

# CITY OF PLYMOUTH



## Safer Stronger Communities Overview and Scrutiny Panel

### Anti-Social Behaviour – Prevention Measures

DECEMBER 2005

**PLEASE NOTE:** This scrutiny report has been drafted following meetings of the above Panel which took place between October and December 2005.

Until it has been submitted to and endorsed by the Overview and Scrutiny Commission on 22<sup>nd</sup> December, 2005, this report may be subject to change.

## CONTENTS

CONTENTS .....	2
Preface.....	4
1.0 SUMMARY .....	5
2.0 RECOMMENDATIONS .....	5
3.0 INTRODUCTION .....	8
3.1 Safer Stronger Communities Overview and Scrutiny Panel.....	8
3.2 Terms of Reference.....	9
3.2 Scope of the Inquiry.....	9
4.0 BACKGROUND INFORMATION .....	9
4.1 The National Context.....	9
4.2 The Local Context – Experience in Plymouth.....	10
5.1 Written Evidence.....	10
5.2 Oral Evidence .....	10
6.0 FINDINGS – ANTI-SOCIAL BEHAVIOUR .....	10
6.1 Anti-Social Behaviour Unit .....	10
6.2 Youth Offending Team (YOT).....	12
6.3 Representative from Housing Tenants’ Association .....	13
6.4 Community Warden Scheme.....	13
6.5 Saturation Policy.....	14
6.6 Devon and Cornwall Constabulary .....	15
6.7 MP for Plymouth Sutton.....	16
6.8 Tenant Participation Team.....	17
6.9 Deputy Leader on Nighttime Economy .....	18
6.10 Trading Standards .....	19
6.11 Cabinet Member for Safer Stronger Communities.....	20
6.12 Devon Fire and Rescue Service .....	20

7.0	CONCLUSIONS .....	21
7.1	Overall Conclusions.....	21
7.2	Progress on Implementation.....	22
	Appendix 1 – Reference Materials .....	23
	Appendix 2 – Contributors.....	24
	Appendix 3 – Terms of Reference.....	25

## Preface



Anti-social behaviour affects most of the City's population in one way or another, whether it is simply in the form of a mild irritation or of a more serious nature that can effect the quality of their lives. Tackling anti-social behaviour is, therefore, a priority for the Council and this is reflected in its Corporate Vision for Cleaner, Safer Streets for Plymouth.

The scope for this topic had the potential to be quite wide-ranging and the Panel agreed to focus its review on prevention measures, whilst also investigating links between anti-social behaviour and alcohol. In this latter regard, they considered whether or not a Saturation Policy would be appropriate for the City.

The policies, procedures and initiatives already in place for dealing with anti-social behaviour are welcomed and the Panel is keen to stress the importance of this good work continuing and improving through the approach reflected in the recommendations.

I would like to thank all the Members of the Safer Stronger Communities Overview and Scrutiny Panel and, on their behalf, the Officers and witnesses who have supported and participated in the review.

Councillor Andy Kerswell  
Chair of the Safer Stronger Communities Overview and Scrutiny Panel

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## 1.0 SUMMARY

Anti-social behaviour is currently a very emotive and topical issue for the local communities of Plymouth. Tackling anti-social behaviour is, therefore, a priority for the City Council and this is reflected in the Corporate Vision of Cleaner, Safer Streets for Plymouth.

The Safer Stronger Communities Overview and Scrutiny Panel decided to review existing policy in order to improve performance in preventing anti-social behaviour. This included looking at the Saturation Policy for Licensing and exploring links to anti-social behaviour with a view to identifying possible solutions.

Having completed its review of Anti-Social Behaviour – Prevention Measures, the Panel has made the following recommendations based on the evidence received.

## 2.0 RECOMMENDATIONS

The Panel's recommendations are as follows –

### 2.1 Saturation Policy

2.1.1 that, subject to, submission and approval of a Project Initiation Document, a Task and Finish Group be set up to further consider alternatives to a Saturation Policy, with particular attention being given to –

- (i) exploring the other measures highlighted at section 6.5.8 of the report, including Alcohol Disorder Zones and Alcohol Designated Drinking Orders in order to identify solutions to restricting the number and type of licensed premises in a given area without having to introduce a Saturation Policy;
- (ii) exploring funding opportunities with a view to proving a Nightbus and patrolled taxi car park/rank to assist in the speedy and safe dispersal of people from the City's pubs and clubs;

***For the attention of: Overview and Scrutiny Commission***

### 2.2 Anti-Social Behaviour

2.2.1 that a workshop be held in the City under the Action Together We Can banner where schemes such as PETALS, Neighbourhood Watch and Active Citizenship issues could link up to promote and raise awareness of the services they provide;

