

Appendix A i) – Further essential background / detail on the proposal

1. The Bear Pit is located in the Central Area of Bristol. It is the subway area of the St James' Barton Roundabout which is at the junction of the A38 and the A4044. It is a main route of transit for users of the Bristol Bus and Coach Station, the Bristol Royal Infirmary, and those visiting Broadmead and Cabot Circus shopping centre. It also services two large hotels in the area. The Bearpit is used by residents, commuters, tourists, customers of adjacent hotels and businesses. The daytime footfall through the Bearpit is extremely high, particularly at commuter times. This roundabout is an important transport node that sees thousands of vehicles passing each day.
2. The Bear Pit has long been known as an area of high crime and Anti-Social Behaviour (ASB) with street drinking, begging, drug taking and dealing, noise nuisance, public order, violent incidents, rough sleeping and handling stolen goods amongst others. There is a clear link between these behaviours and the consumption of alcohol and (more recently) New Psychoactive Substances (NPS, commonly known as Spice). Groups of individuals who engage in such behaviour and congregate in the area see it as "their" space and are protective of that.
3. Over the last two years a £1.2m redevelopment programme has been carried out to improve the physical aspect of the space. Whilst that has had a certain positive impact, it has not broken the association that The Bear Pit has as a place where it is acceptable to go and drink, take substances and cause ASB. Individuals who carry out these behaviours see the Bear Pit as "their" space and are territorial with that.
4. Both the Police and Council take an active role in the policing of the area. The approach is to try and put supportive interventions in place to help people stop causing ASB. This involves taking an Integrated Offender Management approach whereby individuals are assessed using eight care pathways (housing, alcohol and drugs, health, employment/education/training, offending, finance and family/friends) and then referred for support with the necessary areas. For example, where someone who is begging is doing this to fund a Heroin addiction we will work with them to get them into treatment for that.

5. Where the supporting approach is not being engaged with and/or there are aggravating features, we use enforcement tools. Currently, there are 16 individuals who are banned from the area through various enforcement powers such as Injunctions, Criminal Behaviour Orders and Restraining Orders. Regular patrols are conducted in the area by both Police and Streetwise which aggregates to a daily presence in the Bear Pit. There is also very close liaison with the Bear Pit Traders in order to protect them and encourage their presence which is key to changing the space.
6. In 2005 the Bear Pit was made subject to a Designated Public Place Order under the Criminal Justice and Police Act 2001 and the Violent Crime Reduction Act 2006. This allows the Police to require any person who is drinking alcohol in the DPPO area who they have reason to believe may cause ASB to hand over their alcohol. If they refuse to do so, then they are committing an offence and can be fined.
7. The ASB, Crime and Policing Act 2014 consolidated nineteen ASB powers into six. These are; Criminal Behaviour Order, Injunctions, Community Protection Notice, Closure Notice, Dispersal Power and PSPO.
8. The Act allows existing DPPO's to continue for three years from commencement meaning that in October 2017 they will cease. Recent guidance from Government is that they will then convert to PSPO's and run for a further three years.
9. The Act says that the Local Authority may make a PSPO if it is satisfied that:
 - a. *activities carried on in a public place have had or will have a detrimental effect on the quality of life of those in the locality;*
 - b. *the activities are persistent or continuing and are unreasonable;*
 - c. *the restrictions imposed by an order are justifiable.*
10. The Act says that the Local Authority must carry out the "necessary consultation" prior to making the order. The Act defines this as consulting with:
 - a. *the chief officer of police, and the local policing body, for the police area that includes the restricted area;*
 - b. *whatever community representatives the local authority thinks it appropriate to consult;*

- c. *the owner or occupier of land within the restricted area (unless the land is owned by the Local Authority)*
11. Where a person is found in breach of the PSPO in the Bear Pit by a designated officer (Council or Police) there are a range of options with regard to enforcement:
- *Alcohol can be confiscated.*
 - *Individuals details can be taken and intelligence report submitted. This can be followed up with warnings, Fixed Penalty Notice (FPN), prosecution, Injunction under s1 ASB, Crime and Policing Act.*
 - *Prosecution for breach of PSPO can be carried out.*
 - *An FPN can be issued by Council Officers and then prosecuted if failure to pay.*
 - *Other enforcement powers can be used for repeat offenders. Typically this will be an injunction.*
 - *Evidence of breaches of PSPO gathered after the event (e.g. via CCTV) can also be used for warnings, prosecution, FPN, Injunction.*
12. Excluding confiscation and verbal warnings, enforcement decision making will be carried out on a case by case basis and in consultation with relevant partners through the Streetwise Project multi-agency approach. Streetwise has liaised with Police to ensure this approach is deliverable.
13. The main benefit of a PSPO is that it negates the need for officers (Council and Police) to have to link any drinking or NPS use with ASB. This will enable officers to deal with offenders proactively and enable us to retrospectively identify offenders for example through CCTV footage.