



Begging and Community Safety Enforcement Briefing Performance, Finance and Customer Focus Overview and Scrutiny Committee 22nd January 2020

1. Introduction

This briefing report will cover both begging and community safety enforcement setting out how both are tackled in the City.

Begging and Community Safety Enforcement fall under the remit of Safer Plymouth, our Community Safety Partnership.

Safer Plymouth has the following statement of intent:

- Identity – Safer Plymouth delivering safer communities
- Purpose – Co-ordination, Quality Assurance, Systems Leadership
- Focus – Reducing violence, abuse and exploitation
- Aims – Prevention of harm, early intervention, reducing re-offending
- Outcomes – Building community resilience, reducing inequalities and improving lives

One measure for Safer Plymouth is whether people of Plymouth feel safe during the day and at night which is measured through the City survey.

The most recent survey from 2018 tells us that 90% of people feel safe during the day, with 60% of people feeling safe during the dark. These results are fairly similar to both 2012 and 2014 with only very minor changes. Whilst there will be differences across localities to how people feel this shows that Plymouth is largely seen as a safe place to live.

2. Civil measures used in Community Safety Enforcement

Following the introduction of the Crime and Disorder Act 1998 the Anti-Social Behaviour Order (ASBO) was the most frequently used civil tool to address Anti-Social Behaviour inclusive of begging. In 2014 the implementation of the Anti-Social Crime and Policing Act replaced the ASBO with new tools aimed at addressing behaviours of concern. The new powers were implemented to increase the operational range of use and to be faster, more efficient in addressing matters. These include;

- Criminal Behaviour Orders
- Civil Injunctions
- Community Protection Notice
- Dispersal powers
- Public Spaces Protection Order

3. Begging

Begging is the practice of imploring others to grant a favour, often a gift of money, with little or no expectation of reciprocation.

