bowerhill Elm Close, Bowerhill Blackmore Road Cul-de-sacs, Melksham 		
Page 58	b)	On Street Parking Reviews <p>Responsibility for on-street parking reviews (changes to double yellow lines, time limited parking etc) has transferred from the Network Management Team to the Traffic Engineering Team, with new requests now being filtered through the LHFIGs. This is to include any previous requests submitted to Network Management which have yet to be assessed.</p> <p>The process of undertaking a Parking Review is lengthy, and of course involves advertising Traffic Regulation Orders. It therefore makes both practicable and economic sense to undertake these (as required) on an annual basis only, with the exception of enforced changes to accommodate other Highway Infrastructure.</p> <p>Moving forward, it is proposed that requests are collated by Town and Parish Councils and submitted to the LHFIG for consideration for the first meeting of each new Financial Year, in this instance on May 9. Lists will need to be submitted using a Highway Improvement Request Form.</p>	<p>Area Board to note</p> <p>Parish Councils to consider submitting requests</p> <p>Highways to advise all clerks of this new process.</p>	<p>AB</p> <p>Parish Councils</p> <p>Highways</p>
	c)	Deadline for submitting LHFIG Requests <p>All requests are to be submitted two weeks prior to a meeting taking place. Requests received after the deadline will be held until the following meeting.</p> <p>Requests to be sent to LHFIGrequests@wiltshire.gov.uk</p>	<p>All to note</p>	<p>All</p>

Melksham Local Highways & Footway Improvement Group

		The deadline for our next meeting is 25 th April 2023		
7.	Dates of future meetings: 9th May, 27th July, 2nd November and 8th February 2024. Meetings to commence at 16:30 hrs and will be held on-line until further notice.			

Melksham Local Highways & Footway Improvement Group

Highways Traffic Officer – Mark Stansby

Area Highway Engineer – Andy Cadwallader

1. Environmental & Community Implications

1.1. Environmental and community implications were considered by the LHFIG during their deliberations. The funding of projects will contribute to the continuance and/or improvement of environmental, social and community wellbeing in the community area, the extent and specifics of which will be dependent upon the individual project.

2. Financial Implications

2.1. All decisions must fall within the Highways funding allocated to Melksham Area Board.
 2.2. If funding is allocated in line with LHFIG recommendations outlined in this report, and all relevant 3rd party contributions are confirmed, Melksham Area Board will have a remaining Highways funding balance of **£19,313.47**

3. Legal Implications

3.1. There are no specific legal implications related to this report.

4. HR Implications

4.1. There are no specific HR implications related to this report.

5. Equality and Inclusion Implications

Melksham Local Highways & Footway Improvement Group

5.1 The schemes recommended to the Area Board will improve road safety for all users of the highway.

6. Safeguarding implications

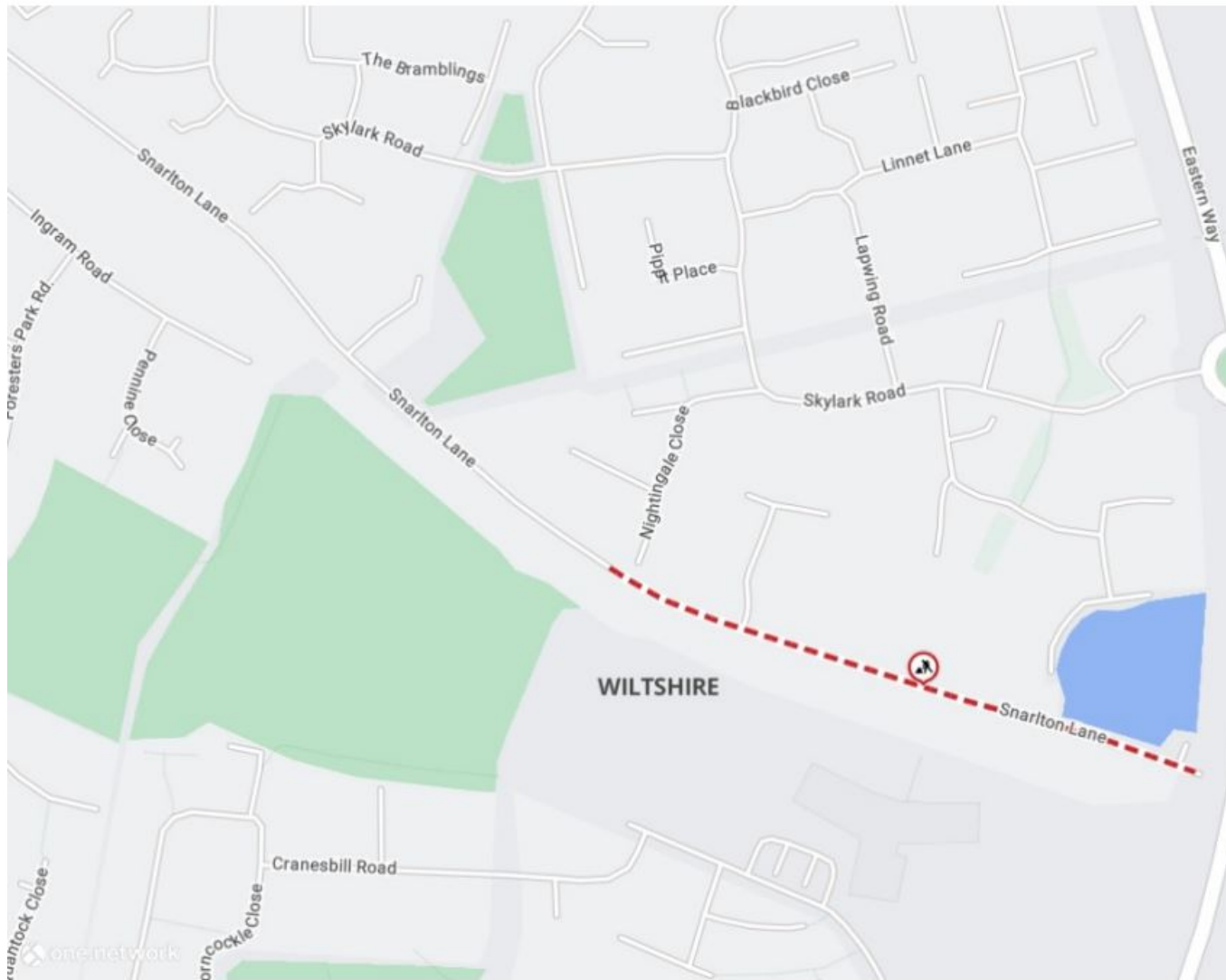
6.1 There are no specific Safeguarding implications related to this report.

7. Recommendations to Melksham Area Board

7.1 To add the following Issues (with funding) to the Priority Schemes List:

9-22-11 Beanacre Gateway (£5,000.00), 9-22-19 Whitley Staggered Barriers (£375.00), 9-22-20 Keevil Footpath (£7,987.50), Shaw Traffic Signal Louvres (£375.00) and Great Hinton Kissing Gate (£500.00)

7.2 To allocate funding (£1,500.00) to the footway improvement scheme at Shaw.



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