

Report of	Meeting	Date
Director of People and Places (Introduced by the Executive Member for Places)	Executive Cabinet	20 October 2011

DESIGNATED PUBLIC PLACES ORDER REVIEW

PURPOSE OF REPORT

1. To present the results of the Chorley Town Centre and Astley Park Designated Public Place Order review.

RECOMMENDATION

2. The report recommends that Executive Cabinet supports the continuation of the Chorley Town Centre and Astley Park Designated Public Place Order (DPPO) in its current form and recommends this to Council.

EXECUTIVE SUMMARY OF REPORT

3. In 2010 it was identified that crime and anti-social behaviour, caused by drunken adults, made people feel unsafe in the Town Centre. Residents in the immediate vicinity equally suffered from anti-social behaviour (ASB), drunkenness, damage and litter, and thus materially interfering with their right of quiet enjoyment of their homes and neighbourhood.
4. A Designated Public Places Order (DPPO) is a tool used by local authorities to help tackle the problem of crime and disorder, nuisance and annoyance arising from adult consumption of alcohol in public places.
5. On 24 May 2010 members of the General Purposes Committee agreed for a Designated Public Places Order in respect of the area identified as Chorley Town Centre and Astley Park be made under Section 13 of the Criminal Justice and Police Act 2001.
6. It was further resolved that that a review of the impact of the Designated Public Places Order be conducted by the Executive Member (Places) at the expiry of a period of 15 months from the commencement of the Order to allow consideration by the Council of any suggested revision of the Order.
7. This review included an evaluation of crime and ASB data for the current DPPO zone and its surrounding area. In addition consultation with key stakeholders and establishing whether the order is being effectively enforced was undertaken. The results of the review demonstrate that:
 - a) Since the introduction of the Chorley Town Centre and Astley Park Designated Public Places Order, alcohol related crime and ASB within the DPPO zone has reduced and there is no statistical evidence that indicates that alcohol related crime and ASB has been displaced from the Town Centre and Astley Park area to other areas.
 - b) There is evidence to support that Chorley Town Centre and Astley Park Designated Public Place Order is being effectively enforced by Lancashire Constabulary.
 - c) 100% of respondents to the consultation were supportive of the DPPO remaining in place.

8. It is therefore, recommended that the Chorley Town Centre and Astley Park Designated Public Place Order (DPPO) remains in its current form.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

9. Since the introduction of the Chorley Town Centre and Astley Park Designated Public Places Order alcohol related crime and ASB within the order's current boundary has reduced and there is no statistical evidence which indicates that alcohol related crime and ASB has been displaced from the Town Centre and Astley Park area to other surrounding areas.
10. There is evidence to support that Chorley Town Centre and Astley Park Designated Public Place Order is being effectively enforced by Lancashire Constabulary.
11. Respondents to the consultation are supportive of the DPPO remaining in place.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

12. That the existing Chorley Town Centre and Astley Park DPPO be extended to include areas outside the current DPPO zone.
13. That the current Chorley Town Centre and Astley Park DPPO be revoked.

CORPORATE PRIORITIES

14. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities	✓	Quality Community Services and Spaces	
Vibrant Local Economy	✓	Thriving Town Centre, Local Attractions and Villages	✓
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			✓

BACKGROUND

15. A Designated Public Places Order (DPPO) is a tool which can be used by local authorities to help tackle problems of crime and disorder, nuisance and annoyance related to adult consumption of alcohol in public places. It must be noted that this legislation does not lend itself to dealing with issues around youth alcohol nuisance. There are already extensive tools and legislation available and being used to combat youth alcohol consumption and supply.
16. Section 13 of the Criminal Justice and Police Act 2001, introduced Designated Public Places Orders that replaced drinking byelaws. It is not an offence to consume alcohol within a designated area but gives the police and accredited persons the power to require individuals to surrender the alcohol and any opened or sealed containers. If an individual fails to comply with the request then the police or accredited person can enforce the order. These powers are not intended to disrupt peaceful activities, for example families having a picnic in a park with a glass of wine. They are used solely to address nuisance, annoyance or disorder associated with alcohol. There are savings within the legislation which would still allow public drinking to take place on or in licensed premises