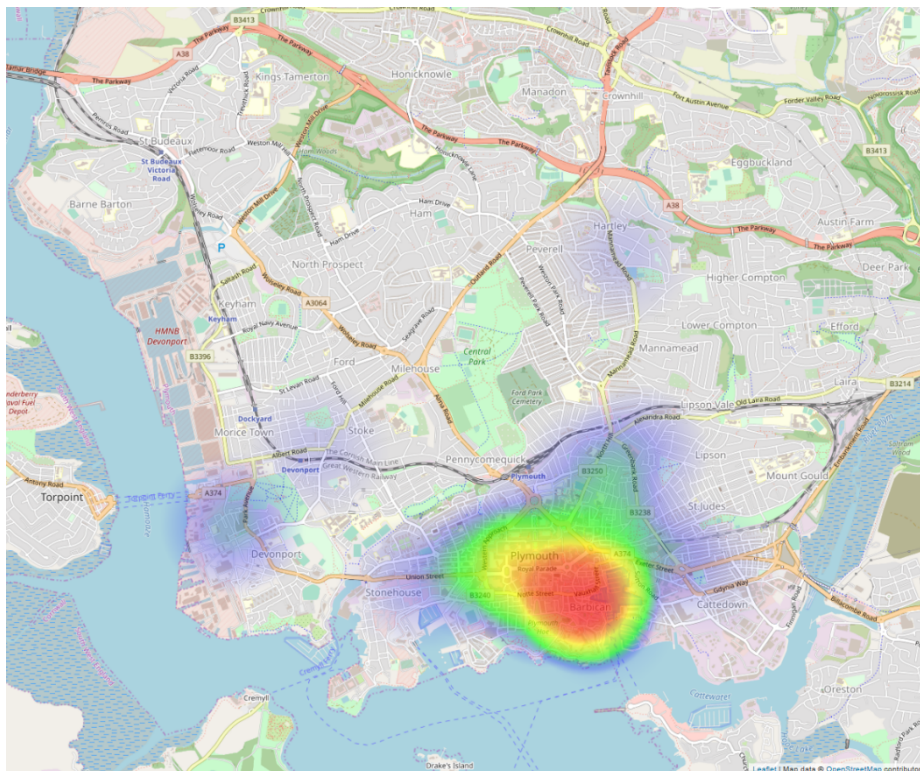
Criminal Law

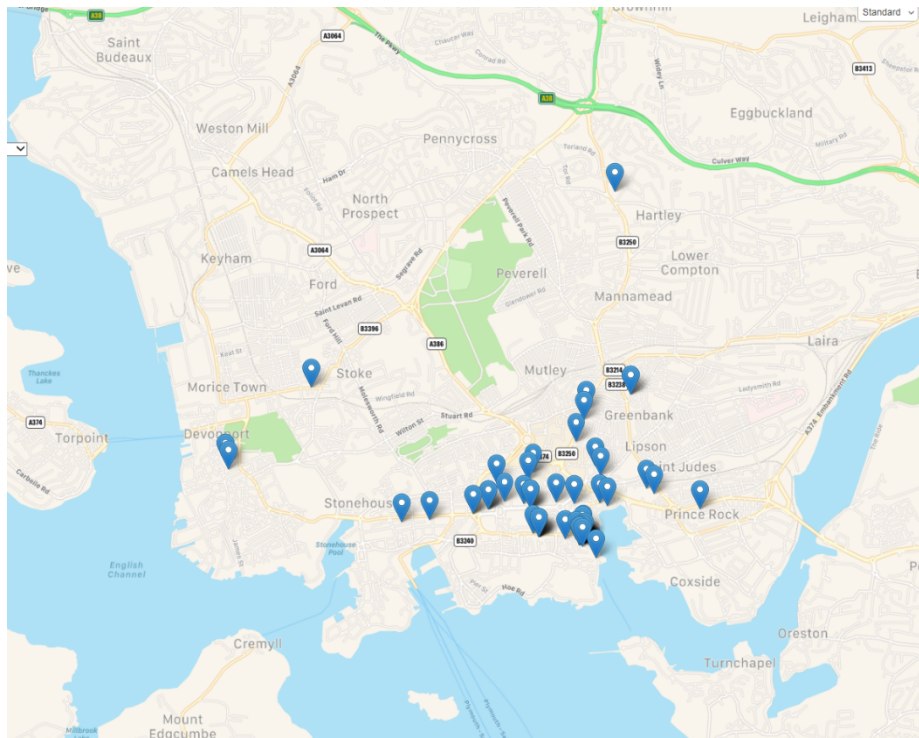
Begging is an offence under section 3 of the *Vagrancy Act 1824*, and is a recordable offence. The maximum sentence is a fine at level 3 on the standard scale (currently £1000). Data held by the Ministry of Justice displays that between 2007 and 2017 the number of convictions nationally for offences under section 3 fell from 1,287 to 867.

Plymouth Begging

Between 01 January 2019 and 31 December 2019 in the Plymouth BCU there were 84 recorded incidents / logs of Begging (including all various definitions).

Incidents / Logs in Plymouth in 2019 mapped below:





Plymouth City Council's Community Connections team work in partnership with Devon and Cornwall Police and other agencies in addressing locations and people of concern. Through this, joint working orders have been obtained against individuals prohibiting them from begging alongside other actions deemed to having a detrimental impact on the community.

Enforcement should not be the initial steps taken to address begging and support should be the primary focus. Enforcement is however required if behaviours continue and Community Connections have secured orders preventing begging as a behaviour. An example case is an order granted via the courts prohibiting a male from approaching any person to ask them for money or demanding money from them, in addition to this the order prohibits him from entering specified areas of the city.

Public Space Protection Order

On the 1st November 2017 a Public Space Protection Order was granted covering Stonehouse. The order was considered a pilot for trialling the enforcement escalation processes for offenders opposed to fines and effectiveness in addressing matters. The order which included a prohibition relating to begging was reviewed in June 2019.

From the review it was evident that the recorded impact was minimal and its usage inconsistent.

Operation Hippic

In 2018 concerns were raised over issues of anti-social behaviour, street drinking, begging, rough sleeping and crime having a detrimental impact on residents, businesses and visitors to the city. The concerns raised initially focused on the City Centre, Barbican, Hoe and West End.

