

Cabinet 5 November 2013

Report of Cabinet Members for Crime & Stronger Communities and Environmental Services

Creating a multi-agency approach to tackling Anti-Social Behaviour & Nuisance

Summary

1. This report sets out the council's journey to date in transforming its approach to delivering street level environmental services and proposals to transform our approach to partnership working between the City Council and North Yorkshire Police (NYP) to tackle Antisocial Behaviour (ASB) and Nuisance.

Background

- 2. Earlier this year the Cabinet introduced *Smarter York*, delivering joined up working across the Council's street-level, environmental services. Smarter York aims to:
 - Create more responsive services;
 - Engage ward members, the public, and key organisations such as Residents Associations, Parish Councils, business and voluntary sector organisations;
 - Deliver budget savings through technological innovation, capacity building and supporting new ways of working;
- 3. At the heart of Smarter York is the Smarter Charter. This sets out what the Council will do to maintain a clean, safe and green environment for York whilst encouraging residents and organisations in the city to get involved, either as individuals or organisations, and do their bit to look after their local areas.
- 4. Staffing arrangements have been reviewed to ensure effective and focused delivery of the Smarter York agenda. As part of this, a number of roles that included enforcement and/or community engagement tasks have been looked at including Street Environment

Officers, Environmental Enforcement Officers, Park Rangers, and Dog Wardens, with a view to creating more streamlined arrangements offering greater flexibility. Two distinct roles have been created: i) Smarter York Community Engagement Officers, and ii) Community Enforcement Officers.

Smarter York Engagement Officers:

- 5. There are now three posts which will:
 - Support the Smarter York programme e.g. through recruiting volunteers by encouraging residents to become a Street Buddies and adopt a bit of their street, do some litter picking or weeding, or join a 'Friends of ...' group to look after a local space such as a park
 - Support existing community groups who are doing their bit and help roll out good practice across the city
 - Grow community management of the city's principal parks and gardens
 - Support communities to take on responsibility for their local open spaces
 - Continue to grow the 13,000 hours of Community Payback that are currently deployed in partnership with the Council, focussing on community priorities (in the Spring Clean CP collected over 1,600 bags of litter and rubbish and edged off over 20km of highway verge)
 - Draw on resident priorities in each ward to create local Big Clean action plans
 - Sign businesses up to the Smarter Charter to do their bit to clean up their locality, encourage employee volunteering, and sponsor a park or open space
 - Develop the functionality of the Smarter York app so that residents make more use of it to report problems

Community Enforcement Officer:

- 6. There are now 4 post which will:
 - Resolve community complaints and enquires relating to potential environmental infringements with recourse of enforcement action as appropriate
 - Investigate incidents of environmental crime in particular

- Write and serve warning letters, Notices, Fixed Penalties, Formal Cautions and prosecution reports as appropriate and to gather and present evidence in court where necessary.
- Undertake monitoring across the city for littering offences and complete and issue Fixed Penalty Notices (fines) on the spot or issue age suitable warnings as appropriate.
- Act as a link with local communities, signposting residents to other Council service and agencies in order to deliver tangible environmental improvements.
- 7. These 4 posts transferred to the Community Safety Team on 30th September 2013 and now work under the direction of the Neighbourhood Safety Manager who is responsible for the councils Tenancy Enforcement Team and liaison with NYP.

The current process

- 8. The journey currently experienced for the communities of York with regards to ASB is dependant upon which organisation they contact. Customer feedback shows that confusion on which organisation will deal with anti social issues has led to customers being transferred between organisations. At present, if a resident contacts the council we dispatch an officer. There are times when the officer attends where it is evident that it is an issue which falls within the police's area of business, where this is the case we either re-direct the customer to the police or attempt to arrange for the police to contact them. This is evident in reverse also. However, there is a time lag in this referral process creating the opportunity for the customer to feel dissatisfied and as through they are left in 'no mans land' between agencies.
- 9. ASB which is reported to the Police is now categorised under 3 headings, Environmental, Nuisance and Personal, of these NYP only review those incidents that fall within the personal category, this is done through the Vulnerable Risk Assessments (VRA's) process, with local safer neighbourhood teams undertaking responsibility to deal with any highlighted as low or medium risk. High risk VRA's are referred on to a Multi Agency Problem Solving group (MAPS) where they are assessed and allocated to the most appropriate agency.
- 10. In order for the NYP Beat Manager to deal effectively with those low or medium risk that are not referred to MAPS they have to contact partners, often arrange a separate multi agency meeting and then

- progress through a problem solving plan; all of which takes time to organise and facilitate.
- 11. ASB cases that are reported to the council are categorised and directed to the relevant team, previously the Street Environment Team, however there is no formal review process that assesses the risk level of the anti-social behaviour incidents which have been received.

