

# **Anti-social Behaviour, Crime and Policing Act 2014 - Update Report**

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## **Purpose of the report**

To provide Scrutiny Committee with an update following implementation of the Anti-social Behaviour, Crime and Policing Act.

## **Action required**

That members note and comment on the report.

## **Background**

A report was presented to Scrutiny Committee in October 2014 which outlined the new provisions of the Anti-social Behaviour, Crime and Policing Act 2014.

A number of new tools were made available to lead agencies through this legislation. These have now mostly been in place for twelve months or more. Progress is reported as follows for those available to local authorities:

- **Community Trigger** - Gives victims and communities the right to request a review of their case, to bring agencies together to take further action to solve problems.

The trigger is in operation with a requirement to supply information to assist case reviews. Community Safety have the overview and maintains the single point of contact for the reviews.

*Lead - Police. Supported by all partners.*

Police continue to act as the gate way and take referrals from agencies or deal with individuals. To date there have been several enquiries but am pleased to report that no triggers have been actioned.

Further detail and application forms are available direct from the Police with detailed information on line : <https://www.avonandsomerset.police.uk/advice/neighbourhood-and-community/anti-social-behaviour/anti-social-behaviour-community-trigger/>

- **Civil Injunction** - To stop or prevent persons engaging in ASB.

*Lead - application to County Court from Local Authority, Social Landlords, Police, British Transport Police, Environment Agency and NHS Protect. It is for each agency to decide on the use of this tool.*

Yeovil One is leading the work with Police on Civil Injunctions as a consideration for several of the known problematic individuals that habitually frequent Yeovil Town Centre. Housing providers have been using these tools to help control the behaviour of tenants to good effect.

- **Criminal Behaviour Order**- issued by the court on conviction of a crime to help stop further crime or related ASB.

*Lead - Criminal Prosecution Service in support from Police or/and local authority and partners.*

We are aware that the police requested a Criminal Behaviour Order on an individual that was convicted of crimes in South Somerset but as the courts were, at the time, not familiar with the structure of the order it was turned down. It is understood that the courts have now received the information and training required to be able to issue these orders in the future.

- **Community Protection Notice** - To stop a person, aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life.

*Lead - Local Authorities and Police are able to issue CPNs. Registered Social Landlords are able to issue if designated by the Local Authority.*

Partner agencies worked together to produce a set of documents for use as needed. Procedures have been discussed with the police and are still in discussion through the Anti-social behaviour steering group meetings and the Yeovil-one meetings.

No warnings, notices or fixed penalty notices have yet been issued by SSDC EP, although one was used by legal services for graffiti. Use of these powers has been considered in some cases but other measures have provided an effective remedy.

The provisions allowing the designation of these powers to social landlords were delayed, but commenced in summer 2015. Whilst there was some early discussion with social landlords regarding this delegation, no further progress has been made. It is expected this will progress over the next six months with careful consideration being given to the transfer of responsibilities between agencies.

The impact on resources has therefore been minimal and this is not expected to change significantly. The legislation provides a useful tool which can be used if appropriate.

- **Public Spaces Protection Order** - Designed to stop individuals or groups committing ASB in a public space.

*Lead - This is issued by the Local Authority after consultation with the Police, PCC and other relevant bodies. A request for a PSPO can come from any community or organisation.*

The Countryside team have worked with Environmental health and legal services to draft a PSPO covering dog fouling and dogs on leads at Ham Hill country Park. Further work is scheduled from December 2015 between EH and legal services regarding transferring the existing dog control orders to PSPOs. This work has to be complete by April 2017. The main impact on resources will be the time needed to ensure the required level of consultation is completed.

- **Premises Closure** - Allows the Police or Local Authority to close premises which are used or likely to be used to commit nuisance or disorder. A closure **notice** can be issued to close premises for 48 hrs without reference to the courts. Courts can issue a closure **order** for up to six months.

*Lead - Local Authority or Police can issue a notice and/or apply for a closure order.*

No situations have arisen requiring use of these powers.

### **Impact on resources**

There has been no noticeable increase in service requests from the public since the new tools and powers were introduced.

Discussions will continue with other agencies, in particular the police, regarding the use and implementation of some of the powers on their behalf to solve issues that as yet, remain unresolved. These discussions have also considered how and where the police may be able to gather evidence on behalf of the Council.

As expected the use of existing powers and informal interventions has continued to provide a solution to many service requests. These new powers remain as an added tool which can be considered along with others, in order to reach the most appropriate and effective solution to each scenario encountered. In themselves they have not, and are not expected to, place significant impact on resources.

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