



SCRUTINY TASK GROUP REPORT

STREET PEOPLE

APRIL 2017

1. INTRODUCTION

- 1.1 Concerns had been expressed by members of the public and local businesses regarding a perceived increase in the number of 'street people' in Cheltenham, specifically the high street, promenade and surrounding areas. The Overview and Scrutiny committee felt that the issue would benefit from a scrutiny review.
- 1.2 The start of the review was postponed to allow for the 2016 elections.
- 1.3 This report sets out the findings and recommendations arising from the review undertaken by the scrutiny task group.

2. MEMBERSHIP AND TERMS OF REFERENCE

2.1 Membership of the task group:-

- Councillor Louis Savage (Chair)
- Councillor Colin Hay
- Councillor Chris Nelson
- Councillor Dennis Parsons
- Councillor John Payne
- Councillor Simon Wheeler

2.2 Councillor Savage would like to put on record his thanks to his colleagues on the task group.

2.3 The one page strategy for this task group was agreed by the Overview and Scrutiny Committee in June 2016 and this is attached as Appendix 1. The ambitions for the review were as follows:

- Establish the extent ***and nature** of the problem in Cheltenham (****town centre**) and how it compares to other areas.
- Understand what responsibilities and powers Cheltenham Borough Council has to address any issues.
- Consider the impact that this increase (or perceived) increase has on Cheltenham.
- Assess the support networks currently in place and consider if they could be more effective.
- (Possibly) consider if the state of some private housing is at the cause of some of the issues.

2.4 The task group made minor amendments to the ambitions that had been set by the Overview and Scrutiny Committee. The task group wanted to ***establish** the cause of the problem as well as the extent and ****consider** issues across the town, including Pittville Park and Bath Road, rather than simply the town centre area.

3. HOW DID THE TASK GROUP GO ABOUT THIS REVIEW?

- 3.1 The task group met on three occasions between September 2016 and February 2017 and spoke to a range of experts who all contributed to the discussions and were able to

respond to members questions or provide additional information outside of meetings. These officers and experts included:

- Sarah Clark, Public and Environmental Health Team Leader (CBC)
- Richard Gibson, Strategy and Engagement Manager (CBC)
- Saira Malin, Facilitator for this task group (CBC)
- Martin Stacy, Lead Commissioner - Housing Services (CBC)
- Lisa Jones, Community Protection Officer (CBC)
- Caroline Sutcliffe, Housing Strategy and Enabling Officer (CBC)
- Tracy Brown, Partnership Team Leader (CBC)
- Mary Apperly (Cheltenham Housing Aid Centre)
- Kevan Blackadder (Cheltenham BID)
- Craig Fraser (YMCA)
- PC Mark Love (Gloucestershire Constabulary)
- PC Fran O'Liffe (Gloucestershire Constabulary)
- Emily Jones, Senior Community Safety Officer (Project SOLACE)
- Justin Brennan, ASB Officer (Project SOLACE)

Members would like to thank all of the experts and officers who attended meetings and contributed to the review.

The Cabinet Member Housing and Cabinet Member Development & Safety were provided with a copy of the draft report and invited to make comment.

4. WHAT WE DID

4.1 The following paragraphs describe the areas covered in and outside of meetings:

4.2 26 September 2016

The task group met with officers from the borough council.

The group discussed the One Page Strategy document which had been agreed by the Overview and Scrutiny Committee and members of the task group suggested some minor amendments to the ambitions. The task group wanted to establish the cause of the problem as well as the extent and also wanted to consider issues across the town, rather than simply focus the town centre area.

The title 'street people' was a umbrella term used to describe various individuals' behaviour in public spaces, including but not limited to, people sleeping rough, begging, using drugs, engaging in anti-social behaviour and mental health issues. Street people may fall into one, several or none of these categories and indeed may move between them all.

Officers explained the responsibilities Cheltenham Borough Council had to address any issues, which included a statutory duty to address and reduce crime and anti-social behaviour under Section 17 of the Crime and Disorder Act, as well as outlining the legal options available to the authority. These included Civil Injunctions, Community Protection Orders, Criminal behaviour Orders and the power to impose Public Spaces Protection Orders which could include restrictions on begging.

Officers gave a brief overview of the accountabilities of partners including the Police and other outreach service, and explained that the existing 'Street People Group' brought together representatives from a broad range of partners and allowed for the sharing of data and intelligence. The purpose of the street people group is to check individuals have been engaged with and supported (eg with housing or medical needs). In a few cases, warnings or formal enforcement are necessary to address and prevent antisocial behaviour and crime.

