

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM 3

REPORT TO CABINET

10 AUGUST 2006

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Community Safety and Protection -Lead Cabinet Member-Councillor Kirton

MONITORING REPORT – SCRUTINY REVIEW OF ANTI-SOCIAL BEHAVIOUR

1. Summary

This report informs Cabinet of the outcomes of the monitoring review relating to the scrutiny review of anti-social behaviour undertaken by the Housing and Community Safety Committee during 2003/04.

Members of the Housing and Community Safety Select Committee agreed that a monitoring exercise in relation to the review of anti-social behaviour should be included in the 2005/2006 work programme. It was decided to undertake the monitoring exercise in early 2006 in order to allow a period of a year to pass following Cabinet endorsement of the recommendations. It was agreed that this would allow optimum opportunity for the recommendations to be implemented and any resulting changes to the service to become apparent.

A monitoring report of the Housing and Community Safety Select Committee is attached. **Appendix 1** to the report sets out the results of the monitoring exercise in relation to the five recommendations agreed by Cabinet as part of the original review. **Appendix 2** sets out further findings of the Committee from the additional written and oral evidence presented. A number of issues were identified for further consideration as a result of the further evidence received by the Committee and these are highlighted below.

2. Recommendations

That Cabinet consider the following recommendations of the Housing & Community Safety Select Committee:-

1. That in order to further promote the use of the Directory:

- (a) the results of the survey be forwarded to the Anti-Social Behaviour Team for further analysis
- (b) a ring-bound copy of the Directory is forwarded to all Members, the Group Rooms and Members' Library with an explanatory letter.

(c) a copy of the Directory be placed on the intranet and be kept updated by asb team

(d) Councillors be notified via e-mail when the Directory is updated.

2. further work in relation to resourcing of the Neighbourhood Enforcement Service be considered for inclusion into the Housing and Community Safety Select Committee Work Programme
3. an update from the asb team on the development of work with schools and young people be considered for inclusion into the work programme of the Housing and Community Safety and Children and Young People Select Committees
4. Cabinet consider applying the concept of appropriate neighbourhood partnership working across the Borough
5. Cabinet and the Tristar Board be asked to consider the possibility of extending the budget to support out of hours working to deal with anti-social behaviour/noise issues
6. the Head of Legal Services, in conjunction with the Head of Housing, examine the extent to which covenants on Council house sales can be used as a measure against asb
7. the Head of Housing request that Tristar and other RSLs give regular updates to Councillors on anti -social behaviour issues in their wards.
8. the Housing and Community Safety Select Committee receive an annual report on Police Performance and that the District Commander be asked to arrange regular meetings between community based Sergeants and the relevant cluster of Ward Councillors in consultation with SBCs Democratic Services Unit.
9. the Committee recognises the potentially damaging impact upon settled and stable communities that housing allocations can have and that this be further considered together with information on SBCs allocation policy as part of the forthcoming scrutiny review of choice based lettings
10. an examination of the Dundee/Rochdale projects be considered as part of the Housing and Community Safety Select Committee's review of choice based lettings where this relates to the allocations policy
11. That a seminar be held for all Members of the Council to highlight and promote the work of UNITE and that SBC, Tristar and other RSLs be asked to note the importance of getting earlier referrals to UNITE and review their procedures accordingly

3. Reasons for the Recommendations/Decision(s)

1. The Housing and Community Safety Select Committee undertook a review of anti-social behaviour between August 2003 and December 2004. The 5 recommendations proposed as part of the review were endorsed at a meeting of Cabinet on 10 March 2005.
2. Members of the Housing and Community Safety Select Committee agreed that a monitoring exercise in relation to the review of anti-social behaviour should be included in the 2005/2006 work programme, and this exercise was undertaken between January and March 2006.

3. Monitoring of previously endorsed recommendations allows the Committee to ascertain the progress towards implementation, how the implementation has impacted on the service, its users, any partners or stakeholders, Members and the Council as a whole, any future plans or timescales and any issues that have emerged since completion of review that might have altered the direction of the service. It also allows the Committee to discover why, if not, the service has been unable to implement any of the recommendations.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgment of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.

AGENDA ITEM

REPORT TO CABINET

10 AUGUST 2006

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

MONITORING REPORT – SCRUTINY REVIEW OF ANTI-SOCIAL BEHAVIOUR

SUMMARY

This report informs Cabinet of the outcomes of the monitoring review relating to the scrutiny review of anti-social behaviour undertaken by the Housing and Community Safety Committee during 2003/04.

Members of the Housing and Community Safety Select Committee agreed that a monitoring exercise in relation to the review of anti-social behaviour should be included in the 2005/2006 work programme. It was decided to undertake the monitoring exercise in early 2006 in order to allow a period of a year to pass following Cabinet endorsement of the recommendations. It was agreed that this would allow optimum opportunity for the recommendations to be implemented and any resulting changes to the service to become apparent.

A monitoring report of the Housing and Community Safety Select Committee is attached. **Appendix 1** to the report sets out the results of the monitoring exercise in relation to the five recommendations agreed by Cabinet as part of the original review. **Appendix 2** sets out further findings of the Committee from the additional written and oral evidence presented. A number of issues were identified for further consideration as a result of the further evidence received by the Committee and these are highlighted below.

