



South Cambridgeshire District Council

Anti-Social Behaviour Policy

(Relating to Council Tenants & Leaseholders)

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1. Introduction

- 1.1 South Cambridgeshire District Council (SCDC) is committed to providing neighbourhoods where resident's rights to peace and security are not disrupted.
- 1.2 We want to ensure that residents can enjoy their homes and surrounding areas and will take action to tackle anti-social behaviour (ASB) where it may occur.
- 1.3 The goal when dealing with ASB is always to try and help people to sustain their tenancies. However, we recognise the effects that anti-social behaviour can have on people's quality of life and will utilise powers to prevent or stop any behaviour that is detrimental to others.

2. Scope and purpose

- 2.1 This document supports the Housing Service's vision that homes are much more than bricks and mortar and should be places where residents feel safe and secure, where communities thrive and grow. The policy also fulfils the requirements of [section 218A](#) of the [Housing Act 1996](#) (as inserted by [section 12](#) of the [Anti-social Behaviour Act 2003](#)) regarding the publication of the policies and procedures of a local housing authority in relation to anti-social behaviour.
- 2.2 It also aims to meet our responsibilities as outlined in the [Social Housing \(Regulation\) Act 2023](#).
- 2.3 This policy is written in the context of the Council's landlord services and how we will deal with anti-social behaviour in our council homes. See [Section 4](#) for further information.
- 2.4 The purpose of this policy is to outline what we mean by 'anti-social behaviour' (ASB) and to set out the process as to how we will deal with ASB.
- 2.5 This policy will detail what we want our services to achieve for people experiencing ASB and sets out the principles on the service level and quality we aim to provide.



3. Our values

Ambitious

We are proactive and take a forward-thinking approach to addressing challenges. We create smart solutions and reach our goals with determination and a clear vision.

Collaborative

We foster a culture of teamwork and open communication. We work with and involve stakeholders, to improve how the organisation works and serves the public.

Compassionate

We prioritise empathy and understanding in decision-making and service delivery. We consider the wellbeing of people and communities in everything we do and we replicate this when we talk to our colleagues because we know that when we support each other, we all do better.

Accountable

We take responsibility for our actions and decisions. We own up to mistakes and make sure we fulfil our commitments.

4. Our responsibilities

- 4.1 South Cambridgeshire District Council has a wide range of responsibilities, which arise from three distinct roles in dealing with ASB:

4.1.1 Our role as a social landlord

As a landlord, we have a duty, under the [Anti-Social Behaviour Act 2003](#), to respond to ASB affecting the properties we manage. Our landlord duties and powers are different from, and usually work in addition to, the duties and powers we have to deal with ASB in the wider community. We have a dedicated Enforcement Team within the Housing Service that deal with ASB issues relating to our council properties.



4.1.2 **Our role as a statutory member of the South Cambridgeshire Community Safety Partnership**

Under the [Crime and Disorder Act 1998](#), we must work with the police and other partner agencies to reduce crime and disorder in South Cambridgeshire. In this role the Housing Enforcement Team play a key part in working with the South Cambridgeshire Community Safety Partnership, dealing with anti-social behaviour of all kinds and undertaking project and preventative work.

4.1.3 **Our role in protecting the environment**

The Council has a range of responsibilities to deal with environmental ASB, such as noise, graffiti, litter, dumped rubbish and abandoned cars. These responsibilities arise from a number of Acts and local byelaws, but in particular from the [Environmental Protection Act 1990](#).

Environmental ASB is tackled by several different teams within the Council, each of which works to its own set of policies and procedures. Further details of the services provided by those teams can be found on our [website](#).

- 4.2 The Council's duty to help deal with ASB in the wider community arises from each of its 3 roles (i.e., that of landlord, Environmental Health Team and under its statutory obligation arising from the [Crime and Disorder Act 1998](#)). Officers from all 3 areas of responsibility will frequently work together both on agreed projects and on specific cases as these arise, though the lead agency for co-ordinating community-wide activity sits within the Safer Communities Team.
- 4.3 ASB in the wider community will either have a housing-related element or be linked to a public space, such as illegal and anti-social parking, street drinking and public rowdiness.
- 4.4 The wider Council have a range of additional powers to take action against those causing ASB under the [Anti-Social Behaviour, Crime and Policing Act 2014](#).

5. **How we share information**

- 5.1 SCDC, along with the other councils in Cambridgeshire and Peterborough and many other agencies (such as, the police, fire & rescue service and registered social landlords), have information sharing agreements in place. Information shared is in confidence and will not be used outside of the registered agencies.



