

**Report for: COMMUNITY, PEOPLE & EQUALITIES PDG**

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Date of Meeting:	25 <sup>th</sup> March 2025
<b>Subject:</b>	<b>ANTI-SOCIAL BEHAVIOUR UPDATE</b>
Cabinet Member:	Councillor David Wulff, Cabinet Member Cabinet Member for Quality of Living, Equalities and Public Health
Responsible Officer:	Simon Newcombe, Head of Housing & Health
Exempt:	No
Wards Affected:	All
Enclosures:	Annex A – List of ASB Service Contacts for Members  Annex B – Summary of the ASB Toolkit

**Section 1 – Summary and Recommendation(s)**

The problems of Anti-Social Behaviour (ASB) across society continue to cause concern. The Police & Crime Commissioner's Police & Crime Plan 2025-2029 has made tackling ASB one of the four priorities for Devon & Cornwall Police.

ASB is a term that covers a wide range of behaviours and can include disruptive neighbours, vandalism and unruly behaviour in town centre, estates and public open spaces, noise, street drinking and enviro-crime such as littering, graffiti and dog fouling. Anti-Social Behaviour can often be closely associated with escalating behaviours that are criminal in nature such as criminal damage, exploitation, allegations of violence and assault, child protection concerns or drugs, for example. Hence the relevant officers work very closely with the local Neighbourhood Police Teams with coordination and lead role provided by the Specialist Lead for Community Safety and Safeguarding.

This report provides an update on a wide range of work carried out by the Council and in partnership in relation to ASB in our communities and recent initiatives to improve our approach to managing cases of ASB. This work is evolving and continues to develop and as such it will contribute to a formal review of the Council's ASB Policy during 2025/26.

The Government is currently reviewing ASB powers with proposals for changes expected during 2025. These have not been confirmed or enacted into law / statutory guidance at this stage and more information on this is provided within the report. Consequently, the pending ASB Policy update will also need to take in account any national changes once confirmed.

There are numerous Council services that cover aspects of ASB including Community Safety, the Environmental Health Teams (for topics such as noise, neighbour disputes, accumulations and waste, pest infestation, hoarding, overgrown gardens), the Street Scene Enforcement Team (fly-tipping, litter, abandoned vehicles, dog control, Public Space Protection Orders) and Mid Devon Housing who manage ASB related to their tenants and estates under a dedicated MDH Housing ASB policy.

Anti-Social Behaviour can only be tackled effectively by authorities working together in partnership, because of the overlapping powers and responsibilities. There are various forums and meetings that take place to ensure strong partnership work exists. This includes the quarterly Community Safety Partnership (CSP) and the monthly TITAN meeting organised by the Neighbourhood Police Team and including officers of the Council.

Two key new ASB policy initiatives were introduced by the Council during 2024/25:

- a) The use of statutory Community Protection Warnings and Notices was delegated to Neighbourhood Officers in Mid Devon Housing for the first time in April 2024, with ongoing advice and support provided by the Council's Community Safety Officer. This is part of a wider initiative on the use of these powers across East and Mid Devon / South Devon and Dartmoor CSP areas.
- b) A new multi-agency panel has been established under the East and Mid Devon CSP called the Youth ASB Intervention Panel, which is chaired by the Community Safety Officer. Agencies can refer in young people of concern, and the Panel aims to take a trauma informed, child centred approach in deciding what support can be offered by agencies to seek to change behaviours and support the family, as well as considering what ASB sanctions should be applied.

An ASB briefing for Members was delivered on 'Let's Talk ASB' Day in November 2024 as part of National ASB Awareness Week. Representatives from Mid Devon Housing, Community Safety and the local Neighbourhood Police Team formed a panel to give presentations and answer questions.

**Recommendation:**

**That the PDG note the report.**

## Section 2 – Report

### 1 Introduction

- 1.1 ASB remains a topical subject of national interest in 2025. The Government is seeking to bring in new powers to tackle ASB as part of its Crime & Policing Bill. This includes the introduction of ‘Respect Orders’ to ban persistent offenders from town centres or from drinking in public places like High Streets and parks. Breaching the orders will be a criminal offence, carrying a prison sentence of up to two years, with courts also able to issue unlimited fines or order offenders to carry out unpaid work. Respect Orders have been described as effectively a modernised version of the ASBO (Anti-Social Behaviour Orders) which were first introduced in the 1990s but withdrawn by the 2010 Government. Respect Orders would only apply to adults. The Government also intends to increase the awareness of the ASB Case Review and recommend that independent chairs are used. More information on the proposed changes is set out in section 7.
- 1.2 Locally, the significant impact of ASB has been recently re-emphasised. The Police & Crime Commissioner’s new Police & Crime Plan 2025-2029 has made tackling ASB one of the four priorities for Devon & Cornwall Police. It is also a key objective within the statutory Devon Preventing Serious Violence Strategy.
- 1.3 ASB can only be tackled effectively by authorities working together due to the overlapping powers and responsibilities. There are various forums and meetings that take place to ensure strong partnership working exists. This includes the quarterly Community Safety Partnership and the monthly TITAN meeting organised by the Neighbourhood Police Team and includes council officers.

