

Title: Anti-Social Behaviour Policy

The purpose of this policy is to set out aims and objectives to ensure that anti-social behaviour is dealt with proactively. It provides guidance to Mid Devon District Council and its councillors, employees and volunteers.

Owner: Andrew Pritchard, Director of Operations

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Status: The Anti-Social Behaviour Policy is to be adopted January 2018.

Review Frequency: Every three years

Next review date: January 2021

Consultation This document was sent out for consultation to the following:

Town and Parish Councils (via Local Advisory Groups)
 Devon and Cornwall Police
 Community Policy Development Group
 Cabinet Member for Community Well-being
 Leadership Team
 Environmental Health, Licensing and Private Sector Housing Teams, Public Health and Regulatory Services
 Community Safety Partnership Steering Group
 Local Advisory Groups
 Devon ASB Officers Group
 Neighbourhood Housing Team, Housing Services

Document History

This document obtained the following approvals.

| Title | Date | Version Approved |
|------------------------------|------|------------------|
| Anti-Social Behaviour Policy | | vX |
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Mid Devon District Council

Anti-Social Behaviour Policy

December 2017

Mid Devon District Council – Anti-Social Behaviour Policy

1. Vision and Statement

'To help protect the safety and security of local communities in Mid Devon making it a desirable place to live'

The Council is committed to helping local communities to deal with anti-social behaviour (ASB) proactively. ASB can damage communities and neighbourhoods if it is not dealt with efficiently and effectively.

2. Introduction

This is an overarching policy which links all local services that deal with ASB to improve co-ordination and encourage a consistent approach to dealing with issues that arise. The policy also provides details on all the services in the Council that have a remit to respond to reports of ASB.

Everyone who lives, works or visits the Mid Devon area is responsible for ensuring their conduct is respectful of our communities and our neighbourhoods. Behaviour that has the potential to blight our landscape or that of our environment or our communities should not be tolerated and the Council, with its partner organisations will promote good behaviour throughout the district.

3. Service Standards and Actions

Where incidents of ASB are reported to the Council we will endeavour to meet the following service standards:

- Acknowledge receipt of a reported incident within five working days
- Identify the most appropriate service to assist with the incident
- Investigate the reported incident where possible, and help to resolve your complaints
- We will inform you of what action we can take and tell you if the investigations will take longer than expected.

4. Definition of Anti-Social Behaviour

The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as:

- a) conduct that has caused, or is likely to cause harassment, alarm or distress to any person;
- b) conduct capable of causing a nuisance or annoyance to a person in relation to that persons occupation of residential premises; or
- c) conduct capable of causing housing related nuisance or annoyance to any person.

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 depending on where and when it is conducted. Some examples are:

- Occurring in a public space - *drinking, graffiti*
- Affecting a community - *rowdy neighbours*
- Directed towards an individual - *harassment or verbal abuse*
- Affecting the environment - *fly tipping, litter*

The information in the table below provides details of those services within Mid Devon District Council that may respond to different incidents of ASB. This list is not exhaustive and there may be incidents not detailed below that may be covered by one of the service areas.

| Service or team | Anti-Social Behaviour |
|--|--|
| Public Health and Regulatory Services (including Licensing, Environmental Health and Private Sector Housing) | Noise Light Pollution Animal Nuisance including pests Pollution Nuisance Odour Nuisance Noise & Other Nuisance from licensed premises After Hours Drinking Under-age sales General Conduct of licensed premises Disorder from licensed premises Gambling Properties in poor or derelict condition Unsanitary conditions |
| Council Housing <i>(in relation to our tenants and effecting our tenants)</i> | Noise Nuisance Drugs Alcohol/Solvent Abuse Condition of Garden Criminal (physical violence) – in consultation with police Children (noise & nuisance) Pets & Animals (fouling, noise etc.) Intimidation Verbal Abuse Youths/ASB Children (ball games) Criminal Damage Racial Abuse Violence/Assault Harassment Communal areas (unsanitary conditions) |
| Customer Services and District Officers | 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 (with Property Services) |

5. Reporting Anti-Social Behaviour

With limited resources the Council and its partner agencies are unable to help everyone and therefore the Council will prioritise incidents based on set criteria.

Self-help: In the first instance the Council will expect individuals or communities to take steps to resolve the issues themselves. It may be possible to resolve this locally without the direct involvement or intervention of the Council or other agencies. Advice and support is available on the Mid Devon website. A more formal approach to addressing issues is not

always necessary or welcome by communities, however, we would not wish for individuals to put themselves at risk.