17. Penalties for not complying with a request to surrender alcohol are as follows:
- Penalty notice - £50
 - Arrest and prosecution for a Level 2 fine (maximum £500)
 - Bail conditions can be used to stop the individual from drinking in public
18. On 24 May 2010 members of the General Purposes Committee agreed for a Designated Public Places Order in respect of the area identified as Chorley Town Centre and Astley Park be made under Section 13 of the Criminal Justice and Police Act 2001. It was also agreed that the Order be implemented and the Secretary of State be notified of implementation not later than 10 June 2010.
19. It was further resolved that that a review of the impact of the Designated Public Places Order be conducted by the Executive Member (Places) at the expiry of a period of 15 months from the commencement of the Order to allow consideration by the General Purposes Committee of any suggested revision of the Order. It was agreed the review would include taking the following points into consideration.
- a) Whether alcohol-related disturbances have been reduced within the current DPPO zone and whether significant displacement of alcohol related crime and disorder has occurred surrounding the current designated area.
 - b) Whether the Order is being effectively enforced.
 - c) Whether perceptions of crime and fear of anti-social behaviour have been reduced within the current DPPO zone and surrounding area.

HAVE ALCOHOL-RELATED DISTURBANCES BEEN REDUCED WITHIN THE CURRENT DPPO ZONE AND HAS SIGNIFICANT DISPLACEMENT OF ALCOHOL RELATED CRIME AND DISORDER OCCURRED SURROUNDING THE CURRENT DESIGNATED AREA.

20. The information contained in this report is taken from Lancashire Constabulary’s crime and antisocial behaviour database. The DPPO came into effect on the 10 June 2010 and for the purposes of this report crimes and ASB committed with an alcohol marker committed between 01/06/2009 and 30/05/2011 ‘pre’ implementation period have been compared against Crimes and ASB committed with an alcohol marker committed between 01/06/2010 until 30/05/2011 as the ‘post’ implementation period.

CHORLEY BOROUGH WIDE ALCOHOL RELATED CRIME

21. All alcohol related crime across the whole of Chorley Borough is outlined in table 1 below. Over the time period in question a downward linear trend of alcohol related crime can be seen. The percentage reduction in alcohol related crime from the two periods prior and post Introduction of the DPPO is a -23% (n=-136) decrease.

22.

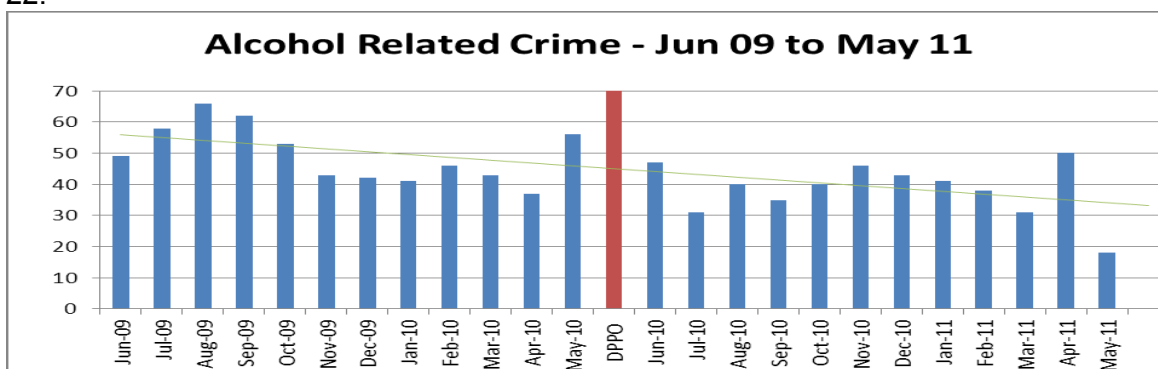


Table 1 Recorded alcohol related crime for Chorley Borough between June 2009 and May 2011

CHORLEY TOWN CENTRE AND ASTLEY PARK ALCOHOL RELATED CRIME

23. All alcohol related crime within the Chorley Town Centre and Astley Park Order area is outlined in table 2 below. Examination of the data shows that Alcohol related offending within the Orders area has reduced by -34% (n-63).
24. Evaluating this data it would be reasonable to infer that the DPPO has had a positive effect on reducing alcohol related crime within its boundary since its introduction in June 2010.

