

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COMMUNITY SCRUTINY COMMITTEE – WEDNESDAY 23 OCTOBER 2019

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| Report Title | ANTI-SOCIAL BEHAVIOUR IN NORTH WEST LEICESTERSHIRE |
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| Purpose of report | To update members on how the Community Safety Partnership responds to reports of Anti-Social-Behaviour (ASB) |
| Council priorities | Our communities are safe, healthy and connected. |
| Implications: | |
| Financial/Staff | One full time member of council staff is allocated to review, gather further evidence (if required) and respond to reports of ASB. |
| Risk Management | Reputational risk is managed by ensuring that support is provided to the community wherever possible, dealing in partnership with all high risk cases. |
| Equalities Impact Screening | None. All reports are dealt with on the basis of risk |
| Human Rights | None. All reports are dealt with on a basis of risk |
| Transformational Government | n/a |
| Comments of Head of Paid Service | Report is satisfactory |
| Comments of Section 151 Officer | Report is satisfactory |
| Comments of Monitoring Officer | Report is satisfactory |
| Consultees | Police |

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| Background papers | n/a |
| Recommendations | TO NOTE THE WORK OF THE COMMUNITY SAFETY PARTNERSHIP IN DEALING WITH REPORTED ANTI SOCIAL BEHAVIOUR. |

1.0 INTRODUCTION

- 1.1 Community Anti-Social Behaviour (ASB) means different things to different people. Members of the public have sometimes described normal social behaviour as being antisocial, for example, food smells travelling from a barbeque.
- 1.2 ASB is best described simply as a blanket term for conduct that can cause harassment, alarm or distress. There are a number of examples including vandalism, drug misuse, street drinking, prostitution related activity and rowdy or inconsiderate neighbours. To enable the authorities to take action the ASB must fall within the definition below.

2.0 DEFINITION OF ANTI-SOCIAL BEHAVIOUR

- 2.1 ASB can be defined as conduct that has caused, or is likely to cause, harassment, alarm or distress to any person. It also covers conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation or residential premises and conduct capable of causing house-related nuisance or annoyance to any person.

Anti-social behaviour is further categorised and recorded into three areas, which are:

1. Personal antisocial behaviour, where a person targets a specific individual or group.
2. Nuisance antisocial behaviour, when a person causes trouble annoyance or suffering to the community.
3. Environmental antisocial behaviour, where a person's actions affect the wider environment such as public spaces or buildings.

2.2 TIERED APPROACH

The Non-legal options

Advice and Warning Letters

The tiered approach has been agreed and adopted throughout Leicester, Leicestershire and Rutland which takes the approach that ASB should be dealt with via an escalating process, commencing with the sending of advice letters. This letter is to ensure that they are aware of their actions, which are classed as anti-social. If the behaviour continues then a warning letter follows up the advice letter. This process is particularly effective in dealing with low-level incidents.

Anti-social Behaviour Contracts

Where the behaviour continues, an antisocial behaviour contract will be considered. However, this is a voluntary agreement signed by one or both parties indicating how the issues will be resolved. It will detail how the matter will be dealt with in the future.

The Legal Options

In principle, all legal powers appear straightforward; however, they all require a considerable amount of evidence and paperwork to be presented to the courts. In recent years both the police and the council have jointly used the powers set out below in an attempt to resolve antisocial behaviour in North West Leicestershire. Not all attempts have been successful in the courts, however. Officers and police will continue to jointly explore all of the powers available and appropriate to the facts of each case. These powers include:

2.2.1 Community Protection Warning (CPW) and a Community Protection Notice (CPN)

The CPN process is used to prevent a person 16 years or over, business, or organisation from committing ASB which spoils the community's quality of life. Failure to comply with a CPN is a criminal offence and is prosecuted in the courts.

2.2.2. Injunctions

Injunctions are used where the courts are satisfied that the respondent has engaged in ASB and the court considers it just and convenient to grant an injunction. The injunction will detail what actions are prohibited in the circumstances and can carry a power of arrest if those actions continue. Injunctions require a case to be built and agreed with the council's legal department.

2.2.3 Public Space Protection Orders (PSPOs)

A PSPO is designed to stop individuals or groups committing ASB in a public space. To be granted they must satisfy two criteria:

- Firstly, the activity has, or is likely to have, a detrimental effect on the community.
- Secondly, it is, or is likely to be, persistent in nature.

