



# Anti-Social Behaviour Tool Kit

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## **1. The Community Safety Partnership**

Mid Devon District Council is a key agency of the Community Safety Partnership where all Partners are committed to ensuring Mid Devon stays as one of the safest places to live and work in the United Kingdom. This will be achieved by a proactive, partnership approach to identifying causes of anti-social behaviour and supporting diversionary activities to prevent such behaviour. Officers are linked with colleagues in Partner Agencies, such as the Police, Social Services, Schools, Youth Offending and Youth Intervention Teams and when necessary will meet with these colleagues to formulate an action plan to resolve the issues

We will work with our Partners to tackle all ASB through the escalation process and have regular monthly meetings to address current issues and link with Devon and Cornwall Police partners across the peninsula to ensure a consistent approach and adhere to agreed ASB escalation process from low level warning letters to court action.

The partnership approach is built on the premise that no single agency can deal with, or be responsible for dealing with, complex community safety issues and that these issues can be addressed more effectively and efficiently through working in partnership

Further information about the current priorities of the East and Mid Devon CSP and activities is available on Mid Devon District Council's website on the community safety pages.

## **2. Who's responsible for tackling anti-social behaviour?**

We are all responsible for tackling these issues. We need to ensure that our own behaviour does not have a negative impact on others and that our friends and family members visiting our property do not act in a way that will disturb or concern our neighbours. When we are out and about in the wider community our behaviour and that of our associates should not cause alarm, harassment or distress to others.

However some members of our society do not have this same point of view and their behaviour, and sometimes that of their associates, does cause others concern. If this happens then action can be taken to address those concerns and the activities behind them. This document is designed to provide guidance and support to a wide range of readers should anti-social behaviour be a problem to you or your neighbourhood.

When issues of concern are reported or raised by the community to the District Council, each Service will assess the situation and gather evidence as quickly as they can in line with service standards in order to resolve the problem.

### **3. What is anti-social behaviour?**

The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour 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 persons occupation of residential premises; or
- conduct capable of causing housing related nuisance or annoyance to any person.

### **4. What can we do about anti-social behaviour?**

We all need to live together and to get on with each other as best we can. However, on occasions individuals or households cause issues of concern to neighbours that need addressing.

- Do you or any members of your family play loud music or have noisy parties?
- Does your dog bark or howl when you go out to work?
- Do you regularly rev your car or motorcycle when you leave for work early in the morning?
- Are friends and guests to your property mindful of others by keeping down the noise in the early hours?

These are just a few examples of things that might cause your neighbours a problem and you may not even be aware that they do. Consider making adjustments to your own behaviour in order to be considerate to others.

If you experience anti-social behaviour then follow the guidance within this document.

### **5. Problems with your neighbours**

If you are having problems with a neighbour, their children or their pets, the first step should normally be to approach them yourself.

#### **Talk it over**

Have a conversation with your neighbour and explain what's disturbing you and outline the problem, giving dates and times. Choose a time when you are not angry or 'wound up' about it so that you can politely explain how this behaviour affects you and your family. This personal approach is often the most effective way of initially dealing with a problem and can help to nip it in the bud.

Often the neighbour may not even be aware that they are causing you an issue and you will be able to reach a compromise. Do remember though that your neighbour may have their own issues or concerns that you are not aware of. Try not to shout or lose your temper as this could make the situation worse. Try to think how you would like to be approached if someone had a problem with something you were doing.

You may like to follow the conversation up with a note or letter that confirms your concerns and what action you would appreciate them taking in order to resolve the issue. Give them time to consider your request and respond as it may take a bit of time for them to realise that your request is reasonable.

### **Keep a Diary**

Start to keep a diary of events with details of what happens, dates & times, duration of incident etc. and details of any conversations you may have had. Home owners and landlords need to be aware that when selling a property the vendor is legally obliged to declare any neighbour disputes. You can view a sample diary sheet at the end of this document.

### **Mediation**

If you are unable to resolve a situation yourself then we would recommend mediation in cases where there is a dispute. Devon Mediation Service is a local charity and covers the East & Mid Devon areas. The service is a good way of enabling each party to understand the others point of view, especially as it's likely you will remain neighbours for some time. The mediators do not take sides but try to find a middle ground that both sides can agree on. The mediation session does not mean that you need to be in the same room as your neighbour as the mediator can go from house to house if necessary. You can contact [Devon Mediation Service](#) at The Red House, St. Lawrence Green, Crediton EX17 3LN on 01363 777734.