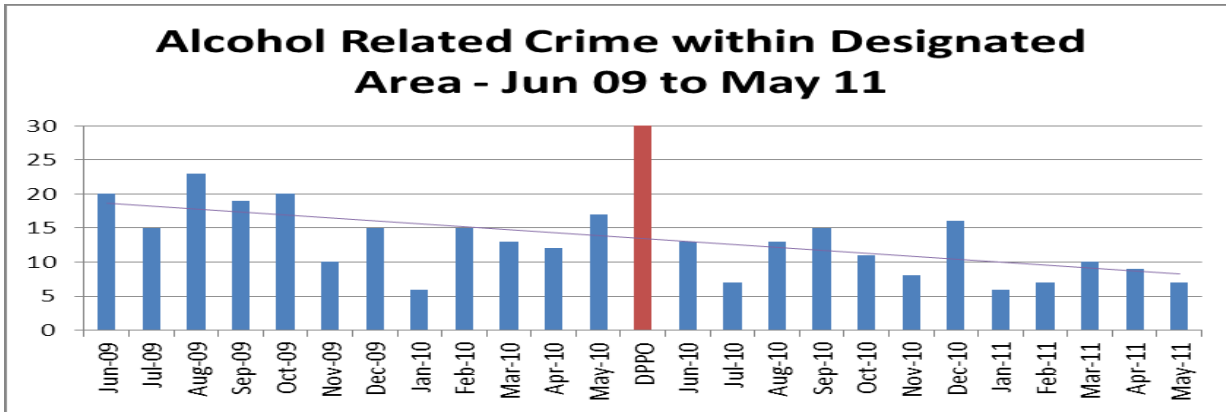
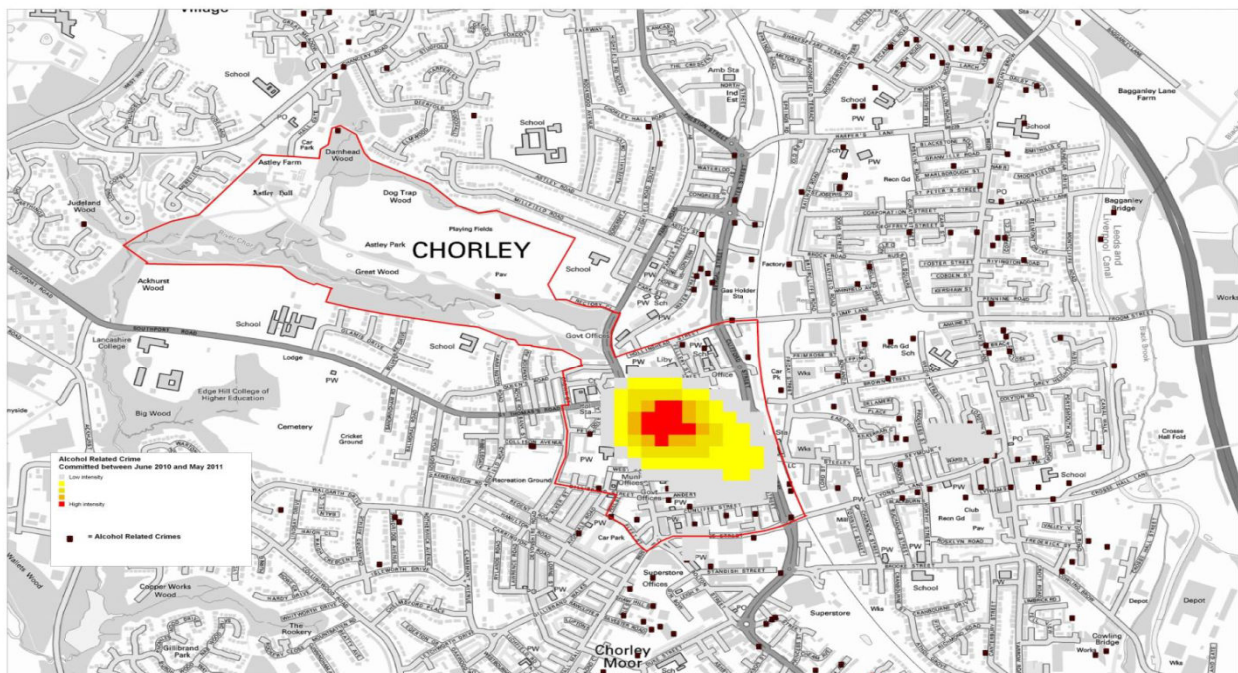


