

# Anti-Social Behaviour (ASB)

Climate Change, Housing and Communities Scrutiny Panel

22 February 2024

## Recommendations for action

The Scrutiny Panel is recommended to:

1. Note the content of the report and presentation regarding the response to anti-social behaviour within Wolverhampton
2. Consider the key challenges outlined within the presentation.

## Key questions for scrutiny to consider:

1. How can we increase understanding of appropriate reporting of ASB?
2. How can we better manage expectations and understanding of requirements in relation to outcomes in relation to ASB, including the complainant's role in the process?
3. What more can be done to increase perceptions of safety, community cohesion and tolerance?

## Purpose and Background

- ASB is an issue which is important to residents within Wolverhampton and has a significant impact on public confidence and perceptions of safety within the City.
- The purpose of this presentation is to outline the response to ASB within Wolverhampton, including partnership working and the role of different agencies.

# What is Anti-Social Behaviour (ASB)?

The ASB, Crime & Policing Act 2014 defines ASB as:

*“conduct that has caused, or is likely to cause, harassment, alarm or distress to any person;*

*conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises; or*

*conduct capable of causing housing-related nuisance or annoyance to any person”*

# What is Anti-Social Behaviour (ASB)?

This broad definition means that ASB can include a range of issues including:

- Neighbour disputes
- Noise nuisance
- Threatening and intimidating behaviour
- Verbal abuse
- Street drinking
- Vehicle related ASB
- Begging
- Fly-tipping

Therefore, responses to ASB are varied, complex and involve a range of partners.

# What is not ASB?

*There are a number of issues which may be considered and reported as ASB but are more closely linked with perceptions.*

These issues could include:

- Youths gathering in a public place
- Reasonable domestic noise
- Cooking smells
- Reasonable external noise. i.e. DIY and repairs, children playing in and around their homes

# Experience of ASB

What type of ASB is being experienced?

Tenancy/  
housing related

Is the resident living in social housing?

No

Yes

Contact **Wolverhampton Homes (WH) ASB Team**  
[asbu@wolverhamptonhomes.org.uk](mailto:asbu@wolverhamptonhomes.org.uk)  
01902 551188

Contact individual registered social landlord/ WH

Environmental

Contact **City of Wolverhampton Council**

Via customer services or the Report it app

**Customer Services**  
[Customer.services@wolverhampton.gov.uk](mailto:Customer.services@wolverhampton.gov.uk)  
01902 555554

**Love Clean Streets (App)**  
[Wolverhampton REPORT IT - Log In](#)

Public Place

Contact **Wolverhampton Homes ASB Team**  
[asbu@wolverhamptonhomes.org.uk](mailto:asbu@wolverhamptonhomes.org.uk)  
01902 551188

Criminal

Contact **West Midlands Police**

Is anybody in immediate danger of significant harm?