RECOMMENDATIONS

That Cabinet consider the following recommendations of the Housing & Community Safety Select Committee:-

1. That in order to further promote the use of the Directory:
 - (a) the results of the survey be forwarded to the Anti-Social Behaviour Team for further analysis
 - (b) a ring-bound copy of the Directory is forwarded to all Members, the Group Rooms and Members' Library with an explanatory letter.
 - (c) a copy of the Directory be placed on the intranet and be kept updated by asb team
 - (d) Councillors be notified via e-mail when the Directory is updated.
2. further work in relation to resourcing of the Neighbourhood Enforcement Service be considered for inclusion into the Housing and Community Safety Select Committee Work Programme

3. an update from the asb team on the development of work with schools and young people be considered for inclusion into the work programme of the Housing and Community Safety and Children and Young People Select Committees
4. Cabinet consider applying the concept of appropriate neighbourhood partnership working across the Borough
5. Cabinet and the Tristar Board be asked to consider the possibility of extending the budget to support out of hours working to deal with anti-social behaviour/noise issues
6. the Head of Legal Services, in conjunction with the Head of Housing, examine the extent to which covenants on Council house sales can be used as a measure against asb
7. the Head of Housing request that Tristar and other RSLs give regular updates to Councillors on anti -social behaviour issues in their wards.
8. the Housing and Community Safety Select Committee receive an annual report on Police Performance and that the District Commander be asked to arrange regular meetings between community based Sergeants and the relevant cluster of Ward Councillors in consultation with SBCs Democratic Services Unit.
9. the Committee recognises the potentially damaging impact upon settled and stable communities that housing allocations can have and that this be further considered together with information on SBCs allocation policy as part of the forthcoming scrutiny review of choice based lettings
10. an examination of the Dundee/Rochdale projects be considered as part of the Housing and Community Safety Select Committee's review of choice based lettings where this relates to the allocations policy
11. That a seminar be held for all Members of the Council to highlight and promote the work of UNITE and that SBC, Tristar and other RSLs be asked to note the importance of getting earlier referrals to UNITE and review their procedures accordingly

DETAIL

1. The Housing and Community Safety Select Committee undertook a review of anti-social behaviour between August 2003 and December 2004. The 5 recommendations proposed as part of the review were endorsed at a meeting of Cabinet on 10 March 2005. The recommendations are outlined below:
 - a. That a database of agencies be compiled in order to identify the most appropriate agency/agencies when dealing with anti-social behaviour. This information should be disseminated to all Members with accurate information on the target groups and geographical coverage of the project. The database should be compiled and updated by the Anti- Social Behaviour Team and made available through the Safer Stockton Partnership by May 2005.
 - b. That Cabinet direct the Head of Community Protection to explore mainstream funding of the ASB Team and wardens as part of the Medium Term Financial Planning process in 2005 and determine whether such resources will enable wardens to be tasked to ASB hotspots across all wards in the Borough.
 - c. That Cabinet support the principle of giving wardens enforcement powers.
 - d. A cost benefit analysis is undertaken by the Community Protection Team and initially reported to the Housing and Community Safety Select Committee by August 2005 to establish if income generated from enforcement powers be ring-fenced to continue or expand the Community Warden Scheme.

- e. The Head of Community Protection, in liaison with the Police District Commander, provide all Members with information relating to the enforcement issues arising from the Anti-Social Behaviour Bill, including the interventions planned or in place, in an action plan format by May 2005.
2. Members of the Housing and Community Safety Select Committee agreed that a monitoring exercise in relation to the review of anti-social behaviour should be included in the 2005/2006 work programme, and this exercise was undertaken between January and March 2006.
3. As part of the monitoring process, the following tasks were undertaken:
 - a. Questionnaire to all Members of the Council to ascertain the effectiveness of the Database of Agencies (Recommendation 1)
 - b. Receive oral evidence from the Corporate Director for Development and Neighbourhood Service, the Head of Enforcement Team and Officers from the Neighbourhood Enforcement Service relating to the future of the service (Recommendation 2 , 3 & 4)
 - c. Receive feedback on any issues arising from the production of the update of enforcement issues arising from the Anti-Social Behaviour Bill (Recommendation 5).
4. The Committee also agreed to invite a number of internal and external witnesses to provide further written and oral evidence to the Committee, in order that the Committee might ascertain the manner in which asb services are currently experienced and provided by various agencies.
5. Monitoring of previously endorsed recommendations allows the Committee to ascertain the progress towards implementation, how the implementation has impacted on the service, its users, any partners or stakeholders, Members and the Council as a whole, any future plans or timescales and any issues that have emerged since completion of review that might have altered the direction of the service. It also allows the Committee to discover why, if not, the service has been unable to implement any of the recommendations

FINANCIAL AND LEGAL IMPLICATIONS

Financial

7. To be identified as proposed recommendations are implemented

Legal

8. Impact will be assessed and addressed as proposed actions are implemented

RISK ASSESSMENT

9. This report is categorised as low risk

COMMUNITY STRATEGY IMPLICATIONS

10. One of the key objectives of the Community Strategy is the reduction of anti-social behaviour, and implementation of the recommendations outlined in the report should assist with this

CONSULTATION INCLUDING WARD/COUNCILLORS

11. Consultation was undertaken with Councillors where the Committee felt it was appropriate.

Name of Contact Officer- Judith Trainer
Post Title-Scrutiny Officer
Telephone No. 01642 528158

Email Address: judith.trainer@stockton.gov.uk

Background Papers:

Scrutiny Review of Anti-Social Behaviour, Housing and Community Safety Select Committee, SBC

Ward(s) and Ward Councillors:

N/A

Property

None

REVIEW OF ANTI-SOCIAL BEHAVIOUR MONITORING REPORT

INTRODUCTION

The Housing and Community Safety Select Committee undertook a review of Anti-Social Behaviour services between August 2003 and December 2004. The terms of reference for the review were as follows:-

- To evaluate the extent to which anti-social behaviour impacts upon the residents of Stockton-on-Tees
- To evaluate existing provision of services which aim to prevent or minimise anti-social behaviour and those that deal with its effects upon residents.
- To make recommendations in terms of measures to reduce anti-social behaviour

The final report produced by the Committee was submitted to Cabinet on 10 March 2005. The report contained a total of 5 recommendations, all of which were endorsed for implementation.

