



Bromsgrove District Designated Public Places Orders (DPPOs) Report

March 2010

Contents

	Page No.
Section 1: Overview and recommendations	3
Section 2: Report on the Success of Designated Public Place Orders in Bromsgrove District	6
1. Purpose	6
2. Background	6
2.1 DPPO Legislation	6
2.2 Implementing a DPPO	6
2.3 Bromsgrove DPPOs	7
3. Data Sources	8
4. Effectiveness of Bromsgrove DPPOs on Reducing Alcohol-related Disorder	9
4.1 Method of linking incidents to DPPOs	9
4.2 Assessment Method 1 – Incidents per month	9
4.3 Assessment Method 2 – Incidents per day	13
4.4 Assessment Method 3 – Alcohol-related ASB as a proportion of total ASB	15
4.5 Assessment Method 4 – Different Data Periods	16
4.6 Youth-related Incidents	17
5. Summary of Conclusions based on all data methods	18
6. Issues with the Data	19
7. Recommendations	20
Section 3: Appendices	21
Appendix 1: Local Authorities (Consumption in Designated Public Places) Regulations 2001	21
Appendix 2: 2007 Amendment to Local Authorities (Consumption in Designated Public Places) Regulations 2001	24
Appendix 3: Detailed Location of DPPOs	29

Section 1: Overview and Recommendations

It is worth noting that the process of implementing a DPPO is outlined within legislation, namely section 12-16 of the Criminal Justice and Police Act 2001. There were amendments to this act within the Violent Crime Reduction Act 2006, and the Local Authorities (Alcohol Consumption in Designated Places) Regulations 2007.

In November 2009 a Home Office document was produced which sets out guidance for implementing DPPOs¹. The recommendations set out in the guidance are not compulsory, but would assist in the delivery of good practice. The guidance also clarified the legislative obligations, which are compulsory. Every DPPO within Bromsgrove District was implemented prior to the publishing of the Home Office guidance and therefore Bromsgrove District Council would have implemented their DPPOs in line with legislation only.

The compulsory legislative obligations set out in the Local Authorities (Consumption in Designated Public Places) Regulations 2001 predominantly cover consultation and publicity; this can be seen in appendix 1. In 2007 an amendment to the act was introduced extending the requirements for consultation and publicity, but also included requirements for signage, see appendix 2. Bromsgrove District designated 5 new public place orders following this amendment.

After auditing documentation in relation to the implementation process for each of the Designated Public Place Orders within Bromsgrove District, it can be concluded that the local authority has consulted, publicised and conformed according to the legislative obligations within the 2001 and 2007 regulations.

It is uncertain with some orders whether the local authority had ascertained if a location is suitable as a designated public place, as interpreted under the Crime and Justice Act 2001 which underpins the 2001 and 2007 regulations. Section 13 (2a) and (2b) of the Crime and Justice Act 2001 states that “A local authority may for the purpose of subsection (1) by order identify any public place in their area if they are satisfied that nuisance or annoyance to members of the public or a section of the public; or disorder; has been associated with the consumption of intoxicating liquor in that place.”

Figure 5 in the following report shows that in 10 of the 22 DPPO areas within Bromsgrove, no adult alcohol-related disorder was recorded by the Police before implementation, and therefore statistical evidence does not support the implementation of a DPPO. During the consultation period with police, parish councils, elected members, and licensees varied anecdotal evidence was provided, but it mostly covered disorder which should not be linked with DPPOs, such as youth-related disorder.

Many of the replies to consultation refer to supporting an “alcohol ban” which suggests that consultees have misinterpreted the nature of the order; this is due to the lack of information provided. The misinterpretation of the DPPO as a blanket ban on alcohol is evident during most of the consultation processes including consultation returned from elected members, Parish Councils, West Mercia Police and other Community Safety Professionals.

¹ available online at: <http://www.crimereduction.homeoffice.gov.uk/alcoholorders/alcoholorders01.htm>

The home office guidance on DPPOs gives advice on how to manage each element of the implementation process. Some of the notable advice includes:

- Partnership Working: “It is essential to that you work with the relevant agencies within the Crime and Disorder Reduction Partnership (CDRP) – such as the police – from the start of the DPPO Process”
- Evaluating DPPOs: Although there is no statutory requirement to a review a DPPO the guidance suggests that it would be good practice to review a DPPO every two years to ensure the order is effective and still required.
- Signs: This is the first time that there has been guidance on suggested wording and layout for DPPO signs. The current signs within Bromsgrove District do not conform to the guidance. The current signage simply say “Alcohol Free Zone” which misleads the reader to thinking there is a blanket ban on alcohol and raises expectation for enforcement which can not legally carried out.

Bromsgrove District Council has not had to consider this guidance as all of their DPPOs were designated prior to the publishing of the guidance. However, as the guidance is now in existence, the authority should take note of the recommendations, specifically the 3 listed above.

Recommendations

1. Bromsgrove District Council Licensing Committee should consider the findings of this report and consider a programme of revoking the DPPOs which are proving ineffective, inappropriate or disproportionate.
2. DPPOs which the licensing committee may wish to consider for revoking are:

DPPO	Ward/Area	Reason
Hanbury Road Recreation Area	Stoke Prior	Inappropriate
Ryefields Road Recreation Area	Stoke Prior	Inappropriate
Shaw Lane Recreation Area	Stoke Prior	Inappropriate
Church Street	Hagley	Inappropriate
Playing Fields	Hagley	Inappropriate
Railway Station	Hagley	Inappropriate
Sweetpool Nature Reserve	Hagley	Inappropriate
Worcester Road	Hagley	Inappropriate
Alleyway, Belmont – Meadowfield Rd	Rubery	Inappropriate
Callowbrook Open Space	Rubery	Inappropriate
St Chads Park	Rubery	Ineffective
Lingfield Walk	Catshill	Ineffective
Belmont Road	Rubery	Ineffective
Aston Fields Recreation Ground	Charford	Ineffective
New Road, Rubery	Rubery	Ineffective
Alvechurch Village	Alvechurch	Ineffective

3. All DPPO signage should be changed to new signage which conforms to the Home Office Guidance.

4. Bromsgrove District Council should consider utilising the Bromsgrove Community Safety Partnership as a mechanism for gathering evidence and consultation for future DPPO requests.
5. A programme of communications and marketing around DPPOs should be delivered aimed at public, elected members and partners to re-enforce the correct purpose of a DPPO and the context in which they are appropriate and effective.
6. Provision should be made to evaluate DPPOs on a bi-annual basis to ensure they are effective, appropriate and proportionate.

Section 2: Success of Designated Public Places Orders – Bromsgrove District

Report to: Bromsgrove Community Safety Team

Author: Emily Humphreys, Community Safety Partnership Analyst

Date: January – March 2010

1. Purpose

- i. To assess the effectiveness of DPPOs by considering the level of alcohol related anti-social behaviour and crime before and after implementation.
- ii. Assess the level to which the legal process in place when implementing a DPPO have been followed in the Bromsgrove District

2. Background

2.1 DPPO Legislation

- i. A Designated Public Place Order (DPPO) may be introduced to create an area where restrictions apply on public drinking, making it an offence to refuse to comply with a police officers request to refrain from drinking. A DPPO gives the Police, and Community Safety Officers accredited through a community safety accreditation scheme, the powers to control alcohol consumption in these designated areas. Though commonly termed as “Alcohol Free Zones” they are not areas where the consumption of alcohol is banned.
- ii. The Confiscation of Alcohol (Young Persons) Act 1997 and Section 155 of the Licensing Act 2003 provide the police with powers to confiscate alcohol from persons under the age of 18 in any area, therefore DPPO legislation is not designed to prevent underage drinkers from consuming alcohol in the designated area.
- iii. Though there is no statutory requirement to evaluate DPPOs, Home Office guidance recommends that they should be regularly evaluated and reviewed to assess their effectiveness in dealing with alcohol-related anti-social behaviour