6. What is Anti-Social Behaviour?

6.1 Anti-social behaviour is defined in [Section 105\(4\)](#) of the [Anti-Social Behaviour, Crime and Policing Act 2014](#) as 'Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person'.

6.2 Anti-social behaviour is a range of unacceptable behaviours, from everyday incidents such as noise nuisance to serious criminal acts. It can be any aggressive or intimidating behaviour that has a negative effect on another person's quality of life - in or around their home - and is likely to cause; nuisance, annoyance, harassment, alarm, or distress to anyone. ASB may include such things as:

- Aggressive or threatening language or actions
- Intimidation and harassment
- Nuisance behaviour
- Domestic abuse
- Violence, or threats of violence
- Rowdy behaviour and drunkenness
- Pet nuisance and uncontrolled animals
- Dealing or taking drugs
- Graffiti
- Vandalism and damage to property
- Dumping rubbish (for example, fly tipping)
- Abandoned vehicles
- Noise nuisance (for example, loud music or shouting)
- Crimes based on discrimination

6.3 Hate incidents and hate crimes

A hate incident is one in which the victim, or anyone else, believes has occurred due to someone's prejudice towards them because of their race, religion, sexual orientation, disability or because they are transgender.

A hate crime, as defined by the police and the Crown Prosecution Service (CPS), is "Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity."

SCDC takes hate incidents and hate crimes very seriously and encourage residents to report any cases to the police and us immediately (in the event of an emergency, always call 999).



- 6.4 We recognise that it is also possible that other apparent ASB may actually be linked to other safeguarding issues, such as domestic abuse and other welfare concerns. It may be the case that an alleged perpetrator may indeed be someone that is vulnerable and may be in need of support themselves. If such a situation occurs, we will always factor in these safeguarding concerns and make sure we manage each case accordingly, and in-line with our safeguarding policy. As an organisation we are accredited with the Domestic Abuse Housing Alliance (DAHA) and will signpost those in need to agencies that can provide the required support.

7. How we tackle reports of Anti-Social Behaviour

7.1 **No one should have to experience anti-social behaviour, so we will:**

- make people aware of what anti-social behaviour is.
- publicise and promote our various services to combat ASB, including the Anti-Social Behaviour Case Review (formally known as the community trigger).
- encourage people to report ASB and make it possible for them to do this using a range of reporting methods.
- seek to respond to each report of ASB as quickly as possible.
- support victims of ASB to the extent that the seriousness of the case requires.
- where suitable, mediation and other remedies to resolve conflict will be used.

7.2 **Reports of anti-social behaviour will be treated seriously and dealt with sympathetically and professionally, so we will:**

- assess (and periodically reassess) the seriousness of anti-social behaviour reported to us, and take action where required.
- treat all reports as confidential, sharing information only with other organisations that can help with the problem (for example, the police) and observing data protection laws and information sharing agreements.
- ensure that any criminal ASB and hate incidents reported to us are quickly passed onto the police.
- register each report of ASB and hate incident that we receive.
- appoint a named officer to lead on each case.



- fully investigate the complaint.
- continue to treat any reports or case received as 'live' until, in the opinion of the lead officer and the lead officer's manager, the case can be closed.
- notify the complainant when a case is closed.
- respond promptly to complaints about our service and advise anyone not satisfied with the way in which their case was handled how to make a formal complaint.
- explain our reasons, should we choose to take no further action on a report of ASB, and advise on self-help or other alternative courses of action whenever it is possible and appropriate to do this.
- should the ASB re-occur, cases can be re-opened and re-investigated where required.

7.3 Anti-social behaviour will be dealt with firmly, fairly and proportionately, so we will:

- deal with the most serious cases of ASB as a matter of urgency, especially where persons at risk are involved, either as the complainant or the alleged perpetrator.
- use all available and appropriate powers to address and resolve ASB.

7.4 We will work with partners to deliver an effective, value for money service across the community, so we will:

- play a full part as a key member of the South Cambridgeshire Community Safety Partnership.
- participate in permanent or ad-hoc multi-agency groups dealing with specific ASB issues (for example, problems involving street-based ASB).
- work with housing associations, private landlords, letting agents and businesses, providing professional advice and support as required so that these organisations can act confidently to prevent or tackle ASB making use of their own resources.



