

# CARLISLE CITY COUNCIL

Report to:- CITY COUNCIL

Date of Meeting:- 17<sup>th</sup> December 2007

Agenda Item No:-

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Public	Operational	Delegated Yes
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Accompanying Comments and Statements	Required	Included
Cumbria Fire Service	No	No
Cumbria Constabulary	No	No
Environmental Services	No	No
Corporate Planning & Information Unit	No	No

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Title:- DESIGNATED PUBLIC PLACE ORDER

Report of:- PEOPLE, POLICY AND PERFORMANCE

Report reference:- PPP. 100/07

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## Summary:-

The Criminal Justice and Police Act 2001 gave local authorities the power to designate public areas as being subject to a Designated Public Place Order ("DPPO") whereby it is an offence to drink alcohol after being required by a Police Officer not to do so. The Police will have the power to require individuals to surrender the alcohol and any opened or sealed containers, and if any person fails to comply with the request they can be arrested. The powers apply and can be used in areas which have experienced alcohol related disorder or nuisance.

Two areas have been identified as suitable for a DPPO – Denton Holme and Carlisle City Centre.

## Recommendation:-

i. That the Council resolves to make the Designated Public Place Order for Denton Holme and Carlisle City Centre.

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:- Health Act 2006 and associated Regulations made thereunder.

## **To the Mayor and Members of the City Council 6<sup>th</sup> November 2007**

### **1.0 INTRODUCTION**

- 1.1 The Criminal Justice and Police Act 2001 gave local authorities the power to designate public areas as being subject to a DPPO whereby 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 individuals to surrender the alcohol and any opened or sealed containers, and if any person fails to comply with the request they can be arrested.
- 1.2 The offence is not consumption of alcohol in a public place, but drinking after being required by a Police Officer not to do so.
- 1.3 The powers, which replace the old drinking byelaws, were introduced to help the police deal with the problems of anti-social drinking in public spaces. DPPOs make it easier for local authorities to designate places where restrictions on public drinking will apply and can be used in areas which have experienced alcohol related disorder or nuisance.
- 1.4 Previously, the Police had limited powers to confiscate alcohol from young people only.
- 1.5 It is not possible to create a blanket restriction on alcohol drinking in public. Before an area is designated the local authority must obtain evidence that the area has anti social nuisance or disorder associated with the consumption of alcohol.
- 1.6 The Crime and Disorder Reduction Partnership have identified two areas as having experienced alcohol related disorder and nuisance and, therefore, being suitable for a DPPO. These two areas are Denton Holme and the Carlisle City Centre. Appendix 1 attaches the proposed Order with plans of the areas which would be affected.
- 1.7 The recently published Local Authorities (Functions and Responsibilities) (England) (Amendment) (No 2) Regulations 2007 provide that the making of a DPPO is not to be the responsibility of the Council's Executive. Accordingly the matter is reserved to be dealt with by the Council.
- 1.8 Before an Order may be made, the local authority is required to consult with various bodies, including the Police and Premises Licence holders operating in the targeted area. In the interests of the efficient operation of the Council's business.
- 1.9 Following on from the recommendations of the City Council on the 6<sup>th</sup> November 2007 consultation was held with those required bodies. Local Councillors were notified and the Orders was publicised in the local newspaper. A report detailing the consultation responses was presented to the Regulatory Panel on 21<sup>st</sup> November 2007. The

Regulatory Panel was informed that there were no representations to the proposed Designated Public Place Order-during the period of consultation, or at all. Appendix 2 attaches the minute of the Regulatory Panel meeting which resolved to inform Council that there were no responses to the Order-

- 1.10 The Carlisle and Eden Crime and Disorder Reduction Partnership will meet the cost of signage for the order.
- 1.11 An evaluation of the impact of both orders will be completed after three months to determine the effectiveness of these orders in tackling anti-social behaviour relating to alcohol. Community Overview and Scrutiny Committee will have an opportunity to scrutinise the evaluation report.

## 2 RECOMMENDATION

That the Council resolves to make the Designated Public Place Order for Denton Holme and Carlisle City Centre.

## 3 REASONS FOR THE RECOMMENDATION

The Designated Public Place Order will help to tackle the issues of Antisocial Behaviour relating to alcohol in Carlisle. Once approved the Order will provide an additional power for the Local Policing Teams in City West and City Centre to tackle their priority locations.

