

Gloucester City Council

Meeting:	Cabinet	Date:	20th July 2016
Subject:	Safe & Attractive Streets Policy		
Report Of:	Cabinet Member for Communities and Neighbourhoods		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
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Appendices:	1. Safe & Attractive Streets Policy		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To seek approval to introduce a “Safe & Attractive Streets” policy which will cover begging, street drinking, rough sleeping and so-called “legal highs” which are now subject to the newly implemented Psychoactive Substances Act 2016. This policy formalises the partnership work being taken to resolve street nuisances and sets out clear guidelines and accountabilities amongst teams within Gloucester City Council and partner agencies for taking engagement, support and enforcement routes, as necessary, to resolve street issues.

2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE** that:

- (1) The “Safe & Attractive Streets” policy outlined in Appendix 1 be adopted.
- (2) Awareness campaigns to help tackle street nuisance and raise awareness of support for rough sleepers be used
- (3) The lead Cabinet Member delegates authority to the Head of Public Protection to sign off public space protection orders (PSPO)
- (4) Consideration be given to exploring Making Every Adult Matter that reviews local services and can develop co-ordinated interventions that can transform lives.

3.0 Background and Key Issues

- 3.1 Begging has become an increasing issue in our city centre and one which both Gloucester City Council and Gloucestershire Constabulary receive increasing complaints about from local people and businesses. From the end of March until the middle of May 2016, 139 complaints about begging or rough sleeping in the city centre were logged with Gloucestershire Constabulary alone.

- 3.2 Anecdotal evidence and complaints from various sources, including the Licensed Victuallers Association (LVA), City Safe, Police, Members and city council staff points to an increased visibility of beggars in Gloucester city centre both during the day and night. Instances have been reported of beggars turning up on a Friday and Saturday evening to beg on Eastgate Street when the pubs and clubs are busiest and of beggars sharing “prime locations” or working together to pool their money.
- 3.3 Drugs and alcohol feature heavily as part of the begging issue in the city. Witness reports have included a member of a partner agency seeing a group of beggars pooling their money and then buying drugs together. A member of the public reports seeing a beggar or rough sleeper using drugs in Longsmith Street car park, and a member of city council staff has witnessed a beggar or rough sleeper injecting drugs into their arm in broad daylight.
- 3.4 It must be noted that rough sleeping is a separate issue to begging and that the necessary measures and referral process are in place for assertive outreach (a method that engages with and challenges street beggars) to take place through Street Link, with support through the City Council’s homelessness team. Currently Street Link advise that there are 16 rough sleepers in Gloucester, although not all of these sleep in the city centre.
- 3.5 Street Link do not receive referrals in proportion to the number of complaints currently being received by GCC and Police about rough sleepers and beggars which suggests that awareness of this service is low. We are keen to run an awareness campaign to advise the public on how to refer a rough sleeper. This will also make the general public more aware of the routes of support for a rough sleeper or beggar and offer them the chance to donate their money to an agency that is fully qualified to offer intensive support, rather than giving their money directly to street beggars thus perpetuating the problem.
- 3.6 Following discussions at both the Night Safe group and Safer Gloucester leadership group, Project Solace were tasked by Safer Gloucester to look at the best approach. Project Solace have since implemented a multi-agency model for dealing with “street people”. The initial meeting of this multi-agency model identified 13 individuals who are known to beg in the city centre. Almost all of these are in receipt of housing and the majority receive benefits. Many receive support already but some are either vulnerable so require additional support, or are not already accessing the support they could be.
- 3.7 In addition, an initial multi-agency meeting, wider than Safer Gloucester, was held in November 2015. This included many of the faith and voluntary and community sector (VCS) partners who provide support to many of these individuals and a “holistic” approach was agreed with Project Solace given the task of drawing up the detail. They presented to the Homeless and Vulnerable Faith Forum on 9 March 2016 where it was endorsed as a good approach by faith, VCS and partners.
- 3.8 The link between begging, rough sleeping and the use of drugs and alcohol amongst this group of people highlights the need to include street drinking and “legal highs” in the Safe & Attractive Streets Policy. Drugs issues will be dealt with by Gloucestershire Constabulary but the new Psychoactive Substances Act which has come in to force has some loopholes which could be covered with the implementation of a Public Space Protection Order (PSPO) if required.

