

MINUTES OF THE MEETING Overview and Scrutiny Committee HELD ON Tuesday, 14th January, 2025, 6:30pm – 10:00pm

PRESENT:

Councillors: Matt White (Chair), Alexandra Worrell, Pippa Connor (Vice-Chair), Makbule Gunes and Lester Buxton

ALSO ATTENDING:

Councillor Ajda Ovat - Cabinet Member for Communities, Councillor Tammy Hymas, Barry Francis – Director of Environment and Resident Experience, Eubert Malcolm – Assistant Director for Environment, Tracey Lilley – Interim Head of ASB & Enforcement, Sandeep Broca – Intelligence Analysis Manager, Fiona Alderman – Monitoring Office, Philip Slawther – Scrutiny Support Officer, Chris Liasi – Committees and Governance Officer.

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

The Chair outlined the process for the meeting and attendees noted this information.

2. APOLOGIES FOR ABSENCE

There were none.

There were apologies for lateness by Councillor Worrell.

3. URGENT BUSINESS

There were no new items of urgent business, but it was noted that supplementary packs were received which had the relevant documents for consideration for the call-in item.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

John Glaken, attended the call in and made representations to the Committee on the decision agreed by Cabinet. The following was noted:

- The speaker, representing a grassroots organization working directly with rough sleepers and temporarily housed individuals across London, emphasised the importance of including diverse voices in the discussion. They highlighted their engagement with over 60 individuals in Haringey every Sunday and noted their extensive experience with the negative effects of Public Space Protection Orders (PSPOs) across London.
- It was stated that there were instances where PSPOs had prevented vulnerable individuals from accessing basic services, such as food, due to area restrictions. They argued that no PSPO had been implemented in a way that brought progressive outcomes, pointing out that verification processes for rough sleepers, intended as exemptions, were complex and often impractical. They stressed that such processes made it difficult for individuals to prove their homelessness, further compounding the challenges faced by marginalized groups.
- The lack of public facilities, particularly toilets, was highlighted as a fundamental issue, with the speaker urging the community to address this need instead of punishing individuals for behaviors stemming from systemic shortcomings. They cited multiple sources, including Liberty, Release, and Sheffield University, which consistently identified PSPOs as detrimental to those experiencing homelessness.
- John Glaken called for redirecting efforts and resources currently spent on enforcement towards addressing root causes such as rough sleeping, alcoholism, and drug use. They argued that homelessness was a social issue, not a criminal one, and stated that involving police in homelessness-related matters was inappropriate. They pointed to their positive collaboration with Haringey Council's rough sleeping team and community events, such as their annual speech festival, as examples of effective and inclusive approaches.
- In conclusion, the committee urged decision-makers to pursue progressive solutions. It was emphasised that meaningful change required political will and a shift in focus from punitive measures to genuine support for the most marginalised members of society.

The following was noted in response to questions from members:

- During the discussion, the speaker was asked about their first-hand experience encountering rough sleepers who were not verified and provided insights into why verification is challenging. They explained that for an individual to be verified as homeless, a commissioned outreach worker must identify them sleeping rough. However, cuts to outreach services and the transient nature of rough sleepers make this process difficult. People often move locations, remain hidden, or mistrust outreach workers due to past negative experiences, making verification unreliable.

- The speaker also highlighted that PSPOs exacerbate this issue by displacing rough sleepers, further complicating efforts to verify them. They acknowledged that Mulberry Junction provided an effective verification pathway not found in other boroughs, describing it as a valuable resource that should be supported. However, It was emphasised that verification remains a complex process, and PSPOs risk making it even harder to reach and assist vulnerable individuals.
- It was queried what type of impacts PSPOs had in the speakers experienced, in response to the query it was explained that it had been negative.
- The speaker highlighted examples of effective practices they had observed in other boroughs, such as Islington, where community engagement was prioritized. They emphasized that genuine, consistent engagement, rather than superficial consultation, fostered meaningful progress. Regular meetings between the community and stakeholders, even outside of crisis situations like PSPOs, were cited as a key factor in successful outcomes.
- The speaker noted that the most impactful initiatives often occurred in collaboration with, or parallel to, councils rather than solely through council-led efforts. High levels of transparency and honesty from councils were also seen as critical to building trust and driving change. They commended councils that openly acknowledged the challenges of enforcement while demonstrating a commitment to supporting marginalized communities.
- Finally, the speaker expressed hope that Haringey Council would take a progressive stance, reject punitive measures, and instead focus on standing in solidarity with those experiencing homelessness and marginalization.

