

CITY COUNCIL – 13 JUNE 2011

REPORT OF THE PORTFOLIO HOLDER FOR AREA WORKING, CLEANSING AND COMMUNITY SAFETY

ST ANN'S DESIGNATED PUBLIC PLACE ORDER

1 SUMMARY

- 1.1 This report outlines the procedure through which the Council will consult on making a Designated Public Place Order ("DPPO") that covers the St Ann's ward, (hereinafter referred to as "the Order").

2 RECOMMENDATIONS

It is recommended that Council:

- 2.1 Note the area proposed to be covered by the Order, detailed on the A4 map circulated separately.
- 2.2 Approve the publication of the draft Order for public consultation, as detailed at Appendix 1.
- 2.2 Note the timetable and procedures for making the Order, as detailed in Appendices 2 and 3 of this report.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

It is believed that the Order may be required:

- 3.1 To reduce crime and anti-social behaviour, including nuisance and disorder arising from people drinking alcohol in public places in the ward in question.
- 3.2 To improve the quality of life and enjoyment of the area by residents, businesses and visitors.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 Use of current public order powers. These powers do not allow the seizure and disposal of alcohol or the arrest of people who refuse to stop drinking when asked to do so by a police officer.

5 BACKGROUND

- 5.1 By virtue of the Criminal Justice and Police Act 2001 the City Council may make a DPPO to curb the problems brought about by irresponsible drinking in public places. The effect of an Order is to make it an offence both to continue drinking when requested to stop and to fail to surrender alcohol when requested to do so. The Act also gives powers to destroy alcohol that has been surrendered. Councillors will be aware that there are a number similar Orders for other parts of the City including Hyson Green, the City Centre and Sneinton and St Ann's.
- 5.2 Evidence to support the making of a DPPO for the area has been gathered which demonstrates the following. Community Protection and the Police in St Ann's have seen an increase in reported problems of people causing nuisance and disorder affecting the enjoyment of the area and the general quality of life of residents, businesses and visitors alike due to the effects of alcohol.
- 5.3 Enforcement will be by Community Protection Officers and the Police as accredited persons for whom training has been given in respect of these powers. The Police have powers of arrest, for both of the offences specified in paragraph 5.1 above. The powers given by the making of the Order are discretionary and it is not intended that they should be used where people are drinking in public places responsibly and without causing nuisance, annoyance, or disturbance.

- 5.4 The draft Order is attached as Appendix 1 and the timetable for implementation is shown at Appendix 2. A larger copy of the map will be available prior to the meeting together with a copy of the evidence so far provided in support of the Order. The procedures that the Council needs to follow are outlined in Appendix 3. Any representations received during the consultation process will be reported to Council at the expiry of the consultation period in order for Council to formally consider whether the Order should be made

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

- 6.1 The total cost, including administration, legal costs, consultation, notices and signage is to be met jointly from the Community Protection budget and from money allocated for this purpose in the relevant Area Committee 2011/12 budget.

7 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS AND EQUALITY AND DIVERSITY IMPLICATIONS)

- 7.1 A local authority may designate public places under section 13 of the Act where it is satisfied that nuisance, annoyance or disorder associated with the consumption of alcohol in those places has been caused to members of the public or a section of the public. Home Office Guidance indicates that before an Order is made the Council should be satisfied that the problems will continue unless the powers are adopted and that the use of these powers will remedy them. The Council has some evidence within its possession in this respect and may continue to collect evidence during the consultation process. These tests will however have to be addressed should Council determine to make the Order in the future.

8. EQUALITY IMPACT ASSESSMENT (EIA)

- 8.1 The results from the consultation will be used to assess any impact on equality which will be reported back to the Council should the results confirm that the Order proceed.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 9.1 Evidence in support of making the Order

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 Sections 12 – 16 Criminal Justice and Police Act 2001
- 10.2 Guidance on Designated Public Place Orders (DPPOs): for Local Authorities in England and Wales – Home Office December 2008
- 10.3 Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

**COUNCILLOR ALEX NORRIS
PORTFOLIO HOLDER FOR AREA WORKING, CLEANSING AND
COMMUNITY SAFETY**

DRAFT ST ANNS DESIGNATED PUBLIC PLACE ORDER**CRIMINAL JUSTICE AND POLICE ACT 2001, SECTION 13 (2)****THE NOTTINGHAM CITY COUNCIL ST ANNS DESIGNATED PUBLIC PLACE ORDER 2011**

Nottingham City Council in exercise of the powers conferred by section 13(2) of the Criminal Justice and Police Act 2001 ("the Act") hereby makes the following Order:

1. The land described in the Schedule below and shown on the plan attached to this Order ("the Plan"), being land in the area of Nottingham City Council which is land to which the Act applies, is hereby designated for the purpose of the Act.
2. This Order may be cited as the Nottingham City Council St Anns Designated Public Place Order 2011 and shall come into force on xx xxxxxx 2011.
3. "Public Place" means any place to which the public or any section of the public has access on payment or otherwise, as of right or by virtue of express or implied permission.

