

- 1 MAR 2016

[16]

[REDACTED]

PSPO Feedback
Environment Directorate
Exeter City Council
Civic Centre
Paris Street
EX1 1JN

25th February, 2016

Dear Sir/Madam,

Consultation feedback form – PSPO

Thank you very much for the information about the proposed PSPO and the enclosed feedback form, to which I add this letter.

As [REDACTED] I have a pastoral concern and responsibility to all those who come to us, whoever they are. To that end I would not want to make anyone feel unwelcome or fail to feel that the pastoral concern we, as a church, have for them as individuals.

At the same time that pastoral concern and duty of care extends to all those who are associated with [REDACTED]. As a large and active church we have a significant number of young people who use the buildings, both on Sundays and during the week. It is therefore not uncommon for children to play within the grounds after Sunday services and at other times. In addition, those who use the land behind for growing vegetables etc., regularly require access to the plots at the rear of the church centre.

In recent weeks there has been an intensification of an on-going problem with those who sleep within the grounds. That alone would not be a significant problem, but evidence of drug-taking (needles, foil etc) has reached the point where it is unsafe for children to run around. Church staff regularly have to check and clear up used needles etc.

To that end, if a PSPO was put in place and did not include the church grounds, the problem may be exacerbated rather than alleviated. I have therefore been able to agree with proposals 1,2, 5 and 6 but feel that proposals 4 and 5 need qualification. Whilst the church grounds are private land, we do not want to be seen as saying we wish property to be 'removed without delay' should someone be sleeping rough, nor that we would not want to help who we can when we can. It may be that the associated problem with drug taking (from a safeguarding and health and safety point of view) necessitates removal of items such as bedding but that would not be a condition we would want to specify for any other reason.

On balance it would seem that PSPO is a wise precaution in order to exercise our duty of care, much as would be required in school grounds, but with the caveats and explanation given above.

Yours faithfully,

[REDACTED]

Consultation Feedback Form on:

**Proposed Prohibitions and actions contained in Public Spaces Protection
Order for Exeter City Centre**

This feedback form should be read in conjunction with the accompanying documents - PSPO Frequently Asked Questions, map of proposed PSPO, draft Equality Impact Assessment, and PSPO Prohibitions & Actions. All feedback should be returned to the Council by 29 February 2016, which is the date that the consultation period will end.

You can make comments on the proposals in the boxes below, but may also expand your reply further on any particular prohibition/action if you so wish.

Feedback can be emailed to community.safety@exeter.gov.uk or posted to PSPO Feedback, Environment Directorate, Exeter city Council, Civic Centre, Paris Street, Exeter EX1 1JN.

There are six prohibitions and actions that seek to control anti-social behaviour within the city centre. It is proposed that the PSPO will stipulate:

Person(s) within this area, whilst situated in the street or other public space where the public have access without payment, shall:

- 1) Surrender any intoxicating substance in their possession to an authorised person on request, if:
 - a) they are found to be ingesting, inhaling, injecting, smoking or otherwise using intoxicating substances, or,
 - b) they are in possession of such intoxicating substances with the intent of using such intoxicating substances within this area, or,
 - c) the authorised person has reasonable grounds to believe that such person is using or intends to use the intoxicating substance within the said area.

Intoxicating Substances is given the following definition (which includes Alcohol and what are commonly referred to as 'legal highs'): Substances with the capacity to stimulate or depress the central nervous system.

Exemptions shall apply in cases where the substances are used for a valid and demonstrable medicinal use, given to an animal as a medicinal remedy, are cigarettes or vaporisers (tobacco products), or are food stuffs regulated by food safety legislation, or where the use of the intoxicating substances fall within the curtilage of a premises licenced for the sale and consumption of alcohol, and within the operating hours of such.

An authorised person shall be a Police Constable, Police Community Support Officer or Exeter City Council Officer, who must be able to present their authority upon request.

Do you agree with Proposal 1? YES NO

Do you have any comments about the proposal? Please write these below.

2) Not urinate in a street or public open space

The term 'street' includes any road, footway, beach or other area to which the public have access without payment. It also includes a service area as defined in Section 329 of the Highways Act 1980. Other areas will include parks and retail car parks to which the public have access to without payment.

Exemptions shall apply where a person urinating is making use of an authorised temporary public urinal/toilet has been provided in accordance with any specification issued by Exeter City Council, and with its agreement.

Do you agree with Proposal 2? YES NO

Do you have any comments about the proposal? Please write these below

3) Clear away and remove from this area without delay (to the satisfaction of an authorised person) any unauthorised bivouac, bedding or encampment formed in a street together with any associated paraphernalia, when requested to do so by an authorised person and if that person fails to clear away and remove as directed an authorised person may then or on a future date or time confiscate and dispose of any unauthorised bivouac, bedding or encampment found within this area with or without the permission of its owner.

For these purposes, bivouac, bedding and encampment mean any portable shelter used for camping or outdoor sleeping, and include materials used for shelter against the elements, weather or ground.

For this purpose 'unauthorised' means without the express written consent of any owner (or any person having control over or an interest in the land in question).

Do you agree with Proposal 3? YES NO

Do you have any comments about the proposal? Please write these below

See attached letter

- 4) **Not make unsolicited and or unauthorised request(s) for money (whether expressly requested or impliedly requested by conduct) in a public place from persons not known to the perpetrator.**

For this purpose 'unauthorised' means without the express written consent of any owner (or person having control over or an interest in the land in question).