Following consultation Op Hippy was established to coordinate a multi-agency approach to addressing specified matters of concern. The approach developed looks to consider each individual with the believed causal reason for behaviours being displayed. Consideration was then to be given as to what the most appropriate and proportionate support and/or enforcement action should be utilised.

To employ this approach the multi-agency team was developed drawing in resources from Plymouth Access to Housing, Harbour, Plymouth against Retail Crime, Community Connections, Police, Housing Providers and Shekinah Mission. Through this, joint working issues which had been identified were addressed. Furthermore the employed processes were considered best practice when dealing with individuals with complex needs. As a result Op Hippy was continued, the footprint extended and an operational and strategic group formed.

To date Operation Hippy has reviewed **224** individuals **40** of which remain of concern and are currently considered as Red or Amber in the employed risk rating system. As part of this work there are weekly partnership patrols in key locations and individuals can be raised for consideration by any partner agency. Individuals are reviewed every three weeks with actions assigned to the most appropriate lead agency to address behaviours being displayed.

Currently of the 40, many are receiving support for housing and addiction matters, furthermore there are 4 in consideration for the application of a Criminal Behaviour Order, 8 now in consideration/receipt of either Community Protection Notice or Warning, 1 pending Police enforcement and 3 subject to Anti-Social Behaviour escalation processes. Enforcement is largely a joint decision once support options have failed to reduce the impact of behaviours being displayed.

Work has been undertaken by Community Connections and Devon & Cornwall Police around the Bath Street / Bath Place areas of Stonehouse. Work has been undertaken with some of the businesses in the area to encourage reporting and a request has gone to street services to clear the area of excrement, needles and broken glass. Environmental Protection are also working with businesses to ensure they are keeping their bins locked preventing street drinkers accessing their waste, which had been identified as an issue.

A number of street drinkers have been issued with Stage 2 ASB warnings and have been interviewed by Community Connections and the Police. Police will shortly be issuing letters to local shops with photos and names of those street drinkers that are causing anti-social behaviour and asking the shops not to serve them.

We will continue to focus our efforts through Op Hippy to work and support people who beg to deal with the casual factors and reduce their negative impact on them and the community.

Plymouth against Retail Crime (PARC)

PARC was established in September 2001 to combat the increasing problem in Plymouth City Centre of retail crime and anti-social behaviour within the City Centre Business Improvement District (BID). PARC have Officers operating in the city centre on a daily basis and are targeted towards addressing matters of concern inclusive of Begging. In order to increase their effectiveness PARC have been given authorisation by Portfolio Holder for Customer Focus and Community Safety via the Leader's Scheme of Delegation (May 2018, as amended) facilitated by Community Connections, to exercise relevant functions under the Anti-Social Behaviour Crime and Policing Act 2014. PARC work with Police and Plymouth City Council to ensure that appropriate and proportionate actions are considered when dealing with individuals.

4. Community Safety Enforcement

Introduction

Plymouth City Council has a small team that works closely with the Police and other agencies to deal with Anti-Social Behaviour in its many forms. This will support agencies to address behaviours of concern using a range of powers.

Community Connections use an ASB escalation process to deal with early intervention around issues of anti-social behaviour. On receipt of a complaint(s) the team will gather intelligence in co-operation with the Police and will speak to parties involved. From this if appropriate an ASB 1 is issued. If this deals with the issue and there are no further issues within a 3 month period then the matter will end there. If there are further issues then the escalation process will move to an ASB 2. If this still does not deal with the issues then we have a number of tools that we can use to deal with the continued anti-social behaviour.

If an issue is serious enough it is of course possible to move directly to using the following civil powers without using the escalation process.

The community protection notice

Used to stop the activities of those aged 16 or over, businesses or organisations that are spoiling a community's quality of life. Ignoring the notice is a criminal offence and can have a fixed penalty notice of up to £100, or prosecution in a magistrate's court

Closure notices and orders

Used to protect people by quickly closing premises that are causing a nuisance or whose customers are causing a nuisance nearby. Breaching the notice is an offence and can have an unlimited fine and up to three months in prison.

