



## Report of the Director of Environments & Neighbourhoods

### Executive Board

Date: 8<sup>th</sup> October 2008

Subject: Hyde Park & Woodhouse Designated Public Places Orders

**Electoral Wards Affected:**  
Hyde Park & Woodhouse

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

### EXECUTIVE SUMMARY

The meeting of The Council on 2<sup>nd</sup> July 2008 received a deputation regarding the Council's proposals to create two Designated Public Places Orders (DPPO's) covering the Little London and Little Woodhouse areas of the city (please see map attached) from the DPPO Consultative Committee (DPPOCC).

A representative of the DPPOCC addressed the Council and requested that Members stop the process to create the above DPPO's on the grounds that they would adversely affect Woodhouse Moor due to displacement of street-drinkers from the areas in question to the Moor. The DPPOCC requested that Woodhouse Moor also be covered by a DPPO to prevent such displacement as well as to tackle perceived alcohol related disorder on the Moor. Concerns were also expressed about the consultation that had taken place as part of the application process to designate the two areas.

Since the deputation new information has come to light regarding the proposed temporary relocation of St George's Crypt's Service to the former St Michael's site of Mount St Mary's School on St John's Road (please see map attached) whilst extensive refurbishment takes place at the main St George's Crypt site at Great George Street. The services will be located at St John's Road for approximately 1 year. Having considered the associated risks of displacement of street-drinkers onto the Moor arising from the proposal to temporarily site the Crypt on St John's Road views originally held by the police, local Members and officers that a DPPO was not required for Woodhouse Moor have now changed. This report sets out an approach for progressing the two DPPO's in Little London and Woodhouse immediately and for consultation to start in October for a separate DPPO covering Woodhouse Moor and neighbouring residential areas and greenspaces.

## **1. Purpose of this Report**

This report seeks to:

- 1.1 Respond to the issues raised in the deputation;
- 1.2 Provide an overview and background for what has been a very sensitive issue in the local community over the last two years;
- 1.3 Sets out the current statutory framework around DPPO's and the Council's position, and,
- 1.4 Makes recommendations to progress the matter in light of the new information regarding the relocation of St George's Crypt services to St John's Road and associated risks of street-drinking related anti-social behaviour on Woodhouse Moor. Recommendations are made to progress the applications for the two DPPO's shown to the November 2008 Licensing Committee and for consultation on a separate DPPO to cover Woodhouse Moor to start in October.

## **2. Background Information**

- 2.1 A DPPO is a piece of legislation that gives the police additional powers to those they already have, to tackle issues arising from drinking in public places. Where an order exists the police have the right to confiscate alcohol that is being consumed, or that is thought likely to be consumed, i.e. unopened bottles/ cans.
- 2.2 There have been ongoing concerns from both the Police and local residents in Little London and around Hanover and Woodhouse Squares about street-drinkers using public spaces, particularly the squares in these residential areas. The presence of the street-drinkers has had a negative impact in both neighbourhoods, especially in terms of personal safety and the use of children and young people's play facilities.
- 2.3 The issue of creating DPPOs covering Little London and Hanover & Woodhouse Squares has been ongoing for sometime. Officers first started to look at ways in which the street-drinking problems could be tackled in response to resident and ward member concerns in Autumn 2006. A multi agency group to tackle the issue of street-drinking was developed, membership included agencies such as the Police, Anti-Social Behaviour Unit, Primary Care Trust, St George's Crypt, No Fixed Abode Team and Leeds Outreach Team. The group attempted to engage the street-drinkers and make referrals into treatment, in addition to these actions the group also recommended DPPO's as an effective tool to tackle the problem of street-drinking in the squares and Little London. Due to concerns about possible displacement effects arising from the proposed DPPO's onto Woodhouse Moor progress has been complicated.
- 2.4 In September 2007, in accordance with the procedure agreed with Licensing Committee, the Area Committee was asked to agree on the consultation boundaries for the proposed DPPOs covering Little London and Little Woodhouse. The Area Committee was also made aware of concerns being expressed by a residents groups (Friends of Woodhouse Moor and the DPPOCC) about the displacement effects of these DPPO's – they proposed that the Moor should also be included in the DPPO boundaries to negate the effect of any potential displacement. The Police were originally opposed to this proposal on the grounds that they do not feel that a DPPO was either appropriate for the Moor or needed. However, in light of the new information about St George's Crypt this view has now changed. It is felt by all agencies that a considerable amount of the street-drinking and associated ASB being experienced in the Little London and Little Woodhouse areas is related to the proximity of these residential areas to St George's Crypt where street-drinkers are currently accessing services. Therefore, given the close proximity of the proposed temporary accommodation

