



SHEFFIELD CITY COUNCIL Committee Report

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Report of: Chief Licensing Officer, Head of Licensing

Date: 16th October 2012

Subject: **Section 13 – Criminal Justice and Police Act 2001**
Designated Public Place Order (DPPO) – Woodhouse

Author of Report: Claire Bower – 203 7752

Summary: The report details the review of the Order in Woodhouse and gives evidence of the requirement to extend the Order.

Recommendations: That Members consider all the information provided in the request made by the Police and any other information provided at the meeting.

Background Papers:

Category of Report: OPEN

REPORT OF THE CHIEF LICENSING OFFICER (HEAD OF LICENSING) TO THE LICENSING COMMITTEE

Ref: 80/12

Designated Public Place Orders (DPPOs) Woodhouse –Review

1.0 SUMMARY

- 1.1 At its hearing of 8th February 2011, the Licensing Committee resolved that approval be given for the implementation of a Designated Public Place Order in respect of the area known as Market Square, Woodhouse.
- 1.2 Members requested a review of the impact of the Order both in respect of the designated boundary and in connection with any dispersal of the activities and this was carried out on 6th October last year.
- 1.3 At the review, Members were satisfied that the DPPO and associated powers were helping to reduce noise and annoyance associated with the consumption of alcohol to members of the public in the area and resolved that the Order be maintained.
- 1.4 A further review was requested to be undertaken after 18 months of the implementation of the Order.
- 1.5 Appendix 'A' of this report details a recent review consultation undertaken by the Sheffield South East Safer Neighbourhood Area and evidence of how the DPPO is continuing to impact the area.
- 1.6 Details of a potential extension of the DPPO into Tannery Park in Woodhouse will be presented at the hearing by the Sheffield South East Safer Neighbourhood Area.

2.0 WHAT DOES THIS MEAN FOR THE PEOPLE OF SHEFFIELD

- 2.1 Section 13 of the Criminal Justice and Police Act 2001 allows Local Authorities, after consultation, to make an order identifying a designated place if they are satisfied there is an alcohol related nuisance or annoyance to the public.
- 2.2 The order does not make it a criminal offence to consume alcohol within a designated area. An offence is committed if the individual refuses to comply with a constable's request to refrain from drinking.
- 2.3 These powers are not intended to disrupt peaceful activities – bodies responsible for enforcing DPPOs must keep in mind that the power is to be used explicitly for addressing nuisance or annoyance associated with the consumption of alcohol in a public place.
- 2.4 Maintaining the Order in Woodhouse and extending it in line with the Police's request may assist the Council in achieving some of the priorities, values and outcomes in "Standing Up For Sheffield: Corporate Plan 2011-14" such as:-

Priorities

- Supporting and protecting communities
- Focusing on jobs
- Business friendly

Values

- Long term view
- Prevention
- Enable individuals and communities
- Working better together

Outcomes

- Better Health and Wellbeing
- Tackling Poverty and Increasing Social Justice
- A Great Place to Live
- Safe and Secure Communities

The review that has been carried out will give an indication of this.

3.0 INTRODUCTION AND BACKGROUND

- 3.1 The initial request for a DPPO in the Woodhouse area was submitted by Inspector Jason Booth, Sheffield South East Safer Neighbourhood Area on 2nd November 2010 and came into effect on 1st April 2011.
- 3.2 The Order covers the area depicted on the plan attached at Appendix 'B'.
- 3.3 Inspector Jason Booth will deliver a presentation to Members at the Hearing. The presentation slides are attached to the report at Appendix 'A'.
- 3.4 Inspector Booth will provide further information for evaluation on the day in addition to evidence to support the request to extend the DPPO into Tannery Park.

4.0 LEGISLATION AND GUIDANCE

- 4.1 Section 13 of the Criminal Justice and Police Act 2001 enables local authorities by order to identify any public place in their area if they are satisfied that –
- a) nuisance or annoyance to members of the public or a section of the public; or
 - b) disorder;

has been associated with the consumption of intoxicating liquor in that place.

