



**NOTICE OF THE MEETING OF
POLICE, FIRE and COMMUNITY SAFETY SCRUTINY COMMITTEE**

**WEDNESDAY 29 NOVEMBER 2017
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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Committee Members Present:

Councillor L Bruce
Councillor J Findlay
Councillor N Gilbert
Councillor J Goodfellow (Convener)
Councillor J Henderson
Councillor K McLeod

Police Scotland

Chief Superintendent L Clark
Chief Inspector M Paden

East and Midlothian Scottish Fire and Rescue Service

Mr D Girrity, Group Manager - Protection and Prevention
Mr S Gourlay, Area Manager

Council Officials Present:

Ms M Patterson, Depute Chief Executive (Partnerships and Community Services)
Mr T Shearer, Head of Communities and Partnerships
Mr K Black, Safer Communities Team Leader
Mr P Vestri, Service Manager - Corporate Policy and Improvement

Clerk:

Mrs L Gillingwater

Apologies:

Councillor F Dugdale
Councillor C McGinn

Declarations of Interest:

None

The Convener welcomed everyone present, particularly those representing Police Scotland and the Scottish Fire and Rescue Service, to the first meeting of the new Committee.

1. APPOINTMENT OF DEPUTE CONVENER

The Convener sought nominations for the position of Depute Convener of the Committee.

Councillor Findlay, seconded by Councillor Bruce, nominated Councillor Henderson. There were no other nominations, and Councillor Henderson was duly appointed as Depute Convener of the Police, Fire and Community Safety Scrutiny Committee.

2. MINUTES OF MEETING OF 1 MARCH 2017

The Committee agreed to note the minute of the meeting held on 1 March 2017. Councillors McLeod and Goodfellow, as the only returning members of the Committee, confirmed that the minute was a true record of the meeting.

3. MATTERS ARISING

Councillor McLeod asked for an update on improvements to CCTV facilities. Mr Shearer, Head of Communities and Partnerships, advised that although there was an intention to move from an analogue to a digital CCTV system, he had not been able to take this forward for financial reasons. He noted that East Lothian's CCTV facility was funded wholly by the Council, and it was likely that the Council would have to fund any system upgrades. He assured Members that all cameras were functioning. Councillor Goodfellow added that CoSLA was looking at the funding of CCTV across Scotland in conjunction with Police Scotland.

4. SCOTTISH FIRE AND RESCUE SERVICES (SFRS) LOCAL PLAN PERFORMANCE REPORT, 1 APRIL – 30 SEPTEMBER 2017

Stephen Gourlay, SFRS Area Manager, updated the Committee on national and divisional matters, noting that the main focus for this meeting would be the SFRS transformation programme and that a consultation on the Local Plan was underway. He then summarised the key points of the report, drawing particular attention to the service's performance for each indicator.

Councillor Bruce asked if businesses could be penalised financially for false alarms. Mr Gourlay advised that the legislation did not provide for such charges. He noted that education and higher education establishments accounted for the majority of false alarm calls, and that the SFRS was working with the Council to reduce such calls.

Responding to questions from Councillor Henderson, Mr Gourlay indicated that Musselburgh and Haddington had the highest number of incidents, and offered to get a breakdown of incidents per ward. He reminded Members that there was only one full-time fire station in East Lothian (Musselburgh). He added that East Lothian was also supported by crews from Dalkeith and Edinburgh, as required.

On road traffic collisions (RTCs), Mr Gourlay clarified that trunk roads and local roads were covered by the SFRS, and he agreed to provide information at a future meeting on SFRS involvement in RTCs on rural roads.

Councillor Gilbert asked about response times. Mr Gourlay indicated that official attendance times were not available, but that response times varied from 3 to 8 minutes.

Councillor McLennan asked questions in relation to risk registers and deliberate fires. Mr Gourlay advised that the SFRS had a national risk register, which was reviewed annually. In addition, Torness Power Station had its own risk register. On deliberate fires, he reported that 80% of incidents involved young people, and that there had been an increase in such incidents across Scotland. Councillor Goodfellow commented that he hoped better community engagement would lead to a decrease in deliberate fires.

Mr Gourlay closed the debate by advising that future performance reports would be presented in a different format and that he would seek Members' comments on the new format in due course.

Decision

The Committee agreed to note the report.

5. SERVICE TRANSFORMATION PRESENTATION

Stephen Gourlay, SFRS Group Manager, delivered a presentation on service transformation. He highlighted the risks and challenges facing the Scottish Fire and Rescue Service, before focusing on the service's Transformation Strategy, which would result in a more efficient and effective service, with firefighters trained and equipped to meet new risks and contribute more to the protection of communities, as well as the introduction of new technology. He drew attention to the efficiencies achieved since the inception of the single service, but noted that there remained significant financial challenges ahead. He advised that there would be increased efforts to strengthen the retained service, through local recruitment campaigns. He also warned of the likelihood of station closures, although he anticipated that East Lothian's stations would not be affected. He concluded his presentation by urging Members to participate in the forthcoming public consultation on the transformation proposals.

Councillor McLeod sought reassurance on the recruitment and retention of retained firefighters, especially given the projected increase in population. Mr Gourlay spoke of the benefits of local recruitment campaigns, and advised that a crew manager would be appointed in Haddington to strengthen the retained service.

Responding to a question from Councillor Henderson as regards technology, Mr Gourlay alluded to methods being used by other UK fire and rescue services, including tracking systems and drones. He advised that there was technology available that was not currently being used by the SFRS, and highlighted the need for the service to keep up with technological advances.

Councillor Gilbert asked if the shift system was affecting service improvements. Mr Gourlay reported that a new shift system had now been implemented across Scotland which would have benefits, but anticipated that there may be opposition to further changes in shift patterns. He confirmed that daytime staff were employed on the same terms and conditions as shift workers, which would allow for a range of shift systems to be considered and implemented in accordance with the requirements of specific areas. He highlighted the importance of the retained service within East Lothian.

Councillor Findlay expressed concern that rural communities may suffer as a result of budget reductions. Mr Gourlay commented that recruiting retained staff at North Berwick had been challenging in the past, but that the situation was now improving.

Sederunt: Mr Girrity left the meeting.

Decision

The Committee agreed to note the presentation and transformation proposals.

6. POLICE SCOTLAND SCRUTINY REPORT, 1 APRIL – 30 SEPTEMBER 2017

Chief Superintendent Clark advised that she was working closely with Council officers to deliver the best possible services in East Lothian. She advised of potential changes to shift patterns and to the autonomy of local area command, as well as improvements in communications.

Chief Inspector Paden advised that following a consultation exercise, a local policing plan had been developed for East Lothian, focusing on local priorities. He went on to provide a detailed summary of the report, advising of measures taken/proposed as regards prevention, intervention and enforcement for each category of crime. He concluded by advising that East Lothian continued to be one of the safest places in Scotland to live and work, and that the Police had an excellent working relationship with the Council and other partners. He invited the Committee to visit the Police Control Room.

Councillor Henderson asked if the new legislation on minimum alcohol pricing would lead to a reduction in violent crime. Chief Inspector Paden anticipated that there would be a reduction in anti-social behaviour and violent crime if higher prices deterred people from consuming alcohol in higher quantities.

Councillor McLeod asked for further information on proactive measures to reduce domestic abuse. Chief Inspector Paden advised that a follow-up process was in place to ensure the safety of the victim, such as carrying out checks to ensure that offenders were adhering to their bail conditions.

Councillor Findlay expressed concern as regards car theft through housebreaking. Chief Inspector Paden confirmed that there had been an increase in this crime and that the Police were trying to educate householders using various media as to how to prevent their cars being stolen.

Councillor Gilbert expressed concern that calls made to the Police were not always followed up with a response to the caller. Chief Inspector Paden undertook to look into this matter.

As regards sexual crime, Councillor Goodfellow asked if historical crimes and recent crimes could be reported separately. Chief Inspector Paden agreed to this.

The Committee welcomed the invitations from Chief Inspector Paden and Mr Gourlay to visit the Police and Fire & Rescue Service's call centres.

Decision

The Committee agreed to note the report.

7. ONGOING MEASURES TO TACKLING ANTI-SOCIAL BEHAVIOUR

A report was submitted by the Depute Chief Executive, Partnerships and Community Services, advising the Committee of the number of anti-social behaviour complaints made to the Council during the reporting period, and advising on action undertaken by local partner agencies to tackle anti-social behaviour.

Kenny Black, Safer Communities Team Leader, presented the report, highlighting in particular anti-social behaviour statistics (outlined in Sections 3.4 and 3.5 of the report), actions taken to address anti-social behaviour (set out in Sections 3.6-3.10 of the report), partnership working activities with the Police and other agencies, and increased CCTV monitoring at weekends.

Councillor Findlay questioned the possibility of having councillor representation on the Anti-social Behaviour Overview Group. Monica Patterson, Depute Chief Executive, advised that this group dealt with operational matters, some of which were very sensitive, and felt it was therefore inappropriate to have councillor involvement. She did, however, offer to provide further information to Members on anti-social behaviour cases.

In response to questions from Councillor McLeod, Mr Black advised that complaints about anti-social behaviour made by repeat complainers were recorded separately. He noted that the service level agreement with Midlothian Council for resolution/mediation services was reviewed quarterly, and as regards cases where parental advisory letters had been issued, these were followed up and interventions made by Children's Services, where required.

Councillors McLeod and Goodfellow commended the work undertaken by the Safer Communities team and their partners, including Police Scotland and local traders.

Ms Patterson indicated that officers were happy to take suggestions from Members on particular lines of inquiry, or to provide further information on anti-social behaviour matters where requested.

Decision

The Committee agreed to note the terms of the report.

8. ANNUAL WORK PROGRAMME 2017/18

Councillor Goodfellow asked if Police Scotland and the Scottish Fire and Rescue Service could prepare reports on their resources within East Lothian. He also asked if the Police could provide information on access to other resources.

Chief Superintendent Clark indicated her reluctance to provide such a report, suggesting that making information on policing numbers available in the public domain could have a negative effect. She advised that assessments were made as regards risk, threat and harm, and resources deployed accordingly. She did, however, undertake to report on special constable numbers and recruitment. Mr Gourlay agreed to provide similar information as regards retained firefighters.

7. DATE OF NEXT MEETING

Wednesday 30 May 2018

Signed

Councillor Jim Goodfellow
Convener of the Police, Fire and Community Safety Scrutiny Committee

REPORT TO: Police, Fire and Community Safety Committee

MEETING DATE: 13 June 2018

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Dealing with Antisocial Behaviour

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1 PURPOSE

- 1.1 To advise the Committee of the number of antisocial behaviour complaints made to East Lothian Council during the reporting period and to advise on ongoing actions being undertaken by local partner agencies in tackling antisocial behaviour.

2 RECOMMENDATIONS

- 2.1 That the Committee notes the terms of the report.

3 BACKGROUND

- 3.1 The Council, Police Scotland and other partner agencies continue to recognise that antisocial behaviour is most effectively addressed by *working together* in conjunction with other partner agencies and local communities.
- 3.2 This ethos of partnership working is reflected in the apparatus currently in place to address the behaviour of those individuals whose actions cause alarm and distress to others.
- 3.3 East Lothian's Antisocial Behaviour Partnership's Antisocial Behaviour Policy (as amended on 14 February 2018) provides a suite of measures designed to deal with *individual cases* of antisocial behaviour as well as creating an infrastructure within which performance is monitored. The emphasis is on *prevention and early intervention*, with enforcement action only being used as a last resort. Substantive decisions in individual cases are made collegiately via multi-agency Case Monitoring Groups. The application of the policy is overseen by the Antisocial Behaviour Overview Group, chaired by the council's Head of Service for

Communities and Partnerships, and made up of senior officers drawn from a broad spectrum of different Council teams, Police Scotland and East Lothian Housing Association. Representatives from East Lothian's Tenants and Residents Panel are also permanent members. The Antisocial Behaviour Officers Group is a cross-party forum of practitioners charged with maintaining the validity and currency of the policy and developing and maintaining relevant procedures. The Officers Group, with links to the National Antisocial Behaviour Officers Forum, reports to the Overview Group on a quarterly basis.

- 3.4 *Group related antisocial behaviour* requires a multi-agency co-ordinated response and this is achieved via the weekly evidence and intelligence led Tasking and Co-ordinating Group made up of representatives drawn from Police Scotland, East Lothian Council and the Scottish Fire and Rescue Service. This group directs the deployment of resources to identified antisocial behaviour "hotspots". Those resources include, amongst other things, Police Officers, Fire Service personnel, Community Wardens, Neighbourhood Outreach workers and the Council's CCTV van. Pro-active monitoring of the Council's permanent CCTV network by Community Wardens takes place when required.
- 3.5 Acute problems unique to specific geographical areas are addressed via Problem Solving Partnerships. During the reporting period there was one such partnership in operation in relation to youth related antisocial behaviour occurring within the locality of the Brunton Hall. The formulation and implementation of a co-ordinated action plan has led to a marked reduction in reports of antisocial behaviour at this locus.
- 3.6 The Council continues to fund four additional Police Constables to the value of £119 000 per annum. Three of the officers constitute part of East Lothian's Community Action Team, with the remaining officer imbedded within the Council's Safer Communities Team.
- 3.7 An interrogation of antisocial complaints made to the Council during the reporting period shows a decrease from a figure of 664 received between 1 October 2016 and 31 March 2017 to 607 received during the second six months of the last financial year. Complaints are received from a variety of different sources, including the widely publicised Antisocial Behaviour Helpline, social media and via an on-line reporting form. All complaints are progressed in accordance with East Lothian's Antisocial Behaviour Partnership's Antisocial Behaviour Policy.
- 3.8 Of the 607 cases progressed, 279 related principally to noise and 95 were youth related. The remaining complaints consisted of, amongst other things, shouting, swearing, the issuing of threats, vandalism, fire-raising and drug and alcohol misuse. Many of the complaints received were multi-faceted. Around 8% of the complaints registered were made within the context of ongoing neighbour disputes. 233 of the 607 complaints were received from Musselburgh and the surrounding environs, 119 from Tranent, 100 from Dunbar, 72 from Prestonpans, 49 from Haddington and 34 from North Berwick.

The Council continues to raise legal proceedings against those engaged in the most serious and persistent forms of antisocial behaviour. Instructions to litigate emanate from the four weekly and multi-agency Adult Case Monitoring Group. There are currently 23 live Antisocial Behaviour Orders in East Lothian.

- 3.9 The vast majority of antisocial behaviour cases are addressed without the need to raise judicial proceedings. The aforesaid policy provides for a suite of interventions, including, amongst other things, the issuing of joint warnings, the signing of Acceptable Behaviour Agreements, the provision of support measures for those accused of behaving antisocially, the deployment of noise recording equipment and the making of referrals to East and Midlothian's Resolution Service. All interventions have the objective of *preventing further acts of antisocial behaviour*. Great emphasis is also placed on supporting those affected by antisocial behaviour with referrals being made to statutory agencies and Victim Support (Scotland).
- 3.10 In June 2017 East Lothian Council signed a Service Level Agreement with Midlothian Council for the future delivery of resolution and mediation services. There have been 175 referrals made from a variety of sources to the new service since its formal inception on 1 August 2017. Facilitating access of parties in dispute to trained mediators is seen as a vital component in addressing and preventing antisocial behaviour. Agreements reached between parties minimises the need for formal intervention from statutory agencies and affords parties a sense of empowerment in finding their own solutions to problems that may have arisen. The service has a 92% success rate in facilitating détente in cases in which it is asked to intervene.
- 3.11 Although the causes of both group related and individual antisocial behaviour cases can be complex, and the application of an effective solution cannot always be delivered in the instant, the fact that Police Scotland, the Council and their partners in East Lothian are working together in tackling *all forms of antisocial behaviour*, maximises the chances of securing long term and sustainable solutions in the vast majority of reported cases.

4 POLICY IMPLICATIONS

- 4.1 None.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified.

6 RESOURCE IMPLICATIONS

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

7 BACKGROUND PAPERS

- 7.1 East Lothian's Antisocial Behaviour Partnership's Antisocial Behaviour Policy.

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DATE	28 May 2018

**East Lothian's Antisocial Behaviour Partnership's
Antisocial Behaviour Policy**

(As Amended at 14/02/18)

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Introduction and Definition of Terms

Introduction

In East Lothian we believe that everyone is entitled to live, socialise and work without fear of antisocial behaviour and the existing East Lothian Antisocial Behaviour Strategy outlines the specific services that we provide. It also includes the ways in which we work with the perpetrators of antisocial behaviour and highlights that we should work together in partnership to prevent and tackle antisocial behaviour in all its forms.

The policy is divided into 12 main sections follows:

- [Section 1](#) explains the purpose of the policy.
- [Section 2](#) outlines the management framework that will administer the policy and highlights related strategies and policies that exist.
- [Section 3](#) describes the information sharing agreements in place between Police Scotland and members of the East Lothian ASB Partnership.
- [Section 4](#) identifies the partners implementing the policy.
- [Section 5](#) outlines roles and responsibilities.
- [Section 6](#) outlines the legal framework within which the policy will operate.
- [Section 7](#) sets out the commitment of the Partnership to the victims of antisocial behaviour.
- [Section 8](#) identifies partnership policy with regard to the strategic aim of preventing antisocial behaviour.
- [Section 9](#) identifies partnership policy with regard to the strategic aim of addressing antisocial behaviour via early intervention and diversion.
- [Section 10](#) identifies partnership policy with regard to the strategic aim of addressing antisocial behaviour via enforcement action.
- [Section 11](#) identifies partnership policy with regard to the strategic aim of addressing antisocial behaviour via rehabilitation.
- [Section 12](#) sets out service standards

Definition of terms

Antisocial behaviour

Is defined in section 143 of the Antisocial Behaviour (Scotland) Act 2004 as any behaviour “that causes, or is likely to cause, alarm or distress”. An individual can be described as behaving antisocially if he or she “pursues a course of conduct that is likely to cause alarm or distress” to persons out with their own household.

Child

For the purposes of this policy, a child is defined as a person who is under the age of 16 years. In terms of this policy, any person who is over the age of 16, but who is the subject of a supervision requirement, will be treated as if they were a child.

Registered Social Landlord (RSL)

The term “Registered Social Landlord” is defined in section 20 of the Housing (Scotland) Act 2010.

Notice of Proceedings

A Notice of Proceedings is a statutory notice served by a social landlord who intends to initiate proceedings for possession of the house on one or more of the grounds specified in Schedule 2 of the Housing (Scotland) Act 2001.

Acceptable Behaviour Agreement (ABA)

An Acceptable Behaviour Agreement (ABA) is a written agreement between an individual (adult or child/parent/guardian) engaging in antisocial behaviour and relevant partners working to prevent antisocial behaviour; for example, the police, local authority or RSL. An ABA is a clear statement of what the partnership would consider as acceptable behaviour and will be normally be put in place following the failure of written warnings. They can be used however at any time within the context of an antisocial behaviour investigation if the use of same is considered appropriate.

The aim of the Agreement is to make people responsible for their own actions, and the behaviour of those in respect of whom they have a vicarious responsibility. An individual *cannot be compelled* to enter into such an agreement.

ABAs are flexible enough to be used in relation to antisocial adults or children irrespective of their housing tenure. If the Agreement involves a child, then, in addition to obtaining his/her agreement and signature, the agreement and signature of the child’s parent or guardian will also be obtained. The signing of an Agreement by a child and his/her

parent/guardian will not prevent the reporting of that child to the Reporter where it is thought that he/she may be in need of compulsory supervision.

In the case of any individual who breaches the agreement, the ABA can be used to support an application for an ASBO and / or, in the case of a tenant, the raising of an eviction action. This will demonstrate to the Sheriff Court that the partnership has tried an alternative approach to tackling antisocial behaviour, thus strengthening the case against the person behaving antisocially.

ABAs are flexible and, by signing the agreement, the perpetrator admits that their behaviour is unacceptable. ABAs are quicker and more cost effective than the pursuit of judicial actions.

Antisocial Behaviour Order (ASBO)

An ASBO is an order of the court that is intended to tackle, both behaviour that is likely to escalate, and patterns of behaviour that cause considerable alarm and distress to others (referred to in the Antisocial Behaviour etc. (Scotland) Act 2004 as “affected persons”). This behaviour may consist of a number of single acts. An ASBO is not intended to be a substitute for criminal proceedings where those are considered appropriate. An ASBO can be made against persons of all housing tenure types.

