



ENHANCING QUALITY OF LIFE

ANTI-SOCIAL BEHAVIOUR



STRATEGY & POLICY





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Vision

"Fingal – connecting people through inclusive communities and vibrant sustainable places."



Mission

"Fingal County Council is committed to creating resilient, inclusive communities where Tenants and neighbours can live safely in their homes, through impartial and objective investigations and collaboration with An Garda Síochána, statutory agencies, Tenants and communities themselves."



**ENHANCING
QUALITY OF LIFE**



SECTION 1



Introduction

Fingal covers an area of some 448 sq km across North County Dublin, spanning rural, coastal, urban and suburban communities. The main urban centres include Swords, Blanchardstown, Balbriggan, Donabate, Malahide, Portmarnock and Baldoyle. The remainder of the County is rural in character and includes the villages of Skerries, Lusk, Rush, Garristown, Oldtown, Ballyboughal and Rowlestown.

Fingal County Council ("the Council") manages a housing stock of over 7,400 dwellings located throughout the County with the vast majority of occupants engaging positively with the Council, with their neighbours and with the local community. In a small minority of instances, the Council is required to address anti-social behaviour. When this occurs, the Council prioritises the interests of all its Tenants and the surrounding community to promote the peaceful occupation and enjoyment of dwellings.

The Council, as the Housing Authority, has a responsibility to manage and control properties let under the Housing Acts. The Council will use all powers available to combat the problem of anti-social behaviour. The key purpose of this Strategy is to set out measures for the prevention and reduction of anti-social behaviour in the Council's housing stock. We will investigate all reports received, professionally and impartially, while protecting the anonymity of any complainant(s).

The Council also acknowledges that in many cases, it may be a member of a household (or occupant) or a visitor and not the principal Tenant who is the instigator of anti-social behaviour. Notwithstanding that, in all cases the responsibility rests with the Tenant to prevent and take the necessary steps to prevent anti-social behaviour. It is important to note that there are several categories of anti-social behaviour and various levels of seriousness within these categories. The categories may include (but are not limited to): excessive noise disturbance/nuisance, drug dealing, drug debt intimidation, violence, threats, intimidation, vandalism, harassment and nuisance.

We work in partnership with a range of other state and community stakeholders including An Garda Síochána, Health Service Executive, TUSLA, Local Community Groups and other statutory and non-statutory bodies in our efforts to remedy disharmony or difficulties in estates. We work in collaboration with our Tenants and other stakeholders to take proactive steps to prevent, reduce and eliminate anti-social behaviour.

Equality and Human Rights

The Council is committed to social integration and enhancing the quality of life for all the residents as the County's diverse population continues to grow.

We continue to work towards fulfilling our obligations under the Public Sector Equality and Human Rights Duty to eliminate discrimination, promote equality of opportunity and protect the human rights of staff, customers, service users and everyone affected by our policies and plans. We are committed to undertaking our public sector duties with equality and human rights at the forefront when actioning a complaint. Public Sector Duty training is provided to all staff.



SECTION 2



Statutory Background

The Requirement of this Strategy

The Council's Anti-Social Behaviour Strategy is required to be drawn up and adopted under s.35 of the Housing (Miscellaneous Provisions) Act 2009 (as amended). The Council's Strategy has now been reviewed to incorporate the necessary amendments to bring the policy into line with, inter alia, the new legislative requirements in the Housing (Miscellaneous Provisions) Act 2014 (as amended) and other relevant legislation.

The Council manages its housing stock in accordance with its powers and obligations under the relevant housing legislation, including, *inter alia*:

- The Housing Act 1966 (as amended).
- The Housing Act 1988 (as amended).
- The Housing (Miscellaneous Provisions) Act 1997 (as amended) ("the 1997 Act").
- The various other Housing (Miscellaneous Provisions) Acts (as amended) including, inter alia: the Housing (Miscellaneous Provisions) Act 2009 ("the 2009 Act"); and the Housing (Miscellaneous Provisions) Act 2014.
- The Housing (Traveller Accommodation) Act 1998 (as amended).

The Housing Acts define a number of important concepts relevant to the making and adoption of an Anti-Social Behaviour Strategy.

Definitions

'Anti-social Behaviour' includes either or both of the following, namely—

- (a) the manufacture, production, preparation, importation, exportation, sale, supply, possession for the purposes of sale or supply, or distribution of a controlled drug (within the meaning of the Misuse of Drugs Acts 1977 to 2007),
- (b) any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, alarm, loss or fear to any person living, working or otherwise lawfully in or in the vicinity of a house provided by a housing authority under the Housing Acts 1966 to 2014 or Part V of the Planning and Development Act 2000 or a housing estate in which the house is situate and, without prejudice to the foregoing, includes—
 - (i) violence, threats, intimidation, coercion, harassment or serious obstruction of any person,
 - (ii) behaviour which causes any significant or persistent impairment of a person's use or enjoyment of his or her home, or

- (iii) damage to or defacement by writing or other marks of any property, including a person's home; (per s.1(1) of the 1997 Act and s.2(1) of the 2009 Act)

'Estate Management' includes—

- (a) the securing or promotion of the interests of any Tenants, lessees, owners or occupiers, whether individually or generally, in the enjoyment of any house, building or land provided by a housing authority under the Housing Acts 1966 to 2002 or Part V of the Planning and Development Act 2000,
- (b) the avoidance, prevention or abatement of anti-social behaviour in any housing estate in which is situate a house provided by a housing authority under the [Housing Acts 1966 to 2002 or Part V of the Planning and Development Act 2000 or a site;" (per s.1(1) of the 1997 Act and s.2(1) of the 2009 Act)".

It is a requirement, as per s.35(1) of the Housing (Miscellaneous Provisions) Act 2009 (as amended) ("the 2009 Act"), for a housing authority to adopt an Anti-Social Behaviour Strategy in respect of that part or those parts of its administrative area in which are situated:

- (a) dwellings let by the housing authority to Tenants under the Housing Acts 1966 to 2009;
- (b) dwellings which are the subject of Chapter 4 Tenancy agreements;
- (c) dwellings in which relevant purchasers (within the meaning of section 1 of the Act of 1997) reside; and
- (d) sites (within the meaning of section 1 of the Act of 1997)" (which, per s.1, means site to which section 13 of the Housing Act, 1988, (as amended by the Housing (Traveller Accommodation) Act, 1998) applies, and a site provided or managed under section 6 of the Housing (Miscellaneous Provisions) Act, 1992)."

