

REPORT TO: COMMUNITY SAFETY AND PUBLIC PROTECTION COMMITTEE – 16 NOVEMBER 2020

REPORT ON: ANTISOCIAL BEHAVIOUR – JULY TO SEPTEMBER 2020

REPORT BY: EXECUTIVE DIRECTOR OF NEIGHBOURHOOD SERVICES

REPORT NO: 287-2020

1 PURPOSE OF REPORT

1.1 The purpose of this report is to provide an overview on the reporting figures to the Neighbourhood Services - Antisocial Behaviour (ASB) Team for the period 1st July 2020 to 30th September 2020.

2 RECOMMENDATION

2.1. It is recommended that Committee notes the report.

3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications associated with this report.

4 BACKGROUND

4.1 Dundee City Council's Antisocial Behaviour Team responds to reports of antisocial behaviour from multiple sources including residents, elected members and partner agencies. This includes council tenancies, private lets and owner/occupiers. Registered Social Landlords have their own provisions in place for complaints raised against their tenancies. The aim is to tackle antisocial behaviour at the lowest possible level, taking a proportionate approach, using formal action where necessary and where evidence supports this.

It is important when drawing comparison with Police Scotland reported figures in relation to Anti-Social Behaviour in the City, that their definition of "anti-social behaviour" will be far wider than that reported to the Council, and that whilst trends in data may be able to be tracked in comparison with Police Scotland's figures – no direct correlation exists. An example may include a number of instances of football match related anti-social behaviour which would be recorded as such by Police partners, but is not at all relevant to the work of the Council's Anti-Social Behaviour Team.

The following legislation is relevant to the work of the team:

- The Antisocial Behaviour Etc (Scotland) Act 2004
- Housing (Scotland) Act 2001
- Regulation of Investigatory Powers (Scotland) Act
- The Data Protection Act 1998
- Housing (Scotland) Act 2014
- General Data Protection Regulations

Policies and procedures are aligned with the strategic outcomes in the City Plan and Community Safety Improvement Plan.

The ASB team work closely with the Community Safety Warden service and the Safety Alarm Response Centre (SARC) to share relevant information to support their investigations into complaints of antisocial behaviour. All of these services are based at the West District Office in Lochee. Residents of Multi-Storey Developments in the city can contact the SARC directly from their flat. The ASB team also liaise closely with Police

colleagues, through the Community Safety Hub arrangements, with Police Officers also based at the West District Office to facilitate partnership working.

4.2 PREVENTION/INTERVENTION

There are several routes the team can take to prevent escalation of complaints. Initially, advice from the team to residents is widely used as an alternative to action and can often lead to a solution. Conflict Resolution or Mediation sessions can also be facilitated by the team and are particularly effective in dealing with neighbour disputes. This option requires the agreement of all parties involved.

Educational inputs are provided to schools city wide at S1 and S4 and highlight what antisocial behaviour is, the consequences of becoming involved in antisocial behaviour and how to avoid becoming involved in antisocial behaviour (S1); and tenancy management/responsible behaviour (S4). The team can also make themselves available to attend to provide conflict resolution with schools, and deliver talks within primary schools upon request.

Surveillance installations are used to deter crime and antisocial behaviour, and are used as a tool for gathering evidence and providing community reassurance in areas which have seen high numbers of complaints to both the Antisocial Behaviour Team and Police Scotland. Covert surveillance is governed by the Regulation of Investigatory Powers (Scotland) Act 2000.

4.3 ENFORCEMENT

A graduated warning system is in place for situations where complaints of antisocial behaviour persist. When a person continues to exhibit antisocial behaviour, following a series of warnings, the team can then consider the following legal action:

Interim Antisocial Behaviour Order/Antisocial Behaviour Order
Tenancy Conversion to Short Scottish Secure Tenancy (SSST)
Notice of Proceedings
Eviction action

The most commonly used sanction is to apply to the courts for an Antisocial Behaviour Order (ASBO). This order prohibits specified behaviour, providing respite for those who have been affected by that behaviour, if the order is adhered to. Any breach of an ASBO constitutes a criminal offence and Police have powers of arrest for breaches of an order. In most cases, the local authority will apply for an interim ASBO in the first instance, as these orders can be granted quickly.

