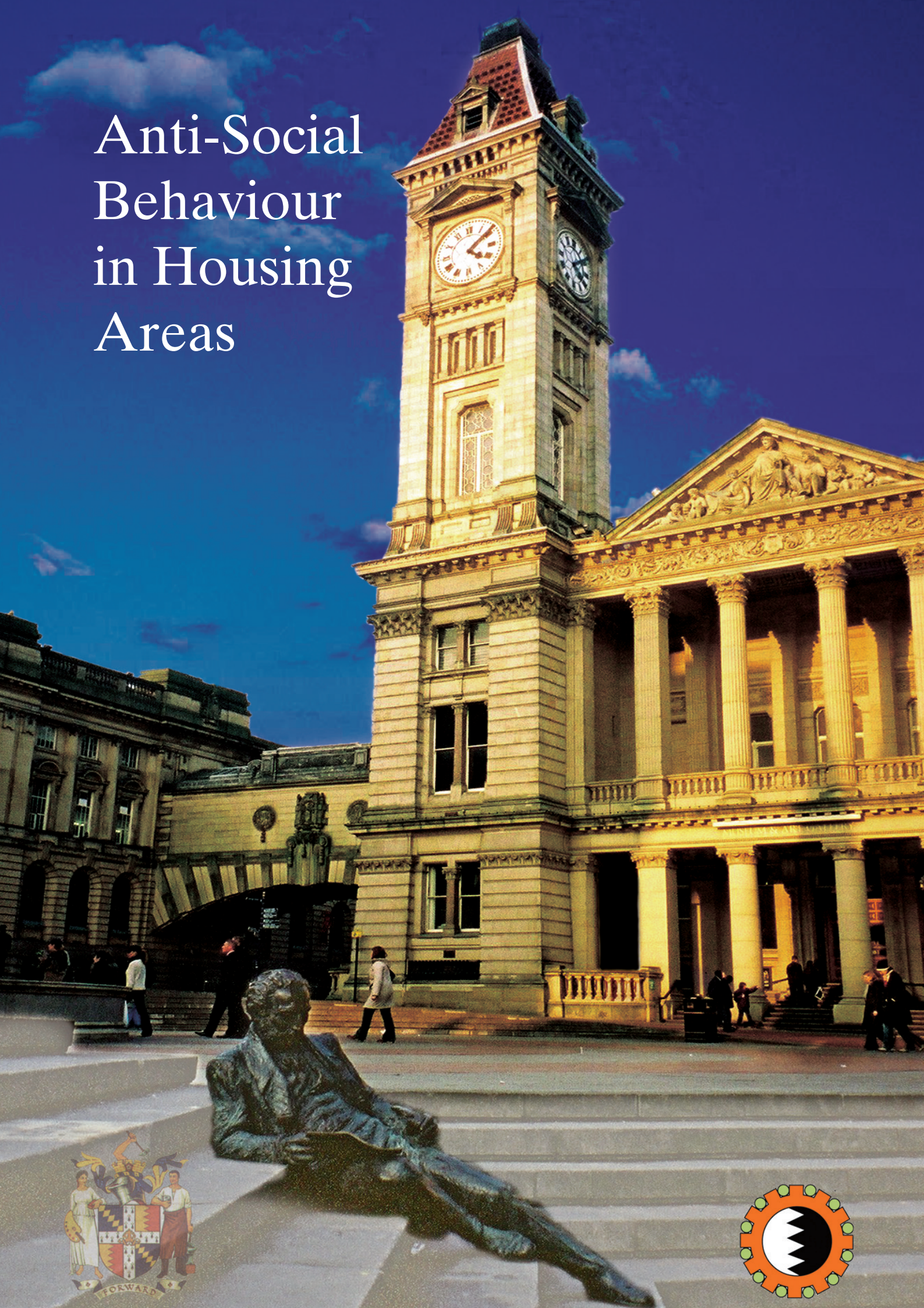


# Anti-Social Behaviour in Housing Areas





## ANTI-SOCIAL BEHAVIOUR

Tuesday 24 February 2004

Report to City Council

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# ANTI-SOCIAL BEHAVIOUR IN ALL HOUSING TENURES

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# ANTI-SOCIAL BEHAVIOUR

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## ANTI-SOCIAL BEHAVIOUR

# Preface

**By Councillor Mike Nangle**

Chair, Housing and Urban Renewal Overview and Scrutiny Committee  
February 2004



Like me many, if not all, Council Members will have seen a rise in the number of complaints about anti-social behaviour which they receive through the post or at advice surgeries. Increasingly, these are not about the behaviour of our own tenants but cover other neighbour disputes or behaviour in streets and shopping centres. The Government has given us wide ranging powers to put a stop to this behaviour but somehow this issue did not gain the attention it needed in Birmingham as it has in other large cities. This has led to frustration among complainants and examples of anti-social behaviour taking years to tackle.

