

**Heading:** To seek approval for the St James Barton Underpasses (The Bear Pit) to be made subject to a Public Space Protection Order (PSPO)

**Ward:** Central and Ashley

**Cabinet lead:** Cllr. Asher Craig

**Author:** Peter Anderson

**Job title:** Safer Bristol Manager

**City Outcome overview:**

*The proposed outcome for the city is that this PSPO will help create a safer city centre and support vulnerable citizens to access health interventions that support their health and well-being needs.*

*This proposal will contribute to the Corporate Plan helping to tackle health and inequality and contribute towards a safer city*

**Equalities Outcome overview :**

The application or enforcement of the PSPO will have no relevance / impact to an individual's protected characteristics contained within the Equalities Act.

The PSPO will have a positive impact on managing the space and will ensure the space is used lawfully which in turn will improve public safety.

**Impact / Involvement of Partners overview:**

Positive impact on our city partners. 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.

<b>Approx Cost:</b> £ One off - £200 for signage	<b>Revenue</b>	<b>Saving / Income generation</b> n/a
<b>Proposed budget:</b> £200		
<b>Finance narrative:</b> The one-off cost of signage which is estimated to be £200 can be met from within the existing crime reduction budget. The activities associated with the enforcement of the PSPO can be fulfilled by existing officers and therefore within existing financial resources.		
<b>Finance Officer:</b> Robin Poole, Finance Business Partner, Neighbourhoods		

**Summary of issue / proposal:**

The Bear Pit is a hotspot for anti-social behaviour and a PSPO will enable the Council to tackle crime and disorder.

**Key background points:**

- There is a PSPO covering the Bear Pit which expires in Oct 2017
- The proposal is the including an additional condition prohibiting the possession of NPS' (any psychoactive substance as defined by the Psychoactive Substances Act 2016).

- There is sufficient evidence (crime and anti-social incidents and enforcement action already taken) to support the PSPO
- Consultation has taken place. Support from all partners and the community to introduce the PSPO

**In addition:**

- PSPO supporting the ongoing patrolling plans for the Police and Outreach services
- PSPO provides an effective 'tool' for the 'Streetwise Project' to effectively offender manage the 'high risk and prolific offenders present in the Bear Pit.
- The council works effectively with the Bear Pit Stakeholder Group and the Bear Pit Improvement Group.

**Recommendation(s) / steer sought:**

That the St James Barton Underpasses including Haymarket Walk (commonly known as The Bear Pit) as defined in Map 1 (attached as Appendix A ii) will be subject to a Public Space Protection Order with the following prohibitions:

Any persons in the area are required:

1. Not to be in possession of any opened or unsealed bottle or container of alcohol in the Bear Pit as bordered in red on the attached map (at Appendix A ii), save for licensed premises.
2. Not to be in possession or under the influence of any psychoactive substance as defined by the Psychoactive Substances Act 2016.

**Legal Issues:**

The legislative basis for the PSPO is found in s59 – 75 ASB, Crime and Policing Act 2014 (Appendix A iv).

The legal advice is that making a PSPO is an executive power and as such falls into s5.4a of the Mayor Scheme of Delegation which delegates the power to the Strategic Director Neighbourhoods it was agreed at the Cabinet Member Briefing on 24.11.16 that due to the high profile of the Bear Pit, this decision should be a key decision for the Mayor and be taken at Cabinet.

**Legal Officer:** Nick Mimmack, Solicitor (as above), agreed by Shazia Daya, Head of Legal Services at SLT on 14.02.17

DLT sign-off	SLT sign-off	Cabinet Member sign-off
[Alison Comley] 09.02.17	[CEO] 14.02.17	[Asher Craig] 23.02.17

Appendix A – Further essential background / detail on the proposal	<b>YES</b>
Appendix B – Details of consultation carried out - internal and external	<b>YES</b>
Appendix C – Summary of any engagement with scrutiny	<b>NO</b>
Appendix D – Risk assessment	<b>YES</b>
Appendix E – Equalities screening / impact assessment of proposal	<b>NO</b>
Appendix F – Eco-impact screening/ impact assessment of proposal	<b>NO</b>
Appendix G – Exempt Information	<b>NO</b>