### 2 What is Anti-Social Behaviour?

- 2.1 Legal definition: ‘behaviour by a person which causes, or is likely to cause, harassment, alarm or distress to persons not of the same household as the person’. It covers criminal and non-criminal behaviour.
- 2.2 It involves a range of actions that lack consideration for others and causes negative impacts on the local community.
- 2.3 The Government’s Anti-Social Behaviour Action Plan 2023) further defines ASB as:  
  
*‘A disturbance or disruption to the normal order of things; an attitude and show of disrespect for a place and the people that call it home. Often repetitive and oppressive, anti-social behaviour leaves victims and communities feeling powerless, spoiling their normal enjoyment of their spaces, and chipping away at their peace of mind in their own homes’.*
- 2.4 Furthermore, in response to a recent report by the Victims’ Commissioner, the Home Office has stated that “...ASB is not merely a nuisance. It has devastating

*consequences, corroding people's freedom, damaging their mental health, and ultimately undermining their sense of home."* (Government response: 'Still living a nightmare: Understanding the experiences of victims of anti-social behaviour' 2025).

- 2.5 Several of our services have responsibilities for tackling aspects ASB and we have recently updated a contacts sheet for Members to signpost to the relevant team or officer (See Annex A).

### **3 Community Protection Warnings and Notices**

- 3.1 The Council has the power to issue Community Protection Warnings (CPWs) and Notices (CPNs) to residents causing detriment to the quality of life of others in the community. The Warning is an informal first step, and if the behaviour continues, a formal statutory Notice can be issued. The Specialist Lead has traditionally issued these warnings and notices, but limited capacity has restricted the use of these useful tools therefore a wider approach has been developed.
- 3.2 Public health and related research conducted at a Devon level in response the new statutory Serious Violence duties has established a clear evidence base for tackling low-level crime such as ASB in order to prevent subsequent more serious offences including those involving violence. This prevention and early intervention approach is embedded in the statutory Devon Preventing Serious Violence Strategy and Action Plan which sets out a focus on ASB and working with young people (see also Section 4 below and the ASB Youth Intervention Panel).
- 3.3 In April 2024, the Neighbourhood Officers in Mid Devon Housing were trained and authorised to be able to issue CPWs and CPNs, and officers in Public Health were also trained. This has been welcomed by housing colleagues, who have embraced the new powers as another useful tool for them to manage tenancy problems caused by unreasonable behaviour impacting neighbours.
- 3.4 This work has formed part of a broad and increasingly proactive approach to the use of CPWs and CPNs that has been led by the East and Mid Devon Community Safety Partnership working in close partnership with the South Devon and Dartmoor CSP (Teignbridge, South Hams and West Devon areas). Our CSPs have been working together to pilot the application of these legal tools across a range of different issues including traditional and neighbour ASB, disorder, domestic abuse, drug issues, harassment and stalking behaviours.
- 3.4 Up until the end of January 2025, Mid Devon Housing have issued **15** CPWs and **9** CPNs. Public Health have also issued 4 CPWs. Across the above CSP areas compliance with CPWs and CPNs is running at around 90%.
- 3.5 Within our processes, referrals for CPNs and CPWs can also come in from a range of non-LA agencies including Social Care, Adolescents Safety Framework,

MACE (Multi-agency Child Exploitation), MARAC (multi-agency risk assessment conference for high-risk domestic abuse and violence cases), Trading Standards and via local policing TIMs (Tactical Intervention) meetings.

