

CITY COUNCIL – 13 JUNE 2011

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

SECOND ST ANN'S AND SNEINTON DESIGNATED PUBLIC PLACE ORDER

1 SUMMARY

- 1.1 On 13 December 2010, Council gave authority to consult on the proposal for a second Designated Public Place Order ("DPPO") that covers part of the area of St Ann's and Sneinton, (hereinafter referred to as "the Order"). This report outlines the results of that consultation and seeks approval to make, advertise and implement the Order.

2 RECOMMENDATIONS

It is recommended that Council:

- 2.1 Confirm that it is satisfied that nuisance or annoyance has been caused to members of the public, and/or disorder has arisen, which has been associated with the consumption of alcohol in the area covered by the Order.
- 2.2 Authorise the Corporate Director of Communities and Director of Legal and Democratic Services to make and advertise the Order in accordance with the relevant Statutory processes.
- 2.3 Resolve that the Order shall take effect from 1 August 2011.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

It is believed that the Order is 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 of 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 that 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. This was reported to Council on 13 December 2010, and Council authorised the proposed Order to be the subject of statutory consultation.

- 5.3 Consultation took place between 29 December 2010 and 11 February 2011, with the statutory notice appearing in the Nottingham Post on 31 December 2010. No responses were received from the public in response to the consultation, however one further statement was received from a Neighbourhood Policing Inspector supporting the proposed Order. Enforcement will be by Community Protection Officers and the Police (who have powers of arrest for both the offences specified in paragraph 5.1 above). However, 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 proposed Order is attached as Appendix 1 to this report. A separate A4 copy of the plan has been circulated with the agenda and an A3 copy will be available prior to the meeting together with a copy of the evidence in support of the Order.
- 5.5 Should Council authorise the making of the Order it will need to be formally made and advertised before it can take effect. In addition appropriate signage needs to be made and erected and it is therefore recommended that the Order should not take effect until 1 August 2011 to enable these steps to be taken.

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 Criminal Justice and Police Act 2001 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. If Council is satisfied of these matters it may authorise the making of the Order.

8 EQUALITY IMPACT ASSESSMENT (EIA)

- 8.1 An Equality Impact Screening Assessment has been carried out and is attached at Appendix 2, which demonstrates that the implementation of an Order will not have a negative impact on Equality. There are no results from the consultation that could be utilised to assess any impact on Equality.

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
- 10.4 City Council report and minutes – 13 December 2010

COUNCILLOR ALEX NORRIS

PORTFOLIO HOLDER FOR AREA WORKING, CLEANSING AND COMMUNITY SAFETY

CRIMINAL JUSTICE AND POLICE ACT 2001, SECTION 13 (2)

**THE NOTTINGHAM CITY COUNCIL ST ANN'S AND SNEINTON
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 Ann's and Sneinton Designated Public Place Order 2011 and shall come into force on 1 August 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

