
REPORT TO:	HOUSING AND COMMUNITY SERVICES	AGENDA ITEM: 8
DATE OF MEETING:	2nd SEPTEMBER 2010	CATEGORY: DELEGATED/ RECOMMENDED OPEN
REPORT FROM:	DIRECTOR OF COMMUNITY SERVICES	DOC:
MEMBERS' CONTACT POINT:	CLAIRE RAWLINS : 5798	REF:
SUBJECT:	PROPOSED DESIGNATED PUBLIC PLACE ORDER (DPPO) FOR EUREKA PARK, NEWHALL RD	TERMS OF REFERENCE: HCS07
WARD(S) AFFECTED:	SWADLINCOTE	

1.0 Recommendations

1.1 Members to be aware of the Safer South Derbyshire Partnership's public consultation in relation to a proposed Designated Public Place Order for Eureka Park and to give agreement to implement the order.

2.0 Purpose of Report

2.1 To inform and gain the approval of members of the Safer South Derbyshire Partnership's consultation with local residents on a proposed Designated Public Place Order (DPPO) for Eureka Park, Newhall Road, Swadlincote.

3.0 Detail

- 3.1 Eureka Park is a District Council owned park situated on Newhall Road. Contained within the grounds of the park is a bowling green and clubhouse, with a license to sell alcohol to club members and their signed in guests.
- 3.2 Over the last 12 months the Safer South Derbyshire Partnership and the Police have seen an increase in complaints from residents in relation to adults consuming alcohol in the park, which is resulting in an increase in alcohol related crime and disorder.
- 3.3 The Police currently have the powers to seize alcohol from young people below the age of 18 but are unable to confiscate alcohol from adults, who are either consuming it or are in possession of alcohol in sealed containers.
- 3.4 Due to the increase in alcohol related anti-social behaviour on Eureka Park the Police have requested that the Safer South Derbyshire Partnership implement a Designated Public Place Order.
- 3.5 Derbyshire Police have submitted a formal written report to the District Council requesting a DPPO and providing a commitment to vigorously enforce the order.

(Refer to background papers 8.1)

- 3.6 The Police report in 8.1 highlights that within the last 12 months there have been 17 reported incidents of alcohol related anti-social behaviour involving adults. This equates to 61% of the total anti-social behaviour incidents in Eureka Park being caused by adults consuming alcohol.
- 3.7 If a Designated Public Place Order is introduced this will enable Police Officers to have the power to require adults who they believe are consuming alcohol or who they feel intend to consume alcohol to surrender it. Failure to comply with a Police Officer's request will be an arrestable offence.
- 3.8 Designated Public Place Order would cover the entirety of the Park with the exception of the Bowling Green and Club House which has a license to service alcohol, solely to its members and their signed in guests. The Designated Public Place Order will have no effect on the sale of alcohol from licensed premises in the surrounding area.
- 3.9 Informal public consultation has been undertaken with residents, businesses and licensed premises that surround Eureka Park.
- 3.10 No objections from the informal consultation have been received. Feedback from all consultation is contained within background papers 8.2.
- 3.11 Eureka Park Bowling Club have been formally consulted and have given written agreement in support of the proposed DPPO (Refer to background papers 8.3)
- 3.12 Further consultation was undertaken through a press release in the Burton Mail newspaper on 29th July 2010. The Press release advertised our intention to implement a DPPO for Eureka Park. Members of the public were given 28 days to make a representation to the Council.

4.0 Financial Implications

- 4.1 The Safer South Derbyshire Partnership has an anti-social behaviour budget available for undertaking the statutory consultation, purchasing the Designated Public Place Signage and publicising the authorisation of the order through the local press.

5.0 Corporate Implications

- 5.1 This proposal is in line with the Corporate priority of ensuring a Safe and Secure District and actively promoting the further Corporate priority of Promoting Lifestyle Choice through the availability of safe public open space. It will impact on the following corporate Plan performance Indicators: Reducing Incidents of Criminal Damage & Reducing the number of police calls for service for ASB incidents
- 5.2 The Legal Department have been consulted throughout this process and advice has been taken from them with regards to the consultation process.

6.0 Community Implications

- 6.1 Statutory consultation in the form of a press release took place for 28 days to ensure that the views of the community were sought in relation the Partnership's proposal to pursue a Designated Public Place Order for Eureka Park.

- 6.2 If a Designated Public Place Order is implemented this will aid in helping the Police and the Partnership to tackle and reduce anti-social behaviour incidents occurring within Eureka Park.
- 6.3 The Designated Public Place Order will work towards helping to reduce resident's fear of crime.

7.0 Conclusions

- 7.1 The Safer South Derbyshire Partnership and the Police feel satisfied that evidence shows that incidents of alcohol related nuisance and disorder involving adults is occurring on Eureka Park. The level and ongoing nature of anti-social behaviour in this area is causing significant alarm and distress to residents that live by the Park as well as park users.
- 7.2 Due to the Police not currently having the authority to confiscate alcohol from adults it is felt that a Designated Public Place Order is the only effective measure in tackling the problem by providing the Police with new powers.

8.0 Background Papers

- 8.1 Report from Derbyshire Constabulary prepared by Sgt Nick Pitt
- 8.2 Representations received from public consultation
- 8.3 Correspondence from Eureka Park Bowling Club supporting the proposed DPPO
- 8.4 DPPO advert for the Burton Mail newspaper dated 29/07/10
- 8.5 Map showing the proposed DPPO area