

Application for a Designated Public Places Order (DPPPO) to Control Street Drinking in Freedom Fields and Tothill Parks

Annex to the Main Report -
Findings of the Public Consultation

Public Protection Service
Plymouth City Council
February 2011

Introduction

On the 21 December 2010 Licensing Committee (Miscellaneous) considered an application submitted by Devon & Cornwall Police, to make a Designated Public Place Order (DPPO) to cover Freedom Fields Park and Tothill Park due to the likely consequence of displacement, to control street drinking. 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.

The consultation was launched on the 6 January 2011 with the publication of a Public Notice in the Evening Herald and release of a press notice, and concluded on the 4 February 2011.

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

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

The information pack consisted of an introductory letter, a map of the proposed areas, an information sheet and a customer feedback response form. The questionnaire was devised to provide a framework that focused on the main points and allow the information to be quantitatively assessed and in addition space was provided to enable the respondent to include their own personal experience of whether or not they had experience alcohol-related anti social behaviour. These documents are exhibited in Appendix 1 of this report.

The application included 21 messages of support from a range of local businesses, residents and ward councillors who live, work and represent the community in the Freedom Fields area. These messages were included in the document pack considered by Licensing Committee on the 21 December 2010.

660 information packs were distributed to homes, businesses and other interested parties who live or work in the vicinity of Freedom Fields Park and 1400 in the Tothill Park.

At the launch of the public consultation all persons who did submit a message of support, were also sent an information pack by letter or email where supplied.

A total of 113 returns were received in response to the public consultation, 79 from persons living in the Freedom Fields neighbourhood and 34 from persons living in the Tothill neighbourhood.

The results to the completed returns are set out below.

Qualitative Results

A representative selection 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 5 non-supportive responses and these have also been included for comparison purposes.

It is not possible to include a verbatim response in this report, however all the responses will be available for scrutiny when Members consider the results of the public consultation.

Freedom Fields

Local Residents

“As regular park users, my family and I find the gatherings of alcoholics and drug users in the shelters extremely intimidating and having spoken with other regular park users, I know that this feeling is shared with families and dog walkers alike. The numbers have increased dramatically over the last year.....” – name and address supplied. (Respondent No.2)

“The people, who congregate mainly in the shelter in the centre of the park, are often abusive to one another, swear and fight. For this reason I keep to the perimeter of the park when I walk my dog. Some of these people have dogs and let them roam around the park unattended.....” – name and address supplied (8)

“....I am a new mum and feel threatened by the presence of the drunks in the park and avoid using the park when they are there.....” – name and address supplied (10)

“I use Freedom Fields Park every day in order to walk my dogs and to meet friends. There seem to be a group of people who appear very drunk, there every day, mostly in the shelter. They are often arguing and swearing at a volume that can be heard all around the park. I make sure that I do not go near them. There is also the problem with rubbish. There are often cans and broken bottles around. Last year my dog stepped on a shard of broken glass and had to go to the vet.....” – name and address supplied (21)

“There are frequently a group of adults in the shelter in the centre of Freedom Park drinking – their drunkenness/urinating in public and swearing and shouting is unacceptable in a park where there are children playing nearby.....” – name and address supplied (23)

“.....There has been a continued problem of ASB in Freedom Fields park.....historically caused by teenagers but over the past 18 months there has been an increased presence of adults and youths drinking alcohol in groups around the Freedom fields area.....” – name and address supplied (24)

“Freedom Park is well kept and is spoiled by groups of teenagers and adult drinkers at all times of the day and night. Litter, urine and faeces from these groups is evident. The central shelter is unusable by the general public.....” – name and address supplied (61)

“When groups of people are drinking in the parks, it can be very intimidating and can make you feel unsafe.....” – name and address supplied (70)

“.....The street drinkers act as though the park is their home/own territory. Both shelters where they congregate are no go areas for much of the day.....” – name and address supplied (72)

