CHESHIRE EAST COUNCIL

REPORT TO: Sustainable Communities Scrutiny Committee

Date of Meeting:	Thursday 13 th September
Report of:	Community Safety
Subject/Title:	Anti Social Behaviour in Private Housing – Update
Portfolio Holder:	Cllr Rachel Bailey

1.0 Report Summary

- 1.1 To provide evidence of the positive outcomes due to early intervention
- 1.2 Proposed budget requirements for 2013/14

2.0 Recommendation

2.1 Approve proposed budgets for 2013/14 – Mediation Service (£32,500) and Anti Social Behaviour Co-ordinator (£16,139 TBC)

3.0 Reasons for Recommendation

3.1 The policies have been written through consultation of partner agencies, knowledge of best practice and national guidance.

4.0 Wards Affected

- 4.1 All
- 5.0 Local Ward Members
- 5.1 All

6.0 Policy Implications including - Climate Change - Health

- 6. Safer Cheshire East Partnership's (SCEP) procedures and policies rely on assistance and commitment from partner agencies in order for the processes to have the greatest effect and success, the SCEP's documents around ASB and tackling ASB have to in most circumstances remain as working documents due to the following:
 - Economical Climates and partner agency reduction of staff or funding meaning that they can no longer commit to the SCEP's processes as much as they previously had been.
 - · Changes in Partner agency processes meaning that ASB processes outlined by SCEP have to change in line with partner agencies methods and

processes or working. i.e. Transforming Policing, CE targeted Youth provision, prevention services funding cuts or change of priority/direction.

- New legislation from Home Office with regards to tools and powers to tackle ASB.
- · Serious case reviews and recommendations of good practice.

7.0 Financial Implications

7.1 Funding remains an issue with regards to the level of interventions that the community safety team can offer.

The most important and one of the most successful interventions the community safety team have is the Mediation Service which we currently have access to through a one off Home Office grant which had to target victims of anti social behaviour.

These cases are available until 31st March 2013 and 54 cases were purchased at a cost of £32,400. These cases are exclusively for Private own and Private Rent tenants, who would normally not have this opportunity to solve disputes at a more preventative level, free of charge.

Losing this resource would be detrimental to our commitment to work with private own and rent sectors of the community. There would not be capacity to replace this provision within our own team due to our limited resources and conflict of interest.

Although our ASB unit has secured the majority of our posts through mainstreaming in 2011; there is still have a remaining post which does not have secure funding after 31/03/2013, which is the role of our part-time ASB Coordinator in Macclesfield. It is essential that we do what we can to secure funding for this post and ideally mainstream this. If we lose the Macclesfield post this would have to be divided out between an already very small team in comparison to other parts of Cheshire. Loss of this post could lead to some of our processes not being able to be carried out. The Macclesfield and Congleton posts have already been cut from full to part time roles which has it's strains on the team during busy periods. The Macclesfield Anti Social Behaviour Coordinator post ideally should be for three days a week as a minimum to be able to tackle the complex issues relating to ASB in the Macclesfield, Knutsford, and Wilmslow and Poynton area.

8.0 Legal implications (authorised by the Borough Solicitor)

8.1 None

9.0 Risk Management

9.1 As with all interventions we can offer with regards to dealing with a perpetrator of ASB who is a home owner, if an ASBO is not deemed by our legal teams (police, housing or CE) as the best course of action, our team and resources then become more limited. The risk to this is the threat of action to a particular individual and then this not being carried out for any number of legal reasons. This can be seen to let members of the community down although it may be beyond our control.

All cases of this nature are carefully considered before actions are publicised or reported back to members of the community to try and avoid any disappointment. Coordinators are always clear from the start that no promises can be made with regards to eviction or more formal ASB processes.

