

**Review of the use of anti-social behaviour measures.**

<b>Final Decision-Maker</b>	COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE
<b>Lead Head of Service</b>	William Cornall Director of Regeneration and Place
<b>Lead Officer and Report Author</b>	John Littlemore Head of Housing & Community Services
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

The report outlines the range of activities undertaken by the Community Protection Team and provides information on the use of interventions used by the team to tackle ASB.

**Purpose of Report**

For noting.

**This report makes the following recommendations to this Committee:**

1. To note the content of the report.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Communities, Housing & Environment Committee	1 February 2022

# Review of the use of anti-social behaviour measures.

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	The four Strategic Plan objectives are: <ul style="list-style-type: none"> <li>• Safe, Clean and Green</li> <li>• A Thriving Place</li> </ul>	Head of Housing & Community Services
<b>Cross Cutting Objectives</b>	The four cross-cutting objectives are: <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul>	Head of Housing & Community Services
<b>Risk Management</b>	Not Applicable	Head of Housing & Community Services
<b>Financial</b>	The report is for noting.	Head of Housing & Community Services
<b>Staffing</b>	The report is for noting	Head of Housing & Community Services
<b>Legal</b>	The report is for noting	Head of Housing & Community Services
<b>Privacy and Data Protection</b>	Not applicable	Policy and Information Team
<b>Equalities</b>	The report is for noting	Head of Housing & Community Services
<b>Public Health</b>	The report is for noting	Head of Housing & Community Services
<b>Crime and Disorder</b>	Contained within the report	Head of Housing & Community Services

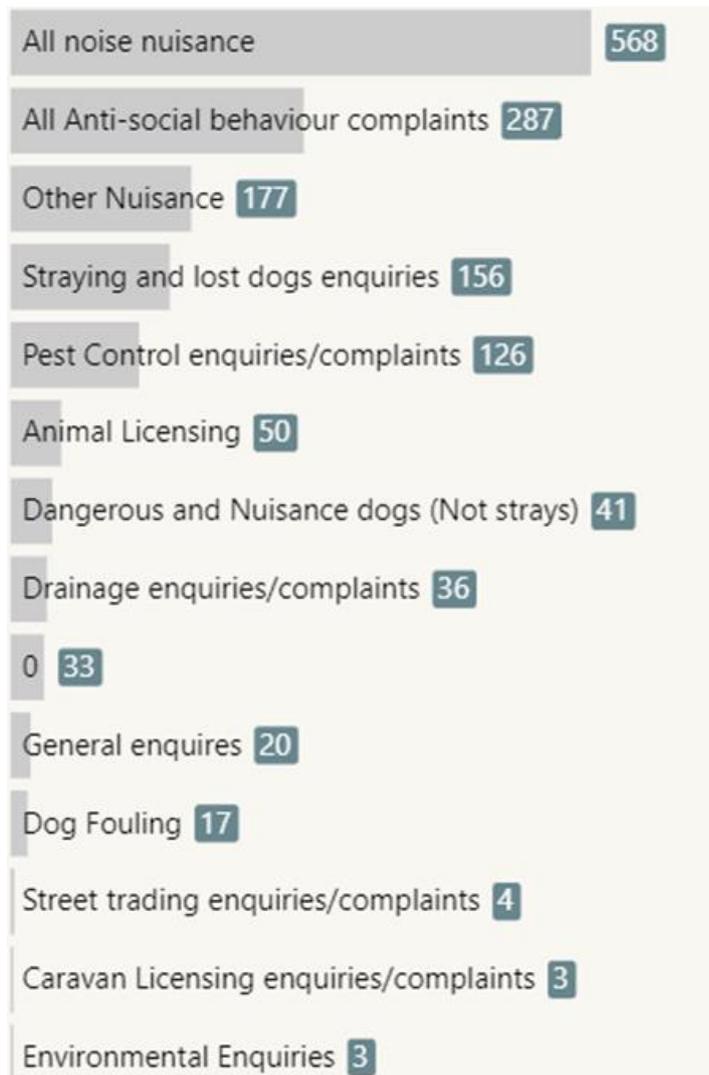
<b>Procurement</b>	Not applicable	Head of Housing & Community Services
<b>Biodiversity and Climate Change</b>	<p>The implications of this report on biodiversity and climate change have been considered and are;</p> <ul style="list-style-type: none"> <li>• There are no implications on biodiversity and climate change.</li> </ul>	Head of Housing & Community Services

