

EAST AYRSHIRE COUNCIL

HOUSING COMMITTEE - 21 MARCH 2007

TACKLING ANTISOCIAL BEHAVIOUR IN EAST AYRSHIRE

Report by Executive Director of Neighbourhood Services

1. PURPOSE OF REPORT

1.1 To advise Committee of:

- the progress of the Building Strong, Safe and Attractive Communities (BSSAC) initiative in tackling antisocial behaviour between 1 April and 31 December 2006;
- the Scottish Executive's proposals to continue providing funding to tackle anti-social behaviour, linked to the local antisocial behaviour outcome agreement;
- the continuing review of Community Wardens' Hours of Duty; and
- the Scottish Executive's relaxation of the constraints on the deployment of Community Wardens.

1.2 To seek Committee approval to:

- recruit four additional Community Wardens; and
- recruit an additional Antisocial Behaviour Investigator.

2. BACKGROUND

2.1 In early 2004 East Ayrshire Council successfully bid for Scottish Executive funding under the Building Strong, Safe and Attractive Communities (BSSAC) proposals. This resulted in the Council being awarded £525,000 for 2004/05. £400,000 of this allocation was to be utilised for the creation of a community warden service and £125,000 to fund a range of other community based initiatives to tackle antisocial behaviour. Later the same year the Scottish Executive awarded the Council an additional £317,730 for 2004/05 to tackle antisocial behaviour under Second Round Funding proposals This funding had to be directed towards the following purposes:

- introducing or filling gaps for people suffering antisocial behaviour;
- improving existing warden schemes; and
- supporting the preparation and implementation of the Council's Antisocial Behaviour Strategy.

2.2 In early 2005 following the submission of a progress report on the initiatives introduced and implemented by the Council to tackle antisocial behaviour, the Scottish Executive awarded the Council a further £935,550 for 2005/06 to continue with its programmes and activities to tackle antisocial behaviour.

- 2.3 In February 2005 the Scottish Executive announced that East Ayrshire would be allocated indicative funding amounting to £2,198,000 during the period 2006-08 (£1,068,000 in 2006-07 and £1,130,000 in 2007-08) to continue tackling antisocial behaviour.
- 2.4 The provision of funding for 2006-07 was dependent on Ministerial satisfaction that East Ayrshire Council and its Community Planning Partners had in place a robust 'Outcome Agreement' to tackle antisocial behaviour in line with its Antisocial Behaviour Strategy. It was also made clear by the Scottish Executive that the funding for 2007/08 would depend on satisfactory progress towards and achievement of the Outcome Agreement.
- 2.5 In announcing the indicative funding for 2006/08 the Scottish Executive made it clear that Ministers wished to determine the success of the Antisocial Behaviour, Etc. (Scotland) Act 2004 via an accountability framework. This framework is to be used to monitor and evaluate both the national strategy for tackling antisocial behaviour and individual strategies prepared and delivered at Council level.
- 2.6 The accountability framework is designed to assess over time – at national, local authority area and neighbourhood levels – whether:
- a) incidents of antisocial behaviour have reduced;
 - b) people's perceptions of antisocial behaviour as a problem has reduced;
 - c) the performance of agencies in tackling antisocial behaviour has improved; and
 - d) people's perceptions that the performance of agencies have improved.

3. LOCAL OUTCOME AGREEMENT

- 3.1 The Local Outcome Agreement for East Ayrshire covering the period 2005 to 2008 was submitted to the Scottish Executive for consideration in June 2005 and was subsequently approved. (A copy of the Local Outcome Agreement was provided to the Housing Committee in September 2005).
- 3.2 In November 2006 following the submission to the Scottish Executive of the first annual progress report on East Ayrshire's Outcome Agreement, the Minister for Justice announced that the Council had been awarded £1,130,000 to continue with its programmes and activities to tackle antisocial behaviour through to March 2008. (A copy of the first annual progress report on the Local Outcome Agreement was provided to the Housing Committee in September 2006).

4. TACKLING ANTISOCIAL BEHAVIOUR

- 4.1 The main thrust of East Ayrshire's Antisocial Behaviour Strategy is to take 'early and effective action' to prevent antisocial behaviour escalating. Normally this is best achieved through preventative and diversionary

measures, which are more cost effective, quicker to put in place and have longer lasting effects. However, when it becomes necessary to protect communities and individuals from the small minority of people who engage in antisocial behaviour and do not respond to preventative and diversionary measures, the Council and its partners do not hesitate to use the range of enforcement powers available.

