

Report subject	Tackling street-based anti-social behaviour
Meeting date	18 March 2020
Status	Public Report
Executive summary	<p>Street-based anti-social behaviour, such as begging, street drinking and discarded needles, has a visible impact on the appearance of, and feelings of safety in, our Town Centres. To date, there have been slightly different approaches to tackling these issues across the preceeding authorities.</p> <p>With the introduction of Community Safety Accredited Officers into Poole Town Centre there is an opportunity to harmonise our approach based on a balance of enforcement and support. Using legal tools and powers where necessary but also through better engagement, ensuring there are referral pathways into support organisations. In order to seek such a harmonised approach, it is proposed to review the Public Spaces Protection Order which applies to Poole Town Centre and Holes Bay area, and specifically to consult the public, businesses and partners on varying the conditions applied.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <ol style="list-style-type: none"> 1. BCP Council adopts a consistent approach to tackling street-based anti-social behaviour as detailed within paragraphs 16 – 24 of this Report; 2. The Director of Communities is authorised to undertake consultation on varying the Public Spaces Protection Order covering Poole Town Centre as set out in paragraphs 25-26 of this Report; 3. Cabinet considers the outcome of the consultation at a future meeting with a view to making recommendations in respect of the Public Spaces Protection Order in light of the consultation process.
Reason for recommendations	To implement a balanced approach which is fit for purpose for the whole of BCP, applying effective solutions to a complex issue which seeks a reduction of harmful behaviours that impact negatively on

	the wider community, whilst placing the needs of vulnerable people at its heart.
Portfolio Holder(s):	Councillor Lewis Allison – Tourism, Leisure & Communities
Corporate Director	Kate Ryan, Corporate Director Environment & Community
Report Authors	Andrew Williams, Head of Safer Communities
Wards	All Wards in particular Poole Town
Classification	For Decision

Background

1. Street-based anti-social behaviour by adults, such as begging, street drinking and discarded needles, has seen a visible increase in our town centres over several years. Across the preceding councils, different approaches to tackling street-based anti-social behaviour have been developed in response.
2. Across BCP, in particular in Bournemouth and Poole where these issues are most prevalent, there has been a clear and long standing commitment to adopting balanced approaches where both enforcement and support are at the heart of the models applied.
3. In Bournemouth, there has been a mix of enforcement and support, with the Anti-Social Behaviour team working closely with the Rough Sleeper team and other support/treatment agencies. Individuals who are identified as causing anti-social behaviour are challenged, through the use of Community Protection Notices and Anti-social Behaviour Injunctions. Often these require the individual concerned to engage in positive interventions such as addiction assessments alongside requirements to stop negative behaviours.
4. In March 2018, the Community Safety Accreditation Scheme (CSAS) was introduced into Bournemouth Town Centre, after proving successful in Boscombe. This provides 2 dedicated, uniformed patrol officers, with delegated powers from the Chief Constable. The powers accredited to the individuals through both BCP Council and CSAS accreditation are;
 - The power to require name and address for those acting anti-socially
 - The power to require name and address for those who are begging
 - The power to remove alcohol from those under 18
 - The power to confiscate alcohol from those acting anti-socially
 - The power to require name and address for a qualifying offence
5. Alongside the enforcement powers that they have, CSAS Officers are able to engage with individuals who are rough sleeping, or whose addiction issues are causing anti-social behaviour, to sign-post and make appropriate referrals to support agencies. They work closely with our services commissioned to tackle rough sleeping and substance misuse.

6. The CSAS approach in Bournemouth is a multi-agency partnership approach with all relevant agencies, with an emphasis on full commitment from Dorset Police and BCP Council, including co-located staff, joint briefings and open communication using Airwave radio.
7. In Poole, the same mix of enforcement and support has been carefully adopted alongside the use of Injunctions and Community Protection Notices. In addition, a Public Spaces Protection Order (PSPO) was introduced by the former Borough of Poole Council in April 2018, in an attempt to address street-based ASB in the town centre and Holes Bay area. This PSPO restricted the following:
 - a. Drinking alcohol in public, whilst behaving in an anti-social manner
 - b. Begging
 - c. Sitting or loitering in a public place with a receptacle used to contain monies from the public
 - d. Leaving unattended personal belongings such as bedding or bags
 - e. Causing an obstruction in shop doorways, or car park or public area such as hallways, stair wells etc
 - f. Possession, supply or use of intoxicating substances
 - g. Behaviour which causes harassment, alarm or distress.
8. Individuals behaving in such a manner can be asked to leave the designated area for up to 48 hours. Failure to do so, may result in a fine or Fixed Penalty Notice.
9. The measures in the PSPO were adopted following careful consideration by the legacy council and with the aim to prevent and tackle any identified and reported issues. They do not target any specific group but the behaviours that impacts negatively upon others. Any enforcement of the PSPO is allied to support, particularly regarding the street community and vulnerable people. In real terms the application of the PSPO has been limited with the emphasis to the approach being concentrated on the other measures.
10. Subsequently in response to high profile anti-social behaviour incidents relating to Poole Bus Station, in particular, a proposal to introduce CSAS Offices in Poole Town Centre has been agreed, with regular patrols due to start in April 2020
11. In Christchurch the levels of anti-social behaviour are much lower, however there are still issues relating to begging and street drinking. The approach taken is much the same as in Bournemouth; to target those individuals with Injunctions or appropriate legislation, whilst also sign-posting to support agencies.

Review of current approaches to tackling street-based anti-social behaviour

12. The Cabinet Portfolio Holder for Communities, Tourism and Leisure committed at full Council in July 2019, to a review of the approach to tackling street based anti-social behaviour across BCP in order that a harmonised approach is adopted and applied. This review has been undertaken, looking at the evidence of engagement and enforcement activities in the two town centre areas and the levels of reported anti-social behaviour in the areas. National research into tackling begging and street based anti-social behaviour was also assessed.

13. The review has concluded that there is evidence that the Poole PSPO and associated interventions into tackling street-based ASB have had an impact in the area. However, in Bournemouth using patrolling CSAS Officers, there is a much greater engagement with those who are causing anti-social behaviour, which in turn leads to larger numbers being referred into support services. Ultimately it is through addressing the underlying causes of the anti-social behaviour, such as addiction, that we will see change.
14. It is clear that with the introduction of CSAS Officers in the Poole Town Centre, there is an opportunity to harmonise our approaches to tackling street-based ASB and have a bigger impact on this issue.
15. The proposals being made continue to ensure that the balanced approach remains and that the benefit of collaborative partnership working to tackle these complex issues, is maximised.

Proposals to implement a harmonised approach to tackling street-based anti-social behaviour

16. With the imminent introduction of CSAS officers in Poole town centre there is an opportunity to harmonise the policies and procedures for tackling street-based ASB.
17. It is proposed that the approach adopted focuses on targeting individuals who cause the most problems, using CSAS Officers to gather evidence that can be dealt with swiftly by the ASB Team, through formal action such as ASB Injunctions or Community Protection Notices where necessary.
18. CSAS Officers will also make appropriate referrals into support agencies for homelessness, mental health outreach and addiction support and conduct joint visits to engage those seen regularly in the town centres.
19. The uniformed presence both deters behaviours and allows officers to collate evidence for formal anti-social behaviour actions. Officers are also able to issue formal anti-social behaviour warnings where behaviour is persistent and detrimental. The approach of being assertive, persistent and consistent in challenging behaviours, whilst supporting individuals is seen as key to the progress being made.
20. In addition, the Homelessness Reduction Board for BCP has recently established the Reducing Begging & Street ASB Action Group which will oversee work to tackle these issues in a more co-ordinated way. An improved tactical response to street ASB will be based upon a balance of enforcement and support, early intervention, more co-ordinated resources and a plan of communication and engagement.
21. The Group, which includes Police, voluntary and business sector partners, are looking into implementing a more integrated enforcement and intervention strategy for dealing with individuals who are persistently begging. The Group is also looking at the introduction of contactless giving, as a means of the public donating to homelessness charities.

