

TO: CRIME AND DISORDER COMMITTEE  
DATE: 3 MAY 2012

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**DESIGNATED PUBLIC PLACE ORDER (DPPO) BRACKNELL TOWN CENTRE  
Assistant Chief Executive**

**1 PURPOSE OF DECISION**

- 1.1 The Criminal Justice and Police Act 2001 enables local authorities to establish Designated Public Place Orders (DPPOs). These are public areas where it is an offence to drink alcohol after being required by a police officer not to do so. The police have the power to require an individual to surrender alcohol, whether the container is opened or sealed where anti-social behaviour is being or is likely to be committed. Failure to comply is an arrestable offence for those over the age of 16 years old. This report outlines proposals for a Designated Public Place Order (DPPO) in Bracknell town centre.

**2 RECOMMENDATION**

**That the Crime and Disorder Committee endorses the adoption of a Designated Public Place Order in Bracknell town centre as set out in the plan at Appendix 1.**

**3 REASONS FOR RECOMMENDATION**

- 3.1 To support the Council's objective of creating a borough where people are safe and feel safe (MTO 8).

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 That the Council and the police continue to target individual offenders through the use of tools such as Acceptable Behaviour Contracts, Anti-Social Behaviour Orders and traditional policing methods. However, using such tools have failed to tackle the wider issues so far. The police do not believe that existing powers give them authority to deal with alcohol related anti-social behaviour before it occurs but where it is suspected.

**5 SUPPORTING INFORMATION**

Designated Public Place Orders

- 5.1 Designated Public Place Orders were introduced in the Criminal Justice and Police Act 2001. They give Local Authorities the power to designate places where restrictions apply to public drinking. DPPOs can only be used in areas that have experienced alcohol related disorder or nuisance.
- 5.2 If the order is made, it gives the police a power to request an individual to refrain from drinking alcohol within the designated area. In addition a police officer has the power

to ask that person to surrender the alcohol and any opened or sealed containers within their possession. The order is not a drinking banning order or a dispersal order.

