



OVERVIEW AND SCRUTINY COMMITTEE

Subject Heading:

Anti-Social Behaviour and Council Tenancies

CMT Lead:

Isobel Cattermole, Interim Group Director Children, Adults and Housing

Report Author and contact details:

Peter Doherty – Tenant & Leaseholder Services Manager - 01708 434000
P.Doherty@haverling.gov.uk

Policy context:

To review the current arrangements

SUMMARY

This report sets out to review the progress of combatting Anti-Social Behaviour (ASB) within the Council's housing stock. It is then only one component of the Council's strategic approach to combatting ASB within the Borough.

RECOMMENDATIONS

1. To note and comment on the contents of the report.

REPORT DETAIL

1. Background

Anti-social behaviour (ASB) is a broad term used to describe the day-to-day incidents of crime, nuisance and disorder, from litter and vandalism, to public drunkenness or aggressive dogs, to noisy or abusive neighbours. Such a wide range of behaviours means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, but particularly the Council and the Police.

Tackling the root causes of ASB has to be the best solution for long-term change. However, there are some difficulties that we face when doing this: In some cases, key stakeholders do not engage at the earliest opportunity to provide the support that is needed, and perpetrators do not always engage with these services. There is also the scenario where some perpetrators are also vulnerable.

However, the needs of residents suffering from ASB are a priority for our service and we use enforcement action where necessary to protect the victims from further ASB.

Another priority for the Housing Service is to introduce initiatives to prevent or divert the potential perpetrators of ASB.

It should also be noted that a review of the current Housing Tenancy Terms & Conditions is being progressed. That project is at a very early stage and will include a full and extensive consultation process. That said any comments resulting from this report will assist to inform that review.

Dealing with ASB within the Council's housing stock is a significant part of the Council's overall ASB strategy but it should not be looked at in isolation. The Council's Crime and Disorder strategy has a number of important inter-dependencies and this, as Members are aware is only one strand of that strategy.

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2. Partnership Working and Safeguarding

Our partners on combatting ASB include; the Metropolitan Police Service, Mental Health Services, Mediation Services, Victim Support, External Solicitors, London Fire Brigade.

We also have some notable internal partnerships and collaborations including:

Housing Community Wardens, CCTV and Noise monitoring equipment

The Community Wardens provide visible patrol on our estates and visit victims during the 'out of office hours' and on Saturdays for re-assurance. They act as professional witnesses and have body cameras to assist with evidence. They also engage with young on our estates and encourage them to take up other activities.

Neighbourhood Services Team also works with and utilise CCTV to gather evidence of ASB on estates. We have noise machines which are deployed in victim / complainant's homes to gather evidence of noise nuisance. The Officers analyse the recordings to determine whether the noise is a 'day to day living' noise or statutory noise nuisance. We follow the guidelines set by the Department of Environment and as set out under the Environmental Health Act 1990. In complex cases we always seek second opinion from Environmental Protection Team.

Multi Agency working

Neighbourhood Services attend various multi agency panels and make positive contributions to groups such as the ASB Panel, Multi-Agency Risk Assessment Conference (MARAC), Community MARAC, Vulnerable Persons Panel, Havering Community Safety Partnership (HCSP) and the Multi-Agency Public Protection Arrangements (MAPPA).

MASH (Multi Agency Safeguarding Hub) Link Officer

We have a designated Multi Agency Safeguarding Hub (MASH) Officer attached to the Neighbourhood Services team. The Officer who is embedded within the MASH unit acts a point of contact for both Social Services and Neighbourhood Services. This post has made officers more alert and aware of adults and children safeguarding issues and needs.

3. Anti-Social Behaviour, Crime and Policing Act 2014

The recently enacted **Anti-Social Behaviour, Crime and Policing Act 2014** has introduced a series of new powers to assist with combatting ASB.

One of the most powerful is the amendment to the Housing Act 1985 in respect of secure tenancies (i.e. as used by Councils), to provide for absolute possession of a property, where ASB or criminal behaviour has already been proved in another court. This enables social landlords to expedite possession proceedings where another court has proven significant anti-social behaviour or criminality in the locality of the property. This is intended to provide better protection and faster relief for those affected and witnesses.

This includes for example, where a Tenant or their visitor is found to be:

- In breach of a Court Undertaking and / or Civil Injunction;
- In Breach of a Court Ordered Criminal Behaviour Order;
- Convicted of Breaching a Noise Abatement Notice;
- Subject to a breach of a Closure Order.

Other powers introduced by the Act include:

Civil injunctions - Social landlords will be able to seek these injunctions which allow the requirement for positive actions, as well as prohibitions, to tackle anti-social behaviour.

To date we have obtained two such injunctions to remedy threats of violence from tenants, the first against another resident and the second against a member of staff.

Criminal behaviour orders - Enabling action against the anti-social behaviour by persons also convicted of criminal activity. These can also require positive action to address the behaviour.

Dispersal powers - This power can be used by the police to remove people from a locality for 48 hours where contributing to or likely to contribute to harassment, alarm or distress, or the occurrence of crime or disorder.

Community protection notices - A notice that can be issued by social landlords and other parties to prevent a person engaging in on-going or persistent anti-social behaviour that is unreasonable and has a detrimental effect on the lives of others in the community.