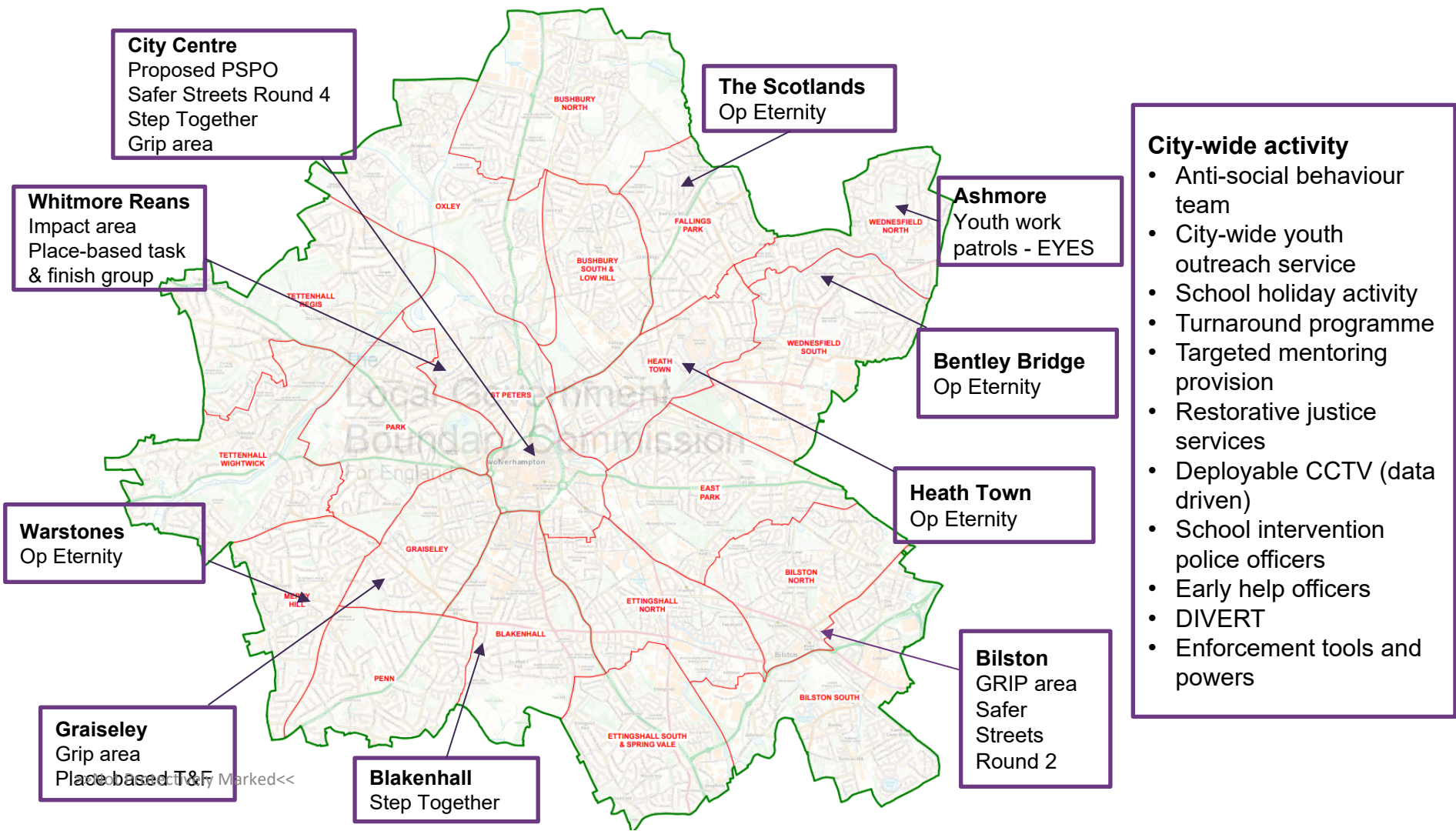
Yes

No

Call 999

Call 101 or use the Live Chat function



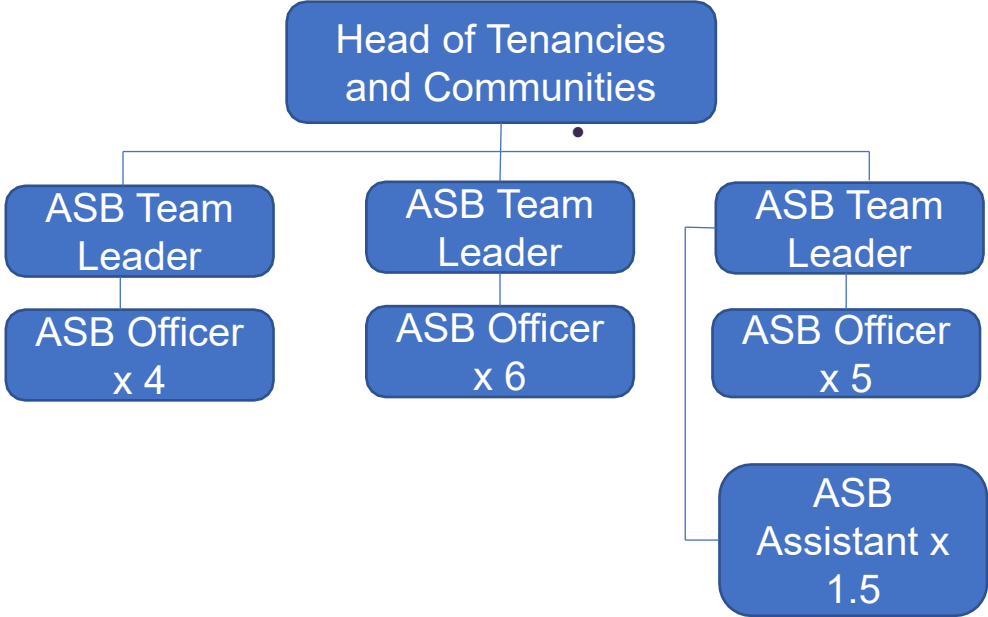


# Tools and Powers

	City of Wolverhampton Council	West Midlands Police	Wolverhampton Homes
Anti-Social Behaviour Injunctions	X	X	X
Criminal Behaviour Orders (CBOs)	X	X	
Closure Notices & Orders	X	X	
Community Protection Warnings & Notices (CPWs & CPNs)	X	X	
Public Space Protection Orders	X		
Community Triggers	X		
Noise Abatement Notices	X		
Additional crime linked to ASB (i.e. harassment, hate crime etc.)		X	
Education and awareness	X	X	X
Tenancy action (for WH properties only) – i.e. possession, breaches etc.			X

# Wolverhampton Homes

Wolverhampton Homes is responsible for delivering a tenure neutral ASB service on behalf of the City of Wolverhampton Council



# Tools and Powers

## Legal

- Injunctions and Undertakings
- Closure - Notices/Orders
- Absolute (Mandatory) Possession Orders
- Suspended Possession Orders
- Possession Orders
- Demotion Orders
- Supporting partners in the application of their powers

## Non-legal

- Telephone calls/visits
- Hotspot letters/warning letters
- Mediation referrals
- Noise monitoring (noise app or Trojan)
- Domehawk camera
- Parental control agreements and Acceptable Behaviour Contracts
- Support referrals and multi-agency case conferences
- Serving of legal notices

# ASB Response Timescales

- **Cat A** (DA, Hate crime incidents, Physical violence, threats/harassment/intimidation, Criminal Behaviour/Crime) – 1 working day