- 3.6 A recent survey of referral partners led by Teignbridge received 37 responses from different organisations. Of the respondents, all but one said that they felt engaged in the delivery of the work with around half saying they were very engaged. The average rating for how effective the CPW process is in addressing detrimental impact on quality of life was 4.5 out of 5 with 61% of respondents grading a five out of five. When asked how satisfied they were with the service, the average rating was 4.8 out of five, with 84% grading a five.
- 3.7 This work across the CSP areas was recently showcased at the both Safer Devon Partnership board (chaired by DCC) and the Peninsula Strategic Serious Violence Prevention meeting (led by the Police and Crime Commissioner). The approach and outcomes were widely supported and consideration is being given to a wider rollout of this practice within both Devon and Cornwall.
- 3.8 Overall, this demonstrates the significant benefit of us developing a joined-up and system-wide approach to using these powers alongside other interventions and support to deliver a reduction in ASB and wider community safety benefits taking a trauma-informed approach.
- 3.9 The Police also have a direct legal power to issue CPWs and CPNs. Devon & Cornwall Police introduced a policy and procedure in 2024 to enable their officers to make greater use of these powers, and we will work with the Police to further develop local processes to ensure we co-ordinate our activity with some matters continuing to be dealt with directly by Police colleagues and some through referral into the CSP and MDDC where a joined up, potentially multi-agency approach is best suited.

#### **4 Youth ASB Intervention Panel**

- 4.1 We have worked collaboratively with the Police (Child Centred Policing), the Youth Justice Service, East Devon DC and Exeter City Council to launch a Youth ASB Intervention Panel in November 2024. This approach has developed out of the innovative work carried out by Devon & Cornwall Police to introduce 'Intervention Clinics' which aim to decrease youth reoffending and prevent children entering the youth criminal justice system. Evidence shows young people who are kept out of the criminal justice system are less likely to offend in the future.
- 4.2 The Mid Devon Panel meets monthly and is chaired by the Council's Specialist Lead, and includes representatives from the Neighbourhood Police Team, the Youth Justice Service, the Police Youth Intervention Officer and the Child Centred Policing Sergeant. Other agencies attend as necessary including Social Services, LINKS, Housing Services, Mental Health, Youth Services, Probation and Education.

- 4.3 Agencies can refer into the Panel young people of concern, and the Panel aims to take a trauma informed, child centred approach in deciding what support can be offered by agencies to seek to change behaviours and support the child and their family, as well as considering what ASB sanctions should be applied. Annex B summarises the Youth ASB toolkit and the process of escalation.

## **5 Community Safety Accreditation Scheme**

- 5.1 The Community Safety Accreditation Scheme or CSAS, is a new initiative organised and operated by Devon and Cornwall Police. The scheme provides enforcement officers with additional powers when dealing with offences. The most notable of these powers is the requirement for an individual to provide an officer with their name and address, failure to do so is an offence within the scheme.
- 5.2 Training is provided by Devon and Cornwall Police to enforcement officers on how to exercise their new powers and techniques in tackling ASB issues. The scheme is free of charge to local authorities following successful approval.
- 5.3 The Council has been working with colleagues in the Citizens in Policing team to gain accreditation for the enviro-crime enforcement team. MDDC is now approved under the scheme with the Environment and Enforcement service vetted and approved.

## **6 ASB Case Reviews**

- 6.1 We have undertaken one ASB Case Review (formerly known as the Community Trigger) in 2024/25. The Panel concluded that the Police and the Council had properly investigated the case in question, and that no further action was possible at the present time. But recommendations were made including signposting to mediation and GP support.
- 6.2 This is a right for victims of ASB to request a formal review of their case where a local threshold is met. The 'relevant bodies' have a duty to undertake a Case Review, when the local threshold is met. The relevant bodies are the Council, Police, the NHS Integrated Care Board and the social housing provider (if relevant).
- 6.3 The Case Review is problem solving approach to identify the causes of behaviour, potential solutions and an Action Plan. This includes support available for the victim. There is an appeal provision to the Office of the Police & Crime Commissioner.

## **7 Government Review of ASB powers and Community Safety Partnerships**

- 7.1 The Government is seeking to bring in new powers to tackle ASB as part of its Crime & Policing Bill. In full, the Bill is seeking to make provision about a wide range of crime, powers and duties. These cover ASB, offensive weapons,

offences against people (including sexual offences), property offences, criminal exploitation of persons, sex offenders, stalking and public order.