### **Properties owned by Social Landlords**

If you experience anti-social behaviour from a neighbour who lives in a Council owned property, social housing or a private rented property then the 'landlord' has an obligation to ensure that their tenants are behaving in a reasonable manner.

You can make contact with the landlord to explain your problem and seek their support in resolving this, if talking to the neighbour directly and mediation has not worked. The Mid Devon District Council Housing Teams may be able to assist in identifying who the landlord is. They can be contacted by calling 01884 255255.

## **6. How can the Police help?**

If the problem escalates and you feel intimidated, threatened or there are criminal activities occurring, then you should report that matter to the police on the non-emergency number 101 or by emailing [101@dc.police.uk](mailto:101@dc.police.uk)

If a crime or serious incident occurs then you should dial 999 immediately, as it is happening.

**Police and Mid Devon District Council will not normally get involved in:**

- petty 'tit-for-tat' arguments between two households
- boundary or property disputes
- parking disputes on roads or pavements
- lifestyle disagreements of a minor matter such as cooking smells, noise or children playing
- children falling out with each other
- one-off parties, bonfires, fireworks etc.
- unwelcome, low level accusations on social media

These matters could be resolved by mediation.

If you have experienced **violent behaviour** or harassment from your neighbour in the past, or feel threatened by them, you should **not** attempt to resolve the matter yourself. Contact the Police for support.

## 7. Who else can help?

Different types of anti-social behaviour may be dealt with by the Police, District Council or other organisations. Below are details of who you could go to in order to report your problem, and could deal with initial first complaints.

### Mid Devon District Council – Environmental Health Issues

01884 255255

[customerfirst@middevon.gov.uk](mailto:customerfirst@middevon.gov.uk)

Noise

Light Pollution

Animal Nuisance

Pollution Nuisance

Odour Nuisance

### Mid Devon District Council – Housing

01884 255255

[asb@middevon.gov.uk](mailto:asb@middevon.gov.uk)

ASB by and/or affecting Council tenants which may include:

Noise Nuisance

Drugs

Alcohol/Solvent Abuse

Condition of Garden

<p>Criminal (physical violence) – in consultation with police</p> <p>Children (noise &amp; nuisance)</p> <p>Pets &amp; Animals (fouling, noise etc)</p> <p>Intimidation</p> <p>Verbal Abuse</p> <p>Youths/ASB</p> <p>Children (ball games)</p> <p>Criminal Damage</p> <p>Loud Music</p> <p>Racial Abuse</p> <p>Violence/Assault</p> <p>Harassment</p> <p>Communal areas (unsanitary conditions)</p>	
<p><b><u>Mid Devon District Council - Licensing Issues</u></b></p> <p>01884 244617/8/9</p> <p><a href="mailto:licensing@middevon.gov.uk">licensing@middevon.gov.uk</a></p>	
<p>Noise &amp; Other Nuisance from licensed premises</p> <p>After Hours Drinking</p> <p>Under-age sales</p> <p>General Conduct of licensed premises</p> <p>Disorder from licensed premises</p> <p>Gambling</p>	
<p><b><u>Devon &amp; Cornwall Police</u></b></p>	
<p>Groups gathering causing public disorder, underage drinking in public areas, harassment or intimidating behaviour</p>	<p><b>101</b> in a non-emergency for reporting incidents once they have occurred or</p> <p><b>email</b> <a href="mailto:101@dc.police.uk">101@dc.police.uk</a></p> <p><b>999</b> in an emergency and if a crime is happening now or offenders are at the scene.</p>

<b><u><a href="#">Crimestoppers</a></u></b>
<b>0800 555 111</b>
To provide anonymous information about crimes or anti-social behaviour
<b>Fire Safety &amp; Community Issues</b>
<u><a href="#">Devon &amp; Somerset Fire &amp; Rescue Service</a></u> 01392 872200

## 8. Reporting ASB

With limited resources most agencies including the District Council and the Police will prioritise incidents.

**Self-help:** In the first instance agencies will expect individuals or communities to take steps to resolve the issues themselves. It may be possible to resolve this locally without the direct involvement or intervention of the Council or other agencies. A more formal approach to addressing issues is not always necessary or welcome by communities, however, we would not wish for individuals to put themselves at risk.

**Assessment:** If lower level intervention is not possible or practical then ASB can be reported to the relevant agency using the contact details above.