Prepared by Steven O'Keeffe ext 7011.

## APPENDIX 1

### **CARLISLE CITY COUNCIL** **CRIMINAL JUSTICE AND POLICE ACT 2001**

#### **Alcohol Consumption In Designated Public Places (Carlisle) Order** **(No 1) 2007**

The Council of the City of Carlisle (in this Order called "the Council") hereby make the following Order under Section 13(2) of the Criminal Justice and Police Act 2001 (in this Order hereinafter called "the Act"):

1. The land shown shaded blue and pink on the maps attached to this Order including that described in the Schedule below, being public place in the area of the Council which is a public space in which the consumption of alcohol has been associated with disorder, nuisance or annoyance to members of the public or a section of the public, is hereby designated for the purposes of Section 13(2) of that Act.
2. This Order may be cited as the Alcohol Consumption in Designated Public Places (Carlisle) Order (No 1) 2007 and shall come into force on 21 December 2007.

#### **Schedule** **Denton Holme**

##### **Roads and Streets**

Clarence Street  
Clifton Street  
Colville Street  
Colville Terrace  
Dalston Street  
Denton Street  
East Dale Street  
East Nelson Street

East Norfolk Street  
Footpath and park to rear of Ferguson Place  
Ferguson Road  
Garfield Street  
Graham Street  
Hope Street  
Lewis Court  
McIlmoyle Way  
Metcalf Street  
Morley Street  
Nelson Street  
Norfolk Street  
Northumberland Street  
Richardson Street  
St James' Park and Bowling Green including grounds  
St James' Road  
Westmorland Court  
Westmorland Street  
Robert Ferguson school and grounds  
Recreation ground adjacent to Norfolk Street, Ferguson Road and Richardson Street  
Path along western bank of River Caldew between south end of Denton Street and Metcalfe Street  
St James' Church grounds