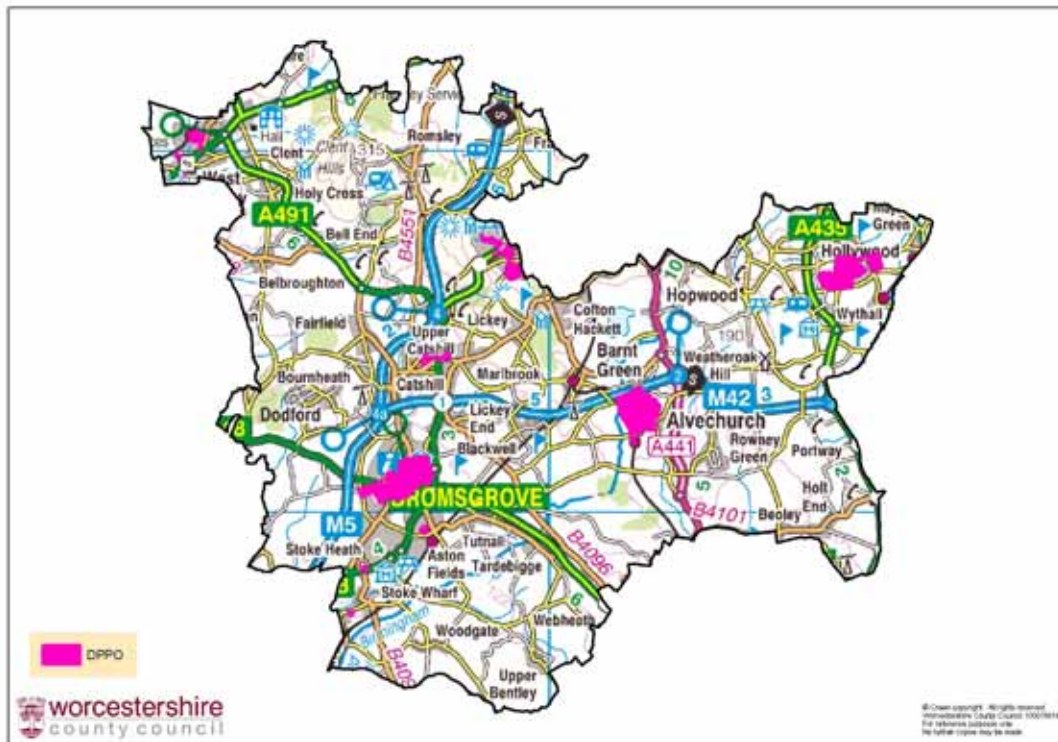
2.2 Implementing a DPPO

- i. The process of implementing a DPPO requires:
 - a. evidence of an alcohol-related problem which is likely to continue unless DPPO powers are adopted.
 - b. consultation with the local police and parish or community councils both within the designated area and in neighbouring areas, premise license holders in the area, and owner/occupiers of the land.
 - c. A published notice in the local paper at least 28 days before implementation, and again before the order takes effect.
- ii. The consultation period must be sufficient to allow local residents to make any representations.

2.3 Bromsgrove DPPOs

- i. The Bromsgrove District has a total of 22 separate DPPOs currently in place implemented on various dates from August 2003 onwards.

FIGURE 1: LOCATION OF THE 22 DPPOs IN BROMSGROVE DISTRICT



For more information on the location and extent of individual DPPOs, see appendix 3.

FIGURE 2: LIST OF BROMSGROVE DPPOs, INCLUDING AREA, GRANTED DATE AND WARD LOCATION.

DPPO	Area m ² (approx.)	Date Granted ²	Ward Location
Ryefields Road Recreation Area	8,776	15/07/2003	Stoke Prior
Shaw Lane Recreation Area	2,426		
Hanbury Road Recreation Area	12,255		
St Chads Park	34,462	25/06/2004	Waseley
Callowbrook Open Space	51,430		
Alleyway between Belmont Road and Meadowfield Road	257	25/06/2004	Beacon
Worcester Road, Hagley	11,882	25/06/2004	Hagley
Church Street, Hagley	2,017		
Hagley Playing Fields/Car Parks/Allotments/Community Centre & Library	43,875		
Hagley Railway Station, Car Park & Station Drive	5,188		
Sweetpool Nature Reserve, Hagley	8,525		
Lingfield Walk Park	32,208	02/11/2004	Catshill
Lower Marlbrook Recreation Area	19,814	02/11/2004	Marlbrook
Drakes Cross & Hollywood	809,441	18/11/2004	Drakes Cross & Walkers Heath, Hollywood & Majors Green.
Belmont Road at junction with Rednal Hill Road	3,943	08/04/2005	Beacon
Aston Fields Recreation Area	22,158	01/12/2006	Charford
Bromsgrove Town Centre	1,178,564	22/01/2007	Sidemoor, St Johns, Whitford
New Road Rubery	15,517	02/10/2007	Waseley
Alvechurch	101,531	15/01/2008	Alvechurch
Rednal Hill Lane	20,048	28/10/2008	Beacon
Rednal Hill Lane (Valley Farm Road)	21,162		
Alleyway between Belmont Road and Waterhaynes Close	564		

- ii. As the Hagley and Catshill/Marlbrook DPPOs were implemented on the same date and are either adjoining or in close proximity to each other, they can be grouped together for analysis purposes.
- iii. Though there are a total of 8 DPPOs in the Rubery area (Waseley and Beacon wards) implementation dates and proximity varies, making it difficult to group them for analysis.

3. Data Sources

- i. Information from the Police OIS recording systems was extracted from the West Mercia Constabulary computer systems for the period 1st April 2003 to 31st December 2009.
- ii. Anti-social behaviour incidents were defined as involving alcohol if the log text of the incident included the words 'drunk', 'drink', 'alcohol', 'intoxicated',

² Date granted taken from information provided by Bromsgrove District Council Licensing Department on 19th January 2010

'public house', 'licensed premise', 'wine', 'beer', 'vodka', 'lager', 'spirit', or 'cider'.

- iii. It is likely that the above will underestimate the number of incidents where alcohol or drugs were a factor.