The recommendations are outlined below:

- 1. That a database of agencies be compiled in order to identify the most appropriate agency/agencies when dealing with anti-social behaviour. This information should be disseminated to all Members with accurate information on the target groups and geographical coverage of the project. The database should be compiled and updated by the Anti- Social Behaviour Team and made available through the Safer Stockton Partnership by May 2005.**
- 2. That Cabinet direct the Head of Community Protection to explore mainstream funding of the ASB Team and wardens as part of the Medium Term Financial Planning process in 2005 and determine whether such resources will enable wardens to be tasked to ASB hotspots across all wards in the Borough.**
- 3. That Cabinet support the principle of giving wardens enforcement powers.**
- 4. A cost benefit analysis is undertaken by the Community Protection Team and initially reported to the Housing and Community Safety Select Committee by August 2005 to establish if income generated from enforcement powers be ring-fenced to continue or expand the Community Warden Scheme.**
- 5. The Head of Community Protection, in liaison with the Police District Commander, provide all Members with information relating to the enforcement issues arising from the Anti-Social Behaviour Bill, including the interventions planned or in place, in an action plan format by May 2005.**

MONITORING PROCEDURES

The monitoring of recommendations implemented as a result of Cabinet endorsement of a scrutiny review is an essential element of the scrutiny process. Monitoring processes are generally undertaken around 6 – 12 months after endorsement.

Monitoring of previously endorsed recommendations allows the Committee to ascertain the progress towards implementation, how the implementation has impacted on the service, its users, any partners or stakeholders, Members and the Council as a whole, any future plans or timescales and any issues that have emerged since completion of review that might have altered the direction of the service. It also allows the Committee to discover why, if not, the service has been unable to implement any of the recommendations.

Following the monitoring process, Members of the Committee will have to decide if the objectives of the recommendation are complete, or if further updates are required, or any additional recommendations or actions have been identified, and the associated timescales.

Members of the Housing and Community Safety Select Committee agreed that a monitoring exercise in relation to the review of anti-social behaviour should be included in the 2005/2006 work programme. It was decided to undertake the monitoring exercise in early 2006 in order to allow a period of a year to pass following Cabinet endorsement of the recommendations. It was agreed that this would allow optimum opportunity for the recommendations to be implemented and any resulting changes to the service to become apparent.

Once the monitoring exercise has been completed by the Committee, any resultant findings are reported, first, to the Executive Scrutiny Committee for consideration. If any of the recommendations require decisions that might affect Council policy or procedure, the Executive Scrutiny Committee might decide to refer the report on to Cabinet for consideration.

As part of the monitoring process, the following tasks were undertaken:

- Questionnaire to all Members of the Council to ascertain the effectiveness of the Database of Agencies (Recommendation 1)
- Receive oral evidence from the Corporate Director for Development and Neighbourhood Service, the Head of Enforcement Team and Officers from the Neighbourhood Enforcement Service relating to the future of the service (Recommendation 2 , 3 & 4)
- Receive feedback on any issues arising from the production of the update of enforcement issues arising from the Anti-Social Behaviour Bill (Recommendation 5).

The Committee also agreed to invite a number of internal and external witnesses to provide further written and oral evidence to the Committee, in order that the Committee might ascertain the manner in which asb services are currently experienced and provided by various agencies. The following witnesses provided written and oral evidence:

- Stockton Borough Council's Anti-Social Behaviour Team
- Tristar Housing
- Cleveland Police
- Housing Options Team
- UNITE

Appendix 1 sets out the results of the monitoring exercise in relation to the five recommendations agreed by Cabinet as part of the original review.

Appendix 2 sets out the further findings of the Committee from the additional written and oral evidence presented to it.

