



Policy and Resources Committee – 7 November 2011

Anti-Social Behaviour Policy and Procedures

Purpose of report

To ask Members to consider and approve the Anti-Social Behaviour Policy and Procedures

Attachment(s)

Appendix 1 – Policy and Procedures

1.0 Background

- 1.1 Anti-Social Behaviour (ASB) is recognised as behaviour that is capable of causing nuisance and annoyance to any person. It is defined by the Crime and Disorder Act 1998 as “acting in a manner that causes or is likely to cause harassment, alarm or distress to one or more persons not in the same household as the perpetrator”.
- 1.2 ASB covers a wide range of activities including drug and substance misuse, street drinking, noisy neighbours, intimidation and harassment, bullying, graffiti and criminal damage. It can have far reaching effects on people’s quality of life; causing victims stress and anxiety. In extreme cases victims can suffer mental breakdowns, which could result in them taking dramatic action to try and end the torment.
- 1.3 The Anti-Social Behaviour Act 2003 placed a statutory requirement on all housing authorities and Registered Social Providers (RSP) to publish a policy and procedures for how it will deal with ASB. Although East Northamptonshire Council transferred its housing stock in 2001 it is a major provider of other services in the district and often the first point of call for people suffering from ASB.

2.0 Tackling ASB

- 2.1 Tackling ASB effectively requires a partnership approach. Anti-Social Behaviour remains one of the East Northants Community Safety Partnership’s (CSP) priorities. Significant reductions in ASB have been achieved and between April 2010 and March 2011, ASB reduced by 6.2% across the district, compared to the same period in 2009/10.
- 2.2 The Council and other partners work closely with the unit at Northants Police, which has specific responsibility for working with young people and adults involved in committing ASB. The first step is to try and help perpetrators change their behaviours. However if such behaviour continues or progressively gets worse the unit will pursue second stage and more serious interventions including Anti-Social Behaviour Orders (ASBO), Conviction-Related Anti-Social Behaviour Orders (CRASBO) or Acceptable Behaviour Contracts (ABC).
- 2.3 The Council contributes to reducing ASB by ensuring graffiti in streets, on public buildings and on council-owned street furniture is removed as fast as possible. If it is racist, homophobic or disablist the aim is to remove it within 24 hours of it being reported. The council’s emerging Enviro-Crime Strategy will set out our approaches and procedures to tackling environmental crimes, which can give rise to ASB.
- 2.4 The CSP has a task group called Anti-Social Behaviour Implementation Management group (ASBIM). Chaired by the Police Inspector for East Northants, it sets tasks for partners to tackle the persistent ASB problems in the district. This has proved to be

effective, particularly around extending youth outreach work to provide diversionary activities for young people.

3. ASB policy and procedures

3.1 The ASB policy and procedures (appendix 1) sets out our approach for dealing with complaints and enquiries relating to ASB. This is both in the context of the legal framework and the minimum standards recognised by the CSP partners.

3.2 The policy and procedures recognise the need to work in partnership with other agencies so that incidents and complaints are dealt with promptly and the most effective interventions carried out.

4. Equality and diversity implications

4.1 There are no negative impacts arising from the policy and procedures. Complaints and incidents of ASB will be dealt with through the policy and procedures regardless of a person's background or beliefs.

5. Legal implications

5.1 The policy and procedures have been developed in-line with the legal framework that applies to dealing with ASB. Under section 17 of the Crime and Disorder Act 1998, the council has a duty to prevent and reduce crime and disorder, where it can in the exercise of its functions including the delivery of services. Part of this includes dealing with ASB.

6. Risk management

6.1 As already identified in this report, dealing with ASB effectively requires us to work in partnership with others. This works well in practice with several initiatives and interventions that have led to the achievements highlighted earlier in this report. However it needs to be kept in mind that any of the partners involved may have to review their commitments to tackling ASB, in-line with their priorities and resources available.

7. Financial implications

7.1 There are no direct financial implications arising from this report and the policy and procedures. The council contributes to the work and activities for dealing with ASB from its revenue budgets for community safety. This includes things like removal of graffiti and promotional campaigns.