Interim Antisocial Behaviour Order (Interim ASBO)

Interim Orders are intended to provide more immediate protection to complainers and can be applied for pending the determination of the substantive application for a full ASBO. Section 7 of the Antisocial Behaviour etc. (Scotland) Act 2004 sets out the conditions to be fulfilled before an Interim ASBO can be granted.

Criminal Antisocial Behaviour Order (CRASBO)

A CRASBO is an Antisocial Behaviour Order made on conviction by a Sheriff or Justice of the Peace as part of a criminal sentence. Requests for CRASBOs will normally emanate from the Safer Communities Team.

Parenting Order

Parenting orders are orders of the court designed to alter the behaviour of parents and to have them take responsibility for their child’s behaviour.

Parenting orders may compel parents to participate in; for example, parenting classes where they have been identified as needing help with their parenting skills.

Parenting orders will only be applied for where a parent has been offered support on a voluntary basis and has refused to engage with that support.

Warning Notice - Noise Nuisance

Under section 43(2) of the Antisocial Behaviour etc. (Scotland) Act 2004, where a local authority receives a complaint that excessive noise is emitting from a residential property, and the complaint is found to be at a level that can be deemed to be antisocial, a warning notice may be served.

Fixed Penalty Notice

A Fixed Penalty Notice is generally a financial penalty served by a council official or police officer on a member of the public as a result of them having committed an offence. Timely payment of the penalty removes the threat of criminal prosecution.

Scottish Secure Tenancy (SST)

A SST is a contract that sets out both a social landlord's and tenant's legal rights and obligations when leasing / renting a dwelling house from a social landlord.

Short Scottish Secure Tenancy (SSST)

In a relatively small number of cases, social landlords are entitled to offer a *prospective* tenant a SSST instead of the normal SST. This may be done where a tenant:

- has had order for repossession made against him/her in the UK on the grounds of antisocial behaviour in the previous 3 years
- where a member of the household of the prospective tenant is subject to a live ASBO

A SST will convert into a SSST where the landlord serves a Notice on the tenant to that effect, following the granting of a full ASBO. The conversion however is not mandatory. Where a SSST has been granted on the grounds of ASB, the landlord must make sure that support services are provided to the tenant to help them to convert successfully back to a SST. Support should also be provided where an SST has been converted to a SSST following upon the grant of a full ASBO.

Eviction

A Scottish secure tenant can only be evicted from their tenancy by way of a court decree. A landlord must evidence a ground for eviction (a tenancy breach) to obtain such an order. Antisocial behaviour, on the part of the tenant, other occupiers or visitors to the tenancy, constitutes such a breach.

Houses in Multiple Occupation (HMO)

An HMO is a property that is occupied by three or more persons (as their only or principal residence) who are not members of the same family and who share use of toilet, personal washing facilities or cooking facilities. HMO landlords must have a licence from the relevant local authority. This ensures that the property is managed properly and meets certain safety standards. The licence will be valid for up to three years.

Antisocial Behaviour Notice

The Antisocial Behaviour etc. (Scotland) Act 2004 gives local authorities powers to regulate privately rented housing in Scotland. Under Part 7 of the Act, if a private tenant is engaging in antisocial behaviour at their home, and the landlord is not taking what could be considered to be appropriate and proportionate management action to address it, the local authority can serve an Antisocial Behaviour Notice outlining what actions the landlord requires to take. The Notice must describe the antisocial behaviour that has led to the Notice being served, stipulate what action is required to be taken by the landlord and within what timescale that action is required to be taken. If a landlord fails to comply with a Notice, the local authority can report the landlord for prosecution. The local authority can also apply to the Sheriff for either an "Order as to Rental Income", which suspends the tenant's rent liability, a "Management Control Order", which allows the local authority to assume the responsibilities of the landlord, or can take action to deal with the antisocial behaviour and can recover the costs from the landlord.

Private Landlords Registration

Since April 2006, all private landlords in Scotland are required to register with their local authority. Registration ensures that landlords are "fit and proper" to be letting property. Members of the public will be able to view the register of private landlords on line and will be able to see whether a prospective landlord is registered. Registration will help local authorities to remove disreputable landlords from the market.

Closure of premises order (Closure Order)

Such an order is granted via the Sheriff Court on application by Police Scotland where significant and persistent disorder or serious nuisance is regularly occurring. If an order is granted then premises are closed to all persons for the duration of the order and it becomes an offence to enter or remain on the premises.

Dispersal Notice

A senior police officer (of the rank of Superintendent or above) can, in consultation with the local authority, designate an area, where significant, persistent and serious antisocial behaviour is being evidenced as an area in respect of which the police will be invested with powers of dispersals post-declaration.

Section 1: Purpose of the Policy

It is the purpose of this policy to set out clearly and demonstrably how the East Lothian Antisocial Behaviour Partnership will deliver the aims of the current Antisocial Behaviour Strategy.

As agreed within the strategy document:

“East Lothian Council and Police Scotland will take the lead in reducing the number of people in East Lothian experiencing antisocial behaviour by delivering appropriate interventions”.

The strategy sets out that services will be designed to deal with antisocial with reference to four broad themes:

- Prevention
- Early Intervention and diversion
- Enforcement
- Rehabilitation

This policy reflects those themes and provides a structure and framework within which the partnership operates.

The East Lothian Antisocial Behaviour Partnership realises the way in which antisocial behaviour can affect individuals and communities and will work together to support victims of, and witnesses to, antisocial behaviour.

It is the *mission* of the partnership to prevent antisocial behaviour through both generic and tailored initiatives, to intervene at the earliest possible stage in all cases, and to support individuals in changing their behaviour.

Section 2: Management Framework / Related Strategies & Policies

The Partnership acknowledges the existence of other independent policies, procedures and standards that exist within the Council and partner organisations, relating, in part, or in full, to antisocial behaviour. The Partnership also acknowledges that individual corporate members are independent organisations and, as such, can act independently to address antisocial behaviour complaints. For the avoidance of doubt, *this policy is not intended to preclude such independent action where a partner landlord considers it necessary.*

It is however accepted by all partners that, whilst independent action may be appropriate in dealing with low level neighbour nuisance and bespoke tenancy related matters, more serious forms of antisocial behaviour will be more effectively dealt with by the Partnership. A joint approach will also ensure consistent and fair treatment for all individuals involved in, or falling victim to, antisocial behaviour. In agreeing to adopt this policy, partners agree to work collaboratively in tackling antisocial behaviour within East Lothian.

Cognisance will be taken of all other relevant strategies and policies by the Antisocial Behaviour Case Monitoring Groups in reaching decisions within the context of individual cases.

Section 3: Information Sharing Protocols

The appropriate flow of information between the partners involved in addressing antisocial behaviour is key to the successful implementation of a strategic approach to resolve recurring antisocial behaviour. The information that is shared must be *necessary and relevant* in addressing antisocial behaviour.

A structure of authorised information sharing protocols must be in place to allow the Partnership to meet its legal obligations and to ensure that actions taken by partners are predicated upon an evidential base.

3.1 Signatories

The signatories to the principal information sharing protocols currently in place in relation to antisocial behaviour are East Lothian Council, Police Scotland, East Lothian Housing Association and Homes for Life.

3.2 Management of information

All parties to the protocols agree to abide by the terms of the Data Protection Act 1998.

3.3 In what circumstances can information be shared?

Information can be shared:

- where East Lothian Council or any partner agency is investigating and gathering evidence of antisocial behaviour in relation to an individual or group, with a view to taking action to prevent or tackle that individual's or group's antisocial conduct
- where Police Scotland are seeking information to prevent or detect crime or disorder

3.4 Information the Police can share

The protocols encourage the sharing of information between partners for the prevention and detection of crime and antisocial behaviour. Police Scotland can share information, both in response to a direct request in terms of these protocols and proactively with a view to supporting and assistance partners in addressing antisocial behaviour.

All information should be relevant and not excessive in relation to the purpose for which it is required. It should also be accurate. Each individual case should be considered on its own merits and in relation to the purpose for which the information is requested.

3.5 Direct requests for information

In relation to requests for information about specific individuals, it is appropriate for the Police to provide the following kinds of information:

- details of charges brought, pending Court cases, convictions recorded at SCRO (Scottish Criminal Records Office) or information held on the PNC (Police National Computer)
- Police warnings and details of attendance at *loci* (command and control incidents) relating to antisocial behaviour.

3.6 Proactive sharing of information

The Police can provide assistance to the Council or any other partner agency under protocol, by identifying and providing information in relation to individuals who are perpetrators of antisocial behaviour or criminal activity. For example, this may be done in pursuance of an ASBO or eviction of a convicted drug dealer.

3.7 What Information *must* the Council, or other partner agency, share with the Police?

The Police are responsible for the investigation and detection of crime and the apprehension of offenders. Partners *must* disclose all information that comes into their possession that is gathered through appropriate means, or that comes to its notice, where it suspects that a crime may have been committed. Depending on the importance or seriousness of the incident, all information, which falls into this category, and is, or comes into the possession of partners, must be passed on to the Police *immediately*.

3.8 What information can the Council and other partners share with each other?

The council and other partners can share information in response to a direct request and can seek support and assistance from partner organisations in tackling crime and antisocial behaviour in East Lothian. The information should be relevant and accurate.

3.9 How should information be shared?

This should be done in strict accordance with each individual protocol.

Section 4: Partner Organisations

The East Lothian Antisocial Behaviour Strategy 2014-2017 recognises that antisocial behaviour is not the responsibility of any single partner. Each partner within the East Lothian Antisocial Behaviour Partnership, with an interest in dealing with antisocial behaviour, will apply this policy and follow protocol when exchanging information.

The partners that are members of the Antisocial Behaviour Partnership, who will apply this policy, are:

- **East Lothian Council**
- **Police Scotland**
- **East Lothian Housing Association**
- **Homes for Life**
- **Scottish Fire and Rescue Service**
- **Scottish Children's Reporter's Administration**
- **Scottish Court Service**
- **Crown Office and Procurator Fiscal Service**

In general terms, this means that named employees of the Police, the Council and other partners will be able to share information and implement *a co-ordinated approach* to address incidents of antisocial behaviour.

Section 5: Roles and Responsibilities

5.1 Role of the Antisocial Behaviour Overview group

The Antisocial Behaviour Overview Group will oversee:

- the implementation of the Antisocial Behaviour Policy
- the operation of the Case Monitoring Groups and the Antisocial Behaviour Officers Group
- all Information Sharing Protocols
- performance reporting
- financial monitoring

The Overview Group will also consider and agree actions, as restricted agenda items, for any case where the Case Monitoring Group cannot reach a consensus.

The permanent membership of the Overview Group shall be constituted by representatives drawn from the undernoted agencies -

- East Lothian Council (Safer Communities Team, Housing Services, Adult Wellbeing, Area Management, Children's Wellbeing, Protective Services, Legal)
- Police Scotland
- East Lothian and Tenants Residents Panel
- East Lothian Housing Association
- Homes for Life

The Overview Group will be chaired by the council's Head of Service responsible for antisocial behaviour.

The Chair of the Overview Group will have the power to extend the membership of the Group if a particular partner agency has an interest in a particular topic of concern.

5.2 Role of the Antisocial Behaviour Case Monitoring Groups

The Antisocial Behaviour Case Monitoring Groups are cross-partner groups charged with ensuring that referred cases are considered from *all perspectives* and that actions agreed balance the needs of the individual with the needs of the community.

In East Lothian two separate case monitoring groups will meet.

An Adult Antisocial Behaviour Case Monitoring will meet every four weeks to consider adult cases referred by members of the Partnership.

Referred antisocial behaviour cases involving children or young adults who are the subject of a supervision requirement, will be considered by the four weekly Children's Antisocial Behaviour case Monitoring Group.

The membership of the two Case Monitoring Groups will be approved and kept under review by the Overview group.

The Case Monitoring Groups shall be chaired by the Manager of the council's Safer Communities Team.

The Chair of the Groups shall be authorised to make executive decisions within the context of individual cases that require to be made between meetings.

The Safer Communities Team will carry out the administrative duties attendant to the Groups; minutes shall be issued within five days of each meeting.

It is the role of the Antisocial Behaviour Case Monitoring Groups to:

- ensure that all relevant Council sections and external partners are involved in consideration of the case and their views are reflected and taken into account before any action is taken regarding a case
- instruct (further) intervention or diversionary action
- instruct a multi-partner case conference for specific cases if this has not happened and / or is considered appropriate
- provide advice to internal and external partners on cases in which there is doubt as to what course of action is considered the most appropriate
- instruct intervention action
- instruct appropriate enforcement action
- formally review all outstanding ASBOs on a monthly basis with a view to determining whether they remain necessary
- consider representations made by Police Scotland for the use of powers by other partners under the Antisocial Behaviour etc. (Scotland) Act 2004

The Case Monitoring Groups can co-opt representatives on to the group from other agencies when it is known that those agencies have intimate knowledge of a case that is going to be discussed.

5.3 Role of the Antisocial Behaviour Officers' Group

The Antisocial Behaviour Officers Group is a cross-partner forum of senior officers charged with:

- maintaining the validity and currency of the Antisocial Behaviour Policy
- developing and maintaining relevant procedures and documentation
- maintaining the validity and appropriateness of performance monitoring information and reporting to the Overview Group thereon
- reporting to the Overview Group on information sharing arrangements
- monitoring and reporting quarterly to the Overview Group on the level of enforcement action
- implementing the decisions of the Overview group

The Officers' Group shall be chaired and administered by representatives drawn from the council's Safer Communities Team. Minutes will be issued within five days of each meeting.

5.4 Role of the Safer Communities Team

The Safer Communities Team includes East Lothian Council and Police Scotland personnel. It is the role of the team to:

- support the Antisocial Behaviour Case Monitoring Groups
- establish the facts in individual cases, taking great care when considering complaints to avoid the possibility of discrimination/victimisation on the grounds of race, ethnicity, age, sex, sexual orientation, disability or religion
- confirm that the behaviour that forms the basis of the complaint constitutes antisocial behaviour
- where appropriate, establish what steps the complainer has taken to resolve matters themselves and consider whether further steps would be appropriate. These might include, *amongst other things*, a referral to East and Midlothian Resolution Service, formal noise monitoring or, in some cases, private civil action

- maintain full and accurate confidential records on open and referred cases
- advise partners in managing cases and preparing cases for referral to the Case Monitoring Groups
- share intervention action taken with relevant sections and partners in accordance with the existing information sharing protocols
- become involved *immediately* in cases of serious antisocial behaviour by supporting and assisting partners
- investigate and take action in serious antisocial behaviour cases in which the perpetrator is a Council tenant
- take a lead role in cases of antisocial behaviour where no clear lead partner role exists e.g. private sector housing antisocial behaviour
- act as the primary link, on behalf of the Partnership, with East And Midlothian's Resolution Service
- promote the Antisocial Behaviour Helpline and co-ordinate appropriate responses to complaints working closely with partners as required
- produce performance monitoring reports
- represent the Partnership in Court providing evidence and acting as professional witnesses when required
- ensure that a good audit trail of case information and evidence exists and that appropriate records are in place
- ensure that all Council sections, external partners and other appropriate agencies, are involved in consideration of the case and their views are reflected and taken into account before any action is taken regarding that case, ensuring that the partnership's approach is collaborative.
- maintain accurate minutes of the Antisocial Behaviour Overview Group, the Officers Group and the Case Monitoring Groups
- assist the Officers Group in developing detailed procedures and standard documentation
- intimate copies of all judicial orders to the relevant persons
- retain information regarding the use and effectiveness of ASBOs in order to support and evidence any monitoring and evaluation exercises that may be required

- take the lead in instituting and managing Problem Solving Partnerships in response to tackling group related antisocial behaviour occurring within public spaces

5.5 Role of East Lothian Council

It is the role of the Council generally to:

- validate complaints received
- notify the Police immediately on the discovery of criminal activity
- initiate contact with any other partner or organisation, which may assist with the provision of information, intelligence or other evidence in the preparation of formal documentation e.g. an ABA or an ASBO Application
- formally request disclosure of information from the Police relevant to any investigation
- work with, challenge and support children exhibiting, or at risk of exhibiting, antisocial behaviour
- ensure suitable arrangements are in place so that each case is fully researched and the Council is in a position at all Antisocial Behaviour Case Monitoring meetings to update the Group as to the stage each case has reached
- prepare, draft and meet the costs of all ASBO applications or other significant enforcement action within East Lothian on receiving a request to do so that is consistent with this policy

5.6 Role of Police Scotland

It is the role of Police Scotland to:

- have officers present at face-to-face meetings held with the perpetrators of antisocial behaviour on the request of a partner
- disclose all relevant information to the Council or a partner under the terms of the relevant information sharing protocol
- disclose all relevant information to East Lothian Council in support of the pursuance of legal action

5.7 Role of partner organisations

It is the role of the lead partner when dealing with instances of ASB to:

- validate complaints received
- take action and meet the costs of any intervention and enforcement action for lower level antisocial behaviour under appropriate independent policy, set of local procedures or tenancy agreement
- gather and collate all necessary information relating to any antisocial behaviour investigation
- notify the Police immediately on the discovery of criminal activity
- make necessary contact and facilitate early interventions with the alleged perpetrators of antisocial behaviour
- ensure suitable arrangements are in place for the identification of new antisocial behaviour cases and ensure these cases are investigated and brought to the attention of the Antisocial Behaviour Monitoring Group
- ensure any tasks detailed in the Antisocial Behaviour Monitoring Group minutes are completed timeously
- disclose all relevant information to East Lothian Council in support of the pursuance of an ABA or ASBO application

5.8 Resource implications

East Lothian Council will prepare, draft and meet the costs of all ASBO applications or other significant enforcement action within East Lothian on receiving a request to do so that is consistent with this policy. The Council and Police Scotland will also deploy appropriate resources to carry out accompanied warning visits and acceptable behaviour agreement visits.

Partners will take and meet the costs of action that they consider appropriate under independent policy, procedure or tenancy agreement. Partners will also meet the costs of their role and responsibilities under the requirements of this policy.

Section 6: Legal Framework

6.1 Statutory references

The *main* pieces of legislation in which this policy operates are as follows:

- [Antisocial Behaviour etc. \(Scotland\) Act 2004](#)
- [The Housing \(Scotland\) Act 2001](#)
- [The Environmental Protection Act 1990](#)
- [The Data Protection Act 1998](#)
- [The Children \(Scotland\) Act 1995](#)
- [The Housing \(Scotland\) Act 2010](#)

6.2 Equality and discrimination

Enforcement action will only be considered where it is necessary to protect individuals, families or communities who are subject to the effects of antisocial behaviour. An application for an ASBO will not be made simply because individuals are different from their neighbours or because they engage in activities which are perceived as being different (for example they belong to a different religion, sex, race, sexual orientation, age or have a disability). When considering whether or not a particular case is appropriate for an ASBO application, the Council and its partners must satisfy themselves that the application has not been motivated by discrimination.

In addition, the Partnership must also consider the relevance of any mental disorder or physical disability and its impact in relation to an ASBO application as these matters may be provided for by the [Disability Discrimination Act 1995](#).

6.3 Human rights considerations

The [Human Rights Act 1998](#) makes it unlawful for a public authority to act in a way that is incompatible with the European Convention on Human Rights (ECHR). East Lothian Council needs to be satisfied that:

- all procedural and substantive rights under the ECHR are complied with
- any interference with an individual's rights is necessary and in accordance with the provisions of ECHR legislation
- the proposed terms of any ASBO are reasonable and proportionate

6.4 Information sharing

Section 139 of the [Antisocial Behaviour etc. \(Scotland\) Act 2004](#) allows the disclosure and sharing of information between “relevant authorities”, which for the purpose of the Act, are the Council, Police Scotland, RSLs and any other partner involved in tackling antisocial behaviour. The provision allows disclosure of information between relevant authorities (Local Authority, Chief Constable and RSLs) where it is necessary and relevant for tackling antisocial behaviour. This removes any unnecessary obstacles to the sharing of information and ensures effective management of antisocial behaviour through information exchange.

6.5 Management of information

The [Data Protection Act 1998](#) restricts the sharing, storing and management of information. Section 29 contains an exemption when information is being sought for crime prevention and detection and the apprehension or prosecution of criminals.

6.6 Regulation of Investigatory Powers (RIPSA)

Some activities of the Council, including noise monitoring, are covered by the Regulation of Investigatory Powers (Scotland) Act 2000, hereafter described as RIPSA. These activities, which are deemed lawful if properly authorised, include carrying out covert surveillance or using covert human intelligence sources.

