

COUNCIL	AGENDA ITEM 7(i)(a)
12 OCTOBER 2011	PUBLIC REPORT

DESIGNATED PUBLIC PLACE ORDER (DPPO)

R E C O M M E N D A T I O N S
FROM : Strong and Supportive Communities Scrutiny Committee
That Council: Adopts the Designated Public Place Order as set out in this report

1. PURPOSE AND REASON FOR REPORT

- 1.1 We have been asked to extend the existing city centre Designated Public Places Order (DPPO) into the New England area by the local Neighbourhood Policing Team Inspector and the Neighbourhood Manager for the area as well as a local resident. 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 proposed area is an extension to the existing designated area in the city centre and is bounded by the following roads: St Pauls Road, Fulbridge Road, A47 Soke Parkway and Bourges Boulevard. Maps are provided at Appendix 1 showing the existing DPPO and the proposed extension.
- 1.3 The process requires authorisation from the Cabinet Member for Community Cohesion and Safety to instigate a full consultation prior to reports to Scrutiny Committee and then Full Council for decision. Strong and Supportive Communities Scrutiny Committee considered the proposal at their meeting on 14th September and the Committee's comments are contained at paragraph 6 below.
- 1.4 This report is for Council to consider under paragraph 1.1.2 of its Terms of Reference 'to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption'.

2. BACKGROUND

- 2.1 Street drinkers have displaced to the proposed area due to the existence of the current DPPO. Residents have complained to the Police, the council and other authorities through various channels about the associated problems that include abusive and intimidating behaviour as well as urination in the street, which occurs at various hours of the day and night. As the proposed DPPO area is a high density residential area, this behaviour is having an adverse impact on the quality of life for residents living there.
- 2.2 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.
- 2.3 Safer Peterborough Partnership will be reviewing the local alcohol strategy in light of the new national alcohol strategy that is coming out, to ensure that there is a joined up approach across

the city that addresses all aspects of alcohol use including interventions and tools to reduce alcohol related disorder.

3. THE EXTENT OF THE PROBLEM

- 3.1 We have collected statistical information from the Police about anti social behaviour (ASB) and alcohol related incidents.

Between 1st April 2010 – 30th June 2011:

There were a total of 546 Police related calls regarding ASB over the time period analysed, of these 105 (19.23%) were allocated an 'alcohol related' marker by the Police, indicating that alcohol was involved in some way when the incident was reported to them. There were an average of 36 ASB incidents recorded each month throughout the reporting period, with clear seasonality in incident levels with complaints peaking in June, July and August. 65% of all reported incidents of ASB emanated from five streets within this geographical area: Lincoln Road, Crown Street, Bourges Boulevard, Chaucer Road and Shakespeare Avenue.

4. DESIGNATION ORDERS

- 4.1 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.
- 4.2 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 has 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.
- 4.3 Local authorities must consider the extent of the problem and the likelihood of the anti social behaviour continuing if an order is not made.
- 4.4 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.
- 4.5 The designation order will not cover beer gardens and private dwellings.

5. IMPLICATIONS

5.1 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.

5.2 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).

5.3 **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.

5.4 **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.

6. **CONSULTATION**

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

6.1 **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: Bayard Place and the Town Hall. It also invited the public to respond with their views.

Two members of the public have responded in support of the proposed DPPO and no negative feedback has been received.

6.2 **Parish Councils**

There are no Parish Councils affected in this area.

6.3 **Police**

We have received written support for the proposed DPPO from the Chief Superintendent and Neighbourhood Policing Team Inspector.

6.4 **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. We have received one response and the licensee queried whether the proposal would displace the problem and whether the area should extend even wider.

6.5 **Ward Councillors**

All ward councillors have been contacted and we have received written support for the DPPO from two Councillors.

6.6 **MP Stewart Jackson**

Stewart Jackson has written to express his full support for the extension.

6.7 **Residents Groups**

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

6.8 **Strong and Supportive Communities Scrutiny Committee**

The Committee:

- (i) Endorsed the proposed DPPO extending the existing designated area in the city centre which is bounded by St Pauls Road, Fulbridge Road, A47 Soke Parkway, Bourges Boulevard; and
- (ii) Recommend the adoption of the DPPO to Full Council.

7. **NEXT STEPS**

If full Council decides to adopt the Order then a public notice will be placed in the press and the Order will come into force 28 days later.