Proposals

- 12. Whilst the integration of the Community Enforcement Officer role with the wider Neighbourhood Safety Team will create a refocus on the enforcement role and better links with other enforcement roles, it is seen as an interim position to developing multi-agency approach to tackling street level ASB & Nuisance within the city and improving the quality of life for residents.
- 13. Anti-social behaviour is a significant area of demand with high community impact in the city. Current annual volumes for York show 12,000 ASB incidents that are reported to Police and 3,500 reported to City of York Council. Many of these incidents involve more than one of the services in place to support ASB resolution. Key subjects are graffiti, fly tipping and litter and drug related litter and noise complaints. The following table shows a breakdown of reporting by day and type of ASB / Nuisance based on 12 months data.

Demand on Average Day at 9 a.m Meeting for Previous 24hrs of Data (52 Days for each day)								
Туре	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Avg Day
NYP - Environmental	1.8	1.8	1.5	1.4	1.7	1.8	2.7	1.8
NYP - Nuisance	16.1	18.0	17.5	17.3	19.5	25.6	27.9	20.2
NYP - Personal	4.9	6.3	5.9	5.5	6.3	7.3	6.0	6.0
CYC - Abandoned Cars	0.0	0.4	0.4	0.4	0.3	0.4	0.0	0.3
CYC - Dog Fouling	0.2	1.7	1.9	1.5	1.4	1.8	0.2	1.2
CYC - Drug Related Litter	0.0	0.4	0.6	0.7	0.6	0.4	0.0	0.4
CYC - Flytipping - Rubbish	1.1	7.0	6.9	6.8	6.4	5.6	0.5	4.9
CYC - Graffiti	0.2	1.0	0.9	1.0	0.4	0.5	0.1	0.6
CYC - Housing ASB complaints Opened	0.0	0.8	1.1	1.1	1.1	0.6	0.0	0.7
CYC - Litter	0.5	2.8	2.9	3.0	2.6	2.8	0.2	2.1
CYC - Noise	3.9	4.2	4.7	4.2	3.6	5.1	5.9	4.5
NYFRS - Deliberate Fires	0.5	0.4	0.5	0.3	0.4	0.5	0.6	0.4
NYFRS - Hoax Calls	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0
Total	29.2	44.8	44.8	43.0	44.2	52.5	44.2	43.1

14. Community safety is at the heart of both the Council Plan and the Police and Crime Plan. Tackling ASB with effective street level enforcement is often a local neighbourhood priority and is a strong

- theme that runs through the Building Stronger Communities section of the Council Plan and is embedded within the community contracts
- 15. As part of this drive to improve our joint working discussions have taken place with NYP to consider the opportunities to work in partnership to jointly deliver street level enforcement services to improve resident's quality of life outcomes when they do experience of ASB or Nuisance behaviour.

16. It is proposed to:

- Create a multi-agency ASB hub with the NYP to review all reports of ASB and proactively task both organisations. This hub will have dedicated Police Officers working as part of the Community Safety Team based in West Office dealing with high risk ASB / Nuisance Cases.
- Establish a new Neighbourhood Enforcement Officer role which will undertake the council's street level enforcement function with accredited powers from the Chief Constable through the Community Safety Accreditation Scheme (CSAS) to deal with low and medium risk ASB enforcement activity. This new role would, on a day to day basis, be integrated into the NYP Safer Neighbourhood Teams.
- 17. A core principle that underpins the thinking behind the proposals is the need to place the community at the heart of what we are doing, delivering clear community benefits as well as supporting the councils wider street based services.
- 18. Both interventions will strengthen our relationship with our communities, placing staff out in the communities and providing the back office support to address issues identified by these front line staff. In essence we will be creating visible resource anchors within our communities.
- 19. Officers working within our communities, whilst having a clear neighbourhood enforcement role, will also complement and support the councils wider community engagement activates, particularly around Smarter York and building community confidence and capacity.
- 20. In developing these interventions it will be critical to ensure that there is a strong multi-agency focus in not only addressing direct

