

London Borough of Barnet  
2 Bristol Avenue,  
Colindale NW9 4EW  
26th April 2023  
Our ref: 9469164

Thank you for your request received on 27th March 2023, for the following information:

**I request that you provide the following information in compliance with your duties under the Freedom of Information Act 2000.**

- 1. How many FPNS have been issued against homeless people in 2020, 2021, 2022 and 2023? If available, please break this down by year and restriction.**
- 2. Do you record data about how warnings and breaches of the PSPO are broken down into the protected characteristics covered by the Equality Impact Assessments (EIA)? If so, please supply this data.**
- 3. Please either attach copies of your current PSPOs or confirm that those on the PSPO section of your council website are up to date.**
- 4. Were the street homeless community involved in consultations for PSPOs that might affect them - for example, those that restrict begging, obstruction of premises, public urination and defecation?**
- 5. Do you have any specific guidelines or training for officers enforcing PSPOs that impact the homeless community - such as on mental health or signposting to services?**
- 6. Are any measures in place to prevent PSPOs from having a disproportionate impact on the homeless community?**
- 7. What steps does the council take to monitor PSPOs to ensure that the recommendations of the EIA are being followed? Please send over any documentation outlining this process.**
- 8. Is there a process in place for handling complaints following warnings and breaches of the PSPO? If so, please send over any documentation outlining this process.**
- 9. Do any of your PSPOs include dispersal powers?**
- 10. Please provide the number of warnings issued for Public Space Protection Orders (PSPO) in 2020, 2021, 2022 and 2023. If this data is available, please provide a breakdown of these warnings by restriction**

We have processed this request under the Freedom of Information Act 2000.

**Response**

1.

**How many FPNs have been issued against homeless people in 2020, 2021, 2022 and 2023? If available, please break this down by year and restriction.**

The Council suspended street enforcement and FPN issuing in 2020 following the impact of the Covid19 pandemic. FPN enforcement resumed in late 2021 and this was mainly for littering and fly tipping type offences.

We are unable to provide the breakdown for this specific question as we do not hold records as to this specific subject on the prior FPN or current FPN format.

However we can confirm that 5 FPNs were issued in 2023 for street drinking or aggressive begging PSPO breaches.

**1. Do you record data about how warnings and breaches of the PSPO are broken down into the protected characteristics covered by the Equality Impact Assessments (EIA)? If so, please supply this data.**

In January 2023 the Community Safety Team instigated individual FPN pads for officers that contains two parts; the first part (Part A) is for personal details of the alleged offender and the offence code. The second part (Part B) records EIA core data such as gender and ethnicity. This data is now being routinely collated for the purposes of the annual EIA review for the service and FPNs.

**3. Please either attach copies of your current PSPOs or confirm that those on the PSPO section of your council website are up to date.** [Public Spaces Protection Orders \(PSPOs\) | Barnet Council](#)

**4. Were the street homeless community involved in consultations for PSPOs that might affect them - for example, those that restrict begging, obstruction of premises, public urination and defecation?**

No specific homeless community representative was written to as the Barnet PSPO did not contain a specific provision relating to rough sleeping (Home office guidance applies). A proposed clause of 'No camping' was withdrawn in the final order following feedback from one community group. Consultation took place via the service support groups such as the Rough Sleeper leads and Substance outreach service provider and social care invited to contribute through the safer partnership board and public open consultation process.

**1. Do you have any specific guidelines or training for officers enforcing PSPOs that impact the homeless community - such as on mental health or signposting to services?**

Barnet Council Community Safety Team Officers are authorised to enforce the PSPO and have been trained and follow the Council's corporate enforcement and prosecution policy. In addition, any rough sleeping related anti-social behaviour is referred initially to the Council's Rough Sleeping Team and support services for their outreach and intervention to assess the individual client need prior to any enforcement action being considered. Enforcement action would only be considered if there was substantiated evidence of persistent and ongoing anti-social behaviour associated with the individual.

**1. Are any measures in place to prevent PSPOs from having a disproportionate impact on the homeless community?**

Please see the answer above (Q5) and also such cases are triaged via the Barnet Community Safety Community Safety Multi Agency Risk Assessment Conference (CS MARAC) to ascertain what other options professional, and other services can consider to support and prevent homelessness.

- 1. What steps does the council take to monitor PSPOs to ensure that the recommendations of the EIA are being followed? Please send over any documentation outlining this process.**

The Council has published the process and also the delegated authorisation and initial EQIA - the monitoring of services is via the annual Community Safety Team reports the last two available for review using the links below;

[Agenda for Community Leadership and Libraries Committee on Monday 20th June, 2022, 7.00 pm \(moderngov.co.uk\)](#) Items 9 &12

[Agenda for Community Leadership and Libraries Committee on Wednesday 6th October, 2021, 7.00 pm \(moderngov.co.uk\)](#) Item 7

- 1. Is there a process in place for handling complaints following warnings and breaches of the PSPO? If so, please send over any documentation outlining this process.**

Complaints can be made contact the Community Safety Team via [BarnetCST@Barnet.gov.uk](mailto:BarnetCST@Barnet.gov.uk) - please see the website link in Q3 or via the Council's corporate complaint process [Compliments and complaints | Barnet Council](#)

- 1. Do any of your PSPOs include dispersal powers?**

No

- 1. Please provide the number of warnings issued for Public Space Protection Orders (PSPO) in 2020, 2021, 2022 and 2023. If this data is available, please provide a breakdown of these warnings by restriction**

2020 - 0; 2021 - 0; 2022 - 0; 2023 - 0; Our officers are encouraged to exercise their discretion and offer words of advice/education as a non-recorded disposal outcome where appropriate and invite/encourage or signpost individuals to access our support services.

## **Further information**

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

## **Advice and Assistance : Direct Marketing**

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this

purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link [www.ico.org.uk](http://www.ico.org.uk)

**For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.**

## **Your rights**

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk). Or by post to Records & Information Management Service, Assurance Group, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website [www.ico.org.uk](http://www.ico.org.uk)). There is no charge for making an appeal.