

**AGENDA MANAGEMENT SHEET**

**Name of Committee**                      **Community Protection Overview And Scrutiny Committee**

**Date of Committee**                      **27 March 2007**

**Report Title**                                **Review of Scrutiny of Anti-Social Behaviour**

**Summary**                                    This report updates members on progress made in relation to addressing anti-social behaviour since the scrutiny exercise was undertaken in February 2006.

**For further information please contact:**

Kate Nash Head of Community Safety Tel: 01926 423231 katenash@warwickshire.gov.uk	Julie Sullivan Corporate Community Safety Manager Tel: 01926 746804 juliesullivan@warwickshire.gov.uk
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**Would the recommendation decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]**      No.

**Background papers**                      Final report of Single Issue Meeting on Anti-Social Behaviour - Community Safety Overview and Scrutiny Committee, 28 February 2006.

**CONSULTATION ALREADY UNDERTAKEN:-**                      Details to be specified

- Other Committees                       .....
- Local Member(s)                       Not relevant
- Other Elected Members               Cllr Chattaway
- Cabinet Member                       Cllr Hobbs
- Chief Executive                       .....
- Legal                                       .....
- Finance                                   .....
- Other Chief Officers                   .....
- District Councils                       .....
- Health Authority                       .....

Police  .....

Other Bodies/Individuals  .....

**FINAL DECISION YES**

**SUGGESTED NEXT STEPS:**

Details to be specified

Further consideration by this Committee  .....

To Council  .....

To Cabinet  .....

To an O & S Committee  .....

To an Area Committee  .....

Further Consultation  .....

## Agenda No

# Community Protection Overview and Scrutiny Committee 27 March 2007

## Review of Scrutiny of Anti-Social Behaviour

### Report of the Strategic Director for Community Protection and County Fire Officer

#### Recommendation

That Members note and comment on the progress made in relation to addressing Anti-Social Behaviour in the last twelve months.

#### 1 Introduction

The then Community Safety Overview and Scrutiny Committee took part in a single-issue scrutiny exercise on Anti-Social Behaviour (ASB) in January 2006 and a final report on this exercise was presented to the committee on February 28<sup>th</sup> 2006.

The report requested that a certain number of actions be carried out by several of the contributors to the exercise. Progress on these is noted in paragraph 2 below.

This report also details further actions which have been taken in relation to Anti-Social Behaviour during the last twelve months and gives some recent performance data.

#### 2 Specific Actions Arising from the Report

This section updates Members on actions undertaken following the scrutiny event, as requested in the final report.

##### 2.1 Review of Member Involvement

Chief Inspector Slater of Warwickshire Police was requested to review the involvement of Members in the Anti-Social Behaviour Order (ASBO) process and consider how they might be kept informed about the progress of cases.

This action will be taken forward within a review of ASB protocols which should commence shortly. (See reference to county-wide projects below.)

## 2.2 Concerns relating to Prosecutions

Mark Lynn, Chief Crown Prosecutor, undertook to convey Members' concerns around prosecutions for breaches of ASBOs to his team of prosecutors.

Mark reports that these concerns were relayed to his team, that they understood Members' concerns and that they will continue to work to their professional code relating to prosecutions.

## 2.3 Sentencing

Mick Taylor, Chief Clerk to Warwickshire's Magistrates Courts agreed to report Members' concerns about sentencing to Magistrates in Warwickshire.

It has not been possible to ascertain whether this action took place. However, following the scrutiny exercise, Julie Sullivan Corporate Community Safety Manager gave presentations to all three Magistrate's Benches on Anti-Social Behaviour and the ASBO processes. These presentations were successful in improving the understanding of Magistrates regarding the process, including clarifying what can and can't be included in an ASBO and the extent of the Magistrates' powers to amend the recommendations which are placed before them.

## 2.4 Member Representation on Crime and Disorder Reduction Partnerships (CDRPs)

Cllr Hobbs undertook to progress the issue of Member representation on CDRPs across the county.

