



Anti-Social Behaviour Policy

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1 Policy statement

- 1.1 This policy sets out the East Suffolk Council approach to anti-social behaviour (ASB). Our work around ASB is part of the 'Take action to improve community safety and reduce ASB' priority - one of eight priorities within the Tackling Inequalities theme of the East Suffolk Council 'Our Direction 2028' strategy.
- 1.2 It should be read and applied in conjunction with a range of other national and local policies and procedures (see Appendix 2). This includes key ESC Policies including, but not limited to, 'Equality, Diversity and Inclusion', 'Data Protection', 'Compliance and Enforcement', and 'Safeguarding children, young people and adults at risk'.

2 Purpose and scope

- 2.1 This policy:
- informs customers, staff and key partners of our approach to ASB
 - defines / explain what ASB is - so that everyone understands ASB and its impact
 - sets out the standards that East Suffolk Council (ESC) has in place to manage and respond to reports of ASB in a consistent, proportionate and transparent way
 - raises awareness of the tools and powers available to ESC when dealing with ASB
 - provides examples of the ASB issues that we can work with residents and communities to resolve – and what falls outside our remit
 - provides information to help manage resident expectations about our responsibilities and understand their own responsibilities
 - details our approach to partnership working to deter and tackle ASB in East Suffolk
 - explains how we help/support complainants, vulnerable residents and communities to access support
- 2.2 This policy also sets out our commitment to meeting the Regulator of Social Housing (RSH) Neighbourhood and Community Standard to:
- Work co-operatively with tenants, other landlords and relevant organisations to take reasonable steps to ensure the safety of shared spaces
 - Co-operate with relevant partners to promote social environmental and economic wellbeing of residents
 - **Work in partnership with appropriate professionals and relevant organisations to deter and tackle ASB and hate incidents within our communities**
 - Work with other agencies to tackle domestic abuse and able residents to access appropriate support and advice

3. Definitions

- 3.1 Anti-social behaviour includes a range of nuisance and criminal behaviours which cause harassment, alarm or distress to others. Whether someone's actions can be classed as ASB depends on the impact they have on others. Behaviour that is more frequent or persistent is more likely to be considered as anti-social behaviour. The type and intensity of the behaviour also matters.
- 3.2 The official definition of ASB adopted by the Council comes from the Anti-social Behaviour, Crime and Policing Act 2014:

"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."

The definition of Statutory Nuisance differs but may also cover issues that are considered to be anti-social under the above definition. There are 11 categories of Statutory Nuisance including noise nuisance. The matter under investigation has the legal test of being "an unacceptable interference with the personal comfort or enjoyment of an individual's home" Nuisance can also apply to the behaviour of an individual, a legal entity or any organisation e.g. a pub chain or holder of a premises licence.

4. Guiding Principles

- 4.1 In October 2022 The Home Office Anti-social Behaviour Strategic Board developed a set of principles which seek to describe a consistent approach to understanding and addressing anti-social behaviour (ASB) in local communities.

Partners involved in responding to and reducing ASB across Suffolk have welcomed and adopted these principles as a guide to delivering the best possible outcomes to victims of ASB:

- Victims should be encouraged to report ASB and expect to be taken seriously. They should have clear ways to report, have access to help and support to recover, and be given the opportunity to choose restorative approaches to tackling ASB.
- Agencies will have clear and transparent processes to ensure that victims can report ASB concerns, can understand how the matter will be investigated and are kept well informed of progress once a report is made.
- Agencies and practitioners will work across boundaries to identify, assess and tackle ASB and its underlying causes. Referral pathways should be clearly set out between services and published locally. This includes pathways for the anti-social behaviour case review and health services.

- The public's ASB concerns should always be considered both nationally and locally in strategic needs assessments for community safety. Best practice should be shared through a network of ASB experts within each community safety partnership, each policing area and nationally.
- Adults and children who exhibit ASB should have the opportunity to take responsibility for their behaviour and repair the harm caused by it. Agencies should deliver appropriate interventions, which may include criminal justice options, based on the seriousness, risks and vulnerabilities of the case.

