

POLICY SCRUTINY COMMITTEE

Tuesday, 17 March 2020

6.00 pm

Committee Room 1, City Hall

Membership: Councillors Bill Bilton (Chair), Laura McWilliams (Vice-Chair), Alan Briggs, Jane Loffhagen, Hilton Spratt, Ralph Toofany and Pat Vaughan

Substitute member(s): Councillors Kathleen Brothwell and Gary Hewson

Officers attending: Democratic Services, Legal Services, Kate Bell, Francesca Bell and Melanie Holland

A G E N D A

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1. Confirmation of Minutes - 10 February 2020	3 - 8
2. Declarations of Interest	
Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
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Present: Councillor Bill Bilton (*in the Chair*),
Councillor Laura McWilliams, Councillor Alan Briggs,
Councillor Jane Loffhagen, Councillor Hilton Spratt and
Councillor Pat Vaughan

Apologies for Absence: Councillor Ralph Toofany

66. Confirmation of Minutes - 14 January 2020

RESOLVED that the minutes of the meeting held on 14 January 2020 be confirmed.

67. Declarations of Interest

No declarations of interest were received.

68. Vision 2025

Angela Andrews, Chief Executive and Town Clerk:

- a) presented the proposed Vision 2025 document which detailed where the Council would focus its resources between now and 2025.
- b) explained that the Vision 2025 strategic plan outlined the direction for the City of Lincoln Council for the period 2020-2025, forming phase two of the council's wider vision for the city to be delivered by 2030.
- c) advised that Vision 2025 had been developed by working with staff, residents, businesses, elected members and key partners across the city.
- d) referred to the four existing priorities outlined at paragraph 4.1 of the report and advised that in addition and as a result of evidence presented and opinions collected a new priority had been introduced:
 - Let's address the challenge of climate change
- e) advised that the five strategic priorities would be supported in Vision 2025 by a programme called One Council which would replace Professional High Performing Services.
- f) discussed the outcome of the considerable consultation undertaken between October 2019 and January 2020 in developing the Vision 2025.
- g) invited members' questions and comments.

Question: If climate change and inequality were both implicit in everything that the Council did why was it necessary to have them as separate priorities?

Response: Separate priorities would accelerate the work that would be done and would provide an opportunity to focus resources in those areas. Also having them as priorities demonstrated the importance of these areas to the Council and its political leadership.

Comment: Climate change and inequality was important there would be concerns if these were not included in the priorities.

Response: They were key areas for the Council and important to the city.

Comment: There had been a drop in life expectancy in some areas of the City, inequality was a big issue and still needed to be addressed.

Response: There was life expectancy inequality in certain areas of the city. We would be working together with partners to improve this.

RESOLVED that the Vision 2025 Strategic Plan be noted and referred to Executive.

69. Allocations Policy

Yvonne Fox, Assistant Director – Housing Management:

- a. presented the proposed new Allocations Policy for comments prior to referral to Executive.
- b. advised that following an interim review of the Allocations Policy in 2017 in preparation for the introduction of the Homelessness Reduction Act 2018, a full review of the policy was carried out as part of the review of the Allocations and Homelessness Teams.
- c. explained that in addition, consideration had been given to advice and guidance provided by the MHCLG (Ministry of Housing, Communities & Local Government) Specialist Homelessness Advisor; the Codes of Guidance; Case Law and the provisions of the Localism Act 2011.
- d. advised that the proposed policy would ensure that the City would operate a policy that fully complied with legislative requirements whilst ensuring that the Council best used all of the social and affordable housing in the City. The Council would ensure that those in most need were secured accommodation swiftly whilst also recognising that people who lived and worked in the City should be prioritised for housing.
- e. gave the background to the report as detailed at paragraph 3 of the report.
- f. referred to paragraph 4.2 of the report and highlighted the proposed change to introduce a residency qualification to the waiting list and explained that this would prioritise residents with a connection to Lincoln and would reduce homelessness and rough sleeping in the City.
- g. advised that North Kesteven District Council didn't want to introduce the same residency qualification, however, the City of Lincoln Council and North Kesteven District Council would continue to work in partnership as Lincs Homefinder.
- h. highlighted the proposed changes to the policy and changes to procedures as detailed at paragraph 4.4 and 4.5 of the report.
- i. advised that consultation on the policy would take place between 24th January 2020 and 24th February 2020.
- j. invited members questions and comments.

Question: Would this Policy be joint with West Lindsey District Council as well as North Kesteven District Council?

Response: No, West Lindsey District Council separated from the partnership in 2018.

Comment: The Tenancy Agreement needed to be explained to tenants to ensure that they understood their responsibilities.

Response: A simplified summary of the Tenancy Agreement had been introduced and tenants were asked to accept that they understood it when they signed up for a tenancy.

Question: Asked for clarification on how the Council worked with other agencies such as Women's Refuge to house vulnerable people?

Response: The Council worked very closely with Women's Refuge. The process was that applicants would be directly matched to a property rather than bidding for a property.

Question: Asked for clarification on the residency qualification?

Response: In law homelessness could override the residency qualification. The residency qualification would apply to everyone else that the Council did not have a statutory duty to house. Exceptional circumstances would be considered to go onto the waiting list.

Question: Were there still any groups of people that would not be able to go on the waiting list?

Response: It would be those people who wanted to live in the City but did not have a connection to the City. They could still move to Lincoln via a Mutual Exchange.

The committee discussed an individual case of a vulnerable person which was referred to Housing Appeals Panel and asked for the procedures of how cases were dealt with prior to consideration by Housing Appeals Panel.

The Assistant Director of Housing Management advised that the Housing Appeals Panel was the last resort following preventative measures being put in place prior to referral to Housing Appeals Panel. She explained the new eviction procedure which had been put in place to ensure that the Council had worked with the tenant and done everything possible to sustain their tenancy before eviction was considered.

She suggested that following this meeting she would look into this particular case to see where lessons could be learned for future.

Members requested that a report be brought to the next Policy Scrutiny Committee on the procedures that were in place prior to a tenancy being referred to Housing Appeals Panel.

RESOLVED that the report be noted and referred to Executive for approval.

70. Motion to Reduce and Regulate the use of Firework with City of Lincoln Council

Francesca Bell, Public Protection, ASB and Licensing Service Manager

- a. presented the RSPCA draft Motion on fireworks for local authorities and advised that it had been adopted at Council on 21 January 2020.
- b. advised that the purpose of the report was to outline how the motion could be implemented and enforced.

- c. gave the background to the motion as detailed at paragraph 2 of the report and advised on the impact of fireworks on animals and vulnerable people.
- d. referred to paragraph 3.2 of the report and highlighted the four requirements that the RSPCA were asking local authorities to adopt.
- e. suggested that the following actions be implemented to address the requirements of the motion:
 1. Fireworks events be registered on the Council website for the public to view. Requesting that a minimum of 14 days' notice be given to the Local authority.
 2. Those planning displays should ensure compliance with the relevant guide either The Blue Firework Guide or The Red Firework Guide.
 3. Premises licences had conditions around fireworks displays, where premises licences did not have this condition it could be added as and when the licences were varied or refreshed.
 4. Initial communication could be done around the adoption of the motion and a commitment to support any communications that the RSPCA published.
 5. A letter to central government could be sent in support of introducing a lower noise threshold for fireworks.
 6. A letter could be sent to all major retailers in the district along with any communications strategy that would urge the use of quieter or silent fireworks.
- f. highlighted the procedure for dealing with any reports of unregistered fireworks displays as detailed at Appendix D of the report.
- g. invited members questions and comments

Question: Did this apply only to organised fireworks displays?

Response: No, it would also apply to anyone wishing to set off fireworks from their gardens.

Comment: Supported the motion with regards to public displays but expressed concern that this would not be enforceable for people setting off fireworks from their gardens.

Response: The Council had broad powers to take action to tackle ASB. It would be a staged approach, with the first unregistered fireworks display they would receive a warning, the second time they would receive a legal notice and the third time a fixed penalty notice would be considered. Bonfire night, New Year's Eve and Chinese New Year were exempt and fireworks could be set off until 1am the following day on these occasions.

Comment: Expressed concern that if large reputable companies stopped selling fireworks then they would be sold by unauthorised suppliers.

Response: This would be a matter for Trading Standards. The large retailers were being encouraged to sell quieter or silent fireworks

RESOLVED that the report be noted

71. Modern Slavery, Charter and Statement Review

Francesca Bell, Public Protection, ASB and Licensing Service Manager

- a. presented a report to:
 - i. inform the committee of the councils roles and responsibilities relating to Modern Slavery.
 - ii. update the committee of the revised Modern Slavery Statement.
 - iii. appraise the committee of achievements made in this area and any areas of risk.
 - iv. update the committee on compliance with the Modern Slavery Charter.
- b. referred to paragraph 3 of the report explained the term Modern Slavery and the City Councils role in stopping Modern Slavery.
- c. highlighted the City of Lincoln Council revised Modern Slavery Statement 2020/21 at appendix A of the report.
- d. referred to paragraph 5 of the report and gave an overview of the achievements made in this area and any areas of risk.
- e. referred to the Modern Slavery Charter at Appendix B of the report and advised that the Council proactively vetted its supply chains to ensure that no instances of Modern Slavery were taking place.

RESOLVED that the report be noted and referred to Council for approval.

72. Health Scrutiny Update

The Chair of Policy Scrutiny Committee updated members of the business that had been discussed at the Health Scrutiny meeting held on 22nd January 2020 these were:

- United Lincolnshire Hospitals Trust – Update on Care Quality Commission Inspection.
- Lincolnshire Partnership NHS Foundation Trust: Child and Adolescent Mental Health Services.
- Lincolnshire Partnerships NHS Foundation Trust: Older Adults Mental Health Home Treatment Team.
- Community Pain Management Service.
- NHS Dental Services Overview for Lincolnshire.
- The Burden of Disease in Lincolnshire.

The committee discussed the closure of the walk in centre and suggested that it be referred to Community Leadership Scrutiny Committee for a Post Implementation Review.

RESOLVED that

1. the report be noted.
2. a review of the closure of the Walk-in Centre be referred to Community Leadership Scrutiny Committee for consideration

73. Policy Scrutiny Work Programme 2019-2020 and Executive Work Programme Update

The Democratic Services Officer:

- a. presented the report 'Policy Scrutiny Work Programme 2019-20 and Executive Work Programme Update'.
- b. presented the Executive Work Programme January 2020 – December 2020.
- c. requested councillors to submit what items they wished to scrutinise from the Executive Work Programme and policies of interest.
- d. invited members questions and comments.

Members requested that Parking on Grass Verges be scheduled into the work programme

RESOLVED that the Policy Scrutiny work programme be noted and be updated to include the following reports:

- Parking on Grass Verges
- Procedures prior to referrals to Housing Appeals Panel

SUBJECT:	TEMPORARY ACCOMMODATION STRATEGY
DIRECTORATE:	HOUSING AND INVESTMENT
REPORT AUTHOR:	MELANIE HOLLAND, HOUSING STRATEGY AND INVESTMENT MANAGER

1. Purpose of Report

1.1 The Policy Scrutiny Committee is asked to consider the Council's draft temporary accommodation strategy.

2. Background

2.1 This report sets out the draft temporary accommodation strategy which provides the framework for moving forward to ensure that temporary accommodation is suitable, cost-effective and meets needs.

3. Draft Temporary Accommodation Strategy

3.1 Under housing legislation, the Council has duties to provide interim (or temporary) accommodation to certain households who present as homeless. In the majority of cases, this is when a household presenting as homeless states that they have do not have access to housing and therefore they are placed in temporary accommodation whilst the Council investigates their application.

3.2 The Homelessness Reduction Act 2017 widened the Council's duties and means that applicants under the Relief Duty may also be eligible for interim accommodation if required.

3.3 In addition to households applying to the Council for accommodation under homelessness legislation, other households can require temporary accommodation. This includes people who are rough sleeping, people who require emergency accommodation due to (risk of) fire or flood etc., and Council tenants who are being decanted due to major repairs or remodelling works to their homes which makes it impossible for them to remain in situ.

3.4 Temporary accommodation is an umbrella term and includes housing (both social and private rented), hostels and bed and breakfast accommodation.

3.5 The use of bed and breakfast accommodation as temporary accommodation is not only expensive and subject to public sector procurement rules, but is considered unsuitable as it is not designed for residential use. In addition, it is unlawful for councils to allow homeless families with children or pregnant women stay in bed and breakfast accommodation for more than six weeks. Therefore, the draft temporary accommodation strategy seeks to prevent the use of bed and breakfast accommodation except in emergencies for the minimum period possible.

3.6 The draft temporary accommodation strategy at Appendix I sets out the City of Lincoln Council's proposed vision of **ensuring suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.**

3.7 This vision is delivered by four proposed objectives:

- **Dispersed housing units to meet need**
- **Supported housing to meet need**
- **Emergency accommodation to meet need**
- **Provision of decant accommodation**

3.8 Each objective has priorities for action, which form an action plan.

4. Strategic Priorities

4.1 Let's drive economic growth

The draft temporary accommodation strategy seeks to provide affordable and cost-effective temporary accommodation.

4.2 Let's reduce inequality

The draft temporary accommodation strategy considers special requirements such as disability, pregnancy, age, etc. when providing temporary accommodation.

4.3 Let's deliver quality housing

The draft temporary accommodation strategy seeks to provide suitable and affordable temporary accommodation.

4.4 Let's enhance our remarkable place

The draft temporary accommodation strategy seeks to provide suitable and affordable temporary accommodation, with intensive housing management to ensure homeless households are able to sustainably transition into main stream housing.

