

REPORT TO: Cabinet

MEETING DATE: 11 March 2014

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Antisocial Behaviour Strategy 2014 - 2016

1 PURPOSE

- 1.1 The Antisocial Behaviour Strategy 2014 - 2016 sets out the way in which East Lothian Council, Police Scotland and their partners will deal with antisocial behaviour within the local authority area.

2 RECOMMENDATIONS

- 2.1 Cabinet is asked to approve the Draft Antisocial Behaviour Strategy 2014 - 2016 ([Appendix 1](#)).

3 BACKGROUND

- 3.1 The Antisocial Behaviour etc., (Scotland) Act, 2004 (“the 2004 Act”) places a statutory requirement on each local authority and the Chief Constable to prepare a strategy for dealing with antisocial behaviour in the authority’s area.
- 3.2 The 2004 Act requires local authorities and the Chief Constable to consult on their proposed strategy. A formal consultation process took place between 12 August 2013 and 8 November 2013. The public was consulted via the Council’s online consultation hub. A number of key partner agencies, Community Councils and Tenants and Residents Groups were consulted. Eight responses were received during the consultation period. Changes were made to the draft strategy in light of some of the comments contained within those responses.
- 3.3 In November 2012, East Lothian’s Tenants and Residents Panel organised an event with a view to eliciting the view of its membership on the proposals for the strategy. A total of 28 people attended. A number of views were recorded and incorporated in to the final strategy.
- 3.4 The strategy has been agreed by East Lothian’s Safe and Vibrant Communities Partnership and the Antisocial Behaviour Overview Group.

- 3.5 The strategy was developed in the context of the Scottish Government’s national framework for tackling antisocial behaviour, “Promoting Positive Outcomes” (2009). The framework and the strategy acknowledge the importance of preventative work a cross-agency working.
- 3.6 The aim of the strategy is “to reduce the number of people in East Lothian experiencing antisocial behaviour by delivering appropriate interventions.” The strategic aim supports Outcome 7 of East Lothian’s Single Outcome Agreement 2013 – 2023; namely, that “East Lothian is an even safer place.” Partners will take account of four broad themes in attempting to achieve this objective – Prevention; Early Intervention; Enforcement; and Rehabilitation. Partners will focus on Prevention and Intervention when tackling antisocial behaviour and promoting community safety.

4 POLICY IMPLICATIONS

- 4.1 There are no policy implications arising from this report.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 An Equality Impact Assessment has been carried and negative impacts have not been found.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - None.
- 6.2 Personnel - None.
- 6.3 Other - None.

7 BACKGROUND PAPERS

- 7.1 Draft Antisocial Behaviour Strategy 2014 - 2016.

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Antisocial Behaviour Strategy 2014 - 2016

Joint foreword (Councillor Willie Innes/Chief Superintendent Gill Imery).

Section 1 : Introduction

Antisocial behaviour is defined in Section 143 of the Antisocial Behaviour, etc., (Scotland) Act, 2004 as being any behaviour “that causes or is likely to cause alarm or distress” to a person or persons outwith the same household as the perpetrator of that behaviour.”

Section 1 of this Act places a duty on the Council and the Police to prepare an Antisocial Behaviour Strategy for their authority area.

This strategy will seek to:-

- Outline the key principles, the strategic context and the aims and objectives of the local authority and the Chief Constable in dealing with antisocial behaviour in East Lothian.
- Set out an assessment of the extent and type of occurrences of antisocial behaviour in East Lothian.
- Specify local arrangements for consulting and engaging with community bodies and other people (including young people) in each area where there are (or are likely to be) occurrences of antisocial behaviour, on how to prevent and tackle antisocial behaviour.
- Specify the range of available services designed to prevent or tackle antisocial behaviour, which are available for all residents in East Lothian, irrespective of sex or marital status, race, disability, age, sexual orientation, language, religious belief or social origin.
- Reinforce the commitment to stamp out discriminatory behaviour on any of the above grounds and, in particular, hate crimes.
- Set out the range of available services designed to support the victims of antisocial behaviour.
- Specify the ways in which members of the public can report antisocial incidents.
- Facilitate a range of mediation services as a way to settle antisocial behaviour-related neighbour disputes and to resolve conflict, including large group mediation.

- Describe how East Lothian Council and the Chief Constable will co-ordinate the discharge of their functions in relation to tackling antisocial behaviour.
- Provide for the lawful exchange of information relating to antisocial behaviour between East Lothian Council and the Chief Constable, and any other relevant person.
- Provide for a system whereby this strategy is reviewed on a regular basis.