4.2 In line with these overarching national principles, we have developed guiding principles that set out how East Suffolk Council deals with anti-social behaviour. We will:

1. Recognise that ASB has a detrimental impact upon individuals and communities
2. Commit to tackling ASB by taking reasonable and proportionate action against anyone causing ASB
3. Adopt a victim-centred approach, encouraging victims to report by providing well publicised and accessible methods of reporting ASB
4. Take ASB reports seriously and assess each report on its own merit when determining whether it is classed as ASB, taking a proportionate approach to ASB investment.
5. Contact all complainants/victims to fully understand the nature, extent and impact of the ASB
6. Try to identify the perpetrators of ASB and take action.
7. Take a multi-agency problem solving approach to complex ASB issues – managing and sharing information in accordance with information governance procedures.
8. Provide advice and guidance to victims and signpost them to relevant support.
9. Take a targeted and proportionate approach to ASB investigations.
10. Use both good practice and lessons learned to refine our policy and procedures to minimise risk of recurrence and improve residents' satisfaction.

Examples of the type of ASB that ESC has the powers and tools to investigate include:

- noisy and/or rowdy behaviour
- graffiti,
- intimidation
- public drunkenness,
- littering,
- fly-tipping,
- excessively barking dogs
- nuisance bikes and scooters
- and any other persistent, unreasonable behaviour.

In all cases residents will be asked what action they have taken themselves to try to resolve low level disputes and reduce the risk of escalation (see Section 4.1 below).

Examples of situations and behaviours that will not be investigated by ESC and which are covered by specific separate legal controls (see the Council's Compliance and Enforcement Policy) or other parties:

- Smoking of cannabis
- Parking disputes (unless blocking emergency routes)
- Boundary or access issues – this is a civil dispute, and we recommend that residents seek legal advice
- One-off incidents
- Daytime or domestic noise considered to be part of normal day to day living e.g. children playing in a garden, ball games, babies crying, occasional dog barking
- Unkempt gardens – unless attracting vermin/pests
- Noise problems in domestic homes where the cause is poor noise insulation typical of the age, type and design of the property
- Hate crime – as a criminal offence, Suffolk constabulary may be best placed to deal with hate crime, however ESC may assist and support victims.

High Hedges and Neighbour Disputes (Part 8, ASB Act 2003) - ESC may accept complaints about high hedges if the hedge is mostly evergreen or semi-evergreen and it unreasonably affects a neighbour's enjoyment of their home. We can issue and enforce Remedial Notices where legal thresholds are met, but do not offer hedge-cutting services.

CCTV, Video and Audio Surveillance - Detailed guidance is available from the [Information Commissioners Office \(ICO\)](#).

5 Roles and responsibilities

5.1 Stakeholder roles and responsibilities:

Stakeholder	Responsibility
East Suffolk Council	Lead on investigation, enforcement, victim support
Suffolk Police	Lead on criminal ASB and public safety including hate crime
Housing Associations	Address ASB in tenancies or shared housing areas
Health & Social Care partners	Respond to vulnerabilities or safeguarding needs (victims or perpetrators)
Residents	Report ASB, provide evidence, and take preventative steps where possible

5.2 East Suffolk Council has three main roles in dealing with ASB:

As a **social landlord** we have a duty under the Antisocial Behaviour Act 2003 to respond to ASB affecting the homes we manage. Our landlord powers and duties are different from, and can sometimes be used in addition to, the other duties and powers we hold to deal with ASB in the wider community. We are also required by the Regulator of Social Housing to set out our approach to how we deter and tackle incidents of ASB and hate crime.

As the lead for **environmental issues and statutory nuisance**, the ESC Environmental Protection Team has a range of powers to deal with ASB related to environmental issues, for example littering, noise, fly-tipping and abandoned vehicles, dog controls and Statutory Nuisance, including noise, the keeping of waste, nuisance from Animals. The primary legislation that this type of nuisance falls under is the Environmental Protection Act 1990 and the Anti-Social Behaviour Crime and Policing Act 2014

The ESC Communities Team deal with a range of anti-social behaviour in our communities when the behaviour impacts on **quality of life for individuals or communities**. Interventions are primarily under the Anti-social Behaviour, Crime and Policing Act 2014.

As a partner - dealing with ASB is not the sole responsibility of one agency - **partnership / multi-agency working** is important to tackle ASB in our communities. We have a duty under the Crime and Disorder Act 1998 to work with the Police and other key agencies to reduce crime and disorder in Suffolk. We do this through the Suffolk Safer Stronger Communities Group and the East Suffolk Community Safety Partnership – both of which work to make Suffolk and East Suffolk a safe place to live work and visit. The Community Safety Partnership sets the priorities for our area including ASB priority initiatives and interventions. Key partners include, but are not limited to, Suffolk Police, Suffolk Fire & Rescue Service, Suffolk County Council, Probation Service, Youth Justice, Substance misuse support services.

