

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Customer Services
Executive Director: Douglas Hendry



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17 December 2010

NOTICE OF MEETING

A meeting of the **OBAN LORN & THE ISLES LOCAL AREA COMMUNITY PLANNING GROUP** will be held in the **MCCAIG SUITE, CORRAN HALLS, OBAN** on **WEDNESDAY, 12 JANUARY 2011** at **2:00 PM**, which you are requested to attend.

Douglas Hendry
Executive Director - Customer Services

BUSINESS

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**
3. **MINUTES OF PREVIOUS MEETING HELD ON 10TH NOVEMBER 2010**(Pages 1 - 4)
4. **BETTER COMMUNITY ENGAGEMENT - LACPG COMMUNITY ENGAGEMENT TOOLKIT (EILEEN WILSON)**
5. **ADULT LEARNING DISABILITY CONSULTATION - UPDATE**
6. **PROPOSED EXTENSION OF BYELAW - CONSUMPTION OF ALCOHOLIC DRINK IN PUBLIC PLACES - OBAN**(Pages 5 - 20)

OBAN LORN & THE ISLES LOCAL AREA COMMUNITY PLANNING GROUP

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Councillor Duncan MacIntyre
Councillor Gordon Chalmers
Councillor Donald MacDonald
Councillor Donald McIntosh
Linda Thomson
Eleanor MacKinnon
Eileen Wilson
Thomas Keay
Nicola Welsh
Nicky Archibald
Kenneth Macdonald

Councillor Roderick McCuish
Councillor Mary-Jean Devon
Councillor Neil Mackay
Councillor Elaine Robertson
Laura MacDonald
David Price
Glen Bland
Iain MacDonald
David Whiteoak
Lesley MacInnes

Contact: Jane Gillies, Area Governance Assistant - 01631 567901

MINUTES of MEETING of OBAN LORN & THE ISLES LOCAL AREA COMMUNITY PLANNING GROUP held in the MCCAIG SUITE, CORRAN HALLS, OBAN on WEDNESDAY, 10 NOVEMBER 2010

Present: Councillor Duncan MacIntyre (Chair)

Councillor Roderick McCuish
 Councillor Gordon Chalmers
 Councillor Neil MacKay
 Councillor Elaine Robertson
 David Whiteoak, Locality Manager
 Iain Macdonald, Ardchattan Community Council
 Duncan Martin, Oban Community Council
 Inspector Julie McLeish, Strathclyde Police
 Eleanor MacKinnon, Argyll Voluntary Action / 3rd Sector Prtnrshp

Also Present: Kenneth Macdonald, Area Manager – Customer Services (ABC)
 Eileen Wilson, Community Planning Manager (ABC)
 Margaret Fyfe, Community Learning and Development (ABC)
 Josephine Bown, Community Health Partnership

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from:

Councillor Mary-Jean Devon
 Councillor Donald Macdonald
 Councillor Donald McIntosh
 David Price, Avich and Kilchrenan Community Council
 Nicola Welsh, Oban Community Council
 Douglas Hendry, Executive Director – Customer Services (Argyll and Bute Council)
 Laura Macdonald, Community Learning and Development (Argyll and Bute Council)
 Leslie MacInnes, West Highland Housing Association
 Thomas Keay, Strathclyde Fire and Rescue Service

2. MINUTES OF PREVIOUS MEETING HELD ON 8TH SEPTEMBER 2010

The minute of the meeting of the Oban, Lorn and the Isles Local Area Planning Group held on 8th September 2010 was approved as a correct record.

3. OBAN, LORN AND THE ISLES LOCAL AREA COMMUNITY PLANNING GROUP - PARTNERSHIP AGREEMENT

With reference to the minute of the meeting held on 8th September 2010, when it was agreed to continue consideration of the adoption of the draft Local Area Partnership Agreement, the Community Planning Manager advised the Group of the intention that the agreement would form part of the Governance and Accountability Framework for the Argyll and Bute Community Planning Partnership. The agreement would not be a legal document but would set out a number of principles and working

arrangements to which members of the Local Area Community Planning Group are committed.

The Group:-

- (a) agreed to support the concept of the development of Local Community Partnership Agreements; and
- (b) approved the draft agreement for the Oban, Lorn and the Isles Local Area Community Planning Group, copies of which had been circulated.

4. PROCESS FOR EXCEPTION / HIGHLIGHTING REPORTING BY PARTNERSHIP

The Group considered a report by the Community Planning Manager proposing a process to enable the integration of relevant Local Partnerships with Local Area Community Planning Groups, in recognition of the fact that there are existing partnerships already delivering on CPP Outcomes.

The Group:-

- (a) acknowledged the importance of existing partnerships and networks in helping to achieve Community Planning Outcomes; and
- (b) agreed to use the pro-forma (copies of which had been circulated with the report) to gather information on progress being made on Local Outcomes by relevant Local Partnerships.

5. MENTAL HEALTH RE-DESIGN - ARGYLL AND BUTE COUNCIL / NHS HIGHLAND

Josephine Bown, Community Health Partnership, gave a very informative presentation to the Group in regard to the redesign of mental health services within Argyll and Bute, following which several questions were put and answered.

The Chairman, on behalf of the Group, thanked Ms Bown for her presentation.

