

# Anti-Social Behaviour Policy Annual Review 2023/2024

Health and Housing Scrutiny Committee  
28 August 2024



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Borough Council

# Anti-Social Behaviour Policy Annual Review

The Anti-Social Behaviour (ASB) Policy was approved by Health & Housing Scrutiny and Cabinet in 2022 to ensure Housing Services effectively deal with ASB and hate incidents in the areas where we own social housing.



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# Anti-Social Behaviour Policy Annual Review

The policy, combined with the Tenancy Agreement strike a balance between:

- **Prevention** – This is key to building strong and safe communities and ensuring that we allocate our properties appropriately.
- **Early intervention & Support**- The team use all available tools to help to resolve neighbour issues before they escalate to legal action such as:
  - Mediation.
  - Facilitated conversations.
  - Advice and signposting to appropriate agencies such as Police.
  - Support.
- **Enforcement** - This ranges from tenancy breach letters to repossession of tenants homes.



# Anti-Social Behaviour Policy Annual Review

## Policy aims

- To re-enforce Housing Services zero tolerance approach to housing related nuisance and anti-social behaviour in Council properties.
- To ensure Council tenants feel safe in their homes and communities.
- To ensure that Council tenants are aware of the actions we can take to resolve issues.
- To ensure Council tenants are fully aware of their responsibilities around their behaviour and that of their visitors.
- To ensure Housing Services meet the regulatory standards relating to the Neighbourhood and Community Involvement Standard.
- To promote and enhance Housing Services partnership working with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where we own homes.





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New regulatory requirements were introduced on 1<sup>st</sup> April 2024 through the Neighbourhood and Community Standard. In relation to Anti-social behaviour and the incidents, the specific expectations are:

- We must have a policy on how we will work with relevant organisations to deter and tackle ASB in the neighbourhoods where we provide social housing.
- We must clearly set out our approach for how we deter, and tackle hate incidents in neighbourhoods where we provide social housing.
- We must enable ASB and hate incidents to be reported easily and keep tenants informed about the progress of their case.
- We must provide prompt and appropriate action in response to ASB and hate incidents, having regard to the full range of tools and legal powers available to us.
- We must support tenants who are affected by ASB and hate incidents, including signposting them to agencies who can give them appropriate support and assistance.



Our policy and internal processes will help us to ensure that we meet these standards.



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## Support

We recognise that both victims and perpetrators require support, and this can resolve issues rather than using enforcement action and a tenant becoming homeless.

Community Peer Mentors have supported people across Darlington and County Durham since 2017 and are one of the support agencies that we regularly refer tenants to. They provide support to anyone, and their aims include:

- Empowering change.
- Reducing vulnerability.
- Providing a voice for the unheard for anyone across County Durham and Darlington.

Mentors are volunteers from local communities and offer unique support to both victims and perpetrators to help them feel safer and inspire confidence.



Community  
Peer Mentors



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# Anti-Social Behaviour Policy Annual Review

