

Tilley Award 2005

Application form

The following form must be completed in full. Failure to do so will result in disqualification from the competition.

Please send completed application forms to Tricia Perkins at patricia.perkins@homeoffice.gsi.gov.uk

All entries must be received by noon on the 29 April 2005. Entries received after that date will not be accepted under any circumstances. Any queries on the application process should be directed to Tricia Perkins on 0207 035 0262.

1. Details of application

Title of the project

Town Centre Drug House Closure

Name of force/agency/CDRP:

Lancashire Constabulary

Name of one contact person with position/rank (this should be one of the authors):

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Name of endorsing senior representatives(s)

Julia Hodson

Position and rank of endorsing senior representatives(s)

Acting Deputy Chief Constable

Full address of endorsing senior representatives(s)

Lancashire Constabulary Headquarters

PO Box 77

Hutton

Preston

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2. Summary of application

SCANNING

- Data from INTL (11) CR(12), Crime reports and Community Beat Manager indicates a flat in the town centre of Bacup being used for use/supply of Class A drugs. Associated with this are incidents of serious nuisance and disorder.
- Vulnerable drug user holds the tenancy.
- Complaints from members of the public; town traders and local press indicate people are put off entering the town.
- Test purchase operation carried out in the vicinity of the address resulted in a number of arrests, 12 offences disclosed and 3 individuals charged with supply of Class A drug.

ANALYSIS

- First floor flat above a kebab shop takeaway, directly in the town centre of Bacup. Central location is the key to the problem due to easy access, location next to taxi rank and bus stops, well lit area due to presence of takeaway and double public phone box outside the premises. Problems of nuisance and disorder compounded by the very public location.
- The victims are the general public visiting the centre that feel intimidated and concerned for their safety. Town traders feel that people are put off entering the town, affecting their trade.
- The root cause of the problem is drug use. Large numbers of drug users involved in criminality to feed their habit are identified. The vulnerable tenant is a low level user but is bullied and easily led.

RESPONSE

- **Meeting held with landlord of flat advising him of problem and requesting his help. Rossendale Borough Council to attempt accredited landlord scheme.**
- **Town Centre traders to provide statements.**
- **Use of Section 1 of The Anti-Social Behaviour Act 2003 to obtain Closure Order using a multi-agency approach.**
- **Partnerships work with Health Visitors, Neighbourhood Officers and Homeless Officer to aid Jamie Grant to be rehoused and assist in his welfare.**
- **High profile disruption in vicinity by CBM.**
- **Referral to Tower project or drug workers.**

ASSESSMENT

- **Landlord unhelpful.**
- **Traders assisted in application for Closure Order.**
- **Closure Notice successfully approved by Council and police.**
- **Drug warrant executed at address, evidence of drug use seized and premises secured. Cessation of drug related activity at the address. No further complaints received. Publicised.**
- **Vulnerable tenant refused help.**
- **Increased confidence and satisfaction in police.**

3. Description of Project

SCANNING

In the early months of 2004 complaints to the local CBM in Bacup began to centre around one address located in the centre of the Town Centre. The information offered by members of the public and town centre traders indicated that 5A Yorkshire St, a flat located above a takeaway, was being used for drug use/supply. The tenant was a vulnerable drug user, known to police. Information indicated that there was a constant stream of visitors to the address at all times of the day and evening. Traders reported hearing banging on the flat door and shouting up at the windows. Also, that groups of drug users were congregating on the street outside the address and using the public phone box located there, frequently. Many sat on the doorstep of the flat entrance and the library steps next door. This was causing anxiety for members of the public and traders alike, who were intimidated by the presence of these individuals, who looked scruffy, dirty and generally drawn and ill. People were put off entering the town centre.

A test purchase operation was also carried out on Bacup town centre to try to combat the problem and establish if the complaints were justified. 12 offences were disclosed on St James Street and Yorkshire Street, in the vicinity of the target address and 3 individuals were charged with supply of class A drugs and remanded in custody.

Scanning of the police computer systems for the previous 3 months highlighted 11 intelligence entries regarding drug use at the address and known drug users frequenting the address. 15 Crime Reports were generated, relating to drug possession/supply, damage, assault and public order and 12 CRS logs were found, relating to complaints from the public regarding drugs and disorder and also arrests of local criminals at this address.

This information, coupled with the information the CBM was receiving, appeared to confirm that there was a problem at this address.

ANALYSIS

LOCATION

The flat is located above a kebab and pizza takeaway, directly on the town centre of Bacup and looks onto several town centre shops. The area is well lit, due to the location of the takeaway. Entrance is gained from a ground floor door, which opens onto St James Square, next to the Town Library, separated by a narrow alleyway leading to a block of flats to the rear. Access is easy and the door is often left unlocked. The taxi rank and bus station are located only a little further down the road, again making access to and from the address very easy. There is also a double public phone box, conveniently located outside the address, believed to have been used to contact the occupants of the flat and order drugs etc. The flat door is not set back and is part of the public footpath. Members of the public had to pass the address to get to the library, taxi rank and bus station, as well as the takeaway and shops. Its central and public location compounded the instances of nuisance and disorder, which were highly visible.

