

<b>STRONG AND SUPPORTIVE COMMUNITIES SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 6</b>
<b>10 NOVEMBER 2010</b>	<b>Public Report</b>

## Report of the Executive Director of Operations

Contact Officer(s) – Christine Graham, Safer Peterborough Partnership Manager  
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### DESIGNATED PUBLIC PLACES ORDER (DPPO)

#### 1. PURPOSE

- 1.1 In order that problems with alcohol related anti social behaviour in our neighbourhoods can be tackled it is proposed that the number of DPPOs are extended. 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 Community Cohesion, Safety and Women's Enterprise 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 DPPOs are adopted or rejected as detailed below.

All of these recommendations come with the support of Chief Superintendent Andy Hebb, Divisional Commander, Cambridgeshire Constabulary

- |          |   |
|----------|---|
| Order 6  | Pyramid Centre, Bretton – <i>not recommended for adoption as there are not sufficient incidents to support the making of an order</i>   |
| Order 7  | Holywell Lakes – <i>not recommended for adoption as there are not sufficient incidents to support the making of an order</i>  |
| Order 8  | Church Drive, Orton Longueville – <i>recommended for adoption</i><br><i>It should be noted that the size of this order has been extended following the responses received to the consultation</i> |
| Orton 9  | Millfield and New England – <i>recommended for adoption</i>   |
| Order 10 | Dogsthorpe – <i>recommended for adoption</i>  |
| Order 11 | Eastfield Road – <i>recommended for adoption</i>  |

The exact areas covered by each order is contained with Appendix One.

(the numbers of these orders begin at 6 rather than 1 as they continue from the 6 orders already in place)

#### 3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY

- 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 Some months ago a DPPO was made in Fletton. As this consultation process was underway, a number of people (including Neighbourhood Managers, sector inspectors, elected members and members of the public) approached officers to request a DPPO in their neighbourhood.
- 4.2 In response to these approaches, all Neighbourhood Managers and Sector Inspectors were approached over the summer asking that they put forward suggestions for those orders that they felt were needed in their area.
- 4.3 From these recommendations, the six orders proposed were drawn up and the consultation process opened.

#### **5. THE EXTENT OF THE PROBLEM**

- 5.1 Detailed below is the statistical information for each of proposed Orders. Each of the areas was considered over the 12 month time period of 1<sup>st</sup> September 2009 – 31<sup>st</sup> August 2010.

##### Order 6 Pyramid Centre, Bretton

ASB incidents were reviewed at the Pyramid Centre, Hanover Court and Watergall. For the specified period there were 76 incidents of ASB, only five of which was alcohol related (of these five that were alcohol related only two were in relation to consumption of alcohol in public). Although this number of incidents of ASB may seem high, it should be borne in mind that the area in question is a shopping centre and therefore it would be expected that there would be more calls for service.

##### Order 7 Holywell Lakes

Within the period reviewed there were only 4 incidents of ASB reported to the police and none of these were alcohol related. (Incidents were reviewed in Holywell Lakes and Larklands).

##### Order 8 Church Drive, Orton Longueville

There were 14 incidents in ASB in the period of the review, of which 10 were alcohol related. Although this is not a high number the problems being experienced in this area have been a high priority for the Neighbourhood Panel for some considerable time.

##### Orton 9 Millfield and New England

As part of the review, incidents in Lincoln Road have been *excluded* as this road extends outside the area of the proposed DPPO and it is not possible to isolate the incidents sufficiently to be reliable. With Lincoln Road excluded, there were 1,132 ASB incidents during the review period of which 96 were alcohol related.

##### Order 10 Dogsthorpe

There were 438 incidents of ASB during the period of the review and of these 20 were alcohol related. It should be noted that this area has been a priority for the Neighbourhood Panel and that a Dispersal Order has been in place for a period of time. Much of the ASB is related to noise and rowdy behaviour, which given the history of problems of alcohol use in the area is likely to be alcohol related.

