

Anti-Social Behaviour Policy – A Summary

This document provides a summary of Bury Council’s approach and the actions that will be taken when a report of Anti-Social Behaviour (ASB) is received. This summary outlines different types of ASB, how it can be reported, who it should be reported to and the likely next steps.

Bury Council recognises that all residents within our borough have the right to live without experiencing anti-social behaviour.

Serious ASB involving criminal conduct should be reported to Greater Manchester Police by telephoning 101, or online at <https://www.gmp.police.uk/contact/af/contact-us/>

In an emergency call where there is threat to life or property always call 999

Below is an easy-to-read guide regarding the ASB process that Bury Council adhere to. This is a simplified version and it is important to note that progressing through the stages is reliant on receiving strong evidence throughout each stage. For more in depth information refer to the following webpage. <https://www.bury.gov.uk/index.aspx?articleid=11362>

Types of ASB

Neighbour Disputes	<ul style="list-style-type: none"> – Report to Bury Council if. <ul style="list-style-type: none"> ○ Private Rented, Owner occupier or a Bury Council Tenant – If you’re a tenant of a housing association, report to them direct.
Noise and Environmental Nuisance	
Hate Crime / Hate Incidents	<ol style="list-style-type: none"> 1. In the first instance report to Greater Manchester Police (GMP) 2. If follow up is required: <ul style="list-style-type: none"> ○ Privately rented, Owner Occupier or Bury Council Tenant = Bury Council Social housing = relevant Housing Provider
Use of violence or threatening behaviour	
Repeated abusive language or behaviour	
Harassment	
Damage to property	
Domestic abuse or violence	
Criminal Behaviour	
Misuse of open spaces, including begging/off-road use of vehicles	

A table referencing different types of ASB and the relevant reporting method

Reports of ASB should include as much detail as possible and can be made in any of the following ways depending on the location and severity of the ASB:

ONLINE

Bury Council	Report anti-social behaviour or nuisance - Bury Council
Police	Report antisocial behaviour Greater Manchester Police (gmp.police.uk)
Housing	Contact Us Six Town Housing

Reports of ASB can be made by a third party, for example by a Local Councillor, Member of Parliament, or social worker. If a report is made via a third party, we will seek the consent of the complainant to communicate and share information with the third party.

Reports of ASB are ***not*** accepted by social media e.g. Twitter, Facebook.

Investigating ASB

Levels of Evidence

Within this Council policy, most ASB investigations take place within a civil law framework which means a civil standard of proof is applicable. The Investigating Officer needs only to be able to demonstrate that the incident(s) is more likely, than not to have happened.

When civil legal action has been taken and a Court Order has been disobeyed i.e., breach of an Injunction order, Closure Order, or prosecution for breach of a Community Protection Notice; the criminal standard of proof applies. This means that the Investigating Officer will need to demonstrate that the incident(s) happened are “beyond reasonable doubt”.

Insufficient Evidence

During an investigation there may be several reasons why an Investigating Officer cannot take action. These may include:

- Establishing that the incident did not happen
- Not having enough evidence to prove the matter to the relevant standard of proof
- Finding the issues reported to be not what Bury Council consider as antisocial
- Not being able to investigate fully due to non-cooperation of the complainant / witness
- The ASB has stopped and the likelihood of further ASB is low

In each case, the Investigating Officer will inform the complainant at the earliest opportunity if they determine that they cannot take further action.

Please see overleaf for a diagram outlining the process when investigating cases of ASB. Please note this is for investigations being handled by Bury Council.

For any queries about this document or the ASB Policy please contact:

ONLINE <https://www.bury.gov.uk/index.aspx?articleid=11362>

PHONE 0161 253 5353

EMAIL: ASB.caseworkers@bury.gov.uk