This strategy is linked to a wide range of other strategies and plans. These are summarised in Appendix 1 (page 9).

The Council will be implementing an Equalities Monitoring Framework to ensure that no equalities group is disadvantaged through this strategy.

In particular, information regarding a person's sex or marital status, race, disability, age, sexual orientation, language, religious belief or social origin will be gathered for this purpose and, if required, ensure the better targeting of resources.

Section 2 : Context

National

This strategy has been developed in the context of the Scottish Government's national framework for tackling antisocial behaviour, "Promoting Positive Outcomes" (2009).

The framework was published following upon a comprehensive review of national antisocial behaviour policy and practice. It recognises that prevention and early intervention are the most effective ways of tackling antisocial behaviour.

This strategy also takes account of the recommendations contained within the Christie Commission's "Report on the Future Delivery of Public Services" (2011).

This report acknowledged the importance of preventative work and the need for services to become more efficient by working together in partnership in order to maximise resources.

Local

Every local authority has a formal Community Planning structure. "East Lothian Partnership" provides the overarching framework for tackling antisocial behaviour.

A key strand of the Community Planning structure is the Safe and Vibrant Communities Partnership which is accountable for delivering the relevant outcomes contained within the Single Outcome Agreement 2013-2023. Through this Partnership, the Council, Police and other agencies, including communities,

will monitor delivery of the outcome relating to antisocial behaviour and scrutinise performance against same.

An Antisocial Behaviour Overview Group, which includes representatives from Police Scotland, East Lothian Council, East Lothian Housing Association, the Scottish Children's Reporters Administration and representatives from East Lothian Tenants and Residents Panel, oversees:-

- The implementation of the Antisocial Behaviour Policy (March 2007).
- The work of the Antisocial Behaviour Officers Group and the Case Monitoring Groups.
- Formal Information Sharing Protocols and Service Level Agreements.
- Performance reporting on agreed targets, including those required by the Scottish Housing Regulator.
- The amount of money being spent by the council on tackling antisocial behaviour.

Operational matters are overseen by the Antisocial Behaviour Officers Group, the Adult and Children's Case Monitoring Groups and the multi-agency Tasking and Co-ordinating Group.

Ensuring the safety of those who live, work in and visit East Lothian is a priority for the Council, the Police and other partner agencies. To facilitate this objective, the Council and the Police established a Safer Communities Team in 2012. This Team includes a Team Leader, Antisocial Behaviour Investigators, a specialist Housing Officer, an Amenity Protection Officer, an Environmental Protection Officer, members of the Council funded Police Teams, the East Lothian Community Action Team, the Prestonpans Initiative Team, the Musselburgh Policing Team, the Tranent Policing Team, a Police civilian Information and Statistics Officer, an Antisocial Behaviour Police Liaison Officer, the Community Warden Team and two administrative support officers. The team has close links with a number of Council teams, including the Local Area Housing Offices.

An Action Plan detailing the way in which the objectives of the Strategy are to be met will be published by the Summer of 2014. The Antisocial Behaviour Overview Group will monitor progress against the Action Plan objectives.

Section 3 : Aims, Objectives and Strategic Themes

Aims and Objectives

Everyone has the right to feel safe in their community and it is unacceptable for people to be afraid when going about their normal daily business. East Lothian's Single Outcome Agreement 2013-2023 commits East Lothian Council, Police Scotland and partner agencies to creating, supporting and maintaining safe and vibrant communities.

East Lothian Council and the Police Service of Scotland will take the lead in working with partner agencies and the people of East Lothian to sustain and, where possible improve, the quality of life of those who live, work in and visit the county.

Partners will work together using recognised good practice in addressing the various forms of antisocial behaviour that negatively impact on the quality of life. It is recognised that partners working together have a greater chance of delivering positive outcomes than they have working in isolation.

Partners will work together in promoting a positive image of the county's young people in acknowledgement of the fact that only a small minority of young people become involved in antisocial behaviour.

Partners will focus on prevention and early intervention when tackling antisocial behaviour and promoting community safety.

Partners share one clear aim, which is:-

"To reduce the number of people in East Lothian experiencing antisocial behaviour by delivering appropriate interventions."

Strategic Themes

Partners will take account of four broad themes in attempting to achieve this objective: prevention, early intervention and diversion, enforcement and rehabilitation.

1. Prevention

Put in place resources and programmes designed to divert individuals away from behaving in an antisocial manner.

Put in place measures that will create a physical and social environment where antisocial behaviour is less likely to occur. This will include the effective use of permanent and mobile CCTV facilities and regular estate management inspections.