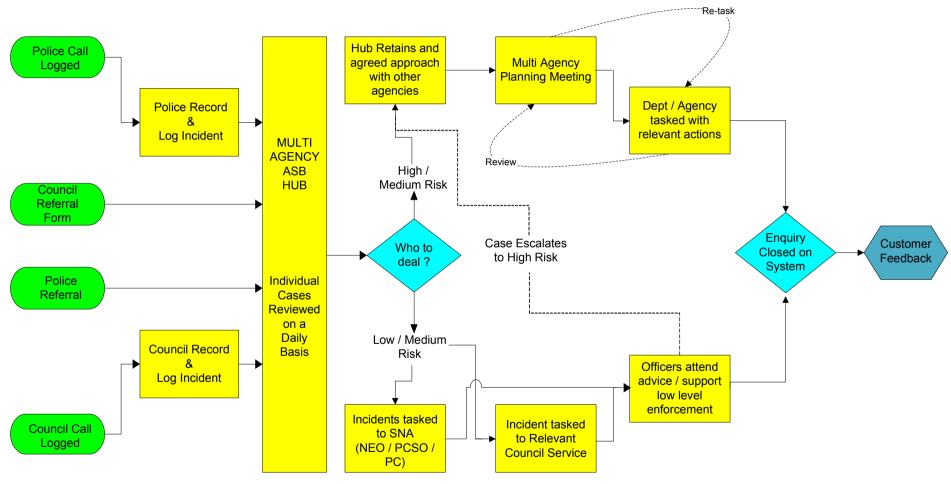
implications of crime and anti-social behaviour, but also the wider causes, in particular the role alcohol and mental health issues can have.

The creation of a Multi-Agency ASB Hub

- 21. The creation of a multi-agency hub that will review and be the conduit to resolving all ASB incidents in York, regardless of which agency they present to initially. The ASB hub will work 7 days a week and provide a platform which will allow both NYP & CYC to jointly review all three types of ASB incidents reported in the previous 24 hour period. This will be achieved through co-locating CYC and NYP resources within a single building (CYC West Offices) where they will have access to both ASB data sources and the Safer York Partnership analytical capability. The membership of the Hub will include those services which have the responsibility to respond early and effectively deal with any type of reported ASB.
- 22. It is proposed that the Hub will be made up from core members who will analyse and respond to the majority of cases reported, with secondary members wholes roles occasionally include responding to complaints of ASB or who's work will be influenced as a result of themes being identified through ASB data. Clearly the detail of who would form the core members of this new multi-agency Hub will need to be determined based on the analysis of current ASB data, however initial thoughts are that the core Hub could include:
 - Neighbourhood Safety Manager
 - Dedicated Neighbourhood Police officers with specialist skills in ASB legislation application (working an operational shift pattern).
 - Tenancy Enforcement Team (TET)
 - Neighbourhood Dispute Mediation Services
 - A Housing Tenancy Representative
 - Noise Nuisance
 - New Neighbourhood Enforcement Team
- 23. The Hub would be part of the Councils Community Safety team and managed on a daily basis by the councils Neighbourhood Safety Manager. The dedicated police team will be tasked jointly by the Neighbourhood Safety Manager and the York Operational Delivery Inspector (ODI) (who would retain actual line management of the NYP resources from Fulford Road Police Station) based on the reported cases of ASB.

- 24. The Hub would risk assess each ASB report and would themselves maintain ownership of any High Risk or significant Medium Risk incidents that required a focussed partnership approach. Lower risk cases would be tasked to the Safer Neighbourhood Teams. For example, an assessment of the most appropriate course of action (criminal or civil) to address the issues would be carried out and the case tasked and owned by the relevant officer, Police or Council. The dedicated Police Officers or Tenancy Enforcement Officers would own high risk VRA's and would represent these cases at the MAPS meetings. Their specialist skill sets would also be responsible for, where appropriate, applications for legal sanctions to address the behaviour. This approach would ensure that the full potential of both civil and criminal powers to address ASB are exploited.
- 25. The Police Officers within the Hub would work an operational shift pattern to ensure they are able to deal with neighbour disputes, licensing visits and delivery of proactive ASB operations, including the night time economy. It is also proposed that the new Neighbourhood Enforcement Officer will also work an operational shift pattern. Consideration will also be given to CYC officers working a limited shift pattern.
- 26. The Hub would integrate in to National Intelligence Model processes within York SNC with the continued SYP and ODI Inspector attendance at the Tactical Tasking & Coordinating Group meetings, where identified priorities can be raised by the Hub and actions taken away by them.
- 27. Following the morning review of ASB incidents by the Hub, a member of the ASB Hub would attend the local NYP York Daily Management Meeting where they would provide an update to the local NYP management team of the previous 24 hours ASB, any activity tasked out from their review and review patrol activity to be undertaken over the following 24 hours.
- 28. The creation of the Hub will result in a wealth of intelligence that will not only enable us to better deliver for the residents in the city, but also provide valuable information to influence other organisations that have a role to play in the wider management of ASB. For example, the data would enable us to influence the tasking of the Probation Service Community Payback Scheme in to areas where a visible presence of positive justice would have an impact on the ability of local communities to feel safe. The following is a draft flow chart setting out the process that a report of ASB would follow.