Councillor Ovat responded to the deputation; the following was noted:

- It was emphasised that the borough-wide PSPO consultation had been thorough, rooted in the Haringey Deal principles, and involved collaboration with residents and stakeholders, including Street Kitchen. Feedback led to amendments in the proposed prohibitions, which were presented at a public cabinet meeting in December 2024.
- Councillor Ovat countered claims that the PSPO conflicted with council budget and policy frameworks, referencing assessments by the Monitoring Officer and Chief Finance Officer, which confirmed compliance. Concerns were addressed about cycling restrictions, clarifying that the PSPO targeted dangerous cycling behaviour while maintaining exemptions for children and cyclists intimidated by traffic. The aim was to balance safety for pedestrians with support for active travel.
- The representative highlighted safeguards in the PSPO to prevent disproportionate enforcement, including exemptions for rough sleepers and individuals with disabilities. A triage process was in place to review incidents

thoroughly before penalties were issued, ensuring fair enforcement in line with the Equality Act 2010. They stressed the importance of partnership with outreach services for factual, compassionate assessments in verification processes.

- Addressing police powers, it was noted that the PSPO extended enforcement abilities to the local authority, allowing greater oversight and accountability. Since Haringey's introduction of PSPOs in 2017, no complaints about misuse of powers had been recorded. Without a borough-wide PSPO, alcohol control measures would lapse in April 2025, necessitating signage removal and reducing the council's ability to address detrimental behaviours.
- The representative concluded by affirming confidence in the PSPO as a proportionate and necessary measure to improve residents' quality of life.

6. CALL IN OF IMPLEMENTATION OF A BOROUGH WIDE PSPO CABINET DECISION

Cllr Hymas presented her call-in and the following was noted in her presentation:

It was highlighted that, without proper interventions, antisocial behaviour can significantly harm individuals and communities. It was expressed that sufficient evidence had not been provided to show that Public Space Protection Orders (PSPOs) would reduce the frequency or severity of such incidents in the borough. They argued that the potential harm PSPOs could cause to marginalized groups outweighed any justifications for their implementation.

PSPOs, introduced in 2014 to replace ASBOs, shifted enforcement from targeting individuals to regulating specific areas. The Museum of Homelessness observed that PSPOs have often been used to target vulnerable populations, such as homeless individuals and drug users.

While acknowledging adjustments to the proposals following community feedback, concerns were raised about specific aspects. The borough's Community Safety Strategy was raised, which emphasised safeguarding vulnerable individuals, and the Youth Justice Plan, which seeks to address disproportionality among young people in the justice system. The speaker questioned the impact of restrictions on vulnerable groups, including the homeless, and the broader implications for active travel.

It was noted that limitations like penalties for public urination disproportionately affect the homeless, especially since Haringey has only three public toilets. Without a comprehensive toilet strategy, such restrictions could unfairly target

those without alternatives. They also argued that verifying whether someone is homeless is unrealistic, leaving individuals open to fines that further marginalize them.

The borough-wide alcohol restrictions was criticised, which was believed would not address alcohol abuse among vulnerable populations but would push these issues out of sight. They also noted a lack of evidence supporting the broad application of PSPOs and the absence of accessible appeal mechanisms for fines. This, they argued, left marginalized groups at greater risk of punitive action with limited recourse.

Citing examples like Colchester, where cycling restrictions under a PSPO led to wrongful fines and were later repealed, the speaker warned against measures that could disproportionately target vulnerable individuals, particularly young people. They concluded by emphasizing that the community preferred addressing the root causes of antisocial behavior through support services rather than punitive enforcement.