- 4.2 There must be an evidential basis for designation. The guidance note attached to the Home Office Circular (013/2007) on The Local Authorities (alcohol consumption in designated public places) Regulations 2007 states at paragraph 18:

“The local authority will want to satisfy itself that these powers are not being used disproportionately or in an arbitrary fashion which could be the case if one, isolated incident led to a designation order. Clearly there should be evidence of an existing problem, with an assessment as to the likelihood that the problem will continue unless these powers are adopted and belief that the problem could be remedied by the use of these powers. Against this background, it is possible that a single, serious incident might be sufficient to justify adoption of the powers.”

- 4.3 Prior to making an order, the regulations require local authorities to consult with the Police and other interested parties in the area such as any parish or community council, licensees in the area and owners or occupiers of land identified.
- 4.4 Once made, an Order applies to all areas to which the public have access, including private land.
- 4.5 While it is not an offence to consume alcohol within a “designated” area, the police have powers to control the consumption of alcohol in that place. If they believe someone is consuming alcohol or intends to consume alcohol they can:
- require them to stop; and
 - confiscate alcohol from people.

If someone, without a reasonable excuse, fails to comply with the officer’s request they are committing an offence which can result in a penalty notice or fine. The power is discretionary.

- 4.6 A DPPO may be enforced by a police officer (and other accredited persons, under sections 41 and 42 and Schedule 5 to the Police Reform Act).

5.0 THE REVIEW

- 5.1 There is no statutory requirement to review a DPPO however; guidance suggests that this is good practice to evaluate whether the DPPO has stopped/helped reduce alcohol-related anti-social behaviour/disorder.

6.0 THE EXTENSION OF THE DPPO BOUNDARY

- 6.1 In order to extend the area of a DPPO, a new Order must be produced.
- 6.2 The consultation and publicity processes will need to be formally carried out for the new area.

7.0 FINANCIAL IMPLICATIONS

- 7.1 Should Members consider the evidence for the extension into Tannery Park is sufficient to initiate the formal consultation for the imposition of an Order, there would be a cost to the Council.

- 7.2 An initial newspaper advert will be required and, following consultation, a further newspaper advert must be published before the order takes effect. The previous adverts placed in the Sheffield Telegraph were £460 and £425.
- 7.3 Should the order become operational, signage must be installed in the designated place. It will be dependent on the size of the designated place, how many signs would need to be erected but sufficient number of signs would be required to draw the public's attention to the order.

8.0 RECOMMENDATIONS

- 8.1 That members consider all the information provided in the presentation made by the Police and any other information provided at the meeting either in writing or verbally.
- 8.2 That Members consider the costs of the process required to extend the area of the DPPO and determine who should be responsible for the payment of such costs.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1 To maintain the DPPO in Woodhouse and order another review.
- 9.2 To order the necessary process to extend the area of the DPPO as there is evidence of displacement.
- 9.3 To order the necessary process to revoke the DPPO.

Steve Lonnia
Chief Licensing Officer
October 2012

LIC/CB

APPENDIX 'A'

The Woodhouse Designated Public Place Order(from 1st April 2011)



THE WOODHOUSE DESIGNATED PUBLIC PLACE ORDER REVIEW 16TH OCTOBER 2012






The Woodhouse Designated Public Place Order(from 1st April 2011)



What is a DPPO.

Allow Police or Police Community Support Officers to confiscate alcohol in public places or require a person to stop drinking. Failure to do so can result in arrest/or fine of up to £500.

DPPOs are implemented by local councils to address alcohol related crime and disorder in public places
Started 1st April 2011 in Woodhouse

The Woodhouse Designated Public Place Order(from 1st April 2011)



The Need for a DPPO in Woodhouse??

- Historical
- Police response needed a new approach
- A Community looking for change.

