

## CABINET

18 September 2012

<b>Title:</b> Anti-Social Behaviour Strategy 2012-13	
<b>Report of the Cabinet Member for Crime, Justice and Communities</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
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<b>Accountable Divisional Director:</b> Glynis Rogers, Divisional Director, Community Safety and Public Protection	
<b>Accountable Director:</b> Anne Bristow, Corporate Director, Adult and Community Services	
<b>Summary:</b>  Anti-social behaviour (ASB) is a key issue for local residents, as strategic assessments and public consultations constantly demonstrate. This report introduces the final draft of the Community Safety Partnership's ASB Strategy 2012-13, attached at Appendix 1. The report outlines the strategy, the local and national context within which it is being published, and the steps that have been taken to ensure that it is a Partnership document.  The strategy prioritises the following areas for action:  (a) identifying and responding to the concerns of our communities around ASB; (b) challenging the behaviour of perpetrators of ASB; (c) providing quality support for victims and witnesses; and (d) working better as a partnership to identify and respond to the causes of ASB.	
<b>Recommendation</b>  The Cabinet is recommended to:  (i) endorse the Anti-Social Behaviour Strategy 2012-13 attached at Appendix 1, for implementation by the Community Safety Partnership; and  (ii) note the local and national context within which this strategy is being published.	
<b>Reason(s)</b>  ASB is a key issue for local residents. The <i>Council Plan 2011</i> commits the Council to working to achieve a 'safer Borough where the problems of anti-social behaviour are tackled.' The strategy attached outlines appropriate measures for addressing ASB in a way that will build the community's confidence in the Council and the broader Partnership.	

## 1. Introduction and Background

1.1 The Council has committed itself to achieving a 'safer Borough where the problems of anti-social behaviour are tackled' in its *Council Plan 2011*. This is also reflected in the Council's *Policy House*, which envisions 'a Borough with low levels of anti-social behaviour, and where authorities support residents in getting problems solved.' Accordingly, the Community Safety Partnership has drawn up a bespoke strategy for tackling the Borough's anti-social behaviour (ASB).

### 1.2 What is anti-social behaviour and how is it dealt with in Barking and Dagenham?

The Crime and Disorder Act 1998 defined ASB as:

*behaviour which...caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator(s).*

1.3 In Barking and Dagenham, ASB is categorised into three distinct areas:

(a) **Criminal Behaviour that may also be anti-social:** types of behaviour that fall into this category include:

- Hate related incidents and crime
- Drug dealing or cultivation of drugs
- Prostitution
- Violence
- Criminal damage including arson
- Fly tipping

This is criminal behaviour and will be dealt with as such, but as a Partnership approaches to this might also include the use of ASB tools and powers (including legal action) to reduce the effect of this behaviour on local communities.

(b) **Anti-Social Behaviour:** types of behaviour that fall into this category include:

- Noise nuisance
- Drug use
- Harassment
- Trespass
- Dumping of rubbish
- Littering
- Dog fouling
- Verbal abuse
- intimidation
- Nuisance from vehicles
- Pets not being kept under appropriate control
- Damage which is not criminal damage (deliberate or reckless)

This behaviour is antisocial, but is not always criminal behaviour. Usually

non-legal measures to stop the behaviour are explored before consider legal action is considered, but this will depend on the circumstances.

(c) **Unwanted Behaviour:** types of complaints that fall into this category include complaints about:

- Cooking smells
- Normal living noise - things like hoovering, washing machines or people talking
- Children playing
- Fencing or boundary disputes
- Parking issues when there are no parking regulations being broken

This behaviour is unwanted and viewed as unacceptable by the person experiencing it (the complainant). The Council does not consider that behaviours in this category are 'antisocial behaviour' and therefore legal action is unlikely to be appropriate, but services will still be offered to help resolve this type of complaint, including services such as mediation.

- 1.4 The Council tackles ASB across its services, particularly within Community Safety, Housing, Environment and Enforcement Services, and Children's Services. In addition, Partnership teams addressing ASB include such agencies as the Police and Mental Health Services, which optimises the Borough's response.
- 1.5 The Community Safety Partnership (CSP), which pulls together the Council, Police, Probation, Fire Brigade, NHS, and community and voluntary organisations, provides the Borough's strategic lead in dealing with ASB. Within the CSP's sub-group tasking structure, responsibility for this lies with the Anti-Social Behaviour Strategic Group.

## **2. ASB Strategy 2012-13: Proposal and Issues**

- 2.1 As the CSP's strategic assessments and public consultations demonstrate, ASB is a key issue for the Borough's residents. This is corroborated by feedback from the Safer Neighbourhood Ward Panel Meetings and by Members' complaints.
- 2.2 The Council's commitments to addressing ASB have steered the ASB Strategic Group's decision to develop a bespoke ASB strategy for 2012-13 (the final version for agreement is attached at Appendix 1).
- 2.3 A discrete strategy will ensure that the wider Partnership is tasking its resources in a manner that addresses ASB as effectively and efficiently as possible. The development of a discrete ASB strategy is optional; it can, nevertheless, be considered good practice. The ASB strategy:
- consolidates the issues;
  - coordinates the response; and
  - clarifies the responsibility of all parts of the Council and the role of partners in addressing ASB in the Borough.

