
ALCOHOL RELATED DISORDER IN DARLINGTON TOWN CENTRE

Responsible Cabinet Member – Bill Dixon

Responsible Director – Murray Rose, Director of Services for People

SUMMARY REPORT

Purpose of the Report

1. This report seeks Council approval for the introduction of a Designated Public Place Order (DPPO) within Darlington Town Centre.

Summary

2. The requirement for a DPPO to control anti-social drinking in Darlington Town Centre has been jointly recognised by the Police and Darlington Borough Council Anti-Social Behaviour Team following an increase in the number of incidents and concerns raised by the public and local businesses about the adverse impact on the Town. The requirement for a DPPO has been sponsored by the Anti-Social Behaviour Strategic Theme Group and supported by the Community Safety Partnership.
3. From July 2010 to July 2011 there were 1013 alcohol related incidents reported to the Police, these were all within the Town Centre of Darlington. Between January 2011 and July 2011 there were three alcohol related incidents in North Lodge Park and four incidents in Stanhope Park reported to the Police within the same period.
4. Police have limited powers to deal with adults who are causing a nuisance or perceived to be acting in an anti-social manner by consuming alcohol in public places. The introduction of a DPPO covering Darlington Town Centre will enable the Police to deal with alcohol related anti-social behaviour more effectively. Please refer to **Appendix 1** (map of the proposed area to be included in the DPPO).
5. A DPPO is a discretionary power to require a person to stop drinking and confiscate alcohol or alcohol containers in public places, failure to comply can result in arrest and/or a fine. They will only be used in Darlington to tackle adults in public places acting in an anti-social manner - for example people sat on Council benches in the Town Centre consuming cider/wine etc and detracting from the safe and family culture the Town enjoys. The DPPO powers do not impact on the café-culture of licensed premises or responsible adults consuming alcohol in a responsible manner.

Recommendation

6. It is recommended that Council consider the report and based on the information and evidence supplied within it, agree a Designated Public Place Order for the identified area.

Reasons

7. The recommendations are supported for the following reasons :-
- (a) High levels of anti-social behaviour and nuisance being caused as a result of adults drinking alcohol in public places within Darlington Town Centre.
 - (b) Police currently having limited powers in relation to tackling this issue.
 - (c) The Town Centre business community support the need for a DPPO to stop the number of adults drinking alcohol in public places and detracting from the ambiance of the Town Centre.
 - (d) Low public perceptions about the effectiveness of the police and Local Authority to tackle anti-social behaviour. According to the Public Confidence Survey that was carried out by the Police in Darlington from June 2010 to March 2011 the percentage of respondents who agreed that the Police and Local Authority were dealing with the anti-social behaviour and crime issues that matter in their area was 55.8%.

Murray Rose,
Director of Services for People

Background Papers

Home Office Guidance on DPPO's

A Willey: Extension 3715

S17 Crime and Disorder	This decision will ensure that Crime & Disorder is managed more effectively.
Health and Well Being	Improve community sense of well-being
Carbon Impact	No affect
Diversity	No affect
Wards Affected	Central, Northgate & College
Groups Affected	Members of the public, residents and businesses
Budget and Policy Framework	No budget implication
Key Decision	Not a key decision
Urgent Decision	Not an urgent decision
One Darlington: Perfectly Placed	In line with One Darlington: Perfectly Placed
Efficiency	It will ensure more effective use of Policing resources and Council anti-social behaviour service

MAIN REPORT

Information and Analysis

The law

8. Designated Public Place Orders (DPPOs) provide police officers with discretionary powers to require a person to stop drinking and confiscate alcohol or containers of alcohol in public places. The aim of a DPPO is to control the drinking of alcohol in public places, therefore improving the quality of life of residents, business owners and the general public. DPPO powers under section 13 of the Police and Criminal Justice Act 2001 enable local authorities to designate places where restrictions on public drinking apply, however they can only be used in areas that have experienced alcohol related disorder or nuisance.
9. DPPO's are not to be confused with Alcohol Free Zones. DPPO powers are not intended to disrupt peaceful activities, for example families having a picnic with a glass of wine or affect pavement café licences. A DPPO would still allow people to drink alcohol however, if a Police Officer feels that a nuisance will be caused as a result of alcohol consumption, they will have the power to request the person to refrain from drinking and confiscate their alcohol. Failure to comply with this request would be an offence.
10. The legislation does not state that a review date is needed however to support sharing of good practice and taking account of national guidance, the arrangement will be reviewed bi-annually with accompanying statistics. The DPPO can also be revoked at any stage if it is deemed necessary.

