

North Tyneside Council

Report to Cabinet

Date: 19 October 2020

Title: Environmental Crime and Anti-Social Behaviour Policy

Portfolios:	Housing	Cabinet Members:	Councillor Steve Cox
	Environment and Transport		Councillor Carl Johnson
	Community Safety and Engagement		Councillor Carol Burdis

Report from Service

Area: Environment, Housing and Leisure

Responsible Officer: Phil Scott

Tel: (0191) 6437295

Wards affected: All wards

PART 1

1.1 Executive Summary:

Tackling environmental crime and Anti-Social Behaviour (ASB) in the borough is a key policy priority and environmental crime and ASB continue to present a challenge.

It is therefore important that the Authority regularly reviews its approach to enforcement to robustly deal with offenders.

In 2012 the Authority reviewed its approach and introduced the current ASB Policy that is still in use. This 2012 Policy solely focussed on tenancy enforcement and did not include an approach to environmental crime.

In 2014 the Policing and Crime Act was introduced and established new powers for Local Authorities and the Police to help tackle ASB. This allowed the Authority to provide a quicker response to communities suffering from ASB and it also helped to align Local Authority powers with the Police.

In order to develop a consistent approach a joint policy covering all aspects of environmental crime and ASB is now needed.

The new policy will support North Tyneside Council's priority to keep North Tyneside a great place to live, work and visit. The policy will bring consistency to how we enforce and prevent environmental crime and ASB by bringing together housing related ASB, wider public disorder and environmental enforcement together.

This report seeks Cabinet approval for a new combined policy for environmental crime and ASB including all the new legislation.

1.2 Recommendation:

It is recommended that Cabinet approve the Environmental Crime and Anti-Social Behaviour Policy at Appendix 1 of this report.

1.3 Forward Plan:

Twenty-eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 18 September 2020.

1.4 Council Plan and Policy Framework

This report relates to the following priorities) in the 2020-2024 Our North Tyneside Plan:

Our Places will:

- Be great places to live by focusing on what is important to local people
- Provide a clean, green, healthy, attractive and safe environment.

The following policy framework has also been used during consideration of the Policy:

- The Safer North Tyneside Strategy 2019 – 2024. This policy sits within two of the Safer North Tyneside Strategy priorities including Public Protection and Crime and Disorder.
- North Tyneside Housing Strategy 2016-2021 'a great place to live. Priority two is a great place to live and includes ensuring the borough remains a safe and secure place to live.
- North Tyneside Joint Health and Wellbeing Strategy 2013-2023 includes working with 16–25 year olds to reduce risk taking and anti-social behaviour.

1.5 Information:

1.5.1 Background

Part 2 of the Anti-Social Behaviour Act 2003 requires social housing landlords to prepare and publish policies and procedures on anti-social behaviour that must be made available to the public.

The Authority's current ASB policy was published in 2012 and is no longer fit for purpose. Recent legislation changes, including the Policing Crime Act 2014, have changed the landscape in how the Authority tackles and prevents environmental crime and ASB.

This Act introduced key changes such as the introduction of Closure powers, Community Protection Notices, Absolute ground for possession and the Public Space Protection Order (PSPO) which the Authority adopted in October 2018, with the implementation of Fixed Penalty Tickets (FPN) for enforcement of the PSPO.

Following consultation with residents and Elected Members the service was restructured in 2016. This allowed us to have the place Authority's enforcement activity under one

central service. The Community and Public Spaces team was formed replacing the old Safer Estates team that has previously only managed tenancy related enforcement.

Tackling ASB and wider crime in the borough is a key priority for the Authority. For the majority of residents Environmental Crime and ASB is not an issue. However, the Authority understand the importance of residents feeling safe in their homes and communities.

The Authority continues to work in partnership with key services represented on the Safer North Tyneside Partnership. This partnership is vital to our commitment to address community and public safety, crime and disorder and environmental crime issues affecting our communities. Therefore, a combined policy represents this and ensures a consistent approach

The Authority has reviewed the current ASB Policy and by combining the policy with environmental crime enforcement activity it provides a framework of the powers available to the Authority relating to environmental crime and ASB. It ensures that any enforcement action is clear, concise, proportionate, consistent and targeted to ensure a responsive, effective and value-added service.

The new policy, if approved, will fit in with the ambitions of the Safer North Tyneside Plan and the wider strategy that runs until 2024.

1.6 Aims

1.6.1 The policy aims to:

- Outline North Tyneside Council's approach to tackling ASB and how the Authority will manage cases and work with its residents and partners.
- Inform residents of the borough about what to expect when environmental crime or ASB contraventions are found and where resources will be targeted.
- Facilitates the development of sustainable communities where people want to live and feel safe

1.7 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

Cabinet approve the Policy which will allow the combined service to work together, operating a consistent approach in order to maintain a clean, safe environment and strengthens the Authority's approach to tackling crime within the borough of North Tyneside.

Option 2

Cabinet reject the Policy and the service will revert to working from separate policies for both environmental crime issues and ASB issues.

Option 3

Cabinet may request further information prior to approval of the Environmental Crime and Anti-Social Behaviour Policy.

Option 1 is the recommended option.

1.8 Reasons for recommended option:

Option 1 is recommended for the following reasons:

The policy brings together all enforcement options for Housing and Environment under one policy, taking into consideration the most recent changes to legislation to ensure a consistent approach.

1.9 Appendices:

Appendix: Environmental Crime and Anti-Social Behaviour Policy.

1.10 Contact officers:

Paul Worth, Senior Manager, Housing Operations (0191) 643 7554

Samantha Dand, Senior Manager, Local Environmental Services (0191) 6437294

Richard Mitchell, Community and Public Space Protection Manager (0191) 643 7710

Louise Foster, Policy and Development Officer (0191) 643 6216

1.11 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

Anti-social Behaviour, Crime and Policing Act 2014

Anti-Social Behaviour Act 2003

Homes and Communities Agency's Regulatory Framework

Equality Impact Assessment - [EIA September 2020](#)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no financial implications associated with producing a combined Environmental Crime and Anti-Social behaviour Policy.

2.2 Legal

No changes to the current legal implications of enforcement have been made when the policies have been combined.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

Internal consultation has taken place with Senior Officers and Elected Members.

2.3.2 External Consultation/Engagement

Senior Officers have met with the resident's neighbourhood group over the last 12 months to discuss the collaboration of the policies. Residents were in support of a joint ASB/Environmental Policy and their comments and thoughts around clear messages of what enforcement action the Authority can take is reflected in the policy.

Due to COVID 19 restrictions further consultation with the public has not been possible before the Policy has been presented to Cabinet. However, Senior Officers have been engaged and have been able to reflect their views within the document.

2.4 Human rights

There are no human rights implications directly arising from this report

2.5 Equalities and diversity

An equality impact assessment has been carried out.

2.6 Risk management

Risk associated with this policy have been considered. It is important for the reputation of the Authority to work from an up to date policy in line with current legislation that is published on North Tyneside Council's website.

2.7 Crime and disorder

The Safer North Tyneside Partnership brings together key partners with responsibilities for keeping our residents safe. This Policy will contribute to that aim through robust measures to tackle and respond to environmental crime and anti-social behaviour.

2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

PART 3 - SIGN OFF

- Chief Executive
- Head(s) of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer

- Head of Corporate Strategy and Customer Service

