

## **CITY COUNCIL – 12 DECEMBER 2011**

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

#### **ST ANNS AND MAPPERLEY DESIGNATED PUBLIC PLACE ORDER 2011**

##### **1 SUMMARY**

- 1.1 On 13 June 2011, Council gave authority to consult on the proposal for a Designated Public Place Order (“DPPO”) that covers those parts of St Anns not already covered by a DPPO and a number of streets in Mapperley ward, (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 for 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 16 January 2012.

##### **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 the public covered by the Order.
- 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, Sneinton and parts of St Anns and Basford.
- 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 Anns 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 June 2011, and Council authorised the proposed Order to be the subject of statutory consultation.
- 5.3 Consultation took place between 27 June 2011 and 19 August 2011, with the statutory notice appearing in the Nottingham Post on 27 June 2011. No responses were received from the public in response to the consultation. Despite there being no response it is still felt that there is evidence that nuisance and annoyance has been caused to members of the public, and that disorder has arisen, which has been associated with the consumption of alcohol in the area to be covered by the Order. It is felt that these problems will continue unless the Order is adopted and that the powers granted by the Order will help to remedy the problems. 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 an Appendix to this report. A larger copy of the plan will be available prior to the meeting together with a copy of the evidence in support of the Order so Councillors can satisfy themselves that the tests for making the Order outlined in 7.1 below have been met.

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 16 January 2012 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 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

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

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

**THE NOTTINGHAM CITY COUNCIL ST ANNS AND MAPPERLEY 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 2012 and shall come into force on 16 January 2012.
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

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

<b>NORTH</b>		
<b>ANGRAVE CLOSE</b>	<b>BOTANY AVENUE</b>	<b>CENTRAL STREET</b>
<b>ASHFORTH STREET</b>	<b>BOYCE GARDENS</b>	<b>CHANDOS STREET</b>
<b>ASHOVER STREET</b>	<b>BOYCROFT AVENUE</b>	<b>CHATHAM STREET</b>
<b>ASTER ROAD</b>	<b>BOYNTON DRIVE</b>	<b>CHERTSEY CLOSE</b>
<b>ASTLEY DRIVE</b>	<b>BRACON DRIVE</b>	<b>CHURCH ROAD</b>
<b>BALL STREET</b>	<b>BRANDRETH AVENUE</b>	<b>COLMORE STREET</b>
<b>BANGOR WALK</b>	<b>BREWSTERS ROAD</b>	<b>COMYN GARDENS</b>
	<b>BRIARWOOD AVENUE</b>	<b>CONWAY STREET</b>
<b>BEACON HILL RISE</b>	<b>BRITTEN GARDENS</b>	<b>CORBY ROAD</b>
<b>BEECHAM AVENUE</b>	<b>BROAD OAK CLOSE</b>	<b>CORSHAM GARDENS</b>
<b>BELLVUE COURT</b>	<b>BROCKENHURST GARDENS</b>	<b>COURTNEY AVENUE</b>
<b>BELVOIR STREET</b>	<b>BULLACE ROAD</b>	<b>CRANMER STREET</b>
<b>CROMER ROAD</b>	<b>FLEWITT GARDENS</b>	<b>HUNGERHILL ROAD</b>
<b>CROPWELL GREEN</b>	<b>FOLKTON GARDENS</b>	<b>HUNTINGDON STREET</b>
<b>CUDWORTH DRIVE</b>	<b>FURZE GARDENS</b>	<b>HURCOMB STREET</b>
<b>CURZON STREET</b>	<b>GANTON CLOSE</b>	<b>INSTOW RISE</b>
<b>DAGMAR GROVE</b>	<b>GEDNEY AVENUE</b>	<b>JEDBURGH CLOSE</b>
<b>DANE CLOSE</b>	<b>GILPET AVENUE</b>	<b>JERSEY GARDENS</b>
<b>DENMARK GROVE</b>	<b>GORDON ROAD</b>	<b>KELHAM GREEN</b>
<b>DENNETT CLOSE</b>	<b>GRASMOOR CLOSE</b>	<b>KELVEDON GARDENS</b>
<b>DOOLAND DRIVE</b>	<b>GREAT FREEMAN STREET</b>	<b>KELVIN ROAD</b>
<b>DOWSON STREET</b>	<b>HAMPSTEAD ROAD</b>	<b>KENMORE GARDENS</b>
<b>DUNCOMBE CLOSE</b>	<b>HARTWELL STREET</b>	<b>KILBOURN STREET</b>
<b>EASTHAM CLOSE</b>	<b>HAWKRIDGE GARDENS</b>	<b>KILDARE ROAD</b>
<b>EATON STEET</b>	<b>HAZELBANK AVENUE</b>	<b>KINGSTHORPE CLOSE</b>
<b>ECCLES WAY</b>	<b>HEATHER CLOSE</b>	<b>LABURNUM STREET</b>
<b>EGERTON STREET</b>	<b>HEDDERLEY WALK</b>	<b>LAMARTINE STREET</b>
<b>ELGAR GARDENS</b>	<b>HENDON RISE</b>	<b>LANDMERE GARDENS</b>
<b>ELLIS COURT</b>	<b>HESKEY CLOSE</b>	<b>LAVENDER WALK</b>