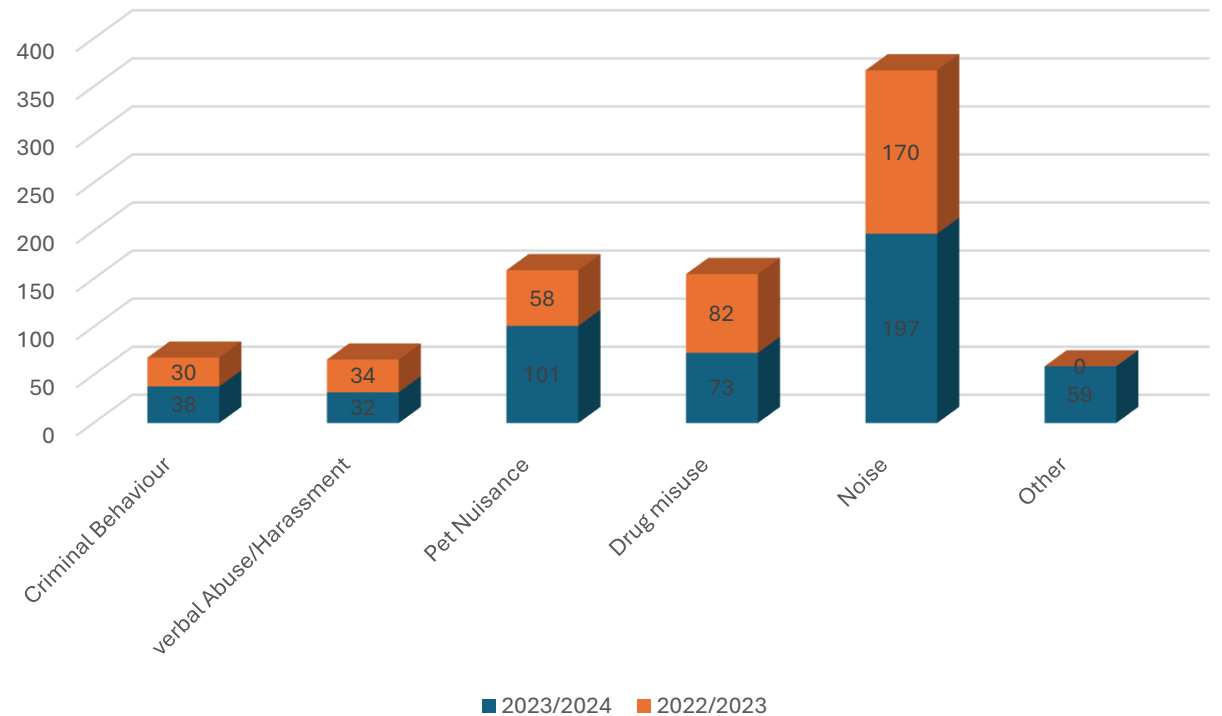
## Performance

In 2023/24 500 cases involving Council tenants were opened. this was a slight increase from 444 in 2022/2023.

The 3 main themes were:

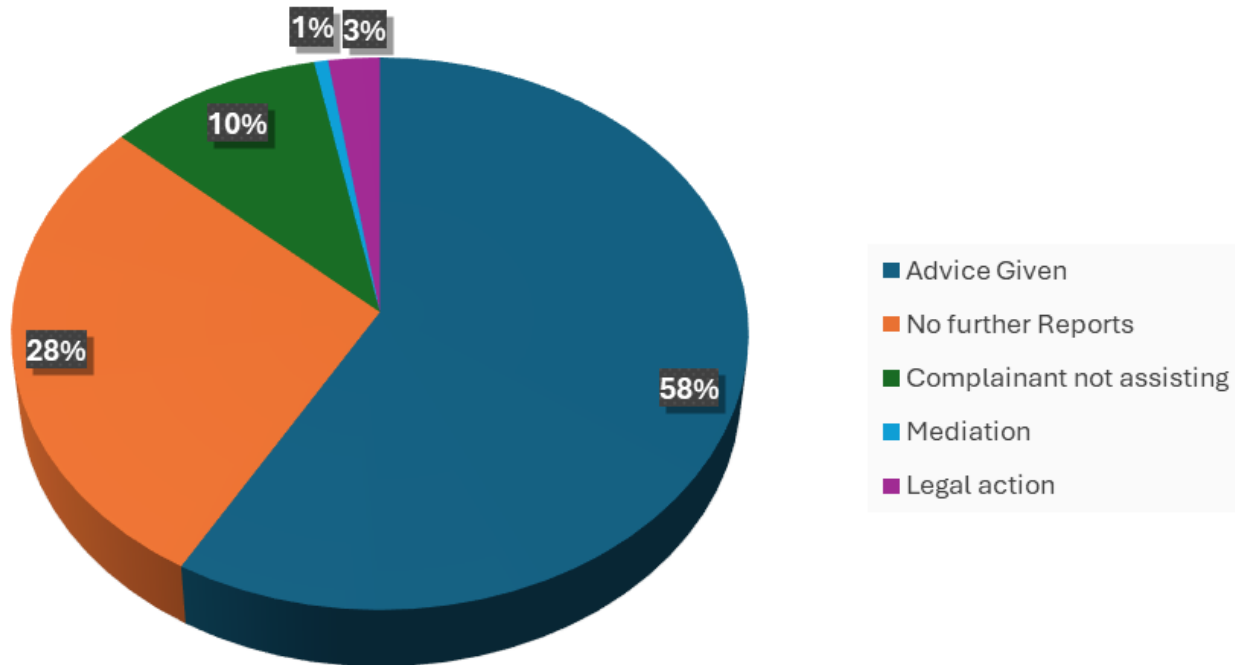
- Noise.
- Drug misuse.
- Pet nuisance.

Main reasons for ASB complaints 2023/2024



# Anti-Social Behaviour Policy Annual Review

## Case Closure Reasons 2023/2024



## Performance

Case closure reasons were:

- Advice given – 58%
- No further reports – 28%
- Complainants not assisting with investigation – 10%
- Legal action – 3%
- Mediation – 1%





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## Enforcement

Enforcement action is only one of the tools available to us when dealing with anti-social behaviour. It can take a significant period to collect evidence and to be granted a court date and the decision to evict a tenant sits with the Courts and not Housing Services.

