

## **Proposed Dispersal Order for Billingham**

### **1. Introduction**

Following large increases in incidents of ASB and Disorder that have persisted over recent months the Police are consulting with the Local Authority on a proposal to implement a dispersal order in the Billingham area that would include the Town Centre and John Whitehead Park area. The Police have already put an Operational Order in place to tackle the issues working in partnership with other agencies and the dispersal order would be an addition to the Operation if incidents continue at the current rate or increase further over the next month.

### **2. Dispersal Order Powers**

- 2.1 Where a Police Superintendent or above has reasonable grounds for believing that members of the public have been intimidated, harassed, alarmed or distressed in public places in a specific area and that anti-social behaviour is significant and a persistent problem in that area, he may make a written authority under s 30 ASBA with the consent of the Local Authority allowing Police Officers and Police Community Support Officers to disperse groups of more than two people.
- 2.2 Sections 30-36 of the Anti-Social Behaviour Act 2003 gave police forces in England and Wales powers to:
- disperse groups of two or more people from areas where there is persistent anti-social behaviour.
  - require that a person leave the relevant locality or a specified part of it if they do not live within the relevant locality
  - take home any young person under 16 who is out on the streets in a dispersal zone between 9pm and 6am and not accompanied by a parent or responsible adult.
- 2.3 During the period of the authorisation, where a Police Officer or Police Community Support Officer has reasonable grounds for believing that the presence or behaviour of a group of two or more persons in any public place in the relevant locality has resulted or is likely to result in any member of the public being intimidated, harassed alarmed or distressed, the officer may exercise the powers detailed above.
- 2.4 The period of the authorisation cannot exceed six months.
- 2.5 An authorisation notice, stating that the authorisation has been given, the relevant locality and the period it is to run, must be either published in a local newspaper or conspicuously displayed in the relevant area before the commencement of the period in which the authorisation operates. There are no timescales specified in the legislation and examples of previous dispersal orders are publicity within the same week as the dispersal order will take effect.
- 2.6 A person who knowingly breaches a dispersal direction commits an offence and is liable on summary conviction to:

- a) a fine not exceeding level 4 on the standard scale, or
- b) imprisonment for a term not exceeding 3 months, or to both.

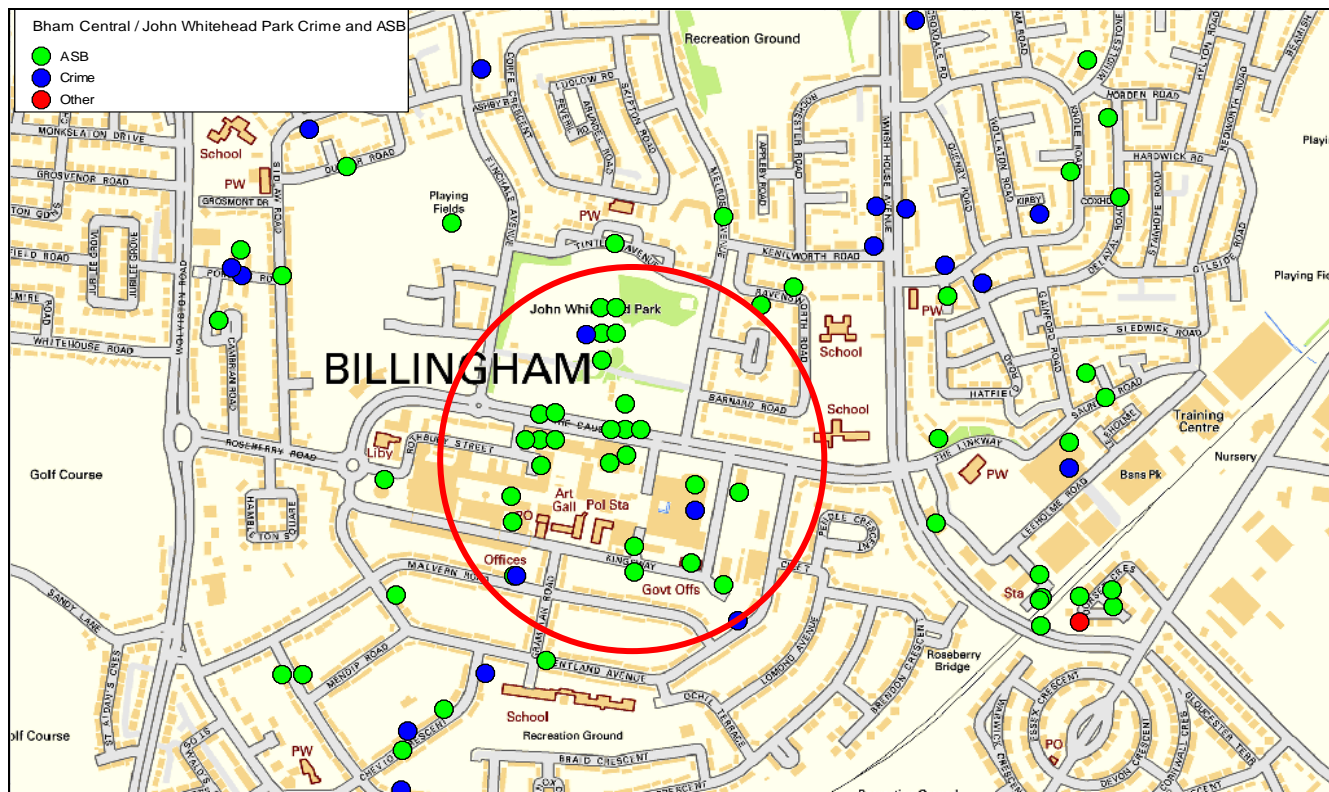
### 3. Evidence for a Dispersal Order

- 3.1 The Police are requesting the dispersal order be considered using the following information;
- 3.2 Since 01.10.13 – 10.11.13 there have been 186 crimes and ASB incidents which refer to youths gathering and causing related problems in the Billingham area. Should incidents and crimes continue at this rate, this sub district is projecting 280 offences for October and November 2013.