Any remedy must be directed at preventing the unwanted activity.

2.2.4. Criminal Behaviour Order (CBO)

A CBO is used to tackle persistent antisocial individuals who engage in criminal activity as well as antisocial behaviour. A CBO can only be granted by a criminal court against a person who has been convicted of an offence.

2.2.5. Closure orders

Closure orders enable the police or the council to close premises, which are being, or are likely to be used to commit nuisance or disorder.

2.2.6. Police Dispersal Orders CBOs

The Police have the power to authorise the dispersal of people from an area in a public place for a maximum of 48 hours. Failure to comply is an offence.

2.3 JOINT WORKING RESPONSIBILITY

The Community Safety Partnership is formed from representatives from a number responsible authorities including the police, local authorities, fire, probation services and health and these representatives are jointly responsible for protecting their communities from crime and also helping the community to feel safer. Current Issues are prioritised by the services who work together to respond to matters including ASB, crime and drugs and alcohol misuse.

The Partnership understands the effect on victims if the ASB continues over a long period. However, the courts will not always consider this when deciding how they are going to deal with the sentencing. This has been the outcome in two recent cases presented to the courts, where they have decided to effectively dismiss the cases.

2.4 **JOINT WORKING – MEETING STRUCTURE**

There are a number of meetings that deal with ASB; these include the Community Safety Partnership (CSP) and the Joint Action Group (JAG), Threat Risk and Harm meetings, and case and tactical meetings with lawyers.

2.4.1 Community Safety Partnership

The community safety partnership meets on a quarterly basis and annually sets priorities for the members of the partnership and these are currently dealing with exploitation, cybercrime and domestic abuse. The quarterly meeting reviews progress on the priorities and emerging crime and disorder, including ASB.

2.4.2 Joint Action Group

The Joint Action Group meet monthly and comprises of council staff from a number of departments, police, social services, probation services and North West Leicestershire Schools. This group discusses specific ASB locations, hotspots, individuals and emerging trends as well as crime, threats and emerging issues.

2.4.3. Countywide engagement

There are a number of meetings across the county that focus on good practice and developments in addressing ASB. These include the ASB Strategic group, ASB Delivery group and the Sentinel meeting. There are also a number of meetings that are held with departments dealing with issues that affect ASB including the “What Works Group” and the Prevent and Hate meetings.

2.5 **DEVELOPMENT OF ASB DELIVERY**

The Community Safety Team and the police have been developing systems and processes where positive joint working practices produce the best results with the staffing levels available. These developments include:

2.5.1. The Threat Risk and Harm meeting

The Threat Risk and Harm group is hosted by the Police and meets fortnightly to highlight developing risks within North West Leicestershire. The Police, Community Safety, Licensing and Housing attend the meeting to discuss the emerging issues and agree a partnership approach.

2.5.2. Reducing Open Space ASB

Community Safety and Community Focus are working with the planning department to review all new developments. The aim of the review is two-fold, firstly to highlight any issues that could lead to crime and ASB with the view to designing it out at an early stage. Secondly, develop the skills in the team to better identify developing ASB and respond quickly and effectively.

2.5.3. Legal Funding

The Community Safety Team and the partnership have limited resources; therefore, careful consideration is given to taking the right enforcement action at the right time. The decision to attend court is balanced between following the agreed procedure and the needs of the community. Funding has been set aside to obtain legal advice or take matters to court at an early stage; this has resulted in more cases presented to the courts. From 2007 to 2015 no more than three cases were referred to court, compared to 22 cases from 2016 to 2019.

2.5.4. CCTV deployment

The Community Safety Partnership has invested substantially in effective mobile CCTV, which enables a way of monitoring difficult areas and allows action to be taken. One example is the Royal Hotel, where CCTV enabled the partnership to send a considerable number of Advice and Warning letters. There are limitations to their deployment however as power and 4G is required for the CCTV cameras and as a result, rural areas present a challenge. The team has recently purchased 'Catch Cams' for deployment in the more rural areas.

2.5.5. Early Interventions

Funding from the Office of the Police and Crime Commissioner (OPCC) to undertake work to divert young people away from ASB has been obtained. Currently officers are working with other services to create courses for young people on the fringe of ASB. These include:

- Health and Wellbeing Team to deliver 'Box it' at Greenhill and Measham.
- The Fire Service to deliver a Fire Cadets' Course
- Police and Fire working with Warren Hills School providing three schemes
- Development of a new course with a local business, to reduce youth ASB.

