

SCARBOROUGH BOROUGH COUNCIL

LEADERS PORTFOLIO

INDIVIDUAL CABINET MEMBER DECISION

Date: Monday, 19 October 2009


DECISION

- 1. APPLICATION BY NORTH YORKSHIRE POLICE FOR AUTHORITY TO MAKE AN ORDER UNDER PART 4 OF THE ANTI-SOCIAL BEHAVIOUR ACT 2003 - DISPERSAL ORDER - COLESLIFFE ROAD - COLESLIFFE CRESCENT - OXCLIFF (Pages 1 - 6)**
To consider a report by the of Head of Environmental Services 09/630 attached.

These details are published for information only. The decision will be taken by the Cabinet Member who will receive Officer advice in private. A statement of the decision taken, with any appropriate supporting information, will be published as soon as reasonably practicable afterwards.

(N.B. If you have any questions, need further information about the meeting or require special facilities in order to attend, please contact Gill Wilkinson, Democratic and Administrative Manager, Town Hall, St. Nicholas Street, Scarborough – 01723 232303 Fax 0870 238 4159 or e-mail Gill.Wilkinson@scarborough.gov.uk)

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	Leader of the Council Councillor T Fox 19 OCTOBER 2009	
	Key Decision	NO
Corporate Priority: Developing Safer and Stronger Communities	Forward Plan Ref No Cabinet Portfolio Holder Date of decision Deadline for call-in 5.00pm Implementation date	N/A Councillor Brian Simpson 19 October 2009 22 October 2009 23 October 2009

REPORT OF: Head of Environmental Services 09/630

WARDS AFFECTED: Woodlands

SUBJECT: APPLICATION BY NORTH YORKSHIRE POLICE FOR AUTHORITY TO MAKE AN ORDER UNDER PART 4 OF THE ANTI-SOCIAL BEHAVIOUR ACT 2003 – DISPERSAL ORDER – COLESCLIFFE ROAD – COLESCLIFFE CRESCENT - OXCLIFF

RECOMMENDATION (S):

To approve:

An application by North Yorkshire Police for a Dispersal Order for a small area of Barrowcliff estate in the vicinity of the Colescliff Road Shops (see attached map which outlines the area subject of the application).

REASON FOR RECOMMENDATION (S):

Consent to the application should assist the Police in managing persistent and ongoing anti-social behaviour problems relating to young people in the Colescliff Road area on the Barrowcliff estate which is causing residents considerable harassment, alarm and distress.

HIGHLIGHTED RISKS: Failure to approve the application could lead to residents of the area continuing to suffer anti-social behaviour, and the consequential increase in the % of people who think that anti-social behaviour is a problem in the local area.

1. INTRODUCTION

- 1.1 Colescliffe Road, particularly in the vicinity of the shops, is a popular meeting point for local young people. It comprises a shop which sells sweets and alcohol and a pizza shop. Directly opposite is an alleyway which leads onto Oxcliff. The significance of the alleyway is that it provides a “rat-run” to and from the shops and is used as an escape route for those involved in crime and anti-social behaviour.
- 1.2 Since 1 January 2009 there have been a disproportionately high number of calls for police assistance relating to incidents of anti-social behaviour and crime occurring in the vicinity of the shops. Up until 31 August 2009, 84 calls had been made to the Police relating to this location. Local Councillors have reported to the Police that some residents who live in the vicinity of the shops feel “under siege”, particularly when the darker nights start.
- 1.3 Police action in relation to the problems has been ongoing for some time, as it was identified as a ward priority in January 2009. The Police action includes increased patrolling of the area, arrests when specific offences are committed and increased community engagement.

2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN

- 2.1 Consenting to the application by North Yorkshire Police, will support the Borough Council’s Corporate aims in “Developing Safer and Stronger Communities”. The priorities, which will be met, are “Reducing Crime and Disorder” and “Reducing the incidents of nuisance behaviour”. It will encourage community participation and assist in building civic pride.

3. BACKGROUND AND ISSUES

- 3.1 In order for the Local Authority to consent to the application it must be satisfied that the public have been intimidated, harassed or distressed as a result of the presence or behaviour of groups of two or more person in public places in the locality; and that Anti-Social Behaviour is a significant problem in the relevant locality which was persistent and is ongoing.
- 3.2 The Police have provided the Local Authority with a file outlining incidents which have occurred in the relevant locality since 1 January 2009 until 31 August 2009, with witness statements which give weight to the application, including a Community Impact Statement from Police Constable Christopher

Parker-Beagrie, the Safer Neighbourhood Police Officer covering Woodlands Ward.

4. CONSULTATION

- 4.1 The Safer Community Partnership Support Unit facilitated a consultation meeting on 21 September 2009 in respect of the application, involving stakeholders affected by the problems. All those who attended supported the Police application.

5. ASSESSMENT

- 5.1 The Police have provided a file in respect of the application. The evidence provided clearly indicates that over a protracted period of time members of the public have been intimidated, harassed and distressed as a result of the presence of two or more persons in a public place in the locality of the application; and that Anti-Social Behaviour is a significant problem in the locality at all times of the day.
- 5.2 The consent of the Local Authority to the application by the Police for a Dispersal Order covering a six month period would significantly strengthen the Police Powers to curb criminality and anti-social behaviour in the locality. The Dispersal Order legislation does not have a significant administrative burden on operational police officers and allows them to exercise the powers of the Order without having to produce work to affect the powers.
- 5.3 Both David Kitson of the Councils Legal Services Department and Barry Graham, the Crime Reduction and Anti-Social Behaviour Co-ordinator are confident that the Police have met the evidential criteria required for the Local Authority to approve the application and that it is necessary for the area of the application to reduce crime and disorder.

