

Information Brief for the Area 3 Committee

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A Designated Public Places Order in Chippenham

1. Summary

- 1.1. This Information brief is intended to update Members and Town and Parish representatives ahead of a formal consultation process, to consider a Designated Public Places Order (DPPO) often colloquially referred to as an Alcohol Exclusion Zone in Chippenham.
- 1.2. Members are invited to review the information and the attached map detailing the suggested DPPO area. An update report will be on the Agenda at the June meeting of the Area 3 Committee at which time Members will have an opportunity to contribute to the consultation process by putting forward their views as a Committee.
- 1.3. The proposed Order area has been developed by Community Safety Partners in response to a request from Wiltshire Police. Detailed evidence has been provided with respect to the need for such an order and how it will enable the Police and Police Community Support Officers to address alcohol related crime and nuisance in Chippenham.
- 1.4. The Order does not prevent or ban the drinking of alcohol in public places. The Order makes it an offence for any person to drink alcohol after being required not to do so by the Police. The Order also gives the power for the Police to confiscate and dispose of alcohol.
- 1.5. The outcomes of the consultation period will inform a decision by Council. Subject to any comments received during that consultation, it would be the intention to make a recommendation to Council that a Designation Order be made for the area concerned.

2. Background Information

- 1.6. Under the Criminal Justice and Police Act 2001 as amended by the Violent Crime Reduction Act 2006 (Section 26) the District Council may make an Order identifying any public place in their area as a Designated Public Place. They may only make such a designation if they are satisfied that disorder or nuisance or annoyance to members of the public has been associated with the consumption of alcohol in that place.
- 1.7. Once such a designation has been made, it will be an offence for a person to drink alcohol in that place after being requested by a Police Officer not to do so. The Order gives subsequent powers to police officers to require the surrender of alcohol and make an arrest if the drinker refuses to do so after the request has been made, or issue a fixed penalty ticket.

- 1.8. Orders such as this often referred to colloquially as Alcohol Exclusion Zones provide a means of controlling the consumption of alcohol. Such orders are already in place in both Calne and Malmesbury Town Centres.
- 1.9. The request for the creation of an alcohol exclusion zone in Chippenham came from local Police Officers. The power to create a Designated Public Place sits with the District Council. There is a statutory consultation process that must be undertaken to provide consultation feedback which can be considered alongside evidence so that Members can make an informed decision to make an Order.
- 1.10. In response to the request from Wiltshire Police Council Officers facilitated meetings of the key Community Safety partners. After a review of the evidence provided by Wiltshire Police, Officers are satisfied that there are sufficient grounds for a Designation Order to be made in Chippenham. The proposed zone is indicated in the attached map, which also shows where the enforcement signs are proposed to be located.
- 1.11. The next stage in the process is the formal consultation for which two public notices are required, along with formal consultation with Town and Parish Councils and all licensees and land owners in the area covered by the Order. The consultation will begin the week of 12 May.

2. Timescale

- 2.1. The school summer holiday is the target timeframe as far as making the Order is concerned. The summer months see an increase in alcohol consumption in public places and so an increase in alcohol related crime and nuisance. In order to meet this timescale it will be necessary to take the outcomes of the consultation process to Council in June.
- 2.2. This information brief has been prepared and circulated by email to ensure that Members are aware of the forthcoming consultation process. The views of the Area 3 Committee and the Town and Parish Council representatives can be considered as a part of the formal consultation process at the Area 3 meeting on June 2. This approach will enable the July target to be met.
- 2.3. If Members have specific concerns or queries in response to this information brief Officers will be happy to answer any questions.

3. Rationale and Objectives of the proposed Order

- 3.1. All key Community Safety partners have been involved in the work to progress the proposed DPPO in Chippenham to this stage.
- 3.2. There was an identified issue in the Chippenham Town Centre area with respect to anti social behaviour involving alcohol, and the consumption of alcohol on the streets. These issues have a direct impact on the community in Chippenham. The Council and our Community Safety Partners have a duty to work together to reduce Crime and Disorder. Alleviating the fear of crime and improving public perceptions of anti social behaviour in the local area and gaining public confidence in how we address anti social behaviour, remain key areas of focus for all Community Safety partners.

