

Under-Reporting Supporting Statement

Under-reporting

The following Anti-Social Behaviour (ASB) issues are found to be under-reported in the usual written complaint format to the council but has been voiced to officers during engagement. For e.g. from officers out on in the borough who meet with customers/residents, or undertake customer engagement at Ward Panel meetings, Multi-Agency Operations (MAOs), resident meetings and other engagement sessions.

The issues will be monitored over the course of 12 months and consideration given as to whether the proposed PSPO should be varied and or any prohibitions discharged.

Whilst I work for Brent, I am also a Brent resident and as a consequence am a member of various social groups in Brent. It became very apparent that, on these social groups:

- a) individuals discuss anti-social behaviour issues that are having a negative impact on them, but will not report this directly to the council.
- b) there is a level of acceptance and a mind-set that nothing will be done to resolve the issues and therefore remain under-reported.
- c) that individuals do not always know who to report the nuisance identified in in the prohibitions to.
- d) With many council services now being provided online, individuals do not readily have someone to speak to on the telephone or in fact know which telephone number to call.
- e) many people say they don't have the time to report incidents.

As a consequence of the above, issues are not being translated to the council.

Resolve – ASB Survey 2021

Resolve is the UK's leading ASB and community safety organisation, solely focusing upon community safety and antisocial behaviour (ASB). They strongly advocate that community safety issues and ASB can be tackled effectively and everyone has a right to feel safe. ASB should be treated as a priority, it is not low level and is a precursor to serious crime.

A survey commissioned by Resolve in 2021 in relation to ASB, found that **39%** of people think that levels of ASB will increase in their area once all lockdown measures come to an end this week.

Among those who have either witnessed or been victim to ASB in the last three years, **56%** did not report it to anyone. **16%** reported it to their council or social services and 6% to their housing association or landlord. Of those to report ASB to a housing association or landlord, **22%** said they were satisfied with the way it was handled and **59%** were dissatisfied.

People want more to be done to tackle ASB in their local area with **56%** of people – and **83%** of those who have been a victim of ASB in the last 3 years – calling for more action. Around a third of people (**35%**) said ASB has increased in their local area in the last three years. Meanwhile **20%** of people say ASB has caused them to either move or consider moving home, and almost a quarter of people (23%) said it made them feel unsafe where they live.

Detrimental effect of ASB issues

The following describes the implication of each ASB issue that is under-reported which is causing a nuisance and subsequently has or is likely to have a detrimental effect on the community.

Has had a detrimental effect on the community (s59A)

- Dog fouling (this prohibition will be included Borough wide

The types of issues that members of the public face include; having to navigate through dog fouling along a stretch of pavement. Unless swept or washed away, this can be stepped on and brought into homes or spread further across the footpath increasing the chances of more people stepping in it. Then there is the matter of opening your front gate and there is dog mess right outside it. People feel frustrated that they watch persons responsible for a dog freely let them foul on the pavement and then continue walking without picking it up.

Other issues include families going to a local park for a picnic, friends playing football or smaller children having the free space to run around in the grass. People are found to avoid going to the park because they don't want to deal with dog mess in the park, which effects them negatively in not being able to use their local outdoor space. Park users often find they are unable to approach those persons through fear of reprisal and even when they do, they are either ignored or sworn at and have no name or address for the perpetrator in order to report this.

- Use of megaphone or microphone with speaker without prior consent Members of the public are usually affected when they are out shopping and are disturbed by individuals who are using megaphones with a speaker. They feel the noise is a nuisance, which can stretch further down the road, even if members of the public aren't directly next to them. They can also feel harassed by those that are trying to get a message across and use the megaphone to direct those messages at them. This also includes residents who live in the vicinity and have to listen to someone on a megaphone "for up to 6 hours at time". This causes a nuisance and prevents people from enjoying peace in their own homes.
- Illegal trading (food or other items on the street)

Complaints about individuals selling items on the public highway, such as perfumes who are of sub-standard and have no method of recourse when they want to complain. Others open the side of a van and sell items of bedding, often harassing passers-by.

In some town centres, individuals set up a small stall where they shave ice and make juiced drinks with no hygiene considerations made. Others have large knives where they cut up fruit to sell to members of the public. These stalls can often attract crowds which are 'friends' of the seller and passers-by can find this intimidating. Other sellers block the public highway so members of the public have to navigate around this. The mess that is left behind also causes a nuisance to local residents and visitors to town centres, as sellers very rarely clean it up.