Our scrutiny review has shown that we are changing the situation and positive action against complainants has led to success for people who have had to put up with the anti-social behaviour of others. This has led to positive press coverage and slowly we will gain the public's confidence in our ability to solve their complaints. I know that all Council Members will want to contribute to the successful resolution of complaints and they can do this by taking note of the information in the Member's pack. We can help our constituents with problems to understand what can be done and encourage them to take part in the processes which lead to successful action against anti-social behaviour.

The final test of our effectiveness will be in a reduction in the number of complaints and an increase in public reassurance. I look forward to the results of the Public Opinion Surveys which I would hope show us that we are on the right track.

*M P Nangle*



## ANTI-SOCIAL BEHAVIOUR

# 1: Summary

- 1.1.1 A Best Value Review of the Housing Department's service in responding to Anti-Social Behaviour was undertaken in 2002/2003. As a result of the review a Service Improvement Plan was prepared and work on its implementation began in January 2003.
- 1.1.2 At its meeting in June 2003 the Housing and Urban Renewal Overview and Scrutiny Committee decided to set up a sub-group to review anti-social behaviour in all housing tenures. This arose from Members' concerns about the length of time taken to resolve anti-social behaviour complaints and the limited use of legal powers which local authorities had been granted by successive pieces of legislation.
- 1.1.3 The Sub-group met initially to assess progress on the implementation of the Anti-Social Behaviour Service Improvement Plan, with a view to understanding its effectiveness and to make alterations to the key tasks within it, if that was shown to be necessary. However, it was clear to us that in order to complete our scrutiny we needed to pay particular attention to the role of Council Members and communication with the public.
- 1.1.4 We found that good progress had been made on implementing the key priorities and this had already led to increases in the number of legal actions being taken. Positive publicity was beginning to flow from this. We want to ensure that we continue to improve the service and that the public can have confidence that the City Council takes a zero tolerance attitude to anti-social behaviour.
- 1.1.5 Our recommendations seek to build on the work done and to sustain the high profile this work has gained.
- 1.1.6 We recognise that Members play an important role in tackling anti-social behaviour and we found that previous Member involvement had not always been positive. This is the result of a lack of information and frustration with the length of time taken to resolve issues. Our recommendations will ensure that Members have full information and that this will be disseminated through the Constituency Committee Structure.
- 1.1.7 We recognise that our recommendations need to be put into practice alongside the Anti-Social Behaviour Service Improvement Plan. This will make sure that action on them is monitored and that they contribute to the resolution of the anti-social behaviour problem.



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## 2: Summary of Recommendations

	<b>Recommendation</b>	<b>Responsibility</b>	<b>Completion Date</b>
R1	A review of the structural relationship between the Community Safety Partnership Team, the Anti-Social Behaviour Unit and the Council's Regulatory Services be undertaken.	Strategic Director of Local Services	October 2004
R2	Continued emphasis on cross-agency working needs to be ensured through the Community Safety Partnership.	Cabinet Member for Local Services and Community Safety	Ongoing
R3	A review of the funding of the Birmingham Anti-Social Behaviour Unit be undertaken to ensure that the loss of Home Office resources can be addressed.	Cabinet Member for Local Services and Community Safety Cabinet Member for Housing	April 2004
R4	That arrangements be put in place to monitor the effectiveness of actions taken under the Anti-Social Behaviour Service Improvement Plan.	Cabinet Member for Housing	April 2004
R5	The Cabinet Member for Housing puts in place a system to ensure that local teams continue to use the new procedures correctly.	Cabinet Member for Housing	April 2004
R6	That the pack of information on dealing with anti-social behaviour complaints be available for Members as soon as possible and take into account points made in 5.4.2.	Cabinet Member for Housing	April 2004
R7	That Constituency Committees be invited to receive a report on the information pack and a series of seminars for Members be arranged.	Cabinet Member for Housing	April 2004
R8	That all Birmingham Members of Parliament receive the information pack and a wider briefing if required.	Cabinet Member for Housing	April 2004
R9	The Annual Public Opinion Survey and Tenant Satisfaction Survey should be used to assess the effectiveness of the media strategy for tackling anti-social behaviour	Cabinet Member for Housing, Deputy Leader of the Council	Ongoing
R10	Regular information on initiatives being taken to prevent anti-social behaviour should be available to all Council Members.	Cabinet Member for Local Services and Community Safety	Ongoing



