

**Report of the Executive Director**

<b>ANTISOCIAL BEHAVIOUR PROCEDURE</b>
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1. Purpose of Report

To consider whether the Overview and Scrutiny Committee should add an item to its work programme to consider the Council's Antisocial Behaviour Procedure, following a recommendation of the Governance, Audit and Standards Committee.

2. Recommendation

**The Committee is asked to CONSIDER the recommendation of the Governance, Audit and Standards Committee that a review of the Council's Antisocial Behaviour procedure be undertaken.**

3. Detail

At its 21 July 2025 meeting, the Governance, Audit and Standards Committee considered papers on cases where the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO) found fault with the Council's handling of resident enquiries and complaints. One of these involved the Council's handling of a matter raised by a social housing tenant that involved an accusation of antisocial behaviour (ASB). The Governance, Audit and Standards Committee therefore made the following recommendation:

**RECOMMENDED that the Overview and Scrutiny Committee give consideration that a review of the Council's Antisocial Behaviour procedure be undertaken.**

The covering report seen by the Governance, Audit and Standards Committee, as well as the relevant complaint report from the Housing Ombudsman are attached under this agenda item for the Committee's consideration.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no additional financial implications to consider at this stage, with the costs of associated with the ASB procedure being contained within existing budgets. Any significant net budgets required following any recommendations by this Committee would require approval by Cabinet.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Local Authorities have a number of statutory duties in relation to anti-social behaviour. These predominantly arise through its duties in respect of statutory nuisances which are often the result of anti-social behaviour. In addition, the Crime and Disorder Act 1998 requires the Council to have regard to reducing crime and disorder when discharging its functions, and to co-operate with the Police and other agencies to reduce crime and disorder in the borough. The Anti-Social Behaviour, Crime and Policing Act 2014 gives the Council and those other agencies a range of powers to use in order to discharge those duties.

Government guidance updated in August 2019 focuses on putting the needs of victims first, whilst undertaking inter-agency ASB Case Reviews to ensure that locally determined thresholds have been met, and that the use of powers is proportionate to the specific behaviour that is causing harm or nuisance, without impacting adversely on behaviour that is neither unlawful nor anti-social.

Having a review of the Council's Anti-social Behaviour procedure will ensure that the Council and its partners have a transparent framework setting out when and how the relevant powers and procedures will be used.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

There were no HR comments arising from this report.

7. Union Comments

The Union comments were as follows:

There were no Union comments arising from this report.

8. Climate Change Implications

The climate change implications are contained within the report.

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

As this is not a change to policy / a new policy an equality impact assessment is not required.

11. Background Papers

Nil.