

**14 March 2016**

**Community & Health Committee**

**Corporate Anti-Social Behaviour Policy & Procedure**

**Report of:** Tracey Lilley, Community Safety Manager

**Wards Affected:** All wards

**This report is:** Public

**1. Executive Summary**

- 1.1. The Council needs to ensure that they provide a robust response to anti-social behaviour in the borough and that they remain committed to meeting their statutory responsibilities with regard to community safety.
- 1.2. The ASB Crime & Policing Act 2014 received Royal Assent in March 2014 and there was a staged introduction to different sections of the act from 13 May 2014 until the majority of the anti-social behaviour elements came into force on 20 October 2014. The Act is designed to enable authorities to act at a much earlier stage; some of the tools are very much designed to facilitate early intervention, and in some instances even with the potential to take action before a problem occurs.
- 1.3. The Corporate ASB Policy & Procedure seeks to establish a clear definition of what the Council considers to be anti-social behaviour and how staff will be expected to deal with complaints received given the changes in legislation.

**2. Recommendation**

**That Members agree to:**

- 2.1 **The adoption of the Council's Corporate Anti-Social Behaviour Policy and Procedures.**

**3. Introduction and Background**

- 3.1 A report was presented to Business & Town Centres Committee on 15 October 2014 (min ref. 180) so that Members were aware of the implications for the Council of the ASB Crime Policing Act 2014 which was given Royal Assent on 15 March 2014.

3.2 The Council has a wide range of responsibilities to tackle anti-social behaviour. These arise from four distinct roles which are:

- The Council's role as a Responsible Authority of the Safer Brentwood Community Safety Partnership (CSP) as defined by the Crime and Disorder Act 1998. The Act states that the Council must work with the police and other agencies to reduce crime and disorder.
- The Council has a role in responding to anti-social behaviour affecting private properties, businesses and open public spaces.
- As a landlord the Council has a duty to respond to anti-social behaviour affecting the properties we manage. Our landlord duties and powers are in addition and compliment the duties and powers we have to deal with anti-social behaviour in the wider community.
- The Council has a range of responsibilities to deal with 'Environmental' ASB such as noise, litter, bonfires, dumped rubbish and abandoned cars. These responsibilities arise from a number of Acts, but in particular the Environmental Protection Act 1990.

3.3 Due to the new legislation it is necessary to introduce a corporate Policy and review the procedures and guidance for anti-social behaviour, the corporate Policy & Procedure is attached appendix 1.

#### **4. Issue, Options and Analysis of Options**

4.1 The ASB Crime & Policing Act is a 'game changer' for ASB issues, and will raise expectations on Local Authorities, both from victims of ASB and from central government. The Council has acted swiftly in addressing the issues and officers have already worked on improving our systems, reviewing our processes and identifying changes required to ensure we are best placed to respond to the changes with minimal increase in resources.

4.2 The intention of this report is to comply with legislation and therefore avoid the risk of non compliance whilst improving the service to victims and to allow for limited resources to targeted to those in most need. It will also improve customer satisfaction at the first point of contact ensuring that complainants are dealt with effectively and signposted to the appropriate agency best placed to deal with their complaint.

4.3 Managing ASB cases effectively is a key feature of a high quality, customer focused ASB service. We have strong partnerships locally which have achieved excellent results in terms of tackling ASB in the Borough. However, there has never been a greater need to ensure that we respond to ASB complaints in a consistent manner providing the right

response in each case.

- 4.4 A training framework has also been drafted to ensure that staff are trained and able to use the legislation available at the earliest possible opportunity to ensure cases are dealt with in an efficient and effective way.

## **5. Reasons for Recommendation**

- 5.1 The council has a legal duty as a housing provider and under the Crime and Disorder Act 1998 to work in partnership to tackle crime and disorder.
- 5.2 The policy and procedure will ensure the Council provides a robust response to anti-social behaviour in the borough and importantly identifies what the Council can and will do in response to complaints received.
- 5.3 To protect residents by applying controls and ensuring joined up multi-agency working and responsibility/ownership to reduce the risk of vulnerable victims not being protected by the authorities they depend on.
- 5.4 To ensure officers are trained and able to enforce the new controls to ensure that residents receive an efficient and effective service to reduce the risk to our communities.

## **6. References to Corporate Plan**

- 6.1 **Environment & Housing** - EHM3 Enable communities to take a more active role in delivering a cleaner and safer environment.
- 6.2 **Community & Health** - CH1 Support business, safeguard public safety and enhance standards locally, CH2 Encourage thriving and engaged communities, CH4 Make Brentwood a Borough where people feel safe, healthy and supported, CH5 Work with partners to reduce ASB and ensure that Brentwood is a safe place to live
- 6.3 **Transformation** - T5 Provide a more modern and effective customer service, T2 Develop new ways of working for the Council, improving service delivery and reducing costs and unnecessary bureaucracy.

## **7. Implications**

### **Financial Implications**

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- 7.1 The immediate financial implications arise from ensuring that staff are trained and competent to make the best use of the new tools and powers available to tackle ASB.

7.2 A training framework has identified a requirement to provide ASB training for all key frontline staff at a cost of £1500 which has been agreed through CLB and will be met from existing budgets.

## 8.0 Legal Implications

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8.1 The Council has a statutory responsibility to comply with the provisions as set out in the Crime and Disorder Act 1998, ASB Crime & Policing Act 2014 and the Environmental Protection Act 1990.

9.0 **Equality and Diversity implications** - The policy and procedure will ensure a fair and consistent for all victims.

10.0 **Risk Management implications** – The Council has a legal duty to comply with the legislation relating to Anti-Social Behaviour and community safety.

## 11.0 Appendices to this report

Appendix A **Corporate Anti-Social Behaviour Policy & Procedure** –  
Corporate ASB Policy & Procedure

## 12.0 Background documents

12.1 More Effective Responses to Anti- Social Behaviour

<https://www.gov.uk/government/publications/antisocialbehaviour-consultation-onmore-effective-responses>

12.2 Putting victims first: more effective responses to anti-social behaviour

<https://www.gov.uk/government/publications/puttingvictims-first-more-effectiveresponses-to-anti-socialbehaviour>

12.3 Anti-Social Behaviour, Crime and Policing Act 2014

<http://www.legislation.gov>

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