Use recognised “Secured by Design” techniques in architecture and design in order to minimise antisocial behaviour.

The Council aims to let houses to those in need while also addressing the objective of ensuring balanced and sustainable communities. It will achieve this through its Local Housing Strategy, Allocations Policy and the appropriate use of local Letting Plans.

Make use of all forms of media in advertising initiatives designed to prevent and tackle antisocial behaviour.

Make use of all forms of media in publicising judicial successes in antisocial behaviour cases.

Undertake joint Police/Community Warden high visibility patrols in areas affected by antisocial behaviour.

Work with local licensees to encourage the responsible sale of alcohol.

Deliver joint Council/Police presentations to local school children and adult learners on the key components of “good citizenship.”

2. Early Intervention and Diversion

Identify those who behave antisocially at the earliest possible stage through the effective sharing of information.

Refer children involved in antisocial behaviour to the fortnightly Multi-agency Screening Group.

Identify antisocial behaviour “hotspots” via an analysis of complaints and thereafter deploy resources via a weekly multi-agency Tasking and Co-ordinating meeting.

Provide tenancy support to council tenants who have behaved antisocially.

Facilitate appropriate forms of support to those who have behaved antisocially across different housing tenures.

Use community mediation as part of an early intervention strategy whereby many neighbour (and neighbourhood) disputes can be dealt with and resolved at an early stage.

Work alongside those who have behaved antisocially in addressing the causes of their behaviour.

Issue restorative justice warnings to the perpetrators of antisocial behaviour.

Issue warnings to the perpetrators of antisocial behaviour.

Increase the use of Acceptable Behaviour Agreements (ABAs).

Work alongside and assist private landlords in addressing the antisocial behaviour of their tenants.

Positively engage with young persons in a number of contexts, including street-based youth outreach work.

Provide organised diversionary activities for young people in partnership with other services, agencies and communities.

3. Enforcement

The appropriate use of all powers made available to partners under the Antisocial Behaviour etc., (Scotland) Act, 2004, the Housing (Scotland) Act, 2001 and other relevant statutes.

This includes applying to the Sheriff Court for Antisocial Behaviour Orders (ASBOs) and evictions, serving Fixed Penalty Notices and using the powers made available to the local authority under Parts 7 and 8 of the Antisocial Behaviour etc, (Scotland) Act, 2004 in respect of private landlords.

4. Rehabilitation

Increase use of Short Scottish Secure Tenancy Agreements (SSSTs).

Continue support for perpetrators of antisocial behaviour by partner agencies, following enforcement action.

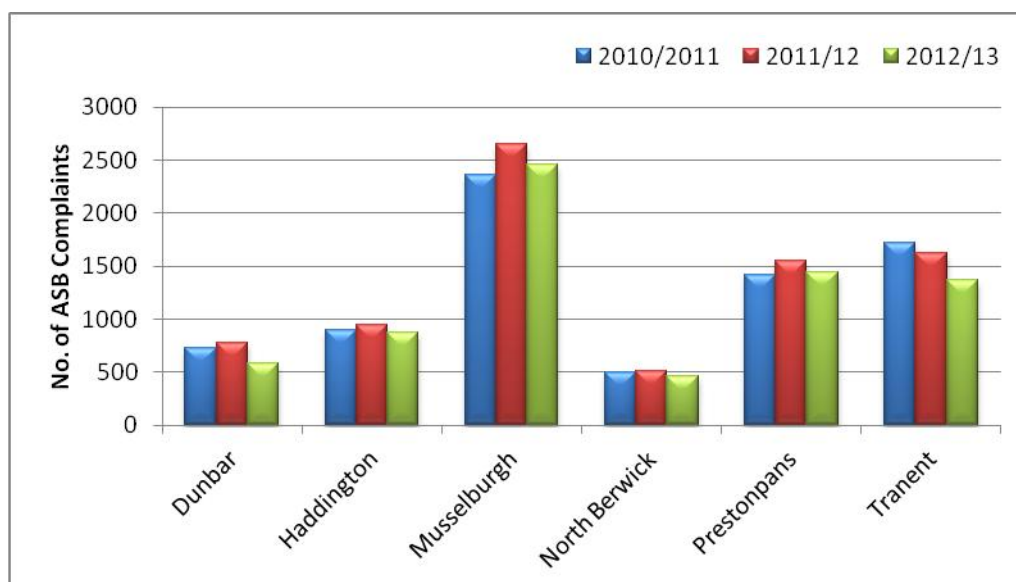
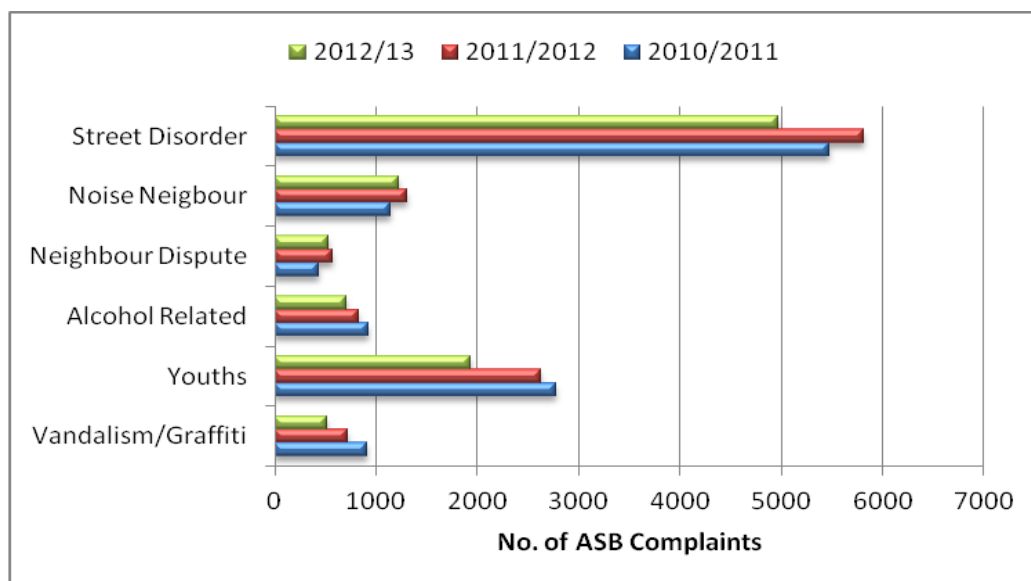
Regular reviews and monitoring of the perpetrators of antisocial behaviour by partner agencies, with appropriate action being taken where necessary.

