

Anti-social Behaviour Policy 2025 - 2028

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Review Schedule

This policy will be reviewed annually.

Policy Approval Date	29 September 2025
Policy Last Reviewed	29 September 2025
Next Review Date	28 September 2026

Policy Statement and Commitment

This Policy sets out Stafford Borough Council's commitment to reducing anti-social behaviour (ASB) and supports the Council's Corporate Plan, in particular the objective to ensure that Stafford is a "safe and cohesive Borough".

ASB can devastate the lives of individuals and communities - including those who live, work, visit and invest in our Borough. It can also be a precursor to more serious crime.

No-one should have to suffer ASB, and to support our commitment to reducing ASB we will:

- Place victims and witnesses at the core of our procedures;
- Ensure that all reports of ASB are treated seriously and dealt with professionally;
- Make effective and appropriate use of the tools and powers available to us, allowing ASB to be addressed firmly, fairly and proportionately;
- Co-ordinate joint working with partner agencies to deliver the most effective service;
- Raise awareness of what constitutes ASB and empower our communities, and;
- Publicise and promote available support and diversionary services.

This is a Corporate ASB Policy, under the remit of the Community Safety Team. For specific Service Area procedures, please refer to the relevant departmental policies.

Definitions and Explanations of Anti-social Behaviour

The legal definition of ASB is provided within several Acts:

- Crime and Disorder Act 1998
(www.legislation.gov.uk/ukpga/1998/37/contents)
- Anti-social Behaviour Act 2003
(www.legislation.gov.uk/ukpga/2003/38/contents)
- Police Reform and Social Responsibility Act 2011
(www.legislation.gov.uk/ukpga/2011/13/contents)
- Anti-social Behaviour, Crime and Policing Act 2014
(www.legislation.gov.uk/ukpga/2014/12/contents)

In general, ASB is considered to include behaviour capable of causing nuisance, annoyance or disturbance to any person; or an act that causes, or is likely to cause harassment, alarm or distress to one or more persons, not of the same household.

There are three main types of ASB. These are:

- Personal
- Nuisance
- Environmental

Personal ASB

These are usually incidences that deliberately target an individual or group of people, rather than the community. For example:

- Intimidation or harassment
- Violence or threats of violence
- Abusive or insulting behaviour

Nuisance ASB

These are usually incidences that affect the community, rather than an individual victim. For example:

- Drug or substance misuse
- Vehicle nuisance (reckless driving, damage, abandonment)
- Noise nuisance

Environmental ASB

These are incidences when individuals or groups impact their wider surroundings. It includes environmental damage and the misuse of public spaces or buildings. For example:

- Accumulations of waste
- Littering
- Fly-tipping

The topics and behaviours listed may fall into more than one category.

What isn't ASB?

Some examples of behaviours which aren't considered anti-social are listed below. Please note that this is not an exhaustive list:

- People playing in parks and gardens (with no associated anti-social behaviour)
- Reasonable domestic noise
- Disagreements between members of the same household
- Inconsiderate parking. Please refer to information on the County Council website for additional information - Parking and Enforcement (www.staffordshire.gov.uk/Highways/Parking-and-enforcement/Home.aspx)
- Disputes over property and boundaries
- Private use of CCTV and smart doorbells

Our Responsibilities

Under the Crime and Disorder Act 1998, Stafford Borough Council, as a Local Authority, has a statutory responsibility to work in partnership with other Responsible Authorities to reduce crime, disorder, substance misuse and re-offending in their locality. Responsible Authorities are defined as the Local Authority, County Council, Police Service, Fire and Rescue, Probation Service and the Integrated Care Board.

We also have a statutory duty to consider and investigate ASB, courtesy of the Anti-social Behaviour, Crime and Policing Act 2014 and, where appropriate, have a range of powers to tackle it. We shall liaise with, and signpost to other agencies, such as the police or housing associations, where relevant.

We are also required to conduct an ASB Case Review where a victim requests one, and where their case meets the locally determined threshold. Further information regarding this process is listed under the 'Case Review' section of this Policy.

1 Reporting Anti-social Behaviour

There are several ways in which you can report ASB to Stafford Borough Council.

