



Dublin City Council

Comhairle Cathrach Bhaile Átha Cliath

**Meeting of the Dublin City Joint Policing Committee – held on Wednesday 27TH
February 2008 at 3.00 p.m. Members Room, City Hall.**

Attendance: Committee Members

Councillor Paddy Bourke (Lord Mayor)
Councillor Mary Freehill
Councillor Anne Carter
Councillor Liam Kelly
Councillor Mick Rafferty
Mr John Tierney, City Manager
Mr. Philip Maguire, Asst. City Manager
Chief Superintendent Frank Moore
Mr. Ciaran McNamara, Asst. City Manager

Councillor Michael Conaghan (Chair)
Aengus O Snodaigh TD
Councillor Paddy McCartan
Councillor Criona Ni Dhalaigh
Councillor Larry O'Toole
Asst. Commissioner Al Mc Hugh
Ms Maria Metcalfe
Ms Kathy Moore

Also present: Mr. Ciaran Dunne, Exec Manager, Mr. Vincent Norton, Executive Manager, Mr Jim Keogan, Exec Manager, Ms Oonagh Casey, A/Administrative Officer, Mr Raymond Dunne (representing Cyprian Brady, TD)

Apologies: Cllr K. Humphreys, Ruairi Quinn T.D. Cllr B. Maher & Joe Costello TD.

1. Review of JPC Pilot to date – report given by P. Maguire, ACM

- Community Representation should be increased.
- Business Representation from Day & Night Economy should be provided for.
- Staffing & Budget – Research – Public Meeting, CCTV – Security Initiative
- Relationship with existing Fora –(Canal/NEIC Fora currently funded by CRAGA) should be clarified.
- Crime statistics on a DED Basis from Pulse – Crime/Garda Plan on a Local Authority Basis.
- Allowance for Chair
- Alignment of Garda Boundaries with Local Authority Boundaries.
- Training & Development for members of JPC.
- Power & Funding to Employ Community / Street wardens to deal with low level street crime

Order: Noted

2. Report from Working Group on Alcohol-Related Issues (P Maguire, ACM)

Mr Philip Maguire agreed that his Department would bring forward amended Bye-Laws to address the problem of the difficulty of confiscation, by Gardai, of unopened alcohol in public places.

Order: Noted

Appendix A

3. Report - Working Group on Estate Management

Mr Ciaran Dunne, Executive Manger, Housing & Residential Services gave an overview of the process involved in drafting a City-Wide Community Safety Strategy for Dublin as set out in the Report.

Order: Noted

Appendix B

4. Report of theAssistant Garda Commissioner

Order: Noted

Appendix C

5. Chairperson's Business

The following items were discussed :

- Control of the sale of alcohol on St Patrick's Day
- Development Plan Review – control of Licensed Premises – Report was presented by Mr. Jim Keogan of the Planning Dept. – Appendix D
- Consideration of sequential closing times for pubs & clubs

Michael Conaghan
Chairperson

Dublin City Council Alcohol and Public Order Working Group

The Working Group on Alcohol related Issues has met on a number of occasions over the last 12 months.

In that time the following progress has been made by Dublin City Council:

- a) Invited submissions from public, community groups, general business, vintners, hotels, off licences regarding alcohol issues.
- b) Set up pilot scheme in two parks in each of the 5 Committee Areas where problem relating to alcohol, congregation, drugs, vandalism and other anti-social behaviour were a regular occurrence. The pilot consisted of a partnership of local residents, local area management, local parks management and local Gardai. Pilots to be reviewed Q1. 2008
- c) Set up City Centre night economy management partnership consisting of Central and South East Area Managers, Store Street and Pearse Street Garda, Vintners, TASQ, National Association of Off-Licences and Dublin Bus. The emerging BID's company will also be tied in and steps are being taken to bring in the fast food industry; the taxi industry has agreed to participate. The Hotels Federation and Night Clubs Association have been invited to join.
- d) A visit to Belfast City Council and the PSNI took place in September 2007 where an exchange of experience and best practice took place.
- e) Mobile urinals deployed on Friday & Saturday Nights in Westmoreland Street and around Croke Park on big match days.

A new Sale of Liquor Bill is expected to be published in 2008. It is therefore timely to consider some of the issues identified to date by the working group and postulate some possible ameliorating actions for consideration.