- 5.3 We will ensure that we have signed information sharing agreements so that we can share information with other agencies for the purpose of preventing ASB or crime. We will regularly review areas where ASB is reported through our Community Safety Partnership and local ASB meetings, in order to identify any trends or ‘hot spots’. Action plans may then be agreed and will outline what measures will be put in place to tackle the problems.

6 Reporting and Investigating ASB

6.1 How to Report ASB

We encourage residents to take all reasonable steps to resolve issues themselves before reporting to the Council. If residents are made to feel uncomfortable or inconvenienced by other people’s behaviour around their home, where it is safe to do so, they should first try to approach the other party involved to explain to them how their actions are affecting the resident and ask them to change their behaviour. We

can provide advice about the best way to do this in a reasonable, solution focussed and non-confrontational way. If these direct approaches do not work, residents can make a complaint to the Council in one of the following ways:

- Online form on the ESC website [Anti-social behaviour » East Suffolk Council](#)
- For complaints about tenants living East Suffolk Councils' housing stock [Estates » East Suffolk Council](#)
- Telephone 0333 016 2000 (during business hours)
- Email [Customer services » East Suffolk Council](#)
- In person at Council offices:
Riverside, 4 Canning Road, Lowestoft, NR33 0EQ or
East Suffolk House, Riduna Park, Station Rd, Melton, Woodbridge IP12 1RT or
any [ESC Customer Services hours in Suffolk Libraries](#)

If a resident feels threatened, intimidated, or witness a crime, they should always contact the Police first by calling 999 to report emergencies or by calling 101 for non-emergencies.

Residents must recognise that they have a role to play and work with us to resolve their complaints. We expect residents to:

- Respond to our calls and letters
- Keep accurate reports throughout the duration of the case
- Provide us with clear and timely reports - we cannot act on reports of historic incidents.
- Be prepared to attend Court if necessary - greater weight is given by the court to evidence if the customer attends in person rather than an Officer giving hearsay evidence.

6.2 How we Manage ASB Cases

Once a report of ASB is received, our approach to ASB covers five specific areas:

1. Opening a case.
2. Collecting information and Early Intervention.
3. Targeted Interventions and Enforcement
4. Going to Court
5. Closing a case

A number of commitments apply across all of these Stages, and these are outlined below. More detailed information about each stage of the process is available in Appendix 1.

In all cases we will:

- Manage complainants' expectations and be realistic and open with them, explaining the process and our minimum standards of service so they know what to expect.

- Provide the complainant with contact details of the named officer assigned the case who will be responsible for actions and updates.
- Deal with all reports of ASB in a sensitive and confidential manner.
- Carry out a risk assessment (using a Risk Assessment Matrix or other mechanism) of each complainant, to assess any additional support needs and relative priority, and update this assessment at key stages of the case.
- Make reasonable adjustments, where practicable to do so, to enable us to tailor support to the needs of the individual (included any protected characteristics)
- Work in a trauma-sensitive way wherever possible.
- Use the full range of ASB tools and powers available to us.
- Share actions, activity, and data with partners safely and appropriately – maintaining complainant and witness confidentiality.
- Agree an action plan with each complainant, including actions and target dates, and maintain regular communication to reassure of progress being made against objectives set.
- Keep in regular communication with the complainant and involved partners to update them on progress.

The most relevant Tools and Powers are listed below:

Early Intervention Tools include: (N.B. this list is not exhaustive).

1. Verbal or written warnings, such as a Community Protection Warning (CPW)
2. Acceptable Behaviour Agreements (ABAs)
3. Good Neighbour Agreements (non-tenancy related)*
4. [Mediation](#)

* Good Neighbour Agreements are signed at the start of each new tenancy and can be included in a bundle for a court hearing.