- 7.2 From an ASB perspective, the proposals include the introduction of 'Respect Orders' to ban persistent offenders from town centres or from drinking in public places like High Streets and parks. Breaching the orders will be a criminal offence, carrying a prison sentence of up to two years, with courts also able to issue unlimited fines or order offenders to carry out unpaid work. Respect Orders have been described as effectively a modernised version of the ASBO (Anti-Social Behaviour Orders) which were first introduced in the 1990's but withdrawn by the 2010 Government. Respect Orders would only apply to adults. The Government also intends to increase the awareness of the ASB Case Review and recommend that independent chairs are used.
- 7.3 The ASB proposals go further by introducing a specific offence of assaulting a retail worker and repealing section 176 of the Anti-social Behaviour, Crime and Policing Act 2014 which downgraded the police response to so-called low value shop theft. They will also increase the maximum penalties for offences relating to the sale of weapons whilst introducing a new offence of possessing a bladed article with intent to use unlawful violence.
- 7.4 The Government is also considering reform of Community Safety Partnerships but further details are awaited. The previous Government had also tabled proposals to change some aspects of how CSPs work and their relationship with the Police & Crime commissioners. However, these changes were not implemented before the General Election.
- 7.5 Within Devon there will be important requirements to set out how the upper tier Community Safety Partnership (Safer Devon Partnership) and existing strategic needs assessments are updated and link into the work of district level CSPs. This close strategic and delivery alignment is already in place but will require review in the context of any specific proposals once formalised.

### **Financial Implications**

There are no direct financial consequences from this report. New ASB initiatives have been developed within existing officer resources, and utilising resource capacity from other organisations.

### **Legal Implications**

There is a broad range of legislation and statutory guidance covering Anti-Social Behaviour, dog control, fly-tipping, graffiti, and statutory nuisance. The Council has a legal duty to act in some circumstances and a power to act in relation to other issues.

The Council has a broad range of powers to issue notices to require action or cessation, to carry out remedial work or close premises. There are also powers to seek civil injunctions in more severe cases. The Police have a similar range of powers.

### **Risk Assessment**

This paper does not include a review of the current ASB policy but give an update of the new initiatives taken with partners in 2024/25. The activity undertaken is broadly governed by statute and the legal powers available to the Council. Data and personal information is shared in accordance with statute, local data sharing arrangements and/or with the advice of the Data Protection Officer.

### **Impact on Climate Change**

This update has no direct impact on climate change. Changes in approach have focussed on greater multi-agency working, and these meetings are typically held on Teams, and hence travelling is often avoided.

### **Equalities Impact Assessment**

An impact assessment is not required as this is an update and it not a policy review or significant change of policy. The Youth ASB Intervention Panel is an example of multi-agency co-operation and joined up working, with a focus on being trauma informed to try to understand the reasons why a child is behaving in such a manner as to cause ASB, and offer support. The support is offered by relevant organisations such as the Youth Justice Service, the Turnaround & Behaviour Change Team, Y-Smart or LINKS.

### **Relationship to Corporate Plan**

There is a duty on a number of agencies including Local Authorities to tackle ASB and as such this is a priority of the East and Mid Devon Community Safety Partnership (CSP). The CSP activities undertaken as part of the action plan compliment the ambitions of the Corporate Plan. In particular this activity contributes to the priority of Community. The CSP works directly with the wider community, youth groups and local partners to ensure the district is a safe place to live, work and visit.

### **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

**Date:** 11 March 2025

**Statutory Officer:** Maria de Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 11 March 2025

**Chief Officer:** Stephen Walford



Agreed by or on behalf of the Chief Executive/Corporate Director

**Date:** 11 March 2025

**Performance and risk:** Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 10 March 2025

**Cabinet member notified:** Yes

#### **Section 4 - Contact Details and Background Papers**

**Contact:** Simon Newcombe, Head of Housing and Health or Adrian Gardner, Specialist Lead for Community Safety & Safeguarding Email: [snewcombe@middevon.gov.uk](mailto:snewcombe@middevon.gov.uk) or [agardner@middevon.gov.uk](mailto:agardner@middevon.gov.uk) Telephone: 01884 255255

#### **Background papers:**

[Police-and-Crime-Plan-2025-FINAL-print-no-bleed.pdf](#)

[University of Exeter expertise supporting police youth work to reduce reoffending - Devon Live](#)

[University of Exeter expertise supporting police youth work to reduce reoffending - News](#)

[Serious-Violence-Strategy-v.Final-2024.01.31-for-publishing.pdf](#)

#### **Recent Government Statements and Proposals on ASB:**

[More support for victims of antisocial behaviour - GOV.UK](#)

[Understanding the experiences of victims of antisocial behaviour - GOV.UK](#)

[Government response](#) January 2025 - 'Still living a nightmare: Understanding the experiences of victims of anti-social behaviour'.

#### **Partner Websites:**

[Home - Y-SMART](#)

[Youth Justice Service – Education and Families](#)

[Bridges – Education and Families](#)

[Turnaround Programme - GOV.UK](#)