

Report to	-	Overview and Scrutiny Committee
Date	-	29 January 2018
Report of the	-	Executive Director of Business Operations
Subject	-	Annual report of the Safer Rother Partnership and Anti-Social Behaviour and Community Safety

Recommendation: It be **RESOLVED**: That:

- 1) the Overview and Scrutiny Committee make any recommendations arising from the report to the Chair of the Community Safety Partnership for consideration; and
 - 2) the Council's work in relation to Anti-Social Behaviour and Community Safety be noted.
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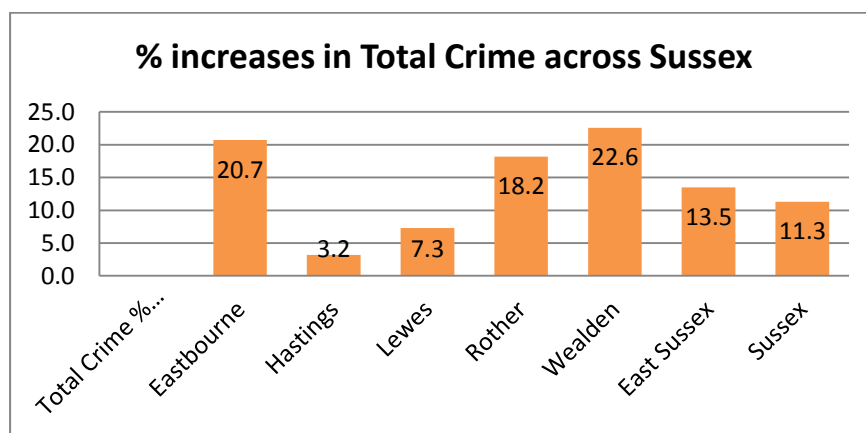
Service Manager: Richard Parker-Harding

Introduction

1. The purpose of this annual report is to provide information on the work of the Community Safety Partnership (CSP) in relation to Rother for the Overview and Scrutiny Committee (OSC) to review, scrutinise and make reports or recommendations to the responsible authorities of the CSP in-line with the Council's statutory responsibilities under sections 19-21 of the Police and Justice Act 2006. The report also includes information about the Council's own responsibilities and actions with regard to community safety and anti-social behaviour (ASB).
2. The CSP's responsible authorities are Rother District Council (RDC); Sussex Police; East Sussex Fire and Rescue Service; East Sussex County Council; Probation Service and Hastings and Rother Clinical Commissioning Group. Councillor Mrs Kirby-Green is RDC's nominated representative and Co-Chair of the trial Joint CSP Board with Hastings.
3. The guidance outlines that councils need to be clear about their objectives for overview and scrutiny of CSP which can:
 - focus on one-off activities or events;
 - review CSP systems and risks;
 - help to develop policy;
 - assess performance in CSP priorities; and
 - review performance and value for money from CSPs and responsible authorities.
4. This report provides the annual update for the OSC of the performance of the CSP during 2017/18 and the risks and opportunities available that will influence delivery for Rother residents in 2018/19.

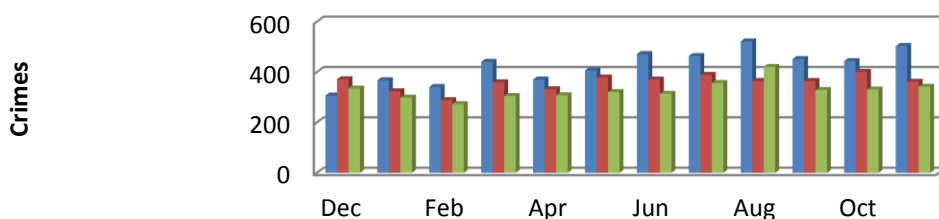
Performance of the Safer Rother Partnership 2017/18

5. During 2017/18, the CSP Board members worked with counterparts in Hastings to deliver against the following joint priorities for the trial combined Board:
 - Street Community
 - Violent Crime (including Domestic Abuse)
 - Youth Crime and vulnerable young people
 - Road Safety
 - Partnership communications and reassurance messages
6. The Joint Partnership recruited a full-time Community Safety Assistant to assist the Community Safety Coordinator (CSC) and her counterpart in Hastings to deliver the work of both the joint board and the local monthly Joint Action Groups (JAGs), Road Safety Group and other associated action groups. In December 2017, the CSC moved to work within the Environmental Services and Licensing team as part of interdepartmental work to deliver the Council's response to ASB, as detailed in Appendix A.
7. The CSP has seen an increase in total crime reported during the 12 months to the end of November 2017. All areas of East Sussex have seen increases on the previous year ranging from 3.2% (Hastings) to 22.6% (Wealden). The increase in total crime in Rother for the same period is in the middle of the five Districts in East Sussex at 18.2% an additional 784 crimes. Wealden saw an additional 1,508 crimes reported.