Draft Process Flow Chart



Key: SNA = Safer Neighbourhood Area PCSO = Police Community Support Officer NEO = Neighbourhood Enforcement Officer

- 29. To ensure that the Hub effectively tackles the full range of ASB reported, it would also be necessary for the group to call upon additional specialised skill sets when required. These could include:-
 - Troubled Families Team
 - Licensing
 - Trading Standards
 - Environmental Protection Unit
 - Housing Estate Managers
 - Public Health & Well Being
 - Education Welfare support
 - Adult & Children's Social Care
 - Legal Support
 - Youth Offending Teams, Integrated Offender Management & Probation Services
 - Neighbourhood Care Teams (Clinical Commissioning Groups)
- 30. This link with wider specialised services is an area that needs to be developed as part of the proposal. It is critical that intelligence gathered as part of this teams work is linked to these wider services. Initial discussions have taken place with the Chair and manager of the Children's Safeguarding Board to ensure that in the development and training of any new team we are making sure that we create the necessary pathways for sharing information.
- 31. The difference for the community will be an increase in the satisfaction with the services they receive. With one phone call made, a victim of ASB will receive a multi-agency service irrespective of which agency they report the incident. The tiering of response to high, medium and low incidents will ensure that the gravity of response is proportionate to the level of harm experienced. Communities will feel safer when they know and can see agencies working together in the community.
- 32. It is also envisaged that whilst this is primarily a capacity to deal with enforcement, it also has a great role to play in building community confidence and capacity to enable communities to deal with ASB in their communities.
 - Establishment of a Community Safety Accreditation Scheme (CSAS) Integrated into NYP SNA's
- 33. With the need to deliver more for less and to sustain the current reduction in ASB both the Local Authority and North Yorkshire Police

- have to ensure that the number of deployable resources available to both organisations is capable of being transformed to deliver enhanced quality of life outcomes for residents.
- 34. The Police Reform Act 2002 enables Chief Constables to grant specific policing powers to private, public or third sector organisations providing that the holder of the accreditation is a registered employee. This is known as Community Safety Accreditation Scheme (CSAS).
- 35. Using these powers we are able to allow 'Enforcement Officers' within the council to undertake a broader range of duties within their current ASB work and work in partnership with the Police. This will in turn, remove any duplication and reduce demand as work will be more efficiently tasked and directed through a single individual rather than requiring multiple services to attend.
- 36. There are in total 43 CSAS powers that the Local Authority could consider, a full list is attached at annex 1.
- 37. Furthermore, the additional benefit of a person with designated CSAS powers is that it becomes a criminal offence under the Police Reform Act 2002 to assault, obstruct or resist a designated person or person assisting a designated person in the execution of their duty. This is an offence which does not currently offer support to our employees conducting enforcement duties for the Local Authority.
- 38. If we decide to establish a Community Safety Accreditation Scheme, it is proposed that the current Community Enforcement Officer role is reviewed to create a CSAS accredited Neighbourhood Enforcement Officer. This role will then be able to utilise both Local Authority and authorised CSAS Powers to deal with the following types of ASB incidents.
 - Parking offences
 - Abandoned vehicles *
 - Cycling on the footpath *
 - Power to deal with begging *
 - Causing harassment alarm & distress *
 - · Knowingly giving false alarm of fire
 - Drinking in a designated public area *
 - Fly Tipping
 - Fly Posting
 - Graffiti*