## 2. INTRODUCTION AND BACKGROUND

- 2.1 In August 2020 the CHE Committee received a report on the use of anti-social behaviour powers and the role of the Council's Community Protection Team. The broad remit of the CPT's function was produced in an appendix and is attached to this report at Appendix 1 for ease of reference.
- 2.2 One of the functions undertaken by the service is to tackle anti-social behaviour. This can be achieved in a number of ways that seek to deal with the behaviour exhibited by some members of the community in the short-term and long-term.
- 2.3 One tool implemented by the Council is the use of Public Space Protection Orders. For the purpose of this report, the Council has introduced two PSPO's that seek to address behaviour in connection with dogs whilst in the public, and a PSPO concerned with the Town Centre.
- 2.4 The Town Centre PSPO was first approved in September 2016 and was renewed in September 2020 for a further 3 years. The Town Centre PSPO covers begging, and the consumption of alcohol in public places where this is leading to behaviour that is causing a disturbance.
- 2.5 The PSPO was introduced to cover this issue, as it was felt that the previous DPPO banning alcohol consumption in public was not effective, as it could only lead to the alcohol being seized rather than the tackling the behaviour being exhibited. In effect, the person could acquire additional alcohol and continue with the same course of conduct. Whereas the PSPO is able to deal with the behaviour by way of a warning or fixed penalty notice, as well as seizing the alcohol
- 2.6 In the period up to November 2018, following the introduction of the PSPO, there were 34 offences recorded in relation to the PSPO against 18 individuals. Three of those resulted in the matter being brought to the Magistrates' Court. Since that time, no further cases have arisen that have required a prosecution at Court.
- 2.7 Following the implementation of the Council's rough Sleeper Outreach Service, the combined efforts of the Council's teams and other partners reduced the harm being caused by persons associated with entrenched street homelessness. As a result, recorded action under the PSPO

significantly reduced, as the impact and threat of the PSPO had achieved its aim.

- 2.8 When members of the public are acting in contravention of the PSPO and challenged to desist from that behaviour or face being sanctioned under the PSPO most persons comply. However, this outcome is not recorded and does not therefore empirically evidence the effectiveness of the PSPO.
- 2.9 In terms of overall activity, the following table demonstrates the types of issues managed by the Community Protection Team in 2021/22 (to date)



2.10 In line with the adopted Enforcement Policy, the Community Protection Team adopts an approach of working with people in the first instance to inform and encourage change in negative behaviour. If this cannot be achieved, then the approach escalates from warning to enforcement. Innovative use of the Community Protection Warning very often has the desired outcome when compliance through persuasion proves ineffective.

2.11 In the vast majority of cases the Community Protection Warning is sufficient to modify behaviour to an acceptable level. The tables below demonstrate this approach by illustrating that a large number of Community Protection warnings are issued but fewer result in a Community Protection Notice.

### *Breakdown of Community Protection Warnings Issued*

<b>Reason</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
ASB	13	28	26
Nuisance/Dangerous Dog (Inc. Barking)	5	8	19
Noise (Inc. with ASB)	4	18	25
Nuisance	1	14	15
Planning related issues	0	3	0
Unauthorised Encampments	5	2	0
<b>Total</b>	<b>28</b>	<b>74</b>	<b>85</b>

### *Breakdown of Community Protection Notices Issued*

<b>Reason</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
ASB	1	20	4
Nuisance/Dangerous Dog (Inc. Barking)	0	0	0
Noise (Inc. with ASB)	1	2	6
Nuisance	0	8	3
Planning related issues	0	3	0
Unauthorised Encampments	1	1	0
<b>Total</b>	<b>6</b>	<b>34</b>	<b>13</b>

2.12 In terms of how this activity compares with our nearest CIPFA comparison local authorities the tables below set out both community protection warnings and community protection notices during 2020/21.

Table A. Community Protection Warnings issued.

2020/21	AVG	MAX	MIN
Kent	<b>28</b>	154	0
CIPFA Nearest Neighbours	<b>11</b>	48	0
<b>Maidstone</b>	<b>86</b>		

Table B. Community Protection Notices issued.

2020/21	AVG	MAX	MIN
Kent	<b>10.63</b>	27	0
CIPFA Nearest Neighbours	<b>8.17</b>	34	0
<b>Maidstone</b>	<b>0</b>		

2.13 This suggest that MBC takes a more innovative approach to the use of the Community Protection Warnings and as a result this is quite effective. This would explain the relative low number of Community Protection Warnings then are ignored an then become Community Protection Notices.

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### 3. AVAILABLE OPTIONS

3.1 To note the report to help inform debate on the Council’s approach to tackling anti-social behaviour.

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### 4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 To accept the recommendation in Paragraph 3.1 above.

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### 5. RISK

5.1 Assess if within the council’s risk appetite and any mitigating actions proposed if needed.

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### 6. REPORT APPENDICES

- Appendix 1: Community Protection Team Range of Responsibilities.
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