

HOMES & COMMUNITIES COMMITTEE

23 NOVEMBER 2020

ANTISOCIAL BEHAVIOUR – INTERVENTIONS AND ENFORCEMENT AND POLICY REVIEW

1.0 Purpose of Report

1.1 To provide the Committee with information on the current position with regard to Antisocial behaviour across the district and the range of interventions and enforcement used to combat this behaviour.

1.2 For Members to support the review of the current ASB policy to incorporate Housing Services.

2.0 Background Information

2.1 Although Antisocial Behaviour (ASB) can be difficult to define because of its impact being perception led, the Council has set out in its ASB policy, the definition and general principles that it will work to when addressing issues and complaints about ASB. An extract from the ASB policy is shown below.

ASB covers a wide range of unacceptable activity that causes harm to an individual, to their community or to their environment. This could be an action by someone else that leaves you feeling alarmed, harassed or distressed. It also includes fear of crime or concern for public safety, public disorder or public nuisance. Examples of ASB may include:

- ***Nuisance, rowdy or inconsiderate behaviour***
- ***Vandalism, graffiti and fly-posting***
- ***Street drinking***
- ***Environmental damage including littering, dumping of rubbish and abandonment of cars***
- ***Prostitution related activity***
- ***Begging and vagrancy***
- ***Fireworks misuse***
- ***Inconsiderate or inappropriate use of vehicles e.g. off-road motorbikes***

2.2 Levels of ASB in Newark and Sherwood

ASB does not recognise council structures or partnerships and therefore there are a number of ways in which ASB is measured and recorded.

2.3 The Council's ASB Officers work within the Public Protection Business Unit and this team is the council's main focus for addressing ASB. The numbers of ASB complaints received are shown below.

| Year | Number of ASB complaints |
|--------------------|--------------------------|
| 2018/19 | 259 |
| 2019/20 | 237 |
| 2020/21 (7 months) | 171 |

2.4 Each case can be very different ranging from a simple phone call to resolve the matter up to a multi-agency operation lasting months with multiple victims and perpetrators resulting in court proceedings and criminal sanctions.

2.5 The police are a key partner in addressing ASB and they also record their levels of ASB. The figures for this year compared with last year are shown below:

| | | |
|---------------|---------------|----------|
| Apr-Sep 19/20 | Apr-Sep 20/21 | % change |
| 1414 | 2474 | +75% |

2.6 The other key partner responding to ASB within Newark and Sherwood is the NSDC Housing Service. Many tenants suffer ASB or are a source of ASB and the Housing Service have officers that deal with these issues. They also record their number of complaints and these are shown below:

| | |
|--------------------|--------------------------|
| Year | Number of ASB complaints |
| 2018/19 | 293 |
| 2019/20 | 212 |
| 2020/21 (7 months) | 140 |

2.7 One of the Council's key performance indicators is the '% Reduction in ASB'. Over the past three years, the trend for ASB has been a decreasing figure with each year showing a decline in the number of reported cases. However, this year that trend has not been repeated with the data available so far in 20/21 showing an increase.

| | |
|---------|-------|
| 2017/18 | - 4.7 |
| 2018/19 | - 4.0 |
| 2019/20 | - 1.5 |
| 2020/21 | +75 |

2.8 The table below shows the figures for ASB with the top seven wards of the District.

| Ward | Volume ASB - Nov 18-Oct 19 | Volume ASB - Nov 19-Oct 20 | % Increase | Rank by Volume 2018/19 | Rank by Volume 2019/20 |
|-----------------------------------|----------------------------|----------------------------|------------|------------------------|------------------------|
| Castle Ward | 406 | 502 | 24% | 1 | 1 |
| Beacon Ward | 280 | 402 | 44% | 2 | 2 |
| Devon Ward | 267 | 394 | 48% | 3 | 3 |
| Ollerton Ward | 266 | 375 | 41% | 4 | 4 |
| Balderton North & Coddington Ward | 157 | 307 | 96% | 6 | 5 |
| Bridge Ward | 151 | 292 | 93% | 7 | 6 |
| Edwinstowe & Clipstone Ward | 167 | 272 | 63% | 5 | 7 |

2.9 It can be seen that all wards are showing an increase. The increase in ASB this year is not a Newark and Sherwood phenomenon, but is a picture that is repeated across the county. Discussions amongst all agencies has centred on the impact that coronavirus has had on the levels of ASB. Children being away from school for the majority of the time since March has had a major impact. Many of the cases investigated by N&S ASB Officers have involved gatherings of young people.

3.0 Enforcement and Interventions

3.1 Officers take an approach to dealing with ASB, which is proportionate and appropriate to the behaviour being produced or complained about. Whilst officers will do all they can to reasonably prevent ASB, at the same time they will take proportionate enforcement action and will do so at the same time as employing preventative measures if necessary.

