

Title of meeting:	Cabinet Member for Housing and Tackling Homelessness
Date of meeting:	20 th March 2024
Subject:	Local Authority Housing ASB Policy
Cabinet Member:	Councillor Sanders – Cabinet Member for Housing and Tackling Homelessness
Report by:	Sally Scattergood - Assistant Director – Housing Management Lauren Taylor - Head of Community Safety
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1 The purpose of the report is to update members of the Council's Housing Services processes for managing Anti-Social Behaviour (ASB) and to approve the ASB policy.
- 1.2 To seek approval to implement a new policy for dealing with ASB. It covers all incidents:
- Involving our local authority homes owned by PCC and our tenants or members of their household
 - that occur within a neighbourhood in which we manage properties and the ASB involves PCC residents, or,
 - that take place at our 'workplace' affecting or caused by tenants and leaseholders in Portsmouth and Havant, taking into account the wider strategic picture.

2. Recommendations

- 2.1 The Cabinet member for housing and tackling homelessness approves the new ASB Policy (Appendix A – ASB policy) and asks Housing, Neighbourhood and Building Services to implement the new policy with immediate effect.

3. Background

- 3.1 The previous ASB policy was implemented in February 2018.

- 3.2 The government published its Social Housing White Paper in 2020 and introduced a new Charter for Social Housing Residents which includes local authority landlords.
- 3.3 The Social Housing Regulation Act became law on the 20 July 2023 and provides the legal basis for many of the measures set out in the Charter for Social Housing Residents.
- 3.4 The Regulator has set 5 consumer standards for social housing providers to adhere to;
- Home Standard quality of accommodation and repairs and maintenance
 - Tenancy Standard – how properties are allocated/exchanged and terms around tenure
 - Neighbourhood and Community Standard – issues around neighbourhood and communal areas and anti-social behaviour
 - Tenant Involvement and Empowerment Standard – customer service and complaints, tenant rights and involvement
 - Tenant Satisfaction Measures Standard – reporting against the TSMs, which cover information on areas such as repairs, safety checks and complaints (applies from 1 April 2023).
- 3.5 2.3.1 - of the standards states Registered providers shall publish a policy on how they work with relevant partners to prevent and tackle anti-social behaviour (ASB) in areas where they own properties.
2.3.2 - In their work to prevent and address ASB, registered providers shall demonstrate:
- (a) that tenants are made aware of their responsibilities and rights in relation to ASB
 - (b) strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies
 - (c) a strong focus exists on preventative measures tailored towards the needs of tenants and their families
 - (d) prompt, appropriate and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available
 - (e) all tenants and residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not
 - (f) provision of support to victims and witnesses
- 3.6 The government also launched its Anti-social Behaviour Action Plan in 2023 which aims to focus agencies on working together to make use of the tools and powers

available to address antisocial behaviour in our communities in a more urgent and effective way.

- 3.7 Alongside the Regulator of Social Housing governments review, Housing, Neighbourhood and Building Services (HNB) initiated several actions to review the management of Anti-Social Behaviour which included a review of local authority housing using systems thinking methodology.

4. ASB Policy

- 4.1 The ASB policy outline's what residents, third parties or members of staff can expect when reporting ASB. This includes immediate actions to support and safeguard residents and communities depending on what has been reported.
- 4.2 The ASB policy mirrors the tenancy agreement of how we expect residents behave. *'Residents should not do anything which may cause nuisance or harassment to other people. Local authority housing residents are responsible for the conduct of all members of their household, lodgers and visitors whilst they are on the premises, and you shall take all reasonable steps to ensure they do not cause nuisance or harassment to other people'*
- 4.3 When ASB is reported, staff work with the complainants and accused (an alleged perpetrator). If we decide that a report is not ASB, we will advise the complainant of this decision and may still be able to help or offer advice on alternative routes / specialist agencies to resolve the issues raised.
- 4.4 Examples of incident we would not determine to be ASB include normal household noise such as vacuuming, smells from cooking and DIY within sociable hours.
- 4.5 Staff will be trained and equipped with guidance, risk management frameworks, policies and procedures so that they can deal with cases of ASB effectively, utilising the appropriate enforcement tools.
- 4.6 We will work closely with partner agencies to maximise opportunities to resolve ASB offering support when needed to eliminate the route cause.
- 4.7 Staff should also seek to understand any underlying causes associated with ASB, including hate crime, domestic abuse, and safeguarding.

- 4.8 When possible, we will seek to prevent ASB by better trying to stop it once it has occurred. This could include ensuring external spaces have defined use producing clear site lines, working in partnership with other agencies and keeping estates clean and tidy.
- 4.9 In some cases, enforcement action will be appropriate to resolve ASB. We will work in line with legislation, policies, and processes to seek the best route. This may include out of court disposals such as community protection warning and notices to modify behaviour or in more severe cases, ASB closure orders and eviction proceedings.
- 4.10 We recognise that some accused perpetrators may be vulnerable and need help to deal with underlying causes of their behaviour. We will seek to identify the right support and signpost appropriately.
- 4.11 Residents can expect the council to treat all reports of ASB seriously recognising that it is a big step for residents to report ASB.
- 4.12 Staff will complete a risk assessment to assess the risk posed by the reported anti-social behaviour and assess support needs of those involved. We will agree appropriate actions with the complaint which could range from signposting, words of advice, out of court disposals or tenancy enforcement action.

5 Consultation and Engagement

- 5.1 The resident consortium has been consulted about the ASB policy. Feedback received was about the management of mixed tenure roads / blocks. Policy was updated to include 'neighbourhoods. Any ASB reported relating to a local authority housing resident will be managed in accordance with the policy regardless of location.
- 5.2 The ASB policy will be reviewed every 3 years unless there is a requirement to do so.
- 5.3 The new ASB policy will be published on Portsmouth City Councils website as well as being documents in flagship and housetalk.

6 Reasons for recommendations



6.1 It is recommended that the ASB Policy is implemented in light of the changes outlined in this report and to ensure that HNB are complying with regulator for social housing.

7 Integrated impact assessment

7.1 An Integrated Impact Assessment has been completed and submitted and is shown in Appendix C.

8 Legal implications

8.1 There is no further legal implication other than the legislation that is embodied in to the report itself at section 3.

9 Director of Finance's comments

9.1 There are no financial implications that result directly from the approval of the recommendations in this report. Approving and implementing the new ASB Policy will not significantly change the cost of the related activity.

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Signed by: **James Hill Director of Housing, Neighbourhood and Building Services**

Appendices:

- Appendix A - Local Authority Housing ASB Policy
- Appendix B - Risk Assessment
- Appendix C - Integrated Impact Assessment

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on



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Signed by: