



SAFE & ATTRACTIVE STREETS POLICY

July 2016

SAFE & ATTRACTIVE STREETS Policy

Contents

1. Introduction.....	Page 3
2. Our Policy Position.....	Page 4
2.1 Engage.....	Page 5
2.2 Support.....	Page 5
2.3 Enforce.....	Page 6
3. Issues & Resolutions.....	Page 6
3.1 Begging.....	Page 6
3.2 Rough Sleepers.....	Page 7
3.3 Psychoactive Substances.....	Page 8
3.4 Street Drinking.....	Page 8
4. Consultation.....	Page 9
5. Reporting Issues.....	Page 9

1. Introduction

Gloucester is a vibrant multicultural city that combines historic architecture with a unique blend of visitor attractions. Our city centre boasts a mixture of major stores and independent and regional retailers, many of which are unique to Gloucester and make the city an ideal place to shop. Gloucester also offers a selection of restaurants, pubs and bars, between Gloucester Quays and the city centre offering something for everyone. Key to the success of the docks and the City Centre is the linkage between the two, and the overall ambience of the main city centre streets is critical to maintaining a good reputation for the general benefit of residents, businesses and visitors. As a City Council, in partnership with local businesses, residents and partner organisations, we are committed to making Gloucester a better place to live, work and play.

While it is important to encourage a vibrant and welcoming street environment, a number of factors may occur at any time and have a negative effect on the overall atmosphere within Gloucester city centre. These factors may be loosely grouped together as “negative behaviours” that impact on other people and may include:

- Begging
- Rough Sleeping
- The consumption of so-called “legal highs”
- Street Drinking

There has been increasing demand from city centre businesses and partner agencies for a clear policy on negative behaviours, as expressed through Gloucester City Safe, the Licensed Victuallers Association, Gloucestershire Constabulary and individual complaints submitted directly to the Council. However, as these issues can mostly be categorised as “negative behaviours”, rather than a threat to public health and safety, or criminal activity, there are limited enforcement resources/powers available.

The purpose of this policy is to clarify the legal position of each of these issues, and to outline potential resolutions. In relation to some issues, it is not recommended that specific action be taken other than regular review of the issue, a wider publication of the Council’s policy towards said issue and/or awareness campaigns. Some will benefit from further consultation both internal and external, and inter-agency working to tackle the issues as trends in our City change. Overall, this policy aims to provide clarity for businesses, visitors, and other stakeholders of the city centre.

Appropriate awareness campaigns will be implemented and may take the form of leaflets, flyers, posters, online, on social media and press releases where appropriate. In order to tackle issues as soon as possible, it is essential that information is shared with partner organisations and the general public, for example regarding how to report.