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R11	The recommendations made in this report should be put as an addendum to the Service Improvement Plan to ensure that they are implemented	Cabinet Member for Housing	April 2004
R12	Progress towards achievement of these recommendations should be reported to the Housing and Urban Renewal Overview and Scrutiny Committee in October 2004.	Cabinet Member for Housing	October 2004



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# 3: Terms Of Reference

### 3.1 Reason for the Review

- 3.1.1 At its meeting on 24 June 2003, the Housing and Urban Renewal Overview & Scrutiny Committee considered its work programme for the year ahead. As part of this, the Committee debated the necessity for a review of the Council's response to complaints of anti-social behaviour. Committee members expressed concern about the way the Council responded to those complaints and about its use of the powers given by successive pieces of legislation. The Chairman of the Committee was aware that other Local Authorities used these legislative powers to great effect.
- 3.1.2 Initially, the debate focused on complaints from Council tenants and the Housing Department's response. All Committee members at the meeting had examples of tenants who had suffered from the anti-social behaviour of others for considerable lengths of time and the Housing Department had not responded appropriately. Questions were raised about why tenancy conditions were not rigorously enforced and the length of time taken to take legal action, in particular to evict badly behaving tenants. Some Members thought that this was linked to the lack of appropriate working between the Housing Department and Legal Services.
- 3.1.3 The Members noted that a Best Value review of anti-social behaviour and neighbour nuisance had been undertaken in 2002 and that the resultant Service Improvement Plan was being implemented. The Committee agreed that it was timely to take an overview of the implementation of this plan and whether tenants are receiving the expected improvements. To achieve this it was agreed that the review should look at the work of a number of City Council Departments and other agencies. It was noted that in some parts of the City, notably the Northfield Constituency, joint working between agencies had resulted in successes in securing convictions and Anti-Social Behaviour Orders. The Committee wanted to see this good practice replicated across the City.
- 3.1.4 Members also debated the issue of tenure. Anti-social behaviour does not only affect Housing tenants as both perpetrators and complainants can be from any housing tenure. The Terms of Reference of the Scrutiny Review were therefore worded to reflect this.





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### 3.2 National Context

- 3.2.1 In line with its national policy the Government has introduced legislation over the past eight years which strengthens and extends the powers of Local Authorities and the Police to deal with anti-social behaviour.
- 3.2.2 The Housing Act 1996 made tenants responsible for both their own actions and those of other residents and visitors to their properties. Using this legislation, the City Council can obtain a County Court Injunction to prohibit certain behaviours or a possession order to evict.
- 3.2.3 The Crime and Disorder Act 1998 created Anti-Social Behaviour Orders (ASBOs) which are civil orders made in the Magistrates Court against any person over the age of ten. The effect of an ASBO is similar to an injunction. It has the advantage that it can be applied to juveniles and people who are not tenants.
- 3.2.4 The Police Reform Act 2002 amended the Crime and Disorder Act to solve difficulties which were brought about when an ASBO is defended. Since December 2002 it has been possible to obtain an Interim ASBO which means that the order is made immediately pending full hearing. This stops the community being subjected to anti-social behaviour for an unacceptable length of time, whilst the defence requests adjournments which delay the court for many months.
- 3.2.5 The Police Reform Act 2002 also extended the use of ASBOs to registered social landlords and since April 2003 ASBOs can be issued by a County Court in conjunction with another proceeding e.g. a possession order.
- 3.2.6 The Anti-Social Behaviour Act 2003 comes into force in 2004. It strengthens legislation already in place to clarify, streamline and reinforce the powers already available. It improves the operation of Anti-Social Behaviour Orders and extends the powers of social landlords to take action against anti-social tenants, including faster evictions.
- 3.2.7 The Act also includes powers which can be used to tackle anti-social behaviour across all housing tenures and public places. These powers include: widening the use of fixed penalty notices for noise nuisance, truancy and graffiti; powers to disperse groups in designated areas; new action to close 'crack' houses; simplifying powers to deal with unauthorised encampments and stronger powers to tackle fly tipping etc.



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### 3.3 Terms of Reference

3.3.1 The Housing and Urban Renewal, Overview and Scrutiny Committee agreed to set up a Scrutiny Member sub-group to conduct a structured review into anti-social behaviour in all housing tenures. The agreed terms of reference were:

- To assess progress with implementing the Anti-Social Behaviour Service Improvement Plan
- To assess the effectiveness of the actions taken under the Service Improvement Plan
- To look at practice in other large cities
- To consider whether changes need to, and can, be made to the Service Improvement Plan at this stage.