There were questions from the Committee on the call-in and Councillor Hymas responded as follows:

- The Committee raised concerns around residents feeling unsafe in their neighbourhoods due to anti-social behaviour as young kids were seeing people take drugs, urinating in public which created an unsafe environment. In response to the concerns the impact of anti-social behaviour on individuals' lives was acknowledged. It was highlighted their engagement with the community through meetings and discussions. However, they argued that targeting individuals, such as those urinating in the street or drinking publicly, with fines of £100 was unlikely to serve as an effective deterrent. Many of these behaviours, they noted, stemmed from deeper vulnerabilities and life challenges.
- Concern was raised that fines, could push individuals further away from seeking help. Such actions might alienate vulnerable groups from accessing council services, as they may no longer feel safe engaging with them after experiencing fines.
- It was stated the safety depends on addressing root causes empathetically. They advocated for investing in support services and resolving social issues through systemic, compassionate approaches. Haringey's ongoing efforts was commended, including the toilet strategy, work addressing gambling harms, and initiatives supporting rough sleepers through the homelessness team. It was concluded that these proven, effective methods should remain the focus, as punitive approaches risked doing more harm than good.

- It was queried whether the concern was if PSPO would work. Councillor Hymas stated potential improvements to the current Public Space Protection Order (PSPO) system. They proposed implementing a parking fine-style appeal process to make the system more accessible and fairer. They also recommended focusing PSPO enforcement on specific areas with a documented history of persistent problems, supported by substantial evidence, rather than applying it borough-wide.
- Concerns were raised about the lack of data from previous PSPOs in Haringey, which made it difficult to assess whether fines had been applied disproportionately or if racial discrimination had occurred. Without a clear evidence base ensuring that PSPOs would not cause disproportionate harm to marginalised groups, the speaker argued it would be premature to proceed with their implementation.
- Additionally, specific restrictions were identified —on alcohol, public urination, and cycling—as particularly problematic. While acknowledging the presence of other restrictions, such as those addressing dog control and fireworks, they focused on the need to ensure that interventions were just and evidence-based to prevent potential misuse or harm.

Councillor Ovat responded to the call-in, and the following was noted:

- Councillor Ovat expressed appreciation for the discussion on the borough-wide PSPO, emphasising the importance of scrutiny and accountability in governance. They reaffirmed their support for the original cabinet decision, as outlined in the PSPO report. The member noted that during the December 10 cabinet meeting, where the PSPO was discussed, no councillors who later signed the call-in were present to make representations.
- Highlighting the prevalence of antisocial behavior (ASB), the council member shared that over 700 ASB reports were received monthly, with 65% related to public space misuse—a key focus of the PSPO. They argued that addressing ASB was a responsibility to constituents, aligning with the council's manifesto commitment to create safer, more inclusive spaces. The PSPO was presented as a significant tool to enhance public safety and improve the local environment, while acknowledging it was not the sole solution to ASB.
- The council had undertaken a thorough consultation process, including a co-design phase with residents and stakeholders. Over 1,700 questionnaire responses were considered, leading to amendments that introduced exemptions and safeguards to reflect community needs. The council's analysis demonstrated the effectiveness of PSPOs, with a 27% reduction in

alcohol-related ASB incidents in covered areas compared to a 6% increase in non-PSPO areas.

- The member clarified that the PSPO was designed to address behaviors, not individuals, and included safeguards to protect vulnerable groups, such as rough sleepers. They emphasized the collaborative work between enforcement teams and outreach services to connect individuals with necessary support. Dangerous cycling behaviours were also addressed, with the PSPO complementing existing legislation to protect road and pavement users.
- In conclusion, Councillor Ovat stated that the PSPO was an essential measure to address ASB, build on existing successes, and maintain safe, inclusive spaces. They warned that failing to implement borough-wide measures would undermine public confidence in the council's ability to ensure community safety. They urged the committee to take no further action on the call-in.

The following was noted in response to questions from the Committee on the call-in response.

