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Date: 29<sup>th</sup> January 2025

**INDIVIDUAL CABINET  
MEMBER DECISION**

Dear Sir/Madam,

The Cabinet Member for Housing (Councillor C. Watkins) is to consider the following reports and make a decision on **Thursday 13<sup>th</sup> February 2025** at **4.30pm** in the Council Chamber, Town Hall, Nuneaton.

Yours faithfully,

TOM SHARDLOW  
Chief Executive

# A G E N D A

## PART 1

### PUBLIC BUSINESS

#### 1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds, please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside Lloyds Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

#### 2. PUBLIC CONSULTATION - Members of the public will be given the opportunity to speak on specific agenda items if notice has been received.

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or officers and if after a warning issued by the chair, the speaker persists, they will be asked to stop speaking by the chair. The chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

#### 3. DECLARATIONS OF INTEREST - To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 4**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Committee Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is

engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit & Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

4. PET POLICY a report of the Assistant Director - Social Housing & Community Safety, attached (**Page 5**).
5. ANTI-SOCIAL BEHAVIOUR POLICY a report of the Assistant Director - Social Housing & Community Safety, attached (**Page 30**).

**Councillor Watkins - Schedule of Declarations of Interests – 2024/2025**

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	C. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> <li>• Coventry, Warwickshire and Hinckley and Bosworth Joint Committee</li> <li>• Local Government Association</li> <li>• Nuneaton and Bedworth Home Improvement Agency</li> <li>• Nuneaton and Bedworth Safer and Stronger Communities Partnership</li> <li>• Warwickshire Housing Support Partnership</li> <li>• West Midlands Combined Authority Board (WMCA)</li> <li>• West Midland Combined Housing and Land delivery Board</li> </ul>	

**Individual Cabinet Member Decision**

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**Report Summary Sheet**

**Date:** 13<sup>th</sup> February 2025

**Subject:** Pet Policy

**Portfolio:** Housing

**From:** Nicola Botterill – Assistant Director, Social Housing & Community Safety

**Summary:**

This policy outlines the approach adopted by Nuneaton and Bedworth Borough Councils to the keeping of pets by its tenants and leaseholders. The Council recognises the benefits that responsible pet ownership can bring to residents, however, controls must be in place to prevent irresponsible pet ownership, which can cause suffering to animals and nuisance to neighbours.

This policy aims to ensure that pets are kept in line with the terms of this policy; complaints about nuisance are dealt with efficiently and effectively; advice and support is offered to tenants about responsible pet ownership.

**Recommendations:**

That the Pet Policy be approved.

**Options:**

- a) Adopt the Pet Policy

b) To not adopt the Pet Policy

**Reasons:**

The Tenancy Services team propose the introduction of a revised pet policy (Appendix A).

The purpose is to give clearer guidance to tenants and leaseholders about their obligation to request permission to keep pets in their home and clarity of their responsibilities and circumstances where we might require them to rehome their pet or take enforcement action against them.

Our current tenancy agreements state that tenants must seek permission before keeping pets in their home. However, we need to formalise this procedure, so it is clearer to our tenants and leaseholders about how the requests are dealt with. This will also help tenants who planning a move or welcoming a new pet into their household.

There has been a steady rise in pet ownership, in particular dogs, in the UK. Dog ownership rose to 11 million (26% of population) in 2023 from 10.1 million (29% of population) in 2020.

**Consultation undertaken with Members/Officers –**

The consultation period was from Monday 28 October until Sunday 25 November. The objective of the consultation was to listen to our tenants in our independent living complexes' feedback on our proposed Pet Policy.

Our Independent Living tenants were consulted upon primarily because the proposed changes to the pet policy will impact those who lives in our schemes as opposed to those in category one properties or general-purpose accommodation; the main change to existing pet policy is that we are proposing to allow pets in all properties, with permission, which contrasts with the current pet policy.

In 2021, the pet policy was “relaxed” for tenants in general purpose accommodation meaning those tenants who live in properties without its own front door (flatlets, flats, some maisonettes etc.) were permitted to have cats and dogs, with permission.

In conclusion to the pet policy consultation, the responses lean towards most Independent Living tenants not supporting the new policy of allowing pets in independent living complexes. Concerns vary from people being worried about noise, smells, animals being in communal areas without leads and fouling in communal spaces. It was also felt that ASB may rise, and it therefore require a specific officer to deal with this.

However, the proposed policy has stipulations for responsible pet ownership and that pets must be kept in line with the terms of this policy; complaints about nuisance are dealt with efficiently and effectively and advice and support is offered to tenants about

responsible pet ownership, ensuring cohesive community living with the addition of pets as long as the rules and regulations are adhered to by staff and residents.

**Subject to call-in:** Yes

**Ward relevance:** All Wards within the Borough of Nuneaton and Bedworth

**Forward plan:** No

**Corporate Priorities:**

Aim 1  
Priority 1

**Relevant statutes or policy:** N/A

**Equalities Implications:**

There are no significant negative impacts as a result of this policy on any of the protected characteristics and EIA conducted by Equality and Safeguarding Officer

**Human resources implications:**

There are no direct HR implications as a result of this report.

**Financial Implications:**

There are no direct financial implications as a result of this report. The service is required to manage from within its approved budget envelope when implementing the strategy.

**Health Inequalities Implications:**

There are no direct health inequalities implications as a result of this report. The implementation of this policy could assist tenants and leaseholders who require a pet for mental health purposes.

**Risk management implications:**

There are no direct risk management implications as a result of this report.

**Environmental implications:**

There are no direct climate change or environmental implications arising from this report.

**Legal implications:**

The Council has a legal requirement, under the Equality Act 2010, where we could fall foul of the law by restricting access to pet ownership because of age, e.g. just for living in accommodation designated for over 55s. Whilst there are some properties that cannot allow pets, e.g. supported accommodation, care homes etc., IL does not form part of these exemptions to pet ownership.

**Contact details:**

**Nicola Botterill – Assistant Director – Social Housing & Community Safety**

[Nicola.botterill@nuneatonandbedworth.gov.uk](mailto:Nicola.botterill@nuneatonandbedworth.gov.uk)



## **AGENDA ITEM NO.4**

### **NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to:** Individual Cabinet Member Decision – Councillor Christopher Watkins

**From:** Nicola Botterill – Assistant Director, Social Housing & Community Safety

**Date:** 13<sup>th</sup> February 2025

**Subject:** **Pet Policy**

**Portfolio:** Housing (Councillor C. Watkins)

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1. Purpose of Report

- 1.1 This policy outlines the approach adopted by Nuneaton and Bedworth Borough Councils to the keeping of pets by its tenants and leaseholders. The Council recognises the benefits that responsible pet ownership can bring to residents, however, controls must be in place to prevent irresponsible pet ownership, which can cause suffering to animals and nuisance to neighbours.
- 1.2 This policy aims to ensure that pets are kept in line with the terms of this policy; complaints about nuisance are dealt with efficiently and effectively; advice and support is offered to tenants about responsible pet ownership

2. Recommendation

- 2.1 It is recommended that the Pet Policy be approved.

3. Background

- 3.1 The Tenancy Services team propose the introduction of a revised pet policy (Appendix A).
- 3.2 The purpose is to give clearer guidance to tenants and leaseholders about their obligation to request permission to keep pets in their home and clarity of their responsibilities and circumstances where we might require them to rehome their pet or take enforcement action against them.
- 3.3 Our current tenancy agreements state that tenants must seek permission before keeping pets in their home. However, we need to formalise this procedure, so it is clearer to our tenants and leaseholders about how the

requests are dealt with. This will also help tenants who planning a move or welcoming a new pet into their household.

- 3.4 There has been a steady rise in pet ownership, in particular dogs, in the UK. Dog ownership rose to 11 million (26% of population) in 2023 from 10.1 million (29% of population) in 2020.

