

Part I

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All Wards

WELWYN HATFIELD BOROUGH COUNCIL
CABINET HOUSING PANEL – 30 OCTOBER 2023
REPORT OF THE SERVICE DIRECTOR (RESIDENT AND NEIGHBOURHOOD)

ANTI SOCIAL BEHAVIOUR POLICY

1 Executive Summary

- 1.1 This report recommends the approval and adoption of the updated Anti-Social Behaviour (ASB) Policy set out in Appendix A and an overarching ASB strategy in Appendix B. The policy and strategy apply to all tenants and leaseholders of Welwyn Hatfield Borough Council (WHBC) as well as all residents of and visitors to the Borough.
- 1.2 Under the Crime and Disorder Act 1998, the Council has a statutory duty to work with the Police and other agencies to reduce crime and anti-social behaviour. It is also a statutory requirement for Local Authorities (LA's) to have in place a policy setting out how we will deal with behaviour that adversely impacts our communities.
- 1.3 The draft updated ASB Policy provides guidance on how the council will tackle anti-social behaviour through a framework of prevention, early intervention, support and enforcement.
- 1.4 The updated draft ASB Policy reflects changes to the previous policy in the following areas:
- Updated council branding
 - Review of legislation and regulatory standards
 - Clarification on what is considered ASB with response times to investigate
 - Minor amendments
- 1.5 The draft ASB Strategy 2023-2025 is shown at Appendix B.

2 Recommendation(s)

- 2.1 Members recommend to Cabinet the adoption of the updated ASB Policy (as set out at Appendix A).
- 2.2 Members recommend to Cabinet the adoption of the updated ASB Strategy 2023-2025 (as set out at Appendix B).

3 Explanation

- 3.1 The current ASB Policy was approved in 2019 is due for revision.
- 3.2 The Council is a key partner in the Community Safety Partnership, which has four key priorities via a published annual action plan:

- Help people to feel safe within their homes & local community
- Safeguard vulnerable people
- Support and protect victims of domestic abuse and prevent future harm
- Working in partnership to prevent and tackle serious violence

- 3.3 The updated ASB Policy (Appendix A) underpins how the draft ASB Strategy 2023/2025 (Appendix B) will be delivered operationally and aligns to the four themes within the Community Safety Partnership Action Plan.
- 3.4 The updated ASB Policy sets out what the Council considers to be ASB with reference to legislation, what powers we have available to prevent ASB from occurring and what action we can take when it does occur.
- 3.5 The updated ASB Policy provides for a consistent and proportionate response to all behaviour we define as being anti-social.
- 3.6 The updated ASB Policy is clear on the councils' commitment to delivering a preventative and harm centred approach to tackling ASB.

Implications

4 Legal Implication(s)

- 4.1 Under the Crime and Disorder Act 1998 (as amended), district councils have a duty to plan jointly with other named responsible authorities to prevent and tackle crime, anti-social behaviour and the misuse of drugs. The responsible authorities (including Police, Hertfordshire County Council, National Probation Service, Clinical Commissioning Groups and the Fire and Rescue Service) form the Community Safety Partnership.
- 4.2 To comply with legislation, the Council must have a clear policy, across all service areas of enforcement to enable it to take proportionate preventative, supportive, and/or robust action in order to tackle the problems ASB causes within and to the community.
- 4.3 The subject of this report is also linked to the regulatory Neighbourhood and Community Standard published by the Regulator of Social Housing which covers our service to council tenants. The Neighbourhood and Community Standard sets out clear expectations for the ASB service. This includes matters such as publishing a policy on how providers work with relevant partners to prevent and tackle anti-social behaviour, easy reporting by tenants of ASB, our response to and decisive action on ASB using a range of enforcement tools, signposting and support for victims and witnesses. The Neighbourhood and Community Standard is currently under review and consultation by the Regulator for Social Housing.

5 Financial Implications

- 5.1 There are no new or additional financial implications arising from the revised ASB policy and the draft ASB strategy. The costs of providing the ASB service is met from existing budgets.

5.2 However, failure to manage anti-social behaviour effectively can lead to increased costs to the Council due to void loss in Council housing, damage to property, financial redress via the Housing Ombudsman.

6 Risk Management Implications

6.1 The risks related to this proposal are:

- Failure to manage anti-social behaviour within our communities presents a high reputational risk to the council and possible financial risk as outlined in paragraph 5.2 above. This is significantly mitigated by having a robust policy and procedure in place.

7 Security and Terrorism Implication(s)

7.5 There are no implications arising from this strategy. The ASB team receive training for the identification and quick response to issues of security and terrorism.

7.6 A number of actions will support the prevention of terrorism and information sharing will take place via Channel Panel to act quickly where radicalisation or risk is identified.

8 Procurement Implication(s)

8.1 There are no procurement implications arising from this revised policy and draft strategy.

9 Climate Change Implication(s)

9.1 There are no climate change implications arising from this revised policy and draft strategy.

10 Human Resources Implication(s)

10.1 There are no human resources implications arising from this revised policy and draft strategy.

11 Health and Wellbeing Implication(s)

11.1 ASB can have a significant impact on the health and wellbeing of victims, their families and the community. The ASB Policy sets out a harm centred and victim first approach to have a positive impact on health and wellbeing of residents and visitors to WHBC.

11.2 The policy is clear about safeguarding vulnerable groups as well as dealing robustly with issues such as Hate Crime and Domestic Abuse

12 Communication and Engagement Implication(s)

12.1 The ASB policy and strategy will be published on the Council's website. The Policy and strategy communicates to the public what they can expect from how we will deal with reports of ASB, how the services can be accessed and timescales for response.

13 Link to Corporate Priorities

13.1 The subject of this report is linked to the Council's Corporate Priorities:

- Evolving, vibrant town centres and a growing economy
- A sense of community where people feel safe

14 Equality and Diversity

14.1 An EqIA has been undertaken in relation to the updated ASB policy. The EqIA is in Appendix C.

14.2 There is the potential for negative impacts because we may have to take action against vulnerable groups perpetrating ASB such as those under the age of 18 and those with mental health problems. However, it is considered these impacts are justified on the grounds that each case will be risk assessed and the proportionality of any action will be measured and recorded to identify any mitigating circumstances or support needs.

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Appendices to be listed:

Appendix A – Draft updated Anti-Social Behaviour Policy

Appendix B - Draft Anti-social Behaviour Strategy

Appendix C – EqIA ASB Policy