



Overview and Scrutiny **Anti-Social Behaviour & Alcohol Free Zones**

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OVERVIEW BOARD
Supporting Officer: Andy Stephens



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BROMSGROVE DISTRICT COUNCIL

REPORT OF THE ANTI-SOCIAL BEHAVIOUR AND ALCOHOL FREE ZONES TASK GROUP

JANUARY 2009

MEMBERS

Councillors C. B. Taylor (Chairman), Mrs. M. Bunker, Miss D. H. Campbell, Ms. H. J. Jones, D. McGrath, D. L. Pardoe, Mrs. C. J. Spencer and C. J. Tidmarsh

TERMS OF REFERENCE

Two scrutiny proposals relating to Anti-Social Behaviour and Alcohol Free Zones were originally considered by the former Scrutiny Steering Board at meetings in February and March 2008 and two separate task groups were initially established. However, following a meeting between the Leader and the Chairmen of the former Scrutiny Steering Board, Audit Board and Performance Management Board, it was suggested that the two groups be amalgamated to form a single task group. This was discussed and agreed by the Scrutiny Steering Board on 1st April 2008 and it was at this meeting that Councillor C. B. Taylor was appointed Chairman of the new amalgamated Task Group.

At the subsequent Board meetings held on 29th April 2008 and 22nd May 2008, the membership of the Task Group was agreed along with the following terms of reference:-

"To examine the causes of anti-social behaviour in 11 - 17 year olds, taking into account the Council's policies and the public perception and definition of this problem; also, to examine the use and effectiveness of 'alcohol free zones', looking into the impact on crime, public disorder, enforcement levels and the general effect of drinking in public places."

The full scoping checklist completed by the appointed Chairman and agreed by the former Scrutiny Steering Board is attached at Appendix 1.

The former Scrutiny Steering Board considered additional membership requests at its meeting held in June 2008 which were agreed.

The first meeting of the Task Group was held in June and it was requested that the Task Group should report to the Board November / December 2008. However, partially due to the changes with the Overview and Scrutiny structure and partially due to the large remit of the Task Group, the Task Group was given an extension to January / February 2009.

SUMMARY OF RECOMMENDATIONS

1. Enhance lines of communication with partners (High Priority)

It is recommended that the District Council work with its partner agencies to enhance lines of communication to inform the local media of events and good news stories with a view to encouraging more good publicity about young people, and thereby reduce the negative judgments placed on younger people in general.

2. Visible policing within the local community (Medium / High Priority)

It is recommended that, whilst both the increased number of Police Community Support Officers and the enhanced powers granted of the District Council's Neighbourhood Wardens are to be welcomed, the North Worcestershire Division of the West Mercia Constabulary be urged to present a more visible presence in both the local community and at public events in order to maintain a low level of anti-social behaviour within the District.

3. Tackling anti-social behaviour by way of Fixed Penalty Notices (Medium / High Priority)

It is recommended that, given the support shown by residents for fixed penalty notices as a means of tackling anti-social behaviour and drinking in an 'alcohol free zone', the Council investigate the feasibility of introducing Penalty Notices for such disorder.

4. Maximise use and effectiveness of CCTV (Low / Medium Priority)

It is recommended that, where lighting around the Council's CCTV cameras is negligible or non-existent, especially within designated 'alcohol free zones', the Council investigate enhancing visibility by either introducing additional lighting and / or additional CCTV cameras and, if this should be feasible, whether funding may also be available from the police.

Financial Implications to Recommendations

The Task Group considers that there are no direct financial implications to its recommendations. However, even if there are no direct costs, officers are likely to incur an indirect impact in terms of costs as a result of time spent implementing approved recommendations. Any costs resulting from improvements to the CCTV system could be met from the existing CCTV budget, together with any additional funding which may be available from the police.

The Task Group believes that approval and consequent implementation of the recommendations would be a step in the right direction in addressing the issues outlined in the report.

Officer Actions Supported by Task Group

The Task Group were encouraged to hear of the multi-agency approach being taken in respect of anti-social behaviour within the district. The approach taken by the Crime and Disorder Reduction Partnership, with the active involvement of the Council's Community Safety Partnership Team and the Police, has a direct impact on the levels of anti-social behaviour within the district. Together with the 'Alcohol Free Zones' which have already been designated, the powers available to the Police, Community Service Officers and the District Council's own Neighbourhood Wardens can have a positive effect on anti-social behaviour levels within the District.

Furthermore, the Task Group recognised that the Council, in partnership with other local agencies; for example, Worcestershire County Council's Youth Strategy Service and sports clubs; promote and encourage diversionary activities for younger people, including sustainable youth clubs, sports training and other interest groups. It was noted that the Council also works with the eight Herefordshire and Worcestershire local authorities, two Primary Care Trusts, the University of Worcester, Sport England, National Governing Bodies of Sport and other key organisations for the provision of sport and active recreation facilities in Bromsgrove and within the two counties. The Task Group were pleased to note that the Community Safety Partnership Team continue to work very closely with, and promote the work undertaken by, the Crime and Disorder Reduction Partnership in order to maximise potential and minimise duplication of efforts.

Issues considered which were not included within Recommendations

The Task Group was aware from the outset that its terms of reference and subject area covered a large number of issues. In seeking to maintain its focus on the issues of most importance, the Task Group was careful to remain true to the terms of reference.

For example, the Task Group considered the effects that alcohol can have on young people and the related long-term health implications. In addition, the availability of support groups and advice centres for drug and alcohol abuse were discussed, but it was felt that these were issues which, whilst important to be available to younger people in need of help and encouragement, were not essentially being investigated by the Task Group. However, the Task Group's recommendations have been indirectly influenced by the very useful evidence presented by the external witnesses, full details of which are included within the main part of the report.

A number of other issues were discussed as part of the overall consideration of the main topics are indicated below. However, these have not formed part of the Task Group's recommendations:

- Pricing policy / Availability of "cut-price" alcohol deals.
- Greater involvement of substance (drug and alcohol) support groups.
- Proposals, and locations, for additional 'alcohol free zones'.
- Licensing of pubs, clubs and supermarkets.
- Effect of nationwide no-smoking ban on the Licensed Trade.
- Provision of byelaws as a means of enforcement.

BACKGROUND AND METHODOLOGY

The Anti-Social Behaviour and Alcohol Free Zones Task Group identified three areas it wanted to subject to detailed overview and scrutiny:

- The levels and types of anti-social behaviour among 11 to 17 year olds which were being recorded and the public perception of the problem;
- The effectiveness of 'alcohol free zones' and related enforcement issues;
- How the District Council, together with its partner agencies, can tackle issues and problems in respect of anti-social behaviour through the use of 'alcohol free zones' and other, more positive, methods.