***For the attention of: the Cabinet Members for Safer Stronger Communities and Housing and Neighbourhood Services***

- 2.2.2 that the vacant post of Underage Sales Enforcement Officer within Trading Standards be filled in order that the Unit can continue with its high profile intervention campaign;

***For the attention of: Cabinet Member for Housing and Neighbourhood Services, Director of Development and Director of Corporate Resources***

- 2.2.3 that the success of the pilot Community Warden Scheme be congratulated and provision of a City-wide Scheme be introduced, together with possible funding streams tailored to meet the requirements of individual neighbourhoods and communities;

***For the attention of: Cabinet***

- 2.2.4 that the provision of Police Community Safety Officers be welcomed in addition to recommendation 2.2.3 above;

***For the attention of: Devon and Cornwall Constabulary***

- 2.2.5 that the initiatives already in place be welcomed but that efforts be made to ensure their continuation and improvement through –

- Provision of dedicated Anti-Social Behaviour Housing Officers in each area
- Increased public interface by Housing Officers at ground level
- Building on existing training programmes to promote the services that are available and address any weakness
- Reviewing anti-social behaviour services provided by different departments to ensure that they are co-ordinated and not duplicated
- Provision of additional anti-social behaviour literature and generally raising profile of work undertaken by Anti-Social Behaviour Unit through the Council's website and Housing call centre
- Enforcement of Housing Tenancy Agreements

***For the attention of: Cabinet Members for Safer and Stronger Communities and Housing and Neighbourhood Services and Director for Community Services***

- 2.2.6 that the focus of the Anti-Social Behaviour Unit be maintained on addressing problems through a range of approaches rather than moving them on elsewhere;

***For the attention of: Cabinet Member for Safer and Stronger Communities and Director for Community Services***

- 2.2.7 that a dedicated noise nuisance team be created within the Environmental Regulation Service to operate out of hours;

***For the attention of: Cabinet***

- 2.2.8 that initiatives such as the Fire Service's Phoenix Project be encouraged and additional funding streams be explored with a range of partners through the Local Strategic Partnership to provide similar schemes, to include post-project follow-up sessions with the youngsters concerned.

***For the attention of: Devon Fire and Rescue Service***

### **3.0 INTRODUCTION**

#### **3.1 Safer Stronger Communities Overview and Scrutiny Panel**

3.1.1 The Safer Stronger Communities Overview and Scrutiny Panel has responsibility for a number of Policy Areas within the Council, including –

- Crime Reduction
- Anti-Social Behaviour
- Social Inclusion
- Community Engagement
- Street Care
- Emergency Planning
- Housing and Homelessness
- Licensing
- Crime and Disorder Reduction Partnership

3.1.2 At its meeting on 22<sup>nd</sup> July, 2005, the Panel agreed to undertake a review of Anti-Social Behaviour with a focus on Prevention Measures. This was approved by the Overview and Scrutiny Commission at its meeting on 11<sup>th</sup> August, 2005

3.1.3 All Members of the Panel were invited to participate and they agreed at the outset that they wished to co-opt additional knowledge and expertise in order to add to the value of the review. Membership was, therefore, as follows –

Councillor Kerswell (Chair)

Councillor Michael Leaves (Vice-Chair)

Councillor Mrs. Blackburn

Councillor Finn

Councillor Simmonds

Councillor Stevens (replaced at City Council 14/11/05)

Councillor Nicky Wildy

Councillor Brookshaw

Councillor Mrs. Nicholson

Helen Ryan, Tenant Participation Team Manager (Co-opted Representative)

Elaine Holland, PETALS (Plymouth Together Advice Line Service) (Co-opted Representative)

3.1.4 The Panel met to consider written evidence and hear from witnesses on four separate occasions during the months October to December, 2005.

3.1.5 The review was supported by John Drury, Housing Enforcement and Relations Officer, and Katey Johns, Democratic Support Officer.



## **3.2 Terms of Reference**

3.2.1 The purpose of the review, as determined by the Panel's project plan, was to review existing practice to improve performance in preventing anti-social behaviour, with a particular focus on young people, in order to –

- Increase quality of life
- Reduce crime/fear of crime
- Lead to more effective targeting of resources
- Result in greater focus on more serious cases

## **3.2 Scope of the Inquiry**

3.2.2 In addition to reviewing the measures already in place within Plymouth, the review also explored other options that Plymouth City Council, together with its partners, could introduce to prevent anti-social behaviour. This included investigating the Saturation Policy for Licensing and exploring links to anti-social behaviour with a view to identifying possible solutions.

