



**CITY OF DURHAM  
PARISH COUNCIL**

Learning from the past.  
Building for the future.

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14<sup>th</sup> June 2024

Dear Alan,

**RE: Public Spaces Protection Order on anti-social behaviour in Durham City**

I hope this letter finds you well.

The City of Durham Parish Council write to express its full support for the proposed Public Spaces Protection Order (PSPO) on anti-social behaviour in Durham City and to urge Durham County Council to introduce this PSPO at the earliest possibility.

As you are aware, the County Council launched a public consultation exercise between 18<sup>th</sup> March 2022 and 29<sup>th</sup> April 2022 to seek public views on whether a PSPO should be introduced to control *aggressive begging* in Durham City. At that time, the Council's Cabinet felt that there was insufficient evidence to justify the introduction of the PSPO and rightly asked that a larger evidence base be provided ahead of any further formal review.

Given that these orders can restrict what people can do and how they behave in public spaces, the County Council rightly takes the view that it is important that the restrictions imposed are focused on specific behaviours and are proportionate to the detrimental effect that the behaviour is causing or can cause, and are necessary to prevent it from continuing, occurring or recurring.

The legal tests focus on the impact that anti-social behaviour is having on victims and communities. A Public Spaces Protection Order can be made by the Council if they are satisfied on reasonable grounds that the activity or behaviour concerned, carried out, or likely to be carried out, in a public space:

- has had, or is likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent or continuing in nature;
- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed.

Whilst we recognise that introducing a PSPO for specific activities cannot always be a silver bullet solution to what are often complex and personal issues, this can be an effective additional tool for the police and local authority to deal with issues where they are causing a public nuisance in our

City. By way of an example, the Council's highly effective PSPO against street drinking has had a tremendous impact on our City and is reducing the number of incidents through effective education and enforcement.

The Parish Council also commends the County Council for its recognition that the enforcement of this PSPO should only be used along with a range of other intervention methods including education and support services. As you aware, the Parish Council is very heavily involved in organisations such as the City Safety Group (and its ASB-sub group prior to this), Durham University's Community Engagement Task Force, PubWatch, ShopWatch and Durham BID, we are a main funding body for the Durham City Safety Hub and Durham City Street Friends, we provide additional Police Officers as part of Operation Lentil in City and additional Neighbourhood Wardens through a Service Level Agreement with the County Council. This is in addition to the regular grant funding we provide to key partners such as Harbour support services, Sanctuary 21, the Winter Night Shelter and many more. No third parties can be in any doubt that our primary goal is to support vulnerable individuals.

### **Evidence base**

Anecdotal evidence from members of the public, partner organisations and businesses in Durham City highlights that begging and anti-social behaviour are occurring more frequently in our City and that this is having a negative impact and perception of our community.

Since DCC Cabinet's decision in 2022, we understand that Durham Constabulary has undertaken key scanning and analysis of the situation in Durham City, in order to present two statistical reports underpinning the need for a PSPO. This reflects the evidence Darlington provided in their successful application for a PSPO.

The advantage of this approach is that the quality and reliability of the evidence is high. However anecdotal evidence suggests that the scope and scale of the issue is heavily unreported.

In August 2023, the impact of this behaviour was set out in a Victim Impact Statement on behalf of no fewer than 80 local independent businesses in our city (see Appendix 1), in which businesses stressed that nuisance begging in and around the Market Place is disruptive to their trade and is having a detrimental impact on the sense of safety and good ambiance we should all expect in Durham. In submitting this Statement, local independent businesses asked the Council to urgently review its position on the anti-social behaviour PSPO in the city.

The Parish Council supports the proposed PSPO area, as set out in Appendix 2 of the report to Cabinet<sup>1</sup> and consequently we have analysed data on relevant crime and incidents categories in the D1 Beat area (primarily Durham City Centre), as set out below:

### **Anti-social behaviour incidents**

Between 1st July 2023 – 30th April 2024 there were 377 ASB incidents in Durham City. The most common type of ASB is ASB Nuisance which equates to 75%, followed by ASB Environmental at 18% and ASB personal at 7%.

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<sup>1</sup> <https://democracy.durham.gov.uk/documents/s186328/PSPO%20Final.pdf>

Of 377 ASB Incidents in Durham City 81 (21%) were given a youth qualifier, 135 (36%) had an alcohol qualifier and 9 (2%) had both alcohol and youth qualifiers.

87% of ASB incidents in Durham City are not youth related.