Formal Actions:

1. [Community Protection Notices](#) (CPNs)
2. [Fixed Penalty Notices](#)
3. Enforcement under [Public Spaces Protection Orders](#) (PSPOs)
4. Service of Statutory Nuisance Abatement Notice
5. Calling of a license review where the behaviour relates to a licensed premises

Legal Actions:

1. [Civil Injunctions](#)
2. [Criminal Behaviour Orders](#)
3. Partial or Full [Closure Orders](#)
4. Possession Proceedings - of East Suffolk Council Properties
5. Work in default
6. Seizure of equipment
7. Criminal prosecutions

6.3 ASB Case Review

Victims of persistent ASB, who do not think they have had a satisfactory response to their reports of ASB to the police, the District Council or a housing provider, have the right to ask for a multi-agency review of their case. However, certain thresholds must be met for cases to qualify for ASB Case Reviews.

Complainants/victims can request a Case Review if:

- They have reported **3 or more** ASB incidents in the last **6 months**
- Each was reported within **1 month** of the incident occurring
- The request is made within **6 months** of the last incident

A multi-agency panel will review the actions taken and recommend further steps to find a solution. The Panel may include all public sector organisations, e.g. ESC, the Police, NHS, and other registered providers of social housing.

Please see the website for information on how to request a review: [ESC website](#) or contact our [Customer Services](#) Team. If customers are not satisfied with the outcome of the case review, they may request an appeal, which will be handled by Suffolk County Council.

7 Data Protection and Information Sharing

7.1 ESC is committed to protecting personal information in line with the [Data Protection Act 2018 and UK GDPR](#). Any sharing of information with third parties (e.g., police, social services) will follow formal **information-sharing agreements** and only occur where lawful, proportionate, and necessary.

8 Vulnerability, Safeguarding, Equality and Diversity

8.1 ESC recognises that some individuals involved in ASB cases—whether as victims or perpetrators—may be vulnerable. Officers will [assess risk and vulnerability](#) as part of their investigation and refer concerns to safeguarding teams or specialist agencies where appropriate.

- 8.1 In line with the Public Sector Equality Duty (Equality Act 2010) the Council has a duty to consider the need to:
- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 8.2 Where persons are identified as having one or more of the ten East Suffolk protected characteristics, we will try to ensure that they are not unfairly disadvantaged and have access to reasonable adjustments if needed.

9 Complaints, comments and procedures

- 9.1 If any party is dissatisfied with our handling of an investigation, they can make a complaint through the Council's Customer Feedback procedure, and they also have right to take their complaint about our Housing service to the Housing Ombudsman.

- 9.2 In relation to ASB complaints, a complaint may be considered 'vexatious' if it is repeated without new evidence, is used to harass or intimidate others via the Council, unreasonably diverts Council resources and/or lacks factual or legal basis. For more information about how we deal with unreasonable behaviour, please see our policy: [Unreasonable-behaviour-policy.pdf](#)

10 Policy review

We will undertake a three yearly review of this Policy or earlier if required.

Appendix 1 - Key Stages in Case Management

Stage 1: Opening a case

We appreciate that some residents will be concerned about revealing their details when reporting ASB issues; however, in most cases, we will need this to take effective action.

We will:

- Work closely with the complainant to gain their trust and provide reassurance of support available, to encourage permission
- However, we will always share information if there are safeguarding concerns or an immediate risk to the complaint or other residents.
- Where diaries are used, we will issue advice on how to complete these, and the type of information required.
- Where the behaviour is deemed not to be ASB, advice will be given to enable self-resolution, and the case will be managed outside of the ASB policy.

Stage 2: Gathering Information and Early intervention

Wherever possible we will try to work with the complainant to find a way to resolve ASB as early as possible. However, we recognise that this is not possible in all cases.

We will:

- Be aware of support available locally and how to refer into/access that support.
- Select interventions that are appropriate, reasonable and proportionate to the behaviour and most likely to produce an effective solution at the earliest possible stage.
- Be ready to take follow up action if early interventions fail to resolve the problem.
- When communicating/meeting with alleged perpetrators (where relevant in partnership with partners), set out the complaint (taking account of complainants' anonymity) and provide an opportunity for the alleged perpetrator to respond.

If the complaint is about a young person, we will:

- Identify any agencies involved (if any) and make relevant referrals.
- Meet with child and responsible parent/guardian, explain the impact of their behaviour, and clearly set out expectations and consequences.
- If the young person is connected to a tenant of a Council tenant home, we will advise them and the tenant of the potential impact on their tenancy if the behaviour continues.

