

For publication

Approval of revised housing anti-social behaviour (ASB) policy

Meeting:	Cabinet
Date:	<i>13 November 2018</i>
Cabinet portfolio:	Cabinet Member for Health and Wellbeing Cabinet Member for Homes and Customers
Report by:	Assistant Director (Housing) Assistant Director (Health and Wellbeing)

1.0 **Purpose of report**

- 1.1 To seek approval from Members to make changes to the Corporate Anti-social Behaviour Policy (**Appendix A**) and Housing Services Anti-social Behaviour Policy (**Appendix B**) and to consult with stakeholders on these changes.

2.0 **Recommendations**

- 2.1 That Members approve the proposed changes to the Corporate Anti-social Behaviour Policy and Housing Services Anti-social Behaviour Policy.
- 2.2 That the Assistant Director (Housing) and Assistant Director (Health and Wellbeing) be authorised to consult with stakeholders regarding the proposed changes.

2.3 That a further report be brought to Members following the completion of the consultation process by no later than January 2019.

3.0 **Background**

3.1 The Corporate Anti-social Behaviour Policy provides the framework for all Chesterfield Borough Council services involved in responding to ASB, including the legal service, the housing service, environmental protection, private sector housing, planning and the community safety team. It ensures consistency of aims and the consistent use of the various powers and responsibilities in connection with their roles. Service-specific anti-social behaviour policies sit under and are consistent with the corporate policy.

3.2 The Anti-social Behaviour Act 2003 requires that the housing service publishes an anti-social behaviour policy.

3.3 The existing Corporate Anti-social Behaviour Policy (**Appendix C**) dates from 2015 and the Housing Services Anti-social Behaviour Policy (**Appendix D**) dates from 2013. Both require updating to take account of national and local developments.

3.4 A summary of the changes to the existing policies is at **Appendix E**. The revised draft policies provide a balance between broad aims and specific issues and commitments. They are designed to ensure corporate consistency and are set out in the same way, using the same phraseology for issues that are common to each policy. Where there is a specific housing-related issue, the revised housing policy provides more detail. The revised draft policies are prescriptive only where strong specific commitments are needed. They avoid describing specific legal and procedural tools, posts, teams, structures and procedures which can change during the term of the policies.

4.0 **Developments**

- 4.1 The Anti-social Behaviour Crime and Policing Act 2014 gave extended powers to local authorities, social housing providers and the police to tackle anti-social behaviour (e.g., injunctions, Closure Orders, Community Protection Orders, Public Space Protection Orders and absolute grounds for possession). The revised draft Housing Services Anti-social Behaviour Policy clarifies the role of the housing service within the corporate context.
- 4.2 The revised drafts reflect continuing key national and local priorities (e.g., placing victims at the centre of services and improving the quality of life for local people).
- 4.3 The type of anti-social behaviour and the profile of those involved have changed. Many more cases involve the use and/or supply of illegal drugs. Many of those involved have problems such as substance dependency, mental illness, personality and behavioural disorders, physical illness, disability, social isolation and learning disabilities, some or all of which may be attributable to drugs use. The targeting of vulnerable people by organised crime gangs (e.g., "County Lines") is far more prevalent. Legal proceedings are often defended under equalities grounds. The priority has therefore moved away from dealing with lower level nuisance and neighbour disputes. The policies must reflect these changes.
- 4.4 Responsibility for reviewing the corporate policy will be that of the Assistant Director (Health and Wellbeing) in consultation with the portfolio holder for health and wellbeing. Responsibility for reviewing the housing policy will be that of the Assistant Director (Housing) in consultation with the portfolio holder for homes and customers. In both cases, this will be after three years or in response to relevant change.

5.0 Financial considerations

5.1 There are no additional costs associated with the new proposed policies. Expenditure will continue to be met from existing Housing Revenue Account and General Fund budgets.

6.0 Risk management

6.1 The main risks associated with the revised policy are shown in the table below:

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Inappropriate or inadequate responses to ASB resulting in complaints by residents / adverse publicity / reputational damage	High	Medium	Updated policy	Low	Low
Legal challenges about working outside policy	High	Medium	Updated policy	Low	Low
Challenges about authority of specific posts to take legal action	High	Medium	Updated policy	Low	Low

7.0 Equalities Impact Assessment (EIA)

7.1 A preliminary equalities impact assessment is attached at **Appendix F.**

8.0 Recommendations

- 8.1 That Members approve the proposed changes to the Corporate Anti-social Behaviour Policy and Housing Services Anti-social Behaviour Policy.
- 8.2 That the Assistant Director (Housing) and Assistant Director (Health and Wellbeing) be authorised to consult with stakeholders regarding the proposed changes.
- 8.3 That a further report is brought to Members following the completion of the consultation process by no later than January 2019.

9.0 Reasons for recommendations

- 9.1 To take account of developments in anti-social behaviour characteristics, legislation and national and local priorities.

Decision information

Key decision number	841
Wards affected	ALL

Document information

Report author	Contact number/email
Michael Moore - Neighbourhoods Manager (Housing Services)	michael.moore@chesterfield.gov.uk
Appendices to the report	
Appendix A	Draft revised Corporate Anti-social Behaviour Policy
Appendix B	Draft revised Housing Services Anti-social Behaviour Policy

Appendix C	Corporate Anti-social Behaviour Policy 2015 - 2019
Appendix D	Housing Services Anti-social Behaviour Policy 2013
Appendix E	Summary of Changes
Appendix F	Equality impact assessment