

# Rough Sleeping Encampment Policy

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## 1.0 Policy Overview

### 1.1 Introduction

This policy outlines how we propose to manage rough sleeping encampments on council land.

People often underestimate the risks and dangers of sleeping rough:

- Sleeping rough is dangerous and severely impacts on people's mental and physical health.
- People sleeping rough are at significant risk of becoming victims of crime and anti-social behaviour.
- The longer people spend sleeping rough, the longer it is likely to take to recover from that situation.
- Part of supporting people involves challenging them when they make uninformed decisions, and to monitor people's wellbeing to take swift action to prevent serious injury and death.

Bristol has experienced a significant increase in rough sleeping. The annual rough sleeping count reported to the Ministry of Housing Communities and Local Government has increased from 9 in November 2012 to 86 in November 2017.

During the period from 1 Jan 2018 – 31 Dec 2018, there were 951 people sleeping rough in the city who the Rough Sleeping Service worked with:

- 502 people (52.8%) had a local connection to Bristol;
- 362 People (38.1%) had no recorded local connection ;
- 85 people (8.93%) had a clear local connection elsewhere in the UK .

The Government has pledged to halve rough sleeping nationally by 2022 and end rough sleeping by 2027. This will be reflected in Bristol's revised Homelessness and Rough Sleeping Strategy.

In Bristol each person reported as sleeping rough is offered support, which they sometimes choose not to accept for a number of reasons. These might include the complexity of their needs, difficulties with trust or specific mental health issues which can mean it takes longer to build up a relationship where the offer of support will be accepted.

Bristol has seen instances where people sleeping rough also turn down the offer of a bed in hostels. The most common reason given for turning down support is that they do not want to live with other people in hostels whose behaviour might make the environment feel chaotic. Often this is based on an out-of-date view of how hostels are now or the range of options available.

Part of the council's role in supporting people is challenging them to take up an offer that is not always their first choice. Some people mistakenly believe that if they stay in their situation on the streets they will end up being made a better offer.

Rough sleeping is not a problem specific to Bristol and is on the rise nationally. Housing affordability and supply combined with changes to benefits means that people will continue to struggle to afford and maintain tenancies.

The underlying causes of homelessness in Bristol are:

- Rising housing demand in the region.
- Rising house/rental prices.
- Reductions and freezes in welfare benefits as a result of Welfare Reform - which is increasing homelessness and also limiting how quickly people move on from supported housing.

Homelessness can impact on how other citizens are able to use public land in Bristol. Bristol City Council needs to manage its land to ensure it can be used as intended by everyone. In order to do this we will introduce a consistent approach to how we manage the impact of rough sleeping encampments on our land.

A Rough Sleeping Partnership (RSP) designed to reduce and prevent homelessness was set up by Bristol City Council in 2015. The council is committed to the Partnership's vision statement:

- No-one should have to live on the streets. Sleeping rough is dangerous and severely impacts on people's health. It can have a detrimental effect on communities and should not be a lifestyle choice. We believe everyone has the capacity to recover and sustain a life away from the streets. People sleeping rough are at significant risk of becoming victims and/or being seen as perpetrators of crime

and anti-social behaviour. We should all live without fear of crime and anti-social behaviour. By working together we will do everything in our power to make this happen.

Our Partners include:

- The Rough Sleeping Service.
- The Rough Sleeping Partnership, which includes:
  - Drug, alcohol and mental health providers.
  - Local faith groups.
  - Police and criminal justice system.
  - Health services/commissioners.
  - The business community.

For the purpose of this policy 'rough sleeping' is defined as:

- People sleeping, about to bed down (sitting on/in or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments)
- People in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, derelict boats, or stations).

For the purpose of this policy 'rough sleeping encampment' is defined as:

- Any camp, tent or group of tents, shelter, temporary structure and/or collection of bedding and belongings on a specific area of Council owned land.

Neither the definition nor the procedure makes any judgements upon the individuals who are occupying or erecting such encampments.

For the purpose of this document the Rough Sleeping Service can be defined as:

- The service commissioned by Bristol City Council to engage and work with people who are sleeping rough to help them off the streets and into accommodation and support, and moving them towards independent living. The service is run by St Mungo's who are based at

the Compass Centre. The Outreach workers in the service spend much of their time engaging with people who are sleeping rough on the streets or with drop ins at partner agencies who also work with people sleeping rough or from locations where people are likely to start sleeping rough such as when being released from prison.

