

## **HOMES & COMMUNITIES COMMITTEE**

**5 NOVEMBER 2018**

### **REVIEW OF THE ANTI-SOCIAL BEHAVIOUR POLICY**

#### **1.0 Purpose of Report**

- 1.1 This report reviews the Council's existing Anti-Social Behaviour Policy 2015-2018, which is scheduled to be reviewed every three years.

#### **2.0 Background Information**

- 2.1 The Council's existing Anti-Social Behaviour Policy was adopted in 2015 and ran for a period of three years, therefore requiring a review in 2018.
- 2.2 The previous policy dealt with the changes brought about at the time by the Anti-Social Behaviour, Crime & Policing Act 2014, which introduced a process of simplification of the existing legal powers. Previous legal powers available for tackling ASB had been reduced from nineteen to six and this remains the case. These powers are now established and embedded into the day to day work of those with a responsibility for tackling Anti-Social Behaviour (ASB).
- 2.3 The amended policy has been reduced in size significantly through the removal of previous appendices which contained detailed legal information that can now be obtained from the Council's website. This reduces the document from sixteen pages to six. Apart from this change the policy's content remains consistent with some refreshing of wording. The revised policy is attached for information at **Appendix One**.

#### **3.0 Content of the ASB Policy**

- 3.1 The core message still remains and is aligned with Home Office guidance that accompanies the legislation; namely that we will focus our attention on the impact that ASB has on victims and communities. Consequently the action that we take individually as a Council or collectively with our partner agencies will be designed with victims' needs at the heart of the decision making process.
- 3.2 The policy continues to recognise the need to work in partnership with a range of agencies, both statutory and voluntary. It also recognises the role that the Bassetlaw, Newark & Sherwood Community Safety Partnership plays in helping to address ASB across the district.
- 3.3 Section 3 of the policy sets out to define ASB, whilst recognising that it is defined against the backdrop that an individual's perception is the crucial factor in determining whether or not a person feels alarmed, harassed or distressed. This section also addresses the possibility of malicious, vexatious, trivial or unreasonable complaints and the general concept of whether reasonableness is being demonstrated by a complainant.
- 3.4 Section 4 lists the three policy objectives, whilst section 5 confirms the responsibilities of those working at the Council, including the responsibility of the Homes & Communities Committee to develop and adopt the policy.

- 3.5 Section 6 lays down the Council’s commitment to supporting the victims of ASB and lists some of the actions we will take to achieve this. It establishes the options that victims of ASB or their representatives have for reporting incidents to the Council.
- 3.6 Vulnerability and safeguarding are covered at section 7 and the policy recognises the disproportionate impact that ASB can have on vulnerable people and the need to make safeguarding referrals in appropriate cases. The Council’s safeguarding responsibilities are often intertwined with cases of ASB.
- 3.7 In order to protect victims from harm the Council sets out its commitment at section 8 to take an “uncompromising approach to the initiation of enforcement action”. In practice this means that we will be prepared to take the necessary enforcement action using all of the powers at our disposal aligned with the resources that we possess. We will also use our influence to encourage partner agencies to support and take action where it is jointly agreed to be appropriate. This section also takes account of the need for any action taken to be proportionate to the nature of the ASB and table one sets out some of the measures, both legal and otherwise, that we have at our disposal. Finally the section reinforces the Council’s overriding principle that “*victims must be protected from those who perpetrate ASB and the Council is committed to reducing ASB in its communities*”.
- 3.8 Section 9 sets out the Council’s commitment to partnership working, listing some of the agencies and partners who we will work with and the benefit of working in this way.
- 3.9 Equalities are addressed in section 10 and the Councils’ commitment to deal with hate motivated ASB or behaviour that is malicious in nature, offensive, or targeted towards a particular group of society is reinforced.
- 3.10 Section 11 sets out an obligation to review the policy every three years and section 12 explains the process to follow when making a complaint or using the ‘Community Trigger’ powers contained within the legislation. A link is included within the policy to access the Council’s appropriate website pages.

#### **4.0 Equalities Implications**

- 4.1 An equalities checklist has been completed and has determined that it is not necessary to proceed to a full Equalities Impact Assessment (EIA). This is because the existing policy is being reviewed and the changes made do not alter the principle aims of the Council around dealing with ASB. The refreshed policy recognises the disproportionate impact that ASB targeted against minority groups or certain sections of society can have and commits the Council to deal with such cases with a heightened priority. This can be viewed as a positive intent towards achieving greater equality within our communities. The equalities checklist is attached for information at **Appendix Two**.

#### **5.0 Financial Implications (FIN18-19/9182)**

- 5.1 There are no financial implications resulting directly from this report.

## **6.0 RECOMMENDATION**

**That the Committee notes the report and approves the adoption of the updated Anti-Social Behaviour Policy by the District Council for the period 2018 – 2021.**

### **Reason for Recommendation**

**To ensure that the Council has an adopted Policy setting out its approach to dealing with anti-social behaviour during the period 2018 – 2021.**

### **Background Papers**

Nil

For further information please contact Ben Adams on Ext 5232

Karen White  
Director - Safety