#### 4. Consultation

- 4.1 The consultation period was from Monday 28 October until Sunday 25 November. The objective of the consultation was to listen to our tenants in our independent living complexes' feedback on our proposed Pet Policy.
- 4.2 Our Independent Living tenants were consulted upon primarily because the proposed changes to the pet policy will impact those who lives in our schemes as opposed to those in category one properties or general-purpose accommodation; the main change to existing pet policy is that we are proposing to allow pets in all properties, with permission, which contrasts with the current pet policy.
- 4.3 In 2021, the pet policy was "relaxed" for tenants in general purpose accommodation meaning those tenants who live in properties without its own front door (flatlets, flats, some maisonettes etc.) were permitted to have cats and dogs, with permission.
- 4.4 In conclusion to the pet policy consultation, the responses lean towards most Independent Living tenants not supporting the new policy of allowing pets in independent living complexes. Concerns vary from people being worried about noise, smells, animals being in communal areas without leads and fouling in communal spaces. It was also felt that ASB may rise, and it therefore require a specific officer to deal with this.
- 4.5 However, the proposed policy has stipulations for responsible pet ownership and that pets must be kept in line with the terms of this policy; complaints about nuisance are dealt with efficiently and effectively and advice and support is offered to tenants about responsible pet ownership, ensuring cohesive community living with the addition of pets as long as the rules and regulations are adhered to by staff and residents.

#### 5. Conclusion

- 5.1 The Council has a legal requirement, under the Equality Act 2010, where we could fall foul of the law by restricting access to pet ownership because of age, e.g. just for living in accommodation designated for over 55s. Whilst there are some properties that cannot allow pets, e.g. supported accommodation, care homes etc., IL does not form part of these exemptions to pet ownership. In addition to this, the Council recognises the benefits that responsible pet ownership can bring to residents, however, controls must be in place to prevent irresponsible pet ownership, which can cause suffering to animals and nuisance to neighbours. The implementation of this policy will assist with this.

6. Appendices

Appendix A – Pet Policy

7. Background Papers

None.

**Nicola Botterill**  
**Assistant Director – Social Housing & Community Safety**



# Pet Policy

**Issued by Social Housing & Community Safety**

**February 2025**

## Pet Policy Quality Record

Revision	Date	Description	Stage	Agreed
Draft	March 2018	1 <sup>st</sup> revision (NT)	Draft	
Draft	June 2018	Single Member Decision	Approved	20.6.18
Draft	March 2018	EqlA	Approved	22.3.18
Draft	Jan 2025	2 <sup>nd</sup> Revision	Draft	28.1.25
Draft	Jan 2025	Single Member Decision		
Draft	Jan 2025	EqlA		

**This Policy is available in alternative formats.**

**Please contact Human Resources if you require assistance.**

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## **1. Objectives**

- 1.1. This policy outlines the approach adopted by Nuneaton and Bedworth Borough Councils to the keeping of pets by its tenants and leaseholders. The Council recognises the benefits that responsible pet ownership can bring to residents, however, controls must be in place to prevent irresponsible pet ownership, which can cause suffering to animals and nuisance to neighbours.
- 1.2. This policy aims to ensure that pets are kept in line with the terms of this policy; complaints about nuisance are dealt with efficiently and effectively; advice and support is offered to tenants about responsible pet ownership.

## **2. Purpose**

- 2.1. The purpose of this policy is to ensure that the Council's Social Housing and Community Safety directorate adopt a consistent, fair and transparent approach in the way it deals with permissions for pets and their behaviour within its housing stock and communal areas.

## **3. Scope**

- 3.1. This policy sets out Nuneaton and Bedworth Borough Council's approach to managing pet ownership within our General Needs and Independent Living accommodation and the standards we expect of pet owners.

## **4. Responsibility**

- 4.1. The Landlord Services Manager retains the overall responsibility for the implementation of this Policy.
- 4.2. The Tenancy Management and Engagement Team Leader, Independent Living Team Leader and Anti-Social Behaviour Team Leader are responsible for monitoring, reviewing and developing the policy, ensuring staff are aware of the policy, provide training where required and communicating to tenants and leaseholders.
- 4.3. Tenancy Management Officers, Independent Living Officers and Anti-Social Behaviour Officers are responsible for the operational delivery of this policy and the associated procedures.

## **5. Legislative and Regulatory Framework**

- 5.1. The Animal Welfare Act 2006 publishes a code of practice to protect the welfare of animals. We encourage our residents to be responsible pet owners and protect the wellbeing of their pets.
- 5.2. The Dangerous Wild Animals Act 1976 ensures that those who keep wild animals do so in a way that minimises the risk to others. The Act states that no person may keep any dangerous wild animal except under the authority of a licence granted by the Local Authority.
- 5.3. The Dangerous Dogs Act 1991 (as amended 1997) was introduced in response to serious injury and death from dog attacks. The Act makes it illegal to keep or breed a banned dog, and the Police or the Council's Animal Warden can take away and keep any banned dogs. Dog owners may be granted an exemption to keep a banned dog if it is determined by the Courts the dog will not cause harm to others. If exempt, the dog will be listed under the IED (Index of Exempt Dogs) and the owner must ensure the



dog is muzzled and kept on a lead in public, be registered and insured, neutered, tattooed and receive microchip implants. The Council can request evidence of this exemption from DEFRA and the dog owner.

## **6. Policy Statement**

- 6.1 The Council takes a positive view about residents keeping domesticated pets, and we recognise the benefits responsible pet ownership can make to the wellbeing of our residents.
- 5.1. Any resident wishing to keep a pet must request permission from the Council and permission must be granted in writing before obtaining a pet.
- 5.2. Animals that are temporarily visiting the property are not required to have permission in place, unless they begin to use the property as their main and principal residence.
- 5.3. Residents are expected to uphold the same standards listed within this policy under for any animals accompanying visitors to the property or neighbourhood.
- 6.2 Registered Assistance and Guide Dogs will automatically be permitted in our properties without the need for official consent, upon receipt of evidence of the registration.

## **7. Permitted Animals**

- 7.1. The types of pets the Council considers suitable for most properties include, but is not necessarily restricted to:
- Domesticated dogs, subject to clause 9 below
  - Domestic, non-feral cats;
  - Domesticated rabbits;
  - Budgerigars and other similar caged birds;
  - Fish suitable to be kept in domestic aquariums;
  - Domesticated rodents such as rats, mice, gerbils and hamsters;
  - Non-poisonous insects and arachnids
  - Non-poisonous snakes and reptiles

## **8. Assistance Animals**

- 8.1. Registered Assistance animals, including guide dogs, are permitted in all properties but permission must be requested from the Council. This is to ensure we are aware of the animals being kept in our housing stock, and to ensure the animals are registered with the relevant agencies to act as Assistance Animals.
- 8.2. The owner of the assistance dog is responsible for ensuring that their dog is properly trained at all times.

## **9. Visiting Animals**

- 9.1 Friends and relatives are allowed to visit residents with their pets in their properties and private gardens.
- 9.2 These visitors and pets will be expected to fully comply with this policy. Tenants and

leaseholders will retain overall responsibility for the behaviour of their visitors and pets.

- 9.3 Any resident that fails to ensure this policy is complied with by visitors and visiting pets risks being refused to allow further visits at their property or neighbourhood.

## 10. Restrictions to Animal Ownership

- 10.1. Under no circumstances are residents permitted to keep the following as pets, or allow them to visit the property or neighbourhood:

- Animals listed under the Dangerous Wild Animals Act 1976
- Non-domesticated Primates
- Larger or venomous reptiles
- Poisonous creatures
- Livestock
- Fowl or Game birds
- Dangerous arachnids
- Dangerous insects
- Any endangered species
- Any hybrid between a domestic and a wild animal
- Bees
- Dogs listed under the Dangerous Dogs Act 1991 (as amended) without already possessing a valid exemption certificate, including:
  - Pit Bull Terrier
  - Japanese Tosa
  - Dogo Argentino
  - Fila Brasileiro
  - XL Bully Breed Dogs

- 10.2. Any resident that is restricted from owning or looking after an animal will not be granted permission to house or look after animals in any of the Council's properties or locations.