- Aggressive begging
This aggressive type of behaviour is targeted to specific locations, by specific people. Begging can be quite lucrative, if done correctly. It usually takes place where there is a high footfall, in order to gain as much exposure to members of the public as possible. Some may position themselves at the entrance to shops or cash points in order to be able to target people that have to pass them in the street. Some members of the public cross the road to avoid the aggressive begging, because they have already been subjected to abuse by an individual. It is important to note that this is not targeted at vulnerable or homeless persons and where such people are found, are directed to appropriate services. Some people will even avoid going into a shop so that they are not harassed. Complaints include families who do not let their children go to the local shops because they are scared for them and some children themselves do not want to leave their home. Not all beggars are in genuine need - one specific male that regularly begs in the south of the Borough, gets into a car at the end of the day.
- Charity Collecting without consent
Many charities collect money for legitimate reasons, but there are others that do not. Charity collections are popular in Wembley on event days, because of the high footfall of up to 100,000 visitors in one day. Members of the public feel intimidated when being asked for money and it creates anxiety when they are walking towards a collector (or group of collectors) whose approach towards others is of a harassing nature. Sometimes, if possible they will avoid walking in a direction where a charity collector can be seen, only to find another charity collector from the same or different charity.
- Leaflet distribution without consent
Leaflet distributors are popular in Wembley on event days, because of the high footfall of up to 100,000 visitors in one day. It is an opportunity for businesses to advertise their items or services. Members of the public feel intimidated when being handed a leaflet at chest level without being given an opportunity to choose whether they want a leaflet. If possible, they will avoid walking in a direction where a leaflet distributor can be seen, which can be annoying and cause a nuisance. There is also the element of waste that is dropped by those that do not want the leaflet and makes residents and others in the locality feel that the streets are unkempt.
- Unauthorised use of motor vehicles including e-scooters and e-bicycles
Complaints usually arise in relation to smaller vehicles such as e-scooters and e-bikes but also include cars, quad bikes and vans. The e-scooters and e-bikes travel at such speed that members of the public walking in the park have no chance of avoiding being hit if they take a wrong turn. The vehicles cause a fear and make some park users avoid using the park altogether or at certain times where, for example, it is dark at 4pm in winter through fear of the vehicles not seeing them and knocking them over. Despite the current PSPO excluding such motor vehicles, there are some vehicles that have entered the parks and have knocked over members of the public. These have been unreported as the victim has not been able to give a full description of the perpetrator.

The access of motor vehicles into park 'car parks', is implied. Many complaints include members of the public that are annoyed and frustrated by individuals who take advantage of car parks and use them to cause disturbance to residents. It makes them feel vulnerable as they are unable to stop the disturbance or enjoy the peace and quiet in their own homes.

- Use of permitted vehicles without due care and attention

Visitors to parks often avoid walking on pathways through fear of being knocked down by passing scooters and bicycles. Quite often families will only let their children walk in the grass, which means avoiding going to the park when it has rained in order to avoid getting muddy. Some people complain of vehicles that go past them at such speed or ride so dangerously that it scares them. This can often take a few hours to shake off. However the fear of it happening again, often remains and prevents park users from returning. Complainants have also been knocked over by vehicles but feel there is no point in complaining because the vehicle has no registration number and therefore no one to apportion blame to. The rider of the vehicle usually picks themselves up and rides on with no one to stop them. Some park users are elderly or frail and they and their families no longer think it is safe for them to go to the local park, specifically if they are not there to 'guard' them.

- Loss of control of dogs

Park users are affected by dogs that are permitted to roam around away from their responsible person and when called, do not return. People often feel that although owners may think they know their dogs, they can't always be sure of when a dog is going to attack. Even when dogs do not attack, they are known to jump up with some owners saying sorry and others making no excuse at all. The point is that some park users don't want to interact with dogs and the fact that they have to, brings them fear and frustration. This fear can begin from the moment they can see a dog and not the owner or at times where there are a number of dogs who approach without the owner being insight. This has caused park users from going to the park at particular times, on particular days or avoiding the park altogether. Often, parks users will not confront owners through fear of reprisal.

- Dogs that are in a banned area in parks (such as a playgrounds, outdoor gyms, multi-use games areas, tennis courts, walled gardens, etc.)

Parents whose children use areas such as playgrounds avoid doing so when there are dogs present, as they do not know how the dogs may react to their children running around, screaming, etc. This is a nuisance and frustrating for parents who do not have the freedom to enjoy their local parks and permit their children to play with others. What you are left with then, is a child that is full of energy and potentially upset that they cannot go into the playground. People who use the tennis courts or walled gardens for example also fear being jumped on or attacked when playing tennis or sitting and resting. Asking a person responsible for the dog to leave the banned area is not often an option because members of the public are fearful of reprisal if they should say anything.