Our findings on each of these areas, and the recommendations we have made, are set out within the report:

1. Anti-social behaviour - what is it and how big a problem is it?
2. Enforcement of 'alcohol free zones'.
3. Responsibilities and priorities for action.

A Summary of the Task Group's recommendations is provided on page 2.

The Task Group endeavoured to take an evidence based approach, together with seeking feedback from members of the public and head teachers of middle and high schools within the District. Full details of independent witnesses who attended our meetings, Council officers who provided advice and assistance, and other evidence we considered are listed in Appendix 2.

The methodology used in this overview and scrutiny exercise to make enquiries and gather evidence involved:

- Review of documentation;

A number of other local authorities within England have carried out their own overview and scrutiny of anti-social behaviour and 'alcohol free zones'; for example, Redditch Borough Council, Birmingham City Council, Dover District Council and Swindon Borough Council. However, none of these have covered both topics at the same time.

The Task Group found that, in general, the findings in these overview and scrutiny reports were not entirely relevant to its work given that the Bromsgrove District is quite different to the more urban nature of the examples given above.

- Interviewing witnesses;

As part of the review, the Task Group interviewed a number of relevant external witnesses, together with obtaining additional information from several officers of the District Council. The input of the Community Safety Team and the West Mercia Constabulary were central to the work of the Task Group.

A complete list is detailed at Appendix 2.

- Familiarisation with the 'alcohol free zones' within the District;

The Task Group were presented with full details of the ten designated 'alcohol free zones' which had been designated by the District Council since 2003. This included a copy of the location plans which were published as part of the Designation Orders, together with a written description of the area covered by each Order.

- Written evidence and feedback;

The Task Group sought additional evidence and information from the head teachers of the local middle and high schools within the district, especially in terms of the education of younger people in respect of drugs/alcohol and their effects on health. Furthermore, a press release was issued at the commencement of the overview and scrutiny exercise encouraging the public to submit their views, comments and suggestions for the Task Group to consider. The Task Group was also publicised on the Council's web-site, together with a facility for members of the public to submit their views electronically. Unfortunately, however, Members noted that, for this particular topic, there was limited feedback by way of these methods.

FINDINGS AND RECOMMENDATIONS

The Task Group investigated three main areas: 1. Anti-social behaviour - what is it and how big a problem is it; 2. enforcement of 'alcohol free zones'; and 3. responsibilities and priorities for action.

The Task Group found:

In respect of 1. - Definitions and types of anti-social behaviour, and the causes, whether real or perceived.

In respect of 2. - The locations of the designated 'Alcohol Free Zones' within the Bromsgrove District, the powers of the law enforcement agencies (including the District Council's own Neighbourhood Wardens) and their effectiveness in combating alcohol-related anti-social behaviour.

In respect of 3. - The powers available to the police and the District Council in addressing anti-social behaviour, what is being done to address the 'problems' and the priorities for the work that needs to be done in future to ensure anti-social behaviour is minimised as much as possible.

Anti-Social Behaviour

In order to consider Anti-Social Behaviour within the District, the Task Group searched for a definition which could help in their discussions. The definition of anti-social behaviour under the Crime and Disorder Act 1998 is that it is 'behaviour likely to cause alarm, harassment or distress to members of the public not of the same household as the perpetrator'. Alternatively, the Home Office also state that 'anti-social behaviour includes a variety of behaviour covering a whole complex of selfish and unacceptable activity that can blight the quality of community life'. Examples are detailed in Appendix 3. Locally, however, the Crime and Disorder Reduction Partnership Tasking Group has adopted the following: "Acting in an anti-social manner as a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator."

The Task Group considered a large number of reasons why anti-social behaviour occurs. In its 2004 report 'Research Development & Statistics, ASB - A collection of published evidence', the Home Office identified four main reasons:-

- Family environment (poor parental discipline and supervision, family conflict, family history of problem behaviour and parental involvement/attitudes condoning problem behaviour);
- Schooling & educational attainment (aggressive or bullying behaviour, lack of commitment to school, school disorganisation, school exclusion and truancy patterns, low achievement at school);
- Community life / accommodation / employment (community disorganisation and neglect, the availability of drugs and alcohol, lack of neighbourhood attachment, growing up in a deprived area within low income families, high

rates of unemployment and a high turnover of population, areas where there are high levels of vandalism); and

- Personal and individual factors (alienation and lack of social commitment, early involvement in problem behaviour, attitudes that condone problem behaviour, a high proportion of unsupervised time spent with peers and friends or peers involved in problem behaviour, mental illness, early involvement in the use of illegal drugs and crime).

When hearing from Dave Evans, Operations Manager for Worcestershire County Youth Strategy, the Task Group heard that stress was also a personal factor which many young people may experience, especially as a result of school testing and the expectations of family, friends, teachers and fellow pupils. He stated that the effects of this stress may be the reason behind why many younger people may be tempted to experiment with drugs and / or alcohol which may, in turn, lead to anti-social activities.

Mr. Evans also stated that, as the County's Youth Strategy Service was a part of the Education Department at the County Council, it worked on a range of topics based around leisure and activities for younger people, including Youth Club provision and the development of sport and general diversionary activities for younger people. The Task Group also heard that one of the main issues in providing diversionary activities was that of accessing the "hard-to-reach" groups and individuals; that is, those young people who, apart from having limited or no transportation, a limited ability to pay, and / or a lack of provision and facilities in their immediate area, may be 'socially excluded' through a general lack of interest, motivation or preference.

The Task Group recognised that the Council, in partnership with other local agencies; for example, Worcestershire County Council's Youth Strategy Service and sports clubs; ***promote and encourage diversionary activities for younger people, including sustainable youth clubs, sports training and other interest groups.***

It was also noted that ***the Council also work with the eight Herefordshire and Worcestershire local authorities, the two Primary Care Trusts, the University of Worcester, Sport England, National Governing Bodies of Sport and other key organisations*** for the provision of sport and active recreation facilities in Bromsgrove and within the two counties.