4.5 High performing services

The draft temporary accommodation strategy is based on good practice so to ensure that the Council fulfils this element of its statutory homeless function in the most compassionate, effective and efficient way possible.

5. Organisational Impacts

5.1 Finance

The draft temporary accommodation strategy seeks to reduce revenue costs to the Council's General Fund and result in additional HRA capital assets to the Council, with no impact to the HRA income stream. The Council intends to use internal resources to create a post to manage the dispersed units of temporary accommodation. Any specific proposals to increase HRA assets will be subject to individual financial appraisals and Executive approval at such time.

5.2 Legal Implications including Procurement Rules

The Council operates under the provisions of the Housing Act 1996 (“the Act”) Part VII (as amended) in respect of temporary accommodation. Where it decides that a person/household is eligible for assistance, homeless, in priority need and not homeless intentionally, it has a duty to secure suitable accommodation (unless it refers the applicant to another authority under the local connection provisions). The Act, the Homelessness (Suitability of Accommodation) Order 1996 (SI 1996/3204) and the Homelessness Code of Guidance for Local Authorities provide a framework for the suitability of accommodation. In addition, Homelessness (Suitability of Accommodation) (England) Order 2012 governs the private sector. These provisions are taken into account for the provision of temporary accommodation.

It is unlawful for councils to allow homeless families with children or pregnant women to stay in bed and breakfast accommodation for more than six weeks. Therefore, in order to prevent a legal challenge by way of a Judicial Review, it is essential for the Council to provide a range of temporary accommodation provision to meet the needs of those households entitled to it.

In order to be compliant and to mitigate the risk of challenge, all procurement related activity will be undertaken in accordance with the Council’s Contract Procedure Rules and ultimately Public Contract Regulations 2015.

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

A full Equality Impact Assessment has been completed and is at Appendix II.

The draft temporary accommodation strategy seeks to ensure that no persons with protected characteristics are discriminated against. By only using bed and breakfast accommodation in emergencies and providing suitable temporary accommodation with intensive management / support, the draft strategy aims to recognise and meet the needs of persons with protected characteristics, for example, homeless persons with disabilities.

5.4 Human Resources

The draft temporary accommodation strategy places greater emphasis upon an in-house temporary accommodation provision. There may be TUPE implications and the Council is liaising with the current providers to clarify the situation.

5.5 **Land, Property and Accommodation**

The draft temporary accommodation strategy seeks to result in additional HRA capital assets to the Council, with no impact to the HRA income stream.

5.6 **Significant Community Impact**

The draft temporary accommodation strategy seeks to provide suitable temporary accommodation to meet needs, with intensive housing management to ensure homeless households are able to sustainably transition into main stream housing.

5.7 **Corporate Health and Safety implications**

Council staff delivery the temporary accommodation service are subject to appropriate safeguarding training and risk assessment.

6. **Risk Implications**

6.1 (i) Options Explored

Given that the provision of temporary accommodation for homeless households is a statutory function, although the private sector can provide accommodation, the most cost-effective, therefore, preferred option is to provide the service in-house.

6.2 (ii) Key risks associated with the preferred approach

The Council being unable to develop or enable a temporary accommodation scheme for homeless single persons due to lack of opportunities and/or planning policy.

7. **Recommendation**

7.1 The Policy Scrutiny is asked to provide feedback on the draft temporary accommodation strategy prior to its presentation at the Executive on 23 March 2020.

Is this a key decision? Yes/~~No~~

Do the exempt information categories apply? ~~Yes~~/No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? ~~Yes~~/No

How many appendices does the report contain? One

List of Background Papers: None

Lead Officer: Melanie Holland, Housing Strategy and Investment Manager
Telephone (01522) 873641

Temporary Accommodation Strategy 2020-25



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Lincoln
COUNCIL

Together, let's deliver
Lincoln's ambitious future



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Executive summary

Under housing legislation, the Council has duties to provide interim (or temporary) accommodation to certain households who present as homeless.

In addition to households applying to the Council for accommodation under homelessness legislation, other households can require temporary accommodation. This includes people who are rough sleeping, people who require emergency accommodation due to (risk of) fire or flood etc., and Council tenants who are being decanted due to major repairs or remodelling works to their homes.

This strategy sets out the City of Lincoln Council's vision of **ensuring suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.**

This vision is delivered by four objectives:

Dispersed housing units to meet need

The provision of a portfolio of dispersed temporary housing accommodation, furnished to meet need with intensive housing management.

Supported housing to meet need

The provision of supported and specialist temporary housing to meet needs of vulnerable persons, including single homeless persons.

Emergency accommodation to meet need

Ensuring that bed and breakfast is only used in emergencies.

Provision of decant accommodation

All Council improvement, regeneration and redevelopment schemes to include a decant policy ensuring the provision of suitable temporary accommodation.

Introduction

Under the Housing Act 1996, the Council has duties to provide interim (or temporary) accommodation to certain households who present as homeless. In the majority of cases, this is when a household presenting as homeless states that they do not have access to housing and therefore they are placed in temporary accommodation whilst the Council investigates their application.

The Homelessness Reduction Act 2017, which amended the Housing Act 1996, widened the Council's duties and means that applicants under the Relief Duty may also be eligible for interim accommodation if required. Furthermore, an impact of the Act means that the Council is unable to end its Relief Duty before 56 days, even if the household is found to be intentionally homeless.

Often, but not always, homeless households are vulnerable and therefore require intensive management and other support when they are in temporary accommodation.

In addition to households applying to the Council for accommodation under homelessness legislation, other households can require temporary accommodation. This includes people who are rough sleeping, people who require emergency accommodation due to (risk of) fire or flood etc., and Council tenants who are being decanted due to major repairs or remodelling works to their homes.

Temporary accommodation is an umbrella term and includes housing (both social and private rented), hostels and bed and breakfast accommodation.

The use of bed and breakfast accommodation as temporary accommodation is not only expensive and

subject to public sector procurement rules, but is considered unsuitable as it is not designed for residential use.

It is unlawful for councils to allow homeless families with children or pregnant women to stay in bed and breakfast accommodation for more than six weeks.

People often understand the concept of homelessness as when individuals or families are rough sleeping or roofless. The definition of homeless is far wider than this and also considers whether the Council owes a household a statutory duty, with the main or full duty being for the Council to ensure the household has suitable accommodation.

When comparing the incidence of homelessness in Lincoln to the England as a whole it is clear that on a household basis, Lincoln has above average numbers of applications for assistance. This is likely to relate to Lincoln being the county town for wider Lincolnshire. Figure 1 shows data for the first quarter of 2019-20.

Figure 1

	Number of households	Variance from England average
Total households assessed under Housing Act 1996	193	+52%
Threatened with homelessness - prevention duty owed	77	+22%
Homeless - relief duty owed	116	+105%
Single person owed relief duty	85	+119%

Source: MHCLG and ONS

This proportionally high number of applications under the Housing Act not only results in high levels of investigatory

work, but the need to often place households in temporary accommodation whilst this is undertaken.

With respect to rough sleepers, 2018 count estimated that the City had 26 rough sleepers on any one night. This equates to 6.3 per 10,000 households and is a variance of +215% from the England figure of 2.0 per 10,000 households. Again, this is likely to relate to Lincoln being the county town for wider Lincolnshire. The 2019 estimate for Lincoln increased to 27 rough sleepers.

This strategy sets out the City of Lincoln Council's vision of **ensuring suitable, affordable and cost-effective temporary**

accommodation is available to all those entitled to it.

This vision is delivered by four objectives:

- **Dispersed housing units to meet need**
- **Supported housing to meet need**
- **Emergency accommodation to meet need**
- **Provision of decant accommodation**

Each objective has priorities for action, which form an action plan contained at Appendix I.

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Objective 1: Dispersed housing units to meet need

- 1.1 For homeless households who require either floating or very little support to maintain their accommodation, for example, in terms of completing benefit forms, budgeting etc. then the best form of temporary accommodation is the form of a house or flat in the City.

additional support provided to meet needs. In addition, special requirements such as disability, pregnancy, age, etc. will be considered when providing this form of temporary accommodation. The properties are let on license and the rents are set using the Affordable Rent model.
- 1.2 This form of temporary accommodation is let on license. It can be provided furnished or unfurnished according to each household's needs, complete with the level of housing related support / intensive housing management.
- 1.3 Based on historical data, it is estimated that the Council requires a minimum of 20 units of dispersed temporary accommodation to house homeless households.
- 1.4 Therefore, the Council has established an in-house portfolio of 25 temporary properties across the city. The properties are furnished according to the individual household's needs and all households receive intensive housing management, with
- 1.5 Using an in-house portfolio of the stock allows for appropriately sized dwellings to be utilised dependant on household size. It also allows for the potential of homeless households owed the main duty of suitable accommodation to be able to remain in situ.
- 1.6 Moving forward the Council is seeking to work closer with the private rented sector in order for homeless households to be provided with temporary accommodation and then remain in the property on a twelve-month tenancy.

Priorities for action

- Establish a protocol with private landlords

Objective 2: Supported housing to meet need

- 2.1 For more vulnerable homeless households who require higher levels of support, including on-site support, there is a need to provide supported accommodation.
- 2.2 The Council works with partner housing associations to enable vulnerable homeless households, for example, households fleeing violence and people with mental ill health to access specialist supported accommodation on a temporary basis whilst their application is being investigated.
- 2.3 When the Council has a duty to provide interim accommodation to a single homeless person this is usually because they are considered vulnerable. This often means that the person requires more than just a roof over their head, but instead a form of specialist accommodation.
- 2.4 A key priority for the Council is to deliver its own single person temporary accommodation comprising around ten units of accommodation.
- 2.5 Recommended good practice is to provide supported housing comprising of single en suite rooms (as opposed to dormitories) with communal kitchen and living rooms and on-site management and support. In addition, special requirements such as disability, pregnancy, age, etc. will be considered when providing this form of temporary accommodation.
- 2.6 This form of accommodation provides supported temporary accommodation to homeless households – helping occupants to apply for benefits and training, budgeting, learning to cook rather than buying takeaways; socialising; and ensuring homeless persons become re-integrated into society and register with GPs and other services. The accommodation would have strict rules – no alcohol or illegal substances; no overnight visitors; restrictions upon when residents would need to return to their accommodation (subject to agreement and consideration of circumstances); and refusal for inebriated residents.
- 2.7 Although there may be emergency rooms, this form of accommodation would not be direct access. Occupants would be given a license and would follow a pathway for a number of weeks or months. It would not be anticipated that occupants would stay the accommodation for more than six months.

Priorities for action

- Establish formal nomination agreements with housing associations
- Develop a supported housing scheme for single homeless persons, including those at risk of rough sleeping

Objective 3: Emergency accommodation to meet need

- 3.1 There may be exceptional circumstances where homeless households and other households at risk may need to be placed in bed and breakfast accommodation as an emergency measure.
- household will be provided with temporary housing whilst their case is being investigated or their property is made safe / repaired.
- 3.2 Following emergency placement of no more than five nights, the

Priorities for action

- Ensure all bed and breakfasts used for emergency temporary accommodation are subject to twice-yearly inspections

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Objective 4: Provision of decant accommodation

4.1 The Council has an ambitious programme of ensuring all local authority housing, not only meets the Lincoln Homes Standard, but provides sustainable accommodation to meet housing need. Potentially this can involve the need to decant tenants and leaseholders whilst their

accommodation is being improved or remodelled.

4.2 In addition the redevelopment and extension of outmoded and unsustainable housing schemes may result in the need for decanting existing tenants who wish to return to the new development as opposed to being permanently rehoused.

Priorities for action

- Ensure all improvement, regeneration and redevelopment schemes contain a decant policy

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Action Plan 2020-25

	Priority	Year					Outcome	Responsible Officer
		2020-21	2021-22	2022-23	2023-24	2024-25		
1.1	Establish a protocol with private landlords	Protocol established					Discharge of main duty into private rented accommodation	Housing Solutions Manager
2.1	Establish formal nomination agreements with housing associations	Agreements agreed					Vulnerable homeless households placed in suitable supported accommodation	Housing Solutions Manager
2.2	Develop a supported housing scheme for single homeless persons, including those at risk of rough sleeping	Site / dwelling identified	Scheme opened				Vulnerable single person homeless households placed in suitable supported accommodation	Housing Strategy and Investment Manager
3.1	Ensure all bed and breakfasts used for emergency temporary accommodation are subject to twice-yearly inspections	Inspections undertaken	Inspections undertaken	Inspections undertaken	Inspections undertaken	Inspections undertaken	All bed and breakfast accommodation potentially used for temporary accommodation is free from disrepair and category 1 hazards.	Housing Solutions Manager
4.1	Ensure all improvement, regeneration and redevelopment schemes contain a decant policy						Tenants are provided with a managed transition whilst their home is being improved or remodelled.	Housing Strategy and Investment Manager

Equality with Human Rights Analysis Toolkit

The Equality Act 2010 and Human Rights Act 1998 require us to consider the impact of our policies and practices in respect of equality and human rights.

We should consider potential impact before any decisions are made or policies or practices are implemented. This analysis toolkit provides the template to ensure you consider all aspects and have a written record that you have done this.