8. Over the last three years we have seen an increase in total crime reported to Sussex Police which mirrors the East Sussex and National picture.

Crime Reported to Sussex Police



	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Monthly Dec-16 - Nov-17	307	368	341	441	371	407	472	464	522	452	444	504
Monthly Dec-15 - Nov-16	372	324	289	360	332	379	371	389	365	365	401	362
Monthly Dec-14 - Nov-15	335	299	273	305	308	321	314	357	421	329	331	342

9. The CSP has delivered numerous key initiatives in 2017/18 to reduce crime and the impact of crime and ASB:

- White Ribbon Campaign – “Days of Action” at locations across Rother, including a social media campaign.
- Joint work on young people and crime reduction with Hastings under Op UNIT, which recognises young people from Rother and Hastings travel between the two areas to commit crime and ASB.
- “Cuckooing Pilot” with partner agencies across Hastings and Rother to deal with drug dealing “County Lines” from London and taking over residents’ properties and having a negative impact within the community.
- Full participants of Domestic Homicide Review of Rother residents (overseen by the Home Office).
- Work to identify, engage with and work with other agencies with Rough Sleepers in Rother to find alternative solutions.
- Commissioned and delivered research into Road Safety and incidence of killed and injured road users and pedestrians. An action plan for work over the year 2018/19 is being developed.
- Delivered training sessions on the tools and powers available to address ASB e.g. Public Space Protection Order (PSPO), Community Protection Warning (CPW), Community Protection Notice (CPN) for council, police and social housing staff engaged in this work.
- Case management of offenders and victims of domestic abuse including housing and other options as appropriate.
- Key contributors to Operation Discovery, a pilot and innovative initiative to tackle modern slavery which includes work with the Council’s Environmental Health and Licensing Service such as food businesses, nail bars, and car washes.
- Joint Safer Hastings and Rother Partnership Board Communications Strategy and an increase in the use of social media for both areas.

Priorities for 2018/19

10. A review of the effectiveness of the Joint Partnership Board with Hastings is being evaluated in the third quarter of 2017/18. Based on the findings of this evaluation the CSP will work on jointly identified priorities.
11. Current indications are that the emerging priorities for 2018/19 will continue to include:

- Anti-Social Behaviour (ASB) and Hate Crime
- Road Safety
- Reducing Offending and Re-offending
- Fear of Crime

Other issues identified during 2017/18:

- Cuckooing
- Modern Slavery and Human Trafficking
- Rough Sleepers and the Street Community
- Delivering interventions under the ASB tools and power such as PSPO, CPW, CPN

Police Structures

12. During 2017/18 discussions have been held with Sussex Police about the potential impact of the adoption of their new model for policing on the residents, agencies and businesses in Rother. The model was implemented in November 2017 and work is ongoing to agree joint working practices with the police to maximise the effectiveness of the resources all agencies have available.

Conclusion

13. The CSP has delivered a wide range of interventions to deal with crime and ASB that impacted on the quality of life for those living, working and visiting Rother.
14. There have been additional challenges resulting from structural and delivery changes within partner agencies and the changes in levels and types of crime taking place in Rother in 2017/18. However, the strong working relationship and commitment to addressing issues across Rother has enabled the CSP to remain successful.
15. These challenges are likely to continue in 2018/19 and prioritisation of resources based on need and risk is essential across all agencies and for the CSP to reflect those that need CSP involvement.

Dr Anthony Leonard
Executive Director of Business Operations

Risk Assessment Statement

The risks are associated with changes in resources within partner agencies. This may impact on the fear of crime and ASB across the district. In addition, different working practices will need to be adopted by all agencies working to address ASB, including the need to redirect resources to deal with issues quickly and efficiently using the tools and powers to prevent the escalation of ASB cases that require enforcement.

There are common priorities for the CSP which are included within the threat, risk and harm model that has been adopted by Sussex Police. Additional emphasis and resources may need to be directed to new areas of work e.g. Cuckooing, Modern Slavery, Human Trafficking. However, this type of crime goes on unnoticed and the

visible crime may become more noticeable if too many resources are redirected away from these crimes.

The Council also has its own responsibilities with regard to community safety and ASB and may need to set its own priorities.

Anti-social Behaviour, Crime and Policing Act 2014

The Council's traditional responsibility has been to protect and improve the environment and how this protects our residents' quality of life. This Act introduced community protection notices and public spaces protection orders, which has given the Council increased powers with regard to anti-social behaviour (ASB) beyond our traditional role. The Home Office issued guidance in December 2017: <https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour>

Officers across the Council have responsibilities with regard to ASB. A weekly meeting is therefore held with representatives from Environmental Health, Community Safety, Neighbourhood Services and the Planning and Environmental Enforcement Team to share information and co-ordinate action. Monthly operational meetings (called JAGs) are held with East Sussex County Council, the emergency services and social landlords.