In addition to this, the new Government White paper around new ways of tacking Anti-Social Behaviour is encouraging ASB practitioners to be guided further by members of the community with regards to reacting to ASB. The Safer Cheshire East Partnership has focused heavily on preventative services with regards to tacking and identifying ASB at its lowest level, working with agencies to try to tackle these issues at the earliest opportunity. A number of our ASB incidents have steamed from issues that have originally come from some form of neighbour dispute or lack of understanding within communities. Over the years a lot of focus has been placed on tackling persistent and prolific perpetrators of ASB, of which a number of successful ASBO's have been made, protecting communities from theses perpetrators. Due to this success we have now been able to focus on a "bottom up" approach liaising with partners to get into communities sooner rather than later with the assistance of our "street safe campaigns, "Local Tasking and Coordination process and Prevention Offending Panels. Common factors within all these processes have been the use of the mediation service and the role of the ASB coordinators. Due to the small size of the team resources are currently stretched, but the close working nature of all the staff within the team has enabled a level of service to be delivered in a manner that has honoured the partnerships commitment to prevention of Anti-Social Behaviour. However, there would be no way of incorporating the mediation service within our current staffing level and this would also have a large "conflict of interest" impact on any coordinators that would try to introduce mediation to a case and then potentially be left to deal with the case on a more formal basis. There are no means within our team to train and dedicate the time and commitment needed in order to deliver mediation to any standard that we feel would be as effective as using an outside, expert service.

Similarly so the loss of our Macclesfield post would have a detrimental effect on our staffing levels and would mean that this post would have to be potentially shared between a full time and part time coordinator for the Crewe and Congleton areas and the ASB Team Leader. This would have a huge impact on the dedicated service that is being delivered currently to the specific areas, and due to two posts already being cut to part time, the ASB Team Leader is already taking on case work for the part time roles in order to try to ensure a fair service is delivered across East Cheshire.

10.0 Information and background

Over the past 2 years the Safer Cheshire East ASB team have been working on increasing support and interventions for those members of the public that live in private rent and own properties.

It had been noted that those members of the Community that are part of a Registered Social Landlord scheme had access to preventative measures with regards to assisting with ASB and neighbour disputes at its lowest level through mediation and also housing officer support. However, private own and rent members of the community do not have the same access to this level of service without having to pay for these themselves. This has lead to feuds and disputes becoming unresolved and escalating to a point where Police have been called and repeat calls to service including the Partnership, Community Wardens and also Environmental Health Department had left some cases "stuck" due to the only options being to advise the residents that they were to seek their own legal advise at their own cost.

Many of these residents were not entitled to assistance with legal aid, so would therefore choose to let things lie and escalate to a level that was greatly affecting their quality of life.

Although the ASB unit offer assistance to all members of the community and work closely with RSL's, it was satisfied that the RSL's do have enough processes in place to deal with the majority of their tenants feuds "in-house". We were also confident that if this was not the case, a referral would be made to our team. With this in mind our focus over the past 2 years has been on making services available to the private sector, encouraging them to resolve their issues at the earliest point.

We had the opportunity to buy in 54 cases over a 3 year period for the private sector in order to encourage early intervention. The independent service offer mediation relevant to our department in the following circumstances:

- · Between neighbours
- · In communities
- · Between tenants and Landlords
- With residents groups and associations
- · In schools

The ASB team has increased work to track down and trace private landlords and involve them in cases at the earliest opportunity. Due to this we have had recent success with regards to an Anti-Social family in Crewe being served "notice to quit".

There is view to team up further with Environmental Health Department in order to develop our communications with private landlords. The Environmental Health Department has already recognised the importance mediation in a number of cases that they receive into their department, and an agreement has been made that in all their initial letters to complainants, details regarding the mediation service are sent out in order to encourage, where possible a more informal resolution to noise related issues between residents.

Due to this a number of cases have been referred to our department from Environmental health. A particular case in Crewe of recent has undergone mediation with the assistance of Lithuanian translators (supplied by the mediation company). It was assumed that this case would eventually lead down to more formal actions as the noise that was displayed by the Lithuanian family was excessive. But beyond all expectations, so far it appears that since an agreement has been made with the mediation service 4 weeks ago, no more calls to service have been made. This case is a prime example of how the service can be used across partners. A number of hours on resources have been saved so far on this particular case through Police calls and Police officer time, Environmental Health Department involvement and also calls to service via our SCEP number involving ASB Coordinator and Team Leader commitment to the case.