Online: www.staffordbc.gov.uk/community-safety-anti-social-behaviour

Email: ASBEnquiries@staffordbc.gov.uk

Telephone: 01785 619000

Reports of ASB can be made by those directly affected or by a third party, for example, a local Councillor, Member of Parliament, or social worker, for example. If a report is made via a third party, we will always seek the consent of the individual concerned to communicate and share information with the third party.

It should also be noted that Registered Social landlords also have powers that they can utilise. If you feel you are a victim of ASB and live in a property that is managed by a social landlord, it is recommended that issues are reported to them in the first instance.

The police also have the same, and in some cases, additional powers as the Council under the Anti-social Behaviour, Crime and Policing Act 2014. ASB can be reported to the police via the following methods:

- By telephone on 101
- Online at Report antisocial behaviour
(www.staffordshire.police.uk/ro/report/asb/asb-v3/report-antisocial-behaviour/)
- If anyone is seriously injured, or if there is an immediate danger or risk to public safety, a call must be made to 999.

2 The Process

When a report of ASB is made, we will endeavour to discuss the alleged issues with the reporter, any other persons directly impacted, the alleged perpetrator (if safe and appropriate to do so), and any other relevant partner agencies. This will help us gain an understanding of what is occurring and the persistence of the behaviour.

Consent for this will be sought from the individual concerned, but information can legally be shared without consent if it is in relation to the prevention and detection of crime and disorder, or if there is an overriding safeguarding concern.

We adopt a harm centred approach and will also consider the impact that the ASB is having on individuals, families, and the community. This enables us to better understand the harm that may be being caused.

Each ASB case is individual. As a result, we cannot provide fixed timescales following the 'Report assessment' stage.

Report received - Acknowledgement within 5 business days.

Initial triage - Where it is determined that cases are more appropriately dealt with by other Council departments (for example, Environmental Health), we shall forward onwards, and update the individual concerned. This will be actioned within 7 business days.

Report assessment - An officer will assess if the report reaches the criteria for investigation. If so, a case will be logged, a risk assessment will be completed, and incident logs will be provided. This shall be actioned within 7 business days, but any urgent advice or Safeguarding issues will be actioned immediately.

Ongoing case management - Following receipt of incident logs, a decision will be made regarding how to manage the case (Note that if incident logs are not returned within 21 days, the case will be closed and the reporter updated). Officers will usually conduct a wider investigation with partner agencies such as Staffordshire Police, or via multi-agency meetings. During most investigations, contact will be made with the alleged perpetrator to allow them a fair opportunity to respond to the allegations. The Officer will explain the consequences of carrying out ASB and summarise the next steps in the investigation.

Throughout the process, we will:

- Record all complaints received;
- Remain in regular contact, and offer advice/support - this can include referring and signposting to appropriate agencies, and is not limited to the reporter;

- Agree an action plan of proposed, proportionate steps, detailing what is expected from all parties at each stage.

Appendix A details the process in flowchart form.

3 Action we can take - Tools and Powers

The Officer will assess each case individually, and the actions taken will be proportionate to the circumstances of the case.

Tools and powers are usually implemented incrementally, and many complaints can be resolved through early intervention. Legal action will only usually be approved where early intervention methods have not been successful, or where there is a serious risk of harm. However, for the most serious cases we reserve the right to commence legal action immediately.

Most anti-social behaviour investigations take place within civil law, meaning a civil standard of proof is applicable. The Council needs only to be able to demonstrate that the incident(s) is more likely than not to have happened. When civil legal action has been taken and a Court Order has been disobeyed i.e., breach of an Injunction, Closure Order, or prosecution for breach of a Community Protection Notice; the criminal standard of proof applies. This means that the Council will need to demonstrate that the incident(s) happened “beyond reasonable doubt”.

No Action

In some cases, no action will be taken. These reasons may include:

- Establishing that the incident did not happen
- Not having sufficient evidence to prove the matter to the relevant standard of proof
- Assessing that the issues reported are not what the Council considers antisocial
- Being unable to investigate fully due to non-cooperation of the reporter/witness
- The ASB has stopped and the likelihood of further ASB is low

The Council recognises that individuals have different tolerance thresholds, so we would expect both parties to work together to discuss any minor issues or disagreements before a complaint is made - if it is safe to do so.

