

North Yorkshire Council

Executive

16 June 2026

Community Safety and CCTV Service Anti-Social Behaviour Policy and Procedure

1.0 PURPOSE OF REPORT

- 1.1 To seek approval for the adoption of the Community Safety and CCTV Service Anti-Social Behaviour (ASB) Policy and Procedure, which sets out the Council's approach to preventing, managing and enforcing against ASB, in line with the North Yorkshire Council (NYC) Enforcement Policy and statutory responsibilities.

2.0 SUMMARY

- 2.1 The Community Safety and CCTV Service manages a wide range of ASB impacting residents, businesses and public spaces across North Yorkshire. The revised ASB Policy and Procedure provides a consistent, fair and proportionate framework for responding to reports of ASB, supporting victims and taking enforcement action where necessary.
- 2.2 The policy reflects:
- The principles of the NYC Enforcement Policy, including fairness, consistency, proportionality and targeting enforcement where the greatest harm is caused
 - The Council's statutory duties under the ASB, Crime and Policing Act 2014, the Crime and Disorder Act 1998, and associated legislation
 - An intelligence-led, partnership-based approach delivered through local Community Safety Hubs and Safer North Yorkshire
- 2.3 Adoption of the policy will ensure the Community Safety and CCTV Service delivers ASB interventions confidently, transparently and in a manner that protects public confidence and community wellbeing.

3.0 BACKGROUND

- 3.1 NYC, as a unitary authority, has statutory responsibilities to prevent and respond to ASB in order to protect individuals, communities and public spaces. These responsibilities are delivered locally through the Community Safety and CCTV Service, working in partnership with statutory and non-statutory agencies.
- 3.2 Prior to local government reorganisation, approaches to managing ASB varied across the former district councils, reflecting differing local policies, thresholds and operational practices. While effective locally, this variation presented challenges in terms of consistency, transparency and assurance across the county.

3.3 The Community Safety and CCTV Service ASB Policy and Procedure has been developed to provide a single, harmonised framework for how the Council responds to ASB. The policy reflects best practice, current legislation and government guidance, while allowing sufficient flexibility to respond to local need through Community Safety Hubs.

3.4 The policy operates as a service-specific framework under the overarching NYC Enforcement Policy, ensuring that ASB enforcement activity is aligned with corporate enforcement principles, including proportionality, fairness, consistency and targeted use of resources.

4.0 COMMUNITY SAFETY AND CCTV SERVICE POLICY AND PROCEDURE

4.1 The Community Safety and CCTV Service ASB Policy and Procedure sets out the principles, processes and powers that guide how the Council prevents, investigates and responds to ASB across North Yorkshire.

4.2 The policy commits the Community Safety and CCTV Service to good enforcement practice, ensuring that ASB interventions are:

- Fair and proportionate, taking account of the impact of behaviour and individual circumstances
- Consistent and transparent, so that communities and partners understand how decisions are made
- Targeted, focusing resources on persistent, high-harm and high-impact ASB
- Customer-focused, with the needs of victims and vulnerable people at the forefront

4.3 The policy provides a graduated approach to ASB, prioritising early intervention, prevention and behaviour change wherever possible, while retaining the ability to take robust enforcement action where informal measures are ineffective or inappropriate.

4.4 The range of tools and powers available under the policy includes warnings, agreements, civil and criminal enforcement powers, and partnership-led interventions under the ASB, Crime and Policing Act 2014. These are applied in accordance with professional judgement and risk assessment.

4.5 Delivery of the policy is embedded within the Community Safety Hub model, enabling intelligence-led, multi-agency problem solving and local accountability. CCTV is used proportionately to support ASB prevention, investigation and enforcement activity.

4.6 The policy also establishes clear arrangements for information sharing, victim support, safeguarding, partnership working and the statutory ASB Case Review, ensuring compliance with data protection, human rights and equalities legislation.

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

5.1 The Community Safety and CCTV Service ASB Policy and Procedure directly supports the Council Plan priority of ensuring that people in North Yorkshire are safe, healthy and living well.

5.2 By providing a clear and consistent framework for preventing and tackling ASB, the policy contributes to:

- Safer communities and increased public reassurance
- Reduced harm to individuals and neighbourhoods
- Improved quality of life in public spaces and residential areas

- Increased confidence in the Council's regulatory and enforcement services

5.3 The policy supports a place-based approach, enabling local Community Safety Hubs to respond to community concerns while operating within a county-wide enforcement framework.