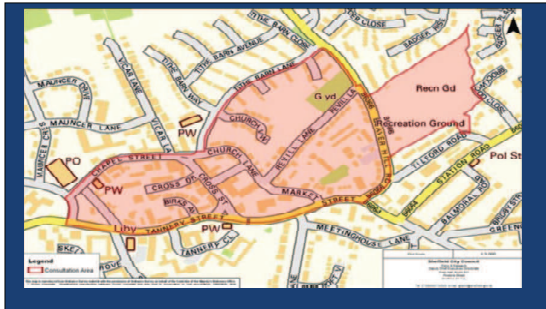
The Woodhouse Designated Public Place Order(from 1st April 2011)



Analysis Supporting the DPPO

- Market square had the greatest concentration of all incidents.
- Despite significant falls in ASB across the SNA within the proposed area it increased.
- ASB within the DPPO area exceeded both 2007 and 2008 totals for the first 10 months of 2010.
- Alcohol a factor in almost 25% of all incidents

The Woodhouse Designated Public Place Order(from 1st April 2011)



The Woodhouse Designated Public Place Order(from 1st April 2011)



Responding to the Problem- The DPPO

- A totally integrated partnership approach.
- Consultation with the community
- Community group involvement
- South East Community Assembly , Councillors and MP
- Local business support
- Local licensed premises
- Essential DAAT!

The Woodhouse Designated Public Place Order(from 1st April 2011)



Assessment and Evaluation-Where are we now?

- First used by police 08.45am 1st April 2011
- Used the power a total of 55 times(49 occasions 2011 6 occasions- 2012
- Leaflets signposting into support.
- Anti Social Behaviour.
- Monitoring displacement- Tannery Park.(18 incidents last year 8 mention alcohol)

The Woodhouse Designated Public Place Order(from 1st April 2011)



Assessment and Evaluation- What do Residents and Business think??(2011)

- Consultation carried out in Woodhouse Village and across local business(Sept 2011) 157 residents and 25 local businesses
- 70% residents stated they had noticed a reduction in street drinking.
- 88% of local business stated they had noticed a reduction in street drinking.



Assessment and Evaluation- What do Residents and Business think??(2011)

- What age would you consider the street drinkers to be – 72% of residents and 100% of business –Consider the problem to be over 18's. The DPPO was always aimed at adult street drinking.
- Do you support the continuation of the DPPO – 98% of residents and 100% of business in support.

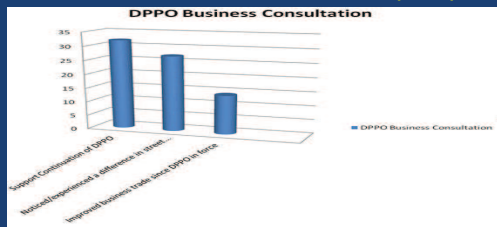


Assessment and Evaluation- What do Residents and Business think??(2012)

- All 32 of the businesses consulted said they would support the continuation of the DPPO.
- Woodhouse, 27 of those said they had noticed a difference in street drinking/associated ASB in Woodhouse and 14 businesses have experienced an improvement in trading since the DPPO came into force.
- Also worthy of note is that two new businesses have opened up since the DPPO began and continue to trade successfully.



Assessment and Evaluation- What do Residents and Business think??(2012)



Assessment and Evaluation- What do Residents and Business think??(2012)

- Consultation and support
- Woodhouse ward councillors(Cllrs Satur, Satur and Rooney)
 - Woodhouse and District Community Forum
 - Badger Tenants and Residents Association
 - Friends of Tannery Park



The Role Of the Sheffield Drug and Alcohol Action Team

- Key partner agency supporting the DPPO and those who may be in breach of it.
- Targeted work- substance sessions with GPs
- Partnership with St Annes.
- Monitoring and advice – Dedicated partnership substance misuse group.



The Next Step

- Building upon the first eighteen months.
- Ensuring effective policing of the zone, now becoming the new norm!
- Continued partnership with the community and partners.
- Redevelopment project of the planters
- Continued support and working with St Annes.
- Ongoing Monitoring.
- Extend the DPPO to Tannery Park



Questions?



Appendix 'B'

