Reducing the Impact of Anti-Social Behaviour

Recognising and reporting Anti-Social Behaviour (ASB)

How we deal with reported ASB in the Harrogate District

HARROGATE DISTRICT COMMUNITY SAFETY PARTNERSHIP

Harrogate District Community Safety Partnership is working with Harrogate Borough Council, North Yorkshire Police, Registered Social Landlords (RSLs), North Yorkshire Fire and Rescue Service, Youth Justice Service, Probation and other agencies to tackle anti-social problems in communities across the Harrogate District. We want to create neighbourhoods and town centres where people can live peacefully and enjoy facilities without the fear of crime or anti-social behaviour. Our partners support this aim and this booklet explains how we can all work together and tackle anti-social behaviour using timely, good quality information and problem solving methods.

Contents

	Page
What is anti-social behaviour?	2
Examples of anti-social behaviour	3
Working with other agencies and sharing information	5
How do we tackle anti-social behaviour	7
Using acceptable-behaviour contracts?	9
Formal orders	11
Support for victims of anti-social behaviour	12
How our partners tackle reported anti-social behaviour	13
Reporting incidents of anti-social behaviour to Harrogate Borough Council	19
Reporting incidents of anti-social behaviour and criminal damage to North Yorkshire Police	20
Useful contacts	21

What is anti-social behaviour?

Anti-social behaviour, left unchecked, can destroy lives and shatter communities. Basically it is behaviour that is generally agreed to be unacceptable by others. Some of it is criminal but all of it causes concern and problems for local communities. If it is not dealt with, anti-social behaviour can seriously damage people's quality of life through fear of crime and long-term effects of harassment and intimidation. We hope this booklet will help you recognise the different forms of anti-social behaviour and inform you how to report it.

The Crime and Disorder Act 1998 explains that anti-social behaviour is acting in a way that causes or is likely to cause harassment, alarm or distress to one or more people outside the same household.

Being 'different' is not anti-social behaviour however; often the general way people behave in public can intimidate other people.

Examples of anti-social behaviour include the following:

- Using or threatening to use violence
- Intimidation
- Urinating in public
- Criminal activity including damage to property
- Noisy and rowdy behaviour
- Writing threatening abusive or insulting graffiti
- Litter and fly tipping
- Uncontrolled pets
- Using and selling drugs
- Nuisance from vehicles including parking
- Vehicle abandonment
- Domestic abuse
- Racial harassment
- Arson
- Homophobic harassment
- Other hate crime
- Conduct likely to cause harassment, alarm or distress

This list does not set out all types of anti-social behaviour and there are many other examples. You should also remember that different types of behaviour have different effects on different types of people. What you feel is acceptable may not be acceptable to the wider community and therefore could be taken to be anti-social behaviour.

Important factors to be established are whether the behaviour forms a pattern or is a “one off” occurrence and if the behaviour is malicious or thoughtless with no consideration for other people’s views or circumstances.

Anti-social behaviour doesn’t just make life unpleasant, it has a negative effect on many people’s lives and we are fully committed to tackling the problem.

Harrogate District Community Safety Partnership is committed to improving the quality of life for residents, workers and visitors in the Harrogate District.

It is also important that you and your community work with us to help solve the problem of anti-social behaviour, firstly by reporting incidents and secondly by supporting or being involved with local action.

This booklet deals only with anti-social behaviour. It does not cover minor disputes between neighbours, petty differences or minor one-off incidents. You can get advice on these matters from the Citizen's Advice Bureau, solicitors and tenancy groups. Also the local Arch Mediation service can help.

Working with other agencies and sharing information

Under Section 115 of the Crime and Disorder Act 1998, agencies can share information about anyone in the community as long as the information is being shared in order to prevent and detect crime or reduce anti-social behaviour.

Anti-social behaviour is not just the problem of the Police or the Council. Evidence shows that problems are solved more effectively when agencies work together in the community, with the community. We all have a duty to tackle crime and disorder together – a problem shared is a problem halved.