6.7 Eviction

Antisocial Behaviour is also a ground for re-possession of a Scottish Secure Tenancy (SST) in terms of paragraph 7 of schedule 2 to the Housing (Scotland) Act 2001. Before raising proceedings, a landlord has to serve on the tenant a Notice specifying the ground(s) on which proceedings are being raised and the date on which the landlord may raise proceedings. A Notice once effective remains in force for 6 months during which the landlord may raise proceedings.

6.8 Application for an ASBO

Only the Council or a Registered Social Landlord can apply for an ASBO; however, the Police *must* be consulted.

The Antisocial Behaviour Case Monitoring Groups will have considered all of the issues attendant to a case, particularly issues of support and vulnerability, before enforcement action is considered.

Prior to making an application for an ASBO in respect of a child, the Antisocial Behaviour Case Monitoring Group must consult the Children’s Reporter (who will be a core member of the Case Monitoring Group). If it is

thought that an ASBO is appropriate, the Council's Legal section will be instructed to prepare and lodge an application with the Court.

Where a child is involved, the Sheriff is required to have regard to advice provided by a Children's Hearing before determining the application for an ASBO. Therefore, before such an application can be determined, the Children's Reporter will be required to arrange a Children's Hearing for the purpose of obtaining their advice as to whether it agrees that an ASBO is necessary for protecting person(s) from further antisocial behaviour by the child.

Where an application for an Interim ASBO is made, and the Court is satisfied that it is necessary, an Interim ASBO can be granted pending the Hearing for a full ASBO. Before an Interim ASBO can be granted in respect of a child, the Court must have regard to any views expressed by the Children's Reporter. The question of whether the hearing of an ASBO application is held in private is a matter solely for the court.

Where an ASBO is granted against a child, it is important that not only is their behaviour tackled by the granting of the order but that the child is also supported to take positive steps to address its behaviour. It is envisaged that most children who are the subject of an ASBO will need a package of intensive support. When granting an ASBO (or an interim ASBO) in respect a child the Court has the power to require the Children's Reporter to refer the case to a Children's Hearing. It will be at the discretion of the Court whether to exercise this power or not.

6.9 Court proceedings

The Council will lodge an ASBO application with the Court requesting a warrant for service. When that is granted, the application must be served on the individual whose behaviour is the subject of the application. The individual will be informed in writing of the need to attend any hearing and, should they fail to attend, an Order may be granted in their absence. If an individual opposes the application, the Court will regulate the procedure accordingly. Where a hearing is fixed to hear evidence, normal Court rules and timescales will apply.

6.10 Court appeals

Either the Applicant or the Defender (in an ASBO case) can appeal against the Court's decision. The order remains in force pending the outcome of the appeal.

6.11 Variation and revocation of Antisocial Behaviour Orders

ASBOs may be varied or revoked on an application by the Council or RSL or on application from the person against whom the ASBO is made.

The terms of all ASBOs relate to the protection of a particular community or individual, and they cannot be “transferred” to another community if the recipient happens to move house. In these circumstances, an application to have the ASBO varied would need to be considered, and this would only happen if that individual continued to behave antisocially at their new address.

If an individual moves away from the area, consideration should be given as to whether or not the original ASBO is still required, a risk assessment should be undertaken as to whether it is feared that, despite moving from the area, the recipient may return to persist in behaving antisocially.

Where the subject of an ASBO moves to another Local Authority area, every effort should be made to liaise with the relevant Local Authority’s Safer Communities Team and provide them with information about the fact that the individual in point is currently the subject of an ASBO. The Local Authority should also provide details of the antisocial behaviour that warranted the ASBO being applied for and granted. This information may need to be taken into account when assessing an individual’s suitability for housing in their new area.

If alerted by another Council that an individual, subject to an ASBO, is moving into East Lothian, the Case Monitoring Group will be made aware and agree appropriate action. This information will also be taken into account when assessing suitability of housing if appropriate.

6.12 Breach of an Antisocial Behaviour Order

Under Section 9 of the Antisocial Behaviour etc. (Scotland) Act, 2004, any person who is the subject of an ASBO or an Interim ASBO who, without reasonable excuse, does anything that the order prohibits shall be guilty of an offence.

A person guilty of an offence under Section (1) of the Act above shall be liable, on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum or both; or on conviction on indictment, to imprisonment for a term not exceeding 5 years or to a fine or to both.

Under Section 11 of the Antisocial Behaviour etc. (Scotland) Act 2004, where the Police reasonably believe that a person is committing, or has committed an offence under the terms of their ASBO, then they may arrest that person without warrant.

Breach of an ASBO by a child or young adult on a supervision requirement will be jointly reported to the Procurator Fiscal and the Children’s Reporter, as is appropriate in accordance with the Lord Advocate’s Guidelines. The Procurator Fiscal has the discretion to pass such cases to the Reporter where appropriate.

If criminal proceedings are taken against a child or young adult on supervision, for a breach of their ASBO and he/she pleads or is found guilty, the Court may seek advice from the Children's Hearing on how the child or young adult might be treated, or indeed it might remit the case to the Children's Hearing for disposal.

6.13 Review of enforcement action

The partnership will review all current ASBOs and other enforcement action taken on a monthly basis. This review will confirm that all orders and actions in place remain necessary. Where it is deemed that there is no continuing need for an ASBO, an application should be made to the Sheriff to revoke the ASBO.

Section 7: Supporting Victims of Antisocial Behaviour

Antisocial behaviour can generate alarm and distress, particularly to older people, members from minority ethnic groups and other vulnerable people living within our communities.

The Partnership recognises the importance of supporting victims of antisocial behaviour. The Partnership is committed to accessing appropriate support mechanisms to help the victims of antisocial behaviour.

East Lothian Council has reached an agreement with Victim Support (Scotland) who will provide specialist support to victims of and witnesses to antisocial behaviour. Partners can refer victims and witnesses to Victim Support via the Safer Communities Team.

Section 8: Prevention

The Council, supported by the Partnership, will involve stakeholders and communities in the planning process for a range of generic and targeted diversionary activities and will adopt national standards for community engagement. The partnership will also attempt to engage with perpetrators of antisocial behaviour to understand why behaviours occur on a case-by-case basis to strengthen future preventative action.

8.1 Antisocial Behaviour Helpline

The partnership will seek to prevent antisocial behaviour by publicising widely the Antisocial Behaviour helpline. The Partnership will seek to ensure that citizens are aware that antisocial behaviour will not be allowed to blight communities.

The Antisocial Behaviour Helpline will be managed by the council's Safer Communities Team.

8.2 Antisocial Behaviour Leaflet

An antisocial behaviour leaflet outlining ASB policy will be widely circulated and accessible; this leaflet will set out service standards and reinforce the message about being a considerate and tolerant neighbour. The leaflet will provide key contact numbers, such as, the ASB helpline, how to access East and Midlothian Resolution Service, report abandoned cars, report fly-tipping and dog fouling, as well as providing other local contact information.

8.3 Publicity

In addition to the leaflet and helpline, publicity about the partnership's policy will be maximised through the local press, including coverage of successful ASBO / Eviction court cases and diversionary activities. These, and other publicity vehicles, including social media, will also be used to communicate information about our performance in dealing with antisocial behaviour enabling a positive message to be disseminated regarding the partnership's performance in dealing with antisocial behaviour and improving public perception of the issue.

8.4 CCTV

CCTV cameras are now located within the town centres of East Lothian. These have a deterrent effect in preventing antisocial behaviour and enhance the public's sense of well-being.

8.6 Environmental improvements

Environmental improvements and "secured by design" initiatives can also assist in preventing incidences of antisocial behaviour by 'designing out'

problem features and will be utilised by the Partnership where opportunities and resources permit.

8.7 Estate management inspections

The Council and its RSL partners will aim to prevent ASB by early identification of issues within communities through estate inspection programmes, linking partnership services to address issues of potential concern and, through engaging with the community, attempting to instil a sense of community pride.

8.8 Graffiti removal

The partnership believes that a *zero tolerance* approach to graffiti delivers maximum results and adopts the view that, if all graffiti is removed quickly and effectively, less graffiti occurs and more general antisocial behaviour is accordingly discouraged.

Unless there are problems with access to private property, East Lothian Council undertakes to remove graffiti from all premises and street furniture promptly on identification.

Unless the costs of individual instances are prohibitive, or there are material health and safety considerations, e.g. on a railway bridge or motorway fly-over, the Council will not serve notices to require owners to remove graffiti, rather the Council will meet the costs of removal.

8.9 Housing allocations policy

Through the Council's Allocations policy the Council and partner social landlords aim to let houses to those in housing need while also addressing the objective of ensuring balanced and sustainable communities. By monitoring incidences of antisocial behaviour by area, the Council will be able to develop local lettings initiatives to address a particular imbalance. RSL's also have their own allocations policies that make reference to problems relating to antisocial behaviour.

8.10 Tenancy agreement

When a new tenant signs up to a tenancy with East Lothian Council or a RSL landlord, they will receive information contained within their tenancy agreement about acceptable standards of behaviour.

The East Lothian Scottish Secure Tenancy (SST) agreement states clearly under Section 3, 'Respect for others':

"You, those living with you, and your visitors, must not harass or act in an antisocial manner to, or pursue a course of antisocial conduct against, any person in the neighbourhood. Such people include

residents, visitors, our employees, agents and contractors and those in your house.”

Each new Council tenant is issued with a Tenants Handbook and a follow-up ‘settling-in’ visit to all new tenants takes place approximately six weeks after the sign-up visit; this allows the Housing Officer to reinforce these points.

8.11 Housing support

If a tenant of the Council or RSL is identified as having support requirements to assist them in sustaining their tenancy and complying with the terms of their tenancy agreement, they can be referred for additional housing support services via their landlord. A prospective tenant who has a history of antisocial behaviour (evidenced as outlined in the definition of terms contained on page 6), may be offered a SSST with support to enable the landlord to ensure that previous behaviour does not continue.

8.12 Prevention and children

A large amount of effort and resources are directed towards prevention activities, facilities and programmes of work involving children. The Partnership recognises and values the huge contribution the Voluntary Sector makes in jointly providing such services. The Partnership will support such initiatives and projects.

8.12.1 Programmed prevention

The Partnership is committed to building sustainable communities and to social inclusion both now and in the future. Programmed provision action for children aims to include as many participants as possible in positive educational and/or recreational experiences. The Partnership recognises that this provision helps to promote inter-generational community harmony.

8.12.2 Active citizenship

The Partnership will endeavour to engage with children to improve local democratic processes and a feeling of community worth.

The partnership will work in schools to reinforce the importance of active citizenship and will provide information and advice supporting initiatives.

The Partnership is committed to Youth Parliaments and the inclusion of children in planning sporting facilities and clubs.

The Partnership will work with all relevant agencies to improve perceptions and remove prejudices between children and their communities.

Section 9: Early Intervention and Diversion

9.1 General

Sections 9.2, 9.3 and 9.4 set out the specific formal intervention framework as defined by this policy.

The Partnership recognises that other intervention and diversionary work or actions can be happening alongside and be complimentary to the intervention framework as set out within this policy. If such other work is ongoing, the Antisocial Behaviour Case Monitoring Groups will consider this before determining further agreed action in any particular case. The Case Monitoring Group may also instruct further intervention or diversionary aspects if the group feels that this is appropriate.

Over and above the framework set out in sections 9.2 - 9.4, general intervention and diversionary measures include:

9.1.1 Resolution

All partners should make use of East and Midlothian's Resolution Service, where appropriate, as an effective method of resolving neighbour disputes and addressing antisocial behaviour; however, it is extremely important that a referral to the Resolution Service is done early in the process as that way there is more chance of the intervention being effective.

The Partnership recognises the critical role that the Resolution Service has to play in preventing antisocial behaviour occurring in East Lothian.

9.1.2 Noise

Where an antisocial behaviour complaint revolves mainly around measurable noise, a referral should also be considered to have noise monitoring equipment installed. This should be done through the Council's Safer Communities Team in the first instance.

The Partnership will promote the work of East Lothian's Night Time Noise Service.

9.1.3 Private landlords registration

Where intervention is required in cases where antisocial behaviour is emanating from the property of a registered private landlord, intervention warnings against the occupants of the property may be shared with the landlord.

9.1.4 Diversionary activities

The Partnership will endeavour to implement targeted diversionary programmes or specific activities with the aim of reducing the likelihood of the re-occurrence of antisocial behaviour.

9.2 Intervention Framework - Adult Sector

The following intervention stages have been agreed between partners working together to tackle antisocial behaviour within East Lothian in relation to adults:

9.2.1 First Warning

The Partnership will attempt to secure behavioural change by initially issuing a verbal warning. This will take the form of a meeting, or visit, and, depending on circumstances, may be a joint visit with the Antisocial Behaviour Police Liaison Officer. All verbal warnings will be recorded and confirmed in writing to the party concerned. Monitoring arrangements will be put in place to evidence whether behaviour has changed as a result of the warning being issued.

The appropriate partner should, upon being made aware that a complaint has been made, and once they have satisfied themselves that the complaint is valid (this may include the taking into consideration of uncorroborated reports of similar types of behaviour from different complainers on separate occasions), take the lead and issue the perpetrator with a face-to-face verbal warning. Most commonly, this will be the responsibility of the landlord of a property. Private landlords will be given advice by the Safer Communities Team if this is requested. Once a verbal warning has been issued, the lead partner will then be expected to follow this up by issuing a verbal warning confirmation letter.

9.2.2 Second Warning

If problems persist, the appropriate partner will issue a written warning letter. The letter should contain brief details of the type of complaints being made against the perpetrator, it should also request that the perpetrator refrain from engaging in the type of behaviour detailed within the letter. Where appropriate, this letter will also refer to the conditions of the tenancy agreement under which the property has been let.

9.2.3 Third Warning

If problems persist, the appropriate partner will issue a further written warning letter. The letter will again contain brief details of the type of complaints being made against the perpetrator and will again request that the perpetrator refrain from engaging in the type of behaviour detailed within the letter.

If an adult is involved in serious antisocial behaviour or offending, their case may be considered immediately at the third intervention stage by-passing stages 1 and 2.

At this stage, the lead partner will present the details of any cases that have gone beyond final written warning stage to the Antisocial Behaviour Case Monitoring group for discussion.

9.2.4 Fourth Warning

If problems nevertheless persist, following discussion at the Antisocial Behaviour Case Monitoring group, a final face-to-face warning will take place. At this stage a member of the Council's Safer Communities Team, together with an appropriate staff member from the lead partner and the Antisocial Behaviour Police Liaison Officer, will undertake a face-to-face meeting with the perpetrator. An Acceptable Behaviour Agreement (ABA) will have been drawn up by the Council's Safer Communities Team after it has been provided with all of the documented relevant interventions already made by the lead partner involved in the case. This ABA will be discussed with the perpetrator and the agreement offered for signature. During the meeting, the antisocial behaviour process will be explained to the perpetrator, and they will be officially warned of the consequences of not altering their behaviour.

If, following all interventions, antisocial behaviour is still evidenced, the Antisocial Behaviour Case Monitoring Group will consider appropriate enforcement action.

If an adult is involved in serious antisocial behaviour, their case may be introduced directly to the Case Monitoring Group without having to progress through the preceding stages. The Group, at that stage, can direct the most appropriate action to be taken under the policy.

9.2.5 Appeals against Warnings

An adult who has been made the subject of any warning issued by East Lothian Council under the policy can ask for the circumstances that led to the issuing of same to be reviewed via the Council's corporate complaints process. Any such complaint should be registered within 6 months of the date of the issuing of the warning.

9.3 Intervention Framework - Children's Sector

The following intervention stages have been agreed between partners working together to tackle antisocial behaviour within East Lothian involving children.

It should be noted that details of every Warning issued to a child, including the issuing of an Acceptable Behaviour Agreement, shall be made to the Key Worker from East Lothian Council's Children's Services Department allocated to the child or his or her family.

9.3.1 First Warning

The partnership will, on being satisfied that an antisocial behaviour complaint against a child is valid (this may include the taking into consideration of uncorroborated reports of similar types of behaviour from different complainers on separate occasions), attempt to secure behavioural change of that child by issuing a verbal warning. This will take the form of a meeting or visit to the child and the child's parent or guardian by a member of the lead agency and a member of the Safer Communities Team. All verbal warnings will be recorded and confirmed in writing to the child and his or her parent or guardian.

9.3.2 Second Warning

If problems continue to persist, a second warning letter will be sent from the Council's Safer Communities Team to the child and to the child's parent or guardian.

9.3.3 Third Warning

If problems continue to persist thereafter, a third warning letter will be sent from the Council's Safer Communities Team to the child and to the child's parent or guardian.

It will be the responsibility of the Safer Communities Team to monitor the behaviour of the child after the third warning. The case will be presented to the Children's Antisocial Behaviour Monitoring Group for discussion on the issuing of the Third Warning.

If a child is involved in serious antisocial behaviour or offending, their case may be considered immediately at the third intervention stage by-passing stages one and two.

9.3.4 Fourth Warning

The Case Monitoring Group will sit on a four weekly basis. The Group will decide what further intervention and diversionary activity and/or enforcement action it considers appropriate. This may include asking a child

to consider signing an Acceptable Behaviour Agreement. It may also include the issuing of a Final Warning to the child in the context of a home visit by the appropriate agencies.

9.3.5 Acceptable Behaviour Agreement

If the Antisocial Behaviour Case Monitoring group consider that an ABA is warranted and appropriate then the Safer Communities Team will draw this up after consultation with all the partners involved with the child. The Safer Communities Team will, after confirming agreement on the contents of the ABA, co-ordinate an ABA meeting for the ABA to be signed off. The child, plus their parent or guardian must be invited to attend the ABA meeting. However, if a parent or guardian refuses to attend another person (a supportive adult preferably a relative of the child, or an appropriate adult previously identified from the child's case notes) may stand in for the parent. If the child fails to attend the ABA meeting but their parent or guardian does attend, another meeting should be organised, and it should be emphasised to the parent / guardian of the child that their son/daughter/charge must attend at the re-scheduled ABA meeting.

If the child fails to attend the second ABA meeting the ASBT will send out a letter to the child's parent nor guardian advising them that their son/daughter/charge will be subject to further review by the Antisocial Behaviour Case Monitoring Group for it to decide how best to proceed with the case.

If after an ABA has been signed by the child or if the child decides not to sign an ABA, and they continue to exhibit antisocial behaviour, an application for an ASBO may be considered by the Children's Case Monitoring Group.

9.3.6 Appeals against Warnings

A child or parent or guardian of a child who has been made the subject of any warning issued by East Lothian Council under the policy can ask for the circumstances that led to the issuing of same to be reviewed via the Council's corporate complaints process. Any such complaint should be registered within 6 months of the date of the issuing of the warning.

9.4 Intervention Framework - Adults Subject to Supervision Requirement

Persons aged 16 and over and still subject to a supervision requirement remain within the jurisdiction of the Children's Hearing system. Intervention action for such persons will be as per the children's sector and at the appropriate stage their cases will be referred to the Children's Case Monitoring Group.

Section 10: Enforcement

This section of the policy sets out the enforcement action that the partnership can ultimately take if required. Enforcement action will be applied with *appropriateness and proportionality* being the driving consideration.

10.1 Antisocial Behaviour Orders (including Interim Orders)

East Lothian Council *will* apply for an ASBO on behalf of the partnership in the following circumstances:

- on a request being made by Police Scotland to the Antisocial Behaviour Case Monitoring Groups
- on an instruction being issued by the Antisocial Behaviour Case Monitoring Groups

The Council cannot apply to the Court for an ASBO in relation to a child under 12 years of age.

10.2 Criminal Antisocial Behaviour Orders

East Lothian Council will request that the Procurator Fiscal make a request of the Court to include a Criminal Antisocial Behaviour Order (CRASBO) as part of a sentence following conviction. This this will be:

- on request from Police Scotland
- on request from one of the Antisocial Behaviour Case Monitoring Groups

10.4 Parenting orders

Where a parent has been offered support on a voluntary basis and has refused to engage with that support, and where their behaviour, or lack of parental intervention, is having a negative impact on their child, the Council can consider applying to the court for a Parenting Order.

10.5 Warning notices - Noise Nuisance

Officers from East Lothian Council's Protective Services department have the authority to issue statutory warning notices for daytime (07.00 hours - 19.00 hours), evening (19.00 hours - 23.00 hours) or night time (23.00 hours - 07.00 hours) in relation to the commission of noise offences.

