

## **TACKLING ANTI-SOCIAL TENANTS: A DTLR CONSULTATION PAPER**

Report of the Director of Derby Homes

### **SUMMARY OF REPORT**

1. This report summarises the main points in the recent DTLR Consultation paper, outlines action, proposed in the recent Best Value Review Improvement Action Plan, and makes recommendations for further action.

### **RECOMMENDATIONS**

2. That
  - Derby Homes commits itself in partnership with the Council and with other agencies, to taking prompt and vigorous action against the perpetrators of persistent serious anti-social behaviour.
  - authorise the Director of Derby Home, in consultation with the Chair of Derby Homes and the City Council and the Derby Association of Community Partners respond to the Government consultation paper.
  - note that a copy of the response, together with a proposed anti-social behaviour policy statement will be brought to a future Board meeting.

### **MATTER FOR CONSIDERATION**

- 3.1 The Government have recently issued a consultation paper (attached) on 'tackling anti-social tenants'. In a covering letter the DTLR have stated 'the Government recognises the misery that is caused by anti-social behaviour. We hope you will take this opportunity to read the consultation paper and let the Department have your views on this important issues'.
- 3.2 The main proposals in the report are:
  - establishing a duty on landlords to publish their anti-social behaviour procedures (p11).
  - giving social landlords increased powers to end tenancies for anti-social behaviour by:

- extending the use of introductory tenancies (p14)
- allowing a tenancy to be demoted to an introductory tenancy if anti-social behaviour occurs (p14)
- allowing a court to give possession under a breach of injunction hearing (p15)
- reducing the discretion of judges in housing possession cases (p16)
- allowing the compulsory transfer of a perpetrator to alternative accommodation (p22)
- improving the operation of anti-social behaviour orders (p25)
- RSL representation to be invited to attend Crime and Disorder partnership meetings and give them additional data rights and the power to apply for anti-social behaviour orders. (p23)

### 3.3 The report also includes good practice on purposes/notes

- prevention of anti-social behaviour and working with the Homelessness team on re-housing of tenants evicted for anti-social behaviour (p28)
- rehabilitation of tenants evicted for anti social behaviour (p36)
- existing measures available to social landlords (p41)
- model policy statement on anti-social behaviour (p44)
- media publicity, including press releases on successful cases (p48)
- developing witness capacity (p51)
- useful publications (p54).

## CONSULTATION IMPLICATIONS

### 4.1 The recent Best Value Review highlighted several ways in which Derby Homes proposes to improve the way we tackle anti-social behaviour including:

#### 2002

- develop and expand the role of the staff and tenant process improvement team that looks at the way we can improve the service
- training for staff
- establish local compacts with tenants on estates setting standards of service
- negotiate a service level agreement with legal services and ensure sufficient resources to meet case load
- review the conditions of tenancy
- make greater use of Acceptable Behaviour Contracts

#### 2003/04

- introduce trained witness support

#### 2004/05

- competitively tender Community Watch Patrol service and market

- Community Watch Patrol in other sectors
  - consult on introductory tenancies
- 4.2 There are several proposals in the Government consultation paper that are to be welcomed, especially processes that speed up eviction where eviction is the only solution. In addition the ideas to improve the effectiveness of anti-social behaviour orders are to be welcomed. Additional publicity to highlight successful cases is another excellent idea that we can progress immediately.
- 4.3 A key issue for Derby Homes will be the consultation and decision on whether or not to introduce introductory tenancies. In 1998 after extensive consultation, a decision was made not to introduce Introductory Tenancies. The Best Value Review Improvement Action Plan proposes to carry out consultation on whether to introduce introductory tenancies in 2004/05.
- 4.4 There can be no doubting the serious impact that anti-social behaviour can have on the lives of neighbours, on the reputation of Derby Homes as a manager of houses, and on the reputation and popularity of an area.

## **FINANCIAL IMPLICATIONS**

- 5. There is a major issue of rent for varied people and high finance of properties.

## **LEGAL IMPLICATIONS**

- 6. Under the agreement with the Council legal action for anti-social behaviour will be subject to consultation with the Director of Legal Services. A service level agreement will be written to cover this, and to ensure adequate prompt legal action on individual cases.

## **PERSONNEL IMPLICATIONS**

- 7.1 Training of staff is proposed to improve our performance in dealing with complex issues anything from anti-social behaviour cases, and in ensuring that complainants are kept informed on progress of cases.
- 7.2 Staff safety issues need to be addressed unfortunately when staff tackle perpetrators it is common for them take verbal abuse and threats of violence.

## **ENVIRONMENTAL IMPLICATIONS**

- 8. Anti-social behaviour can be part of a spiral of decline in an estate, leading to increased numbers of vacant properties and vandalism.

## **EQUALITIES IMPLICATIONS**

9. Racial harassment, and harassment of other minority groups, can be one of the most disturbing examples of anti-social and criminal behaviour.

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