Harrogate District Community Safety Partnership encourages partners to use the following on any warning letters they send out. *"Information contained in this letter and our records to which it relates may be passed to other Government organisations and law enforcement agencies. This would be for the purpose of preventing and detecting crime, disorder and anti-social behaviour in line with Section 115 of the Crime and Disorder Act 1998".*

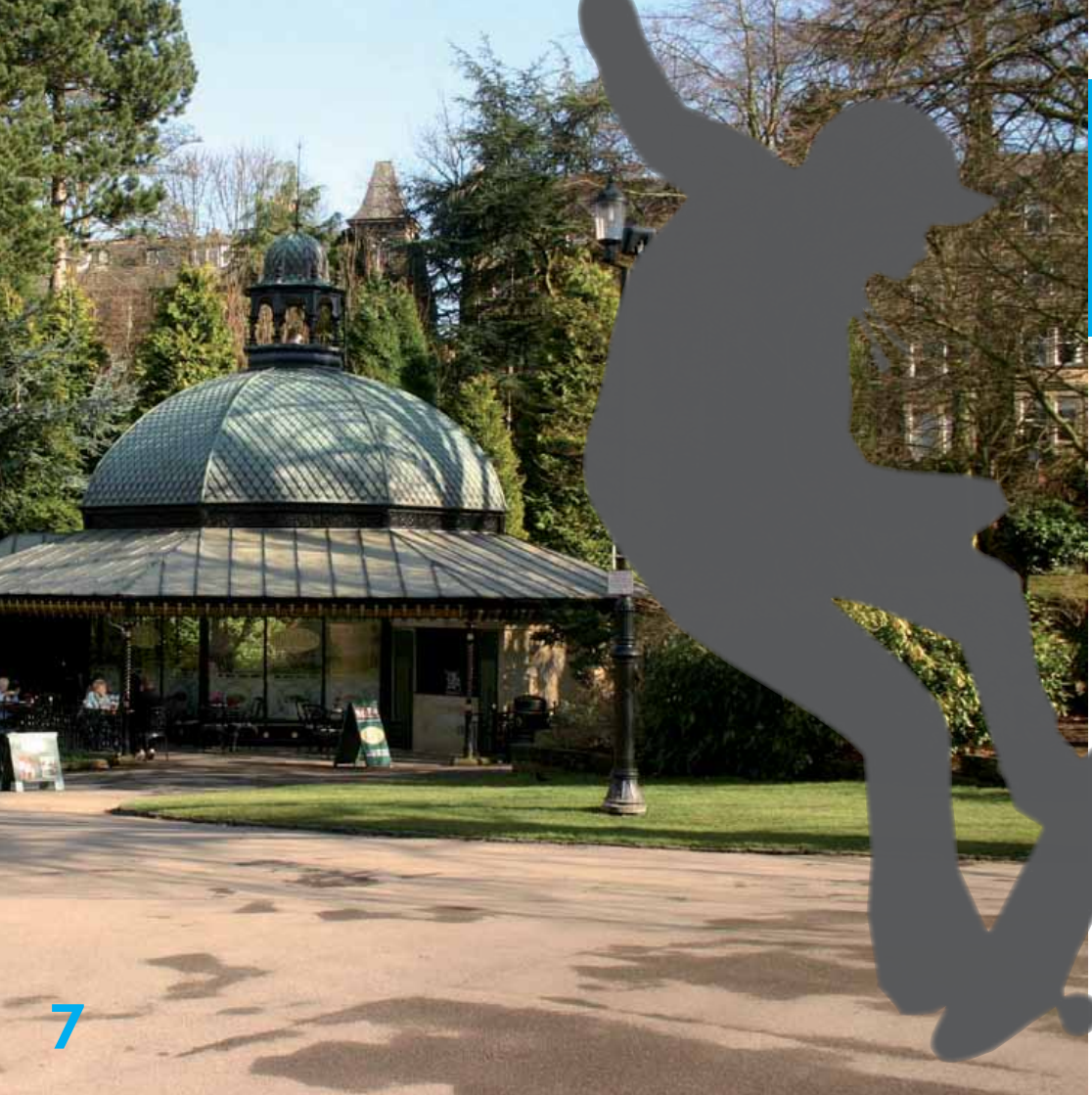
Who causes anti-social behaviour?