If the agency cannot help, the customer will be informed as soon as possible and be given advice on what steps they can take to deal with the issues raised.

**Referral:** Where the incident should be dealt with by a different organisation the agency will refer the case on to the relevant contacts.

The Mid Devon Anti-Social Behaviour Coordinator who works on behalf of the Community Safety Partnership (CSP) can give you advice and support, and make contact with other agencies in order to help resolve local issues.

**Yvette Welsh**

**Mid Devon**

**Tel: 01884 234997**

[communitysafety@middevon.gov.uk](mailto:communitysafety@middevon.gov.uk)

## 9. Who can support you?

**[Victim Support](#)** provides a free Helpline for victims of all crimes including Anti-social Behaviour. **Tel: 0808 1689111.**

[Victim Care](#) provides a directory is to help victims of crime find the support they need and provide you with as much general information and advice as possible within one place. Tel: 01392 475900.

## **10. Community-based anti-social behaviour**

Sometimes individuals or groups can cause a problem to a wider community. This may affect several households, a whole community or one or two targeted properties or individuals.

### **Recording the problem**

Diary sheets, or records of the incidents, are very helpful to build a picture of the overall problem. Those affected are encouraged to start recording the problems as soon as possible.

### **Witness statements**

The police and councils cannot take action without accurate and reliable witness statements and witnesses that are prepared to go to court if necessary. This can seem a scary prospect but those that have done so have said how worthwhile it was in order to help resolve their ASB issues and get their lives back to normal.

### **Threats and intimidation**

If an incident occurs where there are threats, intimidation or crime then the police should be contacted at the time by calling 999.

If the incident has already occurred and you do not require the police to attend immediately, please report it on the police non-emergency number 101.

### **Vulnerable victims**

If there is a vulnerable victim then the police and/or the ASB Coordinator need to be made aware as soon as possible. A safeguarding plan will be put into place with additional resources allocated if necessary and appropriate. See Section 12 for more advice regarding Vulnerable and Elderly Victims.

### **Criminal damage**

If criminal damage is occurring now, call 999 for immediate police attendance. Any damage or crimes discovered after the event should be reported to the police and a log number obtained by calling the police non-emergency 101 number or via their email [101@dc.police.uk](mailto:101@dc.police.uk). This helps to build an overall picture of frequency of the problem and those affected.

## **Social housing**

If an individual is involved and is a Council tenant or the tenant of a Registered Social Landlord (i.e. Housing Association), then the Housing Officer at the organisation needs to be made aware of the issues, as the householder may be acting in breach of their tenancy agreement.

## **Problem solving meetings**

When evidence is gathered about the problem within the community then the Police, District Council or Community Safety Partnership will take a lead in assisting to resolve this. This could mean convening a multi-agency meeting, to discuss the issues and agree a plan of action. A community based meeting might also be held so that residents can take part, understand the extent of the problem and local agencies can explain possible and realistic actions.

## **11. What can local councils & elected members do?**

### **Responsibilities**

All Councils, including Town and Parish Councils, have responsibilities under The Anti-Social Behaviour, Crime and Policing Act 2014. They have a duty to consider the impact of all their functions and decisions on crime and disorder in their local area.

As the 'grass roots' level of government, town and parish councils are in an ideal position to represent the views of their communities and ensure they have a say in local crime reduction strategies.

### **How can elected members help?**

Elected members can assist by:-

- encouraging residents to report incidents in the prescribed manner
- advising residents to keep a record or diary of incidents that occur
- acting as a voice for the community at any evidenced based, problem solving meetings
- working with other partner agencies to resolve the issues and encourage residents to engage in that process
- linking with the Community Safety team
- supporting other agencies to resolve the issues.

## **12. What can we do together?**

- Take action early. The sooner a problem is identified the easier it may be to put it right – entrenched behaviour is more difficult to tackle.
- Gather appropriate evidence to take further action. Members of the community should report issues to the relevant organisations once it is clear that any personal intervention and/or mediation haven't worked.
- Agree a course of action that will reduce and ultimately resolve the anti-social behaviour.
- Support each other and protect the vulnerable.

- Resolve anti-social behaviour problems.

### **13. Vulnerable & Elderly Victims**

Many vulnerable and elderly residents become victims of anti-social behaviour or crime.