### 3.4 Membership

3.4.1 Membership of the Committee was allocated 2:1:1 between the political groups. The Members appointed to the Scrutiny Sub-Group were:

Councillor Mike Nangle

Councillor John Beadman

Councillor Steve Bedser

Councillor Jackie Hawthorn.

3.4.2 Officer support was provided by Mary Woodcock, Dave Cusack, Alison Parsons and Ian McGibbon of the Housing Department. Nick Partridge was lead officer from the Scrutiny Office.



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# 4: Review Process and Findings

## 4.1 Review Process

- 4.1.1 We met formally on five occasions between July and December to receive evidence and information for the review. Officers from the Housing Department supported each of these sessions. Representatives from Environmental Health, the Youth Offending Service, Legal Services, Birmingham Anti-Social Behaviour Unit, Local Housing Teams and the Police also gave evidence to our Sub-Group.
- 4.1.2 Most importantly our Sub-Group wanted to gather information from elected Members on their experiences of the response of City Council Departments and other agencies to anti-social behaviour complaints. Accordingly, Councillor Mike Nangle, as Chair of the Sub-Group, wrote to each Councillor inviting them to give evidence in writing. Members were also invited to the meeting at which these were discussed.
- 4.1.3 Our initial meeting clarified areas of the review which were a priority for the Sub-Group. These were:
- Raising the priority of Anti-Social Behaviour within the Council and ensuring a response across all tenures
  - Examining the implementation of the Service Improvement Plan
  - Examining the legislative tools available to the Council to determine their effectiveness and reduce delays in dealing with perpetrators
  - Reviewing the role of elected Members
  - Reviewing communication and publicity.



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### 4.2 The Service Improvement Plan

- 4.2.1 We considered both the Best Value Review and the Service Improvement Plan at our meeting on 2 September. The Policy Manager for Anti-Social Behaviour, explained that the conclusion reached by the Best Value Review had been that the best option for improving the service was the establishment of a specialist/dedicated team which operated City –wide and which supported the area Housing Officers in dealing with individual complaints. This is the approach adopted by other large cities such as Manchester and Leeds.
- 4.2.2 The Best Value Review revealed that previous performance on tackling anti-social behaviour had not been good. We were advised that steps were being taken to radically improve the service in local areas. A new emphasis had been placed on the need to tackle anti-social behaviour.
- 4.2.3 The Policy Manager then took us through the key tasks in the Anti-Social Behaviour Service Improvement Plan. These tasks include:
- Establishing a dedicated city-wide team to support area housing staff and investigate funding to extend the support across all tenures.
  - Developing an effective local response with specialist legal services available to enable this
  - Introducing new procedures and ensuring that staff work to them
  - Engaging with tenants and Safer Neighbourhood Groups
  - Providing tenancy support for vulnerable tenants
  - Pursuing Government initiatives and funding
  - Providing information to the public about the Council's approach
  - Devising key performance indicators.
- 4.2.4 We discussed each of the tasks in the plan and found that since it had been published in January 2003, progress had been made within the Housing Department. The Department had set up the Birmingham Anti-Social Behaviour Unit (BASBU) and secured funding to extend its operation across all tenures. However, this funding is reduced to 50% at the end of March 2004. New procedures, including protocols with the Legal Services Department have been established. A training programme for area housing staff was being undertaken. We reviewed these protocols as part of our work on the Service Improvement Plan. The tenancy support scheme for vulnerable tenants had been set up across the City.



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- 4.2.5 We were pleased with the progress which had been made but expressed concern over areas where the timetable had slipped, in particular implementation of a devolved management structure and engagement of tenant representatives. Although the implementation of the Service Improvement Plan is monitored by officers there had been no involvement of Members in this process to date.
- 4.2.6 The group discussed the Northfield area of the City where a dedicated housing team working closely in conjunction with the police and local schools had made a significant impact on the instances of anti-social behaviour, although this practice seemed at odds with the result of the Best Value Review. We did agree that although structures may be different in areas across the City it is important to disseminate good practice ideas that flow from local initiatives such as this.
- 4.2.7 We also discussed cross tenure issues and the response to complaints about tenants of other landlords or owner-occupiers. It seemed to us that the widening of the role of the Anti-Social Behaviour Unit would begin to give an impetus to responding to these complaints. We were advised that the staff in the Anti-Social Behaviour Unit come from a variety of professional backgrounds including the Police, Social Services and the Probation Service. This again strengthens the response we can give to all complainants.
- 4.2.8 We believe the Anti-Social Behaviour Unit should take on a role of overseeing all legal actions on anti-social behaviour. This could then include issues of behaviour in public places. To maximise this role the Unit would need to work very closely with both the Chief Executive's policy officers on Community Safety and Legal Services.

