

# General Licensing and Registration Committee

27<sup>th</sup> October 2010



## Designated Public Place Orders

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### Report of Steve Arkley, Strategic Manager Safer Communities

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#### Purpose of the Report

- 1 To provide the General Licensing and Registration Committee information on the legislation surrounding Designated Public Place Orders (DPPOs) and to obtain agreement to a process for applications for DPPOs.

#### Background

- 2 Sections 12 and 13 of the Criminal Justice and Police Act 2001 provide local authorities the power to designate an area a "public place" where there is evidence of problems of nuisance, annoyance or disorder because of the consumption of alcohol.
- 3 Once an area has been designated as a public place it becomes an offence for an individual over the age of 18 to drink alcohol in the area after being requested not to do so by an accredited Officer. The Police, PCSOs and other accredited persons have the power to require the surrender of alcohol and containers in these circumstances. Those who fail to stop drinking or surrender their containers upon request can be arrested by a Police Officer.
- 4 Designated public places are NOT alcohol free zones and do not make it illegal for people to drink in the area. There is a common misconception by practitioners and members of the public that these areas become alcohol free zones.

#### Current position

- 5 A number of DPPOs were already in place around the County which were implemented prior April 2009. These Orders are still in situ and provisions were put in place to protect these through local government reorganisation.
- 6 There are, however, a number of areas where officers feel that DPPOs would be beneficial and there is currently no procedure in

place in relation to the implementation of new DPPOs within the new Authority.

- 7 A Draft Procedure for the Application of DPPOs is available to view at appendix 2.

### **Recommendations and reasons**

- 5 The Committee are recommended to:
  - (a) Consider the procedure attached at Appendix 2
  - (b) Delegate the power to implement a designation to the Area General Licensing Sub Committee

### **Background Papers**

None.

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**Appendix 1: Implications**

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**Local Government Reorganisation**

None

**Finance**

Funding of advertisements and signage will be paid for by the applicant.

**Staffing**

Enforcement of DPPOs requires considerable resource from the Police.

**Equality and diversity**

No adverse implications identified.

**Accommodation**

None

**Crime and disorder**

DPPOs are seen as a tool to tackle alcohol related anti-social behaviour by those aged over 18

**Environment**

None

**Human rights**

None

**Localities and rurality**

None

**Young people**

None this policy is applicable to over 18s only

**Consultation**

Consultation has taken place with representatives within the Safe Durham Partnership.