- 10.3. Anyone found guilty of mistreating or neglecting a pet will be denied permission to keep pets in the future.

- 10.4. Anyone found in breach of these clauses will be asked to rehome any animals immediately, and any failures to do so will result in legal action being taken against them.

## 11. Requesting Permission

- 11.1. Requests for pet ownership can be made in a variety of ways to suit the resident. This can be done via:

- Email: [tenancy.officers@nuneatonandbedworth.gov.uk](mailto:tenancy.officers@nuneatonandbedworth.gov.uk)
- Telephone: 024 7637 6376
- For tenants in Independent Living accommodation, you are welcome to contact your Independent Living Officer directly for an application form
- Speaking with your local Councillor
- The Council's Tenant Engagement team:  
[tenant.engagement@nuneatonandbedworth.gov.uk](mailto:tenant.engagement@nuneatonandbedworth.gov.uk)
- Facebook: Nuneaton and Bedworth Borough Council - Housing

## **12. Retrospective Permission**

12.1. If a resident acquires a pet without first seeking and being granted permission, they will be required to:

- Find an alternative permanent home for the animal if it falls outside acceptable groups of pets as set out in clause 9; or
- Complete a pet application form retrospectively and be shown to have complied with all the conditions set out in clause 13, for consideration.

## **13. Pet Owner's Responsibilities**

13.1. If conditional permission is granted to keep a pet at a property, there are certain terms and conditions that must be agreed to and complied with before housing an animal. These terms and conditions are to be agreed to before full permission can be given.

13.2. These terms and conditions are:

- The pet owner has the ability and means to ensure the animal is well-cared for and is considered suitable for the property it will reside in, in accordance with the terms of the Animal Welfare Act 2006.
- All pets must be registered with a local vet or an organization such as the PDSA, except those who may not require veterinary care at any point, e.g. insects and fish.
- Animals, particularly dogs and cats, must be microchipped and details kept up to date.
- All dogs must always wear a collar with a contact tag other than when inside the property
- Owners must actively seek to prevent unpleasant odours and noise being emitted from their property due to their pets.
- The pet is properly house-trained (if applicable) and must not be allowed to foul communal areas, inside or outside of properties. Pet owners must ensure that they clean up immediately and thoroughly after their pet, in internal and external areas, including communal areas. Owners must provide pets with suitable litter trays which must be cleaned out regularly, emptied, securely bagged and placed in their dustbin or communal bins appropriately to ensure the property and communal area do not become unhygienic.
- Animals must not damage any property, including communal areas and neighbouring properties. Owners may be recharged for any repairs which are needed because of such damage.
- Animals must be under the control of responsible persons over the age of 16 years in the property, its grounds and communal areas.
- Animals must be always kept on leads in communal areas.

- Pets must not be allowed to be kept, wander unaccompanied, roam or at any time be out of control and/or unrestrained in any location of the property, gardens or communal areas.
- Pets must only be in communal areas when accessing or leaving the property (this excludes Registered Assistance Animals).
- The pet will not be the subject of any breeding or business activity from the property or locality of the property.
- The pet must be kept under control so to not cause a nuisance, anti-social behaviour (ASB), alarm or distress, or be perceived to be capable of causing such behaviour in the property or locality.
- Cat flaps or other similar means for pets to access or leave a property must not be fitted to any doors or windows because these can compromise the fire safety of a property.
- Pet owners must have suitable arrangements in place for looking after their pet during prolonged periods of absence or ill health.
- Deceased pets must be buried or disposed of in a responsible and safe manner and not within the property, its grounds or communal areas.

#### **14. The Council's Reserved Rights**

14.1. Whilst the Council recognises the benefits pets can bring to residents, we also have a duty to ensure residents are safe in our properties and neighbourhoods. There are some instances where evidence will be requested and required to be supplied before the Council can consider if permission may be granted, or refused.

14.2. The Council reserves the right to:

- Request and obtain evidence of any relevant licences, exemption certificates etc. for residents requesting to retain ownership of certain animals, including those animals under the Dangerous Dogs Act 1991 (as amended), rare or exotic creatures etc.
- Refuse permission to own a pet if the pet owner refuses to behave responsibly in complying with terms and conditions of this policy.
- Impose restrictions of the number of pets permitted into the property depending on the size of the property.
- Revoke permission to keep a pet where the pet has caused a nuisance.
- Revoke permission where we believe the pet owner to be showing signs of demonstrating animal cruelty or neglect.
- Commence legal proceedings against any pet owner for failing to adhere to this policy.
- Recharge residents if the Council has to carry out any pest control, repairs or cleansing due to the behaviour of their animals, whether owned or visiting.

## 15. Nuisance Behaviour

- 15.1. Any pet or animal that visits or resides in any Council property or in the locality of a Council property is expected to be kept under control and not exhibit behaviours that may cause, or perceive to cause alarm, distress, aggression or a nuisance to others.
- 15.2. Any pet or animal that resides in or visits any Council property or in the locality of a Council property is expected to reside in clean and tidy condition.
- 15.3. Some of the nuisance behaviours that could result enforcement action being taken against a tenancy or leasehold agreement could include, but is not limited to:
  - Animal hoarding - keeping a higher than usual number of animals as pets without having the ability to properly house or care for them.
  - Noise nuisance – having animals reside or visit a property or the locality of a property and they cause unreasonable, excessive and/or persistent emissions of noise that causes significant interference with the use and enjoyment of a property or community.
  - Fouling that is not collected and disposed of appropriately, immediately
  - Dogs being exercised off leads in communal areas
  - Attacks on, violent or aggressive behaviour towards people or other animals.
  - Causing a person to believe they could be injured or harmed due to an out-of-control pet

## 16. Management of Animal Related Issues

- 16.1. We will work with residents to address any pet-related issues, complaints or circumstances affecting the pet owner which have led to such issues. We will do this whether a resident has permission for the animal or not.
- 16.2. This may include referrals to specialist animal welfare organisations for support, information, advice and guidance.
- 16.3. Where a pet owner fails to engage with such efforts, or if the level of nuisance, cruelty or neglect is significant, we will take more serious action. This may include:
  - Asking residents to rehome pets
  - Referral to another agency e.g. the police or animal protection body such as the RSPCA
  - Legal proceedings, e.g. Injunctions, Possession Proceedings, Forfeiture of Lease
  - No further action, where the evidence does not substantiate the complaints
- 16.4. Where a decision has been made to rehome an animal, we will allow this to take place within a reasonable timeframe.
- 16.5. We will report any concerns of animal cruelty to the RSPCA.
- 16.6. Any stray animals will be reported to the Council's Animal Warden.

- 16.7. Any resident who has had legal action taken against them due to the behaviour of their pets or level of care provided to them will be restricted from having pets reside in or visit their property in the future.
- 16.8. Should the Council have taken legal action against irresponsible pet owners, they also risk further legal proceedings being commenced against their tenancy agreement or lease.

## **17. Right of Appeal**

- 17.1. In the event that a resident is either refused permission to keep a pet or that permission is revoked, they have a right of appeal to the Landlord Services Manager. Any appeal is to be submitted within 14 days of permission being refused or revoked.

## **18. Equality & Diversity**

- 18.1. This policy and associated procedures will apply to all. Nuneaton and Bedworth Borough Council is committed to promoting equality of opportunity and to eliminating unlawful discrimination on the grounds of race, age, disability, gender, sexual orientation, religion, belief, class, financial status and any other difference that can lead to discrimination or unfair treatment.
- 18.2. This Policy, which outlines the key aspects of this policy and procedure, can be translated or provided in alternative formats upon request.

