


Non-Executive Report of the: Overview and Scrutiny Committee 1 March 2017	 TOWER HAMLETS
Report of: Graham White, Acting Corporate Director – Governance Will Tuckley, Chief Executive	Classification: Unrestricted
Scrutiny Review Progress Update – 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	

Originating Officer(s)	Shazia Ghani, Head of Community Safety Sharon Godman, Service Head – Corporate Strategy and Equality Shamima Khatun; Strategy, Policy and Performance Officer
Wards affected	All

Summary

This report provides an update on the implementation of recommendations from the scrutiny 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. The report and recommendations were agreed by the Overview and Scrutiny Committee in May 2015. An action plan was developed to address the recommendations, and the report and accompanying action plan were agreed by Cabinet in November 2015.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note progress against the recommendations from the scrutiny review.

1. DETAILS OF THE REPORT

- 1.1 The aim of the scrutiny review, led by Councillor John Pierce, was to assess existing arrangements for reporting incidents of drug dealing, drug taking and related ASB in communal spaces, and explore ways to improve communications and engagement activity.
- 1.2 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.¹ 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.
- 1.3 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.
- 1.4 The scrutiny review focused on 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. Engagement with social landlords was undertaken including Tower Hamlets Homes, Poplar HARCA and One Housing.
- 1.5 The report (Appendix One) made six recommendations. Progress against each recommendation is recorded in the accompanying action plan (Appendix Two).
- 1.6 There has been a significant delay in progressing the scrutiny review recommendations as a result of key council and Tower Hamlets Homes staff absence, or their having left their respective organisations. As no handover was carried out, actions have only recently been made known to the members of the ASB Strategy Group. However, the Group is committed to now taking these actions forward as soon as possible given the priority for local residents.
- 1.7 It should also be noted that the ASB Strategy Group now incorporates the Tower Hamlets Housing Forum ASB sub-group, the forums having merged to provide a more effective and streamlined approach to ASB partnership.
- 1.8 Further to the six recommendations, CEO Will Tuckley in November 2016, commissioned an ASB review to investigate, not only the areas highlighted in the recommendations but also a number of other areas which constantly impede on partnership working to identify, prioritise and solve ASB across the borough. This five month review has now established six working groups that all have a strategic lead and will identify and develop short and medium term improvements in the following areas:

¹ Disaggregated data on drugs related ASB reported is not available.

- Early intervention
- Community engagement
- Communication
- Tools and Powers
- Resources
- Tasking

The findings of this review will be presented to the Senior Leadership Team and Elected mayor and portfolio lead in March 2017.

2. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 2.1 The report provides an update on the progress against the six recommendations detailed in the action plan agreed by Cabinet in November 2015. The recommendations and the actions will impact on a number of service areas across the Council, it is anticipated at this stage that the recommendations can be delivered through existing funding resources. Should additional funding be required, the costs will need to be quantified and the necessary funding identified before the recommendations can be implemented

3. LEGAL COMMENTS

- 3.1 Under section 19 of the Police and Justice Act 2006 the Council must ensure that it has a Crime and Disorder Committee with power to (a) review or scrutinise decisions made, or other action taken, in connection with the discharge of the authority's crime and disorder functions. The 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.
- 3.2 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 will act as the Council's Crime and Disorder Committee and 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.
- 3.3 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.
- Section 218A of the Anti-social Behaviour Act 2003 requires housing authorities, housing trusts and Registered Social Landlords to prepare and publish anti- social behaviour policies and procedures for dealing with instances of anti-social behaviour. Landlords are also under a duty to keep their policies and procedures under review. 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 in any policies, statements or promotions prepared by the Council and other agencies.

3.4 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.

3.5 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.

3.6 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 4 of the report relevant to these considerations.

4. ONE TOWER HAMLETS CONSIDERATIONS

4.1 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 report sets out progress against the original scrutiny review's recommendations to improve ASB reporting and communications.

5. BEST VALUE (BV) IMPLICATIONS

5.1 The recommendations in the original report were made as part of the Overview & Scrutiny Committee's role in helping to secure continuous improvement for the council, as required under its Best Value duty. Reviewing progress on these is a key element in achieving them.

6. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

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

7. RISK MANAGEMENT IMPLICATIONS

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

8. CRIME AND DISORDER REDUCTION IMPLICATIONS

8.1 The report makes a number of recommendations to reduce ASB in the borough which will make the borough a safer place for local residents.

9. SAFEGUARDING IMPLICATIONS

9.1 There are no direct implications of safeguarding as a result of the recommendations in this review.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- **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

Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012

- None

Officer contact details for documents:

N/A