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Report

Report subject: Designated Public Place Order (DPPO) – The parishes of Durrington and Larkhill

Report to: Northern Area Committee

Date: 31st July 2008

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Durrington – Designated Public Place Order (DPPO) – Durrington and Larkhill Parish.

1. Report Summary:

Salisbury District Council is considering a proposal for a Designated Public Place Order (DPPO) for the parishes of Durrington and Larkhill. This is in response to an increased number of reports of anti-social drinking to the police, parish council and district council. Regulations require the local authority to lead on any DPPO consultation. The DPPO would give the police powers to deal with the problems of anti-social alcohol drinking in public places. It is not an offence to consume alcohol in a designated area, but it is an offence to continue to drink alcohol in that area when requested not to do so by a Constable. Penalties can include a fixed penalty notice for disorder and potentially arrest and prosecution. The DPPO has replaced the old Alcohol Exclusion Zone Legislation. **(For further information please see item 6 background papers).**

The reason this proposal has been considered is due to the rising trend over the past twelve months of anti-social behaviour, amongst the age range of 13-27, which is very often alcohol related. This has resulted in a need for additional actions by the council and the police.

2. Work undertaken by Key Organisations

The parish council, district council and police have worked together on a number of strategies to try to reduce anti-social behaviour and crime and disorder.

3. Map of the area:

The extent of the DPPO would be the boundaries of the parish of Durrington and Larkhill (as illustrated in the attached map).

4. Consultation Undertaken:

Salisbury District Council have carried out a statutory consultation as required by the Criminal Justice and Licensing Act 2001 and in line with the Wiltshire Compact. The district council have therefore consulted with all neighbouring parishes, the police, parish council, local councillors, youth development service, ministry of defence (MOD), local schools and local residents. A public open event was also held on the 10th July 2008. Approximately 20 people, who offered unanimous support, attended this event. The consultation officially concluded on the 11th July 2008. We have received no objections to the DPPO.

5. Evidence from the Police:

1. **Table A** provides referenced evidence obtained from the Wiltshire Police STORM Command & Control and NICHE Incident Recording databases. STORM records live time incidents

received by the Force Control Room. Incidents reported via other means such as callers to the police station are picked-up on NICHE.

2. The evidence provided is anonymous and can be disclosed under existing partnership information sharing protocols.
3. The review provides evidence of a number of occurrences of behaviour that a DPPO would have an impact upon.
4. Home office guidance recommends that the use of Section 27 of the Violent Crime Reduction Act 2007, which introduces a new police power to give directions to individuals to leave a locality can be utilised within a DPPO area.
5. In terms of performance the desired primary outcomes are:
 - (i) a reduction in street drinking and the associated incidents of crime & disorder and anti-social behaviour.
 - (ii) Increased levels of public satisfaction of partnership working to tackle problems impacting on everyday life.
 - (iii) A reduction in the demand on police resources resulting in increased capacity to deal with other community priorities

Table A

Date	Time	Location	Description
03/01/2008	22:30	Durrington	Youths acting Anti-socially around village
03/01/2008	22:25	Village Hall	Report ASB is getting out of hand, husband caught up in middle of group
04/01/2008	22:40	High Street	Group of 8 drinking making a lot of noise
05/01/2008	20:30	Windsor Rd	12 yr old collapsed drunk, in a group all drinking. Ambulance called
07/01/2008	20:10	Bulford Rd	Large group of youths acting anti-socially
07/01/2008	20:20	Andrew Close	Group drinking banging on windows
11/01/2008	22:00	Village hall	ASB, large group drinking
13/01/2008	21:00	Windsor Rd	Beer glass thrown at house window
14/01/2008	21:00	Coronation Rd	Group drinking, swearing, very loud
14/01/2008	21:00	Bulford Rd	Group gathered outside shops drinking, intimidating customers
18/01/2008	22:30	Coronation Rd	House part for 16yr old, party gate crashed by local group, drinking alcohol
18/01/2008	21:00	Recreation Ground	Large amount of alcohol seized from group of 17 youths
21/01/2008	20:10	Andrews close	Young people acting Anti-socially
25/01/2008	20:15	Bulford Road	15-20 drinking outside shops
30/01/2008	21:40	Bulford Road	15 youths shouting and swearing
30/01/2008	12:40	Millennium Park	Youths spraying graffiti
01/02/2008	20:30	High Street	Large group acting anti-socially
01/02/2008	20:20	Sainsbury	15-20 group asking customers to buy them alcohol
02/02/2008	23:00	Bulford Rd	Persons tipped over community flower tubs.
02/02/2008	22:00	High street	Large group all ages drinking being Anti-social
02/02/2008	22:00	Marina Crescent	4-5 youths drinking Alcohol through hose
02/02/2008	19:00	Bulford Rd	5 community planters over turned