10.6 Fixed Penalty Notices

East Lothian Council may issue a Fixed Penalty Notice for:

- non-compliance with a warning notice for noise offences
- littering
- dog fouling
- fly-tipping

10.7 Evictions for drug related incidents

Partner landlords will *normally* seek to evict tenants on evidence of drug related incidents where the property has been used for any of these purposes. These will include:

- supply of drugs
- being concerned in the supply of drugs
- possession with intent to supply
- cultivation within the property or the grounds of the property
- second or subsequent conviction for possession
- allowing a tenancy to be used for the commission of offences under the Misuse of Drugs Act 1971

10.8 Evictions for other antisocial behaviour

Housing providers within the Partnership will *normally* seek to evict tenants who:

- breach an Interim or full ASBO
- exhibit, or allow others to knowingly exhibit, significant antisocial behaviour within their tenancy, or within the locality thereof, and who do not alter their behaviour, despite having been warned regarding same
- are convicted of a serious crime of a violent or threatening nature within the property or in the locality of the tenancy

10.9 Short Scottish Secure Tenancy (SSST)

Housing providers within the Partnership may consider restriction to a SSST on evidence of antisocial behaviour in temporary or previous accommodation. This may be done where a tenant:

- has had order for repossession made against him/her in the UK on the grounds of antisocial or similar behaviour in the previous 3 years
- a member of household is subject to an antisocial behaviour order (ASBO).

Partner landlords *may* convert a SST to a SSST when an ASBO has been granted. A recommendation shall be issued by the Case Monitoring Groups to the relevant Housing Manager in these circumstances.

10.11 Antisocial Behaviour Notice

If a landlord fails to comply with an antisocial behaviour notice then the Council can take action to deal with the antisocial behaviour and pursue the landlord for expenditure incurred as a consequence of the landlord's failure to comply. The Council can also refer the matter to the Procurator Fiscal for prosecution of the offence of failure to comply with the notice.

The council's Safer Communities Team will instruct the issuing of Notices under this section.

10.12 Order as to rent payable

The Council can apply to the Sheriff for an Order as to Rent Payable in respect of a property in relation to which an antisocial behaviour notice has been issued. If granted, this has the effect of stopping rent payments being received by the landlord for the property concerned. Careful consideration must be given as to the details of each individual case to ensure that serving an Order as to Rent Payable is not seen by a tenant as a reward for antisocial behaviour.

10.13 Management Control Order

Where tenants of private landlords are behaving in an antisocial manner and the landlord has failed to address that behaviour effectively as specified within the Antisocial Behaviour Notice, the Council can apply for a Management Control Order via the Sheriff Court. If granted, the Council can then intervene and take over the management of the tenancy in question such that it can take actions that the private landlord should have taken but did not. When a Management Control Order is in force the Council will have the sole right to claim any rent or other income due on the property. A Management Control Order is in practice an alternative to the Order as to Rent Payable.

10.14 Private landlords de-registration

East Lothian Council will submit an application to the Licensing Sub-Committee to deregister a private landlord who no longer meets the "fit and

proper person” test. It is a criminal offence to operate as a private landlord and not be registered.

10.15 Closure of Premises Orders

A senior police officer (of the rank of Superintendent or above) can, in consultation with East Lothian Council, take action through the Sheriff Court to close premises where significant and persistent disorder or serious nuisance to the local community is regularly occurring.

10.16 Dispersal Notice

A senior police officer (of the rank of Superintendent or above) can, in consultation with East Lothian Council, designate an area where significant, persistent and serious antisocial behaviour is occurring and the behaviour of groups is contributing to this problem, and utilise the power of dispersal post-declaration.

10.17 Seizure of vehicles

Police Scotland have the power to deal with individuals who cause alarm, distress or annoyance to members of the public through the antisocial use of vehicles on public roads or off road. The police can stop and seize or remove motor vehicles that are being used in such a manner.

10.18 Seizure of noise making equipment

Where a warning notice has been served in respect of antisocial noise, and an authorised officer has reason to believe that noise emitting is above a permitted level, the equipment producing the noise may be seized and removed.

10.19 Vexatious complainers

Following investigation, the Partnership may declare unjustified, repeated, unfounded or frivolous complainers as vexatious and may decide to take no further action as a result of those complaints. This decision will be made by the Adult Case Monitoring Group.

Section 11: Rehabilitation

Successful rehabilitation of the perpetrators of antisocial behaviour depends on many facets and each case has its unique characteristics.

The Partnership, through either its own resources or through accessing other resource, will endeavour to rehabilitate antisocial behaviour offenders.

Support mechanisms and resources that can deliver successful rehabilitation include:

- users with dependencies engaging with treatment and rehabilitation centres
- sensitive re-housing through East Lothian Council's Rehousing Panel or management transfers through other partnering landlords
- East Lothian Council Community Housing / Tenancy support and Homelessness Prevention Team

Section 12: Service Standards

12.1 Principles

The Partnership will:

- aim to take early action to prevent disputes and behaviour from escalating
- seek to act in a manner that is consistent with accepted good professional practice
- ensure that it does not act in a discriminatory manner when dealing with antisocial behaviour complaints.

12.2 Framework for prioritisation

To provide a framework for prioritisation and to help indicate how types of behaviour will be acted upon, agreed priority groups for specific examples of antisocial behaviour are set out below. Note that this list is not exhaustive:

Group 1:

More serious antisocial behaviour where the involvement of the Police is present or necessary; for example:

- violence or aggression displayed towards a member of staff
- violent or threatening behaviour towards members of the public
- the use of weapons
- drug related incidents
- racial harassment and other forms of hate crimes
- sectarian behaviour
- damage to property
- fire-raising
- prostitution

Group 2:

Antisocial behaviour is of a more minor, but persistent nature; for example:

- noise nuisance (including DIY and the use of electrical appliances)
- shouting and swearing
- noise associated with motor vehicles
- Obscene or offensive gesticulation

Group 3:

Disputes solely between two neighbours; for example,

- misuse of common areas
- sporadic noise

12.3 Target response times

Partnership members will accept complaints by letter, email, phone, via the receipt of any bespoke on line form, via social media platforms or by way of interview.

Anonymous complaints will be recorded, but it will not normally be possible to act on such complaints unless that complaint can be subsequently verified.

The Partnership is committed to responding to complaints of antisocial behaviour as quickly as it can but will prioritise complaints such that it can also ensure that it investigates the most serious complaints it receives immediately. Target response times for complaints received by the Council (initial response) are outlined below:

Group 1: visit / interview complainer within two working days.

Group 2: contact complainer, undertake initial investigation and assess appropriate action within five working days of receipt of complaint.

Group 3: contact complainer, undertake initial investigation and assess appropriate action within ten working days of receipt of complaint.

Target timescales relate to initial response to a complaint. Timescales for further action and involvement should be included in any action plan drawn up to resolve the case.

12.4 Information Sharing Requests

Partnership members will respond to formal information sharing requests within 5 working days.

REPORT TO: Police, Fire and Community Safety Scrutiny Committee

MEETING DATE: 13 June 2018

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Scottish Police Authority Annual Review of Policing 2017/18

4

1 PURPOSE

- 1.1 To provide a response to a request from the Scottish Police Authority (SPA) for local authority views to feed in to their Annual Review of Policing 2017/18.

2 RECOMMENDATIONS

- 2.1 That the Committee considers and approves the draft response at Annex A, subject to any amendments it wishes to make.

3 BACKGROUND

- 3.1 The Chair of the Scottish Police Authority (SPA), Susan Deacon, wrote to local authority scrutiny conveners on 26 April seeking their input to the SPA's Annual Review of Policing 2017/18. Her letter is at Annex B.

4 POLICY IMPLICATIONS

- 4.1 SPA plan to take responses into account in their Review, and intend to publish relevant extracts in their report. Any policy decisions resulting from the Review are for SPA to make.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none
6.2 Personnel - none
6.3 Other – none

7 BACKGROUND PAPERS

- 7.1 Letter from Susan Deacon, Chair, Scottish Police Authority (Annex B).
7.2 [East Lothian Local Policing Plan 2017-2020](#), produced by Police Scotland and approved at full Council in August 2017.

AUTHOR'S NAME	Christine Dora
DESIGNATION	Executive Officer
CONTACT INFO	Ext 7104
DATE	30 May 2018

SCOTTISH POLICE AUTHORITY

Annual Review of Policing 2017/18 - local authority views

Name of Local Scrutiny Committee:

East Lothian Council Police, Fire and Community Safety Scrutiny Committee

1. 2017/18, how effective has Police Scotland's support for local scrutiny and engagement with your scrutiny committee been?

We have received full support from Police Scotland officers in our scrutiny. Police Scotland have been represented at every meeting of this Committee and provided relevant reports. It would be beneficial if statistical information relevant to our area were released earlier. We have adjusted our Committee cycle to take account of the time it takes to release Police Scotland statistics, but we would still like to minimise that time so that we can scrutinise them nearer to the time-period to which they refer.

2. How well do you think your local police plan reflects community priorities?

The Local Policing Plan approved in August 2017 took account of the developing draft Local Outcomes Improvement Plan (which was itself agreed in September 2017 and in development of which Police Scotland Scotland colleagues had also been involved). However, there may be more that could be done in respect of our Local Area Partnerships and the developing Locality Plans defined in the Community Empowerment (Scotland) Act 2015.

3. How effective do you think Police Scotland's reporting against local priorities been, in supporting your scrutiny?

Effective. Police Scotland officers attend every meeting of the Scrutiny Committee and answer elected members' questions on their reports.

4. What are the top three things about policing in your area, which you think are working really well?

Joint working:

- *at senior management level;*

- *between council's Community Safety Officers and police officers;*
- *in relation to Child and Adult Protection;*
- *through groups such as the Community and Policing Partnerships, the Safety Advisory Group (which oversees public events in the area) and the Anti Social Behaviour Overview Group;*
- *for Protective Services, Trading Standards and Licensing work – allowing*
 - *effective communication with consumers about counterfeit goods;*
 - *reduction of illicit trade;*
 - *denial of access by known criminal groups to licenses (licensed premises, taxis, security industry etc);*
 - *community awareness of dangers and ethical issues around human trafficking, prostitution, drugs (including New Psychoactive Substances) and counterfeit goods;*
 - *community awareness around Serious Organised Crime and how to mitigate risks.*

Police officers are proactive and do not hesitate to raise any concerns locally with relevant officers.

5. What are your top three priorities for improvement?

Length of tenure at senior officer level. *Establishment and maintenance of effective partnership working relationships can sometimes be hindered by the frequent redeployment of key senior officers to other areas/roles within Police Scotland, impacting on the effectiveness of local co-ordination and planning arrangements.*

We would welcome more clarity on how community officers could maximise effective engagement with local communities, *particularly the interface between Community and Policing Partnerships, Community Councils and Area Partnerships.*

*We would welcome **better clarity on the added value of directly-funded officers.***

6. Are there any examples of good practice in your local area you want to highlight? Please provide details below.

- a) Community and Policing Partnerships.*
- b) The Safety Advisory Group.*
- c) The recently established Rural Crime Initiative.*
- d) Working together on the CONTEST initiative.*

- e) *The interface between the Licensing Service and the Police is particularly constructive and the Police have been valued contributors to development of the draft East Lothian Statement of Alcohol Licencing Policy currently out to public consultation. There is also a very good working relationship in relation to Civic Government and Gambling Licensing.*
- f) *Our scrutiny arrangements.*

7. What would you like to see the SPA to do more of, to help you in your role and to support better local outcomes?

We would like to see more engagement for local authorities with members of the SPA. In previous years a member of the SPA often attended meetings of the East Lothian Safe and Vibrant Communities Partnership (now superseded), and a member of the SPA would likewise be welcome at the Council's scrutiny committee meetings.

About your local scrutiny arrangements

8. How would you describe your local scrutiny arrangements for policing?

- *Police, Fire and Community Safety Committee;*
- *Community and Policing Partnerships (CAPPs) which meet publicly in local areas and also give reports to East Lothian's Local Area Partnerships on request.*

9. How many elected members are regularly involved in your local scrutiny process?

Eight elected members are members of the scrutiny committee. East Lothian Council has 22 elected members in total. The Local Policing Plan is brought to full Council for approval.

10. Is there any additional information or feedback you would like to share?

Police Scotland are involved in governance arrangements for East Lothian's community planning partnership, but there can be variability in the seniority of those who attend governance group meetings. Although we recognise there must be difficulties in resourcing attendance at all the community planning partnerships in the Lothians, it would be helpful to have more consistency.

This response -

This response will inform the Annual Review of Policing, and local examples and comments will be included within the Review document.

Yes

**Thank you for taking the time to provide feedback and information.
Responses should be sent to -
SPACommunityAccountability@spa.pnn.police.uk by Friday 29th June
2018.**

If you have any queries or comments about the process, please contact Eleanor Gaw, SPA Community Accountability, eleanor.gaw@spa.pnn.police.uk Tel 01786 896886.

LETTER SENT BY EMAIL

To: Conveners and Elected Member leads, local scrutiny of policing

Our ref: SD/18/CW

26 April 2018

Annual Review of Policing 2017/18: local scrutiny input

The SPA is currently preparing the Annual Review of Policing for 2017/18, to be laid before the Scottish Parliament in autumn 2018. This must include an assessment of Police Scotland's and SPA's performance during the year and it can also include such other information as SPA considers appropriate.

I am keen to make sure that this review is informed by, and can reflect, the experience and insights of local committees and elected members across Scotland who are responsible for the scrutiny of policing in their local communities. I would therefore like to invite your input.

A brief set of questions is attached to assist us in gathering your views and I would be very grateful if you could take the time to reflect and offer input from your local committee in response.

I very much appreciated the opportunity to speak with many of you at the meeting of the COSLA Police Scrutiny Conveners' Forum in February. Following those discussions a joint working group has been set up involving the SPA, COSLA, Police Scotland and SOLACE to strengthen the connection between local and national scrutiny, develop a shared evidence base, and support service improvement.

The SPA Board is itself in a significant period of refresh, with a number of new members recently appointed by the Cabinet Secretary, and work is progressing to drive forward rapid improvement across all aspects of the Authority's internal operations and its outward engagement.

More detail on recent developments is available in my report, and the report of SPA Interim Chief Officer Kenneth Hogg, to the SPA Board on 29th March 2018. This reports are now standing items on SPA Board agendas, and may provide a useful summary update in future.

<http://www.spa.police.uk/assets/126884/441011/441165/451586/452067>
<http://www.spa.police.uk/assets/126884/441011/441165/451586/451625>

Kind regards



Susan Deacon, CBE
Chair, Scottish Police Authority



POLICE
SCOTLAND
Keeping people safe
POILEAS ALBA

5

Scrutiny Report

1st October 2017 – 31st March 2018



East Lothian

The data provided in this report is for information purposes to allow Partnership Members to conduct their scrutiny responsibilities. Due to delayed reporting or recording of crimes, incidents or road accidents there may be minor amendments between the information in this report and the final Police Scotland statistics. The extraction date from recording systems can also differ so it would not be appropriate to refer to, quote or use any data in the report as official statistics.

Data contained in this report should only be used to identify trends as figures are likely to change over time.



INTRODUCTION

Police Performance Indicators

Crimes and offences are grouped under recognised categories for statistical purposes. The Scottish Government defines these categories. For example, 'Group 1' refers to 'Non Sexual Crimes of Violence', (such as serious assault, robbery). Group 2 refers to 'Sexual Crimes', (such as rape, voyeurism) and so on.

Police Scotland publishes management information on an annual and quarterly basis, by local authority and by police division, as well as at a national level. These reports are produced to demonstrate Police Scotland's commitment to transparency. Police Scotland publishes all of these reports on the 'Our Performance' section of the Police Scotland website.

The reports can be accessed here: <http://www.scotland.police.uk/about-us/our-performance/>

The East Lothian Policing Plan uses the following Police Performance indicators, and these have been mirrored in the scrutiny report to maintain parity of understanding:

Non-Sexual Crimes of Violence (Group 1) - crimes per 10,000 population

Sexual (Group 2) - crimes per 10,000 population

Anti-social Behaviour Incidents (public reported) - crimes per 10,000 population

Racially Aggravated Conduct - crimes per 10,000 population

Crimes of Dishonesty (Group 3) - crimes per 10,000 population

Proportion (%) of Domestic Abuse incidents which result in a Crime Report – total for reporting period

Number of Domestic Abuse incidents recorded - total for reporting period

Road Casualties - total for reporting period

Source: Police Scotland Analysis Performance Unit

(Based on East Lothian's population of 104,840 in 2017 - Scottish Government figures)

Glossary

- **MATAC** (Multi Agency Tasking and Co-ordination) responsible for identifying and targeting high risk domestic offenders.

A meeting where effective decision making ensures resources are deployed to tackle individuals who pose the greatest risk to victims of Domestic Abuse, using any and all means at the group's disposal. Clear lines of communication, ownership and accountability ensure that victims and their children remain safe.

- **MARAC** (Multi Agency Risk Assessment Conference) responsible for identifying and protecting high risk victims of domestic abuse.

A victim focused information sharing and risk management meeting attended by all key agencies, where high risk cases are discussed. The role of the MARAC is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety. In a single meeting, MARAC combines up to date risk information with a timely assessment of a victim's needs and links those directly to the provision of appropriate services for all those involved in a domestic abuse case: victim, children and perpetrator.

- **iVPD** (interim Vulnerable Persons Database)

iVPD is a Police Scotland database that records information about individuals who are experiencing adverse circumstances or situational vulnerabilities which may impact on their current or future wellbeing, and records incidents where there has been an immediate crisis response required in respect of adult or child protection, domestic abuse, hate crime and youth offending.

Where there is a legal basis to, Police Scotland will share relevant, necessary, justifiable and proportionate information with partners to secure appropriate intervention with statutory requirements and national guidance.

EXECUTIVE SUMMARY

Non Sexual Crimes of Violence (Rate per 10,000 population)

2016/17	2017/18	Change
8.9	7.7	-14%



Violent crime in East Lothian fell from 93 reported incidents in 2016/17 to 81 reported incidents in 2017/18. The detection rate also improved from 78.5% to 90.1%. This included a 100% solvency for Robbery and Assault with Intent to Rob.

Sexual Crime (Rate per 10,000 population)

2016/17	2017/18	Change
15.5	12.8	-17%



Sexual crime in East Lothian fell from 163 reported incidents in 2016/17 to 134 reported incidents in 2017/18. The detection rate was 48.5%. A number of enquiries from 2017/18 remain as live enquiries.

Antisocial Behaviour (Rate per 10,000 population) (Public Reported)

2016/17	2017/18	Change
506.1	516.9	2%



The number of public reported anti-social behaviour calls to the police increased from 5306 in 2016/17 to 5419 in 2017/18. These include calls classified as public nuisance, disturbance, noise, neighbour dispute, vandalism and communications. The biggest rise came from 'communication' related incidents, rising from 655 to 854. There have been slight decreases in reported public nuisance, noise and vandalism related calls.

EXECUTIVE SUMMARY

Racially Aggravated Conduct (Rate per 10,000 population)

2016/17	2017/18	Change
1.3	2.3	77%



Although a significant jump in percentage terms, the number of reported racially aggravated crimes increased from 14 in 2016/17 to 24 in 2017/18. These have been subject to local scrutiny with no clear links between each crime. Only 12 out of 32 Local Authority areas recorded less racially aggravated conduct. Positively, 104.2% of racially aggravated crime (all of those from 2017/18) were solved. This is up from 85.7% the previous year.

Crimes of Dishonesty (Rate per 10,000 population)

2016/17	2017/18	Change
177.1	189.1	7%



Crimes of dishonesty increased from 1857 in 2016/17 to 1983 in 2017/18. An increase in shoplifting contributed significantly to this increase, rising from 478 to 696. A dedicated Shoplifting Team has been introduced to East Lothian as a result, which in part has contributed to the increase through increased reporting and discovery of crimes. Housebreakings to domestic properties has seen an encouraging reduction from 152 to 89.

Domestic Abuse (% of incidents resulting in crime report)

2016/17	2017/18	Change
45.1	42	-3%



Domestic abuse remains a key policing priority, with all incidents subject to rigorous scrutiny to ensure no opportunities are missed to protect victims. Victims will often contact police in relation to domestic related matters, such as child custody concerns and verbal arguments, which may not meet the threshold for them being recorded as crimes.

EXECUTIVE SUMMARY

Domestic Abuse Incidents

2016/17	2017/18	Change
932	930	-0.2%



The overall number of domestic abuse incidents have stayed relatively static over the last two years. This is a crime that cuts across social and demographic groups and is often hidden from public view. It is important that the police and partners remain alert to identifying risk factors and giving victims a voice to speak out.