The drawing up and adoption of, and the amendment of, an Anti-Social Behaviour Strategy is a "reserved function" (per s.35(6) and s.2(1) of the 2009 Act and, inter alia, Schedule 14A of the Local Government Act 2001, as amended).

Section 35(2) of the 2009 Act outlines that the "principal objectives" of an Anti-Social Behaviour Strategy shall include:

- (a) the prevention and reduction of anti-social behaviour,
- (b) the co-ordination of services within the housing authority directed at dealing with, or preventing or reducing, anti-social behaviour,
- (c) the promotion of co-operation with other persons, including the Garda Síochána, in the performance of their respective functions insofar as they relate to dealing with, or the prevention or reduction of, anti-social behaviour, having regard to the need to avoid duplication of activities by the housing authority and such other persons in the performance of those functions, and
- (d) the promotion of good estate management."

Pursuant to s.35(3) of the 2009 Act, an Anti-Social Behaviour Strategy should set out the proposals of the housing authority for achieving these principal objectives and shall include, but not necessarily be limited to, the following:

- (a) procedures in relation to the making of complaints to the housing authority in respect of anti-social behaviour;
- (b) initiatives for the prevention and reduction of anti-social behaviour;
- (c) the provision of education relating to, and the carrying out of research into,



anti-social behaviour and its prevention and reduction.”

In drawing up an Anti-Social Behaviour Strategy, or before amending same, pursuant to s.35(5) of the 2009 Act, a housing authority shall consult with:

- (a) any local community safety partnership established under regulations made under section 114 (1) of the Policing, Security and Community Safety Act 2024 in respect of its administrative area,
- (b) the Garda Síochána,
- (c) the Health Service Executive, and
- (d) any other person as the authority considers appropriate.”

In preparing this Anti-Social Behaviour Strategy, the Council has consulted with the above groups.

This Anti-Social Behaviour Strategy has been prepared in accordance with the requirements of, inter alia, s.35 of the 2009 Act.

In accordance with s.35(7) of the 2009 Act “the drawing up and adoption of, and amendment of, an anti-social behaviour strategy is not to be taken to confer any person a right in law that the person would not otherwise have to require a housing authority in a particular case to exercise an function conferred on it under the Act of 1997 or this Act or to seek damages for a housing authority’s failure to perform such a function.”

Types of Tenancies



Fingal County Council Tenancies

This strategy primarily applies to properties managed and maintained by the Council.



Approved Housing Bodies (AHBs)

Approved Housing Bodies (AHBs), also called housing associations or voluntary housing associations, are independent, not-for-profit organisations. They provide affordable rented housing for people who cannot afford to pay private sector rents or buy their own homes. AHBs are managed independently as per policy and procedures set down by the Residential Tenancies Board (RTB). Anti-social behaviour relating to properties owned and managed by an AHB is a matter for the relevant AHB to investigate, subject to their own policies and procedures.

The Council works collaboratively with AHBs to manage nominations and support good estate management.



Management Companies - House Rules

Properties located in some developments may have Management Companies who are responsible for managing and operating the development. The Managing Company may have a list of House Rules. The House Rules form part of your Tenancy Agreement. A breach of the House Rules may be considered a breach of the Tenancy Agreement. This is fully explained to all applicants when signing for their tenancy.



Anti-Social Behaviour

The Requirement of this Strategy

Section 1(1) of the 1997 Act (referred to previously herein) defines the concept of “*anti-social behaviour*” as follows:

“*anti-social behaviour*” includes either or both of the following, namely—

- (a) the manufacture, production, preparation, importation, exportation, sale, supply, possession for the purposes of sale or supply, or distribution of a controlled drug (within the meaning of the Misuse of Drugs Acts 1977 to 2007),
- (b) any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, alarm, loss or fear to any person living, working or otherwise lawfully in or in the vicinity of a house provided by a housing authority under the Housing Acts 1966 to 2014 or Part V of the Planning and Development Act 2000 or a housing estate in which the house is situate and, without prejudice to the foregoing, includes—
 - (i) violence, threats, intimidation, coercion, harassment or serious obstruction of any person,
 - (ii) behaviour which causes any significant or persistent impairment of a person’s use or enjoyment of his or her home, or
 - (iii) damage to or defacement by writing or other marks of any property, including a person’s home;” (per s.1(1) of the 1997 Act and s.2(1) of the 2009 Act)”.

Nuisance Behaviour

Nuisance behaviour, which may not in all instances comprise anti-social behaviour, may still give rise to a breach of any Tenancy Agreement with the Council. Examples of behaviour which will be regarded as a “nuisance” include, but are not limited to, inter alia: parking disputes; obstructing a driveway; boundary disputes; failure to properly manage waste; control of domestic pets; storage of items in gardens/balconies or common areas; and/or other unreasonable behaviour.

While some incidents can fall within both anti-social and criminal classifications, it is important to note that the Local Authority’s role is to pursue incidents of anti-social behaviour as per the Housing Acts. An Garda Síochána’s role is to pursue incidents through relevant criminal justice mechanisms. All concerns relating to alleged criminal behaviour must be reported in the first instance to An Garda Síochána before being reported to the Council.



Under the Control of Dogs Regulations 1998, a person shall not permit a restricted breed dog (or strains and crosses of them) in a public place unless such a dog is:

- Being led by means of a strong short leash not longer than 1 metre, by a person over the age of 16 years who can control the dog.
- Securely muzzled.
- Is wearing a collar bearing the name and address of the owner.

The Council's Tenancy Agreement will be updated to reflect changes to the statutory background.

The import, breeding, selling and rehoming of XL Bully type dogs is now banned in Ireland as outlined under the Control of Dogs (XL Bully) Regulations 2024. It is also illegal to own an XL Bully type dog without a 'Certificate of Exemption'. If Tenant(s) and/or occupants are found to have an XL Bully type dog without a Certificate of Exemption or proof of application for a certificate, the Dog Warden can seize the dog and have the dog humanely euthanised.



As outlined in Fingal County Council's Tenancy agreement, permission to alter a Council dwelling is needed in writing before any work can take place, including the installation of CCTV or smart doorbells.

The Data Protection Commission advises all householders to operate their CCTV/smart doorbells/recording devices in a way that only captures images within the boundary of the property to avoid complaints about the use of these devices to the Data Protection Commission or expose operators to civil or criminal proceedings from those affected.

Note: If footage or images are published online or shared on social media, it may become subject to the obligations of a data controller and the Data Protection Commission.