Recommendation	Evidence of Progress	Assessment of Progress
<p>1. That a database of agencies be compiled in order to identify the most appropriate agency/agencies when dealing with anti-social behaviour. This information should be disseminated to all Members with accurate information on the target groups and geographical coverage of the project. The database should be compiled and updated by the Anti-Social Behaviour Team and made available through safer Stockton Partnership by May 2005.</p>	<p>The database was compiled by Stockton Borough Council's Anti-Social Behaviour team and distributed to Members as the "Anti-Social Behaviour Directory of Services". The first two versions sent in May and September 2005 were in draft form in order that Members were able to provide comments and feedback before a final version was agreed.</p> <p>The Housing and Community Safety Select Committee had agreed that a questionnaire should be distributed to all Members to ascertain Members' understanding and experience of the Directory. The questionnaire was circulated to all Members and the Committee drew the following conclusions from the responses:</p> <ul style="list-style-type: none"> ➤ Only 7 of the 26 respondents had used the directory (27% of respondents) ➤ Of those who hadn't used the Directory, 2 Members (8%) responded that the reason was because they hadn't seen it. 15 Members (58%) felt that they hadn't needed to use it ➤ There is no correlation between the types/amount of asb experienced by the respondent and use of the Directory. Respondents who had NOT used the directory experienced between 1 and 18 types of asb. Respondents who HAD used the Directory experienced between 1 and 15 types of asb. ➤ There were no responses in relation to unresolved issues ➤ 11 Members (42%) advised that they had found the directory useful after EITHER using it previously or examining it in relation to the questionnaire ➤ Concerns were raised about repetition and possible problems relating to upkeep/updating <p>The Committee concluded that the Directory needed further promotion and agreed that:</p> <ul style="list-style-type: none"> • the results of the survey are forwarded to the Anti-Social Behaviour Team for further analysis • a ring bound copy of the Directory is forwarded to all Members, the Group Rooms and Members' Library with an explanatory letter 	<p>Achieved Fully</p>

	<ul style="list-style-type: none">• a copy of the Directory be placed on the intranet and kept updated by the asb team• Councillors be notified via email when the Directory is updated	
--	--	--

<p>2. That Cabinet direct the Head of Community Protection to explore mainstream funding of the ASB Team and wardens as part of the Medium Term Financial Planning process in 2005 and determine whether such resources will enable the wardens to be tasked to ASB hotspots across all wards in the Borough.</p>	<p>On 3 November 2005, Cabinet considered a report outlining a number of possible changes to the warden service, including discussion of the cost benefit analysis issue. In anticipation of the report, the Housing and Community Safety Select Committee undertook a short review of the Warden Service in September 2005. The following recommendations were agreed by the Committee and later endorsed by Cabinet on 8 October 2005:</p> <p>“OPTION 2 – Make an explicit move to a more challenging, enforcement-based approach.</p> <p>The Committee would like to include the following comments:</p> <ul style="list-style-type: none"> ➤ The area covered should be expanded to include other areas with identified problems that could be relieved by community wardens ➤ There needs to be blitzes on the extra areas to tackle the problems effectively. ➤ The criteria for an area to be covered by wardens either on a regular basis or blitz basis to be fully explained to all residents ➤ A more consistent approach needed from all wardens ➤ All wardens need to be accredited and this to be recognised financially ➤ Uniforms to be provided ➤ A more flexible approach to working times weighted towards the end of the week, the beginning of the day (early morning) and particularly end of day. ➤ Finance from mainstream funding to be sought as well as from other partners and businesses which benefit from patrols. This in addition to existing approaches. 	
---	--	--

<p>3. That Cabinet support the principal of giving wardens enforcement powers.</p>	<p>➤ Government funding criteria for community and enforcement wardens needs to change to meet new circumstances.</p>	
<p>4. A cost benefit analysis is undertaken by the Community Protection Team and initially reported to Housing and Community Safety Select Committee by August 2005 to establish if income generated from enforcement powers be ring fenced to continue or expand the Community Warden Scheme.</p>	<p>The Committee discussed problems relating to how and where resources should be directed and agreed that further work in relation to resourcing the Neighbourhood Enforcement Service should be included in the Work Programme for the Housing and Community Safety Select Committee.</p>	
<p>5. The Head of Community Protection, in liaison with the Police District Commander, provide all Members with information relating to the enforcement issues arising from the Anti-Social Behaviour Bill, including the interventions planned or in place, in an action plan format by May 2005.</p>	<p>Update reports relating to enforcement issues arising from the Anti-Social Behaviour Bill are distributed to all Members of the Council on a quarterly basis.</p>	<p>Achieved Fully</p>

FURTHER EVIDENCE

1. The Committee, when discussing the overall approach to monitoring processes, agreed that a number of SBC Officers and representatives from partner agencies should be invited to provide an update to the Committee on the current provision of anti-social behaviour services.
2. It was therefore agreed that representatives should be invited from the following agencies:
 - a. Stockton Borough Council's asb team
 - b. Tristar Housing
 - c. Cleveland Police
 - d. Housing Options Team
 - e. UNITE
3. Responses provided to the Committee from the representatives are outlined below

SBC's ANTI-SOCIAL BEHAVIOUR TEAM – WRITTEN EVIDENCE

Please provide an overview of the successes achieved in the Mansfield Road area in relation to asb, and how this was done.

4. Mansfield Ave was special in that there was additional funding around for private sector development and this was used as a carrot to engage private landlords. Endeavour provided the Community House - which is not particularly well used by residents. It is a good example of effective partnership working. In this instance Endeavour took the lead and it was coordinated by the Council (Dave Stamper from Housing Renewal). There was a named ASB Officer for the area and we developed an Action Plan using a problem solving approach, so all partners were working for the shared/common goal. The Councillors were very active and residents often told them of incidents without telling us of them but the Councillors passed the information on to us, whilst urging the residents to complete diary sheets and pass on information, so we were able to use this as intelligence so it was not wasted. The Councillors attended all meetings and they were able to see for themselves and challenge less than cooperative partners.

How can the Council streamline the successes and transfer them to other wards in the Borough? What part can Councillors play in this?

5. The main thing is the effectiveness of partnership working when it is coordinated. Also that working in this way can be an effective use of resources and does not always require additional resources but a smarter way of using what we have.

What can other agencies learn from these successes?