## **1.2 Aims of the policy**

The policy outlines how we propose to manage rough sleeping encampments on council land in order to achieve the following aims:

- To ensure that Bristol City Council manages its land so that it can be used or enjoyed as intended by everyone and supports other landowners to do the same.
- To ensure there is a consistent and rapid response to dealing with rough sleeping encampments we will make sure that residents and businesses know how to report people sleeping rough and rough sleeping encampments.
- To ensure we recognise that the circumstances of each person sleeping rough in an encampment is unique and that the support we offer to them is tailored to their individual circumstance.
- To ensure that we have the capability in place to support people who are sleeping rough to move off of the streets.
- To ensure that people who are sleeping rough in encampments are offered an improved offer agreed with St Mungo's of allocated space pre-booked in an emergency night shelter for at least a week. The person can take their dogs and up to two bags of possessions per person with them into the shelter, with all other items stored. This week long period will allow the individual to be supported, assessed and given a clear plan to help them to move off the streets and into the most appropriate. If the individual refuses to engage with the assessment or is disruptive then the offer will be withdrawn.
- To ensure that we provide good advice to people and organisations who want to help the city reduce the number of people sleeping rough through giving donations or volunteering.
- To ensure that anti-social behaviour and health and safety issues related to rough sleeping encampments are managed effectively.
- To ensure that measures are in place to manage waste and litter associated with rough sleeping encampments.
- To ensure that we are able to show a measurable change in the amount and persistence of rough sleeping encampments in Bristol.
- To ensure that council officers and contractors that have to remove hazards that are regularly associated with short and long-term rough sleeper encampments such as sex and drugs litter, and human waste received adequate training.

### **1.3 Links to council's corporate aims**

Tackling homelessness and rough sleeping is a key commitment of the Corporate Strategy 2018-2023:

- Reduce the overall level of homelessness and rough sleeping, with no-one needing to spend a 'second night out'.

This commitment is expanded in 'Theme 1: Empowering and Caring', which says we want to minimise incidences of rough sleeping and homelessness in Bristol and enable citizens in housing need to access affordable housing that meets their needs. This includes action planning with, and supporting vulnerable people to sustain their tenancies, maximise their income and access employment. We will do this within the guidance of the Homelessness Reduction Act 2017.

This policy also supports our [Preventing Homelessness Strategy 2013-2018](#).

### **1.4 National Rough Sleeping Strategy**

The national [Rough Sleeping Strategy \(August 2018\)](#) sets out a commitment to halve rough sleeping by 2022 and to end it for good by 2027. The Strategy is based around three core pillars: Prevention, Intervention and Recovery.

The national strategy recognises that street activity such as begging, street drinking and street based drug use can have a negative impact on the local communities where these activities take place. While it recognises that the people engaged in such activities are not necessarily always rough sleepers, it acknowledges that these are issues that need to be addressed.

The strategy calls for new partnerships to be formed, working with communities to harness the good will, energy and resources available to tackle the problem locally. These partnerships will need to be based on open and honest conversations about the challenges of tackling street activity and rough sleeping, finding shared solutions that maximize the positive impact that all groups and organisations can have.

We see this rough sleeping encampments policy as in keeping with this approach.

## 2 Rough Sleeping Encampments policy detail

To ensure there is a consistent and rapid response to dealing with rough sleeping encampments we will:

- Work with our partners to publicise widely how residents and businesses can report people sleeping rough and rough sleeping encampments and provide information to them about the support available to people sleeping rough.
- Respond to reports of people sleeping rough and through our partners support them to find the help they need.
- Record instances of people who are sleeping rough and the engagement and support opportunities offered to them.
- Provide advice on rough sleeping and rough sleeping encampments to other landowners.

Our phased approach to managing each rough sleeping encampment is shown in Figure 1.

In following this approach we will:

- Ensure that Bristol City Council manages its land so that it can be used as intended by everyone and supports other landowners to do the same.
- Recognise that the circumstance of each person sleeping rough in an encampment is unique and the support they receive will be tailored to their individual circumstance.
- Ensure that people sleeping rough in encampments receive an improved offer agreed with St Mungo's of allocated space pre-booked in an emergency night shelter for at least a week.
  - The person can take their dogs and up to two bags of possessions per person with them into the shelter, with all other items stored.
  - This week long period will allow the individual to be supported, assessed and given a clear plan to help them to move off the streets and into the most appropriate housing option.
  - If the individual refuses to engage with the assessment or is disruptive then the offer will be withdrawn.
- Work on a case by case basis taking into consideration the needs of the wider community and the complex needs of the individual or individuals occupying the rough sleeping encampment.
- We will coordinate a multi-agency response to rough sleeping encampments to ensure that Bristol City Council manages its land so that it can be used or enjoyed as intended by everyone and supports other landowners to do the same (Figure 1):