4. Effectiveness of Bromsgrove DPPOs on Reducing Alcohol-related Anti-Social Behaviour

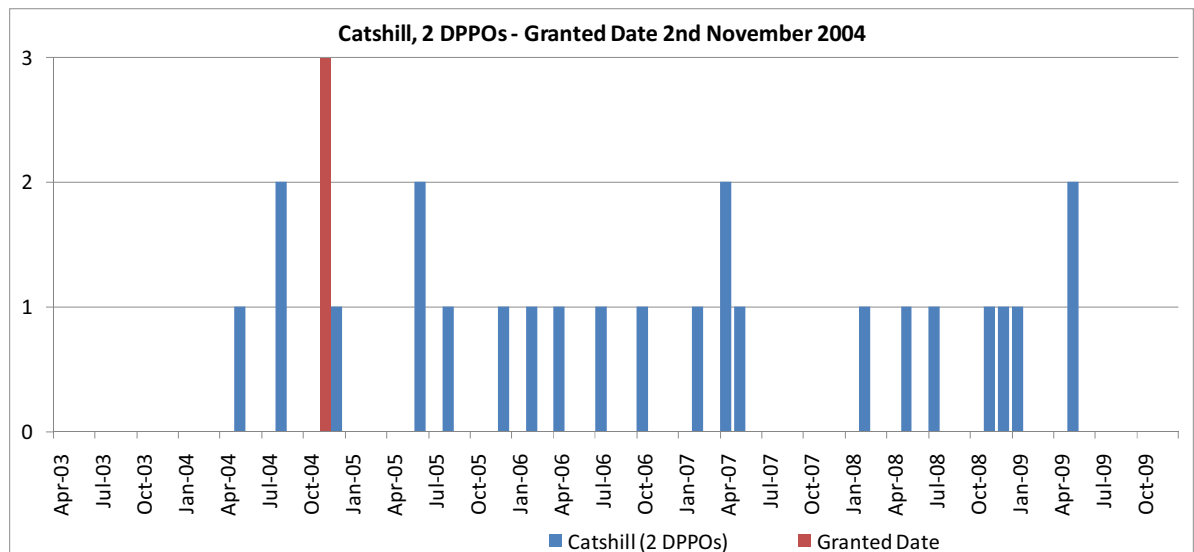
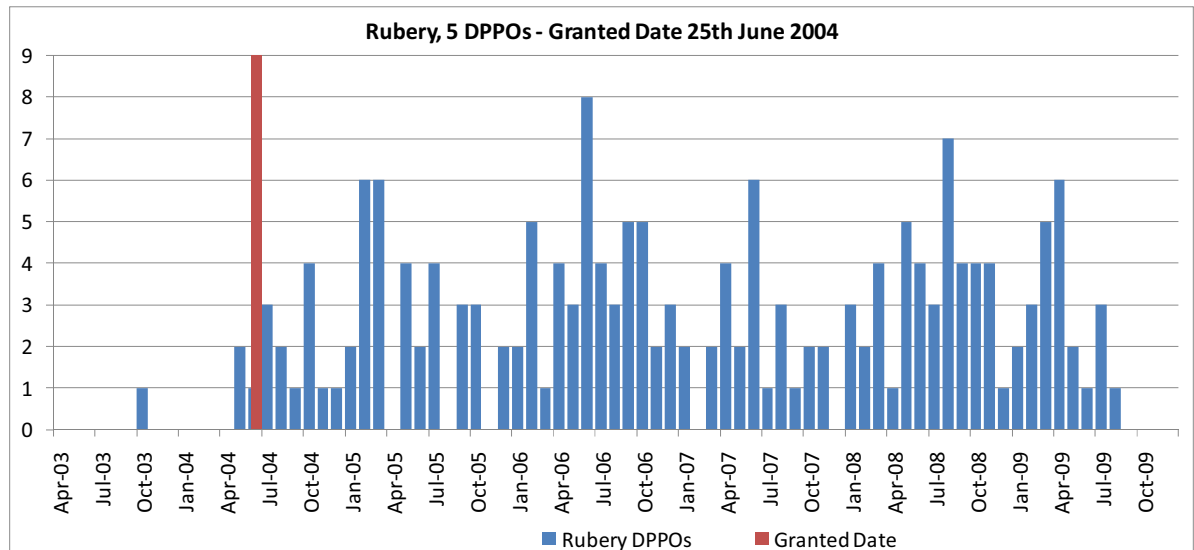
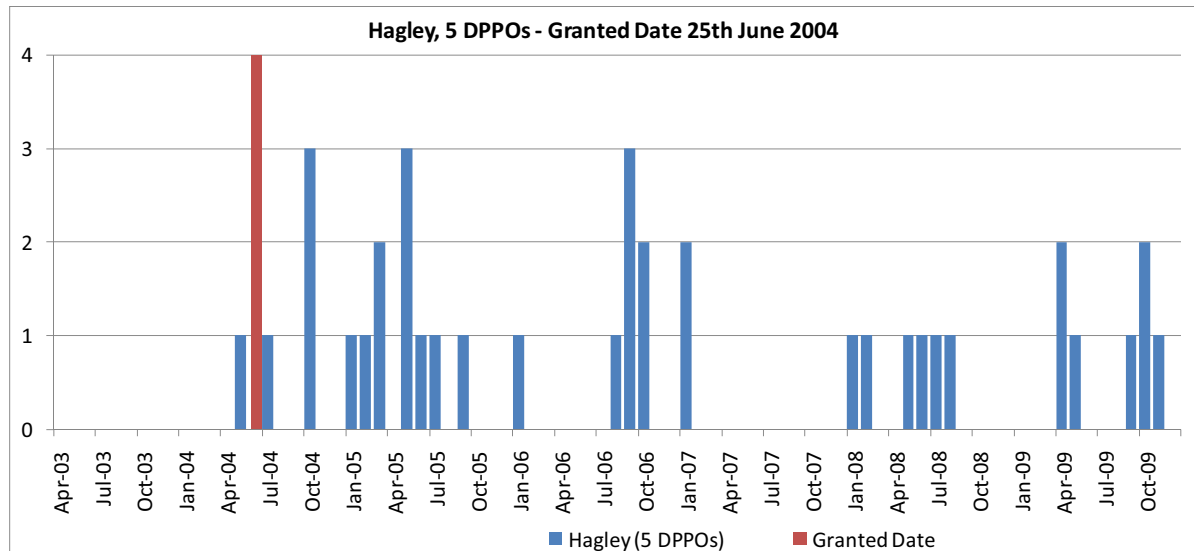
4.1 Method of linking incidents to DPPOs

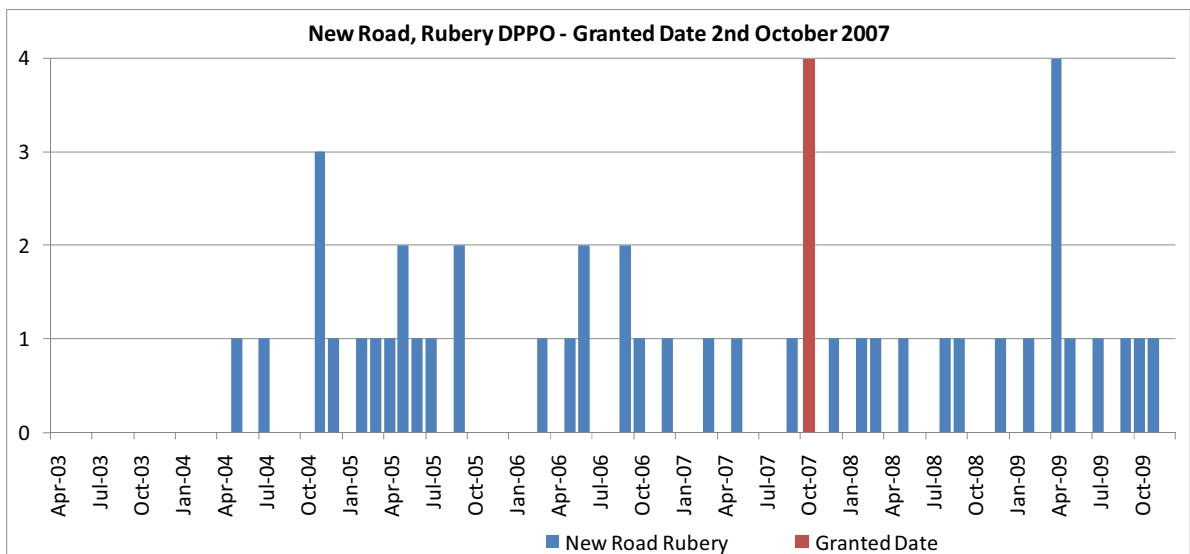
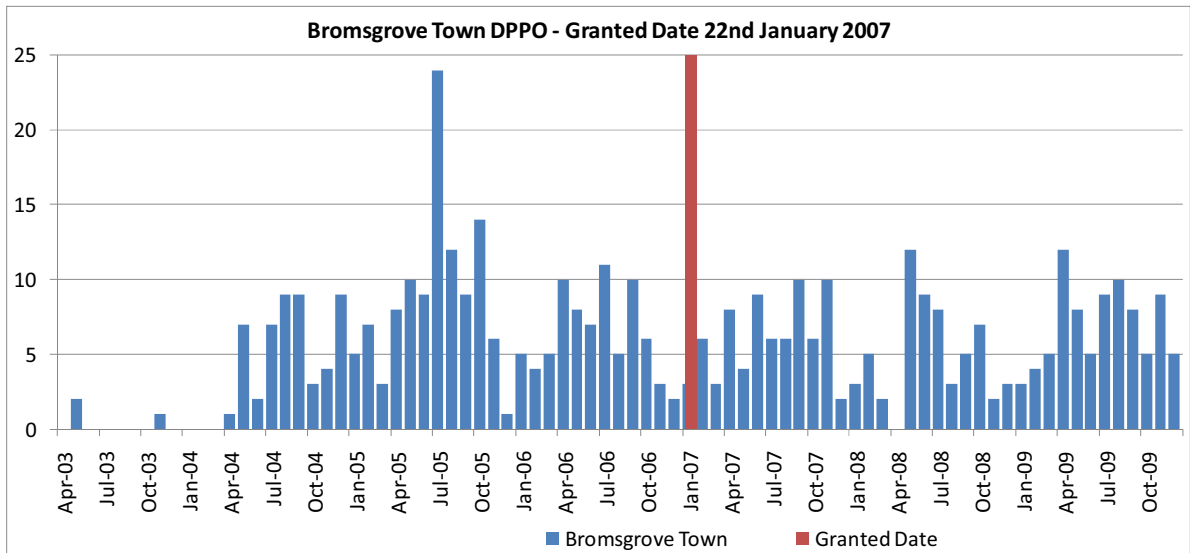
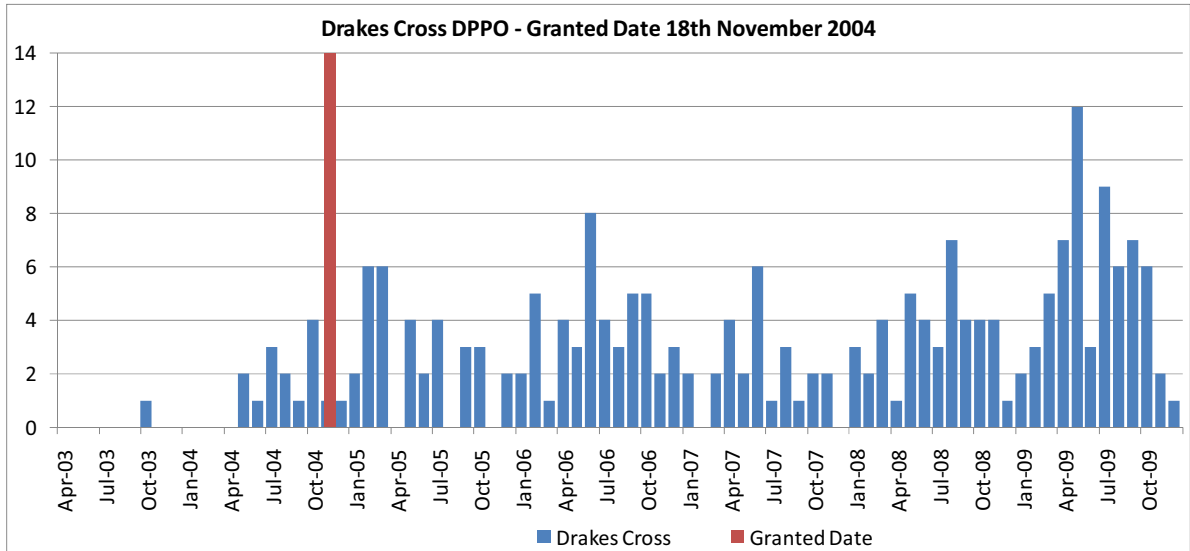
Incidents were defined as having occurred within the DPPO where the grid co-ordinates provided by the OIS system placed them directly with the zones (as mapped by Bromsgrove District Council GIS Department) or within a 50m buffer of each zone. The 50m buffer was chosen as most incidents are assigned the grid reference of the nearest property to the stated location, even if they did occur outside on the street. DPPO legislation only applies to outdoor areas. The average distance between the street and the back of houses was thought to be roughly 50m.