A case study is being compiled on this particular example, but as this is early days and we are only 4 weeks into the agreement this will be available within the next few weeks.

Evidence of positive outcomes through early interventions

Recently, the Community Safety Team has conducted a review of the Mediation Service in relation to anti social behaviour cases that has come to our attention. The table shows a break down of the amount of closed cases that have been passed to the Mediation Service.

Town	Calls before referral (6 months prior)	Referrer	Reason for referral	Reason for closure	Number of incidents since closure
CREWE	4	PCSO ANDREA SMITH	DIFFERENCE IN LIFESTYLE	SITUATION NOT RESOLVED	2
SANDBACH	9	JULIA PESTELL-HASSALL	DIFFERENCE IN LIFESTYLE	INVOLVEMENT BY OTHER AGENCY	
SANDBACH	13	PC ALISON PRECIOUS	NOISE	SITUATION PEACEFUL	3
WHITCHURCH	2	HELEN MUSKER	DIFFERENCE IN LIFESTYLE	ONE OR MORE PARTIES DISENGAGED	2
CREWE	1	PC BRYONY HANCOCK	BOUNDARIES	OFFICER CLOSURE	4
HIGHER POYNTON	1	PCSO CHRIS HOWARD	BOUNDARIES	OFFICER CLOSURE	0
POYNTON	4	PCSO ROB MASSEY	BOUNDARIES	SITUATION PEACEFUL	0
NANTWICH	1	HELEN MUSKER	BOUNDARIES	SITUATION PEACEFUL	0
CREWE	3	PCSO ANDREA SMITH	DIFFERENCE IN LIFESTYLE	ONE OR MORE PARTIES DISENGAGED (P2)	5
ALSAGER	0	NICK KELLY CEC EH	NOISE	PERSONAL/MEDICAL	0
SANDBACH	1	PCSO DAN BARRY	PARKING	SITUATION RESOLVED	2
CREWE	2	PCSO AINSLEY THREADGOLD	PETS	SITUATION RESOLVED	0
CREWE	1	PCSO PETE CORBETT	BOUNDARIES	AGREEMENT REACHED AROUND THE TABLE	0
NANTWICH	Restricted	DS DAVID JONES	PARKING	AGREEMENT REACHED AROUND THE TABLE	1
CREWE	3	PC PETER MOSS	DIFFERENCE IN LIFESTYLE	P2 DISENGAGED	0
RAINOW	0	PAUL BESTWICK	PARKING	PERSONAL/MEDICAL	0
CREWE	1	PCSO ANDREA SMITH	CHILDRENS BEHAVIOUR	One party engagement - Situation resolved	0
CREWE	3	PCSO STEVE METCALFE	PARKING	one party engagement - situation not resolved	0
CREWE	5	PCSO DIONNE JOHNSON	BOUNDARIES	P2 disengaged	1
CREWE	1	HELEN MUSKER	NEIGHBOUR DISPUTE	OFFICER CLOSURE (P1 Moving)	0

POYNTON	2	LAURA WOODROW-HIRST	NEIGHBOUR DISPUTE	P2 DISENGAGED	0
CREWE	15	LAURA WOODROW-HIRST	DIFFERENCE IN LIFESTYLE	AGREEMENT REACHED AROUND THE TABLE	0
CREWE	0	SARAH EDGE - ENV. HEALTH	NEIGHBOUR DISPUTE	AGREEMENT REACHED AROUND THE TABLE	0
GOOSTREY	1	PC BURGESS	NEIGHBOUR DISPUTE	P1 & P2 NOT WILLING TO MEDIATE	0

Key headline figures

- **24** cases referred to Mediation Service between December 2010 and July 2012
- **10** cases resolved through both party, or one party engagement **(41.6%)**
- 8 cases not resolved through disengagement of one/both parties or non-agreement between parties (33.3%)
- 6 cases were closed by either by the mediation worker or by the parties due to either legal involvement or other personal reasons by one or both of the party's e.g. ill health etc. (25%)
- 73 incidents occurred before Mediation Service and only 20 incidents occurred after Mediation intervention (73%)
- There is currently **9** 'open' cases which are not included in these figures

Costing of staff

These figures are approximate and can only be used as an indication as to possible total costs associated with a specific incident

If anti social behaviour incident requires 60 minutes of staff time	Costs
Police x 1	£65.18 (data from Cheshire police research team)
Police x 2	£130.36
Cheshire East Council ASB co-ordinator	£18.94

Total cost of ASB incident having 60 minutes of intervention from just one police officer and 60 minute intervention from an ASB coordinator will **cost £84.12**.