5.4 Alignment with the NYC Enforcement Policy ensures that ASB enforcement activity contributes to wider objectives around public confidence, compliance with the law, and effective use of Council resources, while supporting strong partnership working and community wellbeing.

6.0 ALTERNATIVE OPTIONS CONSIDERED

6.1 As this report seeks approval of a new policy and procedure, no alternative options were considered.

7.0 FINANCIAL IMPLICATIONS

7.1 There are no direct financial implications arising from the adoption of this policy. Where legislation permits, the Service may recover costs associated with enforcement action.

8.0 LEGAL IMPLICATIONS

8.1 The policy is compliant with:

- The ASB, Crime and Policing Act 2014
- Data protection and human rights legislation

8.2 It aligns fully with the NYC Enforcement Policy, providing legal assurance and consistency of approach.

9.0 EQUALITIES IMPLICATIONS

9.1 The policy ensures that ASB enforcement is applied fairly and without discrimination, with particular consideration given to vulnerability and safeguarding.

10.0 CLIMATE CHANGE IMPLICATIONS

10.1 There are no direct climate change implications associated with this policy.

11.0 REASONS FOR RECOMMENDATIONS

11.1 The adoption of the Community Safety and CCTV Service ASB Policy and Procedure ensures:

- A clear and consistent framework for dealing with ASB
- Compliance with Council-wide enforcement principles
- Improved confidence for Members, partners and communities
- Effective protection for victims of ASB

12.0 RECOMMENDATION

- i) It is recommended that Members approve the adoption of the Community Safety and CCTV Service ASB Policy and Procedure.

APPENDICES:

Appendix A – North Yorkshire Council Enforcement Policy

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NORTH YORKSHIRE COUNCIL
GENERAL ENFORCEMENT POLICY

FOREWORD

As one of the largest Councils in the Country we deliver a vast range of services to over 600,000 residents and tens of thousands of businesses. We make decisions every day which affect people who live, work and visit our beautiful County. The way in which we take action is important, as it gives people confidence that the Council will stand behind them and deal with issues which have a significant impact on the community their quality of life and amenity.

This Policy sets out how we will fulfil our legal obligations, but most importantly the approach we will take and the culture that we have as an organisation. Residents and businesses should know what to expect from the Council. Individual regulatory services such as planning, housing and environmental health will have their own enforcement protocols and priorities, but this overarching document sets the culture in which all services should operate.

Whilst we will always look to take a balanced and fair approach, we will not shy away from taking action either individually or with our partners, where there is a clear reason to do so, even where a successful outcome is not assured. In essence, we will always seek to do the right thing.

I hope that you find this document a useful guide.

Richard Flinton
Chief Executive
North Yorkshire Council

TABLE OF CONTENTS

1. Introduction
 2. Purpose of the policy
 3. Our approach to dealing with enforcement matters
 4. Conduct of investigations
 5. Decisions on enforcement action
 6. Service standards
- Appendix A: Enforcement Actions available to the Council in Respect of Criminal and Civil breaches

GENERAL ENFORCEMENT POLICY

1. INTRODUCTION

- 1.1 A robust enforcement policy is very important for giving the public confidence that where people do not follow the rules, and cause problems for others, then they will be dealt with. Having an over-arching policy helps the Council have a consistent approach across a large range of regulatory services such as planning, housing, environmental health and trading standards. It allows our staff to know what is expected of them, and residents and businesses to know how and what to expect from us. Cases which relate to financial/debt recovery are not covered under this policy.
- 1.2 The Council will carry out good enforcement practice. We will adhere to the current legislation, guidance, and codes of practice, that influence this policy.
- 1.3 The Council will exercise its regulatory activities in a way which is:
- **Robust** – where a decision has not been complied with and/or regulations not followed, then we will take robust action to ensure compliance and resolve the issue where we can
 - **Customer focussed**- We will be customer focussed and have the impact on the resident at the forefront of our mind when taking action
 - **Fair** – we will deal with all our customers in a fair, open and transparent manner and will keep them informed of progress
 - **Consistent** – our advice to those regulated will be robust, reliable and similarly advice provided by others will be respected
 - **Targeted** – resources will be prioritised to deal with the most serious cases where the most harm is caused.
- 1.4 We will avoid imposing unnecessary regulatory burdens, and we will seek to join up our services wherever possible.
- 1.5 The Council will ensure that regulatory officers are appropriately trained and supported to:
- Take robust action in a timely manner
 - understand the need to protect the public and environment
 - support those that they regulate
 - understand those they regulate
 - understand the statutory principles of good regulation and how activities are delivered under the Code.
- 1.6 This Policy will be published on the internet, and relevant service standards and any function specific Enforcement Policies drawn up by individual service areas, will also be published on the internet.