SCHEDULE OF DESIGNATED PUBLIC PLACES

All Public Places including all highways, squares, pedestrian areas, public conveniences, doorways, entrances and other open areas within the boundary delineated by a thick black line on the Plan. These include those places described in Parts 1 to 4 to this Schedule but in the event of a conflict between the Plan and the Parts to this Schedule the Plan shall have precedence.

Part 1 – Highways

ABBEY GROVE	BENNETT STREET	BULLIVANT STREET
ABBOTSFORD DRIVE	BEVERLEY SQUARE	BURGASS ROAD
AGNES VILLAS	BILBERRY WALK	CAMPBELL STREET
ALBERT ROAD	BLUEBELL HILL ROAD	CARDINAL CLOSE
ALFRED STREET CENTRAL	BLUNDELL CLOSE	CARLTON ROAD
ALFRED STREET NORTH	BLYTH STREET	CAUNTON AVENUE

ANGRAVE CLOSE	BOTANY STREET	CENTRAL STREET
ASHFORTH STREET	BOYCE GARDENS	CHANDOS STREET
ASHOVER STREET	BOYCROFT AVENUE	CHATHAM STREET
ASTER ROAD	BOYNTON DRIVE	CHERTSEY CLOSE
ASTLEY DRIVE	BRACTON DRIVE	CHURCH ROAD
BALL STREET	BRANDRETH AVENUE	COLMORE STREET
BANGOR WALK	BREWSTERS ROAD	COMYN GARDENS
	BRIARWOOD AVENUE	CONWAY STREET
BEACON HILL RISE	BRITTEN GARDENS	CORBY ROAD
BEECHAM AVENUE	BROAD OAK CLOSE	CORSHAM GARDENS
BELLVUE COURT	BROCKENHURST GARDENS	COURTNEY AVENUE
BELVOIR STREET	BULLACE ROAD	CRANMER STREET

CROMER ROAD	FLEWITT GARDENS	HUNGERHILL ROAD
CROPWELL GREEN	FOLKTON GARDENS	HUNTINGDON STREET
CUDWORTH DRIVE	FURZE GARDENS	HURCOMB STREET
CURZON STREET	GANTON CLOSE	INSTOW RISE
DAGMAR GROVE	GEDNEY AVENUE	JEDBURGH CLOSE
DANE CLOSE	GILPET AVENUE	JERSEY GARDENS
DENMARK GROVE	GORDON ROAD	KELHAM GREEN
DENNETT CLOSE	GRASMOOR CLOSE	KELVEDON GARDENS
DOOLAND DRIVE	GREAT FREEMAN STREET	KELVIN ROAD
DOWSON STREET	HAMPSTEAD ROAD	KENMORE GARDENS
DUNCOMBE CLOSE	HARTWELL STREET	KILBOURN STREET
EASTHAM CLOSE	HAWKRIDGE GARDENS	KILDARE ROAD
EATON STEET	HAZELBANK AVENUE	KINGSTHORPE CLOSE
ECCLES WAY	HEATHER CLOSE	LABURNUM STREET
EGERTON STREET	HEDDERLEY WALK	LAMARTINE STREET
ELGAR GARDENS	HENDON RISE	LANDMERE GARDENS
ELLIS COURT	HESKEY CLOSE	LAVENDER WALK
ELM AVENUE	HOGARTH STREET	LEIGHTON STREET
EMNETH CLOSE	HOLLY AVENUE	LEWIS CLOSE
FAIRMEAD CLOSE	HOLLY GARDENS	LIMMEN GARDENS