The task group were provided with data on Anti-Social Behaviour (ASB) complaints. The figures showed that the number of 'street people' related complaints received by the ASB service in the first half of 2016 had already exceeded the number received in 2015 in its entirety and demonstrated that the primary demand related to street people behaviours such as public drinking, rough sleeping and begging.

Members were not surprised that ASB complaints in relation to street people had increased as it had been their own suspicion that there were now more in Cheltenham than there had been in previous years. As well as having concerns about the welfare of street people, the group had concerns about the impact that this had on residents and visitors to the town.

The group acknowledged that street people presented a wide variety and complexity of issues and that these issues were not always quickly and/or easily solved.

Members agreed that it would be useful for them to meet with partners to identify areas which they felt could be more effective.

The minor amendments to the ambitions for the review were approved by the Lead Members of the Overview and Scrutiny Committee (Councillors Harman, Payne and Walklett).

4.3 14 November 2016 (workshop)

Representatives from Cheltenham Housing Aid Centre (CHAC), Cheltenham BID, the YMCA, Gloucestershire Constabulary and Cheltenham Borough Council met with the task group.

The task group were given an overview of 'Supporting People', a government initiative providing housing related support to vulnerable people. GCC funded the accommodation, which in Cheltenham was provided by the YMCA and Stonham Housing and each of the district councils funded the outreach work which was delivered by St Mungo's. CHAC co-ordinated the START meetings and provided specialist housing advice and support to those with drug and alcohol issues, mental health issues and those that were homeless or at risk of becoming homeless.

It was clear, based on the data and evidence given by representatives from the Police, Cheltenham Borough Council and CHAC, that a large proportion of the individuals begging in Cheltenham were not in fact homeless and were instead begging to fund a drug addiction or buy alcohol and/or causing a nuisance (littering, urinating, defecating). Gloucester City Council, as part of a multi-agency team named Project Solace had identified individuals that moved between Cheltenham and Gloucester.

However, some of those that were sleeping rough had been evicted from supported accommodation as they had failed to manage their tenancy and were required to wait 6

weeks before being able to access supported housing again through the START process. Representatives explained that supported housing proved unsuitable for a small number of people with highly complex and challenging needs because of a lack of suitable accommodation. The group felt that the absence of a dual diagnosis pathway only added to the issue.

Under the Vagrancy Act 1824, aggressive begging was an offence and could result in a fine, however, failure to pay the fine would be an issue for the magistrates court. The two Police Officers that met with the group were openly exasperated by the lack of police powers to tackle persistent beggars who were known to them, not to be homeless. There was consensus amongst the group that the Vagrancy Act was outdated and support for tougher laws to make it easier for Police to arrest aggressive beggars.

One of the legal options available to Cheltenham Borough Council was the power to impose a Public Spaces Protection Order (PSPO) which could include restrictions on begging, but this did not represent a complete solution as the primary penalty for a breach is a fine – this might encourage the very behaviour the council and partners would want to restrict – begging.

Some representatives voiced concerns that, up to this point, mental health assessments were not routinely being carried out on-street, until an individual had successfully engaged with addiction services, though some of these individuals were unable to do this without any initial mental health support. However, the group were advised that Gloucestershire County Council had re-commissioned their drug and alcohol outreach program and appointed a national organisation called Change, Grow, Live (CGL) who would start work in January 2017.

The group discussed the benefits of an awareness campaign which encouraged members of the public not to give money to people on the street and instead donate it to an appropriate charity. This was a message being shared by the multi-agency team involved in Project Solace. Members of the task group were of the view that any such campaign would need to be an ongoing campaign rather than a one-off campaign, in order for it to be at all successful.

Having touched on some of the successes that Gloucester City had achieved as part of Project Solace, members agreed that they needed to meet with representatives of the project to better understand how it operated, whether its successes could be replicated in Cheltenham and whether this was a viable options based on the resources required.

4.4 1 February 2017

Emily Jones (Gloucester City Council) and Justin Brennan (Gloucestershire Constabulary), representatives of Project Solace met with the task group.