Typically, two police officers would attend an incident, especially during the evening/night time.

An ASB co-ordinator would on average spend approximately 5 hours on each case (through liaising with partner agencies/writing letters to parents/arranging and attending meetings/telephone calls to residents etc)

Total cost typically = £225.06 per incident

*Please note that these costs are approximate and only include the costs of police constables and ASB co-ordinators. In many incidents, other agencies are involved in dealing with ASB issues such as:-

- Environmental health officers
- Housing officers
- Community wardens
- Trading Standards officers
- Youth Offending officers
- Schools
- Mental health officers

	Number of incie before Mediation Interventio	Number of inci after Mediation Interver
	73	20
Approximate cost of PC and coordinator time in typical cases	£16,529	£4,501

Across Cheshire East during the month of August, there were a total of 1,423 reported incidents of anti social behaviour.

It is important to note that in some cases, incidents do lead to arrests and then the costs escalate considerably once this occurs due to the costs associated with the criminal justice system and the crown prosecution service. If the services of the Mediation Service can be offered at the first point of contact, this reduces the likelihood of enforcement taking place with regards to both civil and criminal matters. Since the Community Safety team have set up the telephone service for members of the public to contact in relation to community safety and anti social behaviour, we have received 350 calls since December 2011. Many of these calls will have been the first call to service from a resident and as a result, mediation may have been offered if deemed appropriate. In some cases, the involvement of any other agency is not required due to mediation being taken up on the first contact.

The appendices demonstrate preventative measures put in place by the ASB Team and Police in conjunction with other preventative agencies to reduce ASB amongst young people in the Cheshire East area. The first document evidence's letter warnings sent and proportion of warnings that have resulted in formal action. The second document summarises these statistics in a more basic document - exhibiting a dramatic reduction on those coming to police attention for the first time and those being referred onto our POP panel and then onto more formal actions. The third document shows a basic summary of the number of young people that have been referred into the Preventing Offending Panel (POP) over a specific period to give an idea on the number of people that are referred into the POP and also the type of agencies that refer into the panel in addition to the ASB Coordinator "yellow card" process.

Without the continued support and funding for our current ASB Team this high level of reductions in more formal actions would not be possible. Continued support for the ASB Coordinator post in Macclesfield and also consideration for any additional hours towards all the posts would assist us to maintain this level of support and also enhance our teams' contributions in allowing this level of support to continue and also improve.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Abigail Webb Community Safety Development Manager 01606 363352 <u>Abigail.webb@cheshireeast.gov.uk</u>

APPENDIX ONE



Please refer to glossary at end of this document for abbreviations summary

WARNING LETTERS SENT BASED ON YELLOW CARDS ISSUED Mar 11 – Aug 11 PERIOD 1											
	LETTER 1	LETTER 2	AW 1	AW 2	POP	ABD	ABD REM	VISIT	TOO LATE	ADULT	ABC
CREWE	226	62	126	11	6	6	2	0	10	6	0
CONGLETON	67	18	68	22	6	1	1	3	1	0	0
MACCLESFIED	79	20	10	0	4	1	0	0	9	3	0
TOTAL EAST	372	100	204	33	16	8	3	3	20	9	0

	WARNING LETTERS SENT BASED ON YELLOW CARDS ISSUED Sep 11 – Feb 12 PERIOD 2										
	LETTER 1	LETTER 2	AW 1	AW 2	POP	ABD	ABD REM	VISIT	TOO LATE	ADULT	ABC
CREWE	133	35	42	24	9	6	10	0	3	2	0
CONGLETON	107	24	14	3	8	0	3	7	11	0	0
MACCLESFIED	59	12	19	2	6	5	1	2	15	2	1
TOTAL EAST	299	71	75	29	23	11	14	9	29	4	1