Criminal behaviour order

Used to stop someone that has been sentenced for a criminal offence or given a conditional discharge carrying out certain activities or to deal with the causes of their behaviour. Breaching the order is an offence and can have a fine of up to £5,000 and/or up to five years in prison.

Public space protection order

Used to deal with activities in an area that are having an effect on local people by setting rules on the use of that area, such as stopping people drinking alcohol in a public park, or keeping dogs on a lead around children's play areas. Breaching the order is a criminal offence and can have a fixed penalty notice of up to £100, or prosecution in a magistrate's court leading to a fine up to £1,000.

Civil injunction

Used to stop someone carrying out certain activities or to deal with the causes of their behaviour. Breaching the injunction is an offence and can have an unlimited fine or up to two years in prison.

Dispersal powers

Used to get someone that has or is likely to carry out anti-social behaviour to leave an area and not return for a certain amount of time (up to 48 hours). Not leaving when asked can have a fine of up to £2,500 and/or three months in prison.

Casework

In 2019 Plymouth City Councils Community Connections team received 533 enquiries relating to Anti-Social Behaviour.

Advice and guidance is passed to customers making enquiries however not all enquires result investigations being instigated. Combining enquires with direct reports from partner agencies 99 cases were progressed to formal investigation. A breakdown of how powers were employed to secure outcomes for formal investigation are continued on page 7 of this briefing.

The below tables display that throughout 2019 there were 268 ASBI's issued of which 27 progressed to ASB2's, resulting in a successful intervention rate of 85.6% across the City.

	Devonport/West	North/ Plympton	South/ Central	City Total
Stage 1 (S1)				
Total S1 Warnings Issued	76	57	135	268
Public Space Protection Order (PSPO)				
Total PSPO Warnings Issued	15	0	8	23
Stage 2 (S2)				
Total S2 Warnings Issued	16	9	2	27
Total Warnings Issued 2019	107	66	145	318

	Devonport/West	North/ Plympton	South/ Central
Successful Interventions 2019	79%	88%	90%
	(of issued)	(of issued)	(of issued)

	Devonport/West	North/ Plympton	South/ Central	City Total
Acceptable Behaviour Contract (ABC)				
Under 18	5	0	0	5
Over 18	0	0	0	0
Total ABC	5	0	0	5
Criminal Behaviour Order (CBO)				
Under 18	0	0	0	0
Over 18	4	2	3	9
Total CBO Issued	4	2	3	9
Premises Closure Order				
Over 18	2	0	1	3
Total Closures	2	0	1	3
Community Protection Notice Warning (CPNW)				
Under 18	0	0	0	0
Over 18	11	10	19	40
Total CPNW	11	10	19	40
Community Protection Notice (CPN)				
Under 18	0	0	0	0
Over 18	3	0	4	7
Total CPN	3	0	4	7
Injunction				
Under 18	0	0	0	0
Over 18	0	0	0	0
Total Injunctions	0	0	0	0

	Devonport/West	North/ Plympton	South/ Central	City Total
LEGAL ORDERS/NOTICES OBTAINED	9	2	8	19
* To date Community Connections have investigated 99 cases of which 12 have been successful applications to court. 87 cases have been resolved in other ways (due to Community Connections/partnership intervention, behaviours have improved, the landlord has been evicted/got possession, the tenant has relinquished their tenancy etc). 30 cases are currently in progress.				

2019 Modern Slavery cases 10

2019 CE/CSE 16

2019 Victim Support Referrals 549

2019 Hate reports 10

Appendix

The appendix displays both a selection of 2019 community safety enforcement case studies and wider subject matter updates.

Premises Closure Order

On 21st November 2019 a joint application with Devon and Cornwall Police was made in the Magistrates Court for the premises Closure Order. The premises was linked to drug supply and use, county lines, violence and anti-social behaviour. The magistrates agreed in Plymouth City Councils favour and the premises has been closed for a period of 3 months. The landlord has applied to the court for a possession order.

