

MINUTES OF THE YOUTH ANTI-SOCIAL BEHAVIOUR TASK AND FINISH GROUP

17th October 2016 at 5.00p.m.

PRESENT: Councillors Roden (Chair), Baker, M Dolling, Keens, Taylor and Rowlands

In Attendance: Vicky Hawkes, Acting Service Manager
Joan Bailey, University of Bedfordshire
Fiona Marshall, Senior ASB Housing Officer
Sargent Richard Cunningham, Bedfordshire Police

22. APOLOGIES FOR ABSENCE (REF 1)

Apologies for absence from the meeting was received on behalf of Kim Murphy, Operation Manager and Kerrie Virgo, PEI Team Manager.

23. MINTUES (REF 2.1)

Resolved: That the minutes of the meeting held on 6th September 2016 be taken as a true record of the meeting and the chair be authorised to sign them.

24. BEDFORDSHIRE POLICE RESPONSE (REF: 5)

Sargent Cunningham advised anti-social behaviour calls go into the Police control room where they are determined according to Thrive (threat, risk, investigate, vulnerability and engagement) to ascertain the level of threat. Calls assessed as high risk require an immediate response and results in a police despatch unit being deployed to deal with the situation. Low level cases of ASB cases are logged for a visit to take place where information about the incident is obtained. Cases which show no criminal offence or criminal damage are passed to the Police Community Service Officers (PCSOs) who would assess the situation by completing a matrix form to determine the level of risk (high or low) which would then be referred to the ASB Team for a case management approach for further investigation.

The Acting Service Manager further advised matrix forms trigger a referral to the ASB Team and reports regarding other types of crime are referred back to PCSOs. Cases where no threat is involved the call handler would look at where the call originated from to see if it was in an area where CCTV footage could be accessed and statements would also be taken from neighbours in the area which would be used as evidence. It was important to gather as much information as possible before deciding on the appropriate action to take.

In response to off road biker complaints and the Police response these are dealt with by Operation Meteor which is a Bedfordshire wide operation now extended to include the Leighton Buzzard area. The Police are aware that Stopsley is particularly prevalent for such complaints and deployed two Police Officers on bikes to patrol and raise awareness in that area.

Resolved: That thanks to the Police Sargent be recorded.

25. LBC HOUSING – INVESTIGATION AND ENFORCEMENT (REF 6)

Fiona Marshall, Senior ASB Officer advised there are 2 full time Senior ASB Officers and 18 generic housing officers to deal with low level cases, more serious cases of ASB are passed to the Senior ASB Officers to follow up and resolve.

The Housing Section regard youth nuisance/anti-social behaviour as a breach of tenancy. All Council tenancy agreements stipulate the seriousness of ASB and action the Council will take against the lead tenancy holder if the investigation is proven, which can be informal or formal action.

Informal action usually involves:

- A warning visit which takes place as soon as the complaint is received where the tenancy holder is reminded of the tenancy and license conditions which is then followed up in writing.
- Acceptable Behaviour Contracts (ABCs) are usually issued to young people and do not criminalise but can be taken into account if the contract is breached and leads to Court action.

Formal action involves sufficient evidence being obtained and a possession order notice on the tenancy is served which is a legal document and the first stage of the proceedings. Serving a notice does not mean the Council has sufficient evidence to proceed with eviction but can restrict some of their rights as a secure tenant and act as an effective warning tool.

Any evidence for civil action is under the balance of probability and not beyond reasonable doubt as for criminal action. For Civil proceedings hearsay evidence from victims can be used as they are anonymised. Taking possession of a property is housing's ultimate power and a lengthy process governed by the courts. Cases can take up to a year plus to be concluded and do not always result in eviction. Whilst lower levels of evidence are accepted a strong case is necessary for a judge to grant possession.

Other powers available to the council:

Civil Junctions require 2 tests where the person has 'caused or likely to cause harassment, alarm or distress to any person'; if the court considers it is just and convenient to grant the injunction to prevent the person engaging in ASB.

Power of arrest can be included in more serious cases e.g.

- To prevent a perpetrator attending a property
- To ban a household member or tenant from the property
- To restrict behaviour at a property/number of visitors i.e. storing bikes
- Can include positive requirements in some circumstances

Breach of a ASB injunction is a mandatory possession ground

Premises Closure Notice – this notice prohibits access to the premises for a period specified in the notice to all a person except those specified. The maximum it can be enforced for is 48 hours. Before an application can be made the council would need to be satisfied that there has been nuisance to the public or disorder near the premises.

Premises Closure Order – these are obtained from the Magistrate Court following service of the notice and can lead to the property being shut down for up to 3 months and also be extended by 3 months. The Magistrates Court needs to be satisfied that:

- A person engaged or is likely to engage in disorderly or criminal behaviour in the premises;
- The use of the premises resulted or was likely to result in serious nuisance to the public;
- There had been or was likely to be disorder near those premises associated with use of premises.

Closure orders are used in cases of serious nuisance where action is not possible against an individual e.g. injunctions and the property is causing a problem for the surrounding neighbourhood e.g. continuous parties, drug activity, rowdy behaviour. Closure orders can be applied for by the Police and Council for private domestic and commercial properties. A breach of the order is considered a criminal offence and can result in a maximum of six months in prison. For council tenants a premises closure order is a mandatory possession ground if appropriate.

Statistics – 2015-16

- 483 new ASB cases across the Housing Service
- Of those 44 were due to youth related ASB
- 88 due to criminal activity (across all cases)
- 22 due to threats and assault (across all cases)
- 183 neighbour disputes (across all cases)
- 11 ABCs (across all cases)
- 40 Notices of Seeking Possession (across all cases)
- 9 evictions (across all cases)

Housing ASB Officer work closely with and support other departments within the council: youth offending, stronger families, children's services

Resolved: (i) That thanks to the Officer be recorded.

26. ACADEMIC RESEARCH (REF: 7)

Joan Bailey, presented a paper which was tabled at the meeting and attached as an appendix to the minutes which sought a steer from Members on whether the paper.

The Task and Finish Group were happy with the contents of the paper and Joan agreed to provide more detail and provide a final submission to the December meeting..

Resolved: That thanks to Joan Bailey be recorded.

(ii) That the final submission be reported to the 20th December meeting.

27. DATE OF NEXT MEETING

Resolved: That the next meeting is 5pm on Thursday 17th November 2016 to receive the following evidence:

- Youth Offending Service (prevention and intervention)
- Youth Service
- Stronger Families (support and intervention)
- Youth Service (locations and intervention)

(Meeting ended 6.20pm)