WARNING LETTERS SENT BASED ON YELLOW CARDS ISSUED 1 YEAR TOTAL Mar 11 – Feb 12											
	LETTER	LETTER	AW 1	AW 2	POP	ABD	ABD	VISIT	TOO	ADULT	ABC
	1	2					REM		LATE		
CREWE	359	97	168	35	15	12	12	0	13	8	0
CONGLETON	174	42	82	25	14	1	4	10	12	0	0
MACCLESFIED	138	32	29	2	10	6	1	2	24	5	1
TOTAL EAST	671	171	279	62	39	19	17	12	49	13	1

FURTHER STATISTICS:

Please note before looking at the below statistics the following:

- A small proportion of letter warning and alcohol warning 2's, POP referral letters and ABD's may well relate to information prior to March 2011.
- Similarly, there may be a small amount of unaccounted for letter warning and alcohol warning 2's, POP referral letters and ABD's, after February 2012.

It is estimated that the "missing figures" either side of March 2011 and February 2012 are a small percentage and the below information is based on the "at it's most" numbers.

Percentage of young people proceeding from ASB letter 1 – ASB letter 2

PERIOD 1:	26.8%
PERIOD 2:	23.7%
YEAR TOTAL:	25.5%

Percentage of young people proceeding from Alcohol warning letter 1 – Alcohol warning letter 2

PERIOD 1:	16.2%
PERIOD 2:	38.7%
YEAR TOTAL:	22.2%

% AW and ASB letter 1's	25%
Proceeding to letter 2's	
% letter 2's proceeding to POP nomination	16.1%
% POP nomination proceeding to ABD's	48.7%
% ABD's proceeding to ABC's	5.3%

SUMMARY

The final set of statistics below overview the success of the whole yellow card and letter warning system within the Cheshire East area over this time period.

Percentage of young people proceeding from ASB warning and alcohol warning letter 1's to POP nomination

PERIOD 1:	5.7%
PERIOD 2:	6.1%
YEAR TOTAL:	4.1%

Approximately only **4.1%** of young people that come into initial contact with the Police and receive a first warning letter will then go on to proceed through the process as far as being nominated to our Preventing Offending Panel (POP).

Those **4.1%** will at that stage be subject to a number of preventative measures to assist them in becoming any further involved in the ASB or Youth Justice system.

In this entire period only **1** young person was made subject to an Acceptable Behaviour Contact (ABC). This is due to two main factors:

(i) The way the Safer Cheshire East Partnership now views ABC's and acts on ABC's.

Young people now subject to ABC's are at the highest most voluntary level they can be at before an ASBO is applied for. The Young person will have had to be involved in a high amount of Anti-Social Behaviour incidents, which will be evidenced by statements from members of the public, members of that particular community and local Beat officers. Breaches of the ABC are now taken very seriously, and after only two breaches, the process of applying for an ASBO will be undertaken.

(ii) The success of the early warning system via the yellow cards and also the Preventing Offending Panel and ABD process.

During these processes the young person will be subject to a number of interventions and offers of assistance to try to steer them back onto the correct path and offer them alternative activities to distract them from becoming further involved in Anti-Social incidents. A vast number of young people that have been involved in this process have succeeded in not proceeding to ABC level.

Due to the work of the Police and Partnership agencies, we have also not issued an ASBO to a young person since **4**th **March 2010**.

These figures are based on our new way of working since the Cheshire East merge and new layout of our Cheshire East Anti-Social Behaviour Team. It is anticipated that submission of yellow cards, letter warnings, Acceptable Behaviour Discussions and Contracts, will increase as the gap between agencies is further tightened and ways of working are further strengthened through the new HUBS and transforming Police guidelines.

ASB Coordinators will continue to work closely with NPU's with regards to monitoring incidents that require yellow card submissions and delivering training to officers with regards to POP referrals and interventions available for young people at risk of Anti-Social Behaviour and offending.

