



**Democratic Support**

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#plymlicensing

## LICENSING COMMITTEE

### ADDENDUM

Tuesday 26 August 2014

10 am

Council House (Next to the Civic Centre), Plymouth

**Members:**

Councillor Rennie, Chair

Councillor Mrs Bowyer, Vice Chair

Councillors Ball, Downie, K Foster, Fry, Hendy, Morris, Mrs Nelder, Mrs Nicholson, Parker, Riley, Singh, John Smith and Sparling.

AGENDA ITEM 6 – APPENDIX C. SOME OF THE PAGES ARE MISSING FROM THE PREVIOUSLY PUBLISHED PACK. PLEASE FIND ATTACHED A COMPLETE VERSION OF THIS REPORT WITH APOLOGIES FOR ANY INCONVENIENCE CAUSED.

**Tracey Lee**

Chief Executive

## **LICENSING COMMITTEE**

- 6. APPLICATION FOR THE DESIGNATED PUBLIC PLACES ORDER (DPPO) TO CONTROL STREET DRINKING IN MARLBOROUGH STREET, DEVONPORT AND THE SURROUNDING AREA (Pages 1 - 10)**

The Director of Public Health will submit a report detailing the results of the public consultation for a Designated Public Places Order (DPPO), covering Marlborough Street and the surrounding area within Devonport.

**Application for a Designated Public  
Place Order (DPPO) to Control  
Street Drinking in Marlborough St,  
Devonport and Surrounding Area**

**Annex to the Main Report –  
Findings of the Public Consultation**

**Public Protection Service  
Plymouth City Council  
August 2014**

## Introduction

On the 29 April 2014 Licensing Committee considered an application submitted by Devon & Cornwall Police, for a Designated Public Place Order (DPPO) to control street drinking for Marlborough Street, Devonport and the surrounding area. Based on the evidence submitted at that time, Members resolved to approve a wider public consultation as prescribed in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007.

A six week public consultation was launched 15 May 2014 with the publication of a Public Notice in the Herald and release of a press notice and ended on the 30 June 2014.

An information pack was sent to the following individuals, groups and interested parties who live or work in the specified area to ensure that reasonable steps were taken to advertise the consultation.

- Ward Councillors
- Council departments
- Police
- Licensees
- Local Community Groups

The information pack consisted of an introductory letter, a map of the specified area, and a customer feedback response form. The feedback form provided a framework for respondents to submit details that could be quantitatively assessed and space to include their own personal experiences of whether or not they had experience alcohol-related anti social behaviour. The information pack can be viewed on the Council's licensing website using the following link [www.plymouth.gov.uk/dppodevonport](http://www.plymouth.gov.uk/dppodevonport)

The DPPO application included in excess of 30 submissions from a range of local businesses, residents and ward councillors who live, work and represent the community in the Devonport area, all voicing concerns of hoe street drinking and alcohol-related behaviour was affecting the day to day life of the community. These submissions were included in the application pack considered by Licensing Committee on the 29 April 2014.

The proposed area is extensive and contains a significant number of residential property and local businesses so each dwelling received a Public Consultation Information Notice delivered to their door informing them of the public consultation and how to contribute. This task was undertaken by the local police staff and resulted in over 6000 notices being delivered. The information notice may be viewed on the Council's licensing website using the link shown above.

A total of 70 returns were received in response to the public consultation. The results are set out below. All respondents were required to submit their name and address for validation purposes.

A map showing the location of respondents included in the initial application and those received during the public consultation is exhibited in Appendix I of this report. As expected it shows that the residential or business addresses of respondents are concentrated in the vicinity of Marlborough Street.

## Qualitative Results

A representative selection of extracts of personal responses from local residents and community groups are exhibited in this section of the report and reflect personal experiences and the impact that street drinking has on their lives.

We have also received one non-supportive response and these have also been included for comparison purposes.

This report seeks to provide a representative selection of the responses received. For confidentiality purposes no names or addresses have been included. All responses will be available for scrutiny when Members consider the results of the public consultation.

