



Joint Overview and Scrutiny Committee
26 November 2020

ADUR & WORTHING
COUNCILS

Key Decision No

Ward(s) Affected:All

Working with our communities and partners to prevent and reduce the harms caused by anti-social behaviour

Report by the Director for Communities

Executive Summary

1. Purpose

- The purpose of this report is to provide an overview of the work undertaken by Adur & Worthing Councils to prevent and reduce harm to the community, caused by anti social behaviour.

2. Recommendations

2.1 Recommendation One

- The Committee is asked to note the report and recommendations

3. Context

3.1 What is Anti Social Behaviour and why is it a priority?

Reducing and preventing anti-social behaviour ASB is a key part of creating thriving places that are safe to live in, that people want to spend time in and businesses want to invest in.

Anti Social behaviour comprises a range of different behaviours, activities and situations that can have complex and varied causes and consequences. At Adur and Worthing, the work to address anti-social behaviour falls across several service areas; Communities and Wellbeing, Parks & Foreshore, Housing, Public Health and Regulation, Planning, Parking Services- there are many different approaches to prevent and resolve ASB and nuisance.

In September, this committee received two scrutiny requests to review the Councils' response to two cases of placed based anti social behaviour; St Julians' Church in Shoreham and The Rotunda, East Worthing. This report provides an overview of how Adur and Worthing Councils work together with partners to prevent and reduce anti-social behaviour, followed by a detailed review of the work undertaken at St Julians and the Rotunda.

3.2 Definitions of Anti Social Behaviour

The definition of antisocial behaviour is set out in The Anti-Social Behaviour, Crime and Policing Act 2014 as:

- conduct that has caused, or is likely to cause, harassment, alarm or distress to any person
- conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation or residential premises
- conduct capable of causing housing-related nuisance or annoyance to any person

The definitions are deliberately broad, in recognition that there are many behaviours and activities that can constitute nuisance or annoyance and what what might be tolerated in one context or one set of circumstances, could significantly undermine quality of life in another.

This definition also allows us to take a person centred approach- ascertaining the level of harm and risk according to how the behaviour impacts an

individual, household or business, rather than taking a prescriptive approach according to the activity/behaviour.

The National Standard for Incident Reporting, a police framework for ensuring crime and non crime incidents are recorded in a consistent manner, further divides anti social behaviour in to the following categories:

- Personal antisocial behaviour – targeted at an individual or group, or having an impact on an individual or group rather than the community at large.
- Nuisance antisocial behaviour – captures those incidents where an act, condition, thing or person causes trouble, annoyance, inconvenience, offence or suffering to the local community in general, rather than to individual victims.
- Environmental antisocial behaviour – deals with the interface between people and places.

We know that ASB can impact on all ages and areas of our community. For this reason we take a holistic approach, exploring the causes of ASB, as well as addressing the impact. Adur and Worthing Councils prioritise an early intervention and prevention approach, identifying opportunities to intervene “upstream” and encourage individuals and groups to voluntarily change their behaviour through support, signposting and advice, whilst recognising that there are individuals and situations that require enforcement action.

3.3 The Current Approach

3.3.1 Young People and ASB

Whilst ASB is an issue that affects all sectors of society, we are particularly concerned to strike the right balance when working with young people. Our priority is to keep young people safe. Our local children and young people are exposed to a range of risks and harms on a daily basis, whether they are at school, socialising in their local community or online, the threat of youth violence, sexual exploitation and county lines, is ever present.

Young People are also struggling with lack of access to youth services, diagnostic services (for those with suspected Special Educational Needs) and are often exposed to the pressures their parents and carers face with financial hardship, domestic abuse and mental health.. The additional pressure of lockdown restrictions, can make it ever more difficult for a significant number of our children and young people to thrive, make good decisions and avoid being drawn into situations and behaviours that are harmful to them, and their communities.

