

Lichfield District Council

Anti-social behaviour policy



1. Introduction

Anti-Social Behaviour (ASB) can mean different things to different people. It can have a detrimental effect on people's quality of life and our environment through activities such as vandalism and graffiti.

The Lichfield District Community Safety Partnership, in particular Lichfield District Council, Staffordshire Police and our local social landlords, are committed to tackling ASB and have a full range of powers to deal with such problems.

We have made some considerable progress over the recent years by working together to tackle ASB and are committed to continue with this progress.

This policy explains what members of our community can expect from us in tackling ASB and how you can work with us to solve problems you may be experiencing in your neighbourhood.

2. Anti-social behaviour definition

Anti-social behaviour is:

- Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person
- Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises
- Conduct capable of causing housing-related nuisance or annoyance to any person.

Anti-social behaviour includes:

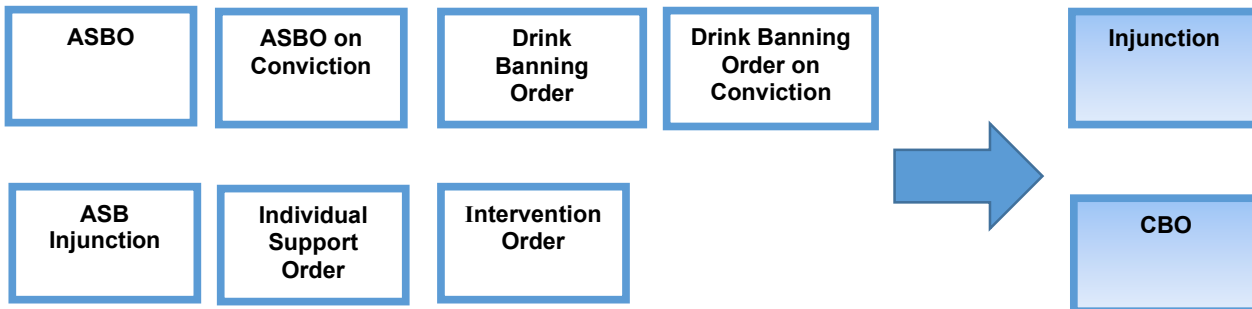
- Nuisance neighbours
- Rowdy and inconsiderate behaviour
- Vehicle nuisance
- People dumping rubbish / littering
- Begging and anti social drinking
- Fly posting and Graffiti
- Noise
- Hate Crime
- Hoax calls

Find out what is not ASB: [Anti-social behaviour support – What is not ASB](#)

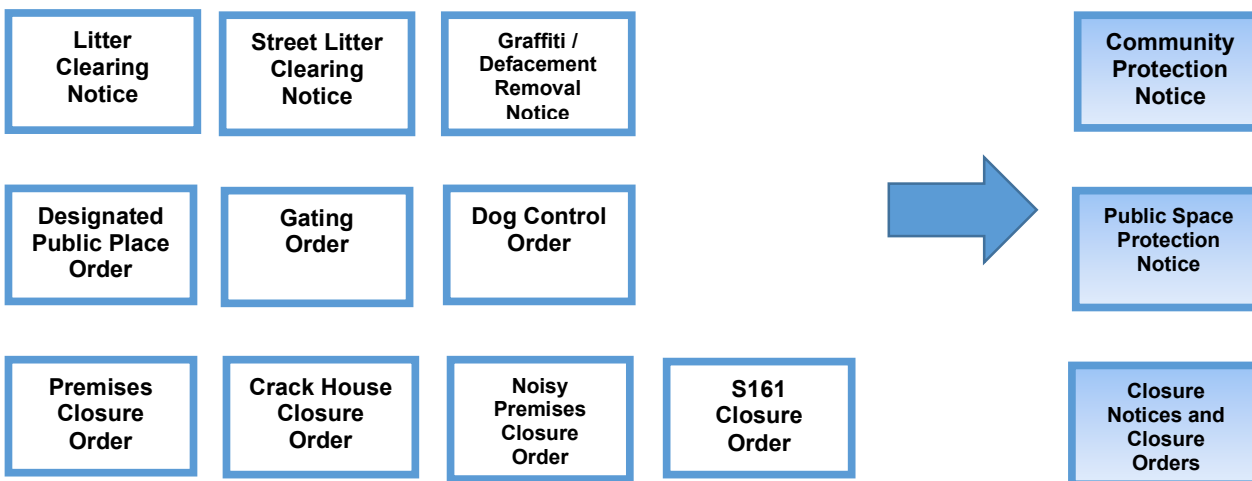
3. Anti-social behaviour legislation

On 20 October 2014 the **Anti-Social Behaviour, Crime and Policing Act 2014: Reform of Anti-Social Powers** was introduced. This legislation streamlined 19 tools and powers into six, as shown below.

People



Places



Police Powers



4. The six tools

1. An injunction

Civil injunctions are available through the county court for adults and youth courts for 10-to-17-year-olds. The main difference to the anti-social behaviour injunction is that it is available to a wider range of agencies including local councils, social landlords and the police.