Members are now invited to be represented on all five CDRPs in the county. The Rugby Area Committee has not yet agreed to take up its seat on Rugby CDRP, but in all others, including the proposed merged South Warwickshire CDRP, Member representation is now agreed and in place.

## 2.5 Test Purchasing

Cllr Hobbs undertook to investigate the effectiveness of test purchase operations relating to shop-keepers selling alcohol to children.

### 2.5.1 Operations

During 2006/2007, whilst working in conjunction with Warwickshire Police, the Trading Standards Service has undertaken three age restricted sales of alcohol exercises, targeting forty-one premises. Two of these retailers sold alcohol to our underage volunteers, these sales resulted in the issuing of an £80 Fixed Penalty Notice (FPN) to each salesperson and the Designated Premises Supervisor (DPS) for each retailer was formally interviewed.

Most of the attempted test purchases of alcohol have been at premises targeted through partnership working via Multi-Agency Liaison Groups. In

relation to test purchases of alcohol, the Trading Standards Service generally focuses on 'Off Licence' premises whilst the Police focus on 'On Licence' premises

#### 2.5.2 Outcomes of test purchasing exercise

The use for the first time during 2006-07 of Fixed Penalty Notices has allowed a more efficient and effective course of action against sales person. This provides an appropriate penalty, applied quickly and gives a clear deterrent message to other retail sales staff.

There have been changes in behaviour of both retailers and young people that are relevant to test purchasing operations.

Retailers are more frequently challenging purchasers by asking their age and this is seen as an encouraging sign and the first step in preventing illegal sales. Many retailers have adopted a policy of challenging the age of anyone who appears under 21. This helps to address the difficulty in judging age from appearance of young people. Some retailers have, unfortunately, become more aware of the practices and procedures adopted by Trading Standards and in some cases do no more than to ask an age, knowing a young person tasked with test purchasing for Trading Standards will answer truthfully. Retailers also get to know the locals and there are cases where there is a high number or repeated instances of complaint, but test purchases are invariably unsuccessful.

It is clear that young people commonly obtain alcohol from other sources as well as buying it themselves. 'Proxy buying', where an older person buys alcohol legitimately and passes that alcohol to an underage person, is becoming more prevalent. Similarly young people will obtain alcohol from parents, with or without their knowledge. Test purchase exercises will not counter these sources of alcohol.

## 2.6 The Respect Agenda

Kate Nash, Head of Community Safety, was asked to report on the impact of the Crime and Disorder Review and the Respect Agenda to a future meeting of the committee.

This report took the form of a seminar on 5<sup>th</sup> September 2006. Members received a briefing note and short presentation and were able to question and discuss the issues raised. No clear recommendations were made.

Subsequently, discussions have been held with the Head of Service for Young People in the Children Young People and Families Directorate and a course of action has been agreed to begin the development of a co-ordinated strategy on the Respect Agenda. This will be brought to Members after an initial meeting with key stakeholders in April.

### **3 Key changes to funding and delivery of ASB related services**

There have been two key changes which have affected our ability to deliver the Anti-Social Behaviour action plan over the last twelve months.

The first of these was a change to the funding arrangements. From April 2006, Government decided to allocate a ring-fenced sum of £25,000 from the Safer and Stronger Communities Fund directly to each CDRP. The effect of this has been to increase the resource available to address ASB in the districts and boroughs. The use of these resources is summarised in paragraph 5 below.

However, this change in funding also meant that the CDRPs withdrew funding from the jointly-funded ASB co-ordinator post at county level. The contract for this post was therefore extended only to December 2006 and three key projects were identified for the officer to undertake. Unfortunately the post-holder has been on long-term sickness absence since June 2006 and the work stalled for several months until a decision was taken to employ consultants to complete the work.

### **4 County-wide Progress**

#### **4.1 Three Key Projects**

Following the scrutiny exercise, it was decided that little progress could be made on the key areas of interest until we had resolved some core infrastructure issues around information management / case handling and ASB protocols.

