

STRONG AND SUPPORTIVE COMMUNITIES SCRUTINY COMMITTEE	Agenda Item No. 5
16 JUNE 2010	Public Report

Report of the Executive Director of Operations

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DESIGNATED PUBLIC PLACES ORDER (DPPO)

1. PURPOSE

- 1.1 A member of public has requested that we consider a Designated Public Places Order (DPPO) to tackle anti social drinking in the Fletton Ward, specifically the area around the Recreation Ground in Woodston, as shown on the attached map and listed streets. The DPPO would mean that to consume alcohol in public when asked to stop by a police officer would become an offence.
- 1.2 The process requires authorisation from Cabinet Member for Housing, Neighbourhoods and Planning to instigate full consultation prior to reports to Scrutiny Committee and then Full Council for decision. This report is presented here as part of this process.

2. RECOMMENDATIONS

- 2.1 That Scrutiny recommends to Full Council that the DPPO is adopted.

3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY AND LOCAL AREA AGREEMENT

- 3.1 Anti social behaviour is a priority in the Safer Peterborough Partnership plan. The report helps to achieve NI 17 Perceptions of anti-social behaviour which is an LAA priority. It also helps to achieve the following National Indicators: NI 21 Dealing with local concerns about anti-social behaviour and crime issues by the local council and the police, NI 27 Understanding of local concerns about anti-social behaviour and crime issues by the local council and police and NI 41 Perceptions of drunk or rowdy behaviour as a problem.

4. BACKGROUND

- 4.1 There have been issues with anti social behaviour which are occurring at the Recreation Ground and the surrounding streets which is affecting the quality of life of residents living in the area, particularly, but not exclusively, in the summer months. Complaints centre on groups of rowdy people, swearing, urinating, fighting and littering. The DPPO will assist in tackling this anti social behaviour however it is recognised that this needs to be used alongside other measures to resolve the issues as effectively as possible.

5. THE EXTENT OF THE PROBLEM

- 5.1 Following Cabinet Member approval to instigate the process, we have collected statistical information from the Police about anti social behaviour and alcohol related incidents.

Between 1st March 2008 – 28th February 2010:

There were an average of 13 incidents per month occurring in the area of the Recreation Ground, with complaints peaking in July and August, demonstrating some seasonality in incident levels.

The streets which directly overlook the Recreation Ground are Grove Street, Grove Court and Symmington Close. Much of Queens Walk is protected from the Recreation Ground by a band of trees. In this particular part of the proposed area, there were 23 incidents of alcohol related anti social behaviour reported to the police in the designated time frame.

6. DESIGNATION ORDERS

- 6.1 Sections 12-16 of the Criminal Justice and Police Act 2001 provide local authorities with an adoptive power to restrict anti social public drinking in designated public places and provide the police with powers to enforce the restriction. These powers replaced the Alcohol Ban Byelaws.
- 6.2 The Order is not intended to lead to a comprehensive ban on drinking in the open air and should only be used where authorities are satisfied that the nuisance and disorder have been associated with drinking in a public place. The Local Authority must be satisfied that the order is not being used disproportionately or in an arbitrary fashion.
- 6.3 Local authorities must consider the extent of the problem and the likelihood of the anti social behaviour continuing if an order is not made.
- 6.4 The designation order will mean that if a person continues to drink in public when asked not to do so by a police officer they may be arrested and fined £500 if convicted. The police can also arrest someone failing to surrender alcohol in the area when asked to do so.
- 6.5 The designation order will not cover beer gardens and private dwellings.

7. IMPLICATIONS

7.1 Displacement

The Designation Order alone will not provide a complete solution to the problem being experienced. There are many complex reasons why these people abuse alcohol and why they choose to do this in public places. The Designation Order will not tackle the root causes of the problem and it is possible that they will move to an area not covered by the Designation Order.

7.2 Effectiveness

The Designation Order only makes it an offence to continue to drink alcohol when asked to stop by a police officer or Police Community Support Officer (PCSO).

7.3 Financial Implications

The cost incurred in making the order is minimal – only the cost of further public notices and signs for the relevant areas.

Any further support to partnership work to address the root causes of street drinking would have financial implications which have not been addressed within this report.

7.4 Legal Implications

This Designation Order is being made in line with the guidance provided by the Home Office and the powers given to local authorities under the Criminal Justice and Police Act 2001.

8. CONSULTATION

Consultation has been undertaken in line with the requirements of the Criminal Justice and Police Act 2001.

8.1 Public

A public notice was placed in the Evening Telegraph, informing the public that a map of the proposed area and a list of streets can be viewed at: Central Library, Bayard Place and the Town Hall. It also invited the public to respond with their views.

One member of the public has responded in support of the proposed DPPO and no negative feedback has been received.

8.2 Parish Councils

There are no Parish Councils affected in this area.

8.3 Police

We have received written support from the police for the proposed DPPO.

8.4 Licensed premises

All premises in the proposed area holding licenses to sell alcohol have been written to advising them of the proposal and seeking their views. None of the licensees have made contact to express a view on the subject.

8.5 Ward Councillors

All ward councillors have been contacted and we have received written support for the DPPO from one elected member.

8.6 Residents' Groups

All of the Residents' Groups in the area have been consulted. We have not received any response.

9. NEXT STEPS

9.1 That Scrutiny supports the recommendations made within this report and recommends to Full Council that the DPPO is adopted.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 Section 12-16 of the Criminal Justice and Police Act 2001
Local Authorities (Alcohol Consumption in Public Places) Regulations 2001

11. APPENDICES

11.1 Appendix 1 – map showing proposed area.

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