7.5 We will provide a high-quality service which meets people’s identified needs, so we will:

- ensure that staff dealing with ASB are qualified and trained, and understand and follow, agreed policies and procedures.
- invite each complainant who has reported ASB to rate their satisfaction with our service.
- seek the views of service users and partner organisations as part of each review.
- seek to ensure that all our activities are prioritised in consideration of the severity of the anti-social behaviour, the impact on the resident’s health and wellbeing, and undertaken with regard to clear evidence of need, sound consideration of how effective the work undertaken is likely to be, and a clear understanding of the outcomes sought.

8. Where to report anti-social behaviour

8.1 In an emergency, always call 999.

8.2 Anyone experiencing a mental health crisis can call 111 and choose the option for mental health, when prompted. If you believe there is an immediate risk, do not call 111 - always call 999.

8.3 If your home is managed by SCDC and you are experiencing anti-social behaviour, you can report incidents of ASB through any of the following methods:

Online

You can report ASB online via a [form](#) on our [website](#).

E-Mail

asb.housing@scambbs.gov.uk

Telephone

01954 713 000



Address

Housing Enforcement Team
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

- 8.4 If you have logged a case with the Housing Enforcement Team, you will be given the contact details of your case manager. If that person is unavailable, please contact us and another member of the Housing Enforcement Team will be available to help with your query.

9. How we categorise cases

- 9.1 How a case is rated is an important judgement which may affect how quickly we deal with a case, although we will always keep an open mind and change the rating of a case if we feel it has become more, or less, serious.
- 9.2 The Housing Enforcement Team will determine the level of the case by carrying out a ASB risk assessment matrix.
- 9.3 All complaints of anti-social behaviour made to SCDC's Housing Enforcement Team are categorised according to their level of seriousness, as set out in the following table.

Category	Definition
High	<ul style="list-style-type: none">▪ Behaviour that is a serious risk to individuals or the peace of the neighbourhood, which may include violence, serious threats of violence or other criminal activity.▪ Any complaint (including those that would otherwise be classed 'Medium') where the victim or alleged perpetrator is an adult at risk.▪ Any complaint or concern raised where a child may be at risk.▪ Any complaint or concern raised involving a hate incident/crime.▪ Any complaint that would otherwise be classed 'Medium' but where there have been previous incidents and it appears to the



	officer concerned that, taking these together, a more serious position has developed or may be developing.
Medium	<ul style="list-style-type: none">Unreasonable, prolonged disturbance such as verbal abuse or persistent noise nuisance.
Low	<ul style="list-style-type: none">Disputes between neighbours such as disagreements about parking, boundaries, minor noise issues, nuisance from children, pets and minor lifestyle differences.

10. Dealing with children, young people & adults at risk

10.1 In the course of an investigation, an officer may come across a person whose welfare may raise concerns. Such people may have no direct connection to the case under investigation, but it remains a duty for officers to ensure that these concerns are properly logged and passed to the relevant agency. For these purposes, an adult is classed as someone aged 18 years and above.

10.2 Initial Action

- The officer will discuss their concerns with a Designated Safeguarding Officer and complete either an adult safeguarding referral form or child safeguarding referral form, as appropriate.
- If the concern relates to a non-council tenant, then the referring officer will copy the referral to the Council's Safeguarding inbox which is monitored by Designated Safeguarding Officers.
- The lead officer will update relevant agencies.

11. Actions

11.1 We will always look to reach a fair and lasting solution to ASB problems as quickly as possible. In most non-serious cases we will start with low-level action and then, if this does not stop the problem or reduce it to a reasonable level, start to take increasingly stronger measures. Action taken will be proportionate to the severity of the ASB.



- 11.2 The Council (on its own or in partnership with other agencies, like the police) can deal with anti-social behaviour problems in a variety of ways. The approach we will take in any individual case will depend on many factors, particularly whether the problem is housing-related, environmental or involves ASB in the wider community.
- 11.3 We are committed to using the tools and powers available to us under the law, according to our best professional judgement. However, legal remedies will usually take time, will be expensive and the solution may be beyond our control. Lead officers will explain to victims of ASB that if a case goes to Court, it will be the Court and not the Council that will decide whether an action like an injunction or eviction, is justified.
- 11.4 Appendix A to this policy sets out in more detail the process the Housing Service will take where ASB is reported and the tools available that may help to resolve ASB issues in our council properties.

12. Related policies and legislation

12.1 Policy

- [SCDC Safeguarding Children and Vulnerable Adults policy](#)
- [South Cambridgeshire Community Safety Partnership](#)
- [Anti-Social Behaviour Case Review \(formally known as the Community Trigger\)](#)
- [SCDC Domestic Abuse Policy](#)
- [SCDC Lettings Policy](#)

12.2 Legislation

- [Housing Act 1996 \(section 218A\)](#)
- [Anti-social Behaviour Act 2003](#)
- [Anti-social Behaviour, Crime and Policing Act 2014](#)
- [Crime and Disorder Act 1998](#)
- [Environmental Protection Act 1990](#)
- [Equality Act 2010](#)
- [Care Act 2014](#)
- [Social Housing \(Regulation\) Act 2023](#)



13. Right to Review

- 13.1 The Anti-Social Behaviour, Crime and Policing Act 2014 introduced new powers, such as:
- Civil Injunction
 - Criminal Behaviour Order
 - Community Protection Notice
 - Public Spaces Protection Order
 - Closure powers
 - New absolute ground for possession
 - Anti-Social Behaviour Case Review (formally known as the Community trigger)

A full description of these powers can be found within the [Anti-social Behaviour, Crime and Policing Act 2014](#).

- 13.2 The Anti-Social Behaviour Case Review, formally known as the [community trigger](#), can be used where a victim has reported incidents of ASB repeatedly to agencies and yet the problem persists. If the victim feels that either no action, or inadequate action, has been taken to address the problem they can request a review of their case. The purpose of the anti-social behaviour case review is to give victims and communities the right to request a review of their case and bring agencies together to take a joined-up, problem-solving approach to find a solution; it is not a complaints procedure.
- 13.3 The Anti-Social Behaviour Case Review can be used by the victim of ASB or any person acting on their behalf, such as a family member, friend, carer, councillor, MP or other professional person, if they have the victim's consent. The victim can be an individual, a business or a community group and there is no age limit.
- 13.4 The anti-social behaviour case review procedure can be found on our [website](#).
- 13.5 The Anti-Social Behaviour Case Review is dealt with separately by the People and Protection Team within the Council. They can be contacted via e-mail on env.health@scams.gov.uk, via phone (01954 713000), or by writing to: Service Manager (People, Protection and Planning), Climate, Waste and Environment, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA.

14. Complaints

- 14.1 If someone has reported anti-social behaviour and is dissatisfied with how the Council has dealt with it, they are able to make a complaint in accordance with the Council's Complaints Policy; further information is available on our [website](#).



15. About this policy

- 15.1 This policy will be reviewed every two years. However, earlier reassessment may be required if there are changes in operations and/or legislation etc.
- 15.2 This policy has been produced in consultation with tenant representatives. If you are interested in getting involved in shaping our housing service, we would love to hear from you; please visit our [website](#) for more information and to get in touch.





Appendix A - Process for how we will deal with ASB issues and the available tools

1. Referring and grading ASB cases

1.1 Initial action

- Report of anti-social behaviour received by the Housing department.
- Report is sent on to the relevant Housing Services Officer (HSO) and Housing Enforcement Officer (HEO), who will then discuss the concern raised and decide who is best placed to manage the report moving forward.
- Officer takes full details, obtains consent to record and share data, and check with relevant agencies for further information.
- Provide the complainant with incident log sheets if applicable and make the complainant aware of our ASB Service Standards.
- Open a case, record the report on our housing management system and advise the complainant who will be managing it.

1.2 Additional information

If ASB involves criminality, environmental issues or hate crime, the police, Environmental Services respectively, are notified and joint partnership working is requested.

1.3 Risk assessment

- Housing Enforcement Officer carries out an ASB risk Matrix assessment, based upon the details provided.
- If a risk assessment has already been carried out, the officer is to check whether the new information changes the category.



2. Allocating a lead officer

2.1 Categorisation

- If the category of the case is 'Low' and relates to a dispute involving a council tenant, the appropriate Housing Services Officer will lead on the case.
- If the category of the case is 'Medium' or 'High', the case will immediately be referred to the Housing Enforcement Team.

2.2 Non-council tenants

- Where the ASB relates to a Registered Social Landlord tenant, a leaseholder, an owner-occupier, a private tenant or landlord, the complainant will be advised as to the most appropriate lead agency.

2.3 Street-based ASB

- Where the ASB involves the wider community, a multi-agency and/or department approach will be sought. For example, the matter would be raised at the Multi-Agency Problem Solving Group.