Letters and or Word of Advice

Occasionally a letter or phone call with an alleged perpetrator of low level ASB is all that may be required to resolve some issues. The perpetrator will be informed of the nature of the complaint about them; along with potential consequences should their behaviour continue or escalate. In many cases, awareness of the impact of their behaviour on victims, and the threat of more formal enforcement tools, can be a sufficient incentive for an individual to change their behaviour

Informal interventions should be considered first in most cases, particularly when dealing with young people, as they can stop bad behaviour before it escalates. This should be determined by professionals on a case-by-case basis.

Acceptable Behaviour Contracts

These are voluntary written agreements which are signed by an individual committing anti-social behaviour. The agreement can be with agencies such as the Council, housing provider, education and police - and can include both restrictions and positive requirements. They are most regularly issued to young people over the age of 10, with parent/guardian involvement.

These agreements are not legally binding; however, they are useful in highlighting children's behaviour to their parents and letting them know the consequences if they continue to act in an anti-social manner. Multiple breaches can be used to illustrate that non-legal tools have been unable to tackle the problem and that escalation to enforcement may be required.

The contract normally lasts for six months but it is recommended that it is reviewed at approximately three months to ensure it is still fit for purpose and does not require amending.

Mediation

Mediation can play a key role in anti-social behaviour issues and can be seen as a medium between self-resolution, and more formal tools and powers. Mediation can be offered to parties involved in an ASB case, where it is deemed appropriate and accepted by both parties.

Noise Monitoring

Sound monitoring equipment has been purchased by the Council, to utilise for some of their anti-social behaviour cases.

Before installing any sound monitoring equipment, the relevant officers would need to have received completed diary sheets and spoken to a representative from Environmental Health. This is to prevent duplication of work and to ensure that the most appropriate powers are utilised.

Sound monitoring equipment will be installed in a premises on a maximum of three occasions. If behaviour which warrants further action is not detected on any of these occasions, then equipment will not be installed again, except in exceptional circumstances.

We would need to notify any parties that we have received complaints, before the installation of any monitoring equipment. This ensures compliance with the Regulation of Investigatory Powers Act 2000 (RIPA).

Community Protection Warning / Community Protection Notices

The Community Protection Notice (CPN) is designed to stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life.

The anti-social behaviour has to:

- have a detrimental effect on the quality of life of those in the locality;
- be of a persistent or continuing nature; and
- be unreasonable.

A Community Protection Warning (CPW) must be served before a CPN can be issued.

Both positive requirements and prohibitions can be included in both the CPW and the CPN and could include reasonable timescales for certain actions to be carried out, or for behaviours to cease.

Breach of a CPN is a criminal offence. The punishment for a breach is a Fixed Penalty Notice (FPN) of £100, reduced to £75 if paid within 10 days, which discharges all liability for the offence. If the FPN remains unpaid after 14 days we will seek to prosecute, whereby the maximum penalty is a fine of up to £2,500 for individuals, or £20,000 for businesses.

The FPN is a discretionary stage of the process, and we will consider progressing directly to prosecution for any further or subsequent breaches of a CPN. The Council will also pursue all costs relating to the case.

Public Spaces Protection Orders (PSPOs)

PSPOs are aimed at ensuring public spaces can be enjoyed free from anti-social behaviour. They are intended to provide a means of preventing individuals, or groups, committing anti-social behaviour in a public space where the behaviour:

- is having, or is likely to have, a detrimental effect on the quality of life for those in the locality;
- is persistent or continuing in nature;
- is unreasonable, and;
- justifies the restrictions being imposed.

Councils can use PSPOs to prohibit specified activities within a defined public area. PSPOs differ from other tools introduced under the Act as they focus on the identified problem behaviour in a specific location, as opposed to targeting specific individuals.

A breach of a PSPO can result in a Fixed Penalty Notice of £100, reduced to £75 if paid within 10 days, which discharges all liability for the offence.

If the FPN remains unpaid after 14 days we will seek to prosecute, whereby the maximum penalty is a fine of up to £1,000.

The FPN is a discretionary stage of the process, and we will consider progressing directly to prosecution for any further or subsequent breaches of a PSPO. The Council will also pursue all costs relating to the case.

Further information on Stafford Borough Council's PSPOs can be found at: www.staffordbc.gov.uk/pspo.

