

Anti-Social Behaviour Policy

Community Services Committee Tuesday, 5 November 2024

Report of: Deputy Chief Executive

Purpose: For decision

Publication status: Open

Wards affected: All

Executive summary:

This policy provides information on how the Council will tackle reports of anti-social behaviour (ASB) in the District.

It explains what actions the Council will take through prevention, support and enforcement and sets expectations of officers and how we will work with partners and stakeholders to undertake a multi-agency approach to prevent and reduce ASB.

The policy sets out decision making and compliance with a range of legislation and how officers will work with partners to identify appropriate actions within the community and support the use of tools available.

This report supports the Council's priority of: A safe, healthy and caring community supporting those most in need.

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Recommendation to Committee:

The Committee approves the anti-social behaviour policy as attached at Appendix 'A'.

Reason for recommendation:

The Council recognises the impact anti-social behaviour can have on residents' lives. It wants to encourage residents to report incidents of ASB and support those that are experiencing it.

Officers will work in partnership with relevant organisations, such as Surrey Police, Housing Associations, Domestic Abuse charities and support residents where possible using the tools and enforcement legislation available to them.

The Council will also work with agencies such as schools and youth groups to prevent young people from getting involved in ASB.

Introduction and background

- 1 The Anti-Social Behaviour, Crime and Policing Act 2014 is the primary piece of legislation providing the Council with powers to tackle anti-social behaviour ('ASB').
- 2 The Act is designed to reduce crime and disorder and the impact of these on our communities. These flexible powers enable us to work more effectively with our key partners, such as Surrey Police and registered providers of housing, to tackle anti-social behaviour.
- 3 A new Anti-Social Behaviour Policy ('Policy') has been written to provide clear guidance to residents as to what can be expected following any report of anti-social behaviour, as well as standardising working practices when dealing with enforcement of offenders.
- 4 The Policy has been written to specifically address how we promote our response to anti-social behaviour within the District, as well as how people can report to us directly any anti-social behaviour they are experiencing. The Policy details a fair and transparent approach and strives to ensure the victim's considerations are considered at all times when addressing behaviours. A copy of the Policy can be found at Appendix 'A' to this report.
- 5 The Policy will be reviewed every two years and updated in line with current legislation and good practice.
- 6 The Policy explains to residents what ASB is and what it is not and sets out the decision making and compliance with a range of legislation and how we will work with partners to identify appropriate actions within the community and support use of tools available.

Legal Enforcement tools

- 7 In most cases non-legal measures will resolve issues of ASB. However, there are key powers available to the Council and the Police to tackle ASB:
 - Criminal Behaviour Orders (CBOs)
 - ASB Injunction under Part 1 of the Crime and Policing Act 2014
 - Community Protection Warning and Notice under section 43 of the 2014 Act
 - Closure Notice and Order
 - Abatement Notice
 - Public Space Protection Orders (PSPOs)
 - Notice to Quit
 - Possession orders
 - Demoted Tenancies
 - Management Transfer
 - Flexible Tenancies

- 8 Enforcement will only be considered once all requirements from the Act have been satisfied. Community Protection Warnings are issued to deal with ongoing conduct which is adversely affecting the community. The conduct must be unreasonable, be of a persistent or continuing nature and having a detrimental effect and on the quality of life of those in the locality. These will be issued giving clear guidance as to timeframes in which we expect the conditions set to be adhered to. Community Protection Warnings will only be issued if the Council is satisfied that should they not be adhered to then we can proceed to a full Community Protection Notice and the potential then for subsequent prosecution.

Progress update

- 9 Officers have been working with the head of ASB at Surrey Police to ensure the policies and procedures are in line with government policies. We have also had the draft policy reviewed by an independent ASB specialist and have incorporated her advice into the document.
- 10 An ASB Officer has been recruited within our Housing team, funded from the HRA and works closely with our community safety team.
- 11 An internal working group of relevant officers has been established. The group has reviewed the policy and will monitor implementation and enforcement training for relevant service areas.

Next Steps

- 12 Officers have been working with relevant service areas across the council to develop and agree processes and procedures for the new policy. These arrangements will be put into place once the policy is adopted.
- 13 The development of a new reporting form, along with a dedicated website page, will aim to simplify the process for residents to report incidents of ASB. Once completed and launched, this platform will provide an accessible and streamlined way for residents to share concerns, helping officers address issues more efficiently.
- 14 The use of the new reporting will be monitored and reported quarterly to this committee and will also be reported annually as part of the Community Safety review.

Consultation

- 15 The policy has been reviewed by an independent Anti-social behaviour specialist and the reporting template has been reviewed by a group of residents who attended the Housing tenant's forum.

Key implications

Comments of the Chief Finance Officer

In agreeing the report's recommendations there are not expected to be any additional costs to the General Fund Revenue or Capital budget.

Comments of the Head of Legal Services

There is no further legal implication other than the legislation that is embodied in the report itself at paragraphs 1 and 2.

Equality

The introduction of an ASB policy by the Council can have positive impacts on equality by promoting safety and improving community cohesion.

However, regular monitoring of the enforcement of the Policy to detect patterns of discrimination or disproportionate impact on specific groups will be key in mitigating any potential negative impacts.

The reporting system will be available to all residents not only will there be an online reporting tool, but residents can report via the customer services team and Tandridge housing tenant, by contacting their housing management officer.

An Equality Impact Assessment has been completed and will be circulated separately.

Climate change

There are no significant environmental / sustainability implications associated with this report.

Appendices

Appendix 'A' - Anti-Social Behaviour Policy 2024-2026

Background papers

None

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