Section 4 : Assessment of Antisocial Behaviour in East Lothian

The following graphs show the extent of antisocial behaviour complaints made to the Police in East Lothian between April 2012 and March 2013, with a comparison made to the periods April 2011 to March 2012 and April 2010 to March 2011.

Complaints of street disorder between 2012/13 compared to street disorder in 2011/2012 reduced by 14%. Youth related calls over the same period reduced by 26%.

All towns witnessed a reduction in antisocial complaints made to the Police between 2012/2013 compared to 2011/2012, with Dunbar recording the biggest fall of 25% followed by Tranent with a reduction of 16%. Overall, antisocial behaviour complaints reduced by 11% over the two periods.



The graphs demonstrate that the majority of antisocial behaviour experienced in East Lothian is confined to what can be described as “low-level nuisance.” However, all partners recognise that this type of behaviour can have a corrosive impact on the lives of individuals and communities.

Section 5 : Community Engagement and Decision Making

The Police and the Council acknowledge the role the community and its representatives have to play in allocating resources to tackle antisocial behaviour problems.

In every Council Ward there exists a Community and Police Partnership (CAPP). These monthly public meetings allow the community to task Police Officers and Community Wardens in dealing with issues most affecting their area.

Members of East Lothian's Tenants and Residents Panel will continue to form part of the Antisocial Behaviour Overview Group and members of the Safer Communities Team will attend local residents meetings and Community Council meetings subject to other operational commitments.

The Council and the Police will engage with young people throughout the period of the strategy via school talks, a series of organised events and street-based contact, with a view to eliciting opinion on the measures to be used in tackling antisocial behaviour.

Section 6 : Resources and Services

The list below provides examples of the resources and services available to tackle antisocial behaviour in East Lothian.

- Local communities and their representatives
- Safer Communities Team
- Community Beat police officers
- Police Response Teams
- Community Response Team (including CCTV suite) (East Lothian Council)
- Scottish Fire and Rescue Service
- Customer Feedback Team (East Lothian Council)
- Night Time Noise Team (East Lothian Council)
- Environmental Protection Team (East Lothian Council)
- Adult Wellbeing (East Lothian Council)
- Children's Wellbeing (East Lothian Council)
- Amenity Services (East Lothian Council)
- Multi-agency Screening Group
- East Lothian Care and Accommodation Project (ELCAP)
- Graffiti Removal Team (East Lothian Council)
- Local Area Housing Teams (East Lothian Council)
- Tenancy Support Officers (East Lothian Council)
- Neighbourhood Outreach Workers (East Lothian Council)
- East Lothian Community Mediation Service
- Victim Support (Scotland)
- Community Learning and Development (East Lothian Council)
- Recharge (Tranent)
- East Lothian Housing Association
- Homes for Life
- Castlerock Edinvar

Section 7 : Support for Victims of Antisocial Behaviour

Both the Police and Council recognise the devastating impact that antisocial behaviour can have on the lives of those exposed to it.

