

North East Derbyshire District Council

Cabinet

29 July 2021

Rykneld Homes Anti-Social Behaviour Policy

**Report of the Councillor A Powell, Portfolio Holder for Housing, Communities
and Communications**

Classification: This report is public

Report By: Karl Apps

Contact Officer: Di Parker

PURPOSE / SUMMARY

The Council, as a landlord, is required by section 218A of the Housing Act 1996 to publish policies and procedures for dealing with anti-social behaviour (ASB). Rykneld Homes Limited has procedures in place to tackle ASB occurring in Council owned properties and their neighbourhoods. The Anti-social Behaviour Policy is designed to inform the public of how to report incidents and how Rykneld Homes Limited, on behalf of the Council, handles and responds to these issues.

RECOMMENDATIONS

1. To seek Cabinet approval and adopt the final draft of Rykneld Homes Limited Anti-Social Behaviour Policy on behalf of the Council

Approved by the Portfolio Holder - yes

IMPLICATIONS

Finance and Risk: Yes ☐ No ☒

Details:

The Anti-Social Behaviour Policy does not pose any additional financial risk. Each case will be assessed and dealt with in accordance to procedures already in place and in line with the legislative framework.

On Behalf of the Section 151 Officer

Legal (including Data Protection):

Yes ☒

No ☐

Details:

The Anti-Social Behaviour Policy is developed within a legislative framework and reflects national statutory guidance and wider local policies and initiatives. Data protection will be in conjunction with Rykneld Homes Limited procedures and will be compliant with legislation, including data protection laws.

On Behalf of the Solicitor to the Council

Staffing:

Yes ☐

No ☒

Details:

The delivery of the policy will be facilitated by existing Rykneld Homes Limited employees and supported by the Council and external partner organisations.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	Yes - indirectly
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/>	Yes Details: Click here to enter text.

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

[Click here to enter text.](#)

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 All social housing landlords have a duty to publish policies and procedures to help them deal with reports of anti-social behaviour and have a number of powers at their disposal. These powers are contained in the 1996 Housing Act; the 2003 Anti-Social Behaviour Act; and the 2004 Housing Act. As well as the new provisions in the Anti-Social Behaviour, Crime and Policing Act 2014.
- 1.2 The Policy will comply with legislative guidance and will ensure customers are aware of the measures in place to tackle anti-social behaviour and how they can report incidents.
- 1.3 The policy also highlights the on-going preventative work and work with partner organisations on anti-social behaviour issues.

2. **Details of Proposal or Information**

- 2.1 The Anti-Social Behaviour and Crime Act 2014 definition of ASB is:
 - a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person;
 - b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; or
 - c) Conduct capable of causing housing-related nuisance or annoyance to any person.

The Council and Rykneld Homes Limited takes incidents of Anti-Social Behaviour seriously and places a high priority on acting quickly and supporting people through what can be a worrying and stressful experience. We want customers to feel confident reporting problems and satisfied with the service they receive.
- 2.2 Anti-social behaviour incidents can range in severity therefore the appropriate action taken will depend on the circumstances of the individual case, some of these measures are highlighted in the policy and range from mediation to legal action.
- 2.3 Rykneld Homes Limited deliver a range of preventative measures, including Diversionary Activities working with young people. They hold community events that educate and engage communities and provide involvement opportunities. Working with a wide range of partner organisations/agencies is

essential in tackling and preventing anti-social behaviour including working with Police, Community Safety Partnership and other agencies where necessary to prevent and resolve matters as soon as possible.

- 2.4 The Policy will reassure victims of anti-social behaviour, anyone reporting incidents and witnesses that Ryknald Homes Limited will provide support through every stage of the process and can also provide alternative safety measures, for example additional security for their home.

3 Reasons for Recommendation

- 3.1 The Policy complies with legislation and provides a framework for tackling and preventing anti-social behaviour.
- 3.2 The Policy creates awareness of anti-social behaviour and provides the reporting procedures.
- 3.3 The Policy demonstrates a partnership approach to tackle and prevent anti-social behaviour in our communities.

4 Alternative Options and Reasons for Rejection

- 4.1 An alternative option was not to have a policy, this was rejected as the Council would fail to comply with legislation.
- 4.2 Also without a policy in place the anti-social behaviour procedures may not be as robust and there may be a lack of consistency across the district and a lack of understanding on how to report incidents.

DOCUMENT INFORMATION

Appendix No	Title
1	Anti-Social Behaviour Policy
2	Equalities Impact Assessment
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Click here to enter text.	