3. Role of the Housing Enforcement Officer (HEO)

3.1 The Housing Enforcement Team (HET) incorporates a dedicated team of ASB and Safeguarding Officers. The ASB officers in the team deal with:

- medium and high level ASB affecting Council properties; and
- supporting key partners where the ASB affects the wider community, including problems in public spaces or involving private sector housing.

3.2 The team works closely with other sections of the Council, including Environmental Health, as well as other organisations, such as the police.

3.3 For cases being managed by the Housing Enforcement Team, the Housing Enforcement Officer will take responsibility for:



- Contacting and regularly updating the victim and any witnesses.
- Contacting and agreeing outcomes with the alleged perpetrator.
- Contacting and working with other agencies, as appropriate, to achieve a solution.
- Referring the case to the Housing Enforcement Team Leader for closure when complete.

4. Progressing a case and gathering evidence

4.1 If there is a likelihood that a case may go to court, the Housing Enforcement Officer will need to gather good quality evidence. Officers may gather evidence by using one or more of the following:

- Incident report forms.
- Letter drops and/or door knocking in the area where ASB has been reported, asking non-leading questions.
- Photographic evidence, such as broken property, fly-tipping, illegal parking, etc.
- Closed-circuit television (CCTV) systems; and / or noise monitoring equipment.
- Formal witness statements, especially in situations of harassment, threat or intimidation.
- Evidence provided from partnership working – such as police warrants and prosecutions.

4.2 To tackle ASB effectively, victims and witnesses must feel able to provide evidence in confidence and without fear. In serious cases, especially those which may end up in court, the lead officer will always consider compiling a 'witness impact statement' detailing the effects of the alleged perpetrator's behaviour on the victim's life.

This should be written to a standard that will allow it to be used as evidence in court.



Lead officers will ensure that any instructions to Legal Services will include full consideration of the needs of the victim and alleged perpetrator and will always advise victim(s) of the outcome of cases and of any measures aimed at preventing problems from recurring.

4.3 Initial checks

- Lead officer will contact the victim to establish the basic facts of the complaint and explain the investigation procedure according to the case categorisation.
- Lead officer will check with other appropriate agencies and databases to establish whether any party involved may pose a risk to staff or others.

4.4 Incident reporting

- Lead officer will make incident report forms available (either on-line or hard copy) to the victim and any other witnesses to keep an accurate diary of incidents.
- Lead officer will agree with the victim and witnesses the period over which the diary of incidents should be kept.
- Lead officer may decide to refer the case to the Multi-Agency Problem Solving Group.

4.5 Contacting the alleged perpetrator

Where the identity and contact details of the alleged perpetrator are known, the lead officer will make a judgement call as to whether to contact them early in the case or wait until the evidence-gathering period has concluded.

5. Dealing with alleged perpetrators

5.1 Interview

- Lead officer will arrange to interview the alleged perpetrator. If the interview is to be conducted at the alleged perpetrator's home, all necessary risk assessment checks are to be carried out before visiting with a second person.
- Lead officer will provide the alleged perpetrator an opportunity to explain their version of events and account for the alleged ASB.



- Lead officer will record full notes of the interview and update the open ASB case notes.

5.2 Further action

- Lead officer will consider all the facts and evidence from the alleged perpetrator and, balancing against the facts and evidence from the victim and witnesses, establish the best course of action to remedy the ASB.
- If there is no enforcement action required, both the alleged perpetrator and victim will be contacted and advised of this and a resolution by other means sought (such as, mediation etc.).
- Lead officer will record full notes of the interview and update the open ASB case notes.

6. Available tools

6.1 Written warnings

- The Council will usually give a written warning rather than a verbal warning as there is a formal record, which may be used as evidence should further enforcement action be taken. Written warnings will set out the details of the ASB and why this behaviour is not acceptable, including the impact on any victims or local community.
- Lead officer will, following investigation decide to issue a written warning and write to the perpetrator, detailing the nature of the ASB and what must be done to stop it. If the perpetrator is a council tenant, the letter may detail any relevant breach of tenancy and the consequence of that breach.
- Lead officer will ask for the letter to be acknowledged and will set a time frame for resolution of the ASB.
- Lead officer will record full notes and update the open ASB case notes.



6.2 **Acceptable Behaviour Contract (ABC)**

An Acceptable Behaviour Contract (ABC) is a formal written agreement in which the perpetrator acknowledges their ASB and its effect on others, agreeing not to act anti-socially in the future.

ABCs can be an effective way of dealing with anti-social individuals, especially where there are several problem behaviours. They can be very effective at dealing with problem behaviours before they escalate.

