

THE HIGHLAND COUNCIL
INVERNESS CITY COMMITTEE

8 June 2009

Agenda Item	6
Report No	ICC 37/09

**Community Safety and Anti Social Behaviour
Report**

Report by the Area Housing and Property Manager

SUMMARY

The purpose of this report is to update the City Committee on progress being made on and current issues with Community Safety and anti social behaviour in Inverness.

1. Background

- 1.1 Highland Council has made building and supporting safe, successful communities one of its key priorities. In partnership with its Community Planning Partners and the Scottish Government, the Council seeks to improve community safety across all the Council's geographical area.
- 1.2 Dealing with anti-social behaviour and its impact on communities is very much part of this initiative.

2. The Inverness Perspective

- 2.1 Anti social behaviour occurs across all tenures and the Council has a process which grades complaints of anti social behaviour on a scale of 1 – 4 (with 4 being the highest). These are:-
 - 1. not keeping garden tidy, parking in unauthorised areas etc
 - 2. disputes solely between two neighbours, e.g. use of common areas, maintenance/use of boundaries, noise
 - 3. anti social behaviour, where the behaviour is of a serious and persistent nature, affecting one person or a group of people e.g.: noise nuisance, failing to control pets, failing to control children of household
 - 4. severe anti social behaviour, where the involvement of the police is necessary e.g. violence towards another tenant, threatening behaviour, drug dealing, vandalism/damage to common areas, harassment
- 2.2 Anti social behaviour in categories 1 to 3 are referred to Housing Management Officers to investigate and agree an appropriate course of action. Many cases are resolved at this time.
- 2.3 However, should the anti social behaviour persist, escalate or fall into Category 4, then the case is referred to the Anti Social Behaviour Partnership Group (ASBPG) which is responsible for monitoring and prioritising the most serious

cases of antisocial behaviour.

- 2.4 The Partnership Group consists of senior representatives from Highland Council (Housing, Social Work, Legal, Environmental Health and Community Mental Health), Northern Constabulary, Registered Social Landlords, Ward Management and NHS, all of whom hold permanent seats on the Group.

The Group meets regularly to consider what action should be taken in the cases referred to them. Any agency represented on the ASBPG can request/call an emergency meeting of the group, to address an urgent, serious, emerging issue.

Where considered appropriate, a case may be referred to specialist Anti Social Behaviour Investigators. There is a procedure in place to fast track a referral to specialist investigators if required.

- 2.5 Investigators generally become involved in the most serious and persistent cases of antisocial behaviour across all tenures anywhere in the Highland Council Area. A police officer is also based in the Housing and Property Team in Inverness and works closely with Investigators.
- 2.6 A dedicated computer system to case manage individual anti social behaviour cases has recently been introduced.
- 2.7 Only Northern Constabulary can investigate all allegations of criminal conduct, i.e. drugs. The Anti Social Behaviour Team and Housing Management Officers do not have any rights to investigate criminal activity.
- 2.8 There are other legal mechanisms which can be used to combat anti social behaviour. These include dispersal orders, closure of premises, seizure of vehicles for which the police are the lead organisation; a ban on the sale of spray paint to children under 16 and graffiti removal for which TEC Services is responsible.

3. Recent Statistics

- 3.1 Statistics provided by the specialist investigators for the Inverness, Nairn, Badenoch and Strathspey area for 2008/09 are shown below:-

Cases Remaining Open at 1/4/08	21
Number of Cases Referred 01 st April 2008 – 31 st March 2009	25
Number of Early Intervention Cases Referred	23
total	48
Warning Letters/UBNs	15

Mediation Engaged	1
Change of Tenancy status Solution	4
<i>total</i>	21
Noise Monitoring Applied	2
Interim ASBO	8
ASBO	10
<i>total ASBOs</i>	18

4. Partnership working

- 4.1 Anti social behaviour is not solely a housing issue and the Housing and Property Service cannot resolve anti social behaviour issues on its own.

The Community Safety partners recognise this and a major feature of community safety and tackling anti social behaviour is partnership working.

- 4.2 This is demonstrated in Inverness by recent partnership working in Operation Respect which was so successful it has been extended to Merkinch and involves the Merkinch Partnership, the Highland Council, Street Pastors and the Police.

- 4.3 The Three Strikes system

The ASBPG works with the police to target anti social behaviour. Reports of anti social behaviour receive a graded response leading to a visit from the Inverness Police Commander and a Senior Manager from the Housing Provider. At this stage a final warning is personally delivered, followed by an official letter confirming that if there should be any further incident, the person will immediately be fast tracked to the ASBPG for appropriate action.

5. Communication/Consultation

- 5.1 Consultation and communication with communities affected by anti social behaviour, Residents Associations and Ward Forums is now undertaken on a regular basis.

This spreads a better awareness of how anti social behaviour can be tackled, encourages communities to take pride in their area and work together to make their community a safer place to live.

6. Allocations and tenancies

- 6.1 Scottish Housing legislation on allocations requires that social housing be allocated on objective and non-discriminatory assessment of housing need. The shortage of housing means that often homeless, vulnerable applicants are top applicants for an available property.

Many of these applicants are, for different reasons, not capable of sustaining their tenancy. They can display anti social lifestyles which disrupt and create tension and fear in the communities in which they have been placed. This often then leads to them losing their tenancy and becoming homeless again.

- 6.2 Inverness HAP now tries to assess homeless applicants support needs when they present as homeless and before they are allocated a tenancy. There is, however, a resource issue – both in availability of assessors and appropriate support.
- 6.3 ASB Investigators covering Inverness, Nairn, Badenoch and Strathspey, have in recent months been involved in monitoring charges relating to the Misuse of Drugs Act (MODA) in or around social housing tenancies.

In total around 25 cases, where the landlord is either Highland Council or Albyn Housing Association, are currently outstanding. The investigators monitor the outcome of Criminal Proceedings through the daily court returns, clarifying the locus and details of the offence on conviction with the Procurator Fiscal.

The relevant information is then provided to Housing Managers for their consideration. At this time eviction action is being sought in the first of these cases.

7. Way forward

- 7.1 A major review of national policy on anti social behaviour is currently taking place. Members considered a report on the National Framework for Anti Social Behaviour at the Housing and Social Work Committee on 27 May 2009.

The outcome of this review will shape the way anti social behaviour will be dealt with in Inverness in the future.

8. RECOMMENDATION

The Committee is invited to note and comment upon the contents of this report.

Signature:

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