Closure Powers

This power can be used by the police and authorised officers from Stafford Borough Council, where there are high levels of nuisance, disorder, or illegal activity - either currently ongoing, or expected imminently. A closure notice prohibits access to the premises for up to 48 hours. A Closure Order can then be requested through the court for the property to be closed for up to 3 months.

This power will only be considered where other tools i.e. CPN's have failed to stop behaviour, or where the behaviour is so significant that the only way to stop it would be to close the premises. We will consult with colleagues in the Housing Options team at the earliest opportunity to prevent vulnerable people becoming homeless.

It is a criminal offence to breach the conditions imposed by a closure notice or order, with up to three months imprisonment for a Notice and six months/unlimited fine for an Order.

Criminal Behaviour Orders

Criminal Behaviour Orders (CBO) give agencies the power to deal with persistent ASB from individuals, who are also engaged in criminal activity.

A (CBO) can be issued by a court and is available on conviction for any criminal offence. The order is aimed at tackling the most serious and persistent offenders. The CBO can deal with a wide range of anti-social behaviours following the individual's conviction for a criminal offence, for example, threatening violence against others in the community, and persistently being drunk and aggressive in public.

Civil Injunctions

Civil Injunctions are a court order which can be issued to stop individuals engaging in ASB. It can be used to prevent someone from doing something, but positive requirements can also be added to encourage the perpetrator to change their behaviour. These are generally used when the level of harm is significant, and other tools have been utilised without effect.

Injunctions can be used for anyone from the age of 10 years old. For juveniles, the Youth Offending Team must be consulted.

A power of arrest can be attached to an injunction, but this is normally reserved for instances where the offender has been violent, threatened violence, or where there is a reasonable chance that violence could occur.

Breach of an injunction can result in an unlimited fine, or imprisonment for up to 2 years. For young people under 18 the court can issue a supervision order or detention of up to 3 months.

4 Case Review

The ASB Case Review, formerly known as the Community Trigger, is a process which allows for victims of ongoing, persistent ASB to request a multi-agency review of their case. Any person has the right to activate a multi-agency review if they feel their complaint(s) regarding ASB has not been dealt with appropriately.

The Review is designed to ensure the Council, and our partners, are responding appropriately to cases of persistent ASB, especially where the victim is vulnerable or at greater risk.

This is not a complaints escalation procedure, its purpose is to identify if any further actions can be taken amongst agencies to address the ASB, with an Action Plan being formulated.

In Staffordshire, the agreed threshold for activating a Case Review is:

- Three separate incidents have been reported in the last 6 months to the police, council, or social landlord;
- The ASB was reported within 30 days of it taking place, and;
- The ASB is continuing.

Staffordshire Police are the single point of contact for a Case Review and a victim of ASB, or someone acting on their behalf, can ask to activate the review in one of the following ways:

- By telephoning Staffordshire Police on 101 and request that you wish to apply for a Case Review
- By using the Live Message service on Staffordshire Police's website - www.staffordshire.police.uk/
- By completing an online Case Review application here - www.staffordshire.police.uk/advice/advice-and-information/asb/nw/request-asb-case-review-community-trigger/
- By writing to the Central Disclosure Unit, Staffordshire Police HQ, Weston Road, Stafford, ST18 0YY

The Anti-social Behaviour, Crime and Policing Act 2014 places a duty on the relevant bodies to respond to the victim at points in the Case Review process. These include:

- The decision as to whether or not the threshold is met;
- The outcome of the Review, and;
- Any recommendations or actions agreed, as an outcome of the Review.

More information on the Case Review, including the full policy, can be found here - www.staffordshire.police.uk/advice/advice-and-information/asb/sf/asb-case-review/

Safeguarding Our Staff

Stafford Borough Council will not tolerate, under any circumstance, any threats, violence or abusive behaviour towards our staff or contractors. We will act against any person who shows acts of aggression towards any person carrying out their work in respect of this ASB Policy or any other service. We may involve the police if it is decided that this course of action is appropriate, and we may also stop investigating the case.

Complaints

The Council is committed to handling complaints of ASB in a professional manner. If anyone is not happy with the way we have managed their case, we would welcome feedback so that we can review and improve our service.

Full information of the Complaints Procedure can be found here - www.staffordbc.gov.uk/complaints

Appendix A - ASB Complaint Process