As such it will enhance the work to improve community safety and increase confidence in the Council and Police.

## 2.4 Strategic Priorities

Following consultation, the ASB Strategic Group has agreed on the following priorities as areas for detailed work:

- (a) identifying and responding to the concerns of the Borough's communities around ASB;
- (b) challenging the behaviour of perpetrators of ASB;
- (c) providing quality support for victims and witnesses; and
- (d) working better as a partnership to identify and respond to the causes of ASB.

## 2.5 Outcomes

By 2013, delivery of the strategy will have achieved the following:

- (a) a reduction in the number of calls to the Police reporting ASB;
- (b) an increase in the number of victims who are satisfied with how their ASB complaint was managed;
- (c) an increase in the number of people who think that the Police and Partners are successfully tackling crime and ASB issues that matter;
- (d) a reduction in the number of people who think that people do not treat each other with respect and consideration.

## 2.6 Timescales

While it is unusual for a strategy of this kind to run for only a year, there is currently a broad programme of work being undertaken, locally as well as nationally, to improve approaches to ASB:

- (a) Locally, the Safer and Stronger Communities Select Committee is focussing on ASB. Last year, it undertook a scrutiny review of the support for the Borough's high-risk victims of ASB. Assured that all the right measures were in place, the Select Committee has determined to undertake a review of the Council's Housing Services support for Council tenants affected by ASB and challenges to those responsible.
- (b) Nationally, the Government recently published its White Paper on reform of approaches to ASB. While it is not expected that these reforms will have a significant impact on our approach to addressing this issue in Barking and Dagenham, their imminence adds a level of uncertainty to ASB policy moving forward.

This work entails a level of uncertainty for all ASB action plans beyond March 2013. For this reason, the Community Safety Partnership has agreed that its ASB Strategy should run until March 2013. At this point, the findings of the Safer and Stronger Communities Select Committee and the final review of the Government's reforms will have been published and the strategy can be reviewed and refreshed accordingly.

### 3. Options Appraisal

- 3.1 The proposed ASB Strategy can be adopted by Cabinet. Alternatively Cabinet can make recommendations for further consideration by the Community Safety Partnership.

### 4. Consultation

- 4.1 The ASB strategy was taken in draft form to the following meetings:

Meeting	Date
ACS DMT	29 February 2012
Children's Services DMT	8 March 2012
Community Safety Partnership Board	13 March 2012 12 June 2012
Housing and Environment DMT	14 March 2012

Attendees of these meetings were given until 27 April 2012 to feedback to the Chair of the ASB Strategic Group or the Council's ASB Team Manager on the draft strategy.

- 4.2 Attendees of the Community Safety Partnership Board represent a diverse mixture of organisations; these attendees were asked to take the strategy back to their agencies for consultation through their own approval procedures. The Board then agreed the final amendments on 12 June 2012.
- 4.3 Members of the Safer and Stronger Communities Select Committee (SSCSC) also reviewed the strategy, when it was in its final form, at its meeting on 17 July 2012.

The Chair of the SSCSC sent the Committee's comments to the Cabinet Member for Crime, Justice, and Communities. In particular, the Committee expressed confidence that the themes, priorities, and actions that the strategy outlines will support residents to stand up to perpetrators. The Committee also agreed that the decision to adopt the strategy for a year until the local and national policy reviews are complete is sensible, and requested to review the strategy again during its refresh.

### 5. Financial Implications

Implications completed by: Dan Herholdt, Senior Accountant

- 5.1 Costs of ASB to the Council

- 5.1.1 Delivery of this strategy is a multi-agency responsibility. Assessing the cost of ASB is a complex issue. Such issues as graffiti removal, dealing with problematic licences and tenancy support and action are all part of the Council's response to Anti-social behaviour. In addition addressing behaviour of children in school, provision of diversionary services in Children's Services and the Youth Offending Service do much to prevent and reduce the incidence and impact of anti-social behaviour in our community.

- 5.1.2 A recent report to the Safer Stronger Community Select Committee identified that the time spent by housing officers on dealing with ASB is estimated to equate to £33.58 per property.
- 5.1.3 The calculation uses the salary costs of the relevant housing officers and the percentage of their time spent dealing with ASB. The percentage time used for LBBB housing officers is as follows:
- 16.5% Tenancy Officers
  - 10% Tenancy Service Managers/Locality Managers
  - 10% Estate Officers
  - 5.5% Landlord Services Group Managers
- 5.1.4 In addition the Council meets capital costs for door entry systems and the cost of concierge such as Surveillance and Monitoring System (SAMS) and wider council services e.g. additional dedicated police officers for housing estates.
- 5.1.5 In terms of the Community Safety ASB Team within Community Safety and Public Protection, the cost is £237,500 per annum.
- 5.1.6 A considerable amount of money is also spent on specific security measures and interventions. These include separate Estates SNTs, which cost £620,000 per annum, and the Parks SNT, which costs £240,000 per annum.
- 5.1.7. In addition, bespoke projects such as graffiti removal, fly-tipping, and abandoned car removal cost the Council in the region of £520,000 per annum.

