

LEISURE ENVIRONMENT AND COMMUNITIES COMMITTEE - 13 OCTOBER 2021

PART I – NOT DELEGATED

08. ANTI-SOCIAL BEHAVIOUR POLICY 2021 (CED)

1 Summary

- 1.1 The Anti-Social Behaviour (ASB) Policy expired in 2019, and therefore has now been updated and reviewed. The new draft policy is attached at Appendix A. The policy was under review in early 2020 but the impact on the service due to COVID meant that the review was delayed until 2021. The Council continued to work to and be guided by the current ASB Policy.
- 1.2 This has been consulted on internally and with key partner agencies working on anti-social behaviour including the Police, Hertfordshire County Council, Watford Community Housing Trust and Thrive Homes.
- 1.3 The report and policy was presented to the Policy and Resources Committee on 11 September and it was agreed by the Committee to recommend the policy to Full Council on 19 October 2021. The policy has been updated since this meeting.
- 1.4 The policy is being presented to the Committee for any further comments before Council ratify the policy.

2 Details

- 2.1 The ASB Policy has been updated in line with changing government policy, the Anti-Social Behaviour, Crime and Policing Act 2014, Statutory Guidance for Frontline Professionals (updated January 2021) and to reflect new issues in the local community and ways of tackling them. i.e. cuckooing and serious youth violence.
- 2.2 The policy also now incorporates the requirements for ASB Case Reviews, commonly known as the Community Trigger. The Anti-Social Behaviour, Crime and Policing Act 2014 introduced specific measures designed to give victims and communities a say in the way that complaints of anti-social behaviour are dealt with. ASB Case Reviews give victims of persistent anti-social behaviour reported to any of the main responsible agencies (such as the council, police, housing provider) the right to request a multi-agency case review of their case where a local threshold is met. The process of this has been outlined in the new draft policy.
- 2.3 The use of reporting tools and in particular on-line methods of reporting ASB have now been included and encouraged in line with the Customer Experience Strategy.
- 2.4 The list of issues highlighted in the policy that do not constitute anti-social behaviour that we deal with has also been expanded to include not managing personal CCTV issues or social media posts and door slamming (unless they are excessive or late at night) but any reports will be signposted to the relevant responsible agencies.
- 2.5 We have reviewed and researched work across our internal council departments to assess what the new policy should include and ensure that each department has the tools they need to respond to different forms of anti-social behaviour and thereby provide better outcomes for our community and residents. For instance we have included ASB in temporary accommodation for Housing Services and ASB in parks

and open spaces for Leisure Services along with other departments who have been consulted.

- 2.6 ASB as a whole is continuous and varying from day to day from the normal neighbour disputes, issues in our parks and open spaces through to serious crime like cuckooing of our residents that impacts on our community and the safeguarding of the most vulnerable. In the past 18 months the ASBAG (Anti-Social Behaviour Action Group) has assessed over 350 medium to high risk ASB cases. We do not see a decline in ASB as the COVID restrictions are lifted. There have been 3 Closure Orders obtained and 30 ASB Community Protection Notices served with 1 partner agency securing an ASB Injunction in this timeframe.
- 2.7 Our approach to ASB is comprised of four key areas:
- Prevention
 - Early intervention
 - Support
 - Enforcement
- 2.8 These themes apply across all anti-social behaviour. However, our approaches differ slightly for dealing with hotspots, serious crime or high risk cases.
- 2.9 The council recognises that all forms of anti-social behaviour (ASB) can have destructive and negative consequences on peoples' lives and is a real concern of people in Three Rivers. The Council is committed to reducing and preventing ASB across the district. One of the Strategic Objectives of the Council is "to work with partners to tackle crime and anti-social behaviour and secure investment in priority interventions." The ASB Policy enables us to deliver the service in line with the Anti-Social Behaviour, Crime and Policing Act 2014.

3 Options and Reasons for Recommendations

- 3.1 The Policy and Resources agreed the revised Anti-Social Behaviour Policy and recommend it to Council on 19 October 2021 for adoption. The policy is being presented to the Committee for any further comments before ratification by Council.
- 3.2 The reason for the recommendation is that the current ASB Policy is out of date and needed updating to include legislative changes in line with the Anti-Social Behaviour, Crime and Policing Act 2014 and the challenges the service is facing with the complexity of its cases.