Table 2 recorded alcohol related crime for Chorley Town Centre and Astley Park DPPO designated area between June 2009 and May 2011 shows alcohol related crime has reduced over this period.

25. Upon wider examination of alcohol related crime data in and around the Chorley Town Centre and Astley Park DPPO area it is evident that the hotspot for alcohol related crime remains within the current designated public place boundary (table 3). This strongly suggests crime hasn't been displaced and the boundary of the DPPO is still covering the correct areas.



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Table 3 The hotspot for alcohol related crime (shaded area) remains within the current designated public place boundary

CHORLEY BOROUGH WIDE ALCOHOL RELATED CRIME

26. Alcohol related incidents across the whole of the Chorley Borough footprint have decreased over this 24 month time period by -11% (n=82)

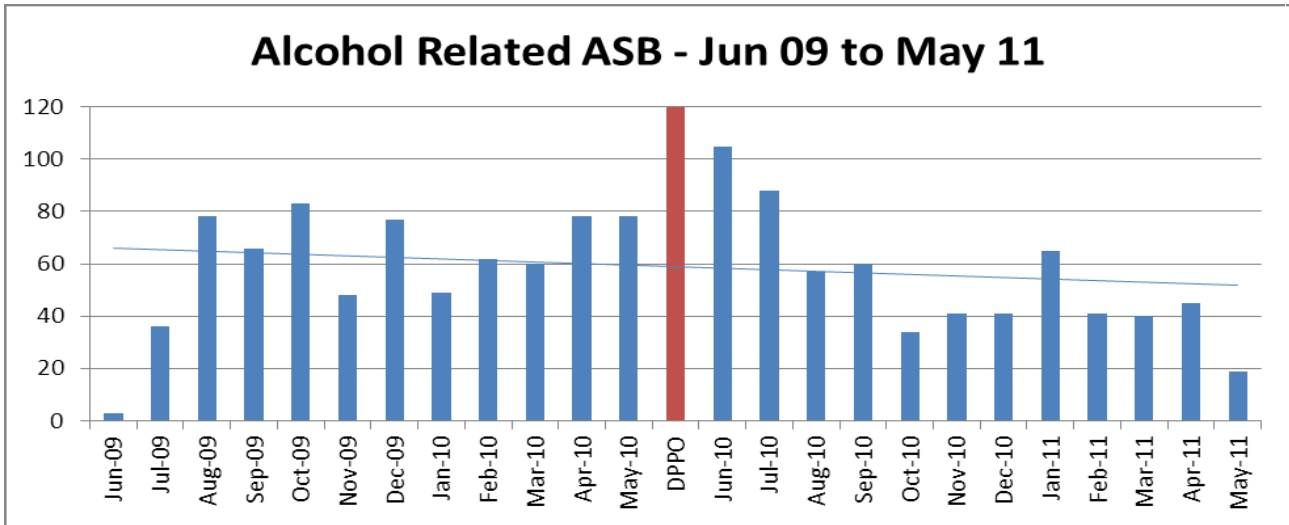


Table 4 recorded alcohol related incidents for Chorley Borough between June 2009 and May 2011 shows alcohol related incidents have reduced over this period.

27. Within the designated area there has been a -10% reduction (n=24) in Alcohol related incidents. However, in April 2011 recording classes changed for ASB and street drinking was no longer recorded as an activity in its own right, which makes finding the incidents more difficult and the periods of comparison unequal, 12 months prior and only 10 months post. In those two months there have been approximately 13 reports of street drinking, which when recalculated means that we have had 85 post DPPO, giving a reduction figure of -42.5% (n=63) incidents.

