

Re: Durham City Public Space Protection Order (PSPO) consultation - 2024

I am the Neighbourhood Policing Inspector for Durham City and have responsibility for community policing, based at New Elvet Police Station. The city has a small but enthusiastic policing team, consisting of a Police Sergeant, three Police Constables and three Community Support Officers.

Durham is arguably one of the most beautiful cities in the world. Unfortunately, it is spoilt by the behaviour of a small number of people who choose to act in an anti-social manner, coming to the city to associate with each other, and, commit crime whilst inebriated through alcohol and drugs. They congregate in small groups, with little regard to others wishing to enjoy the city with friends or family, or to run a successful business.

A small number of individuals come to the city and give the impression that they are homeless, begging outside shops and cashpoints, despite most having adequate access to housing and an income from the benefit system. They do this because it is extremely lucrative, and they can regularly make £150 - £300 per day. This activity blatantly takes advantage of the kind-hearted people who, taken in by this deceptive behaviour, handing over their own hard-earned money. The benefactors unfortunately rarely see the consequences of giving cash to a person with a substance misuse problem. On the other hand, we see regular issues with controlled drug overdoses, concerns for safety, fighting with weapons and secondary acquisitive crime.

We work closely with all partners in the city, including support charities, housing professionals, addiction support experts and local councillors, through a partnership called the Durham C.O.G. This ensures people who are vulnerable and need support, are signposted to bespoke care. It also satisfies me, that when we are taking any enforcement action, it is proportionate, fair and absolutely necessary from a policing perspective. The addiction support workers, and even the users themselves, will tell us that the ease of making money in Durham is a barrier to their recovery. Some tell us information on local dealers, in a desperate attempt to break the cycle of addiction.

If this were about a small amount of people who were begging to feed themselves or their families, I would imagine there would be very little support for the begging aspect of the PSPO. This is, however, about people who are purporting to be homeless or hungry, not just to finance an addiction, but to get dangerously intoxicated on a daily basis. Some individuals act in a threatening or abusive manner causing harassment, alarm and distress to a large number of people who are then less likely to return to the city. The consultation seeks views on some of the key issues that people regularly comment on to us, whether that be in person, via e-mail and on social media. It gives a broader sense of begging, not just sitting on the floor, but approaching people to ask for money. It also covers some of the nuisance and antisocial acts that accompany many of the beggars in Durham. Public nuisance, obstructing doorways, unreasonable behaviour whilst intoxicated and acting in a threatening, abusive or insulting manner, are all behaviours that people have told us cause them alarm and distress.

When referring to urinating and defecating, it is not referring to those people getting 'caught short'. It is those people who are so drunk or intoxicated, they use alley ways and back streets as communal toilets. Shopkeepers and business owners tell us with disgust that they have to

clear up human excrement and other personal items on a regular basis, left by people who have little concern for the potential biohazard risk.

It is a similar story for the use of alcohol and controlled substances. Blatant and obvious use of drugs and alcohol and uncontrolled behaviour that often follows, creates an anarchic and hostile environment. The ensuing perception of lawlessness in the city betrays its otherwise genuinely safe and friendly nature.

When I looked at this situation from a problem-solving perspective, there was a clear need for additional legislative powers for police and partners who are entrusted with maintaining law and order in the city. A Public Spaces Protection Order (PSPO) is a powerful tool introduced in 2014 under the Anti-Social Behaviour, Crime and Policing Act 2014. These orders empower local authorities to address anti-social behaviour (ASB) in specific public spaces within their jurisdictions. Breach of a PSPO without a reasonable excuse is an offence.

When steps have been taken to try and adopt similar legislation in the past, the challenge was to evidence the specific behaviour, causing a dis-proportionate detrimental effect on people in the city. There was a large amount of anecdotal evidence, however, whilst seemingly occurring regularly, was not being reported to the police and local authority by conventional channels.

In July 2023, funding was received for a Community Safety and Engagement Officer. A project was started to compile data and evidence on antisocial behaviour in the city, checking reported incidents and liaising with key stakeholders, such as residents, visitors and businesses to build a qualitative picture of the issues faced on a daily basis. A large number of business and personal impact statements were obtained and through engagement, people told us they were starting to feel more confident to report incidents.