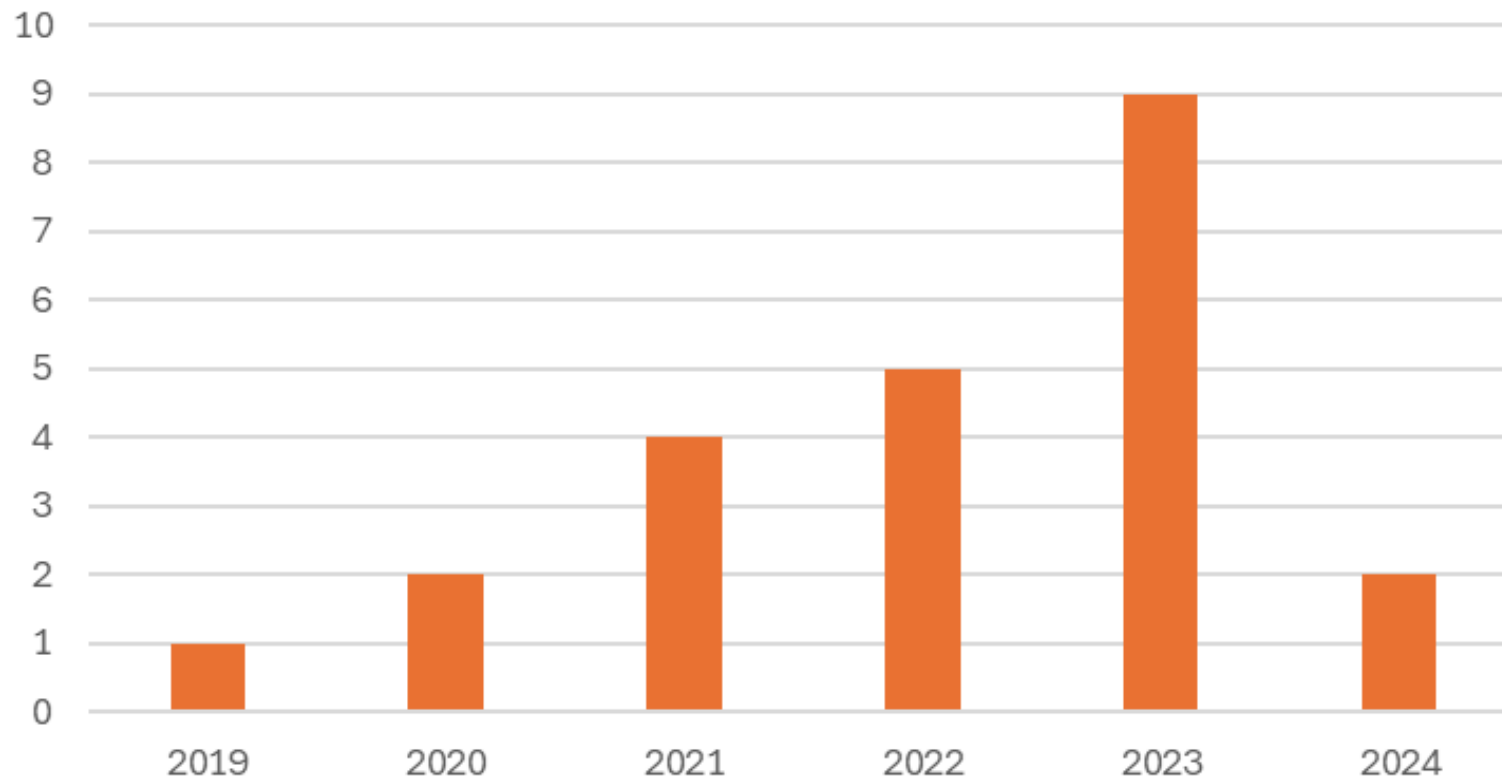
Prior to any court action will take advice from legal services and consider:

- Is there sufficient evidence and witness statements to support the legal application?
- The likelihood of gaining an order at court.
- Do any of the victims or perpetrators have any vulnerabilities?
- The impact on victims and the perpetrator.
- Is there any alternative to court action that may avoid someone losing their home and becoming homeless.
- Can support agencies assist to resolve issues.



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Number of Evictions Due to ASB per calendar year



Statistics show that since introducing the policy in 2022 that Housing Services have taken significantly more enforcement action than previous calendar years, helping to reduce the impact on victims.