It is wrong to say only young people cause anti-social behaviour. Yes a few young people do get involved but so do older people and plenty of examples of anti-social behaviour by older people exist across the country. Differing types of anti-social behaviour may be age related but the important issues are agreeing that problem behaviour exists and then tackling the behaviour in the correct manner.

First we have to establish that a problem exists and who is involved. We do this from reports by the public, evidence gathering and asking questions.

If an individual is the cause of the problem they could expect visits from representatives of agencies who have shared information about them and are best placed to obtain a change in the individual's behaviour. A number of agencies could be involved such as Harrogate Borough Council, North Yorkshire Police, Alcohol and Drug Agencies, North Yorkshire County Council, Probation Service, Schools, Parish Councils, Youth Justice Service and community groups.

Housing providers are another group who are often well placed to deal with anti-social behaviour by enforcing tenancy agreements, using acceptable behaviour contracts and/or restricted tenancies. It has also been suggested that mortgage lenders could get involved.



How do we tackle anti-social behaviour?

We have a range of tools and powers at our disposal to gather evidence and tackle both the causes and symptoms of anti-social behaviour. The method we use is based on the lead agency taking action supported by a Multi Agency Problem Solving (MAPS) approach which allows a wide range of timely, proportionate solutions to be considered and delivered.

Early interventions

Anti-social behaviour affects people in lots of ways and we believe it must be stopped early before too much damage is done. Anti-social behaviour can create an environment in which more serious crime can take hold. Multi Agency Problem Solving procedures promote the use of early intervention which includes police or multi-agency visits and warning letters. These measures often nip the problem in the bud. There are a range of other measures we can use including parenting orders, injunctions, Acceptable Behaviour Contracts and legal orders if problems escalate. This system of investigation also identifies the real situation and the factors behind the behaviour and complaint.

Early intervention also supports the victims of anti-social behaviour and often provides a set of “rules” that both the perpetrator and victim find helpful.

Using Acceptable Behaviour Contracts

An Acceptable Behaviour Contract (ABC) is an intervention designed to engage an individual in acknowledging their anti-social behaviour and its effect on others, with the aim of stopping that behaviour.

An ABC is a written agreement made between a person who has been involved in anti-social behaviour and their:

- Local authority officer
- Youth service
- Landlord
- Local police officer
- School representative

ABCs are not set out in law, which is why they are usually referred to as an “agreement”. Although ABCs are often made with young people, they can be used for persons of any age. Each ABC is adapted for use with the individual and their particular circumstances, the aim being to achieve long term change and prevent more serious disorder. An ABC is completely flexible, it does include

conditions that the parties agree to keep. It may also include the consequences of any breach of the agreement. It is important that both parties sign and receive a copy of the agreement and in the case of young persons, the parents be involved. The agreement usually lasts for six months.

During the period of the agreement, behaviour will be monitored and where the contract proves unsuccessful, it may be necessary to obtain a more formal order at Court. It is possible to add positive activities into an ABC to act as a reward for consistent displays of good behaviour since the signing of the contract.

When are Acceptable Behaviour Contracts used?

These contracts are often used as a 'stepping stone' when there is persistent anti-social behaviour, which has not yet reached the level where a more formal order would be applied.