3.2.3 As part of the review the Panel –

- Received various reference materials (Appendix 1 refers)
- Heard from a number of witnesses on what was being done locally (Appendix 2 refers)
- Held a number of evidence sessions

## **4.0 BACKGROUND INFORMATION**

### **4.1 The National Context**

4.1.2 Anti-social behaviour is a key priority across government and, in October 2003, the Together Campaign was launched alongside a national action plan "Together Tackling Anti-social Behaviour". The campaign is about improving the response to anti-social behaviour across the country, putting victims and witnesses first and generating a culture of no tolerance for anti-social behaviour. New resources for Crime and Disorder Reduction Partnerships (CDRP's), and a range of support and practical help from the government's Anti-Social Behaviour Unit, including a Together Academy Actionline and website to support practitioners are being provided to help achieve this.

4.1.3 The Anti-Social Behaviour Act 2003 provides new tools which practitioners have asked for to tackle anti-social behaviour more effectively, including –

- Powers to close crack houses quickly and easily
- Powers to disperse intimidating groups
- Powers to tackle flytipping, graffiti, litter and flyposting
- Powers to 'demote' tenancies and widening the use of injunctions

- Expanding the circumstances in which parenting contracts and orders are used

## **4.2 The Local Context – Experience in Plymouth**

4.2.1 There is no universal definition of anti-social behaviour but Plymouth City Council has adopted the definition contained within the Housing Act 1996, as amended by the Anti-Social Behaviour Act 2003, i.e. conduct which –

- Is capable of causing nuisance or annoyance to any person, and
- Directly or indirectly relates to or affects the housing management functions of a relevant landlord, or
- Consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose

4.2.2 The City Council's Anti-Social Behaviour Unit was formed in 2001. Its purpose is to develop working practices, prepare and take court actions in serious cases, undertake overt and covert surveillance, where necessary, develop joint working with other important and relevant agencies and seeks to evaluate performance. The Unit also plays an important role in delivering on the targets contained within the Community Safety Strategy.

## **5.0 EVIDENCE**

### **5.1 Written Evidence**

5.1.1 During the course of the review, the Panel received a number of documents which helped them get a perspective on what was in place to deal with anti-social behaviour in Plymouth. A list of these reports, together with the background information documents which were provided can be found at Appendix 1 – Reference Materials.

### **5.2 Oral Evidence**

5.2.1 The Panel held witness sessions to hear from Council Officers, Cabinet Members, an MP for Plymouth, representatives from some of the emergency services, a former community warden and a representative on the Council's Housing tenancy management committee. The findings of these sessions are at Sections 6.0 and 7.0 of the report.

## **6.0 FINDINGS – ANTI-SOCIAL BEHAVIOUR**

### **6.1 Anti-Social Behaviour Unit**

6.1.1 The Anti-Social Behaviour Unit sits within the Community Services Directorate and consists of 6 permanent staff members. In addition, there is a Lawyer and a Police Officer embedded within the team, an agency worker providing administrative support for 3 days a week and a management placement up until March 2006.

6.1.2 The Council categorises each complaint of anti-social behaviour as –

**Category C (General)** – Contact made within 10 working days - includes most neighbour disputes, minor breaches of tenancy agreement, domestic noise, e.g. washing machines, DIY, complaints regarding pets, refuse, parking, condition of tenant's property

**Category B (Serious)** – Contact made within 5 working days – includes serious breaches of tenancy, heated verbal arguments and serious disputes, noisy neighbours, allegations of petty criminal activity, threats or threatening behaviour, intimidating behaviour from groups or individuals. Complaints that have potential for rapid progression to Category A complaint

**Category A (Very Serious)** – Contact made same day – includes harassment on the grounds of race, sexuality or disability and other harassment, actual violence or threats of violence and other serious criminal activity

In determining the category, the Council will consider the frequency and severity of incidents, the effect on the victim, intentions of the perpetrator and whether there are other factors including mental health, substance misuse or disability.

6.1.3 Responses to complaints are carried out through an escalation process. Early responses are dealt with by 26 generic Housing Officers who will initially attempt to resolve matters through warning letters and interviews. Should this intervention fail, the Housing Officers will then look to see who else can help resolve the problems, such as -

- Plymouth Mediation
- Youth Inclusion Support Panel
- Police Beat Manager – joint visit to parents/guardians for family engagement and signposting to other agencies providing support where mental health, alcohol or drug misuse is a factor
- Youth Offending Team
- Youth Service

If problems still continue then the matter is referred to the Anti-Social Behaviour Unit to arrange a formal multi-agency meeting.