Managed by Gloucester City Council and Gloucestershire Constabulary and delivered by a team of three, including two Police Officers who were on secondment, Project Solace tackled cross-tenure and public space ASB. Engaging with those that took responsibility for their actions and supporting these individuals to address the root causes of anti-social behaviour in a co-ordinated way. Where engagement and support failed and anti-social behaviour persisted, enforcement was taken, but this was always a last resort. Daily patrols were carried out by the team, though not always necessarily by uniformed Police Officers and it was suggested that the act of challenging the behaviour, in itself, had helped to reduce the numbers vastly. Fortnightly meetings were attended by the Police,

Benefits Team, Social Housing groups, the Probation Service, 2gether Trust and CGL and these meetings and this exchange of data had unmasked a number of untruths (individuals claiming to be homeless when they were not and some who claimed to be engaging with certain agencies when they were not). Whilst all vulnerable, there were two distinct groups: those with a home for whom begging was a lifestyle choice and rough sleepers who were on the streets as a result of circumstance. At the time that they met with the task group, there were 12 individuals being actively managed by Project Solace, at its peak this number was 30 and thus far enforcement action had only been taken against two individuals who had repeatedly refused to engage.

Emily Jones' view was that Street Aware was not achievable based on the Cheltenham's existing resource level but felt that Solace was, with the added benefit that unlike Street Aware, it addressed root causes rather than focussing on one issue. Borough Council Officers confirmed that discussions had taken place in relation to replicating SOLACE in Cheltenham and that a business case had been drafted and was currently being considered by the Managing Director for Place and Economic Development. The business case proposed that the ASB Officer post be increased from 0.6FTE to full-time and that this should be built into the base budget and could be met by a vacant post and that a shared ASB post (CBC, Gloucester City and Gloucestershire Constabulary) should be created. A bid had also been made to the Police and Crime Commissioners Fund which would allow for joint working (between Cheltenham Borough, Gloucester City and Gloucestershire Constabulary) and a shared database, for a period of 3 years. The decision on the funding application was due by the end of March and success with the bid would only strengthen the business case for Cheltenham joining Project SOLACE.

Officers confirmed that Gloucestershire County Council commissioned the supported housing provision for clients with high and complex support needs in Gloucestershire and whilst there was no requirement for individuals to be clean of drugs in order to secure supported housing, there was a 6 week 'cooling off' period applied to anyone that had been evicted, before they could be referred back into this accommodation. It was also noted that dogs were not permitted in any of the supported housing accommodation in Gloucestershire.

The group were mindful of the fact that the number of street people in Cheltenham was relatively low in comparison to the overall population. Members expressed concerns about how the public would view the disproportionate amount of time, energy and resources being spent, on what was a small number of individuals, some of whom persistently failed to engage with the best efforts of statutory agencies and charities. Overall though, they agreed that the issue needed to be addressed and felt that Project SOLACE represented a proven means of successfully doing this, for which Officers at the Borough Council had voiced their support.

5. OUR CONCLUSIONS

5.1 *Establish the extent and nature of the problem in Cheltenham and how it compares to other areas*

Generally there has been an upward trend in the number of street people in towns and cities across the country and the same is true for Cheltenham.

On an evening in October 2016 during the 'rough sleeper count', 11 rough sleepers were identified in Cheltenham, compared to the count which was last undertaken a few years

before, when only 2 had been counted. The 2016 count was replicated in the other 5 districts and 42 rough sleepers were identified across Gloucestershire, compared to 21 in 2015.

It is important to understand the different types of street people, and that many street people who appear homeless are in fact, not. 7 of the rough sleepers that were counted in Cheltenham in October 2016 were found not to be homeless.

With the growing numbers of street people in Cheltenham there has also been an increase in associated anti-social behaviours (street drinking, drug and substance misuse/dealing, etc).

The 3 homeless individuals that were counted in October were found to have returned to homelessness after having lost previous supported housing accommodation. The 6 week 'cooling off' period meant that these individuals could be homeless for at least 6 weeks.

5.2 *Understand what responsibilities and powers Cheltenham Borough Council has to address any issues.*

Cheltenham Borough Council helps find homeless people a suitable home and gives advice to people at risk of homelessness to help prevent them losing their home.

Along with the other 5 districts, CBC fund outreach work in support of Supporting People, a government initiative to provide housing related support to vulnerable people. Gloucestershire County Council fund the accommodation and in Cheltenham this is provided by the YMCA and Stonham Housing Association.

The council has a statutory responsibility to deal with anti-social behaviour and misuse of public space, including street drinking, drug and substance misuse/dealing are classified as a form of anti-social behaviour. The definition of antisocial behaviour is behaviour capable of causing harassment, alarm or distress. Recent legislation has expanded this definition to include nuisance and annoyance in certain settings. Anti-social behaviour which with a risk of imminent harm, and crimes (e.g. threats of violence or drug dealing) are dealt with by the Police.