East Lothian Council and the Police currently work with Victim Support (Scotland) to supply emotional support to those most affected.

Victim Support will provide confidential support through professionally trained volunteers and staff that will be made aware of the issues likely to be presented. Staff and volunteers have a firm understanding of the process to be followed in antisocial behaviour cases.

East Lothian Council operates a dedicated 24 hours a day Antisocial Behaviour Helpline.

Fully trained operators are on hand to provide immediate advice, support and assistance to those experiencing antisocial behaviour.

Reports of antisocial behaviour can also be made by way of e-mail or via the council's website.

Section 8 : The Provision of Mediation Services

Mediation is seen as a critical part of the Police and Council's overall approach in tackling antisocial behaviour.

Mediation enables parties in dispute to find practical, workable solutions to a wide range of problems. Mediation is a voluntary and confidential process of conflict resolution.

Trained impartial mediators provide a safe, structured and positive environment to enable those in dispute to resolve their differences, reach a better understanding of the other party's position and to agree conflict resolution strategies for the future.

East Lothian Council currently contracts SACRO to supply mediation services across the county. The Safer Communities Team will work alongside SACRO in promoting this service.

Section 9 : Formal Information Exchange

Section 139 of the Antisocial Behaviour etc., (Scotland) Act, 2004 allows agencies involved in tackling antisocial behaviour to share relevant information.

In November 2007, the Police and the Council signed an Information Sharing Protocol.

Other partners share relevant information via separate protocols and at the Case Monitoring and Tasking and Co-ordinating Meetings.

Section 10 : Review of the Strategy

The Antisocial Behaviour Overview Group will be responsible for reviewing the Strategy on a six-monthly basis.

Appendix 1 : List of Related Strategies and Plans

East Lothian's Antisocial Behaviour Partnership's Antisocial Behaviour Policy (2007)

East Lothian's Children and Young People's participation strategy 2011

East Lothian Council's Allocations Policy 2007

East Lothian Council Plan 2012-2017

East Lothian Council's Tenant Participation Strategy 2012-2015

East Lothian's Homelessness Strategy 2009-2014

East Lothian's Integrated Children's Services Plan 2013-2017

East Lothian's Local Housing Strategy 2012-2017

East Lothian's Local Policing Plan 2014-2017

East Lothian's Older People's Strategy 2011- 2020

East Lothian's Partnership's Community and Learning Development Strategy 2011-16

East Lothian's Single Outcome Agreement 2013-2023

East Lothian's Youth Strategy – A Shared Vision -2009

Midlothian and East Lothian Drugs and Alcohol Partnership's (MELDAP) Drugs and Alcohol Strategy Implementation Plan 2010-2013

Appendix 2 : Glossary of Terms

Acceptable Behaviour Agreements (ABAs) : Voluntary contracts signed by the perpetrators of antisocial behaviour that seek to change the behaviour of the signatory.

Antisocial Behaviour etc., (Scotland) Act, 2004 : The primary piece of legislation dealing with antisocial behaviour in Scotland.

Antisocial Behaviour Fixed Penalties : “On the spot” financial penalties issued by the Police and the Council in relation to certain types of antisocial offences.

ASBOs : Antisocial Behaviour Orders are Orders granted by a Sheriff. The applications are of a civil nature but a breach constitutes a criminal offence. Only social landlords and local authorities can apply for such orders in Scotland.

Eviction : A formal court action where a landlord repossesses a property from a tenant.

Housing (Scotland) Act 2001 : The principal piece of legislation relating to the relationship between social landlords and their tenants.

Intervention Warnings : Written or verbal warnings issued to the perpetrators of antisocial behaviour by the council, the police or any partner agencies.

Mediation : A voluntary process where parties involved in dispute attempt to reach an agreement regarding future peaceful co-existence with the assistance of trained mediators

Restorative Justice : A practice where the perpetrators of a harmful or destructive act make amends by taking part in activities designed to compensate either the victim or the community.

“Secured by Design” Scheme : An attempt by designers and architects to design buildings and other facilities in such a way that reduces the likelihood of incidences of antisocial behaviour occurring.

Short Scottish Secure Tenancy Agreement (SSST) : Short probationary Tenancy Agreements issued to individuals who have been subject to formal court action relating to antisocial behaviour.