We have implemented a range of measures to support young people and also to address anti social behaviour that is impacting on the wider community. The Peer Group Conference is a monthly multi agency meeting, attended by police, social care, schools and the community and voluntary sector. The purpose of the meeting is to map and discuss locations and groups connected to anti social and other potentially harmful behaviours. Through this meeting, we can identify opportunities for support for children at risk, consider environmental factors to increase safety and increase adult presence in these areas, either through increased PCSO patrols or through detached youth outreach. This has been a highly successful model, and is currently being replicated throughout West Sussex. Since it's inception in August 2019, we have discussed approximately 120 children and continue to develop resources to empower agencies and the community to identify and share concerns.

We have also been securing external funding to enhance this work, including funding from the West Sussex Violence Reduction Unit which we have used to commission a mentoring scheme for children transitioning to High School, detached youth outreach in Adur and Worthing, and are developing community resource for parents, professional and children to access support where there are concerns children are being drawn into youth violence and/or exploitation.

Whilst our priority is keeping young people safe and avoiding entry into the criminal justice system, we work closely with partners to intervene in situations where anti social and or criminal behaviour continues, including referral to the Sussex Police Reboot programme which uses a staged approach from support through to enforcement.

Adur and Worthing Councils have been recognised by the National Contextual Safeguarding Network for the work to keep young people safe.

3.3.2 Vulnerable Victims

Reducing the harm caused to vulnerable victims of personal ASB is a priority across Adur and Worthing Councils and also partners such as Sussex Police, Worthing Homes and other housing providers. Adur and Worthing Councils have a robust process for identifying and assessing victims. A standardised risk assessment is used, across agencies, to identify those at risk of harm due to targeted anti social behaviour. The case is shared with all relevant agencies via a secure cloud based case management system (ECINS) to support real time updates and actions and ensure all agencies are sighted on the identified risks and mitigating actions. These cases are then referred to the Anti Social Behaviour Risk Assessment Conference (ASBRAC).

The ASBRAC is a monthly forum, chaired by the Lead for Early Help and Wellbeing and attended by Sussex Police, the majority of local housing providers, Victim Support and the Community Mental Health Team. Representation from the Community Mental Health Team is key as we have found that in the majority of cases, either the victim or perpetrator are known to mental health services. The ASB cases discussed at ASBRAC are the most harmful, either involving violence, threats of violence or targeted at those who are vulnerable through either their individual circumstances or the nature of the ASB. The ethos behind this approach is very individualistic and concerned with the impact of the ASB, rather than the ASB itself. For example, low level verbal abuse might be disproportionately felt by someone who is isolated than someone with a strong network. Incidents involving homophobic or racist elements will always be brought to the ASBRAC.

Whilst the purpose and focus of the ASBRAC is to reduce the harm caused to victims of ASB, the complex cases addressed often means that the plan of action involves both supporting the victim but also working with the perpetrator to address the behaviours and support needs that lead to the ASB.

There are typically approximately 2 high risk cases and 20-25 medium risk cases on the ASBRAC case list at any one time. The majority of cases classified as high at initial assessment are usually reduced to medium through immediate co-ordinated action prior to the ASBRAC.

We have an ambition, in particular when working with vulnerable victims, perpetrators and young people, to develop a trauma informed approach. This means understanding the psychological and physiological responses to trauma and how this can impact the ability to regulate behaviour, respond to threats and harm and also how it can also be a barrier to engaging with services. Senior managers in Housing and Communities & Wellbeing have been trained in this approach and this will be rolled out to front line staff over the coming months.

3.4 Place-Based ASB

Placed based ASB refers to the “hotspots” that periodically emerge and require a multi faceted, partnership approach to resolving. Typical issues include the congregation of groups causing ASB, often including alcohol and substance misuse, noise nuisance to residents, disruption to trade for businesses, litter and low level criminal damage. Information and intelligence may come through the Peer Group Conference, through the Joint Action Group (JAG) or through ward councillors. In addition to the day to day casework to address place based ASB, multiple issue hot spots are sometimes addressed through a “ Local Action Team”, known as a LAT. A LAT is a short term, multi agency team, that pools resources and ideas focused on

preventing or reducing further ASB or other identified crime and disorder issues and is facilitated by the Partnership Delivery Officer.