2. PURPOSE OF THE POLICY

- 2.1 This policy will ensure public protection, legal compliance and set the framework which officers of the Council will operate.
- 2.2 All officers will have regard to this document when making enforcement decisions.
- 2.3 This policy can be overridden where a risk of injury or to health is likely to occur due to a delay in any decision being made. The Chief Executive may suspend any part of this policy, in cases of emergency. This would achieve effective running of the service and/or where there is a risk of injury or to health of employees or any members of the public.
The **Regulators' Code** requires regulators to have procedures in place to ensure that their officers follow their published service standards.

3. OUR APPROACH TO DEALING WITH ENFORCEMENT MATTERS

- 3.1 The Council recognises that most businesses and individuals are law abiding and act responsibly. However, robust action will be taken against those who flout the law or act negligently. Particular focus will be given to circumstances where the public's safety is compromised or there are significant impacts on quality of life/amenity.
- 3.2 Those that deliberately or persistently fail to comply will be dealt with by the Council in a robust way in a timely manner.
- 3.3 Those regulated by the Council are able to request advice on non-compliance without directly triggering enforcement action. where they show a willingness to resolve the non-compliance, we will deal with the matter informally, unless the matter is so serious that enforcement action is deemed necessary. This is in accordance with Section 5.4 of the **Regulators' Code**.
- 3.4 The Council will review all notifications/complaints and will investigate if necessary. Necessity to investigate and the promptness of the response will be dependent on the resources available as well as the identification of risk.
- 3.5 Where appropriate The Council will carry out check visits or re-visit to assess compliance where prior advice or guidance has been given, before considering further action.
- 3.6 Council officers and decision makers will carry out all our enforcement duties, including taking formal enforcement action, in a fair, and consistent manner. Whilst officers exercise judgement in individual cases, the Council will have arrangements in place to promote consistency including liaison with other agencies and authorities.
- 3.7 The Council will take a multi-agency approach to dealing with issues, joining up powers to achieve the right outcome.
- 3.8 Council officers will take ownership of enforcement complaints where it straddles different areas of the Council and will aim to provide one response and point of contact to the customer.

ADVICE & GUIDANCE

- 3.9 We will actively work with business and residents to provide advice and help. In doing this it will be ensured that:
- any information provided will be in clear, concise and accessible language. It will be confirmed in writing where necessary
 - legal requirements and good practice/guidance aimed at improvements above minimum standards will be clearly distinguished
 - provide advice to support compliance that can be relied upon
 - work collaboratively with other regulators where those regulated by more than one regulator are affected, and where there is disagreement over advice given, regulators will seek to reach agreement.

FAIRNESS

- 3.10 Officers will be courteous, fair and efficient at all times, and will identify themselves by name and provide identification where required or requested.
- 3.11 The Council will have regard to individual's human rights and natural justice. This is in all aspects of our enforcement work.
- 3.12 The Council will aim to ensure that there will be no discrimination against any individual when making enforcement decisions. This is regardless of culture, ethnic or national origins, gender, disability, age, sexual orientation, political or religious beliefs, socio-economic status.

