

TELFORD & WREKIN COUNCIL

CABINET – 14TH JULY 2008

TACKLING ANTI-SOCIAL BEHAVIOUR IN DAWLEY HIGH STREET

JOINT REPORT OF THE CORPORATE DIRECTOR OF COMMUNITY SERVICES AND THE DIVISIONAL COMMANDER FOR TELFORD & WREKIN DIVISION, WEST MERCIA CONSTABULARY

1.0 PURPOSE

To inform Members of work being carried out to reduce ASB and crime in Dawley High Street and to identify options available to the Safer Communities Partnership to tackle these issues.

2.0 RECOMMENDATIONS

- 2.1 The actions outlined in the PIER (Prevention, Intelligence, Enforcement and Reassurance Joint Tasking plan) are endorsed.**
- 2.2 That the Council and the Police cooperate to ensure that all the legal powers available to the partnerships to tackle Alcohol related ASB and crime in Dawley are deployed as required to reduce the real and perceived fear of crime in the area.**

3.0 BACKGROUND

- 3.1 In July 2007 the Safer Communities Strategic Unit responded to a range of concerns expressed by Members in Dawley relating to young people accessing alcohol, underage/consumption on the street and anti social behaviour. A number of environmental issues were identified which impacted on the area at that time.**

An action plan was developed by a number of local partners and from council portfolios. The action plan included extension of Youth Services' provision, physical improvements to the High Street, proposal to upgrade the CCTV system, improved Police presence and test-purchasing with local supermarkets.

The position of Dawley in relation to crime and ASB has continued to be monitored through the Joint Action Group (part of the Safer and Stronger Communities Partnership) and there was some decrease in ASB leading up to Christmas and the New Year. A youth engagement programme has operated throughout this time, and has been

successful in working particularly with the younger children in the area. However, there remains a challenge to engage positively with others who are disaffected, and more inclined towards ASB and/or criminal activity.

In April 2008 a meeting with the local Police Team and elected members for Dawley was held and concerns about increases in ASB were once again raised. It was noted that there had been an increase in reports of ASB particularly on the High Street from February through to April. This placed Dawley as an area in the Borough with the highest volume of ASB during that period. It was noted that this was not significantly out of step with seasonal trends. However, whilst crime may have fallen slightly the local community were still rightly concerned about the level of crime in the area. At this time the Police instigated 'Operation Band Stand' which involved an increased Police presence in the area. Additionally a multi agency task group met in May to look at other measures that could be taken to work with young people, particularly the hard core of individuals who were seen to be at the heart of the problems. The range of actions includes short term and long term measures, and integrates with local Policing plans. This additional work has led to a number of arrests.

4.0 CURRENT POSITION

Meetings have recently been held between the Council and Senior Members of the Police Command Team, and these have been supported by multi agency meetings which focus on action plans for the next 6 and 12 months respectively. These cover areas such as prevention, enforcement, environmental and positive activities. This multi agency action plan is linked into the local Police control strategy (via PIER - Prevention, Intelligence, Enforcement and Reassurance Joint Tasking plan). The action plan is intelligence led and reliant upon full participation by all agencies in order to achieve success.

4.1 Most of these agreed actions are already underway and include:

- A proactive police presence in the area
- Use of the Council funded targeted CSO teams to increase visible patrols in the area
- Work with the local off licences around proxy sales, underage sales and their role in reporting ASB
- Policing of 'targeted groups and individuals; not all young people in the High Street area are involved in ASB. Some older people are also involved in ASB and/or criminal activity and these are subject to action. The Police operation Bandstand in the area identified a core group of between eight to ten young people aged in the 16 – 20 range who need to be engaged with.
- A review of the available legal actions such as Sec 30 Dispersal Orders – Designated Public Places Order (so called 'alcohol free zones') Sec 27 (street seizure of alcohol). The Police are

introducing a Sec 27 Order for a 6 week period expiring at the end of July. This will be operated by the local Policing team for that area and monitored and reviewed weekly. This work will be supplemented by the multi agency action plan which includes the following:

- The CCTV system in Dawley has recently been upgraded, and actions are being taken to ensure that all cameras are operational and linked into a monitoring facility.
- Positive activities to engage young people in the area now funded via Connections for Youth which includes football coaching and youth work based at the Phoenix centre, and the local football field. This project seeks to recruit CSOs and young people to qualify as football coaches and includes two age groups (11-14 and 15-19) to run over the summer will be available for one year.
- A 'drop in centre' for young people is now held every Wednesday between 6 – 8 pm. Efforts will continue to expand this.
- Family support measures are being looked at in respect of young people under consideration for ASB intervention, along with existing statutory involvement via Youth Offending Service.
- The Crime Reduction Officer of Telford Police has undertaken a site survey of the bandstand to consider immediate measures to control behaviours in this location. In the longer term, this facility will be considered under regeneration plans.

Significant funding will be generated under regeneration to invest in the Dawley area. There is an ongoing commitment to install crime reduction measures as part of this development.

- Shop Watch and Pub Watch are being progressed by the Local Policing Team supported by the Community Safety Partnership, and will involve liaison with the Telford Business Against Crime Group.
- A survey is underway, led by the Police, with local businesses to identify crime reduction measures that can be instigated.
- Dawley 'Clean Up' is planned to take place during September.
- Police have committed to meet regularly with local elected Members to discuss and review Police and partnership actions.
- It has been agreed that the impact of these measures will be reviewed at the end of July to assess the impact of actions taken

to date and to consider possible further actions that could be taken

5.0 FURTHER OPTIONS TO BE PURSUED

The Council and the police have committed to pursue a range of enforcement sanctions including the use of Section 30 Dispersal Orders, other ASB legislation (individual sanctions) and Designated Public Places Orders. None of these provide single solutions to the problems identified, and require the range of multi-agency actions to address the underlying issues which have given rise to ASB in the High Street area of Dawley. These also need to be supported by plans on regeneration, to ensure that crime reduction measures are built into the design of the High Street area and its vicinity.

The Council and the Police will continue to ensure all legal powers available to the Partnership to tackle alcohol related ASB and crime in Dawley will be developed to reduce the real and perceived fear of crime.

6.0 COMMUNICATION STRATEGY

The Council and Police will continue to act jointly in any press releases and media campaigns on these issues. A communications plan has been developed with the Police to promote reassurance and to highlight the positive work that is being done in the area

7.0 EQUAL OPPORTUNITIES

Residents in Dawley will experience the problems associated with ASB in different ways, but this impacts significantly on the quality of life for all. There will be particular groups of individuals who feel afraid and intimidated and the Council has a responsibility towards the protection of these. It also has a responsibility towards all groups, including young people to ensure that their needs can be addressed and ASB tackled effectively. The legal powers being used to do this may have an adverse impact on people using the High Street area; this is particularly the case with geographically based restrictions, rather than those that apply solely to individuals. For this reason, it is appropriate that the Police consider the full range of sanctions that apply to both, and apply them with proportionality. Community impact assessments will be undertaken with the Police to ensure the actions are assessed in terms of their impact on the wider community.

8.0 ENVIRONMENTAL IMPACT

Steps are being taken to assess the impact that changes to the physical environment can have in increasing peoples' sense of place and reassurance in the area.

9 LEGAL COMMENT

Section 30 Dispersal Powers

- 9.1 Under section 30 Anti-Social Behaviour Act 2003 the Police can disperse groups in designated areas suffering persistent and serious anti-social behaviour. The Police and the Council work together to identify particular problem areas; evidence of anti-social behaviour would need to be collated and be sufficient to show that the problem in a particular area justified the making of an order.
- 9.2 The Police designate an area with the consent of the Council where there is persistent anti-social behaviour and a problem with groups of two or more persons causing intimidation.
- 9.3 Once a designation has been made, it must be notified in a local newspaper or through notices in the area. A designation lasts for up to 6 months.
- 9.4 Individuals can be excluded from an area for up to 24 hours.
- 9.5 The Council delegated authority to give consent to an order to the Chief Executive following consultation with the Leader under section 31(2) of the Anti-Social Behaviour Act 2003.