## **19. Tenant and Leaseholder Engagement**

- 18.1. This Policy has been fully consulted upon with our tenants and leaseholders.
- 18.2. All feedback has been considered in the drafting of this policy to ensure it is fair to all and the voice of our tenants and leaseholders has been heard.
- 18.3. As a Landlord, we have a legal requirement, under the Equality Act 2010 stating that we could fall foul of the law by restricting access to pet ownership because of age, e.g. just for living in accommodation designated for over 55s. Whilst there are some properties that cannot allow pets, e.g. supported accommodation, care homes etc., IL does not form part of these exemptions to pet ownership.
- 18.4. This Policy will be published on our website.

## **19. Policy Review and Development**

- 19.1. Key Performance Indicator (KPI) measures will be used to measure the effectiveness of this policy including the number of pet related nuisance complaints and customer satisfaction with case outcome and handling.

## **20. Data Protection**

- 20.1. This policy is fully compliant with the General Data Protection Regulation that came into force on 25 May 2018.

## **20. Related Documents**

- Anti-Social Behaviour Policy
- Tenancy Agreements

- Tenancy Handbook
- Recharge Policy
- Communal Areas Management Policy
- Pet Permission Procedure

## **21. References**

- Animal Welfare Act 2006
- Dangerous Dogs Act 1991 s.3
- Tenancy Agreements

## **22. Appendices**

- Pet Permission Application Form
- Responsible Pet Owner Agreement

## **23. Review date**

- 23.1. Every three years or on the introduction of new legislation, regulation or good practice guidance.



## Permission for Pets – Application Form

Your Information	
<b>Name(s):</b>	
<b>Address:</b>	
<b>Telephone Number:</b>	
<b>Email Address:</b>	
<b>Preferred Method of Contact:</b>	<input type="checkbox"/> Telephone <input type="checkbox"/> Email
<b>Are you disabled?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>If yes, please specify what disabilities you have</b>	
<b>Are you requesting an Assistance Animal?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>If yes, please specify the organisation providing you with the animal</b>	



**Please tick answers where appropriate.  
Please complete this form as fully as possible to prevent any delays in processing your application. Please note, one application form per animal.**

<b>Animal Information</b>	
<b>What type of animal are you requesting permission for?</b>	
<input type="checkbox"/> Dog <input type="checkbox"/> Cat <input type="checkbox"/> Rodent <input type="checkbox"/> Bird <input type="checkbox"/> Reptile <input type="checkbox"/> Arachnid <input type="checkbox"/> Fish <input type="checkbox"/> Rabbit	
Other: (Please specify)	
Breed of Animal:	
Will or is the animal be neutered or spayed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, please specify why	
Will or is your animal microchipped?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, please specify why	
Will or is your pet be registered with a vet?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, please specify why	
Do you have any pets currently residing at your address?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please specify what kind of pet(s) you have.	
<b>Provisions for a Pet</b>	
Type of property you occupy:	<input type="checkbox"/> House <input type="checkbox"/> Flat
Number of Bedrooms:	
Is there an enclosed, private garden attached to your property?	<input type="checkbox"/> Yes <input type="checkbox"/> No

If yes, how is it enclosed?	
Is there a communal garden attached to your property?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is it likely that your pet will be left alone in the property for long periods of time?	<input type="checkbox"/> Yes <input type="checkbox"/> No
What measures will you put in place should you become unable to look after your pet for an extended period of time?	

**Declaration**

I/We hereby apply for permission to keep a pet at the above dwelling. I/We believe the information given in this application form is accurate to the best of my knowledge.

I/We have read and understood Nuneaton and Bedworth Borough Council's Pet Policy and agree to abide by the terms stated in this policy.

I/We understand that if any of the details above change or complaints are received about my pet, the Council can review and if seen fit revoke any permission that may be granted.

In addition to the above, I/We understand and agree to Nuneaton and Bedworth Borough Council requesting any evidence that may be required detailing the suitability of the animal, the owners and the property for this pet.

If you are agreeable to this, please sign below.

Signed:	
Name:	
Date:	
<p><b>Please return to:</b></p> <p>Housing  Nuneaton and Bedworth Borough Council  Town Hall  Coton Road  Nuneaton  CV11 5AA</p> <p><a href="mailto:Tenancy.officers@nuneatonandbedworth.gov.uk">Tenancy.officers@nuneatonandbedworth.gov.uk</a></p>	



## Pet Owner Agreement

This agreement is entered into by the named resident(s) below to house a pet at the property address cited below.

This agreement permits the pet listed below to reside at the property in accordance with the Pet Policy operated by Nuneaton and Bedworth Borough Council.

<b>Name(s) of Pet Owner</b>	
<b>Property Address</b>	
<b>Pet Permission is Granted For</b>	<i>e.g., beadle dog, house cat</i>
<b>Date</b>	

### Pet Owner Responsibilities

In accordance with the Pet Policy operated by Nuneaton and Bedworth Borough Council, as the Pet Owner, I/We agree:

1. The Pet Owner has the ability and means to ensure the animal is well-cared for and is considered suitable for the property it will reside in, in accordance with the terms of the Animal Welfare Act 2006.
  - 1.a. In the event of the Pet Owner's incapacity, extended period of absence, illness or hospitalisation, alternative arrangements have been made to take care of my pet.
2. To register the pet with a local vet or an organisation such as the PDSA for veterinary related care.

3. To microchipping the pet and ensure to keep these details up to date.
4. To ensure a dog always wears a collar with a contact tag other than when inside the property, where I have a dog.
5. To spay, neuter and receive documented treatments for fleas and other common ailments, where the pet is of a breed to be susceptible to breeding and such conditions.
6. To actively seek to prevent unpleasant odours and noise being emitted from my property due to pets.
7. Properly house-train my pet, and ensure any fouling is cleaned up immediately and thoroughly after my pet, in all internal and external areas, including communal areas.
8. Have suitable litter trays which will be cleaned out regularly, emptied, securely bagged and placed in my dustbin or communal bins appropriately to ensure the property and communal area do not become unhygienic.
9. Ensuring my pet does not damage any property, including communal areas and neighbouring properties. I/We understand and agree to being recharged for any repairs which are needed because of damage.
10. My pet will always be under the control of responsible persons over the age of 16 years in the property, its grounds and communal areas.
11. My pet will always kept on a lead in communal areas.
12. My pet will never be allowed to be kept, wander unaccompanied, roam or at any time be out of control and/or unrestrained in any location of the property, gardens or communal areas.
13. My pet will only be in communal areas when accessing or leaving the property (excluding Registered Assistance Animals).
14. I will not breed or be subject to any animal business activity from the property or locality of the property.
15. To keep my pet under control so to not cause a nuisance, anti-social behaviour (ASB), alarm or distress, or be perceived to be capable of causing such behaviour in the property or locality.
16. To not install cat flaps or other similar means for pets to access or leave a property must not be fitted to any doors or windows.
17. That in the unfortunate circumstance my pet should pass away, they will not be buried or disposed of within the property, its grounds or communal areas.

### **Declaration**

By signing this Pet Owner Agreement, I/We hereby declare that the Pet Policy operated by Nuneaton and Bedworth Borough Council has been read and understood.

I/We understand and agree to the Reserved Rights of Nuneaton and Bedworth Borough Council as prescribed within the Pet Policy.

I/We understand that if any of the Pet Owner Responsibilities are not complied with, I/We risk

being asked to rehome my pet, and/or have legal proceedings commenced against me/us as the pet owners.

I/We understand if the Council takes legal action against me/us, this may restrict further pet permissions being granted and being permitted to having pets reside in the property.

<b>Signed:</b>	
<b>Name:</b>	
<b>Signed:</b>	
<b>Name:</b>	
<b>Date:</b>	

**Individual Cabinet Member Decision**

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**Report Summary Sheet**

**Date:** 13<sup>th</sup> February 2025

**Subject:** Anti-Social Behaviour Policy

**Portfolio:** Housing

**From:** Nicola Botterill – Assistant Director, Social Housing & Community Safety

**Summary:**

Anti-Social Behaviour in Nuneaton and Bedworth continues to be a concern raised by local residents and remains a priority for the Council. ASB can often have a devastating impact on victims and communities and requires a multi-agency approach to deal with it effectively.

