

NEIGHBOURHOOD AND COMMUNITY SERVICES POLICY DEVELOPMENT GROUP

MEETING, 22ND OCTOBER, 2014

Present – Councillors Silvester (Chairman), D. Burrows (Vice-Chairman), Bashir-Ismail Haslam, Hayes, Peel, Pickup and J. Walsh.

Officers

Mr. M. Cox	Director of Environmental Services
Mr. A. Bolan	Manager, Neighbourhood Services
Mr. R. Martinez	Community Safety Operations Manager
Mr. I. D. Mulholland	Principal Democratic Services Officer

(An apology for absence was received by Councillor Connell)

Councillor Silvester in the Chair

4. MINUTES

The minutes of the meeting held on 2nd July, 2014 were submitted and signed as a correct record.

5. NEW ANTI-SOCIAL BEHAVIOUR ENFORCEMENT LEGISLATION

The Director of Environmental Services submitted a report which provided members with an overview of the new measures for tackling anti-social behaviour contained within the Anti-social Behaviour, Crime and Policing Act, 2014.

By way of background information the report explained that the Anti-Social Behaviour, Crime and Policing Act, 2014 introduced a change to the anti-social behaviour tools and powers available to the Council and its partners and this was the first time those powers had been overhauled since the introduction of the Crime and Disorder Act, 1998.

The report explained that the reforms were designed to put the victims at the heart of the response to anti-social behaviour and intended to give professionals the flexibility they needed to deal with any given anti-social behaviour situation. The Act had streamlined the current tool kit reducing the

number of orders from 19 to 6. The Act came into force on 20th October, 2014 apart from the Civil Injunction element which was likely to take effect from January, 2015.

The report went onto summarise the new powers in terms of, videlicet –

- Civil Injunction. This was a tenure neutral civil order to prevent anti-social behaviour and nuisance behaviour.
- Criminal Behaviour Order (CBO). An order that could be attached on conviction to any criminal offence.
- Community Protection Notice (CPN). This was intended to deal with particular on-going problems or nuisances which negatively affected the community's quality of life by targeting those responsible.
- Public Spaces Protection Order (PSPO). A council power requiring consultation with the Police, any appropriate community representative and the owner or occupier of the land.
- Closure Power. A power available to councils and police to close premises which were being used or likely soon to be used to commit nuisance or disorder.
- Dispersal Power. A police only power requiring a person aged 10 years and above to leave an area for up to 48 hours.
- Absolute Grounds for Possession. This increased the grounds of possession for landlords.
- Community Trigger. This gave individuals, organisations of third parties representing reporters of anti-social behaviour the right to request a formal review of how the Community Safety Partnership had responded to the case if a defined threshold had been met.
- Community Remedy. A document published by each local policing body in relation to out of court disposals for cases of anti-social behaviour or criminal offences.

The report went onto explain matters around the local implementation of the Act particularly in relation to working with partnerships and the other AGMA authorities of Greater Manchester. Members were advised that a working Group had been established to ensure a consistent approach across the area.

The report went onto mention about possible financial implications.

In conclusion the report set out details of the actions and decisions that were required in terms of –

- Changes to the Scheme of Delegation and the Enforcement Policy;
- Use of Fixed Penalty Notices – a local agreement. The report highlighted those as a valuable tool and also explained the possible charges and those being proposed in other parts of Greater Manchester; and
- Elements of the Public Space Protection Order regarding restriction on alcohol consumption, access to a public highway and dog control orders.

Members in their deliberations referred to the following –

- Matters around the three year review of Designated Public Place Orders and what was involved;
- Matters around the practicalities of establishing gating orders and the link with the Council's Planning Committee;
- Dog control in the Borough at present and a possible need to review the schedule for dogs on leads areas and the numbers of fixed penalties issued ;
- Issues around the use of Fixed penalty Notices and future charges;
- The destructive nature of graffiti and fly posting;
- The Community trigger element and work with partnerships and the Police and Crime Commissioner; and
- Communicating information on the new Act to members.

It was agreed that the Executive Cabinet Member for Environmental Services be recommended to agree –

- (i) That the new anti-social behaviour powers are adopted by the Council with appropriate amendments to the Council's Scheme of Delegation, officer authorisation and policies and procedures for implementation;
- (ii) The continued use of Fixed Penalty Notices as set out in the report with an upper charge limit of £100.00 and an early payment charge of £75.00;
- (iii) Matters concerning the Public Space Protection Order for alcohol, restricting access to the public highway and Dog Control Orders and the proposed delegation to officers, as detailed in the report;
- (iv) The delegation, as set out in the report, regarding arrangements for the Community Trigger; and
- (v) That members of Council be issued with a note highlighting matters around the new Act and that a meeting of Informal Council be arranged to enable members to be fully briefed.

(The meeting started at 5.30pm and finished at 6.35pm)