### **4.3 Evidence from Departments and Agencies**

- 4.3.1 Presentations were given to our sub-group by Environmental Health, the Youth Offending Service, Legal Services and the Police so that we could take a view on responses on issues other than housing and cross agency working. We also had a joint presentation from BASBU and the Kings Norton Housing Team so that we could consider the practical impact of the new Unit.
- 4.3.2 The Senior Assistant Director (Regulation) explained the position of the Environmental Health Department. Environmental Health have a role supporting the Housing Department in dealing with tenants. They deal with dumped rubbish, littering and noise complaints. In relation to working with the Housing Department and anti-social behaviour complaints these were mostly issues around noise from neighbours. Officers provided evidence for neighbour complaints to BASBU where they can.



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- 4.3.3 An Inspector from West Midland Police, advised that momentum on dealing with complaints was growing. The Police Service and BASBU with legal support were responding and prosecutions are increasing. He felt that dealing with anti-social behaviour was becoming a higher priority and a mainstream role within the Council. The working relationship between police officers and housing officers out in the areas was working well, through the Safer Estates Initiative. However, police relationships with Housing Liaison Boards are varied.
- 4.3.4 The Deputy Head of Youth Offending Services, presented the work which the service is undertaking on prevention of anti-social behaviour and offending. The City has established the largest Youth Offending Service in the country which is undertaking initiatives on Parenting Orders, working with 8 to 13 year olds and has established three pilot areas dealing with acceptable behaviour contracts.
- 4.3.5 The Assistant Director, Litigation, went through the various legal options available for dealing with anti-social behaviour including ASBOs, Injunctions, Possession Orders and Criminal Prosecutions. He explained that there are different standards of proof and varying timescales associated with these. He emphasised that when dealing with anti-social behaviour it is important to establish at the start which legal remedy is likely to be most effective and complainants need to be informed of this.
- 4.3.6 In order to provide more effective support to the Housing Department, Legal Services has set up a structure of out placed lawyers who have a key task to deal with anti-social behaviour.
- 4.3.7 A joint presentation on the work of the Housing Department was made by a Local Housing Manager and a member of BASBU. The Manager explained how a new approach had been adopted in Kings Norton to improve the environment for residents, reduce crime and anti-social behaviour, improve multi-agency working and reassure residents that action was being taken. All cases had been reviewed to determine further action necessary and best practice visits had been undertaken to Northfield and Bartley Green offices. With the support of BASBU, the Safer Estates Initiative had been revitalised with new protocols being introduced. Better recording packs for residents, which included advice notes had been put in place. He highlighted how other agencies, such as the police, had been involved.
- 4.3.8 The Anti-Social Behaviour Officer gave information on the background to BASBU and how it worked to support local teams. BASBU make joint visits with local teams, take statements from witnesses and prepare cases for action. She advised that a move away from possession orders to injunctions had been made as these are more effective. Injunctions without notice can be obtained very quickly, in fact within hours. They are more effective because if a person breaks an injunction they can be arrested and imprisoned.



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4.3.9 The Housing Department's target for legal actions during 2003/2004 is 84 which is a significant increase on the year before. Actions taken to date show that the Department is well on course to meet the target and demonstrates the shift to injunctions which has been described.

	<b>April 2002 to March 2003 (Full Year)</b>	<b>April 2003 to December 2003 (First 9 Months)</b>
Injunctions (With Committal Orders if Broken)	18	51
ASBOs (Including variations)	10	9
Possessions (Including Suspended Orders)	27	10
<b>Total</b>	<b>55</b>	<b>70</b>

A breakdown of these figures by Housing Management Area is attached as Appendix 1.

4.3.10 On 14 October 2003, during the period of our review, the Government launched its action plan "Together, Tackling Anti-Social Behaviour". In this was included the announcement that Birmingham would be one of ten local authorities given "trailblazer" status. This brings both financial resources and expertise from the Government's Anti-Social Behaviour unit. Birmingham has been established as a trailblazer and will exchange best practice, with other local authorities.

4.3.11 As a trailblazer the City has committed to two major targets.

- To have, in Birmingham, no nuisance neighbours without sanction by 2005,
- To target 150 households displaying anti-social behaviour and tackle these proactively.

4.3.12 We discussed in depth the information given to us during all the presentations. We all felt it important to adopt a "zero-tolerance" attitude to anti-social behaviour. We recognised that attitudes had changed within recent months and there is now better partnership working which had helped to raise the profile within the City Council. However, concerns were expressed about ensuring that resources continued to be used to tackle anti-social behaviour.