- To ensure that anti-social behaviour and health and safety issues related to rough sleeping encampments are managed effectively
- To ensure that measures are in place to manage waste and litter associated with rough sleeping encampments.
- To ensure that we are able to show a measurable change in the amount and persistence of rough sleeping encampments in Bristol.
- We will assess whether anti-social behaviour prevention work is needed, if health and safety issues need to be addressed or if legal action is needed to ensure that the area of land is used for its intended purposes and can be enjoyed by all.
- To ensure that we provide good advice to people and organisations who want to help the city reduce the number of people sleeping rough through giving donations or volunteering.
- We will support council officers and contractors that have to remove hazards that are regularly associated with short and long-term rough sleeper encampments such as sex and drugs litter, and human waste.

## **2.1 Equality and diversity**

The council is committed to promoting equality of opportunity for all and it is our commitment to ensure that we remain focused on the needs of the individual and how they can best access support and services to help them leave the streets.

## **3 Links to other corporate documents**

This policy links to and should be read in conjunction with the following policies and strategies:

- [Corporate Strategy 2018-2023](#)
- The Neighbourhood Enforcement Team follow the Council's Enforcement Policy for Regulatory Services 2019
- Tackling rough sleeping is one of five key priorities in the revised Homelessness and Rough Sleeping Strategy 2019-24

## 4 Legislation

The legislation listed below will be taken into consideration when implementing this policy:

- Homeless Reduction Act 2017
- ASB Crime and Policing Act 2014
- Highways Act 1980
- Local Government Act 1972
- Localism Act 2011
- Homelessness Act 2002
- Equality Act 2010
- Human Rights Act 1998
- Care Act 2014
- Health and Safety At Work Act 1974.

## 5 Supporting Procedures

# Rough Sleeping Encampment on Council Land

## Standard initial steps – One week

- 1 Council officer** to report rough sleeping encampment via [RoughSleepingService@mungos.org](mailto:RoughSleepingService@mungos.org) or [www.streetlink.org.uk](http://www.streetlink.org.uk) for allocation to Rough Sleeper Service.
- 2 Council officer** email Streetwise team to raise awareness of presence.
- 3 Council officer** to assess if health and safety risk. If so remove effects immediately, dispose if contaminated or store if not.
- 4 Outreach** to attempt initial engagement then report back to council officer when complete.
- 5 Council officer** to issue/attach Rough Sleeping Form to encampment or property (if they do not feel safe seek assistance from Streetwise).
- 6 Outreach** to issue Night Shelter Reserved Place letter to person rough sleeping.
- 7 Administrator** to log details for all the above on the Rough Sleeping Log spreadsheet.

## Monitor phase – Two weeks

- 1 Administrator** to update Rough Sleeping Log with Rough Sleeping Service progress on engagement (three or more visits or attempted visits).
- 2 Council officer** to monitor site for ASB based on staff visits and public reports. Streetwise to back up if necessary.
- 3 Council officer** to monitor site for abandoned property, sex and drugs litter and rubbish. Streetwise to back up if needed.

### Scenario 1 – One week

**Property appears abandoned?**  
(e.g. due to rehousing with Rough Sleeping Service or effects no longer wanted/useable).

Administrator cross-check with St Mungo's and/or Streetwise Team.

#### Clear-up

BWC/Parks instructed to remove any waste.  
BWC or Parks store property/possessions at local depot (unless insanitary).

### Scenario 2 – Up to three months

**Lower-level ASB** (e.g. drug use, litter, human waste, intimidation of staff) and/or **Long-term Occupation** (particularly with refusal to engage)

Extended monitoring and engagement attempts on case-by-case basis by Rough Sleeping Service and Streetwise Team. Reviewed at monthly hotspots meetings.

Monthly hotspot meeting to consider and action possession order and injunction based on site behaviour and engagement with St Mungo's.

Reserve night shelter space as alternative to rough sleeping – must be confirmed by St Mungo's via email.

#### Eviction and Clear-up

Landowner representative to apply for court order with Streetwise and Legal Eviction by bailiff.  
BWC /Parks instructed to remove any waste.

### Scenario 3 – Up to one week

**ASB Complaints from public** (e.g. intimidation of public, drug activity, noise disturbance, outdoor toilet use) or encampment on adopted Highway or Footway.

Streetwise Team verify ASB reports and liaise with St Mungo's.

It may be possible to reserve a night shelter space as an alternative to rough sleeping (depends on risks) – must be confirmed by St Mungo's via email.

#### Dispersal and Clear-up

Streetwise organise dispersal order with Police.  
BWC/Parks instructed to remove any waste.