### **Car Parks**

Norfolk Court  
Cumberland Court  
Lewis Court

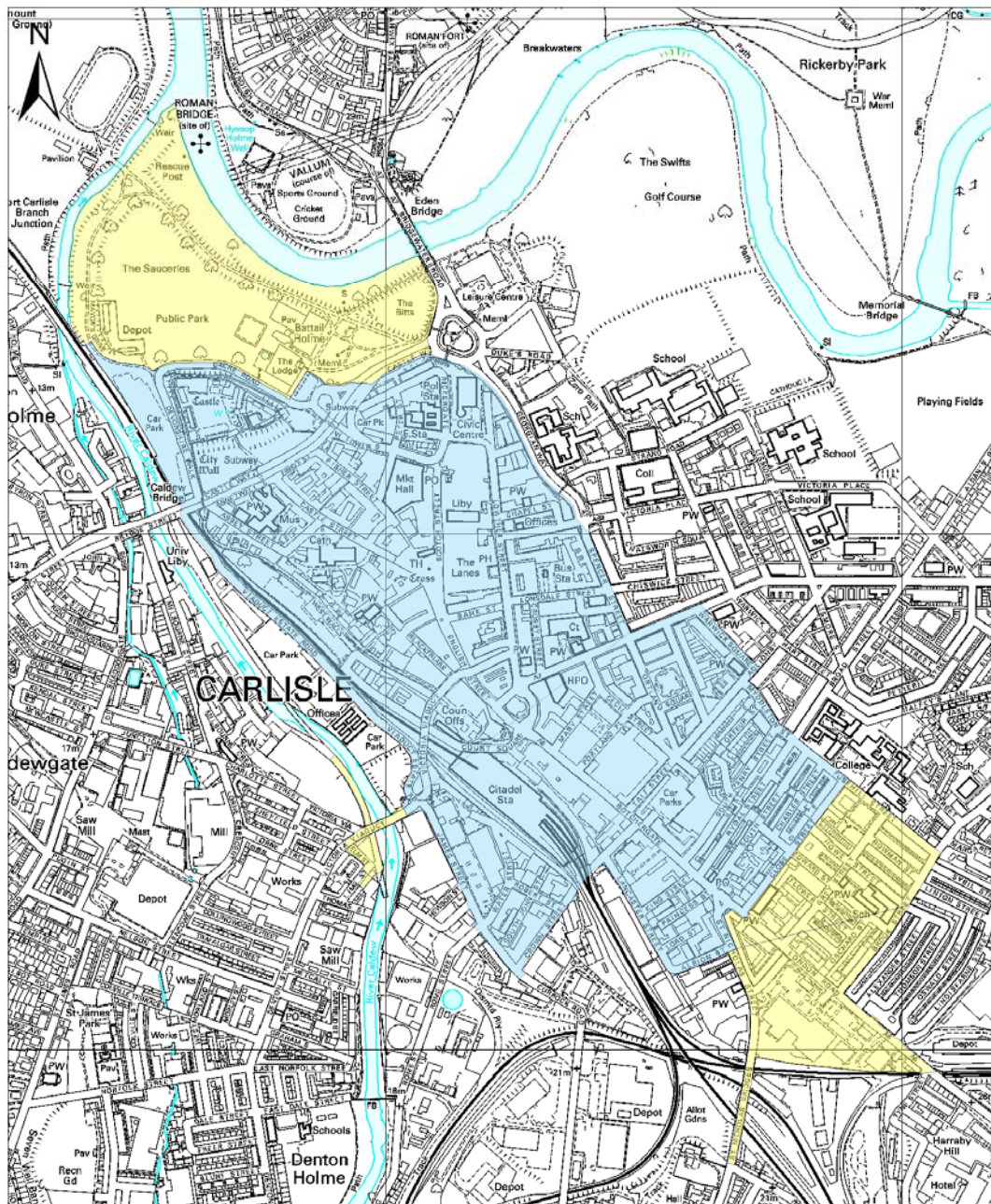
## **Carlisle City Centre**

### **Roads and Streets**

Abbey Street  
Aglionby Street  
Albion Street  
Alfred Street North  
Alfred Street South  
Annetwell Street  
Backhouses Walk  
Bank Street  
Blackfriars Street  
Borough Street  
Botchergate including all yards and car parks  
Bush Brow

Castle Street  
Castle Way  
Cecil Street  
Chapel Street  
Charles Street  
Citadel Row  
Close Street  
Collier Lane  
Corporation Road  
Court Square  
Crosby Street  
Crown Street  
Currock Street  
Dacre Road  
Devonshire Street  
Devonshire Walk including the car park  
Edward Street  
English Damside  
English Street  
Englishgate Plaza  
Finkle Street  
Fisher Street  
Fusehill Street  
Greenmarket  
Heads Lane  
Henry Street  
James Street  
King Street  
Lancaster Street  
Lonsdale Street  
Lord Street  
Lowther Street  
Market Street including the off street loading bay adjacent to the Market Hall  
Mary Street  
Myddleton Street  
Orfeur Street  
Paternoster Row  
Peter Street  
Portland Place  
Portland Square including the park grounds  
Princess Street  
Rickergate  
Robert Street  
Rose Court  
Rydal Street  
Scotch Street  
South George Street  
South Henry Street