6. We use telephone, e mail, letter, personal visit which ever is the most appropriate for the case that is presented to us. Vulnerable perpetrators and witnesses needing additional support are referred to the ASB Support Officer who will contact them to offer them support. If the ASB Support Officer is dealing with a vulnerable perpetrator it is made clear that if the asb does not stop any information that is learned will be passed to the ASB Officer who may be building a case for an ASBO, so the support is there to help them to stop causing asb and to ensure that they are receiving support from all of the support agencies who could help them. The ASB Support officer will maintain contact with the perpetrator until the asb stops or she feels that she can not offer more - if the asb is continuing her notes will be given to the ASB Officer dealing with the case. If she is supporting a witness this can continue until after the case has been to Court and it will depend on the amount of support needed by each particular person. General contact will be weekly but this could increase if the person was experiencing problems.

ASB Officers should contact all victims/witnesses for cases that are live weekly.

A call to the ASB team is logged as Advice and Assistance. If the person wants diary sheets and further work is done such as a letter or leaflet drop it becomes an Initial Enquiry. Once diary sheets are returned they are assessed to check whether there is information that can be used as evidence and if so it becomes a case and contact will be made weekly with all victims/witnesses of open cases. Contact will be made weekly with victims/witnesses of Initial Enquiries after a fortnight if they have not returned diary sheets, if they have but the information is not suitable for evidence they will be contacted to ensure that they understand the kind of information that we need. If they do not respond to request to fill in diary sheets a letter is sent out to advise them that if we do not hear from them in two weeks their enquiry will be closed for the time being. They are told that if events commence again they should contact us.

How do you make initial contact with offenders and witnesses, and how is this contact followed up?

7. We have protocols with THL, Environmental Health, Trading Standards, the Police and RSL,s (housing associations). These explain who does what in relation to asb. We also have a members protocol with a referral sheet on it. We have an Information Sharing Protocol with the Police and the Fire Service and value is added to this by having both Police and Fire Officer presence in the team. When we get an ASBO at Court we ask for publicity and if the Court allow this we will then send out a press release and have a leaflet made identifying the perpetrator and detailing the terms and conditions of the order. A copy of this leaflet is given to the Police and the Council's Control Room. Depending on the terms of the order it will be given to residents groups and all witnesses/victims will be given a leaflet. The ward councillors are advised by e mail that someone in their area has

been given an ASBO and provided the Court has allowed publicity they will be advised of their name and the terms and conditions. If for example the ASBO was for shop lifting we would give the leaflet to the shops involved who could display it in an area where their staff can see it however it would be considered inappropriate for it to be on display facing out where any of the public could see it.

8. Gary Collins, Senior Anti-Social Behaviour Officer, also advised the Committee that the asb team were working hard to engage young people, and have forged links with 10 of the 14 secondary schools in the Borough, including 10,000 young people so far.

FINDINGS

- **The Committee would like to recognise the good partnership working between local schools and the ASB Team that is ongoing**
- **The Committee notes the positive example of neighbourhood partnership working in Mansfield Avenue, which involved a variety of agencies representing asb issues. Committee also note the importance of sustaining this work to ensure that problems do not re-emerge**

RECOMMENDATIONS

1. **That an update from the asb team on the development of work with schools and young people be considered for inclusion into the work programme of the Housing and Community Safety and Children and Young People Select Committees.**
2. **That Cabinet consider applying the concept of appropriate neighbourhood partnership working across the Borough.**

TRISTAR HOUSING – WRITTEN EVIDENCE

What are the frustrations you encounter when trying to execute your responsibilities, in the context of anti-social behaviour?

9. The inability at present to provide only a very basic after hour's services. ASB takes place 24 hours, 365 days of the year

Drafting of conflicting Legislation, Homeless Persons Act/Children's Act/Crime and Disorder Act/ASB Act 2003

Private Landlords who show no accountability/responsibility to the community

Limited powers available for Right to Buy properties, particularly around environmental issues.

Do you always get feedback from Stockton Borough Council's asb team and the police?

10. ASB Team – yes, shared software FLARE, informal regular meetings, THL Officers in the team, recently agreed new protocol which sets out roles and responsibilities.

Police is a little more informal, though this has improved in recent years. Development of the Area Liaison Meetings, Problem Solving Groups has helped, along with joint training. The frequency of officers changing posts is not helpful.

What happens to tenants that have been evicted as a result of asb?

11. All our procedures/policies stress the necessity of reduction, prevention and diversionary activities around ASB. Only six tenants have been evicted on the grounds of ASB during 2004/05.

Any tenant evicted will receive advice and temporary accommodation from SBC Housing Options, whilst investigations take place. If they are found to be intentionally homeless, they will be expected to secure their own accommodation, which is usually a private rented property. In my experience, the majority usually are rehoused by a landlord that seeks no references.

How do you deal with evictees when there is a third party on the tenancy?

12. The new tenancy agreement clearly stipulates that the tenant(s) is/are responsible for all those people who reside in the property or visit them.

If it shown that the tenant is doing everything they can to deter that person's behaviour, or deter visitors to the property we consider alternative solutions that will not penalise the tenant directly.

Why do Councillors not get reports on ward level asb, as they used to?

13. I was never aware that Cllrs received these reports. With THL and SBC using the same software (FLARE) there is no reason why Cllrs cannot be informed of activity levels of asb and intervention/enforcement action in their ward. I would be unable to name perpetrators and specific actions taken

What information is shared with housing options and allocations before a property is allocated?