- **Cat B** (Noise – WH tenancies, Drug issues, Alcohol related, Street nuisance, Prostitution, Vandalism & Damage to property) – 2 working days
- **Cat C** (Misuse of communal area/loitering, garden nuisance, litter/rubbish/fly-tipping, nuisance from vehicles, Pets/Animal nuisance – 5 working days

# Performance

Performance Indicators	Apr-23	May-23	Jun-23	Q 1	Jul-23	Aug-23	Sep-23	Q 2	Oct-23	Nov-23	Dec-23	Q 3	Jan-24	Year to Date 2023/24
% satisfied with the way their ASB complaint was dealt with	100	66.67	97.44	<b>91.07</b>	95.24	100	100	<b>98.48</b>	97.06	100	100	<b>98.31</b>	<b>100</b>	<b>96.73</b>
% satisfied with the outcome of their ASB complaint	100	50.00	92.31	<b>83.93</b>	100	92.52	100	<b>96.97</b>	100	100	100	<b>100</b>	<b>100</b>	<b>94.86</b>
% of ASB cases closed with non-legal methods	98.96	100	99.64	<b>99.59</b>	100	97.25	100	<b>99.02</b>	99.59	98.20	97.66	<b>98.63</b>	<b>98.51</b>	<b>99.05</b>
Number of New ASB cases reported	184	251	276	<b>711</b>	234	237	248	<b>719</b>	172	187	123	<b>482</b>	<b>212</b>	<b>1937</b>
Number of current ASB Cases open	278	278	321	<b>321</b>	293	338	320	<b>320</b>	232	242	235	<b>235</b>	<b>231</b>	<b>231</b>
Number of surveys carried out	5	12	39	<b>56</b>	21	27	18	<b>66</b>	34	12	13	<b>59</b>	<b>33</b>	<b>214</b>

# Partnership Working

We attend a meetings and events with partner agencies and the public to make use of local intelligence to deal with and respond to ASB.