##### Order 11 Eastfield Road

There were 195 incidents of ASB in the period of the review which equates to 16 incidents per month. Of these 195 incidents, 42 were alcohol related.

#### **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 areas and a list of streets could be viewed at: Bayard Place and the Town Hall. It also invited the public to respond with their views.

One member of the public has responded in writing making comments about drinking in general without making specific comments about the areas being considered.

One member of the public responded by email to support all of the proposed orders.

#### Order 6 Pyramid Centre, Bretton

There has been no response from members of the public.

Order 7 Holywell Lakes

There has been no response from members of the public.

Order 8 Church Drive, Orton Longueville

Seven members of the public have responded to the consultation and supported the order, whilst asking for the area to be extended.

Orton 9 Millfield and New England

Responses were received from four members of the public supporting the DPPO.

Order 10 Dogsthorpe

No responses received

Order 11 Eastfield Road

No responses received

## 8.2 Parish Councils

The Parish Councils affected by the proposed Orders have been consulted. These are:

- Bretton Parish Council who supported the making of the DPPO
- Orton Waterville Parish Council and a comprehensive response has been received that has made recommendations for changing the area which have been taken on board in the proposals before the committee

## 8.3 Police

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

## 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.

Order 6 Pyramid Centre, Bretton

Councillor Fitzgerald responded to the consultation by saying that he was happy for the DPPO to go ahead if there was evidence to support it but that he had not had any particular problems reported to him.

Order 7 Holywell Lakes

This has been supported by Councillor Samantha Dalton

Order 8 Church Drive, Orton Longueville

This was supported by Councillor Gavin Elsey  
The order was supported by Councillor June Stokes who requested that the area be extended.

Orton 9 Millfield and New England

This was supported by Councillor John Peach.

Order 10 Dogsthorpe

Councillor Bella Saltmarsh has responded to say she has no objection to the order.

Order 11 Eastfield Road

No responses received.

## 8.6 Residents' Groups

All of the Residents' Groups in the areas have been consulted. Details of these groups are listed below:

- Langley and Pyhill Residents' Association - no response has been received
- Longthorpe Community Association - no response has been received
- Orton Waterville Village Committee responded to support the order but request that the area was extended
- Walton Community Association - no response received
- Fulbridge Residents' Association - no response received
- Mill Area Residents' Association - no response received
- Pakistan Community Association - no response received
- Old Dogsthorpe Residents' Association who responded to say that they welcomed the drinking restrictions as proposed. They did also raise concerns about displacement into other areas.
- Eastgate Residents' Association - no response received
- East Community Association - no response received