<b>ELM AVENUE</b>	<b>HOGARTH STREET</b>	<b>LEIGHTON STREET</b>
<b>EMNETH CLOSE</b>	<b>HOLLY AVENUE</b>	<b>LEWIS CLOSE</b>
<b>FAIRMEAD CLOSE</b>	<b>HOLLY GARDENS</b>	<b>LIMMEN GARDENS</b>
<b>FESTUS CLOSE</b>	<b>HUDSON STREET</b>	<b>LINDEN STREET</b>
<b>LINNELL STREET</b>	<b>NORMAN CLOSE</b>	<b>PRIMROSE CLOSE</b>
<b>LOBELIA CLOSE</b>		<b>PYM STREET</b>
<b>LONGBECK AVENUE</b>	<b>NORTHAMPTON STREET</b>	<b>QUERNEBY ROAD</b>
<b>LORNE CLOSE</b>	<b>NOTHUMBERLAND AVENUE</b>	<b>RADSTOCK ROAD</b>
<b>LOTUS CLOSE</b>	<b>NUGENT GARDENS</b>	<b>RAGLAN CLOSE</b>
<b>LUTHER CLOSE</b>	<b>OLGA CLOSE</b>	<b>RANBY WALK</b>
<b>LYMINGTON GARDENS</b>	<b>ORBY CLOSE</b>	<b>RANSOM DRIVE</b>
<b>MAGSON CLOSE</b>	<b>PARRY COURT</b>	<b>RANSOM ROAD</b>
<b>MALBON CLOSE</b>	<b>PAXTON GARDENS</b>	<b>RICHMOND AVENUE</b>
<b>MALVERN CLOSE</b>	<b>PEARMAIN DRIVE</b>	<b>RIDGEWAY STREET</b>
<b>MANSFIELD ROAD</b>	<b>PEAS HILL ROAD</b>	<b>RITSON CLOSE</b>
<b>MANNING STREET</b>	<b>PEEL VILLAS</b>	<b>ROBIN HOOD STREET</b>
<b>MARMION ROAD</b>	<b>PENDLE CRESCENT</b>	<b>ROSE CLOSE</b>
<b>MARNHAM DRIVE</b>	<b>PENRYN CLOSE</b>	<b>RUSHTON GARDENS</b>
<b>MELEVILLE GARDENS</b>	<b>PIPPIN CLOSE</b>	<b>RUSHWORTH CLOSE</b>
<b>MICKLEBOROUGH AVENUE</b>	<b>PLANTAGENET COURT</b>	<b>SARGENT GARDENS</b>
<b>MOWBRAY COURT</b>	<b>PLANTAGENET STREET</b>	<b>SCARBOROUGH STREET</b>
<b>MUSTON CLOSE</b>	<b>PORCHESTER ROAD</b>	<b>SELBY RISE</b>
<b>NORLAND CLOSE</b>	<b>PREVIN GARDENS</b>	<b>SHELTON STREET</b>
<b>SKETCHLEY STREET</b>	<b>THE CRESCENT</b>	<b>WARTON AVENUE</b>
<b>SOUTHAMPTON STREET</b>	<b>THE WELLS ROAD</b>	<b>WASNIDGE CLOSE</b>
<b>ST ANNS HILL ROAD</b>	<b>THIRLMERE CLOSE</b>	<b>WATKIN STREET</b>
<b>ST ANNS VALLEY</b>	<b>THOMAS CLOSE</b>	<b>WELLINGTON STREET</b>
<b>ST ANNS WAY</b>	<b>THORNEY HILL</b>	<b>WELLS GARDENS</b>
<b>ST ANNS WELL</b>	<b>THORNEYWOOD</b>	<b>WESTGATE STREET</b>

