

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Licensing Board
2.	Date:	Wednesday 3rd September 2014
3.	Title:	Update on the Borough-Wide Designated Public Place Order
4.	Directorate:	Neighbourhoods and Adult Services

5. Summary

The purpose of this report is to update the Licensing Board on the current position and use of the Designated Public Place Order (DPPO) and seek the boards support for the continuation of the order.

6. Recommendations

It is recommended that the Licensing Board:

Notes the current position of the use and effectiveness of the DPPO

Supports its continuation in the borough as an effective tool to tackle alcohol related anti-social behaviour (ASB)

Receives a further update in twelve months time from the date of todays meeting

7. Proposals and Details

On 21st March 2012 the Rotherham Licensing Board gave approval for a DPPO to be put in place that is enforceable across the full borough area. The decision was taken after the regulatory process to establish a DPPO was followed and full consultation was undertaken with the public and premises affected by the proposal. The DPPO replaced three Alcohol Exclusion Zones that were in force in the borough at that time.

The request for the order was made by South Yorkshire Police and supported by the council.

A DPPO is a tool that can be used by the Police and local authorities to deal with the problems of anti-social alcohol drinking in public places. Once it is in place the police can use their confiscation powers to enforce the restriction. They continue to be widely used across the country.

It is not an offence to drink alcohol within a designated area and that a DPPO is not a 'ban' on drinking in public places, but failure to comply with an officer's requests to stop drinking and surrender alcohol without reasonable excuse is. Penalties can include:

- a penalty notice for disorder of £50;
- arrest and prosecution for a level 2 fine (max £500);

In Rotherham the DPPO is enforced by Police Officers, Police Community Support Officers and under new shared/accreditation powers, RMBC Wardens, although they will not be able to issue a Penalty Notice for Disorder .

In order to prevent public nuisance and disorder, if an officer suspects that a person(s) has recently drunk alcohol or intends to drink alcohol in a DPPO area, the officer can require that person(s) to:

- stop drinking alcohol (or anything believed to be alcohol)
- hand over the containers they are drinking from (sealed or unsealed)
- hand over any other containers believed to contain alcohol.

South Yorkshire Police work with voluntary, statutory and business partners to deliver an integrated approach to reducing violent crime in the borough. A partnership delivery plan is in place which focuses on maximum visibility, effective use of legislation and joint partnership working. To compliment the work on reducing alcohol related violence the principals of Community Alcohol Partnerships have been rolled out across all wards to reduce alcohol related ASB.

Although the Police do not record the number of times the powers of the DPPO have been used, this partnership work is reliant upon DPPO's to assist officers to prevent drinking in streets / public places which is likely to cause violence or ASB, and the designated DPPO signs act as a visible reminder to potential offenders. The following are examples of how the Police use the power:

- Rotherham United home games to prevent alcohol related disorder. Ensuring no drinking outside pubs which creates a greater risk of disorder and injury from bottles / glasses been used as missiles or simply smashed on pavements. There is also a further risk mitigated as shoppers are not forced to walk around drinkers into the road
- EDL demonstrations and similar as above to prevent unnecessary antagonism between right wing groups and the local community
- Policing the alcohol related conduct in the town centre for all reasons mentioned above as well as allowing improved monitoring / control by door staff.
- Over the past 6 months the DPPO has been used to compliment 'Dispersal Legislation' – Over this period 122 individuals have been issued a Dispersal Notice. Dispersal notices are then followed by a letter of advice that should they be involved in further alcohol related ASB, a breach of DPPO or Disorderly behaviour over the next 2 months then they will be placed on an Acceptable Behaviour Contract (ABC). To date, 104 of these were issued to offenders from the night time economy and 18 to day time drinkers.

- Only 1 from the night time economy has gone on to reoffend and has been placed under an ABC.
- Only 2 from the Day time economy have reoffended and being made the subject of Anti-Social Behaviour Orders (ASBO).
- Those that breach a DPPO or are issued a Dispersal Notice are also provided information on alcohol units and the Milton House Project.

Alcohol Exclusion Zones were replaced by Designated Public Place Orders which in turn will be replaced by Community Protection Orders (Public Space) later this year under the new Anti-Social Behaviour Act. Once again they will be complimented by Dispersal powers and Behaviour Orders under the same Act.

8. Finance

There are no finance issues to consider at this time in respect of the Borough-wide DPPO.

9. Risks and Uncertainties

Tackling crime and ASB is a priority for both South Yorkshire Police and the council in keeping people safe and protecting the most vulnerable. Putting in place and supported a Designated Public Place Order shows a clear commitment towards meeting these priorities.

10. Policy and Performance Agenda Implications

- CP 1 - Stimulating the local economy and helping local people into work
- CP2 - Protecting our most vulnerable people and enabling them to maximise their independence
- CP 3 - Helping people from all communities to have opportunities to improve their health and wellbeing
- CP4 -All areas of Rotherham are safe, clean and well maintained

11. Background Papers and Consultation

N/A

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