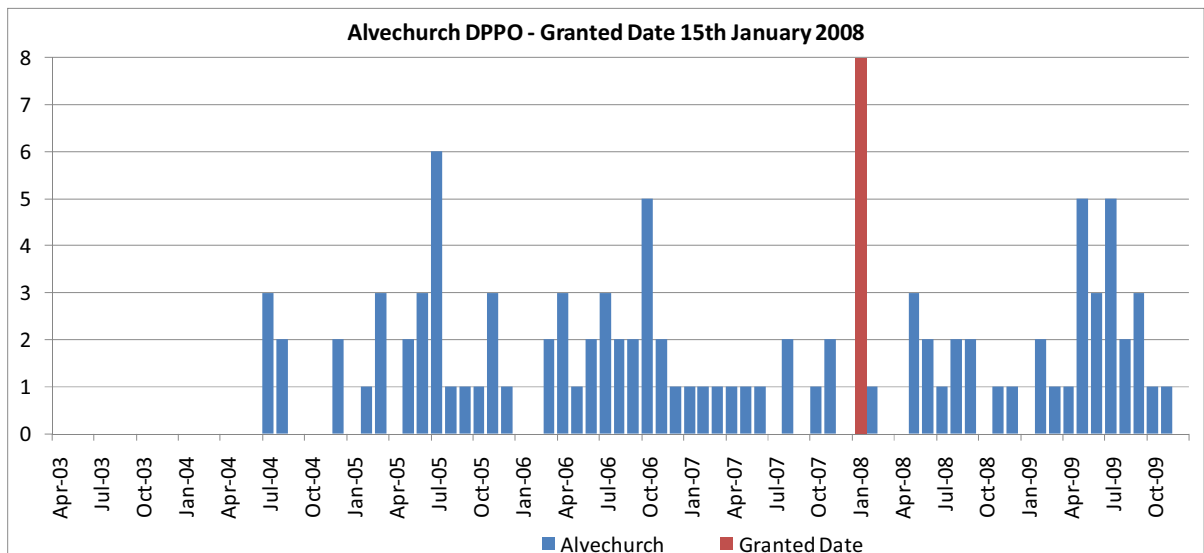
4.2 Assessment Method 1 – Incidents per month

- i. The following graphs show how visually how the number of alcohol related ASB incidents in DPPO areas has changed over time. On each graph, the number of incidents per month from April 2003 to December 2009 is displayed, and the red line indicates the date when the DPPO was granted. Only those DPPOs, or where appropriate, groups of DPPOs with 20 or more alcohol related ASB incidents occurred within the buffer area during the 6 year study period have been included. It is thought that fewer than 20 incidents would not provide a meaningful result.

FIGURE 3: THE NUMBER OF ALCOHOL RELATED ASB INCIDENTS PER MONTH BEFORE AND AFTER DPPO IMPLEMENTATION

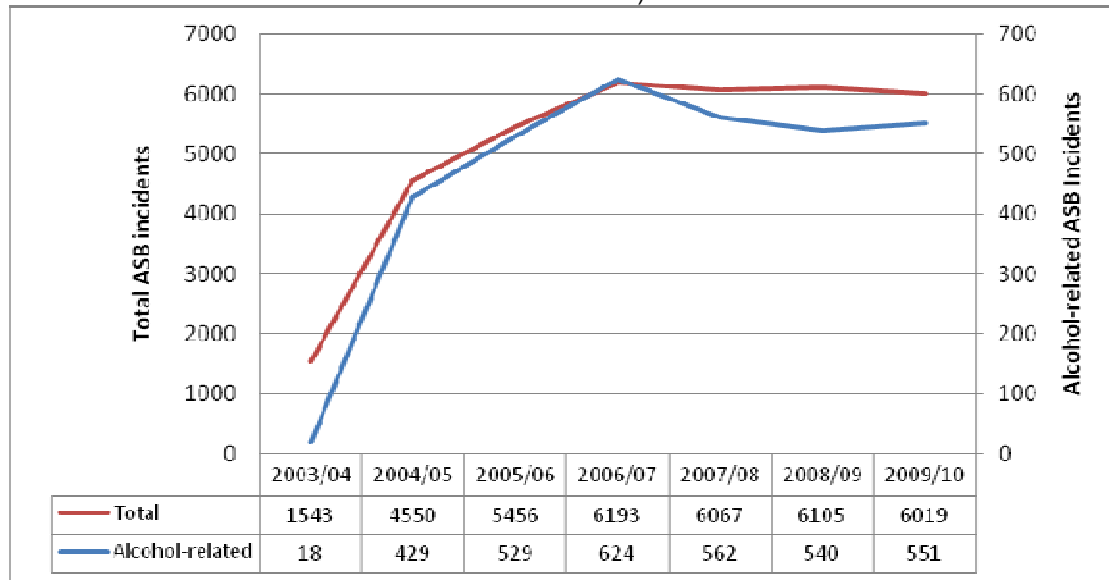






- ii. Figure 3 demonstrates visually the level of alcohol related ASB per month in the DPPO areas both before and after implementation to give an indication as to the success of the DPPO.
- iii. Few conclusions can be drawn from the graphs alone, though it does seem that the level of alcohol related ASB in the Bromsgrove Town DPPO area dropped after the implementation of the DPPO.
- iv. In many other areas, it appears that there have been too few incidents to assess a meaningful result on a month by month basis, for example in Catshill the average is less than one incident per month.
- v. Furthermore, in all areas, the level of ASB reporting between 2003 and 2005 was much lower than that of 2005 onwards. In fact, over the course of the last 7 years, the number of ASB reports across the District each financial year rose quickly from 2003/04 to 2005/06 and has been roughly maintained for the last 4 years (see figure 4 below). Levels of anti-social behaviour recording before 2005 were fairly low, and so little data is available for comparison in some of the older DPPO areas, compromising the validity of analysis. Therefore, DPPOs that were implemented before 2005 are likely to have experienced a large increase in total and alcohol-related ASB since implementation simply because reporting levels were so low in previous years.

FIGURE 4: TOTAL AND ALCOHOL RELATED ASB INCIDENTS PER FINANCIAL YEAR IN THE BROMSGROVE DISTRICT 2003/04 TO 2009/10 (PREDICTED OUTTURN CALCULATED USING DATA FROM APRIL TO DECEMBER 09)



4.3 Assessment Method 2 – Incidents per Day

- i. Comparing the average number of incidents per day before and after directly may be misleading as it does not account for the rapid increase in overall reporting of ASB incidents that took place throughout the Bromsgrove District between 2003 and 2007. This would cause the "before" figures to be naturally significantly lower than the "after", especially for those DPPOs implemented before 2007. In order to make allowances for these trends, the change in the number of anti-social behaviour incidents on average per day both before and after implementation was compared to the change in the District as a whole. This also enables all areas, regardless of implementation date, to be directly compared.