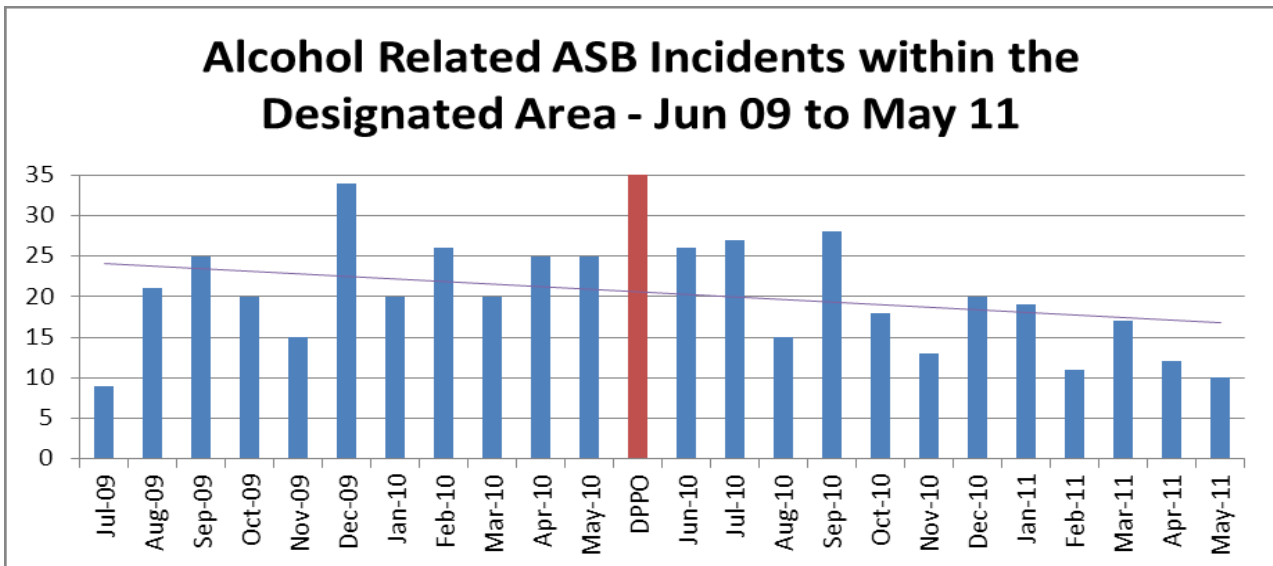
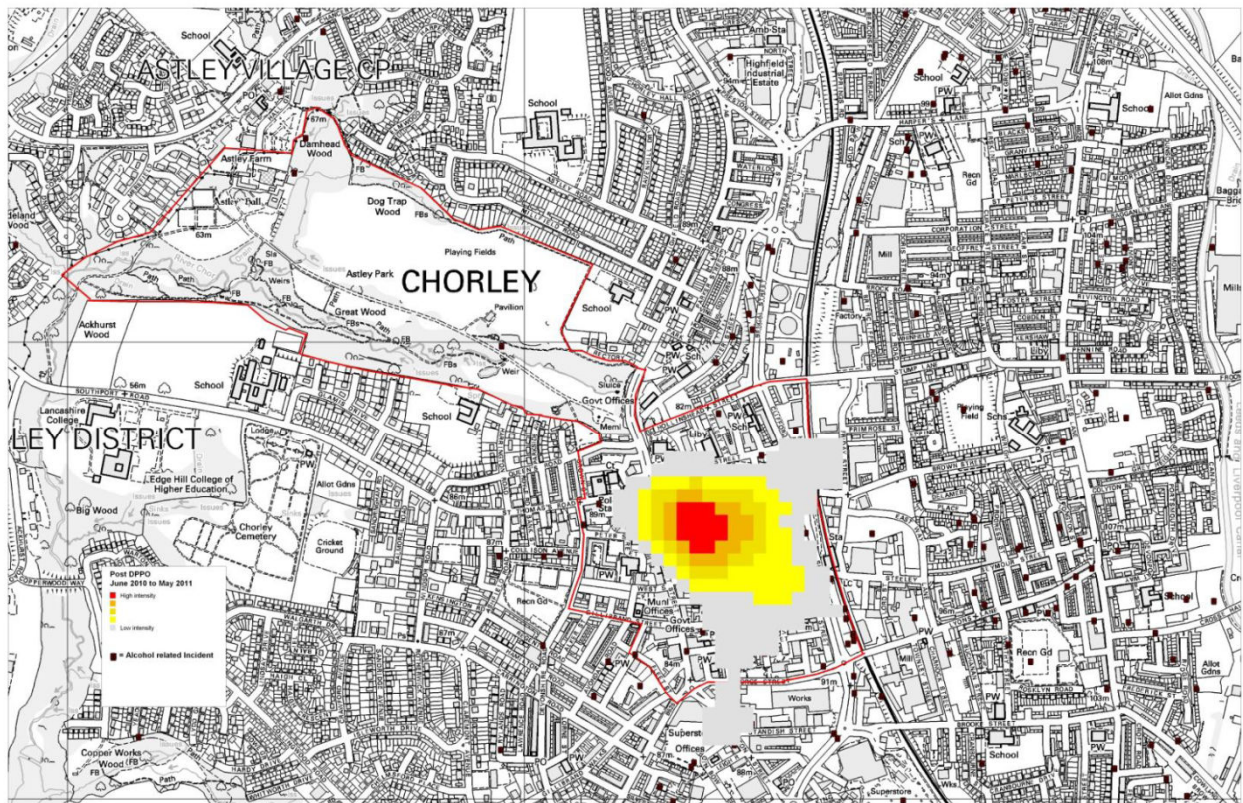