03/02/2008	20:00	Elizabeth Gdns	Drunk male vomiting in driveways
04/02/2008	20:20	Sainsbury	Large group drinking being verbally abusive to staff and customers
04/02/2008	21:00	High street	20+ group playing loud music – blocking car park
09/02/2008	21:30	Bulford Rd	Group of 8 throwing beer bottles, shouting & swearing
13/02/2008	19:30	Longfield Close	Large group rear of property smashing trees swearing
14/02/2008	21:40	Coronation Rd	Large number of youths outside chip shop drinking
14/02/2008	20:00	Milestone view	Large group throwing cans/bottles into gardens as they are walking along
15/02/2008	20:25	Co-op	Youths drinking causing a disturbance
15/02/2008	19:46	Recreation Ground	Group of youths drinking throwing cans & bottles
16/02/2008	17:50	Co-op	15 youths outside drinking Lambrini
17/02/2008	21:40	Bulford Rd	12 youths drinking alcohol from plastic bottle
17/02/2008	1917	Co-op	Drunk youths causing nuisance in store
19/02/2008	21:50	McNeill Rd	Group drinking throwing things at windows
21/02/2008	23:40	Bulford Rd	Group walking along road with road sign hitting fences
23/02/2008	21:50	Sainsbury	Group causing disturbance drunk males arrested sect5 POA
23/02/2008	21:50	Sainsbury	Group of females acting anti-socially in shop all smelling of alcohol
23/02/2008	22:40	Coronation Rd	30 causing problems to local residents
24/02/2008	22:00	Village Hall	6-7 drinking alcohol on bench
26/02/2008	20:15	High Street	20-30 all ages drinking being anti-social
29/02/2008	2134hrs	Millennium Field	Youths drinking alcohol underage drinking
01/03/2008	1905hrs	Recreation road	20 – 30 drinking ASB
05/03/2008	1333hrs	Bulford Road	Large amount of alcohol found hidden under bush.
30/03/2008	0230hrs	Packway Wilson's Rd	Soldiers walking along drinking in street ASB
16/04/2008	2210hrs	Coronation Rd	Drinking sat around on street
18/04/2008	2140hrs	Bulford Rd	Drinking outside post office
25/04/2008	2006hrs	High Street	Drinkers out side Sainsbury store
08/05/2008	2135hrs	Birchwood Drive	Group of 20 mixed age drinking in alleyway
09/05/2008	2321hrs	Avondown Road	10 -12 youths drinking in street

25/05/2008	2200hrs	Charles Road	8 – 10 early 20's drinking in and around garages
13/06/2008	2010hrs	Recreation Ground	Large group drinking mixed age
30/03/2008	2109hrs	Recreation ground	Used alcohol containers in large amounts smashed around play area
08/04/2008	2010hrs	Recreation ground	Used alcohol containers in large amounts smashed around play area
18/04/2008	2000hrs	wooded area recreation ground	Drinkers mixed age located with bottles of alcohol
25/05/2008	2115hrs	Birchwood Drive	Under age drinkers in street
25/05/2008	2205hrs	Recreation Ground	Drinkers in grounds of play park
01/06/2008	1930hrs	Recreation Ground	Empty smashed beer bottles in play park
14/06/2008	2220hrs	Recreation Ground	8 bottles of alcohol from 4 persons seized
15/06/2008	2130hrs	Recreation Ground	Alcohol removed from underage females in play park
20/06/2008	1830hrs	Recreation Ground	Used alcohol containers in large amounts smashed around play area
03/07/2008	1035hrs	Recreation Ground Avon Valley School	Empty Meths bottles and empty alcohol containers found in play area

It is surprising the large amount of reported incidents, to the police in a small rural community. Given the number of incidents in the parish of Durrington compared to the sub division of Amesbury shows there is a definite issue, which needs to be addressed. Amesbury have had DPPO in place for a number of years and it is working successfully.