### Local Residents

"A DPPO will help Devonport's community by leading a sense of pride and community safety to the area. Many residents are tired of the public perception being of Devonport's past image as a basket case. The DPPO will contribute positively to the on-going process of regeneration." (Respondent 3)

"There are always folk drinking in the park by Marlborough Street, by the bookies and newsagents who sale cans of beer/cider in single quantities, which is wrong! They also disguise said drink in plastic bottles, which in my opinion seems to go unnoticed at times! Also men sit in Devonport Park drinking on benches watching kids, how can this be allowed?" (4)

"We live in Gun lane and shopping in Marlborough Street especially on Saturday large groups of drunken drinkers are all ways there, walking with my granddaughters of 5 and 18months is very distressing. Men openly urinating, women squatting openly and doing all sorts, in all the allies." (7)

"I am in total agreement with limiting drinking in public places. Not only does drinking in public set a poor example to the younger generation, but also ultimately increases council taxes and damages wildlife and the environment. Anti-social behaviour is also a problem with it and swearing in front of children is not particularly good for anyone. Too often when dog walking through Mount Wise Park or the other parks and local streets, I come across so much litter that has just been abandoned and much of it is empty beer cans and broken beer bottles." (10)

"As a local minister and a resident of Devonport (Ker Street) I am fully in support of the plans for a DPPO in the area. Street drinking is a major problem, particularly around Marlborough Street. Heavy drinking is not just damaging to society but the individuals themselves." (14)

"I am fully supportive of this measure. I am pleased to see the very sensible approach in allowing responsible drinkers to enjoy a wine in the Park and at cafe's etc. whilst making contingencies to manage anti-social activity based around consumption of alcohol. The suggested measures have the full support of myself and my wife." (15)

"This anti-social behaviour is undermining all the good work done by the former DRC and the Council to uplift he area and make people want to come and live here." (39)

"We have to be careful to avoid people when they are drinking, not always aware how frightening they can be. They shout at you, swear and ask us for money for food but if you give it to them they go straight to the shop for more drink/cans. People are put off coming to Marlborough St (and other areas within these proposals for DPPO) when they see what's going on. Everyone is struggling to improve the area (and Life House,

Council, Police and population have done so much to achieve their aims) but anti-social behaviour by the drinkers/drunks are ruining it for all.” (41)

### Community Groups

This is tricky to manage we do have incidences particularly littering in and around school. I'm not sure this would necessarily stop this?”

### Local Businesses (Marlborough Street & Granby Green)

The 'Operation vocal' initiative undertaken by the police in July 2013 received in excess of 20 responses from local businesses that all raised concerns over street drinking and associated alcohol-related public order. These were included in the initial application considered by Members on the 29 April 2014.

### Respondents against the Designation of the Order

#### Local Residents

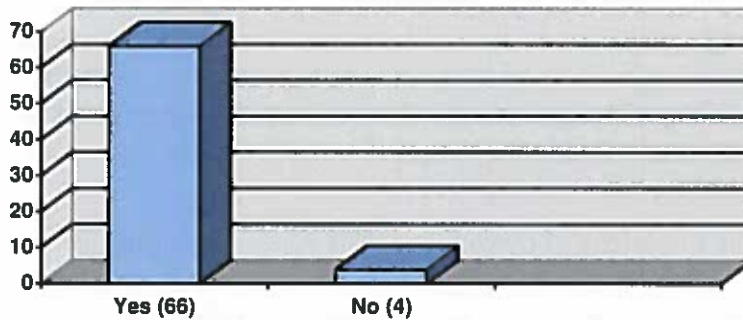
General concerns over the reduction of police officers will not allow for effective enforcement. “The police have existing powers to challenge a person drinking on the street.” (12)

## Quantitative Results

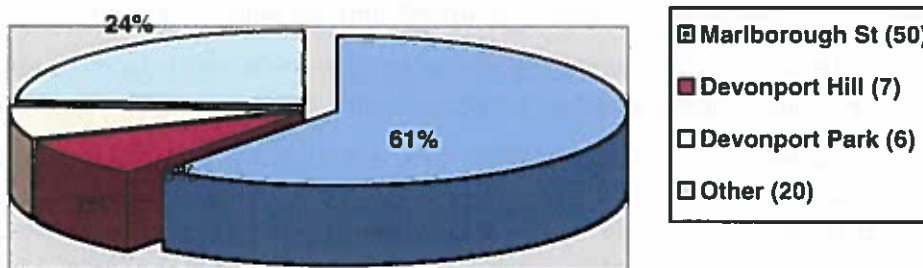
The statistics set out below have been drawn from the completed forms. Please note that not all parts of every return was completed.