6.1.4 Plymouth is 1 of only 50 Action Areas (Home Office) which is undertaking responses to anti-social behaviour across Plymouth under the TOGETHER banner. The responses involve inter-departmental working with other statutory, non-statutory organizations and residents to combat anti-social behaviour in all its forms.

6.1.5 Various Legal Orders are used to deal with anti-social behaviour and these include –

- Injunctions – Section 153 Housing Act
- Anti-Social Behaviour Orders – Crime and Disorder Act 1998
- Possession Action
- Closure of Drug Dens
- Dispersal Orders

6.1.6 The processes that are in place are very robust. Most of the cases that involve the Anti-Social Behaviour team get resolved out of Court with only 10% of cases going to Court at all and, to date, none have been lost.

## **6.2 Youth Offending Team (YOT)**

6.2.1 Youth Offending Teams are made up of representatives from the Police, Probation Service, Social Services, Health, Education, Drugs and Alcohol Misuse and Housing Officers. They are responsible for identifying the needs of each young offender by assessing them using a national assessment tool. The tool identifies specific problems that make the young person offend as well as measuring the risk they pose to others. This enables the Youth Offending Team to identify suitable programmes to address the needs of the young person with the intention of preventing further offending.

6.2.2 The YISP (Youth Inclusion Support Programme) is specifically aimed at dealing with 8-13 year olds to try and prevent youngsters from going on to commit, or becoming involved in, more serious offences. Using the toolkit highlighted above, the problem area, whether behavioural or anger management, can be identified and targeted. Diet is now recognized as being a possible contributory factor to behaviour and this is looked at when undertaking assessments.

6.2.3 The Panel heard that the two full-time workers in the team were currently overwhelmed with casework, each dealing with 30 cases each and with a further 23 cases unallocated (good practice suggests 20-25 cases per worker to be effective). It was stressed that where cases remained unallocated they were not ignored but looked at to see if they could be referred elsewhere. On average it takes about 6 months before signs of improved behaviour can be seen. If no improvement is made by this time the case is reviewed to see whether the right agency is involved.

6.2.4 The YOT has just been allocated £300,000 from the Youth Justice Board to be spent over a 3-year period and focused on prevention work. In addition, funding was available from the Safer Communities Unit for an additional member of staff but there had been problems recruiting to the post.

6.2.5 Excellent working relationships have been established with the Anti-Social Behaviour Unit and Police and, despite its resourcing and funding problems, the YOT is one of the top performing teams in the country (6<sup>th</sup> in a league of 157).

### **6.3 Representative from Housing Tenants' Association**

6.3.1 The Panel learned of the issues which were of most concern to tenants with regard to anti-social behaviour, including –

- Groups of youths congregating on the streets
- Vandalism
- Motorcycles and mini-motorbikes
- Lack of respect
- Lack of facilities for young people
- Lack of authoritative presence on the estates, i.e. rent collector

### **6.4 Community Warden Scheme**

6.4.1 A Community Warden Scheme had been piloted in the Barne Barton area of St. Budeaux. The project had been managed by the Tamar Development Trust but, due to funding issues, had ceased after 12 months. The Panel learned that –

- 2 Community Wardens had been employed covering shifts from 8.00 a.m to 10.00 p.m. 6 days a week
- as a result of their constant presence over the 12 months that the scheme had operated, the Wardens had earned the confidence and respect of the estate residents
- the issues dealt with included low level crime, verbal intimidations, dog fouling, fly tipping, noise nuisance, skateboarding, football, congregating groups of youths and bullying
- the Wardens had worked closely with the Anti-Social Behaviour Unit and the Police
- there had been a reduction in anti-social behaviour and crime whilst the scheme had operated
- the Wardens had helped set up and run a residents anti-social behaviour group in accordance with the Crime Reduction Strategy
- the work of the PCSOs (Police Community Safety Officers) centered around low-level policing and did not include involvement in environmental issues, a two-tier system involving PCSO's and Community Wardens was required
- residents were more comfortable reporting incidents to the Community Wardens than the Police
- good relations with many of the youngsters on the estate had been formed and, whilst it may be too late for some of the older ones, continued working the younger ones could help prevent any anti-social tendencies through teaching respect
- the scheme had been very successful and residents had been disappointed when it had ceased