22. As part of the establishment of the BCP Community Safety Partnership a new Partnership Co-ordinating Group has been formed. This is the operational multi-agency arm of the Community Safety Partnership, which co-ordinates activities against repeat victims, offenders and locations. It is overseeing the work around Poole Bus Station, West Hill and the Lower Gardens in Bournemouth.
23. There is also an initial discussion taking place with the Police & Crime Commissioner and other current and potential CSAS funders to develop a wider CSAS strategy for BCP in order that the partnership approach to CSAS can be maximised to achieve its full potential. This includes consideration of broadening the key partner cohort, ensuring that funding is sustainable, resources are sufficient and workforce planning is addressed to ensure the positive recruitment and retention of staff in these challenging roles.
24. It should be noted that there is an option for additional CSAS schemes to be applied within BCP, where evidence to justify them exists. The need for additional schemes will therefore be kept under review and considered as required. At present, the focus remains on the three schemes currently in place and ensuring that these are as effective as possible.
25. It is further proposed that consultation is authorised so that the Public Spaces Protection Order in Poole Town Centre can be varied to remove a number of the restrictions, which would no longer be needed with the introduction of the CSAS scheme. It is proposed that specifically, consultation is undertaken with a view to removing clauses b) to e), but that clauses a), f) & g) would remain in force.
26. The consultation will last 28 days and will entail a mix of online engagement and direct contact with ward Councillors, local residents, businesses and other stakeholders in the area currently covered by the Poole PSPO.

Summary of financial implications

27. There is a net nil impact on the budget as a result of the introduction of CSAS Officers in Poole as the costs are being jointly funded by BCP Council, Poole BID, the Office of the Police and Crime Commissioner, More Buses and the Dolphin Centre.

CSAS Scheme	CSAS Officer Resource	Cost	Funding
Poole Town Centre	3 FTE's – recruitment in progress	£34,574 Salary plus on-cost Uniform/Equip £500 Total £105,000	£25,000 PCC £68,000 Poole BID/ Dolphin Centre £14,000 More Bus

28. The current funding position for the Bournemouth & Boscombe CSAS scheme is:

CSAS Scheme	CSAS Officer Resource	Cost	Funding
Boscombe Precinct	2 FTE in post	£70,000	£20,000 Dorset Police & PCC £20,000 Coastal BID £30,000 base budget
Bournemouth Town Centre	2 FTE in post 1 additional FTE being recruited following approval of Fixed Penalty Notice pilot	£105,000	£70,000 base budget £35,000 income expectation from FPN pilot

Summary of legal implications

29. The Anti-social Behaviour, Crime and Policing Act 2014 introduced Public Spaces Protection Orders (PSPOs) to tackle a wide range of anti-social behaviour issues. The Act gives councils the authority to draft and implement PSPOs in response to the particular issues affecting their communities, provided certain criteria and legal tests are met. Under the legislation, PSPOs need to be reviewed every three years, meaning the Poole Town Centre Order would need to be reviewed before April 2021 in any occasion.
30. Before introducing, extending, varying or discharging a PSPO, local authorities are obliged to consult with the local chief officer of police; the Police and Crime Commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives.
31. The Council has been challenged by way of Judicial Review in respect of a number of the conditions set out in the Public Spaces Protection Order. Whilst the Council is able to respond to this challenge, a stay in proceedings has been agreed with the Applicant in order to avoid wasting public money and Court time should there be a change in approach taken which would negate the purpose of the challenge in any event.
32. CSAS schemes can only be established where there is an evidence base to support their need and this needs to be agreed with the Chief Constable. Any further

development of CSAS across BCP will need to be an evidence based response to need.

Summary of human resources implications

33. There are no human resources implications

Summary of sustainability impact

34. The CSAS Officers in Bournemouth Town centre are soon to be piloting a litter enforcement role, with an additional Officer being recruited. If successful, this will have environmental benefits which could be extended to other areas of BCP.

Summary of public health implications

35. What is clear from national research and local engagement is that those who cause street-based antisocial behaviour or beg are some of our most vulnerable individuals. They often have a range of complex needs and experience severe and multiple deprivation. Through better engagement and support into existing services, this proposal aims to help tackle these complex needs.

Summary of equality implications

36. Those engaged in street-based anti-social behaviour often have multiple and complex needs, such as addiction and mental health issues. Their vulnerability needs to be addressed in any programme aimed at tackling the wider harm that may be caused to the community through begging, street drinking or associated ASB. Having patrolling Officers who are able to engage and signpost to support organisations is a more effective mechanism to achieving real change. Enforcement action will only be taken where it is appropriate and proportionate to the behaviour causing harm. These proposals apply to adults only, as different approaches would be taken for working with children and young people.

Summary of risk assessment

37. The implementation of the CSAS scheme in Poole will entail a rigorous risk assessment aimed at keeping staff safe and ensuring that any risks are mitigated.

Background papers

None

Appendices

There are no appendices to this report.