6. OBAN, LORN & THE ISLES AREA COMMUNITY PLAN - UPDATE

The Group considered a draft 'Oban, Lorn and the Isles Local Area Community Plan', the basis for which had been information (including survey information gathered by the Forward Oban, Lorn and the Isles Group) collected at the Forward Together event held in Oban on 15th May.

The Group agreed the draft Plan, subject to the addition of (a) an action to reflect the development of Oban, Lorn and the Isles as a centre for renewables; and (b) the establishment of Oban as a cruise ship destination. The Group noted that the draft plan would be presented for discussion at the Forward Together 2 event to be held in Oban High School on 20th November, and that a report on the feedback from that event would be submitted to the next meeting of the Group in January 2011.

7. FORWARD TOGETHER 2 SEMINAR - SATURDAY 20TH NOVEMBER 2010 - UPDATE

The Group was given an update in regard to the organisation of the Forward Together 2 event to take place in Oban High School on 20th November.

8. OFF-SHORE WIND DEVELOPERS - CPP CONSULTATION (EILEEN WILSON)

The Group was advised that the Community Planning Partnership Management Committee have agreed to the planning and delivery of a CPP consultation event with the off-shore wind developers and the marine consenting authority, Marine Scotland, to take place in February 2011. In advance of that event Local Area Community Planning Groups area being asked to consider what questions should be asked and what issues should be raised.

The Group noted the position and partners agreed to feed any questions / issues from their respective networks back to the Community Planning Manager or the Area Manager – Customer Services by the end of November.

ARGYLL AND BUTE COUNCIL**OBAN, LORN and the ISLES AREA
COMMUNITY PLANNING GROUP****CUSTOMER SERVICES****12 January 2011**

**PROPOSED EXTENSION OF BYE-LAW - CONSUMPTION OF ALCOHOLIC
DRINK IN DESIGNATED PLACES**

1. SUMMARY

- 1.1 The purpose of this report is to advise the LACPG that evidence has been provided by Strathclyde Police to support their request that consideration be given to extending the existing byelaw in Oban prohibiting consumption of alcohol in public.

2. RECOMMENDATION

- 2.1 The LACPG is asked to note that at a recent meeting of the Council's local Area Committee it was agreed to initiate the process for revision of the existing byelaw to extend the scope thereof to include the Soroba, Glengallan and Pulpit Hill areas of Oban.

3. BACKGROUND

- 3.1 The Argyll and Bute Council Prohibition of Alcoholic Drink in Designated Places (Amendment) (No.1) Byelaws 2009 came into force on 29th June 2009 following a review of the, then, existing byelaws.
- 3.2 Strathclyde Police have gathered evidence in support of their submission that there would be benefit in extending the existing byelaw to encompass the Soroba area of Oban. This evidence is attached.
- 3.3 The process for amending the current byelaw is the same as that for applying for a new byelaw prohibiting the consumption of alcohol in designated places.

An area has to be designated to which the amended byelaw would apply. It is based on information and evidence gathered and in particular information received from the Police. The area should be clearly definable both in the byelaw and on the ground to avoid confusion and doubt.

Exceptions may be considered in the application of the byelaw to cover celebrations and local festivals etc.

The effect would be that any person consuming alcohol in any place to which the public have access within the area designated would be committing a criminal offence. This would apply to all persons; not simply to tourists or visitors but to the inhabitants as well.

Enforcement of any byelaw created will be the responsibility of the Police. It will be their role, as is normal in regard to criminal matters, to investigate alleged breaches of the byelaw and arrest those involved.

- 3.4 Advice from the Scottish Government contained in Circular JD/6/2007 details the procedure required in order to obtain approval for a byelaw.

Consider justification for the boundaries of proposed areas. Police and interested parties should provide information to help determine the extent of the boundaries.

Consult with the Police and, thereafter, the Procurator Fiscal to ensure they are content with the proposal and that it is sufficiently precise for the purpose of prosecution

Advise the Scottish Government of the intention to make a byelaw and submit a draft copy.

Consult with relevant and interested parties. It is considered that the relevant parties for such a consultation the Community Council, the licensing trade organisations, the local crime prevention groups and other identified within the locality. This consultation is not a legal requirement but is recommended as good practice. A four week period should be given for responses.

Draft bylaw and have it put before the full Council for approval.

Advertise the intention to apply for confirmation of the byelaw as required by the 1973 Act (advertise in press (allow 28 days for objection).

Submit the byelaw to the Scottish Government for confirmation and to fix the date on which the byelaw comes into operation. (S202(4) Local Government (Scotland) Act 1973)

Place notices in the local press advising that the bylaw has been made.

Arrange for notices to be put up around the designated area advising the byelaw applies and the penalty, on summary conviction, for an offence.

For Further Information contact Kenneth Macdonald. Area Manager - Customer Services (Oban, Lorn and the Isles) – tel. 01631 567902

14th December 2010

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**STRATHCLYDE
POLICE**

Divisional Analytical Unit

**Crimes and Incidents Oban
Drinking in Public Places
1st May 2009 – 30th April 2010**

Working Together - Building Safer Communities

Author: Analyst Researcher

Date: May 2010

Introduction

The aim of this report is to provide a brief overview of crimes and incidents in relation to Youth Anti Social Behaviour, Disturbances and Drinking in Public within Oban in order to establish if the town would benefit from an extension in the local bye law which makes it an offence to drink alcohol in public places.