1. Exponential growth in number of off licences.
Council could consider limiting under the Development Plan the number it will approve in any one area of the City on grounds of proper planning and development of area. (The carrying capacity of any area of City in relation to clusters of large pubs, off licences and fast food premises is limited and needs control). Local Authorities should be given specific powers to do this in proposed Sale of Alcohol Bill.
2. Hours of business of off licences should be curtailed with suggested trading hours of 10am to 8pm. This requires primary legislation. Limit quantity of alcohol that can be purchased by anyone under 21. Consider ban on sale of spirits to anyone under 21.
3. Control of sale to underage children – Mandatory requirement to produce Government I.D. Card (Sales linked to ID Card). Need to operate and keep one months CCTV record of all sales that can be inspected by Gardai. CCTV coverage should also be required outside pub/off licence premises to monitor and record situation activity and perhaps reduce proxy buying.
4. Home delivery by Off Licences should be regulated and delivery to parks etc. of alcohol should be outlawed by primary legislation.
5. All serving and door staff working in pubs or off-licences and late night fast food premises should be required to have completed specified training.

6. The size of all future pubs should be limited in size to allow proper supervision of premises and customers sobriety. A qualified licenced person should be in charge of all premises whenever open. Loss of licence would prevent person working in future pub industry. As an alternative to limiting size, there would be a requirement to have a minimum number of qualified staff on duty at all times, related to sq m² of premises.
7. Temporary closing order should be mandatory for specified minimum periods for specified offences (underage selling, serving those already drunk). Advisory Group should consider whether Local Authority or a new Sale of Alcohol Regulator should carry out this function instead of the courts.
8. Mixed premises (shops, supermarkets, petrol stations) should be limited to using a small percentage of their floor area for the display for sale of alcohol. Below cost sales, happy hour, 2 for price of 1 should be prohibited in both pubs and clubs and off-licences. Targeted marketing of alcohol at groups such as students in Universities should be banned.
9. Fast food premises should have their trading hours limited to pub/club hours to discourage loitering of crowds in City Centre, which often leads to disorder. This may be possible under the condition of planning permission for future premises; existing premises may need primary legislation.
10. The toilet requirements of all pubs should be reviewed having regard to their usual peak time number of customers at weekends – this would reduce urination in public.
11. Problem premises, which give, rise to noise, public urination and other nuisance or public disorder on a regular basis should have local intervention by the area JPC with a view to resolution by agreement with licencees. Failure to achieve resolution should result in a reference to Problem Premises Expert Group with a view to securing a resolution through court licencing system by objecting to extended trading hours/late night opening. The legal role of Local Authorities in renewal of pub/off licence licences and extended hours should be increased. Objection to and refusal of extended licence should be permitted on a premises specific basis as well as area basis.
12. Gardai and approved officers of Local Authorities should have power of confiscation of all alcohol found in possession of person(s) drinking in public whether all containers open or closed; city byelaw to be amended accordingly. Sale of Alcohol Bill should eliminate any doubt regarding Powers of Confiscation; Fine under Byelaws for drinking in public should be increased above €75 maximum allowed under DOEHLG guidelines. Consideration should be given to using some of the tax and licence income from alcohol to finance employment by Local Authorities of street/community wardens to help police public order and alcohol consumption in parks and public places.
13. All City Centre taxi ranks should be actively monitored on CCTV by Gardai to ensure early intervention where necessary. Taxis Regulator should review need for industry to provide marshals at specific busy taxi ranks at weekends.
14. The shift working pattern of Gardai should continue to optimise available Gardai resources between 9 p.m. and 4.00 a.m. Thursday to Sunday. The use of GIS to map public order incidents should be expanded to cover all areas and the

deployment of Black Maria's to those locations at closing time might have a calming effect.