to Woodhouse Moor the police are now fully supportive of a DPPO to cover the Moor and nearby areas.

## **2.0 Main Issues**

### **Current Position**

- 3.1 In July 2008, further to the deputation to full Council, and in light of ongoing and serious complaints about street-drinkers in Little London and Hanover and Woodhouse Squares the Area Committee resolved to proceed with an application to Licensing supported by the Police for the two DPPO's as originally proposed, albeit to a later meeting of the Licensing Committee in order for Executive Board to consider the deputation. The Area Committee also agreed, with the support of the Police, in the event that existing Police powers were not sufficient to deal with any displacement of street-drinkers onto the Moor, consultation would need to start about a DPPO for the Moor.
- 3.2 Given the recent developments with St George's Crypt and in anticipation of a growth of street-drinkers both on Woodhouse Moor and in the surrounding areas a report will now be presented to the September meeting of the Inner North West Area Committee recommending consultation for a DPPO to cover Woodhouse Moor. Officers will also be working with agencies to co-ordinate and plan other joint actions and interventions in the area to tackle any ASB that may be experienced.
- 3.3 It is envisaged that an application to designate the two existing proposed areas will be made to the November 2008 Licensing Committee.

### **Consultation to date**

- 3.4 All consultation on the proposed DPPO areas has been in compliance with published Home Office criteria and minimum requirements. The deputation cites the original press release dated 6<sup>th</sup> June 2008 as being misrepresentative. Whilst officers acknowledge that a mistake was made with the terminology used in relation to 'alcohol free zones', this was corrected as soon as it was brought to the attention of the press office – a new press release was published on 18<sup>th</sup> June 2008. The public notice to commence the formal consultation was issued in the Yorkshire Evening Post on Tuesday 3<sup>rd</sup> June. The notice opened a 28 day consultation period, which was originally to be followed by a report to Licensing Committee on Monday 7<sup>th</sup> July.
- 3.5 Two public drop in sessions were held to allow for the collation of comments which were to be reported to Licensing Committee. Consultation sessions were held in Little London on Wednesday 18<sup>th</sup> June, and in Kendal Carr (by Hanover Square) on Thursday 19<sup>th</sup> June. In addition to these public events, the West North West Anti Social Behaviour Panel was also consulted at their meeting on Wednesday 18<sup>th</sup> June. The panel was supportive of the proposal but gave a strong steer to include Rosebank Millennium Green within the boundary of the Hanover & Woodhouse Squares DPPO area. To date a total of 37 representations have been made by e-mail and in writing, of these 28 are objections based on the fact that Woodhouse Moor is not included in the proposals. Along with any further representations, these will be reported to Licensing Committee. Details of these representations are available as background papers, which have been deposited with the Committee Clerk.
- 3.6 Any consultation to for a further DPPO to cover Woodhouse Moor and its environs will be undertaken in an inclusive and open way in accordance with Home Office guidelines.

### **Police Evidence**

- 3.7 Applications for DPPO's need to be supported by evidence of need for this specific legal tool. The police are fully supportive of the application, and as such have provided evidence

to confirm that there are ongoing problems in the two areas identified. The evidence provided includes (for the last 12 months):

a) Little London:

219 incidents of anti social behaviour, 29 related to use of alcohol  
39 violent offences

b) Little Woodhouse:

95 incidents of anti social behaviour, 31 related to use of alcohol  
30 violent offences

- 3.8 The Police are also supportive of including Rosebank Millennium Green within the DPPO covering Hanover & Woodhouse Squares, as there is evidence this area is presently being used by street-drinkers.
- 3.9 Given the new information on St George's Crypt the police have now confirmed that in their opinion there is a strong case for a DPPO for Woodhouse Moor.

