



REPORT TO: HOUSING AND COMMUNITY SAFETY COMMITTEE 25 JUNE 2024

SUBJECT: ANTISOCIAL BEHAVIOUR POLICY

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

- 1.1 To inform the Committee of the revised Antisocial Behaviour Policy, Housing Service Neighbour Nuisance and Antisocial Behaviour Policy and to seek approval for staffing changes within the teams.
- 1.2 This report is submitted to Committee in terms of Section III (G) (12) of the Council's Scheme of Administration relating to Community Safety and Anti-Social behaviour (including road accidents) in partnership with other public sector partners, voluntary sector and private sectors as appropriate.

2. RECOMMENDATION

2.1 It is recommended that the Committee:

- (i) approve the reviewed and updated Antisocial Behaviour Policy (Appendix 1);**
- (ii) notes that two Community Wardens are being recruited in line with recent budget allocation;**
- (iii) approves the revised Housing Service Neighbour Nuisance and Antisocial Behaviour Policy for Moray Council tenants (Appendix 2); and**
- (iv) approves the proposed staffing adjustments within housing detailed within paragraphs 3.6 and 3.7.**

3. BACKGROUND

- 3.1 Under the Antisocial Behaviour etc (Scotland) Act 2004 each local authority and the chief constable shall, acting jointly, prepare a strategy for dealing with antisocial behaviour within the authority's area. For Moray this is included within the Community Safety Strategy 2022-2026 as endorsed by the Community Planning Board on the 21 September 2022 Item 6.

- 3.2 The Antisocial Behaviour (ASB) Policy and Procedure as approved by the Communities Committee 23 April 2013 (para 14 of the minute refers) has been reviewed and updated (**APPENDIX 3**). This policy removes all procedural elements which are now contained in a separate operational document. This ensures the Policy is clearly identified.
- 3.3 The ASB policy sits within a range of policies and procedures to tackle ASB across all ages, services and organisations. It clearly identifies which policy or procedure applies depending on age or behaviour being exhibited.
- 3.4 The updated ASB Policy defines what is meant by Antisocial Behaviour and the hierarchy of actions/interventions taken by Moray Council and partners to tackle behaviour identified as antisocial. The escalation and ultimate consequences are clearly identified for those exhibiting the ASB and those being affected by it.
- 3.5 This policy works alongside the Housing Service's Neighbour Disputes and Antisocial Behaviour policy in relation to Council tenants which has also been revised for approval.
- 3.6 It is proposed that the Housing Service will augment the corporately resourced enhancement of the Community Warden service by funding one additional Community Warden post and thereby ensuring that the overall provision incorporates HRA landlord objectives alongside the wider community priorities which were previously delivered by the existing housing Liaison Officer post
- 3.7 The existing Housing Liaison Officer post, which has been funded by the HRA but operationally situated within the Community Safety team, is presently vacant and following a review of both structures and processes it has been determined that it would make operational sense to delete this post and replace it with a Housing Officer. This post would be situated within the wider housing team but undertake specialist functions in relation to landlord responsibilities for anti-social behaviour, neighbour nuisance and criminality and provide a consistent point of contact for colleagues in Community Safety and partner organisations including Police Scotland.
- 3.8 There is budgetary provision available within the HRA budget for 2024/25 to facilitate these service enhancements on an ongoing basis.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Assists in meeting the priorities of developing a diverse, inclusive and sustainable economy; building a better future for our children and young people of Moray and improving wellbeing of our population.

(b) Policy and Legal

Statutory requirement in terms of Antisocial Behaviour Etc (Scotland) Act 2004.

(c) Financial implications

Additional recurring budget for two additional Community Wardens has been allocated as a corporate priority within the general services budget for 2024/25. The HRA will augment this with funding for a third post to ensure that capacity to incorporate landlord requirements is available within the team. The cost difference between the previous Housing Liaison Officer post and the additional Housing Officer post will also be met by the HRA, with both components being derived from the Service Development budget of £200k.

(d) Risk Implications

If policy is not delivered then there is an increased risk of increasing antisocial behaviour across all ages and tenures but particularly in youths. Increased antisocial behaviour or perceived antisocial behaviour reduces social interaction and economy which increases the risks of antisocial behaviour.

(e) Staffing Implications

In total three additional Community Warden posts (Grade 6) will be created to incorporate corporate priorities and landlord responsibilities within the overall service. The existing Housing Liaison Officer (Grade 6) which is currently vacant will be deleted and replaced by an additional Housing Officer (Grade 7/8) post, whose remit will be focussed on undertaking landlord functions associated with anti-social behaviour, nuisance and criminality and to align with the corporate and community approaches.

(f) Property

N/A.

(g) Equalities/Socio Economic Impact

This policy is intended to provide protection to individuals and groups whose quality of life is undermined by the antisocial behaviour of others. Individuals who experience prejudice, for example on the grounds of race, religion, gender, age, disability, or sexual orientation may also be more likely to be the victims of antisocial behaviour. The measures outlined are not intended to tackle behaviour that is merely different, or behaviour that is the result of a medical or developmental condition or mental health issue.

(h) Climate Change and Biodiversity Impacts

None identified.

(i) Consultations

Consultation on this report has taken place with the Depute Chief Executive (Economy, Environment and Finance), Head of Housing and Property, Acting Head of Economic Growth & Development, Chief Financial Officer, Head of HR, ICT & ORG, Legal Services Manager, the Equal Opportunities Officer and Lissa Rowan (Committee Services Officer) and any comments have been incorporated into the report.

5. CONCLUSION

- 5.1 The ASB policy clearly defines what is meant by Antisocial Behaviour and actions that Moray Council will undertake when this has been identified.**
- 5.2 The aims, principles and where this policy sits with other relevant policies has been brought up to date.**
- 5.3 Removal of the procedural elements now provides a simpler document that is easier to read and understand.**
- 5.4 The revised Housing Service Neighbour Nuisance and Antisocial Behaviour Policy for Moray Council tenants ensures they are advised of actions that can be taken in relation to their tenancy if tenancy conditions are breached.**

Author of Report: Karen Sievwright, Environmental Health and Trading Standards Manager

Background Papers:
Ref:

SPMAN-813460984-560