Community Groups

“There has been ongoing problems with the daily presence of the large groups of drinkers. Foul language, fighting, mess and rubbish left, urinating in park both against the trees and in shelters. I have also witnessed members of the group using Woodside Lane by the park as a toilet. I am at the park on a daily basis helping to run the community café and have seen all the problems created by the drinkers.....” Café in the Park “Mind Charity” (56)

Respondents against the Designation of the Order for Freedom Fields

Local Residents

“I do not support DPPO for Freedom Park or Tothill Park. This problem could then move to Trefusis Park, Lipson Park (schools nearby) or Mount Gould Park. We have to accept that it is a problem and moving them around the City will not solve anything.....” – name and address supplied (59)

“I am not in favour of a DPPO being granted to cover Freedom Fields. If you look at the Home Office’s new ‘Crime Map’ you will see that there have been no reported crime at Freedom Fields. I walk through Freedom Field most days and I have seen nothing to indicate that acts of anti-social behaviour have taken place.....” – name and address supplied (111)

Tothill Park

Local Residents

“My husband and myself have lived overlooking Tothill park for the past 25years. Alcohol consumption in the park is becoming an increasing problem to the extent that at night the park can be described as a ‘no-go’ area. The anti-social behaviour goes on into the early hours of the morning during periods of good weather and at weekends. We feel concerned that if the DPPO is granted to Freedom Park, then the problems at Tothill will increase. Also the new play area being installed in this park will also attract night time drinkers.....” – name and address supplied (12)

“Groups of teenagers; Underage drinking; Damage to cars and garden; Fires being set on cycle path (frequently)...supporting extension to Lucas Terrace bridge/tunnel between Landhydrock playing fields” – name and address supplied (26)

“Include South View. Steps directly from Landhydrock Road park up to South View are regularly used as a seating area for drinking also used for toilet and dumping bottles and cans.....” – name and address supplied (30)

“.....The whole of the local community should be able to enjoy access to the city parks and open spaces without feeling threatened by those who use alcohol/drugs to excess.....” – name and address supplied (32)

“.....”I found out that lots of teenagers come from other places.....” – name and address supplied (82)

Community Groups

“.....We have had a few problems in the past from the general public with alcohol related problems. We support the plan for DPPO at Tothill Park, especially with the new children’s playground it should be a place for families to enjoy the new play areas for the younger children.....” – Tothill Library, Knighton Road (31)

“I have walked through Freedom Fields park and seen displays of drunk people and their behaviour was intimidating.....parents with young children should not be subjected to this, now Tothill has been refurbished it would be sad to see it subject to vandalism or anti-social behaviour.....This order will be a brilliant area.....” - Tothill Community Centre, Knighton Road (90).

Respondents against the Designation of the Order for Tothill Park

Local Residents

“We have lived in the Tothill Park area for over 40 Years and have never experienced any alcohol related behaviour....we walk our dog twice a day.... and found the park to be very good” – name and address supplied (86)

“Having lived in the area for 4years I have never come across any form of anti-social behaviour in Tothill Park. I find this measure completely unnecessary and an absolute waste of Council money.....” – name and address supplied (35)

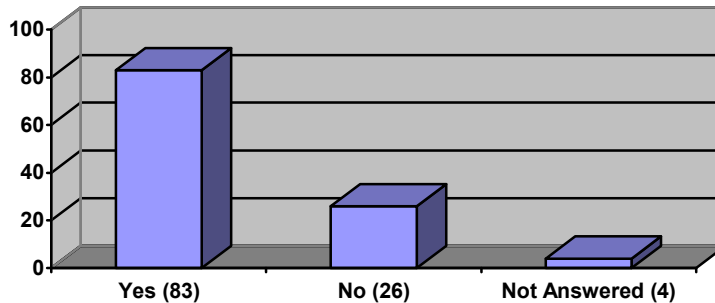
“Concerns only that the problem will move to Tothill, is not enough to grant a DPPO there, without any evidence to substantiate it on concerns only.....” – name and address supplied (101)

