

Committee: Overview & Scrutiny	Date: 12 May 2015	Classification: Unrestricted	Agenda Item: 7.3
Report of: Louise Russell, Service Head for Corporate Strategy and Equality Originating officer(s) Shamima Khatun; Strategy, Policy and Performance Officer Corporate Strategy and Equality		Title: 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 Wards Affected: ALL	

1. **EXECUTIVE SUMMARY**

- 1.1 This report presents the Overview and Scrutiny Committee with a summary of the findings of a 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. It sets out a number of recommendations to improve practice and performance in this area.

2. **RECOMMENDATIONS**

- 2.1 Overview and Scrutiny Committee is recommended to:
- Agree the draft report and the recommendations contained within it for submission to Cabinet; and
 - Authorise the Service Head for Corporate Strategy and Equality to amend if necessary the draft report before submission to Cabinet, after consultation with the Scrutiny Review chair.

3. **BACKGROUND**

- 3.1 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.¹ Results from the council's Annual Residents Survey (ARS) in 2014 show that the level of concern over people using or dealing drugs is considered a *very or fairly big problem* by 59 per cent of residents – up 4 points on the previous year.

Resident perceptions regarding how successfully the police and other local public services deal with ASB issues in their local area is relatively positive overall. 51 per cent of the residents surveyed in the ARS in 2014 agreed that the police and local agencies were successful in resolving this

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

issue; 21 per cent disagreed and 28 per cent neither agreed nor disagreed, or did not know. This is a similar picture to previous years.

- 3.3 Tackling ASB, and perceptions of ASB, is a council priority. Activity in this area has been stepped up through additional enforcement services, and targeted work carried out by the council's Youth Service which works with over half of the young population to engage them in positive activities. 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.
- 3.4 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 also be a contributory factor of underreporting of ASB in the borough. It is not always clear to residents what the role of social landlords is in dealing with incidents of drugs related ASB in neighbourhoods.
- 3.5 The scrutiny review focused on assessing existing arrangements and explored ways to improve communications and engagement activity.
- 3.6 The review 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 drugs incidents and related ASB?
 - c) How can we improve residents' confidence in the reporting of drug dealing, drug taking and related ASB?
- 3.7 The report of the scrutiny review is attached as Appendix A. 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.
 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.
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.
 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.
 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.
 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.
 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.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 There are no direct financial implications as a result of the recommendations to Overview and Scrutiny Committee which are detailed in section 2.1 above.
- 4.2 However, should Overview and Scrutiny Committee agree to put forward to Cabinet the six recommendations detailed in section 3.7 above, Cabinet will need to consider the financial implications of these recommendations and allocate specific resources if required.

- 4.3 It is likely that the changes proposed in section 3.7 can be delivered through existing resources. However, should additional funding be required, approval will need to be sought through the Councils financial procedures.

5. LEGAL COMMENTS

- 5.1 Under section 19 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. Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee has the power to make reports or recommendations to the Council's executive (Cabinet).
- 5.2 In fulfilling their crime and disorder functions, the Council and the other responsible authorities and additional bodies as defined in regulations (including Registered Social Landlords) have a duty to cooperate. Where this Committee reports to the Cabinet, the Committee must provide a copy of the report to the responsible authorities and the bodies with which they cooperate, and those responsible authorities/bodies must consider the report and recommendations, have regard to it in the exercise of their functions, and respond to the Overview and Scrutiny Committee, indicating what action if any they propose to take
- 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.
- 5.4 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.
- 5.5 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.

- 5.6 The Anti-social Behaviour Act 2003 requires housing authorities, housing trusts and Registered Social Landlords to prepare anti- social behaviour policies and procedures.
- 5.7 The Anti-social Behaviour Crime and Policing Act 2014 ('2014 Act') also 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.
- 5.8 In relation to the recommendation that allocation of youth service grants being informed by 101 data, such arrangements may require revision or amendment to the award evaluation criteria.
- 5.9 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. It is proposed that the 101 telephone line be promoted as the preferred route for reporting anti- social behaviour for the reasons set out in the report. However, other methods of reporting remain available, and accordingly access is available to all persons.

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 service(s) 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 improve ASB reporting and communications.

7. BEST VALUE IMPLICATIONS

- 7.1 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.

Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report

1. Presentation from **LBTH Safer Communities Service**. Drug related ASB. Shamima Khatun ext. 3890
Shamima.Khatun@towerhamlets.gov.uk
2. Presentation from **Tower Hamlets Homes**. LBTH ASB Scrutiny Review. Shamima Khatun ext. 3890
Shamima.Khatun@towerhamlets.gov.uk
3. Presentation from **One Housing**. Tower Hamlets Council, ASB Scrutiny Review: Engaging with residents to increase reports of anti-social behaviour (ASB). Shamima Khatun ext. 3890
Shamima.Khatun@towerhamlets.gov.uk
4. Presentation from **Tower Hamlets Homes**. Reporting Anti-Social Behaviour: Poplar HARCA's Approach. Shamima Khatun ext. 3890
Shamima.Khatun@towerhamlets.gov.uk

8. **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