

Anti-Social Behaviour on the Barbican Estate

A paper for discussion at the RCC on June 10th 2019

1 Background

1.1 Anti-social behaviour (ASB) appears to be of increasing concern to residents of the Barbican Estate. At the May 8th City-Wide Briefing by the CoL, the majority of questions from residents in the afternoon session concerned this subject. The topic was also raised at the evening session.

1.2 The Victim Commissioner's April 2019 report on Anti-Social Behaviour contains the following statement:

The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as:

- a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,*
- b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or*
- c) conduct capable of causing housing-related nuisance or annoyance to any person.*

1.3 ASB takes many forms on our estate:

- i. Music-making and dancing
- ii. Cycling, often done in gangs and aggressively close to pedestrians
- iii. General rowdiness, for example making noise to deliberately annoy and provoke residents; often done by said gangs on bikes
- iv. Skateboarding, which is noisy and also damaging to podium tiles
- v. Parkour (running, jumping, and climbing on the urban landscape) which is noisy and also damages the estate (e.g. plantings which get in the way of jump 'run-ups')
- vi. Acts of 'public indecency'

Such activity is not uniform across the estate and is not continuous but it is persistent. During the summer, instances of items iv) and v) are recorded almost every day.

1.4 The upsurge in social media has advertised the Barbican Estate as a great place to go for skateboarding and parkour. Both activities have now been deemed Olympic sports. Add to that the Culture Mile initiative which aims to make more people aware of the 'mile' of which our estate is a major part. The problem will only get worse.

1.5 Most of the ASB activity listed above is proscribed in the CoL Bye-Laws for our estate and thus there is a basis for action to prevent these behaviours.

1.6 The most obvious way for residents to take action is to inform the Police and ask them to move the miscreants on. However, the police presence on the estate is sporadic and reaction times can be slow. In addition, residents have noted recently a marked change in Police attitudes to dealing with ASB. There appears to be a reluctance to intervene, sometimes citing lack of resources as the reason. In fact, the Police are now telling residents to take their ASB issues to the Barbican Estate Office (BEO).

1.7 The BEO, as currently constituted, has not the wherewithal to deal with ASB incidents for the following reasons:

- i. It operates within office hours whereas many incidents fall outside these
- ii. It has no dedicated resources to deal with it
- iii. There is no formal mechanism for implementing remedies e.g. empowering people to prosecute the Bye-Laws in a legally enforceable manner.

1.8 The Barbican Centre (BC) has dedicated security staff but their role is confined to the area of the estate administered by the Centre. Practically, that means that they deal with ASB if it occurs on the Lakeside Terrace and in the Frobisher Crescent Sculpture Court but not if it occurs on the upper podium beyond Frobisher Crescent. Miscreants, asked to leave the Sculpture Court, can move 20 yards and carry on without interference from BC security! (It should be noted that BC security staff are quite responsive to resident reports on ASB so long as these fall within their 'jurisdiction').

1.9 Because of these issues, some residents have taken a pro-active approach and intervene when they see (or rather hear) proscribed activity. This has met with mixed success. Some groups disperse but others get aggressive at which point calling the Police is the only option and even then they may be unable to attend. It can be quite stressful for a resident to intervene.

1.10 Residents do not even have an easy means of formally logging instances of ASB and so most events are not included in official statistics. Phoning the police, even just to log events, involves an onerous interrogation of the complainant which can be off-putting. A simple means of logging events is needed.

1.11 The Bye-Laws, whilst providing a mandate, are seen by the Police as toothless because fines which can be levied are currently tiny (£20 max) and any prosecution would be 'uneconomic'. In the past, attempts to strengthen the Bye-Laws by increasing fines or by the additional use of the more powerful Public Space Protection Orders (PSPOs) have not gained any traction. Some in the Police appear to strongly favour the use of PSPOs. Unlike many local authorities, the CoL has only one active PSPO....it concerns control of dogs in Burnham Beeches....and thus there are none applying to where residents actually live. The CoL has recently increased fines for littering city-wide and for parking in the St Giles area but has not seen fit to do so for the activities proscribed in the Bye-Laws. The on-the-spot fine for littering is £150. To put this in perspective, it would seem that dropping a cigarette butt is 7.5 times more reprehensible than annoying residents through ASB!

1.12 In other local authorities, third parties (not local police, not local authority personnel) have been employed to enforce PSPOs, offsetting costs from fines imposed. It is not known whether such a scheme could operate on the Barbican Estate.

1.13 The above discussion concerns reaction once ASB has occurred and the enforcement of legal remedies. Prevention is also important. Signage on the estate indicating prohibitions is inadequate: some signs have disappeared and many are hard to spot. Of course, signage does not in itself solve the problem but it makes enforcement easier, especially for pro-active residents. The estate also lacks a comprehensive CCTV system, its introduction having been rejected some years ago. The existence of CCTV is known to have a deterrent effect on ASB especially when coupled with clear signage on what is prohibited and positive action by the police or some other legally authorised body to enforce compliance. The use of CCTV to monitor the podiums and other public spaces on the Barbican Estate should be reconsidered.

2 Proposal

2.1 It is clear that we need to re-evaluate how ASB is countered on the Barbican Estate. It is not difficult to prescribe a technically feasible solution. An easy-to-use log, clear signage, CCTV, use of PSPOs and an estate-wide security function would all seem eminently sensible. However, finding a practical and affordable solution will require some real effort across all stakeholders.

2.2 First of all, there needs to be a review of the mechanisms by which ASB can be controlled. This will need to involve the Police, the BEO and other CoL stakeholders within the CoL as well as residents. The Barbican Centre would also have to be included.

2.3 The Barbican Estate Security Committee (an existing subcommittee of the BA) looks at the wider topic of security on the estate which includes ASB. Indeed it has used “tactical planting” to try to reduce instances of parkour and has initiated discussion with the City Solicitor and the Department of the Built Environment (the department responsible for the City Walkways) to clarify the situation regarding the current byelaws and to seek a solution to deal effectively with parkour participants on the Estate. However, the scope of the review proposed may require a wider consultation than is currently represented on the BESC. The BESC obviously has to be involved.

2.4 This subject is relevant to the RCC because

- i) The Police have already indicated that the BEO should be involved in managing ASB
- ii) Solutions may have implications for the service charge.

2.5 It is proposed that a working party (under either RCC or BRC auspices) be established to carry out a review of how ASB can be managed in future on the Barbican Estate.

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