Noise



Council Tenants, occupants and their visitors are expected to consider how their lifestyles and activities may impact others with whom they share their building and/or housing estate.

Due to their subjective nature, noise complaints can be difficult to investigate and resolve as there is usually no supporting evidence and involves the word of one person against another. It is also important to recognise that Tenants (and/or occupants) and/or visitors can generate a certain level of noise as they enjoy their home and housing estate. Where possible, the Council encourages neighbours to resolve matters like this themselves.

Where a complaint cannot be resolved between neighbours, the Council will endeavor to investigate these complaints where it relates to a Council Tenancy.

Where there is persistent noise complaint, an application can be made to the district court for a Noise Amendment Order in accordance with Section 108 Environmental Protection Agency Act 1992, by the complainant.

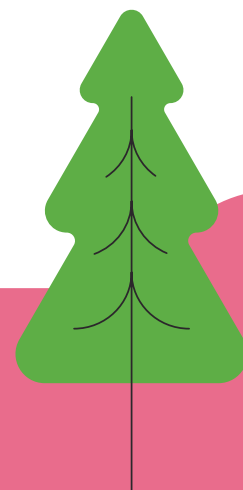


Waste Management Obligations



All Tenants must ensure that their dwelling and garden, where relevant, are kept in a clean and tidy condition. Littering or the stockpiling of waste in a Council property, garden, shed(s), shared communal area or laneway is considered anti-social behaviour and will not be tolerated.

Fingal County Council's Segregation, Storage and Presentation of Household and Commercial Waste Bye-Laws 2020 govern a range of issues, including obliging consumers to participate in an authorised waste collection service or provide documentary proof on what alternative means they use to dispose of their waste and encouraging greater segregation of waste to reduce volumes of residual waste collected. More information can be found on www.fingal.ie





In 2024, the Road Traffic (Electric Scooters) Regulations were introduced. Under the regulations;

E-scooter users **must**:

- Be 16 years or older.
- Obey a speed limit of 20km/h.
- Drive on the left. E-scooters are allowed in cycle or bus lanes and on local, regional or national roads.
- Have lights, a bell or audible warning device, reflectors and brakes on their e-scooter and always be kept in a roadworthy condition.
- Obey signals given by a Garda or school warden and follow the same rules of the road that apply to cyclists, including traffic lights, road signs, and all types of pedestrian crossings.

E-scooter users **must NOT**:

- Use footpaths, pedestrianised areas or motorways.
- Hold or use a mobile phone.
- Have a seat on their e-scooter.
- Carry passengers (for example, carry children to school).
- Carry goods (for example, food or parcel delivery).

In 2026, the Road Traffic (Control of Certain Vehicles) Regulations came into effect, banning the use of scramblers, quad bikes and similar off-road motorcycles in public spaces.



Council staff treat all citizens with the utmost respect and courtesy. Our staff should also receive the same respect and courtesy when conducting Council business. Accordingly, the following behaviours will not be accepted when engaging with Council Officials, Contractors, or 3rd Parties acting on behalf of the Council:

- Harassment, intimidation or coercion while undertaking duties by use of offensive, threatening or inappropriate language.
- The use of or threat of violence.
- Malicious damage to and/or theft of Fingal County Council property and/or Contractor property/ vehicles.
- The posting of unacceptable comments or offensive material on social media/digital platforms which refer to or relate to employees of the Council and/or Contractors, or 3rd Parties acting on behalf of the Council.



SECTION 4



Measures for the Prevention and Reduction of Anti-Social Behaviour

Objectives of the Estate Management Section

- Implement the Council's Anti-Social Behaviour strategy
- Investigate all complaints of anti-social behaviour.
- Sustain tenancies through co-operation with other statutory bodies.
- Interview/challenge/caution the alleged perpetrators.
- Take preventative measures, including written & verbal warnings where necessary.
- Pursue legal remedies where necessary.

The Council will seek to prevent and reduce anti-social behaviour through the mechanisms as follows.

Estate Design



The Council will ensure that best practice is incorporated in the design of its estates to lessen or eliminate the possibility of anti-social behaviour. The Council will work towards eliminating anti-social behaviour using various measures, including (but not limited to): removing black spots in existing estates through alterations to roads and laneways, construction of infill housing, erection of railings, tree planting, improvements in public lighting and any other relevant physical landscaping or estate improvement works.

Vacant dwellings



Vacant dwellings can be a magnet for anti-social behaviour. The Council will make every effort to reduce the amount of time that a dwelling remains vacant, and to this end dwellings identified as being vulnerable will be prioritised for pre-let repairs.

Allocations/Permission to Reside



All housing applications, including permission to reside, will be assessed with regard to the involvement of applicants in criminal and anti-social behaviour, if applicable. This will involve an interview with Council Housing Staff and a formal request to An Garda Síochána for a background report.

Tenant Induction Courses



Prospective Tenants are required to attend a Tenant induction course. Induction training will provide Tenants with information on the Tenant's responsibilities to the Council, their neighbours and the community – as set out in the Tenancy Agreement and Tenant Handbook. This training is compulsory and must be completed prior to the signing of the Tenancy Agreement. The course will provide information on supports and interventions available to Tenants to assist and sustain their tenancies.

Tenant's Handbook



All Tenants are provided with a Tenants Handbook when they sign for their Tenancy. The handbook is an important document giving information about the conditions of a Tenancy, outlining the obligations on the part of the Tenant and obligations on the part of Fingal County Council.

Permission for Work



As outlined in the Council's Tenancy agreement, Tenants must obtain written permission from the Council before undertaking certain works to the Council owned property – this includes erection of CCTV systems and smart doorbells. Where applicable, applications will be assessed with consideration given as to whether the Tenancy has been involved in criminal or anti-social behaviour or the proposed works could contribute to criminal or anti-social behaviour.

Tenant Responsibility and Enforcement of Tenancy Agreement



The Tenancy Agreement is a legal document which clearly sets out the Tenant's responsibilities. Alleged breaches of the Tenancy Agreement will be investigated. Where a breach of the Tenancy Agreement has been established, the Council will enforce the terms of the Tenancy Agreement in accordance with the procedure set out in Section 5 herein.

Mediation



The Council encourages Tenants to resolve disputes between themselves as much as possible. Where appropriate, the Council may offer mediation as a possible solution i.e. neighbour disputes, noise/smell disputes and conflict within families. Mediation is independent of the Council offering participants a confidential, non-confrontational, free service to enable them to resolve their disputes. Both parties must agree to the process for it to proceed and outcomes are not disclosed by the mediators to the Council.