15. HSE should consider setting up temporary first aid units in City Centre at weekends to avoid chaos that frequently descends on A+E Departments from drunks at that time. Drunks requiring medical treatment should be required to pay full cost of treatment.
16. Public advertising and promotion of sale of alcohol and display of product in shop windows should be banned by law.
17. Mobile CCTV monitoring units for each division of Gardai in Dublin City.
18. Minister should have power to make order to restrict sales hours for pubs and off-licences on specific days – e.g. St. Patrick's Day – 5.00pm opening of off-licences.
19. Health warning should be labelled on all alcohol containers
20. A single court sitting on weekend morning (Fri, Sat, Sun, Mon) in Dublin to expeditiously deal with all previous nights drunk and disorderly cases.
21. Review and close theatre licences loophole; numbers have expanded from 17 in 1996 to 75 (either granted or being processed) in 2008 to date.
22. Promote role of schools /education re: drink/drugs; health implications, Government to finance and promote sports, leisure and cultural facilities and activities as counter balance to pubs/alcohol.
23. Limited number of late night bar extended hours rationed out on a rota basis per area.
24. Favourably reconsider Café bars; smaller bars with food available are easier to supervise and less likely to facilitate the “feeding frenzy” that is not unusual in large pubs.
25. Promote youth cafes and “hang out” centres in urban centres.
26. Devise and pilot a traceability scheme for off sales.
27. The possible advantages of sequential closing times for pubs/clubs should be considered in relation to numbers (a) on the streets (b) in fast food premises (c) looking for public transport at the same time.
28. Urban Local Authorities should be given powers/responsibility for developing partnerships to manage the night economy as set out at point (c) on page 1.

Philip Maguire
Dublin City Council.

APPENDIX B

Report to Joint Policing Committee - A City-Wide Community Safety Strategy for Dublin

Vision

'In 2012, Dublin City will be and feel a safer place to live, work and visit for everyone'.
Dublin City Development Board Strategy

CONTEXT

Creating a Safe City was the key issue and top priority for the people of Dublin City following consultation and feedback from the 'City of Possibilities' consultation process conducted by the Dublin City Development Board (DCDB) in 2005.

Safety relates to the absence of crime and also about how people perceive their environment. It is also important to recognise that safety involves ensuring the type of environment where children can play safely and where marginalized and/or vulnerable individuals in our communities are not afraid.

BACKGROUND, CONSULTATION AND STRUCTURES

Key issues of concern to local communities were highlighted in the extensive community consultation process carried out by **DCDB**.

The **Lord Mayor's Commission on Crime and Policing** focused on similar issues raised in its consultation with local communities and also proposed stratagem to resolve them.

The review of the **National Drug Strategy 2005-2011** stated as an objective "To extend to all LDTF areas and to other areas experiencing problems of drug misuse, Community Policing Fora taking into account the provisions of the Garda Síochána bill 2004".

The **Garda Síochána Act 2005** established a statutory process for interagency collaboration in addressing these issues. This resulted in the establishment of the Joint Policing Committee structure.

This has been further enhanced by **Dublin City Council** initiatives around devising policies for dealing with anti-social behaviour and low level disorder and the setting up of Area Management structures, which will ensure that service delivery is located in local areas in close proximity to the communities they serve, thereby facilitating a more rapid response.

In tandem with these moves, **An Garda Síochána Corporate Strategy 2007-2009**, places a strong emphasis on partnering with a range of statutory agencies, voluntary agencies and community representatives in developing a sense of confidence and reassurance within local communities. This is essential for effective, efficient and accountable policing. At local level it is intended that this policing strategy will adopt a community engagement and problem solving approach, thereby empowering local communities and community policing teams to engage in joint community safety initiatives.

The Community Role

It is widely recognised however, that these public sector initiatives cannot succeed without the support of the communities they serve. Crime prevention strategies are most effective when they evolve from a perceived need in the community and involve community members coming together around a common cause, where crime prevention practitioners provide information, support and expertise, and where community

members are actively involved in assisting in problem solving and/or programme delivery.

Community Policing/Safety Fora: the current position

Local Policing Fora have a central role to play both in developing and supporting the new approach outlined in the Garda Síochána Act 2005 but also in the implementation of a city-wide community safety strategy. They provide a structure through which the principles of community policing can be implemented on the ground in local communities through a partnership approach with relevant stakeholders to -

- Improve communication and relationships
- Share and exchange relevant and appropriate information, including crime data on local areas
- Identify issues of concern in relation to policing, anti social behaviour, and estate management
- Work together to find solutions to issues raised
- Provide feedback on progress and allow communities participate in the process of managing their respective areas

This process is happening informally to some extent, with the support of cross party political representatives, in individual areas in Dublin i.e. Ballymun, Finglas, Cabra, Blanchardstown, Rialto and the North East Inner City.

