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CUMBRIA  
CONSTABULARY  
SAFER STRONGER CUMBRIA

My Reference AW10/1  
Your Reference

NOT PROTECTIVELY MARKED

Mr Mjepson  
Legal Services Dept  
Copeland Borough Council  
Catherine St  
Whitehaven CA28 7SJ

*received  
26/3/08*

19 March 2008

Dear Sir,

Re DPPO for Millom

Please find enclosed a copy report from Acting Inspector Andy Wilkinson, Millom Local Policing Team, regarding a proposal for a designated public place order in Millom.

I have considered the information contained within the report and as the Police Commander for West Cumbria I support this proposal as an appropriate and proportionate use of the powers. This will enable my officers to effectively address the issue of the public misuse of alcohol and related offences that are adversely affecting the quality of life of residents in Millom.

I would be grateful for your assistance in progressing the making of the order as set out in the report.

Should you wish to discuss this further, please feel free to contact myself, or for queries regarding the information supporting the proposal, contact Acting Inspector Wilkinson.

Yours Faithfully,

K. McGilloway  
Chief Superintendent  
West Cumbria BCU Commander

Form 42B  
CUMBRIA CONSTABULARY

File No.

19 March 2008

Division: West BCU – Millom Local Policing Team

From: A/Inspector Wilkinson  
To:- Chief Superintendent McGilloway  
CC: A/Superintendent Slater

Sir

**Report Re – Designated Public Place Order, (DPPO), St. George's Park, Millom**

A Designated Public Place Order, (DPPO) is a tool which can be used by Local Authorities to deal with problems associated with anti social alcohol drinking in public places. These are commonly known as on "on street drinking bans."

Such orders are made by Local Authorities under Section 13 of the Criminal Justice and Police Act as amended by Section 26 of the Violent Crime Reduction Act 2006 and the Local Authorities (Alcohol Consumption in Designated Public Places Regulations 2007).

DPPO's are available in areas that have experienced alcohol related anti social behaviour problems. They have been used to good effect country wide and within Cumbria. In West Cumbria, Whitehaven has seen a positive effect on incidents relating to alcohol, within it's town centre, and currently in Millom, a DPPO is in place for the "Market Square" area, allowing officers to tackle the underlying causes of disorder and criminal offences.

Some Borough Councils have gone to the extent of designating small areas such as single streets i.e. Frizington Main Street.

A Local authority can make a DPPO in a place where;

- Nuisance or annoyance to members of the public or a section of the public
- Disorder

has been associated with consuming alcohol in that place. S13(2) CJA2001.

A DPPO allows a police officer to confiscate alcohol to enforce the restriction, it is not an offence to consume alcohol within the area of a DPPO but it is an offence to fail to comply with an officer's request to stop drinking and surrender alcohol. Use of this power is discretionary but allows intervention in alcohol related disorder at an early stage potentially preventing more serious offences.

To satisfy the tests of Nuisance or annoyance to members of the public or a section of the public or disorder associated with consuming alcohol in that place required by the Local Authority in making a DPPO, a search has been made of police incident logs to establish where a further DPPO may be imposed within Millom. The following is what has been identified.

## Millom Town Centre and Park

Between March 2007 and March 2008, there have been 136 incidents of disorder, anti-social behaviour criminal damage and violence related disorder in the park area, and streets adjacent to the park. The following incidents are an example of what is reported to the police in Millom –