## 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

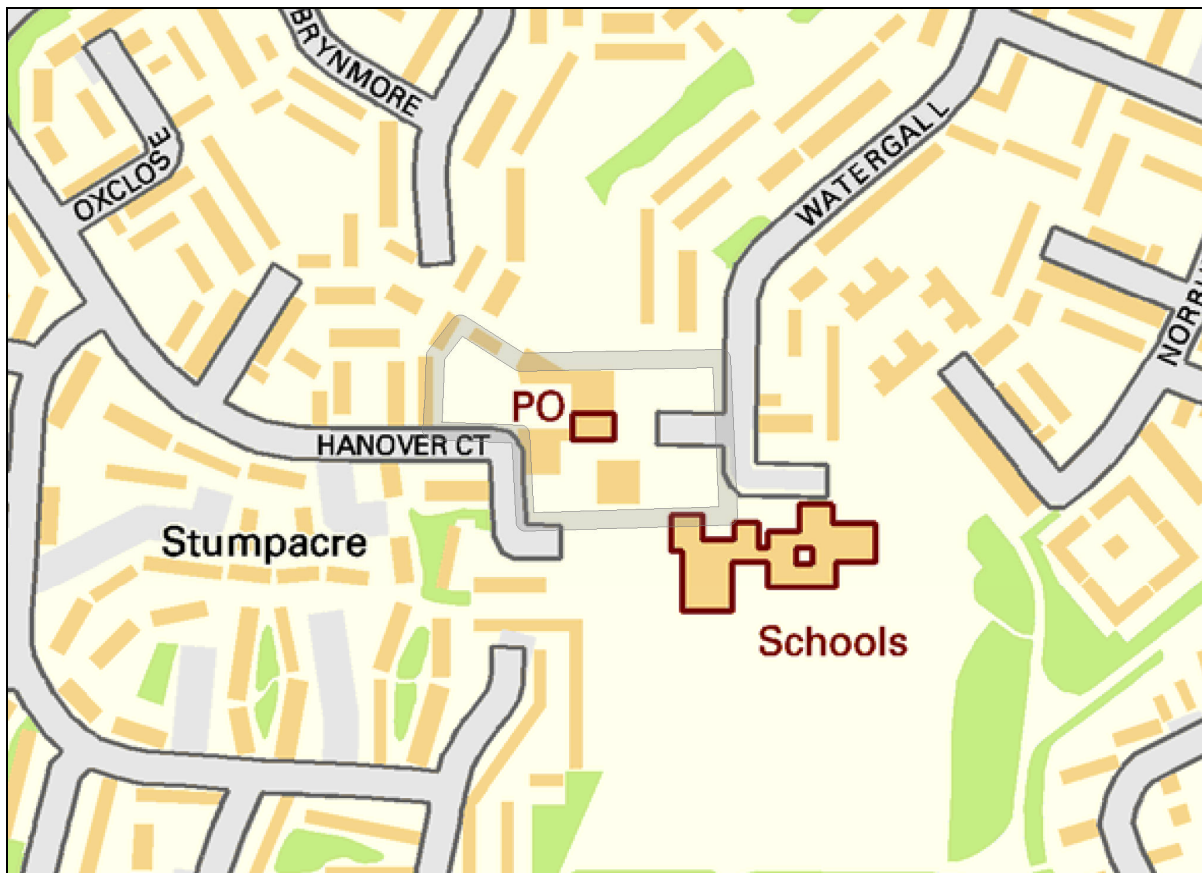
- 10.1 Section 12-16 of the Criminal Justice and Police Act 2001  
Local Authorities (Alcohol Consumption in Public Places) Regulations 2001