14. All transfer, waiting list, social and medical needs applicants are visited in advance of any offers being made. This will include providing a housing history of ten years, which allows officers to make checks, if appropriate.

Relating to some Homeless applicants, a Multi Agency Strategy Meeting (MASMs) is held in advance of any offer being made, where all the appropriate agencies agree a support package and commitments if necessary.

It is hoped that the MASM's will be held more frequently in the future and cover a wider remit

Is the tenancy agreement working and enforceable?

15. Yes, I was the author of the new tenancy agreement and it was tripled in size from the 1996 version. The clauses are very detailed which contributes immensely to its enforcement.

What are the protocols for sharing information with other agencies dealing with asb?

16. Two established protocols, information exchange and Closure Orders
Currently developing a protocol with Environmental Health

How is information fed back to other agencies and complainants?

17. Agencies – via PSG, ALM, E-mails, Multi-Agency meetings
Complainants – via telephone, letters, E-mails, 121, new website under development
Variety of leaflets and fact sheets available in April 06

TRISTAR HOUSING – ORAL EVIDENCE

18. Paul Noddings, Head of Housing Management, attended a meeting of the Committee, at which the following concerns were re-iterated:
 - There are no dedicated resources in the Council or Tristar for 'out of hours' working. A small budget should be set aside for multi-departmental (environmental health, asb & Tristar) to undertake this work
 - The current 'right to buy' covenant needs tightening up to address problems relating to 'tenants' who are responsible for causing anti-social behaviour
 - The relationship with the police can be problematic due to lack of continuity with police postings. Relationships between TSO's and the police needs enhancing
19. Paul Noddings also advised that monthly updates on asb problems in individual wards should be provided to Councillors on a monthly basis.
20. The Committee were pleased to discovered that the Directory of Services had been utilised by Tristar as a resource for Tenancy Services Officers and clerical staff

FINDINGS

- **The Committee note the successful implementation of the ASB Directory of services as a resource of Tenancy Services officers.**
- **The Committee note the need for more out of hours working between SBC's Environmental Health Department, ASB Team and Tristar**

RECOMMENDATIONS

3. **Cabinet and the Tristar Board be asked to consider the possibility of extending the budget to support out of hours working to deal with anti-social behaviour/noise issues.**
4. **That the Head of Legal Services, in conjunction with the Head of Housing, examine the extent to which covenants on Council house sales can be used as a measure against asb.**
5. **That the Head of Housing request that Tristar and other RSLs give regular updates to Councillors on anti-social behaviour issues in their wards.**

CLEVELAND POLICE – ORAL EVIDENCE

21. Inspector Tariq Ali from Cleveland Police attended a meeting of the Select Committee to provide oral evidence.
22. Inspector Ali advised that a ward policing model had been adopted in June 2005 due to the requirement for an officer to be allocated to each ward, to act as the 'ward manager'. This work would include liaising between various agencies, acting as the 'eyes and ears' of the area working with PCSO's. There are also 3 ward support teams for each ward.
23. Inspector Ali advised that work had recently been undertaken to create better lines of communication between the police and councillors. This work is still ongoing. Inspector Ali advised that Committee that, in his opinion, the police's relationship with other partnership agencies is excellent, and continually in the process of improvement
24. Inspector Ali responded to claims that there is a lack of communication between the control unit and response officers, and explained that there has been a problem relating to the high turnover of staff in the call room, which has impacted on the service, but that quality checks are in place to aid service improvement.
25. The Committee, at the meeting, identified a variance between that which the Inspector felt was happening and what Members feel is happening 'on the ground' from experience within their wards. The Committee particularly note their perception of a failure of communication between the control unit, the early response unit and the beat officers, and liaison with wardens, Community Support Officers and Enforcement

FINDINGS

- **In order to address the issues outlined above relating to communication problems, the Committee feel that further liaison between Councillors and the police is needed.**

RECOMMENDATIONS

6. **That the Housing and Community Safety Select Committee receive an annual report on Police Performance and that the District Commander be asked to arrange regular meetings between community based Sergeants and the relevant cluster of Ward Councillors in consultation with SBCs Democratic Services Unit.**

HOUSING OPTIONS TEAM – WRITTEN EVIDENCE

How many people have been evicted in this and the previous year for ASB?

26. Based on the information provided by THL the actual number of evictions in the past two years for Anti-Social Behaviour is very small. Some contract areas have evicted nobody on ASB grounds and others have only evicted one. This reflects that eviction is a last resort. Positive interventions and support to maintain the applicant in the tenancy are considered by THL & SBC to be more appropriate way of dealing with ASB. Eviction should be perceived as a failure and only involves shifting the problem rather than resolving it. Housing Options have been involved as part of the service improvement group on anti social behaviour working in partnership with THL to develop new policies & procedures.

What happens to people when they are evicted for ASB?

27. Based on the few cases that I am aware of applicants will either return to family or will find accommodation through a private provider. Long term as a result of this applicants may yet again approach our service (Housing Options) and end up being rehoused as they have had intervening settled accommodation and are homeless, not as a result of anti social behaviour, but for example the termination of an Assured Shorthold Tenancy. This again adds to the above argument that eviction should always be a last resort.

How easy is it for asb evictees to get on the Homeless Register?

28. (Please see response below answered in conjunction with Question 5)

Of the people who are evicted for ASB, where do they go – what sort of accommodation did they move on to? Are you aware of any further problems of ASB in other tenancies?

