**Committee One Corby Policy Committee**  
**16th September 2008**

### Designation Order: Alcohol Consumption in a Public Place (DPPO)

**SYNOPSIS**

The purpose of this report is to highlight the proposed Designated Public Place Order (DPPO). The proposal links to the safer, stronger communities section of the Corporate Plan, most specifically to:

1. **Increase levels of public satisfaction with their community as a place to live;**
2. **Reduce the All Crime and Comparator Crime indexes for Corby to the average, or below, of our ‘family’ group of 15 local authorities**
3. **Reduce the harm caused by the misuse of alcohol**

It is proposed that the DPPO order will cover the following area:

Lloyds Road, Rockingham Road (between Lloyds Road and Studfall Avenue), Stephenson Way, Nasmith Avenue, Parsons Grove, James Watt Avenue, Whitworth Avenue, Newton Grove, Pen Green Lane, The Octagon, Franklin Fields, Gilchrist Avenue, Telfords Lane, Telfords Close, and Samuel Place.

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1. **Definition**

   The Criminal Justice and Police Act 2001 (CJPA) gave local authorities the power to designate public areas through the introduction of a Designated Public Place Order where it is an offence to drink alcohol after being required by a police officer not to do so.

2. **Relevant Background Details**

   Whilst it is not an offence to consume alcohol within a designated area, the Police, Police Community Support Officers (PCSOs) and Corby Borough Council Accredited Wardens have the powers to control the consumption of alcohol within that place. If they believe someone is consuming alcohol or intends to consume alcohol they can:
   - Require them to stop; and
   - Confiscate the alcohol from people whether the drinking vessel is unopened or not.

   Section 13 of the Criminal Justice and Police Act 2001 allows Local Authorities to designate as public places, for which there will be a set procedure for doing so. A Local Authority may by order identify any public place in their area if they are satisfied that:
   - Nuisance or annoyance to members of the public or a section of the public or,
   - Disorder;

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

   The Local Authority must evidence the above has occurred and complete a DPPO application. The Secretary of State considers and approves all
applications. Once approved the police (and accredited officers) are able to prevent, confiscate and dispose of anything which is reasonably suspected to be intoxicating liquor. Anyone not complying with a police officer’s request is liable for a summary conviction of a fine.

Public notification via the local media of the proposed DPPO must be made prior to submission to the Secretary of State. The local licensed premises, parish councils and tenants and residents associations must also be informed. And given the opportunity to comment or appeal against the proposals.

3. Report

Through the Joint Action Group and the local residents, concerns have been raised to the level of alcohol-related crime and disorder within the proposed DPPO area.

ComPaSS who provides analytical support to the CDRP were asked to produce a scanning document based on these concerns and to assist the CDRP in gathering the evidence of alcohol-related crime and disorder within the suggested DPPO area.

The evidence concluded the following:

- In total 744 offences in Corby borough were recorded as involving alcohol over the twelve month period.
- Of the 744 offences, 82% were within three HO classifications; ABH Other wounding (357), Assault without Injury (137), and Harassment (116).
- The proposed Zone would encompass 104 crimes which represents 14% of the borough figure for alcohol-related violence offences.
- Two time factors, both the day of the week and time of day would suggest that the majority of violence offences could be inferred as being related to the night-time economy. 75 of 104 crimes were committed between 22:00 hours to 03:00 hours and 85 of the 104 crimes occurred Friday to Sunday.
- Three of the top ten streets for alcohol-related violence will lie within this suggested DPPO and make up 40% of all the offences occurring on the top 10 streets.

The proposed area if approved will become the 21st DPPO area in Corby.

The Council in conjunction with the police will be responsible for enforcing the DPPO area. Whilst it is not an offence to consume alcohol within a designated area, the Police, Police Community Support Officers and Corby Borough Council Accredited Wardens have the powers to control the consumption of alcohol within that place. If they believe someone is consuming alcohol or intends to consume alcohol they can require them to stop drinking and confiscate the alcohol from people whether the drinking vessel is opened or not.

Initial consultation is being undertaken with the local community and businesses living in the proposed area to evidence support for the DPPO area. Members were consulted as part of the JAG process; however, concerns have been expressed by ward members who were first made aware due to publicity in the local press.
4. **Options to be considered (if any)**

Members to agree to recommend approval for the proposed DPPO prior to submission to the Secretary of State for consent.

5. **Issues to be taken into account:-**

   **Policy Priorities**
   The proposed DPPO complements the aims of the Corporate Plan by increasing the well being and quality of life for residents by reducing alcohol related crime, disorder and nuisance. The reduction of alcohol related crime and disorder forms part of the Neighbourhood Pride Service Plan, The CDRP’s Partnership Plan and the Sustainable Community Plan.

   **Financial**
   Under the legislation Corby Borough Council will be required to advertise the DPPO areas through the appropriate signage – costs for any additional signs will be minimal and will be purchased through the Community Safety Anti-Social Behaviour funding.

   **Legal**
   Section 13 of the Criminal Justice and Police Act 2001 allows Local Authorities to designate as public places, for which there will be a set procedure for doing so. A Local Authority may by order 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;
   and has been associated with the consumption of intoxicating liquor in that Place.

   **Performance Information**
   The Proposed DPPO is a specific action plan within the CDRP Partnership Plan and within Neighbourhood Pride Service Plan.

   **Best Value**
   n/a

   **Human Rights**
   DPPOs are a statutory tool available to all Local Authorities in conjunction with the Police and as such do not contravene Human Rights legislation.

   **Equalities**
   DPPOs are applied equally irrespective of age, gender, sexuality, nationality, disability etc.

   **Community Safety**
   DPPOs are an example of Section 17 (of the Crime and Disorder Act) compliance, where the Local authority in partnership with the Police are serious about tackling crime and disorder and nuisance.

6. **Conclusion**

   DPPOs are a tool available to tackle alcohol related crime, disorder and nuisance in Corby and if implemented will play a significant contribution.
towards the council's aims and towards the aims of the Crime and Disorder reduction Partnership.

7. Recommendations
   It is recommended that:
   • Members are aware of the proposed DPPO area and make any comments regarding these proposals
   • Members agree to recommend approval for the proposed DPPO prior to submission to the Secretary of State for consent.

Background Papers
ComPass Scanning Document
Crime and Disorder Reduction Partnership Plan 2008-2011

External Consultations
Consultation with Northamptonshire police, Trading Standards, Joint Action Group for the North, Substance Misuse Group members, Violent Crime Reduction Group members, Pub watch, TARA’s.

List of Appendices
Map of proposed designated area
Map of existing DPPO areas

Officer to Contact
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