The Housing (Scotland) Act 2014 introduced powers to allow local authorities to convert a Scottish Secure Tenancy (SST) to a Short Scottish Secure Tenancy (SSST) where there is persistent antisocial behaviour occurring at the address. The minimum term of a SSST for antisocial behaviour is 12 months with the option to extend this for an additional 6 months. Support should be offered before this is considered and throughout the term of the SSST in an effort to change the behaviour and sustain the tenancy.

Where every effort has been made to address antisocial behaviour without success, eviction action may be considered. This is for the most serious of cases and where there has been little or no change and there is an ongoing major impact on neighbouring residents.

4.4 SUPPORT

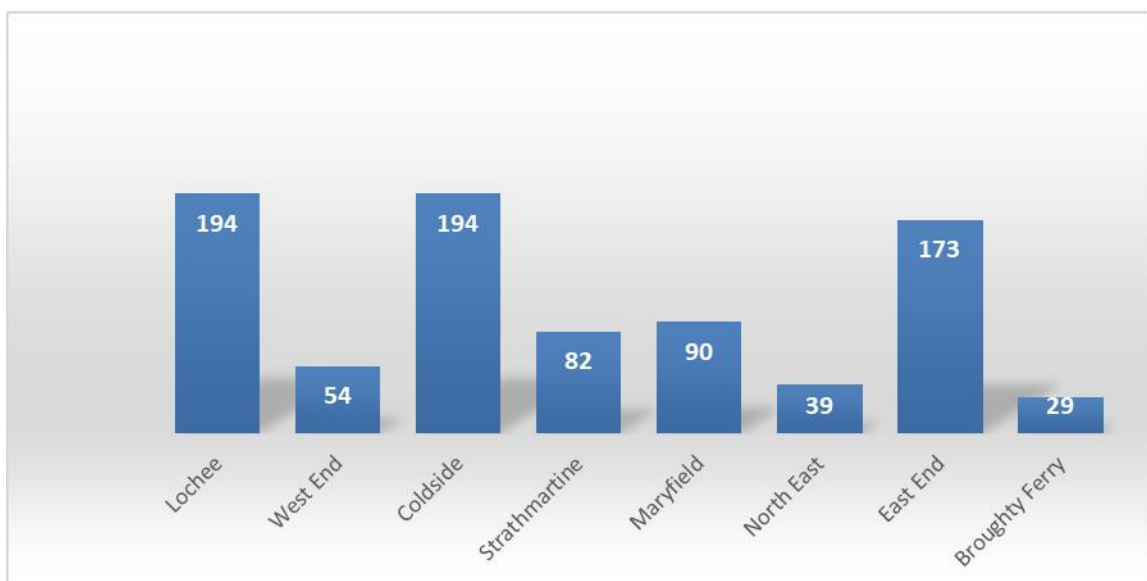
At any point in an investigation support can be offered to any party. The ASB team work with both statutory and voluntary organisations to make support referrals, depending on the support needs.

Staff regularly liaise with colleagues in other services in a support role to ensure an inclusive service is provided.

An example of this work in practice is a short-term project delivered to young people in their first tenancies or who are tenancy ready. This project is carried out collaboratively with social work through care team, housing support and other agencies. It is delivered over 6 – 10 weeks and provides young people with basic skills and information about who can help them. Most importantly it builds relationships between the young tenants and staff and this has shown the tenants are more likely to engage with the staff upon exiting the project. Second and third sessions were due to start in May this year, however, had to be postponed due to current circumstances.

4.5 DATA RELATING TO REPORTING PERIOD

Number of complaints per multi member ward area between 1/7/20 – 30/9/20:



The above table shows the largest number of complaints to the Antisocial Behaviour Team have been made in Lochee (22%), Coldside (22%) and East End (20%) wards. This is consistent with other reporting periods and annual figures per ward area. The lower figures relating to West End, North East and Broughty Ferry are also consistent with other reporting periods per ward area.