### **Alcohol and drug-related incidents**

There were **3659** incidents overall within the Durham City area between the 1<sup>st</sup> of July 2023 – 30<sup>th</sup> April 2024. Of these, **830 (23%)** had an alcohol qualifier, **176 (5%)** had a youth qualifier and **21 (1%)** had both alcohol and youth qualifiers.

Between 1<sup>st</sup> July 2023 – 30<sup>th</sup> April 2024 there were **118** incidents in Durham where there was a “drug” qualifier linked to the incident.

### **Homeless incidents**

Between 1<sup>st</sup> July 2023 – 30<sup>th</sup> April 2024 there were **85** incidents in Durham where there was a “homeless” qualifier linked to the incident. (**Please note:** ‘homeless’ is a tag placed on an incident by a call handler, based on information given in the call and the perception of the caller).

In relation to the type of homeless incident reported, the most common type is ASB Nuisance (**35%**), followed by concern/collapse/inj/illness (**21%**).

### **Theft**

Between 1<sup>st</sup> July 2023 – 30<sup>th</sup> April 2024 there were **538** theft offences in Durham City, of which 48.1% were a shoplifting offence.

### **Conclusion**

We trust that this data, alongside the Victim Impact Statement from local businesses, is sufficient to support your assessment. As always, we welcome the opportunity for partnership working with the Council, in order to address issues of concern in the City.

We look forward to reviewing the results of this consultation and to your eventual subsequent report to Cabinet on this matter.

Yours sincerely,

**Adam Shanley**  
**Clerk to the City of Durham Parish Council**

## **Appendix 1: Victim Impact Statement on behalf of Durham Markets Company (August 2023)**

We are writing on behalf of the 45 traders in the Market Hall and the 35 Saturday outdoor traders, to submit our support for a PSPO in Durham City with regards to nuisance begging and anti-social behaviour as it is having a direct and adverse effect on ourselves, the small independent businesses which we support and perceptions of the city as a whole.

Nuisance begging in and around the Market Place is disruptive to trade as it discourages the buying public from entering nearby premises and/or not stopping to look at stalls outside in the Market Place.

The nuisance begging is often associated with anti-social behaviour, fuelled by drink, drugs or both, which is intimidating to market staff, traders and customers. Customers and visitors' feedback have highlighted negative connotations of the city centre as they feel this type of nuisance begging and associated anti-social behaviour is very visible and prevalent and puts them off from visiting. Comments are passed on social media, which then has a direct knock-on effect with businesses. With footfall in the city centre still fairly low and a long way to go before reaching the figures pre-pandemic, businesses in the city don't need any more obstacles put in the way of visitors coming to Durham, but rather need positive and obvious encouragement.

It's usually the small independent businesses which take the majority of the financial brunt of this negative perception of the city centre, and we are increasingly concerned that, without a PSPO in place to tackle nuisance begging, then Durham will, as it is now already starting to, become a focal point for nuisance begging and will escalate further as other cities in the North East, such as Newcastle, Darlington and Sunderland already have existing PSPO's in place, leaving Durham as the only remaining option, a very attractive one at that with its strong student population.

The resulting anti-social behaviour not only puts our staff, traders and members of the public at risk with market staff having to be on constant alert, particularly during weekends and school holidays, but the language and abuse, which is so clearly driven by an excess of drugs and drink, does not make it the pleasurable experience it should be, especially for families, to visit the city centre.

We have provided, at our own additional cost, stewards and have had to double up on staffing during holiday periods which is very difficult during this financial period of Covid recovery, so quickly followed by the cost-of-living crisis. In addition to this, our traders are bearing the cost of replacing stock which is damaged/stolen as a result of anti-social behaviour. Anti-social behaviour in the Market Place detracts from events being held in an iconic city centre and had resulted in some traders not wishing to return because of the experiences they have had as a result of anti-social behaviour enhanced by drink and drugs.

The city centre desperately needs a co-operative approach between police, council and businesses to address the growing problem of nuisance begging and anti-social behaviour. The city centre is becoming renowned for all the wrong reasons and attracting a growing number of such people who, in the main, aren't homeless but find the begging so lucrative. Open air drinking, fuelled by drugs, is also clearly a problem and affects the ambience of the city centre which people are working so hard to enhance. The application of a PSPO might be politically unpalatable to some but, to those with

businesses in the city centre, it is just another negative preventing people coming to the city. We are already finding that most new businesses are hospitality/licensed and there is a clear gap in quality retail businesses to attract a day time footfall, which, if it is allowed to continue, will be a very worrying trend.

Yours sincerely,

For and On Behalf Of  
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