

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Policy and Performance Portfolio Holder's Meeting

26 January 2012

AUTHOR/S: Chief Executive / Corporate Manager, Community & Customer Services

DESIGNATED PUBLIC PLACE ORDER IN BAR HILL

Purpose

1. To recommend to the Portfolio Holder that the Designated Public Place Order (DPPO) in Bar Hill remains in place.

Recommendation

2. That the Portfolio Holder agrees to keep the Bar Hill DPPO in place, and closes the Task & Finish Group set up to review the DPPO.

Reason for Recommendations

3. At his meeting on 13 October 2011, the Portfolio Holder requested that the decision on whether to continue or revoke the Bar Hill DPPO should take account of the views of local representatives.

Background

4. A DPPO can be made by local authorities to address alcohol related anti-social behaviour. These powers do not make it a criminal offence to consume alcohol within a designated area, but an offence is committed if the individual refuses to comply with a constable's request to refrain from drinking.
5. The Bar Hill DPPO was introduced in April 2006 in response to large groups gathering on the open spaces and consuming alcohol. Problems of this scale have not occurred for a number of years in Bar Hill, and DPPO guidelines recommend reviewing regularly to ensure that a need remains for use of the power.
6. The DPPO has previously been reviewed by Portfolio Holders. Firstly in 2009, when it was agreed to collect some more detailed information for 12 months, and then again in 2010, when it was agreed to continue with the DPPO and establish a Task and Finish Group to directly address alcohol related problems in Bar Hill.
7. The Task and Finish Group met three times and included representatives from the Parish Council, Police, and the local District and County members. It discussed the issues and agreed a multi-agency action plan to swiftly address problems should it be considered that the DPPO was no longer needed. In October 2011, the Portfolio Holder agreed that the views and concerns of local members should be considered in any decision to revoke or continue the DPPO.

Considerations

8. Since the DPPO was introduced in Bar Hill, additional and alternative national legislation has been introduced under Section 27 of the Violent Crime Reduction Act (2006), which provides the Police with powers to issue a direction for an individual to leave a locality for up to 48 hours. This power provides an alternative to using DPPO powers. As a result, the Police have not had to deploy the DPPO legislation as a method for addressing alcohol related anti-social behaviour for three years, but instead have used these alternative powers to address problems as and when they arose.
9. Revoking the DPPO would not affect how the area is policed, as the Neighbourhood Policing Team will continue to respond to calls and use available legislation appropriate to deal with the situation.
10. Revoking the DPPO would require wide public consultation, and by doing may so result in those wishing to engage in alcohol related anti-social behaviour assuming that it is now appropriate to do so in Bar Hill.
11. Local members and the Parish Council have expressed the view that the existence of the DPPO is thought to have been effective, and a contributory factor for such a low level of incidents.
12. The Home Office is proposing widespread changes to Anti Social Behaviour legislation. No clear timescales have been given, however, the Home Office document "More effective responses to Anti-Social Behaviour" proposes that DPPOs would cease to exist in the future, and be replaced by Community Protection Orders (Level 2).

Options

13. **Option A Continue the DPPO, and close the Task & Finish Group**
Home Office guidance advises that it is good practice to gather data and evidence of "alcohol related nuisance or annoyance to the public" to justify the continuation. The Police advise that they consider that there is not satisfactory evidence of incidents in the last 12 months to justify the order being continued. However, local opinion is that the DPPO has had a positive effect on containing alcohol-related anti-social behaviour, as well as contributing to residents feeling safe in their community, and residents being confident that emerging issues can be addressed swiftly.
14. **Option B: Revoke the DPPO:**
If the DPPO was revoked then Home Office guidelines recommend consulting with local police and parishes, premises licence holders, and where appropriate owners and occupiers of the land as well as local residents, publishing the details in the local newspaper giving 28 days for comment. This consultation has effectively been carried out with some of those stakeholders through the Task and Finish group. The Task and Finish Group was concerned that a public consultation may result in those wishing to engage in alcohol related anti-social behaviour assuming that it is now appropriate to do so in Bar Hill it is decided to revoke the DPPO, as well as negatively affective people's feelings of safety in their community.

Implications

15.	Financial	Local advertising of the proposed removal of the DPPO
	Legal	Input to advertising/consultation process
	Staffing	None
	Risk Management	None
	Equality and Diversity	None
	Equality Impact Assessment completed	No No EQIA completed as the decision is to revoke a power
	Climate Change	None

Consultations

16. (a) A Task and Finish group was set up in 2011, and met three times, and included representatives from the Parish, County, and District Councils, and the Police.
- (b) Local members Cllr Hall and Cllr Waters shared their views at the Portfolio Holders meeting on 13 October 2011.
- (c) The Parish Council has provided its official response to the recommendation to keep the DPPO, and this is attached at **Appendix A**.

Consultation with Children and Young People

17. No direct consultation has been carried, although the Task & Finish Groups action plan included input from the County Council's Locality Team, Cambridgeshire Child and Adolescent Substance Use Service, and Connections Bus Project.

Effect on Strategic Aims

18. **AIM A: We are committed to being a listening council, providing first class services accessible to all**

The review has included ongoing detailed consultation with local representatives and the Parish Council, through a regular weekly email contact to identify emerging issues and concerns, and the Task and Finish Group.

AIM B - we are committed to ensuring that South Cambridgeshire continues to be a safe and healthy place for you and your family

The DPPO is considered to enhance the feelings of safety among residents

Conclusions / Summary

19. Local representatives highly value the DPPO and the effect it is considered to be having on containing anti-social behaviour in Bar Hill.

Background Papers: the following background papers were used in the preparation of this report: Guidance on Designated Public Place Orders (DPPOs) for Local Authorities in England and Wales

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