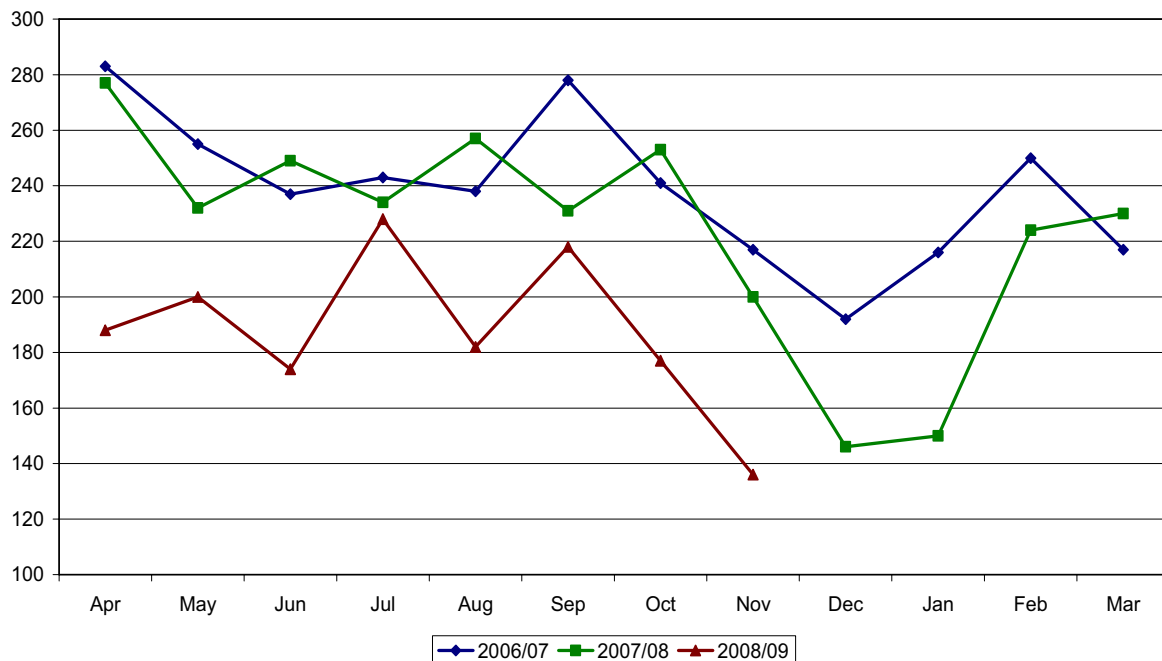
Whilst anti-social behaviour is now a problem in most towns and cities nationwide, Members felt that it merely depends upon the perception of the person who is alleging anti-social behaviour. The Task Group heard from Chief Inspector Tony Love about the process involved when a report of anti-social behaviour is received, stating that the recording of the complaint does not necessarily mean that all anti-social behaviour incidents would be recorded as a crime or that just because a member of the public does not like a particular activity; for example, children playing loudly on a park; that it is, in fact, anti-social behaviour.

Therefore, a persons perception can distort the levels of anti-social behaviour, especially when the behaviour in question may not, in reality, be anti-social. Obviously, the park in the above example, is there for younger people to play football in anyway.

Recommendation 1	It is recommended that the District Council work with its partner agencies to enhance lines of communication to inform the local media of events and good news stories with a view to encouraging more good publicity about young people, and thereby reduce the negative judgments placed on younger people in general.
Priority	High - The Task Group believes that the public perception of anti-social behaviour is worse than official statistics indicate. Additional involvement of the local media at an early stage may ensure achievement of "quick-wins" in the near future and better inform members of the public what does, and what does not, constitute anti-social behaviour.
Financial Implications	There are no direct financial implications. However, as with all recommendations, there may be officer time required which may incur indirect financial implications. Making maximum use of the Council's Communications Team may be a viable way in which to enhance the work of both the Community Safety Partnership Team and Crime and Disorder Reduction Partnership.

The Task Group considered how 'bad' (or not) the situation was within the Bromsgrove District. The chart shown below indicates that there has been a larger than 6% reduction in the number of incidents between the full financial years 2006/07 (2,867 incidents) and 2007/08 (2,683), and a greater than 20% reduction in the year to date (April to October 2008 - 1,367) when compared to the same period in both 2006/07 (1,775) and 2007/08 (1,733).

Youth Related Anti-social Behaviour Incidents

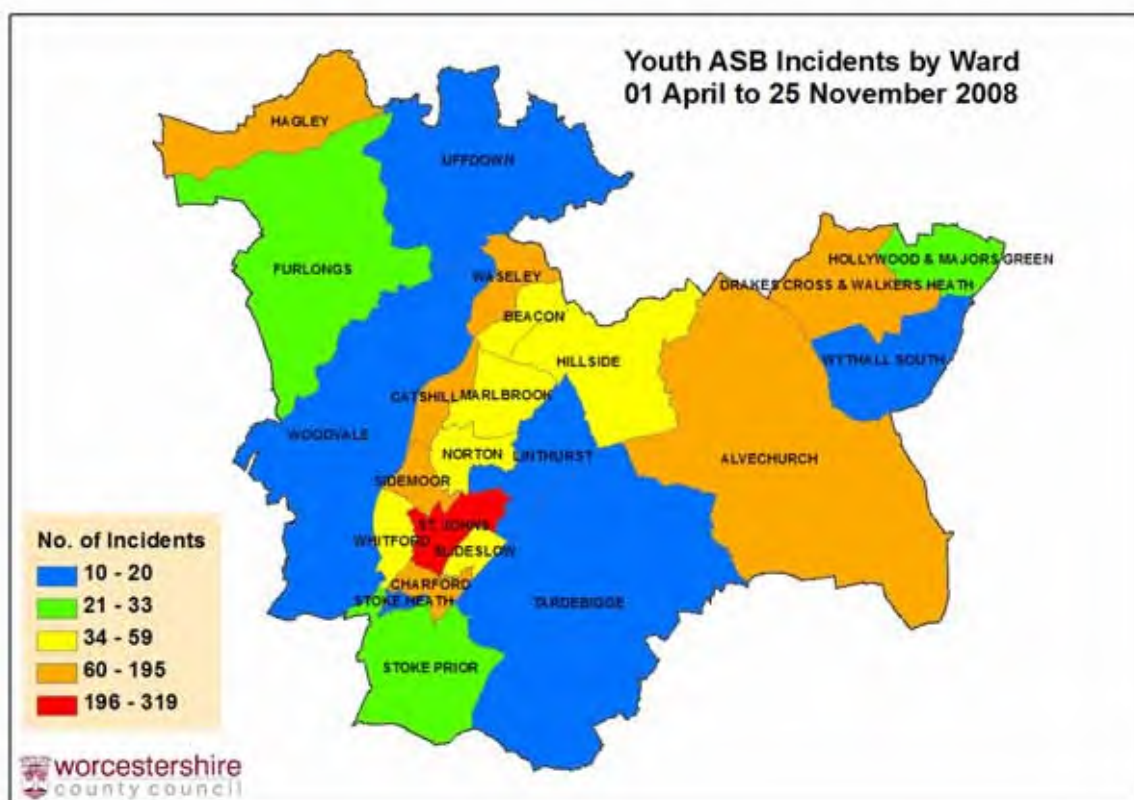


(Source: Operational Information System, West Mercia Constabulary).
 (Note: November 2008 indication does not relate to a full month).

The Task Group considered that this shows a decreasing trend in the level of anti-social behaviour within the Bromsgrove District, and that this has been shown by the fact that the level of youth related incidents during 2008/09 to October has been consistently below that of previous years. Furthermore, peaks and troughs in the chart above have tended to coincide with certain events at times of the years. For example, the spring and summer months for 2006/07 generally show higher levels of anti-social behaviour than in the winter.

