
REPORT TO:	Housing and Community Services Committee	AGENDA ITEM:	12
DATE OF MEETING:	17th JULY 2003	CATEGORY:	RECOMMENDED
REPORT FROM:	Director of Community Services	OPEN PARAGRAPH NO:	
MEMBERS' CONTACT POINT:	Dawn Dawson (Ext. 5797) Mark Seaborn (Ext. 5775)	DOC	
SUBJECT:	Anti Social Behaviour	REF: MC/ DLD	
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: CS 01	

1.0 Recommendations

- 1.1 That Members approve the establishment of a Working Group tasked to develop a policy for the management of Anti Social Behaviour (ASB) in housing.
- 1.2 Members are invited to nominate appropriate representatives to the Working Group.

2.0 Purpose of Report

- 2.1 To inform Members of the issues surrounding the management of Anti Social Behaviour and set out a process for developing the service provided by housing in this area.

3.0 Detail

- 3.1 The management of Anti Social Behaviour (ASB) is the responsibility of four Tenant Liaison Officers (TLO) from within the Advice and Liaison section of Housing Services. Each TLO is responsible for managing an average of 900 properties each. In addition to the management of ASB, they are also responsible for the management and monitoring of rent arrears, mutual exchanges and general tenancy management. TLO's were instructed some time ago that their principal priorities are the management of rent arrears and tenancy sign up's.
- 3.2 For the period April 2002 to March 2003, Officers dealt with a total of 468 reports of ASB, categorised as follows in the table below. The large majority of instances fall into the 'neighbour nuisance' category, as opposed to more serious issues.

Category	No. of Incidents
Noise	110
Children	95
Condition of Property / Garden	65
Pets	18
Parking / Repairing Cars	30
Harassment / Bullying	105
Racist Incidents	3
Bonfires	5
Other	37
Total	468

Current Practice

- 3.3 Upon receipt of a complaint, the current procedures ensure that a visit is made or a letter sent to the alleged perpetrators. This happens in all cases. Should this not resolve the situation, the complainant(s) are then asked to complete log sheets, which detail the date, time and manner of incidents. The TLO will make a decision as to whether this course of action would be appropriate, with it only being applied to complaint's, which appear to be on-going and substantial. These log sheets are then used to substantiate the complaint, and the alleged perpetrator will be approached again, and warned that further instances may result in formal action. If the incidents continue after this date, and the collated evidence is of appropriate quality, a Notice of Intention to Seek Possession will be served, although this is done very rarely. The ultimate outcome from this will be that the perpetrator loses their home, and usually the Council will have no duty to re-house them. Possession is the only available sanction, with other solutions, such as statutory nuisance provisions, which are dealt with by Environmental Health, being unavailable.
- 3.4 Throughout this process, Officers will seek the advice and assistance of other statutory bodies as appropriate, such as the Police and Social Services and voluntary organisations such as the Citizens Advice Bureau and the Council for Voluntary Services.
- 3.5 The service currently provides some sort of response to all complainants. This gives rise to the following range of problems:
- Serious cases are not given sufficient focus and resource
 - Trivial neighbour disputes are given the same response as more serious issues
 - An enormous amount of TLO time is consumed on issues which are ultimately not resolvable at all, or where they are, are not resolvable by Housing.
 - Housing attempts to deal with all issues as landlord, where non-Council residents would have greater access to other services such as Environmental Health and the Police.
 - The lack of focus on serious cases results in a lack of impetus to improve the skills of housing staff, technological resources and case management procedures, which are vital to make a real impact.

Areas for Improvement

- 3.6 The Housing Act 1996, introduced extended powers that Councils may use in the management of ASB. These powers include Introductory Tenancies, injunctions and additional possession grounds. The Crime and Disorder Act 1998, supported the management of ASB, with the introduction of Anti-Social Behaviour Orders (ASBO's), Parenting Orders and Acceptable Behaviour Contracts (ABC's). Housing have yet to use these additional tools and are unlikely to do so in any meaningful way in the future, under present operating arrangements.
- 3.7 The Council overall is good at partnership working. Housing has played its part in this, but typically in a supporting rather than leading or more influential role. Housing as a service can learn substantially from other colleagues who are involved with this area of work and the operation of partnership arrangements to assist in resolving issues.
- 3.8 Housing does not at present prioritise ASB, either in terms of time, technical expertise or money, albeit that ASB consumes a fair proportion of TLO time. It is arguable that the majority of this effort and time resource is not as productive as it could be, when hard outputs are considered. The service is presently more geared to trying to tackle everything, 'keep a lid on things' and 'do the best we can'.
- 3.9 TLO staff, some of whom are new to both the Council and housing, have not received training in this area. There is limited specialist monitoring or surveillance equipment available and there are no arrangements for using external expert witnesses. Schemes to support complainants (witness support) and to deal with issues at an earlier stage, through mediation, are under-developed.
- 3.10 The role of other agencies in dealing with ASB issues as they relate to Council tenants is very limited. There is a general presumption by tenants, staff and other stakeholders that the Council as landlord, will and can deal with such issues.
- 3.11 Housing Services has recognised that there are areas in which there is room for improvement. Great demand is made on the time of the TLO's, especially where the incidents are more persistent or serious. This is exacerbated by the lack of specialist training and appropriate procedures, which fully utilise the extended powers of the Housing Act 1996.
- 3.12 There is a compelling case that Housing should be more effective in dealing with ASB. Inherent in this is the concept that more resources need to be directed to this area of work, either directly or through partnership working, and/or the work undertaken by housing needs to be prioritised and focused.
- 3.13 Housing wishes to develop an ASB policy as it relates to Council tenants. The policy will set out:
- What housing staff will intervene with and what they wont
 - How decisions as to which cases will be taken on and which wont, are made
 - What the role of other agencies will be
 - What complainant and perpetrators can expect from us
 - The role of mediation

- The use of and conduct of surveillance style investigations
- The use of expert witnesses
- Protection and support for witnesses
- The level of resources (existing and if need be, new) that are to be directed into ASB
- The expected outcomes and performance indicators that relate to the policy.

3.14 It is proposed that a Working Group, comprising Officers (including Officers from the Community & Leisure Development and Environmental Health Divisions), tenants and Members, be established to consider the problems currently experienced and develop a draft policy, for consideration by Committee.

3.15 It is proposed that the Personnel Department should be engaged to procure appropriate training for all Officers involved in the management of Anti-Social Behaviour, within housing.

4.0 Financial Implications

4.1 None relating directly to this report.

5.0 Community Implications

5.1 The Council is committed to promoting a safe and pleasant environment for all. Anti Social Behaviour impacts negatively on the lives of those experiencing this behaviour, and suggested improvements to working practices and resources are aimed at reducing the instances and impact of Anti Social Behaviour.