

Bwrdd Gweithredol
26 Gorffennaf 2021

Y Pwnc:

**POLISI YMDDYGIAD GWRTHGYMDEITHASOL A THORRI
AMODAU TENANTIAETH 2021**

Y Pwrpas:

Cynnig polisi sy'n nodi'r dull sydd i'w fabwysiadu gan y Tîm Cymdogaeth ym maes Diogelu'r Amgylchedd gyda golwg ar ymchwilio i gwynion am ymddygiad gwrthgymdeithasol ac achosion o dorri amodau tenantiaeth sy'n ymwneud â Thai Cyngor.

Yr Argymhellion / Penderfyniadau Allweddol Sydd Eu Hangen:

1. Cymeradwyo'r cynigion ar gyfer y Polisi Ymddygiad Gwrthgymdeithasol.

Y Rhesymau:

1. O ganlyniad i ddatblygu'r Tîm Cymdogaeth yn Adain Diogelu'r Amgylchedd yn 2018, mae cwynion am ymddygiad gwrthgymdeithasol wedi cynyddu'n sylweddol o tua 600 o ymholiadau yn 2018/19 i dros 900 yn ystod 2020/21
2. Cyflawnwyd ymchwiliadau llwyddiannus trwy gynyddu a gwella'r gwaith a wneir mewn partneriaeth. Mae'r swyddogion a'r partneriaid yn sicrhau bod ymchwiliadau yn cael eu cynnal i achosion o ymddygiad gwrthgymdeithasol mewn tenantiaeth yn unol â gofynion cyfreithiol.
3. Mae'r galw ar y gwasanaeth yn golygu bod angen blaenoriaethu cwynion er mwyn canolbwyntio adnoddau ar faterion mwy difrifol a allai arwain at niwed i gymdogion/i'r gymuned.

Ymgynghorwyd â'r pwyllgor craffu perthnasol : DO
Pwyllgor Craffu Cymunedau ac Adfywio – 1af Gorffennaf 2021

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES

Angen i'r Cyngor wneud penderfyniad

NAC OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-
Y Cyngorydd Phillip Hughes (Deiliad Portffolio Diogelu'r Cyhoedd)

Y Gyfarwyddiaeth: Cymunedau Enw Pennaeth y Gwasanaeth: Jonathan Morgan Awdur yr Adroddiad: Sue Watts	Swyddi: Pennaeth Cartrefi a Chymunedau Mwy Diogel Rheolwr Diogelu'r Amgylchedd	Rhifau ffôn/ Cyfeiriadau E-bost: 01267 228960 JMorgan@sirgar.gov.uk 01267 228929 SEWatts@sirgar.gov.uk
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EXECUTIVE SUMMARY
EXECUTIVE BOARD
26TH JULY 2021

SUBJECT:

**POLICY FOR ANTI-SOCIAL BEHAVIOUR AND BREACHES OF TENANCY
2021**

Background

The Neighbourhood Team in the Environmental Protection Section was developed in July 2018. A significant part of the service includes investigating complaints of anti-social behaviour relating to Council Housing properties. This team also investigates general statutory nuisance which also falls within the definition of anti-social behaviour (e.g. noise, burning, rubbish accumulation, fly tipping etc).

Since the introduction of the team, the number of complaints and investigations with partners have increased steadily over time, as can be seen in the following table:

Team	2018-19	2019-20	2020-21
Neighbourhood Team (Council properties)	622	1019	927
Environmental Protection general nuisance complaints including noise, burning, waste, fly tipping etc	2716	2655	3486
Total	3338	3674	4413

The work is also becoming more complex, and we are spending more time on some cases such as evictions etc.

Council officers and partners ensure anti-social behaviour queries are investigated in accordance with legal requirements. The increasing demand on the service is resulting in the requirement to prioritise complaints in order to focus resources on more serious issues which could result in harm to neighbours/community.

It has been recognised that many anti-social behaviour complaints overlap with other statutory nuisance investigations particularly cross tenure. In order to get consistency in approach an Anti-Social Behaviour Coordinator has been employed who works with individuals and partners to resolve issues and prevent future escalations of complaints cross tenure.

This not only improves the quality of life for the individuals concerned but also attempts to reduce the demands on the other sections dealing with complaints.

Context

Anti-Social Behaviour is defined in the Anti-Social Behaviour, Crime and Policing Act 2014 as:

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

- Conduct capable of causing housing-related nuisance or annoyance to any person.

Most of the issues considered to be anti-social behaviour requires partnership working with the police, other housing providers/landlords and agencies in an attempt to remediate. Intelligence and sharing of information are also key in an attempt to prevent incidents escalating to reportable anti-social behaviour cases.

Examples of the anti-social behaviour that the team deal with include:

- Excessive noise (unless considered a Statutory Nuisance by Environmental Health);
- Alcohol related incidents;
- Nuisance from vehicles;
- Intimidation / threatening acts or behaviour;
- Harassment;
- Garden conditions;
- Drugs / substance misuse / drug dealing;
- Vandalism / other criminal behaviour;
- Domestic violence / abuse – using referrals to other support agencies;
- Verbal or physical abuse / violence;
- Pets / animal nuisance;
- Misuse of communal areas;
- Litter / rubbish / fly tipping;
- Vehicle obstruction – when necessary;
- Hate related incidents;
- Prostitution / sexual acts; and
- Curb crawling.

The team also receive complaints such as staring or looking at someone, one off events (such as a party), sound of someone walking across the floor in shoes etc. These are not, however, considered to be 'anti-social behaviour' issues and are therefore not investigated.

What is the policy trying to achieve?

The policy also aims to prioritise council tenancy complaints into three categories, giving examples for each. The category will determine the response time from 24 hours for the highest priority to 10 working days for those considered to be lower priority. The policy also includes an Appendix which assists as a 'score card' for the complainant to complete which will assist in the categorisation/prioritisation of the issue of concern. As a result of discussions with the partner agencies, Community Cohesion and Community Safety, the matrix mirrors that utilised by the Police and all concerned are in agreement with this approach.

The priorities are based on the following principles;

Proportionality – any action that we take will relate to the seriousness of the behaviour and its effects on individuals and the community.

Consistency – we will ensure that officers take a consistent approach when dealing with anti-social behaviour.

Transparency – we will help people to understand what the tenancy agreement and law requires of them and make clear what needs to be done.

Targeting – enforcement will be directed against those whose activities pose the most serious harm to individuals or communities.

Conclusion

Anti-social behaviour can have a detrimental effect on the health and wellbeing of individuals. Partnership working and local intelligence will continue to take place to prevent an escalation of incidents into anti-social behaviour, where possible. The Policy has been collated, however, to ensure that where cases are raised, appropriate, proportionate and targeted

actions are implemented to find appropriate resolutions.

Officers record each service complaint and update accordingly which will allow the service to monitor progress and outcomes.

Recommendation

The policy be accepted and approved.

DETAILED REPORT ATTACHED ?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Jonathan Morgan

Head of Homes and Safer Communities

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Jonathan Morgan

Head of Homes and Safer Communities

1. Scrutiny Committee

Community and Regeneration Scrutiny Committee was consulted on 1st July 2021 when it was UNANIMOUSLY RESOLVED to recommend to the Executive Board/Council that the Policy for Anti-Social Behaviour and Breaches of Tenancy 2021 be approved.

2. Local Member(s) – N/A

3. Community / Town Council – N/A

4. Relevant Partners – N/A

5. Staff Side Representatives and other Organisations – N/A

EXECUTIVE BOARD PORTFOLIO
HOLDER(S) AWARE/CONSULTED:

YES

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:
THERE ARE NONE