2.5.6. Police Patrols

The Police regularly have one vehicle to patrol the North West Leicestershire ASB hotspot locations and the partners inform the police of ASB reports they have, enabling the police to visit the hotspots at the most appropriate times. The more community intelligence and reports received, the more effective this deployment is.

2.6 CHALLENGES OF THE LAST 18 MONTHS

The overall trend in ASB is down, with fewer reported instances of ASB in the last 12 months, with 440 reports made; this has reduced by 96 reports on the same time last year.

With the quarterly surveys carried out by Leicestershire County Council, one question asks the public whether they believe that the number of cases of ASB are remaining the same or have reduced. The most recent results in August 2019 are that the vast majority of the people surveyed believe that ASB is not increasing (83%). The partnership accepts that not all ASB reports are made to the Police or the Council; however, the CSP is only able to respond to the reports that are received.

Notable Cases Investigated

The North West Community Safety Partnership has worked hard to resolve a number of notable cases over the last 18 months, which include:

2.6.1. The Royal Hotel Car Park

Young people have been gathering in the car park of the Royal Hotel and playing loud music from their cars late into the night. Reports of littering, drug taking and irresponsible driving have also been recorded. Working with the hotel owners, town council, local councillors and the police, a number of actions were put in place that resulted in warning letters and Police Section 59 warnings being issued. These actions reduced the number of incidents reported, however the problem continued to reoccur. As a result the hotel owners made a decision to close the car park preventing further ASB.

2.6.2. Off-road use of Motorcycles

There are a number of green lanes, that are designated highways and where the use of a motorcycle is lawful. However, over the last 10 years, there have been a number of areas and lanes within the district where motorcycles are being used off-road illegally.

Community Safety has been working with the police, to identify those locations and erect Section 59 warning signs, enabling the Police to confiscate any motorcycle used in that location. This problem is a very difficult and expensive issue to resolve, however the CSP is working with Nottinghamshire Police to use their off-road team to find and stop those riders.

2.6.3. County Lines ASB

In 2018 Crime and ASB were identified and linked with drugs and 'Cuckooing' of vulnerable people within the district. As a result of this intelligence, the CSP launched Operation Camel. In 2018 this resulted in one of the largest number of Closure orders applied for by both the Police and Local Council. The operation was so successful that the police decided to produce a film for training purposes. The impressive results of operation Camel had a major impact organised crime in our district:

- 14 closure orders & evictions – this is the highest number with seven completed on a single day
- 19 warrants and 32 arrests and investigations and more than 50 Sec 23 misuse of drugs stop searches
- Four cars seized
- 1000 community and Police-generated intelligence logs and 2000 appeal leaflets delivered to local addresses
- Increased social-media footprint
- 14 Section 8 Misuse of Drugs Act warnings in relation to allowing premises to be used for the sale of drugs
- Intelligence sharing with neighbouring forces leading to arrests
- Recruitment, development and referral of individuals to the DSU
- Partners East Midland Homes, the housing providers for the addresses, have worked alongside police operations to support prosecutions.

2.6.4. Ongoing ASB work

The partnership continues to work on reported ASB other areas within the district including:

- Agar Nook and Greenhill, where reports of ASB are continually received, both of the councils' mobile cameras are currently deployed in this location.

- Breedon Church, where a great deal of work is underway regarding the perception of crime and disorder.
- Moira Furnace, where reports are being received about the behaviour of young people. The 'Box it' project is located in this area as a direct result of those reports.
- Neighbour Disputes, a considerable amount of Police and Council resources are committed on a regular basis to deal with neighbour disputes, Some of these become high risk cases, but the majority include high quantities of annoying behaviour including pushing cars a few feet to annoy their neighbour or putting dog mess over the fence.
- Open Spaces, reports are taken on a regular basis about youths committing crime or ASB in the parks and open spaces provided. This has resulted in the work with the planning department in attempt to design out these behaviours, as this is not an easy problem to resolve or respond to effectively.
- The Community Safety Partnership and the Joint Action Group amongst others are committed to responding to all reports of ASB to ensure the those cases presenting the highest risk are effectively addressed. Councillors are urged to ask all members of the public to report all instances of ASB using Police and Council website forms, or alternatively the 101 service.