- Letting a dog off a lead in an area where a notice specifies that dogs must be on a lead (such as a walled garden)

Similar to dog owners who take dogs into banned areas, it is also the case that some dog owners let their dogs off leads in areas such as walled gardens or places they should be kept on a lead. As above, this causes other park users to feel intimidated because they are unsure how a dog may react. Even if the dog does not attack, it may still jump up on a person, which is negatively affecting those persons and making them avoid going to the park.

This is also true of Paddington Cemetery, the only cemetery where dogs are permitted to be walked by their owners. However, all dogs must be walked on a lead. This often is not the case and people complain that when they visit the grave of a loved one that has been laid to rest in the cemetery, there is evidence of defecation or the smell of urine present. This is very upsetting for visitors to the cemetery and makes them annoyed and frustrated that people would allow their dogs to foul on a grave.

- Prevent more than four dogs being walked at the same time (this prohibition would be included in parks and open spaces)

Park users often complain about the numbers of dogs that one person is responsible for and the fact that managing so many dogs at one time, makes it difficult to control them. As a result, the dogs can become aggressive, bark or jump up on people. They also become aggressive with, and jump up on, other dogs being walked by their owners/responsible person. The complaints resolve around not being given the choice as to whether they want to interact with other dogs, because that choice is taken away when a dog owner with multiple dogs have no control over them. This makes park users avoid going to the park at certain times of the day and sometimes at all, which takes their freedom away from using the same space as others.

- Feeding wild animals inclusive of birds (focus to be on specific named parks or open spaces where the issue persists)

The attraction of vermin is the main frustration for persons who are affected by feed that is laid down for wild animals including birds, in the park. The intention may not be to attract vermin, but as a consequence of the feed being laid on the floor, the result is exactly this.

Those that lay feed don't necessarily remain in the park to see the food being eaten, but those that do remain then witness the likes of rats eating the food. A recent complaint from a church included visitors that were attending the grounds for a mass but as a result of food that had been laid, this had attracted vermin which was in the same location as those attending mass. This is distressing for members of the community.

Is likely to have a detrimental effect on the community

- Lighting of fires or use of barbeques

People complain of those that use barbeques in the park and their concerns that this may cause a fire or damage the park. Particularly for those that live in close proximity to the park, they are concerned that if a fire is caused, this may then affect their property. Concerns have also been aired with regard to the mess that is left behind as a result of the barbeque which can include spilt charcoal which if touched would cause dirt marks on clothes. Complaints

usually refer to people feeling vulnerable and frustrated because of those persons that use the park to set up a barbeque.

- Use of fireworks without consent

There are a number of people that choose to set off fireworks in public places and whether intentionally or not, risk hurting others. This is particularly true of parks and open spaces. Many people do not have gardens and therefore the option of setting off fireworks. However, the risk to other park users, if fireworks are not used properly, is high. It causes others to feel vulnerable and scared in case they are injured in the process. It can also cause anger when they cannot relate the setting off of fireworks to an individual, in order to make a complaint.

- Defacing or damaging fixtures, furniture or other items

Complaints surrounding this include, members of the public that feel parks and open spaces are regularly defaced. This includes signs being ripped down, fences being broken, benches defaced, graffiti and gates smashed. As a result of the defacing, people then believe that this then causes other park users to further abuse the park by dropping litter and using it as a place to consume alcohol and drugs. It makes people feel that the park isn't a particularly clean or safe space in which they or their children (for those that have children) can enjoy and therefore either avoid going or cannot feel free in the space whilst they are there.

- To fly drone(s) without consent

There have been no complaints or FPNs issued for the flying of drones, however the stakeholder Quintain has asked that the prohibition remain. The removal of the prohibition, may mean that individuals then decide to fly a drone. Officers report people's fears around being injured or hit by a flying drone in such a largely concentrated area, the risks for which would be higher because of the chances of someone being hit. With this prohibition in place, it would not prevent an individual from asking for permission to fly a drone.

- Obstruction of the public highway, preventing the free flow of person's movement

Officers have commented on when they have been present at Wembley stadium event days and have witnessed the free flow of person's movement being interrupted by the obstruction of the public highway. In the most, this is resolvable by asking people to move on or adjust so that they no longer cause an obstruction, however there are times when people refuse to move on and this causes alarm and distress for those people who cannot move freely, particularly where there is someone with a disability or those with children. It is at times like this that officers are able to see the danger of not moving to the safety of members of the public. If this prohibition were to be implemented officer training would include that where possible, people obstructing the public highway should be relocated, rather than be asked to leave the area. This is in order to ensure a balance between public safety and the freedom for people to move freely.