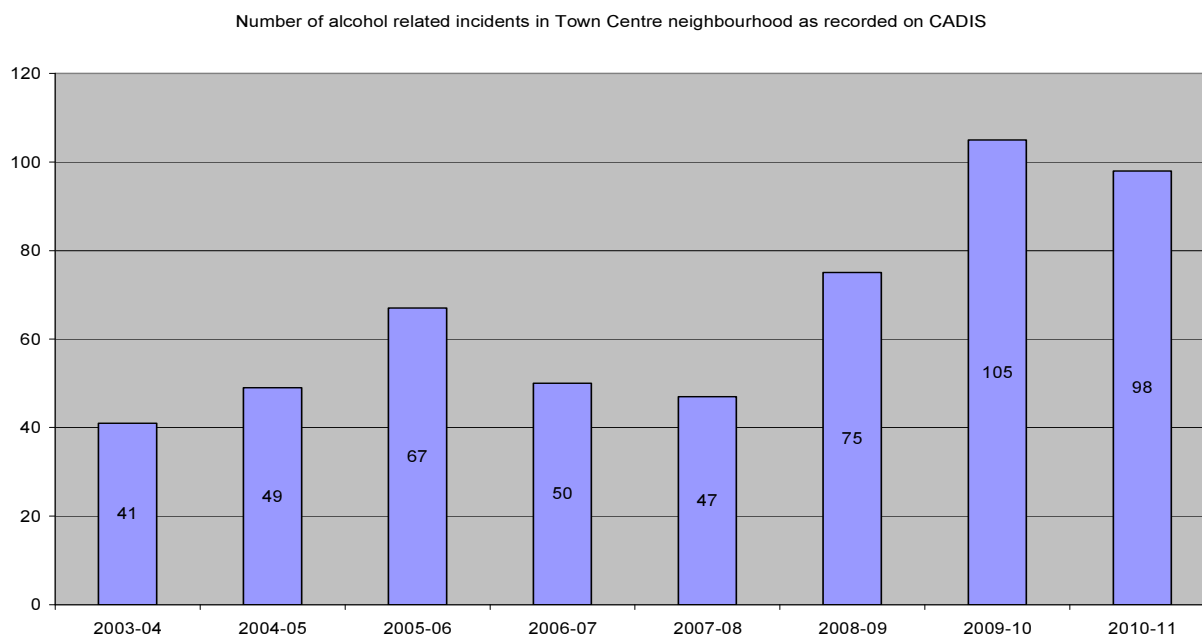
### Community Safety Priorities

#### *Evidence*

- 5.3 Implementing a DPPO would support all three of the objectives of the CSP Plan 2011-2014, which are:
- Reduce Crime
  - Reduce Anti-Social Behaviour
  - Reduce Fear of Crime and Anti-Social Behaviour
- 5.4 Following conversations with Bracknell police in 2010, a joint feasibility study was undertaken by the Bracknell police and the Council's Community Safety Team. The study shows a pattern of continued and increasing alcohol-related anti-social behaviour in recent years.
- 5.5 The feasibility study includes data from the town centre CCTV system, police operational data from 2010 and 2011 and data from the Community Safety Partnership's CADIS Anti-Social Behaviour system, statements from police officers who patrol the town centre, which set out their reasons for requesting a DPPO.
- 5.6 Evidence from the feasibility study shows that:
- There are general positive feelings in the community both from the businesses and members of the public for a DPPO
  - There has been concern for a number of years that the benches in the town centre are being used as drinking areas
  - A number of individuals are persistent drinkers in the area and attract other people to openly consume alcohol
  - The Bus Station is an area where individuals who consume alcohol gather and residents, town centre users and staff report feeling intimidated
  - There is a general reporting that individuals who consume alcohol openly in the public areas are becoming louder and more aggressive
  - In the spring and summer months there is a particular problem of adult drinkers attracting young people who also drink in and around Jubilee Gardens
  - During last winter there had been a greater prevalence of drinking in public areas than in previous years
  - Since November 2009 there has been an increase in alcohol related crime in the Town Centre
  - Targeting persistent drinkers with alternative measures such as ABCs and ASBOs over the last few years has had some effect with individuals, but has not controlled the problems of more widespread and longer term problems.
- 5.7 The study also contains statements from the BFC Town Centre Manager, the Security Manager of Princess Square, members of the public, all describing alcohol related ASB and a letter from a Borough Councillor outlining an incident of drunken disorder that he witnessed outside Princess Square in June 2011.

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- 5.8 For the period from June 2009 to July 2011, there are over 100 police logs of alcohol consumption and related disorder, as well as 22 CCTV reports of alcohol-related anti-social behaviour within Bracknell town centre.



- 5.9 The Bracknell Regeneration Partnership has also written in support of the introduction of a DPPO, citing the importance of managing negative perceptions and their impact on regeneration.
- 5.10 The feasibility study includes a letter from the Chair of Bracknell Businesses Against Crime, which outlines the harm caused to businesses within Bracknell town centre from alcohol-related disorder. He draws a connection between this behaviour and theft and begging within the town centre. Support has also been received from St Joseph's Church.
- 5.11 The Bracknell Town Centre Neighbourhood Action Group had anti-social behaviour and alcohol-related crime among its priorities for 2011.
- 5.12 In June 2011, Inspector Greg Elphick from Bracknell police addressed the proposal of a DPPO to a meeting of Bracknell Town Council. In March this year the Community Safety Manager and one of his team, together with the town centre police sergeant attended a meeting of Bracknell Town Council to discuss the proposal for a DPPO and to introduce the feasibility study. Some Members of the Council were opposed to the idea of a DPPO but the majority of Members voted in favour for the introduction of a DPPO for Bracknell town centre.

### *Area of the Order*

- 5.13 The area proposed to be covered by the DPPO is attached at Appendix 1. It has been tightly drawn, based on reports of alcohol-related disorder, whilst striking a balance to minimise the prospect of displacing activity to surrounding areas.

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### *Consultation*

- 5.14 The Home Office guidance only requires that the Council consults with the Chief of Police for the area, the Parish Council for area to be designated, neighbouring police or council areas (where the proposed are boarders those areas), licensed premises within the designated area and owners of land within the designated area. There is also a recommendation to notify local residents by means of a leaflet drop.
- 5.15 A leaflet giving information about the proposal and directing enquiries to the BFC website has been dropped at all businesses within the proposed area by police staff.
- 5.16 The Home Office requires that the Local Authority should publish a notice in the local newspaper identifying a description of the proposed order and location and inviting representatives as to whether or not the order should be made. No order should be made until 28 days after the publication of this notice. The required notice was published in the Bracknell Standard on Thursday 8 March 2012.
- 5.17 The Community Safety Partnership discussed the proposed DPPO at its meeting on 12 March 2012 and it was agreed that the Community Safety Manager should take the opportunity to address the Borough Council Licensing Committee on 22 March, A presentation was given to the Licensing Committee by the Community Safety manager following which a vote was taken which supported the making of a DPPO despite some voices of opposition.
- 5.18 A report was sent to the Executive Member for Public Protection for authorisation to start this process and a report is due to be discussed at the Executive Briefing on 22 May 2012.
- 5.19 It is also hoped to discuss the proposed DPPO at the next meeting of the Crime and Disorder Committee due to be held on 3 Mary 2012, which will also be attended by Chief Inspector Simon Bowden and Assistant Chief Constable John Campbell.