### Question 1

**Have you experienced alcohol related anti-social behaviour due to street drinking in or around the proposed area in the last 12 months?**



**If so where has this been?** (Respondents could select more than one option)

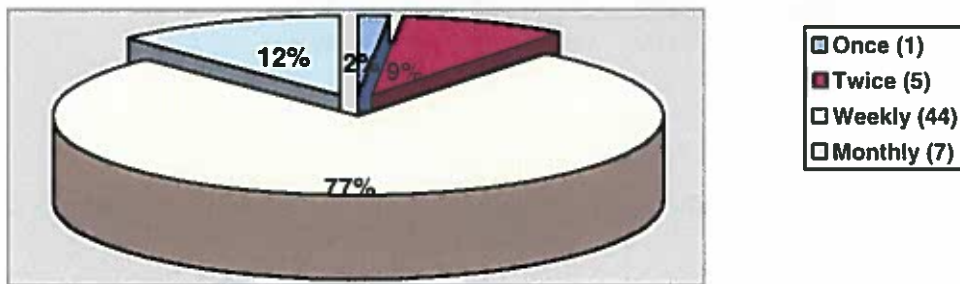


The main congregating point for street drinking activity is centred on Marlborough St, Granby Green and the nearby linked areas. Some respondents did not submit a particular location.

**Question 2**

**How often have you been subjected to this alcohol-related behaviour?**

(Respondents could select more than one option)

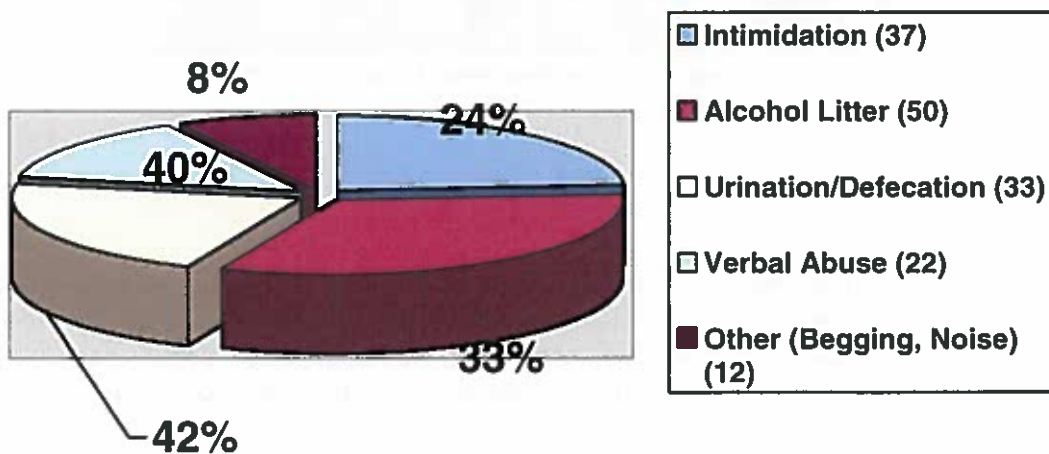


The majority of respondents stated that they were subjected to anti-social behaviour on a weekly basis; others indicated daily contact during the normal course of their activities.

**Question 3**

**What type of alcohol-related behaviour due to street drinking did you experience?**

(Respondents could select more than one option)

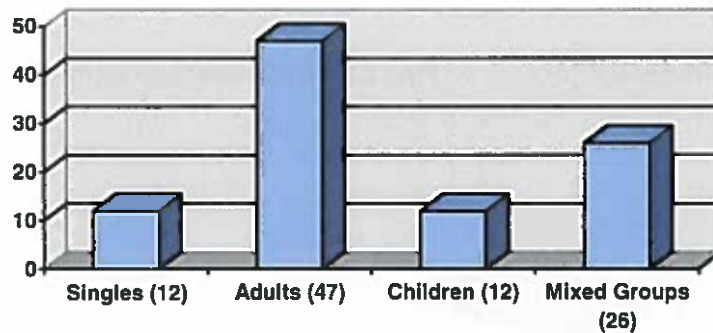


The responses suggest that the majority are examples of anti-social behaviour or drunkenness and therefore not necessarily public order offences actionable by the police.