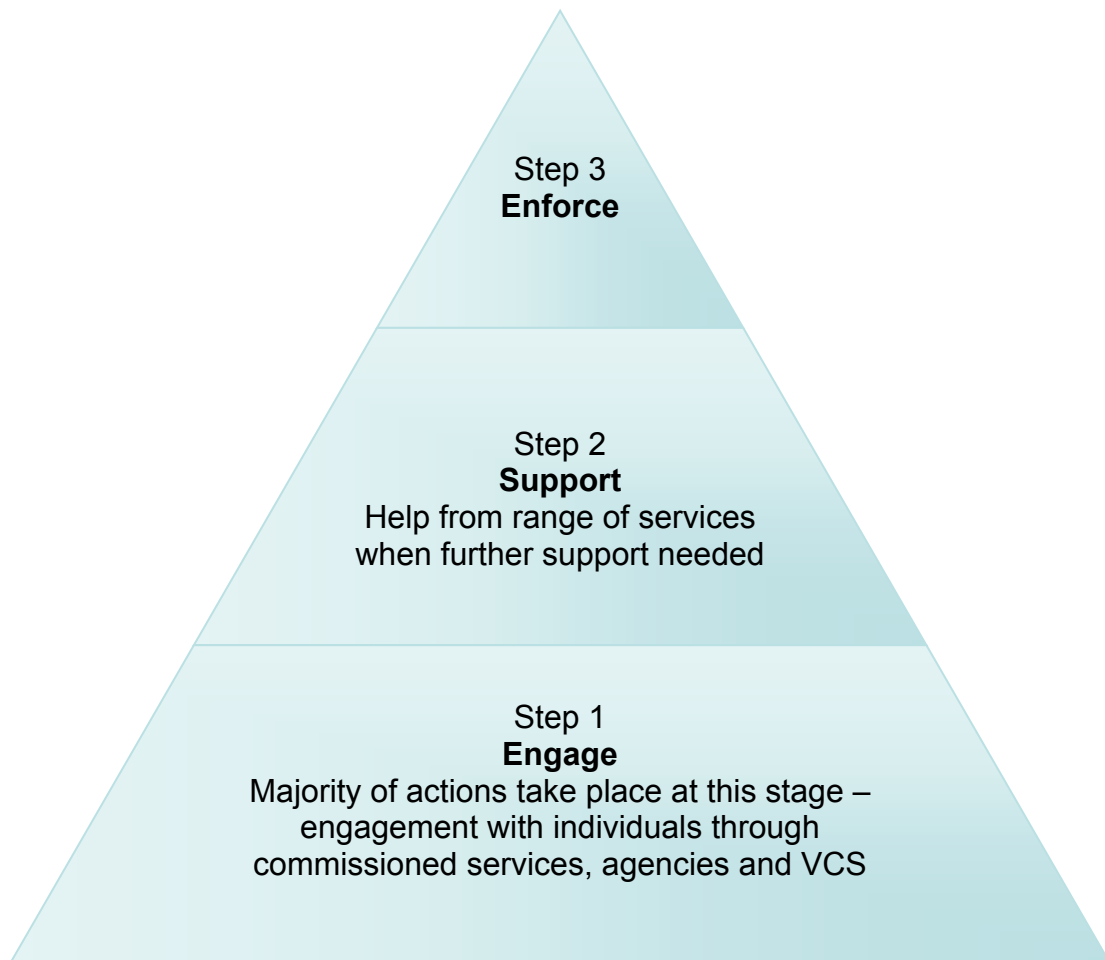
2. Our Policy Position

Gloucester City Council is committed to keeping Gloucester a safe place to live, work and play. We recognise that negative behaviours, such as begging and street drinking, may fluctuate at times and impact on our residents and visitors. We will work in partnership to tackle and prevent this.

We recognise that issues like begging and rough sleeping are complex and the root causes can be varied. As a local authority we will support those with genuine needs, such as the need for housing or for access to services and ensure, through inter-agency working, that outreach work takes place to help people live, or work towards living, independently without impacting negatively on others.

We do, however, recognise that small numbers of people may already be accessing all of the services they are entitled to, but still engaging in behaviours that are impacting negatively on others. Likewise, there may also be cases where people refuse to engage with support services and choose to engage in behaviours that cause a nuisance to others. In these instances, enforcement action will be taken against individuals where it is appropriate to do so.

Gloucester City Council, along with our partner agencies, will adopt a shared model of **Engage, Support, and Enforce** to address these complex street issues where they may occur in our City. We believe that where engagement is effective it leads to successful support, and where engagement and support succeed, enforcement is not required. Enforcement is included in this approach for the cases where individuals themselves refuse to engage with community led work, outreach or support and continue to behave in a way that impacts negatively on others. We will enforce only where we cannot resolve issues through appropriate engagement and support.



2.1. Engage

In many cases there are underlying issues that have caused a person to engage in behaviours such as begging, street drinking or rough sleeping. We consider it important to understand reasons for behaviours as opposed to criminalising individuals at the first opportunity. Engagement with individuals through commissioned outreach services and support agencies will take place initially to understand issues and resolve them where possible, then signpost and assess what assistance they are able to access and introduce them to support.

2.2. Support

There can be many support needs identified for one individual and sometimes complex issues can be present which require help from varied range of services. This often takes time to do, during which outreach services may continue working with individuals and encourage their engagement. Once the appropriate support has been identified, it may be provided through statutory means such as Gloucester City Council's homelessness team. Other support may be accessed, for example through supported housing or tenancy

support, health services and charitable organisations including the faith sector. The services available to a person vary depending on their needs.

2.3. Enforce

We do recognise that some individuals categorised in this policy may behave inappropriately and if this is the case then, as with any other person doing so in our City, firm action should be taken to prevent a negative impact on the wider community.