ALFRED STREET
SOUTH

HOLBORN AVENUE

SHREWSBURY ROAD
SNEINTON

ANSTEY RISE
ARDMORE CLOSE

HOLROYD AVENUE
HOOTON STREET

BOULEVARD
SNEINTON DALE
SNEINTON

ASHFIELD ROAD
BADEN POWELL
ROAD

HOTEN ROAD

HERMITAGE

HUTTON STREET

SNEINTON HOLLOWS

BARNSTON ROAD
BECKFORD ROAD
BENDIGO LANE

BLEASBY STREET
BRADBURY
STREET
CAMDEN CLOSE

CARLTON ROAD
CASTLE STREET

CHASE PARK
CHEDWORTH
CLOSE
CLARENCE
STREET

COLWICK ROAD
COSBY ROAD

DALE GROVE
DALE STREET
DALESIDE ROAD
EAST
DALESIDE ROAD
DENSTONE ROAD
DEVON STREET
DURHAM AVENUE

DURHAM CLOSE
EDALE ROAD

ENA AVENUE
ELFORD RISE

EVELYN STREET
EYRE STREET
GARNET COURT

GRESLEY DRIVE

HARDSTAFF ROAD

IVATT DRIVE
JUBILEE STREET
KENTWOOD ROAD
KEY STREET

KIMBERLEY
STREET
KINGSLEY ROAD
LADYSMITH
STREET
LICHFIELD ROAD

LINDUM GROVE
LIVERPOOL
STREET
LORD NELSON
STREET
LOUGHBOROUGH
AVENUE
LOWDHAM STREET

LYNDHURST ROAD
MAFEKING STREET

MANVERS STREET
MARHAM CLOSE
MEADOW LANE
MILL VIEW CLOSE
MILLERS GREEN
PORT ARTHUR
ROAD
PULLMAN ROAD
RACECOURSE
ROAD
RADBOURNE ROAD
ROSSINGTON
ROAD
ROTHLEY AVENUE
ST CHAD'S ROAD
ST CHRISTOPHER
STREET
ST CUTHBERT'S
ROAD

SNEINTON ROAD
SOUTHWELL ROAD
SPALDING ROAD
STONE BRIDGE
ROAD

TRENT LANE
TRENT ROAD

TAYLOR CLOSE
THORESBY AVENUE
THURGARTON
STREET

VICTORIA AVENUE
WESTHORPE
AVENUE

WESTWOOD ROAD
WHITTIER ROAD
WILLIAM BOOTH
ROAD
WINDMILL LANE

WINDMILL VIEW
WORKSOP ROAD

HAROLD STREET	ST MATTHIAS ROAD
HAWKSWORTH STREET	SANDRINGHAM ROAD
HAYWOOD STREET	SEDGLEY AVENUE
HIGHCLIFFE ROAD	SEYMOUR STREET

Part 2 – Playgrounds and Open Spaces

TRICKETTS YARD
 MANVERS PIERPOINT
 BENTINCK COURT
 ROTHLEY AVE GREEN
 WINDMILL LANE
 TRENT RAILWAY YARD
 CASTLE COLLEGE - CARLTON ROAD
 SHILTONS GARDENS
 PORT ARTHUR ROAD
 SNEINTON WALKWAY
 GREENWOOD JUNIOR SCHOOL
 WINDMILL LANE
 DALE ALLOTMENTS
 COLWICK WOODS LNR
 GREENWAY COMMUNITY CENTRE
 MARHAM CLOSE
 COLWICK WOOD

Part 3 – Car Parks

MANVERS STREET
 ABERDEEN STREET

Part 4 – Community Centres

SNEINTON HERMITAGE COMMUNITY CENTRE
 TRACS
 GREENWAY COMMUNITY CENTRE
 SNEINTON OLD SCHOOL HALL
 MCO CENTRE
 BEAUMONT STREET COMMUNITY CENTRE

An A4 plan showing the area of the proposed DPPO Extension for Sneinton has been circulated separately.

Given under the Common Seal)
Of Nottingham City Council)

Authorised Signatory

Dated this day of 2011

Equality Impact Assessment Screening Document

Department: Communities
Service Area: Community Protection
Name and description of policy/ service/ function/ strategy being screened: DPPO
Manager Responsible for Area:
Date screening completed: 19 th May 2011

Key screening questions:

