



Policy, Finance and Development Committee	Tuesday, 05 February 2019	Matter for Information
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Report Title: **Anti-Social Behaviour Update: Progress, Issues & Outcomes (February 2019)**

Report Author(s): **Thomas Maccabe (Anti-Social Behaviour Officer)
Mark Smith (Community Safety & Youth Officer)**

Purpose of Report:	To provide an update to Members on the anti-social behaviour (ASB) related work undertaken by the Council since the adoption of its new Anti-Social Behaviour Policy adopted in 2018.
Report Summary:	This report details the number of reports of ASB received by the Council in 2018, highlighting how the reports were documented, the issues addressed and the number of disposals issued to perpetrators of ASB by the Council. The report particularly highlights the work undertaken by the Council in addressing anti-social behaviour since the adoption of its new ASB Policy 2018.
Recommendation(s):	That the contents of the report and appendices be noted.
Responsible Strategic Director, Head of Service and Officer Contact(s):	David Gill (Head of Law & Governance / Monitoring Officer) (0116) 257 2626 david.gill@oadby-wigston.gov.uk Thomas Maccabe (Anti-Social Behaviour Officer) (0116) 257 2611 thomas.maccabe@oadby-wigston.gov.uk Mark Smith (Community Safety & Youth Officer) (0116) 257 2675 mark.smith@oadby-wigston.gov.uk
Corporate Priorities:	Effective Service Provision (CP2) Green & Safe Places (CP4) Wellbeing for All (CP5)
Vision and Values:	"A Strong Borough Together" (Vision) Accountability (V1) Respect (V2) Teamwork (V3) Innovation (V4) Customer Focus (V5)
Report Implications:-	
Legal:	The report details how the Council is meeting its statutory obligations under the Anti-Social Behaviour, Crime and Policing Act 2014 and other related legislation as referred to within its ASB Policy.
Financial:	There are no implications arising from this report.

Corporate Risk Management:	Reputation Damage (CR4)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	None.
Appendices:	<ol style="list-style-type: none"> 1. ASB and Recording Trends in Oadby & Wigston (2017-2018) 2. Disposals Issued by OWBC (Since August 2018)

1. Introduction

- 1.1 The Council adopted its new Anti-Social Behaviour (ASB) Policy on the recommendation of the Policy, Finance and Development Committee on 18 September 2018. At the same meeting it was requested by the Committee that following adoption of the Policy, the new arrangements should be kept under review and a report be brought back to it providing an update on the outcomes achieved and any issues identified.

2. Performance

- 2.1 The Council utilises a case management system (CMS) to log reports of, and the action taken by its Officers in relation to, anti-social behaviour in the Borough. This is a shared access system allowing for collaborative working and information sharing between the Council and Leicestershire Police. Every District and Borough Council in Leicestershire utilises the same CMS as part of their commitment to tackling ASB within their localities.
- 2.2 It is expected that Leicestershire Police will create the majority of records found within the CMS, and transfer ownership of them to the relevant lead agency where necessary, as the recipient of the majority of ASB reports made by the public. Reports logged by the Council are expected to be made mostly by Council tenants to the Housing Team, or by members of the public to Environmental Health Officers or the Council's Anti-Social Behaviour Officer where the harassment, alarm, or distress caused is not perceived to meet a criminal threshold.
- 2.3 In 2017, the Council logged **17** reports of ASB in the Borough on the CMS whilst Leicestershire Police logged **223** reports of ASB. The total number of reports of ASB in the Borough received by Leicestershire Police in this period was **855**.
- 2.4 The reason why not all of the **855** reports were logged on the CMS would be due to the report constituting a crime in which it will be logged on a different system, it was been reported for information only or the report did not constitute ASB. Reports were only logged on the CMS where investigations will be carried out. This however will be changing where

all reports of ASB will be logged on the CMS whether they are being investigated or not.

- 2.5 For the entirety of 2018, Leicestershire Police logged **303** reports of ASB on the CMS compared to the Council's **43** created logs. In the same period, Leicestershire Police received **543** reports of ASB in the Borough.
- 2.6 Of the **43** logs created on the CMS by the Council in 2018, a total of **27** of these were made between August and December, following the recruitment of a dedicated Anti-Social Behaviour Officer. Prior to this the Council had logged **16** cases on the CMS where input to it was made only by the Council's Housing and Environmental Health teams. This is an increase of **11** reports logged by the Council in the second half of the year whilst reports of ASB in the Borough made to Leicestershire Police were trending downward after the anticipated summer peak.
- 2.7 **Appendix 1** provides a visual demonstration of the above, including showing the liner trend lines for each dataset. Please note that at the time of writing, ASB figures for December 2018 have not been made available for inclusion.
- 2.8 The data highlighted above shows that whilst the total number of ASB incidents reported to Leicestershire Police in the Borough is decreasing, the number of reports logged on the CMS is increasing for both the Police and the Council. This is understood to be a result of better communication around ASB reporting routes, as well as the Council's recruitment of a dedicated Anti-Social Behaviour Officer, and subsequent adoption of a renewed ASB policy which clearly states how the Council will tackle and log incidents of ASB reported to it.
- 2.9 A set of minimum standards for addressing and documenting ASB is being developed in conjunction by the Council's Anti-Social Behaviour Officer and Community Safety and Youth Officer. The minimum standards build upon the timeframes and expectations outlined within the Council's ASB Policy, and are expected to be adhered to by all Council Officers with access to the CMS once adopted.