- Littering *
- Dog Fouling
- Powers to seize tobacco & alcohol from young people *
- Traffic management, including stopping vehicles for testing and traffic control.
- Noise Complaints
- ASB in parks and open spaces *
- Fireworks offences *
- 39. The listed areas with an asterisk overlap with current NYP Police Community Support Officer (PCSO) powers. Should this proposal be accepted, it would therefore offer opportunities to re-direct PCSO tasking to other priority areas for the community. It is also proposed to consider, where appropriate, opportunities for NYP resources to be given enforcement powers which the council have. This again would enable a fully joined up approach to tackling neighbourhood ASB.
- 40. The creation of a single 'CSAS Neighbourhood Enforcement Officer' creates an opportunity for the council to consolidate its street level enforcement functions and consider integrating this role within the current NYP Safer Neighbourhood Team and deploying a proactive patrolling function during key times (ASB volumes data suggests 0900hrs x 0300hrs) with the ability for CSAS officers to resolve a wide range of ASB issues which currently CYC employees are restricted to dealing with in very specialist functional terms.
- 41. In order to accommodate CSAS Neighbourhood Enforcement Officers into the NYP Safer Neighbourhood Area structure and also consider the impacts of the resourcing that is required to support the dedicated PC's for the ASB Hub, a review of NYP SNA York structures has been considered. This takes into account not only resource moves but also the impact of new processes and responsibilities being moved as a result of the ASB Hub.
- 42. With the creation of the ASB Hub many of the longer term ASB problem solving tactics would be completed and owned by the dedicated Police Officers and CYC staff within the Hub, thereby removing much of the time consuming work carried out by Beat Managers.

Staffing Resources

43. As such, NYP proposed to redistribute 6 of the current Beat Manager posts to form the ASB Hub dedicated PC posts and restructure the

remaining dedicated neighbourhood team resources in the 3 SNA's to have 1 x problem solving Sergeant, 2 x Dedicated Safer Neighbourhood Service Delivery PC's, 3 x teams of PCSO's and a minimum of 6 x CYC Neighbourhood Enforcement Officers with Local Authority and Community Safety Accreditation Powers (CSAS), authorised by the Chief Constable.

- 44. The tasking of dedicated Police Officers to deal with ASB/Nuisance will result in a transfer of officers and their workload from the geographical policing teams within York to the ASB Hub. This proposal does not affect the numbers of Police Officers in York, it proposes a more efficient joint approach to tasking both Council and North Yorkshire Police resources. The new approach will remove duplication between teams and officers, as well as creating specialists roles, which will bring with it economies of scale. This will result in more effective officer time to deal with ASB as well as other crimes and issues of concern to our communities.
- 45. The first line management responsibility for the CSAS Officers would fall to the CYC Neighbourhood Safety Manager in the ASB Hub, with priority patrol activity designed by them. This would be supported through daily tasking and productivity being supervised by the NYP Problem Solving Sergeant, taking cognisance of the CYC priority areas for their ASB demand.
- 46. When considering the CYC staff resource into this new role, it is proposed at a minimum to create 6 new posts as a result of bringing together the current Community Enforcement Officer role and reallocate resources from within the Environmental Protection Unit which currently provide the out of hours noise nuisance service.
- 47. However to effectively address the issues that are being experienced in our communities and to have a functional shift pattern to cover the times when ASB & nuisance is occurring, it is felt that 12 officers would be needed to deliver an effective service.
- 48. It is proposed to establish the team within the reallocation of the existing resource as described. However, consideration should be given to potential opportunities for additional funding. Should additional funding be identified it is proposed that the Neighbourhood Enforcement Officer number be increased based on the level of addition funding.

- 49. From a customer perspective, the community would benefit from a joined up approach to ASB resolution resulting in the right officer wit the right powers being tasked to deal with the complaint. For example, where a report of ASB / Nuisance is received by CYC if, following the ASB Hub review it is deemed low level and felt that a PCSO is the right officer to attend, they would be tasked the job and as part of their visit they would explain to the resident that they are there to deal with the report made to the Local Authority. NYP resource reacting to CYC report. This is also reversed when a NYP report is received which is suitable for a CSAS / CYC Neighbourhood Enforcement Officer to attend.
- 50. To enable the Local Authority staff to become CSAS accredited they must undertake a verified training package that delivers instruction on the powers authorised by the Chief Constable. This training can be provided by NYP or outsourced to an accredited training supplier. Discussion has taken place with NYP and other forces who have introduced CSAS powers and it is proposed to engage an accredited trainer.
- 51. Key outcomes for both CYC & NYP are
 - The combining of resources and use of CSAS powers enables both organisations to maximise available civil and criminal powers to deliver enhanced services with fewer dedicated resources and removes the need for individual isolated skill sets.
 - A managed risk assessment process for reports of ASB and dedicated response capability to deliver against requests for service will reduce the risks to vulnerable victims and communities by having dedicated professional resources of both organisations working within the same team with the ability to problem solve on a daily basis. This will also ensure the most appropriate agency drives the delivery of services for victims.
 - Efficiency savings as a result of the removal of duplication and the potential to integrate several skills sets in to the CSAS role.