FIGURE 5: CHANGE IN AVERAGE NUMBER OF INCIDENTS PER MONTH BEFORE AND AFTER DPPO IMPLEMENTATION, EXPRESSED AS A PERCENTAGE.
DATA PERIOD: 01 APRIL 2003 TO 31ST DECEMBER 2009

Area	DPPO	Date Granted	% change in:			Indication of Positive Effect?		
			Within Buffer	District	Within Buffer	District	Total	Alcohol
Stoke Prior	Hanbury Road Recreation Area	15/07/2003		202.29%		3358.86%	n/a*	n/a
Stoke Prior	Ryefields Road Recreation Area	15/07/2003		202.29%		3358.86%	n/a	n/a
Stoke Prior	Shaw Lane Recreation Area	15/07/2003		202.29%		3358.86%	n/a	n/a
Hagley	Church Street, Hagley	25/06/2004	716.95%	190.36%		760.15%	No	n/a
Hagley	Playing Fields, Hagley	25/06/2004	1071.33%	190.36%		760.15%	No	n/a
Hagley	Railway Station, Hagley	25/06/2004		190.36%		760.15%	n/a	n/a
Hagley	Sweetpool Nature Reserve, Hagley	25/06/2004		190.36%		760.15%	n/a	n/a
Hagley	Worcester Road, Hagley	25/06/2004	102.84%	190.36%		760.15%	Yes	n/a
Rubery	Alley Belmont Rd-Meadowfield Rd	25/06/2004	70.10%	190.36%		760.15%	Yes	n/a
Rubery	Callowbrook Open Space	25/06/2004	535.65%	190.36%		760.15%	No	n/a
Rubery	St Chads Park	25/06/2004	748.28%	190.36%	1220.55%	760.15%	No	No
Catshill	Lingfield Walk Park	02/11/2004	278.27%	125.73%	947.96%	264.29%	No	No
Catshill	Lower Marlbrook Recreation Area	02/11/2004	269.87%	125.73%	-38.36%	264.29%	No	Yes
Wythall	Drakes Cross & Hollywood	18/11/2004	121.58%	117.86%	175.65%	252.23%	No	Yes
Rubery	Belmont Road	08/04/2005	43.20%	88.10%	250.21%	146.50%	Yes	No
Charford	Aston Fields Recreation Area	01/12/2006	182.64%	38.25%	177.68%	34.73%	No	No
Bromsgrove	Bromsgrove Town	22/01/2007	54.83%	38.26%	34.55%	36.53%	No	Yes
Rubery	New Road, Rubery	02/10/2007	88.03%	28.43%	110.91%	21.19%	No	No
Alvechurch	Alvechurch	15/01/2008	56.27%	28.03%	139.32%	24.10%	No	No
Rubery	Alley Belmont Rd-Waterhaynes Cl.	28/10/2008	-3.10%	142.96%	111.03%	135.25%	Yes	Yes
Rubery	Rednal Hill Lane	28/10/2008	5.84%	142.96%	94.25%	135.25%	Yes	Yes
Rubery	Valley Farm Road	28/10/2008	42.45%	142.96%	-0.04%	135.25%	Yes	Yes

Colour Codes:

Red = increase in incidents

Green = decrease in incidents

Green = positive result
Amber = partially positive result
Red = no evidence of positive impact

*n/a result indicates no incidents recorded within the buffer zone area before implementation of the DPPO.

- ii. Two of the DPPOs in the District showed a decrease in the level of alcohol-related ASB incidents per day since implementation – Marlbrook Recreation Area and Valley Farm Road.
- iii. However, it is important to note that in some cases, the apparent percentage change is misleading due to the very low number of incidents reported in the area overall – for example, in Marlbrook Road Recreation Area, a total of 3 alcohol-related incidents were reported within the DPPO buffer zone throughout the entire study period.
- iv. The positive impact of DPPOs can also be demonstrated where even though the number of alcohol-related incidents per day within the area has increased, this increase has been significantly smaller than that of the district as a whole during the same time period.
- v. Based on this method, the instigation of a DPPO appears to have had a positive effect in reducing alcohol-related ASB in Drakes Cross & Hollywood and Rednal Hill Lane.
- vi. A positive impact on alcohol-related incidents was also apparent, though to a lesser extent, in the DPPOs in Bromsgrove Town and the alleyway between Belmont Road and Waterhaynes Close.
- vii. For the DPPOs in Ryefields Road, Shaw Lane and Hanbury Road Recreation Grounds, all zones in Hagley, Callowbrook Open Space and the alleyway between Belmont Road and Meadowfield Road, it was not possible to indicate whether or not an impact was made, as no incidents of alcohol related anti-social behaviour were recorded within the areas before the implementation of the DPPO.
- viii. No positive improvement could be demonstrated using this method in St Chads Park, Lingfield Walk Recreation Area, Belmont Road, Aston Fields Recreation Area, New Road (Rubery) and Alvechurch.

4.4 Assessment Method 3 – Alcohol-related ASB as a proportion of total ASB

- i. Further conclusions can be drawn by looking at the change in the proportion of total ASB that is made up of alcohol-related incidents before and after implementation of a DPPO, again compared to that of the District as a whole to account for general trends over time.
- ii. If the proportion of incidents that were alcohol-related decreased, even though the overall levels of ASB increased, this would indicate success.

FIGURE 6: CHANGE IN PROPORTION OF TOTAL ASB THAT CONSISTS OF ALCOHOL RELATED INCIDENTS BEFORE AND AFTER DPPO IMPLEMENTATION EXPRESSED AS A PERCENTAGE. DATA PERIOD: 01 APRIL 2003 TO 31 DECEMBER 2009

DPPO		Buffer	District
Ryefields Road Recreation Area		11.11%	8.35%
Shaw Lane Recreation Area		9.09%	8.35%
Hanbury Road Recreation Area		6.67%	8.35%
Rubery	St Chads Park	10.75%	5.14%
	Callowbrook Open Space	-8.89%	5.14%
	Belmont Rd	11.67%	1.73%
	Alleyway Belmont-Meadowfield	21.25%	5.14%
	New Road, Rubery	-0.49%	-0.07%
	Rednal Hill Lane	20.16%	-0.01%
	Valley Farm Road	22.14%	-0.01%
Drakes Cross & Hollywood		1.25%	0.02%
Aston Fields Recreation Area		8.57%	0.02%
Bromsgrove Town Centre		0.16%	0.07%
Alvechurch		0.64%	1.14%
Hagley (5 DPPOs)		5.47%	5.14%
Catshill (2 DPPOs)		-5.43%	3.06%

- iii. DPPOs showing a proportionate decrease in alcohol-related incidents, indicating the potentially positive effect of the DPPO are: Callowbrook Public Open Space, New Road (Rubery) and the Catshill area DPPOs.
- iv. DPPOs where the proportion of incidents that are alcohol-related has increased, though not as greatly as in the District as a whole, again indicating a potential positive impact, are: Hanbury Road and Alvechurch.
- v. DPPOs where the alcohol-related proportion of total ASB has increase above and beyond the rate of the District as a whole are: Ryefields Road, Shaw Lane, St Chads Park, Belmont Road, Alleyway between Belmont Road and Meadowfield Road, Rednal Hill Lane, Valley Farm Road, Drakes Cross & Hollywood, Aston Fields, Bromsgrove Town and the Hagley DPPOs.

4.5 Assessment Method 4 – Different Data Periods

- i. In the following table, data is analysed using different data periods, one with an even number of days either side of implementation, and another from April 2005 (from which time the level of reporting of ASB per year has been largely consistent) to the most recent quarter of data available (to 31st December 2009). This alternative method is another way to attempt to analyse the data whilst accounting for the skewing of figures caused by the much lower levels of ASB reporting pre-2005.
- ii. Two DPPOs with implementation dates fairly central to the data period (April 2005 – December 2009) and a fairly high number of incidents reported overall have been selected in order to maximise the chances of a meaningful result.

FIGURE 7: CHANGE IN AVERAGE NUMBER OF INCIDENTS BEFORE AND AFTER DPPO IMPLEMENTATION, BROMSGROVE TOWN AND ALVECHURCH DPPOS, EXPRESSED AS A PERCENTAGE. VARIOUS DATA PERIODS

DPPO	Data Period used	Date DPPO Granted	Change in level of alcohol-related ASB incidents per day	
			DPPO	District
Bromsgrove Town	01/04/05 – 13/11/08	22/01/2007	-10.98%	-4.96%
	01/04/05 – 31/12/09	22/01/2007	-18.19%	-7.94%
Alvechurch	29/01/06 – 31/12/09	15/01/2008	38.24%	-10.43%
	01/04/05 – 31/12/09	15/01/2008	63.15%	-7.88%

- iii. The above table indicates that a positive reduction in alcohol-related ASB has occurred in the Bromsgrove Town DPPO area since implementation, whereas an overall increase in alcohol-related incidents has occurred in the Alvechurch DPPO area.
- iv. It may be that the legislation relating to DPPO is better suited to town centre areas than village or open space areas, such as Alvechurch.

