

Nottingham City Council Delegated Decision



Reference Number:	3044
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Department:	Commercial and Operations
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Subject:	Nottingham's Begging Strategy 2018
Total Value:	£0 (Type: Nil)
Decision Being Taken:	To approve the Nottingham Begging Strategy for 2018

Reasons for the Decision(s) The criminal act of begging in Nottingham is a growing concern for residents, businesses and visitors; with perceptions of street begging as a problem increasing over the previous year as indicated in the Nottingham Respect Survey 2016.

To address this growing issue, the Council has developed the Nottingham Begging Strategy which sets out a clear framework for local partners to work closer together and reduce levels of begging in Nottingham. The overarching vision of the Begging Strategy is: 'To improve the quality of the city centre environment and experience for residents, visitors, and businesses through the effective management of begging'.

The strategy focusses on three core values:

Shelter - 'Everyone is offered a roof over their heads';
Support - 'Increase the signposting to alcohol, drugs and mental health services through visible active outreach, to encourage a lifestyle change, with the specific treatment they require'; and
Enforce - 'To prevent begging, increase Nottinghamshire Police-led coercive entry into substance misuse treatment and encourage closer working with the UK Border Agency on repatriation'.

The strategy was developed and its provisions agreed by the following local agencies in November 2017: Nottingham City Council, Nottingham Framework, British Transport Police, Nottinghamshire Fire and Rescue, Nottingham's Business Improvement District, East Midlands Crown Prosecution Service, Nottingham City Homes, Derbyshire, Leicestershire, Nottinghamshire and Rutland Community Rehabilitation Company and Nottinghamshire Police.

The Nottingham Begging Strategy links to the following local strategies: Nottingham's Homelessness Prevention Strategy to 2018, Nottingham's Drugs Strategy 2017, Health and Wellbeing Strategy to 2020, Cold Weather Provision Plan 2017/18 and supports many local campaigns related to this issue, e.g., homelessness and rough sleeping.

Briefing notes documents: Nottingham's Begging Strategy 2018.pdf

Other Options Considered: Option 1 - Not to publish the strategy - this is not recommended. It is important that the Council and its local partnership of agencies continue to enhance their responses to the issue of begging in Nottingham.

Background Papers: None

Published Works: None

Affected Wards:	Citywide
Colleague / Councillor Interests:	None
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	It is believed that the provisions contained within the strategy will lead to a reduction in the criminal act of begging and associated offences committed by those that beg in Nottingham. The strategy could directly lead to improvements in perceptions of public safety, improved community cohesion and increased use of public spaces in areas where begging is currently prevalent, e.g., city centre.
Equality:	Please login to the system to view the EIA document: Begging Strategy EIA Version 21.12.17.pdf
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	12/01/2018
Advice Sought:	Legal, Finance, Equality and Diversity

Legal Advice:

The strategy contains references to legislation relevant to begging and associated legal powers, some of these appear to fall within the remit of partner organisations.

The strategy refers to consultation by the Council on a proposed Public Spaces Protection Order (PSPO) 'to improve the management of public spaces in the city centre'. However, the strategy does not refer to the activities which may be included in such a proposed PSPO, or how this will impact on begging. It should be noted that, before the Council can consult on a proposed PSPO it must be satisfied that the activities in question meet the tests for PSPOs set out in the Anti-social Behaviour, Crime and Policing Act 2014 (the 2014 Act). The Home Office published revised: 'Anti-social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers Statutory Guidance for frontline professionals' at the end of December 2017 (the Guidance). The Guidance now, for example, contains specific references to the consideration which should be given to how the use of this power might impact on the most vulnerable members of society. It also confirms that any use of powers contained in the 2014 Act must be compliant with the Human Rights Act 1998, the Equality Act 2010 (in particular the public sector equality duty pursuant to section 149) along with all other relevant legislation.

Applications for Criminal Behaviour Orders may be made on conviction of a criminal offence, and must meet the requirements in the 2014 Act. Applications for Civil Injunctions may be made where the requirements in the 2014 Act are met. The Guidance also sets out the legal tests which must be met before powers contained in the 2014 Act can be used.

Advice provided by Tamazin Wilson (Solicitor) on 04/01/2018.

Finance Advice:

This decision is to set a new strategy. The cost associated is approximately £40k. However, existing resources will be utilized. There will be a reprovision of commissioned outreach services at Framework to focus on those that beg in the city centre, this has been arranged by Ian Bentley within the Council's Commissioning Team.

No additional resource will be required, therefore the finance consideration is zero. Advice provided by Michelle Pullen (Commercial Business Partner) on 22/12/2017.

Equality and Diversity Advice:

Whilst welcome, the strategy needs to equally focus and challenge the underlying root causes of inequality and marginalisation of specific socio-economic groups if it is to meet both the spirit and the intention of the Public Sector Equality Duty. Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 21/12/2017.

Signatures

Toby Neal (Portfolio Holder for Community & Customer Services)

SIGNED and Dated: 05/01/2018

Andrew Errington (Director, Community Protection)

SIGNED and Dated: 04/01/2018