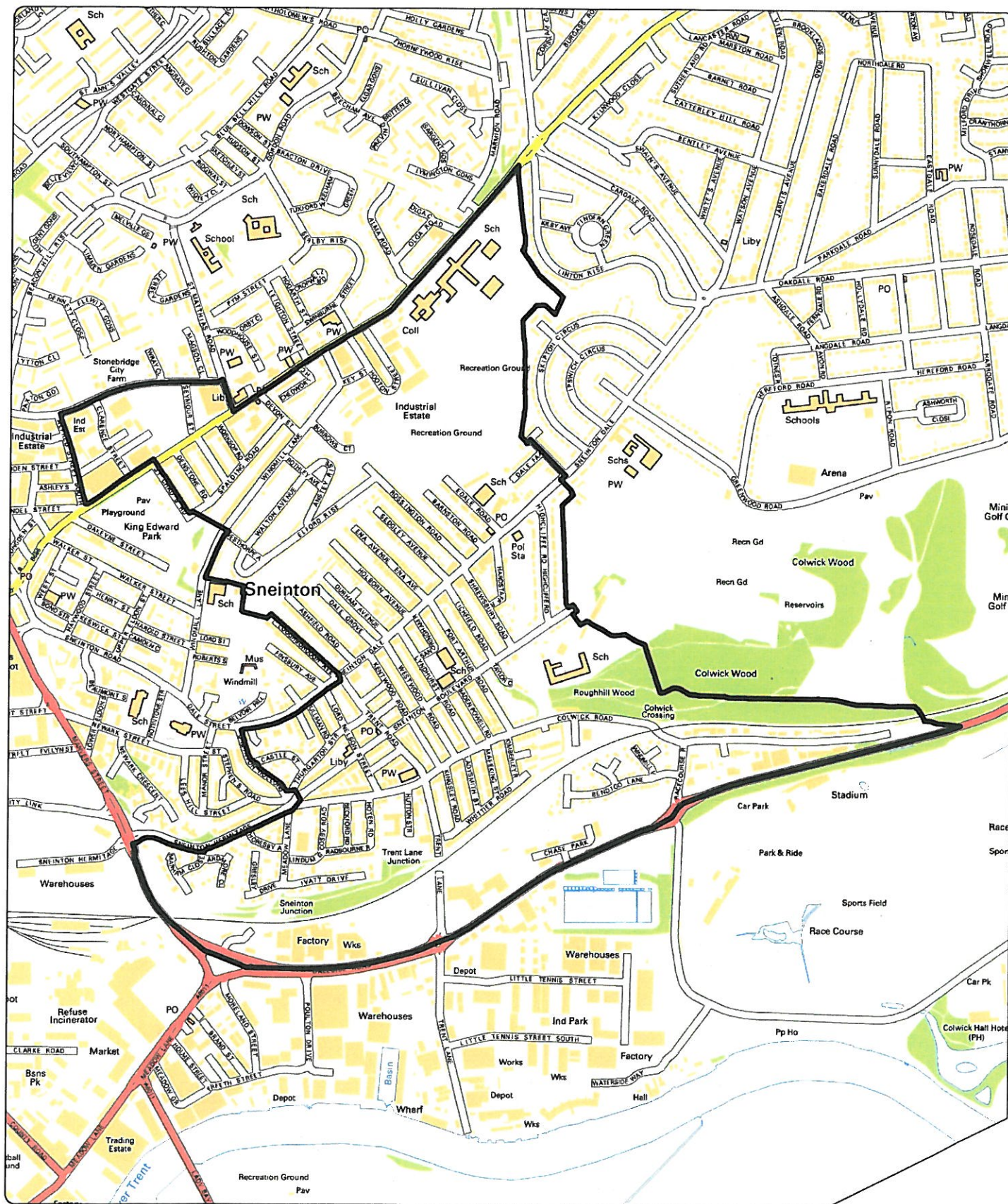
Could this policy or service and the way we deliver it affect some groups in society differently (negative impact)? Can this policy or service and the way we deliver it promote equal opportunities (positive impact)?

Equality Strand	Assessment of Potential Impact of policy/service (delete as appropriate)	Reason for the Assessment of Potential Impact (provided in previous column)	Are there any mitigating circumstances?	Actions Required (with timescales and name of responsible officer)
Race	Neutral	Low	This order does not have an impact on any particular gender, race, disability, religion or belief or sexual orientation. Anyone found acting in an antisocial manner whilst drinking in the area of the DPPO will	
Gender	Neutral	Low		
Disability	Neutral	Low		

				be dealt with as per the orders direction.		
Religion/Belief	Neutral	Low				
Sexual Orientation	Neutral	Low				
Age	Neutral	Low				
Other (e.g. Community Cohesion)	Positive	Medium		The enforcement of people acting in an anti social manner within the area of the DPPO will enable other members of the community, including young people, to enjoy the facilities provided without feeling uncomfortable or fearful.		

Please note: if you have identified any negative impacts, a full Equality Impact Assessment must be completed.

Proposed DPPO Extension Sneinton



Key

 Proposed DPPO Boundary Extension: Sneinton

0 37.5 75 150 225 300
Meters