Assessment: If lower level intervention is not possible or practical then ASB can be reported by contacting Customer First at Mid Devon District Council on 01884 255255 or the Service concerned direct.

The Council will acknowledge receipt and identify whether or not it is something the Council can help with.

If the Council cannot help, the customer will be informed as soon as possible and be given advice on what steps they can take to deal with the issues raised.

Where the Council can help, the customer will be advised of the department dealing with the issue and the type of action that could be taken.

Referral: Where the incident should be dealt with by a different organisation the Council will refer the case on to the relevant contacts.

Anonymous complaints: Mid Devon District Council takes ASB seriously however anonymous complaints will not be given the same priority as those where individuals or communities have come forward. Further investigation by staff and partner agencies will be undertaken in a targeted approach as and when resources allow.

6. Partnership Working

Mid Devon District Council is a key agency of the Community Safety Partnership (CSP) where all Partners are committed to ensuring Mid Devon stays as one of the safest places to live and work in the United Kingdom. Partner agencies include the Police, Fire and Rescue, Local Authorities (including County, Town and Parish Councils), the voluntary sector and any organisation with a desire to reduce ASB. This will be achieved by a proactive, partnership approach to identifying causes of ASB and supporting diversionary activities to prevent such behaviour.

We will work with other Partner Agencies to tackle all ASB and have regular monthly meetings to address current issues. We link with Devon and Cornwall Police and other partners across the peninsula to ensure a consistent approach and adhere to an agreed ASB escalation process from low level warning letters to court action.

Addressing ASB issues can often take time, in order to gather all information and engage with local people to identify long-term solutions to stop similar issues recurring. The Council will work in partnership with other agencies to identify the most effective and efficient methods of addressing ASB cases, taking into account resources, funding available and other priorities within the District.

Underpinning this policy is the need to take a balanced approach to problems and to recognise that community wellbeing is also a key priority for the Council. It is essential that action taken is proportionate to the problem, to resources available and in line with the Council's enforcement policies. The community should be involved, when appropriate, in order to ensure that workable solutions are found.

It is recognised that those that commit ASB often have underlying issues such as substance misuse and/or mental health that is having a negative effect on the individual and their behaviour. Young people and children often become involved in ASB because of lack of behavioural and social boundaries put in place by parents or carers, indeed often the family members may be experiencing substance addiction, domestic abuse, and/or mental health

problems. Many adult perpetrators of ASB are recognised as vulnerable due to mental health and/or substance misuse. Likewise the victims of ASB can be vulnerable for many of the same issues including age (both young and elderly), disability or addictive behaviours. Each case will be assessed and professional agencies engaged where there are wider, underlying issues at the heart of the behaviour. A wide range of preventative measures, including positive intervention and support will be used to get to a successful resolution.

7. Data Protection and Information Sharing

The key to addressing ASB successfully is for agencies to share information they hold. Reports from residents and members of the community are vital in order to link reports made by either residents or other agencies. Information about general ASB can easily be shared between partner agencies but information relating to individuals must only be shared by following the Information Exchange Protocol. Mid Devon District Council works closely with other agencies and co-ordination is often via the Mid Devon Anti-Social Behaviour Coordinator, who is based within the Mid & East Devon Community Safety Partnership.

Many residents are fearful of reprisals if they report ASB. Mid Devon District Council will not divulge details of a resident making a report to anyone other than Partner Agencies, without the prior permission of the resident. In the most serious cases, resulting in a court hearing, the resident will be consulted about how their evidence and identity will be treated as the case progresses towards the courts and about appropriate support available to them.

ASB reported to Mid Devon District Council via representations in connection with the Licensing Act 2003, would require us to share this information as it must be shared with the applicant. However, if individuals have legitimate concern for their welfare, they can request that personal information is redacted. This may also apply to other legislation that the District Council works within.

8. Procedure & Policy Documents

Mid Devon District Council will continue to monitor and develop work to reduce ASB within the district and this will sit alongside the Community Safety priorities action plan to ensure the Council works with our partner agencies to keep ASB at low levels.

This ASB Policy will be regularly reviewed and updated on a three year cycle.

9. Formal Complaints Process

Where the individual or community reporting the incident is unhappy with the Councils response to their concerns they should follow the Councils formal complaints procedure.