Legal options available to the Council include Civil Injunctions, Community Protection Orders, Criminal Behaviour Orders (previously known as ASBOs) and the power to impose Public Space Protection Orders (PSPOs). PSPOs can include restrictions on begging and whilst this would be jointly enforceable by CBC and the Police, any breach would result in a fine being issued. The task group did not feel that this represented as complete or satisfactory solution.

The Borough Council works with other support agencies and enforcement agencies to address homelessness and anti-social behaviour.

It is important to note that rough sleeping and street based ASB are two separate issues that aren't necessarily connected.

5.3 *Consider the impact that this increase has on Cheltenham.*

It is obvious to elected members, residents, businesses and visitors alike, that the number of street people in Cheltenham has increased in recent years.

Whilst the number of ASB complaints relating to street people increased in 2016, there are only a small number of complainants.

Given the population of Cheltenham and the number of visitors that are attracted to the town, it would appear that people are generally apathetic to street people.

Undoubtedly, a reduction in the number of street people in Cheltenham would benefit not only the street people themselves, but also residents, local businesses and visitors, making the town safer and more attractive.

5.4 *Assess the support networks currently in place and consider if they could be more effective.*

There are multiple statutory agencies and third-sector organisations involved in managing street people.

The nature of ASB work means that a single complaint can have multiple victims, incidents, perpetrators and locations associated with it and consequently the resource required varies from case to case. It is widely recognised that ASB could not be tackled by a single and instead required a partnership approach.

The absolute numbers of rough sleepers in Cheltenham is small; all are known, or quickly become known, to support services and those that are genuinely homeless are offered assistance and accommodation.

The work undertaken to address non-homeless street people and the associated anti-social behaviours was co-ordinated by the ASB Officer and the increasing demands being placed on the council's ASB service was growing beyond the capacity of its one FTE officer.

Fines issued by the Police or as part of a PSPO (were one to be adopted which included begging as a restricted behaviour) were not considered an effective means of addressing these issues.

It was essential to find a sustainable, long-term solution to improve outcomes for those with drug and/or alcohol addictions as well as mental health issues.

The group felt that the adoption of a Project Solace model or similar approach to co-ordinated multi-agency working would improve outcomes for victims, offenders, communities and agencies.

5.5 *(Possibly) consider if the state of some private housing is at the cause of some of the issues.*

None of the evidence that the task group have seen or heard would suggest that the quality of private housing in the town is the reason why street people in Cheltenham are sleeping rough or begging. This view is based on the data and evidence provided by the Police, borough council officers and partners.

5.6 *Other relevant matters*

There is a need to educate members of the public about the best ways of supporting street people, for example by donating to relevant registered charities rather than giving money directly to individual street people. Towns and cities across the country have run similar

campaigns in recognition of the fact that some individuals are begging to fund a drug and/or alcohol addiction.

5 CONSULTATION

- 5.1** During the course of this review we have consulted with various experts involved in this issue.
- 5.2** The Cabinet Member Housing, Cabinet Member Development and Safety and OneLegal were given the opportunity to review our draft report.
- 5.3** On the 11 April 2017, Cabinet resolved that Cheltenham Borough Council should join the Solace partnership to tackle priority anti-social behaviour. This decision was welcomed by the task group, not only because it planned to make this very recommendation, but for the fact that the decision represented a solution to the issues that the task group had identified as part of its review.

6 RECOMMENDATIONS

- 6.1** Taking all our findings into consideration, the task group agreed a number of recommendations, namely that:

Overview and Scrutiny Committee recommends:

- 1. Reducing the number of street people in Cheltenham should be a priority for this authority, benefiting not only the street people but also residents and local businesses, as well as the town itself.**
- 2. An integrated, co-ordinated multi-agency approach is required, with close partnership working and appropriate information sharing**
- 3. This authority is well placed to assume a co-ordinating role**
- 4. The adoption of a Project SOLACE model or a similar approach in Cheltenham**

6.2 PROGRESSING THE RECOMMENDATIONS

In terms of the reference set for us by the O&S committee, we feel confident that these have been met.

The group did not look at private accommodation as the data and evidence that was presented to the group by various statutory agencies and partners demonstrated no correlation between the condition of private accommodation and the number of street people in Cheltenham.

There was not enough evidence to support a recommendation either for or against the implementation of a PSPO which included begging as a restricted behaviour.

Given the decision taken on the 11 April 2017 to join the Solace partnership, the task group would suggest that progress and performance should be reviewed by the Overview and Scrutiny Committee in October 2017, rather than 6 months from the date of this report (June 2017).

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Appendices	1. The One page strategy for this review
Background information	1. Cabinet report (11 April 2017)