The data table below shows category of complaints for the reporting period:

CATEGORY	LOCHEE	WEST END	COLDSIDE	STRATHMARTINE	MARYFIELD	NORTH EAST	EAST END	BROUGHY FERRY
NOISE NUISANCE	86	34	86	33	42	16	84	14
GENERAL NUISANCE	22	3	31	12	17	3	16	3
VERBAL ABUSE OR THREATS	21	9	21	13	3	8	22	2
HARASSMENT	14	4	13	9	7	3	7	3
NEIGHBOUR DISPUTE	10	3	9	5	6	1	17	4
DISTRURBANCE DUE TO DRUGS	30	1	24	6	13	2	14	0
VIOLENT BEHAVIOUR	5	0	4	2	1	0	4	0
PUBLIC NUISANCE	1	0	1	0	0	0	0	0
VANDALISM	2	0	2	0	0	1	1	0
YOUTH DISORDER	2	0	2	2	1	5	7	3
NHS INCIDENT	0	0	1	0	0	0	1	0
HATE INCIDENT	1	0	0	0	0	0	0	0

Noise complaints account for just over 46% of all complaints, whilst general nuisance, verbal abuse and threats; and disturbances due to drugs account for around 12%, 11% and 10% respectively. Harassment and neighbour disputes represent 7% and 6.5% of complaints with the other categories sitting at 2% and below.

Noise covers a wide variety of issues including party noise/loud music, shouting and arguments within a household, even general household noise and the level of action taken is based on the type of complaint, whilst ensuring any action taken is proportionate.

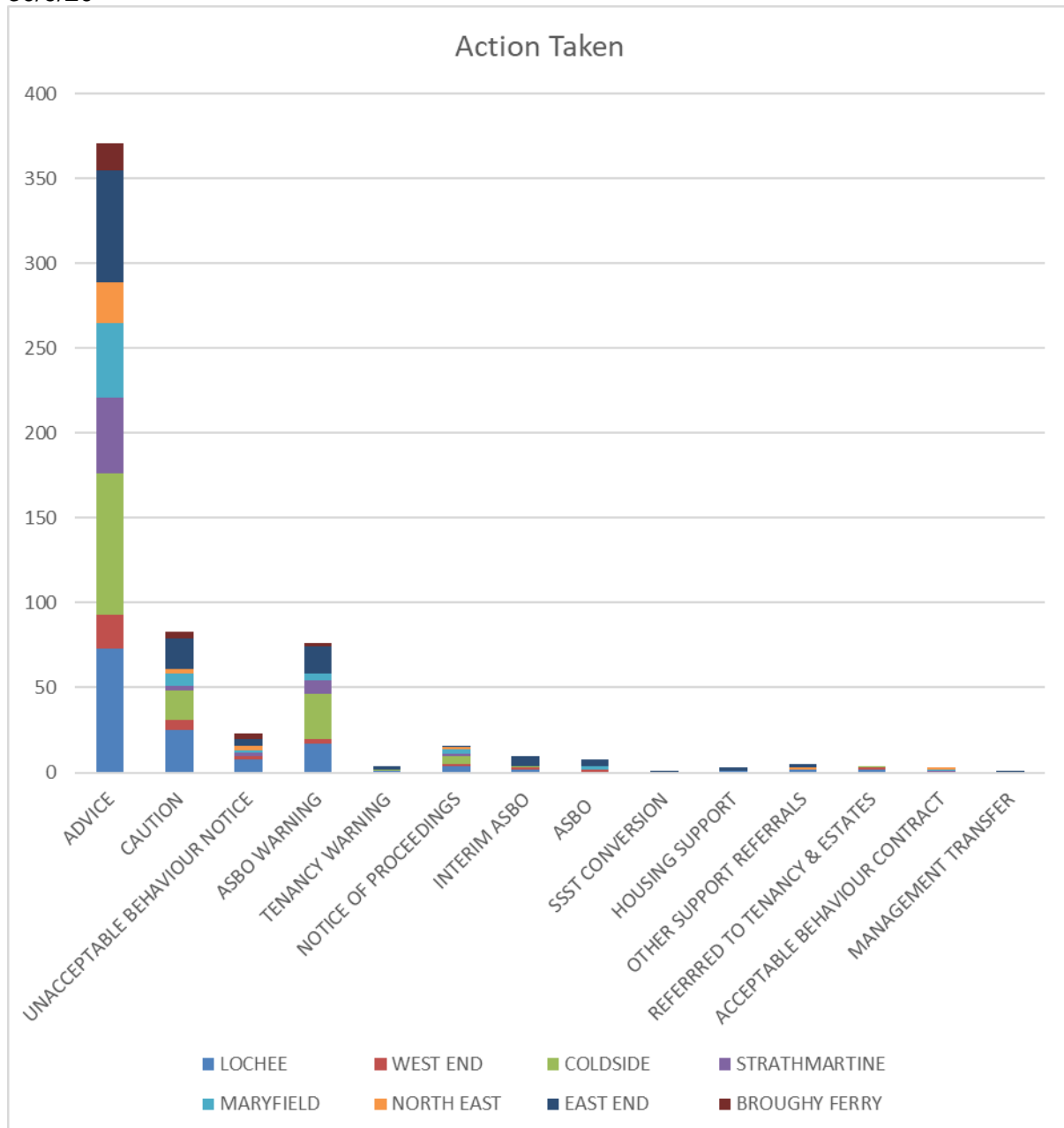
The largest number of noise complaints were made in Lochee (21.7%), Coldside (21.7%) and East End (21.2%).