Road Casualties

2016/17	2017/18	Change
190	223	17%



	2016/17	2017/18	Change
Fatal	2	3	50%
Serious	26	34	31%
Slight	162	186	15%

ACHIEVING PRIORITIES AND OUTCOMES

Non Sexual Crimes of Violence

Prevention

Prevention activity is well established within East Lothian showcasing the excellent partnership working approach that spreads across a wide range of varying activities to improve public safety.

As previously reported, following the report into the death of Bailey Gwynne, and the subsequent recommendations made from it, local community officers were trained in the delivery of the 'No Knives Better Lives' presentation. There has been exceptionally positive feedback with regards this presentation which has been delivered to the majority of secondary schools in the area at both S1 and S3 level, with further talks planned in the near future. The purpose of these sessions is to highlight the personal impact, legal risks and consequences of carrying a knife and since the inception of these presentations there has been several phone calls to the police from schools in relation to such issues.

Currently local officers are working alongside East Lothian Council and Crimestoppers to roll out a new programme called 'Fearless', to give schools more reference materials to deal with matters such as violence and child sexual exploitation, as well as providing a platform to report concerns confidentially.

Intervention

Best Bar None, is a national initiative, supported by partner agencies that reward well run licensed premises. It aims to reduce alcohol related violence and anti-social behaviour.

This year's scheme saw 19 venues participate and collect their awards at a local presentation event at the Brunton Hall, with 12 of those achieving the highest 'Gold' award. One venue was also a finalist in the National Best Bar None awards. The scheme for 2018-2019 will be launched in the coming weeks.

Currently the community officers in the Dunbar area are also starting up a Pubwatch scheme for the town and there are plans to organise an operation between police and partner agencies in relation to complaints made by licensees relating to an increase in the number of fabricated identification documents being used.

The East Lothian Licensing Officer continues to carry out regular visits of all licenced premises in the area to ensure compliance with legislation and to offer advice and support to licensees.

Enforcement

Following a spate of violent incidents in the area, two males involved in Serious and Organised Crime and in possession of offensive weapons, were arrested following an operation by local officers, supported with national resources such as the Air Support Unit, Dog Units, Road Policing and Armed Response officers.

In recent months there have been a couple of incidents within licensed premises in East Lothian which have resulted in the police submitting reports to the Licensing Board. One case was concluded with a written warning, whilst another case which involved underage drinking, operating out with licensing hours and a serious assault taking place, resulted in the Personal Licence Holder having their Personal Licence revoked.

ACHIEVING PRIORITIES AND OUTCOMES

Sexual Crimes

Prevention

The East Lothian based Community Safety Officer is tasked with co-ordinating and delivering prevention activity within East Lothian. This officer has delivered Bystander training to two groups of students from Queen Margaret University and there are plans to do more sessions in October 2018. The aim of these sessions is to reduce violence and sexual crime by challenging attitudes around consent. The Bystander approach encourages people to react to warning signals and to provide them with the confidence and the tactics to intervene. The training revolves around a short film entitled 'Who are you?' and explores many of the issues raised in this. Extremely positive feedback has been received by those who have participated so far and there are plans to expand this training further.

Intervention

East Lothian's two dedicated Youth Community Officers have spent a large amount of time within the primary and secondary schools in both the Musselburgh and Haddington group areas delivering educational inputs to pupils of all ages, ranging from Drugs Education, Child Sexual Exploitation and Alcohol, as well as continuing to support the work of the Risk Factory, a purpose built venue that allows children to learn about safety and crime prevention by involving them in various practical scenarios, in partnership with the Scottish Fire and Rescue Service and East Lothian Council Education Department.

'Fearless', as previously mentioned under Non Sexual Crimes of Violence, will also support and educate children in respect of sexual crime.

A number of protests have recently taken place across East Lothian in respect of Registered Sex Offenders, or those perceived to have that status. We have in depth and establish Multi-Agency Public Protection Arrangements in place.

Enforcement

Within East Lothian we have a dedicated divisional Public Protection Unit with specialist officers providing support and investigation lead. This is further supported by Divisional and National Domestic Investigation Units and Divisional and National Rape Investigation Units. These specialist officers are routinely deployed in East Lothian to support on-going investigations.

ACHIEVING PRIORITIES AND OUTCOMES

Antisocial Behaviour Incidents

Prevention

The East Lothian Multi-Agency Tasking and Coordinating Group continues to meet on a weekly basis comprising of members from Police Scotland, Scottish Fire Service and East Lothian Council Safer Communities Team. This is recognised as a very successful partnership approach that has seen varying issues of antisocial behaviour (ASB) across East Lothian dealt with in an efficient and timeous manner. Individuals involved in repeat antisocial behaviour are discussed at this meeting and relevant legislation will be used to deal with them.

Police Scotland and East Lothian Safer Communities team continue to rigorously monitor antisocial behaviour and the volume of incidents reported both through 101 and also the Antisocial Behaviour Hotline. As seen previously, a Problem Solving Partnerships (PSP) can be instigated where areas of concern are highlighted. Through regular meetings and collaborative working, increased patrols by police officers, youth outreach workers and community wardens can ensure antisocial behaviour is effectively targeted. This has seen success of late in Haddington and Tranent in relation to youth related antisocial behaviour.

Intervention

Both Youth Community Officers (YCO's), in collaboration with the local Community Wardens and Scottish Fire Service, have conducted numerous inputs at both primary and secondary levels in East Lothian, in relation to ASB and the impact it can have on the wider communities. Various topics are discussed using a power point presentation including vandalism, under-age drinking, fire-raising, peer-pressure and the laws and legislation relating to ASB.

YCOs will continue to work with Youth Justice to deliver timely interventions to young people committing acts of ASB. Working with local schools we will respond to any information or intelligence where youths are known to congregate annually to celebrate the end of their exam timetable, to ensure any celebrations take place safely and legally.

Intelligence received in relation to ASB, Drugs and Vandalism from the continuation of the use of 'The Writings on the Wall' leaflet is submitted regularly when received and shared between partner agencies.

Enforcement

Local officers will continue to provide increased patrols to recognised hotspots, as determined by the ASB Tasking Group, and enforcement action will take place in relation to bail or Anti-Social Behaviour Order conditions.

Please also refer to the full report provided by Kenny Black, East Lothian Safer Communities Team Leader for full information.

ACHIEVING PRIORITIES AND OUTCOMES

Racially Aggravated Conduct

Prevention

East Lothian's Community Safety Officer has delivered Third Party Reporting training to staff and student union representatives from Queen Margaret University, and in doing so raised awareness of Hate Crime, what various support mechanisms are in place for victims and how to report incidents using the 3rd Party Reporting site. This was so successful, staff from East Lothian Council Safer Communities Team were also trained. The antisocial behaviour investigation officers and community wardens are at the fore front when dealing with the communities and this training will be a very useful tool in reporting Hate Crime incidents.

Further expansion of the Third Party Reporting network is planned to encourage the victims of this under reported crime to come forward.

Youth Community Officers provide regular inputs to the primary and secondary school pupils in relation to Hate Crime.

Intervention

East Lothian officers were recently joined by their partners from the Scottish Fire Service to take part in the first East Lothian Pride event to raise awareness of LGBT issues. Pride Saltire was held at Cockenzie House and the event saw various stalls and partner agencies coming together to raise awareness and discuss current issues surrounding LGBT.

The East Lothian Safer Communities Officer will be joining forces with East Lothian Council Safer Communities Head Community Warden to be trained to roll out the 'Keep Safe' Initiative alongside 'I am me.' 'I am me' aims to help people with a disability feel safe within their community and is a community partnership charity developed in Renfrewshire. 'Keep Safe' will aim to work alongside local businesses, shops, libraries and cafes who have agreed to keep their premises a 'Keep Safe' environment for persons to go if they feel frightened, distressed or become the victim of a crime whilst out in their community.

Enforcement

A thorough and robust investigation process is in place and all racially aggravated crime is monitored by the Deputy Area Commander for East Lothian. Hate crime is also a standing agenda item on the daily Police Tactical, Tasking and Co-ordinating process, providing governance.

Regular analysis of Hate Incidents is also undertaken in order to tackle any emerging trends and to support any repeat victims identified.

ACHIEVING PRIORITIES AND OUTCOMES

Crimes of Dishonesty

Prevention

Shopwatch in the Preston, Seton and Gosford area remains successful and has been positive in aiding local officers in their detection rates of shoplifting incidents. Other areas currently developing Shopwatch schemes are Dunbar, Musselburgh and Tranent.

East Lothian Community Safety Officer facilitated a Secure By Design training input to East Lothian Council Architectural Services conducted by the National Designing Out Crime Manager. This was an information seminar that aimed to raise awareness of the principles of Crime Prevention Through Environmental Design (CPTED). Numerous crime prevention surveys have also been completed at both commercial and residential properties to raise owner's awareness to their personal and building security.

Also within East Lothian, we are looking to develop a Rural Crime Group,

Intervention

A Reducing Re-Offending Group has recently been established as part of the East Lothian Community Justice Local Outcome Improvement Plan, titled 'Transform'. Two nominals have been highlighted as part of this and a multi-agency approach will be implemented to reduce or prevent these nominals from re-offending.

Operation Monarda is a national campaign which has been supported locally to combat door step crime and has involved local officers working with the Citizen Advice Bureau, Trading Standards, day centres, local banks and pharmacies.

Enforcement

With an increase in the volume of shoplifting in East Lothian, a dedicated team has been established to tackle the problem. Officers have identified crime trends and a number of travelling shoplifting groups have been arrested as a result. Other travelling criminals have also been arrested operating without a pedlars licence following complaints of aggressive door-to-door selling across various towns in East Lothian.

Various other operations have also been running, namely: Operation Hayes – investigating historical and current thefts of push bikes from sheds, garages and outbuildings in the East Lothian; Operation Barrier – a large scale review dedicated to improving detection of low level acquisitive crime and improving the quality of service provided to the public. This included the review of over 5500 crime reports and included the use of proactive and Criminal Investigation Unit resources from across J Division throughout October and November; Christmas Keep Safe Campaign– In East Lothian we supported the Police Scotland 'Xmas Keep Safe' campaign. This is an initiative run in the lead up to the festive season, raising awareness of Shop Safety, Party Safety, Home Safety and Road Safety. The high profile media campaign ran from late November 2017 until after New Year 2018.

ACHIEVING PRIORITIES AND OUTCOMES

Domestic Abuse

Prevention

All operational officers are trained in risk assessment through the domestic abuse questionnaire, and the Domestic Abuse investigation unit lends expertise to deal with complex and high tariff cases.

Disclosure Scheme Domestic Abuse was rolled out nationally on 1 October 2015. Through the scheme people can request a disclosure if they believe their current partner may have an abusive past, or a request can be made on their behalf.

We will be looking to roll out the 'Bystander' training to other organisations throughout East Lothian.

We will continue to support national campaigns such as '16 days against Gender Based Violence' and the white ribbon campaign.

Intervention

MATAC and MARAC meetings are adhered to and attended ensuring victims are given the protection and help they need, and perpetrators are targeted effectively. Specially trained Crime Prevention Officers will be operate as directed by the MARAC, to provide security advice to victims of Domestic Abuse.

iVPD's inform a key part of Risk & Concern management and assessment in conjunction with Partner Agencies, allied to strong national Police Scotland media campaigns.

Enforcement

A thorough and robust investigation process is in place, including reviews of all domestic abuse incidents by supervisors at an early stage, and detailed subsequent comprehensive analysis across a variety of specialist groups and officers, with a view to identifying any missed opportunities and adding rigour to the decision making process of crime types.

In addition, through local tasking and coordination there are pro-active domestic abuse bail checks carried out.

ACHIEVING PRIORITIES AND OUTCOMES

Road Casualties

Prevention

Local roads policing officers and youth community officers will be joining colleagues from ELC Transportation again this year to run the 2morrow's Driver multi-agency event and Roads Policing will also deliver Young Drivers Inputs at Torness to young apprentices.

Other campaigns that local roads policing officers have been involved in are Motorcycle Safety weekends targeting known biker routes including the A198 and A199.

Operation Alternate is also taking place regularly which are multi-agency road checks targeting HGV's, vans and cars and involved the Road Policing department, Driving Standards Agency and other Government agencies.

Intervention

Operation Close Pass began life in the West Midlands and has been adopted by a number of forces across the UK, including Police Scotland. Plain clothes officers on pedal cycles with bike-mounted cameras advise colleagues when they are passed too closely by drivers who are then stopped and given advice and any offences dealt with. The drivers stand on a specially designed mat which allows officers to show them how closely they passed the unmarked bicycle and how much space they should give – at least as much space as you would give a car. Local Roads Policing officers have recently been out covering the A198 at Aberlady as a high proportion of cyclists use this road on a Saturday morning.

A similar initiative, "Lose the Blinkers" has also been run in East Lothian, to educate drivers in relation to safely overtaking and passing horse riders.

Enforcement

Local community officers continue to give attention to parking issues within the respective towns and villages, with particular attention given to areas around schools.

Through monthly Community and Police Partnership meetings various speeding complaints are highlighted by local residents. Community officers trained in the use of the Pro Laser speed guns, in conjunction with Roads Policing colleagues, give these areas attention. Recently, such collaborative working has been seen in Port Seton, Musselburgh, Gifford and Haddington town centre. North Berwick Community officers will be targeting speeding motorbikes on the coastal road in that area.

Other Matters of Note

Police Scotland Youth Volunteers (PSYV)

The Police Scotland Youth Volunteers Programme has been a very successful undertaking, giving young people aged 10 – 18, an insight into policing in Scotland and inspires them to participate positively in their communities. PSYV in Scotland aim to:

- Promote a practical understanding of policing amongst all young people;
- Encourage the spirit of adventure and good citizenship;
- Support local policing priorities through volunteering;
- Give young people a chance to be heard; and
- Inspire young people to participate positively in their communities.

Serious and Organised Crime Groups (SOCG)

The local SOCG officer was invited to work with East Lothian Council's Trading Standards department in relation to Trust a Trader. This involves all trusted tradespersons listed with the council to be police checked, to provide consistency and prevent people connected to SOCGs working in these fields.

Communication Toolkit

As part of a national workstream, 'Local Approaches to Policing', the Lothian and Scottish Borders Division is designing a Communication Toolkit for all Divisions in Scotland. As part of this, there has been an opportunity to review how we engage and communicate with the public and our staff. East Lothian has been selected to develop the use of Social Media and plans are being progressed to ensure availability of technology and training to a wide range of staff in an effort to improve this form of engagement.

Special Constables

East Lothian currently has 12 Special Constables. In 2017/18 those officers contributed 1270 hours towards local policing. A recruitment event was held in November 2017 in Haddington to try and encourage recruitment, and similar events are planned for later in 2018.



7

LOCAL PLAN PERFORMANCE REPORT FOR EAST LoTHIAN



SCOTTISH
FIRE AND RESCUE SERVICE
Working together for a safer Scotland

Performance Report, 2017 - 18

**Working together
for a safer Scotland**



DISCLAIMER

The figures included in this report are provisional and subject to change as a result of quality assurance and review. The statistics quoted are internal management information published in the interests of transparency and openness.

The Scottish government publishes Official Statistics each year which allow for comparisons to be made over longer periods of time.

Please ensure any external partners in receipt of these reports are aware of this.

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Introduction

This performance report provides information on our prevention, protection and operational response activities within the East Lothian for year 2017-18 (1st April 2017 – 31st March 2018).

The Scottish Government provides an overarching vision for public services. This vision supported by 16 National Outcomes, which demonstrate commitment to creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable growth. The Scottish Fire and Rescue Service (SFRS) can make a significant contribution to improving these outcomes for East Lothian by contributing to the Community Planning arrangements across the area.

The national priorities for the SFRS are set out in the Fire and Rescue Framework for Scotland. The SFRS Strategic Plan 2016-2019 outlines how the SFRS will deliver against these priorities and the outcomes against which this delivery can be measured.

The priorities contained within the Local Fire and Rescue Plan for East Lothian 2014-2017 contribute towards the priorities within the East Lothian Plan - Single Outcome Agreement 2013 - 23.

The aims of the local Fire & Rescue Service in East Lothian are to reduce fire deaths and to reduce injuries from fire and other emergencies in the community. We aim to achieve this by working in partnership, being pro-active and targeting our prevention and protection activities to where they are required, based on evidence.

The Local Fire and Rescue Plan for East Lothian 2014-2017 identifies the following five objectives as the main focus for service delivery locally:

- Priority 1. Reduction of Accidental Dwelling Fires,
- Priority 2. Reduction in Fire Casualties and Fatalities,
- Priority 3. Reduction of Deliberate Fire Setting,
- Priority 4. Reduction in Road Traffic Collisions,
- Priority 5. Reduction of Unwanted Fire Alarm Signals.

Area Manager Stephen Gourlay
Local Senior Officer for East Lothian, Midlothian and the Scottish Borders.
stephen.gourlay@firescotland.gov.uk

Performance Summary

We measure how well we are meeting our priorities using 6 key indicators, depicted below

Key performance indicator	Apr to (& incl.) Mar					RAG rating
	2013/14	2014/15	2015/16	2016/17	2017/18	YTD
All accidental dwelling fires	81	73	80	52	68	◆
All fire casualties (fatal & non-fatal (incl. p/c's))	15	12	10	8	14	◆
All deliberate fires excl. dwellings	188	138	194	231	229	●
Special Service - RTCs	48	47	57	50	55	◆
Special Service Casualties - All	66	46	89	73	67	●
False Alarm - UFAs	460	451	466	458	514	◆

RAG rating - KEY

◆	RED DIAMOND	10% higher than the previous YTD period, or local target not achieved.
▲	YELLOW TRIANGLE	Up to 9% higher than the previous YTD period, or local target not achieved.
●	GREEN CIRCLE	Equal to or improved upon the previous equivalent quarter (or YTD period), or local target achieved.

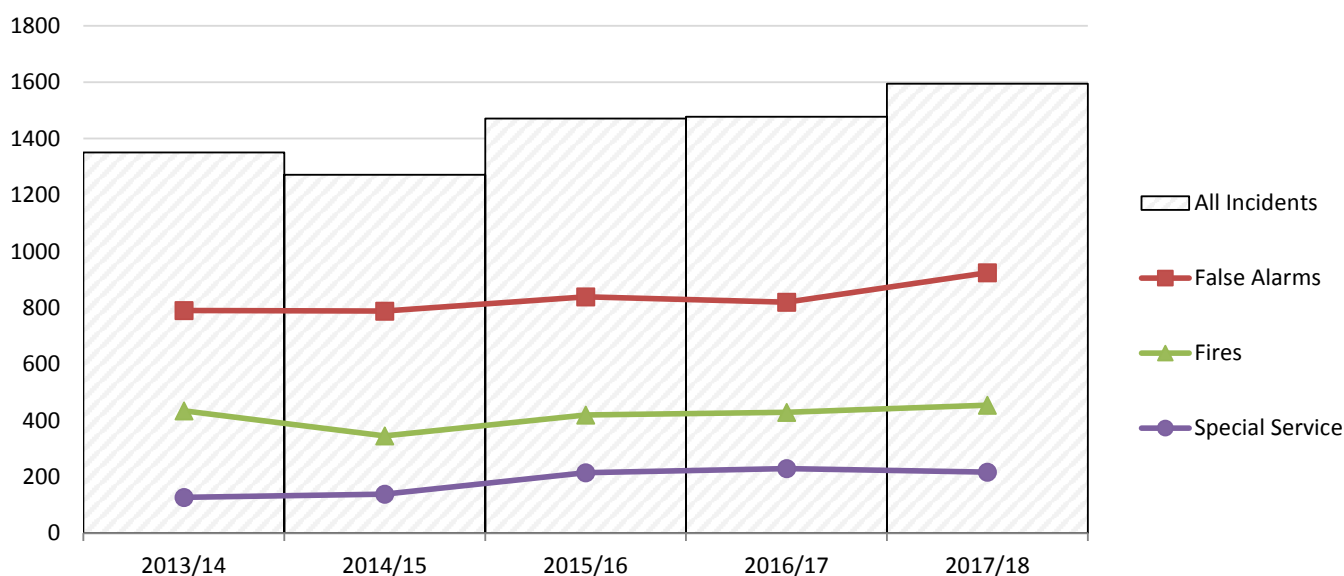
Note

Quarterly comparison RAG Rating = the reporting period compared to the average of the three previous quarterly reporting periods.
 Year to Date RAG Rating = the cumulative total of all quarterly performance in current year compared to cumulative total of all quarterly performance in previous year.