However, the Task Group were of the opinion that certain events such as Hallowe'en and 'Bonfire Night' were the most likely reason of higher levels. In addition, it was noticed that incidents during the periods 2006/07 and 2008/09 (to 25th November 2008) incidents tend to correlate as seen on the chart (although the latter period is obviously lower), whilst there was a fall in anti-social behaviour in July 2007. Bearing in mind the heavy rainfall during that month, the Task Group concluded that youth related anti-social behaviour was influenced to a large extent by the seasonal conditions.

The Task Group also considered where most of the anti-social behaviour was occurring within the District, as indicated on the diagram below.



Over 90% of the District designated Green Belt, the largely rural nature tends to confine anti-social behaviour to the urban areas and larger settlements. During the period from 1st April 2008 to 25th November 2008, youth related anti-social behaviour was most prevalent in the St. John's Ward area of the District and, in terms of the more built-up areas, is followed by Charford, Sidemoor, Catshill and Waseley Wards.

However, the Task Group noted that levels of youth anti-social behaviour within the Wards of Hagley, Alvechurch and Drakes Cross and Walkers Heath appeared to be at similar levels to these more built-up area, most likely due to there being larger settlements of population together with a greater concentration of retail and business premises.

Recommendation 2	It is recommended that, whilst both the increased number of Police Community Support Officers and the enhanced powers granted of the District Council's Neighbourhood Wardens are to be welcomed, the North Worcestershire Division of the West Mercia Constabulary be urged to present a more visible presence in both the local community and at public events in order to maintain a low level of anti-social behaviour within the District.
Priority	Medium / High - The Task Group considered that visible policing acts as an effective deterrent to anti-social behaviour.
Financial Implications	There are no direct financial implications. However, as with all recommendations, there may be officer time required which may incur indirect financial implications. However, officer time needs to be used effectively and, in this case, be seen to be used effectively.

The Task Group were pleased to note that the Community Safety Partnership Team continue to work closely with, and promote the work undertaken by, the Crime and Disorder Reduction Partnership in order to maximise potential and minimise duplication of efforts.

Alcohol Free Zones (Designated Public Places Orders)

The Task Group noted that the Police and Criminal Justice Act 2001, which came into effect in September 2001, enabled local authorities to adopt powers to deal with the problems of anti-social alcohol drinking in public places. The intention of the legislation was to reduce the incidents of anti-social behaviour, public disorder and public nuisance from alcohol consumption in designated public places.

Once a Designated Public Places Orders (DPPO) is in place, a Police Officer, Community Support Officer or Neighbourhood Warden can use their confiscation powers to enforce the restriction. It is not an offence to consume alcohol within a designated area, but failure to comply with an officer's requests to stop drinking and surrender alcohol without reasonable excuse is.

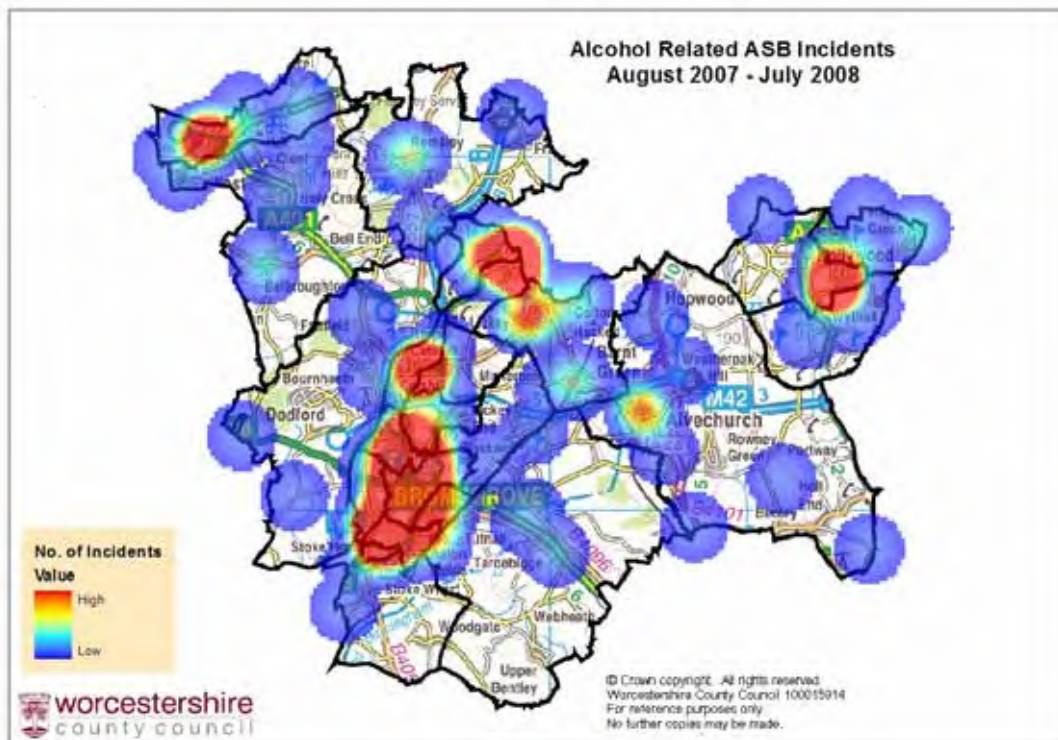
If an officer suspects that a person has recently consumed alcohol or intends to consume alcohol in a DPPO, in order to prevent public nuisance and disorder which the officer considers may be likely as a result, he can require that person to (i) stop drinking alcohol (or anything which is believed to be alcohol); (ii) hand over the containers they are drinking from (whether sealed or unsealed); and (iii) hand over any other containers which are believed to contain alcohol).

Penalties for failure to comply with an officer's request include:-

- a penalty notice for disorder of £50;
- arrest and prosecution for a maximum of £500; and / or
- bail conditions to stop the individual from drinking in public

Throughout its investigation, the Task Group were confident that there was a clear link between the consumption of alcohol and anti-social behaviour. Statistics recorded on the West Mercia Constabulary Operational Information System demonstrate that alcohol related incidents peak over a weekend, with Friday night being the peak night for disorder.

A schedule of the Designation Public Places Orders made under this legislation by the Council has been provided for information at Appendix 4. The Task Group found that the St. John's Ward, which incorporates Bromsgrove Town Centre was, by far and away, the ward where most alcohol related incidents of anti-social behaviour occurred, accounting for 24% of the total alcohol-related incidents. The ward also includes Sanders Park where there are known to be issues relating to youths drinking. In fact, alcohol-related incidents increase in some of the more rural locations merely due to youths gathering in open spaces and drinking; the Task Group found this to be true of a majority of incidents reported in Hagley, Rubery, Wythall and Catshill.



