

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 1 July 2024

Portfolio:	Health and Public Protection
Subject:	Anti-social Behaviour Policy
Report of:	Director of Neighbourhoods
Corporate Priorities:	Strong, Safe and Healthy Communities

Purpose:

To approve the new draft Anti-Social Behaviour Policy which is subject to consultation.

Executive summary:

This report introduces a new draft Anti-Social Behaviour Policy which will be subject to consultation. This policy will enable the Council to demonstrate it has written procedures and processes detailing how it will deal with complaints of anti-social behaviour and to provide an easily accessible document listing the incremental approach it will take to tackle anti-social behaviour and improve the situation.

Following a consultation period, the final Policy will be considered for adoption at a future meeting of The Executive.

Recommendation:

It is recommended that the Executive agrees the proposed draft Policy for a period of consultation. Following the consultation period, the policy will be brought back to a future meeting of the Executive for adoption.

Reason:

To comply with the requirements of the Crime and Disorder Act 1998 and the new Social Housing Regulation Act 2023 and to ensure that we work collaboratively, both within the Council and with our statutory and voluntary sector partners, to tackle anti-social behaviour.

Cost of proposals:

These proposals can be achieved within existing budgets.

Appendices: A: Draft Fareham Borough Council Anti-Social Behaviour Policy 2024

B: Equality Impact Assessment

Background papers: None

Reference papers: None

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Executive Briefing Paper

Date:	1 July 2024
Subject:	Anti-social Behaviour Policy
Briefing by:	Director of Neighbourhoods
Portfolio:	Health and Public Protection

INTRODUCTION

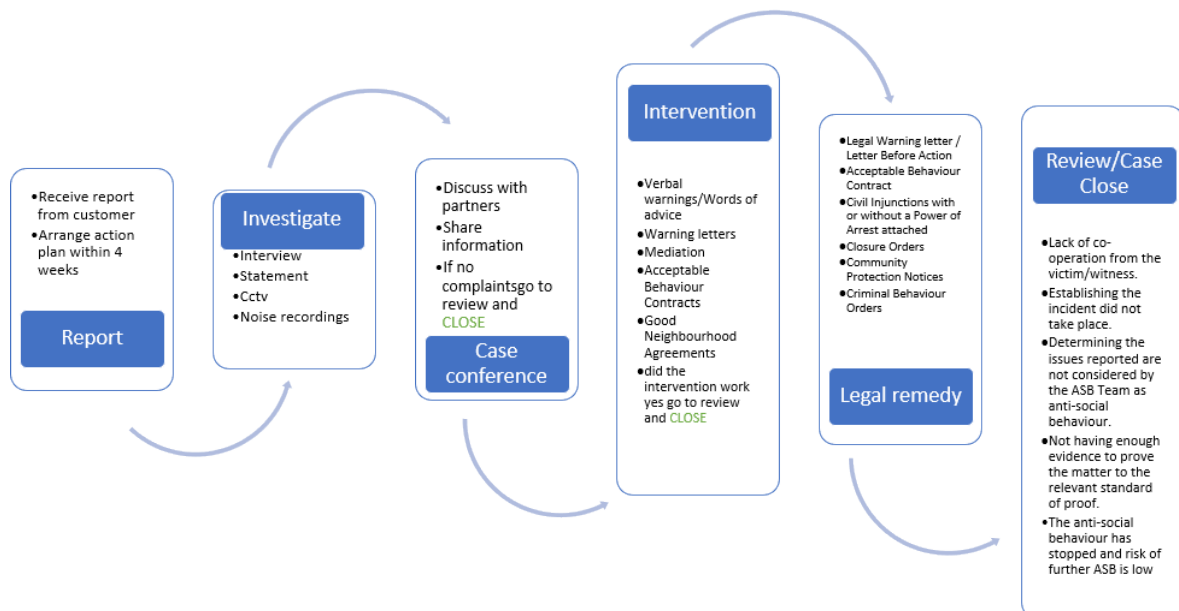
1. This report details the new draft policy and procedure for dealing with anti-social behaviour (ASB) in the Borough of Fareham following updates to legislation, developments in practice and a recommended public consultation. A copy of the draft policy is attached at Appendix A.

BACKGROUND

2. The Council, as a Responsible Authority, has duties under the Crime and Disorder Act 1998 to take an active role in reducing crime and disorder in the local area as part of the statutory Community Safety Partnership (CSP) arrangements. Having effective and robust arrangements in place to tackle anti-social behaviour, supporting victims and assisting in bringing perpetrators to justice through multi agency enforcement activity is paramount to creating an environment where residents 'feel safe and are safe' and 'enjoy good health and well-being'.
3. There are also statutory responsibilities around anti-social behaviour in the Housing Acts, including the new Social Housing Regulation Act 2023. The attached draft ASB Policy sets out how Fareham Borough Council will work to tackle anti-social behaviour.
4. ASB can often have a devastating impact on victims and communities and requires a multi-agency approach to deal with it effectively. Anti-social behaviour can take many forms including:
 - Hate Crime
 - Violence or threats of violence
 - Verbal abuse
 - Criminal Damage
 - Harassment