## **6.5 Saturation Policy**

- 6.5.1 As part of its Terms of Reference the Panel included investigation of a Saturation Policy for Licensing to explore the link of alcohol-induced anti-social behaviour and to identify possible solutions.
- 6.5.2 Plymouth City Council is a licensing authority for the purpose of the Licensing Act 2003. The Licensing Act 2003 defines licensable activities as
- the sale by retail of alcohol
  - the supply of alcohol by or on behalf of a club to or to the order of, a member of the club
  - the provision of regulated entertainment
  - the provision of late night refreshment
- 6.5.3 The Council must carry out its functions under the Licensing Act with a view to promoting the following licensing objectives –
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 6.5.4 Plymouth City Council is required to determine its policy with respect to the exercise of its licensing functions and publish that policy. Plymouth published its policy during 1994. Section 5 of the policy identifies the concept of cumulative impact. Cumulative impact is where the number, type and density of licensed premises are unusually high and serious problems of nuisance and disorder can arise outside and some distance away from the licensed premises. This is described as the cumulative impact of the increasing capacity of all premises taken together. For example, the potential impact on crime and disorder or public nuisance on a town or city centre of a large concentration of licensed premises in that part of a local licensing authority area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper consideration for a licensing authority to consider in developing its licensing statement.
- 6.5.5 A licensing authority may not impose conditions on or refuse to grant a license unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or an interested party, such as a local resident or local business. It is important that all parties, should know through a statement in the licensing policy, whether the licensing authority already considers that a particular concentration of licensed premises in a particular part of its area is considered already to be causing a cumulative impact on one or more of the licensing objectives.
- 6.5.6 Where, after considering the available evidence and consulting, a licensing authority is satisfied that it is appropriate and necessary to include an approach to cumulative impact in the licensing policy statement, it should

indicate in the statement that it is adopting a special policy (Saturation Policy) on refusing license applications whenever it receives relevant representations about the cumulative impact on the licensing objectives. The Licensing Policy published by Plymouth City Council did not include a Saturation Policy.

- 6.5.7 The impact of a saturation policy is to create a rebuttable presumption that application for new premises licences or club premises certificates or material variations will normally be refused if relevant representations are received. However, if it can be demonstrated that the premises involved will not add to the cumulative impact already being experienced a license can still be granted. Applicants would need to address the special policy issues in their operating schedules.
- 6.5.8 In considering the creation of a Saturation Policy the authority should bear in mind that there are other measures that can be taken to reduce the issues. For example: -

- planning controls
- the creation of a clean and safe environment through a city centre partnership scheme
- use of CCTV
- powers of local authorities to designate areas as places where alcohol cannot be consumed
- police enforcement
- prosecution of personal license holders or staff for selling alcohol to people who are drunk
- the confiscation of alcohol from adults and children
- use of police closure powers for up to 24 hours.
- The power of residents to seek a review of the licence

## **6.6 Devon and Cornwall Constabulary**

- 6.6.1 The Police are in favour of the City Council adopting a Saturation Policy within its Statement of Licensing. A recent report entitled “Saturation of Licensed Premises in the City Areas”, which was produced by Devon and Cornwall Constabulary, identifies the City’s hotspots as far as crimes of violence and drink are concerned. These areas are –

- Mutley Plain
- North Hill
- Union Street
- City Centre
- Barbican
- Coxside

- 6.6.2 The report also predicts that if there is to be an increase in licensed premises in these areas then there is likely to be a further increase of violent

crime fuelled by drink. It is for this reason that it then goes on to recommend that –

- (i) using the Saturation Policy the areas highlighted at 6.6.1 above be designated as Saturation Zones and additional license premise applications be refused;
- (ii) work with local agencies is progressed to create a refutable presumption that applications for a premise license will normally be refused. This will allow the licensing authority to act on evidence and not add to the stress in the designated areas;
- (iii) the Policy would be in the public interest as it would create a safer, more manageable, night-time economy;
- (iv) the Policy would allow the Police and their partners to deal with current problems relating to crime and disorder with the presumption that an increase in new premises will be unlikely.

6.6.3 The Police are working with the City's clubs and bars to try to encourage them to take more responsibility for the behaviour of their clients once outside of their premises. It was suggested that contributory factors to incidents was people congregating at taxi ranks and at food outlets to get something to eat after leaving a bar or club instead of heading straight home. In this respect, the Panel hear of Taxi Car Parks and Taxi Marshall schemes which operated successfully in other Cities.

## **6.7 MP for Plymouth Sutton**

6.7.1 The MP for Plymouth Sutton was also in favour of a Saturation Policy but thought that it should be operated alongside other prevention measures through development of the nighttime economy. The Panel was advised that at the recent Nighttime Vision Economy Launch the License trade had expressed a willingness to engage with the Authority and its partners on finding a way forward that would benefit the City as a whole.

