

Report To:	CABINET	DATE:	21 February 2023
Heading:	ANTI-SOCIAL BEHAVIOUR POLICY		
Executive Lead Member:	CLLR HELEN-ANN SMITH, DEPUTY LEADER AND EXECUTIVE LEAD MEMBER FOR COMMUNITY SAFETY AND CRIME REDUCTION		
Ward/s:	ALL		
Key Decision:	YES		
Subject to Call-In:	YES		

Purpose of Report

To enable Cabinet to review and approve the Council's new Corporate Anti-Social Behaviour Policy and associated procedural guidance.

Recommendation(s)

1. Note the work that has been undertaken to ensure lawful compliance and good governance in the management of Anti-Social Behaviour and Neighbourhood Nuisance by the Council.
2. Approve the proposed Corporate Anti-Social Behaviour Policy and associated procedural documents accompanying with this report.

Reasons for Recommendation(s)

The Council does not have an updated corporate policy in line with current legislation, statutory guidance and inter-departmental responsibilities for the management of anti-social behaviour, neighbourhood nuisance and environmental crime across the District.

Alternative Options Considered

That Cabinet does not approve this policy. The draft policy complies with section 218A of the Housing Act 1996 which places a duty on social landlords to publish anti-social behaviour policies and procedures. This is further endorsed by the Neighbourhood and Consumer Standards and Crime and Disorder Act 1998; therefore, if the policy is not approved, the Authority is not fulfilling its legal obligations. This is not advised.

Introduction

Ashfield District Council continues to take significant strides to tackle crime and anti-social behaviour across the District, with a significant amount of work undertaken under the safer streets agenda to improve feelings of safety, tackle neighbourhood nuisance, and reduce violence against women and girls.

Work includes the development of a new Public Spaces Protection Order which will see 8 areas being gated across the District, in tandem with the installation of new safe point cameras, CCTV and ANPR devices.

The Council has recently renewed its 'White Ribbon accreditation and continues to work closely with Nottinghamshire police and other partners to undertake effective patrolling and enforcement action such as closure orders, whilst delivering preventative and educational programmes. This includes a youth diversionary programme, a vulnerable adult support scheme, and resident participation scheme.

It is only by working in partnership and aligning our effort and resources will we see the levels of crime reduction we seek for our communities.

Context/Background

The Council recognises that residents are entitled to live in a quiet and peaceful environment free from Anti-Social Behaviour (ASB). To help deliver the Council's promise to tackle anti-social behaviour, an updated Policy has been developed which illustrates the Council's service standards when responding to and investigating anti-social behaviour.

The Policy will also provide direction to practitioners involved in tackling ASB so that a common approach can be taken by Council services. It will also provide clarity to members of the public through the inclusion of the following themes:

- Defining Anti-Social Behaviour
- Timeframes for responding to service requests
- Investigation framework
- Commitment to prevention
- Support provided to victims and safeguarding of vulnerable people
- Multi agency engagement in solving problems
- Commitment to taking legal sanctions when necessary
- Partnership working, confidentiality, data protection and information sharing

Regulator of Social Housing

Social Housing is controlled by the Regulator of Social Housing which sets out key requirements which must be complied with. Within this framework of responsibility, there are the Neighbourhood and Community Standards which mandate social housing providers to keep the neighbourhood and communal areas associated with the homes they own clean and safe, co-operate with relevant partners to promote the wellbeing of the local area and help prevent and tackle ASB. This entails publishing a policy on how they work with relevant partners to prevent and tackle ASB in areas where they own properties.

As such, the Policy must demonstrate:

- That all tenants and residents can easily report ASB and are kept informed about the status of their case.
- Tenants are made aware of their responsibilities and rights in relation to ASB.
- Strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies.
- A strong focus exists on preventative measures and problem solving, having regard to the full range of tools and legal powers available at the Council's disposal.
- That support and safeguarding is offered/undertaken for victims and vulnerable residents.

As part of this review, internal consultation has been undertaken to ensure that the proposed Policy is aligned to the requirements set out by the regulator and that it is reflective of interdepartmental work and requirements set out by the Community Safety Partnership.

Implications

Corporate Plan:

The policy will help support the safer, stronger, cleaner and greener priorities within the Council's Corporate Plan and commitments under the Environmental Charter in order to improve the quality of life for residents within Ashfield. The proposal will enable an effective response to tackling Anti-Social Behaviour and enviro-crime across the District.

Legal:

As a Council and Social landlord, there is a requirement under law to have policies and procedures in place for dealing with anti-social behaviour. Approval of the updated Policy will ensure that the Council meets these obligations. Legal obligations are detailed in the report and the Policy. [RLD 18/01/2023]

Finance:

There are no financial implications arising from adoption of this updated Policy. [PH 19/01/2023].

Budget Area	Implication
General Fund – Revenue Budget	Not applicable
General Fund – Capital Programme	Not applicable
Housing Revenue Account – Revenue Budget	Not applicable
Housing Revenue Account – Capital Programme	Not applicable

Risk:

Risk	Mitigation
This is an opportunity for the Council to develop a more coordinated approach to effectively managing Anti-social Behaviour. This Policy sets out our duties as a Local Authority and Landlord and the intention of this report is to comply with legislation and therefore avoid the risk of non-compliance.	To support Policy approval.

Human Resources:

No direct implications

Equalities:

As part of the Policy review, a Community Impact Assessment has been undertaken to ensure compliance with the Equality Act 2010.

Other Implications:

The Council has a range of powers to take action against those who are causing anti-social behaviour under the Anti-Social Behaviour, Crime and Policing Act 2014. The Crime and Disorder Act 1998 requires the Council to work together with the Police and other agencies to develop and implement strategies to reduce crime, disorder and anti-social behaviour.

In addition, the Council has a statutory duty under the Environmental Protection Act 1990 to investigate complaints that could be a 'statutory nuisance' and to take action where it is satisfied that there is a statutory nuisance.

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

1. *Anti-Social Behaviour Policy*
2. *Community Safety Procedures*
3. *Housing Procedures*

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