The Task Group found that, although a large number of incidents occurred within the 'alcohol free zones' themselves, the powers available to the Police were preferable to those of a byelaw, which effectively banned drinking in an area. If an officer considered that drinking alcohol would not lead to anti-social behaviour or public disorder (for example, a family picnic in the park, or a ceremonial / traditional

occasion such as the Bromsgrove Court Leet's "ale tasting" event), or if a person complied with the officer's request, then the alcohol would be confiscated or disposed of. Under a byelaw, an arrestable offence would have been committed. The powers created by the DPPO allow officers to use discretion and attempt to deter people, only using the power of arrest if they did not comply with the request. Furthermore, the Task Group heard that these powers were also being used when dealing with people leaving pubs and clubs late at night.

Members of the Task Group questioned why the police had not supported recent requests to the Licensing Committee for two areas in Charford, Bromsgrove, to be designated as 'alcohol free zones'. Chief Inspector Love's response was that the two areas referred to were not considered to be priorities for such designation as there were other areas which had been identified as being more problematical. Some areas of the district were generating 10 - 12 times the volume of recorded calls about anti-social behaviour than those referred to in Charford.

The Task Group heard that young people under the age of 18 who were found to be in possession of alcohol were already covered by legislation separate from that relating to 'alcohol free zones'. It was stated that possession of alcohol by under-age persons was an offence which often led to that person being escorted home, and their parents would then be informed of the incident. The Police consider the prevention of the consumption of alcohol as a major factor in reducing anti-social behaviour and, to this end, resources were being targeted at ensuring that alcohol does not get into the hands of under 18's.

According to the West Mercia Crime and Safety Survey 2008, 67% of respondents agreed that under-age drinking was a problem in their local neighbourhood, with 55% thinking people being drunk or rowdy in public places was a problem. Under-age drinking was also the 3rd ranked issue to feature in residents opinions of which problems should be addressed first, with 24% of people listing it in their top 3; and increase of 8% on the previous year. 64% of residents agreed that the use of fixed penalty notices to tackle anti-social behaviour would be an effective approach. 73% agreed that this approach should be used to tackle drinking in an 'alcohol free zone'. On the whole, according to the June 2008 Citizens Panel Survey, 54% of Bromsgrove participants in the survey thought that drunk people or people drinking in the streets was a problem in the area, be it major or minor, compared to an average of 45.6% of people across Worcestershire. However, it must be borne in mind that these statistics only give an indication of the perceived problem.

Members noted that Fixed Penalty Notices (and Penalty Notices for Disorder) are both one-off fines issued for anti-social behaviour. Fixed penalty notices generally deal with environmental offences such as litter, graffiti and dog fouling, and can be issued by local authority officers and police community support officers to anyone over 10 years old.

Examples of offences for which a notice might be issued are:

- littering
- graffitiing or fly posting
- causing so much loud and annoying noise that your neighbours complain

The Task Group found that Penalty Notices for Disorder are issued for more serious offences, such as throwing fireworks or being drunk and disorderly and can be issued to anyone over 16 years old. They were introduced to address low-level anti-social behaviour, while also reducing police bureaucracy and paperwork.

Examples of offences where a penalty notice for disorder may be issued include:

- intentionally harassing or scaring people
- being drunk and disorderly in public
- destroying or damaging property
- petty shoplifting
- selling alcohol to underage customers
- selling alcohol to somebody who is obviously drunk
- using fireworks after curfew

Both types of penalty notice are not the same as criminal convictions but failure to pay the fine may result in higher fines, or imprisonment.

Recommendation 3	It is recommended that, given the support shown by residents for fixed penalty notices as a means of tackling anti-social behaviour and drinking in an 'alcohol free zone', the Council investigate the feasibility of introducing fixed penalty notices for such disorder.
Priority	Medium / High. The Task Group considered that "on-the-spot" enforcement acts as an effective deterrent to anti-social behaviour, and reduce the likelihood of drinking alcohol within designated 'alcohol free zones'.
Financial Implications	There are no direct financial implications. However, as with all recommendations, there may be officer time required which may incur indirect financial implications. However, officer time needs to be used effectively and, in this case, be seen to be used effectively.

What can be done in the future?

It appears that anti-social behaviour and alcohol-related incidents in Bromsgrove have, by and large, been following a decreasing trend over the last few years. The Task Group heard that robust policing of the main areas of concern has encouraged this reduction in anti-social behaviour, as well as crime in general, assisted by the active involvement of the Council's Neighbourhood Wardens in conjunction with the Crime and Disorder Reduction Partnership and the local policing teams. The Police, Community Support Officers and Neighbourhood Wardens try to obtain a balance in prioritising certain areas whilst maintaining general good order throughout the district, especially bearing in mind that a large percentage of the anti-social behaviour within the district appears to be caused by a small percentage of young people.

The approach promoted by the Police has also prevented anti-social behaviour being caused by young people from outside the Bromsgrove District. Tackling anti-social behaviour has been the main subject, or an incorporated feature, of the Crime and Disorder Reduction Partnership Tasking Group since April 2007, and was the main focus of every meeting between April and August 2008. As well as adopting its own definition of anti-social behaviour, the Partnership Tasking Group have decided to focus its resources on the following types of anti-social behaviour:

- Fireworks
- Harassment Incident
- Nuisance Neighbours
- Nuisance Rowdy Behaviour
- Street Drinking
- Substance Misuse
- Vehicle Nuisance

Furthermore, the Crime and Disorder Reduction Partnership Tasking Group also establish a geographical focus, determined on a monthly basis in accordance with the rates of reported anti-social behaviour. In an average month, analysis shows that reports of anti-social behaviour occur in the St. John's, Charford, Sidemoor, Catshill, Waseley, Hagley and Hollywood and Drakes Cross Wards within the District.

There are risks involved with not tackling anti-social behaviour, whether alcohol-related or not. The perception of the problem is already rather negative; however, Members of the Task Group considered that alcohol-related youth anti-social behaviour could lead to an increase in admissions to hospital, could have significant sexual health risks and could also impact on achievement in school, which can have a longer term effect on employment prospects.

At night, the perception of the urban areas, the town centre and main village settlement centres is a somewhat negative one. The public seem to feel that these are unpleasant places to be, filled with rowdy, drunken people. The same could be said of Sanders Park, and other parks within the district, which have a reputation as places where young people gather and drink alcohol. As a consequence, other residents avoid these areas and, in some cases, the areas themselves can become run-down and untidy as a result.

The Task Group felt that the redevelopment of the town centre may, for example, create a sense of ownership and local pride, meaning that people may be less likely to damage or deface it, but there are also additional risks inherent to the investment and money spent on the redevelopment. The presence of CCTV cameras, not only in Bromsgrove Town Centre, but in Alvechurch, Hagley, Rubery and Wythall, will act as an additional deterrent to those who may otherwise be the cause of anti-social behaviour. Not only do they allow coverage of most of the 'alcohol free zones' within the District, they give the control room operators a better view when disorder is taking place, thereby enabling better and more responsive enforcement in the key areas.