If you need any guidance or assistance completing your Equality and Human Rights Analysis contact:
Heather Grover, Principal Policy Officer on (87)3326; email: heather.grover@lincoln.gov.uk. Alternatively contact Legal Services on (87)3840

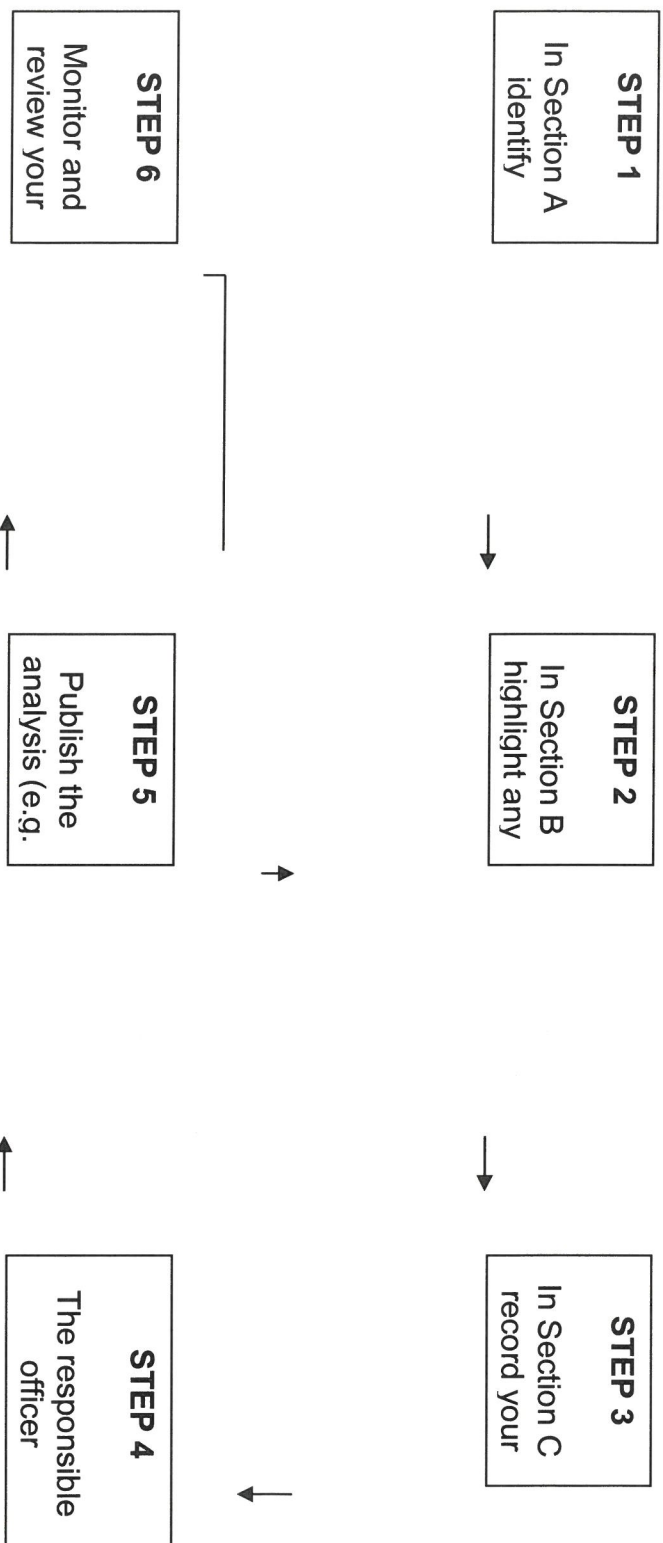
A diagram of the process you should follow is on page 2, and glossary and guidance to help you complete the toolkit can be found on pages 6-9.

Even after your policy, project or service has been implemented, it is recommended that analysis is undertaken every three years, and that this analysis is updated at any significant points in between. The purpose of any update is that the actual effects will only be known after the implementation of your policy, project or service. Additionally, area demographics could change, leading to different needs, alternative provision can become available, or new options to reduce an adverse effect could become apparent.

Useful questions to consider when completing this toolkit

1. What is the current situation?
2. What are the drivers for change?
3. What difference will the proposal make?
4. What are the assumptions about the benefits?
5. How are you testing your assumptions about the benefits?
6. What are the assumptions about any adverse impacts?
7. How are you testing your assumptions about adverse impacts?
8. Who are the stakeholders and how will they be affected?
9. How are you assessing the risks and minimising the adverse impacts?
10. What changes will the Council need to make as a result of introducing this policy / project / service / change?
11. How will you undertake evaluation once the changes have been implemented?

STEP BY STEP GUIDE TO EQUALITY ANALYSIS



*** Evidence could include information from consultations.**

SECTION A

Name of policy / project / service	Temporary Accommodation Strategy
Background and aims of policy / project / service at outset	Sets out Council's approach to the use of temporary accommodation.
Person(s) responsible for policy or decision, or advising on decision, and also responsible for equality analysis	Paula Burton / Melanie Holland
Key people involved <i>i.e.</i> decision-makers, staff implementing it	Legal, Procurement, Housing Solutions

SECTION B

This is to be completed and reviewed as policy / project / service development progresses

	Is the likely effect positive or negative? (please tick all that apply)			Please describe the effect and evidence that supports this and if appropriate who you have consulted with*	Is action possible to mitigate adverse impacts?	Details of action planned including dates, or why action is not possible
	Positive	Negative	None			
Age			✓	The strategy includes consideration of protected characteristics as part of seeking to ensure suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.	Yes/Ne/NA	
Disability including carers (see Glossary)	✓			The strategy includes consideration of protected characteristics as part of seeking to ensure suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.	Yes/Ne/NA	
Gender re-assignment	✓			The strategy includes consideration of protected characteristics as part of seeking to ensure suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.	Yes/Ne/NA	
Pregnancy and maternity	✓			The strategy includes consideration of protected characteristics as part of seeking to ensure suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.	Yes/Ne/NA	
Race	✓			The strategy includes consideration of protected characteristics as part of seeking to ensure suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.	Yes/Ne/NA	
Religion or belief	✓			The strategy includes consideration of protected characteristics as part of seeking to ensure suitable, affordable and cost-effective	Yes/Ne/NA	

Sex	✓			temporary accommodation is available to all those entitled to it.	Yes/No/NA	
Sexual orientation	✓			The strategy includes consideration of protected characteristics as part of seeking to ensure suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.	Yes/No/NA	
Marriage/civil partnership	✓			The strategy includes consideration of protected characteristics as part of seeking to ensure suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.	Yes/No/NA	
Human Rights (see page 8)	✓			The strategy includes consideration of protected characteristics as part of seeking to ensure suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.	Yes/No/NA	

**Evidence could include information from consultations; voluntary group feedback; satisfaction and usage data (i.e. complaints, surveys, and service data); and reviews of previous strategies*

Did any information gaps exist?	Information	Y/N/NA	If so what were they and what will you do to fill these?

SECTION C

Decision Point - Outcome of Assessment so far:

Based on the information in section B, what is the decision of the responsible officer (please select one option below):

Tick here

- No equality or human right Impact (your analysis shows there is no impact) - sign assessment below

[]

- **No major change required** (your analysis shows no potential for unlawful discrimination, harassment)- sign assessment below
- **Adverse Impact but continue** (record objective justification for continuing despite the impact)-complete sections below
- **Adjust the policy** (Change the proposal to mitigate potential effect) -progress below only AFTER changes made
- **Put Policy on hold** (seek advice from the Policy Unit as adverse effects can't be justified or mitigated) -STOP progress

Conclusion of Equality Analysis
 (describe objective justification for continuing)
 The temporary accommodation strategy includes consideration of protected characteristics as part of seeking to ensure suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it. The thrust of the strategy is the provision of a dispersed accommodation and a temporary accommodation scheme for single homeless persons, thus ensuring bed and breakfast provision is only used in emergencies.

When and how will you review and measure the impact after implementation?*
 On an annual basis.

Checked and approved by responsible officer(s) (Sign and Print Name)	<i>M Holland</i> MEANIE HOLLAND	Date	3-3-20
Checked and approved by Assistant Director (Sign and Print Name)	<i>Carrie Ann</i>	Date	3-3-20

When completed, please send to policy@lincoln.gov.uk and include in Committee Reports which are to be sent to the relevant officer in Democratic Services
 The Equality and Human Rights Commission guidance to the Public Sector Equality Duty is available via: www.equalityhumanrights.com/new-public-sector-equality-duty-guidance/

City of Lincoln Council Equality and Human Rights Analysis Toolkit: Glossary of Terms

Adult at Risk - an adult at risk is a person aged 18 years or over who is or may be in need of community care services by reason of mental health, age or illness, and who is or may be unable to take care of themselves, or protect themselves against significant harm or exploitation.

Adverse Impact. Identified where the Council's operations has a less favourable effect on one or more groups covered by the Equality Act 2010 than it has on other groups (or a section of a group)

Carer - see also **disability by association**. A carer is a person who is unpaid and looks after or supports someone else who needs help with their

day-to-day life, because of their age, long-term illness, disability, mental health problems, substance misuse

Disability by association. Non disabled people are also protected from discrimination by association to a disabled person. This might be a friend, partner, colleague or relative. This is applies to carers who have a caring responsibility to a disabled person.

Differential Impact. Identified where a policy or practice affects a given group or groups in a different way to other groups. Unlike adverse impact, differential impact can be positive or negative.

Disability. It is defined under the Equality Act 2010 as 'having a physical or mental impairment which has a substantial and adverse long term effect on a person's ability to carry out normal day to day activities.'

Physical impairment is a condition affecting the body, perhaps through sight or hearing loss, a mobility difficulty or a health condition.

Mental impairment is a condition affecting 'mental functioning', for example a learning disability or mental health condition such as manic depression

Diversity. Diversity is about respecting and valuing the differences between people. It is also recognising and understanding the mix of people and communities who use services and their different needs.

Discrimination. Discrimination has been defined as 'the unequal treatment of individuals or groups based on less because of a protected characteristic – see protected characteristic. This includes discrimination by association, perception, direct and indirect discrimination.

Example of discrimination: An employer does not offer a training opportunity to an older member of staff because they assume that they would not be interested, and the opportunity is given to a younger worker

Equality. The right of different groups of people to have a similar social position and receive the same treatment:

Equality Analysis. This is a detailed and systematic analysis of how a policy, practice, procedure or service potentially or actually has differential impact on people of different Protected Characteristics

Equality Objectives. There are specific strategic objectives in the area of equalities and should set out what services are seeking to achieve in each area of service in terms of Equality.

Equality of Opportunity. Equality of opportunity or equality opportunities may be defined as ensuring that everyone is entitled to freedom from discrimination. There are two main types of equality encompassed in equal opportunities:

1. Equality of treatment is concerned with treating everyone the same. Thus, in an organisational context it recognises that institutional discrimination may exist in the form of unfair procedures and practices that favour those with some personal attributes, over others without them. The task of equal opportunities is therefore concerned with the elimination of these barriers.

2. Equality of outcome focuses on policies that either have an equal impact on different groups or intend the same outcomes for different groups.

Evidence. Information or data that shows proof of the impact or non impact - evidence may include consultations, documented discussions, complaints, surveys, usage data, and customer and employee feedback.

Foster good relations. This is explicitly linked to tackling prejudice and promoting understanding.

General Equality Duty. The public sector equality duty on a public authority when carrying out its functions to have 'due regard' to the need to eliminate unlawful discrimination and harassment, foster good relations and advance equality of opportunity.

Gender reassignment. The process of changing or transitioning from one gender to another – for example male to trans-female or female.

Harassment. This is unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.

Human Rights – Human rights are the basic rights and freedoms that belong to every person in the world - **see below**

Marriage and Civil Partnership. Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships

legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. Single people are not protected. Discrimination on grounds of marriage or civil partnership is prohibited under the Act. The prohibition applies only in relation to employment and not the provision of goods and services.

Pregnancy and Maternity. Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Protected Characteristics. These are the grounds upon which discrimination is unlawful. The characteristics are:

- Age
- Disability
- Gender reassignment
- Race
- Religion and belief (including lack of belief)
- Sex/gender
- Marriage and civil partnership
- Pregnancy and maternity
- Sexual orientation

Public functions. These are any act or activity undertaken by a public authority in relation to delivery of a public service or carrying out duties or functions of a public nature e.g. the provision of policing and prison services, healthcare, including residential care of the elderly, government policy making or local authority services.

Race. This refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion or belief. Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Section 11 of the Children Act. This duty is a duty under the Children Act 2004 that requires all agencies with responsibilities towards children to discharge their functions with regard to the need to safeguard and promote the welfare of children. They must also ensure that any body providing services on their behalf must do the same. The purpose of this duty is that agencies give appropriate priority to safeguarding children and share concerns at an early stage to encourage preventative action.

Sex. It refers to whether a person is a man or a woman (of any age).

Sexual Orientation. A person's sexual attraction is towards their own sex; the opposite sex; or to both sexes: *Lesbian, Gay or Bisexual*

Victimisation. Victimisation takes place where one person treats another less favourably because he or she has exercised their legal rights in line with the Equality Act 2010 or helped someone else to do so.

Vulnerable Adult. A Vulnerable Adult is defined as someone over 16 who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation'

Human Rights

Human rights are the basic rights and freedoms that belong to every person in the world. They help you to flourish and fulfill your potential through:

- being safe and protected from harm
- being treated fairly and with dignity

- living the life you choose
- taking an active part in your community and wider society.

The Human Rights Act 1998 (also known as the Act or the HRA) came into force in the United Kingdom in October 2000. It is composed of a series of sections that have the effect of codifying the protections in the European Convention on Human Rights into UK law.