Tenancy Supports/Housing Welfare



Where tenancies become associated with anti-social behaviour, with the agreement of the Tenant, the Council may offer support through our Housing Social Workers. Families who are involved in anti-social behaviour may require assistance, support or referral to other agencies and services. Often this form of intervention can lead to a change in the behaviour of members of the household. The Council has a dedicated Housing Welfare Section who can offer support to vulnerable Tenants to assist them in making their Tenancy a success and establishing a home.

Housing Inspectorate



The Housing Inspectorate maintain a strong presence in the Council's estates. This will facilitate interaction with Tenants and provide up to date information in relation to conditions on the estates. In addition, the Council's Housing Inspectorate will liaise directly with Community Gardai.

Graffiti Removal



Fingal County Council will continue to remove graffiti from Council estates. The presence of graffiti is considered to bring down the appearance of a neighbourhood and contributes to creating an environment where anti-social behaviour may take place.

Resident Participation



Where residents take ownership and pride in their estates, a good community spirit will develop. The Council will promote engagement with various community and residents' groups to promote a sense of community and pride in the Council's housing estates. New residents groups will be fostered, encouraged and assisted in the newer council developments which are increasingly multi-tenure in nature and have a multi-ethnic mix.

Refusal to Sell



The Housing Acts – including, inter alia, s.14 of the Housing (Miscellaneous Provisions) Act 1997 (as amended) – empower local authorities, on the grounds of anti-social behaviour and/or good estate management, to refuse to sell a dwelling under the Tenant Purchase Scheme.

Racism/Hate Crime



Racism is any action, practice, policy, law, speech, or incident which has the effect (whether intentional or not) of undermining anyone's enjoyment of their human rights, based on their actual or perceived ethnic or national origin or background, where that background is that of a marginalised or historically subordinated group.

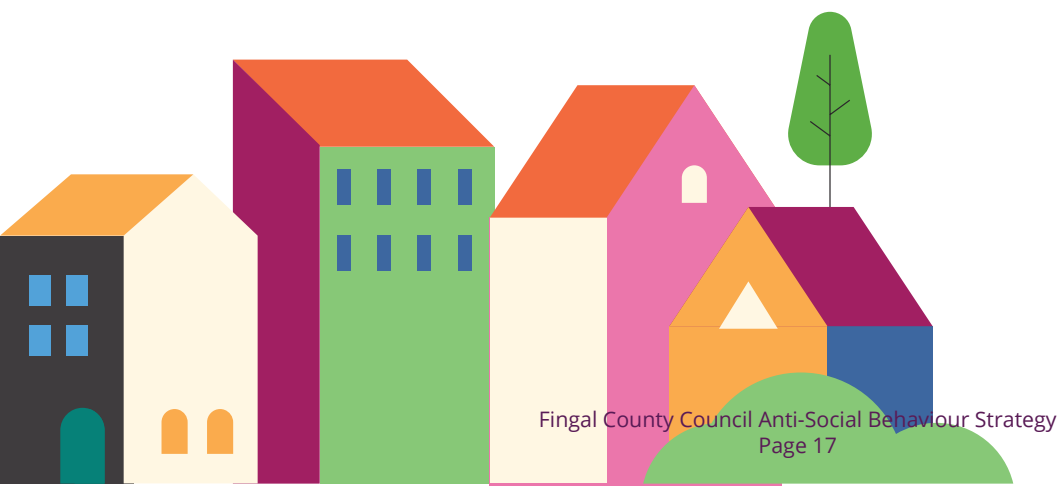
A hate crime is, typically, a violent crime motivated by prejudice, when a perpetrator targets a victim because of their perceived membership of a certain social group.

Fingal County Council has been working on the SALAAM Project which is funded by the EU Commission with Limerick University, Irish Network Against Racism, Doras and the Immigrant Council of Ireland. This project has several elements to it, one of which is to provide direction to anyone who would like to report a racist incident either for themselves or on behalf of another person.

How to report

- If the racist incident you experienced is an immediate risk to life/property or is a criminal offence or you feel threatened, you are encouraged to report it to the Gardai in the first instance.
- You can also log a racist incident via the iReport.ie system www.ireport.ie/web-report-racist-incidents.
- Reports of racism/hate crime should also be reported to Fingal County Council's ASB Unit where there is suspected involvement of a Tenant/ Tenancy.

For more information visit www.fingal.ie





SECTION 5



Making / Investigating Anti-Social Behaviour Complaints - Policy and Procedures

This Section of the Anti-Social Behaviour Strategy outlines the Council's procedures for receiving and investigating complaints of anti-social behaviour.

Anti-social behaviour can be addressed in several ways. The measures adopted by the Council to tackle anti-social behaviour will vary according to the circumstances of each particular case. These include powers and remedies available to the Council under the following enactments:

- The Housing (Miscellaneous Provisions) Act 1997 (as amended) – which includes, inter alia: powers to seek excluding orders/site excluding orders (ss.3-3A), including interim excluding orders.
- The Housing (Miscellaneous Provisions) Act 2014 (as amended) – which includes, inter alia: powers in respect of the issuing of Tenancy Warning relating to anti-social behaviour (s.7); procedures in relation to the review of Tenancy Warnings (s.10); and powers relating to seeking possession of dwellings arising from, inter alia, breaches of a Tenancy agreement.

Noting that persons experiencing anti-social behaviour may be deterred or prevented by violence, threat or fear from complaining about same, and in the interests of the safety of such persons, all complaints made to the Council can be made in confidence and anonymously as follows:

- Over the phone 01 890 5000 Mon – Thurs 9.00am – 5.00pm and Fri 9.00am – 4.30pm.
- In writing to ASB Unit, Estate Management, Housing Department, Fingal County Council, Grove Road, Blanchardstown, Dublin 15.
- Email asb@fingal.ie.
- In person at the County Council Offices in Blanchardstown and Swords, Mon – Thurs 9.00am – 5.00pm and Fri 9.00am – 4.30pm.
- Online.
- Council's Complaints procedure.
- Public representatives.

For the purposes of any legal proceedings under Part 2 of the Housing (Miscellaneous Provisions) Act 2014 (as amended) and/or ss.3-4 of the Housing (Miscellaneous Provisions) Act 1997 (as amended), arising from and for the purposes of addressing anti-social behaviour, the Council may, insofar as it is appropriate/there is a basis to do so in the circumstances of the case, rely on the provisions of s.21 of the Housing (Miscellaneous Provisions) Act 1997 (as amended).

