

<b>Cabinet</b> 3 November 2015	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Louise Russell, Service Head – Corporate Strategy and Equality	<b>Classification:</b> Unrestricted
Scrutiny Review – How the council, police and social landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting	

<b>Lead Member</b>	<b>Cllr Shiria Khatun, Deputy Mayor and Cabinet Member for Community Safety</b>
<b>Originating Officer(s)</b>	Shamima Khatun, Corporate Strategy and Equality
<b>Wards affected</b>	ALL
<b>Community Plan Theme</b>	<b>A Safe and Supportive Community</b>
<b>Key Decision?</b>	No

### **Executive Summary**

This paper submits the report and recommendations of the Overview & Scrutiny Committee's (OSC) review into how the council, police and social landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting. It also provides the action plan drafted in response to these recommendations.

### **Recommendations:**

The Mayor in Cabinet is recommended to:

1. Consider this report of the scrutiny working group and agree the action plan in response to the review recommendations.

## **1. REASONS FOR THE DECISIONS**

- 1.1 Anti-social behaviour is a key issue of public concern. During the period 2013 to 2015, the Metropolitan Police Service recorded 38,030 calls in Tower Hamlets reporting anti-social behaviour.<sup>1</sup> Resident perceptions regarding how successfully the police and other local public services deal with ASB issues in their local area is relatively positive overall. However, selling of drugs, drug misuse and related ASB in communal spaces remains a recurring issue raised by residents at members' surgeries and in their casework.
- 1.2 Some members have expressed concern that advice and promotional information from the various agencies on reporting these issues can be confusing. Furthermore, residents who do report incidents are often unaware of the outcome of their reporting. This lack of communication on outcomes may lead to under-reporting of ASB in the borough. Additionally, it is not always clear to residents what the role of social landlords is in dealing with incidents of drugs related ASB in neighbourhoods.

## **2. ALTERNATIVE OPTIONS**

- 2.1 To take no action and continue with existing arrangements for reporting ASB. This is not recommended. The proposed response supports the Best Value duty and aims to secure improvement, informed by consideration of economy, efficiency and effectiveness. A timetable for delivering the recommendations has also been agreed by officers. The action plan is outlined in Appendix Two.
- 2.2 To agree some, but not all, recommendations. All of the recommendations are achievable and propose that existing partnerships be utilised to encourage the promotion of reporting anti-social behaviour, and that local organisations come together to consider how best to provide a good service in the context of reducing resources.

## **3. DETAILS OF THE REPORT**

- 3.1 The review was chaired by Cllr John Pierce, Vice Chair of Overview and Scrutiny over the course of two sessions in March and April 2015. A resident workshop<sup>2</sup> was held at the Whitechapel Idea Store and a professionals and stakeholders session at Mulberry Place.
- 3.2 The scrutiny review focused on considering how the council, the police and social landlords promote the reporting of drugs incidents and related ASB in communal spaces, and how they communicate the outcome of this reporting. For the purpose of this review, social landlords were invited to participate, including Tower Hamlets Homes

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<sup>1</sup> Disaggregated data on drugs related ASB reported is not available.

<sup>2</sup> Please note that this list of review participants is not exhaustive and does not include residents who did not wish to give their details.

(an arm's length organisation which manages the council's housing stock), Poplar HARCA and One Housing.

- 3.3 The scrutiny review assessed existing arrangements and explored ways to improve communications and engagement activity, and was underpinned by three core questions:
- a) What are the current arrangements for residents to report drug dealing, drug taking and related ASB taking place in communal spaces?
  - b) How do the various agencies communicate the outcome of reporting these?
  - c) How can we improve residents' confidence in reporting?
- 3.4 The report of the scrutiny review is attached as Appendix One. It provides a summary of the findings of the Review Group and makes six recommendations to improve practice in this area. Whilst the review took as its initial focus incidents of drug dealing, drug taking and related ASB in communal spaces, the findings and recommendations of the review are relevant to improving ASB reporting and communications more generally. The action plan which accompanies the report is attached as Appendix Two.

**Recommendation 1:**

The council, through the relevant Community Safety Partnership (CSP) sub-group - the ASB Strategy Group - brings together the police, Social Landlords (SLs) and other partners to:

- A) Develop a clear shared statement as to what qualifies as ASB, and how a resident should report ASB which is consistent across the borough and SL areas
- B) Agree a minimum standard in terms of how partnership organisations will report back on the outcomes of ASB reporting (individual incidents, at an area / estate level and borough wide)
- C) Reiterate the commitment that all SLs should encourage residents to report ASB through the 101 line so that there is a more comprehensive borough-wide understanding of ASB reporting across partners.

**Recommendation 2:**

The council, through the CSP ASB Strategy Group, oversees a renewed partnership promotional campaign to encourage ASB reporting. The campaign should:

- A) Include strong police and social landlord involvement
- B) Be informed by the experience of the 101 reporting campaign undertaken in 2013
- C) Include a focus on the reporting of drug-related ASB
- D) Reiterate a clear message on how residents report ASB which is consistent across the borough and SLs.

**Recommendation 3:**

The council, through the relevant CSP sub-group – the Registered Social Landlord (RSL) ASB Forum – brings together housing providers to explore implementation of a consistent approach to ASB surveying which supports robust benchmarking across SLs, including the identification of good practice and areas / SLs requiring improvement.

**Recommendation 4:**

The council, through the RSL ASB forum, investigate a pilot approach to ‘Participatory Appraisal Training’, in order to support residents to challenge local agencies and shape the approach to tackling anti-social behaviour.