8. Corporate outcomes

8.1 The policy and procedures will contribute to the following corporate outcomes:-

Good quality of life where the district will be safe: The policy and procedures will guide our work and activities so that perpetrators of ASB are dealt with effectively and the victims of ASB are supported. This will support the achievement of lower levels of ASB and crime and in turn contribute to a safer district.

Effective partnership working: The working relationships between the council and its partners on community safety are strong and this policy and procedures will help to formalise and strengthen the joint work required to deal with ASB effectively.

Strong community leadership: The policy and procedures will ensure that we have a standard and formalised approach to responding to the problems associated with ASB.

9. Other considerations

9.1 Consultation: The development of the policy and procedures has been undertaken by a project team involving ENC officers and the police. The draft policy and procedures was consulted upon with the partners of the CSP.

9. Recommendation

9.1 The Committee is recommended to approve the ASB Policy and Procedures as appended and set out in this report.

Reason: To provide a standardised and effective approach for dealing with ASB complaints and incidents, in-line with the legal framework..

Legal	Power: Crime and Disorder Act 1998				
	Other Considerations: None				
Background Papers: None					
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Date: 12 October 2011					
CFO		MO		CX	

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East
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Council

Anti-Social Behaviour

Policy and Procedures

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0.2	September 2011	Draft for finalisation by Project Team
0.3	October 2011	Draft for approval by Policy & Resources Committee

NB: Draft versions 0.1 - final published versions 1.0

Consultees

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)
Housing Strategy Team	East Northants Community Safety Partnership partners
Environmental Protection Team	

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Housing Strategy	Northamptonshire Police
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Links to other documents

Document	Link

Additional Comments to note

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Anti Social Behaviour Policy

1.0 Introduction

- 1.1 Anti Social Behaviour (ASB) can have a damaging effect on individuals and communities. Tackling ASB and working with those affected will ensure that our residents and visitors feel safe and is key in regenerating and sustaining our communities for the future.
- 1.2 As a local authority East Northamptonshire Council (the Council) is one of the first places people contact if suffering from ASB. Several council services not only work with affected residents but with other agencies such as Northamptonshire Police, Probation Services, Northamptonshire County Council, Registered Social Providers and voluntary and community groups.
- 1.3 The Anti-Social Behaviour Act 2003 (section 12) placed a requirement on all housing authorities and Registered Social Providers (RSP) to have in place a published policy and procedures for dealing with ASB in their districts. Whilst the Council is no longer a housing authority following the large scale voluntary stock transfer in 2001, we have 22 RSP's that have properties in our district.
- 1.4 In order to ensure that we are consistent and provide the most effective support when dealing with ASB, this policy sets out what we will do including working with other agencies in providing sustainable solutions.

2.0 Scope and purpose

- 2.1 This policy and procedures applies to all services in the Council. It will guide how the council will work with partners, in particularly Northants Police and through the East Northants Community Safety Partnership, in tackling ASB.
- 2.2 The overall purpose of this policy is to:
 - Identify what ASB is and the categories of ASB
 - Set out how the council will deal with ASB as a service provider and through working in partnership with other organisations.
 - Identify the minimum standards it will apply when dealing with ASB.
 - Identify where this policy links to and supports other plans and strategies.
 - Set out an action plan for further developments required.

3.0 Policy outcomes

- 3.1 This policy will achieve the following outcomes:

ASB Policy outcomes	Links to corporate outcomes
<ul style="list-style-type: none"> • Reduced anti-social behaviour in East Northants • Effective partnership working 	<ul style="list-style-type: none"> • Good quality of life where the district will be safe • Effective partnership working • Strong community leadership

4.0 What is Anti Social Behaviour?

4.1 Anti-Social Behaviour (ASB) is recognised as behaviour that is capable of causing nuisance and annoyance to any person.