The Act sets out the fundamental rights and freedoms that individuals in the UK have access to. They include:

- Right to life
- Freedom from torture and inhuman or degrading treatment
- Right to liberty and security
- Freedom from slavery and forced labour
- Right to a fair trial
- No punishment without law
- Respect for your private and family life, home and correspondence
- Freedom of thought, belief and religion
- Freedom of expression
- Freedom of assembly and association
- Right to marry and start a family
- Protection from discrimination in respect of these these rights and freedoms
- Right to peaceful enjoyment of your property
- Right to education
- Right to participate in free elections

Many every day decisions taken in the workplace have no human rights implications. However, by understanding human rights properly you are more likely to know when human rights are relevant and when they are not. This should help you make decisions more confidently, and ensure that your decisions are sound and fair.

SUBJECT: CITY OF LINCOLN COUNCIL ENVIRONMENTAL POLICY

DIRECTORATE: DIRECTORATE OF MAJOR DEVELOPMENTS

REPORT AUTHOR: KATE BELL, REGENERATION OFFICER

1. Purpose of Report

- 1.1 To present and seek views on the draft Environmental Policy and Christmas Market Environmental Policy Statement.
- 1.2 To seek views on the proposed approach to member consultation on the draft Environmental Policies.

2. Background

- 2.1 On the 6th of January 2020 the Council's Executive Committee approved the Lincoln Zero Carbon report, recommending that the Council adopt an environmental Policy by Spring 2020.
- 2.2 On the 23rd of July 2019 Full Council passed a Motion to declare a climate and environmental emergency. The Motion includes a commitment from the Council to take action to deliver carbon reductions to reduce the Council's own carbon emissions.
- 2.3 On the 24th of September 2019 Full Council passed a Motion to support Lincoln to achieve plastic free community status and to eliminate, wherever possible, single use plastics from the Council's operations.
- 2.4 For the 2019 Christmas Market the Council's Events Team contacting stallholders requesting that they work with the council to take steps to reduce their environmental impact and reduce, where possible, the single use plastics.
- 2.5 The Council's Vision 2025 Climate Change internal Low Carbon Taskforce, which includes representatives from a range of service areas and all Directorates, have worked together to prepare a draft Environmental Policy. In light of the Council's commitment to the priority theme 'let's address the challenge of climate change' the taskforce will become the climate change vision group.

3. The purpose of an Environmental Policy

- 3.1 The purpose of an Environmental Policy (EP) is to set out our goals for protecting and improving the environment. The Policy covers all of our activities and estate, including our 'landlord' responsibilities for property and council homes.
- 3.2 Adopting an Environmental Policy will help to ensure that all Council employees apply the policy where it relates to their role in the authority's corporate activities.

In addition it will enable the Council to encourage and support our partners to adopt their own policies, leading by example.

- 3.3 Following Executive approval on the 6th of January the Council have started setting up the necessary processes to work towards an independently accredited environmental management system. The EMS is a systematic approach that enables organisations to work towards achieving environmental improvements over the short, medium and long term. An Environmental Policy is a minimum requirement to achieve accreditation for any EMS.
- 3.4 Without an EP the Council are not able to ensure, through the procurement process, that suppliers and outsourced service providers apply the policy to services or goods supplied to the Council, or require that they have their own equivalent policy to work to.
- 3.5 The EP demonstrates that the council is honouring its commitment to deliver the actions outlined in the Climate and Environmental Emergency Declaration as well as its commitment to be a single use plastic free council.

See Appendix A for a draft Environmental Policy

4 Implementing the Environmental Policy

- 4.1 It is proposed that the Council will manage the significant environmental aspects of its activities through a single Council-wide environmental management system (EMS). An Environmental Management System (EMS) is a structured and documented system used to manage and report on an organisation's environmental performance and responsibilities. In addition to reviewing energy consumption the Council would also review and work towards reducing the environmental impacts of events, such as the Lincoln Christmas Market.
- 4.2 It is proposed that the EMS will be used as a mechanism to monitor and steer the implementation of the Council's Environmental Policy. The EMS would ensure that the Council takes the necessary steps to understand and control any risks of harm to the environment resulting from our activities, and to respond to opportunities for environmental improvement.
- 4.3 The climate change vision group will be responsible for monitoring and delivering the EMS and EP as part of the council's V2025 commitment to address the challenges of climate change.
- 4.4 It is proposed that the Environmental Policy and EMS will be included in the climate change vision 2025 annual progress report to Performance Scrutiny Committee. Any amendments to the policy will require scrutiny by the Policy Scrutiny Committee. The Council will publicise its environmental performance each year to enable the people of Lincoln to hold us to account.

5. Lincoln Christmas Market (LCM)

- 5.1 At many markets, large scale events and festivals throughout the UK events organisers are taking steps to reduce waste and Carbon Dioxide (CO₂) emissions. On the 24th of September 2019 Full Council passed a motion to support Lincoln to achieve plastic free community status, part of this includes a responsibility to

reduce, wherever possible, single use plastic waste at council organised events. In addition the council's commitment to address the challenge of climate change it is necessary that wherever possible the Council take steps to reduce the environmental impact whilst retain events that are so beneficial to the city.

5.2 A specific Lincoln Christmas Market Environmental Policy Statement would clarify the Council's environmental position and values, with a commitment that the Council is working towards improving the environmental performance of large scale events in the city over a period of time. It is not the intention that the statement will require the Council, stakeholders, contractors or stall holders to make any sudden changes in the first year. This will be a gradual process and will require the Council's Events team and Policy Scrutiny Committee to review the policy statement on an annual basis.

5.3 In 2019 the Council's Events team took steps to inform stall holders ahead of the 2019 LCM of the Council's Climate and Environmental Emergency Declaration and our commitment to reduce the environmental impact of the LCM. The events team sent out a polite letter to all stall holders asking them to make efforts to reduce single use plastic and general waste. The response from stall holders was largely positive, with the majority stating in their applications that they care about the environment.

6. Environmental Policy Statement - Lincoln Christmas Market (LCM)

6.1 The following aims are proposed to reflect the long-term strategic commitment for the LCM. Progress towards achieving the aims in full will be incremental year on year, and managed through the LCM's detailed annual implementation plans.

- To comply with the requirements of environmental legislation and approved codes of practice
- To assess the environmental impact of current and likely future operations
- To continuously seek to improve environmental performance
- To reduce impacts, wherever possible, from pollution, emissions and waste
- To encourage more sustainable forms of transport
- To sustainably manage the use of all resources, energy, water and procurement
- To raise awareness, encourage participation and train employees in environmental matters
- To expect similar environmental standards from all suppliers and contractors
- To assist performers, stall holders and visitors to participate in the LCM in an environmentally-sensitive way

See Appendix B for a draft Environmental Policy Statement

7. Corporate Priorities

7.1 This would be meeting the new corporate priority Let's Address the Challenge of Climate Change.

8. Organisational Impacts

8.1 Finance

The Environmental Policy will not have any direct costs associated with it, other than existing officer resources. It is anticipated that any indirect costs as a result of implementing the Policy will be either covered within existing budgets or included in a project specific report to CMT/Executive.

8.2 Legal Implications including Procurement Rules

The Environmental Policy is likely to have implications to the procurement of contracts and services. It is proposed that any changes to contracts to enable the council to reduce the environmental impact through third party suppliers or services is introduced gradually and on a case by case basis. It will be necessary to review contracts when they come up for renewable, as well as new contracts, to consider the environmental and financial implications.

It is proposed that once the Environmental Policy has been approved by Executive the committee report template is amended to extend 'Significant Community Impact' to include '&/or environmental impact' in order to enable officers to explain any anticipated environmental impact as a result of the new policy, project or proposed service change.

9. Land, Property and Accommodation

NA

10. Recommendation

10.1 To consider the proposed the content of the Council's draft Environmental Policy and the proposed member consultation.

10.2 To consider a specific LCM Environmental Policy Statement.

10.3 To give approval to proceed with a report requesting the council adopt an Environmental Policy and specific Events/Christmas Market Environmental Policy Statement to Executive committee.

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? 2

List of Background Papers:

None

Lead Officer:

Kate Bell – Regeneration Officer
Telephone (01522) 873311

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Appendix A

City of Lincoln Council's Environmental Policy

Scope of the Policy

The purpose of this policy is to set out our goals for protecting and improving the environment. The Policy covers all of our activities and estate, by which we mean properties and land owned and managed by the City Council, including our 'landlord' responsibilities for property and council homes.

All Council employees must apply the Policy where it relates to their role in the authority's corporate activities. We will encourage and support our partners to adopt their own policies.

We will also ensure, through the procurement process, that suppliers and outsourced service providers apply the policy to services or goods supplied to us, or have an equivalent policy to work to.

As part of the council's vision 2025 priorities the council is committed to the following priorities:

- Let's drive economic growth
- Let's reduce inequality
- Let's delivery quality housing
- Let's enhance our remarkable place
- Let's address the challenge of climate change

Our Environmental Policy supports these priorities and will guide the development and delivery of a programme of actions across the five themes above.

Environmental Policy

In addition to fulfilling our statutory environmental responsibilities and complying with all legal and other requirements, including any voluntary commitments, we will use our powers and influence to further protect and improve the environment – making continual improvement in our performance.

We will:

- Work with partners on a city-wide programme to make Lincoln a zero carbon city and reduce our own emissions of greenhouse gas.
- Anticipate the effects of climate change and adapt our services to protect the City.
- Prevent or minimise pollution to air, water and land (including noise pollution, litter, fly tipping, soil and water contamination and the impact of car travel).
- Protect and, where possible, enhance the quality, extent and accessibility of Lincoln's open space, trees and natural environment for people and wildlife.
- Contribute to the creation of a sustainable, built environment through Central Lincolnshire Local Plan Policies and its implementation of adopted Local Plan Policy through the Council as the local Planning Authority.
- Wherever possible take steps to improve the environmental performance of residential and commercial, Council owned properties.
- Consider the embodied carbon and take steps to minimise the energy and water demand of all our planned new buildings, both residential and commercial
- Encourage and adopt the appropriate generation and use of renewables and low carbon energy.

- Use products and materials such as paper efficiently and specify goods that, wherever possible, have a minimal environmental impact in the extraction or sourcing of materials, manufacture, transport, use and disposal. We will comply with all relevant environmental legislation.

Implementing the Policy

▪ Environmental Management

At the City of Lincoln we recognise that we can affect the environment through: the services we provide and how we deliver them, our policies, our enforcement laws and regulations, the choices we make when buying goods or commissioning services – as well as our role as community leader.

We will manage the significant environmental aspects of our activities to implement this Policy through a single Council-wide environmental management system. An Environmental Management System (EMS) is a structured and documented approach to manage and report on an organisation's environmental performance and responsibilities. The EMS will be monitored by an independent, accreditation body. We will use the EMS to monitor implementation of this Policy, taking steps to understand and control any risks of harm to the environment resulting from our activities, and to respond to opportunities for environmental improvement.

▪ Communication, Participation and Dialogue

We recognise the importance of effective communication in delivering this policy, as well as the potential of participation and dialogue to enhance progress.

We will communicate this policy within the Council and to our external stakeholders, enabling our employees and elected members to fulfil their role in delivering the Policy by providing information, training and other support.

We will also encourage dialogue within the Council and with our stakeholders to foster debate, learning and greater environmental improvement. This will include the public, business, education and community organisations and regulators.

Through our procurement processes, we will seek to ensure that goods and services we buy meet our environmental requirements and we will work with our contractors and suppliers to help them improve their environmental performance.

We will encourage the public, schools and partners to take action too, through environmental information, advice and services.

▪ Accountability

The Policy will need to be considered by our Policy Scrutiny Committee, approved by the Executive and will be reviewed annually.

Delivery of the Environmental Policy is the overall responsibility of the Council's Corporate Management Team and will be overseen by the Climate Change Vision group, chaired by the Director of Major Developments. The Council will publicise its environmental performance each year to enable the people of Lincoln to hold us to account.

Appendix B

DRAFT Environmental Policy statement – Lincoln Christmas Market

The City of Lincoln Council are committed to minimising their impact on the environment, building on work they are already doing, and will continue to work with our partners, contractors and traders to achieve this. This policy applies to the Lincoln Christmas Market (LCM) operations as well as to other events organised by the City of Lincoln council.

Aims

The following aims reflect the long-term strategic commitment that this policy is for the LCM. Progress towards achieving the aims in full will be incremental year on year, and managed through the LCM's detailed annual implementation plans.

- To comply with the requirements of environmental legislation and approved codes of practice
- To assess the environmental impact of current and likely future operations
- To continuously seek to improve environmental performance
- To reduce impacts, wherever possible, from pollution, emissions and waste
- To encourage more sustainable forms of transport
- To sustainably manage the use of all resources, energy, water and procurement
- To raise awareness, encourage participation and train employees in environmental matters
- To expect similar environmental standards from all suppliers and contractors
- To assist performers, stall holders and visitors to participate in the LCM in an environmentally-sensitive way

The CoLC's Corporate Management Team and senior management for the LCM will endorse this policy to demonstrate the council's commitment.

The LCM's implementation plan will:

1. prioritise specific actions to be undertaken over a given period to ensure that progress on achieving the policy aims is manageable;
2. include targets, performance indicators, monitoring and reporting arrangements and a communications plan;
3. include a timescale for reviewing and refreshing the plan.

The Council's events team will report on progress annually to the Council's Performance Scrutiny Committee.

The Council's events team and Climate Change Vision Group will review this policy together annually.