To assist the Council in investigating an allegation of anti-social behaviour, the following information should be provided to the Anti-Social Behaviour Unit:

	Date and time of the alleged incident(s).	✓
	Location of where the alleged incident took place.	✓
	Description of the alleged incident.	✓
	If the alleged incident was witnessed directly by the complainant or by way of third-party information.	✓
	If the alleged incident was reported to An Garda Síochána.	✓
	Name and address of the alleged perpetrators.	✓
	Any other relevant information .	✓

The Council accepts that a complainant may not be able to provide all the above information.

Note: The Council can only investigate allegations of anti-social activity associated with housing stock to which the legislation applies. The Council is unable to investigate complaints where the alleged perpetrator can't be identified.

Vexatious Complaints

Where the Council determines that the complaint is vexatious in nature i.e. there is no substance to the complaint, it does not relate to a Tenancy or it is outside the remit of the Council, Fingal County Council may not investigate the matter.

Equally, where the Council has determined there has been an abuse of the process, complaints from the same party regarding the same household may not be investigated without corroboration.

Confidentiality

Every effort is made by the Council to protect the identity of complainants with information captured on a secure IT system. It is important to note that confidentiality is not a right in law and our efforts to protect complainants' identity can be overruled by the Courts and the Office of the Information Commissioner.

In accordance with the Data Protection Act 2018 and General Data Protection Regulations 2016, access to the complaints database is password protected and accessed by authorised personnel only, with all paper files locked away.

Freedom of Information

All investigations are protected under the Data Protection Acts 1988 and 2018 and as a result information relating to an investigation cannot be shared to the complainant or the public save in accordance with law.

The Council receives Freedom of Information (FOI) requests or Data Subject Access Requests (DSAR) from people to determine what action has been taken to address their complaint or determine who has made a complaint against them.

Sections 30 (1a), 32, 35, 37 and 42(m) of the Freedom of Information Act 2014 allows the Council not to release information that could affect the effectiveness of the investigation process or result in the complainant being identified.

It is important to note that the nature of some complaints is so specific that it is impossible to protect the identity of the complainant. Where the Council is aware that by the very nature of the complaint, a person's identity will be disclosed, we will endeavor to notify the person in advance of commencing the investigation.

Investigative Procedure

Reports alleging anti-social behaviour are logged and following an initial assessment/investigation, categorised to inform the investigation process.

All complaints of anti-social behaviour are fully investigated by the Council. Depending on the circumstances of the complaint and the nature of the alleged anti-social behaviour, same may be investigated in the following manner:

- By the Council's Housing Inspector visiting the dwelling; and/or
- If considered necessary by the Council, by arranging an interview with the complainant – a written record of the interview will be made by the Council; and/or
- If considered necessary by the Council, by arranging an interview with the person/persons allegedly carrying out the anti-social behaviour, and/or with such persons who may be otherwise responsible for the person/persons alleged to be carrying out the anti-social behaviour – a written record of the interview will be made by the Council; and/or
- If considered necessary, by issuing a request for information under s.15 of the Housing (Miscellaneous Provisions) Act 1997 (as amended). Section 15(2) of the 1997 Act provides:

"A housing authority may, for the purposes of any of their functions under the Housing Acts 1966 to 2009 or Part V of the Planning and Development Act 2000, request from another housing authority or a specified person, information in relation to any person—

- (a) seeking a house or site from the authority or seeking to occupy a caravan on a site or residing or proposing to reside at a house provided by the authority or by an approved body, including a house the subject of a rental accommodation availability agreement, or seeking or receiving any other housing support (within the meaning of the Housing (Miscellaneous Provisions) Act 2009) under the Housing Acts 1966 to 2009, or
 - (b) whom the authority considers may be or may have been engaged in anti-social behaviour,
- and, notwithstanding anything contained in any enactment, such other housing authority or specified person may provide the information to the housing authority requesting it..."

A "specified person" for the purposes of s.15(2), includes: The Criminal Assets Bureau; a member of An Garda Síochána; the Minister for Social Welfare; a health board; or an approved body (per s.15(1)).

Anti-Social Behaviour Interviews

In addition to the matters set out previously, as part of an investigation into alleged anti-social behaviour by a Tenant (or a member of the Tenant's household or visitor(s)- insofar as the Council considers such an approach necessary – they may be requested to attend for interview. This allows the Tenant the opportunity to respond to allegations of anti-social behaviour.

All Tenants are required to respond when called for interview and engage with the Council as requested.

If a Tenant fails to respond to requests for interview, the complaint may be upheld if the investigating officer has reasonable grounds to believe that the Tenant is involved in anti-social behaviour or has breached their Tenancy agreement. Noting that a written record of the interview will be made, it should be noted that the recording of such interviews is not permitted.

Possible Outcomes

The possible outcomes of an investigation (other than a breach of Tenancy determination – which is addressed below) in relation to an allegation of anti-social behaviour include:

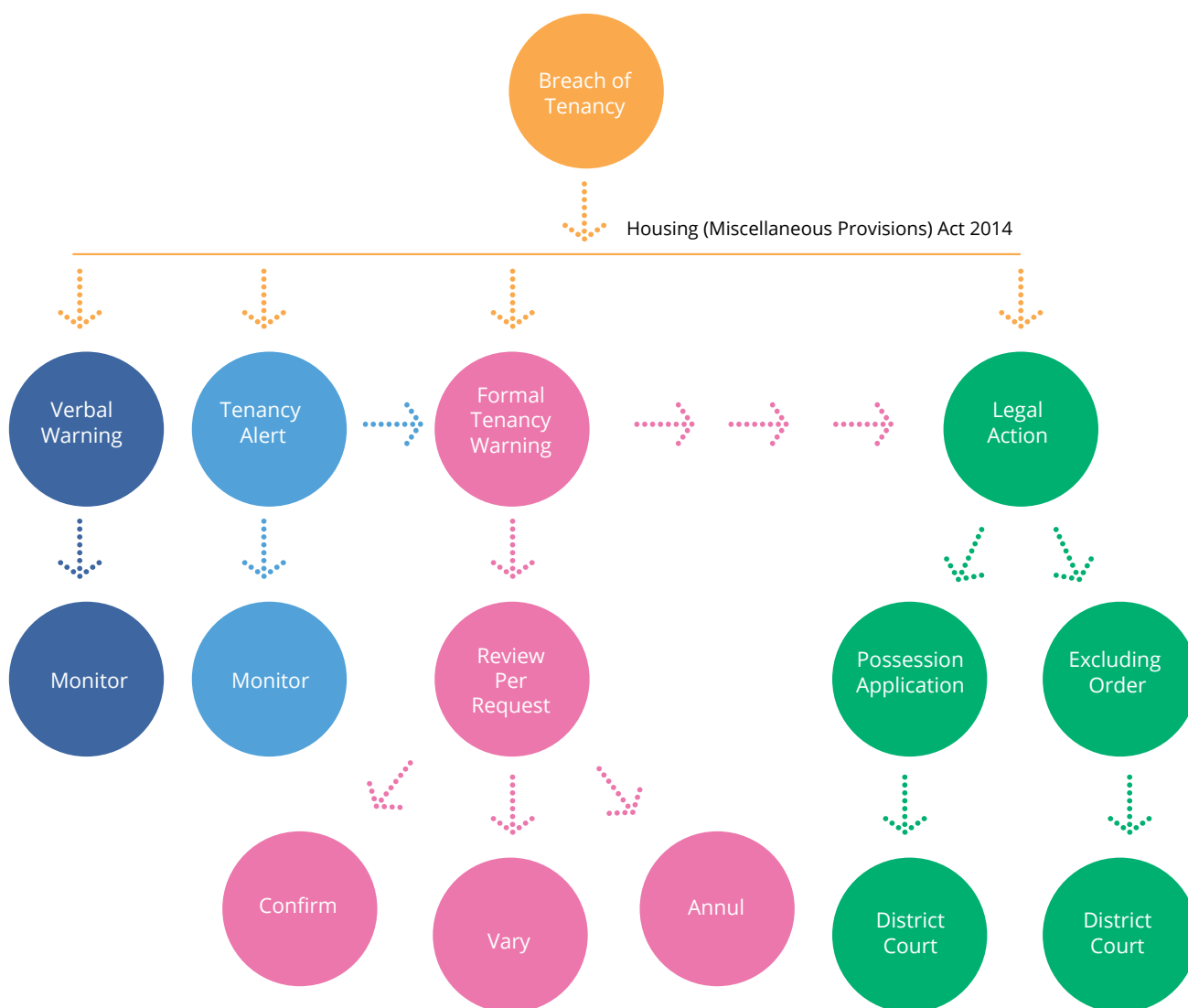
- The complaint may be resolved at local level (if appropriate) – for example, via agreed resolution between the complainant and the person alleged to be responsible for the anti-social behaviour.
- The Council may decide to closely monitor the Tenancy and/or carry out regular inspections of the dwelling (in accordance with the terms of the Tenancy agreement and/or the provisions of the Housing Acts).
- An offer of mediation to the parties (complainant/perpetrator) – all parties must agree to the said mediation. The terms of any such mediation are to be agreed in writing.
- If appropriate, make a referral to Housing Welfare Section if (Tenant must agree).
- Fingal County Council Internal Department Referral.
- Inter-Agency Referral.

Breach of Tenancy

If it is established that the Tenancy Agreement has been breached, the following actions may be taken (depending on the Council's views as to the nature and severity of the said breach):

- Verbal Warning may be issued.
- Tenancy Alert may be issued.
- A Formal Tenancy Warning may be issued (pursuant to the Housing (Miscellaneous Provisions) Act 2014 (as amended). A review of a Tenancy Warning can be sought, pursuant to s.10 of the Housing (Miscellaneous Provisions) Act 2014 (as amended).
- Anti-social behaviour directed towards Council property, Council Officials or Contractors, as well as any interference preventing them from undertaking their duties, will not be tolerated. Where the matter has been reported to An Garda Síochána or a Tenancy Warning has been issued, it may result in the Council withholding or providing only emergency, Health and Safety and/or Environmental Health related maintenance and may result in legal action being taken.
- Legal proceedings may issue which could comprise – pursuant to the provisions of the Housing (Miscellaneous Provisions) Act 1997 (as amended) and/or the Housing (Miscellaneous Provisions) Act 2014 (as amended) – as appropriate/relevant, an application for an Excluding Order or an application for a Possession Order (to recover possession of the dwelling).

Figure 1 below provides an illustrative/flow chart of the above potential outcomes.



Legal Action

Legal action will be considered where there has been serious or persistent anti-social behaviour and/or a further serious breach of Tenancy occurs within 12 months of issuing a Tenancy Warning. In the case of significant anti-social behaviour, the legislation enables the Council to bypass issuing a Tenancy Warning and instigating legal action directly. Fingal County Council may undertake legal action in the form of an exclusion order or possession order.

Excluding Order

Fingal County Council may, in respect of a house provided by the authority under the Housing Acts, 1966 to 2021 as amended, apply to the District Court for an excluding order against whom the authority believes to be engaging in anti-social behaviour.

An Excluding Order is an Order granted by the District Court to a Housing Authority to stop a person from entering a particular property or entire estate. The Excluding Order can be served on a household member or individual associated with the dwelling. It must be proven that the person

was involved in anti-social behaviour and that it is in the interests of good estate management. Tenants, Voluntary Housing Bodies and Local Authorities can apply for these orders.

This facilitates a targeted response to anti-social behaviour whereby the specific offenders are dealt with accordingly. This prevents an entire family from eviction if only an occupant or an individual associated with the dwelling is involved in the behaviour. A Council Tenant also has the right to apply to the District Court for an Excluding Order against a person, including a joint Tenant who is engaged in anti-social behaviour.

Excluding Orders can be valid for three years and the application is made in accordance with Section 3 Housing (Miscellaneous Provisions) Act 1997.

Possession Order

The termination of the Tenancy by a Possession Order is an option that Fingal County Council will only consider as a last resort if all other avenues have been exhausted or if the anti-social behaviour is considered to be of such a serious nature so as to warrant an application for same.

Where there continues to be serious anti-social behaviour within 12 months of the issuing of a Tenancy Warning or there is significant anti-social behaviour, the Council will make an application for a Possession Order in accordance with Section 12 of the Housing (Miscellaneous Provisions) Act 2014.

The Tenant is entitled to be present in court to defend the case. Council officials can give evidence on behalf of complainants under strict conditions and at the discretion of the Court. However, complainants can also be required to give direct evidence of the behaviour they witnessed.

The Court will consider the steps taken by the Council, the response of the Tenant, the effects of the behaviour on the quality of life of the neighbourhood and the proportionality of making an order. The Judge of the District Court will only grant the Possession Order if they believe it is appropriate and proportionate to do so. The Tenancy is terminated the day the Tenant is evicted.

If legal proceedings are required to be issued, the Council may recover the costs associated with same from the respondent.