**Question 4**

**Who was causing the problem?**

(Respondents could select more than one option)

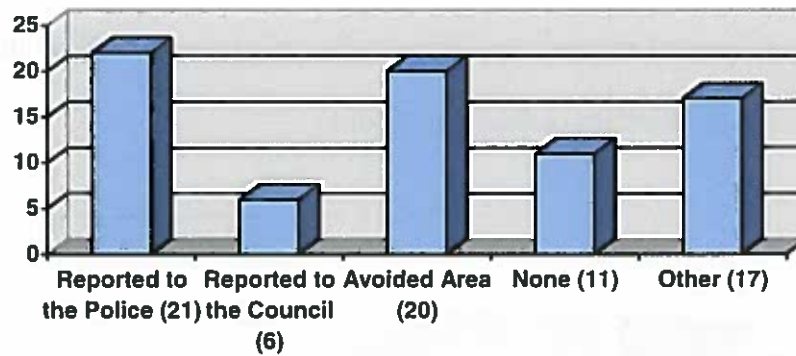


The responses indicate that the main problem grouping were adults who attract others to form mixed groups.

**Question 5**

**What action did you take as a result?**

(Respondents could select more than one option)

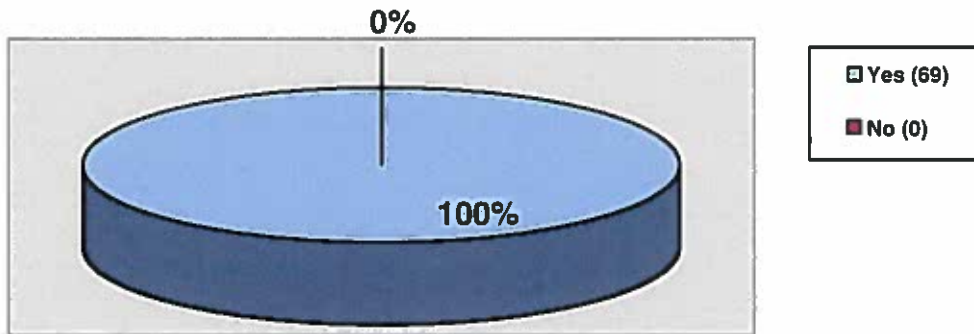


Many of the instances were reported to the Police, Council or local wardens, which seems to demonstrate that the local community care about their open spaces. However it is significant number that many took steps to avoid the area to not subject themselves to on-going visual and the likelihood that they may be subject to unacceptable or intimidating behaviour.



**Question 6**

**Do you support the proposal of a DPPO for the specified area?**



It is evident that the vast majority of respondents who responded using the feedback response form were in favour of the adoption of this order.

**Respondents not in Favour**

There was one respondent not in favour on the grounds that due to the reduction of police officers this will not allow effective enforcement and in addition the police have existing powers to challenge a person drinking on the street.

**Conclusions**

This report has sought to recount the personal responses of local residents, businesses and community groups who have taken the trouble to participate in this public consultation in such a detailed and personal fashion. Much of the information is anecdotal but does seem to reflect the personal experiences of many living in this area. These accounts should be considered in tandem with the application that included background information, statistical data on anti-social behaviour and the messages of support.