Place based ASB is addressed with a combination of identifying the perpetrators and/or using powers to place conditions on the location. An example of this is the use of Public Space Protection Orders in Worthing, that gives officers the powers to challenge certain behaviours in a defined geographical area. The Councils are also currently developing enhanced capacity to enforce the restrictions of the PSPOs. It can also include police powers such as dispersal orders which give the power to ask someone to leave an area if it is believed that they will cause anti social behaviour.

Target hardening and environmental measures can also be used, such as designing spaces to increase safety/ reduce crime or using CCTV/lighting to deter crime. However, these are costly interventions and it is important that the response is proportionate to the issues they are trying to solve.

Work to resolve place based anti social behaviour falls across several service areas in the councils. The majority of these cases fall within the green spaces and foreshore areas so work is co-ordinated between the Safer Communities Team, the Parks and Foreshore Team and can also include Planning and Surveyors. Examples include co-ordinating responses to anti social behaviour from individuals gathering and drinking in seafront shelters- the foreshore team will notify the outreach team who can provide support and signposting, the Housing Needs team can support those rough sleeping and the ASB team can identify any opportunities for enforcement for persistent anti social behaviour.

One of the key issues in resolving place based ASB, is the difficulty in obtaining evidence about the individuals involved. The public often report ASB as “ a group of street drinkers” or “ a group of youths”. It is only possible to take enforcement action against individuals so unless we have a witness who can identify a perpetrator, and agrees to make a statement, it is not possible to progress action. The councils have made great progress in working across services and to facilitate meetings to map and identify ASB perpetrators but the public also has a part to play in reporting and supporting action through the courts.

2.12 Casework

2.12.1 In addition to the aforementioned targeted interventions, since January 2020, the ASB Team has dealt with 139 cases of ASB within the community, either directly reported by members of the public or referred by partner agencies.

ASB issues include non statutory noise nuisance, verbal abuse, businesses operating in residential areas, to nuisance arising from houses of multiple

occupation (HMOs). The councils will not intervene in neighbour disputes which often arise from lifestyle differences and where there little possibility of gaining independent evidence.

The approach ranges from low level interventions - warning letters and words of advice to using the new legislation to issue Community Protection Notice Warning letters, which can stipulate that a nuisance behaviour must cease or risk a fine. The team works closely with Sussex Police, Adur Homes and Worthing Homes to explore the most appropriate intervention with a good success rate.

The Councils tackle each case of ASB on it's own merit with the goal of supporting anyone vulnerable including the perpetrator. We have a staged approach, always attempting to resolve issues at the lowest level of intervention. The process always starts with an exploratory conversation and gathering as much information as possible about the victim, location and perpetrator. In many cases, words of advice and a warning can prevent any further ASB. If the ASB continues, the next step is to co-ordinate a problem solving meeting to involve stakeholders in resolving the situation, for example, Sussex Police, Mental health, the landlord, support organisations.

If the ASB continues after voluntary interventions have been attempted, it is then necessary to consider enforcement action. This is always decided as part of a multi agency response, on the basis that it is fair and proportionate. Under the ASB, Crime and Policing Act 2014, both the Councils and the Police are afforded enforcement powers. The enforcement powers will be taken forward by the most appropriate agency, with the support of the partner agencies, for example, the police might instigate a Closure Order on a property where there is significant ASB but the councils will assist by gathering and presenting evidence. Full details of the interventions used to prevent ASB can be found in the Adur and Worthing Councils' ASB Policy (background paper below)

Covid restrictions and the first lockdown led to a significant increase in reported cases. This was attributed to increased time in proximity to neighbours, fires to dispose of waste, prolonged exposure to noise, covid breaches, cuckooing and lack of social activities. For perspective, the ASB caseworker typically works with 80-90 ASB cases per annum. We are currently on track for 100% increase in casework in 2020.