- 9/3 a male was arrested for being drunk and disorderly in the Market square area.
- 4/3 a drunken male was racially abusive toward retail premises worker in Millom, who also made threats towards the staff.
- 15/2 a group walking towards the Market Square area of Millom, "battering cars" with beer cans and their fists.
- 9/2 a grandmother reporting having to take her grand child out of the park, due to a group who were swearing, drinking, and taking drugs.
- 27/1 five individuals were arrested in a disorder incident near the Market Square, for drunk and disorderly, and public order offences, following a report of ongoing disorder.
- 25/1 a male was arrested for a public order offence.
- 18/1 a report that a group of eighteen were throwing items around in public.
- 18/1 Report that a group of males were intimidating staff at a retail premises, having been consuming alcohol.
- 5/1 Two individuals were both arrested for their behaviour being drunk and disorderly in public.
- 1/1 a report was received that a group of males were fighting in the street, subsequent to this, a further report was made of a "massive" group of individuals fighting and causing damage to cars.
- 1/1 two males were arrested subsequent to two separate instances of them acting drunk and disorderly in public.

The following alcohol seizures have been recorded in this location (as proposed on the map) –

- 22/2 Alcohol is seized from a group of individuals in the Park.
- 16/2 Alcohol seized from a group.
- 15/2 Large amount of alcohol seized by officers, which was suspected to be supplied to youths.
- 15/2 Vodka "WKD" was seized by officers, suspected to be sold on to U18's.
- 15/2 Alcohol seized from Millom Park.
- 13/2 Alcohol seized from individuals on St Goerges Road.
- 9/2 Alcohol seized.

This is just a small example of the 136 incidents which have occurred in the area but they are not untypical of those incidents. In addition to the incidents reported to the Police, nineteen local residents have been consulted with by local Police, as part of an ongoing community impact assessment, and ALL reported that they would like to see a DPPO in place prior to the summer, to enable officers to address the issues.

The alcohol seizures above were part of an ongoing Policing operation, and highlight the amount of alcohol which is currently being consumed in public. Please note, that the incidents resulting in alcohol seizures, were identified by officers patrolling Millom, and were not reported to the Police, therefore, it is safe to assume that there are numerous incidents which are ongoing, but which remain unreported to the Police.

Although compared to other areas where designated public place orders are in place, the number of incidents in Millom may not seem vast, Millom has a population of only 7350 (Cumbria county council neighbourhood forum figures), which equates to one incident per 28 residents of Millom, which is a significant amount.

It is believed that throughout the summer months, alcohol consumption in public is expected to rise, due to the warmer weather, lighter nights etc. During this time, the park (currently not subject to a DPPO) is frequented by individuals, to consume alcohol, and the individuals then move into the town centre and Market Square area, where there is a DPPO in place. The DPPO in the Park area would allow officers to enforce drinking in public, and would also deter individuals from doing so. The alcohol consumption which takes place in the area of the park and adjacent streets does result in incidents occurring at those locations, but also influences incidents in the Market square area, and town centre area of Millom in general. Powers currently available under the Confiscation of Alcohol Act 1997, allowing officers to seize alcohol from under 18's, or for consumption by under 18's are constantly being utilised by officers, but on many occasions it is over 18's who are consuming alcohol, and subsequently cause anti-social behaviour and disorder, these current powers do not provide a solution to addressing the issues, as a DPPO would.

### Conclusion

A DPPO would provide the police with the ability to intervene in alcohol related disorder at an early stage.

Based on the information held by the police it would be appropriate to designate an area bounded by the area marked on the attached map at Appendix A and B. This is in addition to the already designated Market Place area. Please note that on the maps, the area requested is within the external boundary of the markings. It is acknowledged that the hospital is within this boundary, any "legitimate" consumption of alcohol within the private grounds of the hospital would not be affected by this DPPO, only the areas to which the public have legitimate access, or have gained unlawful access. Another detail on the map, which is requested to be included in the DPPO area, is an area opposite the market square, where there is an entrance to retail premises, (it is endorsed on the map, but difficult to see, hence the clarification), this small area is regularly frequented for consuming alcohol, when individuals come out of the licensed premises into the Market Square.

I respectfully submit this report for your consideration and if suitable, forwarding to Copeland Council legal department, Mr. Martin Jepson, (head of legal services) who is already aware of this proposal.

Regards,

Andy Wilkinson  
A/Inspector