- Love Your Community Meetings' (formerly PACT)
- 'Down Your Way' walks and Days of action with partner agencies in hotspot locations
- Tenants & Residents Groups
- Safer Wolverhampton Partnership Meetings
- ODOC (One Day One Conversation – for DA Perpetrators)
- MARAC (Multi Agency Risk Assessment Conference Domestic Abuse)
- Channel Panel (counter-terrorism)
- ASB Strategy Meetings
- By working with elected members and MPs

# Future management of ASB

What is currently in the pipeline:

- Amendments to the online reporting form to make reporting complaints clearer and easier to navigate.
- Sharing mapping data with the Police to identify hotspots and inform a more collaborative approach in responding.
- Consideration of a 'Good Neighbourhood Policy' in line with the recent Housing Ombudsman "Spotlight on Noise" report.
- New recording mechanism is now in place which will enable benchmarking via Housemark moving forward.

What could impact:

- Review of ASB Policy
- Review of Tenancy Agreement
- DLUHC – currently consulting on proposed changes to allocation of social housing – these include a new ground for eviction for those who are convicted of terrorism offences, and implementation of a 'three strikes and you're out' policy for anti-social behaviour



# CWC – Public Protection Team

## Environmental Protection Act 1990: Section 79 to 85

The Environmental Protection Act 1990 provides the principal controls over “statutory nuisances”, including noise emitted from premises so as to be prejudicial to health or a nuisance, it also applies to nuisances arising from vehicles (e.g. from car alarms but not traffic), machinery and other equipment, in the street.

Under the Act, local authorities have a duty to:

- inspect their areas from time-to-time to detect nuisances and, subject to a discretion to defer for seven days, when satisfied that a statutory nuisance exists or is likely to occur or recur, to serve an abatement notice on the person responsible.
- to investigate any complaint made by a person living within their area.

Failure to comply with a notice, when proven, is a criminal offence. Local authorities have powers to:

- enter private premises,
- seize noise-making equipment
- carry out works in default of Notices.

# CWC – Public Protection Team

## **Antisocial Behaviour and Crime Act 2014:**

Community Protection Warnings and Community Protection Notices can also be utilised to address noise issues.

## **Approach**

Many complaints stem from neighbour disputes and a staged approach is adopted. We aim to resolve complaints and restore community relations, by means of education, mediation, and informal action in the first instance. Where issues persist formal action and criminal sanctions are adopted.

## **Barriers to Action**

Unfortunately, many of our complaints are as a result of 'one off' incidents, so there is no way of us progressing these. In addition, sometimes where there is perceived persistent noise, there is a reluctant to complete the diary sheets, and/or have the noise equipment installed. Again, without this key evidence enforcement action cannot be taken