If the complaint is about an adult, we will:

- Attempt to find out if the perpetrator is known to police, probation, housing, and mental health/adult services/drug and alcohol services.

- Consider what the complainant wants and build this into any realistic agreed solutions.
- Risk assess the situation and ensure that we have considered the likelihood of reprisals against the complainant.

The tools that we might use at the Early Intervention stage include:

- Verbal or written warnings, such as a Community Protection Warning (CPW)
- Acceptable behaviour agreements/Neighbourhood agreements
- Mediation

Stage 3: Targeted Interventions and Use of Enforcement Tools

We want to protect individuals and communities from harm using tools and powers that are specific, proportionate, and appropriate to the behaviour in order to stop the ASB and protect complainants, witnesses, and the community from harm.

We will:

- Only use tools and powers when there is sufficient evidence to do so.
- Consider all available resources, powers and tools including preventative measures, with the aim of stopping ASB at the first opportunity
- Identify the most appropriate and proportionate enforcement tools to use if early resolution attempts are unsuccessful, taking into account:
 - Victim and witness vulnerability, risk and harm.
 - Use or threat of violence
 - Housing tenure
 - Frequency of events
 - Safeguarding and hate crime aspects, including protected characteristics
 - Was the victim intentionally targeted or situational?
- Consider next steps if action is still not successful in stopping the behaviour and/or order is not obtained or granted.
- Pay due regard to the [East-Suffolk-Compliance-and-Enforcement-Policy-Final-Version-19.01.2024.pdf](#)

The council may use powers under legislation such as the [Anti-social Behaviour, Crime and Policing Act 2014](#), [Environmental Protection Act 1990](#), [The Housing Act 1985](#), [Highways Act 1980](#), and the [Clean Neighbourhoods and Environment Act 2005](#) to address ASB through:

Formal Actions:

- [Community Protection Notices](#) (CPNs)
- [Fixed Penalty Notices](#)
- Enforcement under [Public Spaces Protection Orders](#) (PSPOs)

Legal Actions:

- [Civil Injunctions](#)
- [Criminal Behaviour Orders](#)

- Partial or Full [Closure Orders](#)
- Possession Proceedings - Notice Seeking Possession (NSP), Notice of Possession Proceedings (NPP) and Notice to Extend Introductory Tenancies – social housing tenants only

A Notice of Intent is a notice to commence legal proceedings of any type

Stage 4: Going to Court

We will:

- Prepare cases for court thoroughly, seeking legal advice where appropriate.
- Discuss with victims and witnesses the evidence options and explain the difference between direct evidence and hearsay.
- Explain the court processes and possible outcomes clearly to the victim and/or witness(es).
- If the perpetrator has a history of mental ill-health, engage with local mental health services using methods of escalation where there are any apparent blockages.
- Where an order is being considered, ensure that the prohibitions being sought are appropriate, specific, practical, and enforceable to the circumstances it will be applied.
- Keep victims / complainants / community leaders informed of hearings and court dates and work collaboratively with them to monitor community tensions.
- Maintain communication with police and housing about protection measures at court and in the community.

Stage 5: Closing a Case

We aim to work with customers to close cases when the complaint has been resolved to the customer's satisfaction. However, where we are satisfied that we have carried out all actions reasonably and appropriately, we may close cases even though the complainant may not agree. If no reports have been received within the last 28 days, depending upon the severity and nature of the case, we reserve the right to close cases. We will re-open them if residents make contact and report new incidents, but this will be based on our judgement. We will not leave cases open .

We will:

- Ensure that cases are consistently maintained and closed in accordance with policies and procedures, protocols and data protection principles
- Ideally, close cases with the agreement of the complainant / witness and follow up with written confirmation of case closure to both complainant and source within our ASB case standard timescales.
- We may re-open a case within six months if the same people, victims and property/ies are involved
- Maintain accurate case records – record the reason for case closure and notify relevant partners of case closure and reason.

- Engage and build public confidence by communicating successful outcomes back to the community through a range of communications, leaflets and information
- Provide safety advice and updates and refer victims to partner agencies for further specialist support

N.B. A number of Criminal Offences exist under the Environmental Protection Act 1990 (and other relevant Acts), which may have an anti-social impact on residents. These are subject to systems of Statutory Appeals and also subject to the rules of Criminal Evidence. Where the Evidential Test can not be established this will be explained to complainants and advice given about alternative support and private action.