

**LICENSING
COMMITTEE**

16TH APRIL 2012

**PUBLIC AWARENESS RAISING PROGRAMME FOR DESIGNATED
PUBLIC PLACE ORDERS**

Relevant Portfolio Holder	Cllr Kit Taylor – Portfolio Holder for Licensing
Portfolio Holder Consulted	YES
Relevant Head of Service	Angela Heighway – Head of Community Services
Wards Affected	All Wards
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This report provides Members with details of how the Community Safety Team plans to deliver a programme of public awareness raising activities regarding Designated Public Place Orders (DPPOs). This report also outlines how this work will impact on timescales for a DPPO review. The information in this report is in response to the Licensing Committee who agreed on 5th January 2012 to suspend the current review programme of DPPOs and tasked officers to report back to the this Licensing Committee detailing how a programme of raising public awareness would be achieved.

2. RECOMMENDATIONS

- 2.1 That members consider the current position in respect of the DPPO review process and agree the following recommendations;
- a) That officers undertake the programme of public awareness raising activities as detailed in this report;
 - b) That the DPPO review be suspended until July 2013;
 - c) That Officers report back to the committee in June 2013 with details of the review process prior to it recommencing, including details of proposed public and stakeholder consultation.

3. KEY ISSUES

Financial Implications

- 3.1 Community Safety do not have an allocated budget for the management of DPPOs therefore costs will be kept to a minimum by using existing stock for signage, and offsetting reprographic costs by recycling the obsolete aluminium signs.

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- 3.2 The cost of a new sign is £19.00 and there are currently 150 new signs already held in stock. These were funded through a grant by Bromsgrove Community Safety Partnership. There are 127 signs located within Bromsgrove district covering 22 designated areas. Therefore no new signs will need to be purchased. The cost of exchanging old signage with the new signs will be met within existing budgets as council operatives will change signs whilst they are conducting their day to day business.
- 3.3 There will be some reprographic charges for producing an information leaflet however these costs will be met from income generated through the recycling of the old aluminium signs. In the event that the old signs do not generate the income necessary to fund the information leaflets, the costs will be met through existing budgets within Community Safety.
- 3.4 Officer time will be spent dealing with enquiries from members of the public and producing briefing notes for public meetings and other community groups that will have an interest in DPPOs.

Legal Implications

- 3.5 Sections 12 to 16 of the Criminal Justice and Police Act 2001 set out the powers of local authorities to create Designated Public Place Orders. Under section 13 a local authority can decide to identify an area as a Designated Public Place. Under section 13(3) of the Criminal Justice and Police Act local authorities have the power to revoke or amend orders previously made. The relevant regulations are the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007. The relevant guidance is the Home Office "Guidance on Designated Public Place Orders (DPPOS): For Local Authorities in England and Wales".
- 3.6 Where a Designated Public Place Order has been made, the Police and delegated officers have extra powers to tackle alcohol related anti-social behaviour (ASB). Under section 12 of the Act the Police/delegated officers have the power to request a person to desist from drinking in the area and to require the surrender of any alcohol to them whether in an open or sealed container.
- 3.7 In areas where a Designated Public Place Order applies it is an offence for an individual not to comply with a reasonable request of a Police or delegated officer who chooses to exercise his/her powers under the Act. The perpetrator may be liable to a fixed penalty fine of £50 or liable to be arrested, and upon prosecution receive a maximum fine of £500.

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- 3.8 The proposals set out in this report do not present any significant legal risks to the Council as the DPPOs will remain in place whilst public awareness raising activities are delivered.
- 3.9 Therefore, it will continue to be an offence for an individual within a DPPO area not to comply with a reasonable request of a Police or delegated officer to stop drinking and surrender any alcohol in their possession to the officer exercising his/her powers under the Act.
- 3.10 The updated signs will enable DPPO powers to be exercised in the appropriate manner where circumstances arise that require the police to deal with adults drinking and behaving in an anti-social manner in any area covered by an order.