With the exception of the Ballymun and Finglas community safety fora, all other fora were formed under the aegis of the LDTF primarily to address the challenges presented by substance misuse, and each have developed in slightly different ways.

Local emphasis also varies from area to area. e.g. Ballymun, which apart from having been an area of acute disadvantage, had in addition to live with the repercussions of the regeneration programme while Finglas, although a considerably larger area, has identified clearly defined sub-areas displaying different needs.

The existing community safety/policing fora will shortly be subsumed into the Joint Policing structure, once guidelines from the Department of Justice are finalised. It is anticipated that these guidelines will be available in the very near future.

Community Safety Strategy

Of the current 6 community safety/policing fora, the Ballymun model is the only one to have addressed the formulation of a 3 year community safety strategy, currently being implemented by a steering group which includes 3 community representatives working in partnership with DCC, BRL, the regeneration company and An Garda Síochána under the guidance of an independent facilitator.

While Ballymun covers only 1 square mile, the issues and concerns of the local community are reflected to a greater or lesser extent in all of the Dublin areas. A key element of this strategy was the intensive thought and work inputted by An Garda Síochána and senior DCC officials in order to ensure its ultimate effectiveness.

The Safer Finglas forum is being developed along somewhat similar collaborative lines but adapting itself to the very specific requirements of the Finglas community in North, South, East and West Finglas. This initiative will be holding its second public meeting in late February.

Implementing a City-Wide Strategy

The Finglas template, while still early in its career, may be more relevant in its implementation stages to the Greater Dublin area while at the same time acceding to the guiding principles and values of the Safer Ballymun Community Safety Strategy.

The seven goals of the Safer Ballymun Community Strategy have been arrived at through extensive consultation with all of the relevant agencies, political representatives and local residents and in fact do not materially differ in concept from issues and concerns expressed by communities Dublin-wide.

The seven goals are –

- Towards a Safer Community
- Targeting Crime
- Promoting Public Order
- Tackling Substance Abuse
- Supporting Young People
- Communicating Positively
- Facilitating Transition

These key principles focus on the building of safer communities, addressing crime and issues around public disorder; managing substance misuse; creating a more positive environment in which young people may engage with the statutory agencies, communicating the concept of safety and reassurance as well as dealing with the fallout of regeneration programmes on local residents through targeted objectives and specific actions. An important element of the process entails ongoing monitoring and evaluation of progress to date. (The first 6-month review of the Safer Ballymun Community Safety Strategy has been undertaken and will be presented to the JPC in the near future.)

NEXT STEPS

I recommend that the Joint Policing Committee agree the following process for the production of a City-Wide Community Safety Strategy to be devolved to the local areas.

1. JPC to approve the following key principles that will underpin the Strategy -
 - Towards a Safer Community
 - Targeting Crime
 - Promoting Public Order
 - Tackling Substance Abuse
 - Supporting Young People
 - Communicating Positively
 - Facilitating Transition
2. Draft discussion document to be prepared. (At advanced stage of preparation)
3. Wide-ranging circulation and consultation on the discussion document with an Garda Síochána, public representatives at Area Meeting Level, Area Managers, Local Sub-Committees of the JPC, which would include community representatives.
4. Consultation to be completed before next meeting of the JPC and a draft City-Wide Community Safety Charter will be presented at same.
5. Adoption of the City-Wide Community Safety Charter by the JPC.
6. Preparation of Implementation Plan at local level in line with City Wide Charter.

Ciaran Dunne
Executive Manager

APPENDIX C

Assistant Commissioner's Al McHugh Report to The Dublin City Joint Policing Committee Wednesday 27th February 2008

CRIME

An examination of crime figures relative to the Dublin Metropolitan Region indicate that there was a 2% increase in the number of recorded headline crimes in 2007 when compared to the same period in 2006. High volume crime categories such as theft from MVP's (up 11%) and theft from shop (up 8%) contributed primarily to this increase.

At my last JPC meeting I reported that incidents of fraud in the Dublin Region had increased significantly and that specifically incidents involving the cloning of ATM cards to access current /savings accounts had increased by 60%. Several measures have been introduced to counteract this practice and these have met with considerable success. An analysis of crime statistics for the Dublin Region at the end of 2007 indicates that these measures directly contributed to reversing this negative trend and at year-end the total number of reported incidents of fraud had increased by 30%. I am continuing to work closely with my management team to proactively address incidents of fraud and the downward trend achieved towards the end of 2007 has continued into 2008, with a 34% decrease in the number of incidents of fraud reported in January 2008 when compared to the correspond ending period in 2007.