#### **Types of Vulnerability**

There have been several well documented cases in the national and local press showing how vulnerable individuals have been driven to take their own lives or have become murder victims at the hands of others they associate with in their own communities. This is clearly not acceptable and we all have a responsibility to look out for all members of our community to ensure that they do not become victims of hate crime, which includes crimes relating to:-

- Disability
- Race & Faith
- Homophobia
- Transphobia
- Age
- Gypsy & Traveller

#### **Reporting hate crime**

We have a zero tolerance to hate crime. If you witness or suspect that someone is a target for criminal activities or anti-social behaviour because of any of the things mentioned above then you should report this to the police on the non-emergency number 101. If a crime or serious incident is taking place at the time then you should dial 999 immediately, as it is happening.

#### **Safeguarding concerns**

There are clear links between hate crime incidents and Safeguarding. This is all about protecting vulnerable adults and children from abuse. Any concerns you have of this nature can be made by contacting:-

**[Care Direct](#) 0845 155 1007**

Information and help for older people, vulnerable adults, and their carers.

**[Multi Agency Safeguarding Hub \(MASH\)](#) 0345 155 1071**

Speak to someone if you are concerned about the safety of a child or young person.

## **Preventing violent extremism**

Another form of vulnerability is the risk of being radicalised by others for their own purposes. Some individuals are more susceptible than others, for whatever reason, to being radicalised by extremist groups, sometimes through websites.

If you have any concerns about the way in which an individual is expressing their views, or behaving in a way that causes concern then you need to report this so it might be investigated. Early intervention can both avoid a possible future incident in the wider community, but also assist the individual and their family.

To report any of these concerns then contact the Police on 101 and ask to speak to the PREVENT Team. Alternatively you can contact the Mid Devon Community Safety Officer on 01884 234996.

## **14. Bullying**

Bullying is when a person or group of people makes someone feel frightened or bad about themselves. This can include name-calling, violence, theft or being forced to do something they do not want to do. This can happen within the school or work place environments.

Traditionally, bullying has taken place in the school playground, public places or private locations, but bullies also use text messages, emails, websites and forums to be abusive.

### **At School**

The first you may know of the problem is when your child suddenly does not want to go to school. Other signs of bullying can include unexplained cuts and bruises, lost dinner money, friendship problems and mood swings

If you fear your child is being bullied then speak to your child's teacher, explain your worries and ask them to keep an eye on the situation. Most cases of bullying are dealt with at school without the need for official action.

If bullying continues, take the following steps:

- Keep a diary of what your child says is happening.
- Write a note to the teacher explaining the problem is still unresolved.
- Write to the head teacher outlining everything that has happened.

If your child has been assaulted at school, the matter can be dealt with by the school. In more serious cases contacting the police should be considered.

If your child is being bullied online, contact the site administrator. Block numbers and turn-off Blue-tooth connections on mobile devices.

## **Vulnerable Adults**

Some adults may be more risk of abuse than others. The following circumstances could increase the risk of abuse:

- Physical disability
- Learning disability
- Sight or hearing loss
- Severe illness
- Mental health problems
- Old age and fragility
- Dementia or confusion

If you have concerns that someone may be being abused, or at risk of abuse, it is important that you take action and contact [Safeguarding Devon](#) or phone 0845 155 1007.

More information is available on the [police website](#) .

If you witness abuse occurring the please phone the police on the non-emergency number 101 and provide a statement in order that action can be taken to prevent this from reoccurring in the future, and to protect the victim further. If you witness something happening now, then dial 999.

## **15. Victim of a social media attack?**

Social networking sites can be a fantastic way to talk to friends, have fun and share photos and videos. However, they can also be overwhelming and present challenges to keeping safe online.

There are a few simple steps that you can follow to help stay safe while using Facebook, Twitter and other social networking sites:

- Protect your account. Protect your account with a password so that no-one else can post information on your behalf or without your knowledge.
- Don't make private information public. Click on the privacy settings and control who sees your posts and photos by going through the options. The default setting on Facebook is 'public'; you may wish to change this to 'friends'.
- Remove a connection to a friend who you are no longer comfortable sharing information with.
- Report abusive or offensive content directly to the site.
- Block anyone who may be harassing you, via the privacy settings.

By being responsible and careful in your use of social networking, you can help to protect yourself from unwanted contact.