Incident Overview

During this financial year to date, SFRS responded to 1595 incidents in East Lothian, an increase of 118 incidents when compared to last year.

The chart below illustrates incidents YTD attended within East Lothian council over the last 8 fiscal years



Progress on local fire & rescue plan priorities

Local Risk Management and Preparedness

The Service must identify, prioritise and plan to meet the risks in each local community.

We said we would:

- train our staff to deal with our local risks
- gather and analyse risk information
- work with partners to mitigate risks
- deal with major events

Train our staff to deal with our local risks

All of our operational staff undertake routine and risk specific skill acquisition and maintenance training.

Gather and analyse risk information

All of our operational staff gather and analyse local risk information and operational intelligence, used in our preparations to resolve incidents.

We conduct Post Incident Debriefs to identify any lessons that can be learned from our preparedness and response to emergency events.

We use Urgent Operational Intelligence Briefings to inform our operational staff of any safety critical information.

Work with partners to mitigate risks

We continue to be an active member of the East Local Resilience Partnership.

We share information with local authority partners and other key stakeholders (e.g. Police Scotland) to ensure emergency event risks are mitigated.

Deal with major events

There were no major fire events or significant emergency events in this reporting period.

Reduction of 'All accidental dwelling fires'

Accidental dwelling fires can have devastating effects on our community. The SFRS is committed to keeping people safe in their homes. We share information with partners to make sure that the right people get the right information they need, particularly those who are vulnerable due to age, isolation or addiction. Reduction of Accidental Dwelling Fires contributes to the East Lothian Plan - Single Outcome Agreement.

Results

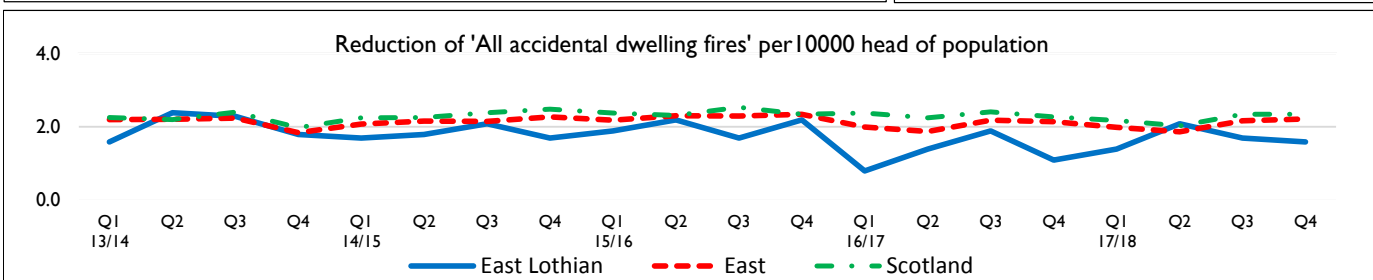
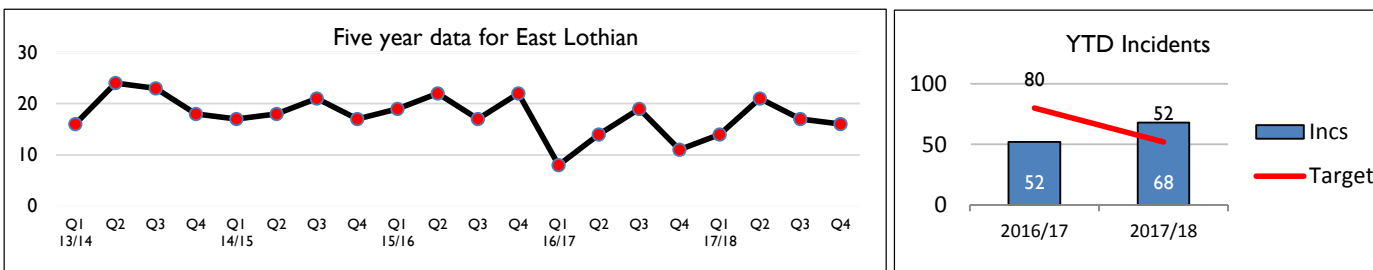
We aim to reduce Accidental Dwelling Fires in East Lothian by contributing towards the SFRS target of 10% reduction per year, over a three-year rolling period. During this period, we responded to 68 Accidental Dwelling Fires, which is an increase of 16 incidents from the same period last year. The long-term trend based upon incidents/10,000 population is below the Scottish and East Delivery Area trends.

Reasons

Of these 68 accidental dwelling fires, 62% occurred in single occupancy households. 50% involved the over 65 age category. The main causes were cooking (50%), careless use of combustible materials (18%). 70% of the reported fires started in the kitchen. 95% of the fires were confined to the room where the fire started. Houses involved have benefited from our SFRS Post Domestic Incident Response procedure. 76% of the houses involved had working smoke detectors. It is clear we need to target those at risk in single occupancy households, ensuring those properties have working smoke detection.

Actions

During this reporting period, 1,060 Home Fire Safety Visits were carried within East Lothian. A number of initiatives and events aimed at reducing accidental dwelling fires were conducted. We have introduced a 'Post Domestic Incident Response' Policy, which provides a framework to ensure that engagement activity is completed in a structured and appropriate manner following incidents. Appendix I provides further details on our prevention activities in relation to this priority.



YTD ward ave. for East Lothian - II	2013/14	2014/15	2015/16	2016/17	2017/18	Sparklines
East Lothian	81	73	80	52	68	
Musselburgh	21	13	19	11	15	
Preston, Seton & Gosford	9	6	11	11	10	
Tranent, Wallyford & Macmerry	16	12	8	9	12	
North Berwick Coastal	8	10	14	11	13	
Haddington & Lammermuir	17	17	18	3	9	
Dunbar & East Linton	10	15	10	7	9	

Reduction of 'All fire casualties (fatal & non-fatal (incl. p/c's))'

Fire casualty and fatality rates provide an indication of the amount of serious, life-threatening injuries that occur due to fire. This can indicate not only the success of SFRS in reducing the number of life risk fires through community fire safety and similar activities, but also their success in response activity in saving lives.

Results

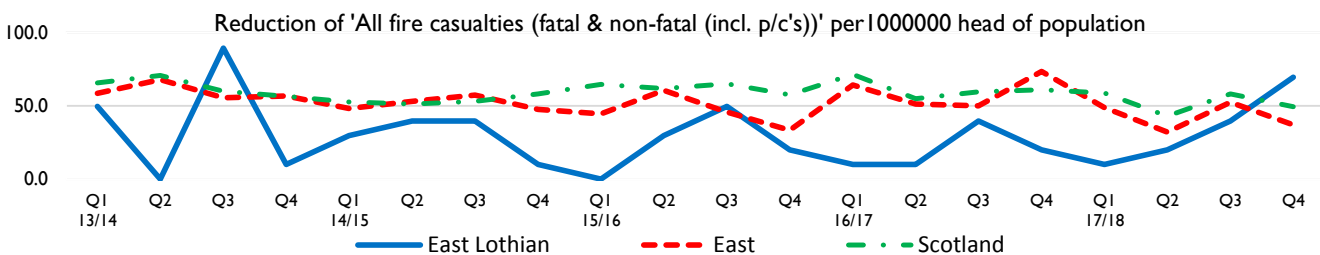
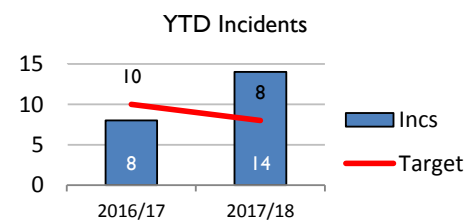
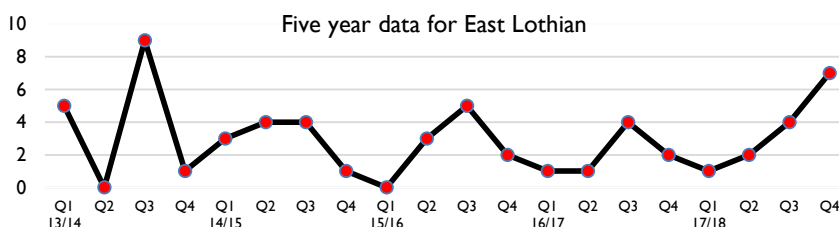
There were 2 reported fire fatalities in February of the reporting period. We aim to reduce Fire Casualties in East Lothian each per year, which contributes towards the SFRS target of reducing Fire Casualties by 5% per year, over a three-year rolling period. In this reporting period, SFRS dealt with 12 casualties due to accidental dwelling fires. This is an increase in comparison to the same period last year. The long-term trend based upon casualties/10,000 population shows East Lothian is higher than the Scottish average and East SDA average.

Reasons

Historically East Lothian has had low numbers of casualties from fires and that trend continued until the last quarter of the year where we had 7 casualties in 3 incidents.

Actions

During this reporting period, 1,060 Home Fire Safety Visits were carried out and over 1,000 smoke detectors were fitted within East Lothian. We continue to work with our partners in East Lothian Council and seek opportunities with social work and NHS to target those most vulnerable and at risk from fire. 142 referrals were received from our partner agencies.



YTD ward ave. for East Lothian - 2	2013/14	2014/15	2015/16	2016/17	2017/18	Sparklines
East Lothian	15	12	10	8	14	
Musselburgh	0	3	4	2	3	
Preston, Seton & Gosford	2	1	0	1	0	
Tranent, Wallyford & Macmerry	4	1	1	0	4	
North Berwick Coastal	0	2	2	3	2	
Haddington & Lammermuir	4	3	2	1	1	
Dunbar & East Linton	5	2	1	1	4	

Reduction of 'All deliberate fires excl. dwellings'

Although deliberate fire setting, historically, has not a significant problem for the SFRS in East Lothian there has been an increase in recent years and is closely linked to other forms of anti-social behaviour. In the main, deliberate fires are secondary fires categorised into refuse/bins, grassland or derelict buildings incidents. Reduction of Deliberate Fire Setting contributes to the East Lothian Plan Single Outcome Agreement.

Results

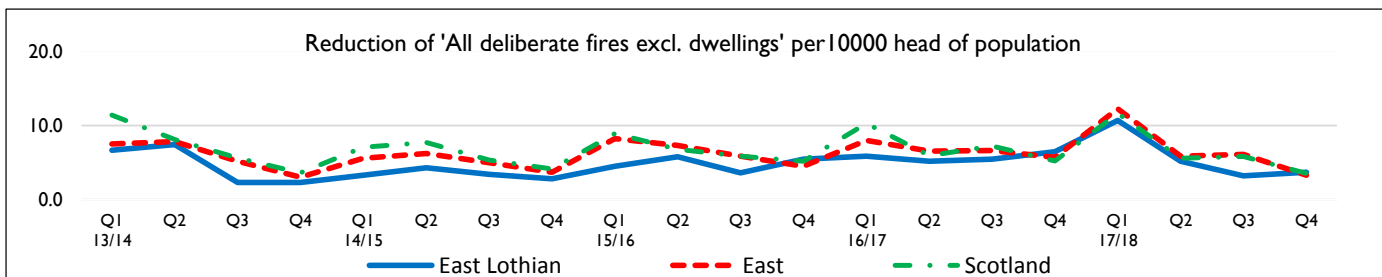
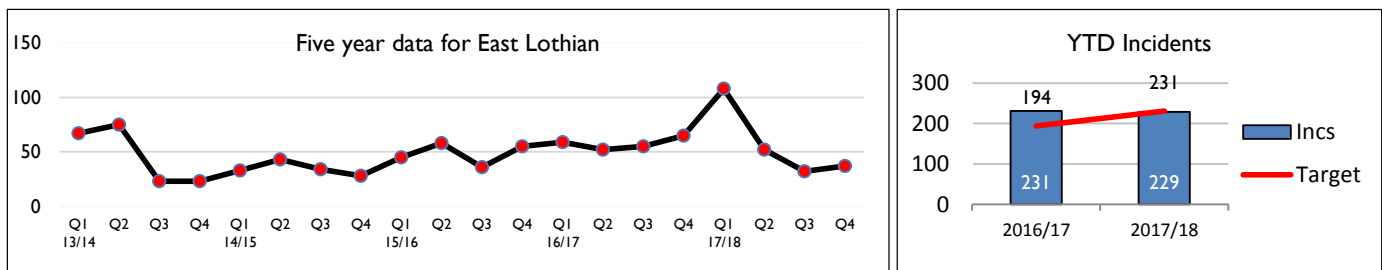
There were 229 deliberate fires during this reporting period and is a decrease of 2 on the same period last year. The areas mostly likely to suffer from this type of fire behaviour are Prestonpans, Tranent and Musselburgh. The long-term trend based upon Deliberate Fire Setting /10,000 population identifies East Lothian is in line with the Scottish and East Service Delivery area average.

Reasons

During the reporting period, deliberate ignition to scrubland/woodland accounted for 76% of deliberate fires with 15% to refuse and bins in East Lothian, with 3% attributed to deliberate building fires and 6% vehicle fires. The majority of incidents occurred in Prestonpans and Tranent, however there has been a sharp increase in the Haddington area.

Actions

A multi-agency approach was taken when the incident trend was identified through the TACG. There has been a coordinated approach to the identified trend areas and intervention work has been undertaken with youth groups in Tranent and Preston Pans. Further information is available in Appendix I.



YTD ward ave. for East Lothian - 38	2013/14	2014/15	2015/16	2016/17	2017/18	Sparklines
East Lothian	188	138	194	231	229	
Musselburgh	50	39	50	37	41	
Preston, Seton & Gosford	40	23	40	71	51	
Tranent, Wallyford & Macmerry	62	55	59	79	70	
North Berwick Coastal	2	3	7	10	2	
Haddington & Lammermuir	19	12	23	23	39	
Dunbar & East Linton	15	6	15	11	26	

Reduction of 'Special Service - RTCs'

Whilst much of this risk is out with the control of SFRS alone, responding to Non-Fire Emergencies such as Road Traffic Collisions is a key part of our intervention activities. The SFRS is committed to working with partners and other stakeholders to drive continuous improvement in this area. Reduction of Casualties from Non-Fire Emergencies contributes to the East Lothian Plan Single Outcome Agreement, number of people killed or seriously injured in road accidents.

Results

SFRS attended 55 Road Traffic Collisions (RTCs) during this reporting period. This is a decrease of 5 incidents from the same period last year. Per 10,000 head of population, East Lothian is slightly above the Scottish and East Service Delivery area trend.

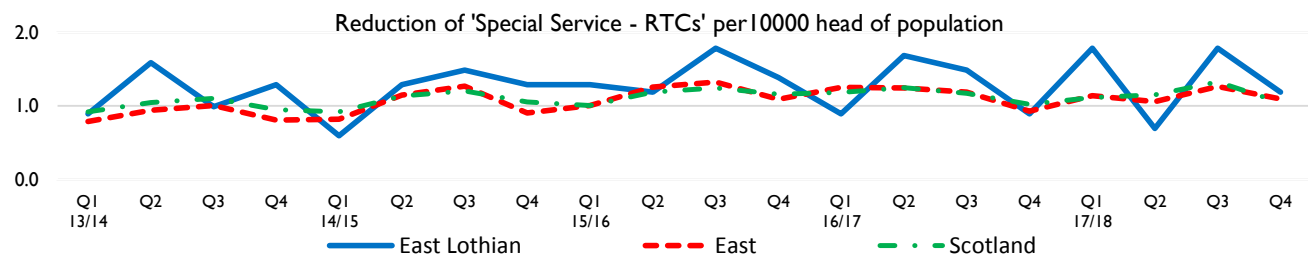
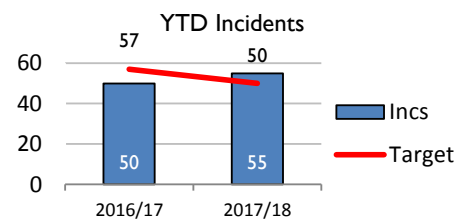
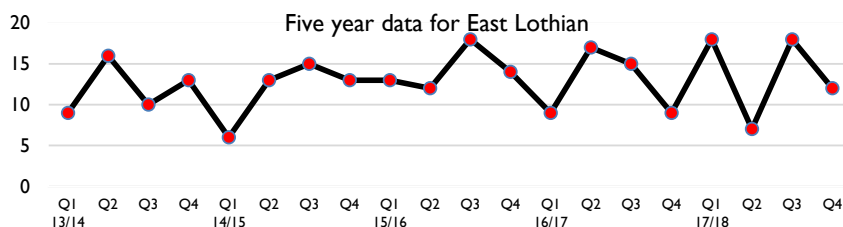
Reasons

The SFRS only attend those RTC's they are requested to attend and this number does not reflect the total number within East Lothian.

Actions

The SFRS continues to be a member of a multi-agency approach to reducing Road Traffic Collision's and the associated casualties and fatalities. The continued delivery of Tomorrow's Driver programme targeting young people is an excellent partnership approach in our drive to reduce road traffic collisions.

We continue to seek opportunities to educate local communities in support of reducing the number of RTCs and resulting casualties.



YTD ward ave. for East Lothian - 9	2013/14	2014/15	2015/16	2016/17	2017/18	Sparklines
East Lothian	48	47	57	50	55	
Musselburgh	7	11	14	12	7	
Preston, Seton & Gosford	7	6	8	2	6	
Tranent, Wallyford & Macmerry	8	15	12	8	13	
North Berwick Coastal	9	1	4	11	9	
Haddington & Lammermuir	7	5	4	9	11	
Dunbar & East Linton	10	9	15	8	9	

Reduction of 'Special Service Casualties - All'

Whilst much of this risk is out with the control of SFRS alone, responding to Non-Fire Emergencies is a key part of our intervention activities. The SFRS is committed to working with partners and other stakeholders to drive continuous improvement in this area. Reduction of Casualties from Non-Fire Emergencies contributes to the East Lothian Plan Single Outcome Agreement.

Results

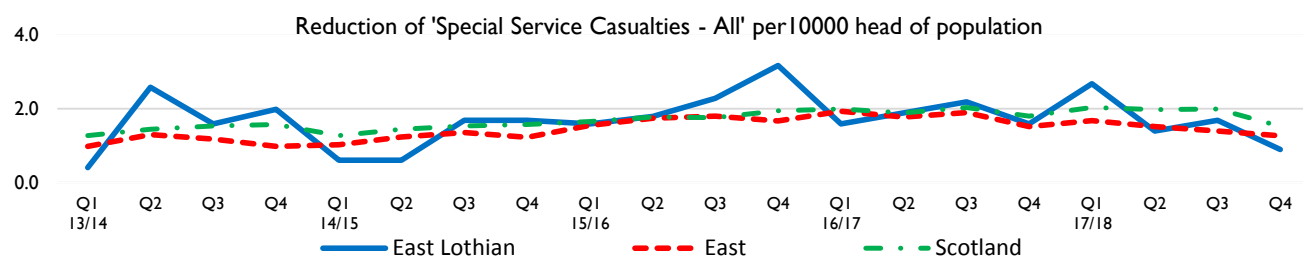
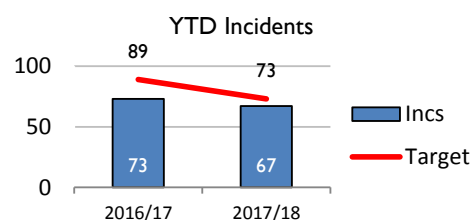
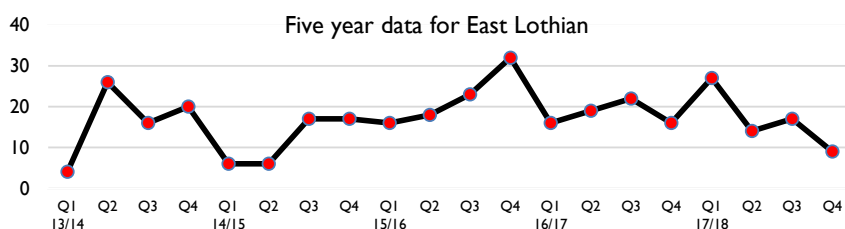
We attended to 67 casualties from non-fire emergencies in East Lothian, which is a decrease of 6 compared with 2016/17. The trend per 10,000 head of population is below the average of the Scottish and East service delivery areas.