## 6. Legal Implications

Implications completed by: Alison Stuart, Senior Lawyer

- 6.1 Under the Crime and Disorder Act 1998, as a responsible authority, the Council has statutory responsibilities to prevent crime and disorder, anti-social behaviour and other behaviour adversely affecting the environment. Before formulating a strategy, the Council shall carry out a review and shall have regard to the analysis and views provided. The Council shall thereafter formulate and implement strategies and keep the strategy under review to monitor its effectiveness.

## 7. Other Implications

- 7.1 **Risk Management** - There is no legal obligation upon the Council or its partners to have an ASB Strategy. However, leaving ASB unaddressed poses a significant reputational risk to the Council and the broader Partnership: the effects of ASB, such as graffiti, fly-tipping, and dog-fouling, create a disordered environment that sends the signal that ASB can be engaged with without repercussions. This bespoke ASB strategy provides a focus for the work in this area and allows the Council and its partners to monitor our performance against agreed indicators.
- 7.2 **Contractual Issues** - In dealing with ASB, the Council uses a range of interventions. A small number of these are contracted to third sector organisations:

- (a) **Victim Support (VS):** VS are contracted to provide the Safer Homes Project and a VOLT Caseworker. The Safer Homes Project provides victims of crime and ASB with preventative security measures such as alarms; the VOLT Caseworker provides support to higher risk and repeat victims and witnesses. The Safer Homes Project and the VOLT Caseworker role impact significantly on the ASB Team's ability to provide good quality service and support, as they support victims and witnesses through the legal process. VS's progress is monitored through a monthly performance report on the Safer Homes Project and a quarterly performance report on the VOLT Caseworker.
- (b) **Mediation UK:** Mediation UK are contracted to provide the Council's mediation services. Mediation UK charges on a case-by-case basis. Mediation UK were paid a lump sum from central government funding in 2010 and the ASB Team is still using this funding. Mediation UK produces a quarterly performance report on the service that they provide.

- 7.3 **Staffing Issues** - The strategic aims contained within the strategy are to be delivered within existing Council and Partnership resources.
- 7.4 **Customer Impact** - ASB is continually raised as one of residents' key concerns. The Community Safety Partnership has made significant progress in addressing the concerns of residents over the past few years and there has been a notable improvement in performance. The development of an ASB Strategy will assist in consolidating this work and the comprehensive action plan and performance measures will assist it in further improvement.
- 7.5 **Safeguarding Children** - Children can be both perpetrators and victims of ASB, and the strategy aims to address this in its 'Challenging Perpetrators' and 'Improving Support to Victims and Witnesses' priorities. By linking with the Council's Children and Young People's Plan and incorporating groups such as the Integrated Youth Services Board and the Youth Offending Service into its action plan, the strategy ensures that children are safeguarded from harm, both when they are perpetrators and when they are victims of ASB. Links with the new Troubled Families Board will build on the progress the Family Intervention Project has already made in this area.

The safeguarding of children in care requires a particularly sensitive response from the council in its role as corporate parent. All ASB-related action with regards to children in care is always undertaken in consultation with officers within the Council's Children's Services department.

- 7.6 **Health Issues** - While perpetrators can often have physical and/or mental health issues, ASB can often affect its victims' physical and/or mental health. By focussing on such areas as 'Drugs and alcohol as a driver for ASB' and engaging with MENCAP and DADB, the ASB strategy aims to address the health and well-being issues that cause and exacerbate the effects of ASB.

Given that those with mental health and learning disability issues are often at higher risk of becoming victims of ASB, the ASB strategy continues and enhances the existing procedures for safeguarding those with needs that could make them particularly vulnerable.

7.7 **Crime and Disorder Issues** - S17 of the Crime and Disorder Act 1998 requires local authorities to integrate consideration of the impact on crime and disorder of any decision, policy, activity or strategy that it performs. The authority is required to ensure that there is no negative impact on crime and disorder of any such decisions. While a discrete ASB Strategy is not a statutory requirement, it will improve community safety and increase confidence in the Partnership: there are no negative impacts arising from this strategy.

**Background Papers Used in the Preparation of the Report:**

A list of linked and associated reports, strategies and research documents are contained within the draft strategy.

- (a) SSCSC Scrutiny: Support for Victims of ASB
- (b) SSCSC Scoping Report: Support for Victims of ASB in Housing Services
- (c) Government White Paper: *Putting Victims First: More Effective Responses to ASB*

**List of appendices:**

**Appendix 1:** Anti-Social Behaviour Strategy 2012-13