

## APPENDIX 3

Policy Section	Suggested Change	Reason for Change
Title page	instead of "2021-26 change to 2024-2026"	Update proposed date of adoption and date for renewal
Title page	Instead of referring to the community safety committee of Jan 2021, refer to Cabinet of January 2024, the proposed date for adoption of the amended policy	Clarify proposed date for adoption of the newly amended policy and the structure adopting it
page 2	update table with the addition of figures from 2022 and 2023	Bringing the trend information on ASB up to date
page 3	<p>insert para under "figure 1"</p> <p>"Nottinghamshire PCCs Crime Survey 2022-23 shows that 63% 63% of residents have personally experienced ASB in their neighbourhood in the last year, of which only 6% reported that the ASB had a major effect on their quality of life (8-10 on a 10 point scale). This has remained relatively stable over the last year."</p>	<p>To update and contextualise figures in the table above figure 2.</p> <p>It has not been possible to update the figure itself with more accurate data due to the non availability of the relevant information</p>

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top of page 4 insert wording	<p>“According to the Nottinghamshire Police and Crime Needs Assessment 2019, ASB101 remains the most common community safety issue affecting local residents. Incidents are heavily concentrated in city and town centres, correlating with concentrations violent crime and criminal damage in the night time economy.</p> <p>Questions introduced within the Nottinghamshire Police and Crime Survey (PCS) in December 2022 found that around 74% of respondents who had personally experienced ASB in their local neighbourhood over the last year did not report it, while around 15% reported the issue to their local authority and 14% reported the issue to the police, 3% reported to their local housing provider and 1% reported to Crimestoppers.</p> <p>The most common forms of ASB experienced by residents were noisy neighbours and loud parties (32%), vehicle-related nuisance (27%) and people using or dealing drugs (22%). Of these, people using or dealing drugs and vehicle related nuisance was the most frequent, with between 38% and 36% of those experiencing these ASB types stating that the issue occurred most weeks.”</p>	explanatory wording

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substitute table on page 4	out of date information replaced by a new up to date table	updating figures
P5 under new table insert new wording	<p>“Figures show that 24% of all incidents reported to the police in the United Kingdom are classified as anti-social behaviour (<a href="http://www.ukcrimestats.com">www.ukcrimestats.com</a>). To tackle anti-social behaviour effectively requires a positive approach from not just the police, but other partner organisations which have a role to play, including Broxtowe Borough Council.</p> <p>This document, which will be supported by a number of procedural guides for the relevant actions, provides a clear statement of the Council’s policy, and the way in which it will tackle anti-social behaviour”</p>	explain the newly introduced table

Policy Section	Suggested Change	Reason for Change
P6 insert wording	<p>insert</p> <p>“The Borough Council is a signatory to the Responding Effectively to Anti-Social Behaviour in Nottinghamshire, Partnership Agreement and Roles and Responsibilities Protocol. <b>The signatories to this agreement are committed to ensuring that:</b></p> <ol style="list-style-type: none"><li>1. ASB is considered strategically, across Nottingham and Nottinghamshire, giving priority attention to prevention, early intervention and tackling the drivers of ASB</li><li>2. Partner agencies work together to tackle ASB, cognisant of their respective roles, responsibilities, powers and resources</li><li>3. ASB issues are effectively prioritised on the basis of the impact they have on individuals and communities</li><li>4. Residents and communities are made aware of what constitutes ASB, how to report it and what they can expect as a result of doing so</li><li>5. Pathways for reporting and triaging ASB cases are clear, accessible and effective, with a view to minimising multiple reporting and misplaced demand</li></ol>	refer and cross reference to the new County wide ASB protocol to explain its purpose and remit.

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	<p>6. Effective processes are in place to assess and manage risk and vulnerability among those reporting or affected by ASB</p> <p>7. ASB-related data is consistently collected and shared where appropriate to inform profiling, problem solving and case management activity</p> <p>8. The response to ASB is evidence-led and informed by our knowledge and understanding of 'what works'.</p>	
page 7 para 4 addition of words	add "It should also be noted that evidence of ASB relating to the complainant gathered in investigations will also be acted upon. "	clarification
page 7 under "role as part of community safety partnership"	insert "and the Anti Social Behaviour, Crime and Policing Act 2014"	refer to relevant legislation not currently mentioned in the policy
page 8 insert words	insert "criminal damage" before "graffiti"	further clarification as to what may be crimes
page 8-9	<p>amend previous definition of ASB which defined ASB as follows</p> <p>"The police group anti-social behaviour into three categories</p> <p>Personal – anti social behaviour perceived to be targeted at an individual or group as opposed to an individual</p> <p>Nuisance – Anti social behaviour causing trouble annoyance or suffering to the Community at large rather than an individual or group</p>	introduce new definition of ASB to align with ASB protocol agreed across Nottinghamshire