The largest percentage of drug related complaints were made in Lochee ward (33.3%), the second highest reporting area for this complaint was Coldside (26.6%).

Complaints relating to general nuisance, verbal abuse and harassment were fairly evenly distributed between Lochee, Coldside and East End with a lesser percentage of these complaints in the other ward areas.

East End and North East wards reported the highest percentage of youth disorder complaints with 31.8% and 22.7% of complaints respectively.

Responses to complaints per ward area between 1/7/20 – 30/9/20



The above table shows advice being the most commonly used response to a complaint (61%), which supports the Antisocial Behaviour Team’s policy to aim to tackle antisocial behaviour at the lowest possible level.

Advice only does not always resolve issues and the figures show in just over 30% of cases formal warnings are issued with a small percentage of cases (5%) resulting in legal action.

The data table below shows action taken in the reporting period.

ACTION TAKEN	LOCHEE	WEST END	COLDSIDE	STRATHMARTINE	MARYFIELD	NORTH EAST	EAST END	BROUGHY FERRY
ADVICE	73	20	83	45	44	24	66	16
CAUTION	25	6	17	3	7	3	18	4
UNACCEPTABLE BEHAVIOUR NOTICE	8	2	0	2	1	3	4	3
ASBO WARNING	17	3	26	8	4	0	16	2
TENANCY WARNING	1	0	1	0	0	0	2	0
NOTICE OF PROCEEDINGS	4	1	5	1	3	1	1	0
INTERIM ASBO	2	1	1	0	0	0	6	0
ASBO	0	2	0	0	2	0	4	0
SSST CONVERSION	0	0	0	0	0	0	1	0
HOUSING SUPPORT	1	0	0	0	0	0	2	0
OTHER SUPPORT REFERRALS	2	0	0	0	0	1	2	0
REFERRED TO TENANCY & ESTATES	2	1	1	0	0	0	0	0
ACCEPTABLE BEHAVIOUR CONTRACT	0	0	0	1	1	1	0	0
MANAGEMENT TRANSFER	0	0	0	0	0	0	1	0

5 POLICY IMPLICATIONS

- 5.1 This report has been subject to an assessment of any impacts on Equality & Diversity, Fairness & Poverty, Environment and Corporate Risk. A copy of the Impact Assessment is available on the Council's website at www.dundeeccity.gov.uk/ia/reports.

6 CONSULTATIONS

- 6.1 The Council Management Team were consulted on the preparation of this report and agree with its contents.

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26 October 2020

