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Report

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

Report to: Planning and Regulatory Committee

Date: 1st September

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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 5 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. Evidence from the Police:

Table A provides referenced evidence obtained from the Wiltshire Police. The review provides evidence of 72 occurrences of behaviour, which Wiltshire Police feel that a DPPO would have an impact upon. 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.

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	Milstone 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

4. 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 -appendix 1)

5. Background Papers:

Designated public places orders (DPPOs)

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.

Designating an area

The procedure for introducing a DPPO is 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. We have consulted other local authorities on the signage they have used in Wiltshire to ensure good practice is conformed to.

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.

A fact sheet containing an abbreviated version of this information, was circulated to all local schools, businesses and key public buildings. They were also handed out at the public consultation event. The District Council wanted to ensure that the members of the public and businesses alike understood what a DPPO is before being asked to comment.

6. Consultation Undertaken:

Salisbury District Council have carried out a statutory consultation as required by Section 26 of the Violent Crime Reduction Act 2006 and complies with the Wiltshire Compact. We have written to all Local Businesses, Wiltshire Police, Neighboring Parishes and the Ministry of Defense. The letter invited a response from all of these organisations. There were various ways of responding. They could write by letter or e-mail or telephone community safety staff for further information. This Consultation was also published in the Salisbury Journal, on the Salisbury District Council Website and on Spire FM. Notices were also sent to all local schools and all public buildings.

A public event was also held on 10th July at Durrington Village Hall. This was again publicised in the Journal and on Spire Fm. We also circulated posters, advertising the event, which we asked to be displayed in all key public buildings. A total of 20 people attended the open event, which ran from 2pm- 6pm. People were asked to give their point of view and fill in a 'your views' feedback form. The results were as follows:

Q.1 Do you think the proposal is a good idea?	Yes – 4 No- 0
Q.2 The reasons why	<p>It provides boundaries of acceptable and unacceptable conduct</p> <p>It is proactive rather than reactive</p> <p>It will educate</p> <p>It will set standards</p> <p>No more lying in the gutter outside our house</p>
Q.3 What do see as the benefits or drawbacks of the proposal ?	<p>The drawbacks will only be felt by those behaving badly</p> <p>Hopefully give some direction and boundaries to young people.</p> <p>A positive move in the right direction</p> <p>Less litter generally</p>
Q.4 What experience and/or evidence do you have of anti-social behaviour or crime caused by alcohol in the proposed DPPO area?	<p>Broken glass, litter, burning of public seats and litter bins.</p> <p>I saw my neighbours windscreen being smashed, several times witnessed a portloo being kicked over and double gates being kicked in. Several times we have come out at night to see youngsters unconscious on the road/pavements.</p> <p>I see the evidence of unruly behaviour by large groups whether of not under the influence of drink and drugs.</p> <p>Damage to property.</p>
If you object to the proposal do you have any other suggestions of how to resolve the problem of alcohol related anti-social behaviour?	No objection raised.

The comments received from organisations are featured in the table below:

Consultation Respondents	Comments
Howard Piner – Clerk for Amesbury Town Council	Amesbury Town Council supports the DPPO proposed for Durrington and Larkhill.
Roger Sexton – Store Manager for Sainsbury	As the store Manager of Sainsburys, in Durrington I would welcome this proposal, as I believe it would help to reduce some of issues around anti-social behaviour in the local area.
Mary Towle – Parish Clerk for Durrington Parish Council	I believe that by putting a DPPO in place it will transform Durrington into a quiet country town. Litter has always been a problem for the parish and the Council spend a lot of money trying to keep the litter under control. The litter is mainly beer cans, beer bottles, wine and spirits bottles and if these are no longer deposited on the streets and in the Recreation Ground it will be a great achievement. The Crime Prevention Committee have worked tirelessly trying to sort out problems in the village which are drink related and so a DPPO will make a great difference to their work load. Already people see a difference with the Dispersal Orders in place. The elderly are saying that for the first time in years they feel that they can go to the local shops in the evenings without the fear of being intimidated by groups of young people. A lot of the criminal damage, which occurs in Durrington, is as a result of drinking by under age children. I hope that the DPPO will mean that young people will not be encouraged to start drinking as such an early age.
PC David Ridler – Community Beat Manager for Durrington and Larkhill.	Wiltshire Police Supports this proposal. I believe that if the DPPO is approved we will see a reduction in street drinking and the associated incidents of crime & disorder and anti-social behaviour. Increased levels of public satisfaction of partnership working to tackle problems impacting on everyday life. A reduction in the demand on police resources resulting in increased capacity to deal with other community priorities
Councillor Graham Wright	As District councillor for this ward I have been in conversation with many parishioners who are delighted with the progress that the recent dispersal orders have made to our village and they are keen to move forward with the DPPO. They explained that the drinking by young people is still a great concern to them. Because of the

Summary of the comments received

No objections were received to the introduction of a Designated Public Place Order covering Durrington and Larkhill.

Members of the public felt that it would make the area safer by dispersing rowdy groups and removing those inhibited by alcohol from the streets, which would intern reduce litter, drug dealing and people urinating in the streets.

A report was then taken to the Northern Area Committee on the 31st July who gave their unanimous support to this proposal.

Both members of the public and several organisations felt that the DPPO gave the Police the necessary means to control alcohol related anti-social behaviour.

However it was also made clear that the effectiveness of the DPPO is reliant upon adequate Policing. Additional foot patrols and resources will be required. Wiltshire Police have given their commitment to 'Police' the DPPO.

6. Recommendations and timetable for implementation:

The reason for writing this report is to bring this matter to the Planning and Regulatory committee with the key aim of seeking your approval, so that the Designated Public Place Order for Durrington and Larkhill parishes may be granted. If this were approved, we would hope to have the full order in place by October. This requires the continued support of the Legal Service department to ensure the order is legally binding and the necessary documentation is sent to the Secretary of State.

7. 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.

