



Devon & Cornwall Police

Building safer communities together

Mr Robert Norley
Assistant Director Environment
Exeter City Council
Civic Centre
Paris Street
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Russ Middleton
Assistant Chief Constable
Force Headquarters
Middlemoor, Exeter
Devon, EX2 7HQ

Telephone: 01392 452015

29 February 2016

Our ref: ACC/sdr/sjd
Your ref: RN/dmv

Dear Mr Norley

Proposed Public Spaces Protection Order for Exeter City Centre

I write in response to your letter dated 18 December 2015, seeking the views of the Chief Constable of Devon and Cornwall Police on the Proposed Public Spaces Protection Order ("PSPO") for Exeter city centre. I am replying on behalf of Chief Constable Sawyer, as the Assistant Chief Constable with the portfolio for Delivery.

The problems that you refer to in your letter are problems which we recognise as having a real detrimental effect on those who live in, work in, and visit Exeter city centre. We welcome the proactive efforts of Exeter City Council to tackle these matters. We are fully supportive of the PSPO which will send a clear message that anti-social behaviour is not acceptable in Exeter city centre.

Over the last few months there has been an increase in anti-social behaviour in Exeter city centre including drinking and drug taking on the streets; large and threatening groups congregating; littering and begging. As a result of this escalation and to support a long term commitment to keeping Exeter safe and a positive environment for our communities both in the day and at night, Devon and Cornwall Police are supportive of the PSPO application.

The intelligence, crimes and complaints picture for the area demonstrates ongoing and persistent nuisance and behaviour relating to some groups of individuals drinking and drug taking openly on the streets of Exeter city centre. As a result, there has been an increase in extreme littering, with some areas of the city covered in bottles, cans and other debris scattered where people are congregating. The impact of groups congregating and acting in a loud and disruptive way is affecting our community as

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The Government Standard

Broader powers to authorise police officers and authorising officers to disperse larger groups would enable easier management of difficult situations. The power to disperse groups facilitates the opportunity for police officers and the Council's officers to engage with people, prevent and deter anti-social behaviour and identify those who may require additional help and support.

The ability to clear away debris and encampments in some cases would support Exeter City Council to remove rubbish and waste which have been abandoned or are causing an obstruction. It is recognised that this could improve the general quality and cleanliness of the city and encourage considerate behaviour in respect of the environment.

Urinating in a public place is a summary offence, which has been highlighted as an escalating problem by the business community, in particular around shop fronts and doorways. I am aware Exeter City Council has also been looking at the potential for temporary urinals at night to pro-actively look to reduce this problem and again, we would fully support this measure.

Begging on the streets of Exeter city centre has also increased, resulting in police officers and PCSOs attempting to disrupt open begging on a daily basis. As part of the Street Attachment Group ("StAG") set up through the Community Safety Partnership ("CSP"), we are working together with partner agencies to engage with alternative giving schemes and volunteer groups to look at long term solutions to begging in Exeter. In the meantime, this part of the PSPO would provide Exeter City Council and police officers with powers to be more effective when dealing with the begging issue in the city. It has been recognised through research that begging extends people's street attachment and can discourage them from engaging with agencies which would help them to access the alternative living arrangements available.

The PSPO is only one part of Exeter city's approach to tackling anti-social behaviour. The CSP and StAG are looking at long term strategies to improving the homeless and rough sleeping problem in the city and are focussed on improving the exit offers for those with street attachment to reduce the number of people living and surviving on the streets of Exeter city. The approach agreed across agencies from all sectors is one of engagement, support and, where necessary, the use of enforcement.

I note that the prohibitions have been written so as to be both proportionate and enforceable and I fully endorse this approach. The proposed PSPO will equip officers and authorising officers with a wider range of powers, enabling them to provide an appropriately tailored response to nuisance and anti-social behaviour. In my opinion, the current ongoing impact that this type of behaviour has on the community justifies these restrictions being put in place.

I am not aware of the length of time for which Exeter City Council proposes to make the PSPO. I would encourage Exeter City Council to make the Order for three years - the maximum permitted by the legislation. Of course the police and Council officers can take effective action as soon as the PSPO is in force. However, I do not see this as a short-term fix; persistent issues such as these cannot go away overnight.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Russ Middleton', with a stylized flourish at the end.

Russ Middleton
Assistant Chief Constable

Chief Executive

Robert Norley
Assistant Director Environment
Exeter City Council

By email:
robert.norley@exeter.gov.uk

Phil Norrey
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21 January 2015

Dear Robert

Re: Proposed Public Spaces Protection Order for Exeter City Centre

Thank for the opportunity to comment on your proposals.

I have taken the opportunity to review these proposals with a range of colleagues from across the County Council alongside your associated draft Impact Assessment.

Devon County Council understands and supports the principle of the proposed Public Spaces Protection Order for Exeter City Centre.

There are however a number of observations from the County Council's perspective, that the City Council may wish to consider as part of its decision making and implementation.

The County Council is keen to see that these proposals give consideration as to how people whose homelessness is rooted within complex and chaotic life experiences might be identified, and offered/signposted to the support the County Council and wider partners contribute to as part of this initiative. It may be helpful that the related literature provides explicit reference to ECC's Street Outreach Contract with Julian Housing.