During 2007, the number of reported assaults in the Dublin Region decreased by 1%, sexual offences decreased by 12%, burglaries decreased by 9% and reported incidents of robbery decreased by 18%.

It is significant to note that crime figures for 2007 indicate that the detection rate for incidents where individuals were found in possession of drugs for the purpose of sale or supply increased by 20%. This positive trend is again reflected in crime figures for January 2008 which indicates that the detection rate for such incidents has increased by 17% when compared January, 2007. These positive trends are a reflection of the excellent work that is being carried out by Drug Units and personnel across the Dublin Region and indicates the tremendous success that has been achieved by proactively targeting those dealing and distributing drugs for consumption as opposed to drug users. Paradoxically drug supply is a headline crime and is recorded as such, which consequently has contributed to an increase in our crime figures.

TRAFFIC

Operation Freeflow commenced in the Dublin Region on the 26th November 2007 and ended on the 4th January 2008. Various stakeholders including the Dublin Transport Office, Local Authorities, Dublin City Business Association and Transport Providers worked in close partnership with An Garda Síochána to identify priorities for Operation Freeflow and to ensure its success. Daily conference calls were held during the operation between various stakeholders which facilitated regular and speedy co-ordination of unforeseen problems and an appropriate response from An Garda Síochána.

Last year in Dublin 102,878 people were breathalysed at mandatory alcohol checkpoints. This contributed to a 21% increase in detections for drink driving. In addition a total of 127 people were arrested for drug driving.

PUBLIC ORDER

The number of public order incidents recorded in 2007 shows a 5% increase when compared to the same period in 2006. This upward trend has continued in January 2008 with 12% more incidents having been recorded when compared to January 2007. As you maybe aware the Minister for Justice, Equality & Law Reform has established a Ministerial Working Group on alcohol and public order. A Garda Chief Superintendent has been appointed to sit on this Working Group.

Major outdoor events continue to be policed without major incident; these include the recent rugby matches in Croke Park. Plans are in place for Policing St Patrick's Day which not only includes the various parades and family activities but also post parade activities which will take place later into the evening.

DIVERSITY CONFERENCE

In October 2007 my office coordinated an International Policing Conference, the aim of which was to promote the successful integration of ethnic minority\community groups into homogenous communities and to develop effective policing procedures for policing ethnic communities. This conference was attended by delegates from twenty-one European countries in addition to delegates from NGO's, community groups and members of An Garda Síochána nationwide. The success of this conference for Dublin could be measured in the amount of interaction and healthy debate among participants. International best practice and the experience of practitioners were discussed at conference workshops and it provided an excellent forum for the exchange of ideas and the development of professional relationships.

JPC's

On the 29th November, 2007 I addressed a conference which was held in Dublin to review the workings of JPC's, and was attended by TD's, Councillors and Council Officials. The conference and associated workshops were very informative and there was considerable enthusiasm among those in attendance to address the issues raised and continue to build upon the success of JPC's. A strong theme emanating from this conference was the need to ensure that a partnership approach continues to be adopted by stakeholders to addressing issues of common concern. It was also clear that JPC's have a role to play in a partnership process, which has to be action based.

In the more recent past the most telling initiative taken by the JPC has been the establishment of a local Policing Forum in the North west Inner City area covering the area from Infirmary Road to Capel street. This means that almost all of the Garda North Central Division is now covered by a Policing Forum

DUBLIN REGIONAL POLICING PLAN... 2008

The National Policing Plan for 2008 was published recently, following on from this I have produced a Policing Plan for the Dublin Region for 2008. It will shortly be available on the internet. Part of my introduction to the 2008 Plan states the following,

"The policing of our society is best achieved through a partnership process involving the Garda Síochána and the democratically elected representatives of the people in conjunction with the community, voluntary and business sectors. Each of these partners has its own distinctive perspective and inputs to offer".