Our current community safety objectives within our corporate goals can be summarised as:

- i. Reducing anti-social behaviour in public places, begging and harassment.
- ii. Addressing environmental crime.
- iii. Housing solutions for victims of crime and offender management.
- iv. Support to victims of crime and reducing fear of crime.

Public Spaces Protection Orders

Public Spaces Protection Orders (PSPOs) are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can enjoy public spaces, safe from ASB.

Councils issue PSPOs after consultation with the police, the Police and Crime Commissioner and other relevant bodies.

A PSPO can be made by the Council if they are satisfied on reasonable grounds that the activities carried out, or are likely to be carried out, in a public space:

- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent or continuing in nature;
- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed.

The restrictions specified in a PSPO can be set by the Council; these can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. They can restrict access to public rights of way where that route is being used to commit ASB. PSPOs can be enforced by the police and council officers.

PSPOs have a maximum duration of three years but they can last for shorter periods of time where appropriate. Short-term PSPOs could be used where it is not certain

that restrictions will have the desired effect, for instance, when closing a public right of way, councils may wish to make an initial PSPO for 12 months and then review the decision at that point. At any point before expiry, the Council can extend a PSPO by up to three years if they consider that it is necessary to prevent the original behaviour from occurring or recurring.

The breach of a PSPO is a criminal offence; however enforcement officers can issue a FPN of up to £100 if appropriate, but can be fined up to £1,000 on prosecution.

More than one restriction can be added to the same PSPO, meaning that a single PSPO can deal with a range of behaviours than the orders it replaces.

The Council has made a PSPO for dog control and consulted the public about a PSPO for anti-social behaviour including:

- Nuisance begging in the vicinity of cash machines or shop entrances.
- Sleeping in vehicles on the highway or in any public open space between 11pm and 7am.
- Drinking alcohol in a public space after being told by police or an authorised officer to stop.
- Cycling, skateboarding or using any vehicle on Bexhill promenade or on any pavement in a reckless manner.
- Fly-tipping household or business waste on the street, including in or beside a litter bin.
- Removing or attempting to remove fossils from the beach or foreshore.

This consultation ended on 13 January 2018.

Community Protection Notices

They can be used to tackle a range of ASB, including noise. Traditionally, councils dealt with noise from premises and the police noise in the street, although councils can theoretically control some noise in the street, namely singing and playing instruments, by enforcing its own bye laws.

The Community Protection Notice (CPN) is intended to deal with particular, ongoing problems or nuisances which negatively affect the community's quality of life by targeting those responsible. It is intended to stop a person, business or organisation committing ASB which spoils the community's quality of life. A CPN can be issued by council officers, police officers and social landlords (if designated by the council).

To serve a CPN the bodies above need to be satisfied that the behaviour is:

- having a detrimental effect on the quality of life of those in the locality;
- be of a persistent or continuing nature; and
- be unreasonable.

Before a CPN can be served a written warning must be issued, informing the perpetrator of the problem behaviour, requesting them to stop, and the consequences of continuing. The CPN can then be issued if the behaviour does not stop, the CPN must include a requirement to stop things, do things or take reasonable steps to avoid further ASB. A council can also carry out works in default on behalf of a perpetrator.

The breach of a CPN is a criminal offence; however a Fixed Penalty Notice (FPN) can be issued of up to £100 if appropriate. A fine of up to £2,500 or £20,000 for businesses can be imposed by the courts. The terms of a CPN can be appealed against by the perpetrator within 21 days of issue; in addition the cost of works carried out in default by a council can be challenged by the perpetrator if they think they are disproportionate.

The CPN can be used to deal with a wide range of behaviours, for instance noise nuisance.