4.3.13 Various Members expressed concern at the lack of information given to them on some of the work which was being undertaken. This related in particular to the prevention work established by the Youth Offending Service. We agreed that this emphasised the need to give all Council Members information on anti-social behaviour initiatives and successes so that they could use appropriate services. We recognised that adopting a zero-tolerance attitude



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meant using all available solutions to tackle anti-social behaviour, including mediation.

4.3.14 We welcomed the explanation of the various legal options available to tackle anti-social behaviour and the demonstrable shift to the use of injunctions which are quicker to obtain and very effective. We thought it important that this information be available to all councillors. It also reiterated the need for councillors and complainants to be aware of the most effective legal remedy for their particular complaint.

4.3.15 We discussed publicity at our last meeting and were advised that there is now a media strategy in place. There is increased press coverage of actions being taken by the Housing Department. Cases which went to court were now the subject of press releases. Further publicity has been arranged for early in 2004 to coincide with ministerial visits to build on the trailblazer announcement. This will include a full page article in Birmingham Voice.

### 4.4 Evidence From Members

4.4.1 The results of the Members' consultation were discussed at our meeting on 21 October and a number of Members attended the meeting to add their views in person. One Council Member expressed the view that this is the biggest single problem facing the Council.

4.4.2 The main issues raised by council Members were:

- the need to respond quickly and effectively
- the importance of a multi-agency approach
- the need to adopt a zero tolerance approach
- the importance of enforcing housing tenancy conditions
- the success of initiatives such as Street Wardens

4.4.3 By far the most important of these were the need for a speedy response and the multi-agency approach. This echoed our own discussions on the presentations given by City Departments and agencies. It backed up the importance we have placed on spreading the best practice on a multi-agency approach across the City.

4.4.4 Members also raised the issue of keeping complainants informed of the progress being made with their complaint. This was an issue that was raised on a number of occasions. Tenants often felt that they provided information on diary sheets to the Housing Department but then were not kept up to date on what action was being taken.





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- 4.4.5 We were advised that new procedures in the Housing Department had put in place a system, whereby complainants would be asked to keep diary sheets for two weeks and then action would be reviewed. If further evidence needed to be collected they would be told why and what legal action was being considered.

### **4.5 Members' Role in Dealing with Anti-Social Behaviour Complaints.**

- 4.5.1 At our final meeting we discussed the role of Councillors in dealing with cases of Anti-Social Behaviour and how we could help to clarify this. It was clear to us that Council Members play an important role in dealing with these complaints but that there were examples where local Members' involvement had been unhelpful.
- 4.5.2 It was also clear that council Members were aware of Anti-Social Behaviour Orders as there had been national publicity about their introduction and use. However, they knew much less about other legal remedies, the speed with which they could be put in place and how effective they were. This led to the belief that Anti-Social Behaviour Orders should be sought to solve all complaints.
- 4.5.3 We considered the draft of the Members' Information Pack and we discussed what an information pack for Members might contain. We made a number of suggestions in particular around legal remedies and timescales. We thought it helpful that the pack should contain worked case studies to advise Members of the most appropriate actions for them to take.
- 4.5.4 We also discussed how the pack could be disseminated and the most appropriate ways to get the information across to all elected Members. We thought that Members of Parliament would find the information very useful.



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# 5: Recommendations From The Review

## 5.1 Profile Within the City Council

- 5.1.1 The first priority for the work of our sub-group concerned the profile within the City Council of dealing with anti-social behaviour and ensuring that all complaints, not just those concerning council tenants, could be responded to. We found that although dealing with anti-social behaviour has a high national profile this has not been the case in Birmingham until recently. We concluded that the problem lay partly in the disconnection between various services and agencies which resulted in a lack of understanding of the law and failure to use it to be best advantage. We were pleased to hear evidence that demonstrates that this is changing, especially in local housing areas.
- 5.1.2 We appreciated the impetus that the setting up of the Anti-Social Behaviour Unit had brought to tackling complaints in council tenancies and we believe that a similar effect will be felt in other sectors as a consequence of widening the Unit's remit. We want to ensure that the work of the Unit on dealing with complaints outside of Council tenancies is not lost. We are concerned that the Home office resources which enable this to happen are time limited and reduce to under 50% of the cost from 1 April 2004.
- 5.1.3 Currently the Anti-Social Behaviour Unit is located in the Housing Department and this will have to be reviewed as a consequence of Devolution. It is clear to us that the review should look at the relationship with the Central Community Safety policy function and the Council's Regulatory Services. Formalising this relationship could lead to a strengthening of the City Council's ability to respond to Central Government in the future. It would also enable the city, and consequently the Community Safety Partnership, to have a full overview on action being taken to tackle anti-social behaviour and would ensure that the high profile given by us to this issue is maintained.