### Designated Public Place Orders in other Areas

- 5.20 Reading Borough Council has four DPPO's. One covers the area inside the inner distribution road of the town centre, another in the area of the rock festivals, a third along part of the River Kennet tow path and one between the university and the town centre.
- 5.21 Wokingham Borough Council has a DPPO for the area of Remenham which forms part of the Henley Regatta Course. This was implemented in Partnership with South Oxfordshire Council to give the police more options for addressing alcohol-related ASB during the Henley Regatta week.
- 5.22 The Royal Borough of Windsor and Maidenhead first made a DPPO in 2002 in a number of areas. Further areas were added in 2005 and, 2007 the addition of more areas. The total number of separate DPPO areas now totals 111. In 2012, the Royal Borough of Windsor and Maidenhead plan to add an additional 20 DPPO areas. They estimate that the DPPOs have reduced alcohol-related anti-social behaviour by between 25% and 50%.
- 5.23 The Home Office guidance recommends that the DPPOs are reviewed at least every two years and this would be the case in Bracknell Forest.

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 6.1 The legal team has advised the ASB Co-ordinator and the Community Safety Team throughout the process so far.

### Borough Treasurer

- 6.2 Funding for the public consultation and the cost of signs if the DPPO is put in place should be secured from an ASB Grant.

### Equalities Impact Assessment

- 6.3 No implications

### Strategic Risk Management Issues

- 6.4 The designation of a DPPO could negatively affect preparations of Bracknell town centre. However, the order represents an entirely positive step and helps in the promotion of the town centre as a place to visit.

### Other Officers

- 6.5 None

## **7 CONSULTATION**

### Principal Groups Consulted

- 7.1 Public consultation is taking place following approval from the Executive Member to conduct the consultation. Other officers, groups or agencies that have been consulted are Bracknell Regeneration Partnership, the Town Centre Manager, the Anti-Social Behaviour Sub-Group, the CSP Executive, Bracknell Businesses Against Crime and the BFC Licensing Team. Bracknell Town Council was consulted at its meeting on 6 March 2012. The Council voted in favour of a DPPO but some members did disagree.

### Method of Consultation

- 7.2 Extensive consultation of the general public and the business community has already been carried out and this is evidenced within the feasibility study. There has been overwhelming support for the introduction of a DPPO. Further public consultation is currently taking place which identifies the area to be designated and will include the use of newspapers, BFC website and notices within the designated area for a period of 4 weeks before the order is made. A leaflet inviting representations and giving the address of the feasibility study on the BFC website has been distributed to all addresses within Bracknell town centre by PCSOs
- 7.3 The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 instruct that the local authority must identify all licensed premises that sell or supply alcohol within the proposed DPPO and draw their attention to the effect that a DPPO will have. The effect is that premises covered by a premises

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licence authorising the sale or supply of alcohol will only be prevented from falling within a designated public place when alcohol is being sold and supplied and for 30 minutes thereafter. This has been done by the leaflets distributed by PCSOs

### Representations Received

- 7.4 Bracknell Regeneration Partnership has expressed no objections to the implementation of a DPPO. The Town Centre Manager supports the Order in the light of other methods not completely solving the problem, and that business owners believe their businesses are affected. The ASB Sub-Group gave mixed views and there is no consensus from the group as to the appropriateness of a DPPO. Concerns were raised around civil rights, the success of DPPOs in other areas and the accountability of the police when using the power. The Licensing committee of Bracknell Forest Council voted in favour of a DPPO at it's meeting on 22March 2012

### Background Papers

Criminal Justice and Police Act 2001  
Bracknell Forest Feasibility Study

### Contact for further information

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### Doc. Ref

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