In these circumstances, ABCs allow the Partnership to get the Police and other agencies involved before the behaviour becomes too bad. Also, victims of anti-social behaviour can see that we are concerned and want to take action to improve their quality of life. They can also be involved in monitoring the behaviour displayed by the perpetrator.

Formal Orders

A formal order can be obtained from the Court. It can be made against any person over the age of ten years who has acted in an anti-social manner, defined as:
"a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household, as the perpetrator AND where an order is needed to protect person(s) from further anti-social behaviour acts".

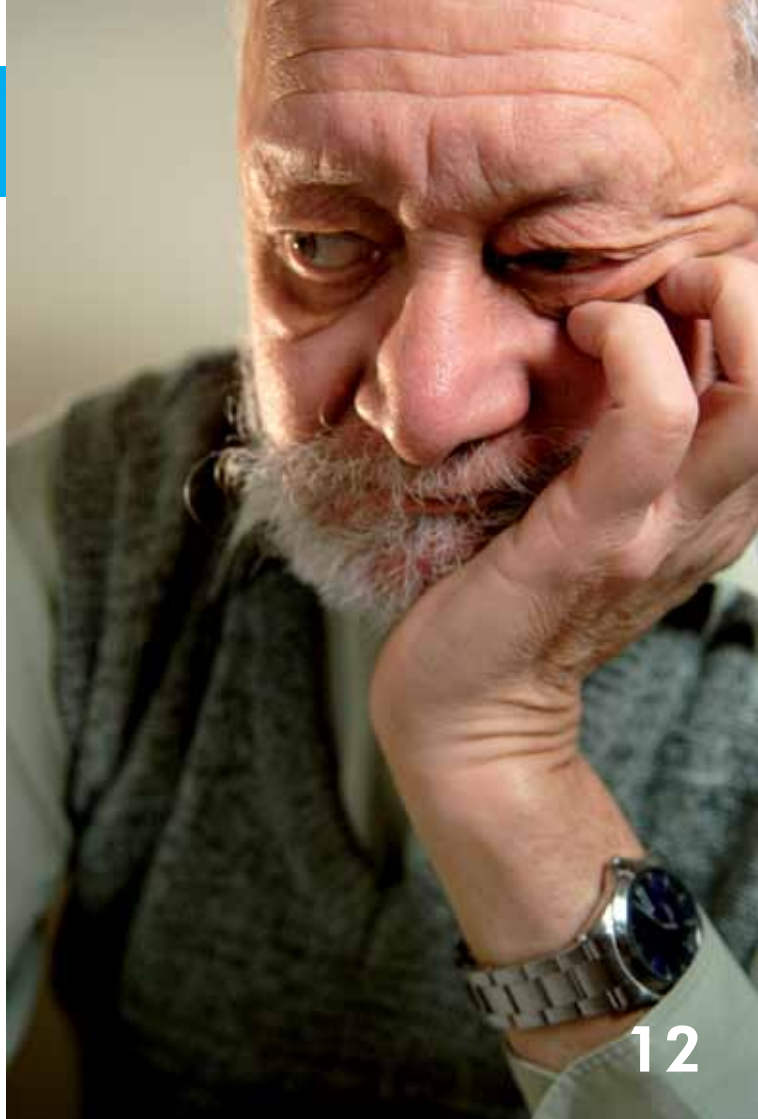
Orders can be used against offenders living in any type of housing tenure and to tackle anti-social behaviour in a wide range of situations and settings.

The Community Safety Team works closely with its multi-agency partners in the Harrogate District Community Safety Partnership on serious cases of anti-social behaviour that are referred to the MAPS group. Partner agencies deal with other cases of anti-social behaviour, reported to them as lead agencies, as part of their day to day work. If it is agreed by MAPS then a partner agency can prepare a case and lead on applying for a formal order through the Magistrates Court or County Court. The behaviour of any recipient of an order is monitored as the main objective is to promote good behaviour. Any breach of the order is taken very seriously and could result in a term of imprisonment. Criminal orders can be applied for by the police at court following a criminal conviction.