For more information on keeping safe online visit: [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk) and [www.getsafeonline.org.uk](http://www.getsafeonline.org.uk)

## **16. Domestic Abuse**

Domestic abuse is essentially about the misuse of power and the exercise of control by one person over another within the context of any intimate or close relationship. Such abuse may manifest itself in a variety of ways including physical violence, emotional or psychological abuse, sexual violence and abuse, financial control and abuse and the imposition of social isolation or movement deprivation.

Frequently, domestic abuse includes threats of violence, threats of suicide, or threats to take the children from the abused person. It may also include breaking objects, hurting pets, abusive language, sexual abuse, driving recklessly to endanger or scare the abused person, isolating family members from others, and controlling access to money, cars and credit.

On occasions domestic incidents may cause disturbance for neighbours and raise concerns about safety for individuals and children.

If you hear an incident where you feel someone is in immediate danger then call the police on 999 and explain you believe this to be a domestic incident and fear for safety. Do not worry about 'getting involved' in other people's business as the 'victim' may be most grateful that you made the call and you may have saved a life.

There are clear links between Domestic Abuse & Violence incidents and Safeguarding. This is all about protecting vulnerable adults and children from abuse. Any concerns you have of this nature can be made by contacting:-

**Care Direct 0845 155 1007**

Information and help for older people, vulnerable adults, and their carers.

**Multi Agency Safeguarding Hub (MASH) 0345 155 1071**

Speak to someone if you are concerned about the safety of a child or young person.

If you are experiencing domestic violence or abuse you can seek help in the following places:-

**In an emergency call the Police - 999**

**Stop Abuse For Everyone - 0800 328 3070**  
(24 Hour confidential support and information)

National Domestic Violence Helpline - 0808 2000 247

Men's Advice Line - 0808 801 0327

Social Services (out of hours) - 0845 600 0388

## **17. Tools and Powers Available to Tackle ASB**

When dealing with any reports or incidents of anti-social behaviour the responding organisation(s) need to ensure that they fully investigate the allegations. Before any action can be taken there needs to be clear, independent evidence to ensure that any response is proportionate to the case.

Gathering evidence may be time consuming and possibly frustrating for the victim(s) but it is essential that organisations do this correctly in order to justify any action against individuals or premises. In some cases it may require organisations to apply to the court for an injunction or similar order. The court will need to see evidence of the anti-social activities and the impact on the victims. This needs to be backed by further evidence that everything has been done to engage with the perpetrator and to try and get them to change their behaviour, prior to any court action. If this is not clearly evident the application may not be successful.

### **Dealing with anti-social individuals**

Agencies in Devon and Cornwall work to an agreed 'Escalation Process' for individuals – both for adults and young people.

This process includes warning letters, multi-agency interventions (such as Acceptable Behaviour Contracts), referrals to support services (including mental health, alcohol or drug services), and escalates onto court interventions such as Injunctions and Criminal Behaviour Orders if the behaviour does not improve.

Evidence can be gathered, including statements, and video or noise monitoring equipment that will support reports from the community.

### **Dealing with anti-social locations/hotspots**

In extreme cases agencies can close premises – including a private residential address, if the anti-social behaviour is severe. Social Landlords can also seek to evict tenants who continually cause anti-social behaviour but this still has to be done through the county courts. Action such as this requires considerable evidence for the courts to justify removing someone, either temporarily or permanently, from their home - especially if there are children residing at the address.

## **Dealing with anti-social groups**

The police have the option to use a dispersal power, enabling groups to be split up and sent out of a defined geographical area. Any breach of this order would result in arrest and appearance before the courts.

If groups are known to be using alcohol and the issues can be associated to the consumption of that alcohol then the local council can consider making a Public Spaces Protection Order based on evidence available. This would allow the police discretionary powers to remove alcohol from anyone within the area, and individuals would be committing an offence should they refuse to relinquish alcohol when asked to do so.

# Nuisance Diary Sheet

SERVICE REFERENCE:

YOUR NAME:

YOUR ADDRESS:

PERSON COMPLAINED OF:

ADDRESS COMPLAINED OF:

Date	Time (am/pm)		Description of Nuisance	How it affected you
	Start	Finish		
20/7/14	14:00hrs	15:30hrs	Loud music/smoky bonfire	I couldn't sleep/Ash and smoke throughout house

This statement consisting of ..... page(s) signed by me is true to the best of my knowledge and belief and I make knowing that, if it is tendered as evidence in court, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true. I understand that I may be asked to attend court and that this nuisance diary will form part of my evidence.

Signed .....

Dated the ..... day of .....201...

LOGSHEET NO: .....of...