The ASB Policy, sets out Council's commitment on how we will tackle ASB through a framework of early intervention, support, and enforcement. It also sets out how we will do this in partnership with other agencies (statutory, non-statutory and voluntary).

The purpose of the Policy is to inform tenants, leaseholders, stakeholders and the wider community of Nuneaton and Bedworth Borough Council's Social Housing policy. This relates to managing reports of anti-social behaviour (ASB) about the Council's tenants and making clear the standards of behaviour expected from the Council's tenants.

**Recommendations:**

It is recommended that the Policy be approved.

**Options:**

- a) Adopt the ASB Policy
- b) To not adopt the ASB Policy

**Consultation undertaken with Members/Officers –**

The ASB Policy went out for consultation from 30 September 2024 to 29 October 2024. The consultation was published on to the Council's website; social media platforms (mainly Facebook); and messages were sent to the residents who have been involved in the ASB process within the last 12-months. Electronic feedback forms were also available on the Council's website to complete.

All comments and feedback have been considered when drafting this Policy.

Other partners and officers involved in the Consultation are:

Warwickshire Police (Inspector & Sergeants).  
Warwickshire Fire & Rescue  
Warwickshire County Council  
Equality & Safeguarding Officer  
Legal Team  
Housing Solutions Team  
Environmental Health Team  
Community Safety Team  
ASB team  
Landlord Services Manager  
Communities and Community Safety Manager

**Subject to call-in:** Yes

**Ward relevance:** All Wards within the Borough of Nuneaton and Bedworth

**Forward plan:** No

**Corporate Priorities:**

Aim 1

Priority 1

**Relevant statutes or policy:**

ASB Strategy

The Crime and Disorder Act 1998

Criminal Justice Bill

Crime & Policing Act 2014

Social Housing (Regulation) Act 2014

ASB Action Plan – formally The Community Trigger

Warwickshire Police & Crime Commissioners Police and Crime Plan

**Equalities Implications:**

There are no significant negative impacts as a result of this policy on any of the protected characteristics and EIA conducted by Equality and Safeguarding Officer

**Human resources implications:**

There are no direct HR implications contained within this report

**Financial resources implications:**

There are no direct financial implications as a result of this report. The service is required to manage from within its approved budget envelope when implementing the strategy.

**Health Inequalities Implications:**

There are no direct health inequalities implications as a result of this report. The Policy will assist to improve the health and wellbeing of tenants, leaseholders and the wider community.

**Risk management implications:**

There are no direct risk management implications as a result of this report.

**Environmental implications:**

There are no direct climate change or environmental implications arising from this report.

**Legal implications:**

The Crime and Disorder Act 1998 places a statutory duty on a local authority to have in place a strategy for the reduction of crime and disorder in the area (including anti-social and other behaviour adversely affecting the local environment). The ASB Policy will sit alongside the Strategy.

**Contact details:**



**Nicola Botterill – Assistant Director – Social Housing & Community Safety**

[Nicola.botterill@nuneatonandbedworth.gov.uk](mailto:Nicola.botterill@nuneatonandbedworth.gov.uk)

## **AGENDA ITEM NO.5**

### **NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to:** Councillor Watkins – Individual Cabinet Member Decision.

**From:** Nicola Botterill – Assistant Director, Social Housing & Community Safety

**Date:** 13<sup>th</sup> February 2025

**Subject:** Anti-Social Behaviour Policy

**Portfolio:** Housing & Communities (Councillor C. Watkins)

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#### 1. Purpose of Report

- 1.1 Anti-Social Behaviour in Nuneaton and Bedworth continues to be a concern raised by local residents and remains a priority for the Council. ASB can often have a devastating impact on victims and communities and requires a multi-agency approach to deal with it effectively
- 1.2 The ASB Policy, sets out Council's commitment on how we will tackle ASB through a framework of early intervention, support, and enforcement. It also sets out how we will do this in partnership with other agencies (statutory, non-statutory and voluntary).
- 1.3 The purpose of the Policy is to inform tenants, leaseholders, stakeholders and the wider community of Nuneaton and Bedworth Borough Council's Social Housing policy. This relates to managing reports of anti-social behaviour (ASB) about the Council's tenants and making clear the standards of behaviour expected from the Council's tenants.

#### 2. Recommendation

- 2.1 It is recommended that the Anti-Social Behaviour Policy be approved.

#### 3. Background

- 3.1 The term anti-social behaviour (ASB) can relate to a range of activities: for the purpose of this Policy, we refer to Part 1 of the Anti-social Behaviour, Crime and Policing Act 2014, relating to our responsibilities as a Local Authority and as a social housing provider, which defines ASB as being:
  - a. conduct that has caused, or is likely to cause, harassment, alarm, distress to any person
  - b. conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or

- c. conduct capable of causing housing-related nuisance or annoyance to any person.
- 3.2 The ASB Policy will be supported by the ASB Strategy and ASB Service Standards to ensure our key commitments are delivered operationally within the Strategy.
4. The Regulator of Social Housing
- 4.1 The primary consumer standard for the ASB Policy is the **Neighbourhood and Community Standard** which sets out the key requirements expected of social housing providers in their approach to managing reports of ASB, with expectations to:
- Work co-operatively with tenants, other landlords and relevant organisations to take all reasonable steps to ensure the safety of shared spaces.
  - Co-operate with relevant partners to promote social, environmental and economic wellbeing in the areas where we provide social housing.
  - Work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle ASB and hate incidents in the neighbourhoods where we provide social housing.
  - Work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.
4. Consultation
- 4.1 The strategy has been developed following engagement and consultation with a number of partner agencies and officers.
- 4.2 A full consultation process was also undertaken with tenants and leaseholders.
5. Conclusion
- 5.1 This Policy sets out the Council's approach to continue to tackle ASB across Nuneaton and Bedworth.
- 5.2 The Policy demonstrates the commitment that the Council has in order to tackle ASB in the Borough, whilst supporting victims and perpetrators, and this has been recently endorsed by the Resolve Standard, through an accreditation.
- 5.3 By working with our external partners and monitoring the commitments that are set out in the Strategy will result in the reduction of both the volume and the impact of ASB whilst ensuring victims and perpetrators receive necessary support.
6. Appendices

Appendix A – Anti-Social Behaviour Policy

7. Background Papers

None.

**Nicola Botterill**  
**Assistant Director – Social Housing & Community Safety**



# **Anti-Social Behaviour Policy**

**Issued by Social Housing and Community Safety**

**February 2025**



# Anti-Social Behaviour Policy Quality Record

Revision	Date	Description	Stage	Agreed
Draft	23/05/2024	1 <sup>st</sup> revision	Draft	05/06/2024
Draft		Single Member Decision		
Draft	12/06/2024	EQI	Draft	12/06/2024

## Version Control – Change Record

Date	Author	Version	Reason for change

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**This Policy is available in large print.  
Please contact Customer Services if you require  
assistance.**



## 1. Policy Statement

- 1.1. The purpose of this document is to inform tenants, leaseholders, stakeholders and the wider community of Nuneaton and Bedworth Borough Council's Social Housing policy. This relates to managing reports of anti-social behaviour (ASB) about the Council's tenants and making clear the standards of behaviour expected from the Council's tenants.
- 1.2. Where an owner occupier is causing ASB, we will provide appropriate advice and guidance which may include contacting the Police or another housing provider.
- 1.3. Nuneaton and Bedworth Borough Council is committed to ensuring that all residents enjoy their right to peace and security in their homes.
- 1.4. This Policy sets out our commitment to meeting the Regulator of Social Housing (RSH) Neighbourhood and Community Standard, which states required outcomes must:
  - 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.