6. IMPLICATIONS

- 6.1 **Policy**
There are no implications arising from this report.
- 6.2 **Legal**
Scarborough Borough Council Legal Services have considered the evidence contained within the application and conclude that it is sufficient to give approval. There are no other legal implications arising from this report.
- 6.3 **Financial**
There are no implications arising from this report.
- 6.4 **Equalities and Diversity**
Whilst the Order will impact specifically on young people, it is felt that there is sufficient evidence to warrant the Order.

6.5 Crime and Disorder

The granting of the application by the Local Authority will enable the Police to use powers contained in Dispersal Order legislation to deal with Anti-Social Behaviour problems which have manifested in the locality, thereby reducing problems encountered in the area.

6.6 There are no implications arising from this report in respect of Staffing, Planning, Health and Safety and the Environment.

7. ACTION PLAN

7.1 In the event of the Local Authority consenting to the application and the Order being made by the Police a multi-agency meeting will take place on 13 November 2009, to formulate an Action Plan to deal with the displacement of young people from the area and to agree actions which may alleviate further problems in the future.



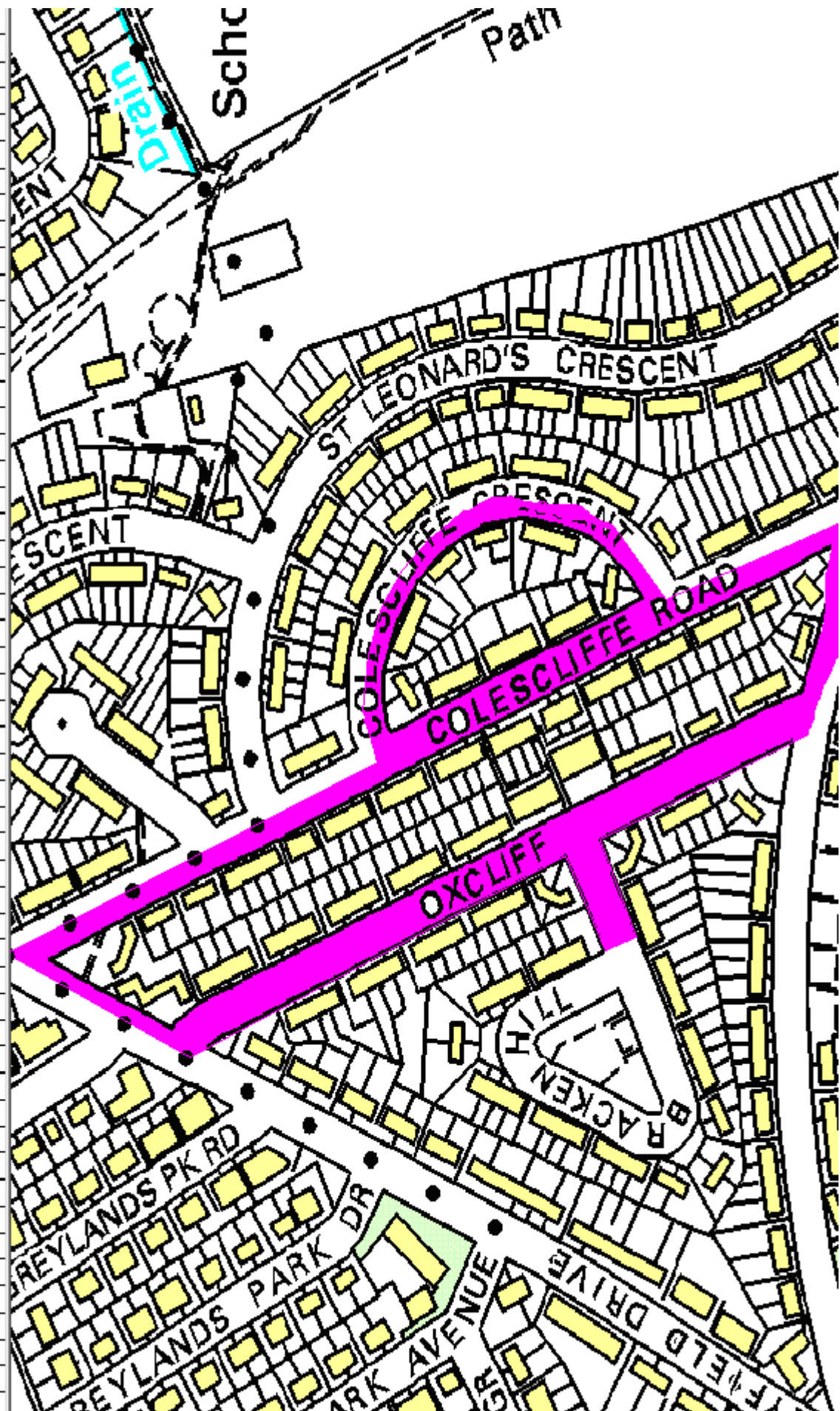
Andy Skelton
Head of Environmental Services

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Background Papers:

Anti-Social Behaviour Act 2003 – Sections 30-36

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT Barry Graham ON 01723 - 383628 e-mail barry.graham@scarborough.gov.uk



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