I have followed closely the thrust of the National Plan but I have placed an emphasis in Dublin on a number of areas such as,

- Targeting high volume crime,
- Targeting prolific repeat offenders,
- Targeting public order hotspots,
- Increase use of what is commonly known as Anti Social Behavioural Orders.
- Increase use of current legislation in relation to the intoxicating Liquor Act and the Licensing (Drug Abuse Act) in relation to licensed premises,
- Increased engagement with the victims of crime, especially elderly victims.
- Marketing campaign directed at the carrying of knives in contravention of the Firearms and offensive weapons act. In relation to this marketing campaign, the actual implementation of it has yet to be formalised. However there may be a role for JPC's this year to lend their support to the marketing campaign which purpose at the end of the day is to reduce the numbers of people carrying knives for unlawful purposes, which in turn may reduce the number of assaults in our city.

Al Mc Hugh
Assistant Garda Commissioner

APPENDIX D

Report to Joint Policing Committee

Review of City Development Plan – control of Licenced Premises

Control of off-licences

Control of the sale of alcohol is primarily governed by the Intoxicating Liquor Acts and Regulations and the Finance Acts. The Planning & Development (Amendment) Regulations 2005 amended the definition of a shop to exclude off-licenses so that there is now no general exemption for the change of use from a shop to an off-licence. Since 2005 therefore, planning permission has been required for an off-licence, or for the use of part of a shop for the sale of intoxicating liquor (except for wine).

In dealing with planning proposals for off-licenses, depending on the location and size of the proposal, the Planning Authority usually imposes the following conditions;

- Temporary permission for 5 years to enable the Planning Authority to monitor the situation
- Limit the size of the sales area in convenience stores
- Condition that no related displays are placed in the windows
- Require that the off-sales area in convenience stores is located to the rear

The City Council's Development Plan policy on the city centre retail core was amended during 2006. This amendment identified a hierarchy of retail uses permissible on different classes of streets in the city centre area. In the city centre retail uses on main streets must be higher order. Off-licenses are not therefore permitted on main streets and, on other streets in the retail core, off-licenses are assessed on their merits with specific criteria that a predominance of similar uses will not result.

The current City Development Plan does not contain specific policies, applicable City-wide, in relation to the establishment of off-licenses.

In the current City Development Plan the development standards chapter sets out the factors to be considered when planning and determining applications for restaurants, takeaways and amusement centres (section 15.29.0) and nightclubs/licensed premises/Internet cafes/open-air concerts (15.30.0 – see below). In general these provisions are designed to prevent an excessive concentration of these uses, preserve the amenity of neighbouring residents and ensure that the intensity of any proposed use is in keeping with the pattern of development in the area.

In addition to the requirement for planning permission for off-licenses, the inclusion of similar relevant standards for off-licenses may be the most appropriate mechanism to control the proliferation of this use in the City.

Control of licensed premises

Public houses, or land licensed for the sale of intoxicating liquor to the public, which may also include an off-licence premises as an ancillary use, require planning permission and are regarded as business premises in the City Development Plan 2005-2011.

Section 15.30.0 deals specifically with the control of nightclubs, licensed premises, Internet cafes and open-air concerts. In summary, the development standards;

- Recognise the contribution of these uses to a thriving and multi-dimensional city
- Recognise the over-concentration of late night venues may have a detrimental effect on the amenities of residents, where an area has a residential population
- All planning applications need to balance the needs of local residents with the need to create a mixed use vibrant community
- Development of super pubs will be discouraged
- Concentration of pubs will be restricted in certain areas where an over-concentration would be to the detriment of other uses
- In neighbourhood centres, these uses to a gross floor area of 150 sq.m. are acceptable in principle

These standards are applied when determining applications for licensed premises. These standards, as with all policies and standards, will be open for consideration for amendment in the forthcoming review of the City Development Plan.

Review of City Development Plan policy

The matter of control of off-licenses was discussed at the Economic Development, Planning and International Affairs SPC meeting of 26th February, 2008. At that meeting, it was agreed to recommend to the City Council that a variation of the City Development Plan 2005-2011 be initiated for the inclusion of a policy relating to off-licence provision.

It was agreed that, as a first step, a review of existing policy and its implementation would be undertaken and a report presented to the next SPC meeting. Subsequently, a recommendation will be made to the City Council proposing initiation of a variation.

JIM KEOGAN
A/Executive Manager
Planning & Economic Development Department
27th February, 2008