Support for victims of anti-social behaviour

All agencies, to the best of their ability, always support those suffering the effects of anti-social behaviour, consider their wishes, and pay particular attention to their needs. In particular young victims of anti-social behaviour, who often have problems due to being harassed and bullied, and older victims, who feel fear and intimidation in their own homes, are helped to overcome their fears. This type of support often needs the involvement of local organisations and community volunteers.

Information which highlights any repeat victims of anti-social behaviour is shared between the relevant partner agencies and cases that include repeat victimisation do receive a high priority.



How our partners tackle reported anti-social behaviour

Harrogate Borough Council - Environmental Protection

Noisy neighbours, fly tipping, stray dogs, loud music

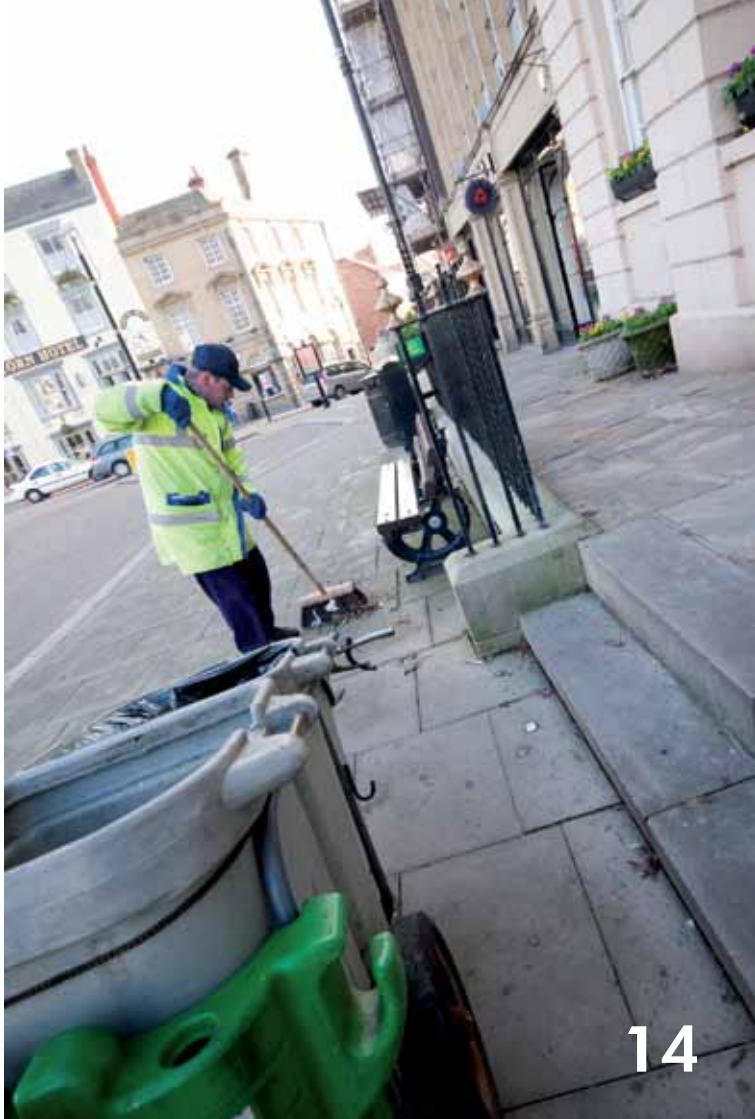
- Record all reports of ASB made to them.
- Determine if a case warrants investigation by discussing the details of the report with all parties.
- Allocates a graded response to the report.
- Three day response for non urgent cases and 24 hour response for urgent cases.
- Often repeat calls are shared with other agencies so that the causes can be tackled.

Harrogate Borough Council - Environmental Cleansing

Litter, fly posting, graffiti

Following a littering complaint an officer will inspect the location within 24 hours and if it is agreed that the area should be cleaned, the work will commence within 24 hours of the inspection.