## 11. APPENDICES

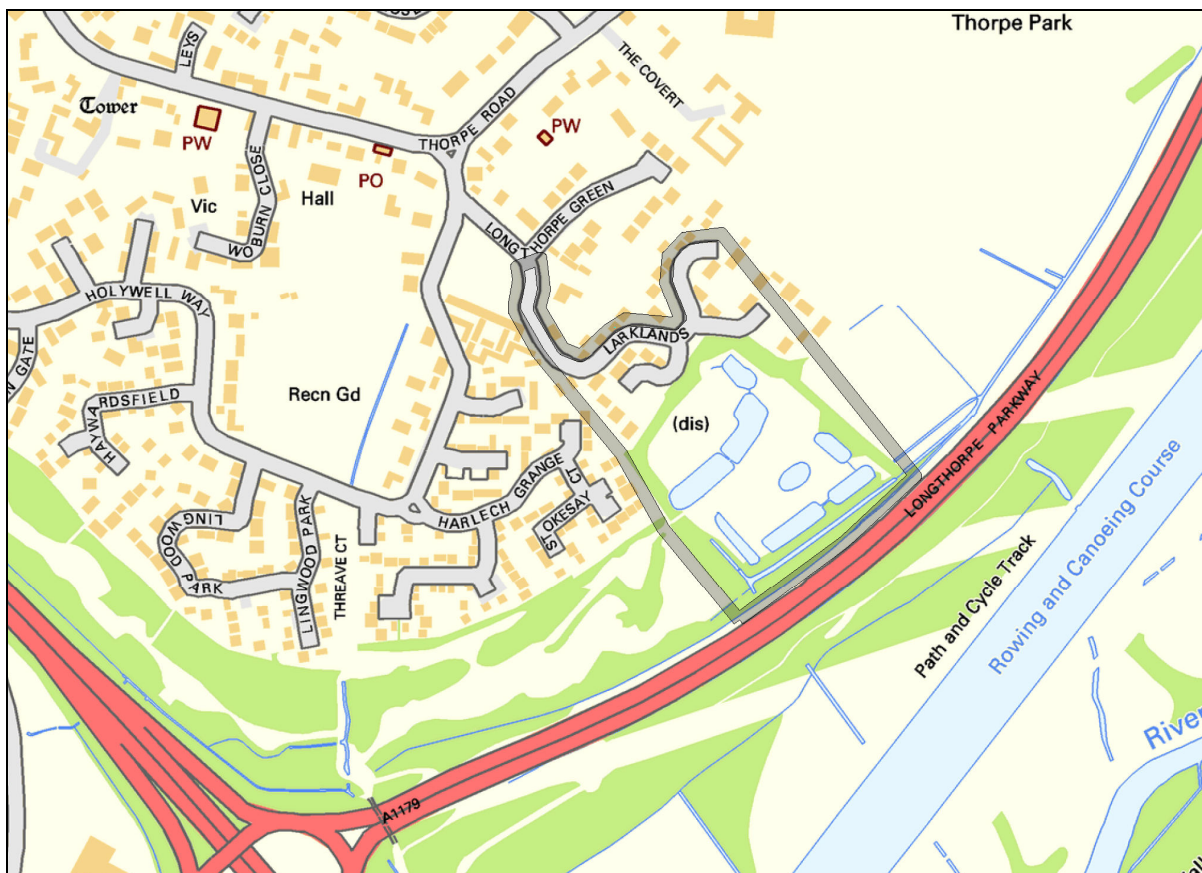
- 11.1 Appendix 1 – map showing proposed areas