# CWC – Public Protection Team

Data for last three years: on average 18-20 complaints a month

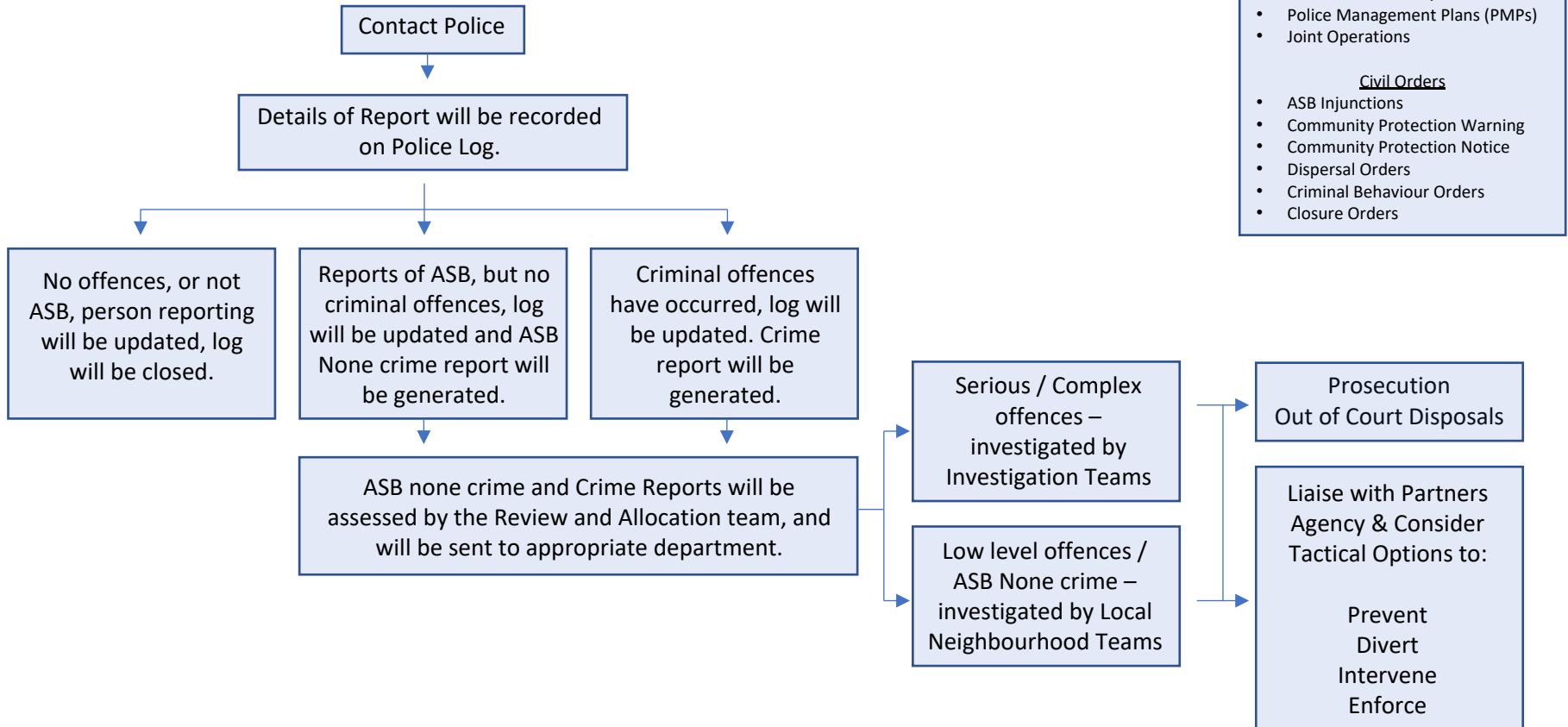
Year	Number of complaints
01/01/2021-31/12/2021	219
01/01/2022-31/12/2022	253
01/01/2023-31/12/2023	229

Action taken depends on the evidence presented in diary sheets and from officer investigations which involve witnessing the nuisance and/or deploying noise monitoring equipment to record it.

In past three years:

- 4 abatement notices have been issued;
- 17 Community Protection Warnings have been served;
- 2 Community Protection Notices have been served.

# Wolverhampton Police



- Tactical Options
- Police Targeted Patrols
  - Restorative Justice / Mediation
  - Police Management Plans (PMPs)
  - Joint Operations
- Civil Orders
- ASB Injunctions
  - Community Protection Warning
  - Community Protection Notice
  - Dispersal Orders
  - Criminal Behaviour Orders
  - Closure Orders

