

To: City Executive Board

Date: 3 July 2014

Report of: Head of Environmental Development

Title of Report: Anti-social Behaviour Policy in the light of the Anti-social Behaviour, Crime and Policing Act 2014

Summary and Recommendations

Purpose: This report presents a revised Anti-Social Behaviour Policy for approval.

Report Approved by:

Finance: Paul Swaffield

Legal: Jeremy Franklin

Board Member: Councillors Dee Sinclair, Board Member for Crime and Community Response & Pat Kennedy, Board Member for Educational Attainment and Youth Ambition

Policy Framework: Strong, Active Communities; Cleaner, Greener Oxford;

Recommendation: That the City Executive Board approve the revised Anti-Social Behaviour Policy

Appendices

Appendix 1: Oxford City Council Anti-Social Behaviour Policy

Appendix 2: Oxford City Council Anti-Social Behaviour Procedures

Introduction

1. Oxford City Council is committed to tackling all forms of anti-social behaviour. Its responsibilities are integral to its role as a housing provider, environmental champion and lead partner for the Oxford Community Safety Partnership; the Crime and Disorder Act 1998 places a legal duty on the council to work in partnership to tackle the city's crime and disorder priorities.
2. Oxford City Council's existing Anti-social Behaviour Policy for Tenants and Leaseholders 2008 set out the policy guidelines for dealing with neighbourhood nuisance and other forms of anti-social behaviour. The delivery of anti-social behaviour interventions by council teams to non-Council tenants requires the policy to be revised to reflect the duty to investigate anti-social behaviour in all tenures.
3. In addition, changes to powers and tools under the Anti-social Behaviour, Crime and Policing Act 2014 require that local authorities amend the way in which they tackle and prevent anti-social behaviour.

4. This report sets out those legislative changes and proposes the local response.

Background

5. Oxford City Council has 15 years' experience of tackling anti-social behaviour, preventing crime, making our communities safer and the environment cleaner. The revised Anti-Social Behaviour Policy defines our approach to addressing anti-social behaviour and is supported by our Anti-social Behaviour Service Procedures.
6. The Crime and Disorder Act 1998 strengthened the council's powers to tackle anti-social behaviour through the introduction of the Anti-social Behaviour Order and Drug House Closure Order. The act also created separate offences for crimes aggravated by a victim's race or religion.
7. Housing providers already had a number of powers to deal with tenants who behave in an anti-social manner, including the Anti-Social Behaviour Injunction introduced by the Housing Act 1996.
8. The Clean Neighbourhoods and Environmental Act 2004 and Violent Crime Act 2006 introduced further interventions that local authorities and other partners could apply to tackle environmental crime and alcohol-related anti-social behaviour.

Consultation approach

9. During summer 2013 Oxford City Council's Housing and Property Services conducted a consultation exercise with our tenants and leaseholders to develop a "local offer" for housing services. This process has been used to determine the service standards and approach tenants and residents feel the council should adopt in relation to tackling anti-social behaviour.
10. An ASB Champions group made up of representatives from Oxford City Council's tenants and leaseholders will help monitor the service. They will play an important role in reviewing the performance of the local offer, become actively engaged in helping to prevent anti-social behaviour and assist in new areas of development for the service.
11. The results of this consultation have been incorporated into the revised Anti-Social Behaviour Policy.

Overview of the policy

12. The policy sets out the council's responsibilities as a landlord, environmental protection champion and lead member of the community safety partnership.
13. The policy defines what is, and what is not, considered to be anti-social behaviour and sets service standards for each category. Categorisation is decided using a case-by-case risk assessment.
14. The policy describes the five core principles that underpin the council's commitment to tackling anti-social behaviour, and activities that support these principles. The principles are:
 - a) No one should have to suffer from anti-social behaviour.
 - b) Reports of anti-social behaviour will be treated seriously and dealt with professionally.

- c) Anti-social behaviour will be addressed firmly, fairly and proportionately.
- d) We will work with partners in order to deliver an effective, value for money ASB service across our communities.
- e) We will deliver high quality customer service.

15. The policy includes reference to Oxford City Council's Compliments, Complaints and Comments process for customers who wish to provide feedback on the service they have received.

Review of the policy

16. The policy will be reviewed on a three-year cycle.

Financial Implications

17. All financial implications regarding this matter are covered within existing budgets.

Legal Implications

18. The policy assists in fulfilling our duties under Section 17, Crime and Disorder Act 1998 which "without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area."

19. The policy fulfils the council's duty under Section 218A, Housing Act 1996, as amended by the Anti-social Behaviour Act 2003, requiring local authority housing providers to formulate and publish anti-social behaviour policies and procedures.

20. The proposed policy reflects the requirements of the Anti-social Behaviour, Crime and Policing Act 2014.

Environmental Implications

21. The policy makes a clear statement on the council's approach to tackling environmental crimes through the use of the powers available to it. The implementation of this policy does not have any negative impact upon the environment.

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Background Papers:

None