## 2. Our Commitments

To effectively tackle and deter hate incidents, domestic abuse and other ASB we will:

- 2.1. Demonstrate leadership, accountability, and commitment in working with partners to tackle and deter hate crime, domestic abuse and other ASB so that we all fulfil our responsibilities.
- 2.2. Ensure staff are well-trained, have the knowledge and confidence to identify and investigate reports of ASB and work collaboratively alongside appropriate agencies who are leading on such cases.
- 2.3. Clearly explain to all new tenants at the sign up of their tenancy and post tenancy visits, the terms of their tenancy that relate to ASB, so that expectations and consequences are clear.
- 2.4. Take reports seriously.
- 2.5. Ensure each report is assessed on its own merit when determining whether it is classed as ASB.
- 2.6. Recognise that ASB can have a detrimental impact upon individuals and communities and as such, we are committed to tackling ASB through taking reasonable and proportionate action in dealing with disruptive residents and any other visitors causing ASB within the borough.
- 2.7. Investigate reports of ASB, and, where there is clear, evidence, reasonable and proportionate action will be taken. We can only achieve this with the commitment of residents and as such, it is important to receive reports of ASB as part of the case management process.
- 2.8. Signpost residents to support services where appropriate.

- 2.9. Adopt a victim centered approach and support perpetrators of ASB with the view of resolving ASB reports.
- 2.10. Tackle ASB whilst meeting our duties under the Equality Act (2010). Under the Act we are required to have due regard for the need to:
  - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
- 2.11. Make our services accessible to all residents and will take steps to overcome barriers when reporting ASB. For example, this may mean making reasonable adjustments to meet the residents specific need(s).
- 2.12. Use good practice and review lessons learned to minimise risk of recurrences, develop policy and procedure and improve residents satisfaction of our ASB service.
- 2.13. Where the behaviour is deemed not to be ASB, advice will be given to enable self-resolution and managed outside of the ASB policy. If we continue to receive repeated reports of non-ASB, we will refer the customer back to the original advice given.

### **3. Purpose**

The purpose of this policy will set out our approach to:

- 3.1. Define ASB so staff and residents have an understanding of ASB and its impact.
- 3.2. Ensuring all residents can report ASB easily and manage resident expectations and responsibilities.
- 3.3. Ensure that Housing and Communities adopt a consistent, proportionate, and transparent approach in the way it deals with hate incidents, domestic abuse and other ASB within the borough.
- 3.4. To inform customers, staff and key partners of our approach to ASB. This will assist us to manage our housing stock and to ensure that our customers enjoy the right to use, enjoy and have security in their homes and in the communities in which they live.
- 3.5. To raise awareness amongst residents, staff and other relevant stakeholders of the tools and powers available, to both staff and residents, to tackle ASB.
- 3.6. Supporting complainants and vulnerable residents affected by ASB and those perpetrating ASB.
- 3.7. How we will work with partner agencies to deter and tackle ASB in the Borough.
- 3.8. Ensure that Housing and Communities are accountable for our actions and performance when managing ASB.

## 4. Definitions and Categorisation of ASB

### What is ASB? – The Definitions

4.1. Anti-Social Behaviour (ASB) is defined by Section 2(1) of the [Anti-social Behaviour, Crime and Policing Act 2014](#). It is defined as conduct that:

- Has caused or is likely to cause, harassment, alarm or distress to any person.
- Is capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises.
- Is capable of causing housing-related nuisance or annoyance to any person

### 4.2. Domestic Abuse

4.2.1. Domestic Abuse is defined as behaviour of a person (A) towards another person (B) if:

- A and B are each aged 16 or over and are personally connected to each other, and
- The behaviour is abusive.

4.2.2. Further definitions of what is considered abusive and what defines personally connected can be found in the [Domestic Abuse Act 2021](#).

### 4.3. Hate Incidents and Hate Crime

4.3.1. A hate incident is any incident perceived by the victim, or any other person, to be motivated by prejudice towards them due to a protected characteristic within the Equality Act 2010. This includes, but not limited to, race, religion, sexual orientation, disability or because they are transgender.

4.3.2. We promote and embrace an equal opportunity and diverse community. A hate crime is defined as 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 race, religion, sexual orientation, transgender identity or disability.

4.3.3. Where an incident of domestic abuse or a hate crime is reported to the Council, we will encourage the victim to report this to the Police and other relevant agencies so that they can investigate. We will make safeguarding referrals where appropriate. We will deal with such allegations in the context of breaches of tenancy and we will support victims by signposting to specialist services.

### 4.4. Noise Complaints

4.4.1. A noise complaint is a grievance about excessive, disturbing, or unreasonable noise coming from a neighbouring property.

4.4.2. Noise complaints can affect resident's quality of life, causing physical and emotional stress, sleep disturbance, and a decrease in concentration levels.

4.4.3. Where a report is made to us of excessive noise that takes place on a frequent basis, complaints about our social housing tenants will be investigated by an ASB Officer. All complaints of excessive noise received will be referred to our Environmental Health department for investigation, with consent of the complainant.

## Categories of ASB

### 4.5. What could be ASB?

4.5.5. The table below outlines, but is not limited to, the types and examples of what is deemed ASB:

Type of ASB	Examples of ASB
Violence, abuse, intimidation, threatening behaviour, and harassment	Threats to cause and/or actual harm to an individual(s), persistent behaviours which cause alarm, fear, distress and/or upset.
Hate Crimes	Hate crimes incidents based on race, sexual orientation, belief, gender, disability
Domestic Abuse	Abuse of a partner or household member
Noise Nuisance	Where there is noise from persistent dog barking, persistently loud music during the day and the night.  DIY during unsociable hours and noise from house and car alarms.
Communal Areas Nuisance	Where youths congregate and/or loiter within housing blocks and are causing rowdy and/or threatening behaviour or vandalism.
Animal Related Nuisance	Animals fouling communal areas or not under proper control
Environmental Abuse	Fly tipping, holding bonfires
Drugs, substance or alcohol abuse	Alcohol related ASB. Use of, supply and cultivation of illegal drugs is criminal offence and can cause ASB.
Other Criminal Behaviour	Violence against people and property Arson Prostitution and other sexual acts Gangs Gun, knife crime, and other weapons Malicious communications

#### 4.6. What is not ASB?

- 4.6.1. Although we appreciate many situations can cause a nuisance to residents, not all reports are deemed to be anti-social.
- 4.6.2. Reports due to different lifestyles or every-day living situations which are not intended to cause nuisance or annoyance are not considered as ASB. The table below outlines, but is not limited to, the types and examples of what is not deemed to be ASB:

Issue	Examples
Children under 16	Children playing lawfully and babies crying
Animal Related Nuisance	Occasional dog barking

Noise Nuisance	Household noise due to everyday living (e.g. footfall and general movement around the property, proportionate sound from a TV, music/radio noise, noise from electrical items such as washing machines or vacuum cleaners and DIY during reasonable hours)
Personal, religious and/or cultural events	One-off parties, BBQs and celebrations Festivals for cultural reasons during usual celebration periods
Personal Preferences	Cooking odours and reasonable household smells
Legal personal tobacco usage	Vaping and smoking legal tobacco substances within a property
Vehicle Related Nuisance	Minor and/or occasional car maintenance Parking disputes
Neighbour Issues	Minor disputes between neighbours and/or personal differences Actions which amount to people being unpleasant (e.g. staring at or ignoring people)  Gossip  Escalated disputes between neighbours, unless the disputes amount to violence, abuse, threats, harassment and/or intimidation
Ball Games	That does not cause intentional damage
Boundary Disputes	This is a civil matter – seek legal advice
Untidy Gardens	Slightly unkempt garden, unless causing environmental issues such as vermin and pests
CCTV, video and audio surveillance	Detailed guidance is available from the <a href="#">Information Commissioners Office (ICO)</a> .

