

Appendix B

1. **ECC v Mr A:** On the 1st August, 2014 police executed a Misuse of Drugs Act warrant at the premises and three people were found to be in the premises. The police described the situation as follows: '*These people were detained in the flat. Mr A was detained by the police after attempting to evade capture by jumping from a first floor window into the rear garden. At the time of his detention Mr A was wearing blue latex gloves. The police officer also found that a container of white powdery paste had been thrown from the rear window of the premises into the garden. All three males were arrested on suspicion of conspiracy to supply controlled drugs. A search of the premises was then conducted and it was apparent that officers had disturbed a 'mixing operation' that appeared to have been in full flow. There was a work space laid out in the kitchen consisting of a thermal bag sealer, plastic bags, scales, gloves, mixing pot, cutting equipment and a mixing tool. In the bottom drawer of the freezer were three large packages containing a white substance, later identified as 2.240 kilograms of (dry) amphetamine.*' On the 27th April, 2015, the tenant was sentenced to three years for conspiracy to supply.
2. In June, 2015 this information came to the attention of HCRO.
3. After discussions with the Housing Solicitor (HS) in July, 2015 and CPC's, instructions to legal services were given in August, and proceedings were issued for possession.
4. The Defendant sought to defend the proceedings but then did not contest the application and an outright order for possession was made and warrant executed.
5. The HCRO's also dealt with the related cases of the other residents at the property at this time from another tenancy (joint life time secure tenants and with young children) who were found to be in possession of cannabis at an address near-by.
6. In respect of one of these tenants (Mr B), (due to the young children involved) proceedings for an injunction were issued against both joint tenants. An injunction order was made against Mr B prohibiting unlawful user until further order and an undertaking was given by Mrs B in the same terms.
7. In respect of Mrs B (due to the evidence not establishing she knew of the illegal user) proceedings for an injunction were issued and an undertaking offered and accepted in the same terms as to unlawful user.
8. All legal files were opened on the 4th August, 2015 and closed by end of November, 2015, with all work complete.

9. No indications that the injunction orders and or undertakings have been breached.
10. **ECC v Mr T:** In April 2015 the tenant allowed into occupation, or by way of being a regular visitor, his partner Mrs J. In the short term there were reports of noise nuisance and ASB against neighbours. The usual ASB procedure was followed with letters, meetings with the tenant, and the signing of an acceptable behaviour contract in November, 2015. By January 2016, the ASB continued and following a CPC, a decision taken to issue a Notice of Seeking Possession (NoSP). A decision was also taken to grant time to see if the tenant would respond to the service of the NoSP, given that there were vulnerability issues at large as far as the tenant was concerned. The NoSP was prepared and issued.
11. On the 7th March, 2016, instructions were given to legal services to prepare and issue proceedings for possession, as the ASB continued.
12. The HCRO liaised with the police and with the housing advice service following the issue of proceedings and the fixing of the date of the hearing for possession, for the 19th April, 2016. In discussions with the housing advice service, agreement was reached that alternative accommodation with a different provider of social housing meant that the tenant would not oppose the application for possession. An outright possession order was made on the 19th April, 2016.
13. On the 23rd May, 2016, the legal file was closed as the work was complete.
14. **ECC v Mr B:** Mrs M is the life time secure tenant of the property. Mr B is her son. He is a heroin addict and perpetrator of domestic violence and street violence. Mr B assaulted his mother in December 2015 with a serrated kitchen knife, and he was sent to prison. As a Multi-Agency Risk Assessment Conference (MARAC) case the potential threat to his mother as and when he was released was identified as a real risk and these concerns by the police shared with ECC. The difficulty with the case is that the mother nevertheless invites her son to stay with her despite the risk to her. However, due to that risk and potential risk to others in late April and early May, 2016 the HCRO after discussing the case and following a CPC gave instructions to legal services to seek a without notice anti-social behaviour injunction order excluding Mr B from the premises. On the 6th May, 2016 an ASBI was made at Exeter County Court and the order served on the 17th May, 2016 at HMP Dartmoor. The defendant said that he did not intend to abide by the terms of the order.

15. In June, 2016, following his early release from prison, he was discovered by the police at the premises and arrested. He denied being there. In July, once again he was arrested at the premises but on the 22nd July, 2016 he admitted both breaches and was sentenced to 28 days, suspended for 12 months.

Appendix C

Equality Impact Assessment: Housing Anti-Social Behaviour policy review December 2016	
1.	<p>Describe the piece of work you are assessing and the reason it is being carried out. Are you:</p> <ul style="list-style-type: none"> ○ Making a strategic budget proposal ○ Developing a new policy, strategy or project ○ Reviewing and revising a policy, strategy or project ○ Reviewing a function or a service <ul style="list-style-type: none"> ○ Restructuring a service. <p>Include any options appraisal and if you have a preferred option explain why. See the section in the Introduction on <u>"What types of activities need an EQIA?"</u></p>
2.	<p>Who is leading on the piece of work being assessed? See the section in the Introduction on <u>"Who is responsible for carrying out EQIAs?"</u></p>
3.	<p>What are the timescales for completing the work? Are there any committee deadlines you have to meet?</p>