Table 5 recorded alcohol related crime for Chorley Town Centre and Astley Park DPPO designated area between June 2009 and May 2011 shows alcohol related crime has reduced over this period.



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Table 6 the hotspot for alcohol related incidents (shaded area) remains within the current designated public place boundary

IS THE CURRENT ORDER IS BEING EFFECTIVELY ENFORCED.

- 28. As previously highlighted Designated Public Place Orders (DPPOs) give police officers discretionary powers to require a person to stop drinking and confiscate alcohol or containers of alcohol in public places. Therefore the Chorley Town Centre and Astley Park DPPOs enforcing authority is Lancashire Constabulary.
- 29. Lancashire Constabulary have stated that since the introduction of the DPPO in June 2010 response police officers and neighbourhood police officers have actively exercised the powers the Order provides them. Whilst the number of requests for individuals/groups to comply with the Order is not recorded non compliant requests are. There has been one non complaint request to stop drinking and hand over alcohol recorded in September 2010. This individual was arrested and subsequently issued with a penalty notice.

HAVE PERCEPTIONS OF CRIME AND FEAR OF ANTI-SOCIAL BEHAVIOUR BEEN REDUCED WITHIN THE CURRENT DPPO ZONE AND SURROUNDING AREA

- 30. As part of the Chorley Town Centre and Astley Park DPPO review, 1671 stakeholders were consulted between the 31 August 2011 and 21 September 2011. Consultees included Elected Members, Local Councils including Astley Parish Council, residents, on and off licensed premises, organisations and businesses within the current DPPO zone and surrounding area. The results of this consultation are set out below.

CONSULTATION RESULTS

Consultation requests sent:	1671
Completed Consultations returned:	68
Response percentage residents	75%
Response percentage business or trader	19.1%
Response percentage other organisation	5.9%

Other organisations / individuals making representations

Respondent	Supportive / Opposed
Chief Executive – Chorley Council	Supportive
Lancashire Constabulary	Supportive
Lancashire County Council	Supportive
Friends of Astley Park	Supportive

Other organisations consulted but no response received

Respondent	Supportive / Opposed
Astley Parish Council	Unknown

31. Those invited to complete the online consultation questionnaire were asked 3 main questions

- a) Do you believe that alcohol-related crime and antisocial behaviour is a problem in your area?
- b) Do you think that the Police, Council and other partner agencies are doing enough to prevent alcohol-related crime and antisocial behaviour in your area?
- c) Do you support the continuation of the Designated Public Place Order for Chorley Town Centre and Astley Park

32. These questions were also used in the consultation process for the Orders implementation in 2010. For comparative purposes the results of the 2010 survey are included along side the 2011 review survey results.