VICTIMS

The victims are the general public visiting the town or using the town for shopping, drinking in the pubs, the takeaways and library. Also the town centre traders. Many shops overlook the flat.

Members of the public were intimidated by the presence of the drug users, who they were fearful of. Shoppers were reported to have asked to stay inside the shops after making a purchase until the street was clear of the known users congregating around the flat.

The traders felt that people were put off entering the town to do their shopping which in turn affected their trade. They also did not want to be faced with the blatant dealing, nuisance and disorder associated with the address.

The image of the town was also taking a battering, being thought of as "full of druggies", again putting people off visiting.

OFFENDER

The offender in this case is the tenant and friends of the tenant calling at the address. Most of these people are known drug takers and as a result this leading to lots of people call at the address to either buy drugs or take drugs. Also local shoplifters are calling at the address to sell or hide good causing further police presence. The tenant is known to the police as a low-level drug user who is also an alcoholic but he does not have much control over who enters the flat, which has also lead to enhance problems. The tenant is classed as venerable because of these factors.

ROOT CAUSE

The root cause of the problem was drug use and a group of drug users involved in criminality to feed their habit. Town Centre shoplifting was common amongst the local drug users and the flat gave an easy safe haven when escaping from detection. A number of target nominals were identified as using the address on a regular basis, with many being arrested on the premises.

The tenant of the flat was a male by the name of Jamie Grant. He was well known to police as a low level user and alcoholic but not particularly involved in crime. He was more known for being bullied and easily led. His flat could be used by local criminals, as he is a soft touch and would not have the ability to prevent this, even if he wanted to.

The central location was ideal for the users to visit and the presence of the phone box outside the flat was a further bonus for dealing.

The public view of the flat meant that the drug activity was being witnessed regularly. The constant stream of visitors to the address was causing a nuisance to the public and traders as well as having to witness a police presence at the address on a regular basis. Also, instances of disorder, including fighting, broken windows and screaming and shouting.

PARTNERS

When looking at which partner organisations could assist with the problem, the following were identified.

Town centre traders, who were witnesses.

Landlord of the flat, who was the owner of the takeaway who could assist in eviction of tenant.

Rossendale Borough Council to assist in rehousing the tenant and anti social behaviour.

Local press who could give is high profile to reassure the public that something was being done.

Health visitors to assist with the vulnerable tenant.

Probation service to assist with the tenant and other criminals associated with the address.

PLANNED RESPONSE

Assistance from the landlord to evict the tenant or remove the occupants without tenancy.

Use of Anti Social Behaviour Act 2003 to obtain a closure order.

Assist the vulnerable tenant who would be made homeless if this legislation was successful i.e. re-house out of the area to protect him from further problems.

High profile disruption in the vicinity to make the dealing impossible.

Referral to the tower project/ drug workers for the users found at the address.

A multi-agency approach.

ANTI-SOCIAL BEHAVIOUR ACT 2003

SECTION 1

This relates to Closure Notices. The police have the power to close down premises from being used for the supply, use or production of Class A drugs where there is associated serious nuisance or disorder. An officer of at least the rank of Superintendent can authorise the issue of the closure notice if he is satisfied that the local authority has been consulted and that reasonable steps have been made to establish the identity of the owner. No drug specific criminal offence has to be proved (beyond the level of reasonable suspicion).

Once served by a constable the notice prevents access to the premises by any person other than the owner/person who habitually resides at the address. Failure to comply with the notice is an offence under section 4 of the act. Police then have 48 hours in which to apply to the Magistrates court for a Closure Order.

SECTION 2

This relates to Closure Orders. Applications are made at Magistrates Court for a Closure Order following the serving of a Closure Notice. The court must be satisfied that the premises have been used for unlawful use, supply or production of Class A drugs and that closure will prevent future disorder or serious nuisance. The premises can be closed for up to 3 months and applies to all persons, including owners and residents.

SECTION 3

This relates to enforcement of the Closure Order. A constable or authorised person may enter the premises and do anything that is reasonably necessary to secure the premises against entry by any person and may use reasonable force to do so.

SECTION 4

This relates to any offences on closure of a premise. This could be contravention of the closure notice, obstructing a constable effecting a closure notice or contravention of a closure order. A person who commits an offence under section 4 is liable to UP TO 6 MONTHS IMPRISONMENT or A FINE OF UP TO £5000 or BOTH.

WHAT DID WE DO?

A meeting was held with the landlord of the flat, advising him of the problem and requesting his help. Rossendale Borough Council also attempted to get him on board an accredited landlord scheme. This was, however, purely voluntary.

Statements were obtained from 2 town centre traders detailing the problems, suspected drug activity, nuisance and disorder, along with the impact on the town. A statement was also obtained from a local reporter who had witness drug related activity. A community impact statement was written by the CBM detailing all information and evidence needed to apply for the closure order.

