

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 11 July 2016

Portfolio:	Public Protection
Subject:	Protecting Fareham's Town Centre from Anti-Social Behaviour
Report of:	Director of Planning and Regulation
Strategy/Policy:	Community Safety Strategy
Corporate Objective:	A Safe and Healthy Place to Live and Work

Purpose:

Develop a plan to manage anti-social behaviour in Fareham Town Centre including consideration of the powers available to the Council under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 which allows local authorities to make a Public Spaces Protection Order.

Executive summary:

Fareham Town Centre is experiencing an increase in begging, street drinking, taking of drugs and rough sleeping which is having a detrimental effect on the quality of life of those who live, work and visit Fareham.

Therefore this report seeks members' approval to develop a range of solutions to tackle the effects of this type of behaviour.

Approval is also sought for the commencement of a public consultation to establish if the introduction of a Public Spaces Protection Order would be appropriate.

Recommendation:

That the Executive :

- (a) considers the evidence within this report;
- (b) approves the introduction of a range of control measures; and
- (c) approves the commencement of a consultation process to ascertain public views in making a Public Spaces Protection Order.

Reason:

Begging, Street drinking, taking of drugs and rough sleeping are becoming increasingly prevalent in Fareham Town Centre and having a detrimental impact on the quality of life for those who live, work in and visit Fareham.

Cost of proposals:

- Costs of public consultation
- Costs associated if Order is confirmed in the future – erecting signs

Appendices:**A:** Map**B:** Proposed consultation questions**Background papers:** File of Correspondence

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Executive Briefing Paper

Date:	11 July 2016
Subject:	Public Spaces Protection Order
Briefing by:	Community Safety Manager
Portfolio:	Public Protection

BACKGROUND

1. Fareham is a safe place to live, work and visit. Crime rates in the town centre and borough are low. Begging, street drinking, taking of drugs and rough sleeping are becoming increasingly prevalent in Fareham Town Centre and are having a detrimental impact on the quality of life for residents, businesses and visitors.
2. The Council and Police have received complaints from members of the public, local residents and local business about begging, street drinking, taking of drugs and rough sleeping. Repeat locations are plotted on the attached map annexed hereto and marked Appendix A.
3. Begging, street drinking and rough sleeping are having a detrimental effect on quality of life in certain localities which include Westbury Museum and gardens, Trinity Church and gardens, Memorial Gardens, Bath Lane Recreation Ground, the Post Office, bank lobbies, shop doorways, the Sensory Gardens, the Gillies wooded area and Public toilets and car parks. All of these locations are situated around the Town Centre and have a high number of residents visiting on a daily basis. Information provided by residents and businesses include comments like;-
 - I felt intimidated entering the bank lobby as there was a man crouched in the corner in his sleeping bag drinking alcohol
 - My children were scared of a group of rough sleepers that were shouting at one another and swearing on the bench in front of Westbury Museum
 - We walked past the front of a Post Office and could see vomit, human excrement and piles of used syringes on the floor and the air smelt of urine. The area was like a bedroom with sleeping bags and clothing everywhere
 - The rough sleepers urinated on the shutters of my business and smashed the window of the neighbouring building

- Rough sleepers have been sleeping in the car park and we feel intimidated walking past them first thing in the morning, especially when we can see blood filled used syringes next to them
 - From our windows we have witnessed people naked from the waist down having sex, using drugs and drinking. Their language is appalling and they are noisy and fight into the early hours. We are scared to use our allocated panic alarms, fearing they will hear them and know who has contacted the authorities
 - I feel like moving from my address as everyone tries to deal with the problem can go home at night, but we cannot. We live with this issue 24/7.
4. Congregation of people drinking and using drugs is intimidating enough but associated issue like swearing, defecating, urinating and vomiting add to the fear of residents. Local businesses see beggars and rough sleeper retaliate when they are asked to move on. An added public health risk is used blood stained syringes being left in public places.
 5. The Council work in partnership with Police, Probation, Integrated Offender Management, Community Rehabilitation Company, local substance misuse support groups, including Inclusion, and voluntary sector organisations to deliver Fareham Community Safety Partnership's priorities to reduce anti-social behaviour and reduce crimes associated with drugs and alcohol within the Borough.
 6. Many, though not all, of those engaged in begging and street drinking are without their own settled home. The Council works in partnership with Two Saints to support people who are homeless or threatened with homelessness. Two Saints manage a local direct access hostel and other supported housing schemes which provides accommodation and support for homeless individuals. Two Saints also employ a specialist Outreach Worker to engage with those sleeping rough. Two Saints offer help and support with a range of issues such as:
 - Sorting out finances and budgeting support
 - Accessing medical services such as GP's, dentist and substance misuse teams
 - Developing literacy, numeracy and educational skills and job hunting
 - Developing life skills such as cooking, cleaning, tenancy sustainment
 7. This support, advice and assistance is available to all those who are homeless and who want help to address their needs.
 8. Once an individual is ready to live independently in their own home the Council works with Two Saints to assist with a move-on plan. The Council assists with financial support to help access to private rented accommodation and if appropriate assists with the provision of social housing.

PRACTICAL MEASURES

9. There are a number of proposed measures to ensure that all aspects of anti-social behaviour are tackled. These include;-

- reviewing the security of Council property
- designing out crime in public places, so sleeping and congregating are made less appealing
- working with local businesses to identify hot spots and provide crime prevention advice in partnership
- reviewing effectiveness of local supported housing provision
- continuing to clear up litter including drug paraphernalia
- clearing discarded effects from public places which are persistently left and cause a detrimental and continuing effect to the quality of life to members of the community
- having a robust approach to enforcement

10. In addition to the above, we will continue to work closely with other organisations and agencies to ensure vulnerable people have access to services that may help address their needs.

PUBLIC SPACES PROTECTION ORDER

11. The Anti-Social Behaviour, Crime and Policing Act 2014 introduced new powers to tackle anti-social behaviour. The Act allows the local authority to make a Public Spaces Protection Order (PSPO) if it is satisfied that;

(a) Activities carried on in a public place have had or will have a detrimental effect on the quality of life of those in the locality, and

(b) The activities are persistent or continuing and are unreasonable, and

(c) The restrictions imposed by the order are justifiable.

12. PSPOs provide Police and other authorised officers with additional powers to tackle anti-social behaviour. In addition to directing individuals not to engage in an activity which is prohibited by the Order, an officer can issue a fixed penalty notice (up to £100) to anyone who fails to comply with the requirements of the Order, including requesting surrender of any alcohol they may have on their person. Authorised Officers and Police will have powers to issue penalty notices and they will work in partnership to ensure this enforcement authority is delivered effectively. Failure to comply with the requirements of a PSPO is an offence which can result in a fine of £1000 on conviction.

13. The first step of the process in applying for a PSPO will be a period of public consultation. The Council must listen to the views of residents, businesses, the Chief Officer of Police and the Police and Crime Commissioner for Hampshire and the Isle of Wight.

14. Previous legislation enabled drinking in public places within the Borough of Fareham to be controlled by a Designated Public Places Order which will expire in 2017. The Vagrancy Act makes begging an offence however does not provide an effective deterrent to those who engage in this activity.

15. Southampton City Council has recently been successful in obtaining a PSPO and Fareham has seen an increase in numbers of rough sleepers from neighbouring cities.

CONCLUSION

16. The measures detailed above are considered proportionate to control the anti-social behaviour which is currently occurring throughout Fareham Town Centre. Should these measures be approved, their effectiveness will be monitored to include measuring any potential dispersal to other Wards.

Enquiries:

For further information on this report please contact Narinder Bains (Ext 4496).