The report will identify 'hotspot' locations, provide temporal analysis and an offender profile for detected crimes.

Methodology

Twelve months data from the 1st May 2009 to 30th April 2010 was extracted from the STORM incident and Crime Management database for beats 23 and 24 and accessed via geographical mapping system Arc GIS.

All STORM incidents with disposal codes 114 (crime report submitted) and 992 (linked incident) were then removed to eliminate duplicate records. Incidents were then split into the following categories for analysis under the following criteria:

- ***Youth Anti Social Behaviour:*** all STORM incidents with Initial Serve Code 24 (complaint), 27 (drugs/solvent abuse), 28 (disturbance), 39 (knife/edged weapon), 49 (traffic-other), 55 (drinking in public places), 78 (property damaged), 79 (crime other), 98 (miscellaneous). The description text was then searched for key words relating to youths such as boy, girl, gang, teen etc and all remaining records were filtered for relevance.
- ***Drinking in Public Places:*** all STORM incidents with Initial Serve Code 55 (drinking in public places) which did not relate to youth disorder.
- ***Disturbances:*** all STORM incidents with Initial Serve Code 28 (disturbance) which did not relate to youth disorder.

In addition all Group 6 crimes in relation to drinking in public, ABC (Prohibition of Consumption of Alcohol) Bye-Laws 1999 s. 2(1) and ABC (Prohibition of Consumption of Alc) Bye-Laws (Luss) 2007 s. 2(1), were extracted from the Crime Management System for analysis.

Incidents***Youth Anti Social Behaviour Incidents***

In total there were 305 incidents which related to Youth Anti Social Behaviour in beats 23 and 24 for the period under investigation.

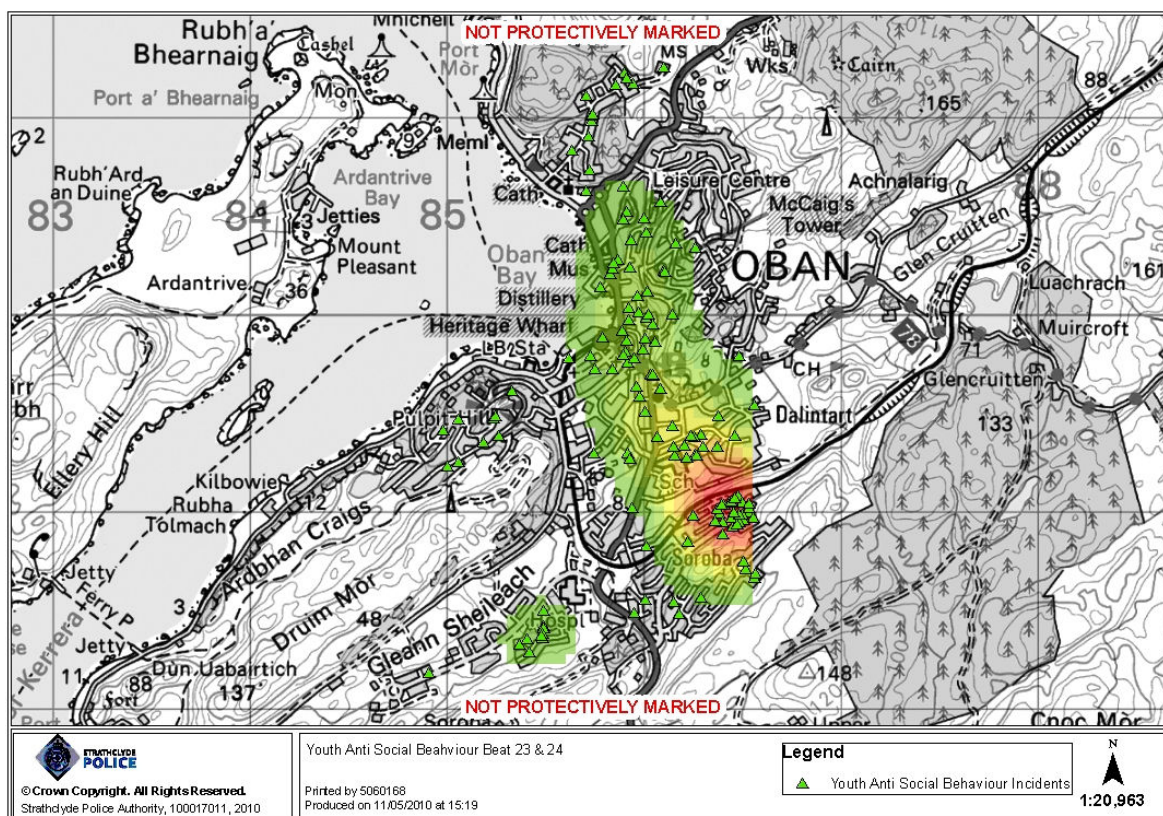
All incidents were broken down by long description as per figure 1 below:

Figure 1:

LONG DESCRIPTION	Total
COMPLAINT	204
DRINKING IN PUBLIC PLACES	45
DISTURBANCE	24
NATURE OF INCIDENT TO BE DESCRIBED IN FREE TEXT FIELD	13
PROPERTY DAMAGED	5
DRUGS / SOLVENT ABUSE	5
CRIME OTHER	5
TRAFFIC - OTHER	3
KNIFE/EDGED WEAPON	1
Total	305