Two of the projects handed to the ASB Co-ordinator were therefore on these issues. The third was an investigation into the use of mediation services, the need for which was highlighted in the scrutiny report.

Business Consultancy staff have now completed these projects and we have drafts of the reports with recommendations on case management, protocols and mediation. The reports will be finalised after discussion with the consultants and recommendations will be shared with partners and brought back to Members at a future date.

Separately, community safety staff also began to investigate the establishment of an intensive family support scheme. Early negotiation with partners indicated enthusiasm for pursuing the development of such a scheme. However, enquiries to the national Respect Task Force indicated that funding for pilot schemes had been exhausted for the 2006/7 year, so the scheme will be reinvigorated and an application for funding made in 2007/8.

## 4.2 Criminal damage project

During the year we were successful in obtaining a £10,000 capital grant to address criminal damage in the county. The bid related to the report into criminal damage which was conducted by the Jill Dando Institute last year. This report had identified hotspot areas. CDRPs were consulted and broad agreement was reached on the spending.

The most viable agreed option was to purchase prickly plants for planting in sites in priority areas in order to prevent graffiti and vandalism, using offenders supervised by Probation through Community Payback schemes to do the work. This innovative scheme aims to restrict access to areas vulnerable to vandalism and is relatively low maintenance. The community should see an improvement to their areas, not just in terms of reduced vandalism and graffiti, but also an enhanced environment

The sites selected include those with the highest rate of criminal damage, particularly in Nuneaton and Bedworth, Rugby and Warwick districts. (Abbey, Wem Brook, Bar Pool, Newbold, New Bilton, Benn, Clarendon, Brunswick and Warwick West.)

The scheme is now in operation and is due to be completed by the end of the month. It is too early to be able to gather any data on its success at present.

## 4.3 ASB and Safer Neighbourhoods

Following the commencement of the Safer Neighbourhoods initiative, WCC has piloted an approach to dealing with ASB which was identified as a major concern by the Safer Neighbourhood PACT panel in Kenilworth. This has involved an intensive piece of work by David Gill, our temporary Area Manager, who has worked to develop an action plan to address the issues raised.

This approach involved the analysis of local crime data and of residents' concerns and the prioritisation of issues to be addressed: criminal damage/vandalism; graffiti; drunken/rowdy behaviour.

David met with the Kenilworth Safer Neighbourhood team and relevant Warwick District Council staff. The group identified potential actions and interventions, many of which involved further liaison with other agencies. Actions were allocated to individuals, further analysis was commissioned and deadlines were set for the compilation of a draft action plan which was presented to the next K.S.N.T. panel meeting. An amended plan was approved by the Panel and is already being implemented.

Again it is too early to demonstrate results of this work, but the plan itself was warmly welcomed by the panel and the work has been commended as an example of good practice which can be shared across the county and used as a template for further local initiatives.

## 5. Local Initiatives

The following local initiatives have been put in place using the Safer and Stronger Communities Fund (SSCF) delegated funding.

### 5.1 North Warwickshire

In North Warwickshire the grant contributes to providing:

- An ASB Coordinator in Atherstone who records all the ASB complaints, from police and other information sources including NWBC. This information is reviewed at the police 'tasking' meeting and prompts the process for response, eg raising letters and arranging visits by PCSOs to the perpetrators.
- A Young Persons' Safety Officer who takes a more proactive approach, recognising that young people are not always the perpetrators of ABS, but often the victims. The officer works with young people to prevent ASB at the priority locations and also reduce the 'fear of crime' in communities.
- A capital contribution towards the purchase of police off-road motorcycles which have been used to target the nuisance caused by the riders of mini motor-motorcycles.

### 5.2 Nuneaton and Bedworth

In Nuneaton and Bedworth the funds are used support:

- An ASB Fast Response project which provides two part-time Youth Contact Team officers, based within the Nuneaton and Bedworth Leisure Trust. They provide a fast, targeted response to ASB nuisance and criminal damage calls. They also aim to engage young people during evenings and weekends and school holiday periods when 'nuisance behaviour' occurs.
- A Nuisance Behaviour Officer based with Nuneaton Police. This is an administrative function that involves recording all the ASB complaints from police and other information sources. Reports are used at the police fortnightly NIM 'tasking' meetings to direct Officers, PCSOs and the Youth Contact Team.

Nuneaton and Bedworth general SSCF capital fund also contributed towards the cost of off road motorcycles, as in North Warwickshire.

### 5.3 Rugby

In Rugby, the funding has provided:

- An ASB Support Post providing clerical support to the Community Safety Wardens, to brief the Wardens, maintain the ASB database, administer



ABCs and ASBOs, and provide clerical support to the CDRP's ASB related sub-groups.

- Training of volunteers to support victims and witnesses
- ASB/ criminal damage related diversionary and reparation work.

Rugby's general SSCF funding has also contributed towards the purchase of off-road police motorcycles to address nuisance riding.

#### 5.4 Warwick and Stratford

In each of these CDRPs the funding contributes to ASB officers posts with very similar roles. The officers gather information about individuals involved in anti-social behaviour. This increasingly involves a close liaison with the police on a daily basis. They then liaise with Safer Neighbourhood teams in first sending warning letters to individuals and, if conduct requires, attending home addresses and police stations to develop acceptable behaviour contracts.

The warning letter system is working effectively with 76.5% of those warned, moderating their behaviour.

### 6 Performance Information

Gathering reliable performance information will continue to be a problem until the case management system referred to above is agreed and implemented. What follows illustrates how piece-meal this data is at present, with different systems in operation in each of the districts which do not allow for comparison.

#### 6.1 Current Numbers of Anti-Social Behaviour Orders (ASBOs), Criminal ASBOs (CRASBOs) and Acceptable Behaviour Contracts (ABCs)

Current Total ASBOs	89 across County
Of which current Young Persons' ASBOs	26 across County
Current Total CRASBOs	21 across County
Of which current Young Persons' CRASBOs	9 across County

	Wk	Son A	NWarks	Nun/Bed	Rug	Total
Current ABCs	15	10	23	12	35	95
Working towards ABC's	13	5	0	4	0	22
Evidence being gathered for ASBOs	6	2	6	4	7	25

## 6.2 Perception Data

The 2006/07 Public Satisfaction Survey asked residents to comment on a range of anti-social behaviour issues. The table below illustrates District-level data.

*Perceptions of ASB by District, 2006/07*  
*% of residents that feel the following are either a very big or fairly big problem in their area*

Indicator	NW	NB	RG	SoA	Wk	Warks
Parents not taking responsibility for the behaviour of their children	64%	<b>75%</b>	<b>71%</b>	55%	59%	64%
People not treating other people with respect and consideration	45%	<b>64%</b>	45%	38%	41%	46%
Noisy neighbours or loud parties	17%	18%	15%	14%	15%	16%
Teenagers hanging around on the streets	<b>67%</b>	<b>67%</b>	60%	50%	53%	57%
Rubbish and litter lying around	36%	<b>58%</b>	42%	29%	33%	38%
People being drunk or rowdy in public places	18%	37%	26%	29%	<b>37%</b>	31%
Abandoned or burnt out cars	10%	14%	<b>16%</b>	5%	7%	10%
Vandalism, graffiti and other deliberate damage to property or vehicles	37%	<b>48%</b>	45%	28%	40%	39%
People using or dealing drugs	38%	43%	<b>47%</b>	37%	35%	39%
People being attacked because of their skin colour, ethnic origin or religion	2%	<b>21%</b>	14%	4%	9%	10%
People being attacked because of a disability	2%	<b>16%</b>	7%	5%	5%	7%
People sleeping rough on the streets or in other public places	0%	13%	4%	10%	<b>20%</b>	12%

Figures in bold are statistically significantly higher than the County average.

In terms of the range of issues, Nuneaton and Bedworth fares significantly worse than the County average in the majority of behaviour types. In particular, people not treating others with respect, racially motivated attacks and rubbish/litter are perceived as being specific problems within the Borough.