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SUBJECT:	PROPOSAL TO INTRODUCE A PUBLIC SPACE PROTECTION ORDER TO PREVENT ANTI-SOCIAL BEHAVIOUR AT LUCY TOWER MULTI-STOREY CARPARK, BROADGATE MULTI-STOREY CARPARK AND LINCOLN CENTRAL MULTI-STOREY CARPARK.
DIRECTORATE:	COMMUNITIES AND ENVIRONMENT
REPORT AUTHOR:	FRANCESCA BELL, PUBLIC PROTECTION, ANTI-SOCIAL BEHAVIOUR AND LICENSING SERVICE MANAGER

1. Purpose of Report

- 1.1 To inform the committee of the proposal to implement a Public Space Protection Order (PSPO) to provide additional tools and powers to reduce and manage incidents of ASB and drug use within our multi-story carparks namely Lucy Tower, Lincoln Central and Broadgate. Location Map attached as **APPENDIX A**.
- 1.2 To inform the committee of the public and partner consultation responses received and to seek the views of the committee on the proposal.

2. Executive Summary

- 2.1 In October 2014 the Secretary of State enacted new powers from the Anti-Social Behaviour, Crime and Policing Act, relevant to tackling Anti-Social Behaviour.
- 2.2 The PSPO's are flexible and can be applied to a much broader range of issues, with local authorities having the ability to design and implement their own prohibitions or requirements where certain conditions are met. These conditions centre on the impact to the quality of life in the locality, persistence, and whether the impact makes the behaviour unreasonable.
- 2.3 The purpose of the proposed PSPO is to provide additional tools and powers to tackle ongoing and protracted ASB occurring on a regular basis within our Multi-Story carparks.
- 2.4 The proposed PSPO would be put in place for a maximum period of three years after which a full review would take place. Through the consultation we have sought the views of the partner agencies on the following points:
 1. Does your agency have any information in support of or against the proposal of the PSPO?
 2. Does your agency have any concerns or objections to the proposed PSPO?
- 2.5 We sought the views of the public on the following points:

1. Do you have any information in support of the proposed PSPO?
 2. Do you use our multi-story car parks, and if not why?
 3. If you use our multi-story car parks have you witnessed any anti-social behaviour?
 4. Do you have any concerns or objections to the proposed PSPO?
- 2.6 The City of Lincoln, much like other towns and cities nationally, has seen an increase in on street ASB particularly linked with substance misuse and associated issues such as begging, leaving behind drug paraphernalia and using areas as toilets. These issues have manifested across the city centre and have become a recurring problem particularly within our multi-Story car parks which have resulted in the public and car parking staff reporting intimidating and unpleasant incidents.
- 2.7 The introduction of a PSPO would provide the framework and tools and powers to better protect the multi-storey car parks, our employees and the public from harm. Multi-storey car parks have been negatively impacted by ASB due to the shelter and privacy they provide to those wishing to engage in anti-social acts. As a result we do not see ASB in our open air car parks.

3. Background

- 3.1 For a number of years City of Lincoln Council has received significant complaints relating to the Anti-Social Behaviour taking place in our multi-story car parks. The main concerns relate to drug use and paraphernalia such as needles being left behind, additionally the stairwells are being used as a toilet, smelling particularly strong of urine but also containing faeces on occasion.
- 3.2 From January 2019 to 9th December 2019 the council had reported via our internal incident report system across the following sites; Broadgate, Lucy Tower, Central multi-storey car parks and the bus station a total of 706 incidents.
- Broadgate multi-storey car park had a total of 369 reported incidents.
 Lucy Tower multi-storey car park had a total of 212 reported incidents.
 Central multi-storey car park had a total of 124 reported incidents.
- 3.3 Areas of the car parks are often unsanitary and pose a health and safety risk to both the Public and Employees that use the areas. Additionally the car parks are often the first and last image that visitors have of Lincoln and do not portray Lincoln as a vibrant, safe and welcoming city.
- 3.4 As well as recommending the introduction of a PSPO the council has already taken positive steps to address the number of reported incidents. The Council has recently introduced CCTV at both the Lucy Tower Street and Broadgate Car parks. Central Car park had CCTV in already. CCTV is assisting with deterrence, and will also assist in the enforcement aspects of the proposed PSPO. The Council has also put on additional security patrols to support staff and give reassurance to the public.
- 3.5 The limited number of responses to the consultation would suggest that despite the numbers of incidents reported by our staff, the diligent work of Council staff is successfully making sure that the vast majority of carpark users are able to use

facilities without witnessing any of the problems.

4. Public Space Protection Orders

4.1 The Anti-Social Behaviour, Crime and Policing Act came into force on 20th October 2014. This Act contains the provisions for the Public Space Protection Order, which was enacted by order of the Secretary of State on the 20th October 2014

4.2 Local authorities have the power to make Public Spaces Protection Orders if satisfied on reasonable grounds that two conditions are met.

The first condition is that:

- a) activities carried on in a public place within the Authority's area have had a detrimental effect on the quality of life of those in the locality, or
- b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

4.3 The second condition is that the effect, or likely effect, of the activities:

- a) is, or is likely to be, of a persistent or continuing nature,
- b) is, or is likely to be, such as to make the activities unreasonable, and
- c) justifies the restrictions imposed by the notice.

Activities can include things that a person or a group does, has done or should do (in order to reduce the detrimental effect).

4.4 A Public Space Protection Order is an order that identifies the space to which it applies ("the restricted area" within which the impact has or is likely to occur[ed]) and can make requirements, or prohibitions, or both within the area. This means that the local authority can, by virtue of the order, require people to do specific things in a particular area or not to do specific things in a particular area. The local authority can grant the prohibitions/requirements where it believes that they are reasonable in order to prevent or reduce the detrimental impact. The order can be made so as to apply to specific people within an area, or to everybody within that area. It can also apply at all times, or within specified times and equally to all circumstances, or specific circumstances. The order can apply for a maximum of three years upon which the process of reviews and consultation must be repeated to ensure the issues are still occurring and the order is having the required effect. Thereafter it can be extended for a further three years and, upon the reviews and consultation taking place, can be extended more than once for further periods of three years.

4.5 The Anti-Social Behaviour Crime and Policing Act rescinded powers known as gating orders. This Power has now been replaced by Public Space Protection Orders.

5. The consultation

5.1 On Monday 23rd September 2019 a public and partner consultation was launched. The consultation closed at 5pm on Friday 8th November 2019. As part of the consultation partners were approached directly seeking their views and any evidence they may hold in relation the proposed PSPO. The proposed PSPO would be put in place for a maximum period of three years

after which a full review would take place. Through the consultation we have sought the views of the partner agencies on the following points:

1. Does your agency have any information in support of or against the proposal of the PSPO?
2. Does your agency have any concerns or objections to the proposed PSPO?

We sought the views of the public on the following points:

1. Do you have any information in support of the proposed PSPO?
2. Do you use our multi-storey car parks, and if not why?
3. If you use our multi-storey car parks have you witnessed any anti-social behaviour?
4. Do you have any concerns or objections to the proposed PSPO?

5.2 We have directly approached all members of the Safer Lincolnshire Partnership (formerly Lincolnshire Community Safety Partnership) as well as approaching the following partners;

- Lincolnshire Police,
- Lincoln BIG,
- P3,
- Framework,
- Addaction,
- Probation

In addition to this we have also advised relevant portfolio holders of the consultation and City of Lincoln Communications team have put out information of the public consultation.

5.3 In response to the consultation we have received a total of 10 responses. 6 from the public and 4 from partners. Of the 4 partner responses 2 were in favour, 1 opposed and one indifferent. Of the 6 public responses 4 were in favour, one wanted further information and 1 suggested using weaponising music. The 4 public responses that supported the PSPO all gave examples of what they have witnessed first-hand when using our multi-storey car parks. A copy of the comments received is provided in **APPENDIX B**.

5.4 Lincolnshire Police responded to the consultation stating;

'Lincolnshire Police would be supportive of the proposed PSPO to cover the ongoing issues within Lincoln car parks as highlighted. Whilst we are aware of a number of incidents, which are usually reported to us via CCTV, we are also aware that a proportion are not reported to police and are managed by local partners. I would observe that the conditions are not stipulated within the consultation, but the broad aims of the PSPO are set out. We would be supportive of those aims, specifically with the intent to reduce ASB in public areas, especially where the public are encouraged to utilise these facilities.'

5.5 Of the responses received they fell into four specific areas.

- a. In favour of the PSPO – 3 responses

- b. In favour but with concerns about displacement or enforceability 3– responses
- c. Against due to criminalisation of the vulnerable / those causing ASB – 1 response
- d. Against as they do not agree there is a problem in the carparks - no responses.

Three responses did not express a view – Total 10 responses.

5.6 To address points B and C above:

With regard to point B, The problems that are arising in our multi-story carparks may be displaced as a result of introducing a PSPO however, whilst the PSPO is fundamentally an enforcement tool it will be the council's intention to continue to offer support to holistically address issues in tandem with any enforcement actions that are necessary. With the projects that are currently running across Lincoln City all agencies will be in a better position to jointly tackle anti-social behaviour and to offer comprehensive support to individuals where there is a willingness to engage positively with agencies. By implementing a PSPO the aim would be to disrupt the cycle of ASB across these locations.

With regard to point C, The council and Partners will continue to make a robust offer of support to those who may require any additional support. Criminalisation will remain a last option however it is expected that some enforcement will be necessary to deter ASB and tackle entrenched behaviour alongside support. A robust approach is required to ensure public and employee safety and there is a legal requirement for the council to ensure that its buildings and structures are safe and managed appropriately.

6. The Evidence

- 6.1 The total number of people using or attempting to use drugs in our carparks is most likely a core of 20 – 30 people who continuously use the carparks to take drugs often multiple times a day. We know this from speaking directly with car parking employees as well as from the information gathered by the councils Intervention Team and neighbourhood policing teams who attend incidents and patrol the carparks. These are either from or associate with people at the Corner house (Broadgate) or visit the Addaction centre near Lucy Tower. Those who cause ASB in our multi-storey carparks can be genuinely homeless or people sleeping off the effects of drugs.
- 6.2 Total reported incidents at Broadgate, Lucy Tower and Central multi-storey car parks were 706. However some of these reports contained multiple incidents within one report and so the actual number of incidents may be much higher.
- 6.3 Central car park has a higher incident rate less by way of drug taking more by way of abusive youths, skateboards and youths on bicycles. Central multi storey car park had a total of 124 reported incidents.
- 6.4 Broadgate multi storey car park had a total of 369 reported incidents.
- 6.5 Lucy Tower multi store car park had a total of 212 reported incidents.

- 6.6 Our records show that police were called 173 times.
- 6.7 Our records show 11 ambulances were called in relation to drugs or our known on street cohort of individuals.
- 6.8 Full details of the information provided from our internal incident reporting system provided by City of Lincoln Council Corporate Health and Safety Team are shown in **APPENDIX C**

7. The Proposal

- 7.1 To introduce a PSPO to cover our multi-story carparks namely Lucy Tower, Lincoln Central and Broadgate.

That the proposed PSPO is attached as **APPENDIX D. APPENDICES A1, A2 and A3** show each location. The proposal is for each site to have its own order. The inner thick red line shows the site and the outer red line shows where the PSPO will extend to beyond the site boundary. The purpose for the extended boundary is to prevent ASB such as begging or drug use taking place directly outside access and exit points of the carparks.

- 7.2 The PSPO is proposed to remain in place for a maximum of three years before review, however it is proposed that a review be undertaken with the Service Manager, Assistant Director and Portfolio Holder after 12 months and any matters arising fed back to Policy Scrutiny Committee.
- 7.3 Members would need to be satisfied that the legal conditions, laid out above in sections 4.2 and 4.3, have been met. Officers' view is that these requirements have been met based upon:
- Evidence gathered by the Council itself, and from other associated agencies including the Police, recording crime and ASB statistics for the area.
 - Feedback from the consultation attached as **APPENDIX B**. Full responses are available on request from Democratic Services.

8. Additional powers the PSPO will provide

- 8.1 The PSPO will provide a quicker and simpler response to ASB in our multi-storey carparks compared to the current provisions available. The PSPO will enable authorised officers to issue a fixed penalty notice to a person who commits an offence, where deemed appropriate, as set out in 7.1 above. In extreme cases or where proportionate a perpetrator can be summoned to court for prosecution but this would ordinarily only be done where there are repeat or extreme cases of ASB.
- 8.2 The PSPO should be viewed as an additional tool in tackling ASB and the full range of existing powers can still be utilised where appropriate. It is also noteworthy that the council will still work hard to engage perpetrators of ASB with support services and this option may be utilised as an alternative to enforcement where deemed appropriate.

8.3 By working with our car parking staff over the last 6 months they are now able to identify the majority of ASB perpetrators that frequent our car parks and along with the use of CCTV this will further enable both the identification of ASB perpetrators and the gathering of evidence to ensure a robust approach is taken where ASB is committed.

9. Implementation of the PSPO

9.1 The PSPO if agreed, could be implemented quickly. It is recommended that some communications messages be done at the time of the implementation and that some signage also be placed around the premises effected.

9.2 The enforcement of the PSPO will be undertaken by the PPASB Team, The Intervention Team and supported by Police where appropriate and where resource permits.

9.3 The introduction of bodycams and CCTV in these locations will assist officers in enforcing breaches of the order where necessary. The PSPO will be administered alongside an offer of assistance for the individual wherever possible.

10. Strategic Priorities

10.1 Let's drive economic growth

Projects within the city centre to tackle anti-social behaviour enhance our city making it a more attractive city for investment.

10.2 Let's reduce inequality

The service seeks to reduce inequality through its work with individuals and communities.

10.3 Let's enhance our remarkable place

Projects within the city centre to tackle anti-social behaviour serve to improve and enhance the city.