In most cases, where an offence is committed it is the Police who would generally enforce the relevant legislation.

Enforcement powers under the Anti-Social Behaviour, Crime and Policing Act 2014 may be implemented to deal with street nuisance. This could include the use of Public Space Protection Orders and Community Protection Notices, for example. Such orders relate to specific nuisance behaviours and are ultimately enforced by the local authority and through the Magistrates Court.

Gloucester City Council's statutory function for dealing with anti-social behaviour (ASB) is met by Project Solace, the City's ASB team which investigates cases of ASB occurring in non-housing association properties and public spaces including the city centre. Through Project Solace, multi-agency approaches are co-ordinated to resolve negative issues, and enforcement through civil injunctions may be sought where necessary and appropriate.

Gloucester City Safe is a not for profit Business Crime Reduction Partnership (BCRP) formed by members of the Business Community with the sole intention of facilitating the reduction of crime, disorder and anti-social behaviour. City Safe is representative of both the day and night time economies, who work together to reduce shoplifting, theft, anti-social behaviour, alcohol related disorder, street drinking and begging which affect all businesses throughout Gloucester. City Safe operates a yellow and red card scheme for individuals causing nuisance in member premises, which ultimately ban the perpetrators from entering any premises in the City Safe scheme. If breached, a Criminal Behaviour Order may be sought and can impose tougher restrictions. City Safe will work closely with Project Solace in these cases.

3. Types of issue and resolutions

3.1. Begging

Complaints focus on beggars occupying doorways, sitting next to cash points and interfering with business trade, occasional aggressive begging, beggars approaching members of the public and causing concern to passers-by.

Legal Position

Passive begging is not prohibited. Aggressive begging is potentially a breach of the peace and may be dealt with by the Police.

The Vagrancy Act 1824 may be imposed by Police.

Enforcement orders could be implemented through powers under the Anti-Social Behaviour, Crime and Policing Act 2014 or other appropriate legislation.

Action against persistent perpetrators may be sought through Project Solace.

Resolution(s)

Project Solace, the City's anti-social behaviour team, have worked in partnership with Street Link, Gloucester City Council, Police and support agencies to establish a multi-agency model for engaging with street beggars in the City. The model focuses on "Engage, Support, Enforce" in order to offer assertive outreach and support to individuals, but taking the necessary enforcement action against those who persistently beg whilst receiving support or whilst refusing to engage.

Project Solace's multi-agency model has commitment from key support agencies including the Outreach Service via Street Link, Turning Point and faith groups as well as Police and Gloucester City Council to work together to proactively tackle the issue of begging in our City.

Enforcement actions under the ASB, Crime and Policing Act, where needed, are likely to be implemented by Project Solace. Civil actions such as injunctions may be sought.

Awareness campaigns will take place to inform members of the public about how best to help beggars and rough sleepers – by donating to Street Link to provide a responsive, local outreach support service, rather than giving money directly to the individual.

3.2. Rough Sleeping

Rough sleepers cause concern and the Council frequently receive calls from members of the public that someone is rough sleeping and needs support.

Rough sleeping has significant implications for individual's wellbeing, including physical safety and reduction of healthy life expectancy. To minimise these effects and reduce the fear of crime or perception of safeness on the streets, we commission an assertive outreach programme which works to ensure clients are diverted away from the streets as quickly as possible.

Gloucester City sometimes sees an increase in rough sleeping as some people come here with the assumption that the night shelter is still open.

Legal Position

The Vagrancy Act may be imposed by Police

Under the Vagrancy Act 1824, “Dossing & Sleeping Rough” are criminal offences, if a person who is wandering about or lodging in the open air & is not able to give a good reason why. Whether they have applied for accommodation or refused an offer is not relevant, but may become so if they claim to be homeless. However, this would be for the court to decide, not officers.

Resolution(s)

Gloucester City Council adheres to the “No Second Night Out Policy” which strives to ensure that rough sleepers receive outreach support as possible to prevent further nights sleeping on the streets.