## 5. How to report ASB and How we will Respond

- 5.1. We aim to create sustainable neighbourhoods where people feel safe, confident and empowered to come forward and report ASB. We will encourage the reporting of ASB in a number of different ways, including:
- Contacting Warwickshire Police via telephone by calling 999 in an emergency or 101 in a non-emergency. Alternatively, you can also report an incident on their [website](#).
  - In person at our Town Hall, Coton Road, Nuneaton, CV11 5AA (between 10am and 2pm, Monday to Friday)
  - Telephone: 024 7637 6406 (between 9am and 5pm, Monday to Friday)
  - E-mail: [asb.team@nuneatonandbedworth.gov.uk](mailto:asb.team@nuneatonandbedworth.gov.uk) (24 hours a day, 7 days a week – responses provided during Monday to Friday, 9am to 5pm)
  - On-line: [www.nuneatonandbedworth.gov.uk/asb](http://www.nuneatonandbedworth.gov.uk/asb) (24 hours a day, 7 days a week)
  - A third party, such as a local Councillor.

5.2. When our residents report incidents to us, we encourage them to do so as they occur. Any delay in reporting may limit any action we can take if the report relates to historic events. This will be discussed with the resident as part of the reporting process.

### 5.3. **How do we categorise ASB?**

5.3.1. We group ASB into 3 categories of severity and respond accordingly as follows:

- **High Risk** - This includes, but is not limited to, hate related incidents, domestic abuse, physical violence, threatening behaviour with an immediate risk to life, drug production or supply.

We will make first contact within one working day and agree an action plan, taking agreed actions within one working day.

- **Medium Risk** - This includes, but is not limited to, verbal abuse, harassment, alcohol or illegal drug related ASB, noise (depending on type/impact) and criminal behaviour.

We will make contact within five working days and agree an action plan.

- **Low Risk** - this includes, but is not limited to, vandalism, animal related ASB and fly tipping.

We will make contact within 10 working days and agree an action plan.

### 5.4. **How do we respond to ASB?**

5.4.1. We will ensure that complainants are kept up to date with the progress of their case, and any ongoing action or investigations. Officers will agree a specific action plan with each complainant, including timescales for how often they would like to be contacted.

5.4.2. We can only investigate incidents recently, and/or that have taken place within the last 6 months. We urge residents to make reports to us as soon as incidents occur to prevent delay.

5.4.3. We will also carry out a risk assessment of each complainant, to assess whether there is any additional support they need.

5.4.4. Reasonable adjustments will be made as reasonably practicable.

5.4.5. We aim to work with customers and 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 indefinitely.

5.4.6. We will advise complainants of when we close a case; either verbally or in writing and we will advise them of the reason for closing the case and what action they can take themselves. Complainants always have the option to take their own personal action against an alleged perpetrator.

5.4.7. If any party to a complaint of ASB is dissatisfied with our handling of an investigation, they can make a complaint through the Council's [Complaint procedure](#), and they also have right to take their complaint about our service to the Housing Ombudsman.

5.4.8. We will deal with all reports of ASB in a sensitive manner. 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 treat all reports as confidential, unless we have permission to

share information, if there is an immediate risk to the complainant and/or other residents, or if there are safeguarding concerns.

- 5.4.9. In some cases, where legal action is required, it may be necessary to reveal the identities of complainants (with prior agreement) as, without firsthand evidence, it may not be possible to put forward a strong legal case. We do receive anonymous complaints and will, where we can, investigate these complaints; however, we may be limited in the action that we can take without having a named complainant.
- 5.5. Should we commence legal proceedings in any ASB case which requires full disclosure, we will comply with the [Civil Procedural Rules](#).

## 6. Resident Responsibility

- 6.1. If you are made to feel uncomfortable or inconvenienced by other people's behaviour around your home, **where it is safe to do so**, you should first try to approach the other party involved to explain to them how their actions are affecting you and ask them to change their behaviour. Sometimes, other people may not be aware that their behaviour is causing distress or nuisance and letting them know may resolve the issues.
- 6.2. However, if you feel threatened, intimidated, or witness a crime, you should always contact the Police first. You can contact the police by calling 999 to report emergencies or by calling 101 for non-emergencies.
- 6.3. It is crucial that residents work with us to resolve their complaints. We expect residents to:
- Respond to our calls and letters
  - Keep accurate incident report throughout the duration of the case management
  - Provide us with clear and timely reports. We cannot act on reports of historic incidents.
  - Be available to meet with us. We have a flexible approach to arranging meetings.
  - 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.
- 6.4. Working together is a two-way process. Residents must recognise that they have a role to play and can take steps to resolve a problem.
- 6.5. In some instances, we can offer and use a mediation service as a means to working with customers to help them resolve neighbour disputes.

## 7. Tools and Powers to tackle ASB

- 7.1. Under the Anti-Social Behaviour, Crime and Policing Act 2014, local authorities are given tools and powers to tackle ASB.
- 7.2. We have several options available to us to resolve reports of ASB from early intervention through to legal action. The list below outlines, but is not limited to, the tools and powers available to us. However, the use of these tools are subject to the alleged preparators housing type and nature of the issues.
- 7.3. The options of intervention include:
- Verbal and written warnings
  - Good Neighbour Agreement
  - Acceptable Behaviour Contracts (ABC)
  - Mediation
  - Community Protection Warning (CPW)

- Community Protection Notice (CPN)
- Criminal Behaviour Order (CBO)
- Undertakings (agree to certain actions and behaviours)

7.4. The legal interventions include:

- Notice of Intent – to commence legal proceedings of any type
- Notice Seeking Possession (NOSP) – social housing tenants only
- Notice of Possession Proceedings (NPP) – social housing tenants only
- Notice to Extend Introductory Tenancies – social housing tenants only
- Civil Injunction order
- Partial and Full Closure Order
- Possession Proceedings – social housing tenants only

7.5. Before taking any legal action, warnings can be issued to the perpetrator(s), where evidenced. All warnings issued are recorded and monitored.

7.6. Any Court action will be a last resort.

7.7. Any legal interventions will only be taken once an Equality and Impact Assessment and a Public Sector Equality Duty Review has been completed and referred to our Legal Services Team, and these assessments deem legal action appropriate and proportionate.

7.8. Where ASB endangers life or property and requires immediate legal protection, urgent action will be taken. Court action can include Injunctions and ultimately Possession Proceedings. However, Possession Proceedings will only be pursued where all other actions to tackle the ASB have failed or where a tenant has been convicted of a serious criminal offence.

7.9. Legal action will take into account a perpetrator's capacity as well as issues raised under the Equality Act 2010.

7.10. Investigating reports of ASB takes time and resources. If we consider a report to be malicious and/or vexatious, we may take action against the person reporting it.

## **8. Surveillance**

8.1. Should any complaints be made that the use of a premises is interfering with the reasonable enjoyment of another's property, or affecting their wellbeing, we reserve the right to provide complainants with access to record intrusive and unreasonable noise with a view to providing this information to us so that appropriate action can be taken.

8.2. Where it is deemed necessary, such equipment includes the Noise App, and our Environmental Health Department may install a DAT machine within the complainants property. In this circumstance, the alleged perpetrator will be advised of this possibility.

8.3. Many social housing neighbourhoods have CCTV installed. Such CCTV will be clearly signposted to all. This will be monitored by our CCTV Control Room.

8.4. We may also consider the use of covert CCTV cameras in order to lift the burden of gathering evidence from the complainant. This can include the use of NOMAD cameras, within housing estates and public areas. However, this must be reasonable and, proportionate. Any use of overt CCTV will be in line with our Data Protection Information Governance Framework and CCTV guidance.

## **9. Supporting Complainants and Perpetrators of ASB**

9.1. We appreciate that it can be unnerving for witnesses when we are preparing to take legal action against



someone who has allegedly committed anti-social behaviour. We will do our best to provide appropriate and relevant support.