4.2 The Crime and Disorder Act 1998 defines anti social behaviour as:

“Acting in a manner that causes or is likely to cause harassment, alarm or distress to one or more persons not in the same household as the perpetrator”

4.3 The Home Office has set out the main forms of ASB based on the range of definitions that are currently in use. The categories are divided into four core areas with examples of activities. This enables authorities to include activities that are key issues in their area rather than a set list of activities.

4.4 The categories are:

Misuse of Public Space

- Drug/substance misuse and dealing
- Street drinking
- Begging
- Prostitution
- Abandoned cars
- Vehicle related nuisance and inappropriate use

Disregard for community/personal well being

- Noise – e.g. noisy neighbours, alarms, noise from pubs/clubs, noisy cars/motorbikes
- Rowdy behaviour – e.g. shouting and swearing, fighting, drunken behaviour
- Nuisance behaviour – e.g. urinating in public, setting fires, inappropriate use of fireworks, climbing on buildings and into buildings
- Hoax calls
- Animal related problems

Acts directed at people

- Intimidation/harassment – e.g. groups or individuals making threats, verbal abuse, bullying, offensive and nuisance communications
- Can be on the grounds of discrimination such as race, sexual orientation, gender, religion, disability and age

Environmental damage

- Criminal damage and vandalism – e.g. graffiti, damage to street furniture, damage to buildings and property such as cars
- Litter and rubbish – e.g. littering, fly tipping, fly posting

4.5 The table in appendix A identifies the main types of ASB the council deals with together with the relevant interventions, the partner agencies we work with and legislative frameworks. Where the council can take action directly it has processes and procedures in place to manage these activities. A key action is to review all procedures to ensure they are effective and align with new and revised policies and strategies.

5.0 How the Council will deal with incidents and complaints relating to ASB?

5.1 In order to ensure that crime and ASB rates continue to fall, remain low and the confidence in the Police and the Council continues to grow we will :-

1. Challenge ASB and aim to take action against those who continue to cause harassment, alarm and distress by working closer with our partners and the Police. To achieve this we will apply the minimum standards set out below and support all multi-agency meetings with appropriate officers attending to ensure ASB incidents are dealt with promptly and effectively and information is shared correctly.
2. Work closely with our 22 registered social providers to ensure that they are clear on the Council's policy and procedures and are committed to working with ourselves and the Police to improve standards within our district and to ensure that their tenants are behaving in an appropriate manner. We will provide support to the registered social providers and where possible assist them in their efforts to tackle problematic tenants and restore peace to the surrounding residents.
3. Work with our partners to support and encourage local communities in taking action against ASB such as Neighbourhood Watch groups and youth outreach work.
4. Publicise our successes in tackling ASB to ensure that communities are kept updated with the work the Council and partners have achieved to improve our communities and reduce ASB.

5.2 The flow chart at appendix B sets out the practical steps the council will follow when dealing with ASB complaints and incidents.

5.3 As a statutory partner in the East Northants Community Safety Partnership (CSP) the council engages in the work of the Anti-Social Behaviour Implementation Management Group (ASBIM). This is a multi-agency group which sets tasks to tackle persistent and problem ASB areas in the district. Interventions include youth outreach work and environmental improvements.

5.4 The council will support the unit at Northants Police, which co-ordinates the work to tackle the perpetrators of ASB. The first attempt is to try and support the perpetrator to change their behaviour. If such behaviour continues or gets worse, the unit will pursue more serious interventions including:

- Anti-Social Behaviour Orders (ABO)
- Conviction-Related Anti-Social Behaviour Orders (CRASBO)
- Acceptable Behaviour Contracts (ABC)

6.0 Minimum standards

6.1 When the council receives complaints and enquiries, or are involved in dealing with incidents with ASB it will apply the following minimum standards:-

- Take every complaint seriously and fully investigate it
- Provide the person with appropriate support, working with our partners and other service providers where required
- Arrange for any abusive, aggressive, or obscene graffiti to be removed as quickly as possible. If it is racist or homophobic we will aim to remove it within 24 hours
- Contact the person reporting the problem within 48 hours of receiving the complaint
- If necessary meet the person within three working days from receiving their complaint and agree actions to be taken
- Keep the person informed about their case and provide them with updates at timescales agreed with them
- Monitor people's satisfaction with the way we deal with their case

7.0 Single Point of Contact Officer

7.1 To ensure that our investigations and interventions around ASB are co-ordinated the Council's Community Safety Officer will be its Single Point of Contact (SPOC). The role of the SPOC is to ensure that the process set out in Appendix B is followed and that the minimum standards are applied.