**Recommendation 5:**

The allocation of any youth service grants which primarily aim to reduce ASB activity, should be informed by 101 data on the reporting of ASB incidents.

**Recommendation 6:**

The council, through the CSP ASB Strategy Group, brings together the police and housing partners to consider how best the partnership can provide a good service in the context of reducing resources, including exploring social media and new technology to both promote ASB reporting to 101 and feeding back on ASB reports.

- 3.5 The proposed action plan in response to the recommendations of the Overview and Scrutiny Committee has been prepared having regard to the Community Safety Plan and is considered to be consistent with that plan.

**4. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 4.1 There are no direct financial implications as a result of the six recommendations detailed in section 3.4 above. It is likely that the changes can be delivered through existing resources.
- 4.2 However, should additional funding be required, approval will need to be sought through the Council’s financial procedures.

**5. LEGAL COMMENTS**

- 5.1 Under section 19 of the Police and Justice Act 2006 the Council must ensure that its Overview and Scrutiny Committee has power to make reports or recommendations to the local authority in relation to the crime and disorder functions discharged by the Council and the other ‘responsible authorities’ (probation, police and fire services and the Clinical Commissioning Group). The functions of those bodies are set out in the Crime and Disorder Act 1998 and involve formulating and implementing strategies to reduce crime and disorder, drug and substance misuse and re offending in the area.

- 5.2 Consistent with the requirements of the Police and Justice Act 2006, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions. It is consistent with the Constitution and the statutory framework for Cabinet to receive the report of the Overview and Scrutiny Committee and agree an action plan in response to its recommendations. The Committee's report should, additionally, be provided to affected partner organisations so that they may respond.
- 5.3 The Council, together with its partners, has various statutory duties and powers in relation to crime and disorder and the misuse of drugs as set out in the Crime and Disorder Act 1998, the Anti-social Behaviour Act 2003 and the Anti-social Behaviour Crime and Policing Act 2014. In particular –
- Under sections 6 and 7 of the Crime and Disorder Act 1998 the Council and its statutory partners have a duty to formulate and implement strategies for the reduction of crime and disorder, the misuse of drugs, alcohol and other substances and for reducing re offending in the area. The Council has adopted the Community Safety Plan in accordance with this obligation.
  - Under section 17 Crime and Disorder Act 1998 it is the duty of the Council to exercise its functions with due regard to the effect on and the need to do all it can reasonably do to prevent crime and disorder, misuse of drugs and other substances, and re offending in its area.
  - The Anti-social Behaviour Act 2003 requires housing authorities, housing trusts and Registered Social Landlords to prepare anti-social behaviour policies and procedures. It is understood that the housing-related ASB policy is in the process of being prepared.
  - The Anti-social Behaviour Crime and Policing Act 2014 ('2014 Act') introduces new powers for managing anti-social behaviour, including housing related powers, criminal behaviour orders and premises closure notices. The 2014 Act defines anti-social behaviour and this should guide, or be reflected, in any definition set out any in any policies, statements or promotions prepared by the Council and other agencies.
- 5.4 The action plan appears capable of being carried out within the Council's statutory functions. The report indicates that regard has been had to the Community Safety Plan in the preparation of the action plan and that the actions will be consistent with that plan.
- 5.5 The action plan sets out steps which it is proposed to be taken by officers in relation to youth service grants. These concern the obtaining and sharing of relevant information. However, it must be remembered that until 31 March 2017 the Council's powers in relation to grants reside with Commissioners appointed by the Secretary of State

pursuant to directions made under sections 15(5) and 15(6) of the Local Government Act 1999. Officers will need to continue to ensure that grants continue to be made in accordance with the requirements of the Commissioners.

- 5.6 Under the Equality Act 2010 the Council has a duty, when exercising its functions to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those who have a protected characteristic and those who do not (the public sector equality duty). There is information set out in section 6 of the report relevant to these considerations.

## **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 Issues of anti-social behaviour (ASB) can affect anyone irrespective of gender, sexuality, disability, age, class, religion or ethnicity. Fear of anti-social behaviour and crime is often higher for protected groups and access to ASB services, including reporting, needs to be widely advertised to reach diverse communities, as there is a risk that 'hard to reach groups' or communities may feel isolated, unsure or unaware of the procedure for reporting anti-social behaviour. This scrutiny review makes a series of recommendations which aim to improve ASB reporting and communications.

## **7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 7.1 There are no direct environmental implications arising from the report or recommendations.

## **8. RISK MANAGEMENT IMPLICATIONS**

- 8.1 There are no direct risk management implications arising from the report or recommendations.

## **9. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 9.1 There are no direct implications of crime and disorder as a result of the recommendations of this review.

## **10. BEST VALUE IMPLICATIONS**

- 10.1 The Scrutiny Review supports the Best Value duty by setting out a number of recommendations which aim to secure improvement, informed by consideration of economy, efficiency and effectiveness.

For example, the report recommends that existing partnerships be utilised to encourage the promotion of reporting anti-social behaviour through a single route according to national guidance, which is the police non-emergency 101 reporting line. The report also recommends

that local organisations come together to consider how best to provide a good service in the context of reducing resources.

## **11. CONCLUSIONS**

11.1 Cabinet is recommended to agree the action plan contained as Appendix Two, which responds to the review's recommendations.

**Appendix 1** – Scrutiny Review Report: How the council, police and social landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting

**Appendix 2** – Action Plan