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## Tenancy Enforcement Action in 2023/2024

- In 2023/2024 we successfully applied and were granted by the Courts, 5 possession orders on tenancies which has resulted in the tenant losing their home through a court eviction. Giving a clear example to tenants that we do not tolerate ASB and criminal behaviour in our properties and will take action when evidentially possible.
- The reasons for repossession included a mix of the following:
  - Ongoing and excessive noise despite interventions.
  - Drug misuse and drug dealing from the property.
  - Harboursing known criminals in a property.
  - Threats to Housing staff.
  - Alcohol related ASB including noise, threats and abusive language to neighbours when intoxicated.
  - Criminal violence including use of a weapon.
  - Failure to reside in the property as their sole and only residence.
  - Criminal activity.



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## Tenancy Enforcement Action in 2023/2024 (cont)

Re-possession is not the only tool that we can use against those tenants that cause ASB and breach the terms of their tenancy agreement.

Examples of other interventions include:

- ASB injunctions – 3 injunctions were awarded against Council tenants, all of which had the power of arrest attached should the tenant breach the injunction and evidence supported the breach.
- Suspended possession orders against tenancies – 3 injunction orders were awarded to us by the Courts meaning that any further legal action such as eviction is suspended as long as the tenant adheres to the terms of the tenancy agreement.
- Several Introductory tenants had their tenancy extended, effectively extending their probationary period and meaning that should they fail to meet the terms of the tenancy agreement Courts would give an immediate possession order.



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## Tenancy Enforcement Action in 2023/2024 (cont)

- 6 Closure Orders were also granted against tenants involved in criminal activity or ASB in 2023/24.
- These orders mean that no one (including Housing Services) can enter a premises for a set period of time.
- The courts must be assured that the tenant has engaged in disorder, ASB or criminal behaviour in the premises or that it may occur if the order is not made.
- Breach of a closure order without reasonable excuse is a criminal offence punishable with imprisonment and/or a fine.
- During that time period Housing Officers can apply for a possession order to legally end the tenancy.
- All 6 closure orders related to serious criminal activity and ASB and were supported with Police evidence as well as neighbour evidence.





# Anti-Social Behaviour Policy Annual Review

## Tenancy Enforcement Action in 2023/2024 (cont)

Enforcement action can also be taken to assist in the safeguarding of tenants.

Case example: ASB Injunction with power of arrest

- *Tenancy Enforcement Officers obtained an ASB Injunction with power of arrest against a Council tenant who had been financially abusing another DBC tenant.*
- *This order meant the tenant was not allowed to make contact with their victim and if they did so they risked being arrested and potentially imprisoned for breach of injunction.*
- *The order reinforced that we will not tolerate anti-social behaviour and ensures our actions are victim centred, making sure we safeguard our tenants, to feel safe in their homes and communities.*



# Anti-Social Behaviour Policy Annual Review

## Multi-agency working

- Complainants are key when gathering evidence and without their input and statements we cannot take court action. We appreciate this can be a slow process but without evidence we cannot take action.
- Where criminal behaviour forms part of the complaint we also rely upon the Police to take criminal action which we can use as solid evidence to take action against a tenancy.
- We also work closely with colleagues in Civic Enforcement, Probation and the Community Peer Mentors to help resolve issues and ASB within our communities.
- This multi-agency working allowed us to take action on 2 tenancies due to misuse of off-road bikes in Darlington.



# Anti-Social Behaviour Policy Annual Review

## What have we done in the last 12 months?

- Produced new CCTV and Smart Doorbells leaflet for tenants following several complaints and queries from residents over their use in Council housing and communal gardens.
- Produced a service standard for tenants to assist them to know what to expect from Housing Services when they report ASB or hate incidents to us.
- Introduced a new online feedback form so tenants can give us feedback and suggest improvements in the investigation process.
- Continued to build effective relationships with communities and agencies to ensure effective resolutions for ASB.
- Reviewed all procedures to ensure that they meet the new Regulator of Social Housing consumer standards.
- Increased Tenancy Enforcement Officers attendance at events to build relationships with tenants and increase ability to report issues.



# Anti-Social Behaviour Policy Annual Review

## The next 12 months

We will:

- Continue to build effective relationships with communities and agencies to ensure effective resolutions for ASB.
- Continue to ensure that our procedures meet the new Regulator of Social Housing consumer standards.
- Embrace continuous learning from feedback, complaints, compliments and good practice.
- Introduce body-cams for Tenancy Enforcement Officers to assist with evidence collection, to build tenant confidence and reassure that appropriate safeguards are in place.
- Develop and improve ASB scrutiny within the Tenants Panel to assist us to look for areas of improvement and involve our tenants in decision-making.
- Improve our feedback to tenants through social media, Housing Connect and webpages on how we have improved, areas of success, what actions we have taken and how tenants can easily report ASB to us.





Any questions?



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