Scale: 1:4,774 Date: 6/06/2005

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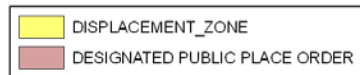
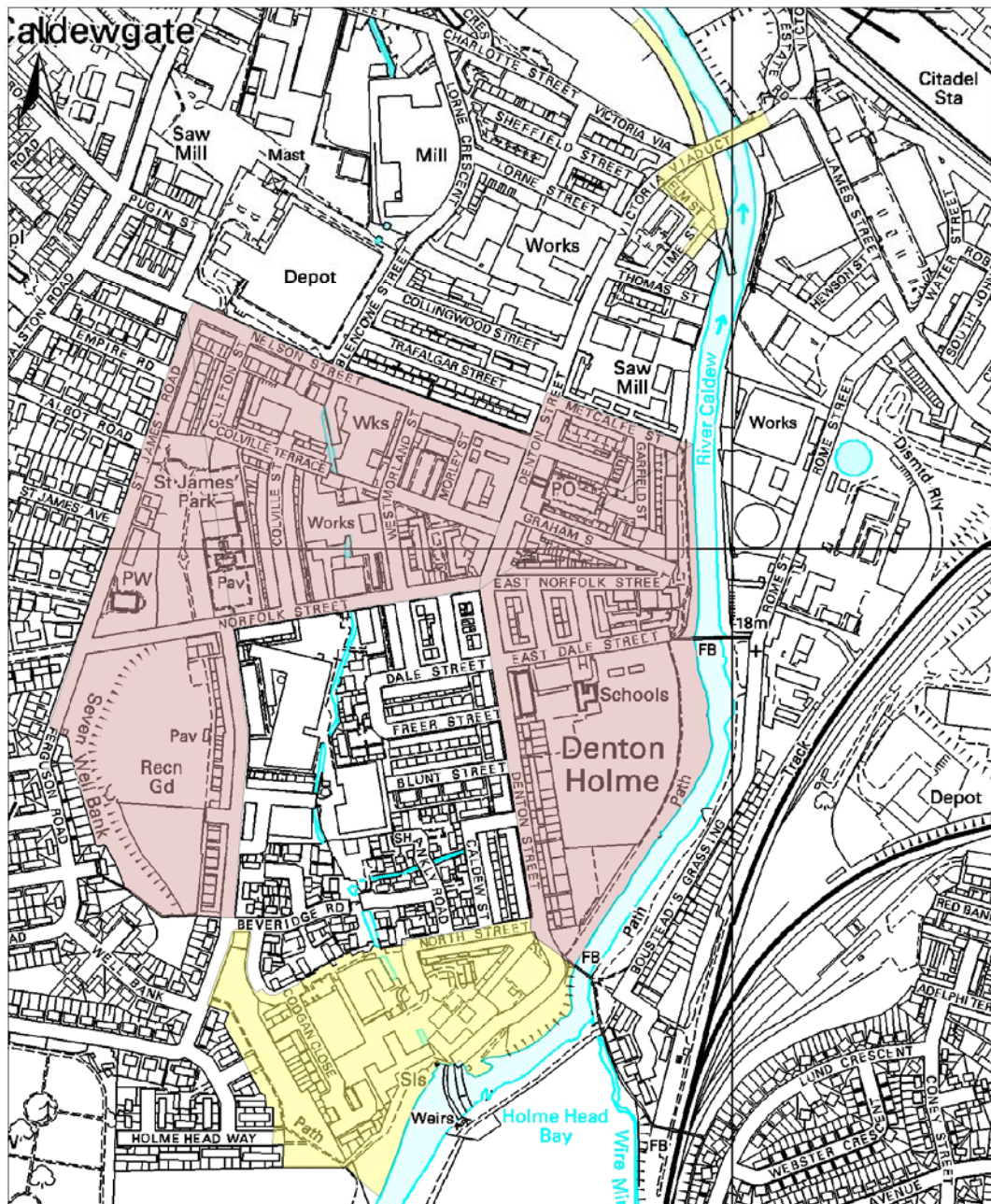
## DESIGNATED PUBLIC PLACE ORDER

DENTON HOLME AND  
CITY CENTRE AREAS



Civic Centre  
Rickerby Park  
Carlisle  
CA3 8QG





Scale: 1:2,640 Date: 6/06/2005

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## DESIGNATED PUBLIC PLACE ORDER

DENTON HOLME AND  
CITY CENTRE AREAS



www.carlisle.gov.uk

Civic Centre  
Rickergate  
Carlisle  
CA3 8QG

## APPENDIX 2

### Minute of Regulatory Panel meeting

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## **EXCERPT FROM THE MINUTES OF THE REGULATORY PANEL HELD ON 21 NOVEMBER 2007**

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### **RP.39/07     DESIGNATED PUBLIC PLACE ORDER**

The Community Safety Officer submitted report PPP.9607 giving a summary of the responses to date for the period of statutory consultation for a Designated Public Place Order (DPPO).

The Community Safety Officer reported that the Criminal Justice and Police Act 2001 gave local authorities the power to designate public areas as being subject to a Designated Public Place Order ("DPPO") whereby it is an offence to drink alcohol after being required by a Police Officer not to do so. The Police would have the power to require individuals to surrender the alcohol and any opened or sealed containers, and if any person failed to comply with the request they could be arrested. The powers apply and could be used in areas that have experienced alcohol-related disorder or nuisance.

Two areas had been identified as suitable for a DPPO – Denton Holme and Carlisle City Centre.

At the full council meeting on 6<sup>th</sup> November 2007 the following recommendations were agreed:

- i. That the Council approve the delegation of the consideration of the Designated Public Place Order consultation responses to the Regulatory Panel;
- ii. That following consideration of the consultation responses the Regulatory Panel report back to the Council on the issues raised.

The Principal Solicitor confirmed that the consultation period had ended on 16 November 2007.

**RESOLVED** – That the City Council be informed that there have been no responses to the two Designated Public Place Orders.