

# NORTHAMPTON BOROUGH COUNCIL

## OVERVIEW AND SCRUTINY



### SCRUTINY PANEL 2 – THE IMPACT OF ANTI-SOCIAL BEHAVIOUR ON THE TOWN

#### CORE QUESTIONS – EXPERT ADVISORS

The Scrutiny Panel is currently undertaking a review investigating the impact of anti-social behaviour on the town

#### **Key lines of Inquiry:**

- To investigate the levels of anti-social behaviour in the town, such as tackling psychoactive substances, alcohol, littering (including chewing gum), graffiti, fly-tipping, street urination and dog fouling
- To consider the nature of the psychoactive substances market and any health consequences
- To review the policies and strategies for dealing with the impact of anti-social behaviour in the town
- To consider the paper/Bill that is currently being drafted by the Home Office to address the issue of psychoactive substances
- To identify the prevention strategies that can help to address anti-social behaviour on the town
- To identify 'hotspots' of the impact of anti-social behaviour on the town
- To consider the enforcement powers that the Council and other Agencies has in respect of anti-social behaviour
- To consider how Northampton Borough Council can work in partnership with local groups, Agencies, organisations and residents to reduce and prevent the impact anti-social behaviour has on the town

The expected outcomes of this Scrutiny Review are:

- To make informed recommendations to all relevant parties on methods to deal with anti- social behaviour on the town

## CORE QUESTIONS:

A series of key questions have been put together to inform the evidence base of the Scrutiny Panel:

1. Please provide details of your organisation and its role in addressing anti-social behaviour

### Northamptonshire County Council Trading Standards Service

The main aim of the Trading Standards Service is to ensure a safe and fair trading environment in Northamptonshire. Trading Standards is the major regulatory service of the County Council enforcing a wide range of national and European laws through both civil law and criminal law processes. In addition to enforcement and regulatory responsibilities, the Service provides advice and information to consumers (in association with the Citizens Advice consumer service) and businesses to make them aware of their rights and obligations.

The Service has diverse responsibilities which fall under the following broad headings:

- Fraud (including rogue trading activities)
- Age-restricted sales
- Animal Health and Welfare
- Consumer & Business Advice
- Environmental Controls
- Consumer Product Safety
- Fair Trading (including weights and measures, descriptions, pricing, consumer credit, etc)
- Food, Health and Agricultural Standards
- Licensing and Registration

Activities include the receipt and response to complaints and enquiries from the public, businesses etc, sampling and test purchasing of goods and services, the investigation of infringements, compliance checks on businesses and proactive work to educate consumers and secure business compliance including our 'Buy with Confidence' Approved Trader Scheme.

The Service also has responsibility for the co-ordination of fly-tipping enforcement within the county.

The above responsibilities cover:

- every business sector from farming to car boot sales to multi-national businesses to every website
- every type of product or service
- every transaction that takes place

We work with many different partner organisations to ensure we obtain the best possible outcomes for our communities within the resources we have.

The Service net budget for 2015-16 is £1,357,463, which equates to approximately £1.96 per head of population. The resources provided to Trading Standards have reduced by approximately 33% in the last ten years, whilst at the same time new enforcement responsibilities have been introduced by Government. The Service utilises a risk based approach in deciding which issues should be tackled, focusing resources on those issues causing most harm to the community & where effective action can be taken.

The Service has responsibility for enforcing Section 54 of the Anti-social Behaviour Act 2003 – prohibiting the sale of aerosol spray paints to under 16s. There are no other specific ASB laws enforced by Trading Standards, however we do recognise that many of the above enforcement responsibilities do impact on ASB and that the County Council does have such responsibilities.

In terms of psychoactive substances we are aware of the LGA guidance:

<http://www.local.gov.uk/documents/10180/6869714/A+councillors'%20guide+to+tackling+new+psychoactive+substances.pdf/c2055374-dff2-4717-8aed-94b1d1e08d7a>

Home Office guidance:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/410961/Guidance\\_for\\_local\\_authorities\\_on\\_taking\\_action\\_against\\_10.03\\_15.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/410961/Guidance_for_local_authorities_on_taking_action_against_10.03_15.pdf)

2. What Strategies and Policies do you have in place for addressing anti-social behaviour?

We do not have any specific strategies ourselves but are aware of the county-wide strategy 2015-18. As stated on page 28 of the strategy we see our role as directly supporting the tackling of ASB/community safety initiatives or contributing to the agenda rather than leading such agendas.

3. What specific practices and measures do you currently undertake to address/tackle anti-social behaviour?

Taking appropriate enforcement actions or preventative measures on a wide range of issues including age-restricted sales, doorstep crime, mass marketing scams, rogue trading, product safety, co-ordination of fly-tipping enforcement etc. This includes seeking licensing reviews where appropriate.

Please note that Northamptonshire Police currently lead enforcement action in relation to underage sales of alcohol although we support them with regards to educating retailers.

Supporting other agencies in tackling ASB e.g supporting the Police in their investigation and subsequent prosecution of the psychoactive substance retailer on The Drapery

4. Do you have specific budget/resources/funding in relation to addressing anti- social behaviour, if so please provide further details.

No

5. Are the current partnership arrangements for tackling anti-social behaviour sufficient, and if not where are the gaps?

We would advocate the county-wide strategy and action plan

6. Do you feel there is adequate co-ordination between Agencies regarding dealing with anti-social behaviour? If not how could it be improved?

As 5 above but also please note that the reduction in resources available to services may be impacting on this

7. How does anti-social behaviour impact upon you/organisation?

It takes resources to tackle the issues, e.g illegal underage sales, that can be behind the ASB. Our role is primarily with the suppliers of products whereas for many other agencies their focus is the product users that actually cause the ASB. The growth in internet selling makes the supply of such products much easier and the effective enforcement more difficult / resource intensive.

8. What do you think could be done to ensure effective strategic and operational links are made to tackle anti-social behaviour, or improve, on a town scale?

As 5 above.

- 9 Please provide details of the enforcement powers that you have in respect of anti-social behaviour

Very few specific to ASB, however we do have general enforcement powers to suspend & seize illegal product, seek forfeiture orders, take legal action etc. in accordance with our published policies. We do not have the power to close businesses. However it should be noted that in relation to issues such as psychoactive substances it really needs an effective national legislative regime to tackle the problem.

- 10 Do you have the resources to enforce the powers that you have? Please explain.

No - we do not have sufficient resources to properly enforce all of our enforcement responsibilities and therefore we use a risk based approach in deciding which issues should be tackled, focusing resources on those issues causing most harm to the community & where effective action can be taken. This does restrict us from always being able to tackle issues, particularly where legislation may not adequately address the problem or where the cost of taking action may be prohibitive.

- 11 Do you have information regarding the nature of the psychoactive substances market that you are able to inform the Scrutiny Panel of?

The LGA and Home Office guidance detailed in 1 above includes some details regarding such matters

- 12 Please can you provide details of any health consequences of using psychoactive substances

The LGA and Home Office guidance detailed in 1 above includes some details regarding such matters

- 13 Do you have any suggestions on how, as partners, we can improve our approach in addressing anti-social behaviour?

Not specifically but would suggest the county-wide strategy and action plan may assist.

- 14 What do you think is the key contributing factor to anti-social behaviour across Northampton?

We do not have sufficient knowledge to respond to this question

- 15 Do you have further information regarding the impact of anti-social behaviour on the town of which you would like to inform the Scrutiny Panel?

No

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