4.6 Youth-related Incidents

- i. DPPO legislation is not designed to tackle youth drinking problems; there are other powers in place to confiscate alcohol from minors without the need for a DPPO. Therefore, DPPOs in areas where a high proportion of alcohol-related ASB involves youths may not be the most appropriate intervention.
- ii. In order to assess the extent to which alcohol-related ASB issues are caused by youths, a key word search has been used to identify the relevant incidents in each DPPO area³. Alcohol-related incidents that are linked to youths have then been expressed as a percentage of total alcohol-related ASB.
- iii. Data from April 2007 to December 2009 has been used.

³ Youth-related incidents are defined as those where the log text of the incidents contains one or more of the following words: youth, young, kid, child, teen, underage, under age, lad (not lady), boy (not boyfriend), girl (not girlfriend), yth (not ything)

FIGURE 8: PROPORTION OF TOTAL ALCOHOL-RELATED ASB THAT CONSISTS OF YOUTH-RELATED INCIDENTS. DATA PERIOD: 01 APRIL 2007 TO 31 DECEMBER 2009

DPPO Area	No. of Incidents linked to:		% alcohol incidents also youth related
	Youth & Alcohol	Alcohol	
Lower Marlbrook Recreation Area	14	18	77.78%
Sweetpool Nature Reserve, Hagley	7	10	70.00%
Alley Belmont-Meadowfield	24	38	63.16%
Belmont Road	54	87	62.07%
Alley Belmont Waterhaynes	21	34	61.76%
Callowbrook Open Space	48	79	60.76%
Alvechurch	351	595	58.99%
Valley Farm Road	22	38	57.89%
Rednal Hill Lane	88	162	54.32%
Railway Station, Hagley	31	60	51.67%
Lingfield Walk Park	71	140	50.71%
New Road, Rubery	185	390	47.44%
Drakes Cross and Hollywood	460	974	47.23%
Playing Fields, Hagley	41	103	39.81%
Aston Fields Recreation Area	13	36	36.11%
Bromsgrove Town	957	2670	35.84%
St Chads Park	44	123	35.77%
Worcester Road, Hagley	43	127	33.86%
Church Street, Hagley	13	39	33.33%
Total	2487	5723	43.46%

- i. On average for all DPPOs in the Bromsgrove District, 44% of alcohol-related ASB reported is youth-related.
- ii. The proportion is greatest in the Lower Marlbrook Recreation Area DPPO (78%) and lowest in Church Street, Hagley (33%).
- iii. Youth-related alcohol disorder seems to be fairly high in the adjoining DPPOs around Belmont Road (62-70%)
- iv. There are 11 DPPOs where more than half of all alcohol-related incidents reported are linked to youths and therefore not strictly applicable to DPPO legislation.

5. Summary of Conclusions based on all data methods

- i. It was possible to demonstrate some level of positive effect, in terms of reducing alcohol-related ASB, based on the various analysis methods for 11 of 22 DPPOs in the District.
- ii. For 10 of 22 areas, all analysis methods either indicated a negative impact (increase in alcohol-related ASB) or a lack of available data made analysis impossible.
- iii. A positive effect was demonstrated using more than one analysis method in only 2 of the DPPO areas: Lower Marlbrook (though the very low number of incidents overall reduces the validity of this result) and Bromsgrove Town. Further investigation using data from different time periods further supports the positive result in Bromsgrove Town DPPO, making this the most successful of the areas assessed in this way.

- iv. The poorest results based on multiple methods seem to have been for the DPPOs in St Chads Park and Belmont Road, Rubery.
- v. For almost half of all the DPPOs in the District (10 out of the total 22), it was not possible to find any alcohol-related ASB incidents that were recorded within the 50m of the zone before it was implemented. This suggests a lack of police evidence of an alcohol-related disorder issue in the area leading to the application for the DPPO.

6. Issues with the Data

The above conclusions are open to scrutiny as a number of issues have been identified when analysing this data which pull into question the accuracy of conclusions drawn.

- i. Perhaps because many of the DPPOs are very small in area, the total number of ASB incidents reported within the buffer zones over the 7 year study period was extremely low in a number of areas. Fewer than 20 alcohol-related incidents were recorded within 50m of 10 DPPOs (equivalent to less than one incident every 4 months), and fewer than 50 in a further 5 areas. In fact, there were only 2 DPPOs where more than 100 alcohol-related incidents were recorded over the course of 7 years – meaning the number of incidents available for analysis is very small.
- ii. Increased ASB reporting due to introduction of DPPOs – residents are more likely to call when witnessing public drinking because of the advertisement of reporting channels and increased focus on street drinking issues due to publicity when a new DPPO is granted leading to a potential for incidents to spike.
- iii. Levels of anti-social behaviour recording before 2005 were fairly low, and so little data is available for comparison in some of the older DPPO areas, compromising the validity of analysis. Trends in alcohol-related ASB in any DPPOs granted before 2005/06 or even a bit later will be severely skewed by the lack of reports before implementation.
- iv. The current available method for defining those incidents that are alcohol related may lead to an under-representation in numbers as the key word search may not include all relevant incidents.
- v. All incidents occurring within the 50m buffer of each DPPO area have been included, but there is no method to define what proportion of these incidents actually relate to behaviour tackled by DPPO legislation. Incidents included may have actually been located within premises or residences.
- vi. DPPOs are designed to prevent anti-social behaviours associated with drinking, but the incidents for example in the town centre, could well be those where perpetrators have consumed alcohol in a pub or club, going on to then instigate incidents outside on the streets, which could not be affected by the restrictions imposed by DPPO as no alcohol consumption has taken place outside.
- vii. DPPO legislation is not intended to tackle youth drinking problems; there are other powers in place to confiscate alcohol from minors without the need for a DPPO. Therefore, when providing evidence for the implementation process, youth related incidents should not necessarily be considered.
- viii. All of the above factors make it impossible to make a firm conclusion as to the effectiveness of the Bromsgrove DPPOs. Furthermore, without a confirmed positive or negative effect, it is not possible to establish whether or not dispersal has occurred.

7. Recommendations

- i. Though it is possible to loosely demonstrate from this study that some DPPOs have had a positive effect on reducing alcohol related anti-social behaviour in Bromsgrove, to draw any firm conclusions, each of the 22 DPPO areas would need to be assessed individually. The level of detailed analysis necessary would be extremely time-consuming.
- ii. It is therefore recommended that one or more DPPO, or group of DPPOs, is assessed in greater detail to eliminate data errors. Detailed analysis of the incident log text will make it possible to identify incidents that are specifically relevant to DPPO legislation for a more accurate assessment of effectiveness. In order for this to be possible, an area needs to be identified where there are sufficient incidents to analyse, but too great a number will necessitate a substantial amount of study time to reach firm conclusions. The area should also demonstrate a definite problem pre-implementation to ensure the after effect can be measured, and hence should not be an area with an implementation date too close to the beginning or end of the 6 year data study period.
- iii. A comparison area may also benefit the study. This area should have similar characteristics, in terms of land use, resident population and incident levels to the study area, but not have a current DPPO. Suggestion: King George's area of Sidemoor.
- iv. Relying on incidents being called in to the OIS recording system may not give as holistic a picture of incidents in the area as possible. There is a need for a wider range of data sets to be used, including evidence from local residents in the form of PACT surveys and the like. Furthermore, there is currently no recording system in place to log alcohol confiscations. A pilot scheme to record this type of information, and in doing so, gather further intelligence on levels of drinking in DPPOs to enable a fuller understanding of issues would give this study a wider knowledge base.
- v. There is a need for further process evaluation of the implementation of each current DPPO to ensure that adequate evidence was collected, and all relevant process were followed. Suggested method: list all process stages, cross reference using information from Licensing files to ensure each stage was adequately completed for each DPPO. It would be beneficial for this to be completed by an officer not within the licensing department.