Quantitative Results

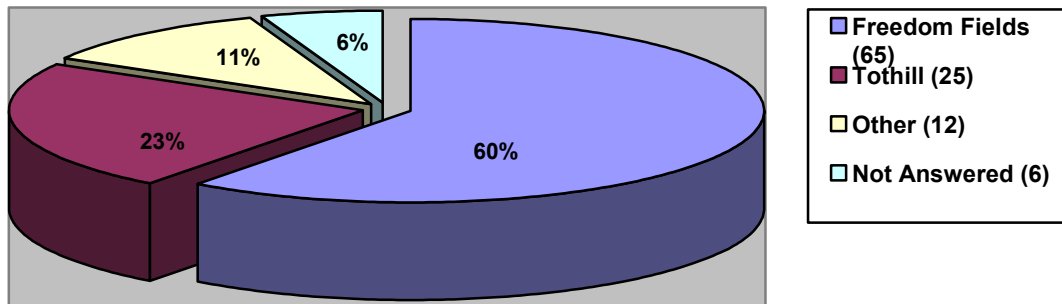
The statistics set out below have been drawn from the completed answers submitted on the feedback response form.

Question 1

Have you experienced alcohol related anti-social behaviour in or around Freedom Fields or Tothill Park in the last 12 months?



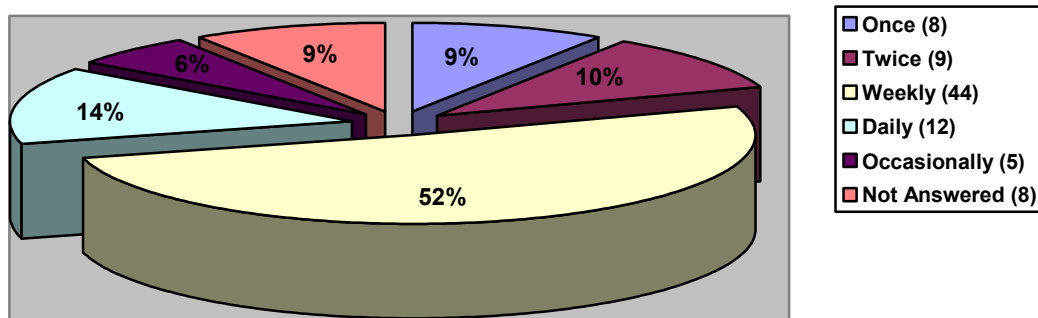
If so where has this been?



The two parks are the focal point for the surrounding residential neighbourhoods and these results indicate that the vast majority of respondents have suffered some form of alcohol-related anti-social behaviour when using Freedom Fields Park or Tothill Park.

Question 2

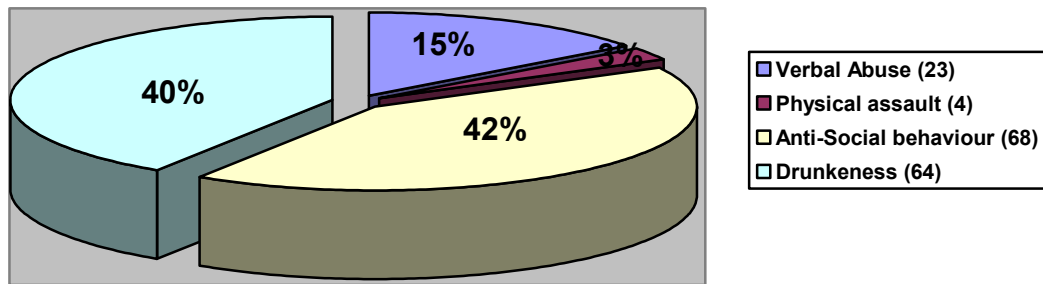
How often have you been subjected to this alcohol-related behaviour?



The majority of respondents stated that they were subjected to a form of anti-social behaviour on a weekly basis, others indicated daily contact.