The majority of youth related anti social behaviour incidents reported, 67%, were recorded as complaints. These complaints largely related to youths creating noise and general complaints of youths hanging about. Drinking in public places constituted the second greatest number of calls generated, accounting for 15% of all youth related anti social behaviour incidents, for the most part these incidents related to groups of 3 or more youths gathered drinking however a number of incidents described large groups of between 15 and 18 youths. In addition an overview of the complaints highlighted that alcohol was noted in a number of calls and a search of all 305 youth anti social behaviour incidents discovered that roughly 20% of all records made reference to alcohol. It is also of note that a number of the complaints made reference to drunken youths creating noise suggesting that potentially a number of the noise related incidents may also be a consequence of alcohol.

The locations of all incidents are noted on the map below:

NOT PROTECTIVELY MARKED

A clear hotspot can be identified at the residential housing at Soroba however it is noted that a significant number of incidents are taking place throughout the town centre. The majority of incidents within the hotspot follow the identified trend for the whole town and relate to noisy youths or youths drinking in public. It also appears that a significant number of youth anti social related incidents are occurring outdoors in public places as 69% of STORM incidents did not have a locus house number assigned to the call and it can therefore be assumed that the incidents occurred on the street. McCaig Road and Colonsay Terrace experienced the greatest number of incidents with 24 and 16 incidents respectively between 1st May 2009 and 30th April 2010. Both streets are situated within the hotspot above and were cited as locations where large groups of youths congregate to drink outside and the open space which surrounds the residential housing will attract youths and provide a space for them to gather.

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As may be expected the majority of youth anti social related incidents take place over the weekend in the evenings between 20:00 and 22:00 hours (figures 2 and 3) with more incidents taking place in the summer months, peaking in August most likely as a result of the school holidays and brighter, warmer nights.

Figure 2:

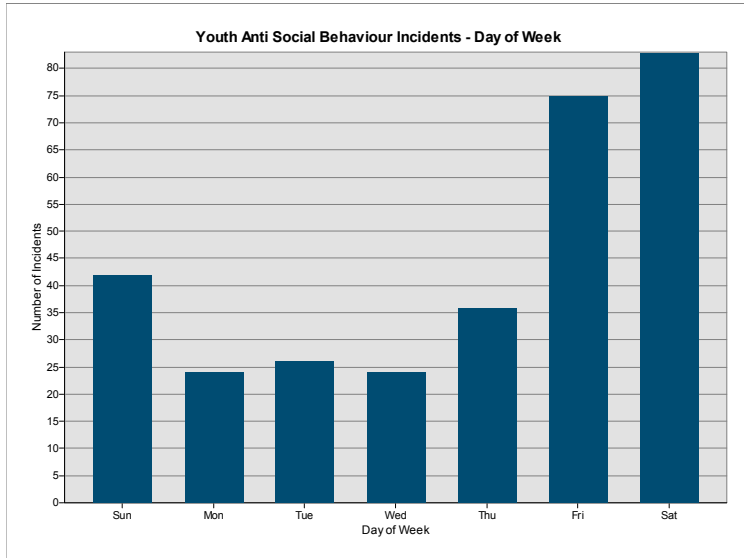
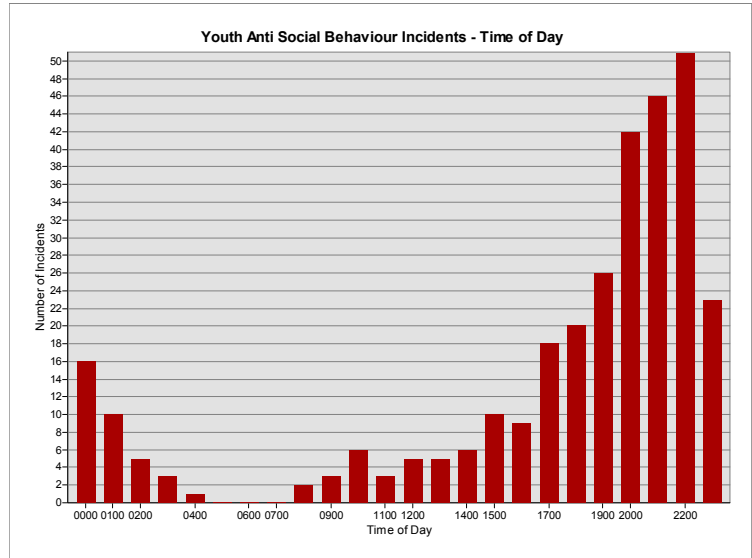