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

### Part 2 - Community Centres

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

### Part 3 - Playgrounds & Open Spaces

<b>ASTLEY DRIVE PARK</b>
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<b>BOYNTON DRIVE</b>
<b>COPPICE PARK</b>
<b>HESKEY PARK</b>
<b>INSTOW RISE</b>
<b>KINGSTHORPE PARK</b>
<b>LEES HILL</b>
<b>MARMION/BRACTON DRIVE PARK</b>
<b>PARKDALE</b>
<b>ROBIN HOOD CHASE</b>
<b>ROCKET PARK / JERSEY GARDENS</b>
<b>SYCAMORE PARK</b>
<b>TRICKETS YARD</b>
<b>VICTORIA PARK AND ST MARY'S REST GARDEN</b>

**Part 4 - Car Parks**

<b>CURZON STREET</b>
<b>CAMPBELL STREET</b>

**A plan showing the area of the proposed DPPO has been circulated separately.**

Given under the Common Seal )  
Of Nottingham City Council )

Authorised Signatory

Dated this                  day of                  2011

**Name and brief description of proposal / policy / service being assessed:  
The implementation of a Designated Public Place Order (DPPO) in the St Anns area of the City.**

**Aims:**

**To reduce crime and anti-social behaviour, including nuisance and disorder arising from people drinking alcohol in public in the area covered by the DPPO.**

**To Improve the quality of life and enjoyment of the area by residents, businesses and visitors.**

**Information used to analyse the effects on equality**

**Consultation has been carried out widely cross the St Anns Ward. There are no results from the consultation that could be utilised to assess any impact on Equality.**

	<b>Could particularly benefit (X)</b>	<b>May adversely impact (X)</b>	<b>How different groups could be affected: Summary of impacts</b>	<b>Details of actions to reduce negative or increase positive impact (or why action not possible)</b>
People from different ethnic groups	x <input type="checkbox"/>	<input type="checkbox"/>	<b>N/A</b>	<b>The implementation of a DPPO and the enforcement of people acting in an anti-social manner within the area covered by the DPPO will enable other members of the community, including young people, to enjoy</b>
Men, women (including maternity/pregnancy impact), transgender people	x <input type="checkbox"/>	<input type="checkbox"/>		
Disabled people or carers	x <input type="checkbox"/>	<input type="checkbox"/>		
People from different	x <input type="checkbox"/>	<input type="checkbox"/>		

faith groups					the facilities provided without feeling uncomfortable or fearful.
Lesbian, gay or bisexual people	x <input type="checkbox"/>		<input type="checkbox"/>		
Older or younger people	x <input type="checkbox"/>		<input type="checkbox"/>		
Other (e.g. marriage/civil partnership, looked after children, cohesion/good relations, vulnerable children/adults)	x <input type="checkbox"/>		<input type="checkbox"/>		

**Outcome(s) of equality impact assessment:**

**No major change needed** x  remove the policy/proposal

Adjust the policy/proposal

Adverse impact but continue

Stop and

**Arrangements for future monitoring of equality impact of this proposal / policy / service:**

**The Designated Public Place Order will be reviewed annually. An Equality Impact Assessment will be completed if evidence / information is received that may have an adverse impact on members of public and residents from all sections of the community.**

Approved by (manager signature): **Abu Belim**

**This will be sent once the Order has been granted by FULL COUNCIL on 12 December 2011.**