Question 3

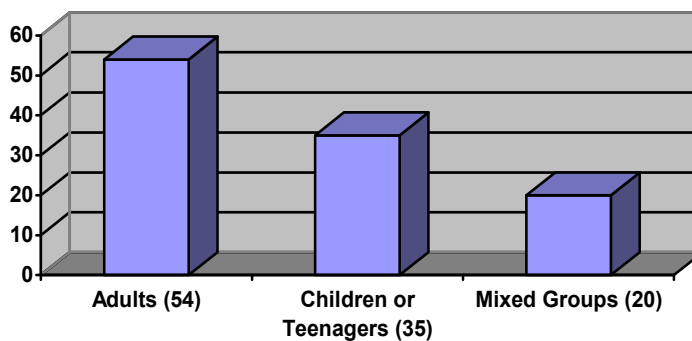
What form did the alcohol-related behaviour take?



The responses suggest that the majority are incidents either 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?

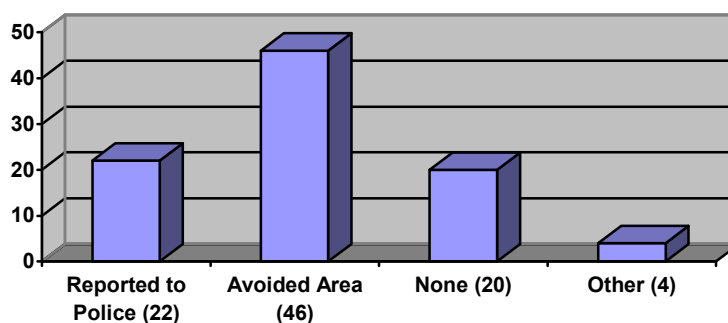


The responses indicate that the main problem grouping are adults who would include those known as 'street drinkers' who are known to frequent the parks two main shelters located at the main entrance from Greenbank Terrace and the shelter located in the centre of Freedom Fields Park.

In addition the area surrounding the community café attracts teenagers in the late evenings and early hours of the morning.

Question 5

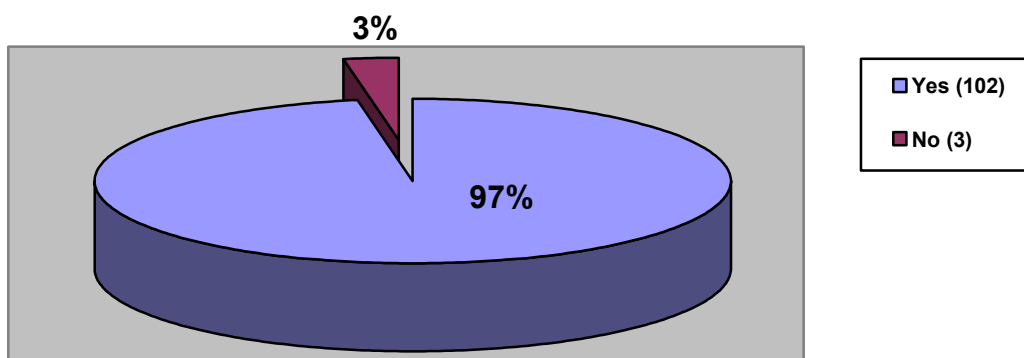
What action did you take as a result of this behaviour?



Approximately 25% of the instances were reported to the Police, however it is significant that the rest noted the instance but either did nothing or took steps to avoid the area. This supports the response to Question 3 in that instances of anti-social behaviour tended to be low-level nuisance and intimidation rather than public order offences that discouraged people using particular public areas.