11. Organisational Impacts

11.1 Finance (including whole life costs where applicable)

There are no financial implications

11.2 Legal Implications including Procurement Rules

There may be a resource required to process prosecutions. Members should satisfy themselves that the PSPO meets the conditions set out in the report and that the PSPO is a proportionate response to the reported anti-social behaviour.

11.3 Land, property and accommodation

All land owners within the area are required to be consulted, which has been satisfied through the consultation conducted.

11.4 Human Resources

There are no human resources implications

11.5 Equality, Diversity & Human Rights

The proposal does not have any direct Human Rights implications.

11.6 Corporate Health and Safety implications

The introduction of the PSPO would alleviate the Public Health and Safety concerns associated with the car parks currently.

12. Risk Implications

12.1 (i) Options Explored

- a. To take no further action – without the PSPO the council can continue to use other powers such as Community Protection Notices and Injunctions in cases of extreme ASB. This process is being used currently however due to the incremental requirements of community protection notices and other powers the process can be lengthy and doesn't give any immediate sanctions to deter persons causing ASB.
- b. To introduce a PSPO providing addition tools and powers to address the ongoing issues of ASB. It may displace ASB however partners have a range of interventions in place that should allow them to tackle continued ASB.

12.2 (ii) Key risks associated with the preferred approach

There is a possibility that by introducing a PSPO that this will increase the prevalence and visibility of drug taking and possibly defecation in other areas. However with the ongoing interventions across the city there will support available for vulnerable individuals that wish to engage.

13. Recommendation

- 13.1 That the committee consider fully the proposal to implement a PSPO and if satisfied with the proposal approve and recommend to Executive.

Is this a key decision? Yes

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does 7

the report contain?

Appendix A – Location Map of Car Parks
Appendix A1 – Broadgate MSCP Map
Appendix A2 – Central MSCP Map
Appendix A3 – Lucy Tower MSCP Map
Appendix B – Anonymised consultation responses
Appendix C – Incidents Report provided by CoLC
Corporate Health and Safety
Appendix D – Draft Order

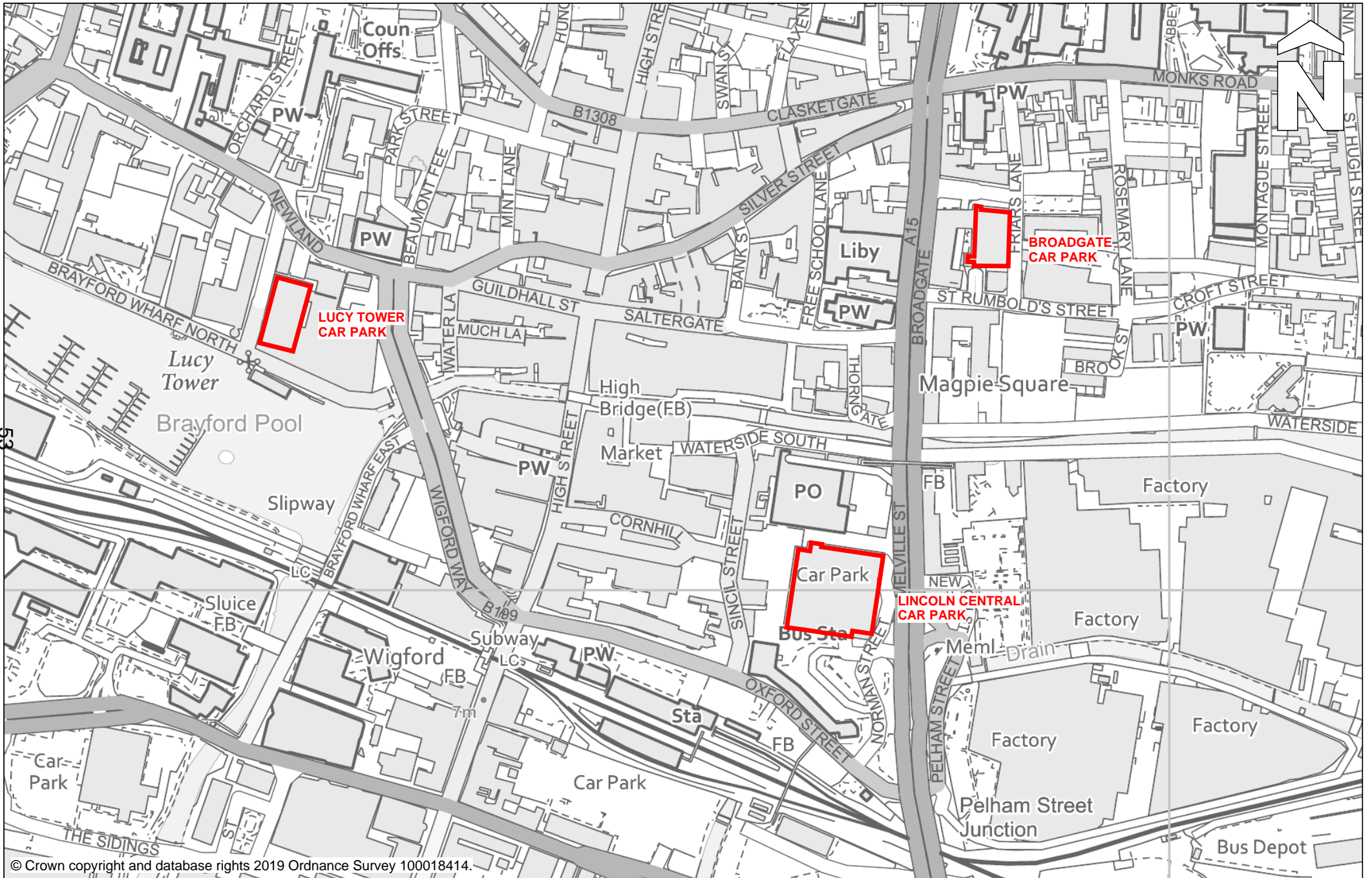
List of Background Papers:

None

Lead Officer:

Francesca Bell – Public Protection, Anti-Social
Behaviour and Licensing Service Manager
Telephone (01522) 873204

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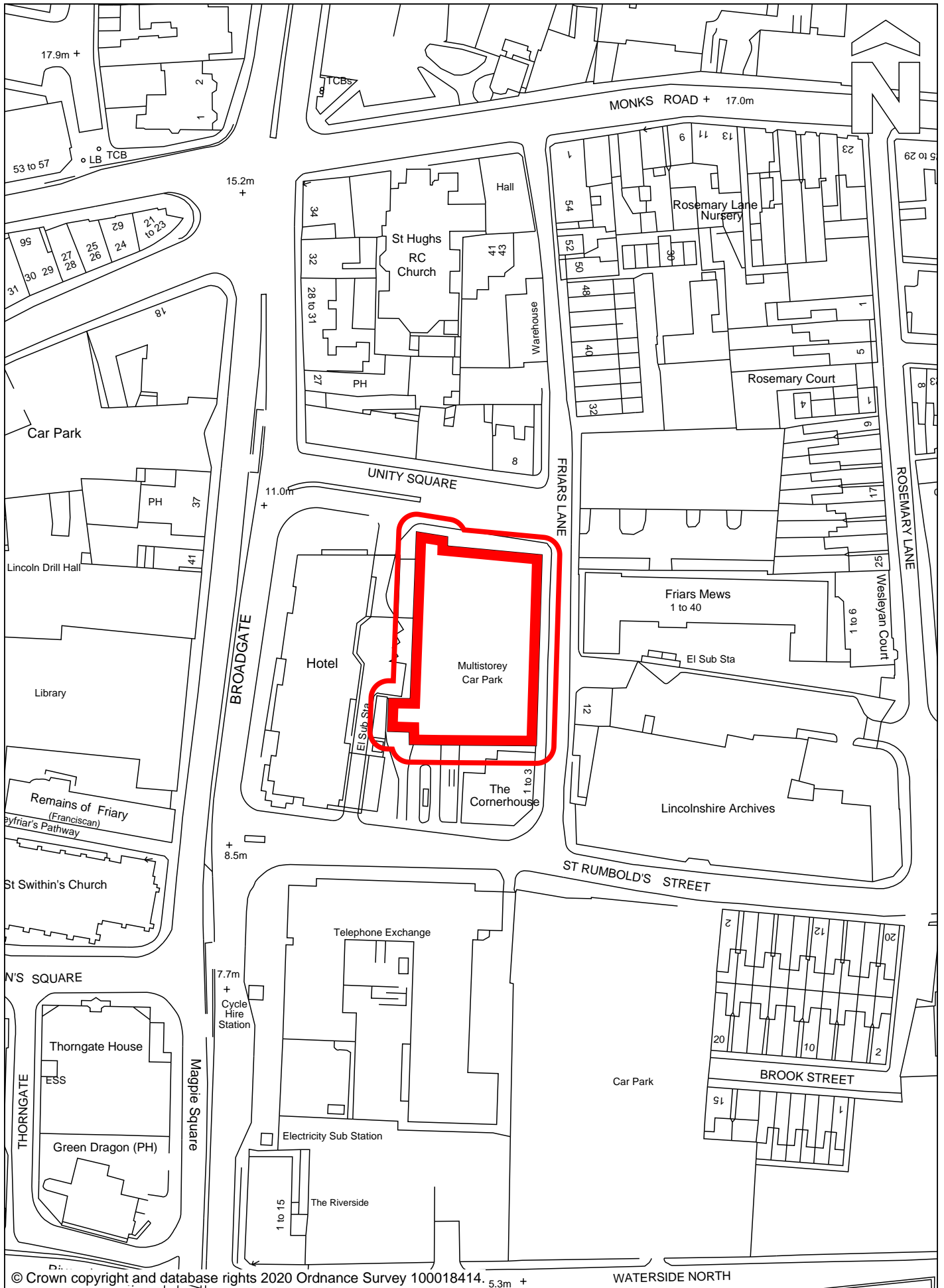