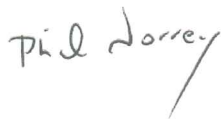
In enforcing the proposed Public Spaces Protection Order it will be necessary that clear, formal links and understanding of the process and appropriateness of liaising and referrals into Childrens Social Work resources so that partners have the knowledge and opportunities to intervene if ever appropriate. We hope that it will be rare for 16/17 year olds and care leavers to find themselves in situations where they would be likely to come into contact with this initiative, but if this does happen we will need to understand as partners key points of contact and required duties and actions.

In terms of wider considerations and impacts and your developing Impact Assessment. It may be that the proposals could give wider considerations to the potential impact of a Public Spaces Protection Order on shifting anti-social behaviour into quieter, residential areas which might increase fears of safety for people such as elderly people and women who can feel vulnerable alone late at night.

The proposals are not clear on people's possessions if they are removed (bedding etc.) –and the policy and act of removing items may be considered a breach of the Human Rights Act Article 1, Protocol 1: Right to peaceful enjoyment of possessions. This rule will also disproportionately impact men and people with mental health problems and therefore will need to be considered in light of the public sector equality duty.

I hope that these comments are helpful. I would be happy to provide support from the County Council as appropriate to assist in the further development of these proposals and into any implementation – I would consider the Homeless strand within ICE as a suitable place to do this. I consider that this would provide a strong link to the Health and Well Being hub and connect up a strong multi agency support offer aligned to the sanctions introduced with the Public Spaces Protection Order.

Yours sincerely

A handwritten signature in black ink that reads "Phil Norrey". The signature is written in a cursive style with a long, sweeping underline.

Phil Norrey
Chief Executive

Chief Executive

Robert Norley
Assistant Director Environment
Exeter City Council

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Phil Norrey
Chief Executive



TH/nl

Robert Norley
Assistant Director, Environment
Exeter City Council
Civic Centre
Paris Street
Exeter
EX1 1JN

29th February 2016

Dear Robert,

Proposed Public Spaces Protection Order for Exeter City Centre

Thank you for your letter dated 18th December inviting me to provide my views on the proposed Public Spaces Protection Order (PSPO) for Exeter.

I support the proposal made by Exeter City Council to introduce a PSPO covering the specified area. It is important that we all work together to tackle crime and anti-social behaviour in our towns and cities and the PSPO will be a valuable additional tool to assist the police and partners in helping to keep our communities safe. Many of the issues covered by the new PSPO are currently the subject of other byelaws or DPPOs but the move to a PSPO provides the opportunity to update these arrangements and to take action to deal with other areas of concern.


I am particularly pleased to see the inclusion of NPS (or so called legal highs) in the proposed PSPO. These substances are highly dangerous and the growth in their usage over the past few years – in particular their public consumption and the linkages to anti-social behaviour within town centres has been of great concern.

I am aware that concerns have been raised across the local area regarding the provisions on unauthorised bivouacs, bedding or encampments. As you rightly acknowledge within your EIA there is often a high correlation between street dwelling and substance dependency, vulnerability and mental ill health.

It is vital that appropriate support services are in place within the local area to help deal with these challenges and ensure that people are able to access appropriate support and help and the additional services being provided by Sleep Safe Exeter and the wider work by projects such as Making Every Adult Matter and the new Hub will have an important role to play here. I also read with interest the response posted by Councillor Paul Bull on behalf of the Council Leader and other councillors and I welcome the clarifications and additional measures set out in that response.

My final point relates to the potential for displacement. It is my understanding that the potential for ASB to be displaced to the surrounding areas will be closely monitored by the council and partners and that appropriate action will be taken if necessary to deal with any such displacement.

If you would like to discuss or clarify any elements of my response please contact Lisa Vango in my office.

Yours ever


Tony Hogg
Police and Crime Commissioner

8th February 2016

Mr Robert Norley
Assistant Director Environment
Exeter City Council
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AGAINST CRIME

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Dear Robert,

Public Space Protection Order (PSPO)

Thank you for your letter of 8th January outlining the proposed PSPO and seeking the views of the EBAC partnership. I can say that a copy of your letter, together with a verbal brief on the subject, has been delivered by the Business Crime Manager to all of our members over the last two weeks. I am pleased to add that there has been no dissent on any of the proposed prohibitions mentioned in your letter, although I have had a little sympathetic feedback on item 3, "unauthorised bivouacs, bedding or encampments".

Generally speaking, none of our members have objections to dealing with beggars, street drinkers and anti-social individuals/teenage groups but the matter of dealing with rough sleepers has evoked strong feelings on all sides of the argument. On the one hand we have found that a polite request to move away from doorways has resulted with an immediate courteous response and on the other, some young ladies have been met with abuse and aggressive comment. Some retail staff have sympathy for the homeless, although I believe they are unaware of accommodation available, whereas others feel they are an eyesore on the streets of the city. However there was consensus that these rough sleepers should not be present when businesses were about to open up or close down for the day's trading; the idea of a daytime curfew from, say, the hours of six-thirty in the morning until eight o'clock in the evening has been raised on several occasions.

With regard to the geographical area of the PSPO, I am pleased to see that you have included Exbridges retail park and Cowick Street as EBAC members in those areas already know the problems associated with individuals evicted from the city centre.

If the partnership can be of any further help, please do not hesitate in contacting me.

Yours sincerely,

Andrew McNeilly
Chairman, EBAC,

A handwritten signature in blue ink, enclosed in a blue oval. The signature appears to be 'Andrew McNeilly'.

