



CITY OF
Lincoln
COUNCIL

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TO ALL EXECUTIVE MEMBERS

Democratic Services are dealing with this matter

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Date:

EXECUTIVE - MONDAY, 26 FEBRUARY 2018

Dear Councillor,

Further to the previously issued agenda for the Executive meeting of Monday, 26 February 2018, please find attached the following additional papers.

17. Proposals for the Review of the Existing Public Spaces Protection Order
(Pages 3 - 6) – Minute from Policy Scrutiny Committee

If you require any further information please feel free to contact me using the information provided above.

Yours faithfully,

Democratic Services Officer

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Present:	Councillors Councillor Jackie Kirk (<i>in the Chair</i>), Jane Loffhagen, Liz Maxwell, Ralph Toofany and Pat Vaughan
Apologies for Absence:	Councillor Andy Kerry and Councillor Keith Weaver
Also in Attendance:	Inspector Patrick Coates and Inspector Steve Williams

42. Declarations of Interest

No declarations of interest were received.

43. Proposals for the Review of Existing Public Space Protection Order

Francesca Bell, Public Protection, Anti-Social Behaviour and Licensing Service Manager

- a. presented the proposals to review the existing Public Space Protection Order (PSPO) in the City Centre area of Lincoln.
- b. referred to paragraph 2 of the report and gave an overview of the background to the PSPO advising that it was a requirement to review the PSPO after 3 years.
- c. advised that the purpose of the review was to consider the following points:
 - Should the requirement not to consume alcohol remain as part of the PSPO.
 - Should the requirement not to ingest, inhale, smoke or otherwise use intoxicating substances remain as part of the PSPO.
 - Were there any other issues that could be considered for inconclusion in the PSPO?
 - Was the area designated by the PSPO still appropriate?
- d. referred to paragraph 5 of the report and gave an overview of the public and partner consultation advising that seven responses had been received and all responses called for the existing PSPO to remain in place.
- e. referred to paragraph 6 of the report which detailed the evidence of the enforcement of the PSPO since 2015 and highlighted the number of issues relating to alcohol and legal highs.
- f. advised that whilst there had been an increase in the reporting of begging and vagrancy it was felt that it should not be included in the PSPO for the following reasons:
 - The Council and its partners had a well mapped enforcement plan in place already.
 - Begging was already a criminal offence and could be dealt with more appropriately in that way.

- Any inclusion in a PSPO could send a message that begging outside of that area was acceptable.
 - All local authorities across the UK that had gone down this route had faced enormous public backlash in respect of human rights.
- g. referred to appendix 3 of the report and advised that following consultation with partners it was felt that the geographical area of the map should remain the same, however, the map had been amended slightly to reflect the new road layout at the bus station and also to make the boundary clearer and more easily defined.
- h. advised that members would need to be satisfied that the legal conditions set out in paragraph 9 of the report had been met.
- i. referred to paragraph 12 of the report and explained the penalties for breaching the order and powers available to officers to deal with those identified as persistently breaching the order.
- j. referred to paragraph 15 of the report and outlined the options explored and the key risks associated with the preferred approach.
- k. invited members questions and comments

Question – What work had been done to tackle begging?

Response from Lincolnshire Police – There had been a multi-agency approach to tackle begging, in the longer term the aim was to enforce begging but also to provide support to help with wider issues.

Question – Had the multi-agency approach been successful?

Response – It was a relatively new approach and had been difficult to measure as the number of issues naturally reduced over the winter months and increased during the summer. It was hoped that over the coming months it would be easier to measure how the approach had helped individuals.

Question – Should the area of the PSPO be reduced as suggested in the report?

Response from Lincolnshire Police – The suggestion to reduce the area was made by a Police Analyst who had made the recommendation based on the figures, however, the Police did not want to reduce the area as they had the resources to enforce the area.

Question – Could Cannon Street be included in the PSPO area?

Response from Lincolnshire Police – It would be difficult to enforce that area as there were less police resources and CCTV coverage away from the City Centre.

Comment – Pleased to see that a holistic approach was being taken and that begging was not included in the PSPO.

Response – Enforcement has an important role but there also needed to be a balance to encourage people to address the root of the problem.

Question – Had the use of NPS declined over the last 3 years?

Response from Lincolnshire Police – The general usage of NPS had reduced, however, it was still a significant issue in a certain community. The PSPO has made a big difference to the City and the usage of NPS was not as widespread.

Question – Could a softer approach be used to tackle these issues, for example to keep moving people on?

Response from Lincolnshire Police – A dispersal order could be used and was a useful tool in certain situations, however, a lot of complaints were received from the public when it was used in this way. A multi-agency holistic approach was the best way to tackle these issues. The PSPO sent a clear message that the

behaviour was not acceptable and that it was not penalising the homeless and rough sleepers.

Question – Had any Criminal Behaviour Orders been used?

Response from Lincolnshire Police – There were a number of actions that could be taken for people who persistently breached the PSPO these included Community Protection Orders and Criminal Behaviour Orders. Positive conditions could be added to the orders for example that the individual must engage with the appropriate agency.

RESOLVED that the comments on the proposal to renew the PSPO in its current form be referred to Executive for consideration.

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