8.0 Links to other plans and strategies

8.1 As an authority we are required to operate within the legislative framework set out by government and through our own internal strategies and policies determine how we will achieve the legislative requirements. This policy and procedures will support the achievement of the outcomes of a number of key strategies and policies including:

- The Housing Strategy (Currently under review)
- Housing Advice and Choice based lettings
- East Northants Community Safety Partnership Plan 2011-14

- Enviro-Crime Strategy
- Noise Enforcement Policy
- The Homelessness Strategy

9.0 Further developments

- 9.1 Whilst this policy has set out the council's arrangements for dealing with ASB and the minimum standards it will apply, it is recognised that further developments should take place to achieve the outcomes set out in section 3 above.
- 9.2 The table at appendix C sets out an action plan for further developing this policy and procedures.

APPENDIX A – Interventions by ASB category

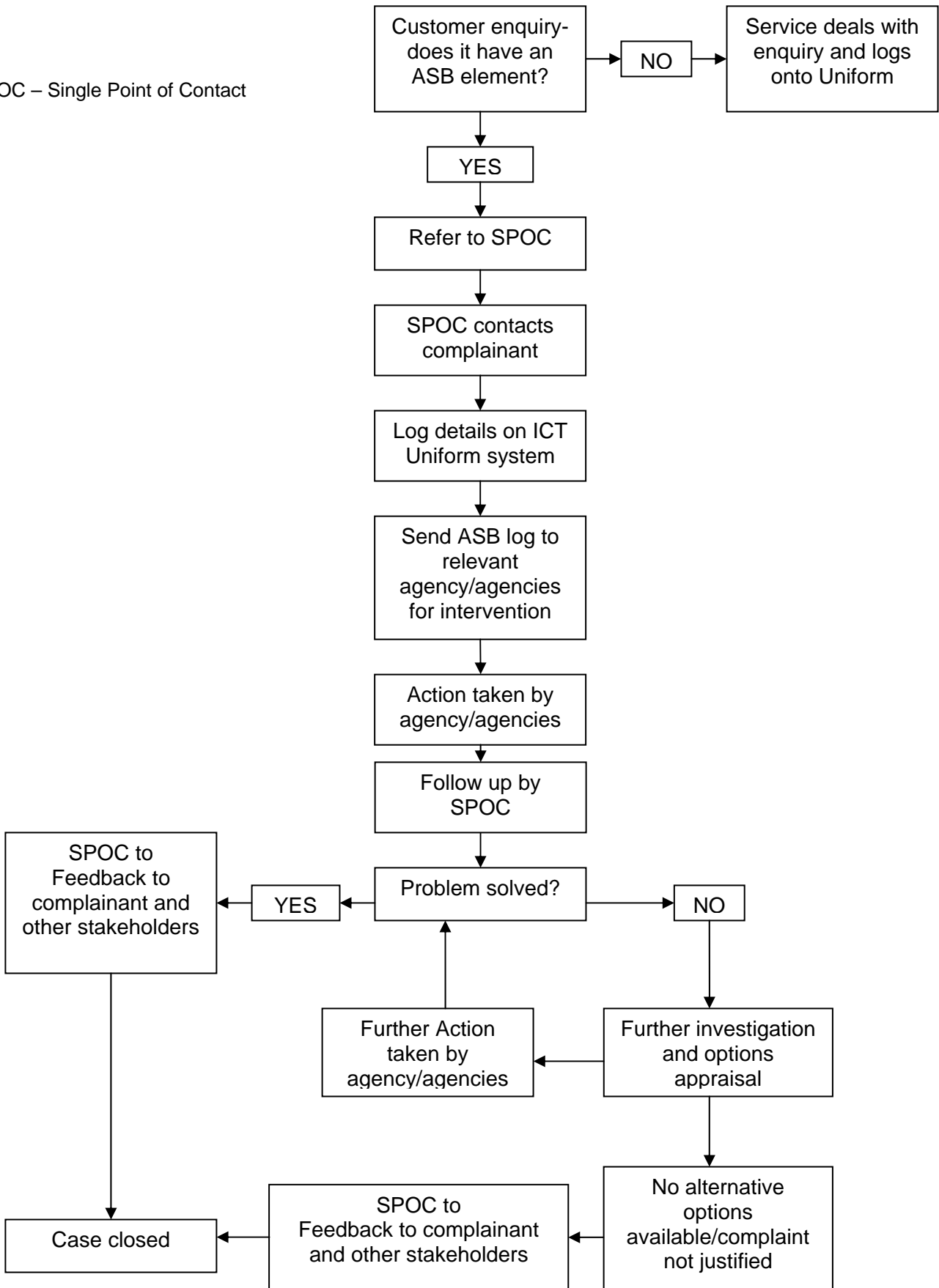
This table sets out what interventions will be taken for each of the types of ASB the council deals with. The types of ASB identified are taken from the Home Office categories set out in section 4 of the policy. Working procedures are in place in each of the teams/partner organisations for each intervention.