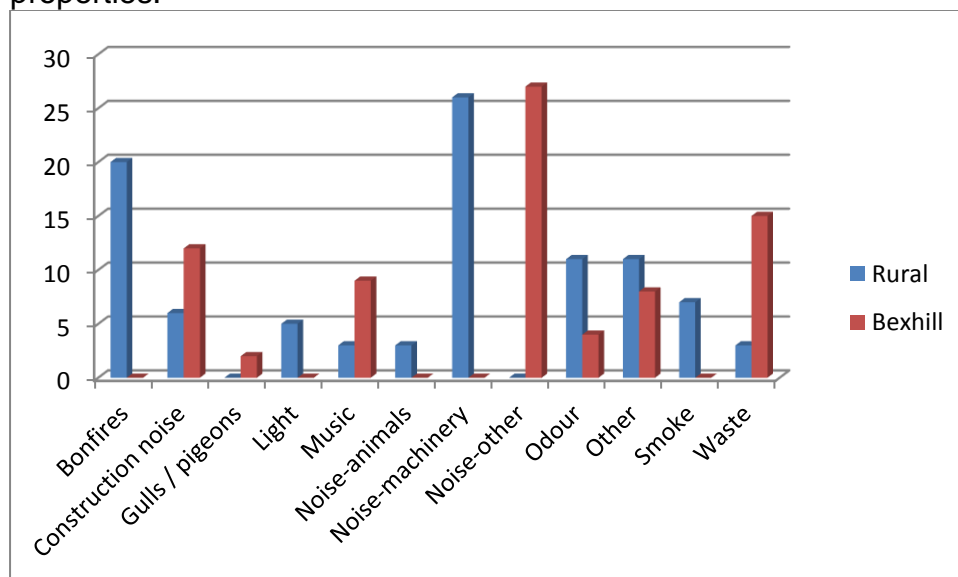
The Council is increasingly using CPNs to deal with low level anti-social behaviour, for example feeding seagulls and persons being aggressive in public places. The Council appointed a part-time Community Warden in the summer, who is developing the role, working with other officers and the police to deal with low level anti-social behaviour. This will increase following joint training with the police and staff of social landlords in December. The Council is working to produce common procedures.

Since April community protection warnings have been issued for:

- Bonfires (2)
- Car alarm
- Dog fouling (internal in common parts)
- Extractor fan (commercial)-malicious, left on after closing
- Amplified music
- Feeding seagulls (3)
- Invasive weeds
- Harassment

Anti-Social Behaviour in Rother associated with the environment

Bar chart 1 below shows complaints received over one year regarding commercial properties.

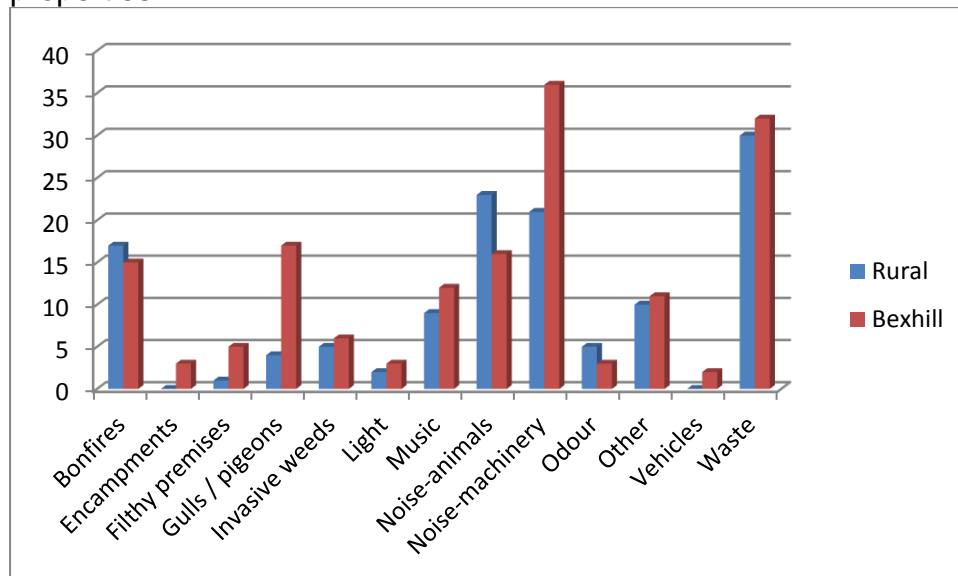


A high number of complaints are received about bonfires in rural areas, which are often of short duration and therefore difficult to witness. The Council's new powers under the new anti-social behaviour legislation, allows community protection notices to be served on the basis of complaints received (if credible). This should address this issue.

Complaints about noise from machinery in rural areas and other forms of noise nuisance in Bexhill are also high. These types of complaints could both be dealt with by community protection notices but the former is more likely to be a more complex problem requiring a traditional noise nuisance investigation.

Waste accumulations on private land continue to be an issue in Bexhill. CPNs are ideal for dealing with this on-going problem.

Bar chart 2 below shows complaints received over one year regarding residential properties.



Complaints about noise from machinery in Bexhill and noise from animals (mostly dog barking) outside Bexhill are high. These types of complaints could both be dealt with by CPNs but the former is more likely to be a more complex problem requiring a traditional noise nuisance investigation.

Waste accumulations on private land continue to be an issue. CPNs are ideal for dealing with this on-going problem.

Complaints about residents feeding pigeons and gulls on their property are increasing. In the past, the Council was unable to deal with this issue but now CPNs can be issued.

The Council was previously unable to deal with invasive weeds (e.g. Japanese knotweed) but we can now use CPNs to enforce landowners to treat these destructive plants.