6.7.2 Plymouth has a large student population (between 20,000-24,000) who bring a great deal of money into the City. The Student Unions are very keen to ensure there are safe drinking establishments in the City and have entered into a Code of Practice and Safety Agreement with a number of premises. Both the students and the pubs/clubs have a responsibility to behave in a manner that accords with the agreement in place.

6.7.3 The Council was congratulated on its handling of the new licensing legislation and subsequent processing of applications. Enforcement was highlighted as being the key to its success with the Police and Council having to work very closely together to ensure that breaches of conditions are dealt with swiftly.



- 6.7.4 Another useful tool for dealing with alcohol-related incidents is 'Alcohol Disorder Zones'. Where problems are encountered at certain premises on a regular basis the Licensee receives a warning to deal with the matter in 8 weeks or face a levy to fund additional policing in that area.
- 6.7.5 With regard to anti-social behaviour in general, the Panel heard that the most common concerns of constituents in the Plymouth Sutton area related to more lower level issues such as neighbourhood disputes, litter, dog fouling etc.
- 6.7.7 The work of PETALS is also to be commended as it has the potential to be a national role-model. PETALS (Plymouth Together Advice Line Service) was set up by two City residents with personal experience of being on the receiving end of anti-social behaviour themselves. It provides an independent and confidential support service for victims of anti-social behaviour by –
- Offering them the opportunity to share experiences with someone and letting them know they are not alone
  - Providing practical advice on how victims can challenge anti-social behaviour themselves
  - Advising them of their options
  - Providing advice on what to do next
- 6.7.8 In mentioning PETALS it would also be remiss not to mention the Neighbourhood Watch Scheme which has been operating in some areas for many years. It was suggested that it could be useful to stage a conference in the City under the banner of the Action Together banner where schemes such as this and PETALS could meet, link up and actively promote and raise awareness of themselves in the City.

## **6.8 Tenant Participation Team**

- 6.8.1 The Panel learned of the results of an Anti-Social Behaviour Survey which was undertaken by the Tenant Participation Team. The survey asked residents for their priorities in respect of anti-social behaviour and the results are helping the Anti-Social Behaviour Team to prioritise its work for the next 3 years. A summary of the survey can be found at Appendix 5.
- 6.8.2 Further to the Community Warden Scheme previously discussed under 4.3, the Panel learned that –
- Prior to the scheme commencing a number of surveys were undertaken to find out exactly what residents wanted, right down to whether a uniform should be worn or not
  - The first neighbourhood watch scheme to be set up in the area was established
  - The scheme looked at youth provision so that diversionary measures such as football tournament, trips, environmental walks could be established.

- The scheme resulted in 3 known prolific offenders becoming youth workers
- Since the scheme ceased, the estate has returned to its former position with incidents of anti-social behaviour and crime on the increase
- The cost of the providing the scheme was £160,000
- The view of the Community Safety Warden was shared by the Tenant Participation Team in that the role of the Community Safety Wardens and that of the Community Support Officers was very different
- A survey undertaken just before the scheme closed indicated that many residents would have been prepared to pay for the it to continue
- The success of the scheme was as a result of there being clear correlation from the moment a complaint was made to it being actioned and responded to

## **6.9 Deputy Leader on Nighttime Economy**

6.9.1 The Panel learned more about the recent launch of the Nighttime Vision for Plymouth which had been held by the Local Strategic Partnership at the Theatre Royal. The event had brought together the City's key partners and major stakeholders to form a consensus on how its nighttime economy should be developed. It had been agreed that the common purpose would be to –

- Move away from vertical drinking establishments
- Encourage people to live in the City Centre footprint (i.e. within the inner city ringroad)
- Provide quality establishments
- Work with retail trade with a view to providing extended shopping hours
- Provide quality entertainment

6.9.2 Visits had been undertaken to other Cities in the UK which had recently undergone similar transitions, such as Birmingham, Leeds and Manchester, and it was hoped that lessons could be learned from their success and mistakes.

6.9.3 The Deputy Leader was against the introduction of a blanket Saturation Policy for the City as he was fearful of restricting new opportunities for the nighttime economy. His preferred option was to work with the License trade to promote and encourage provision of quality drinking establishments in the City and to try and get rid of establishments encouraging and promoting vertical drinking.

6.9.4 As regards the new licensing laws, the Cabinet Member stated that people have been able to drink all day for a while now but incidents of drunken behaviour in the City during the day were rarely witnessed. This is because there are too many people around going about their everyday business and

if this can be extended into the early hours of the evening perhaps the same results could be seen.