Options

52. Option 1 – To agree to establish a joint working group to develop the proposals.

53. Option 2 – To suggest alternative approaches to improve front line delivery of services to address ASB.

Analysis

54. Set out within the body of the report.

Consultation

- 55. The proposals have been developed in conjunction with NYP and discussions have taken place at a senior level within NYP and with the Police & Crime Commissioner. The proposals are being considered by the NYP Executive Board on the 5th November.
- 56. In the development of the proposals CYC & NYP staff have visited Luton & Stockton Borough Councils who have introduced a similar approach to addressing front line ASB. In both areas they have seen a positive impact on ASB.
- 57. The new Community Enforcement Officers established following the Smarter York Review (as set out in Para 4) are aware of the potential for changes to their roles, including the need for any new role to work an operational shift pattern. Any detailed changes to their roles will follow the councils established change management process.
- 58. Consultation is currently ongoing as part of a restructure of the wider Public Protection team which includes the officers who currently provide the out of hours noise nuisance function. A final proposal has been presented following consultation which proposes the transfer of the residential noise nuisance function from this team.

Council Plan

- 59. The proposal strongly support a number of priorities with in the Council Plan.
 - <u>Building Strong Communities</u> Addressing the impacts of ASB in our communities will have a positive impact supporting this priority. A key action within the Building Stronger Communities section of the Council Plan was the link between the out of hour's noise nuisance function and NYP. If the noise nuisance function is integrated into the new Community Safety Officer role, this would deliver on this priority as the services would be integrated with the local SNA's.

- <u>Protecting vulnerable people</u> It is often the most vulnerable in society who become victims of ASB. Developing improved approaches to addressing ASB will help ensure the most vulnerable are supported.
- <u>Protect the environment</u> ASB takes many forms which impact on the environment, the establishment of the Community Safety Accreditation Officer will enable the council to directly impact on those types of ASB in particular fly-tipping and graffiti.

Implications

- 60. The implications arising from this report are:
 - Financial: The staffing proposals associated with the
 establishment of the ASB Hub and the establishment of CSAS
 Neighbourhood Enforcement Officer role can be delivered from
 within existing budgets. Longer term, subject to further
 integration of services / activities and with the maturity of the
 service, there is the potential for further efficiencies to be
 delivered.
 - However, there will be a number of set up costs associated with establishing the new joint teams. It is anticipated that CSAS training costs will be in the region of £5k. There will also be a one off cost associated with the development of the IT reporting structure to enable the daily review of reported ASB / Nuisance. Discussion has taken place with NYP regarding these set up costs and it is proposed that a bid is submitted for funding from the Police Innovation Fund that the Home Office have recently announced which is aimed at incentivising collaboration across forces and with local authorities.
 - To deliver significant additionality to proactively deal with incidents of ASB / Nuisance it is proposed that work is undertaken to identify additional funding sources to enable the creation of an additional 6 Neighbourhood Enforcement Officers. Funding for these officers is still to be identified and any recruitment decision will need to be following agreement with the Director of Customer & Business Support Services.
 - Human Resources (HR): Consultation will be needed with staff and unions where the proposals impact on current working practices.

- **Equalities** None
- Legal- There will need to be a legal agreement between NYP & CYC with regards to any joint funding.
- Crime and Disorder The proposals will have a significant impact on addressing how the council and the police tackle street level ASB & Nuisance behaviour.
- **Information Technology (IT)** A new reporting tool will be required to ensure effective management of information and tasking of officers.
- Property It is proposed that the police will allocate 6 police officers to work as part of the ASB Hub. These officers will be based in West Office. To effectively manage their integrations, it may be necessary to consider the allocation of additional space and the location of the wider Community Safety Team given the nature of the data that will be utilised.
- Other- None

Risk Management

61. The risks associated with the proposals are minimal.

Recommendations

62. Cabinet are asked to consider the proposals and agree to the establishment of a multi-agency and Community Safety Scheme Accredited Neighbourhood Enforcement Officer role.

Reason: To ensure that the council actively addresses the issue of ASB on our communities.

Contact Details

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& Public Realm	Report						
Specialist Implications Officer(s) None							
Wards Affected: All	V						
For further information please contact the authors of the report							

Annexes

Annex 1 – Full list of Community Safety Scheme Accredited powers.