- Taking or selling illegal drugs

5. A scaled approach is taken to deal with ASB in Fareham, with the emphasis being around prevention, early intervention and diversion before enforcement action is taken. A range of partnership services and resources continue to work collaboratively to tackle this complex issue. At Fareham Borough Council, our policy has been to tackle anti-social behaviour promptly and before it escalates. A large number of complaints can be dealt with relatively easily by working in partnership and offering a supportive approach. There are also times when enforcement measures need to be taken. The draft ASB policy sets out a formal approach to tackling anti-social behaviour so that everyone is aware of roles, responsibilities, expectations and timelines.
6. The draft ASB policy clearly sets out how to report anti-social behaviour and the Council's website has been updated to ensure that reporting pathways are clearly defined. The main reporting pathway is the Police 101 number, or 999 in case of an emergency, and there is an opportunity to report ASB to the Council when it is a housing-related issue.
7. The draft ASB policy refers to a flowchart which sets out a 6-stage process once a report of anti-social behaviour is received. The stages are to investigate, arrange a case conference, agree the intervention, agree the legal remedy if applicable and finally to review and close the case.



8. We have various means of investigation, including CCTV, and we work with internal and external partners, including the Police, to gather evidence and put together statements.
9. There are information-sharing protocols and legislation around safeguarding and crime and disorder to allow the sharing of information and an excellent forum (Fareham's Partnership Action Group) within which to find a multi-agency approach to dealing with anti-social behaviour. The Community Safety Team works with a large number of

external partners with close links to Hampshire and IOW Police, Hampshire Fire Service, social housing providers, Detached Youth Services, Social Care, Safeguarding, Mental Health, together with internal services, such as Environmental Health, Enforcement and Streetscene, together with Councillors and wider Community groups and organisations who work together to resolve emerging issues and seek to identify long term solutions.

10. Pre-action interventions can take the form of warning letters, acceptable behaviour contracts and community protection warnings and we attempt to use these to prevent or stop ASB in the first instance.
11. More stringent powers may include criminal behaviour orders, injunctions, closure orders, enforcement of Public Space Protection Orders, Community Protection Notices and various housing related proceedings which may put tenancies at risk if ASB continues.
12. The ASB Case Review (previously known as The Community Trigger) is a statutory requirement set out in the ASB Crime and Policing Act 2014 with a requirement for the Local Authority to take the lead in all such cases. It is victim-focused and is in place to address concerns where a repeat victim feels that their issues have not received an adequate response. They, or someone on their behalf, can request a review of the case. The response is time specific, with requirements in place to keep the victim appraised of progress throughout the process. Due to the statutory requirement, ASB Case Reviews are subject to their own policy and procedures and follow a format in law. The Community Safety Partnership (CSP) and the Police and Crime Commissioner are made aware of all ASB Case Review requests and their outcome. Where an individual is not satisfied with the outcome of the review, they can appeal to the CSP and thereafter the Police and Crime Commissioner.

CONSULTATION

13. Health and Public Protection Scrutiny Panel will consider this draft Policy on 27 June 2024, in conjunction with the Housing Scrutiny Panel.
14. Following Executive consideration, public consultation on the draft ASB Policy will be undertaken so that residents, community safety partners and members of the public can have their say. The final Policy will be brought to a future Executive meeting for adoption.

RISK ASSESSMENT

15. There are no significant risk considerations in relation to this report.

EQUALITY & DIVERSITY

16. The Council has a statutory duty to ensure that equality and diversity is embedded in our approach, alongside the powers granted to us to tackle ASB. For example, protected characteristics such as age need to be considered as ASB is sometimes caused by young people. Mental health issues may also impact on someone's behaviour. Officers will consider the potential underlying reasons behind the behaviour and vulnerabilities of both victims and perpetrators and adapt their approach accordingly.
17. In cases where vulnerable perpetrators are involved, we will work closely with various support agencies with the aim of improving the behaviour of a tenant. If it is felt that

the tenant in question cannot sustain a general needs tenancy, we will advocate relocating them to more suitable accommodation. The Community Safety Team and Housing Team regularly make referrals to a range of support services, including the Floating Housing Support Team, the Community Mental Health Team, Domestic Violence Support and treatment providers for substance misuse, and will work alongside partner agencies to ensure appropriate support is provided. Understanding that a coordinated multi-agency approach is often needed, cases will be referred to the Partnership Action Group to facilitate joint working and ensure a co-ordinated multi-agency approach.

CONCLUSION

18. The draft Anti-social Behaviour Policy has been drafted to take account of new statutory responsibilities in the Housing Acts, including the new Social Housing Regulation Act 2023. The draft Policy sets out a transparent, collaborative and easily accessible document which can be used by the Council and residents. Members are asked to consider and approve the new draft Anti-social Behaviour Policy and agree a period of consultation to ensure that residents, community safety partners and members of the public can have their say.

Enquiries:

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