Evidence for the Application

11. Police statistics form part of the evidence that has been collated for this application; they have been included in the form of scanning documents at **pages 2-7 of Appendix 2**. These documents show the level of nuisance drinking in North Lodge Park and Stanhope Green. From July 2010 to July 2011 there were 1013 alcohol related incidents within the Town Centre and between January 2011 and July 2011 there were three alcohol related incidents in North Lodge Park and four incidents in Stanhope Park reported to the Police, however it is felt that this is not a true reflection of the number of incidents, as many incidents in the parks are not directly reported to the Police.
12. Nationally over 280 local authorities have Designated Public Place Order's and to date there are over 800 such Orders in place. In 2006 Redcar and Cleveland introduced DPPO's in more than 300 individual streets across its 9 towns and villages. Durham County Council has 3 DPPO's in place - Willington/Crook area, Chester le Street and Peterlee. The reason the DPPO was introduced in Willington/Crook was due to night time economy issues, the order has been in place for over 3 years and has had a positive affect. Other local areas that have DPPO's include: Richmond, Bedale, Northallerton, Thirsk, York (15 orders) and Harrogate, Yarm, Saltburn and Guisborough.
13. A Designated Public Place Order is a positive 'tool' which will enable the Police to deal with alcohol related anti-social behaviour within a designated area. This will contribute to making Darlington a more attractive and safer place to live, work and visit. Darlington is a family friendly market town which the DPPO will help to preserve and encourage

development. DPPO publicity will stress the positive approach which enables the Police and other designated Officers to deal more effectively with alcohol related disorder.

14. If displacement does occur once the order is in place, an extension could be applied for at a later date. Displacement however, has not been found to be an issue in other Local Authority areas where a DPPO has been granted.

Consultation

15. Extensive consultation has taken place across relevant wards. Consultation has included:
 - (a) Licensees via Pub Watch meetings and questionnaires that were hand delivered to all licensees within the designated area – strong support for introduction.
 - (b) Non licensed Business premises via Shop Watch - strong support for introduction.
 - (c) A report was submitted to the Town Centre Board in September 2011. Members felt that the application for a DPPO was necessary and gave full support.
 - (d) Other business premises and residents not involved in Pub Watch or Shop Watch via a questionnaire. 513 were sent out 40 returned and 38 supported the DPPO.
 - (e) A notice was published on Wednesday 26th October 2011 in the Northern Echo in accordance with the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007. The deadline for any representations was 9th November 2011, of which there were none.
16. Letters of support have been received from businesses, Chair of Pub Watch, Council staff, Northgate Community Partnership and Friends of North Lodge Park. Please refer to these letters at **pages 15-21 of Appendix 2**.
17. Members of the public can object and their views must be considered during the decision-making process..

Signage

18. The Local Authority will agree on number of signs required to inform the public about the DPPO. Signs will be placed at the approaches to the designated areas and repeated within them. It is recommended that a maximum of 23 signs will be required at various points within the designated area. In accordance with national guidelines, signs will not suggest that the consumption of alcohol is a criminal offence.
19. The signs will be fitted to existing poles in consultation with Darlington Borough Council's Conservation Officer and Highways Division. The only recommendation in the legislation in relation to signage is that it has to be 'reasonable', taking into account the size of the area. Please refer to **page 22 of Appendix 2** (copy of a sample sign). The signage that is placed within Darlington's DPPO area will advise members of the public that Darlington is a family friendly town and there is a DPPO in place to make the area an even more attractive and enjoyable place to live, work and visit. The cost of the signs is approximately £450. Funding for the signs will be met by contributions from Pub Watch and Shop Watch, (£100 each) and Friends of North Lodge Park who have agreed to pay for the signs in the park. The remaining £160 is subject of a funding bid to the Problem Solving Group (Community Safety). The maintenance of the signs would be funded by the Anti-Social Behaviour budget as required.

Publicity

20. When a DPPO is granted, a public notice must be published in a local newspaper to identify the place to which the order refers, the effect the order will have, and indicating the date the order will take effect.
21. It is suggested that publicity for the introduction of a DPPO will be positive for Darlington with levels of confidence in the Council and the Police to tackle anti-social behaviour increasing.