

EAST AYRSHIRE COUNCIL

HOUSING COMMITTEE – 21 MAY 2003

ANTI-SOCIAL BEHAVIOUR STRATEGY

Report by the Director of Homes and Technical Services

1. PURPOSE OF THE REPORT

- 1.1** To update Members about developments in the Department's new strategy to deal with incidents of anti-social behaviour quickly and effectively and where necessary bring those responsible before the courts at an early date.

2. BACKGROUND

- 2.1** The Housing (Scotland) Act 2001 enables the Council to raise actions for eviction against council tenants who have been convicted of using their homes for illegal or immoral purposes or of other offences punishable by imprisonment, or being responsible for or allowing acts of anti-social behaviour. In addition the Crime and Disorder Act 1998 enables the Council to make application for Anti-Social Behaviour Orders against any person aged 16 years or over who has committed two or more acts of anti-social behaviour.
- 2.2** The Council has already in place a variety of procedures designed to take quick and effective action against those responsible for anti-social behaviour. While in the majority of cases these procedures are successful in preventing problems escalating, experience has shown that where it becomes necessary for the Council to take legal action against persistent troublemakers, defended actions are continually subject to procedural delays in the civil courts.

3. A LOCAL ANTI-SOCIAL BEHAVIOUR STRATEGY

- 3.1** At the September 2002 meeting of the Housing Committee members were informed that an updated Local Anti-Social Behaviour Strategy would:-
- Contain a protocol designed to speed up the investigation into complaints of anti-social behaviour giving priority to extreme cases e.g. allegations of drug dealing, racial discrimination, acts of violence, etc.
 - Empower Homes' management to prioritise cases of extreme anti-social behaviour and decide on the best route to take to seek a prompt resolution to the problem.

- Make greater use of Neighbour Disputes Officers and Housing Officers as Professional Witnesses when a need arises, including an 'out of hours' service.
- Introduce fast track protocols with our colleagues in Legal Services with a view to securing early court dates.
- Allow the department to no longer wait for a criminal conviction before proceeding to court action where the balance of evidence indicates that a person has been causing serious nuisance or annoyance to others, e.g. drug dealing.
- Cite any individual who is known to have witnessed acts of anti-social behaviour to attend court to give evidence unless there are good reasons for not doing so.
- Forge stronger links with the Procurator Fiscal and Police Service in order to obtain, in appropriate cases, information about tenants' involvement in criminal behaviour, particularly in relation to drug dealing in the locality of their homes.
- Consider the introduction of Acceptable Behaviour Contracts and the issue of Unacceptable Behaviour Notices.

3.2 Senior Officers from the department now meet regularly with senior colleagues from the Police Service and Procurator Fiscals office to discuss and monitor progress on the implementation of the Councils new Anti-Social Behaviour Strategy. Procedural guidelines for use by staff, have been revised to incorporate the new service departments detailed in para 3.1 above. Draft copies of this document have been circulated to internal and external stakeholders for consultation and comment and members will be informed of progress on a regular basis. It should also be noted that the draft document has also been considered by Diane James, the Sociable Neighbourhoods National Co-ordinator who has reported the Council's moves to introduce Acceptable Behaviour Contracts and Unacceptable Behaviour Notices as an example of 'best practice' to the Scottish Executive.

3.3 As part of the Council's e-government programme the department is currently developing a system to use the Respond UK software, presently used by the department to record and track Customer Complaints and Elected Members' Enquiries, to carry out a similar function in respect of Neighbour Complaints. This development is almost complete and will be incorporated into the revised Policy and Procedure to deal with Neighbour Complaints. The use of the Respond system in this area will result in time saving in the recording bureaucracy associated with Neighbour Complaints and will produce more accurate and up to date management information.

4 FINANCIAL IMPLICATIONS

- 4.1** The cost implications involved in improving the Council's Neighbour Complaints and Anti-Social Behaviour Strategy and making use of Respond UK software to record and track Neighbour Complaints will be minimal. The only cost foreseen will be in providing an 'out of hours' Professional Witness Service. However it is anticipated that these costs can be absorbed from existing resources within the current year, but additional budget may be required when the service is more fully developed.

5 LEGAL / POLICY IMPLICATIONS

- 5.1** There are no specific legal implications arising from a decision to establish an improved Anti-Social Behaviour Strategy. The strategy seeks to maximise on the opportunities afforded by the Civil Evidence (Scotland) Act 1988, which permits the admission of hearsay evidence in civil proceedings and make better use of existing information technology.

6 RECOMMENDATIONS

- 6.1** It is recommended that the Committee
- (i) note the contents of this report
 - (ii) note that a further report will be submitted in due course on the performance of the strategy.

James Lavery
Director of Homes and Technical Services
2 May 2002

BACKGROUND PAPERS

1. Extracts from the Sociable Neighbourhoods National Co-ordinator's newsletter on Anti-Social Behaviour Contracts and Unacceptable Behaviour Notices.
2. 'Not reinventing the Wheel' a Directory of Current Good Practice in Tackling Anti-Social Behaviour by Scottish Local Authorities prepared by Dianne Janes, the Sociable Neighbourhoods National Co-ordinator.

(Members wishing further information on any of the above should contact Gerry Darroch, Homes Operations Manager, on 01563 574873)