In June 2024, a Strategic Business Analyst was used to produce a report based on key quantitative data linked to the PSPO proposal and consultation, which has been forwarded as part of the consultation process. Some of the key points from the report are as follows:

- In July 2023 the government removed the necessity to record crimes under s5 of the Public Order Act, this was primarily threatening / disorderly / abusive behaviour likely to cause harassment alarm and distress. Most of these former recorded criminal offences in Durham City would now be recorded as Antisocial Behaviour (ASB) nuisance or closed under a different heading.
- There are relatively low numbers of 'begging' reported to Police. This would make sense, as people usually do not see an issue with the act of 'begging' itself. When they do contact police, it is usually due to an additional aggravating factor, such as ASB, nuisance, theft or damage.
- The majority of Antisocial Behaviour in Durham City is 'Nuisance' at 75%. A vast proportion of those are not children (87%)
- 22% of all drug offences relate to use of substances in a public place.
- On average 18% of all incidents in Durham City are caused by the same small group of people, policing academics refer to these as the 'power few' – the small percentage offenders in any distribution of crime or injustice which produces the greatest amount of harm. This is just an average figure and some days the 'power few' are responsible for over 60% of all incidents. This has a dis-proportionate effect on those other people who use the city for their own lawful enjoyment.

There are currently clear gaps in legislation, which is allowing anti-social behaviour in the city to continue unbounded. The Vagrancy Act 1824 is outdated in modern society, and, whilst the Home Office has been seeking to repeal it and working on a replacement Criminal Justice Bill, it is clear that we need something to address the antisocial activities that are currently blighting the city.

As I recently told the student newspaper *Palatinate*, Durham City is a beautiful location and World Heritage Site. Protecting the safe and welcoming public space for the majority of those using the city, deserves as much priority as preserving the historic buildings.

In conclusion, as a local policing team, we are unequivocally in favour of a Public Space Protection Order for Durham City that seeks to reduce anti-social behaviour. Whilst the powers themselves may not be a singular solution to the issues faced, I feel that it would send out a strong message in relation to acceptable behaviour and focus engagement education and enforcement through partnership working.

Submitted for your consideration.

Insp 993 Dave CLARKE

Durham Neighbourhood Policing Team

03456060365 ex 200993

[David.Clarke@Durham.police.uk](mailto:David.Clarke@Durham.police.uk)



19<sup>th</sup> June 2024

**Re: Durham City Public Space Protection Order (PSPO) consultation on tackling issues of anti-social behaviour**

I am the Community Safety and Engagement Officer based within the Durham City Neighbourhood Policing Team and have been in post since June 2023. Since starting my role, I have been heavily involved in compiling data and evidence regarding anti-social behaviour in the city centre caused by a specific cohort of individuals who frequent the city to act in anti-social manner and present themselves as homeless to beg for cash donations from kind-hearted deceived members of the public.

A large part of the project was to gather qualitative data on how many incidents this cohort of anti-social individuals were involved in from July 2023-May 2024. I found that the actions carried out by these individuals have not only had a significant impact on public services (in one month 29% of incidents reported in the Durham City area were involving this cohort) but has also severely impacted the quality of life of residents, business owners, visitors both local and international.

Regular community engagement has been done as a Neighbourhood Team with residents and business owners to gather their views regarding the ongoing issue surrounding these specific individuals causing anti-social behaviour which is seen as a blight on the local area. They are well recognised by people who work in the city as they are regularly discussed in partnership meetings such as Shopwatch and Pubwatch which are ran by the stores and licensees in the city centre. Most of this cohort have received banning orders issued by the schemes from being involved in crime and disorder in the area.

Please see attached document which is a list of Business Impact Statements which were collated from local businesses across the city who wanted to give their views on how they feel while working in the city. They are fully supportive of any additional powers a Public Space Protection Order may provide to tackle the behaviours which are negatively impacting the beautiful historic city of Durham.

Ashleigh White

Community Safety and Engagement Officer

Durham Constabulary