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	<b>Recommendation</b>	<b>Responsibility</b>	<b>Completion Date</b>
R1	A review of the structural relationship between the Community Safety Partnership Team, the Anti-Social Behaviour Unit and the Council's Regulatory Services be undertaken	Strategic Director of Local Services	October 2004
R2	Continued emphasis on cross-agency working needs to be ensured through the Community Safety Partnership	Cabinet Member for Local Services and Community Safety	Ongoing
R3	A review of the funding of the Birmingham Anti-Social Behaviour Unit be undertaken to ensure that the loss of Home Office resources can be addressed	Cabinet Member for Local Services and Community Safety Cabinet Member for Housing	April 2004

### 5.2 Implementing the Service Improvement Plan

- 5.2.1 Good progress has been made by officers on implementing the Service Improvement Plan. In assessing its effectiveness we looked at the shift in legal remedies which has taken place and the renewed focus given to tackling anti-social behaviour which the establishment of the Unit had bought about. This seemed to us to be reflected in the most recent press coverage.
- 5.2.2 However, as with all action plans which are put in place to achieve service improvements its effectiveness needs to be more formally assessed and monitored and this assessment needs to include the views of Birmingham's residents. This will ensure the profile of tackling anti-social behaviour is maintained and the service improvements are delivered.

	<b>Recommendation</b>	<b>Responsibility</b>	<b>Completion Date</b>
R4	That arrangements be put in place to monitor the effectiveness of actions taken under the Anti-Social Behaviour Service Improvement Plan	Cabinet Member for Housing	March 2004

### 5.3 Awareness of Legislative Remedies

- 5.3.1 We found that legislative remedies available to tackle anti-social behaviour had not been fully exploited in the past by either the Housing Department or Legal Services. Often the most effective way of stopping anti-social behaviour was to gain an injunction and this can be done very swiftly. A significant move towards more effective use of legislation has taken place in dealing with Council tenants.



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- 5.3.2 Emphasis now needs to be placed on ensuring that complainants and Members understand the legal remedies available and how each complaint will be dealt with, in accordance with the new procedures introduced in the Housing Department. We feel it is important to ensure these procedures are used by local Housing Teams so that complainants are continually kept up to date with progress being made and decisions being taken on their complaints.

	<b>Recommendation</b>	<b>Responsibility</b>	<b>Completion Date</b>
R5	The Cabinet Member for Housing puts in place a monitoring system to ensure that local teams continue to use the new procedures correctly.	Cabinet Member for Housing	April 2004

### 5.4 The Role Of Elected Members

- 5.4.1 Complaints of anti-social behaviour being made to Council Members have grown over recent years and how Members deal with these can be either a help or a hindrance to both the complainant and the various agencies trying to tackle the problem. Threats of escalation of the problem via the press and leading complainants to unrealistic expectations usually make the problem worse.
- 5.4.2 From our own experiences and from examining where cases had gone wrong we concluded that the pack of information for council Members should include:
- Information on legal remedies and the timescales associated with them
  - Clear information on what to do with a complaint and where to get involved
  - worked case examples which help Members to act appropriately
  - Key contact points.
- 5.4.3 We also agreed that explaining the processes to Council Members through Constituency Committees which are just being set up would be the most appropriate way to ensure that the information was available and understood. This should be followed up with a series of seminars which would give Members the opportunity to understand the best practice available.
- 5.4.4 This information also should be available to Members of Parliament.



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	<b>Recommendation</b>	<b>Responsibility</b>	<b>Completion Date</b>
R6	That the pack of information on dealing with anti-social behaviour complaints be available for Members as soon as possible and take into account the points made in 5.4.2	Cabinet Member for Housing	April 2004
R7	That Constituency Committees be invited to receive a report on the information pack and a series of seminars for Members be arranged.	Cabinet Member for Housing	April 2004
R8	That all Birmingham Members of Parliament receive the information pack and a wider briefing, if required.	Cabinet Member for Housing	April 2004

