



Appendix 3

South Cambridgeshire District Council ANTI-SOCIAL BEHAVIOUR POLICY SUMMARY

Background

This policy was formulated by contributions from Staff, Tenants, Police and other associated agencies, Best Practice and national research. Additionally information has been obtained using complaints, which have been made to date since the monitoring process began. It makes reference to the Partnership for a safer District and other documents that have been developed in Cambridgeshire County by the Crime and Disorder and Community Safety Partnership Groups.

DEFINITIONS

Anti-Social Behaviour is defined in the Housing Act 1996 as conduct which:

- Capable of causing nuisance or annoyance to any person AND
- Directly or indirectly affects the housing management functions of a relevant landlord OR

Consists of using, or threatening to use, housing accommodation owned or managed by a relevant landlord, for an unlawful purpose. A "relevant landlord" could be a local authority, registered social landlord, or housing action trust.

Anti-social behaviour might include, amongst other things:

- Noise nuisance
- Intimidation or harassment
- Damaging or misusing public areas (graffiti, abandoned vehicles, fly tipping)
- Aggressive or threatening language or behaviour
- Violence against people or property
- Crimes based on discrimination (eg race, sexual orientation, religion)
- Using housing accommodation for supplying drugs, or other illegal purposes

OUR APPROACH TO ANTI-SOCIAL BEHAVIOUR

The Council, as a landlord and as a local authority, will take action to minimise anti-social behaviour. Our response to anti-social behaviour will be proportionate depending on the factors listed in the section above. Our intention is to deal firmly but fairly with anti-social behaviour, to deter such behaviour and to encourage others to come forward as witnesses.

Our normal approach is to ensure that troublesome families or individuals receive support to assist them in modifying their behaviour, and then to act against those families or individuals who continue to cause a nuisance.

The Council work closely with the Police through our Community Safety Partnership, which considers serious cases of anti-social behaviour and determines what action will be taken. The partnership include, Neighbourhood Managers, the Anti-Social Behaviour Caseworker together with representatives from the Police and other relevant agencies/organisations.

SUPPORT FOR COMPLAINANTS

- The Council will support complainants by:

- Dealing with their complaint promptly.
- Keeping them informed of any developments relating to their complaint.
- Referring them to support services where appropriate.
- Providing interpreters on request for people who do not speak, or only speak limited English.
- Providing interpreters on request for people who are hearing impaired.

Preventative measures will include the following as appropriate:

Non-legal remedies

- Agreement to end nuisance or remove items
- Mediation of disputes between families by independent Community Mediation Service
- Acceptable Behaviour Contracts for children
- Parental Control Agreements
- Agreements negotiated with other agencies such as Mental Health Services or Social Services

Legal remedies:

- Anti-Social Behaviour Order
- Noise Abatement Notice
- Service of Notice Seeking Possession
- Injunction to stop a particular activity
- Injunction to carry out particular work
- Possession proceedings in County Court
- Prosecution by Council or Police

DEALING WITH COMPLAINTS

- All complaints will be properly investigated.
- The complainant will be kept informed of progress and the final outcome of the investigation.
- Reasons why action cannot be taken will be given in writing.
- Early action by appropriate intervention will help to prevent escalation and display our commitment to deal with nuisance and ASB.
- Mediation will be promoted in all appropriate cases.
- Customer care will be at the centre of our approach in recognising the stresses that affect those suffering from nuisance behaviour.

Complainants will be offered support by being listened to, being kept informed, and being assured that their concerns are being acted upon in the most appropriate way.

Closing Cases

- All cases will be closed after 28 days unless there is good reason not to do so, i.e. the case has been referred to the Problem Solving Group/ASB Task Group; there is a criminal case pending court and conviction is relevant as grounds for possession; the case involves drugs activity and the outcome of a Police operation is awaited.

- When all actions have been completed as agreed with the complainant, closing letters will be issued to all parties
- If the complainant is dissatisfied with the closure of the case, he/she should be invited to make a complaint via the Council's complaints procedure, for an independent review of the case to be carried out by Chief Officers.
- If the complainant continues to express dissatisfaction with the way in which the complaint has been dealt with, he/she should be given details of how to complain to the local government ombudsman.
- If, after formal closure, a case is re-reported, this will become a new case.