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WATERSIDE NORTH

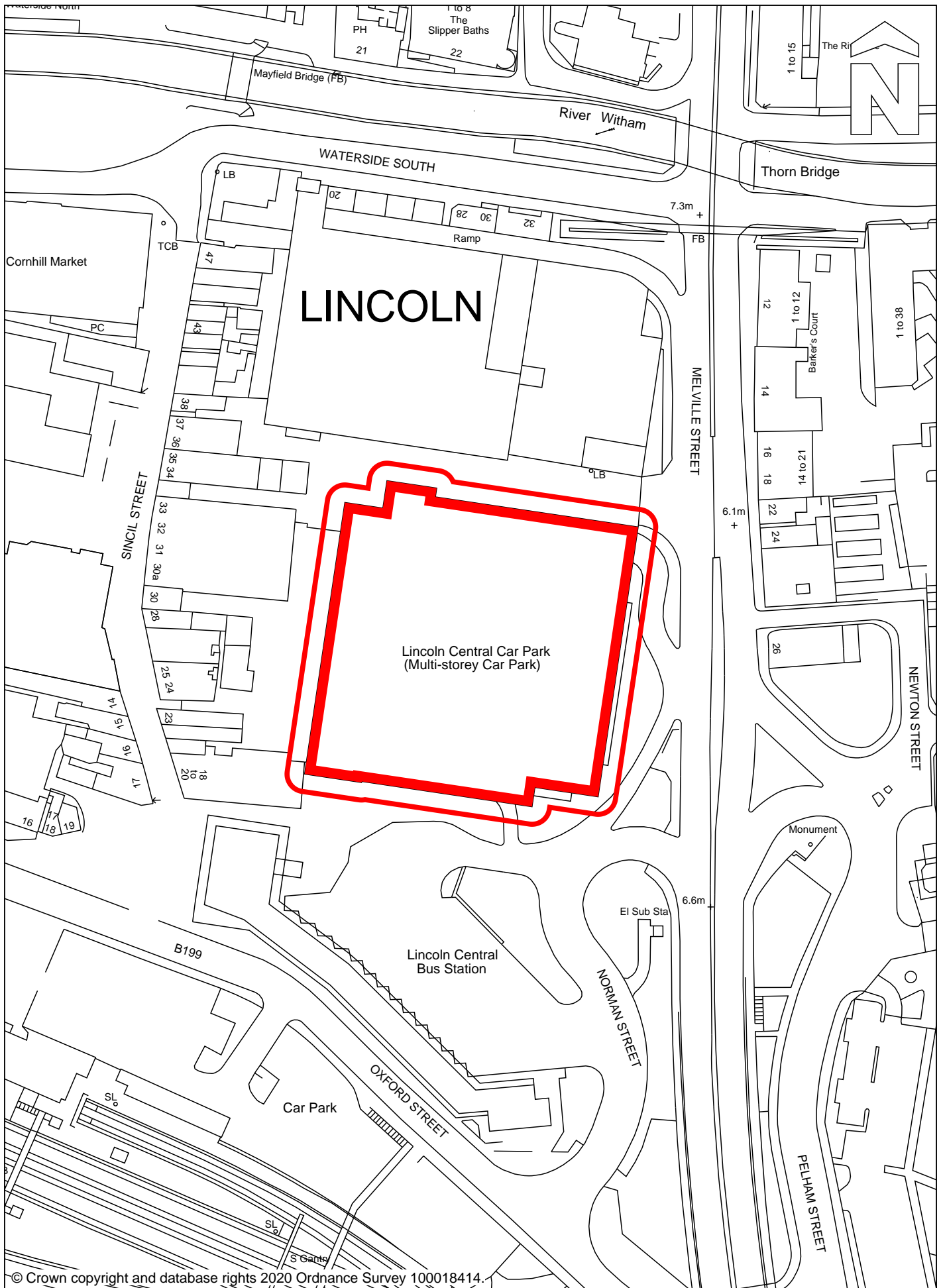
Broadgate Multi-storey Car Park PSPO

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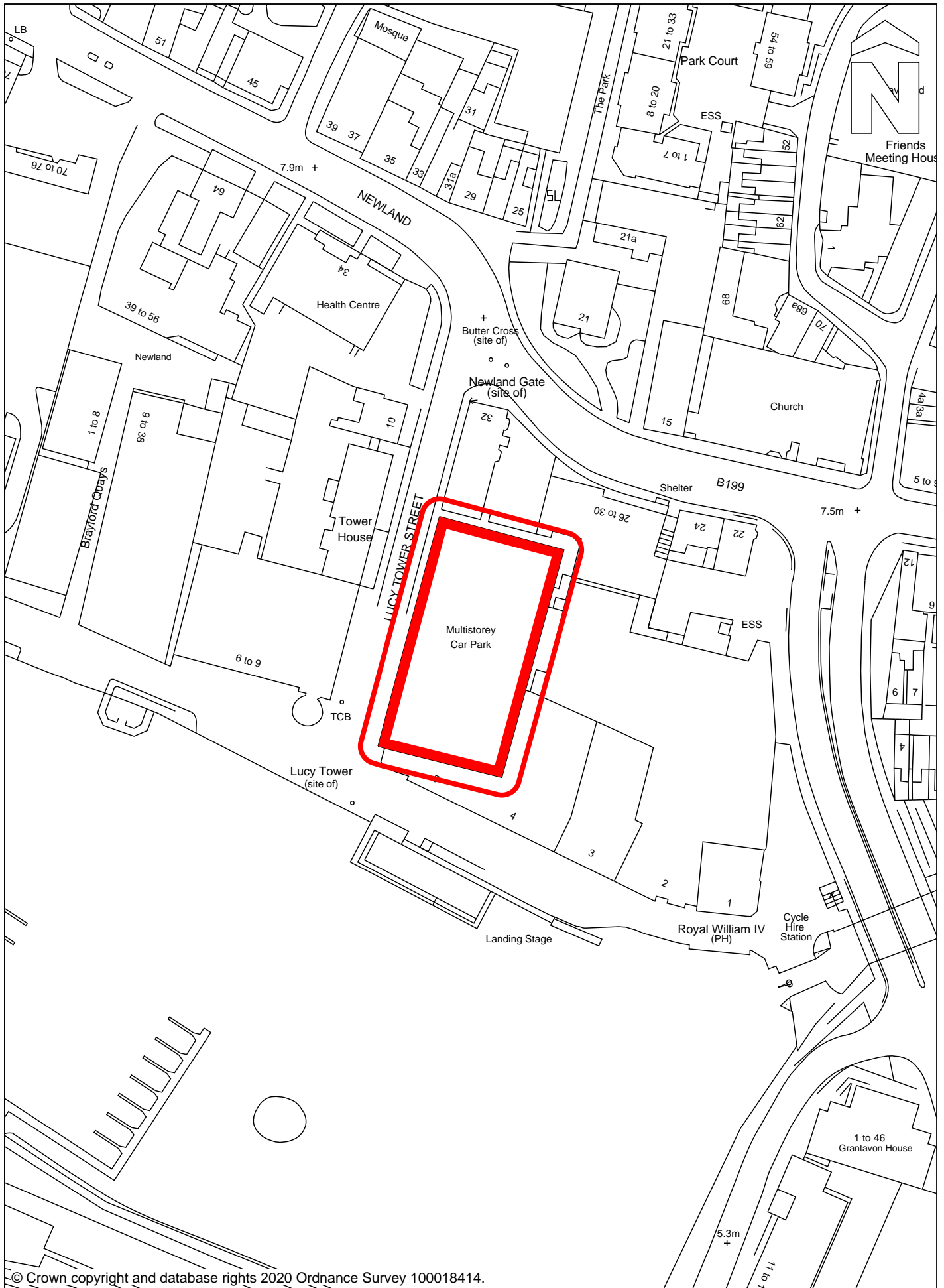
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Lincoln Central Multi-storey Car Park PSPO

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Lucy Tower Street Multi-storey Car Park PSPO

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Public Responses:

1. I generally agree with the proposal to prevent drug users, anti social behaviour and car parks being used as toilets, but by closing areas off to these people they will merely move somewhere else, provision needs to be made for them in order to prevent them using the car parks I do use all the multi car parks mentioned but would never use them on my own at night

2. Please find my comments below. I am a middle aged woman, using Broadgate car park normally alone. Frequently I carry my laptop.

I have multiple times been afraid for my personal safety. On getting into my car at the end of the day anywhere from 4-5:30 pm the first thing I do is centrally lock all doors.

The feeling of insecurity is worse in winter months when it is dark so early.

1. Do you have any information in support of the proposed PSPO?

I arrive in Broadgate car park around 07:30am. I NEVER use the stairs in a morning now, the lifts are frequently not on by 7:35-7:40, so I walk down the car ramps.

2. Do you use our multi-storey car parks, and if not why?

Yes, mostly Broadgate at least 5 days a week for work and sometimes the new one by the bus station.

3. If you use our multi-storey car parks have you witnessed any anti-social behaviour?

Yes. Only in Broadgate. Multiple times I have mentioned to the attendant where I have passed sleepers just for his information.

This is not me complaining about the attendant, it was more just to mention to him so he knew where to look.

- Blatantly open drug dealing
- Men who either have mental difficulties or drug addiction shouting and running across the car park
- Addicts hanging around in the general area
- Car park users being targeted on leaving the car park for begging purposes
- Using the area for toilet activities
- Using the area next to the lift to sleep
- Using the stairwell to sleep

4. Do you have any concerns or objections to the proposed PSPO?

No, the worst thing to do is nothing. I am very pro any action to address the current issues. I would welcome feeling safe and commend you for any action.

Many thanks

Christine

3. To PPASB@lincoln.gov.uk with the subject heading as PSPO/MSCP 2019.

1. Do you have any information in support of the proposed PSPO?

I have regularly witnessed the increase in anti-social behaviour in the multi-storey car parks (and in the centre of Lincoln) . This deters myself , and others whom I've spoken to , from coming into Lincoln centre other than for work and when I do come in I now try to use surface car parks .

2. Do you use our multi-storey car parks, and if not why?

Yes , however I have recently reduced usage of Broadgate and Lucy Tower because of anti-social behaviour and not feeling safe in these multi-storeys . For these reasons I have not used the new Central Car Park since it opened. I certainly would not use any of the multi-storey car parks in the evenings .

3. If you use our multi-storey car parks have you witnessed any anti-social behaviour?

Drug taking , shouting , intimidating behaviour , excrement and urine on the staircases in Broadgate and Lucy Tower. I feel very concerned about parking services' staff who have to deal with

this on a daily basis and I would advocate most strongly that all the Council's multi-storey car parks should have two attendants on duty at all times for reasons of improved Health and Safety for public and staff .

4. Do you have any concerns or objections to the proposed PSPO?

NoI support it but how is it going to be actioned / enforced ?

It would be better if Ad Action and The Corner House were located elsewhere as their proximity to multi storey car parks and hotels where visitors stay is contributing to this situation .

I have lived here for 20 years and chose to move here because Lincoln was a safe and attractive city . The anti- social behaviour is a growing problem which needs to be addressed as it is driving residents and tourists away from the centre of Lincoln . It is also creating an unfavourable impression on students and other visitors .

4. The issue here is going to be enforcement and how it will be funded?

What are the specific "tools and powers" that are being proposed?

Clarification would be greatly appreciated.

5. I support wholeheartedly the proposed PSPO on the multi storey car parks in Lincoln. I use the Lucy Tower carpark when I shop in the city centre and for visiting the cinema. When using the car park my family and I will always avoid the stairs and lift, and walk up/down using the same route as the cars as in our opinion it is safer and more hygienic. Also as the drug users congregate around the stair and lift area, we will enter and exit from the front of the car park. It's a shame that we have felt the need to do this for a good few years. I live here so I am used to the sights but for visitors it must be a bit shocking as the Brayford should be a welcoming clean and vibrant area. I cannot comment on the other car parks as I don't use them. My only concern would be where the drug users etc will choose to congregate next...

6. Good evening,

I came across your article via a local Facebook group and based on some recent research that I have done, I thought it best to contact you.

Have you ever thought about weaponizing music? Don't worry it is not as drastic as it sounds. Essentially, PA systems are installed within areas that have problems with anti-social behaviours and classical music is amplified. Both Cleethorpes Train Station and Hull Train Station have utilised this method with significant results.

Furthermore, classical music is also played in McDonalds at key points especially late and night, as well as on the London Underground. Again, both have noticed a significant decrease in anti-social behaviours.

There is a good amount of academic material that has researched the effects of music on behaviour, I have provided a few references below.

- Hirsch, L (2007) Weaponizing Classical Music: Crime Prevention and Symbolic Power in the Age of Repetition. *Journal of Popular Music Studies*, 19 (4) 342-358.
- Milliman, R (1982) Using Background Music to Affect the Behavior [sic] of Supermarket Shoppers. *Journal of Marketing*, 46, 86-91.

Partner responses

1. Interserve (Justice)

We have no objections

Thanks

2. Public Health LCC

Re: Proposal to introduce a PSPO to provide additional tools and powers to reduce and manage incidents of ASB and drug use within our multi-story carpark

1. Does your agency have any information in support of or against the proposal of the PSPO?

2. Does your agency have any concerns or objections to the proposed PSPO?

- It would be interesting to know in more detail how this PSPO will be implemented / managed once in operation.
- Whilst we understand the need to reduce and manage incidents within the multi storey carparks, we do also have some comments/questions below which refer to the statements made within your proposal:

"For a number of Years City of Lincoln Council have received high volumes of incidents many of which have been logged on our own internal incident reporting system and a number of these have been reported to Lincolnshire Police."

"Over the last 12 months complaints have increased significantly. The main concerns relate to Drug use and Paraphernalia such as needles being left behind"

- Is there any backing data as part of the consultation? And if so, how can respondents be confident that the new PSPO is based upon an increased need that has been identified particularly in the last 12 months? Where are these statistics please?

The proposed PSPO will look to achieve the following:

1. Prevent access to those who are not using the carpark to leave or return to a vehicle. How will this access actually be prevented? What preventions will be in place?
2. To follow directions to leave when asked by a member of staff or an authorised officer.
3. Not to cause harassment alarm or distress to the public or staff.

3. lincolnshire police

In relation to the below consultation:

Lincolnshire Police would be supportive of the proposed PSPO to cover the ongoing issues within Lincoln car parks as highlighted. Whilst we are aware of a number of incidents, which are usually reported to us via CCTV, we are also aware that a proportion are not reported to police and are managed by local partners. I would observe that the conditions are not stipulated within the consultation, but the broads aims of the PSPO are set out. We would be supportive of those aims, specifically with the intent to reduce ASB in public areas, especially where the public are encouraged to utilise these facilities.

4.P3

...We therefore cannot provide you with the support you seek for this course of action and we oppose actions – Such as a PSPO – that not only make it more difficult for the most vulnerable citizens to access support services but also criminalise non criminal activities....

MSCP and Bus station incidents (January – December 2019)

The total people using or attempting to use drugs is probably a core of 20 – 30 people who continuously use the car parks to take drugs (3-3 times a day). These are either from or associate with people at the Corner house (Broadgate) or visit the Addaction centre. Rough sleepers can be genuine the homeless or people sleeping off the effects of drugs.

Central car park has a higher incident rate of abusive youths, skateboards and youths on bicycles.

Total reported incidents at Broadgate, Lucy Tower and Central multi storey car parks 706.

Broadgate multi storey car park had a total of 369 reported incidents.

Lucy Tower multi store car park had a total of 212 reported incidents.

Central multi storey car park had a total of 124 reported incidents.

December 2019 (up to 09/12/19)

16 incidents.

Broadgate. 8 incidents which involved

Moving on rough sleepers (2) 5 people using or attempting to use drugs (smoking or injecting drugs), clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy Tower. 7 incidents which involved

(9) Youths on bikes riding around top floor, (1) rough sleeper and clearing up urine, excrement, blood, vomit and drug paraphernalia

Central car park. 1 incident which involved

(2) Youths on bikes

November 2019

67 incidents.

Broadgate 34 incidents which involved

55 people using or attempting to use drugs (smoking or injecting drugs), 25 rough sleepers moved on, (1) intoxicated, (2) potential self-harmers, ASB vehicles (1 moped, 5 cars). Police called 6 (101). (3) Aggressive behaviour. Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy Tower 11 incidents which involved

5 people using or attempting to use drugs (smoking or injecting drugs), 4 rough sleepers moved on, (6) youths riding bikes, (6) youths on skateboards, (1) potential self-harmer, (14) youths top floor trying to climb over to the Odeon cinema. Police called (1) 101. Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central 11 incidents which involved

(7) Rough sleepers moved on, (3) possible drug users, (2) skateboarders, (9) youths on bikes. Police called (1) 101.