Reasons

We attended RTCs that resulted in 1 fatality and 31 casualties in East Lothian. SFRS helped 35 other casualties in a range of incidents including medical response, effecting entry, rescue from water and hazardous material incidents. As the SFRS continue to assist with medical emergencies as co or first responders, the number of events is likely to increase.

Actions

The SFRS is a member of a multi-agency approach to reducing Road Traffic Collision's and the associated casualties and fatalities. The continued delivery of Tomorrow's Driver programme targeting young people is an excellent partnership approach to reducing road traffic collisions. We continue our full commitment to the Scottish Government Strategy relating to Out of Hospital Cardiac Arrest (OHCA) and significantly increasing survivability rates through co responding and education. We will also continue to respond to the communities needs in terms of other non-fire emergencies.



YTD ward ave. for East Lothian - II	2013/14	2014/15	2015/16	2016/17	2017/18	Sparklines
East Lothian	66	46	89	73	67	
Musselburgh	11	13	22	21	18	
Preston, Seton & Gosford	3	4	20	12	6	
Tranent, Wallyford & Macmerry	2	11	7	15	8	
North Berwick Coastal	9	3	17	11	10	
Haddington & Lammermuir	16	10	7	6	12	
Dunbar & East Linton	25	5	16	8	13	

Reduction of 'False Alarm - UFAs'

Unwanted Fire Alarm Signals (UFAS) are defined as incidents where an automated fire alarm system activates and results in the mobilisation of SFRS resources, when the reason for that alarm turns out to be connected with faulty or defective alarm equipment. The SFRS is committed to working with partners and other stakeholders to reduce Unwanted Fire Alarm Signals.

Results

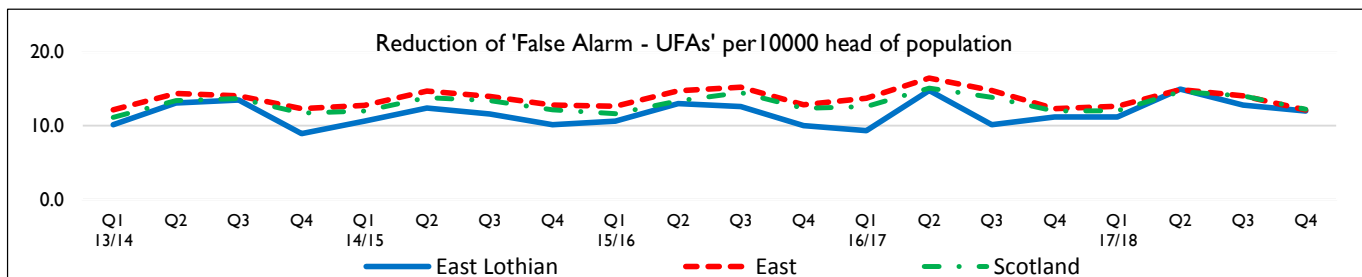
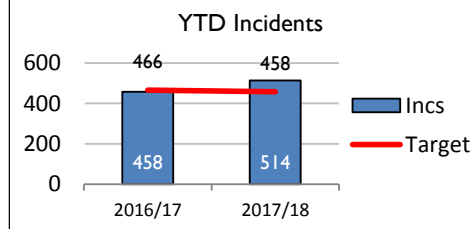
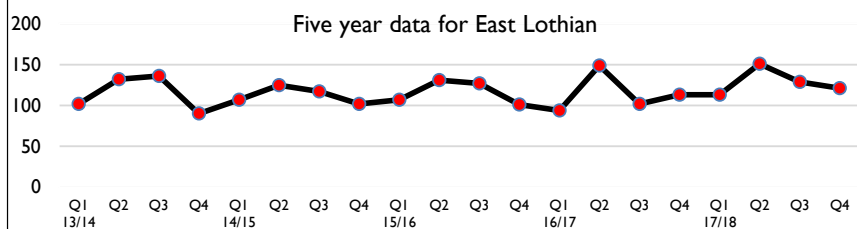
SFRS attended 514 UFAS incidents during this reporting period. In comparison to last year, this is an increase of 56 incidents. East Lothian trend is in line with that of Scotland and the East Service Delivery area.

Reasons

Of the 514 Unwanted Fire Alarm Signals incidents we attended, 92% were caused by system and human errors (Testing, faults, cooking/burnt toast, aerosols etc.), 5% were good intent calls and 3% were malicious.

Actions

We continue to monitor UFAS calls and our Fire Safety Enforcement Officers work closely with premises to reduce further UFAS incidents. This includes discussing technological, procedural and management solutions in order to prevent future UFAS incidents. These proactive actions are clearly having a positive impact in reducing the number of calls to premises.



YTD ward ave. for East Lothian - 86	2013/14	2014/15	2015/16	2016/17	2017/18	Sparklines
East Lothian	460	451	466	458	514	
Musselburgh	155	149	154	139	140	
Preston, Seton & Gosford	46	39	44	33	59	
Tranent, Wallyford & Macmerry	49	56	65	87	86	
North Berwick Coastal	72	57	72	75	68	
Haddington & Lammermuir	69	97	89	67	119	
Dunbar & East Linton	69	53	42	57	42	

Prevention & Protection Activities

Year to date April 1st 2017 – March 31st 2018

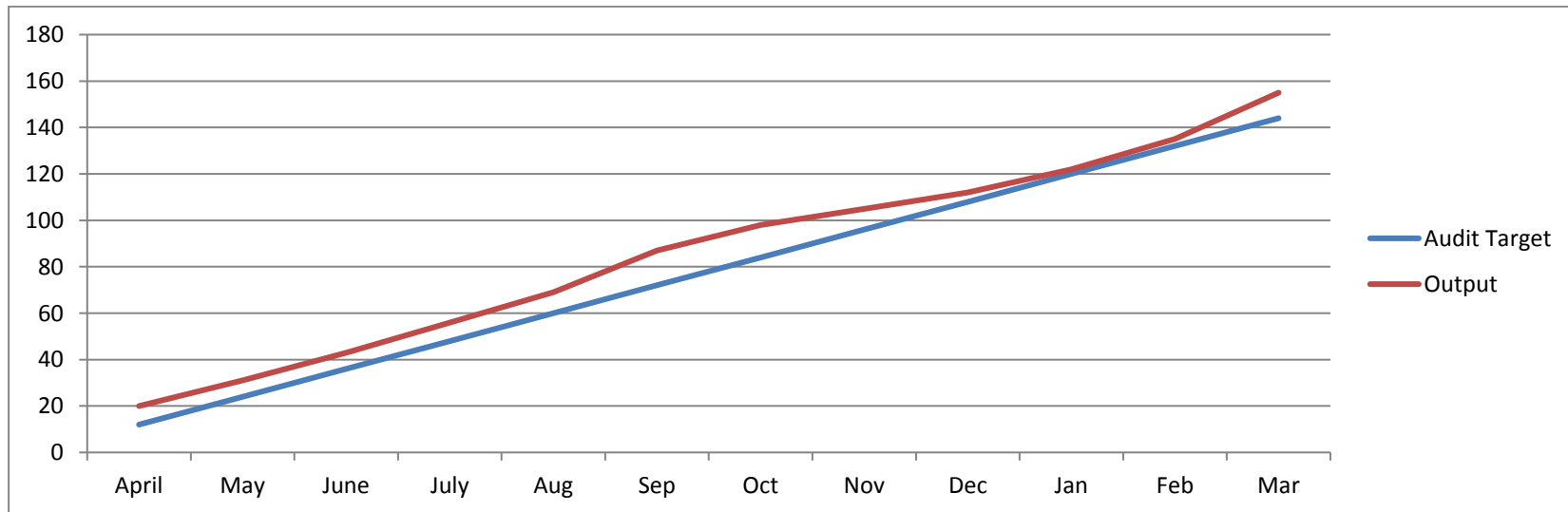
The information presented relates to quarters 3&4 of this reporting year, whilst some information provides annual totals.

8

Fire Safety Enforcement Audits

The figures represent the audit workloads delivered by the East Lothian Fire Safety Enforcement Officer (FSEO). Following the Scottish Fire and Rescue Service (SFRS) Enforcement Framework, local deployment ensures compliance for relevant premises in terms of the Fire Scotland Act (2005) and associated Fire Safety Regulations. End of year audits are above target which is pleasing to report. There have been fluctuations in output throughout the year, however, this has had no detrimental impact on our targets and priorities. The audit work is continuing with East Lothian Schools as part of a reduction plan for unwanted fire alarm signals.

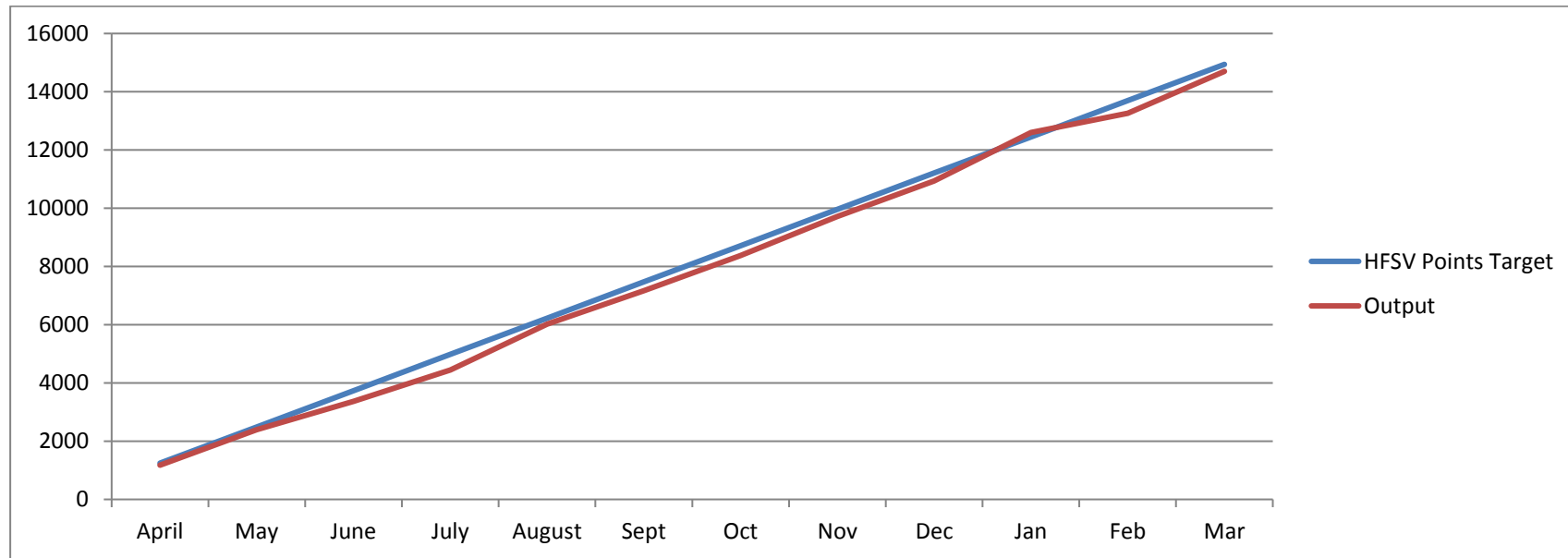
	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Total
Target:	12	24	36	48	60	72	84	96	108	120	132	144	144
Completed:	20	31	43	56	69	87	98	105	112	122	135	155	155



Home Fire Safety Visits

The delivery of Home Fire Safety Visits (HFSVs) is the corner stone of the SFRS Community Safety Engagement Framework. By visiting households and providing fire safety advice and free smoke alarms the numbers of dwelling fires and casualties will be reduced. To target the highest risk households across East Lothian, a points allocation based on risk and an associated target has been set (24 points per high, 8 per medium, 4 per low risk visit). This will ensure valuable resources are put to use with greatest effect and it is noted that the output is slightly below the SFRS ambition target. During 2017/18, **1008** HFSVs were carried out. Just over **1000** free smoke alarms have been fitted during this period.

	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Total
Target	1245	2490	3735	4980	6225	7470	8715	9960	11205	12450	13695	14940	14940
Completed	1176	2392	3364	4444	6020	7172	8380	9720	10936	12596	13256	14700	14700



Total visits delivered, April 2017 to March 2018 by ward area of East Lothian:

The following table gives a good indication of the coverage across East Lothian where the SFRS delivers Home Fire Safety Visits.

Ward Area	Visits delivered YTD 2017/18
Dunbar and East Linton	94
Preston/Seton/Gosford	189
Tranent, Wallyford & Macmerry	209
North Berwick Coastal	135
Haddington & Lammermuir	53
Musselburgh	380
TOTAL	1060

Partnership Working

Youth Engagement

During this Quarter (3&4) the Community Action Team (CAT) have supported and engaged with the following youth engagement programmes. The CAT supports activities and initiatives across the Local Senior Officer (LSO) area and beyond working as a team where and when resources and support is required, locally and nationally.

- East Lothian Crucial Crew
- Polmont Young Offenders Course.
- Midlothian Tomorrows Driver.
- Drivewise initiative.
- Risk Factory (Edinburgh, CAT provided 3 weeks of cover during reporting period
- Our East Lothian Community Firefighter (CFF) attended the Police Youth Group. This is an East Lothian based youth engagement course led by Police Scotland. The CFF attends once a term.
- The CAT facilitated 5 Firesetters Interventions during reporting period.

Vulnerable Adults

We continue to support partners in reducing risk to those individual most at risk. Our referral pathways are well established, assisting with identifying vulnerable persons.

- East Lothian local crews' generated 13 Adult Protection referrals during this reporting period (AP1).
- Our Community Firefighter has completed 18 home safety visits to vulnerable adults.
- The Local Authority Liaison Officer (LALO) continues to attend and provide information relevant to fire for the monthly Multi Agency Risk Conference (MARAC).

Home Safety Visit Referrals

The referral process is reciprocated from our partners, who regularly identify and sign post persons who are at greater risk of fire and would benefit from a HFSV.

Referrals from partner agencies total;

- East Lothian Community Access Team = 71
- Beild Housing = 2
- Red Cross = 6
- Care & Repair = 4
- NHS = 5
- Police Scotland = 2
- Living Safely in the Home (LSITH) pilot project has generated 49 referrals to the East Lothian Falls team.
- DAAS = 1
- Deaf Action = 1

Other Work Completed or In Progress

The following detailed below is further work the Community Action Team (CAT) have completed or is in progress.

- The CAT continues to support both Wholetime and Retained Duty System Fire Stations within the East Lothian area with the Seasonal Thematic Action Plans.
- The LALO is participating in Problem Solving Partnerships for Brunton Hall Musselburgh. Prestonpans and Haddington PSP's have now closed due to a reduction in ASB and fire related ASB.
- SFRS staff continue to attend the weekly TACG meetings in East Lothian.
- As part of a partnership approach, we once again delivered a Home Fire Safety presentation as part of the Adult Support & Protection Level 2 training day at Brunton Hall for key staff from East and Midlothian.
- Our Community Action Team attended a Fireskills Awareness Briefing Session delivered by the SFRS Strategic Youth Engagement Officer.
- East Lothian Community Firefighter (CFF) attended Tranent Housing department open day to engage with staff and tenants.



COMMUNITY FIRE AND RESCUE PLAN FOR EAST LoTHIAN 2018

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Introduction

Welcome to the Scottish Fire and Rescue Service (SFRS) East Lothian Community Fire and Rescue Plan. This Plan has been developed to support the delivery of agreed local outcomes for the people of East Lothian in conjunction with the national priorities contained within the SFRS Strategic Plan 2016- 2019. Our ambition is to work in partnership to improve community safety and enhance the well-being of those living in East Lothian whilst tackling issues of social inequality. This Plan will set out our priorities in order to support this ambition.

This Plan recognises what we have delivered in the past but looks forward to what we aim to achieve over the next three years and beyond. The safety of our communities is at the heart of everything we do, whether it is responding to emergencies or providing preventative advice and measures. The Plan will highlight our resources in East Lothian, the changing risks to local communities, and how we aim to deliver our services to meet all the challenges we face.

As a public service and a statutory member of East Lothian Community Planning Partnership, we recognise that to be effective and efficient, we must work closely with our partners in order to identify and provide for those most at risk. By working this way, we will look to reduce duplication, share resources and information and make improvements. We will actively contribute to the shared Intent, Vision and Themes set out in the *East Lothian Plan* and it is our intention that the Community Fire and Rescue Plan is viewed as an extension of this Plan.

Whilst we will continue to prepare for, and respond to incidents such as fires and road traffic collisions, we must also ensure we are ready to deal with the changing risks society face, including an ageing population, the effects of climate change on the environment, and terrorism. This change in how and what we respond to has already been experienced in East Lothian with local crews responding to Out of Hospital Cardiac Arrests (OHCA), as a pilot project, in support of our Scottish Ambulance Service (SAS) colleagues. A separate initiative in East Lothian has seen our Home Safety Visits evolve into a more holistic approach, taking into account the risk of slips, trips and falls in the home as well as identifying those at risk from fuel poverty and other vulnerabilities. As we move forward, we will look to build on these innovative approaches whilst ensuring our staff are trained, equipped and located appropriately to respond to emergencies, promote prevention, and protect communities.

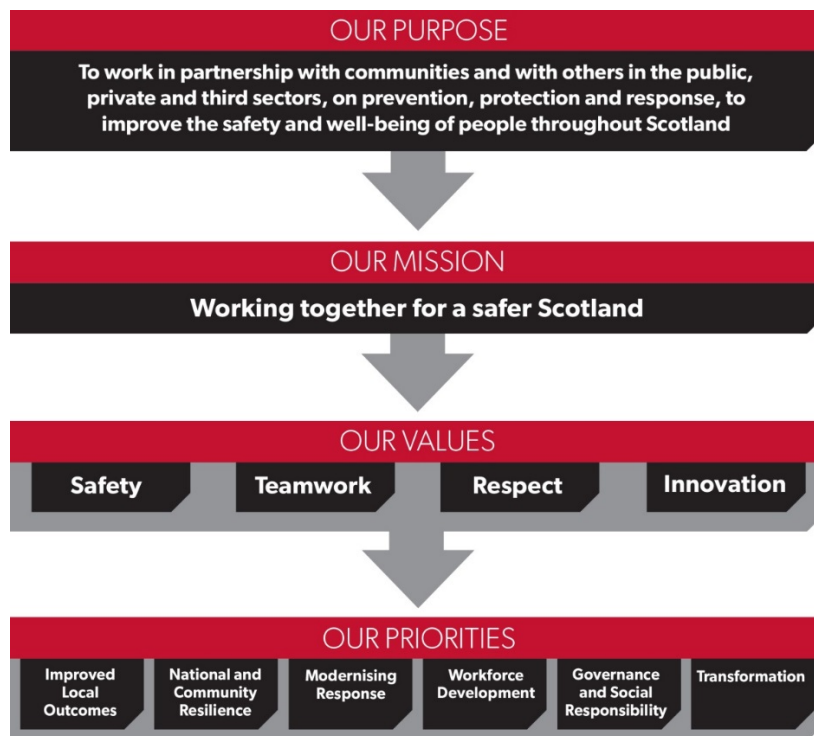
As the SFRS evolves, we will continue to play a key part in public service reform and explore new opportunities to broaden our role within society to ensure as a modern Fire and Rescue Service, we provide the appropriate protection for the communities of East Lothian.

Steve Gourlay
Local Senior Officer
East Lothian, Midlothian and Scottish Borders

National Context

Scottish Ministers set out their specific expectations for the Scottish Fire and Rescue Service in the Fire and Rescue Framework for Scotland 2016. This provides the outline we should follow to ensure our resources and activities are aligned with the Scottish Government's Purpose and national outcomes.

Our Strategic Plan 2016-19 has been designed to meet these national expectations. Set against a complex and evolving backdrop our Strategic Plan encapsulates our mission, values and strategic priorities.