#### **4. Implications For Council Policy And Governance**

- 4.1 A DPPO should only be made where there is evidence to support it. Whilst the guidance makes it clear that there need not be full statistical analysis of crimes there must be some evidence of a history of anti social behaviour related to alcohol to support the proposals. The guidance also suggests that experience to date on introducing DPPOs has found that displacement can occur into immediately adjacent areas that have not been designated. It recommends that before designating an area, Local Authorities should assess all the areas to which they reasonably believe there might be displacement, and ensure that those affected by the designation are consulted. It confirms that it may be appropriate to extend a Designated Area beyond the area experiencing immediate problems to prevent displacement.
- 4.2 A DPPO should be seen as a tool for tackling drink related anti social behaviour. However, it is by no means the only power available. In line with the Council's alcohol strategy and community safety strategy it is a power that should be considered where there is evidence that it is needed. As part of both strategies the Council will continue to work with problem drinkers and to encourage them to accept help and support to address their substance abuse problems. Whilst working with these groups the council is able to monitor displacement based on real evidence rather than predictions.
- 4.3 The views of the police are important in the process but not determinative. Effectively making a DPPO gives the police additional powers. If the police feel these are not needed or cannot be resourced these issues need to be raised at an early stage and resolved prior to Area Committee or Licensing Committee meetings.
- 4.4 Given the need to improve the management of process which this case has demonstrated, a report will be presented to Licensing committee in November 2008 setting out a DPPO toolkit involving template reports, press releases and consultation notices which can be used when planning any new DPPOs. This will hopefully prevent some of the issues regarding the validity of consultation and advertisements that occurred in this case.

#### **5. Legal And Resource Implications**

- 5.1 If a DPPO is made unsupported by the evidence then it may be unenforceable and will fail to meet the objectives of making it.
- 5.2 In the light of the current situation it is intended to extend the existing consultation on the two proposed areas. There are minimal resource implications for this. If Woodhouse Moor

were to be included at this stage then legal advice would be to re- issue the notices and adverts and reconsult. Therefore there are no additional resource implications from dealing with the Moor separately to the existing proposals should that prove necessary.

## **6. Ward Member Consultation**

- 6.1 Ward Members have been briefed on the new proposals and information regarding the St George's Crypt. They are of the opinion that this new development poses significant potential risks in relation to displacement of street-drinkers onto the Moor and are therefore fully supportive of the officer and Police views that a DPPO is now needed for the Moor. They have requested that consultation should take place for a separate DPPO to cover the Moor as soon as possible.

## **7. Conclusions**

- 7.1 Whilst there is currently no evidence of street-drinking related anti-social behaviour on Woodhouse Moor, it is reasonable to assume that the proposed location and proximity of St George's Crypt's temporary accommodation will have an adverse effect in relation to street-drinking related ASB. Having considered and assessed these risks the Police and officers are now fully supportive of a DPPO to cover the Woodhouse Moor area and suggest that a programme of consultation is initiated in October.
- 7.2 There is significant evidence to suggest street-drinking related crime in the Little London and Little Woodhouse areas of the city which both the police and officers feel would benefit from DPPO's as part of a wider package of measures being deployed in these areas to tackle the negative effects of street-drinking. The creation of DPPO's for these areas should not be delayed any further and an application should be submitted to the November Licensing Committee. An application for the DPPO for Woodhouse Moor should be progressed separately.

## **8. Recommendation**

- 8.1 The Executive Board is asked to support the approach of creating two DPPO's covering Little London and Little Woodhouse immediately with consultation for a further DPPO to cover Woodhouse Moor and nearby residential areas and greenspaces to be started in October.

## **Background Papers:**

1. Inner North West Area Committee Report – Hyde Park and Woodhouse DPPO, September 2007
2. Inner North West Area Committee Report - Area Managers Report, December 2007
3. Inner North West Area Committee Report - DPPO update, July 2008
4. Consultation Representations Summary - July 2008
5. Deputation to Full Council - Hyde Park and Woodhouse DPPO's - full text , July 2008