33. The results of each of these questions are outlined below

QUESTION 1

Do you believe that alcohol-related crime and antisocial behaviour is a problem in your area?			
Answer Options	Implementation Percent 2010	Response	Review response percent 2011
a) Yes, it is a major problem in our area.	22.2%		10.6%
b) Yes, we sometimes have problems in our area.	53.7%		60.6%
c) We couldn't really say either way.	11.1%		9.1%
d) No, we rarely have problems in our area.	11.1%		15.2%
e) No, we never have these problems in our area.	0.0%		4.5%
f) I don't know.	1.9%		0.0%

34. Evaluation of the written responses to this question 1 indicates that residents are largely concerned by alcohol related rowdy or inconsiderate behaviour, youth nuisance, intimidation and environmental crime.

QUESTION 2

Do you think that the Police, Council and other partner agencies are doing enough to prevent alcohol-related crime and antisocial behaviour in your area?			
Answer Options	Implementation Percent 2010	Response	Review response percent 2011
a) Yes, they are doing a lot and being effective.	11.1%		24.6%
b) Yes, their efforts are having an impact but there is much more to do.	24.1%		24.6%
c) Their efforts are having very little effect.	20.4%		6.2%
d) No, despite their efforts there is no progress or things are getting worse.	5.6%		9.2%
e) No, we am not aware of these agencies taking any action in our area.	16.7%		6.2%
f) I am not able to say.	22.2%		29.2%

35. Evaluation of the written responses to question 2 indicates that residents feel that their area would benefit from increased high visibility patrols, increased CCTV, improved lighting and the restriction of licensed premises opening hours. Residents also indicated that alcohol related crime and ASB had reduced in their area and that Police, Council and other partners were doing a good job. Three responses from the 68 returned requested that the current DPPO be extended to include Devonshire Road recreation ground.

Do you support the introduction of the Designated Public Place Order for Chorley Town Centre?	Review response percent 2011	Do you support the continuation of the Designated Public Place Order for Chorley Town Centre and Astley Park	Review response percent 2011
Yes, I support the introduction of the DPPO for the Town Centre and Astley Park.	94.3%	Yes, I support the continuation of the DPPO for the Town Centre and Astley Park.	100%
No, I do not support the introduction of the DPPO for the Town Centre and Astley Park	5.7%	No, I do not support the continuation of the DPPO for the Town Centre and Astley Park	0%

36. Since the introduction of the Chorley Town Centre and Astley Park DPPO, alcohol related crime incidents and ASB have reduced in the current Chorley Town Centre and Astley Park DPPO zone and surrounding area. Upon further examination there is a strong suggestion that crime, incidents and ASB hasn't been displaced and the boundary of the current Order is still covering the correct areas. The survey shows 100% of those responding to the review fully support the continuation of the DPPO which is being effectively enforced by Lancashire Constabulary.

37. It is also evident since the introduction of the current DPPO that there have been improvements in perceptions of alcohol-related crime and antisocial behaviour in the area and respondents largely believe the Police, Council and other partner agencies are doing enough to prevent alcohol-related crime and antisocial behaviour.
38. After careful evaluation of all available data and information on the basis of crime and disorder, there would be no basis to consider expanding the area covered by the current Order. It is therefore, recommended that Executive Cabinet supports the continuation of the Chorley Town Centre and Astley Park Designated Public Place Order (DPPO) in its current form.

IMPLICATIONS OF REPORT

39. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	✓	No significant implications in this area	

COMMENTS OF THE MONITORING OFFICER

40. The purpose of this report is to review the operation of the DPPO made by General Purposes Committee last year. The Cabinet need take no further action to continue the Order. It is agreed there seems no need, given the contents of this report that there be any extension in the area of operation of the Order.

JAMIE CARSON
DIRECTOR PEOPLE AND PLACES

There are no background papers to this report.

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