A multi-agency meeting was held between police, Health Visitors, Probation, Neighbourhood Office Homeless Officer and Inward House voluntary service offering support for drug users. The meeting was to establish the vulnerability of the tenant and any assistance that could be offered to him if a closure order was successfully obtained. In this event he would be evicted and made homeless. His vulnerability was agreed and an action plan put into place should he be evicted which included floating support from Inward House and assistance from the Homeless Housing Officer available to him.

A search warrant was obtained from Magistrates under the Misuse of Drugs Act 1971 for the flat.

Police and Local Authority consultation with the Chief Executive, who agreed that action was required and agreed that an application for a closure order was necessary.

A draft Closure Notice was prepared and following consultation, was signed by the Superintendent.

On 21st April 2004, local community officers executed the search warrant at 5A Yorkshire Street. This was very high profile and the local press came along with police. The Closure Notice was served on all occupants and one posted on the front door in a prominent position. All persons other than the tenant were forced to leave or risk committing offences under section 4 Anti-Social Behaviour Act 2003. Notice was also served on the owner of the premises.

Drug paraphernalia was recovered, including burnt spoons, tin foil, hypodermic needles etc along with a quantity of brown resinous substance believed to be cannabis and several plastic wraps of a brown powder, suspected to be heroin. 3 arrests were made. All were later released on police bail after interview.

On 22nd April 2004 an application was made at Reedley Magistrates Court for a Closure Order on the premises, under section 2 of the Anti Social Behaviour Act 2003. At this time the case was adjourned until 5th April 2004 to allow the defence to prepare a case. The provisions of the Closure Notice were still in force during this time and 3 arrests were made in this period for breaches of the closure notice under section 4 of the Act.

On 5th April 2004 at Reedley Magistrates Court, the Closure Order was granted for the maximum period of 3 months. Again high profile attendance was made at the premises and all occupants evicted. The premises was secured and sealed (boarded up) and the Closure Order posted on the front of the premises. A front-page article in the local press highlighted the situation to the public.

The vulnerable tenant was referred to the homeless housing officer and Inward House support worker, who were ready to help.

All persons arrested at the address were referred to the Tower Project and local drug workers for help.

ASSESSMENT

The landlord was very unhelpful and offered no support in the beginning to stop the problem of the drug use/supply. The decision was therefore made to continue without his involvement, using the Anti Social Behaviour Act 2003. He was not kept informed of our intentions other than being served with the closure notice and then the closure order. He was not allowed to rent out the flat during the 3 months closure order and therefore must have suffered a loss of income.

The high profile police activity was a success in increasing public confidence and satisfaction. PCSOs were present on the day of the drug raid with leaflets etc, informing the public what was happening. The article in the press also helped and the public were impressed to see the premises actually boarded up, with the Closure Order posted to the front, explaining the situation. Numerous members of the public approached police at the time of the raid congratulating the police on taking some positive action for the town and the feedback to the CBM in the weeks following, was very positive from a large number of sources, including the traders, public and local councillors.

The stated evidence from the traders proved absolutely invaluable when applying to the magistrates. It completely backed up the evidence of the CBM and was essential to prove the effect of the nuisance and disorder caused by the use of the flat. The evidence would have had a lesser effect without their help. They were also very brave to do this with having to continue to trade in the town. Jane Broadfoot did later receive some abuse from drug users who had been evicted from the premises.

As already stated, a quantity of drugs was recovered at the address at the time of the search. There was unfortunately insufficient to prove supply and the only charged brought were for possession. However, the drugs were taken off the street and the presence of the drugs and the paraphernalia proved the fact that the premises was being used for use/supply of Class A drugs, which further helped the case in court. A search warrant did not have to be done in order to apply for the closure order but in this situation the evidence obtained was again invaluable.

The legislation of the Anti Social Behaviour Act 2003 fitted this situation perfectly as we could not only prove that the flat was used for use/supply of Class A drugs but we could also evidence the associated serious nuisance and disorder. The Magistrates could see this and therefore issued the Closure Order – the first of it's kind in Pennine Division for a domestic premises. This allowed us to not only empty the premises but to board it up completely, to prevent access by anyone.

This, along with the offences under section 4 of the Act if anyone were to enter the premises, led to a COMPLETE CESSATION of the drug related activity at the premises. All complaints to police and CBM reduced in number to ZERO! As none could get into the flat there was no problem associated with it. For the 3-month closure there were no INTL reports relating to the address, no CRS logs, no crimes and no arrests. No better result could have been attained.

On a more negative note, the tenant refused any help to be re-housed out of the area and ended up still associating with the local drug users/dealers in Bacup. The action plan to help him was not effective because he refused to engage. However, the help was there.

Also, none of the drug users associated with the address engaged with the drug workers and refused any help.

SUCCESS?

Short term – YES because during the closure, the premises couldn't be used. The drug activity stopped there and the traders and public alike were very happy with the outcome. The image of the town centre was improved.

Long term – YES because even after the closure order ran out the premises remained empty. The flat has only in recent weeks been re-let. HOWEVER, the same people associated with this premises are now causing similar problems in another property. This is less easy to evidence as it is not in such a public location and an application for a closure order will be more difficult without the evidence of associated disorder/nuisance. The fact that the same people are suspected of dealing still, shows possible displacement.