8. **BACKGROUND DOCUMENTS**

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

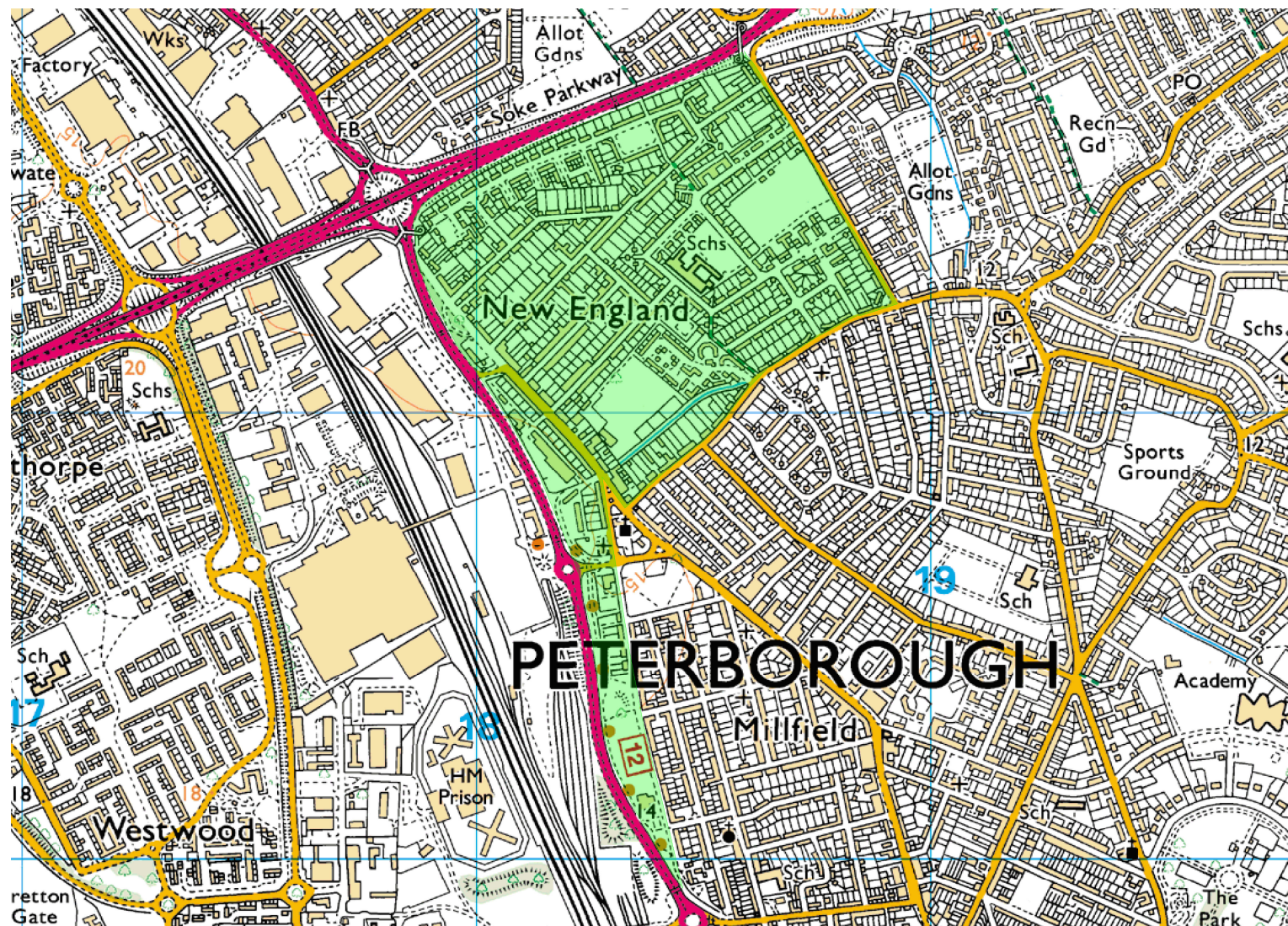
Section 12-16 of the Criminal Justice and Police Act 2001; and
Local Authorities (Alcohol Consumption in Public Places) Regulations 2001.

9. **APPENDICES**

Appendix 1 – maps showing proposed area and existing city centre DPPO

Map of proposed area to be designated

The proposed area is an extension to the existing designated area in the city centre and is bounded by the following roads: St Pauls Road, Fulbridge Road, A47 Soke Parkway and Bourges Boulevard.



Map showing existing DPPO (green) and proposed extension (brown)

