

EAST HERTS COUNCIL

THE EXECUTIVE – 12 OCTOBER 2010

REPORT BY EXECUTIVE MEMBER FOR
COMMUNITY SAFETY AND PROTECTION

PROPOSAL FOR A DESIGNATED PUBLIC
PLACES ORDER (DPPO) FOR SAWBRIDGEWORTH

WARD(S) AFFECTED: Sawbridgeworth

Purpose/Summary of Report

- The purpose of this report is to request the Council to use the powers under section 13 of the Criminal Justice and Police Act 2001 to make a DPPO (Designated Public Places Order) for parts of the town of Sawbridgeworth (Map attached at **Appendix 1**)
- The aim of the Order is to reduce alcohol related anti-social behaviour and crime within the town of Sawbridgeworth

<u>RECOMMENDATION TO COUNCIL:</u>	
	that the proposed Designated Public Places Order (DPPO) in Sawbridgeworth be approved.

1.0 Background

1.1 The Criminal Justice and Police Act 2001 (CJPA) gave local authorities the power to designate public areas through the introduction of a DPPO where there has been an established history of nuisance or annoyance to members of the public, or disorder, associated with the consumption of intoxicating liquor and provide the police with the power to enforce this restriction.

1.2 At the Responsible Authorities Group (RAG) meeting on 8th September 2010 Safer Neighbourhoods Inspector Chris Hunt from Herts Constabulary made a presentation proposing a DPPO should be given for parts of Sawbridgeworth town centre.

- 1.3 All agencies present at the RAG supported the proposal for the DPPO.
- 1.4 The DPPO gives the police the power to require individuals to surrender the alcohol and any opened or sealed containers where they have reason to believe that the alcohol will be consumed in a designated area.
- 1.5 It should be noted that these powers do not make it a criminal offence to consume alcohol within the designated area.
- 1.6 If any person fails, without reasonable excuse to comply with any of the above requirements made by a police officer, then an offence has been committed. They are then liable to a fixed penalty fine of £40 or £500 upon conviction.
- 1.7 Before an Order can be made, there must be sufficient evidence of alcohol related crime and a formal consultation must take place.
- 2.0 Report
- 2.1 Evidence from Herts Police crime analyst shows that for the proposed DPPO during the period 02/05/2009 to 31/08/2010 there were a total of 322 offences within the proposed DPPO area, with 9.6% being alcohol related. Bell Street was identified as the top location for alcohol related disorder.
- 2.2 Analysis of the same time period also shows that 10.5% of the 59 criminal damage offences were alcohol related, and 27% of violent crimes were alcohol related.
- 2.3 The statutory consultation took place for six weeks ending on 31st August 2010. The findings showed that the primary response 'Do you support the DPPO?' returned a clear and significant response of 96%.
- 2.4 The consultation also showed that 85% stated that over the past 12 months they had witnessed anti-social behaviour in the proposed DPPO area.
- 2.5 11% stated that they had witnessed alcohol related anti-social behaviour outside a licensed area or business, 39% stated they had witnessed the same outside their homes and 63% stated they

had witnessed it within their neighbourhood. This therefore would suggest that the majority of anti-social behaviour is occurring on the streets and in public areas of Sawbridgeworth.

- 2.6 45% of respondents said that they had witnessed graffiti or vandalism in the past 12 months. As the Home Office confirms these offences are often alcohol related, the powers enabled by the DPPO would assist the police to take preventative action against these offences.
- 2.7 Background papers attached to the report give the full findings of the analysis and consultation (**Appendix 2 and 3**).
- 3.0 Implications/Consultations
- 3.1 Statutory consultation has taken place within the community that will be affected by the DPPO as stated in 4.3 of this report. Local residents, shops and businesses within the designated area and local residents on the periphery were sent forms directly to their addresses for them to complete and return.
- 3.2 Ballot boxes for completed forms were placed in a number of premises within Sawbridgeworth. Forms were also available to complete on East Herts Council website.
- 3.3 2021 forms were circulated directly in hard copy (1772 residential, 249 business). 200 ballot forms were returned, and 11 online returns were made.
- 3.4 The analysis considers only those forms returned in the original format to reflect the consultation and ensure the data comparison was clear and unambiguous.
- 3.5 Before an Order is made and subject to agreement by Council, statutory adverts must be placed in the local press.
- 3.6 The DPPO gives the police the power to require individuals to surrender the alcohol and any opened or sealed containers where they have reason to believe that the alcohol will be consumed in a designated area.
- 3.7 If any person fails, without reasonable excuse to comply with any of the above requirements made by a police officer, then an offence has been committed. They are then liable to an on the spot fixed penalty fine of £40 or £500 upon conviction.

- 3.8 £1600 has been secured to cover the cost of the required signage for the Order.
- 3.9 There are no direct human resources implications.
- 3.10 Before an Order can take effect the correct procedures under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 must be followed. Therefore, full involvement of the Legal Services has been secured.

Background Papers

Appendix 1 – Map of the proposed DPO

Appendix 2 – Herts Police Analysis

Appendix 3 – Consultation Analysis

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ESSENTIAL REFERENCE PAPER 'A'

<p>Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):</p>	<p>Promoting prosperity and well-being; providing access and opportunities <i>Enhance the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.</i></p> <p>Pride in East Herts <i>Improve standards of the neighbourhood and environmental management in our towns and villages.</i></p> <p>Leading the way, working together <i>Deliver responsible community leadership that engages with our partners and the public.</i></p>
<p>Consultation:</p>	<p>Formal consultation has taken place with residents, businesses and key partner agencies.</p>
<p>Legal:</p>	<p>Powers granted through the relevant Acts and Home Guidance adhered to.</p>
<p>Financial:</p>	<p>The cost of the required signage for the Order has already been secured from external partners.</p>
<p>Human Resource:</p>	<p>There are no Human Resource implications.</p>
<p>Risk Management:</p>	<p>Before an Order can take effect the correct procedures under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 must be followed. Therefore, full involvement of the Legal Services has been secured.</p>