Recommendation 4	It is recommended that, where lighting around the Council's CCTV cameras is negligible or non-existent, especially within designated 'alcohol free zones', the Council investigate enhancing visibility by either introducing additional lighting and / or additional CCTV cameras and, if this should be feasible, whether funding may also be available from the police.
Priority	Low / Medium - On-going maintenance of the CCTV system is programmed into the CCTV budget. The CCTV cameras in Bromsgrove Town Centre have recently been upgraded to provide better picture quality.
Financial Implications	Any addition or improvements to the CCTV system would have to be met from the existing CCTV budget provision, which could be included as part of the general maintenance programme. The Task Group noted that a bid for an upgrade to the CCTV Control Room in the proposed future capital programme, considered by Cabinet on 7th January 2009 (for £290,000k in 2009/10 and £79K in 2010/11) was to be removed and that officers were instructed to request funding from West Mercia Police to enable the project to be undertaken. In addition Members requested further investigation of the impact of these proposals on the CCTV service. Street lighting improvements would be subject to a separate budget source and dependant on the authority responsible (for example, County or District).

Furthermore, the current 'credit crunch' could lead to increased financial pressures on all households, whether due to low income, redundancy or other financial commitments. This could result in an increase in alcoholism as a means of escape which could then, in turn, increase disorder within the more built-up areas of the district.

The Task Group believed that much of the success which the Crime and Disorder Reduction Partnership, the Council and the Police have enjoyed in the steady reduction of anti-social behaviour had been achieved by a multi-faceted approach. Initiatives for the future propose to maintain a reduction in anti-social behaviour whilst building on the partnership working arrangements with the Council and other agencies. One of the key approaches will be to classify initiatives and actions into prevention, intelligence, enforcement and reassurance.

With specific reference to the 11 - 17 year old age range, this will involve a programme of education involving a range of partners, to advise on the dangers of alcohol consumption and alcohol abuse and sexual and physical health. The Crime and Disorder Reduction Partnership have identified approximately 50 - 60 young people who cause the majority of the anti-social behaviour within the District, and are therefore able to contain the problems within those areas. However, an assessment of licensed premises has been proposed to be undertaken to examine the current and historic situation, with a view to sharing information with partner agencies. It is

anticipated that such an assessment would help identify seasonal differences and, in future, enable archived information to seek to predict future peak times.

The Task Group also welcomed the proposals for an assessment of drinking in open spaces by young people, to include actual consultation with the young persons themselves to try and identify, from the young people themselves, what activities they would like to be provided in order to discourage them from gathering in an unorganised group, with the added problem of under-age drinking. In addition, this would allow for comparisons with other areas and possibly explain why other areas with parks and open spaces may not be having the same problems.

The Crime and Disorder Reduction Partnership also works with the Council in respect of licensing procedures. The Council acts as the administrative intermediary between police and licensed premises, receiving and processing applications, and issuing licences. However, licences are issued in consultation with a number of organisations, including the District Environmental Health Officer, the Fire and Rescue Service, local residents and, of course, the Police.

Conditions may be imposed on licences upon issue and, where the Police have identified problem premises, the use of additional conditions can help to ensure improvements may be made. However, the Task Group were informed that the Council's role is purely administrative, and that there was little more that could be done than to act on the advice of the Police, when dealing with an application.

Chief Inspector Love informed the Task Group that the police consider the prevention of the consumption of alcohol as a major factor in reducing anti-social behaviour and, to this end, resources were being targeted at ensuring that alcohol was removed from the streets. Furthermore, off-licences were being targeted in conjunction with Trading Standards, with a view to ensuring that alcohol was not being purchased by under-aged youths, as well as seeking to prevent 'proxy sales', where alcohol is purchased by an adult for consumption by under-age youths. Off-licences causing particular problems would be subject to prosecution and / or measures by the Council's Licensing Committee.

The Task Group heard that reviewing premises licences represents a key protection for the community where problems associated with the licensing objectives; namely, the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm; are occurring after the grant or variation of a licence. At any stage, during the life of a licence, a responsible authority or an interested party (local residents or local businesses) may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. **However, licensing authorities may not initiate their own reviews of a licence.**

In every case, the representation must relate to a particular premises for which a premises licence is in existence and must be relevant to the promotion of the four licensing objectives. A complaint relating to a general situation, say, in Bromsgrove High Street, should generally not be regarded as a relevant representation unless it can be positively tied or linked to a particular premises.

Members noted that it is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised

officers, interested parties and responsible authorities in pursuit of common aims. It is good working practice for authorised officers and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned of the need for improvement. A failure to respond to such warning is expected to lead to a decision to request a review.

Upon receipt of a request for a review of a premises licence, the Licensing Sub-Committee has a range of powers on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives. The Licensing Sub-Committee may decide that no action is necessary, however if action is necessary, it can take any of the following steps:

- To modify the conditions of the premises licence, which can include the addition of new conditions or any alteration or omission of an existing condition;
- To exclude a licensable activity from the licence; that is, live music;
- To remove the designated premises supervisor;
- To suspend the licence for a period not exceeding three months;
- To revoke the licence.

In recent months, Members noted that ***the Licensing Authority has been invited to attend a sub-group of the Crime and Disorder Reduction Partnership, which was set up to tackle anti-social behaviour.*** There are a number of partners / agencies represented at the Tasking Meetings which provide good opportunities for the Licensing Authority to 'network' with key partners and other responsible authorities, such as Trading Standards, the police, the County Substance Misuse Action Team and officers from the Council's Community Safety Team.

By attending the Tasking Meetings, this allows the licensing authority to offer guidance and assistance to those present when deciding how to tackle anti-social behaviour particularly when it involves licensed premises'. It also offers good lines of communication between the different agencies / partners which helps to encourage more reviews of licences if it is felt necessary.

The Council's Neighbourhood Wardens have a valuable role to play, working with residents and agencies across the District to deliver projects and tackle priorities identified by the Crime and Disorder Reduction Partnership. West Mercia Constabulary has approved the Council's accreditation under the Community Safety Accreditation Scheme arrangements which means that selected organisations and their representatives can have powers to, amongst other things, issue fixed penalty notices, confiscate tobacco and alcohol, and request name and address details. In seeking to prevent crime in the first place, and easing the public fear factor, **the Neighbourhood Wardens are able to act as the "eyes and ears" of the community they serve which contributes to improving the environment and developing the community.**

CONCLUSIONS

In conclusion, the Task Group considers that the most effective method of combating anti-social behaviour is a high visibility presence at key times within problem areas. There will always be a certain level of anti-social behaviour, for various reasons, but the police, together with Community Safety Officers and the Council's Neighbourhood Wardens, help the public feel safe when in the town / village centres, or in local parks. It has to be accepted that staff resources and time are finite but the police have the knowledge to be aware of the problem areas and times. As a result, anti-social behaviour has been shown to be decreasing.