- 3.9 Many of the individuals, whose behaviours can be a “nuisance” to others, have complex needs, for example mental health issues, which requires a multi-agency response. This is recognised in the policy through the shared model of engaging and supporting to help address these complex issues. The VCS and faith groups support these individuals, as well as partner agencies, and this assistance will continue as part of the partnership.
- 3.10 The model that Project Solace are implementing will deal with the complex needs of the most prolific individual and look to enforce against those that do not engage with support. They will seek civil injunctions against persistent offenders who refuse to engage with support and they can be tailored to the individual to deal with issues effectively. It includes prohibitions to prevent the perpetrator from engaging in ASB and can also include positive requirements to address the underlying causes of their ASB.
- 3.11 To support the multi-agency work led by Project Solace, the city council can give consideration to PSPOs. The purpose of a PSPO is to stop individuals or groups committing anti-social behaviour (ASB) in a public space.

A PSPO can be made by the council if they are satisfied that the activities:

- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality
- are, or are likely to be, persistent or continuing in nature
- are, or are likely to be, unreasonable
- justify the restrictions imposed.

- 3.12 It should be noted that the implementation of a PSPO can be a lengthy process. It can be issued by the local authority after consultation with the Police as well as the Police and Crime Commissioner (PCC), the owner or occupier of the land and appropriate community representatives. A prerequisite for a PSPO is that the council can demonstrate reasonable attempts to resolve the issue informally by working across teams internally and with the police. The restrictions and requirements imposed by a PSPO can be enforced by police officers, police community support officers and council officers. We are currently working on developing working protocols for the consultation, making and enforcing of PSPOs.

4.0 Alternative Options Considered

- 4.1 Alternatives to Project Solace’s multi-agency model for dealing with beggars have been discounted for the following reasons:
- Increased policing of the city centre – Gloucestershire Constabulary do not have sufficient resources to re-introduce a city centre policing team. Operation Crux has been re-introduced in the last few weeks and sees PCSOs patrolling the city centre at key times twice per day, but this resource is temporary. Furthermore, aggressive begging is not taking place therefore perpetrators cannot be dealt with by criminal means.

5.0 Reasons for Recommendations

- 5.1 There is currently no policy in place relating to begging and how it would be dealt with.
- 5.2 The policy pulls together information from Gloucester City Council and partner agencies on how street related issues will be dealt with, giving clarity and consistency to future approaches.
- 5.3 Awareness of the public with regards to Street Link, and indeed with city council staff and Members, is currently low. To tackle rough sleeping and begging, it is essential that this service works effectively.
- 5.4 Closer working with Project Solace will bring consistency between the city council's strategic commitments and operational delivery in dealing with anti-social behaviour.

6.0 Future Work and Conclusions

- 6.1 Awareness needs to be raised regarding how begging within the city is to be dealt with. The communications team are to be consulted with regarding press releases. St Mungos and Gloucester City Mission can provide assistance with poster campaigns to encourage referrals to Street Link.
- 6.2 Further work is ongoing with Gloucestershire Constabulary to resource the enforcement of PSPOs through the training of PCSOs to issue fixed penalty notices (FPNs). Training should be arranged for PCSOs regarding the issue of FPNs. FPN books need to be amended to include new legislation including changes to environmental protection guidance.
- 6.3 A more general anti-social behaviour policy will be developed, in partnership with Project Solace, so that clear courses of action and responsibilities are recognised. Part of this should include discussion with Gloucestershire Constabulary regarding sharing of costs for legal actions where a case has had an impact on police resources.
- 6.4 There are ongoing discussions to introduce a business improvement district (BID) and late night levy. These have the potential to provide and attract further funding that will give an opportunity to review enforcement resources in the city centre.

7.0 Financial Implications

- 7.1 Gloucester City Council meets the cost of Project Solace's court applications. However, financial implications in terms of legal actions against persistent street nuisance perpetrators should not exceed the usual expectation of legal action that Project Solace take. Because of the supportive approach that Project Solace are taking, it is anticipated that only a small number of injunctions will be sought in relation to beggars. Injunction applications cost £355 per application and a breach application costs around £100. This should be accommodated through existing budgets.

- 7.2 Enforcement of PSPOs and resourcing the issuing of FPNs may result in additional financial pressure. In order to meet this within existing resources, delegating additional enforcement powers to officers across various council services could be considered as part of a wider city centre plan.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

- 8.1 The legal context for the proposed policy is as set in this report and the policy itself.

(One Legal has been consulted in the preparation of this report.)

9.0 Risk & Opportunity Management Implications

- 9.1 There is a risk that, if the policy is not adopted, the city council will not be dealing with issues effectively.

10.0 People Impact Assessment (PIA):

- 10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, there a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

- 11.1 Adoption of the policy is integral to the work of the community safety partnership. In particular, it will help reassure the public and reduce the fear of crime and anti-social behaviour.

Sustainability

- 11.2 Not applicable.

Staffing & Trade Union

- 11.3 Not applicable.

Background Documents: none