Community Connections are working with Devon and Cornwall Police to develop new practices in the use of premises closures when considering county line drug supply. The new processes will seek to increase the use of the power at an earlier stage, targeting illegal drug supply in Plymouth.

Community Protection Notice / Criminal Behaviour Order

Community Connections are currently in court with a breach of Community Protection Notice and for the application of a Criminal Behaviour Order. This is a complex case that has been adjourned 3 times most recently due to the defendant having to have an intermediary (it is rare that an intermediary is used in the Magistrates Court). Community Connections are due back in court in 2020 for a plea hearing. This is a local authority application due to concerns raised around sexual exploitation.

Plymouth City Council have issued a Community Protection Notice to a male believed to be targeting vulnerable people within the City. The CPN prohibited actions relating to approaching any person believed to be vulnerable for financial or sexual gratification, following individuals, purporting to work for support agencies and producing, facilitating, publishing or encouraging electronic postings that cause harassment, alarm or distress.

Vulnerability and Exploitation

Community Connections are a key member in the Missing and Child Exploitation Group (MACE). This forum identifies some of the most vulnerable and at risk young people in the city. Community Connections offers support and advice around crime, ASB, housing and expertise around use of legislation. Members of this collaborative forum have worked with, in the region of 1500 young people over the last 2 years and have co-designed and delivered a Child Sexual Exploitation – Know the Signs campaign which is currently running across the whole of Devon and Cornwall.

ASB enforcement process in Plymouth

Community Connections are working with police colleagues and other local authority departments in redesigning the ASB escalation process that is adopted when working with individuals who are behaving in an anti-social manner. This new process offers earlier interventions and support. It is hoped that this approach will reduce the number of entrants into the criminal justice system. New processes set out to offer positive interventions before they escalate into a crisis situation. It is the intention of this approach to ensure people get access the necessary support required by having their specific needs identified earlier. Furthermore it aims to reduce demand on high end services. This process will predominantly be utilised whilst working with young people.

Modern Slavery Partnership Group

Previously chaired by Police Inspector changes have been implemented and Community Connections has taken the position as Chair. The group has recently been asked to represent Plymouth at Mayflower 400 with the theme of people travelling to a new world to seek a new life, but then finding themselves being victims of slavery and exploitation. This is likely to be an exhibition in Sir John Hawkins Square and will be part of the Plymouth Trail.

The Modern Slavery Partnership group will meet quarterly, with additional meetings called to coordinate the Mayflower 400 exhibition.

Modern Slavery

Safer Communities were notified of a concern for a patient at Derriford Hospital who had sustained significant injuries following a fall from a building. The male disclosed that he had been working long hours for a company in a different part of the country and that they had been living at a caravan site. He disclosed he was never paid a consistent wage and was given the leftover food of the family he was working for.

The male worked with the company for 2 years and lived in a caravan that had no bathroom, no bedroom, no water and no toilet. He said if he wanted to wash himself he would have to get two buckets of water from the yard to use. The male did not have access to his passport or ID. Ascertaining this information along with how he had fled the situation was slow and complex as the individual had suffered serious trauma through his fall.

Information provided led those involved to believe that the male had been victim of modern slavery. Partnership working then ensured and an action plan was devised to safeguard the victim and pursue the offenders.

The Home Office confirmed they were satisfied that the criteria for modern slavery (human trafficking and or slavery, servitude and forced or compulsory labour) had been met permitting the appropriate support being implemented by the Salvation Army being provided.

REEL Cinema / Civic Centre / Dance Academy

Concerns have been raised by a number of agencies with regard to children getting into the disused buildings in the city. The group call themselves "Urban Explorers" who base themselves on an American TV programme where people break into properties and put photos on social media. The REEL Cinema has been a particular concern with 13-14 year old children accessing the building by climbing up a gas pipe. Community Connections have worked with the owners to secure the building and had pipe work removed to reduce access to high platforms around the building. It was evident in the building that people had been accessing the area as there was a lot of internal damage and evidence of drug use. Due to the risk involved, the owner has provided a key to Community Connections which is being held at Charles Cross Police station in case police have to enter.