- 3.3. The objectives of the proposed Alcohol Consumption in Designated Public Places Order (DPPO) order are to:
- provide additional powers to police (key partners in the North Wiltshire Community Safety Partnership) to deal with persistent street drinking and alcohol related antisocial behaviour;
 - reduce disturbances in public places that are alcohol related;
 - reduce drunkenness in public places;
 - give a clear message about the unacceptability of anti-social behaviour, consistent with the priorities of the North Wiltshire Community Safety Partnership;
 - contribute to the range of actions which are being delivered to reduce violent crime in public places (largely alcohol related), to reduce fear of crime and improve the quality of life for residents and visitors to the town;
 - contribute to the range of actions which are being delivered to reduce alcohol misuse;
 - reduce the numbers of street drinkers and hotspot areas through combining enforcement with outreach services;
 - recommend environmental improvements in order to sustain the positive changes, particularly in hot spot areas.
- 3.4. Officers are satisfied that a DPPO in Chippenham is the appropriate course of action. This will facilitate the delivery of the objectives detailed above and will be supported by wider partnership working.

4. Community Safety Partners

- 4.1. The proposed Order has been developed by Community Safety Partners working together. All responsible authorities agree that this is an appropriate course of action given the challenges with alcohol related crime and nuisance in Chippenham. If the Order is made the enhanced powers for Police alongside other partnership work will lead to a reduction in these problems.
- 4.2. Members may be aware that Chippenham Town Council considered a report relating to the proposed Order at a Council meeting in February. At that meeting Chippenham Town Council resolved not to support the proposed scheme as presented to them at that early stage in the development process. The Town Council resolved to give further consideration to such an Order if further evidence were to be presented and if the Order is specific to the boundaries of Chippenham Parish.
- 4.3. Where other Orders have been made in North Wiltshire they have enjoyed the support of the local Town Council. Despite a lack of support at this stage from Chippenham Town Council Community Safety partners agree that the creation of an Order will address some key alcohol related crime and nuisance issues in the Town. The consultation phase will include the Town and Parish Councils the results of the consultation may provide Chippenham Town Council with the additional evidence that they are seeking.

5. Finance

- 5.1. The projected costs of the Order fall into two main categories the consultation ahead of the decision and the making of the Order and the provision of appropriate signage. The signs and the two public notices required as a part of the statutory consultation will require a revenue commitment of £2,900. There will also be a cost associated with erecting the signs estimated to be around one week's work. Wiltshire Police are seeking a budget to provide a financial contribution.

5.2. Whilst there is no specific budget for this work, funds can be made available from the Council's Community Safety project budget to cover the remaining costs.

6. Legal Context

6.1. Section 13 of the Criminal Justice and Police Act 2001 gives the Authority the power to make an Order designating any public place within their area if they are satisfied that nuisance or annoyance or disorder has been associated with the consumption of alcohol in that place. Brighton and Hove Council and the City of Westminster have set a precedent in designating a city-wide ban.

6.2. Whether or not a designation Order is appropriate will be a matter for local judgement, based on the circumstances that apply and the available evidence. Officers are planning to bring forward a report informed by the consultation for a decision at Council in June.

6.3. The Regulations require Local Authorities to place a public notice in the local newspapers advertising the proposal to make a Designation Order and allow a period of at least 28 days for any representations to be made. The Council must also consult the Police prior to making an Order. In addition, other bodies must be consulted before a designation Order is made. These are: -

- Any parish/community council (including the Town Council) covering any or part of the public place to be designated.
- The Police and neighbouring local authorities, parish councils where a designation order covers an area on the boundaries with that neighbouring authority. (This allows for consideration to be given to the possible displacement to their area).
- Licensees within the area or who may be affected by the order.
- The owners or occupiers of any land that may be identified in a designation order.

Information Brief prepared by

Mark Rippon
Community Safety Officer

01249 706416
mrippon@northwilts.gov.uk

and

Jo Cogswell
Community Partnership Manager

01249 706455
jcogswell@northwilts.gov.uk