Do you agree with Proposal 4? YES NO

Do you have any comments about the proposal? Please write these below

See attached letter

- 5) **Not behave either individually or in a group of two or more people in a manner that has resulted or is likely to result in any member of the public being intimidated, harassed, alarmed or distressed by that behaviour.**

- 6) **Persons within this area who breach Prohibition 5 while in a group shall when ordered to do so by an authorised officer disperse either immediately or by such time as may be specified and in such a manner as may be specified.**

Do you agree with Proposals 5&6? YES NO

Do you have any comments about the proposals? Please write these below



PSPO Feedback
Environment Directorate Exeter City Council
Civic Centre Paris Street Exeter

- 2 MAR 2016

Copy to the Express & Echo and to the Police

25th February 2016

Dear Sirs,

I would like to offer some feedback ahead of your deadline. I am hesitant about putting my name, yet I think there will be many more like me (female/middle aged to pensionable) who are as nervous about speaking publicly as we are about the behaviour in question here so I do hope that you will accept the genuineness of this contribution.

Fairly new to Exeter from London, I have been shocked at the numbers of homeless right in the centre. I support emergency help to those in need but not arrangements which just perpetuate disorderly lifestyles which intimidate the rest of us which is what seems to happen here. I am not clear whether all the free food on offer here just allows money which would otherwise be used for food to be spent on drink and drugs.

I support each of these extra powers. The Police do a very difficult job on behalf of all of us, and I welcome them being given any extra measures which can make this more effective.

The steps already taken by the Police towards curtailing the sale of legal highs have been welcome yet more work is vital if Exeter's image is to be a positive one. The individuals and businesses who act responsibly - and who by their hard work and their taxes fund all of our communal facilities and services - should be able to go about their daily activities without being made uncomfortable or nervous by antisocial behaviour.

At the moment it is hardly possible to walk Martins Lane between High Street and Cathedral without being asked for money. The pedestrian lane of the underpass from Cathedral to Quay, a main tourist route, has been appropriated by one or two people for a messy camp so legitimate users have to take to the cycle lane. Groups of individuals (and often their dogs) hang about between the Cathedral and the top of Fore Street, which makes for uneasy shopping in the vicinity of the last independent newsagent in the centre, a lovely hard working family who deserve better for themselves and their customers.

I don't know where all of these thousands who hold an opposing view come from, and indeed your feedback form doesn't appear to say that contributors should be local. I can only say based on my experience of walking out every single day from my home to my local businesses and facilities in the centre that I can't help but be affected by these issues. I find the current state of affairs depressing and it adversely affects my view of Exeter as a place to live.

Thank you for proposing measures which help the Police to tackle some of the problems.

From a central Exeter resident/home owner

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Exeter City Council
Civic Centre
Paris Street
Exeter
EX1 1JN

[REDACTED]
[REDACTED]
[REDACTED]
Exeter
[REDACTED]

Friday 11th March 2016

To whom it may concern,

I read with distress the council's plans to implement a Public Spaces Protection Order (PSPO) in Exeter city centre, which would be both unnecessary and poorly thought out. The implementation of such an order would demonstrate a callous lack of regard for the causes of the problems it superficially seeks to address and highlight an apparent inability of the council to adequately support the residents of its city through existing legal and statutory infrastructure.

Of particular concern to me is the disproportionately negative impact a PSPO would have on rough sleepers within the city of Exeter. As you will be aware, rough sleeping is a result of a failure on the part of local and national government to provide sufficient accommodation and avenues of support to the most vulnerable members of society. That any individual is forced sleep rough, with a life expectancy of just 47, is a shameful fact, and one that should prompt a strong desire to act to bring an end to rough sleeping.

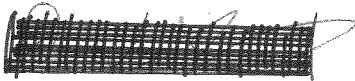
The implementation of a PSPO however does nothing to bring an end to rough sleeping in the city. On the contrary, the PSPO would target the symptoms of the problem, while doing nothing to address its root cause. The money that would be spent to devise, implement and enforce a PSPO could be far better spent tackling the causes of the problems it seeks to hide from view. If individuals are rough sleeping, it is because they have nowhere to live, and are unable or unwilling to utilise emergency shelter or accommodation. If the council were to invest more heavily into providing accommodation and/or shelter for these individuals, they would not be sleeping rough, and therefore employees would not find their path 'obstructed', when attempting to enter their workplace in the morning. I note with particular interest that the council's wording in response to a question posed by the public focuses on the 'issue' of shop employees being 'obstructed' by a rough sleeper, rather than the more pertinent issue of the rough sleeper being forced to bed down in a shop doorway; where exactly do the council's priorities lie?

Furthermore, although rough sleepers are not specifically mentioned, the clause forbidding public urination could also have an unduly negative impact on the rough sleeping population of Exeter. In response to an individual raising the issue of no public toilets being available at night, you suggest that those needing to urinate make use of the toilets available to patrons of licensed premises. Whilst it may be true that patrons of these establishments have 'little excuse for not going before leaving', this is of course not possible for individuals who are rough sleeping. Does the council have an alternative suggestion as to where rough sleepers may relieve themselves, or is urination now to be considered a luxury activity, which may be enjoyed only by those with the financial means to access private toilets?

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14 MAR 2016
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I am sure that Exeter City Council is committed to addressing the problem of rough sleeping in the city, and is working with local stakeholders to implement and improve the provision of accommodation and support for these individuals. However, by considering such a draconian measure as a PSPO, which will undoubtedly affect rough sleepers, the council risks jeopardising the hard work that they are doing to address the problem. Many rough sleepers feel mistrustful of authoritative bodies, and even avenues of support, due to previous unpleasant experiences or feelings of abandonment. By implementing a PSPO which could see these individuals penalised for actions they often have little choice over, the council would risk alienating these individuals yet further, making the task of engaging them to seek support and move away from rough sleeping all the more difficult, and reducing the likelihood of positive outcomes. I urge you to reconsider this issue, to ensure that some of Exeter's most socially excluded individuals are not prejudiced yet further.

Yours faithfully,

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14 MAR 2016
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