October 2019

88 incidents

Broadgate 43 incidents, which involved

76 people using or attempting to use drugs (smoking or injecting drugs), 19 Rough sleepers moved on, (3) aggressive behaviour, fighting. Police called (11), male defecate on entrance ramp, Significant signs of drug use found and removed clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy Tower 27 incidents, which involved

2) people using or attempting to use drugs (smoking or injecting drugs), 10 rough sleepers, moved on, (8) youths on bikes, (4) youths on skateboards, (1) abusive behaviour, Police called (2), 1 unconscious male, (5) youths on top level, Significant signs of drug use found and removed clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central 11 incidents which involved,

(8) Youths abusive/threatening to staff, (2) joy riders abusive to staff, (6) youths on bikes, (2) youths on skateboards (who damaged a barrier), (1) rough sleeper, (6) youths running up and down the ramp into oncoming traffic, (1) once slight collision between car and bike (no injuries).

September 2019

89 Incidents.

Broadgate 49 incidents, which involved

130 people using or attempting to use drugs (smoking or injecting drugs), 23 rough sleepers moved on, Self-harm (1), abusive/aggressive behaviour (7), unconscious (2), contractors found hidden syringes (2), police called (12). Knife found embedded in metal plate taken to police. Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy Tower 26 incidents, which involved

(11) rough sleepers, 18 people using or attempting to use drugs (smoking or injecting drugs), abusive/aggressive (2), (1) self-harmer, (7) youths on mopeds, (2) firing BB Gun on top level, (3) youths hanging over top level railings, (1) skateboard, (1) scooter, (1) unconscious male EMAS called, police called (3). Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central 13 incidents, which involved

(7) Rough sleepers, (5) drugs, (5) skateboarders, (5) youths on bikes, police called (1), theft of bike persons arrested, (2) children messing about on 5th floor.

August 2019

50 Incidents

Broadgate 28 incidents, which involved 138 people using or attempting to use drugs (smoking or injecting drugs), 7 rough sleepers moved on, 3 threats of violence, 4 youths on bikes, police called (4), 1 ambulance called. Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy Tower 14 incidents, which involved, 17 people using or attempting to use drugs (smoking or injecting drugs), 9 rough sleepers moved on, 1 aggressive verbal confrontation, 10 youths on bike, 1 youth climbed over anti climb fence top level, 1 self-harmer, police called (2). Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central 4 incidents, which involved 2 skateboarders, 2 scooters, 3 bikes.

July 2019

49 Incidents

Broadgate 21 incidents which involved 54 people using or attempting to take drugs, 16 rough sleepers moved on, 7 individuals intoxicated police called (3), 1 ambulance called. Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy tower 16 incidents, which involved, 6 people using drugs, 11 rough sleepers moved on, 2 under the influence and aggressive, 1 ambulance called, police called (4),, 5 youths on bikes and 3 on mopeds. Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central 5 incidents, which involved, 2 rough sleepers moved on, 7 teenagers moved on, 4 aggressive behaviour, and 1 bike riding around car park.

June 2019

85 Incidents

Broadgate 44 incidents which involved, 192 people using or attempting to take drugs, 4 rough sleepers moved on, 2 self-harmers, Police called (5). 1 bike, 1 fight, 3 children top level. Excrement under cone, male and female having sex on level 2 stairs, unconscious male, complaint from member of public regarding drug dealing, 15 needles found on one level. Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy tower 18 incidents, which involved, 16 people using or attempting to use drugs, 4 rough sleepers moved on, 9 youths riding bikes, 2 boy racers, and 1 aggressive person. Significant signs of drug use

found and removed. Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central 14 incidents, which involved, 11 people using or attempting to use drugs, signs of drug use. 2 people drinking, 4 skateboarders, 13 kids on bikes, 3 rough sleepers, One person spat at CEO, police (101) called once, 2 kids playing football on level 5.

May 2019

62 Incidents

Broadgate 33 incidents, which involved 87 people using or attempting to take drugs, 9 rough sleepers moved on, police called (6), 2 fire alarm activations (on the same day), 8 needles and large amount of drug paraphernalia found on level 14. Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy tower. 13 incidents, which involved, 21 people using or attempting to take drugs, 5 rough sleepers moved on. Signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central 7 incidents, which involved, 6 bikes, 3 skateboards 2 rough sleepers moved on, one person under the influence police called (1). 4 teenagers one claimed a car had tried to run him down

April 2019

49 Incidents

Broadgate 24 incidents, which involved 76 people using or attempting to take drugs, 5 rough sleepers moved on, police called (5), CEO came across 4 males, ground floor friar's lane 1 with his trousers down and his hand in a tub of Vaseline. 1 self-harmer, 2 acts of vandalism, significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy tower. 14 incidents, which involved, 11 people using or attempting to take drugs, 2 rough sleepers moved on, police called (3), 3 youths messing about top level Odeon side 3 youths climbing through safety netting on Odeon side police inform parents to pick them up. 3 youths on bikes, 2 self-harmers. Signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central 7 incidents, which involved, 3 rough sleepers moved on, 9 youths on bikes, 5 skateboarders. 3 youths messing about with the lifts.

March 2019

91 Incidents

Broadgate 33 incidents, which involved

79 people using or attempting to take drugs, 9 rough sleepers moved on, police called (5), 4 aggressive, 5 under the influence/intoxicated, 6 boy racers, 1 self-harmer, One man washing his feet, significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy tower. 22 incidents, which involved, 12 people using or attempting to take drugs, one with a dog, 1 rough sleeper, 7 males on top level 4 jumped over to the Odeon roof, 2 males 1 female jumped over from the Odeon roof, 2 male and 2 female teenagers spitting on people from the top level, 4 teenagers running up and down the ramps, 15 cars and 1 motorbike boy racers, 7 youths on bikes, 2 skateboarders, police called 2. Significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central 22 incidents, which involved, 12 people using or attempting to take drugs, 8 rough sleepers moved on, police called (4), 4 aggressive, 5 under the influence/intoxicated, 10 skateboards, 29 bikes including spiting at office window, abusive behaviour, riding in front of cars, riding against the flow of traffic up and down ramps, 3 child scooters, 3 male teenagers and 1 female teenager messing around level 4 parking spaces, 6 teenagers top level, signs of drug use.

February 2019

62 Incidents

Broadgate 22 incidents, which involved 48 people using or attempting to take drugs, 5 rough sleepers moved on, police called 45), 2 males caught on stairwell with trousers down, 3 males 1 female smoking drugs and eating breakfast verbally abusive, significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy tower. 14 incidents, which involved, 8 people using or attempting to take drugs, 12 youths on bike, 2 scooters, 7 joy riders (cars) 1 motorbike, 2 abuse to customers using car park (from drug users), 1 vulnerable adult, police called (3). 3 youths on bikes throwing objects off the top level, 2 needles found behind ticket machine number 9, signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central 16 incidents, which involved, 37 youths riding bikes (up and down ramps, into oncoming traffic, up and down lifts), 5 skateboarders, 3 child scooters, 1 intoxicated male, Fire alarm set off, 2 teenage males and 1 female jumping off bannister, Teenage girl sliding down bannister 4th floor fell off landed 2nd floor, police called (3).

January 2019

86 Incidents

Broadgate 30 incidents, which involved

66 people using or attempting to take drugs, 13 rough sleepers moved on, police called (5), 3 boy racers, significant signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Lucy tower. 30 incidents, which involved, 30 people using or attempting to take drugs, 11 rough sleepers moved on, police called (5), 6 youths accessed addaction roof via fire escape, 7 skateboarders, 2 mopeds, 1 self-harmer, signs of drug use found and removed Clearing up urine, excrement, blood, vomit and drug paraphernalia.

Central incidents, 13 which involved, 4 people using or attempting to take drugs, 2 rough sleepers moved on, police called (4), 8 youths throwing objects at glass stairwell glass, 10 youths smoking, swearing and shouting inside stairwell, 5 youths top level messing about, pressed lift help button, 4 youths being abusive throwing ones about, 4 youths on bikes pulling wheelies, shouting abuse threats to stab, 4 bikes on ground floor, 8 bikes on top level riding from top to bottom chased traffic in car park, 3 bikes one youth nearly hit by car (20 youths on bikes total), 9 skateboarders. Signs of drug use found and removed

CITY OF LINCOLN COUNCIL

**PUBLIC SPACE PROTECTION ORDER NUMBER X of 2020 (the “Order”)
UNDER THE
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

This order may be cited as the City of Lincoln Council Public Spaces Protection Order Number X of 2020 (Broadgate/Central/Lucy Tower Street multi-storey car park).

The City of Lincoln Council (“the Council”) under and in accordance with sections 59 to 75 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and all other enabling powers, hereby makes the following Order:

This order shall come into effect on DATE 2020 for a period of three years, subject to any future extension or variation under the relevant statutory powers.

This order applies to the area (the “restricted area”) shown edged red on the plan annexed to this order.

In this order:

An “authorised person” means a Police Constable, a Police Community Support Officer or an officer of the Council who must be able to present their authority upon request.

An “exempted use” means where an intoxicating substance is:

- a. used for a valid and demonstrable medicinal use;
- b. cigarettes (tobacco) or vaporisers; or
- c. a food stuff regulated by food health and safety legislation.

An “intoxicating substance” means substances with the capacity to stimulate or depress the central nervous system, including but not limited to alcohol, drugs and so-called ‘legal highs’.

A “permitted purpose” includes:

- a. all activities reasonably associated with the parking of a vehicle in the restricted area in accordance with the requirements of a relevant occupier; or
- b. entering or remaining in the restricted area owing to an emergency.

A “relevant occupier” means an owner or occupier of the restricted area or an employee of the relevant occupier with duties relevant to the restricted area.

1. No person in the restricted area shall engage in any of the following activities (each activity being a “prohibited activity”):
 - a. ingesting, inhaling, injecting, smoking or otherwise using an intoxicating substance unless for an exempted use;

POLICY SCRUTINY COMMITTEE

17 MARCH 2020

SUBJECT:	POLICY SCRUTINY WORK PROGRAMME 2020/21 AND EXECUTIVE WORK PROGRAMME UPDATE
REPORT BY:	CHIEF EXECUTIVE & TOWN CLERK
LEAD OFFICER:	CLAIRE TURNER, DEMOCRATIC SERVICES OFFICER

1. Purpose of Report

1.1 To present the Policy Scrutiny Committee Work Programme for 2020/21 and receive comments and considerations from members with items for the municipal year 2020/2021 and to advise Members of the items that are on the current edition of the Executive Work Programme.

2. Background

2.1 The work programme is attached at **Appendix A**.

2.2 The Constitution provides for the publication of the Executive Work Programme on a monthly basis detailing key decisions/ exempt para (Section B) items to be taken by the Executive, a committee of the Executive or a Member of the Executive during the period covered by the programme. This is attached at **Appendix B** and has been provided to assist members in identifying items for inclusion within the work programme.

3. Recommendation

3.1 That Members give consideration to the Policy Scrutiny Work Programme for 2020/21 and update where appropriate to include items which they wish to consider from the Executive Work Programme as required.

List of Background Papers: None

Lead Officer: Claire Turner, Democratic Services Officer
Telephone 873619

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Policy Scrutiny Committee Work Programme – Timetable for 2020/21

16 June 2020

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Review of Houses in Multiple Occupation Article 4 Direction and Supplementary Planning Documents	Simon Colburn	Requested at 20 June 2017 meeting
Lincoln Social Responsibility Charter	Graham Rose	
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Policy Scrutiny Work Programme 2019 -2020	Democratic Services	Regular Report

18 August 2020

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Annual Scrutiny Report	Democratic Services	Regular Report
Policy Scrutiny Work Programme 2019-2020 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

6 October 2020

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Review of PSPO at St Peters Passage	Francesca Bell	Requested at meeting held on 9 October 2018
Policy Scrutiny Work Programme 2019 -2020	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

24 November 2020

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Policy Scrutiny Work Programme 2019-2020 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

12 January 2021

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Protecting Vulnerable People Update	Paula Burton	Annual Report
Policy Scrutiny Work Programme 2019-2020 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

16 March 2021

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Policy Scrutiny Work Programme 2019-2020 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

EXECUTIVE WORK PROGRAMME

March 2020 - February 2021

NOTES

1. The Leader in consultation with the Chief Executive and Town Clerk prepares an Executive Work Programme to cover a period of twelve months.
2. The Executive Work Programme contains matters which the Leader has reason to believe will be the subject of a key decision during the period covered by the Plan or Executive decisions which are likely to be taken in private.
3. A Key Decision is one which is likely:
 - a) to result in the Local Authority incurring expenditure which is , or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which it relates; or
 - b) to be significant in terms of its effect on communities living or working in an area comprising 2 or more wards in the area of the local authority.
4. Whilst the majority of the Executive's business at the meetings listed in the Executive Work Programme will be open to the public and media organisations to attend, there will be some business to be considered that contains, for example, confidential, commercially sensitive or person information.

This document serves as formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that certain items in the Executive Work Programme will be considered in private because the item contains exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. If an item is to be considered in private this will indicated on the individual decision notice.

If you have any queries, please telephone 01522 873387 or email democratic.services@lincoln.gov.uk.

EXECUTIVE WORK PROGRAMME SUMMARY

Date of Decision	Decision	Decision: Summary	Decision Taken By	Key Decision	Exempt Information
23 March 2020	City of Lincoln Council's Environmental Policy	To approve the council's new Environmental Policy	Executive	No	Public
23 March 2020	Lincoln Town Investment Plan and Town Deal Programme	Approval of draft Investment Plan	Executive	Yes	Partly Private
23 March 2020	Draft Temporary Accommodation Strategy 2020-25	To consider and agree recommendations	Executive	No	Public
23 March 2020	Housing Allocations Policy	approval of new policy	Executive	Yes	Public
14 April 2020	Performance Targets 2020/21	To report on Performance Targets 20/21	Executive	No	Public
23 March 2020	Lincoln Transport Strategy	Report for noting/information	Executive	No	Public