

Written evidence submitted by the Heart of London Business Alliance to the Levelling Up and Regeneration Bill Committee (LRB50)

1. I am writing on behalf of the Heart of London Business Alliance (HOLBA), in support of Amendment 1 to the Levelling Up and Regeneration Bill, tabled by Nickie Aiken, Member of Parliament for the Cities of Westminster and London. The amendment seeks to remove Clause 187 from the Bill, a clause which would allow the Government to create criminal offences similar to those under the Vagrancy Act 1824 – despite its repeal by the Police, Crime, Courts and Sentencing Act 2021.
2. By way of background, HOLBA is a Business Improvement District focused on securing the long-term commercial and cultural wellbeing of London's West End. Since 2001, we have served as a voice for 600 businesses and 100 property owners in the Piccadilly & St James' and Leicester Square & Piccadilly Circus areas. Our purpose is simple: to represent our members' interests, and to ensure the West End remains an attractive, world-class place for people to visit, live, trade and work.
3. As you will be aware, Clause 187 of the [Bill](#) gives the Secretary of State the power to:
“make provision about conduct which is, or is similar to conduct which is, an offence under—
 - (a) section 3 of the Vagrancy Act 1824 (offences relating to begging), or
 - (b) section 4 of that Act (persons committing certain offences deemed to be rogues and vagabonds),disregarding the repeal of that Act by the Police, Crime, Sentencing and Courts Act 2022.”
4. We are writing to express our concern that this could lead to the re-criminalisation of rough sleeping, undoing years of hard work by campaigners on this issue. We are against all legislation that criminalizes homelessness. However, we of course recognise the need for legislation to protect the public, which we understand already exists, and we would be particularly keen to see better enforcement of this legislation.
5. As you may know, homelessness is a major issue in the West End. HOLBA are committed to working with our partners, including Westminster City Council, and its frontline services, to find a long-term solution to homelessness. We also seek to ensure proactive and positive engagement with people living on our streets. As such, we fund specialist outreach workers who help rough sleepers find the right support and a route off the streets and into safety.
6. We also strongly support measures to tackle aggressive begging and antisocial behaviour. As you might be aware, these are particularly serious in areas of Central London such as the one that we cover, with this often being the symptom of other serious criminal activity including people smuggling and modern slavery.
7. We understand that measures to address aggressive begging and other anti-social behaviour, along with several related issues, already exist under the Policing Act, and that the Act was amended in 2015 for this very reason. We would support further measures along these lines, to guarantee public safety, as well as a more robust approach to enforcing it on the street

8. In 2020, the United Nations Human Rights Council adopted a resolution stating that countries should 'eliminate legislation that criminalizes homelessness'. In April this year, Eddie Hughes MP, the Minister for Rough Sleeping and Housing concurred, saying 'no one should be criminalised simply for having nowhere to live, and it is right that we repeal the outdated Vagrancy Act.' We agree with this approach, on the basis that it would not in and of itself lead to a more lenient approach to aggressive begging and antisocial behaviour.
9. That is why we give our wholehearted support to Nickie Aiken MP's amendment and urge the Government to draw the distinction between homelessness and criminal behaviour and not to resurrect the Vagrancy Act 1824 by another name.

Yours sincerely,

Ros Morgan,
Chief Executive, Heart of London Business Alliance

August 2022.