In some cases, the intervention of the Council's Housing Welfare Section may identify that members of the Tenancy require support. This will be provided in accordance with the procedures set out in Section 4 (Tenant Support/ Housing Welfare).





SECTION 6



Policy of Co-Operation with Statutory Bodies – Inter Agency Approach

The Council operates a collaborative approach to tackle anti-social behaviour with the co-operation and active participation of residents, community groups, An Garda Síochána, TUSLA, Health Service Executive, Traveller Representative Groups i.e. Pavee Point, Drugs Task Forces and other statutory agencies.

Accordingly, the Council commits to work in co-operation with residents' groups, (where representative & properly constituted), An Garda Síochána, Health Services Executive, Dept. of Education, Elected Public Representatives, other statutory agencies and the various voluntary bodies, including voluntary housing bodies to work to identify and respond to problems relating to anti-social behaviour.

Approved Housing Bodies (AHBs) are responsible for investigating anti-social behaviour in properties that they own and manage. AHBs can apply for Excluding Orders to the District Court or Determination Orders from the Residential Tenancies Board.

Much of the serious anti-social behaviour that occurs in Council Estates falls into the criminal category and thus is a matter for the Gardaí. Fingal County Council will continue to initiate and maintain links with An Garda Síochána in relation to incidences of anti-social behaviour as follows:



The exchange of written information in accordance with Section 15 of the Housing Miscellaneous Provisions Act 2014, as amended.



Close relations between Council staff and the local Garda Stations will be fostered and developed. This will assist to prevent and reduce anti-social behaviour. This will also facilitate a swift and targeted response to difficulties when they arise.



The advice of the Garda Crime Prevention officer may be sought where necessary to assist in the eradication of anti-social behaviour black spots.

Drug Debt Intimidation

Drug Debt Intimidation is a serious and sinister problem affecting individuals, families, and communities throughout the country. The Council has received an increase in reports of drug debt intimidation over recent years. Drug Debt Intimidation can take many forms - for example, verbal threats, physical violence, damage to property and sexual violence. The Council is committed to providing support for Tenants and their families experiencing drug debt intimidation. The Council adopts a collaborative, responsive approach to Drug Debt Intimidation by raising awareness of the National DRIVE project www.driveproject.ie.

Blanchardstown Local Drug and Alcohol Task Force

Working with statutory and voluntary partners since 1997, the Blanchardstown Local Drug and Alcohol Task Force (BLDATF) has developed a local response to drugs and alcohol issues for the people of Dublin 15. BLDATF aims to ensure that Dublin 15 residents have access to timely, high-quality, and appropriate services, free at the point of use www.blanchardstowndrugtaskforce.ie.

North Dublin Regional Drug and Alcohol Task Force

Established in 2003, the North Dublin Local Drug and Alcohol Task Force works to bring together statutory, political, community, and social stakeholders to develop, implement and oversee services to support those dealing with substance use relating to harm for children, adults, families and the wider community. www.ndublinrdtf.

Domestic Violence

The primary agencies responsible for investigating cases of domestic violence are An Garda Síochána and TUSLA. In some cases, a referral may be made to the Housing Welfare Section.

Child Protection

If a child is in danger, or a threat of danger referrals should be made directly to TUSLA www.tusla.ie.



Local Community Safety Partnerships

The Local Community Safety Partnerships (LCSPs) replaced the Joint Policing Committees (JCP's) in 2025. This change was implemented following the commencement of the Policing, Security and Community Safety Act 2024, which established these partnerships to enhance community safety across the country.

Objectives of the Local Community Safety Partnerships

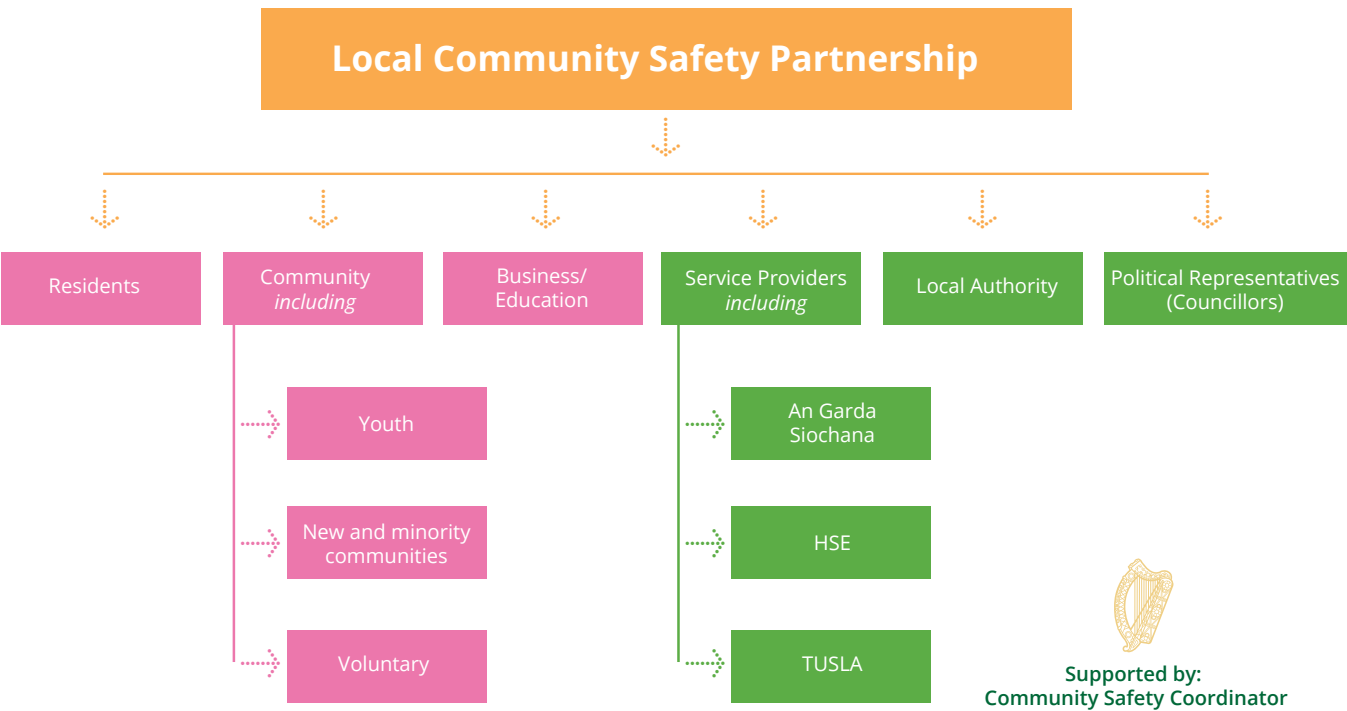
The partnership approach understands that every community is different and has different problems and issues; and that responding to those problems and issues requires a range of inputs from across Government, local services, voluntary sector and the community itself.