4.	<p>What are the aims and objectives of the work? How do these link to wider council or strategic objectives.</p>	<p>The purpose of the revised policy and procedures is to improve performance in how the housing teams tackle and resolve reports of ASB from its tenants. We also wish to improve services and ensure we meet legislative objectives. In addition to this we wish to improve effectiveness, ensure staff are informed and trained and promote fairness and equal opportunity</p> <p>The proposals link to the Council's corporate priorities as follows:</p> <p>The mission statement states "We will enhance Exeter as a regional capital working with our partners to improve the quality of life for all people living, working in and visiting the city." By more effectively tackling ASB in our housing stock we will improve the quality of life for our tenants living in our stock.</p>
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		<p>"Provide services to meet customers' needs" the strategy makes reference to focusing on customers' needs and the complex problems they face.</p>
5.	<p>Who will be the main beneficiaries of the piece of work and in what way? All people in Exeter? Council staff? A specific stakeholder group? A combination of these?</p>	<p>Victims of ASB and those living in areas affected by ASB. By reducing incidents of ASB the quality of people's lives will be greatly improved</p> <p>At the same time, by responding positively and effectively, individual perpetrators and families will be routinely challenged and supported to reduce ASB and address the factors leading to ASB.</p> <p>Other beneficiaries are key stakeholders / partners such as the police, CDRP and Social Care.</p>

6.	<p><u>Do you have any data on how different groups would be affected by the work?</u></p>	<p>We do not have hard data as the new policies has yet to be introduced. This policy and the procedures that underpin it are intended to improve performance, outcomes and levels of satisfaction in how we deal with reports of ASB in housing.</p> <p>Going forward we will be measuring more robustly the levels of satisfaction regarding ASB and also the number of cases closed resolved or unresolved. We will benchmark our performance against other social landlords through Housemark.</p>
7.	<p><u>Have any research studies or reports been carried out in other areas of the country or nationally that provide information about the likely impact of your work on equality target groups?</u></p>	<p>Information has been gathered from other social landlords and a key purpose of this policy is to ensure we tackle reports such as hate crime and racists incidents effectively.</p> <p>We plan to consult on the procedure in particular where tenants have experienced hate crime or domestic abuse. This will be done in the first quarter of 2017 including discussions with the BME forum.</p>
8.	<p><u>What consultation has taken place or is planned with customers (individuals and groups) from equality target groups?</u></p>	<p>Staff, residents (via the Performance Scrutiny Partnership) and the Portfolio Holder for the Housing Revenue Account have all been consulted on this revision to the policy.</p>
9.	<p><u>What does the consultation indicate about any differential positive or negative impact(s) of this piece of work?</u></p>	<p>The consultation did not show any differential impacts i.e. that these proposals will affect one group more than another. The proposals will not adversely</p>
		<p>affect any group (in fact they will potentially beneficially affect every group) and reinforce the housing team's commitment to tackling effectively issues such as hate crime, BME people, LGBT and women.</p>

10.	If there are gaps in your previous or planned consultation and research are there any experts/relevant groups that can be contacted to get further views or evidence on the issues? If so please explain who they are and how you will obtain their views.	The consultations were reasonably comprehensive and relevant to the customers this policy relates to— no further consultation or opinion gathering is planned.
11.	Could there be a positive or negative impact on community relations or equal opportunities?	<p>We believe the proposals – if followed – will have a range of positive impacts on both the client group and the local community. For example they:</p> <ul style="list-style-type: none"> • Set out clearly the priority that tackling hate crime and racist incidents will be prioritised • Reinforce that we will do all we can to protect the victim and prevent the alleged perpetrator from committing further offences.
12.	<u>If you have indicated there is a negative impact on any group, is that impact Legal; Intended; of high or low impact?</u>	Some groups of people may find the policy difficult to understand or follow (people for whom English is an additional language, people with mental health issues, learning disability, cognitive disabilities) and they may require additional support. Sometimes that support may not be available because they do not meet the threshold for statutory support or because the voluntary groups that we signpost to are experiencing difficulties and cannot take on more cases.
13.	<u>If you identified any negative impact that is of low significance, can you minimise or remove it? If so how?</u>	The mitigation for this might be that we consider additional training for our staff and/or continue to work with our partner agencies to understand these issues and provide support.
14.	<u>Could you improve the strategy/policy/project's positive impact and if so how?</u>	We believe the policy will have a positive impact in its current form. We will monitor its impact and make any improvements as necessary.

15.	<p><u>How do you intend to continue monitoring the impact of this strategy/policy/project?</u></p>	<p>Through:</p> <ul style="list-style-type: none"> • Performance information • Customer satisfaction • Number of resolved/ unresolved i resolved cases • Regular and appropriate staff management • Monitoring costs
<p>If you have identified a negative impact that is possibly discriminatory and not intended and/or of high impact you <i>must</i> continue working through the checklist. If you still haven't contacted the Policy Unit we really suggest you do so now!</p>		
<p>If this doesn't apply you may still consider that a thorough assessment would be helpful so continue on...</p>		
16.	<p>If there are gaps in your evidence base, do you need to carry out any further research about the likely impact of your work on equality target groups?</p>	<p>No further research necessary</p>
	<p>There might be a time delay here as you will need to get the results of your consultation before you can continue working your way through the questions.</p>	
17.	<p><u>As a result of this assessment and available evidence collected, including consultation, do you need to make any changes to the strategy/policy/project?</u></p>	<p>No</p>
18.	<p>Will the changes planned ensure that the negative impact is: Legal; Intended; of low impact?</p>	<p>n/a</p>
19.	<p><u>Have you set up a monitoring/evaluation/review process to check the successful implementation of the strategy/policy/project?</u></p>	<p>Yes We plan to measure the success by our performance levels as set out in 15.</p>
20.	<p>How will this monitoring/evaluation further assess the impact on the equality target groups/ensure the strategy/policy/project is non-discriminatory?</p>	<p>We will make sure issues of equality are included in any monitoring arrangements.</p>

21.	<u>Please provide an action plan showing any recommendations that have arisen from the assessment and how you plan to take them forward.</u> Are your actions SMART (specific, measurable, achievable, relevant and time-based).	Not appropriate at this stage.
22.	When will you next review this work and the impact assessment?	January 2019