- It was clarified that enforcement officers were trained to assess behaviours in context, acknowledging that their decisions involved a degree of subjectivity. Officers were trained to evaluate situations such as cyclists using pavements due to weather or lack of confidence. The primary focus, however, was on addressing dangerous and reckless cycling, such as individuals riding at high speeds, snatching phones, or endangering others on pavements.
- It was emphasised that while there is subjectivity in assessing behaviors, this is consistent with other laws, such as driving without due care or public disorder offences, where trained officers make informed judgments. These judgments are guided by their training to ensure proportionate and sensible enforcement.
- The term "annoyance" was discussed, with concerns raised about its interpretation. It was clarified that lawful and non-dangerous actions, such as slowing someone down, would not constitute an offence under the PSPO. Officers were expected to enforce rules reasonably, and a process was in place to challenge decisions if unusual cases arose. The aim was to ensure enforcement was fair, proportionate, and targeted at genuinely harmful behaviours.
- The discussion clarified that the new Public Spaces Protection Order (PSPO) aimed to make certain behaviours, already illegal or against the law, more easily enforceable by localizing enforcement powers. While the police already had powers under existing legislation, the PSPO allowed

council officers to monitor and manage prohibitions, effectively extending enforcement responsibilities to council staff. It did not grant the police new powers but instead enabled collaboration between council officers and the police.

- The council acknowledged limited resources for addressing antisocial behaviour (ASB) and stated that the PSPO would extend enforcement capacity by allowing authorized council officers to issue fines. However, enforcement would prioritize advice and warnings before formal actions like fines were imposed. The additional costs associated with implementing the PSPO would primarily involve signage, rather than new resources for ASB officers.
- Concerns were raised about potential misuse of enforcement powers, with an example from Colchester cited where cyclists were disproportionately fined under a similar PSPO. The council reiterated the importance of ensuring proportional and fair application of enforcement powers through proper officer training.
- Regarding public toilets, a separate issue, it was noted that mapping showed available facilities with charging and accessibility features for people with disabilities. However, gaps in access were acknowledged, particularly in central parts of the borough. The council mentioned ongoing work to develop a toilet strategy, but specific updates on new facilities were not available during the discussion.
- The issue was raised regarding the evaluation process in place to ensure the Public Spaces Protection Order (PSPO) would work as intended. In response, a colleague expressed a strong commitment to the process, emphasising that the PSPO aimed to support the community and create a safe environment for everyone, including vulnerable groups such as the homeless. The colleague, new to the borough, praised the experienced officers and their daily work addressing antisocial behaviour.
- The evaluation process was described as involving weekly team meetings and participation in a problem-solving group with the police. The PSPO's effectiveness would be reviewed quarterly, with an annual review. The colleague emphasized that the PSPO was a tool to support both officers and police, not about penalizing individuals. The goal was to enhance safety and vibrancy in the borough, providing greater powers for officers to engage with the community and reduce reliance on police powers. The colleague also offered to report on the success of the PSPO and noted that the number of fixed penalty notices (FPNs) issued was expected to be low.

Monitoring Officer:

It was explained that a joint report from the Monitoring Officer and the Director of Finance's included recommendations for the members to note

the call-in process. The second recommendation was to acknowledge the advice from the Monitoring Officer and Chief Financial Officer, confirming that the cabinet's decision was within the Council's budget and policy framework. The speaker noted that Councillor Hymas had further discussed the policy framework, referencing the Youth Justice Plan and the Community Strategy. However, the speaker maintained that the decision remained within the budget and policy framework, which was ultimately for the committee to decide. The options for the committee were outlined in section 6.1 onwards.

The committee reached a decision regarding the call-in after considering all relevant information. The Committee agreed that the decision fell within the policy and budget framework, and this was confirmed unanimously by the members.

The Committee returned after consideration of the exempt information and deliberations

The committee also reviewed the deputation from the public, questions from the call-in lead, and officer reports, deciding to agree to refer the decision back to cabinet for reconsideration.

RECOMMENDATIONS:

1. Verified Rough Sleepers - There were concerns over the exemption for verified rough sleepers. The committee wanted the exemption to be widened to cover all homeless people who might not fall under that definition of verified.
3. Public Toilets - Concerns about the shortage of public toilets in the borough and the lack of a toilet strategy. It was recommended that the forthcoming toilet strategy be brought forward and public toilet provision was expanded.
3. Homelessness Strategy - The Committee would like the ASB team to evidence how they would work closely with the public health team and the homelessness outreach teams to ensure a joined-up approach.

7. NEW ITEMS OF URGENT BUSINESS

There were none.

CHAIR: Councillor Matt White

Signed by Chair

Date