## **6.10 Trading Standards**

- 6.10.1 One of the concerns raised by Panel Members on behalf of their constituents was the availability of alcohol to the underaged. Quite often this access to alcohol resulted in anti-social behaviour in the form of groups of youngsters drinking on the streets. In this respect the Panel heard from the Trading Standards on the work being undertaken to address this problem.
- 6.10.2 In 2003 consultation with the Plymouth Points of View Panel put underage sales at the top of a priority list for Plymouth Trading Standards. Meanwhile legislation changed enabling underage test purchases of alcohol to be authorised by the Police or Weights and Measure Inspectors. No funding was provided with this change in legislation.
- 6.10.3 In 2004 the Council approved the use of underage volunteers for alcohol test purchases and an Underage Sales Officer was appointed. The problem of underage sales of alcohol was addressed through examining a number of angles –
- Traders – all premises were visited and best practice discussed, including shoplifting prevention measures. The regional group of Trading Standards Authorities secure £30,000 in funding to make a training pack for small businesses and Plymouth was strongly involved in its creation. The message needs to be got across that 21 is the age for sales people to look for in a purchaser and if they are uncertain and no ID can be provided then the sale must be refused. It can be very intimidating for lone workers faced with a group of youths wanting to purchase alcohol
  - The Public – a cultural change is needed for them to recognise the part they have to play in this. For example, getting angry if they are 20 or above and asked to produce ID, buying alcohol for young people and putting pressure on sales staff by being impatient when an underage sales situation arises.
  - Young People – school art competition to promote underage sales message. The winning entry was turned into a poster and put in 45 school buses. The Underage Sales Patrol attends with the Police in parks and other places where young people hang around drinking or smoking. Talking to them and seeking to ascertain where they obtained their goods from
  - Enforcement – a protocol with Devon and Cornwall Police splits the main emphasis of enforcement between off-premises (Trading Standards) and on-premises (Police)
- 6.10.4 A Code of Practice governs formal test purchasing and requires children under 16.5 to be used. Of the 39 test purchases undertaken so far this year 7 sales were made. The sales were dealt with by formal cautions (3) and fixed penalty notices (14). One premises made a second sale and a licence

review is being requested. A licence can be withdrawn for up to 3 months as a result. All test purchase exercises involve the Police as only they have the powers to issue fixed penalty notices.

- 6.10.5 The Home Office has offered regional funding for test purchases this Christmas period which we are participating in but this is only around £1,000.
- 6.10.6 The post of Underage Sales Enforcement Officer is vacant and due to the current budgetary uncertainty it remains to be filled. The Unit would like to continue its high profile intervention campaign. The Home Office and Trading Standards Institute has just published a paper which puts as a cornerstone of Trading Standards work in any crime and Reduction Strategy 'Taking action to prevent harm to children and nuisance caused by young people from access to age-restricted goods.'
- 6.10.7 Whilst Trading Standards staff work very closely with the Police Beat Managers, Councillors and members of staff can all contribute to the campaign by being vigilant when shopping and reporting any matters of concern directly to the Unit.

## **6.11 Cabinet Member for Safer Stronger Communities**

- 6.11.1 The Cabinet Member for Safer Stronger Communities advised the Panel –
- that the work of the Youth Offending Team, Youth Services Team and Anti-Social Behaviour Unit all came within his portfolio
  - that he was working closely with the Cabinet Member for Children's Services through the City's schools so that problem pupils can be identified and targeted
  - a review of the Youth Service by the National Youth Agency had highlighted that there wasn't just one Youth Service but 9 with no joined up thinking operating between them – with 80% of youth work being done by the voluntary sector it is crucial that the links are in place to be able to support them in this work, including providing assistance in drawing in funding
  - that the cost of providing this service was estimated at £100 per person per year
  - that funding was available to help registered youth groups finance projects with a social education focus

## **6.12 Devon Fire and Rescue Service**

- 6.12.1 The Panel heard that, over the last two years, there have been a number of incidents in the City where fire crews have been subjected to both verbal and physical abuse. In addition, expensive pieces of equipment get broken or stolen when crews are responding to or dealing with incidents. North Prospect was identified as a particular problem area.
- 6.12.2 When crews encounter such behaviour, it is standard procedure to call for the support and assistance of the Police and fire crews are instructed to

stand back until such time that order has been restored unless there is a serious risk to life or property, when a decision must be taken about how to deploy and minimise the risk of injury to the crew.