- 4.2 The Council and its partners have designed and put in place a wide variety of measures to tackle antisocial behaviour. While all of these measures play a part in the overall Antisocial Behaviour Strategy the following are worthy of note:

Antisocial Behaviour Problem Solving Group – consists of front line staff from all relevant agencies who meet on a fortnightly basis and share information to allow for appropriate resources to be allocated to antisocial behaviour ‘hotspots’. Information from the Problem Solving Group is now fed into the Police Tasking and Co-ordinating Meeting to ensure police resources in East Ayrshire are deployed into areas where they are likely to be most effective.

Community Warden Patrols provide a highly visible and proactive resource to residents in the BSSAC neighbourhoods. The 2006 BSSAC resident’s survey provides evidence that members of the public in the BSSAC neighbourhoods increasingly believe that the Warden Service has made their neighbourhood a safer place to live in. In the survey residents were asked ‘Do you believe that the Warden Service has made your neighbourhood a safer place to live in?’ The results comparing the 2005 with the 2006 survey are shown in the table below:

Year	Auchinleck/ Barshare	New Farm Loch	Kilmarnock North West	Kilmarnock Shortlees
2005	53%	54.3%	42.6%	54.2%
2006	62.5%	61.2%	44.6%	55.6%

Public confidence in the warden service also appears to be reflected in the amount of increased reportage of incidents to Community Wardens. There is some anecdotal evidence that the public are now aware that by reporting an incident to the service a Community Warden will attend. In the period between August 2004 and March 2006 the public only reported 30% of the incidents the wardens dealt with. However, between April and December 2006 the public reportage of incidents increased to an average of 79% for all the BSSAC Neighbourhoods. A neighbourhood breakdown of this average is shown in the table below:

Auchinleck/ Barshare	New Farm Loch	Kilmarnock North West	Kilmarnock Shortlees
75%	81%	89%	70%

Enforcement of Litter and Dog Fouling Offences by Community Wardens

In the 2006 BSSAC survey residents were asked if they thought Community Wardens should be granted powers to enforce litter and dog fouling offences.

An overall majority of 87% of respondents agreed that the wardens should have these powers. This resulted in the Council granting wardens the power to grant Fixed Penalty Notices in respect of litter and dog fouling offences. Enforcement commenced at the beginning of January 2007 and as of the end of February 2007 five Fixed Penalty Notices have been issued.

'Street Sport Express' – In the 2005 summer school holiday period Leisure Development staff, with assistance from the Antisocial Behaviour Team and the Police, piloted the 'Street Sport Express'. This project took sport to young people at identified youth gathering places. The project has proved so successful in diverting young people away from antisocial behaviour that it was reintroduced at the beginning of April 2006 and ran to mid September 2006. During this period the 'Street Sport Express' was held on 90 separate occasions and attracted 5,092 attendances from young people aged between 10 and 18 years. In addition to attracting young people to participate in sport within their neighbourhoods there is strong evidence to prove that the project contributes to the reduction of youth incidents on the days it operates in a particular BSSAC neighbourhood. The warden database reveals that during the period the project operated the wardens dealt with 326 youth incidents. However, only 20 of these incidents occurred within neighbourhoods on the same day as the project was operating in the neighbourhood where the incident took place. The Scottish Executive's Antisocial Behaviour Unit have taken an interest in the project and are now promoting it as a good example of tackling antisocial behaviour through prevention and diversion. It is proposed to repeat the 'Street Sport Express' during 2007 with financial support from the Antisocial Behaviour Budget, and other funding opportunities to support diversionary activities will also be progressed through discussions with key Community Planning Partners.

5. ANTISOCIAL BEHAVIOUR PUBLICITY CAMPAIGN AND ROAD SHOW

- 5.1 Between April and December 2006 Council's Antisocial Behaviour Investigation Team received 298 complaints of antisocial behaviour. This was an increase of 38 complaints (14.6%) over the same period in 2005.
- 5.2 Between April and July 2006 an analysis of Antisocial Behaviour Complaints reveals that there was a 7% reduction in the number of antisocial behaviour complaints received compared with the same period in 2005. However, this downward trend was reversed following the Scottish Executive's National Antisocial Behaviour Publicity Campaign and the visit of the Antisocial Behaviour Road Show to Kilmarnock on the 5 August 2006. Both of these events were aimed at encouraging people affected by antisocial behaviour to make use of the Council services available to tackle the problem. The organisers of the Road Show have reported that the Kilmarnock venue was the best attended by members of the public of the 18 venues visited throughout Scotland.
- 5.3 As a result between August and October 2006 the Antisocial Behaviour Service received 128 complaints compared with 82 for the same period in 2005. In November and December 2006 there was a slight downward trend in

the number of complaints received compared with the same months in 2005 i.e. 41 complaints in 2006 and 44 in 2005.