### 5.5 Publicity And Communication

- 5.5.1 Throughout our evidence gathering the issue of lack of communication and publicity was raised. This covered both:
- Members not being aware of new initiatives being launched to prevent anti-social behaviour
  - Lack of publicity around actions being taken to tackle anti-social behaviour.
- 5.5.2 It seems to us that if the City Council and the Community Safety Partnership are to adopt a "zero tolerance" approach to anti-social behaviour then positive publicity about actions being taken to tackle behaviour is essential. A media strategy based on the trailblazer announcement and press coverage of high profile cases is already in place. We need to build on this with the local press and encourage them to report our success stories in a positive way.
- 5.5.3 The effectiveness of the strategy needs to be assessed. We need to demonstrate that we are getting across the message that the City intends to tackle anti-social behaviour in a positive and effective way. Both the Annual Public Opinion Survey and the Housing Department's Tenant Satisfaction Survey ask questions about our response to anti-social behaviour complaints and how safe people feel. The answers people give should be carefully monitored and trends highlighted to demonstrate how confident Birmingham's citizens are in our zero tolerance stance.
- 5.5.4 On the issue of information available on services being launched or enhanced which help to prevent anti-social behaviour it is important that local Members know of these and how they can use them. The Cabinet Member for Local Services and Community Safety should encourage Strategic Directors to regularly publicise new initiatives to all Council Members.



# ANTI-SOCIAL BEHAVIOUR

	<b>Recommendation</b>	<b>Responsibility</b>	<b>Completion Date</b>
R9	The Annual Public Opinion Survey and Tenant Satisfaction Survey should be used to assess the effectiveness of the media strategy for tackling anti-social behaviour.	Cabinet Member for Housing Deputy Leader of the Council	On going
R10	Regular information on initiatives being taken to prevent anti-social behaviour should be available to all Council Members.	Cabinet Member for Local Services and Community Safety	On going

## 5.6 Conclusion

5.6.1 When we began our review of actions being taken to tackle anti-social behaviour we expected to find that little was being done. In our examination of the Anti-Social Behaviour Service Improvement Plan we found that considerable work was already in place on the priority tasks within it and this was proving to be effective both in resolution of complaints and positive publicity of the Council's position. We believe our review enhances the work which is already going on and therefore our recommendations should be attached as an addendum to the plan. Progress on them will then be monitored in conjunction with progress on the plan itself.

	<b>Recommendation</b>	<b>Responsibility</b>	<b>Completion Date</b>
R11	The recommendations made in this report should be attached as an addendum to the Anti-Social Behaviour Service Improvement Plan to ensure that they are implemented.	Cabinet Member for Housing	April 2004

5.6.2 Finally, we believe that the Housing and Urban Renewal, Overview and Scrutiny Committee should receive a report on the implementation of these recommendations in conjunction with their work on the overall Housing Department Performance Improvement Plan.

	<b>Recommendation</b>	<b>Responsibility</b>	<b>Completion Date</b>
R12	Progress towards achievement of these recommendations should be reported to the Housing and Urban Renewal Overview and Scrutiny Committee in October 2004.	Cabinet Member for Housing	October 2004.



**ANTI-SOCIAL BEHAVIOUR**

# Appendix 1: Legal Actions By Housing Management Area

## April 2003 – December 2003

Area	Injunctions	ASBOs	Possessions
1 Sutton, Erdington, Perry Barr	12	1	-
2 Ladywood	8	-	-
3 Hodge Hill and Yardley	9	3	3
4 Sparkbrook and Small Heath	2	1	-
5 Selly Oak and Hall Green	5	2	5
6 Northfield	9	2	2
7 Edgbaston	6	-	-
Total	51	9	10

**Overall Total of actions Taken 70**



## ANTI-SOCIAL BEHAVIOUR

# Appendix 2: Evidence

## A2.1 Reports In Evidence

- A2.1.1 Report to Housing and Urban Renewal Overview and Scrutiny Committee 17 March 2003 – Best Value Reviews of Housing Service
- A2.1.2 Service Improvement Plan – Neighbourhood Nuisance and Anti-Social Behaviour – January 2003
- A2.1.3 Presentation by the Policy Manager - Anti-Social Behaviour
- A2.1.4 Anti-Social Behaviour – Procedures and Powers Briefing Note
- A2.1.5 Anti-Social Behaviour Protocols – Housing and Legal Services
- A2.1.6 Written evidence from Council Members
- A2.1.7 Presentation by the Senior Assistant Director – Environmental Health Services
- A2.1.8 Presentation by an Inspector of West Midlands Police
- A2.1.9 Presentation by the Deputy Head of Youth Offending Services
- A2.1.10 Presentation by the Assistant Director, Litigation – Legal Services
- A2.1.11 Joint Presentation on Relationship between Area Housing Staff and Anti-Social Behaviour Unit
- A2.1.12 Discussion Paper on Members role in tackling Anti-Social Behaviour
- A2.1.13 Case Studies – Anti-Social Behaviour Complaints
- A2.1.14 Draft Members Information Pack



# Anti-Social Behaviour in Housing Areas

