

**REPORT TO:** Police, Fire and Community Safety Scrutiny Committee

**MEETING DATE:** 14 November 2019

**BY:** Depute Chief Executive (Partnerships & Community Services)

**SUBJECT:** Tackling Antisocial Behaviour

---

## **1 PURPOSE**

To advise the Committee on the number, type and geographical breakdown of antisocial behaviour complaints investigated by East Lothian Council during the reporting period (1 April 2019 to 30 September 2019) and to advise on actions taken in response to same.

## **2 RECOMMENDATIONS**

2.1 The Committee is asked to note the terms of the report.

## **3 BACKGROUND**

3.1 The Council, Police Scotland, the Scottish Fire and Rescue Service and other partner agencies continue to address antisocial behaviour complaints by formulating multi-agency and tailored responses.

3.2 The principal statutory basis for taking action against those who behave in an antisocial behaviour manner is the Antisocial Behaviour etc. (Scotland) Act 2004 supported by the Housing (Scotland) Act 2001, with the legislation being applied locally by partners via the Antisocial Behaviour Policy.

3.3 The key factor in determining who has the initial responsibility in dealing with property-based antisocial behaviour is the tenure of the alleged perpetrator. In the social rented sector, the landlord holds this responsibility, with the Antisocial Behaviour Team being the agency of first instance in the private sector. Social Landlords will pass their more serious and complex cases to this team normally on the issuing of a third warning to the alleged perpetrator under the said policy.

3.4 The decision making body in *serious cases* is the multi-agency Antisocial Behaviour Case Monitoring Group; there are currently 80 cases before the group.

3.5 The vast majority of complaints are addressed without the need to raise legal proceedings. The Antisocial Behaviour Policy offers a suite of

interventions including, *amongst other things*: mediation; the provision of advice and support; the issuing of warnings; the signing of Acceptable Behaviour Agreements; and the issuing of Fixed Penalty Notices. *The primary focus of all interventions is to prevent a recurrence of the behaviour complained of.*

- 3.6 *Group related antisocial behaviour* requires a cross-agency co-ordinated response, with this being achieved locally via the police-chaired, weekly, and evidence led, Tasking and Co-ordinating Group made up of representatives drawn from Police Scotland, East Lothian Council and the Scottish Fire and Rescue Service.
- 3.7 Acute problems unique to specific geographical areas are addressed via bespoke multi-agency Problem Solving Partnerships (PSPs). During the reporting period, there were three PSPs in operation; one established to address the youth related antisocial behaviour manifesting itself at Lochend Woods / Ashfield Park, Dunbar, the second formed to tackle the property-based antisocial behaviour affecting residents of Goose Green Avenue, Musselburgh and the third initiated to combat the youth disorder evident within the locality of the Brunton Hall.
- 3.8 The number of antisocial complaints investigated by the Council during the reporting period shows a mild decrease from a figure of 832 progressed between 1 April 2018 and 30 September 2018 to 820 investigated during the respective period in 2019.
- 3.9 Appendix 1 shows a graph containing a linear analysis of antisocial behaviour complaints made to East Lothian Council over the last seven financial years.
- 3.10 Of the 820 cases progressed, 400 related to different categories of noise, with 157 pertaining to youth related antisocial behaviour. The remaining complaints consisted of, *inter alia*, the issuing of threats, vandalism, aggression towards staff and drug and alcohol related antisocial behaviour. A substantial number of the complaints received were multi-faceted. Around 15% of the complaints registered were made within the context of what can be described as neighbour disputes. In terms of locus, 30% of the 820 complaints were received from Musselburgh and the surrounding environs 17% from Tranent, 17% from Dunbar, 12% from Prestonpans, 16% from Haddington and 8% from North Berwick. The diagram at Appendix 2 offers a visual representation of this geographical breakdown.
- 3.11 During the reporting period, nine individuals were identified as being “repeat complainers” i.e. those have complained on more than three occasions about the same subject matter. Those cases are reviewed on a weekly basis by the council funded Police Liaison Officer and the Team Leader at the Antisocial Behaviour Team.
- 3.12 The Council continues to raise legal proceedings against those engaged in *the most serious and persistent forms of antisocial behaviour*. There are currently 48 live Antisocial Behaviour Orders (ASBOs) in East Lothian.

- 3.13 There are currently 9 live applications before Edinburgh Sheriff Court. Of those in receipt of ASBOs, 14 are domiciled in Musselburgh, one in Tranent, one in Macmerry, 7 in Dunbar, 5 in Prestonpans, 3 in Port Seton / Cockenzie, 9 in Haddington, 2 in North Berwick and one in Gullane. The other five Defenders are alleged members of a Serious and Organised Crime Group with addresses in England.
- 3.14 There are currently two antisocial behaviour related eviction cases before Edinburgh Sheriff Court.
- 3.15 Since 1 August 2017, 403 referrals have been made to the Resolution Service from a variety of sources; including, the Safer Communities Team, Police Scotland, Elected Members, Local Area Housing Teams and other social landlords. Of those referrals, 213 have resulted in full written Agreements. The remaining cases were closed for a variety of different reasons; including, non-engagement of parties, irreconcilable differences, mental health concerns pertaining to at least one of the parties and ongoing criminal prosecutions.
- 3.16 In December 2019, the Antisocial Behaviour Overview Group will be asked to approve a consultation version of a new three-year Antisocial Behaviour Strategy. The emphasis will be on prevention, early intervention, joint agency working and the continued involvement of communities in finding solutions to problems that affect their neighbourhoods. The Strategy will go out for consultation in early 2020.

