

CORPORATE ANTI-SOCIAL BEHAVIOUR POLICY

Cabinet Member Cllr Bob Deed
Responsible Officer Head of Environmental Services

Reason for Report: That the PDG endorse the changes to the Corporate ASB Policy attached to this report. This has been amended to take account of minor changes to services delivery and in preparation for new anti-social behaviour legislation due out in late 2014.

RECOMMENDATION(S): It is recommended that the PDG approves the revised ASB Policy Document and that it makes a recommendation to the Cabinet to formally approve the policy.

Relationship to Corporate Plan:

Maintaining Mid Devon as a low crime area. The Council monitors effectiveness by ensuring that 80% of residents who contact the Council about Anti-Social Behaviour consider that the Council's involvement has achieved an improvement to their situation.

Financial Implications: None

Legal Implications: None

Risk Assessment:

1. A co-ordinated approach to ASB is required to ensure resident satisfaction.
2. If the Council does not commit resource to ASB issues the policy will not be effective and the council could fail its responsibilities under the Crime & Disorder Act 1998.
3. Limited out of hours service activity could prevent satisfaction of the Councils Approach to ASB.

1.0 Introduction

The Anti-Social Behaviour Policy was first published in Jun 2009. It was reviewed by the CWP PDG after one year and minor amendments were made.

1.1

This revised version of the policy was delayed awaiting the Governments review and planned changes of current Anti-social Behaviour Legislation. This is intended to streamline and simplify tools currently available to deal with issues of anti social behaviour. However this has been delayed further and is not likely to become statute until late 2014 at the earliest. The Corporate Policy has therefore been written in a manner that will enable officers to use any new legislation as and when appropriate.

**Contact for more Information: Julia Ryder, Community Safety Officer
Tel: 01884 234997**

Corporate Anti-social Behaviour Policy

Version Control Sheet

Title: **Corporate Antisocial Behaviour Policy**

Reference No:

Purpose: **To provide an overarching policy for ASB that incorporates all Service areas of the Council**

Owner: **Julia Ryder, Community Safety Officer**
jryder@middevon.gov.uk
01884 234997

Date: **1 June 2013**

Version Number: **2**

Status: **Draft**

Review Frequency: **Every four years**

Next review date: **2017**

Consultation **This document was sent out for consultation to the following:**
MDDC ASB & Crime Reduction Group Members
Community Safety Steering Group Members
Management Team

Document History

This document obtained the following approvals and is valid on the date printed.

| Title | Date | Version Approved |
|-------|------|---------------------|
| | | |
| | | |

Mid Devon District Council

Anti-Social Behaviour Policy

June 2013

1. Tackling Anti-Social Behaviour

Mid Devon is one of the safest places to live, work and visit in the United Kingdom. However, anti-social behaviour (ASB) can blight peoples' lives, destroy families and ruin communities if not dealt with effectively.

This policy provides an overarching link to the Council services that deal with ASB, and the extended links to partner agencies.

The Council acknowledges and promotes that it is the responsibility of all of us who live, work or visit the area to ensure that ASB does not affect our communities or environment. We cannot work in isolation and rely on members of the community to assist with positive problem solving in their area. It is the responsibility of everyone to acknowledge where a problem exists and to report this to the relevant agencies. Communities themselves are encouraged to take positive action to tackle and prevent ASB.

2. What Is Anti-Social Behaviour?

"Anti-social behaviour is any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life". This is the current Home Office definition.

There are many types of behaviour that could be considered as being anti-social, and different types of behaviour will have differing levels of impact where and when it is conducted.

The information in Appendix 1 gives an indication of each Service within Mid Devon District Council and the possible ASB each will be expected to respond to. It should be noted that this list will be continually updated and is not intended to be an exhaustive list, as it would be limiting the policy to assume that all areas of ASB could be covered within one list.

Some of these duties are not solely the duty of the Council and should be considered alongside the duties of other Service areas and/or statutory partner organisations, including the Police.

3. How To Report Anti-social Behaviour

You can make a report by contacting Customer First at Mid Devon District Council on 01884 255255, email customerfirst@middevon.gov.uk or go to the Council website at www.middevon.gov.uk for details of each Service.

4. How We Will Respond To ASB Complaints

Each Service has procedures and/or policies for dealing with ASB and each case will be investigated, evaluated and action taken in line with current working practices, policies and enforcement legislation.

If individuals feel their concerns regarding ASB are not being dealt with they should contact the relevant Service in the first instance and if the matter is not resolved the Council has a complaints procedure.

The Council works in partnership with other organisations to resolve issues of ASB and this will include the Police, Children & Young Peoples Services, Fire & Rescue Services, Youth Services.