Furthermore, the police state that they will be undertaking a targeted under-age and 'proxy sale' campaign, including messages to parents and adults who provide alcohol for young people, to set down guidelines, promote acceptable behaviour and reassure the public. However, the central education message is anticipated to be delivered by way of a publicity campaign, focussing on alcohol as well as general healthy living themes; for example, there will be a more positive approach to the public message to promote healthier lifestyles in general, including exercise, diet and the effects of alcohol.

The Task Group felt that, if a healthier lifestyle could be adopted by parents, this may lead to an influence on the health of younger people. There are many factors such as weight, fitness, alcohol, healthy eating and smoking which may have some impact on anti-social behavioural issues. The Council already regularly assist the police in terms of publicity to all households within the District by way of features within the "Together Bromsgrove" magazine, published by the Council, in which space is automatically set aside for promotional material by the local Policing Division of the West Mercia Constabulary.

The 'alcohol free zones' within the District are merely another method of controlling anti-social behaviour. There is a common misconception that DPPO's make drinking alcohol in a designated area illegal; as can be seen from the above, they clearly do not. They simply give an officer the discretion to decide whether anti-social behaviour or public disorder may result from the consumption of alcohol. Their effectiveness depends, first of all, on whether they are correctly enforced and, secondly, on whether youth-related anti-social behaviour is being managed by the enforcement authorities. However, the Task Group considered that this misconception may work in favour of the enforcement authorities whereby people may *think* that it is illegal to drink within an 'alcohol free zone' because of the warning signs and threat of a fine.

The Task Group acknowledges that anti-social behaviour would be impossible to eradicate completely. However, Members believe that, from its investigations and findings, the multi-agency approach being taken by the District Council, Worcestershire County Council, the Police, Trading Standards and the Crime and Disorder Reduction Partnership is having a beneficial impact in combating youth-related anti-social behaviour.

REVIEW

The Anti-Social Behaviour and Alcohol Free Zones Task Group will reconvene in 12 months time in order to carry out a review of the outcome of its report, and to examine which, if any, of the recommendations were approved and implemented and the effectiveness of these actions.

As stated on page 3 of this report, the Task Group were very well aware that the subject matter for the overview and scrutiny investigation covered a large number of topics, and it was therefore essential that the information received and related discussions remained in accordance with the Terms of Reference. The Task Group considered that identifying the causes of anti-social behaviour was only one part of the process in tackling the problem. The work undertaken by the combined membership of the Crime and Disorder Reduction Partnership in addressing the anti-social behaviour problems at 'street level' is of more importance to the sense of community and well-being of residents of, and visitors to, the District.

Councillor C. B. Taylor

Chairman of the Anti-Social Behaviour and Alcohol Free Zones Task Group

Contact Officer

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Tel: 01527 881410

SCRUTINY EXERCISE SCOPING CHECKLIST

This form is to assist Members to scope the scrutiny exercise in a focused way and to identify the key issues it wishes to investigate.

When the Board decides to set up a Task Group to scrutinise a particular subject, the appointed Chairman of the Task Group should complete this checklist. Completed forms will be considered by the Board and by the Task Group as a whole at the Task Group's first meeting.

- General Subject Area to be Scrutinised:

Anti social behaviour in 11 to 17yr olds and use of alcohol free zones in the district of Bromsgrove

- Specific Subject to be Scrutinised:

To examine the causes of anti social behaviour in 11-17 yr olds, taking into account the Council policies and the public perception and definition of this problem; also to examine the use and effectiveness of AFZ looking into the impact on crime, public disorder, enforcement levels and the general effect of drinking in public places.

- Should the relevant Portfolio Holder(s) be invited to give evidence? **YES**
- Should any Officers be invited to give evidence? **YES**
If yes, state name and/or post title:

J.Godwin, Youth Officers, Sports development Officers, others as appropriate.

- Should any external witnesses be invited to give evidence? **YES**
If so, who and from which organisations?

Police, Social Services, Youth Groups, Sports Clubs

- Should the Task Group receive evidence from other sources other than witnesses? **YES**
If so, what information should the Task Group wish to see and from which sources should it be gathered?

To be decided by the Task Group

- Should a period of public consultation form part of the Scrutiny exercise? **YES**

If so, on what should the public be consulted?

To be decided by the Task Group

- Have other authorities carried out similar scrutiny exercises? **YES/NO***

If so, which authorities?

Unsure to be investigated

What were their conclusions and what can we learn from them?

- Will the Scrutiny exercise cross the District boundary? **YES/NO***

If so, should any other authorities be invited to participate?

A possibility that needs to be investigated

- Would it be appropriate to co-opt anyone on to the Task Group whilst the Scrutiny exercise is being carried out? **YES/NO***

If so, who and from which organisations?

To be decided by the Task Group

- What do you anticipate the timetable will be for the scrutiny exercise?

4 months maximum

- Approximate number of Task Group Meetings?

Unknown

Signed:

Kit Taylor

Chairman of behalf of the:

Anti social behaviour and Alcoholic free zones

Task Group

Date:

13.04.08

Please return completed forms to:

Della McCarthy
Committee Services Officer
Legal, Equalities and Democratic Services
Bromsgrove District Council

A list of those the Task Group consulted

The Task Group considered evidence from the following sources before making its recommendations:

Witnesses

Tony Love - Chief Inspector, West Mercia Constabulary
Dave Evans - Operations Manager, Worcestershire County Youth Strategy
Alan Ford - Service Leader, SPACE - Worcestershire County Young People's Substance Misuse Service

Officers

Emma Barton - Health Improvement Practitioner
John Godwin - Acting Head of Culture and Community Services
Graham Rocke - Community Safety Manager
Chris Santoriello-Smith - Senior Neighbourhood Warden
Sharon Smith - Principal Licensing Officer

Feedback

Wendy Taylor - Headteacher, St. John's Middle School, Watt Close, Bromsgrove
David Thurbon - Headteacher, Waseley Hills High School, School Road, Rubery
John Pardoe - Local resident

Written evidence

Emily Humphreys - Crime and Disorder Reduction Partnership (CDRP) / Bromsgrove Community Safety Partnership

Types of anti-social behaviour

The Home Office published a comprehensive list of the types of anti-social behaviour in "Defining and Measuring Anti-social Behaviour" (2004):

Misuse of public space

Drug / substance misuse and dealing:

- Taking drugs
- Sniffing volatile substances
- Discarding needles / drug paraphernalia
- Crack houses
- Presence of dealers or users
- Street drinking