- Unauthorised events or activities

Members of the public are frustrated when they arrive to use the park for a sport which they have booked with the Parks service, only to find that someone has ruined the area which prevents them playing. This includes for e.g.; grass that has been played on. This causes frustration and can affect the team's league football games.

Other examples include residents who adjoin or leave adjacent to parks that are kept from enjoying their own homes when people regularly occupy the park to undertake an activity or event, with no consideration for others. These activities and events happen regularly and appear to be by the same people. With the absence of such a prohibition, the measures that the Police need to trigger a response where people are asked to leave the park, may never be realised. These incidents were reported to Cabinet via a petition on 12th September 2022.

- Busking without consent

There are two proposed prohibitions that would deal with the issue of megaphones or microphones with speakers being used or the second which deals with those that obstruct the public highway.

However, if a person were to busk with using an acoustic option, this is likely to still cause a nuisance to neighbouring residents. As reported by residents, buskers attend Wembley stadium event days as a result of the high footfall of customers. Residents may have some tolerance to the noise from crowds who attend the area on an event day but to have someone repeatedly singing all day prevents residents from enjoying their own homes, causes frustration and upset. This prohibition existed previously but was coupled with use of a megaphone/microphone and speaker. These have been separated as there are times that individuals use a megaphone with speaker that are causing a nuisance but aren't necessarily busking.

- To leave the engine of a vehicle idling without reasonable excuse

With such a high number of people attending the stadium on event days, it is obvious that the number of vehicles also increases. Residents have often complained that they cannot leave their homes because their drives are blocked, cars are double parked or park awkwardly, all whilst leaving their engine running.

This causes frustration for residents because they feel their health is being affected by something they have no control over, not to mention the inconvenience of having so many vehicles in one place. In addition, although not related to the local threshold test; with the importance of achieving Net Zero by 2040, this prohibition would go some way in assisting this.

Gathering evidence of ASB in the future

Communication to residents

The public notices that demonstrate there is a PSPO in place, will need to be clear and concise with links to the order which will give further detail on what is and is not permitted.

A communications plan will be put together to ensure a scheduled approach is undertaken to communicate to all residents how they can report ASB issues concerning PSPO prohibitions. This may include engagement with residents at particular times in parks and open spaces, on high streets and in particular areas where breaches of the PSPO are under reported. This communication will also include messaging via the Brent website and/or social media sites such as Twitter and Instagram. It is important to ensure the members of the public are aware that the reporting of these breaches are

important, even if repeated, as the data will permit the council to add additional prohibitions where required.

These actions will assist to prevent members of the public giving up on reporting when they don't see any immediate changes, with the knowledge in mind, that it is a longer-term approach.

Making reporting tools accessible

A reporting tool will be devised which particularly focusses on the reporting of prohibition breaches. This may also include other ASB issues that are not included in the PSPO but with supported evidence, may be added to a future PSPO.

This tool would be accessible via a QR code and website on each of the PSPO public notices, allowing members of the public to report a nuisance as and when they see them. Together with face to face tool and telephone number, this should also be able to capture the complaints of those that are not able to use online services, such as those with a disability, those that are not IT friendly or those whose first language is not English. The tool that captures the reports made by members of the public, would then be able to be sorted by ward and where necessary a variation can be made to add or remove prohibitions accordingly.

Joining Resolve's ASB Help PLEDGE

As an organisation, we could consider joining the ASB Help PLEDGE and show our commitment to victims of anti-social behaviour.

THE PLEDGE

1. **Promote awareness:** Actively encourage the use of the community trigger to residents and partner agencies.
2. **Legality:** Confirm your organisation is legally compliant and embracing the spirit of the community trigger.
3. **Ensure accessibility:** Publicise the community trigger so the most vulnerable know what it is and how to invoke it.
4. **Develop your process:** Embrace the full potential of the community trigger by continually reviewing and learning from best practice.
5. **Generate inclusivity:** Use community trigger review meetings to work collaboratively and strategically, formulating solutions to end the anti-social behaviour.
6. **Establish a precedent of using the community trigger to put victims first and deter perpetrators.**

This would show the community that we are committed to identifying and supporting victims of anti-social behaviour. It would also demonstrate our willingness to work collaboratively to bring an end to anti-social behaviour as well as steadfast determination to deter such behaviour in the future.

Community Protection Officer Statement

Dated 24th September 2022