FESTUS CLOSE	HUDSON STREET	LINDEN STREET
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LINNELL STREET	NORMAN CLOSE	PRIMROSE CLOSE
LOBELIA CLOSE		PYM STREET
LONGBECK AVENUE	NORTHAMPTON STREET	QUERNEBY ROAD
LORNE CLOSE	NOTHUMBERLAND AVENUE	RADSTOCK ROAD
LOTUS CLOSE	NUGENT GARDENS	RAGLAN CLOSE
LUTHER CLOSE	OLGA CLOSE	RANBY WALK
LYMINGTON GARDENS	ORBY CLOSE	RANSOM DRIVE
MAGSON CLOSE	PARRY COURT	RANSOM ROAD
MALBON CLOSE	PAXTON GARDENS	RICHMOND AVENUE
MALVERN CLOSE	PEARMAIN DRIVE	RIDGEWAY STREET
MANSFIELD ROAD	PEAS HILL ROAD	RITSON CLOSE
MANNING STREET	PEEL VILLAS	ROBIN HOOD STREET
MARMION ROAD	PENDLE CRESCENT	ROSE CLOSE
MARNHAM DRIVE	PENRYN CLOSE	RUSHTON GARDENS
MELEVILLE GARDENS	PIPPIN CLOSE	RUSHWORTH CLOSE
MICKLEBOROUGH AVENUE	PLANTAGENET COURT	SARGENT GARDENS
MOWBRAY COURT	PLANTAGENET STREET	SCARBOROUGH STREET
MUSTON CLOSE	PORCHESTER ROAD	SELBY RISE
NORLAND CLOSE	PREVIN GARDENS	SHELTON STREET

SKETCHLEY STREET	THE CRESCENT	WARTON AVENUE
SOUTHAMPTON STREET	THE WELLS ROAD	WASNIDGE CLOSE
ST ANNS HILL ROAD	THIRLMERE CLOSE	WATKIN STREET
ST ANNS VALLEY	THOMAS CLOSE	WELLINGTON STREET
ST ANNS WAY	THORNLEY HILL	WELLS GARDENS
ST ANNS WELL ROAD	THORNEYWOOD MOUNT	WESTGATE STREET
ST BARTHOLOMEWS ROAD	THORNEYWOOD RISE	WESTMINSTER CLOSE

ST CELIA GARDENS	THYRA COURT	WESTVILLE GARDENS
ST MATTHIAS ROAD	THYRA GROVE	WHEATFIELDS ROAD
STAPLES STREET	TIPPETT COURT	WIGLEY CLOSE
STONEBRIDGE ROAD	TRUMAN CLOSE	WOODBOROUGH ROAD
STONEPIT CLOSE	TULIP AVENUE	WOODHEDGE DRIVE
SULLIVAN CLOSE	TUXFORD WALK	WOODHOUSE STREET
SWINBURNE STREET	VERBENA CLOSE	WOODLANE GARDENS
TEAK CLOSE	VILLA ROAD	WRAY CLOSE
THE CHESTNUTS	WADHURST GARDENS	

Part 2 - Community Centres

ACNA CENTRE 31 HUNGERHILL ROAD, ST ANNS
BLUE BELL HILL COMMUNITY CENTRE 12 DENNETT CLOSE ST ANNS
CHASE NEIGHBOURHOOD CENTRE 12 ROBIN HOOD CHASE, ST ANNS
MAPPERLEY COMMUNITY CENTRE 589 WOODBOROUGH ROAD, MAPPERLEY
RUSSELL YOUTH CLUB 12 LOWDHAM STREET, ST ANNS
SYCAMORE MILLENNIUM CENTRE 31 HUNGERHILL ROAD, ST ANNS
WELLS ROAD COMMUNITY CENTRE 133 WELLS ROAD, ST ANNS

Part 3 - Playgrounds & Open Spaces

BOYNTON PARK
COPPICE ROAD
HESKEY PARK
INSTOW RISE
LEES HILL
MARMION/BRACTON DRIVE PARK

PARKDALE
ROBIN HOOD CHASE
ROCKET PARK / JERSEY GARDENS
SYCAMORE PARK
TRICKETS YARD
VICTORIA PARK AND ST MARY'S REST GARDEN

Part 4 - Car Parks

CURZON STREET
CAMPBELL STREET

An A4 plan showing the area of the proposed DPPO for St Ann's has been circulated separately.

Given under the Common Seal)
Of Nottingham City Council)

Authorised Signatory

Dated this day of 2011

Authority
Council (date) 2011
Minute No: (*state no.*)

DPPO IMPLEMENTATION TIMETABLE

<u>Step</u>	<u>Action</u>	<u>Timescale</u>	<u>By Whom</u>
1.	Report to full Council with request to authorise consultation and publication	13 June 2011	Director Community Protection
2.	Publication of Newspaper advertisement under Regulation 5 Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007	By end June 2011	DPPO contractor and Legal Services
5.	Send out consultation letters	By end of June 2011	DPPO contractor and Legal Services
6.	Consult with statutory consultees (Police, parish/community councils, licensees, owners and occupiers)	End June 2011 to mid-August 2011	Police, CPOs, Neighbourhood Management and DPPO contractor
7.	Report back to Full Council regarding representations and seeking confirmation of the Order if appropriate	September/October 2011	Director Community Protection
8.	(1) Publication of notice of making of Order and (2) Erection of signs on street.	November/December 2011	(1) DPPO contractor (2) Neighbourhood Services

PROCEDURE TO ADOPT A DESIGNATED PUBLIC PLACE ORDER

The Council is required to undertake the following actions.