3. Types of ASB

- 3.1 Types of ASB recorded by the Council on the CMS in 2018 include, verbal abuse, shouting and swearing, noisy neighbours, taking drugs, drunken behaviour, fighting, making threats, hooliganism, loud music, trespass, menacing gestures, pestering people, misuse of air guns, presence of drugs dealers, dropping litter, urinating in public, damage to buildings, noise from pubs/clubs, setting fires, inconvenient/illegal parking, games in restricted/inappropriate areas, and throwing missiles.
- 3.2 The main type of ASB reported to the Council in 2018 was verbal abuse where **9** incidents were logged, followed by individuals/groups shouting and swearing where **8** incidents were logged. Next on the list were reports of noisy neighbours and members of the public taking drugs where the Council documented a total of **6** incidents of each.
- 3.3 Although the Council documented more reports of ASB in 2018 than 2017, in 2017, the main type of reported ASB was still verbal abuse where **8** incidents are on the CMS. This was followed by groups or individuals making threats where **5** incidents are documented on the CMS. There was also a notable difference in reports for individuals taking drugs in 2017 where only **1** incident is documented, however minimum standards for how the Council record ASB on the CMS was not in place.

4. Disposals Issued

- 4.1 These are a number of disposals which the Council can issue to alleged perpetrators. The types of disposals on offer are detailed within the ASB policy; however the following details

some of these. Following the incremental approach to ASB at the intervention stage (advice, verbal warning, advice letter, warning letter, and acceptable behaviour contract), referrals to supporting organisations (Supporting Leicestershire Families, Youth Offending Service, etc.), and mediation before enforcement action under the Anti-Social Behaviour, Crime and Policing Act, is then usually considered.

- 4.2 **Appendix 2** details what disposals have been issued to alleged perpetrators since August 2018 by the Council.
- 4.3 The most popular disposal used was written warnings where **5** were issued followed by **4** advice letters. This is likely due to the Council reacting quicker to reports of ASB and will always look towards intervention to firstly stop or deter the ASB, but also to evidence what action has been taken in case the reports escalate and enforcement is then required. This is evidenced by the **1** eviction for ASB with **2** cases currently subject to court action.
- 4.4 The figures for pre-August 2018 have not been included due to the Council's minimum standards for the use of Sentinel not being in place meaning that they would not show an accurate representation.
- 4.5 The type of ASB, the severity of it and whether the perpetrator has been given a disposal before all dictate what sanction or intervention the Council will then use to resolve the issues. The voice of the victim is also seriously taken into consideration however, the underlying decision lies with the Council.

5. Case Study

- 5.1 In January 2019, the Council was successful in being granted by Leicester Magistrates Court its first Closure Order under the Anti-Social, Crime and Policing Act 2014. A Closure Order has two potential outcomes. It can remove all persons from the premises or it can prohibit persons from entering the premise for a maximum of **3** months.
- 5.2 The Oadby and Wigston Council property that has been closed is on King Street in Oadby. The person residing there, their daughter and the daughter's mother have been granted access however, all other persons are prohibited from entering the address. If persons are found frequenting the address, it is a criminal offence.
- 5.3 This route of action was taken after residents living on King Street had been reporting complaints to the police and the Council since 2014. These reports included loud music coming from the property, using and dealing drugs from the property and a high quantity of cars parking obstructively on the road all causing a serious nuisance to residents.
- 5.4 The Council and police had attempted alternative solutions where the perpetrator had received advice and warnings initially before the police in 2016 found a quantity of cannabis on the individual which resulted in him being convicted of possessing drugs. In 2017, the police executed a warrant at the address where the same perpetrator was later found guilty (23 November 2018 at Leicester Crown Court) of possessing cannabis with intent to supply. Despite the positive and proactive work being completed by both the Council and the police, both still were receiving reports of drug activity and ASB at the address.
- 5.5 After a multi-agency meeting was held at the end of November 2018 with the local police beat team, it was decided that the Council would take the lead in applying for a Closure Order and the police would support this. Everybody involved believed that this would be the best course of action as it would prevent and deter drug users from using the address as they run the risk of being arrested.
- 5.6 The Council and Police started to gather evidence in December 2018. This included

speaking to and taking evidence of residents and using the police and Council systems which documented the perpetrators involvement in ASB and crime. This was all then presented in the form of statements.

- 5.7 After the initial court hearing was adjourned in December 2018, the magistrate granted the closure order in January 2019. As a result of this, a Notice of Seeking Possession was also served on the perpetrator by the Council in order to recover the property. The service of a closure order is a mandatory ground for possession under the Housing Act 1985, and subject to court availability it is anticipated that possession of this property will be recovered by the Council before the end of March 2019.