Any abusive graffiti will be removed or painted over within 24 hours. Removal of other graffiti on council property will be removed as part of general maintenance with no specific timescale. Graffiti on private property is the responsibility of the property owner.

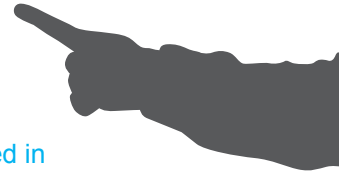


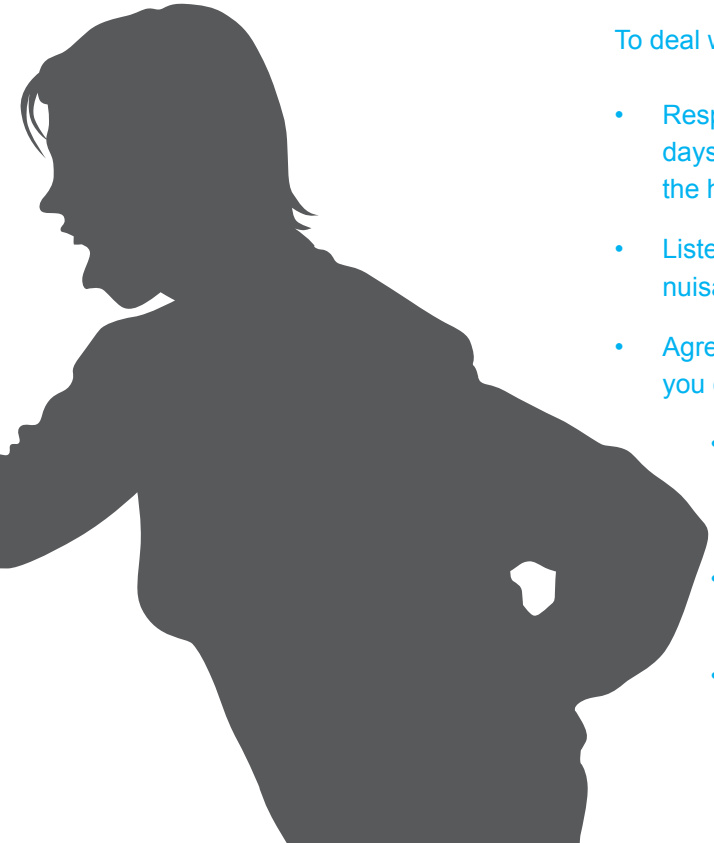
Harrogate Borough Council - Housing

Harrogate Borough Council provides social housing in many parts of the district and believes that everyone has the right to enjoy their home free from excessive nuisance or anti-social behaviour in all its various forms. As a landlord the Council is committed to taking appropriate action to prevent and deal with incidents involving its tenants, either as victims or alleged perpetrators of anti-social behaviour.

To reduce the incidence of anti-social behaviour Harrogate Borough Council will:

- Advise all its tenants of the conditions of their tenancy agreement or licence, including their responsibilities to their neighbours and community when they first sign up for their tenancy.
- Use Introductory Tenancies or other legal remedies available to the Council.
- Aim to visit all new tenants within 20 working days of the start of their tenancy to make sure they have settled in and remind them, where appropriate, about keeping to the conditions of their tenancy.
- Use *Tenants News* and all other opportunities to publicise the issue of anti-social behaviour to all tenants and leaseholders.





- Promote good relationships with groups and individuals within the community and work closely with members and partners of the Community Safety Partnership, including Police, North Yorkshire County Council Support Services, health agencies, Probation Service, Youth Offending Team, ARCH Mediation and other voluntary groups.