We work very closely with Public Health and Regulation, who saw a comparable increase in reports of statutory noise nuisance, parties and bonfires. Noise nuisance reports increased by 20% and bonfires by 283% compared to 2019. Between March- July 2020, PHR received 346 reports of noise nuisance- reflecting the increased tensions between neighbours during the lockdown period.

4. Issues for consideration

In September 2020, JOSOC received two scrutiny requests relating to this service area. St Julian's Churchyard in Shoreham and The Rotunda/Windsor Lawns area in East Worthing, were both highlighted as place based, anti social behaviour hotspots and it was agreed that this report would provide an overview of the work undertaken and ongoing, to address these issues.

St Julian's churchyard has sporadically been raised as an anti social behaviour hotspot. Reports from members of the public and the church staff increased at the start of this year and included reports of youths gathering, drug use, anti social vehicles, litter, damage, lewd acts and also reports of rough sleeping.

The ASB Team has led on co-ordinating action to reduce the anti social behaviour and safeguard young people, in partnership with Adur and Worthing Neighbourhood Policing Team, Shoreham Academy, St Julian's Church, Shoreham College, Adur and Worthing Outreach Team and Electric Storm Youth.

Action taken so far includes working with the school to identify the young people involved in the ASB- this was successful, a group and their parents were spoken to by the school. A letter has been sent to all parents of Shoreham High School aged children to make them aware of the hotspot and encourage parents to talk to their children about where they are socialising and how they are spending their time.

PCSOs have increased their patrols and carried out engagement with local residents to increase reporting.

Electric Storm Youth have carried out targeted outreach to the location and engaged with young people gathering there.

The outreach team has visited the location and identified the person who was sleeping in the grounds. This person is being supported to return to accommodation.

St Julian's Church Warden has reported a decrease in the amount of young people gathering and littering but there is still some ASB happening. The team

continues to facilitate the multi agency approach, gathering intelligence and ensuring all agencies are updated as incidents occur.

The Rotunda/Windsor Lawns, Worthing

The Rotunda is an open sided structure located at the Eastern end of Worthing promenade. The Rotunda is a sheltered space with seating. It is close to a residential area and several bed and breakfast houses.

There is a history of reports of a range of incidents and behaviours at the location including drug use and litter, street drinking, lewd behaviour, criminal damage, littering, defecation, rough sleeping, drug dealing and disorder arising from groups gathering and drinking.

Drawing on the range of interventions and approaches detailed above, there has been a significant amount of resources targeted at resolving the reported issues. From an intervention and crime reduction point of view, the issues require both immediate operational input and longer term environmental planning.

There are a number of factors that contribute to the current situation at the Rotunda; The structure itself provides shelter in a location that is away from the town centre. There has in recent years, been intense scrutiny on members of the street community, fuelled by social media and high profile incidents. There has also been increased police enforcement, issuing orders to several individuals which does not allow them into the town centre. This has led to dispersed groups moving to locations just outside the town centre but still close to shops, amenities and friends living nearby.

Due to the Covid 19 lockdown restrictions, day time shelter and support has drastically decreased. The day centre is currently by appointment only and the library has closed for refurbishment. This leaves no day time provision for people rough sleeping, leading to more groups gathering in public. The outreach team has recently secured a town centre location to provide day time respite and shelter which should reduce the amount of people spending time on the street. This will be operating several days throughout the winter and will then be reviewed

Operationally, there is a considerable amount of work undertaken on a daily basis. The Street Outreach Team visits the location 5-6 times a week to identify who is sleeping/ spending time there, signpost them to services and discuss the consequences of behaving in an antisocial manner. The

information gathered by the outreach team is then shared with the Housing Needs team to identify accommodation pathways for any person who is rough sleeping.

Where the people identified are not rough sleeping, but are staying in temporary accommodation in the area, the Housing Needs Manager has been liaising with ward councillors and accommodation providers to discuss opportunities for working together to resolve issues. This has been particularly useful with a new provider in the area and helps to reduce community tensions among residents.

A recent review of the communications relating to the issues in the area, has identified the need to provide more information to local residents. This will include information about appropriate reporting channels and detailed information about the interventions available to Sussex police and Adur and Worthing Councils.

Joint working between the Parks and Foreshore and the cleansing team, ensures that anything that is clearly litter, is cleared in a timely manner. People's belongings cannot be cleared without notice and for this reason, we are instigating a process under Section 41, which will provide us with a power to remove and store abandoned belongings.

The Councils have also installed CCTV. This will allow the councils to view footage where there has been a report of damage/anti social behaviour and will be key in identifying individuals perpetrating this behaviour. It is not designed to be monitored in real time.

The Adur and Worthing Neighbourhood Policing Team are also aware of the issues and have increased patrols and engagement in the area. .

Environmentally, the long term ambition is to increase shared use of the space and amenities adjacent to the Rotunda. This has already been instigated with the addition of shared barbecues and the outdoor gym area. Increasing pro social behaviour in an area is known to reduce anti social behaviour.

The Rotunda and the connected issues remain a priority. The councils are currently reviewing the interventions and will continue to identify and act upon and further appropriate actions.

5. Engagement and Communication

There was no specific engagement carried out for the purpose of this report, however, the multi agency nature of the work means that engagement and communication is embedded in decision making and in targeting resources.

6. Financial Implications

- Whilst there are no direct financial implications for this report, it should be noted that three key posts responsible for delivering this programme of work, are externally funded by the Safer Communities Partnership Police Crime Commissioner funding. Staff are currently funded until March 2022 and continuation of this work will be contingent on the levels of funding awarded beyond this period.

Finance Officer:

Date:

7. Legal Implications

- Consult with legal services as early as possible identify any legal issues and the statutory power or duty that the Councils will use to carry out the proposal.

Legal Officer:

Date:

Background Papers

<https://www.adur-worthing.gov.uk/anti-social-behaviour/#anti-social-behaviour-policy>

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Sustainability & Risk Assessment

Sustainability & Risk Assessment

1. Economic

The use of all ASB tools and powers contributes to the perception of Adur and Worthing as safe and vibrant spaces to invest and spend time in.

2. Social

2.1 Social Value

Communities benefit from safer spaces. Tackling the causes of antisocial behaviour and not just the behaviour itself, ensures the best uses of resources for a variety of partners and prevents the escalation of costs for entrenched issues.

2.2 Equality Issues

This programme of work operates within a framework that identifies and addresses the social inequality that exists in our communities. The individual approach in assessing cases, ensures that the impact of systemic inequality and protected characteristics are considered in the context of how ASB can be perceived, reported and responded to, both in relation to victim and perpetrators of ASB.

2.3 Community Safety Issues (Section 17)

Anti Social Behaviour is a community safety issue and continuing to prioritise this work will support the reduction of crime and disorder.

2.4 Human Rights Issues

- The Council must ensure that the powers afforded by the ASB, Crime and Policing Act are used responsibly and proportionately, and only where necessary to protect the public.
- Due regard must be had of the Equalities Act 2010. The powers must not be directly or indirectly discriminatory. Consideration should be given to certain groups of persons who may be disproportionately affected, .e.g. vulnerable persons, persons living in poverty and travellers.
- The powers should not restrict rights protected under the Human Rights Act , in particular Article 8, the right to a private and family life, Article 10, the right to freedom of expression and Article 11, the right to freedom of assembly and association.
- Wherever proposals for an Order have the potential to impinge on the rights under articles 10 and 11, consideration must be given as to how to demonstrate that they satisfy the requirements of paragraph 2 in each of the articles

3. Environmental

Continuing to prioritise this programme of work will ensure more community spaces can be protected from the harmful impact of anti social behaviour.

4. Governance

This programme of work is overseen by Adur and Worthing Safer Communities Partnership.