- 5.4 Given the success of the Antisocial Behaviour Roadshow in Kilmarnock, it is proposed to stage additional Roadshows in other settlements throughout the area, with a further event in Kilmarnock itself. This has been discussed with partners and it is suggested that events are held throughout the course of this year in Cumnock, Dalmellington, Galston, Stewarton and Kilmarnock.
- 5.5 The Antisocial Behaviour Service recently surveyed the attitudes and experiences of those who have recently had cause to contact the service for assistance and despite a modest response to date, satisfaction levels with the service currently stand at 80%. Between September 2006 and the end of January 2007 124 complainants in 'closed cases' were requested to complete satisfaction surveys. 44 completed surveys have been returned.

6. REVIEW OF COMMUNITY WARDENS' HOURS OF DUTY

- 6.1 On 6 September 2006, members considered a report by the Executive Director of Neighbourhood Services on the role of the Community Wardens in East Ayrshire and their hours of duty.
- 6.2 This report concluded that the Community Wardens in East Ayrshire by working until 11.15 p.m. work later than most other wardens throughout Scotland and that there appeared to be no evidence to suggest that antisocial behaviour increased after the wardens finished duty at 11.15 p.m. Indeed there was evidence that the majority of disorder after 11 p.m. tended to be related to alcohol consumption and fell within the remit of the police.
- 6.3 The Committee accepted the findings of the report, but requested that the situation be reviewed with a further report back to the Housing Committee.
- 6.4 In the report of September 2006 the Committee were informed that between 1 January and 30 June 2006 the Community Wardens dealt with 1338 incidents i.e. an average of 223 incidents per month. Since that report the wardens have dealt with 1423 incidents between 1 July and 31 December 2006 i.e. an average of 237 incidents per month.
- 6.5 Although the comparisons between the first six months and the second six months of 2006 reveal only a slight increase in the number of warden incidents, there has been a significant increase in the reportage of incidents to the wardens from members of the public. See paragraph 4.2 above.
- 6.6 As stated in the report of September 2006 no direct comparison can be made between the number of incidents reported to the police from the BSSAC Neighbourhoods and the number of warden incidents as the police provide 24 hour coverage per day whereas the Warden Service only provides coverage for 9 hours 45 minutes per day. It therefore follows that the police incident log provides a more comprehensive account of when occurrences take place within the BSSAC areas.

- 6.7 An analysis of the police incident log for the BSSAC Neighbourhoods between 1 April and 30 June 2006 revealed that the number of reported incidents began to increase on a daily basis between 1600 and 1659 hours and peaked between 2200 and 2259 hours before gradually reducing to its lowest period of demand between 0500 and 0559 hours. The analysis was repeated between 1 November 2006 and 31 January 2007 and revealed no significant change in the pattern established between April and June 2006.
- 6.8 Between November 2006 and January 2007 the demand for police resources between 2300 and 0259 hours increased to 626 incidents from 510 between April and June 2006. This increase is attributed to the fact that the analysis was carried out over the festive period. However, police records still indicate that the majority of incidents that occur during this period are alcohol related and require police attention rather than that of the community wardens. Furthermore the police incident log continues to indicate that approximately only 2% of the incidents logged between 2300 and 0259 hours involve young persons.
- 6.9 Recently the Scottish Executive announced a relaxation on the constraints which restricted the work of Community Wardens to BSSAC areas. This relaxation allows for a greater degree of flexibility in the areas where wardens can operate provided the current levels of coverage in the BSSAC neighbourhoods is not diminished.
- 6.10 It is therefore proposed that some degree of flexibility in Community Wardens' work patterns can be introduced into East Ayrshire to target areas of increased activity.
- 6.11 To accommodate this and also ensure support for the Street Sport Express without taking wardens away from their patrol duties, it is proposed to increase the establishment of the Warden Service by four additional Community Wardens who would be employed to act as a mobile patrol to target antisocial behaviour 'hotspots' as identified by the Problem Solving Group. It is anticipated that the hours of duty for this mobile patrol will be flexible to take account of identified patterns of antisocial behaviour. These posts would be added to the establishment on a temporary basis until March 2008.
- 6.12 To complement the work of the Mobile Patrol and to enhance intelligence on antisocial behaviour, it is proposed to introduce a Mobile CCTV facility which can be incorporated into the vehicles or taken in the vehicles to sites of antisocial activity.