The response to the issues identified above requires the following elements: community engagement in identifying what the needs of the community are, as well as the commitment and buy-in from State, local and voluntary service providers to work together to address those needs.

Each community, its service providers and other stakeholders will be represented on the Local Community Safety Partnership. Following public consultation, a Local Community Safety Plan will be developed by each LCSP which will reflect priorities identified by the community.

Ultimately, the partnership will work to improve multi-agency collaboration in its area. Service providers will be accountable to the community in fulfilling the agreed actions identified in the Local Community Safety Plan and the community will be better informed about and empowered to participate in community safety activities in the area.

Local Community Safety Partnerships - Structure



It is intended that membership of the Local Community Safety Partnership will include: residents; community representatives, including representatives of youth, new communities and the voluntary sector; business and education representatives; relevant public services in the area, including HSE, Tusla, An Garda Síochána, and the local authority; and local councillors. Each LCSP will have a maximum of 30 members.

Fingal Local Community Safety Partnerships – Structure

County Fingal comprises of parts of both DMR West and DMR North divisions of An Garda Síochána. Two Community Safety Partnerships have established to align with the Garda Sub-District Boundaries as follows:

- Fingal North Community Safety Partnership (DMR North)
 - o (Swords, Balbriggan, Skerries, Lusk, Rush, Donabate, Portrane, Oldtown, Garristown, The Naul, Malahide, Portmarnock, Baldoyle, Sutton, Howth, St Margarets)
- Fingal Dublin West Community Safety Partnership (DMR West)
 - o (Castleknock, Mulhuddart, Blanchardstown, Clonsilla, Corduff, Ongar, Tyrellstown, Meakstown, Cappagh)

A Community Safety Co-ordinator was appointed by Fingal County Council in August 2025. In December 2025, the Minister for Justice, Home Affairs and Migration Jim O' Callaghan formally appointed the members to the Fingal West and the Fingal North LCSP's, both of which held their Inaugural Meetings in January 2026.





SECTION 7



Co-Ordination of Services within the Council

The Council is committed to improving contact between community groups and Council Departments to co-ordinate services within its own organisation, to deal effectively and efficiently in reducing and preventing anti-social behaviour.

Services provided by the Operations Department

The Operations Department has responsibility for the physical maintenance and improvement of infrastructure, amenities, and local areas. In relation to anti-social behaviour the Operations Team:

- Liaise with An Garda Síochána in relation to anti-social behaviour in parks and open spaces.
- Provision of traffic calming measures.
- Provision of street lighting
- Annual Safer Halloween Initiative in conjunction with An Garda Síochána.
- Promotion of Road Safety.
- Working closely with local community groups, resident associations and tidy towns committees.

Supports available through the Community Development and Inclusion Division

The Council encourages and assists the establishment of Residents Associations and Community Groups. The Council is constantly working to develop communities through a wide range of programmes and services. The Council also supports a wide range of community initiatives and services throughout Fingal, by working with local voluntary groups and statutory agencies to deliver services to older people, members of ethnic minorities, young people, and children to meet the needs of the diverse population. For further information, see www.fingal.ie/community-development.



SECTION 8



Good Estate Management

Background Checks

Under Section 15 of the Housing (Miscellaneous Provisions Act) 1997, the Council may request information from other state agencies, including An Garda Síochána, other Local Authorities, Department of Social Welfare, Voluntary Housing Bodies and the Health Service Executive, to determine if there is a history of anti-social behaviour. It applies to a housing applicant, Tenant, a member of their household or any person seeking permission to reside in a Council dwelling.

Citizen Care

Pride in our homes and neighbourhoods and being a good neighbour are important civic values, helping to create a stable and caring society. The Council is committed to ensuring that conditions prevail for the peaceful occupation of all its properties. In giving this commitment, Fingal County Council relies on the various statutory bodies that have a role to play and indeed most importantly, seeks the active co-operation and support of estate representatives, Tenants and homeowners.

Building Staff Competence

The Council has a policy of training and development for all staff working in this area to assist in developing a fair and confident practice in good estate management and investigation of complaints. Training will include an understanding of the legal process, public sector duty as well as other complementary training as required.

Citizen Training

The Council provides Tenant induction courses to all Tenants. The course advises Tenants of their responsibilities, including how to pay rent, log maintenance requests, deal with anti-social behaviour and manage their waste. Each Tenant is also provided with a Tenant handbook.

We will provide training and development to resident committees to develop skills to enable them to run a successful group, understand leadership roles and obtain information and knowledge in relation to the workings of the statutory organizations.

Useful Contact Numbers

 Organisation	 Website	 Telephone Number
Emergency Services		999/112
Garda Confidential Line		1800 666 111
Local Garda Stations	www.garda.ie	
Drive Project	www.driveproject.ie	086 1281782
Fingal County Council	www.fingal.ie	01 890 5000
Health Service Executive (HSE)	www.hse.ie	1800 700 700
Tusla	www.tusla.ie	
Pieta House	www.pieta.ie	1800 247 247
Samaritans	www.samaritans.org/samaritans-ireland/	116 123
Aware	www.aware.ie	1800 804 848
Dublin Rape Crisis Centre	www.drcc.ie	1800 778 888
Women's Aid	www.womensaid.ie	1800 341 900
Blanchardstown Local Drug and Alcohol Task Force	www.blanchardstowndrugtaskforce.ie	01 824 9590
North Dublin Regional Drug and Alcohol Task Force	www.ndublinrdtf.ie	01 223 3493
Foroige	www.foroige.ie	01 630 1560
Money Advice Bureau	www.mabs.ie	0818 072 000
Citizens Information	www.citizensinformation.ie	
Fingal Public Participation Network	www.fingalppn.ie	
Data Protection Commission	www.dataprotection.ie	1800 437 737

END NOTE

This Anti-Social Behaviour Strategy has been prepared, pursuant to s.35 of the Housing (Miscellaneous Provisions) Act 2009 (as amended) and provides the foundation for an integrated approach to address the challenges posed by anti-social behaviour. Implementation will require commitment from all stakeholders both statutory and non-statutory within Fingal's administrative area.