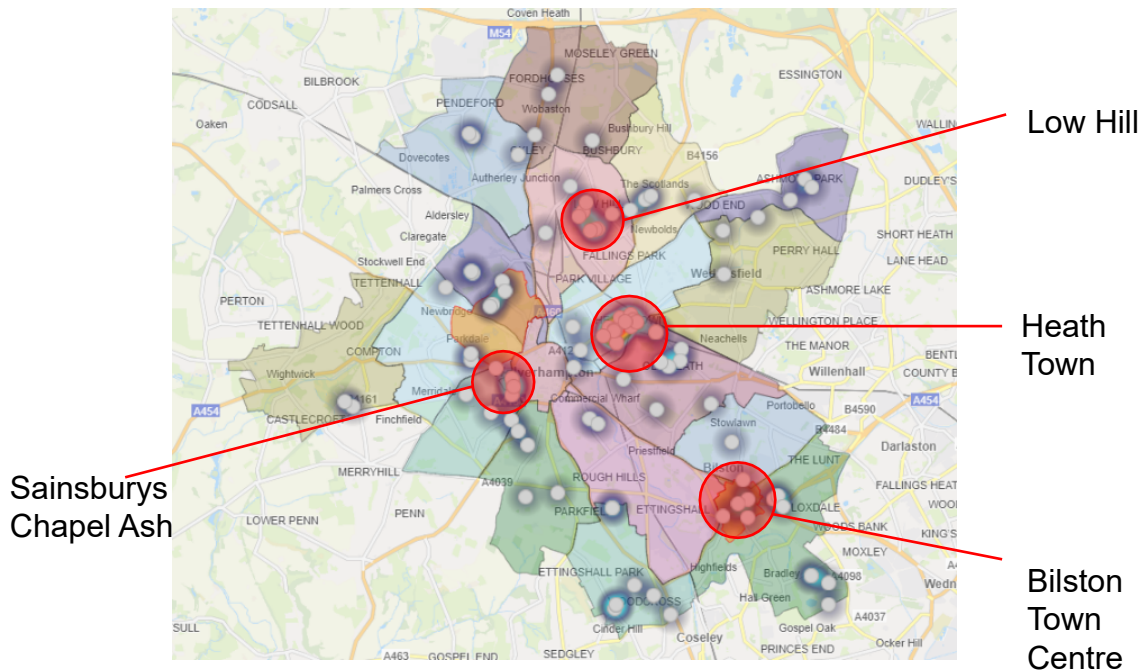
# Wolverhampton Police

Civil Orders across Wolverhampton served by the Police

Type of Order	Number of Live Orders
ASB Injunction	1
CPW	14
CPN	16
CBO	10
Closure Orders	0

- CPW's and CPN's usually expire after 12 months
- Closure order max duration is 3 months, 2 have recently expired end of January and one is being prepared in the St Peters Ward

ASB None Crime Reports for the last 3 months



# Case Study: Op Eternity

- Areas of focus identified in partnership – utilising data as well as local and community intelligence;
- Partnership with Walsall – utilising the same youth workers across bordering areas to maintain knowledge and relationships, recognised regionally as an example of best practice;
- Flexibility in approach with deployment of PCSOs, PCs and youth workers – balancing engagement and diversion with enforcement;
- Additional investment to build on success and provide positive diversion;
- Regular communication with grass roots organisations, communities and businesses and within the area;
- Feedback to communities via Love Your Community meetings.

# Case Study: Op Eternity

Patrols have focused on 3 areas which have historically suffered with high levels of ASB. These areas being:

- The Scotlands
- Heath Town/ Bentley Bridge S59 Bus Corridor
- Warstones

Across all areas Neighbourhood Crime and Total ASB incidents has decreased with the exception of Heath Town where NH crime is showing a 1.44% increase.

Date Range	S59 Bus Corridor		The Scotlands		Warstones	
	Total NH Crime	Total ASB Incidents	Total NH Crime	Total ASB Incidents	Total NH Crime	Total ASB Incidents
17/07/23 – 31/12/23 (OP ETERNITY PERIOD)	777 <b>+1.44%</b>	67 <b>-44.77%</b>	278 <b>-25.87%</b>	16 <b>-200%</b>	158 <b>-30.09%</b>	12 <b>-16.66%</b>
17/07/22 – 31/12/22	766	97	375	48	226	14

Moving forward

- Review of Spend
- Review of Outcomes and Activity
- Exit Strategy

# Anti-Social Behaviour Case Reviews

The ASB Case Review gives victims of ASB or hate crimes the right to request a case review if they aren't satisfied with how their case has been handled. One of the following criteria must be met:

- an individual has reported three separate incidents relating to the same problem in the past six months to the Council, Police or your landlord
- an individual has reported one incident or crime motivated by hate (due to race, religion, disability, sexual orientation or transgender identity) in the last six months and no action has been taken
- at least 5 people have made reports about the same problem in the past six months to the Council, Police or your landlord and no action has been taken

If the criteria is met an independent review is undertaken and where applicable recommendations for action are made.

	2020	2021	2022	2023
Number of applications	9	11	21	15
Number of reviews undertaken	4	0	1	2
Number of reviews which resulted in recommendations	4	0	1	2



## Key challenges/ areas of focus

1. How can we increase understanding of appropriate reporting of ASB?
2. How can we better manage expectations and understanding of requirements in relation to outcomes in relation to ASB, including the complainant's role in the process?
3. What more can be done to increase perceptions of safety, community cohesion and tolerance?

**wolverhampton.gov.uk**