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	<p>Environmental – incidents not aimed at an individual or group but which target the wider environment, eg public spaces/buildings” and instead insert the following definition which aligns with the ASB protocol</p> <p>“Anti-social behaviour is defined under section 2 of Anti-social Behaviour, Crime and Policing Act 20141 as:</p> <p style="padding-left: 40px;"><i>(a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,</i></p> <p style="padding-left: 40px;"><i>(b) Conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or</i></p> <p style="padding-left: 40px;"><i>(c) Conduct capable of causing housing-related nuisance or annoyance to any person.</i></p> <p>The activities and behaviours which can be classed as ‘anti-social’ according to this definition are, therefore, often subjective and circumstance / situation specific. Consequently, partner agencies have identified the following broad categories of ASB, informed by national research<sup>2</sup> and professional experience:</p> <ul style="list-style-type: none"> <li>• Misuse of Public Space [Nuisance]</li> <li>• Disregard for Community / Personal well-being [Nuisance]</li> </ul>	

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	<ul style="list-style-type: none"> <li>• Acts directed at people [Personal]</li> </ul> <ul style="list-style-type: none"> <li>• Environmental damage</li> <li>• [Environmental]</li> </ul> <p>These categories aim to distinguish types of ASB on the basis of their nature, context and the anticipated intent of the perpetrator. A further sub-category of ASB are shown overleaf, and should be used by partner agencies to support the consistent recording and classification of ASB incidents.</p> <p>Whilst agencies have a greater suite of tools and powers available to respond to persistent and ongoing issues ASB, it should be noted that ASB can also involve isolated and one-off incidents which have potential to impact negatively upon the quality of life and feelings of safety of those affected.</p> <p>Limited resources may also require agencies to target their resources on the issue and areas that they can have the greatest impact upon.”</p>	
<p>page 9 insert some and delete other bullets from the list of examples of ASB</p>	<p>insert</p> <ul style="list-style-type: none"> <li>• unkempt gardens and high hedges</li> <li>• homelessness</li> </ul> <p>delete</p> <ul style="list-style-type: none"> <li>• verbal abuse</li> <li>• threats of violence</li> <li>• damage to property</li> </ul>	<p>matters inserted are the responsibility of Council departments ( planning enforcement and housing” to manage and matters deleted are the responsibility of the police to enforce</p>

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	<ul style="list-style-type: none"> <li>• keeping and failing to control an aggressive dog</li> <li>• using or allowing the premises to be used for illegal or immoral activity such as prostitution, handling or storing drugs and handling or storing stolen goods</li> </ul>	
page 10 insert words	<p>insert</p> <p>“It should be noted that it may be inappropriate to take action against someone with a diagnosed physical or mental health condition which prevents them from moderating their behaviours or complying with any order.</p> <p>The Council is unable to accept anonymous reports of anti social behaviour as it is unable to gather witness statements from the complainant as evidence to proceed, the complainant is unable to provide continued monitoring to show the persistent and ongoing nature of the ASB”</p>	<p>To explicitly clarify that consideration needs to be given to the special circumstances of people who have a mental illness or physical condition</p> <p>To align with the approach taken in the planning enforcement policy</p>
Page 10 Para 2	<p>Add – “open cases where the only evidence is”</p> <p>Remove – “accepted” and “reports of anti-social behaviour”</p> <p>Add - “Where anonymous reports are substantiated by other witness statements the</p>	POWG Committee recommendation



	anonymous report may be admissible as hearsay evidence. Anonymous reports can also be made to to CrimeStoppers to be recorded on Police intelligence systems”	
page 10 6.1 (i) addition of words	add to 6.1 (i) “and is not” at the end of the sentence	further clarification
page 11 6.1 (iv) delete “by”	the word “by” is deleted which occurs before “prioritising”	clarification
page 11 6.2	delete previous wording for (iii)	ensure complainants understand where to report complaints to and why
<b>Policy Section</b>	<b>Suggested Change</b>	<b>Reason</b>
	“ensure that criminal anti social behaviour reported to the council is quickly passed on to the police” and replace with “provide accurate advice to complainants where reports need to be made to other agencies in the first instance”	
page 11 6.2	introduce new (vii) “refer cases to Mediation and Victim Care where this is assessed as appropriate”	introduce a reference to mediation and victim care
page 11 6.3	Add wording to (i) fully investigate all the facts and circumstances of any matter reported to us  Add wording as (ii) “act impartially in relation to evidence provided by both complainants and perpetrators”	introduce “all” before “the facts” and introduce new (ii)
P 12 para 7	addition of the following words after “intervention” in para 7	introduction of wording consistent with legal guidelines on enforcement