29. See response to Question 2. I cannot provide any data relating to further ASB.

What is the criterion for these people to come back on the homeless register and do we experience repeat problems?

30. (Please see response below answered in conjunction with Question 3)

How much do we look at the offence before an offender is rehoused after being imprisoned?

31. As a homeless service we do look at applicants offence history as we have to carry out a risk assessment as to whether to place in temporary accommodation or not. Also we have to gather information to assess whether or not an applicant is vulnerable as a result of the offending behaviour to establish whether we have a duty towards them or not.

If an applicant is accepted as unintentionally homeless and in priority need and has an offending history a multi agency strategy meeting will be held prior to allocation to ensure that appropriate support is in place and they are rehoused to suitable accommodation which balance the individuals and the communities needs.

What other agencies are involved when dealing with evictions due to ASB?

32. THL & the Anti Social behaviour team carry out the interventions in relation to support prior to evictions primarily. In conjunction with the work that they do with tenants, they will look to get agencies involved that are appropriate to the families needs. For example they may use UNITE or services such as SWITCH, Stonham or DISC for example which can support tenants and work with them to keep them in their tenancy.

In conjunction with one of THL area managers, myself and CESC we have also signed up to a joint protocol to work in partnerships to intervene in the early stages of possession to try and prevent evictions/homelessness from an Anti Social Behaviour and rent arrears perspective.

Responses to Questions 3 & 5 combined

33. In response to the above the following gives a brief summary of the legislative framework that our service must follow.

Applications & Enquiries

34. As an authority we must give proper consideration to all applicants for housing assistance and to make inquiries to see whether we owe them a duty under part 7 of the Housing Act 1996. This assessment process is essential in enabling us to identify the assistance, which an applicant may need either to prevent homelessness or to find them another home. In each case we need to decide whether they are eligible for assistance, are actually homeless, have a priority need and whether the homelessness was intentional. In addition to this we also need to consider whether the applicant has a local connection to our borough.

Interim Duty to Accommodate

35. When first considering an application we need to decide if there is reason to believe that the applicant may be eligible, homeless and have a priority need even before we have completed our inquiries. If the applicant meets these criteria we have an immediate duty to ensure that suitable accommodation is available until we make our decision on the homeless case.

When is someone eligible for assistance?

36. Most people we deal with are eligible for assistance. If they live in the UK, are a British citizen and have not recently spent time living in other countries they will most certainly be eligible for assistance. There are two main groups of people who may not be eligible for assistance. These are:

- People who are not British Citizens and/or do not have full rights to live here because of their immigration status
- People who may have rights to live here but have spent time living somewhere else and aren't considered habitually resident.

When is someone Homeless?

37. Broadly speaking, someone is statutorily homeless if they do not have accommodation that they have a legal right to occupy, which is accessible and available to them and their household and which it would be reasonable for them to continue to occupy. For example it would not be reasonable for someone to live in their home if they were subject to violence.

When has someone got a priority need?

38. Although applicants may be statutorily homeless, if they do not fall into one of the following categories the authority will not owe them a main homeless duty - i.e. would not have a duty to accommodate on either a temporary or permanent basis. The relevant groups are as follows:

- Pregnant women
- Applicants responsible for dependant children
- Homeless as a result of an emergency, i.e. fire, flood or other disaster.
- 16/17 year olds
- Care leavers aged 18-20
- Vulnerable due to old age, care history, physical or mental illness, harassment/violence, armed forces or offending history.

Intentional homelessness

39. Applicants make themselves homeless intentionally where homelessness is the consequence of a deliberate action or omission by

them. A deliberate act might be a decision to leave their previous accommodation even though it would have been reasonable for them to stay. A deliberate omission may be non-payment of rent or anti social behaviour that led to an eviction.

Intentional Homeless families with children

40. The above are not owed a main homelessness duty; they are entitled to advice and assistance and temporary accommodation for a short period of time only. With the cases that involve children referrals are made to CESC to make them aware and enable them to assist.

Notifications/review of decisions/appeals to county court

41. We must give all applicants written notification of the decisions on their case and the reasons for them where the decision goes against their interests. Applicants have the right to review that decision and if still dissatisfied, can appeal to the county court on a point of law. The county court can confirm or quash the decision.

This gives an overview of our process and in reality if an applicant had been directly evicted as a result of ASB and then approached our service immediately the likely outcome would be that s/he was intentionally homeless. We cannot have blanket policies in relation to this but if an eviction has been secured based on the amount of work and opportunities that the tenant would have had to modify their behaviour, it would more than likely be considered as a deliberate act or omission under the legislation.

As such our duty would only be to offer advice and assistance and in some cases if applicants had a priority need we would accommodate on a temporary basis between 7 –28 days.

42. All cases are not as straight forward as this and there have been cases where applicants that have caused anti social behaviour in past tenancies have ended up coming through the homeless route as they have lost accommodation that they have found on their own as stated above.

Again we are not talking about large numbers but obviously this does cause concern when having to rehouse applicants again that have been previously evicted or have abandoned properties prior to eviction.

On these particular cases we have a process in place called multi agency strategy meetings. These meetings, which are hosted by Housing Options staff, try to bring together relevant support agencies and THL to try to work together to put measures in place to prevent a repeat of previous anti social behaviour prior to the applicant being rehoused.