Section 3 – Appendices

Appendix 1: Local Authorities (Consumption in Designated Public Places) Regulations 2001

2001 No. 2831

POLICE, ENGLAND AND WALES

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001

<i>Made</i>	<i>3rd August 2001</i>
<i>Laid before Parliament</i>	<i>10th August 2001</i>
<i>Coming into force</i>	<i>1st September 2001</i>

The Secretary of State, in exercise of the powers conferred on him by section 13(4) and (5) of the Criminal Justice and Police Act 2001^[1] and sections 13 and 105(2) of the Local Government Act 2000^[2] hereby makes the following Regulations:

Citation, commencement and extent

1. - (1) These Regulations may be cited as the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001 and shall come into force on 1st September 2001.

(2) These Regulations extend to England and Wales, except that regulation 10 extends to England only.

Interpretation

2. In these Regulations:

"the 2001 Act" means the Criminal Justice and Police Act 2001;
"licensed premises" has the same meaning as in the Licensing Act 1964^[3];
"local authority" and "public place" have the same meaning as in section 16 of the 2001 Act; and
"order" means an order under section 13(2) of the 2001 Act identifying specifically or by description a public place in the area of a local authority.

Consultation

3. - (1) Before making an order, a local authority shall consult -

- (a) the chief officer of police for the police area in which the public place proposed to be identified in the order is situated;
- (b) the parish or community council in whose area the public place is situated;
- (c) the chief officer of police, the local authority and the parish or community council for any area near to the public place which they consider may be affected by the designation; and

(d) the licensee of any licensed premises in that place or which they consider may be affected by the designation.

(2) Before making an order, a local authority shall also take reasonable steps to consult the owners or occupiers of any land proposed to be identified.

4. A local authority shall consider any representations as to whether or not a particular public place should be identified in an order whether made as a result of consultation under regulation 3, in response to a notice under regulation 5, or otherwise.

Publicity

5. Before making an order, a local authority shall cause to be published in a newspaper circulating in their area a notice -

- (a) identifying specifically or by description the place proposed to be identified;
- (b) setting out the effect of an order being made in relation to that place; and
- (c) inviting representations as to whether or not an order should be made.

6. No order shall be made until at least 28 days after the publication of the notice referred to in regulation 5.

7. After making an order and before it takes effect, a local authority shall cause to be published in a newspaper circulating in their area a notice -

- (a) identifying the place which has been identified in the order;
- (b) setting out the effect of the order in relation to that place; and
- (c) indicating the date on which the order will take effect.

8. Before an order takes effect, a local authority shall cause to be erected in the place identified such signs as they consider sufficient to draw the attention of members of the public in that place to the effect of the order.

9. A copy of any order made shall be sent to the Secretary of State.

Amendment to Local Authorities (Functions and Responsibilities) (England) Regulations 2000

10. - (1) The Local Authorities (Functions and Responsibilities) (England) Regulations 2000[4] shall be amended as follows.

(2) In Schedule 1[5] (Functions not to be the responsibility of an authority's executive) there shall be added in Part I (Miscellaneous functions) at the end:

- (a) in Column (1):

" 49. Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption."; and

(b) in Column (2):

" Section 13(2) of the Criminal Justice and Police Act 2001 (c. 16).".

Beverley Hughes
Parliamentary Under-Secretary of State

Home Office
3rd August 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the procedure to be followed by local authorities in connection with orders designating a public place under section 13 of the Criminal Justice and Police Act 2001. Once an order is made under that section in relation to a public place in their area, the police powers under section 12 of the Act (to require a person not to consume intoxicating liquor and to surrender opened containers of such liquor) will be available.

Regulations 3 and 4 set out the consultation requirements before making an order. Regulations 5 to 9 set out the publicity requirements before and after making an order. Regulation 10 adds the power to make an order under section 13(2) to those functions of a local authority in England which are not to be the responsibility of the executive.

Notes:

[1] 2001 c. 16.[back](#)

[2] 2000 c. 22.[back](#)

[3] 1964 c. 26.[back](#)

[4] S.I. 2000/2853.[back](#)

[5] Schedule 1 is amended by regulation 2(b) of and the Schedule to the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations (S.I. 2001/2212).[back](#)

ISBN 0 11 029825 X

Appendix 2: 2007 Amendment to Local Authorities (Consumption in Designated Public Places) Regulations 2001

STATUTORY INSTRUMENTS

2007 No. 806

POLICE, ENGLAND AND WALES

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

<i>Made</i> - - - -	<i>12th March 2007</i>
<i>Laid before Parliament</i>	<i>16th March 2007</i>
<i>Coming into force</i> - -	<i>6th April 2007</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 13(4) of the Criminal Justice and Police Act 2001(a) and sections 13 and 105(2) of the Local Government Act 2000(b).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 and shall come into force on 6th April 2007.

(2) These Regulations extend to England and Wales, except that regulation 10 extends to England only.

Interpretation

2. In these Regulations—

“2001 Act” means the Criminal Justice and Police Act 2001;

“2003 Act” means the Licensing Act 2003(c);

“2001 Regulations” means the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001(d);

“local authority” and “public place” have the same meaning as in section 16 of the 2001 Act (interpretation of provisions relating to designation of public places); and

“order” means an order under section 13(2) of the 2001 Act (designated public places) identifying specifically or by description a public place in the area of a local authority.

Consultation

3.—(1) Before making an order, a local authority shall consult—

(a) 2001 c. 16. The duty in section 13(4) of the 2001 Act is supplemented by section 13(5) of that Act.

(b) 2000 c. 22.

(c) 2003 c. 17.

(d) S.I. 2001/2831; which has been amended by paragraph 2 of Part 2 of the Schedule to S.I. 2005/3048.

- (a) the chief officer of police for the police area in which the public place proposed to be identified in the order is situated;
 - (b) the parish or community council if any in whose area the public place is situated;
 - (c) the chief officer of police, the local authority and any parish or community council for any area near to the public place which it considers may be affected by the designation; and
 - (d) the premises licence holder, the club premises certificate holder or the premises user, as appropriate, in relation to each premises in that place which it considers may be affected by the designation and which are premises in respect of which—
 - (i) a premises licence granted under Part 3 of the 2003 Act (premises licences) has effect;
 - (ii) a club premises certificate granted under Part 4 of the 2003 Act (clubs) has effect; or
 - (iii) a temporary event notice has been given so that the premises may be used for a permitted temporary activity by virtue of Part 5 of the 2003 Act (permitted temporary activities).
- (2) Before making an order, a local authority shall also take reasonable steps to consult the owners or occupiers of any land proposed to be identified.
- (3) When a local authority consults any of the parties in paragraph (1) it shall—
- (a) describe in writing the effect that the order will have at particular times in relation to each category of premises specified in paragraph (b);
 - (b) the categories of premises are—
 - (i) premises falling under section 14(1)(a)(a) of the 2001 Act (places which are not designated public places) to which section 14(1B)(b) of that Act does not apply;
 - (ii) premises falling under section 14(1)(a) of the 2001 Act to which section 14(1B) of that Act does apply;
 - (iii) premises falling under section 14(1)(aa)(c) of the 2001 Act;
 - (iv) premises falling under section 14(1)(b)(d) of the 2001 Act;
 - (v) premises falling under section 14(1)(c)(e) of the 2001 Act; and
 - (vi) premises falling under section 14(1)(e)(f) of the 2001 Act; and
 - (c) identify in writing by postal address or, if there is none, ordnance survey map reference or description any premises within that public place to which section 14(1B) of the 2001 Act applies at the time of consultation.

4. A local authority shall consider any representations as to whether or not a particular public place should be identified in an order whether made as a result of consultation under regulation 3, in response to a notice under regulation 5, or otherwise.

Publicity

5. Before making an order, a local authority shall cause to be published in a newspaper circulating in its area a notice—

- (a) identifying specifically or by description the place proposed to be identified;

(a) Section 14(1)(a) of the 2001 Act was substituted by paragraphs 119 and 123(1) and (2)(a) of Schedule 6 to the 2003 Act and further substituted by section 26(1) and (2)(a) of the Violent Crime Reduction Act 2006 (c. 38).

(b) Section 14(1B) of the 2001 Act was inserted by section 26(1) and (3) of the Violent Crime Reduction Act 2006.

(c) Section 14(1)(aa) of the 2001 Act was inserted by section 26(1) and (2)(a) of the Violent Crime Reduction Act 2006.

(d) Section 14(1)(b) of the 2001 Act was substituted by paragraphs 119 and 123(1) and (2)(a) of Schedule 6 to the 2003 Act and further amended by section 26(1) and (2)(b) of the Violent Crime Reduction Act 2006.