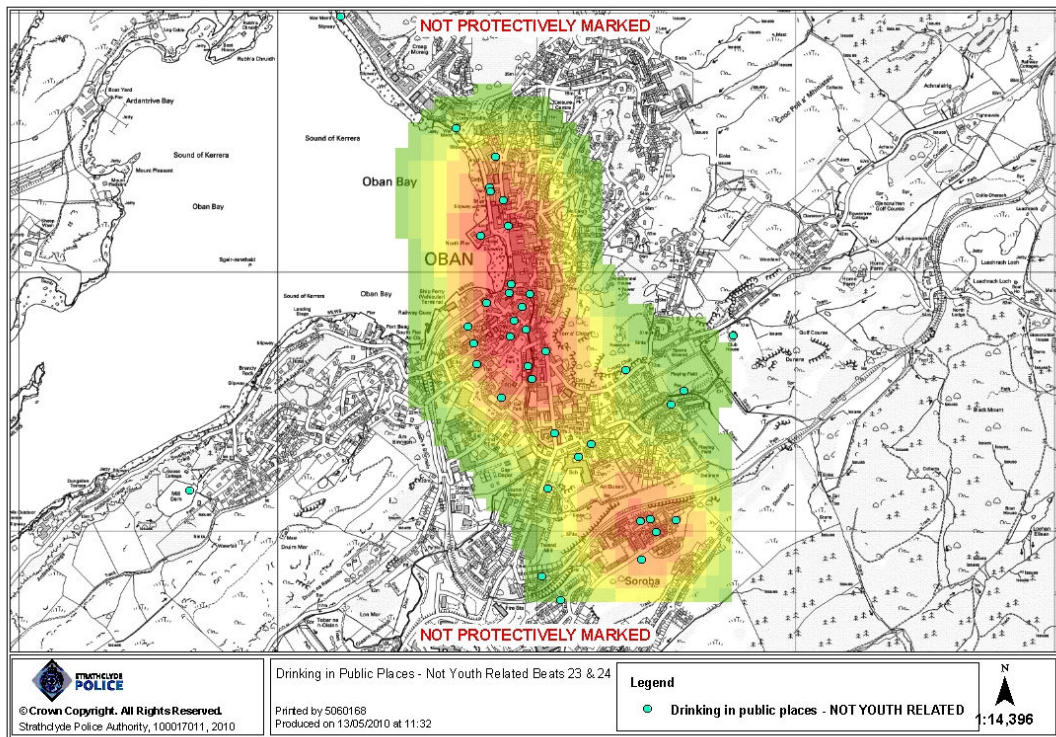
Figure 3:



Drinking in Public (Not Youth Related)

In total there were 72 incidents which related to drinking in public places in beats 23 and 24 between 1st May 2009 and 30th April 2010. 25% of all incidents related to fixed penalty notices being issued.

All incidents are noted on the map below:



It can be seen that the majority of incidents fall within the town centre and along the water front. The spatial concentration of crimes is less densely populated offering a larger hotspot and identifying that drinking in public places is an issue concerning the whole of the town centre. All streets and locus with more than two incidents recorded within the period examined are displayed in figure 4 below:

Figure 4:

LOCUS NAME/STREET	Total
GEORGE STREET	11
MCCAIG ROAD	5
TESCO STORES LTD	4
SHUNA TERRACE	4
COMBIE STREET	4
COLONSAY TERRACE	4
SOROBA ROAD	3

Again incidents in relation to drinking in public places follow the trend of occurring over the weekend period Friday through to Sunday, with the number of incidents peaking on a Saturday. The majority of incidents occur between 23:00 and 01:00 hours, as seen in figures 5 and 6. Looking at the incidents which occurred on George

Street in isolation all incidents occurred after 22:00 hours and 9 of the 11 incidents occurred between 01:00 and 02:30 hours.

Figure 5:

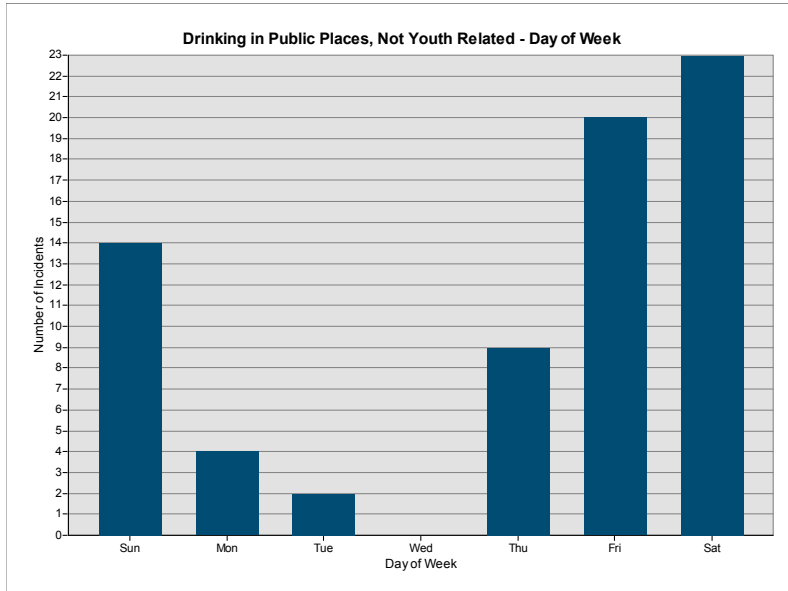
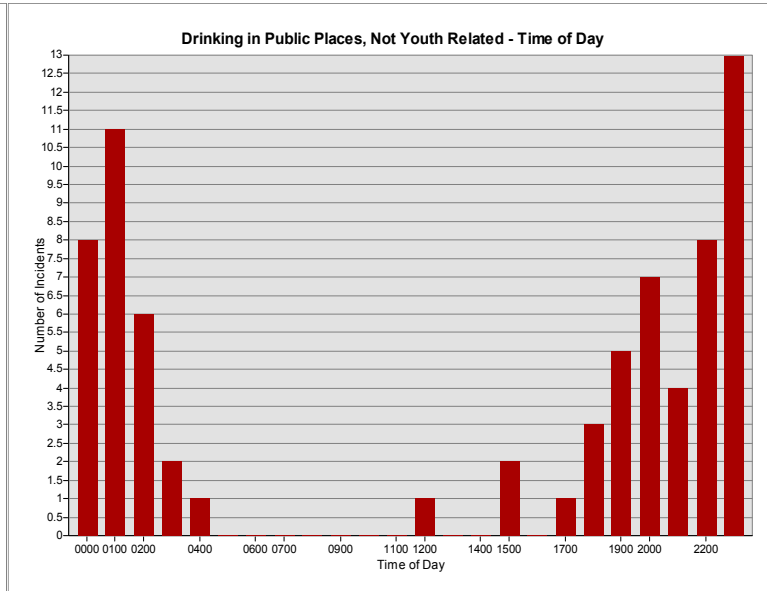