This again underlies the fact that eviction must always be a last resort and all agencies need to work together to prevent eviction/homelessness. Eviction is a failure, which can result in the applicant going into other tenures within the borough and continuing to cause anti social behaviour, or ultimately even if they do resolve their initial problem, they may end up coming back through our service at a later date.

HOUSING OPTIONS TEAM – ORAL EVIDENCE

43. Unfortunately, a member of the Housing Options Team was not available to attend a meeting of the Select Committee to provide oral evidence. The Committee instead undertook a discussion relating to the written evidence outlined above, and also took information from Paul Noddings (job title) where appropriate.
44. Following discussions, the Committee agreed that, from Member's experience at a ward level, ill thought out allocations and housing options create as many problems as they solve, which is not cost effective or supportive of sustainability. This might be resolved via better communication with local stakeholders, whose local knowledge would go some way to solving poor lettings and associated social problems

RECOMMENDATIONS

- 7. That the Committee recognises the potentially damaging impact upon settled and stable communities that housing allocations can have and that this be further considered together with information on SBCs allocation policy as part of the forthcoming scrutiny review of choice based lettings.**
- 8. That an examination of the Dundee/Rochdale projects be considered as part of the Housing and Community Safety Select Committee's review of choice based lettings where this relates to the allocations policy.**

UNITE – WRITTEN EVIDENCE

How do you initially intervene in conflicts?

45. Our intervention is to help the parties to explore the issues and to help them to work out a solution which is acceptable to all. We do not give advice or provide solutions for them. After the initial meetings, where possible, we aim to bring parties together at a face to face meeting

How many people use UNITE?

46. Last financial year (2004-05) we had 300 referrals to community mediation, 88 from Stockton. Each referral will have a number of beneficiaries depending on the number of parties involved in the dispute.

For the full year 2004-05, 1332 people benefited from the community mediation service, 263 from Stockton. For the first three quarters of the current financial year 910 have benefited. Beneficiaries include the direct disputants and other members of the household who are also affected by the dispute.

What is the success rate of UNITE?

47. In the last financial year, 69% of all mediated cases resulted in a positive outcome.

Are issues referred at the right stage or do you feel that issues are referred too late?

48. The sooner issues are referred, the greater the likelihood that the dispute will be resolved easily and satisfactorily. Disputes are more difficult to resolve once parties become entrenched in their positions and attitudes have hardened. In Stockton last year 60% of mediated cases (as opposed to 69% overall) were resolved satisfactorily. There may be a number of reasons to explain this including late referrals.

Is there a protocol for intervention? How do you make initial contact and what is the quality of this contact?

49. Referrals are received either from one of the parties themselves (41% in Stockton) or from a referral agency such as community safety, police or housing association.

The initial contact with the client is by letter advising them of the referral and when they can expect to be contacted by mediators (which will depend on the length of the waiting list). The next contact will be through a mediator who will conduct an initial interview, by phone or in person, to check that the parties understand the mediation process, that

the issues are mediatable, and that the clients are committed to mediation. This contact will last up to 1 hour. Once all parties have agreed to proceed, then mediation is arranged either face to face or through a process of shuttle.

How many referrals do you receive that relate to anti social behaviour, and what proportion of overall referrals is this?

50. Depending on the definition of anti-social behaviour, the majority of community mediation referrals could be classed, or perceived by at least one of the parties, as low-level anti-social behaviour.

What is the main source of referrals? Is there a particular protocol for referring?

51. Last year in Stockton, the breakdown of referrals was as follows:

Party 1	41%
Police	32%
RSL	16%
Local Authority	2%
Community Safety	2%
Other agencies	1%
Victim Support	1%

52. The community mediation service is an open access service available to all the residents of Stockton on Tees. Referrals can be made by post, phone, fax, online or in person.

What are the protocols for sharing information with other agencies dealing with asb, and how is information fed back to complainants and other agencies?

53. Our code of ethics requires that mediation should be a confidential process unless we hear of a risk of harm or illegal activity.

With regard to feedback to other agencies, we check with parties during the mediation process what can be fed back to referrers. With their express permission we can share details of any agreement reached.

UNITE – ORAL EVIDENCE

54. Helen Moody, Projects Manager, UNITE, attended a meeting of the Housing and Community Safety Committee to provide oral evidence. Ms Moody advised the Committee that most of the work undertaken by UNITE relates to neighbour disputes, and is based on the concept of empowering parties to find their own solutions to problems. Disputes have involved from a minimum of 2 parties, to multi-party disputes (up to 30 parties)

55. Ms Moody advised the Committee that 35-40% of referred cases become mediatable, and that 69% of these cases are classified as successful.

56. The time span between initial contact and mediation is on average 20 working days, and UNITE undertake their own monitoring of cases 6 months after 'completion'.

57. Ms Moody advised that UNITE are involved in a great deal of awareness-raising in the Borough, and agreed that it would be a good idea to undertake further promote the organisation to SBC Councillors. It was pointed out that UNITE are also working with Tristar Homes to address neighbour conflict issues at an early stage.

FINDINGS & RECOMMENDATIONS

- **The Committee noted that early referrals to UNITE had a better chance of a successful outcome**
- **The Committee also noted the relatively low profile of the work of UNITE amongst Members, and the low number of referrals from Tristar and Councillors**

RECOMMENDATIONS

- 9. That a seminar be held for all Members of the Council to highlight and promote the work of UNITE and that SBC, Tristar and other RSLs be asked to note the importance of getting earlier referrals to UNITE and review their procedures accordingly.**