4 Policy/Budget Reference and Implications

- 4.1 The recommendations in this report are within the Council's agreed policy and budgets. The relevant policy is entitled The Anti-Social Behaviour Policy and was agreed previously on 21 March 2016 at Policy and Resources Committee.
- 4.2 The recommendations in this report relate to the achievement of the following performance indicators.

CP47 - Public perception of ASB

CO02 - Public perception of how well informed residents feel about Three Rivers District Council

CP49 - Percentage of new cases coming to ASBAG that have an action plan developed

CP21 - Number of victims of domestic abuse supported by domestic abuse caseworker service

CP51 - Percentage of South West Herts Youth Action Panel (YAP) cases with action plans developed.

5 Financial Implications

5.1 There are no financial implications arising.

6 Legal Implications

6.1 Legal Services support the Community Safety Partnership in responding to complaints of ASB that have been referred to the Council under the Corporate Complaints Procedure or Local Government Ombudsman and represent the Council at Court on breach of relevant ASB powers i.e. Closure Orders. This Anti-Social Behaviour Policy supports this process.

7 Equal Opportunities Implications

7.1 Relevance Test

| | |
|--|-----|
| Has a relevance test been completed for Equality Impact? Attached at Appendix B | Yes |
| Did the relevance test conclude a full impact assessment was required? | No |

8 Staffing Implications

8.1 None Arising.

9 Environmental Implications

9.1 None Arising.

10 Community Safety Implications

10.1 The changes to the ASB Policy reflect changes in legislation and the Anti-social Behaviour, Crime and Policing Act 2014. The changes will need to be embedded into processes and new ways of working. Implications are within the body of the main report.

11 Public Health implications

11.1 None Arising.

12 Customer Services Centre Implications

12.1 The new policy reflects the role of the Customer Services Centre.

13 Communications and Website Implications

The new policy will be provided on the website. Further information provided on the tools and powers of the Council in relation to anti-social behaviour and how to access support will also be provided on the website.

14 Risk and Health & Safety Implications

14.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

14.2 The subject of this report is covered by the Community Partnerships service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

| Nature of Risk | Consequence | Suggested Control Measures | Response <i>(tolerate, treat, terminate, transfer)</i> | Risk Rating <i>(combination of likelihood and impact)</i> |
|---|---|--|--|---|
| Nature of Risk | Consequence | Suggested Control Measures | Response <i>(tolerate, treat, terminate, transfer)</i> | Risk Rating <i>(combination of likelihood and impact)</i> |
| Failure to achieve Community Safety targets due to policy being out of date and not setting public expectations | The Community Safety Partnership fails to demonstrate clear actions and process to tackle anti-social behaviour leading to an increase of issues in Three Rivers. | Agree new Anti-social Behaviour Policy and communicate this with staff, members, partners and residents. | Treat | 6 |

14.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

| | | | | |
|------------|-----|------|-----------|-----------|
| Likelihood | Low | High | Very High | Very High |
|------------|-----|------|-----------|-----------|

| | | | | |
|--|-----------------------------------|---------------|---------------|------------------|
| | 4 | 8 | 12 | 16 |
| | Low | Medium | High | Very High |
| | 3 | 6 | 9 | 12 |
| | Low | Low | Medium | High |
| | 2 | 4 | 6 | 8 |
| | Low | Low | Low | Low |
| | 1 | 2 | 3 | 4 |
| | Impact | | | |
| | Low -----> Unacceptable | | | |

Impact Score

4 (Catastrophic)

3 (Critical)

2 (Significant)

1 (Marginal)

Likelihood Score

4 (Very Likely (≥80%))

3 (Likely (21-79%))

2 (Unlikely (6-20%))

1 (Remote (≤5%))

14.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

15 Recommendation

15.1 That the Committee makes any further comments on the Three Rivers District Council Anti-Social Behaviour Policy 2021 before ratification by Council on 19 October 2021.

Report prepared by:

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Data Quality

Data sources: The Anti-Social Behaviour, Crime and Policing Act 2014

Data checked by:

Gordon Glenn, Performance and Projects Manager

Data rating: Tick

| | | |
|----------|-------------|--|
| 1 | Poor | |
|----------|-------------|--|

| | | |
|----------|-------------------|----------|
| 2 | Sufficient | |
| 3 | High | X |

Background Papers – None.

APPENDICES / ATTACHMENTS

Appendix A Draft Anti-Social Behaviour Policy 2021

Appendix B Relevance Test