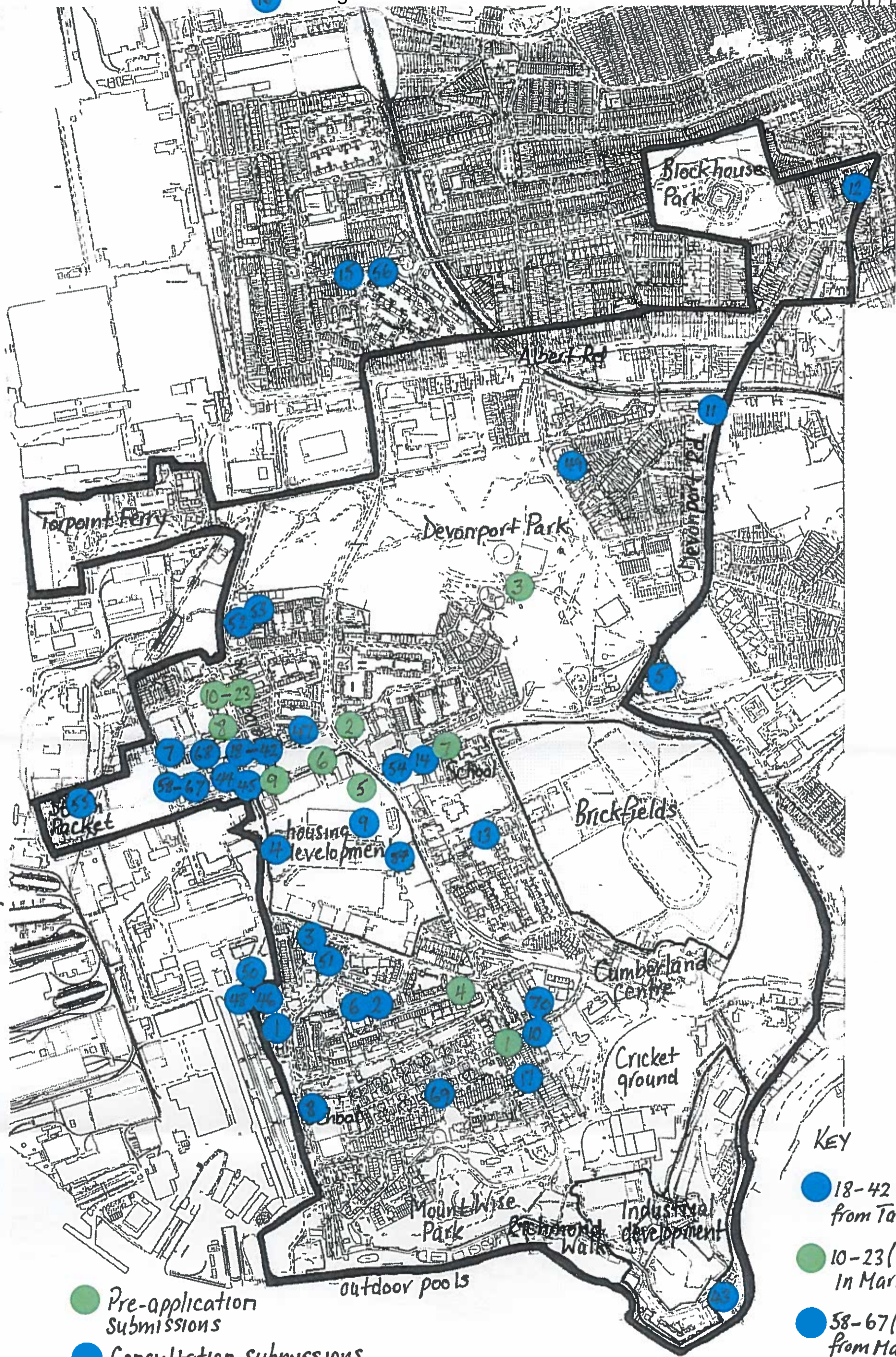
The evidence gathered as a result of the public consultation, both qualitatively and quantitatively, overwhelmingly supports the proposal to establish and implement a Designated Public Place Order (DPPO) for Marlborough Street, Devonport and surrounding area as outlined.

Many residents have also raised concerns over unacceptable foul language, fighting, mess and rubbish left, aggressive begging, urinating in public and that visual evidence of this can be seen in many areas.

The respondents state that some areas such as Marlborough Street and Devonport Park have been 'taken over' and low level anti-social behaviour and disorder associated with alcohol occurs regularly. In these cases residents will simply avoid the areas rather than be potential to be subjected to aggressive behaviours. The vast majority of respondents find this unacceptable and have responded accordingly by stating that they would like the Police to have these additional preventative powers to be able to confiscate alcohol where they have reason to believe that if persons continue drinking then public order offences will occur.

The proposed area has included many other public areas beyond Marlborough Street in recognition that displacement could be a major problem.

In conclusion, of those who contributed to this public consultation the overwhelming majority were in favour of the granting of a DPPO to cover Marlborough Street, Devonport and the surrounding area.



- Pre-application submissions
- Consultation submissions

- KEY
- 18-42 (25 submissions from Tavy House)
  - 10-23 (local businesses in Marlborough St)
  - 58-67 (10 submissions from Marlborough House)

Devonport - DPPO

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