The Council will take all reports of ASB seriously and consider the impact on the community and vulnerable individuals. We will carry out further enquiries, in liaison with other agencies if necessary, in order to identify the extent of the issue and the individuals that are involved. Appropriate and proportionate action will be taken following investigation and evaluation by staff.

The Council is an active member of the East & Mid Devon Community Safety Partnership and is committed to reducing crime, disorder and anti-social behaviour across the whole district. We encourage resident involvement to make our neighbourhoods a better, safer place to live.

5. The Role Of The Community

The community play a vital role in helping to resolve issues of ASB by reporting incidents and providing essential witness statements that allow the Council to take appropriate action and the evidence to proceed to court if necessary.

The Council seeks the support of the community in order to take action and victims, complainants and witnesses are asked to complete and return diary sheets that can demonstrate the nature and extent of the problem. Such notes provide vital evidence which can be used in court if required. Without this support and commitment from the community the Council will have limited powers

It should be noted that a personal statement in court from a victim of crime or anti-social behaviour carries considerable weight during cases where court action is the appropriate course of action.

6. Handling Reports Of Antisocial Behaviour

The Council is committed to ensuring customer satisfaction and will conduct satisfaction surveys. We have set a target that 80% of residents who contact the Council about ASB feel that the Council's involvement has achieved an improvement to the situation.

Addressing ASB issues can often take time as it is important to gather information and have the full picture. Developing long-term solutions to stop similar problems recurring is achieved by close working with other organisations and the community.

The Council has an active 'ASB & Crime Reduction Group' which comprises of officers from the service areas that have direct responsibility and involvement in resolving local issues. This group is chaired by the Community Safety/ASB Officer.

Many Council officers also participate in the Local Action Groups which are part of the Community Safety Partnership structure and meet in each main locality area on a two-monthly basis. These groups are a helpful resource for resolving community issues. If necessary issues can be taken to senior managers of the organisations

involved at strategic level where more resources can be allocated, or the intervention of senior managers will help to resolve the matter.

The Council adheres to the agreed ASB Escalation Process which is adopted across the whole of Devon by all key partner organisations. This is used to tackle the behaviour of individuals causing ASB. This tiered approach consists of low level warning letters, joint agency visits, multi-organisation meetings and action that may include voluntary acceptable behaviour contracts or use of court orders. It also includes other interventions and support for the individuals and victims and may involve referrals to key support organisations such as mental health teams, drugs and alcohol services and domestic abuse support services.

The current full range of tools and powers will be considered and used as appropriate to tackle ASB caused by individuals, or that occur in a public place.

7. Confidentiality and Data Sharing

Many residents are fearful of reprisals if they report ASB. The Council will not divulge details of a person making a report to anyone other than partner organisations, without prior permission of the individual. The only exceptions are to prevent or detect a crime, or if the health and safety of a child or an individual is at risk.

The key to addressing ASB successfully is for organisations to share information they hold. General information about ASB can be shared easily between partner organisations but information relating to individuals will only be shared following written permission of the individual or following the Information Exchange Protocol between the Council and other organisations including the Police, which is strictly monitored. This allows the Council to request information held by another organisation, such as the Police, in order that the information might support legal action that the Council could take.

8. Equality & Diversity

Under the Equality Act 2010 we are committed to promoting equality for all service users. We will ensure that there is no discrimination or unfair treatment on the grounds of the protected characteristics in accordance with current legislation.

**Mid Devon District Council
Services Responsibilities For Anti-social Behaviour Issues.**

| Service | Anti-Social Behaviour |
|--|---|
| Licensing | Noise & Other Nuisance from licensed premises After Hours Drinking Under-age Sales General Conduct of licensed premises Disorder from licensed premises Gambling |
| Health & Community | Pollution including – Noise Light Odour / Dust Bonfires Accumulations / Tipping Animal & Insect Nuisance |
| Council Housing | ASB below caused by or to Council Tenants - Noise Nuisance Alcohol/Solvent Abuse Criminal (physical violence) Children (noise & nuisance) Pets & Animals (fouling, noise etc.) Intimidation Verbal Abuse Youths/ASB Criminal Damage Loud Music Racial Abuse Violence/Assault Harassment Drugs |
| Customer Services & Environmental Services | Abandoned Vehicles Fly-tipping Fly-posting Litter Graffiti Dog Fouling High Hedges Illegal Camping Inappropriate use of play areas Dangerous Dogs |
| Planning | Properties in poor or derelict condition Alterations without consent Unauthorised encampments |

N.B. Some of these areas will be dealt with in partnership between other service areas or with outside organisations such as the Police.