To deal with problems Harrogate Borough Council's housing team will:

- Respond to allegations of anti-social behaviour within two working days. Where violence occurs, or there is a threat of violence, the housing team will respond within one working day.
- Listen carefully to what you have to say and recognise that the nuisance is of serious concern to you.
- Agree an action plan setting out what it will do and what action you can take.
    - Treat urgently cases involving criminal behaviour including the use and selling of drugs and acts of intimidation and assault including racial and sexual harassment.
    - Offer advice about mediation or other similar services available that may resolve the problems without the need for legal action.
    - Conduct customer satisfaction surveys to assess the effectiveness of the Council's anti-social behaviour policy for housing.

Harrogate Borough Council - Licensing

ASB in relation to licensed premises:

- All complaints are recorded.
- Licensing staff work with partners to investigate and resolve any issues.
- First response to the complaint will be made within three days of receipt of complaint.

North Yorkshire Police

- Respond to every message directed to your Safer Neighbourhood Policing Team within 24 hours and, where necessary, provide a more detailed response as soon as they can.
- Aim to answer 999 calls within 10 seconds, deploying to emergencies immediately giving an estimated time of arrival, getting to you safely, and as quickly as possible. In urban areas, they will aim to get to you within 15 minutes and in rural areas within 20 minutes.
- Answer all non-emergency calls promptly. If attendance is needed, send a patrol giving you an estimated time of arrival, and:
  - If you are vulnerable or upset aim to be with you within 60 minutes.
  - If you are calling about an issue that has been agreed with your community will be a neighbourhood priority and attendance is required, they will aim to be with you within 60 minutes.
  - Alternatively, if appropriate, an appointment will be made to see you at a time that fits in with your life and within 48 hours.
  - If agreed that attendance is not necessary they will give you advice, answer your questions and/or put you in touch with someone who can help.

Reporting incidents of anti-social behaviour to Harrogate Borough Council

There are many types of behaviour that cause concern in neighbourhoods and dealing with the problem behaviour is not always the responsibility of North Yorkshire Police. This section is a guide to help you to report an incident of anti-social behaviour to the right authorities, so the problem can be solved quickly or the perpetrator caught and the harm caused to the community reduced.

Anti-social behaviour types that should normally be reported to **Harrogate Borough Council** include:-

- Inconvenient/illegal parking
- Car repairs on the street
- Noisy neighbours
- Loud music
- Noise from pubs and clubs
- Noise from business/industry
- Alarms persistently ringing
- Damage to public buildings
- Damage to street furniture and bus shelters
- Fly tipping
- Littering
- Fly posting
- Games in inappropriate areas
- Animal related problems
- Stray dogs

Call 01423 500 600
weekdays from 8.30 am – 5.00 pm (4.30 pm on Fridays). Details of any out-of-hours service is available on this number.

If you feel threatened call 999 and ask for the police.

Reporting incidents of anti-social behaviour and criminal damage to North Yorkshire Police

Anti-social behaviour types that should normally be reported to **North Yorkshire Police** include:-

- Taking illegal drugs
- Selling illegal drugs
- Begging on the street
- Public drunken behaviour
- Rowdy public behaviour
- Fighting
- Intimidation/harassment
- Hoax calls
- Making threats to people
- Menacing gestures
- Throwing missiles
- Vehicle related nuisance
- Setting vehicles alight
- Joyriding/racing cars
- Off road motorcycling
- Vandalism to vehicles
- Vandalism/graffiti
- Urinating in public
- Setting fires
- Dangerous dogs

Criminal damage should be reported to the police as soon as possible to increase the chances of catching the perpetrator.

Call 0845 60 60 247
or in an emergency dial 999

Useful Contacts

Harrogate Borough Council
Tel. 01423 500600
www.harrogate.gov.uk

North Yorkshire Police
Tel. 0845 6060247
www.northyorkshire.police.uk

Harrogate District Community Safety Partnership
Tel. 01423 556503
www.harrogate.gov.uk/safer

Arch Mediation
Tel. 01423 868782

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