7. PROPOSAL TO EMPLOY AN ADDITIONAL ANTISOCIAL BEHAVIOUR INVESTIGATOR

- 7.1 In October 2005 Council approval was obtained to employ an Antisocial Behaviour Investigator who would be solely responsible for tackling antisocial behaviour committed by young persons throughout East Ayrshire. The work carried out by this officer has made a significant contribution to preventing and

diverting young people away from antisocial behaviour. However, compliance with Scottish Executive's guidelines for dealing with young people within a multi-agency framework means that the nature of this officer's work is considerably more time consuming than that involved with adults. Furthermore given the wide geographical nature of East Ayrshire and the fact that the officer has to travel considerable distances in order to carry out his duties a great deal of his working day is involved in travel.

7.2 In addition the recently introduced Parts 7 and 8 of the Antisocial Behaviour etc (Scotland) Act 2004 (2004 Act), which relate to the failure of private sector landlords to deal with their tenants' antisocial behaviour and the registration of private sector landlords requires the Council to carry out investigations into these matters.

7.3 To ensure that the Council complies with the Scottish Executive's guidelines in relation to young people and Parts 7 and 8 of the 2004 Act it is proposed to increase the establishment of the Antisocial Behaviour Investigation Team by one additional investigator who would be employed on a temporary basis until March 2008. This officer would take over responsibilities for young people involved in antisocial behaviour and Parts 7 and 8 of the 2004 Act within the southern part of East Ayrshire. The existing Antisocial Behaviour Investigator for young people would have the same responsibilities for the northern part of East Ayrshire.

8. FINANCIAL IMPLICATIONS

8.1 The delivery of the Antisocial Behaviour Strategy and the management of the Antisocial Behaviour Team has been secured until March 2008 from a Scottish Executive grant under the programme to tackle antisocial behaviour.

8.2 The total employment costs of recruiting four additional Community Wardens and an additional Antisocial Behaviour Investigator would be £120,337 in a full year. This cost can be met from the available budget.

8.3 The cost to purchase CCTV equipment will be in the region of £20,000.

9. LEGAL AUTHORITY / IMPLICATIONS

9.1 The preparation and publication of the Antisocial Behaviour Strategy and Outcome Agreement for East Ayrshire has ensured that the Council and the Chief Constable of Strathclyde Police have complied with the statutory duty imposed by Part 1 of the Antisocial Behaviour Etc (Scotland) Act 2004.

10. POLICY IMPLICATIONS

10.1 The development of the Antisocial Behaviour Strategy and Outcome Agreement for East Ayrshire complements the aims of the Improving Community Safety Action Plan 2003-2007 of the Community Plan, and those outlined in the East Ayrshire Local Housing Strategy 2004-2009.

11. RISK MANAGEMENT IMPLICATIONS

11.1 The funding of the delivery of the Antisocial Behaviour Strategy and the Community Warden Service is secure until March 2008. The Scottish Executive's future funding intentions in respect of this initiative are not known at this point and are unlikely to be confirmed for some months. Termination of Scottish Executive funding would require the Council to decide on the continuation of the various projects and initiatives designed to tackle Antisocial Behaviour in East Ayrshire as well as the provision of the Community Warden Service.

12. CONCLUSIONS

12.1 East Ayrshire Council, Strathclyde Police and the other Community Planning Partners have proved that they are effectively tackling the damaging effects of antisocial behaviour in our communities. This has been confirmed by the Scottish Executive's recent announcement that East Ayrshire has secured continued funding to tackle antisocial behaviour until March 2008.

13. RECOMMENDATIONS

13.1 The Committee is recommended to:-

- i) approve the proposals to recruit four additional Community Wardens and an additional Antisocial Behaviour Investigator and to introduce a mobile CCTV facility as set out in paragraphs 6 and 7 above;
- ii) approve the proposal to hold a series of Antisocial Behaviour Roadshows throughout East Ayrshire; and
- iii) otherwise, note the contents of this report.

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WS/JP/LA
28 February 2007

LIST OF BACKGROUND PAPERS

Nil

For further information, please contact John Pilkington, Antisocial Behaviour Development Officer on 01563 576616.

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