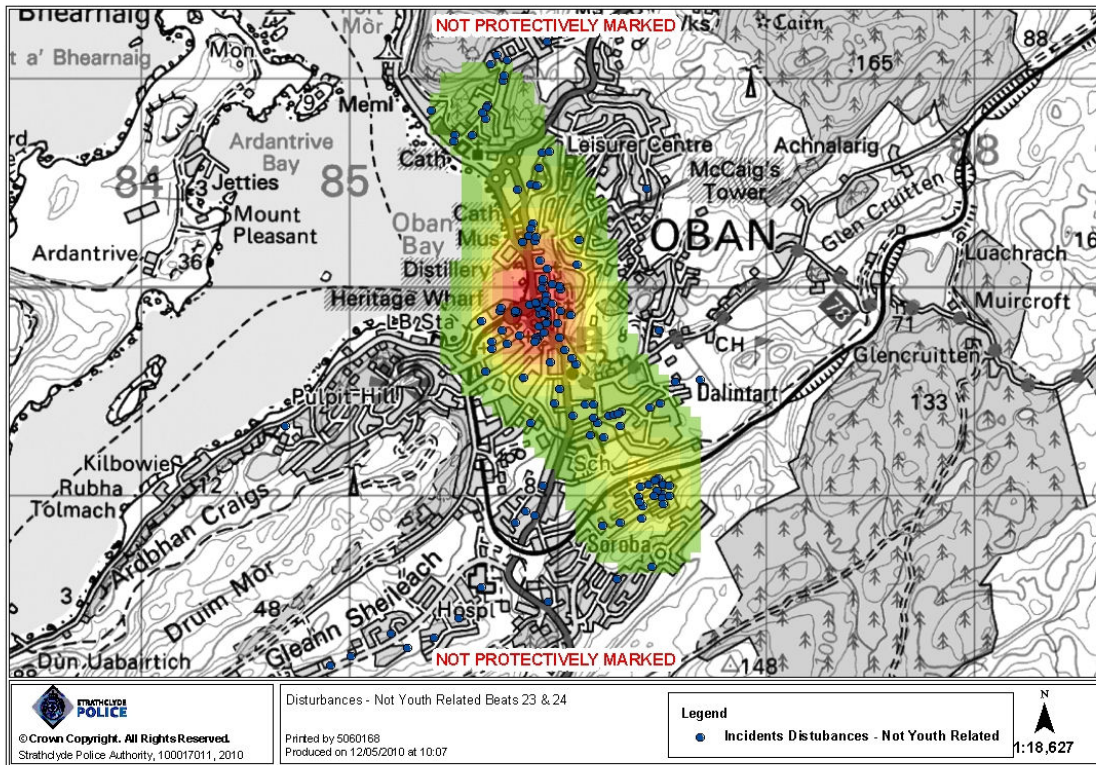
Figure 6:



Disturbances (Not Youth Related)

There were 298 incidents during the period examined which were classed as disturbances which were not identified as being related to youths. A large number of the disturbances have no further description beyond disturbance and the nature of the incidents is not further described. A review of the description of all incidents established that 18% of all disturbances were in relation to fights and when details were provided the majority of fights were between male subjects. Again a large number of disturbances were regarding noise complaints and further disturbances made reference to incidents of breach of the peace and it is also of note that there were a significant number of disturbances relating to doors being kicked in.

All incidents relating to disturbances are plotted on the map below:

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It can be seen that the hotspot for disturbances is located over the town centre which is in line with the hotspot for incidents relating to drinking in public places. A further cluster of disturbance incidents are noted within the residential area at Soroba where youth anti social behaviour incidents are also concentrated. In line with the hotspot for disturbances being located in the town centre George Street was identified as a recurring location for incidents with 30 of the 298 disturbances occurring on the street. It can also be assumed that a large number of the disturbances occur outside on the street as 62% of all disturbances did not have a locus number assigned to the STORM call.

Disturbances largely take place over the weekend period however the numbers of incidents are lower on a Friday for disturbances than those seen for youth anti social behaviour and drinking in public places due to the trend for incidents taking place in the early morning between 01:00 and 02:00 hours, as shown in figures 7 and 8 below.