	“there is no duty on Local Authorities to escalate action where this is deemed unnecessary, inappropriate or is judged not to be a good use of public funds.”	
P13 wording 7.2 before 7.3	add “to both complainants and perpetrators” after the word “home visits” and after “problem” add “, establishing the full facts surrounding a case”	clarify visits may take place to both complainants and perpetrators and setting out purpose for home visits.
<b>Policy Section</b>	<b>Suggested Change</b>	<b>Reason</b>
P14 second para 7.8 add words	add “ has sufficient evidence and” before “is satisfied”	to clarify evidence must be available
P15 just before para 7.9	add after “unreasonable” these words “ and must take into account any diagnosed physical or mental health conditions which may affect the behaviour concerned”	ensuring regard is had to situations where there is mental or physical disability involved
P 16 7.14 add words	add “littering” before “dog fouling”	to ensure littering is referred to
P17 8.1 additional wording to bullets	<p>Make addition changes to wording of bullets</p> <ul style="list-style-type: none"> <li>• It is evident <b>from monitoring sheets</b> that anti-social behaviour is no longer taking place</li> <li>• There is insufficient evidence to take action</li> <li>• <b>Where evidence provided by the complainant is assessed as not relating to ASB or is deemed to be due to low tolerance levels</b></li> <li>• <b>If evidence within</b> monitoring sheets</li> </ul>	to emphasise the importance of evidence needing to underpin action in response to ASB cases

	<p>are not returned in the stated period</p> <ul style="list-style-type: none"> <li>• It has been assessed that the behaviour complained of is not anti-social behaviour and therefore does not fall within the Council's Anti-social Behaviour Policy</li> <li>• Where the complainant does not provide information that is reasonably requested and in a timely fashion</li> <li>• Where the <b>victim</b> or alleged perpetrator moves out and away from the area.</li> </ul>	
Policy Section	Suggested Change	Reason
	<ul style="list-style-type: none"> <li>• If the lead officer has made several reasonable attempts to contact the complainant without success and therefore can no longer monitor the case</li> <li>• <b>Where the complainant refuses to consent to information sharing with other agencies to facilitate the investigation</b></li> </ul>	
P17 8.2	add wording " by both complainants and perpetrators" after "physically harmed"	clarification
P 17 para 8.3	add after "diversity" " including those with diagnosed physical or mental health complaints which may affect their behaviour"	ensure consideration of behaviour related to physical or mental disabilities
P 18 para 8.4	add "where this consent is denied and this affects the Councils ability to investigate the complaint the case will be closed "	evidential reasons

P 18 para 8.5	replace the word “victims” with “complainants”	
P 18 para 8.5	include reference to “Youth Justice, Victim Support, Social Care, Mental Health and Fire and Rescue Service.”	refer to relevant agencies
Page 18 .5 para 1	Add “ identified through the risk assessment process and”	POWG Committee recommendation
Page 8.5 para 2	Add “ making referrals to Victim Care where appropriate”	POWG Committee recommendation
Page 18 8.5 para 3	Add “ is multi-agency”, “ and support” and “The policies for safeguarding, vulnerable people and equalities will also be referred to during this process”	POWG Committee recommendation
P 19 para 8.6	add “a Community Protection Warning, Notice or”	improve comprehensiveness
pages 20-23 para 9.8-9.17	various working changes to reflect different roles and responsibilities of key individuals	Updating to current council structures
page 24 para 10	insert “Anti Social Behaviour Case Review”	updated wording for what used to be known as the “trigger” process
page 26 appendix 1	add words to second bullet “and operationally possible”	reasonableness
<b>Policy Section</b>	<b>Suggested Change</b>	<b>Reason</b>
page 26 appendix 1	fifth bullet replace “diary” sheets with “monitoring” sheets- also in 8 <sup>th</sup> bullet	update terminology
page 28 appendix 1	rewording 6 <sup>th</sup> bullet to read “ Close the complaint if monitoring sheets are not returned at the end of the specified monitoring period, the monitoring sheets are not signed as being a true record of events or the monitoring sheets do contain sufficient evidence to proceed with the case “	clarification and updating terminology and emphasise need for evidence
page 26 appendix 1	introduce new 14 <sup>th</sup> bullet “ Where it is deemed	mention of relevant partner agencies who

	appropriate refer parties to Victim care or other support agencies to support their health and wellbeing”	may be able to help complainant
page 27 appendix 2	add to first bullet “criminal damage” before “vandalism” add “ aggressive dogs”	additional clarification on what should be referred to Police
page 27 appendix 2	<ul style="list-style-type: none"> <li>• add “dog fouling” and “Persistent bonfires</li> <li>• Untidy gardens or high hedges</li> <li>• Homelessness</li> <li>• Persistent street drinking</li> </ul> “ to the list of Council responsibilities	clarity about who is responsible for responding to what
page 27 appendix 2	include “ <a href="#">Broxtowe Mediation Partnership</a> can be contacted on <a href="mailto:mediation@ca-broxtowe.org.uk">mediation@ca-broxtowe.org.uk</a> or 01773 768363.  Clients under 25 years of age will be offered an appointment with <a href="#">Broxtowe Youth Homelessness</a> .”	ensure reference to relevant partners