

# REPORT TO CABINET

REPORT OF: Corporate Director (Community Services)

REPORT NO: DCS20

DATE: 4<sup>th</sup> April 2005

<b>TITLE:</b>	South Kesteven District Council Anti-Social Behaviour and Enforcement Policy
<b>FORWARD PLAN ITEM:</b>	Yes
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	17 <sup>th</sup> March 2005
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	P.F.P

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	Councillor Teri Bryant Community Affairs
<b>CORPORATE PRIORITY:</b>	Anti-Social Behaviour – Priority A
<b>CRIME AND DISORDER IMPLICATIONS:</b>	Meets the Council's requirements under Section 17 of the Crime and Disorder Act 1998
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	Recognised in the appendix to the report
<b>BACKGROUND PAPERS:</b>	Report DCS10 Tackling Anti-Social Behaviour

## **1.0 INTRODUCTION AND SUMMARY**

- 1.1 Anti-Social Behaviour was approved by the Council as a Category A Priority in May 2004.
- 1.2 The Crime and Disorder Act 1998 requires Local Authorities, the Police, other key agencies and the community to work together at district level to develop and implement strategies for reducing crime and disorder, thereby increasing community safety. The Act also requires Local Authorities to integrate consideration of crime and disorder issues into all their functions and corporate thinking. This is a duty contained under Section 17 of the Act which seeks to identify corporate responses to crime and disorder by stating:

*“Without any prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area”*

- 1.3 The aim of South Kesteven District Council is to improve the quality of life of the people of South Kesteven through a partnership approach to the reduction of both the fear and the reality of crime and disorder. Councillors and officers must consider the community safety implications of every element of their work. Managers must especially consider it in the process of service planning. This will ensure that the Council continues to maintain its commitment to the community and the Crime and Disorder Reduction Partnership.

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## **2.0 RECOMMENDATIONS**

### **2.1 The Cabinet is requested to:**

- (a) **Approve and adopt the South Kesteven District Council Anti-Social Behaviour and Enforcement Policy.**
- (b) **Note that the document is subject to amendment and review in line with changes in Government legislation.**
- (c) **Note that the document is subject to development, amendment and review following ongoing consultation with; the Council’s CDRP partners, the community and with other statutory and non-statutory agencies, any amendments will be reported back to Cabinet.**

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## **3. DETAILS OF REPORT**

- 3.1 The Council’s Policy for dealing with anti-social behaviour and enforcement is attached at appendix 1.

- 3.2 The requirement of Section 17 is to make sure community safety issues are considered throughout the Council as a whole when carrying out all activities and functions. It is one of the most comprehensive and fundamental sections of the 1998 Act, and dictates the way in which authorities need to plan, implement and monitor their work on crime and disorder issues.
- 3.3 The policy aims to bring the remit of community safety issues directly into each Service, and encourage lateral corporate thinking of a subject that should overlap and weave throughout the entire work of the Council.
- 3.4 It is only through this work that commitment to the community can be successfully managed and implemented
- 3.5 There are very real implications which exist for this Council if Section 17 is not effectively implemented, however it is fair to say the extent of these will be developed over time through case law and the court's interpretation of the Act, it still remains a vital consideration for districts across the country.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications directly attributable to this report, however, as the action plans for implementing the Policy are developed any financial implications will be identified and considered at the time.

#### **5.0 COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES**

- 5.1 None.

#### **6.0 COMMENTS OF CORPORATE MANAGER DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)**

- 6.1 Legal Services have been consulted and contributed to the development of the policy. Legal Services are supportive of the policy and consider it sound from a legal point of view.
- 6.2 As regards the part of the policy on Possession Orders at page 7, it does need to be clarified that possession can be sought under grounds 1 and 2 of Part 2 of the Housing Act 1985. It is suggested that availability of ground 1 is included in the policy.

#### **7.0 CONCLUSIONS**

- 7.1 Section 17 of the Crime and Disorder Act 1998 establishes a challenging opportunity, which can be used in a positive way by the Council to address anti-social behaviour.
- 7.2 It is fair to say that much has already been done by the Council to tackle community safety issues but there is more action that can be taken to reduce anti-social behaviour.

7.3 The purpose of this Policy Framework Document is to increase the awareness and acceptance of established strategies. Once adopted it is proposed to bring forward more detailed action plans to address specific issues within South Kesteven.

8.0 **CONTACT OFFICER**

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