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Figure 7:

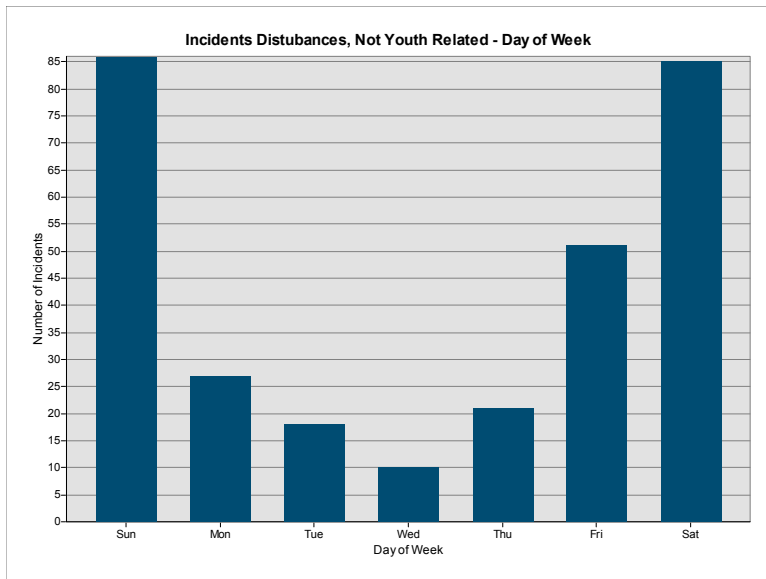
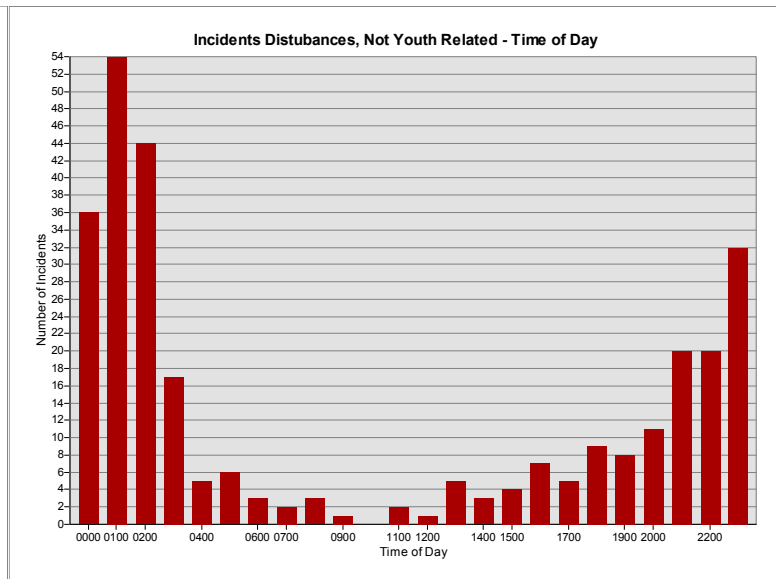


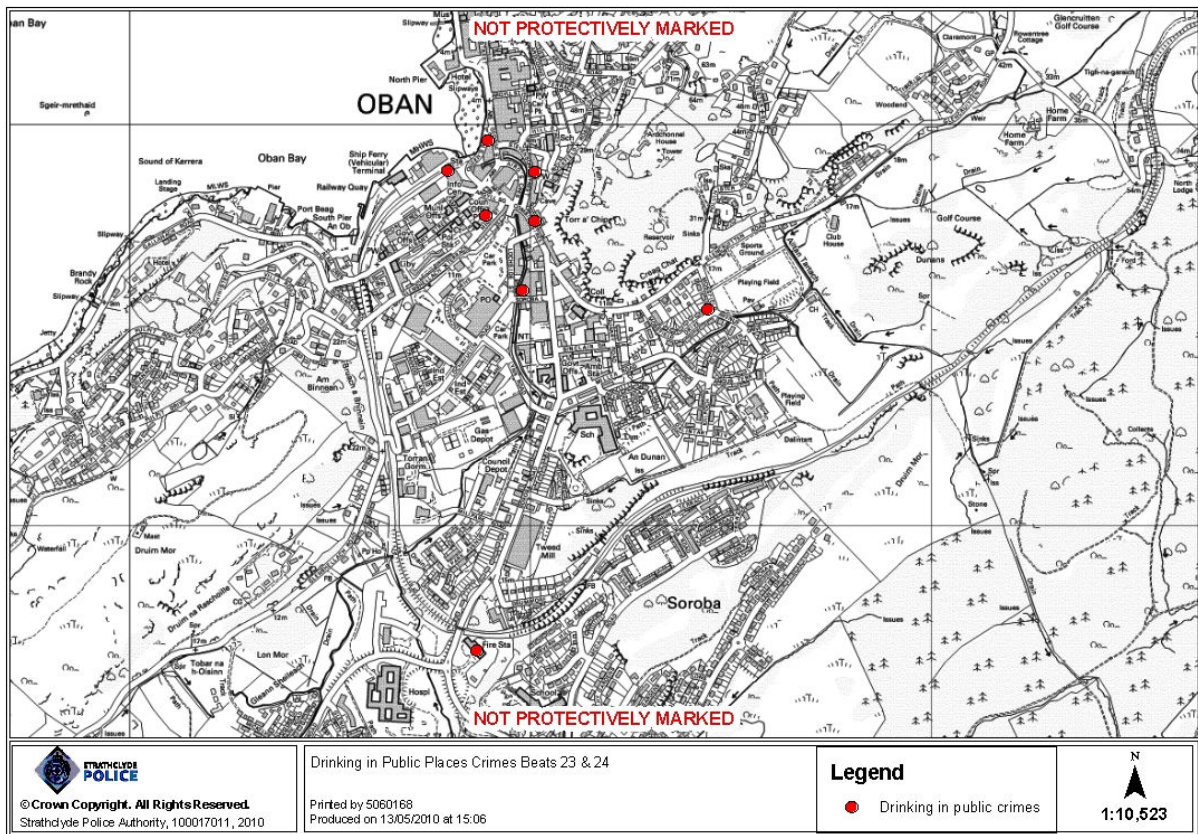
Figure 8:



Crimes

All Group 6 crimes in relation to drinking in public places were considered for analysis. In total there were 10 crimes between 1st May 2009 and the 30th of April 2010. The location of all crimes are displayed on the map below, please note that 2 crimes took place in close proximity at the Fire Station and 2 crimes also at the Railway Station and Bank of Scotland on Station Road and therefore there are only 8 location points on the map rather than ten.

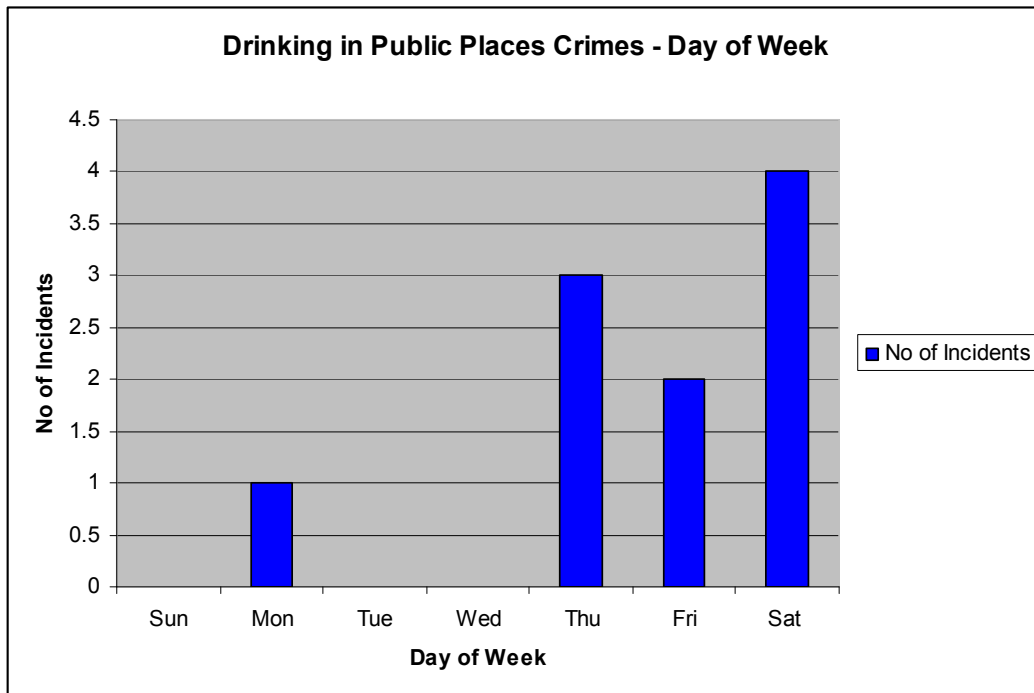
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Temporal analysis of all crimes which occurred between the 1st of May 2009 and the 30th of April 2010 established that the crimes follow the same trend as the incidents and occur over the weekend period figure below 9. It is of note that the crime which occurred on a Monday took place at 00:30 hours. All crimes occurred between 22:25 and 02:25 hours which also reflect the early morning nature of the incidents in relation to drinking in public places and disturbances.

NOT PROTECTIVELY MARKED

Figure 9:



Analysis of the offender in all crimes in relation to drinking in public places established 8 of the 10 offenders were male and the average age of the offender was 25 with the oldest offender 48 years old and youngest 16. Only 2 of the offenders did not live locally in Oban. In addition there were only 2 crimes where the offender was charged with more than the drinking in public offence and the other charges included the theft from a public house and also conducting themselves in a disorderly manner.

Key Findings

- Incidents and crimes are concentrated in the town centre and Soroba areas within beats 23 and 24 however incidents do occur throughout the town.
- Drinking in public places accounted for 15% of all youth related anti social behaviour incidents and alcohol was cited as a factor in many other incidents involving youths.
- Youth anti social behaviour is concentrated in the residential area of Soroba.
- There were 72 STORM incidents relating to drinking in public places between 1st May 2009 and 30th April 2010.
- A large number of incidents in relation to disturbances were in relation to males fighting in public places.
- George Street is noted as a recurring location for incidents of drinking in public places and disturbances.
- Crimes and incidents generally take place over the weekend in the late evening and early hours of the morning.