During this six-month period there has been an increase in calls to the Police Force Control Centre. The police have carried out a number of operations. These operations were to specifically target anti-social behaviour through the drinking of alcohol. The police have carried out in excess of 300+ stop/search checks of various age groups and genders. All of these checks were completed due to incidents involving alcohol. This included confiscation of in excess of 600+ containers of alcohol from young persons. Officers have also seized alcohol whilst on patrols where groups have run from them leaving open and closed alcohol containers behind.

6. **Background Papers:**

Designated public places orders (DPPOs)

Designated public places orders (DPPOs) are a tool that can be used by local authorities to deal with the problems of anti-social alcohol drinking in public places.

Once a DPPO is in place the police can use their confiscation powers to enforce the restriction. It is not an offence to consume alcohol within a designated area, but failure to comply with an officer's requests to stop drinking and surrender alcohol without reasonable excuse is.

DPPOs are available in areas that have experienced alcohol-related anti-social behaviour problems. They have been used across the country in areas ranging from a single street or park, to town centre or citywide areas.

Legislation

[Section 13 of the Criminal Justice and Police Act 2001](#) (CJPA 2001) introduced designated public place orders, which replaced drinking byelaws in September 2001.

Who can make a DPPO?

Designated public place orders are made by local authorities using powers under section 13 of The Criminal Justice and Police Act 2001 as amended by Section 26 of the Violent Crime Reduction Act

2006 and the "The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007".

The powers make it easier for local authorities to designate places where restrictions on public drinking will apply. A local authority can make a DPPO in a public place where:

- Nuisance or annoyance to members of the public or a section of the public
- Disorder

Has been associated with consuming alcohol in that place.

Designating an area

The procedure for introducing a DPPO are set out in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 (see reference below). These set out the consultation, publicity and signage requirements.

Enforcing a DPPO

Once a DPPO has been made police powers under s12 immediately become available. Any enforcement of this law is carried out entirely at the discretion of the police.

A DPPO may be enforced by:

- A police officer
- A police community support officer (PCSO)

If an officer suspects that a person has recently drunk alcohol or intends to drink alcohol in a DPPO, in order to prevent public nuisance and disorder, police can require a person to:

- Stop drinking alcohol (or anything believed to be alcohol)
- Hand over the containers they are drinking from (sealed or unsealed)
- Hand over any other containers believed to contain alcohol.

Offences relating to DPPO

It is not an offence to consume alcohol within a designated area, but failure to comply with an officer's requests to stop drinking and surrender alcohol without reasonable excuse is. Penalties can include:

- A penalty notice for disorder of £50;
- Arrest and prosecution for a level 2 fine (max £500);
- Bail conditions can stop the individual from drinking in public.

7. Recommendations and timetable for implementation:

The approval of the Northern Area Committee is sought before the next stage can take place. The Consultation concluded on the 11th July 2008. If the DPPO is agreed by Northern Area Committee and we receive no further objections then the order can be granted. The district council must then publish a public notice, with the agreed implementation date and arrange for signs to be put up in the key areas. An official letter must also be sent to the Secretary of State, notifying them of our decision.

8. Implications

Financial:

If the DPPO is agreed, any costs incurred will be paid for, out of the 2008/09 community safety

budget.

Legal:

Legal services are aware of the submission of this report. If outline approval for the DPPO is granted, legal services will continue to be involved.

Human Rights:

Once the DPPO is granted, enforcement will be the responsibility of the local police and any human rights issues will be covered under their powers.

Personnel:

NONE

Community Safety:

The DPPO will help to reduce Crime and Disorder and improve Community Safety.

Environmental:

NONE

Council's Core Values:

This tool would help to reduce Anti-social behaviour.

Equalities:

NONE

ICT:

NONE

Wards Affected:

It will effect the wards of Durrington and Larkhill, by including both wards in the DPPO, displacement should not be an issue, but neighbouring parishes have been consulted.