The aim is to enable these agencies to deal quickly with anti-social individuals, nipping problems in the bud, before they escalate. Breach of an injunction is not a criminal offence, but it can result in an unlimited fine and up to two years in prison (if over 18), or a supervision order or a civil detention order of up to three months if aged between 14 and 17 years old.

2. Criminal Behaviour Orders (CBO)

ASBO's were replaced by Criminal Behaviour Orders which will be issued through the courts to convicted offenders. Issued by a criminal court to a person convicted of an offence to tackle the most persistently anti-social behaviour individuals who are engaged in criminal activity. The anti-social behaviour does not need to be part of the criminal offence.

3. Community Protection Notices (CPN)

The purpose of a CPN is to stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life, for example graffiti, noise nuisance or littering. The police, local councils and social landlords can issue a Community Protection Notice.

4. Public Space Protection Order (PSPO)

These are designed to stop individuals or groups committing anti-social behaviour such as drinking alcohol and noise nuisance in a public place such as a park, alleyway or communal area. The local council can issue the PSPO which will put restrictions on the area where behaviour has, or is likely, to have a detrimental effect on the local community.

5. Closure notices and closure orders

The purpose of this is to enable the police or council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder. A closure notice is issued out of court and can close premises for up to 48 hours but cannot stop the owner or those that live there from accessing the premises. However, a closure order can close premises for up to six months and restrict all access. A breach of either a closure order or notice is a criminal offence.

6. Dispersal powers

This power enables the police to require a person committing or likely to commit anti-social behaviour, crime or disorder to leave an area for up to 48 hours because their behaviour is contributing or likely to contribute to members of the public in the area being harassed, alarmed or distressed. Anyone who is, or appears to be, over the age of 10 can be given the direction to leave and a breach of the order is a criminal offence.

In addition, the Act also introduces two measures that enable the public to have a greater say in how anti-social behaviour is tackled:

1. Community remedy

A community remedy gives victims a say in the out of court punishment of perpetrators for low level crime and anti-social behaviour. The Act places a duty on the Police & Crime Commissioner to consult with members of the public and community representatives on what punitive, reparative or rehabilitative actions they would consider to be in the community remedy document. The document will contain a list of actions which may be chosen by the victim for the perpetrator to undertake in consequence of their behaviour or offending.

2. Case review (previously known as community trigger)

A case review is to provide additional accountability. It gives victims and communities the right to request a review of a case and bring agencies together who have been involved in a case to ensure that they have done everything they can to resolve the issue. However, for a review to take place it needs to be formally requested via Staffordshire Police, and the below threshold must be met:

- Three separate incidents have been reported to either the local authority, police or housing provider within the preceding six months and the antisocial behaviour persists.
- At least one of the antisocial behaviour incidents are within 30 days of the request taking place.

The complaint will be logged by police who will notify the relevant services that it involves. Lichfield District Council's community safety team will then, once it has been agreed that the threshold criteria is met, will arrange the case review panel.

Partner agencies will meet, any action undertaken is reviewed and any future actions are agreed upon. The activator of the review will be offered an opportunity to attend the panel at an allotted time, or if they cannot attend in person, they can choose to provide a written submission for discussion.

Once the panel have concluded the review they will be informed of the outcome by letter including any actions that have been decided upon and any timescales agreed.

The case review encourages a problem-solving approach and aims to deal with the most persistent, complex cases of anti-social behaviour.

A victim of anti-social behaviour or another person acting on behalf of the victim such as a family member, carer, local Councillor etc. can use the ASB case review.

The victim can be an individual, business or community group.

5. A partnership approach

By working together, we will ensure that:

- All victims and witnesses are treated fairly with dignity and respect with all instances of anti-social behaviour taken seriously, applying a multi-agency problem solving solution where appropriate.
- Victims and witnesses will be dealt with sympathetically and treated in confidence.
- Victims and witnesses who suffer an identified series of anti-social behaviour incidents are fully supported and kept informed of agencies progress and their actions if the victim requests it.
- Relevant agencies share information and intelligence through problem solving meetings, and partnership **vulnerability hub** meetings to identify anti-social behaviour hotspot locations, perpetrators and affected parties and respond purposefully and swiftly to such intelligence.
- Communities will be kept informed through different channels of communication about what is happening within their neighbourhoods as appropriate to tackle anti-social behaviour.
- Victims have the right of complaint to the Community Safety Partnership through existing channels if agencies have failed to act to curb an ongoing series of anti-social behaviour directed towards an individual or individuals and the matter cannot be resolved through the individual agencies' normal complaints procedure. They also have the option of using the ASB case review if it is applicable to their complaint – see section 10.

Vulnerability hub regular attendees are:

- Lichfield District Council – environmental health, housing and community safety
- Staffordshire Police
- Staffordshire Fire and Rescue
- Staffordshire County Council – adult and children's services
- Victim Support
- NHS
- Betterway Recovery
- Bromford
- Walsall Housing Group (WHG)
- Platform Housing
- Advanced Housing

6. Our approach

We will continue to work with our partners through the fortnightly hub meetings which are attended by a wide range of agencies, problem solving meetings, the community safety partnership delivery group, policing priority meetings, and any professional meetings where appropriate. At this meeting any issues relating to ASB (and other crime trends) are discussed and a joint approach to tackling these problems is decided upon.