(e) Section 14(1)(c) of the 2001 Act was substituted by paragraphs 119 and 123(1) and (2)(a) of Schedule 6 to the 2003 Act and further amended by section 26(1) and (2)(c) of the Violent Crime Reduction Act 2006.

(f) Section 14(1)(e) of the 2001 Act was amended by paragraphs 119 and 123(1) and (2)(b) of Schedule 6 to the 2003 Act.

- (b) setting out the effect of an order being made in relation to that place, including the effect that order will have at particular times in relation to each category of premises specified in regulation 3(3)(b);
- (c) identifying any premises within that place to which section 14(1B) of the 2001 Act applies at the time the notice is published; and
- (d) inviting representations as to whether or not an order should be made.

6. No order shall be made until at least 28 days after the publication of the notice referred to in regulation 5.

7. After making an order and before it takes effect, a local authority shall cause to be published in a newspaper circulating in its area a notice—

- (a) identifying the place which has been identified in the order;
- (b) setting out the effect of the order in relation to that place, including the effect that order will have at particular times in relation to each category of premises specified in regulation 3(3)(b);
- (c) identifying any premises within that place to which section 14(1B) of the 2001 Act will apply at the time the order takes effect; and
- (d) indicating the date on which the order will take effect.

Signage

8.—(1) Before an order takes effect, a local authority shall cause to be erected in the place identified such signs as it considers sufficient to draw the attention of members of the public in that place to the effect of the order.

(2) Each sign erected pursuant to paragraph (1) shall in particular indicate the effect the order will have at particular times in relation to each category of premises specified in regulation 3(3)(b).

Notification to Secretary of State

9. A copy of any order shall be sent to the Secretary of State as soon as reasonably practicable after it has been made.

Amendment to Local Authorities (Functions and Responsibilities) (England) Regulations 2000

10.—(1) The Local Authorities (Functions and Responsibilities) (England) Regulations 2000(a) shall be amended as follows.

(2) In Schedule 1 (Functions not to be the responsibility of an authority’s executive) in Part I (Miscellaneous Functions)—

- (a) for the final entry in Column (1) substitute—
 - “49. Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption”; and
- (b) for the final entry in Column (2) substitute—
 - “Section 13(2) of the Criminal Justice and Police Act 2001 (c. 16).”.

Revocation and saving

11.—(1) Subject to paragraph (2), the following instrument and provision are revoked—

- (a) the 2001 Regulations; and

(a) S.I. 2000/2853. This instrument has been amended but none of the amendments are relevant to these Regulations.

(b) paragraph 2 of Part 2 of the Schedule to the Licensing Act 2003 (Consequential Amendments) Order 2005(a).

(2) The 2001 Regulations shall continue to have effect in relation to any order for which consultation began, in accordance with regulation 3 of those Regulations, prior to 6th April 2007 and nothing in these Regulations shall apply in respect of such an order.

Home Office
12th March 2007

Vernon Coaker
Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate with amendments the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001 (“the 2001 Regulations”) which are revoked by regulation 11(1)(a) of these Regulations. These Regulations set out the procedure to be followed by local authorities in connection with orders designating a public place under section 13 of the Criminal Justice and Police Act 2001 (“the 2001 Act”). Once an order is made under that section in relation to a public place in their area, the police powers under section 12 of the Act (to require a person not to consume intoxicating liquor and to surrender opened containers of such liquor) will be available.

Regulations 3 and 4 set out the consultation requirements before making an order. Regulations 5 to 7 set out the publicity requirements before and after making an order, regulation 8 sets out the signage requirements and regulation 9 requires a copy of any order to be sent to the Secretary of State as soon as reasonably practicable after it has been made. Regulation 10 repeats an amendment made to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 by the 2001 Regulations to ensure that the making of an order under section 13 of the 2001 Act is not to be responsibility of the executive of a local authority in England. Regulation 11 revokes the 2001 Regulations with the saving that they will continue to apply in respect of orders which have been consulted on prior to 6th April 2007.

Section 14 of the 2001 Act was amended by the Violent Crime Reduction Act 2006 to provide that certain licensed premises within a designated public place which were previously excluded from that place for the purposes of the 2001 Act are only excluded when alcohol is being sold or supplied on those premises and for 30 minutes following any such period. Those premises are ones in respect of which a premises licence is held by a local authority and those in respect of which a premises licence is held by another person but the premises are occupied by such an authority or are managed by or on behalf of such an authority. The amendments made by these Regulations ensure that the consultation and publicity requirements include requirements to indicate the extent and effect of those temporary exclusions. They also require the consultation and publicity requirements to specify the extent to which any other type of premises falling within section 14(1) of the 2001 Act will not form part of the designated public place.

2007 No. 806




POLICE, ENGLAND AND WALES

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Authorities (Alcohol Consumption in Designated
Public Places) Regulations 2007

Appendix 3: Detailed location of DPPO

FIGURE 2: INDIVIDUAL LOCATION, DATE GRANTED AND GROUPING STATUS OF BROMSGROVE DPPOS

	<p>Stoke Prior DPPO(S):</p> <ul style="list-style-type: none"> i. Ryefields Road Recreation Area ii. Shaw Lane Recreation Area <p><i>Granted:</i> 15th July 2003</p> <p><i>Grouped:</i> Though they are not adjoining, they can be grouped together for study purposes based on implementation date, and because they are recreation areas similar in size.</p>
	<p>Stoke Heath DPPO(S):</p> <ul style="list-style-type: none"> i. Hanbury Road Recreation Area <p><i>Granted:</i> 15th July 2003</p>
	<p>Hagley DPPO(s):</p> <ul style="list-style-type: none"> i. Hagley Playing Fields/Car Parks/Allotments/Community Centre & Library ii. Hagley Railway Station, Car Park & Station Drive iii. Worcester Road iv. Church Street v. Sweetpool Lane Nature Reserve <p><i>Granted:</i> 25th June 2004</p> <p><i>Grouped:</i> Though they are not all adjoining, they can be grouped together for study purposes based on implementation date.</p>



Catshill

DPPO(s):

- i. Lingfield Walk Park
- ii. Lower Marlbrook Recreation ground.

Granted: 2nd November 2004

Grouped: They are not directly adjoining, and fall into separate wards separated by the Birmingham Road, but they can be grouped together for study purposes based on implementation date.



Hollywood and Drakes Cross

DPPO(s):

single area covering a substantial section of the Wythall/Hollywood area including sections in Drakes Cross & Walkers Heath and Hollywood & Majors Green. A large housing area is covered as well as Wythall Park and a school site.

Granted: 18th November 2004

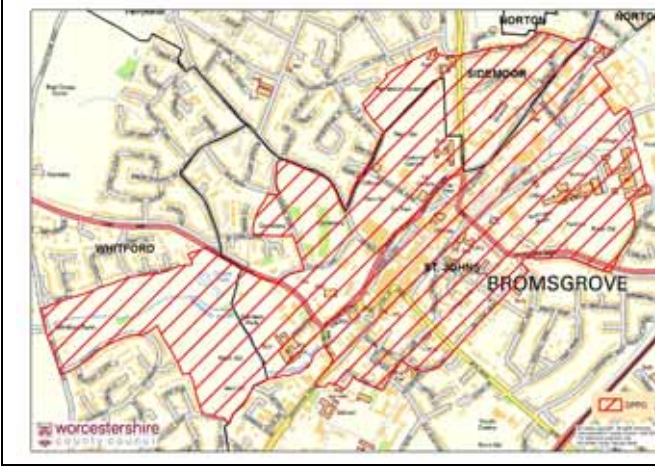


Aston Fields Recreation Area

DPPO(s):

- i. Aston Fields Recreation Ground

Granted: 1st December 2006



Bromsgrove Town Centre

DPPO(s):

Bromsgrove Town Centre DPPO covers the entire town centre including sections in Sidemoor, Whitford and St Johns wards. This covers the central shopping and night time economy areas, as well as a recreation ground, Asda store and Sanders Park.

Granted: 22nd January 2007



Alvechurch

DPPO(s): Alvechurch DPPO covers the entire village of Alvechurch.

Granted: 15th January 2008



Rubery

DPPO(s) granted 25th June 2004:

- i. Callowbrook Public Open Space
- ii. St Chads Park
- iii. Alleyway between Belmont Road & Meadowfield Road

DPPO(s) granted 8th April 2005:

- i. Belmont Road at junction with Rednal Hill Road

DPPO(s) granted 2nd October 2007:

- ii. New Road DPPO

DPPO(s) granted 28th October 2008:

- i. Rednal Hill Lane and Valley Farm Road
- ii. Alleyway between Belmont Road and Waterhaynes Close