Type of ASB	Interventions available	Responsible team/partner	Relevant legislation	Home Office category (refer to section 4)
Abandoned/burnt out vehicles	ELVIS	Waste Management Team	Cleaner Neighbourhood Act	Misuse of public space
Vehicles being worked on in a public highway	ELVIS	Waste Management Team Trading Standards Planning Enforcement (Business)	Cleaner Neighbourhood Act	Misuse of public space Disregard for community/personal well being
Noisy neighbours/loud parties	Statutory nuisance from premises	Environmental Protection Team RSP's	Environmental Protection Act 1990	Disregard for community/personal well being
Illegal raves	Police intervention Local Authority intervention	Police Environmental Protection Team	Environmental Protection Act 1990 TBC	Disregard for community/personal well being
People being drunk/rowdy	Statutory nuisance from premises Police intervention in a public place	Environmental Protection Team Police	Environmental Protection Act 1990 Public Order Act	Disregard for community/personal well being Acts directed at people

People using/dealing drugs	Police intervention Local Authority involved if statutory nuisance from premises	Police	Misuse of Drugs Act Environmental Protection Act 1990	Misuse of public space
Teenagers hanging around	Youth Outreach Services Police intervention	Service Six (ASBIM) Police	Public Order Act	Acts directed at people Misuse of public space Disregard for community/personal well being
Rubbish/litter laying around	Statutory nuisance from premises Illegal deposit of waste (fly tipping) Littering	Environmental Protection Team Waste Management Team Environment Agency Police Northamptonshire County Council Highways Agency	Environmental Protection Act 1990 Cleaner Neighbourhood Act Local by-laws where applicable	Environmental damage
Graffiti	Police intervention Local Authority intervention	Waste Management Police Community Safety Team Northamptonshire Probation Trust Town/Parish Councils	Cleaner Neighbourhood Act Graffiti/Criminal Damage Act	Environmental damage
Vandalism	Police intervention	Police	Criminal Damage Act	Environmental damage

APPENDIX B – Process map for dealing with ASB related enquiries and complaints

SPOC – Single Point of Contact



APPENDIX C - Action Plan

Outcome	Activities	Target Date	Measure	Target	Owner
Reduced anti-social behaviour in East Northants	Review all procedures and processes that control the interventions the council takes in relation to ASB	By Oct 2012	% reduction in reported incidents of ASB	5% (CSP plan target)	Community Safety Officer
	Review the ICT uniform system to ensure it provides meaningful information on dealing with ASB cases	By Jan 2012			Environmental Protection Manager
Effective partnership working	Review information sharing arrangements and develop protocols	By Mar 2012			Community Partnerships Manager