As in previous years, Warwick District is perceived, relatively, to have the worst problem with people sleeping rough.

Stratford-on-Avon has below average levels of concern for all twelve measures.

In general terms, the main areas of concern appear to be parental responsibility, people not treating others with respect and teenagers hanging around on the streets. The first two of these are new questions included in the satisfaction survey for this first time this year.

### 6.3 Research Project

The SSCF-funded analysts have conducted research into ASB and Criminal Damage. Their report focused on incidents deemed to involve young people.

The report again highlighted some of the difficulties in collecting data about ASB. The Police incident recording system (STORM) does not contain a specific category for youth-related ASB. The researchers therefore produced estimates based on those categories of ASB that are known to be most often associated with youths, for example, inappropriate use of public space and environmental damage / littering.

The data covered the period December 2005 to November 2006.

Key findings of the report were:

- The County has seen a 3% increase in criminal damage incidents in Warwickshire when comparing the period Dec 04 - Nov 05 to the period Dec 05 - Nov 06.
- The number of anti-social behaviour incidents being reported has increased by 0.8% in Warwickshire when comparing the period Dec 04 - Nov 05 to the period Dec 05 - Nov 06.
- Nuneaton and Bedworth suffered the highest levels of anti-social behaviour and criminal damage in the county with Abbey ward reporting the highest numbers of incidents.
- Two of Warwick Districts' wards also reported high levels of combined anti-social behaviour and criminal damage incidents in the selected period.
- The north of the county has a 49% higher rate of anti-social behaviour (per 1000 population) than the south.
- The north of the county has a 47% higher rate of criminal damage (per 1000 population) than the south. Rugby suffers the highest rate of criminal damage incidents and is 34% higher than the overall county rate.
- Focusing on youth-related anti-social behaviour the north of the county has a 42% higher rate of this type of anti-social behaviour (per 1000 youths) than the south.

## 7 Future developments affecting ASB

7.1 As mentioned above work is now underway to develop a Respect Strategy for Warwickshire.

- 7.2 Trading Standards will continue to work in partnership with Multi-Agency Licensing Groups, with CDRPs, DAAT and other liaison bodies to impact upon sales of alcohol to young people. They are about to begin a new round of test purchases and have new potential with the introduction of the Violent Crime Reduction Act 2006. This creates a new offences of 'persistently selling' alcohol, which amounts to 3 or more sales over a period of three months. If this does happen the premise would be liable to closure for a period up to 48 hours. Once the new law is in force, this may well have a far greater deterrent effect than a simple fine.

The Act does require a change in test purchase practice, which must become more frequent; in turn this gives an option to apply for variation or suspension of licenses in the case of persistent offenders.

The Service will continue to review its activities and research, develop and use other tools to help to reduce the sale of alcohol to underage young people.

- 7.2 Targets relating to ASB have been included in the Warwickshire LAA, for which implementation plans are currently under development. The plan illustrates the importance of joint delivery of initiatives to address ASB. Development of joint scrutiny arrangements allied to the LAA (and required, for crime and disorder, by the Police and Justice Act 2006) should assist Members in their efforts to performance manage this area of work. Guidance on how the joint scrutiny arrangements will work is awaited from Government and should be produced later this summer.
- 7.3 The three projects referred to above will be developed and reported to Members at a future date.
- 7.4 In addressing the overall approach to crime reduction in the county, it is necessary to undertake a risk assessment of all crime types and to prioritise our responses, bearing in mind that some categories of ASB are not actually crimes and that ASB needs to be addressed alongside other priorities. The most significant of these is, perhaps, that we need to reduce crime in the four crime types around which we have set LPSA2 targets: burglary, violent crime, theft of and theft from vehicles. The achievement of these targets will draw in a significant resource to community safety in Warwickshire in future years.

WILLIAM BROWN  
Strategic Director for  
Community Protection and  
County Fire Officer

Shire Hall  
Warwick

06 March 2007