Gloucester City Council commission an Outreach Service, currently through St Mungo’s, who receive referrals by the Street Link service to provide a proactive service that links in with partner agencies to help rough sleepers access the support they require and are entitled to. A recognised ‘homeless pathway’ provides a range of options, appropriate to the needs of the individual and for those with complex or uncertain support needs Assessment Centres and high support provision exists to assist with enabling for independent living. This is in addition to advice and assistance that is offered through the City Council’s homelessness team.

Awareness campaigns to promote referrals to the Street Link service will be undertaken on a regular basis to ensure that access to support is widely recognised.

Generally the City Council will not encourage enforcement against people sleeping rough, and will ensure that support and advice are offered in accordance with our homelessness policy. Where nuisance behaviour and rough sleeping are linked, enforcement action may still be taken. The Vagrancy Act, or other appropriate legislation, may be imposed where engagement and offers of support have been refused; for example, if the individual concerned has refused to apply for accommodation or has refused to accept offers of accommodation that have been made to them.

3.3. Psychoactive Substances (so-called “legal highs”)

The Psychoactive Substances Act came in to force on 26th May 2016. Use of these drugs is a national concern, and increasing numbers of small carbon dioxide canisters are found throughout the City. These drugs are not only highly dangerous to use, the paraphernalia that is often blatantly discarded is alarming to see. Associated nuisance includes the litter, and congregating groups.

Legal Position

Psychoactive substances are often not manufactured for human consumption, and so some can still be bought legally from shops. The new law makes it illegal to produce, supply, or import (even for personal use) so-called “legal highs” for human consumption.

Resolution(s)

We will carry out work in partnership with Trading Standards and other agencies to educate retail outlets and carry out enforcement where necessary. Enforcement actions under the Anti-Social Behaviour, Crime and Policing Act 2014 where appropriate.

3.4. Street Drinking

Antisocial behaviour associated with street drinking has been recognised as a concern. Associated problems can include; litter, noise, human waste and intimidation all of which have a detrimental impact to the quality of life for residents, visitors and local businesses.

Legal Position

Only people over 18 are permitted to drink in public, except in areas of towns where Public Space Protection Orders are in place. A PSPO can stop people from drinking in a certain area. PSPOs replace Designated Public Space Protection Orders (DPPOs) to give police officers special powers to order a person to stop drinking alcohol in public and confiscate it from them.

Where a DPPO is already in place, it will remain so until September 2017, after which it will be converted to a PSPO. A new PSPO may be brought in at any time to replace an old DPPO and attach further restrictions, if necessary. A current DPPO covers Gloucester City centre and breach of this order can be enforced through Fixed Penalty Notices by Police officers or Gloucester City Council staff who hold delegated powers.

Even outside of these areas, the police can take away alcohol or move on under 18s if they have been drinking. The police can also fine or arrest under 18s drinking in public places

Resolution(s)

The current DPPO remains in place.

The Council will take enforcement actions under the Anti-Social Behaviour, Crime and Policing Act 2014 where appropriate.

4. Consultation Process

This policy has been written following feedback and informal consultation with Gloucestershire Constabulary, Project Solace, Gloucester City Safe, the Licensed Victuallers Association, Nightsafe, St Mungos (who fulfil the Street Link service), support services, and members of the Faith Forum.

5. Reporting Issues

This Policy covers a wide range of issues which may occur in the city centre and as such may be dealt with by one of several departments within Gloucester City Council, depending on the nature of the complaint. Complainants should report to the City Council Customer Services Team who will direct the report to the most appropriate department:

Telephone: 01452 396396

Text telephone: 01452 396161

Email: heretohelp@gloucester.gov.uk

Online: www.gloucester.gov.uk

By post or in person: Gloucester City Council Herbert Warehouse, The Docks
Gloucester GL1 2EQ

Concerns regarding somebody sleeping rough should be reported to Streetlink by calling 0300 500 0914, or by accessing their website at <http://www.streetlink.org.uk/>

Streetlink also have a smartphone app, where reports can be made directly. Search for "Street Link" in the app store.

Where a crime occurs, it should be reported to Gloucestershire Constabulary by calling 101 if a non-emergency or 999 in an emergency.

Instances of anti-social behaviour should be reported to Project Solace

By phone: on 01452 424344

Email: asb.referrals@gch.co.uk

Online: www.gch.co.uk

By post or in person: Gloucester City Homes, Railway House, Bruton Way,
Gloucester GL1 1DG