- 9.2. Where we require witnesses to attend court, we will explain fully what information will be shared to the parties and Court, and what is expected when the witness attends court. We will provide witnesses with support throughout these proceedings.
- 9.3. To support residents, we will work with Warwickshire County Council's Adult Social Care and Children's Social Services teams to meet the aims of our safeguarding strategies.
- 9.4. We will ensure that staff understand safeguarding issues and are trained to recognise the signs and symptoms of abuse and know how to report their concerns to the appropriate department. All staff working on behalf of the Council, whether permanent or temporary, directly employed by the Council or a contractor, are expected to be vigilant for signs of abuse when visiting customers in their home and they should report their concerns in accordance with agreed policies and procedures.
- 9.5. In cases of repeat or vulnerable victims we will work with them to ensure that there is a support network to help them manage the situation. With permission, this can include referrals to Victim Support, ASB Help, health and wellbeing professionals and charities.
- 9.6. In the most serious of cases where there is an immediate risk to life that is supported by the Police, we can consider interim the appropriateness of offering interim accommodation and/or an emergency transfer.
- 9.7. Where there is a report of domestic abuse and the victim wishes to remain in their residential property, we will work with the Police and any domestic abuse organisations to request additional safety measures to be installed to secure the property. Referrals will also be offered to specialist charities such as Refuge and our Domestic Abuse Co- Ordinator.
- 9.8. Where there is a report of hate crime, we will work the Police and any supporting organisations to ensure the victim receives the necessary support.
- 9.9. It is also important to offer support to perpetrators of ASB to assist them to resolve problems on a longer-term basis. Where support is offered, with permission, referrals are made to health and wellbeing professionals and charities.
- 9.10. However, in some serious cases, we may proceed immediately with legal action without offering support, should the ASB be of a significantly serious nature.
- 9.11. Where a report of ASB involves someone under the age of 18, we will work closely with their parents or guardians, and with other appropriate agencies such as Police, Children's Services, Youth Justice or the relevant educational setting to challenge their behaviour and try to prevent any further issues in the future.

## 10. Partnership Working

- 10.1. We recognise that dealing with ASB is not the sole responsibility of one agency. Multi-agency working is an important tool in taking a holistic approach to tackling ASB in our communities. Where possible, we will work with other agencies to combine resources, and take a partnership approach to find a suitable resolution to ASB issues.
- 10.2. The Powers under [Section 115 of the Crime and Disorder Act 1998, and the under Schedule Prevention of Crime and Anti-Social Behaviour](#), we will ensure that we have signed information sharing protocols so that information about perpetrators may be shared with other agencies for the purpose of preventing ASB or crime.

- 10.3. We will regularly review (with partner agencies where relevant) the areas where ASB is reported, 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.
- 10.4. Examples of our partner agencies include, but are not limited to:
- Warwickshire Police
  - Warwickshire Fire & Rescue Service
  - Warwickshire County Council and other relevant Local Authorities departments (including Environmental Health, Children and Adult Services, Housing and Education)
  - Probation Service
  - Youth Justice
  - Refuge and other domestic abuse support services
  - Substance misuse support services
  - Warwickshire Modern Day Slavery Network
- 10.5. We work in conjunction with the Safer Communities Partnership, the Nuneaton and Bedworth Safer Communities Partnership (NABSCOP). There is a dedicated case management meeting once a month to consider ASB interventions and support to vulnerable victims and further scheduled task meetings. NABSCOP have a Crime and Disorder Plan which will be used by those agencies within the partnership to commit resources to best ensure the partnership meet their objectives of reducing crime and disorder and the fear of crime in the Borough.

## 11. The ASB Case Review

- 11.1. We are committed to work in partnership with other agencies where customers request the ASB Case Review (formally known as the "Community Trigger") or the Community Remedy.
- 11.2. Victims of persistent ASB, who do not think they have had a satisfactory response to their reports of ASB, 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.
- 11.3. During an ASB case review, agencies will consider the action taken so far and will come together to try to find a solution. They may include all public sector organisations, e.g. us, the Police, NHS, and other registered providers of social housing.
- 11.4. The review body, usually us, must keep applicants informed of the progress of the case, including:
- the decision on whether the threshold is met for the review to go proceed
  - the result of the review
  - any recommendations made as a result of the review.

### What is the threshold for an ASB Case Review?

- 11.5. You can apply for an ASB case review, but we will decide whether the review will take place. We will consider:
- the number of incidents you have reported and the frequency of reports to agencies, such as us, the Police, other public authorities or the housing provider
  - the effectiveness of their responses
  - the potential harm of ASB to you and/or the victim.
- 11.6. A national threshold means a review is likely to go ahead if you have made three qualifying reports within 30 days of incidents, in a six-month period.

- 11.7. The ASB case review is not a complaints procedure. If you have a complaints about our handling of your ASB report, or if the response you have received from another service provider, you should follow their complaints procedure. If you are unhappy with the way we or your landlord has dealt with your complaint you can refer your complaint to the [Housing Ombudsman Service](#).

## 12. Accountability and Publishing

- 12.1. We will publicise results of cases, whether there have been non-legal or legal resolutions involved. We will do this on our social media platforms, our newsletters, including our “In House” publication, Annual Reports and presentations at relevant meetings.
- 12.2. We may also, where appropriate, publicise high profile cases in the local press.
- 12.3. We will, always, ensure that anonymity of complainants is maintained in any public documents, but it is important that we publicise outcomes of successful cases to maintain community support for our work and to encourage resident’s support in enforcing court orders.
- 12.4. Where court cases have concluded and a court order has been made, they are in most cases in the public domain and we reserve the right to publicise full details of the case, and this may include the names of evidenced perpetrators.
- 12.5. The Regulator of Social Housing (RSH) requires us to collect and provide information to support effective scrutiny by tenants of our performance in delivering services. The RSH also requires us to must meet their requirements in relation to the Tenant Satisfaction Measures set by the Regulator.
- 12.6. Upon reporting on ASB statistics, our performance within our housing stock, managed by Tenancy Services, and our performance within the private and third sector, managed by Community Safety, are separated in line with the requirements set out by the RSH. Both Departments report separately on early interventions, enforcement tools used, supporting referrals made and the number of cases received on a monthly and annual basis. In addition to this, the Tenancy Services Team also report on ASB satisfaction measures.
- 12.7. We will always listen and respond to any complaints you may have about our housing services, and complaints can be submitted via our [online complaints handling form](#). Further information on making a complaint about our service can be viewed within our [housing complaints policy](#).
- 12.8. Tenants of any Registered Housing Provider can contact the Housing Ombudsman for any advice, support and guidance that you may require, in relation to the housing service you have received. The Housing Ombudsman Service is set up by law to look at complaints about the housing organisations that are registered with them. Their service is free, independent, and impartial. They can be emailed at [info@housing-ombudman.org.uk](mailto:info@housing-ombudman.org.uk) or you can complete an online form.

## 13. Responsible Person(s)

- 13.1. The Assistant Director of Social Housing and Community Safety shall be responsible for the implementation and review of this policy.
- 13.2.
- 13.3. The operational day to day delivery of the policy is the responsibility of the Landlord Services Manager and Communities and Community Safety Manager.
- 13.4. Compliance with this policy from Officers will be randomly monitored through monthly 1-2-1s and quality and assurance exercises by the ASB Team Leader.
- 13.5. All staff managing ASB cases are responsible for reading and familiarising themselves with this policy and the associated procedures.

## 14. Related Legislation and Documentation

This policy incorporates a number of legislative and regulatory guidance. The following is a list of documents and associated policies/publications.

- Housing Act 1985/1988
- Housing Act 1996/2004
- Equality Act 2010
- Human Rights Act 1998
- Crime and Disorder Act 1998
- Landlord and Tenant Act 1985
- Data Protection Act 2018
- Safeguarding Vulnerable Adults Act 2006
- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Criminal Justice Act 2003
- Anti-Social Behaviour, Crime and Policing Act 2014
- Anti-Social Behaviour Act 2003
- Protection from Harassment Act 1997
- Domestic Abuse Act 2021
- The Charter for Social Housing Residents: social housing white paper
- Social Housing Regulation Act 2023
- Anti-Social Behaviour Strategy 2023 – 2025
- Delivering our Future 2019 – 2031 (Review 2022)
- Nuneaton and Bedworth Housing Strategy 2024-2029
- The NABSCOP Partnership Plan 2023 – 2025

## **15. Review**

Every three years, or on the introduction of new legislation, regulation and/or good practice guidance.