Question 6

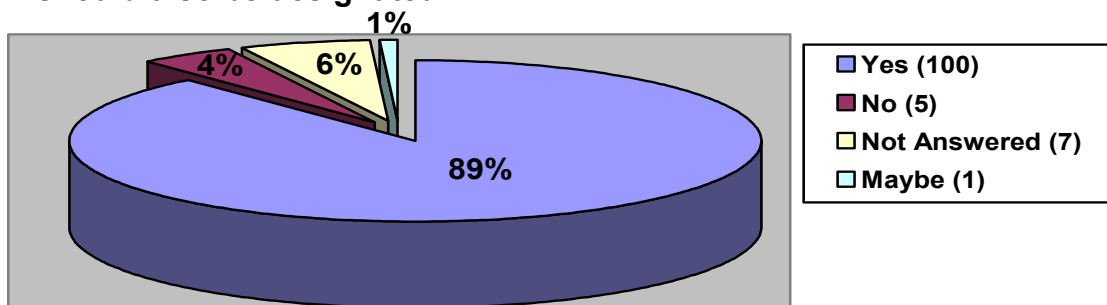
Do you support the proposal of a Designated Public Places Order for Freedom Fields Park?



It is evident that the vast majority of respondents who responded to the public consultation were in favour of the adoption of the order for Freedom Fields Park.

Question 7

If a DPPO were granted for Freedom Fields Park then the problem could be displaced to nearby Tothill Park. Do you support the proposal that Tothill Park should also be designated?



There has been a significant response from residents living in the Tothill neighbourhood who expressed concern that if Freedom Fields Park were designated then the problem could be displaced to their locality. The vast majority of respondents living in the Freedom Fields neighbourhood also appreciated that the problem could be displaced to Tothill Park. Of the respondents who answered yes, 73 were from residents living in the Tothill Area and 27 from the Freedom Fields area.

Respondents not in Favour

There were two respondents living in the Freedom Fields neighbourhood who did not support the granting of DPPO for Freedom Fields or Tothill parks, the first on the grounds that the problem would move on to other parks including Trefusis, Lipson or Mount Gould parks. Accepting that there was a problem, moving street drinkers around the City would not solve anything and proposed that a small area in one park be designated for street drinking and for residents to be made aware of the arrangement so that they could avoid contact.

The second objection references the Home Office's new 'Crime Map' that would appear to have no reported crime at Freedom Fields, in addition the respondents states that he personally walks through Freedom Field most days and has not witnessed any acts of anti-social behaviour personally. In addition the response contends that the person termed as a 'street drinker' requires help rather than prosecution or confiscation of the alcohol.

There were two respondents living in the Tothill Park neighbourhood who similarly did not support the introduction of a DPPO, both on the grounds that he had not experienced any alcohol-related social behaviour in the time that he had lived in the area, additionally the second of these respondents considered that the extension of a 'police state' in Plymouth should be actively discouraged.

Lastly, a respondent who lived in the Freedom Fields neighbourhood expressed concern that an order should not be granted for Tothill park simply on the grounds of likely displacement, without any evidence to substantiate the claim.

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 reflect the personal experiences of many living within these local communities. 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 Orders (DPPO) for both Freedom Fields and Tothill Parks as outlined.

Many residents have also raised concerns over unacceptable foul language, fighting, mess and rubbish left, urinating in the parks both against trees and in the shelters and that visual evidence of this can be seen throughout the park.

The respondents state that Freedom Fields Park has been 'taken over' and low level anti-social behaviour and disorder associated with alcohol occurs regularly and the Police only have powers to prevent public order offences occurring. 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.

A significant number of respondents living in the Tothill neighbourhood submitted their own account of street drinking in Tothill Park and how incidents have been increasing over the last few years, particularly in the summer months. This raises

the issue that the Tothill Park neighbourhood could be designated in its own right as opposed to as a consequence of displacement.

These powers where applied will help mitigate nuisance and disorder to members of the public that is associated with consuming alcohol in public places.

A small minority of respondents have an alternative view and in the interests of balance the details of their concerns have all been set out in this report.

Some respondents raised concerns of how, if granted, the police would be able to enforce the DPPO and others suggested that a telephone response number should be actively promoted for residents to report incidences of anti-social behaviour arising as a consequence of street drinking.

In conclusion, of those who contributed to this public consultation the overwhelmingly majority were in favour of the granting of a DPPO for Freedom Fields Park and also for Tothill Park.