**Appendix One – details of DPPO areas**

**Order 6 – Pyramid Centre**



**Order 7 - Holywell Lakes**

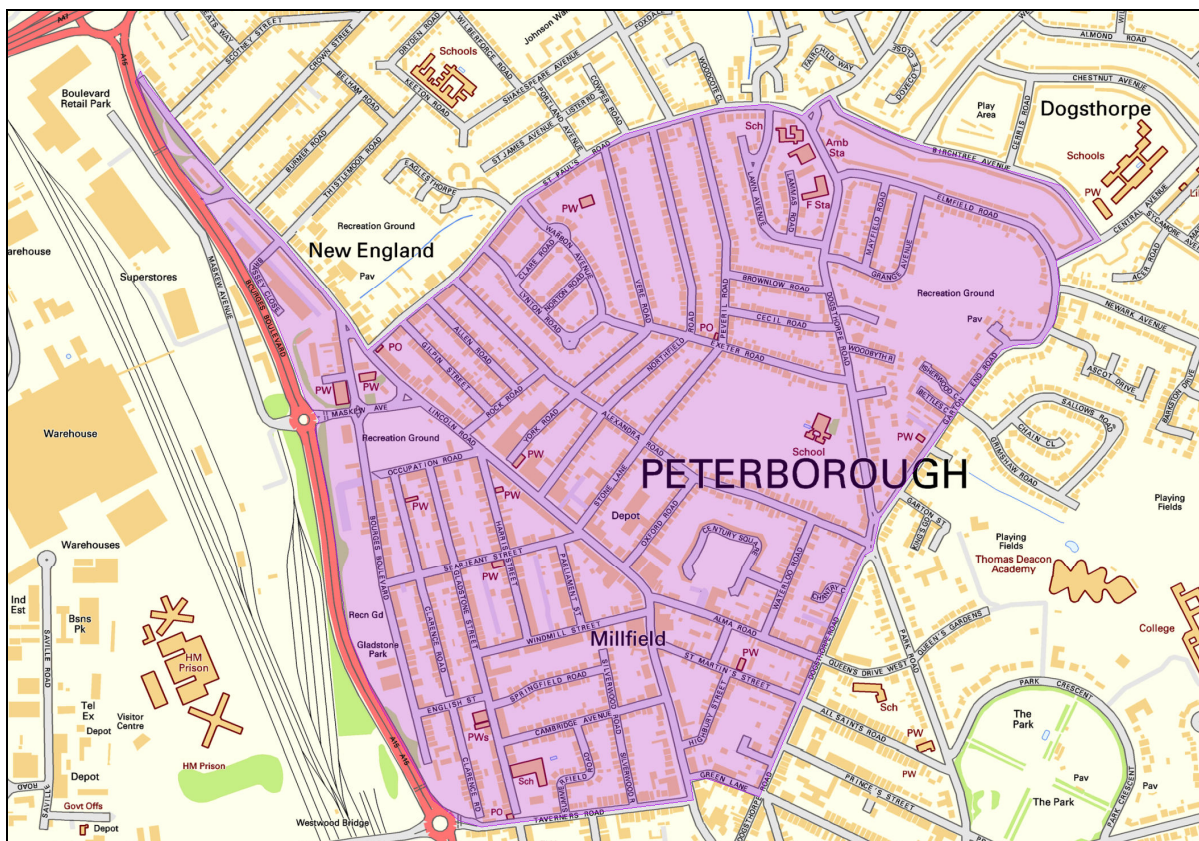




Order 8 – Church Drive, Orton Longueville



Order 9 – Millfield and New England



## **STREETS TO BE COVERED BY PROPOSED AREA**

Bourges Boulevard from Jnc. with Taverners Road to level with St Pauls Road  
St Pauls Road to Jnc. with Birchtree Avenue  
Birchtree Avenue to Jnc. with Central Avenue  
Garton End Road  
Dogsthorpe Road to Jnc. with Green Lane  
Green Lane  
Taverners Road  
Gilpin Street  
Allen Road  
Rock Road  
York Road  
Stone Lane  
Oxford Road  
Century Square  
Waterloo Road  
Chantry Close  
Lincoln Road from Jnc. with St. Pauls Road to Taverners Road  
Maskew Avenue  
Occupation Road  
Searjeant Street  
Windmill Street  
Springfield Road  
Cambridge Avenue  
Bourges Boulevard  
Clarence Road  
Gladstone Street  
Harris Street  
Parliament Street  
English Street  
Silverwood Road  
Summerfield Road  
Alexandra Road  
Northfield Road  
Lynton Road  
Highbury Street  
Alma Road  
St Martins Street  
Isherwood Close  
Bettles Close  
Woodbyth Road  
Cecil Road  
Brownlow Road  
Vere Road  
Norton Road  
Clare Road  
Warbon Avenue  
Peverill Road  
Exeter Road  
Lawn Avenue  
Lammas Avenue  
Dogsthorpe Road  
Mayfield Road  
Grange Avenue  
Elmfield Road



## Order 10 – Dogsthorpe



### STREETS TO BE COVERED BY PROPOSED AREA

Newark Avenue  
 Central Avenue  
 Eastern Avenue to Jnc. with Eastern Close  
 Boundary of Recreation Ground  
 Eastfield Road to Newark Avenue  
 Olive Road  
 Lilac Road  
 Ash Close  
 Ash Road  
 Beechwood Road  
 Chestnut Avenue  
 Sycamore Avenue  
 Larch Grove  
 Acer Road  
 Rowan Avenue  
 Oakleaf Road  
 Cherrytree Grove  
 Maple Grove

# Order 11 – Eastfield Road