There are clusters of ASB and crime evident in Central, South and North wards; however the densest clustering of crimes and ASB appears to be around the Town Centre/John Whitehead Park area.

- 3.3 Between 01.10.13 – 10.11.13 there have been 79 Crimes and ASB incidents for the area of Billingham Central around the Town Centre and John Whitehead Park. As can be seen from the map below, the majority of calls refer to ASB related incidents.

**Map – Crime and ASB for 01.10.13 – 10.11.13 for the Billingham Central area.**



As can be identified on the map, calls are clustered to the centre of this ward, around the shopping centre and John Whitehead Park.

**Table One – Crime and ASB in Billingham Central ward by Street.**

<b>Street</b>	<b>ASB</b>	<b>Crime</b>	<b>Other</b>	<b>Total</b>
The Causeway	17	1	-	18
Leeholme Road	6	1	-	7
Cheviot Crescent	2	2	-	4
Dorset Crescent	3	-	1	4
Cotswold Crescent	2	1	-	3
Kingsway	3	-	-	3
Knole Road	2	1	-	3
Marsh House Avenue	-	3	-	3
Pentland Avenue	2	1	-	3
Porlock Road	1	2	-	3
Queensway	3	-	-	3
<b>Grand Total</b>	<b>59</b>	<b>19</b>	<b>1</b>	<b>79</b>

3.4 As can be seen from the above table, The Causeway has seen the highest number of overall calls (18), the majority of which were ASB incidents (17). Leeholme Road has also seen a high number of calls (7 overall), again with the majority being ASB related. The table indicates that crimes are distributed across the area as a whole, with ASB clustered with the key streets of The Causeway and Leeholme Road.

**Table Two – Crime and ASB by Place Name**

<b>Place Name</b>	<b>ASB</b>	<b>Crime</b>	<b>Total</b>
Asda Stores	6	-	6
John Whitehead Park	5	1	6
Binks Taxi	3	-	3
Barnacles Fish Restaurant	2	-	2
Car Park	2	-	2
Tesco Stores	1	1	2
The Forum Theatre	1	1	2

3.5 The above table highlights the repeat premises for ASB and Crime. Key locations are Asda (6) and John Whitehead Park (6). It is worthy of note that all of the repeat calls from premises are concerned with ASB, indicating that this is the real problem for this area, rather than crimes.

### 3.6 ASB

In total there have been 59 incidents of ASB within this area between 01.10.13 – 10.11.13. If incidents continue at this rate, they will be projecting 90 incidents by the end of November 2013.

The majority of incidents refer to Nuisance calls (54), with the remainder referring to Personal (4) and Environmental (1). A review of these calls shows that the majority of these refer to issues such as:

- Youths throwing missiles including fireworks, stones, mud, eggs, flour, street signs metal railings, paint and cones. A large number of the calls refer to youths throwing these items at dwellings, windows and passing traffic, as well as into shop doorways. The tone of these incidents implies that youths were not throwing items at each other, nor fighting amongst themselves, but intending to cause damage and disturbance to residents and locals. Items being thrown also indicate that they are aiming to cause disruption to residents and the area.
- There have been a small number of calls which refer to youths gathering in the doorways of premises and preventing members of the public gaining access.
- There have been a number of calls which refer to running, or pedalling on bikes in and out of traffic, again causing distress to members of the public.
- There have been two calls which refer to youths gathering in large number in John Whitehead Park.
- Other calls refer to a mixture of street drinking, noise disturbance, climbing on the roofs of premises and kicking at cars.

Action has already been taken on individuals identified as involved in ASB and will remain on-going while incidents persist and evidence continues to be received. There has been targeted action taken on those identified as the ringleaders including x2 applications for ASBO that have been agreed and are pending Court action and x3 ABC's that are being monitored and will progress for further enforcement action if needed. There are x7 individuals that are being interviewed and x9 visits have been carried out on individuals to speak and engage with the Parents. Numerous letters have been sent as a result of AS 13's received and we will continue to monitor the youths identified and assess each individual for interviews or visits as necessary.

### 3.7 Crime

In total there have been 19 crimes within this area between 01.10.13 – 10.11.13. If crimes continue at this rate, they will be projecting 28 incidents by the end of November 2013.

The majority of crimes refer to damage (15), with other offences being concerned with crime related incidents (2), theft (1), violence (1). A review of these offences shows the main issues refer to:

- Windows being smashed to dwellings and vehicles due to missiles being thrown (9).
- Wing mirrors being pulled from vehicles (5).
- Vehicle paintwork being scratched (1).
- The remainder of the calls refer to a police car being attacked, wipers pulled from vehicle, youths fighting and damage to a pedal bike which was left chained to a public railing.

#### **4. Recommendation**

The recommendation would be for members to support this as the main problems of ASB and Crime within the proposed dispersal area centre around large groups that can include between 30 – 50 youths and the dispersal tool will provide the powers to effectively tackle this contributing factor to the levels of Crime and ASB that we are experiencing at present. The powers are used to deal with those involved in ASB, the dispersal order is not a blanket restriction on youths being in the area so will have no detrimental effect on those individuals legitimately engaging in any recreational activity within the area such as the Park and the Forum.

This would be consistent with previous decisions by the Partnership, i.e. the previous approval of Dispersal Orders and the decision not to use Curfew Orders, which are an indiscriminate measure without the element of officer discretion.