The imminent arrival of our ASB case management system (I-DOX) will assist the Coordinators in mapping incidents and repeat perpetrators of this type of ASB. It is anticipated that the level of letter warning and interventions from ABD to ABC's will increase, but this will be due to the increased communication between Police and ASB coordinators and also the more detailed case management of young people and related/linked incidents.

This is our first set of figures under the SCEP banner – all other past statistics are based on ASB Coordinators running their own separate Boroughs (Crewe and Nantwich, Macclesfield and Congleton) which in turn had their own structures and ways of dealing with ASB.

A set of basic statistics regarding ASBO's for the Eastern areas and also some letter warning stats for Crewe and Nantwich Borough can be produced and presented by request.

TERMS OF REFERENCE TABLE			
ASB	Anti-Social Behaviour		
LTR1 - LETTER1	Anti Social Behaviour Warning - First letter		
LTR 2 - LETTER 2	Anti-Social Behaviour Warning – Second letter		
AW 1 - ALCOHOL WARNING 1	Alcohol Warning – First letter		
AW 2 - ALCOHOL WARNING 2	Alcohol Warning – Second letter		
POP - PREVENTING OFFENDING PANEL	Preventing Offending Panel nomination letter/nomination completed by ASB coordinator due to level of yellow cards a young person has received. The young person will be discussed at a panel of agencies to look at what measures can be put in place to try to prevent them getting involved in any further Anti-Social Behaviour		
ABD - ACCEPTABLE BEHAVIOUR DISCUSSION	Young person and Parent/Career will be invited into Police station or other relevant building for a discussion meeting with Police ASB Coordinator and other identified agencies. Preventative interventions will be offered at this stage and warning of what may happen if behaviour continues		

ABD REM - ACCEPTABLE BEHAVIOUR DISCUSSION REMINDER	A reminder letter that will be sent to a young person that has been subject to an ABD and has come to attention again through the yellow card system.
ABC - ACCEPTABLE BEHAVIOUR CONTRACT	Young person and Parent/Career will be invited to attend a meeting to discuss the signing of an ABC in order to protect members of the Community who are suffering from the young person's behaviour. The contract will prohibit the young persons from doing certain things that will aim to stop their behaviour impacting on others (exclusion zones, non-associations, behaviour related prohibitions etc). failure to sign or comply with this contract will result very quickly in more formal actions including tenancy (if Registered Social Landlord), or an application for and Anti-Social Behaviour order or equivalent under any new government legislation.
VISIT	No letter has been sent as the officer has requested "no letter" as parents have been visited and spoken to by the officer. Card and information loaded onto database for monitoring.
TOO LATE	Cards were submitted to late to send a letter to parents/careers. i.e. card submitted over a month after incident. Card detail logged for monitoring.
ADULT	Letter warning sent to a young person/adult over the age of 18 who has usually been found with a group of minors in possession of alcohol.

APPENDIX TWO – NEXT PAGE

YELLOW CARD AND LETTER WARNING INTER	RVENTION STATISTICS MARCH 2011 – FEB 2012
Number of yellow cards submitted across East	1375
Number of letter warnings sent	1273
First letter warnings moving to second letter warning	25%
Second letter warnings moving onto a POP nomination	16.1%
POP nomination to Acceptable Behaviour Discussion	48.7%
Acceptable Behaviour Discussion to Acceptable Behaviour Contract	5.3%
ASBO's on under 18's	None since March 2010
SUMMARY	From first letter warning stage on 4.1% of young people moved onto POP interventions

APPENDIX THREE

POP REFERRAL STATISTICS DEC 10 – JAN 12										
	ASB COORD VIA YELLOW CARD	POLICE	SCHOOL	HOUSING	SOCIAL CARE	FIP	CONNEXIONS	CAMHS	YOS	VOL SECTOR
CREWE	15	46	7	3	1	2	10	0	0	0
CONGLETON	5	10	2	3	1	0	0	0	0	0
MACCLESFIED	7	21	2	5	3	0	0	1	2	2
TOTAL EAST	27	77	11	11	5	2	10	1	2	2

TOTAL REFERRALS FOR POP NORTH:	44
TOTAL REFERRALS FOR POP SOUTH	104
TOTAL EASTERN STATS FOR POP	148