Street drinking

Begging

Prostitution

- Soliciting
- Cards in 'phone boxes
- Discarded condoms

Kerb crawling

- Loitering
- Pestering residents

Sexual acts

- Inappropriate sexual conduct
- Indecent exposure

Abandoned cars

Vehicle-related nuisance and inappropriate vehicle use

- Inconvenient / illegal parking
- Car repairs in the street / in gardens
- Setting vehicles alight
- Joyriding
- Racing cars
- Off-road motorcycling
- Cycling / skateboarding in pedestrian areas / footpaths

Disregard for community / personal well-being

Noise

- Noisy neighbours
- Noisy cars / motorbikes
- Loud music
- Alarms (persistent ringing / malfunction)
- Noise from pubs / clubs
- Noise from business / industry

Rowdy behaviour

- Shouting and swearing
- Fighting
- Drunken behaviour
- Hooliganism / loutish behaviour

Nuisance behaviour

- Urinating in public
- Setting fires (not directed at specific persons or property)
- Inappropriate use of fireworks
- Throwing missiles
- Climbing on buildings
- Impeding access to communal areas
- Games in restricted / inappropriate areas
- Misuse of air guns
- Letting down tyres

Hoax calls

- False calls to emergency services

Animal-related problems

- Uncontrolled animals

Appendix 3

Acts directed at people

Intimidation / harassment

- Groups or individuals making threats
- Verbal abuse
- Bullying
- Following people
- Pestering people
- Voyeurism
- Sending nasty / offensive letters
- Obscene / nuisance 'phone calls
- Menacing gestures
- Can be on the grounds of:

Race

- Sexual orientation
- Gender
- Religion
- Disability
- Age

Environmental Damage

Criminal damage / vandalism

- Graffiti
- Damages to bus shelters
- Damage to 'phone kiosks
- Damage to street furniture
- Damage to buildings
- Damage to trees / plants / hedges

Litter / rubbish

- Dropping litter
- Dumping rubbish
- Fly-tipping
- Fly-posting

Summary of 'Alcohol Free Zones' within the Bromsgrove District

NAME OF ORDER	
LOCATION	DESCRIPTION
The District Council of Bromsgrove Designation Order (Various Locations) 2003	
Ryefields Road Recreation Area, Stoke Prior	Area of land to the rear of Stoke Prior First School, Doctors Surgery and Village Hall (OS Grid Ref.: 394427 267216 - 394554 267173)
Shaw Lane Recreation Area, Stoke Prior	Area of land adjacent 206 Shaw Lane (OS Grid Ref.: 394250 266339 - 394243 266407)
Hanbury Road Recreation Area, Stoke Heath	Area of land on the corner of Redditch Road and Hanbury Road (OS Grid Ref.: 394810 268375 - 394938 268485)
The District Council of Bromsgrove Designation Order (Various Locations) 2004 (No. 1)	
Worcester Road, Hagley	A.456 road, service roads and pavements (OS Grid Ref.: 390403 280494 - 390280 279991)
Church Street, Hagley	Road and pavement (OS Grid Ref.: 390333 280244 - 390126 280261)
Sweetpool Nature Reserve, Hagley	Area of land at Sweetpool Nature Reserve (OS Grid Ref.: 389620 279953 - 389694 279784)
Hagley Playing Fields, car parks, allotments, Community Centre and Library, Worcester Road, Hagley	Large area of land (OS Grid Ref.: 390003 280308 - 390374 280393)
Hagley Railway Station, car park and Station Drive, Hagley	Land at Hagley Railway Station (OS Grid Ref.: 390262 280517 - 390076 280437)
The District Council of Bromsgrove Designation Order (Various Locations) 2004 (No. 2)	
St. Chads Park, New Road, Rubery	Area of land forming park (OS Grid Ref.: 398779 277037 - 398971 277223)
Callowbrook Public Open Space, Brook Road, Rubery	Area of land between Hillview Road and Callowbrook Lane (OS Grid Ref.: 398098 277650 - 398595 277322)
Alleyway between Meadowfield Road, and Belmont Road, Rubery	Alleyway (OS Grid Ref.: 399075 276781 - 399113 276849)

Appendix 4

The District Council of Bromsgrove Designation Order (Various Locations) 2004 (No. 4)	
Recreation Ground, Braces Lane, Catshill	Area of land forming recreation ground, car park and approaching pathways (OS Grid Ref.: 397219 274223 - 397085 274314)
Recreation Ground, Lingfield Walk, Catshill	Area of land from Aintree Close, following footpath to Birmingham Road and to the north following the boundary of the housing estate (OS Grid Ref.: 396419 274139 - 396920 274295)
The District Council of Bromsgrove Designation Order (Various Locations) 2004 (No. 5)	
Land at Drakes Cross and Hollywood	Area of land from Silver Street, north to May Lane, east along Shawhurst Lane (including Shawhurst Croft), south via Little Trueman's Heath Farm to Houndsfield Lane, and west to Wythall House, Silver Street (OS Grid Ref.: 407437 276206 - 409104 277163)
The District Council of Bromsgrove Designation Order (Various Locations) 2005 (No. 1)	
Land at Belmont Road and junction with Rednal Hill Lane, Rubery	Roads and pavement incorporating Belmont Road and the junction with Rednal Hill Lane (OS Grid Ref.: 399020 276726 - 399185 276760)
The District Council of Bromsgrove Designation Order (Various Locations) 2006 (No. 1)	
Recreation Ground, Stoke Road, Aston Fields	Area of land forming recreation ground, service road and parking area (OS Grid Ref.: 396577 269605 - 396453 269454)
The District Council of Bromsgrove Designation Order (Various Locations) 2007 (No. 1)	
Bromsgrove Town and surrounding areas	Bromsgrove Town Centre and its immediate environs (From Whitford Road, encompassing Sanders Park; to the north: Bromsgrove Cemetery, Recreation Ground to Stourbridge Road junction with Santridge Lane, All Saints Road to All Saints Church; and to the south: Hanover Place, The Crescent, College Road, Stratford Road to its junction with Blackwood Road, NEW College and south of The Council House to Burcot Lane (OS Grid Ref.: 396632 271481 - 394809 270424)
The District Council of Bromsgrove Designation Order (Various Locations) 2007 (No. 2)	
New Road, Rubery, and Library Way, Rubery	Roads and pavements along New Road, and incorporating Library Way and land on the southern side of Callowbridge Road (OS Grid Ref.: 398435 277091 - 399045 277355)
The District Council of Bromsgrove Designation Order (Various Locations) 2008 (No. 1)	
Land at various locations in Alvechurch	Land forming the village of Alvechurch (OS Grid Ref.: 401874 273166 - 402934 272283)



**This guide can be provided in
large print, braille, CD, audio tape and
computer disc.**



Bromsgrove
District Council
www.bromsgrove.gov.uk



Legal, Equalities and Democratic Services

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