

**REQUEST FOR DESIGNATION OF PUBLIC PLACE – BECK GREEN,
EGREMONT**

EXECUTIVE MEMBER: Councillor Norman Williams, Promoting Prosperity
LEAD OFFICER: Martin Jepson, Head of Legal and Democratic Services
REPORT AUTHOR: Martin Jepson

Summary and Recommendation:	Considers whether to consult on a proposal to make a Designated Public Place Order for Beck Green, Egremont. Recommended that formal consultation takes place over whether to make land at Beck Green, Egremont as shown on the attached plan a Designated Public Place.
------------------------------------	---

1. INTRODUCTION

1.1 Executive has been used over a number of years to the process for making Designated Public Place Orders. The making of such an Order would allow Cumbria Police to require someone to stop drinking alcohol in a public place and/or would allow them to confiscate alcohol. Failure to comply with a Cumbria Police request would constitute a criminal offence.

1.2 Members have in the past been concerned over the piecemeal nature of applications for Orders. As a result of this it has been agreed that all applications would be processed through Cumbria Police once a year. Members last received a similar report at its meeting on 29th April 2008.

1.3 At that meeting a request for an Order in Millom was reported. An Order was later made and Millom's Inspector until January 2009 reports:

“My opinion is that the Designated Public Place Order greatly assisted in reducing violence and related disorder, and as was expected throughout the application period, has provided a longer term solution to dealing with alcohol in public, and the related public perceptions. The following are crime figures for Millom In January -

Overall violent crime reduced by 28.7% compared to the same period last year (39 less offences)

Assaults with injury reduced by 28.1% compared to the same period last year (18 less offences)

Violent Crime in licensed premises reduced by 44% compared to last year (individuals were not too drunk in general, prior to reaching the premises)

Damage reduction of 36.9% (damage was regularly a sporadic problem, with no intended victims, but intoxicated individuals randomly damaging vehicles etc)

Anti-social behaviour reduction of 13.5%, 74 less reported incidents.

Again, there was no evidence of displacement of the related problems up until January. I had expected that this may be the case, as I think we both did, but it appears the issues have either ceased (ie. less consumption of alcohol in public places), or, they have been displaced to somewhere there is no adverse effect on anyone, and therefore no increased number of reported incidents in another location. The displacement possibilities were however considered during the application phase, and the Designated Public Place Order increased cover to identified, local displacement areas (ie. surrounding streets, car park areas etc.), this may be a worthy consideration for the Egremont Designated Public Place Order application, to ensure that individuals who are displaced, are not still in the same vicinity, as the effect would then be less".

2. CUMBRIA POLICE PROPSAL

2.1 Attached at Appendix A are papers supplied to the Council through Chief Superintendent McGilloway, and with his support, but prepared on behalf of Egremont Police.

2.2 The report cites 24 incidents recorded in the Beck Green area over a period of 10 months, and suggest the majority of those incidents were alcohol- related.

The report goes on to say that this is a small example of the incidents which have occurred in the area and recommends that an Order be made to allow Cumbria Police to take action against over 18's. They already have powers in respect of under 18's.

3. NEXT STEPS

3.1 If Members are convinced by the argument put forward, the next step is for formal consultation to take place on the proposal. Approval to an Order would then have to be given by Full Council.

4. FINANCIAL AND HUMAN RESOURCES IMPLICATIONS (INCLUDING SOURCES OF FINANCE)

4.1 It will be necessary for there to be a public notice in a local newspaper. However, the cost can be met through existing budgets. Some administrative time is required to make such an Order, but this can be accommodated within existing resources.

5. PROJECT AND RISK MANAGEMENT

5.1 The process for making such an Order would be the same as that used for previous Orders.

6. IMPACT ON CORPORATE PLAN

6.1 If implemented, a Designation is likely to contribute to the reduction of, or fear of crime (Section 3.2.3).

List of Appendices

Appendix A: Report received from Cumbria Police.

List of Background Documents: None.

List of Consultees: Corporate Team, Councillor A. Holliday;

CHECKLIST FOR DEALING WITH KEY ISSUES

Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the

Impact on Crime and Disorder	See 6.1.
Impact on Sustainability	Not directly applicable.
Impact on Rural Proofing	Not directly applicable.
Health and Safety Implications	Not directly applicable.
Impact on Equality and Diversity Issues	Not directly applicable.
Children and Young Persons Implications	Not directly applicable.
Human Rights Act Implications	Reduction in Civil Liberties can be justified.
Comments of S.151 Finance Officer	None
Comments of Monitoring Officer	Is report author.

Please say if this report will require the making of a key decision

No

◆
CUMBRIA CONSTABULARY

File No.

Division: West BCU - Egremont

29th December 2008

From: PCSO 5199 Charlotte Davies
To: - Chief Superintendent McGilloway
Cc:

Report Re –Designated public place order, (DPPO), Beck Green Egremont

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 Places Regulations 2007).

DPPO's are available in areas that have experienced alcohol related anti social behaviour 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 its town centre, and currently Millom, a DPPO is in place for the "Market Square" area, allowing officers to tackle the underlying causes of disorder and criminal offences.

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) CJPA2001.

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 test 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 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 Egremont.The following is what has been identified.