The lead officer will, if possible, discuss the terms of the ABC with the perpetrator before they are drafted and signed, as this encourages compliance.

Although there are no formal sanctions linked to the refusal to sign an ABC, refusal may persuade a court that only a civil injunction or a criminal behaviour order will prevent the ASB.

The consequences of failure to comply with the ABC will be made clear in the contract.

- Lead officer will consider whether the actions taken by the person concerned warrants the use of an ABC.
- If relevant, the lead officer will notify other agencies involved and arrange a multi-agency meeting.
- Lead officer will arrange to meet the person concerned, with an appropriate adult present where a 17-year-old or under is involved, and explain the ABC in detail.
- Once signed, the lead officer will update the open ASB file and monitor compliance.

6.3 **Notice of Seeking Possession (NOSP)**

Where a council tenant has broken the terms of their tenancy, the Council can, in appropriate cases, take action to evict them. The process that the Council follows is different depending on whether the tenancy is Introductory, Secure, Flexible or Demoted.

The first formal step in possession proceedings relating to a secure tenancy is for the Council to send the tenant a Notice of Seeking Possession (NOSP). This will set out clearly the behaviour that the Council considers to be breaching the terms of the



tenancy and will inform the tenant the date after which court proceedings can be started. A NOSP lasts for 12 months.

- Where a lead officer considers it appropriate to serve a NOSP, they will discuss the case with the Housing Enforcement Team Leader to seek agreement on the proposed action
- Where agreed, the lead officer will begin the process of drawing up a NOSP.
- Once obtained, the lead officer will serve the NOSP, update relevant agencies and monitor compliance.

6.4 **Notice of Possession Proceedings (NOPP)**

If the terms of an introductory or demoted tenancy are broken, the Council can, in appropriate cases, take action to end the tenancy by serving a Notice of Possession Proceedings (NOPP).

The NOPP must give the tenant 8 weeks' notice of our intention to terminate the tenancy (Housing Act 1996, s. 127(2)). The NOPP may be hand delivered or sent by first class post. A Certificate of Service N215 must be completed. The NOPP will be served advising of the decision and the reasons for it. These reasons should be explained in as much detail as required for the tenant to understand why possession is being sought and for them to be able to challenge this if they wish.

The NOPP must state that the tenant has the right to request a review of the decision to take Proceedings for Possession and must give the time limit of 14 days.

Our Introductory Tenancy procedure describes the NOPP process in more detail.

6.5 **Demotion Order**

A Demotion Order ends a secure tenancy where the tenant or a person residing in or visiting the property has engaged or threatened to engage in housing-related ASB. The effect is to put back or 'demote' the tenant to a new demoted tenancy similar to an introductory tenancy for a period of one year.

Once the period of one year has expired, the tenancy reverts to a secure tenancy unless an order for possession has been sought in the interim.

An application for a Demotion Order is made to the County Court under section 82A of the Housing Act 1985 (as inserted by the Anti-social Behaviour Act 2003). A Demotion Order cannot be applied for until a Notice of Intention to apply for a Demotion Order has been served on the tenant.



- Where a lead officer considers it appropriate to serve a Notice of Intention to apply for a Demotion Order, they must discuss with the Housing Enforcement Team Leader.
- Lead officer will bring all available evidence to the meeting for discussion.
- Lead officer will work with Legal Services on the wording and evidence for the Notice of Intention.
- A Notice of Intention is obtained and served. The 28-day period for court proceedings for a Demotion Order starts on the date the Notice is served.
- The tenant may apply (within 14 days of the date the Notice was served) for a formal review of the decision to serve a Notice.
- Any requests for a formal review must be discussed with senior line management as a set procedure must be followed.
- If no appeal is received, the lead officer considers whether the Notice of Intention has influenced the ASB. If there has been no positive effect, the lead officer will work with Legal Services to seek a Demotion Order.
- Where a Demotion Order is applied for and granted by the County Court, it is served on the tenant and compliance is monitored for the period of 1 year following the demotion.
- If the behaviour has been modified to the satisfaction of the lead officer within the year, an application will be submitted to restore the tenancy to a secure tenancy (with conditions, if deemed appropriate).
- If the behaviour has not been modified and complaints of ASB are still received, the lead officer will consider (in discussion with the Housing Enforcement Team Leader and Legal Services) serving a Notice of Proceedings for Possession.
- Lead officer updates open ASB file and relevant agencies throughout the process.