Service / Operational Implications

- 3.11 On 12th December 2011, Bromsgrove District Council Licensing Committee was presented with a report to consider and review the Alvechurch DPPO. During this meeting it was apparent that more information was required by the Licensing Committee in order that a decision could be made.
- 3.12 On 5th January 2012, Bromsgrove District Council Licensing Committee suspended the DPPO review so that officers could carry out a programme of public awareness raising activities. Officers were tasked to report back to the Licensing Committee with details of how this will be achieved and how it would impact on the overall review timetable.
- 3.13 At the same Licensing Committee on the 5th January 2012 members noted that officers would arrange for the old Alcohol Free Zone signs to be replaced with new Designated Public Place Order signs that comply with the Home Office Guidance. This change in signage would allow the Police and designated officers to exercise the powers granted through the orders should they need to.
- 3.14 In conjunction with Environmental Services, officers in Community Safety have arranged for all old signage to be changed for the new signs. This will be done as part of council operative's routine work around the district. This work will commence in April 2012 and it is estimated that all 127 signs will be replaced the end of May 2012.

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- 3.15 Public awareness raising activities will be carried out alongside the change of signage so that the public are informed why signs are being changed, what it means, and what the impact is. Therefore this work will be delivered over a 4 month period from April 12 to July 12.
- 3.16 Bromsgrove District Council's Community Safety Team has assessed its current work commitments and resources available to carry out the public awareness raising activities for DPPOs across the district and has identified the following activities that can be delivered throughout April to July 2012:
- Production of a public information leaflet to be distributed to areas where a DPPO is in place.
 - A press release for all district and community publications.
 - An article in the next edition of the Council Magazine due for distribution in July 2012.
 - A briefing paper for chairs of public meetings such as PACT, Neighbourhood Watch and Parish Councils.
 - An information page on Bromsgrove District Council's public website.
 - Attendance at the next round of West Mercia Police's officer training session to deliver a briefing on the use of DPPO powers.
- 3.17 Members are asked to suspend the DPPO review until July 2013. This will allow 12 months to pass following the completion of the public awareness raising programme of activities. The justification for this 12 month suspension of the review is threefold. Firstly, the benefits of the public awareness raising activities should be given sufficient time to take effect before the public is consulted on the future of DPPOs in their community.
- 3.18 Secondly, a full 12 months should pass for the benefits of the new legally compliant signage and the re-briefing of police officers to be realised. This will allow time for appropriate statistical analysis on crime and disorder and the use of DPPO powers to be assessed as part of a future DPPO review.
- 3.19 Finally, Members should note that the Home Office have carried out consultation on the introduction of new anti-social behaviour tools and powers. The proposal is to streamline the toolbox of anti-social behaviour powers (which includes use of DPPO) so that they are easier to implement by practitioners, more understandable to the public and easier to enforce. One change the Home Office is proposing is to introduce a single anti-social behaviour power called a Community Protection Order which can be used by local authorities and/or the

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police to stop persistent anti-social behaviour by restricting use of a place or the closure of premises.

- 3.20 This new ASB power would replace the use of many current ASB powers including DPPO. Should the Home Office decide to legislate these new ASB tools and powers; the use of DPPO will no longer be available to local authorities. At the time of this report being published the Community Safety Team are awaiting confirmation from the Home Office of timescales for these changes. If introduced, the changes would have a significant impact on the future DPPO review. The latest update from the Home Office suggests that draft legislation for the new ASB power could be introduced in 2012 and would receive Royal Assent in 2013. Therefore, as timescales and details are as yet unknown, it would be premature to undergo a DPPO review and public consultation before knowing whether Community Protection Orders are going to be introduced and what impact they would have on existing DPPOs already in place.

Customer / Equalities and Diversity Implications

- 3.21 The programme of public awareness raising activities was developed as a result of the Licensing Committee and officers listening to the responses of their customers. The suspension of the review and the delivery of a public awareness raising programme will facilitate a more comprehensive public and stakeholder consultation when a DPPO review recommences.

4. RISK MANAGEMENT

- 4.1 Bromsgrove has 22 DPPOs and each DPPO has been in place for some time. In accordance with Home Office Guidance it is considered to be best practice to review DPPOs at least every two years. There is little risk associated with carrying out public awareness raising activities whilst a suspension of the review is in place; these actions will support the delivery of more effective and comprehensive public/stakeholder consultation as part of any DPPO review thereafter.
- 4.2 There will be no impact on levels of crime and disorder as all DPPOs will remain in place. Officers will be replacing signage which will make the purpose of the DPPO clearer and support more effective enforcement of the orders.

5. APPENDICES

None

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6. BACKGROUND PAPERS

The Criminal Justice and Police Act 2001
Violent Crime Reduction Act 2006, Section
The Local Authorities (Alcohol Consumption in
Designated Public Places) Regulations 2007
Home Office Circular 013/2007

7. KEY

DPPO – Designated Public Place Order
ASB – Anti-Social Behaviour

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