The council informed the police of 14 other incidents which are either a direct link or linked to alcohol related disorder or nuisance. In addition to these complaints police have also received reports in the last 12 months which are detailed below

BECK GREEN, WYNDHAM PLACE

Between March 2008 and January 2009, there have been 24 related incidents of disorder, anti social behaviour criminal damage reported to the police, in Beck Green and surrounding area. Due to the consistent quantity of alcohol seized in these areas, it is suspected that the majority of these incidents are fuelled or linked to the consumption of such alcohol in the public, within Egremont.

01/03/08 skate park, Beck green- youths drinking and damaging gates underneath bridge.
Patrols attended, incident dealt with.

14/03/08 Wyndham place, Beck Green- Reports of youths drinking alcohol at the skate park.
15/03/08 Lamb Lane-youths drinking and causing a nuisance.-patrols attended incident dealt with.

24/03/08 Lamb Lane-youths drinking alcohol on lamb lane-patrols attended incident dealt with.

29/03/08 Wyndham Place-youths gathering, very noisy and littering-patrols attended dealt with incident.

04/04/08 Lamb Lane-youths drinking making excessive noise-patrol attended and dealt with the incident.

18/04/08 Lamb Lane-youths drinking making noise-patrol attended and dealt with the incident.

23/05/08 Lamb Lane-youths drinking alcohol, making noise and fighting-patrol attended and dealt with the incident.

27/05/08 Wyndham place-youths drinking making excessive noise-patrol attended and dealt with the incident.

06/06/08 Skate park Beck Green-youths drinking alcohol and making noise, urinating on the pavement-Patrol attended alcohol confiscated, one youth reported for urinating in a public place.

07/06/08 Beck Green-youths drinking alcohol and making noise also littering -patrol attended confiscated quantity of alcohol from youths.

07/11/08 Beck Green-youths drinking alcohol and shouting-patrols attended and dealt with the incident

25/07/08 Beck Green-youths drinking in beck green area-patrols attended and dealt with the incident.

25/07/08 Wyndham Place-youths drinking in area-patrols attended and dealt with the incident

17/08/08 Wyndham Place-youths drinking alcohol-patrol attended and dealt with the incident

17/08/08 Wyndham Place. Large group of youths being rowdy. Patrol attended and dealt with incident

19/09/08 Wyndham Place. Youths drinking alcohol in this location. Patrols attended and dealt with incident.

17/10/08 Beck Green-youths running around shouting and causing a disturbance-patrols attended and dealt with incident.

24/10/08 Wyndham Place-youths causing anti social behaviour in the skate park with a quad bike-patrols attended and dealt with incident.

07/11/08 Beck Green- youths underage drinking, shouting and carrying on outside callers house-patrols attended and dealt with the incident.

07/11/08 Wyndham Place-group of youths on quad bike riding around the skate park.-patrols attended and dealt with the incident.

24/11/08 Wyndham place, reports of youths causing a nuisance damaging property in this location. Patrols attended and dealt with incident.

21/12/08 Wyndham Place-youths seen in area smoking drugs and drinking-patrol attended and dealt with incident.

18/12/08 Wyndham Place-youths hanging around skate-park causing nuisance and littering-patrols attended and dealt with incident.

30/12/08 Wyndham Place-youths drinking and being a nuisance.-patrols attended and dealt with incident

02/01/09 Ehen Road Egremont-youths riding around on motorbikes on the footpaths and fields-patrols attended and dealt with incident.

17/01/09 Wyndham Place-youths being rowdy and causing damage to the property-patrols attended and dealt with the incident.

22/01/09 Wyndham Place-youths shouting and carrying on have cans and glass bottles with them.

This is just a small example of the incidents which have occurred in the area. Residents who have been visited by police following the occurrence of alcohol fuelled Anti Social Behaviour and Disorder, have expressed a desire for a DPPO to be established, in order to tackle these issues in their area, and are fully supportive of this application.

There has been a consistent amount of alcohol seized in these areas, highlighting the amount of alcohol which is currently being consumed in public, by adults as well as young people. Please note, that some of the incidents resulting in alcohol seizures, were identified by officers patrolling Egremont, and were not reported to the police by members of the public, therefore, it is safe to assume that there are numerous incidents which are ongoing, but remain unreported to the police.

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 Beck Green, Lamb Lane and Wyndham place (currently not subject to a DPPO) is frequented by individuals, to consume alcohol. The DPPO in the areas named above would allow officers to enforce no drinking in the specified public places, and would also deter individuals from engaging in this activity. The alcohol consumption which takes place in the area of Beck Green and the adjacent streets, Main Street and the town centre area of Egremont, results in the occurrence of incidents of Anti social Behaviour, and low level Crime and Disorder as well as contributing to incidents of Violent Crime. All of which fall within our local Policing Priorities. 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 utilized by officers, but on many occasions it is over 18's who're 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 and proportionate to designate an area bounded by the area marked on the attached map. This is in addition to the already designated main street area.

The areas requested to be covered under a DPPO are

Chapel Street

Ehen Court road

Lamb Lane

Church Street

Croft Terrace

Wyndham Place

Beck Green (Skate park)

Cross Side

A map outlining this area is attached.