Before the Order is made:

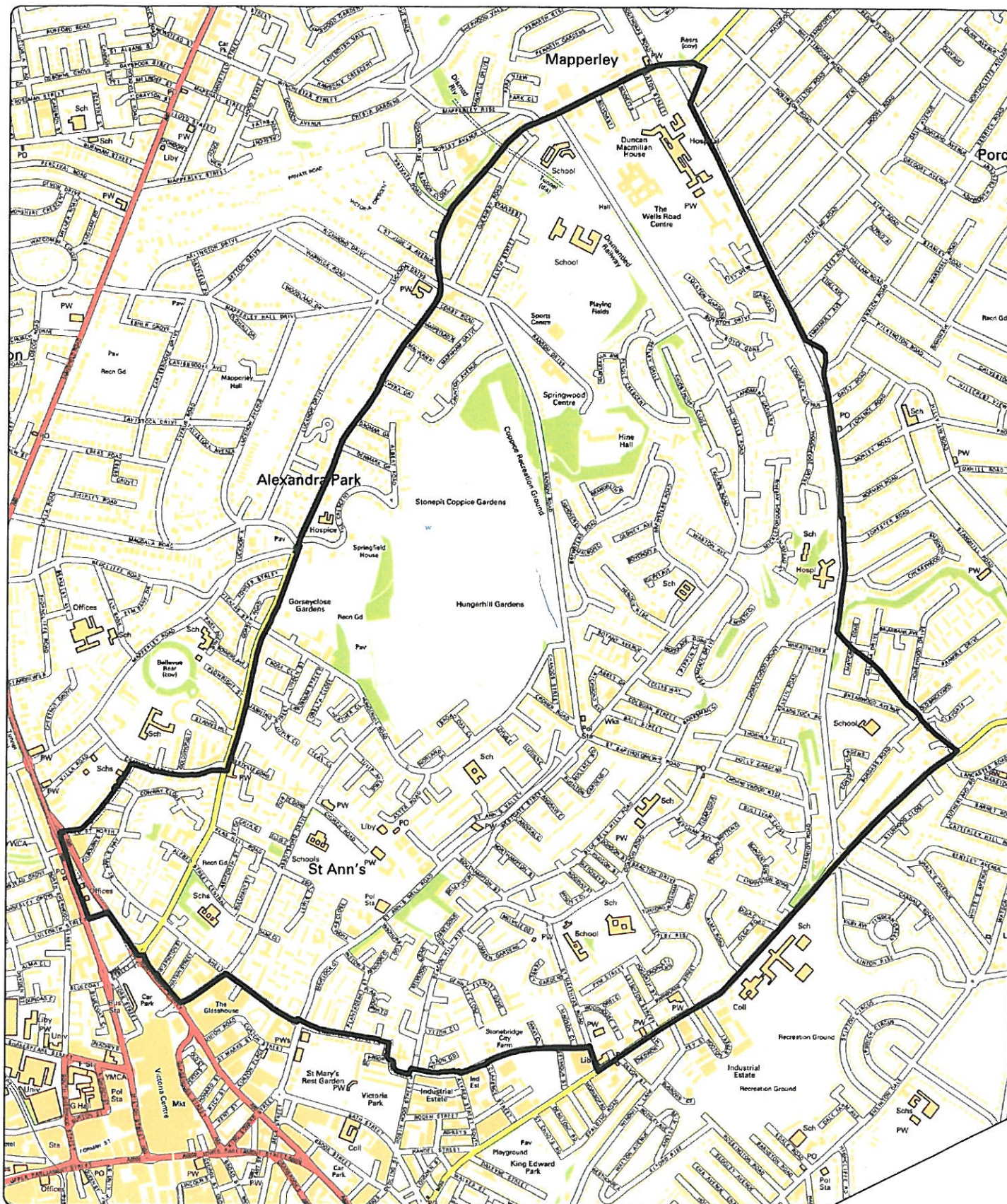
- (i) consult on the proposal with the Police, licensees within/on the boundaries of the proposed area and with owners and occupiers of land within the area to be covered by the proposed Order;
- (ii) notify the public by placing notice in the local press and inviting representations as to the proposed Order.

After the Order is made:

- (iii) erect permanent signs to inform the public of the effect of the Order;
- (iv) undertake further public notification measures by placing notice in the local press confirming the making of the Order.

It is proposed that any representations received during the consultation procedure be reported to Council at the expiry of the consultation period.

Proposed DPPO Extension St Ann's



Key

 Proposed DPPO Boundary Extension: St Ann's

0 45 90 180 270 360
Meters



Nottingham
City Council