Designated Public Places Order

- 9.6 Section 12-16 of the Criminal Justice and Police Act 2001 provide Local Authorities with an adoptive power to restrict anti-social public drinking in designated public places and they provide the police with the power to enforce this restriction. The procedures to be followed by Local Authorities in designating public places are set out in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007.
- 9.7 The Act provides the Police with powers to deal with anti-social drinking in places that have been designated. The police have the power to require a person not to drink alcohol in that place where the officer reasonably believes that the person is, or intends to do so, and to surrender any alcohol or alcohol containers in the person's possession. It is not an offence to drink alcohol in a designated public place, but failure to comply with the officers' requirements in respect of public drinking or surrender of alcohol, without reasonable excuse, will be an arrestable offence.
- 9.8 Local Authorities can only designate areas for this purpose where they are satisfied that nuisance or annoyance to the public or disorder have been associated with public drinking in that place. The Council and the Police will need to be satisfied that public nuisance annoyance or

disorder has been associated with public drinking in the area concerned.

- 9.9 An assessment about the level of the anti-social drinking and disorder in the areas proposed for designation is required. The Council and the Police will need to provide evidence that the extent of the disorder or nuisance in these areas is linked to the public consumption of alcohol. This evidence could include comparisons with other areas in the Borough and also address the appropriateness of making an order of this nature for the particular area concerned. The Council will have to be satisfied that the proposed area for designation has a history of anti-social drinking and disorder. Failure to make such an assessment could result in a legal challenge.
- 9.10 Under the Human Rights Act 1998 all actions of the Council must be proportionate and not unduly interfere with the rights of individuals. Accordingly in considering whether to make a Designated Public Places Order, in addition to considering the evidence referred to in paragraph 9.11 of this report, it would be prudent to assess other measures available to address anti-social drinking and disorder in the specified area to ascertain what a proportionate and reasonable approach would be in those particular circumstances.
- 9.11 If the Council is satisfied with the assessment and evidence gathered on the proposals they need to undertake consultation and receive representations about areas which will be affected by the designation order. There is also a publicity (notice) requirement and process to be followed. An order cannot be made until at least 28 days after the publication of the notice referred to above. A further press notice is then required.

10.0 LINKS WITH CORPORATE PRIORITIES

Addressing issues of anti-social behaviour relates directly to the councils priorities of:-

- Transforming Telford & Wrekin
- Giving young people the best possible start in life
- Maintaining a high quality attractive and sustainable environment
- Creating a safe, strong and cohesive community.
- Promoting healthy communities and improving the quality of life of vulnerable older people.

11.0 RISK ASSESSMENT

A range of legal sanctions will be applied by the Police and the Council to address the issues in Dawley High Street. These are considered to be proportionate and effective as this is a focus upon individuals believed to be involved in criminal activity and ASB, and not on

applying restrictions which may not be necessary. These actions will be under constant review and steps to escalate under ASB legislation will be taken, only on the basis of evidence. If this, and the current action plans are unable to impact on the volume of ASB in Dawley High Street, further legal sanctions will be considered. In respect of a Designated Public Places Order, steps are being put in place to start the process. This approach is incremental and evidence based, and sufficiently robust to withstand the possibility of legal challenge.

12.0 FINANCIAL COMMENT

Mainstream funding provides for core Police and Telford and Wrekin activities, supplemented by grant funding elements from Safer and Stronger Communities Fund, and Positive Activities for Young People. In addition, the Council has allocated £100,000 per annum for three years to support its priorities in the Alcohol Strategy, including measures to tackle ASB. The Borough Towns Initiative will bring significant investment into Dawley and Malinslee, and this presents an opportunity to respond to crime and ASB by design.

13.0 WARD IMPLICATIONS

This work impacts directly on Dawley Magna ward.

14.0 BACKGROUND PAPERS

None

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