#### **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**

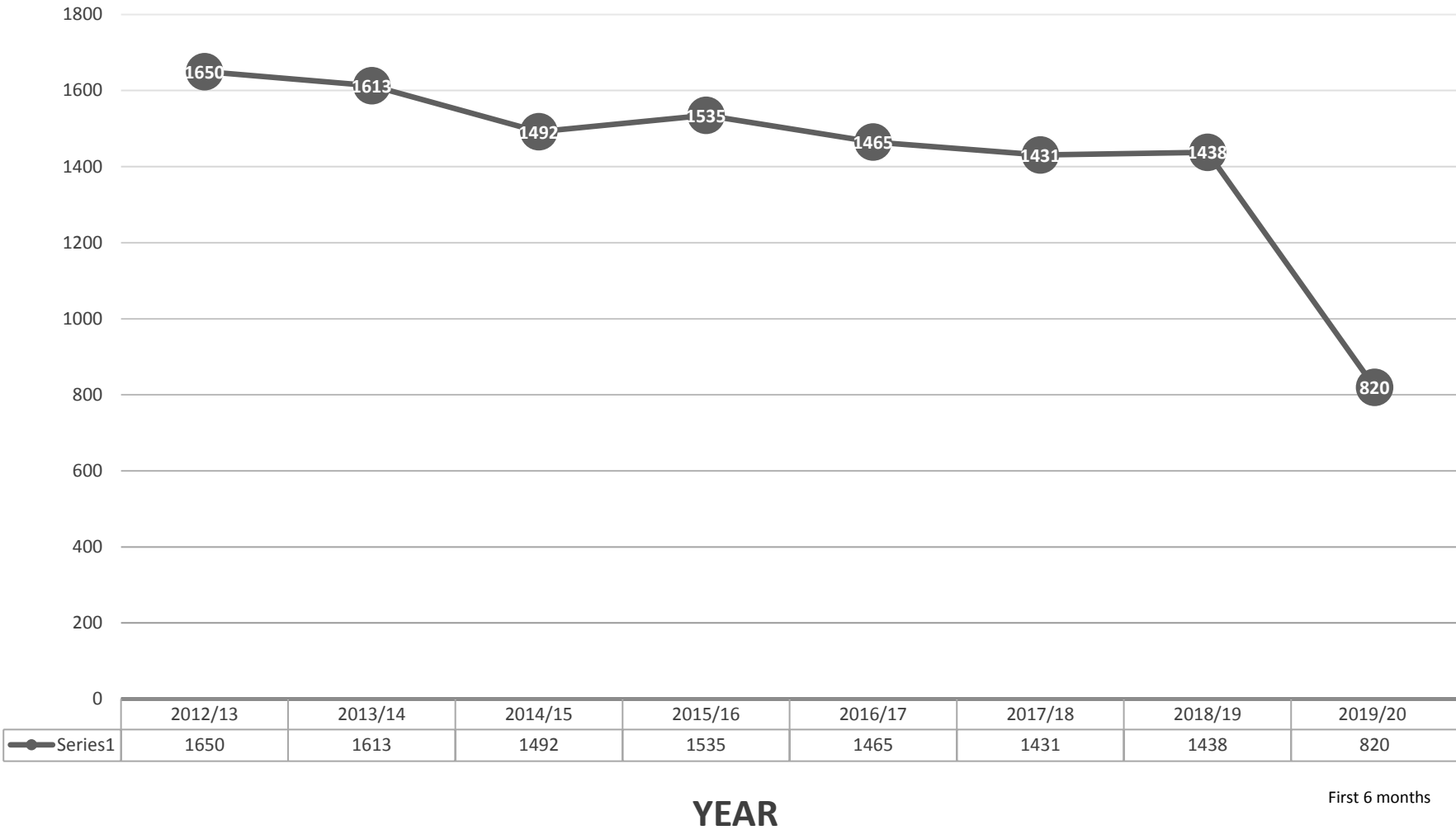
- 7.1 None.

Appendix 1: Graph – Antisocial Behaviour Complaints made to East Lothian Council 2012-2019.

Appendix 2: Chart showing geographical breakdown of antisocial behaviour cases (April – September 2019).

<b>AUTHOR'S NAME</b>	Kenneth Black
<b>DESIGNATION</b>	Team Manager Safer Communities Team
<b>CONTACT INFO</b>	01620 829 919
<b>DATE</b>	30 October 2019

### Number of Antisocial Behaviour Calls made to East Lothian Council



Appendix 2

**Geographical Breakdown of Antisocial Behaviour Cases %  
1st April 2019 - 30th September 2019**