We will keep residents informed of our progress in tackling anti-social behaviour by reports to the local press, local newsletters and the use of websites and social media channels.

We will ensure victims and witnesses receive appropriate support and ensure that partners are working together to provide that support with particular emphasis on repeat victims.

Victim Support offers the ASB Harmony service which can offer:

- Emotional support, e.g. coping with the after-effects of crime
- Practical help, e.g. getting locks changed or help filling in forms for insurance and compensation
- Advice on dealing with the police and other agencies
- Information and support if you go to court as a witness
- Mediation service
- Advocacy service

[Harmony ASB support service, Staffordshire and Stoke-on-Trent - Victim Support](#)

7. Our tools

Lichfield District Council's community safety team can use a range of methods to combat anti-social behaviour.

- **Verbal warning** - When issuing a verbal warning the police, council or housing officer should make clear to the individual what behaviour is causing the issue and what effect this is having on the victim or community and the consequences of the non-compliance explained clearly.
- **Written warnings** - As with a verbal warning, a written warning should contain specifics about what behaviour has occurred and why this is not acceptable, including the impact on any victims or the local community. Local agencies should alert each other that the warning has been given so that it can be effectively monitored. Each agency must keep a record of all verbal and written warnings that are given.
- **Injunctions** - These are available through the County Court for adults and Youth Courts for 10-to-17-year olds. These orders will allow the Police, local councils and social landlords to deal quickly with anti-social individuals, nipping behaviour in the bud before it escalates.
- **Community Protection Notices (CPN)** - The purpose of this is to stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life, for example graffiti, noise nuisance or littering. These must only be issued if a written warning or CPW has been issued first.

- **Public Space Protection Order (PSPO)** - These are designed to stop individuals or groups committing anti-social behaviour such as drinking alcohol and noise nuisance in a public place such as a park, alleyway or communal area.
- **Closure Notices and Closure Orders** - To enable the police or council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder.
- **Fixed Penalty Notices (FPNs)** - For example, breaching of a CPN or PSPO.

8. How to report ASB

If you live in a rented property, you should initially report incidents to your landlord or housing association.

Incidents of anti-social behaviour can be reported to:

- The police via 101, or on their website: [Report a crime](#)
- Community safety team at Lichfield District Council online at: [Anti-social behaviour support](#) or email community.safety@lichfielddc.gov.uk or call 01543 308777.

We also recommend you speak to your local neighbourhood policing team about what's happening in your area. They can provide support and advice and help you tackle the problem.

9. What to expect when you make a report

When you report anti-social behaviour to our community safety team, we will take your details and record what has happened in an incident report.

We will then appoint an officer to deal with the incident - he or she will contact you and make arrangements to visit you unless you request not to be visited. All incidents will be treated with strict confidentiality.

We will then liaise with other agencies to ensure your complaint is dealt with speedily, efficiently and with the minimum amount of disruption to you and your family.

10. How to complain

Staffordshire Police

If you have reported anti-social behaviour to Staffordshire Police and you are unhappy with the outcome, you can complain to them by calling 101 or on the [Staffordshire police website](#)

Lichfield District Council

If you have reported anti-social behaviour to Lichfield District Council, but do not feel that action has been taken, please [email us](#) in the first instance to see if we can put it right. You can also call us on [01543 308777](#), or [submit a complaint online](#),

Registered social landlords and housing associations

If you have reported anti-social behaviour to a Registered Social Landlord or Housing Association, but do not feel that action has been taken you should complain directly to them following their complaint procedure.

ASB case review

If you and your neighbours are experiencing an ongoing issue that you feel has not been dealt with appropriately, you may be able to submit a anti-social behaviour case review request.

An anti-social behaviour case review (formally a community trigger) is a process that requires the [community safety partnership](#) to review responses to incidents of anti-social behaviour.

An anti-social behaviour case review can be requested by:

- Groups of people (at least five individuals) in the local community who have separately reported similar incidents, where they all feel dissatisfied with the action taken and all agree that they want to raise the anti-social behaviour case review.
- Individuals who have experienced at least three reported incidents of related ASB in the last six months.

Each of the incidents needs to have been reported to a relevant agency, such as the police, council or housing association within one month of them taking place, and an anti-social behaviour case review must be requested within six months of the latest incident.

Staffordshire Police are the single point of contact for the anti-social behaviour case review process.

To submit an anti-social behaviour case review request call 101 or on the [Staffordshire police website](#). You will need to provide them with your contact details, details of the incidents you have reported and the dates you reported them.

11. Delivering equality

The council is committed to developing and delivering services in a way that ensures it treats people fairly and promotes equality of opportunity and social cohesion within the wider community.

This policy aims to give the fairest outcomes to everyone regardless of race, gender reassignment, age, disability, pregnancy and maternity, religion or belief, sex or sexual orientation, marital or civil partnerships status and/or disability.

This policy has been subject to an Equality Impact Assessment to ensure that there is no discrimination in the way that it has been designed, developed or how it will be delivered and that, wherever possible, equality is promoted.

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