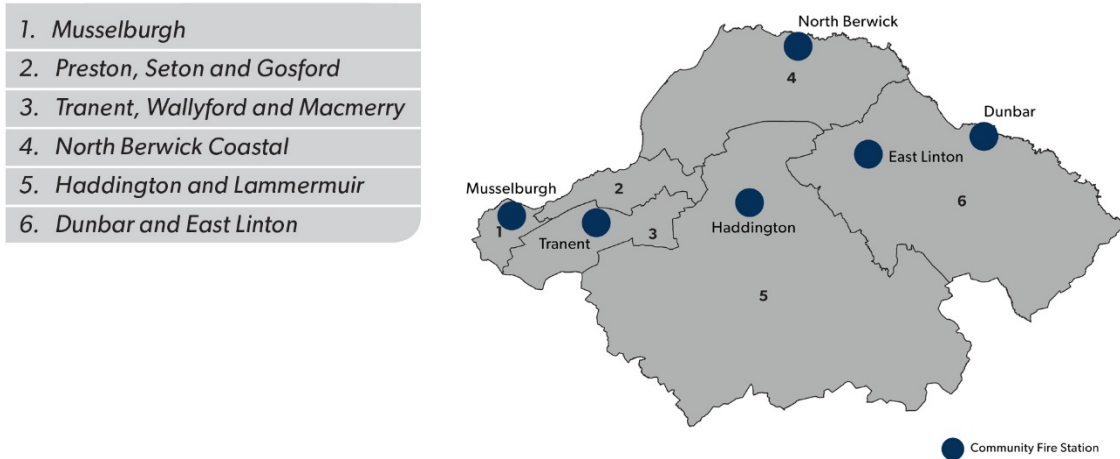


These have been shaped with due regard to the challenges we face and to what we need to achieve to be a highly effective, sustainable public service. Operating within a climate of significant financial uncertainty and public service reform means we need to transform how we operate. This will particularly include how we prepare for and respond to changing societal needs, the impact of climate change and the threat of terrorism.

Strong leadership, supported by sound governance and management arrangements are at the very core of our foundations. These arrangements will direct and provide assurance that we comply with our statutory responsibilities. In addition, they will provide Local Senior Officers with supporting mechanisms to deliver services specifically tailored to local needs.

Local Context

East Lothian has a population of just over 104,000 people who reside within areas ranging from major towns such as Musselburgh and Haddington to single dwellings in remote rural locations. The diagram below outlines the electoral ward boundaries whilst highlighting the locations of our six Community Fire Stations.



Over the past five years, the SFRS responded to 6786 incidents within East Lothian. The Key Performance Indicator table below details our operational response over the same period by incident type.

Key performance indicator	2012/13	2013/14	2014/15	2015/16	2016/17
Dwelling fires	96	81	73	80	52
All fire casualties and fatalities	17	15	12	10	8
All deliberate fires excl. dwellings	143	188	138	194	229
Special Service - RTCs	29	48	47	57	50
Unwanted Fire Alarm Signals	439	460	451	466	457

Reducing Dwelling Fires, Fire Casualties and Fatalities will continue to be at the heart of our prevention activities, over the last two decades, similar to the rest of the UK, we have seen a gradual decrease in the amount of dwelling fires we attend. Dwelling Fires accounted for around 4% of our operational activity, whilst fire casualties have averaged around 12 over the last five years, sadly including three fire fatalities over that period.

Prevention will continue to be a core activity for SFRS staff in East Lothian. Our Home Fire Safety programme, which commenced over 10 years ago has proved successful in terms of reducing dwelling fires and associated casualties whilst providing thousands of homes with early warning smoke detection. Over 1000 Home Fire Safety Visits (HFSV) are completed every year in East Lothian by operational crews or dedicated community safety staff.

Our Living safely in the Home Pilot has proved to be very successful and we will look to build on this whilst adapting how we deliver home safety visits. Our visits will become more holistic and take into account a range of risks in the home including, slips, trips and falls, fuel poverty, frailty and dementia amongst other vulnerabilities.

Deliberate fires (not including dwellings) are often, but not always, of a malicious nature. Deliberate fires accounted for approximately 16% of our operational activity over the last five years and typically involved refuse, grass, wood and scrubland. Increases in this type of incident activity are generally seasonal and often linked to anti-social behaviour. Deliberate fires of a malicious nature place an unnecessary demand on SFRS and partner resources and often affecting communities socially and economically.

Responding to Road Traffic Collisions (RTC's) has, unfortunately, become an increasing part of our operational activity over the past five years. In general terms we have seen a year on year increase, culminating in a 42% increase in the amount of RTC's we attend in East Lothian, ultimately resulting in more road fatalities and injuries.

The term "Special Service" is used to describe non-fire related incidents and includes RTC's, Flooding, and Out of Hospital Cardiac Arrests (OHCA) Water Rescue and Hazardous Materials incidents amongst others. Throughout the last 15-20 years, Fire and Rescue Services across the UK have seen a significant increase in attendance at these types of incident whilst domestic property fires decrease. During 2016-17, Special Service incidents accounted for 16% of all emergency calls in East Lothian.

Recent history demonstrates that severe wet weather and subsequent flooding is a risk for particular parts of East Lothian and this will remain a focus of our emergency response capability, particularly for our Water Rescue and Flood Response teams. When required we will also work in partnership with East Lothian Council Emergency Planning and other service providers either as an emergency response or in a preventative capacity.

Due to the location and skills sets of our community-based resources, and the remote nature of much of East Lothian, we have been able to provide assistance to our partners, such as Police Scotland and the SAS, on an increasing basis and for a variety of reasons including medical co- response, effecting entry and professional advice. East Lothian has been at the forefront of change and innovation with Musselburgh Community Fire Station being selected out of an initial ten across Scotland to take part in a pilot which has seen SFRS crews responding to OHCA's in support of SAS colleagues. By assisting our SAS colleagues we aim to not only increase an individual's chances of survival but also improve their longer term recovery outcomes.

Unwanted Fire Alarm Signals (UFAS) have accounted for over 33% of our operational incidents in East Lothian over the last five years. Similar to other operational activities, this type of incident demand is not unique to East Lothian, with the UK as a whole facing challenges in relation to reducing UFAS. With disruption to local businesses, schools, healthcare facilities and others, these unwanted calls can have a significant impact across the East Lothian area. Following national policy and using local initiatives we will continue to prioritise the reduction of UFAS whilst engaging with key stakeholders, partners and those with responsibilities for the premises involved.

Our six Community Fire Stations include one Wholetime station at Musselburgh with the remaining five being Retained Duty System (RDS) stations in Tranent, Haddington, East Linton, North Berwick and Dunbar. Wholetime stations are permanently staffed 24/7 throughout the year whilst our RDS staff operate on an "on call" basis and are alerted by pager for emergency calls.

Frontline staff are supported by a team of local and national officers from the Training and Employee Development (TED) directorate. The local TED officers are based at Haddington Community Fire Station and provide dedicated support to operational crews in terms of acquiring new skills, maintaining existing skills and ensuring role competency.

Preventions and Protection (P&P) officers are located at Haddington and Musselburgh. They consist of Fire Safety Enforcement officers who deal with legislative matters including the auditing of relevant premises and officers who carry out a community engagement role through a diverse and wide reaching range of prevention activities. In addition to this, a SFRS Local Area Liaison Officer acts as a coordinator for engagement activities whilst liaising with external partners.

An Area Manager, or Local Senior Officer (LSO), has overall responsibility for discharging the functions of the SFRS within East Lothian. Day to day management of resources is devolved to the East Lothian Group Manager (GM) and Station Manager (SM) responsible for Service Delivery. The Senior Management team also consists of a further GM and two SM's who have responsibility for P&P and TED across the LSO area of Midlothian, East Lothian and the Scottish Borders.

Working in Partnership to achieve better outcomes for the people of East Lothian

This Plan and its priorities reflect a partnership approach whilst sharing the vision and themes that will lead to improved outcomes for the communities of East Lothian. The examples below highlight some of the ways in which we aim to contribute to the East Lothian Plan 2017-27. The list is not exhaustive and we will continue to look for innovative ways to help improve outcomes.

East Lothian Priority Themes	How we plan to contribute
<p>Community-Minded - East Lothian has strong, resilient communities where people respect and support each other.</p>	<ul style="list-style-type: none"> • By consolidation and where possible, development of existing youth engagement initiatives such as the Cooldown programme. By participating in these programmes, younger people will acquire new skills, practical and theoretical, learn to work within a team and build self-confidence. The programme will promote better citizenship whilst potentially improving opportunities for employment. • In partnership with Police and other partners we will prioritise the reduction of anti-social related Deliberate Fire Setting (excluding Dwellings) through a range of prevention, intervention and diversionary activities. • In partnership we will provide opportunities for young people in East Lothian.
<p>Prosperous - Local businesses are thriving and the business base is expanding.</p>	<ul style="list-style-type: none"> • We will continue to raise the profile of the Retained Duty System in East Lothian to attract local workers as firefighters on a part – time basis. • Reduce the impact of Unwanted Fire Alarm Signals on local businesses and education establishments.

Fair - People in East Lothian are healthy.

- We will provide a range of preventative advice and measures through holistic Home Safety Visits with the aim of keeping people safe in their homes.
- As an active member of Public Protection we will carry out a range of preventative and intervention measures. This will include addressing social issues such as, reducing Domestic Abuse, identifying those at risk from Drugs and Alcohol, Fuel Poverty, Frailty and Dementia.
- Our holistic Home Safety programme will aim to reduce Unintentional Harm in the home within the 65 + year old age group. By reducing slips, trips and falls in the home we can contribute to older people living independently whilst alleviating financial and resource pressures on our Health and Social Care partners.
- Our holistic Home Safety Programme will aim to reduce Unintentional Harm in the home within the under 5-year-old age group.
- We will explore opportunities to work closer with our Health and Social Care colleagues in order to reach those most vulnerable in our communities whilst contributing to longer term health outcomes.
- We will continue to respond with fire appliances carrying defibrillators.
- We will continue to encourage the use of our community fire stations by partners and community groups.

Local Priorities

As part of a Community Partnership approach, we will make people safer in their homes

Traditionally, the Fire and Rescue Service have focussed on reducing the risk of fire in the home through advice and providing domestic smoke detection. We will never lose sight of this crucial element of our work in the community however we recognise that we can also contribute to safety in other ways. Unintentional Harm in the home, however minor, can have far-reaching and long-term effects on individuals, families and service providers.

With people living longer, risks in the home have evolved and whilst we have reduced the number of dwelling fires and associated casualties, the amount of persons suffering a fall in their home requiring medical attention has increased. Evidence suggests that young children, particularly under 5's are at risk from Unintentional Harm ranging from choking to trapping fingers in doors. Other vulnerabilities include conditions or dependences such as Dementia, Frailty, Drugs and Alcohol and Fuel Poverty.

By adapting our approach to home safety and assessing risk holistically, in partnership our aim is to reduce a wide range of Unintentional Harm in the home extending beyond fire. This can be achieved by preventative advice, physical measures or referral to the SFRS or an appropriate partner agency.

This priority also supports the East Lothian Plan 2017-27.

We will achieve it by:

- *Providing a highly skilled, well trained and appropriate Firefighting response*
- *In partnership, proactively identifying those most at risk from Unintentional Harm in the home*
- *Conducting holistic Home Safety Visits that assess a range of risks within the home including fire, slips, trips and fall and other vulnerabilities*
- *Exchanging risk information with partners including referrals.*

We will monitor progress by:

- *Reviewing and reporting the number of accidental dwelling fires and associated casualties and fatalities*
- *Reviewing and reporting the number of Home Safety Visits conducted and smoke detectors fitted/issued*
- *Reviewing and reporting the number of Home Safety Visits that have provided advice or measures with the aim of reducing unintentional harm and injury in the home*
- *Reviewing and reporting how many occasions we have referred and received partner referrals for persons vulnerable to Unintentional Harm and injury in the home.*

Expected Outcomes:

- *Support the independent living of vulnerable people within East Lothian*
- *Reduce the social and economic cost of Unintentional Harm in the home including fires and slips, trips and falls.*

We will promote Community Resilience whilst contributing to improved outcomes for people involved in non-fire emergencies

“Special Service” is the Fire and Rescue Service term given to non-fire related emergencies/incidents including, Road Traffic Collisions (RTCs), Rescue from Water, Flooding, Height, Confined Space, Structural Collapse, Hazardous Material incidents and Out of Hospital Cardiac Arrest (OHCA) co-response with the Scottish Ambulance Service. Unfortunately, when incidents of this type occur they often involve casualties and sometimes fatalities.

East Lothian has a diverse range of Special Service risks including busy A and B class roads that are used regularly by commuters and tourists, Torness Power Station and many commercial businesses.

On average, 16% of all SFRS incidents each year in East Lothian are Special Service calls. As the SFRS explore opportunities for assisting our partners through emergency intervention there is a potential for associated casualty figures to continue to rise as we attend more Special Service incidents.

We will look to improve existing preventative strategies with Community Partners whilst ensuring that should we need to provide emergency response, we can do, effectively and efficiently, in order to improve outcomes for all Special Service Casualties.

This priority also supports the East Lothian Plan 2017-27.

We will achieve it by:

- *Being an integral component of East Lothian Community Planning and championing an effective partnership approach to risk reduction*
- *Education and awareness aimed at high-risk groups within our communities*
- *Training our staff and locating our resources in order to provide an effective and efficient emergency response*
- *Building on our relationships with other emergency services and improving how we work together through prevention and intervention.*

We will monitor progress by:

- *Reviewing and reporting on the number of Special Service Casualties including OHCA, RTC, Water/ Flood Rescue, and effecting entry*
- *Monitoring and evaluating SFRS participation in community events and initiatives designed to enhance community resilience.*

Expected Outcomes:

- *Improved outcomes for persons suffering an Out of Hospital Cardiac Arrest in East Lothian*
- *Reduce the social and economic cost of Special Service Casualties*
- *Where capacity exists, reduce the demand on Community Partners through prevention and intervention activities.*

Together with our Community Partners, we will contribute to making the roads in East Lothian safer

Road Traffic Collisions (RTC's) and associated casualty figures in Scotland and East Lothian have reduced over the previous twenty years. However, in East Lothian over the last 5 years we have seen a 42% increase in our operational activity in this area. RTC's have a significant impact on families, the community and our partnership role is to reduce this impact through education.

As well as providing an emergency response to accidents on our roads, the SFRS have a key role to play in reducing RTC's through education and raising awareness in partnership with our Community Partners. By using experience and statistical evidence we will identify those most likely to be involved in a RTC in East Lothian, with these groups being the focus of attention for prevention activities based on risk.

We will aim to build on existing local prevention initiatives and in partnership look to utilise our resources innovatively, efficiently and proactively with the ultimate aim of making the roads in East Lothian safer.

This priority supports the *East Lothian Plan 2017-27*.

We will achieve it by:

- *Working with our partners within East Lothian to identify those groups most at risk*
- *Delivering the appropriate prevention activities to those most at risk whilst being proactive and innovative*
- *Continued support of the Community Planning Partnership (CPP) Road Safety Working Group*
- *Encouraging young drivers and other groups to be responsible road users through active engagement and education.*

We will monitor progress by:

- *Reviewing and reporting on the number and type of road traffic collisions within East Lothian*
- *Reporting and evaluating the effectiveness of our partnership prevention activities.*

Expected Outcomes:

- *SFRS to have contributed towards reducing the number of people killed or seriously injured on roads in East Lothian*
- *SFRS to have contributed to the reduction of Road Traffic Collisions within East Lothian*
- *SFRS to have contributed to reducing the consequences and associated community impacts of RTC's.*

As part of a Community Partnership, we will challenge Anti-Social Behaviour

Anti-social behaviour can manifest itself in many ways and often has a significant detrimental effect on communities for a number of reasons.

The SFRS generally experience anti-social behaviour through deliberate fire setting which can sometimes manifest into physical or verbal violence to our crews. Thankfully, the latter is a rare occurrence in East Lothian, however, the figures relating to Deliberate Fire Setting are not so positive.

There is often a close link between deliberate fires and anti-social behaviour and predominately involves malicious ignition of refuse, grass, woodland. Incidents of this type accounted for approximately 16% of our operational activity over the last five years. Sadly, the SFRS in East Lothian has seen an increase of over 50% in the last 5 years. Due to the sporadic and random nature of many deliberately started fires, prevention activities are often reactive.

As a Service, we recognise our responsibility in reducing anti-social behaviour and its impact, this extends to not only fire related instances but includes other social issues such as Domestic Abuse.

This priority supports the *East Lothian Plan 2017-27*.

We will achieve it by:

- *In partnership identifying those parts of East Lothian affected by deliberate fire setting, whilst delivering effective prevention activities*
- *Acting as role models to promote good citizenship, especially with those who have or are likely to become involved in deliberate fire setting*
- *Continued support of East Lothian Safer Communities Team and the Multi Agency Risk Assessment Conference (MARAC) in relation to Domestic Abuse*
- *Exploring opportunities to lead and participate in innovative projects.*

We will monitor progress by:

- *Reviewing and reporting on the number and type of deliberate fire setting incidents within East Lothian*
- *Evaluating and reporting on the effectiveness of our youth engagement/intervention programmes and monitoring our attendance at MARAC's.*

Expected Outcomes:

- *Support the promotion of "people and place" across East Lothian*
- *Support our communities in feeling safe from crime, disorder and danger*
- *Reduce the number of attendances to fires of a deliberate nature, particularly secondary fires*
- *Reduce the adverse effects and negative impacts which deliberate fire setting has on people's lives within East Lothian.*

In partnership, we will aim to reduce the occurrence and impact of Unwanted Fire Alarm Signals.

Unwanted Fire Alarm Signals (UFAS) are defined as incidents where an automated fire alarm system activates and results in the mobilisation of SFRS when there is no fire. Whilst a small number of fire alarm signals generated are due to confirmed fire conditions, the vast majority are “false alarms”.

With UFAS accounting for over 33% of our incident activity it's clear that this places a significant burden on SFRS in terms of resources, time and associated costs.

The impact of UFAS in the wider community can be very significant in terms of business disruption, effects on health care premises, education establishments and any other non-domestic premises effected by this. The level of unnecessary blue light response journeys also increase road risks and hazards to firefighters and to the public and also have a detrimental impact on the environment through additional carbon emissions. Active and positive engagement with occupiers to take responsibility in limiting the number of UFAS incidents within their premises is integral to reducing these impacts.

We will achieve it by:

- *Investigating the cause of each UFAS call and documenting the information gained*
- *Engaging with duty holders and those responsible for fire safety management of premises to examine causes of UFAS calls and provide advice to prevent re-occurrence*
- *Look to reduce the number of fire appliances mobilised using a risk based approach to responding to automated fire alarms*
- *Maintaining a dedicated UFAS champion within the East Lothian area to oversee performance and best practice approaches to UFAS reduction.*

We will monitor progress by:

- *Reviewing and reporting on the number of UFAS calls in the East Lothian area*
- *Reviewing and reporting on risk based reductions in the SFRS weight of response to premises with automated fire alarm systems.*

Expected Outcomes:

- *Reduce the demand on the SFRS from UFAS*
- *Reduce the economic cost to commerce in East Lothian from disruption from UFAS*
- *Reduce the impact on education premises and health care facilities from UFAS*
- *Reduced vehicle movements, increasing capacity for other activity, improved road safety and reduced carbon footprint.*

Review

To ensure this Local Fire and Rescue Plan remains flexible to emerging local or national priorities a review may be carried out at any time but will be reviewed at least once every three years. A review may also be carried out if the Scottish Minister directs it or if a new Strategic Plan is approved. Following a review the Local Senior Officer may revise the Plan.

Contact Us

We are fully committed to continually improving the service we provide to our communities and recognise that to achieve this goal we must listen and respond to the views of the public and our partners.

We use all feedback we receive to monitor our performance and incorporate this information into our planning and governance processes in order to continually improve our service. We are proud that the majority of feedback we receive is positive and we are keen to hear examples of good practice and quality service delivery that exemplifies the standards of service that we strive to provide for the communities of Scotland.

If you have something you'd like to share with us or you would like more information, you can get in touch in a number of ways:

Write to: Scottish Fire and Rescue Service
 Haddington Community Fire Station
 47-49 Court Street
 Haddington
 EH41 3AE

Phone: 01620 829782

Visit our website: www.firescotland.gov.uk

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Police, Fire and Community Safety Scrutiny Committee: Annual Work Programme 2018/19 (May 2018)

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Date	Performance Monitoring/ Inspection Reports	Other Reports / Reports Requested by Members
30 May 2018	<i>Police Scotland Scrutiny Report Q3-4 (17/18)</i> <i>Fire Service Local Performance Report Q3-4 (17/18)</i> <i>East Lothian Community Fire and Rescue Plan 2018</i>	<i>ELC Antisocial Behaviour Report</i>
28 Nov 2018	Police Scotland Scrutiny Report Q1-2 (18/19) Fire Service Local Performance Report Q1-2 (18/19)	ELC Antisocial Behaviour Report
29 May 2019	Police Scotland Scrutiny Report Q3-4 (18/19) Fire Service Local Performance Report Q3-4 (18/19)	ELC Antisocial Behaviour Report