3.2 Set out below are some of the main actions and tools that are available to combat ASB.

Mediation - Using qualified experts in mediation to try to resolve issues and come to agreements on a way forward.

Good Neighbour Agreements - These are informal agreements where neighbours agree to certain types of behaviour and can be a lever to improving relationships.

Education within schools - This can be on a range of topics including: alcohol and drug awareness, healthy relationships, inter-generational work, cultural awareness. These are run either by internal staff, external agencies or a mix of partners

Referral to support services - There are a range of support services available, some of which are provided by the voluntary sector.

Warnings - Often it is appropriate to issue a warning, which could be either verbal or in writing. Warnings would be issued by either an individual agency e.g. social landlord, or from the partnership.

Informal Warning Notices - Housing Services often use a traffic light system of informal warning notices; with red being the most severe and is often the precursor to legal enforcement action. These set out clearly what the tenant needs to do within set timescales and the sanction should they not comply.

Community Protection Notices - To stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life.

CCTV - The Council has a network of monitored cameras that it provides to act as a deterrent for those who would commit acts of ASB. Evidence may also be collected on the cameras to support enforcement activity.

Acceptable Behaviour Contracts (ABC's) - A more formal agreement which outlines expected behaviour and highlights potential repercussions if they are breached. ABC's are formally signed by the offender, the Council and Police staff.

Parenting Contracts - Where informal interventions are used with a young person under 18, his or her parents or guardians should be contacted in advance of the decision to take action.

Community Remedy - actions which may be chosen by the victim for the perpetrator to undertake in consequence of their behaviour or offending.

Tenancy agreements – the legal contract between the Council as the landlord and tenant. Sets out responsibilities and obligations for both parties, and includes the sanctions should tenants fail to comply with the conditions within the agreement.

Criminal Behaviour Orders - Issued by any criminal court against a person who has been convicted of an offence to tackle the most persistently anti-social individuals who are also engaged in criminal activity.

Dispersal Orders - Requires a person committing or likely to commit anti-social behaviour, crime or disorder to leave an area for up to 48 hours. This is a police power.

Closure Powers - To allow the police or council to close premises quickly which are being used, or likely to be used, to commit nuisance or disorder.

Possession Proceedings – Legal actions in line with Housing Acts (1985, 1996 & 2004) and more recently the Crime and Policing Act (2014).

Injunctions to prevent Nuisance or Annoyance – An injunction to prevent antisocial behaviour can be granted against any person aged 10 or over. These are legal interventions taken by the Council to prevent housing-related antisocial behaviour.

3.3 The use of these powers and tools are never done in isolation. One or a number of these powers may be used in succession or concurrently and in most cases at least one partner organisation will be involved.

3.4 There is a great deal of joint working between the Antisocial Behaviour officers and colleagues in Housing Services. ASB does not confine itself to one form of housing tenure and therefore joint approaches are needed. Officers from all services will employ a range of measures to tackle ASB and the overriding principle is that victims must be protected from those who perpetrate ASB and that the Council is committed to reducing ASB in its communities. This means that the officers will use all legal powers at its disposal and also encourage partners to do likewise.

4.0 Proposals

4.1 When Newark and Sherwood Homes were operating they had their own Antisocial Behaviour policy. With the move to provide Housing Services from within the Council it would seem appropriate to have a single corporate policy on ASB. Officers from Public Protection and Housing Services have already begun work on this and it is proposed that a draft Policy will be brought to the next meeting of the Committee.

5.0 Equalities Implications

5.1 The Council has made a commitment to ensuring that it complies with the requirements of the Equalities Act 2010. Part of this commitment requires an understanding of how policies may affect people with 'protected characteristics' under the legislation.

5.2 It also recognises that people with 'protected characteristics', such as those who are older or younger, who have disabilities or who are from a minority ethnicity, may be particularly vulnerable to ASB. The Council will work to ensure that any risk assessments or consultation takes this into account and that our response is tailored accordingly. Hate motivated ASB or behaviour that is malicious in nature, offensive, or targeted towards a particular group of society will be dealt with as a high priority because of the elevated risk

6.0 Financial Implications - FIN20-21/5958

6.1 None from this report.

7.0 Digital Implications

7.1 None from this report

8.0 Community Plan – Alignment to Objectives

8.1 All the work around ASB has an impact on the Community plan theme to 'Reduce crime and anti-social behaviour, and increase feelings of safety in our communities.'

9.0 RECOMMENDATION that:

- a) **The Committee note the data relating to ASB; and that,**
- b) **Members support the production of a single ASB policy for the Council.**

Reason for Recommendation

To update the Committee on the current position in relation to the enforcement and interventions relating to ASB

Background Papers

Nil

For further information, please contact Alan Batty (Business Manager – Public Protection).

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