



Mr Simon Lane
Service Lead – Environmental Health
and Community Safety
Paris Street
Exeter
EX1 1RQ

Exeter Businesses
Against Crime
Partnership

St Stephen's House
9 Catherine Street,
Exeter, EX1 1EU

Tel: 01392 665989

ebac@exeter.gov.uk

22nd December 2021

Dear Simon

Re: Public Spaces Protection Order – Consultation

Exeter Businesses Against Crime (EBAC) is a self-funding Business Crime Reduction Partnership (BCRP) which represents 145 member businesses from retail, licensed, hospitality and public venues. EBAC works closely with both Exeter City Council and the local police with the objective of preventing and reducing criminal activity and anti-social behaviour (ASB) against the business community. EBAC have recently made a considerable contribution towards the funding of the ASB Officer, employed via ECC and welcome the anticipated increase in police resources within the City.

EBAC operates the city wide radio network which links into ECC CCTV control centre and administers DISC (Database and Intranet for a Safer Community) which allows our members to collate and share information about offenders by submitting reports of incidents. Some members of the neighbourhood police team also access DISC.

In the current year EBAC have received 1308 reports of incidents including violence, drunk and disorderly behaviour, street drinking, drug taking and verbal abuse. In addition, the street marshals submitted a further 111 reports relating to ASB. It is important to recognise that for a variety of reasons such as time constraint, apathy and a perception that 'nothing ever happens', so many members of the business community no longer report crime to the police or via DISC. Due to a massive level of 'under reporting' EBAC would suggest these figures merely represent the 'tip of the iceberg'.

For those who work in the city centre they regularly witness and come into close contact with incidents of drug taking/dealing, street drinking, fighting, aggressive begging and foul language being shouted across the city. Retailers, and their staff, have left their jobs because they can no longer cope with the levels of ASB and theft that they are continually being confronted with. Numerous people have reported to EBAC how they are often afraid when walking to and from work.

For visitors to our city who encounter these issues it's not difficult to imagine the impression they are left with.

Our members regularly report (via the radio network) intoxicated groups or individuals at the entrance to their premises, who prevent them from entering their place of work and later in the day they continue to behave in a manner that obviously deters customers from entering their business, obviously reducing their profits.

EBAC welcomed the introduction of the PSPO in 2017 and supported the dispersal powers within it. However the intervening years have shown the six hours to be largely inadequate and it is widely agreed by EBAC members that a six hour dispersal isn't an effective tool for frontline officers to use against offenders. For example, offenders can be dispersed at 09:00hrs for being drunk and disorderly, by mid-afternoon they are back and continuing their ASB. Though it is accepted there are many variables as to the metabolism of alcohol in our bodies, it's widely published that several drinks will remain in the body for several hours (verywellmind) with alcohol detected by Breathalyzer for up to 24hours. When used in conjunction with numerous drugs, the metabolism is slowed. Marijuana can stay in the system for 4-8 days.

Six hours isn't enough time for a person to sober up and reflect on their behaviour, and it certainly doesn't give the businesses, or wider public, much respite from their behaviour.

EBAC members recognise a 24 hour dispersal period is a significant increase on 6 hours. However, following discussion with members of the Management and Steering groups and also speaking with some of our businesses, it is considered 48 hours would be far more effective. Potentially dispersing troublesome individuals from the City for the entire weekend, giving our businesses and customers a reasonable period of respite from the disruption caused by their anti-social behaviour.

EBAC recognise the need for any measures against offenders to be "reasonable and proportionate", however EBAC members would also ask you to consider:

- Is it reasonable and proportionate to disperse from the City Centre for 48 hours a large group of street drinkers who are fighting and running into a retail outlet to steal and forcing the retailer to close their doors with frightened customers inside?
- Is it reasonable and proportionate to disperse an intoxicated female who is vomiting on the road around Cathedral Green directly in front of visitors to the city trying to enjoy breakfast? She was seen numerous times that day and most days in the city behaving in such a manner.
- Or to disperse a large group blocking a public alleyway all of whom are intoxicated and openly drinking and taking drugs?
- Or an individual heavily intoxicated entering every store which sells alcohol and attempting to steal more. When challenged they are aggressive, threatening and use vile language to the staff.

These are all incidents witnessed by the EBAC Coordinator and they are not unusual events, similar can be seen in the city on a daily basis. This is why the business community consider 48 hour dispersal would be more appropriate.

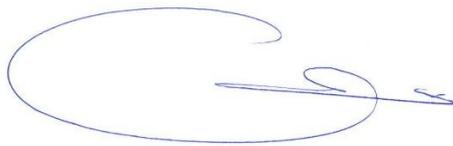
Section 8 of the Human Rights Act states that an individuals rights can be limited for several reasons, including to prevent Disorder and Crime or in the interest of Public Safety. EBAC therefore propose councillors should consider increasing the maximum period of dispersal to 48 hours.

EBAC consider this would be recognition of the severe impact ASB has upon our business community and the visitors to our City. This is an opportunity to send a powerful message to those who commit acts of ASB (many of them 'well known' individuals) that their behaviour is not acceptable, we will not tolerate it and we will deal with it in a robust manner.

It will give them time to recover from the effects of which ever intoxicating substance they have used, or to reflect on their simple disregard for others, and how that behaviour has such a detrimental effect on so many others within the community.

It might also give them the opportunity to seek assistance from the many support agencies available in Exeter.

Yours sincerely

A handwritten signature in blue ink, consisting of a large, stylized 'A' followed by a horizontal line and a small flourish.

Andrew McNeilly
Chairman of Exeter Businesses Against Crime