- 6.12.3 The Fire Service is keen to work with Community Groups to try to educate the perpetrators of this type of anti-social behaviour and, in this respect, believes that schemes, such as the recent Project Phoenix run at Plympton Fire Station, have an important part to play in reducing this type of behaviour towards ordinary members of the public and the emergency services. The joint initiative, under the umbrella of the Crime and Disorder Reduction Partnership, between Devon Fire and Rescue Service, the Council's Anti-Social Behaviour Unit and Youth Offending Team is aimed at working with youngsters aged 12-18 who are prolific offenders or deemed to be at risk of offending. The project involves the youngsters in a 5-day training exercise looking at the consequences of anti-social behaviour.

## **7.0 CONCLUSIONS**

### **7.1 Overall Conclusions**

- 7.1.1 During the review the Committee heard a number of theories and explanations of the causes of anti-social behaviour. These included -

- Change of Culture
- Lack of respect and tolerance
- Lack of deterrent
- Boredom and isolation
- Easy access to alcohol by the underaged
- General lowering of standards
- Poor parenting skills
- Diet
- Substance misuse
- Lack of provision for youths

- 7.1.2 From the evidence gathered it appeared that the majority of these issues were being addressed through the policies, procedures and initiatives already in place for dealing with anti-social behaviour. However, a real effort must be made to ensure that this good work continues and improves.

- 7.1.3 A number of witnesses interviewed regarding the Saturation Policy were in favour of its implementation. However, the Panel was of the view that further consideration should be given to exploring the alternatives before a final decision is taken.

- 7.1.4 Public perception that local policing is being reduced in residential areas at night to deal with incidents in the City's pub/clubland needs to be addressed. It is hoped that this will be done through use of the Police Community Safety Officers and/or Community Wardens.

## **7.2 Progress on Implementation**

- 7.2.1 It is suggested that the Safer Stronger Communities Overview and Scrutiny Panel should ask the Cabinet Member to report on the progress of the approved recommendations arising from this review by January, 2007. Any earlier reports on implementation would be welcomed

## Appendix 1 – Reference Materials

1. Safer Stronger Communities OSP – Anti-Social Behaviour Project Initiation Document
2. Safer Stronger Communities OSP – Anti-Social Behaviour Project Plan
3. Centre for Public Scrutiny (examples of scrutiny undertaken elsewhere)
  - Anti-Social Behaviour in Ashfield
  - Anti-Social Behaviour in Ashford Borough
  - Anti-Social Behaviour – London Borough of Hillingdon
4. Local Government Association – Guidance for Councillors on Tackling Anti-Social Behaviour
5. Trading Standards: Report on Underage Sales – Alcohol
6. Report of the Head of Environmental Regulation Services – Saturation Policy
7. Plymouth City Council's Statement of Licensing Policy
8. Devon and Cornwall Constabulary – Saturation of Licensed Premises in the City Areas
9. Plymouth City Council – Anti-Social Behaviour Survey
10. Devon Fire and Rescue Services – Statement by DO Malcolm Carmichael

## **Appendix 2 – Contributors**

The Panel would like to express their sincere thanks to all those who provided information and advice:

Robin Carton, Assistant Head of Environmental Regulation Services

Lee McDowell, Environmental Regulation Service, Plymouth City Council

John Drury, Housing Enforcement and Relations Officer, Plymouth City Council

Benji Shoker, Youth Offending Team, Acting Manager, Plymouth City Council

Peter Ebsworth, Housing Tenant and Vice-Chair PETRA Management Committee

Del Austin, Former Barne Barton Community Warden

Inspector Stephen Torr, Devon and Cornwall Constabulary

Linda Gilroy, MP for Plymouth Sutton

Danny Biscombe, Tenant Participation Officer, Plymouth City Council

Councillor Pattison, Deputy Leader of Plymouth City Council

Chris Brennan, Trading Standards, Plymouth City Council

Councillor Weekes, Cabinet Member for Safer Stronger Communities



## **Appendix 3 – Terms of Reference**

### **SAFER STRONGER COMMUNITIES OVERVIEW AND SCRUTINY PANEL**

**Purpose:** To review existing practice to improve performance in preventing anti-social behaviour with a particular focus on young people.

A reduction in the levels of anti-social behaviour will –

- increase quality of life
- reduce crime/fear of crime
- lead to more effective targeting of resources
- result in a greater focus on more serious cases

#### **Key objectives:**

1. To identify the work being undertaken to prevent anti-social behaviour and assess its effectiveness
2. To explore further initiatives that will assist in preventing anti-social behaviour
3. To assess the use of the Community Warden scheme
4. To investigate the Saturation Policy for Licensing and explore possible links to anti-social behaviour with a view to identifying possible solutions
5. To establish the need for an Anti-Social Behaviour Policy for Plymouth City Council
6. Establish the scale of the problem in Plymouth
7. Assessment of Partnership working