- We have served two of these notices to date, both on private businesses who have repeatedly blocked public accesses with commercial vehicles.

Closure powers - These enable the local authority or police to close premises for 48 hours (notices) or up to 6 months, and limit or restrict all access, where disorder or nuisance (serious or criminal in the case of an order) is occurring.

- We have successfully obtained two Closure Orders and subsequent Possession of one property following a breach of the order.

Public spaces protections orders - These orders enable local authorities to prevent individuals or groups committing anti-social behaviour in public spaces.

The act also introduced a 'community trigger' (the ability to trigger a review of management of ASB complaints in certain circumstances, including the actions of registered providers) and a community remedy to tackle the effects of low level anti-social

behaviour (by enabling those affected to influence what actions can be required of the perpetrator).

4. Prevention and Diversionary Strategies

When dealing with Council tenancies we take an intelligence led approach to identify hot spots and to target our resources.

We work closely with partner agencies to both prevent and resolve ASB. The Community Engagement Team for example, has arranged a number of events such as Job Clubs, to help reduce unemployment and to provide diversionary projects to prevent ASB such as, the Football Academy and 'Family Boot Camp' schemes.

We also have a dedicated budget to improve the physical environment of estates to help reduce crime such as, improving communal lighting and fencing.

There is also the preventative work under taken by the highly visible Community Warden Service.

5. Monitoring and Benchmarking

a) The local Havering position -

The Key Performance Indicators for Housing Services when dealing with ASB cases are shown in the table below. For information the table summarises all activity in the last financial year 2014-15.

2014-15 Neighbourhood Services ASB KPI Report			
ASB Category	Annual Target 2014-15	Cumulative figures for 2014-15	RAG
Priority 1: Domestic Violence/Cat 1 ASB to be responded to within 24 hours	100%	100% (Total cases: 60)	GREEN
Priority 2: ASB to be responded to within 5 days	90%	81% (757 cases / Out of a total of 971)	AMBER
Number of ASB cases over 90 days old	40	46 cases (Average per month)	AMBER
ASB satisfaction	90%	Case Handling: 92% Case outcome: 92% Victim kept up to date: 92%	GREEN

b) The national perspective -

The table below shows the Borough's performance compared to national averages provided by *Housemark, a leading social landlord Benchmarking organisation.

2013-14 London Borough of Havering - ASB BENCH MARKING WITH HOUSE MARK

TYPE OF ASB	HAVERING FIGURES - 2013/14	HOUSE MARK FIGURES - 2013/14
NOISE	28.60%	33.37%
HARASSMENT /THREATS	11.22%	18.75%
GARDEN NUISANCE	8.51%	7.25%
PETS/ANIMAL	12.04%	6.86%
DRUGS	8.24%	6.22%
COMMUNAL AREAS/LOITERING	17.29%	5.31%
RUBBISH	0.00%	4.50%
VANDALISM	4.07%	3.82%
OTHER CRIMINAL BEHAVIOUR	0.72%	3.67%
DOMESTIC VIOLENCE/ABUSE	3.89%	2.60%
VEHICLES	2.08%	2.09%
ALCOHOL RELATED	1.09%	1.95%
OTHER VIOLENCE	1.18%	1.90%
HATE RELATED INCIDENTS	1.09%	1.45%
PROSTITUTION /SEX	0.00%	0.26%
TOTAL NUMBERS RECORDED	100.00%	100.00%

The data provided reveals that in 2013/14 Havering's reported figures are slightly below the national averages for; Noise complaints and General harassment / threats but above the national averages in the areas of Pet / Animal complaints (predominantly dog complaints in Havering), Drugs, Loitering and Domestic Violence.

The issues relating to pet ownership in Havering are being examined and have been highlighted in the formal review of Havering's Tenancy Terms & Conditions.

*For reference, HouseMark is the leading provider of integrated data analysis and benchmarking to the social housing sector. More than 950 housing organisations are HouseMark members and it is jointly owned by the Chartered Institute of Housing and the National Housing Federation. The 2014-15 data has yet to be made available by HouseMark.

IMPLICATIONS AND RISKS

Financial implications and risks:

- All activity to combat ASB is contained within the Housing services budgets set at for 2015/16.
- All risks associated with this area of work are assessed on a case by case basis.

Legal implications and risks:

- The Council utilises the full range of legal remedies available to combat ASB at all levels.

Human Resources implications and risks:

- None specific.

Equalities implications and risks:

- Vulnerable victims and perpetrators of ASB are supported through referrals to relevant support agencies. The use of the 'Victim Risk Assessment Matrix' helps to identify the level of risk to victims. Neighbourhood Services refers high risk cases needing support to the Council's 'ASB & Hate Crime Panel' for partnership working. We have also introduced both victim and perpetrator vulnerability assessments as part of best practice review recommended by Chartered Institute of Housing.

There has been no significant increase of Hate Crime reported in the past year. However Domestic Violence reports have remained consistent. We continue to work in partnership with the Police, Women's Aid, Victim Support, Probation Services, MARAC, Health and other agencies to ensure our residents are safe and supported.

BACKGROUND PAPERS

- None.