CONFIDENTIALITY

- 3.13 It is normal practice to maintain the confidentiality of a complainant. Unless they agree to act as a witness in formal action taken by the Council, or the Council is required by law to disclose the identity of a complainant. Anonymous complaints will not normally be acted upon except in exceptional circumstances.
- 3.14 Legal notices will clearly set out how the notice can be appealed, including timescales and relevant bodies to which the appeal can be lodged.
- 3.15 If complaints of treatment or officer conduct cannot be informally resolved between stakeholders, officers and line managers, the customer will be directed to the Council's formal Complaints Process. [Complaints, comments or compliments | North Yorkshire Council](#)

CHARGING FOR ENFORCEMENT

- 3.16 The Council will seek to recover costs for taking enforcement action against the responsible persons, where legislation allows.
- 3.17 The responsible person will be advised of the potential of being charged for formal enforcement notices before any charge is incurred unless the situation is an emergency. In emergency situations officers will make reasonable efforts to contact the responsible person. If the responsible person cannot be contacted or cannot respond quickly enough, formal action will be initiated and a charge made.

NECESSARY AND PROPORTIONATE

- 3.18 In assessing what enforcement action is necessary and proportionate, consideration will be given to, amongst other things:
 - i. public protection and "risk to the public"
 - ii. the seriousness of the compliance failure
 - iii. the past and current performance of any business and/or individual concerned
 - iv. any obstruction on the part of the offender
 - v. the risks being controlled
 - vi. statutory guidance
 - vii. Codes of Practice
 - viii. any legal advice
 - ix. policies and priorities of Government and the Council
 - x. a person's circumstances
 - xi. the existence of a Primary Authority agreement

PUBLICITY OF ENFORCEMENT

- 3.19 Where the Council is successful in prosecution and a conviction of an individual or business or has made an enforcement decision relating to licensed premises, vehicles, drivers and/or operators, we will seek to publish details of the offence, perpetrators and convictions.
- 3.20 This name and shame approach will hopefully deter others and to show the public that the Council is taking effective enforcement action where it is necessary. It sends a clear message that the type of behaviour will not be tolerated in our County.

PRIMARY AUTHORITY & OTHER AGENCY ARRANGEMENTS

- 3.21 The Council will follow Primary Authority advice.
- 3.22 The Council will liaise with the relevant agency if the Council is aware of likely non-compliance where the enforcement powers are shared or with another agency.

4. CONDUCT OF INVESTIGATIONS

- 4.1 All investigations will be carried out under the following legislation. They will be in accordance with any associated law, guidance or codes of practice, in so far as they relate to the Council:
- the Police and Criminal Evidence Act 1984
 - the Criminal Procedure and Investigations Act 1996
 - the Regulation of Investigatory Powers Act 2000
 - the Criminal Justice and Police Act 2001
 - Criminal Justice Act 2003
 - the Human Rights Act 1998
 - Equality Act 2010
- 4.2 These Acts and associated guidance control how evidence is collected. It is used to give a range of protections to citizens and potential defendants. Our authorised officers will also comply with the requirements of the particular legislation under which they are acting, and with any associated guidance or codes of practice.
- 4.3 The powers used by authorised officers are determined and restricted to those set out in the appropriate statute and/or Council's scheme of Delegation.
- 4.4 Where any officer conducting regulatory or enforcement functions is obstructed during their investigations, and legislation allows, formal action will be considered for obstruction offences.
- 4.5 Where legislation allows the seizure of equipment, articles, or items, the Council will adhere to legislation, guidance and specific policies in relation to those seizures.
- 4.6 Where necessary, the Council and its officers may request North Yorkshire Police exercise their powers of arrest in order to progress an investigation and/or apprehend an offender.
- 4.7 Where it is believed that an offence has been committed, the Council will interview where appropriate alleged perpetrators in accordance with the Police and Criminal Evidence Act 1984 and related guidance.
- 4.8 Legislation utilised by regulatory and enforcement officers, is often subject to statutory time limits for investigations from the point of discovery or commission of the offence. In all circumstances the Council will abide by these limitations when conducting investigations and when considering any subsequent enforcement actions.
- 4.9 Alleged offenders and witnesses will be informed of the progress of investigations.

5 DECISIONS ON ENFORCEMENT ACTION

- 5.1 These factors are **not** listed in order of significance. The rating of the various factors will vary with each situation under consideration.
- 5.2 There are a range of actions that are available to the Council which are set out in legislation.
- 5.3 For the purposes of this policy, formal enforcement action, includes (see **Appendix A**):
- Compliance Advice, Guidance and Support
 - Voluntary Undertakings
 - Statutory (Legal) Notices
 - Financial penalties
 - Injunctive Actions / Enforcement Orders etc
 - Informal caution
 - Simple Caution
 - Prosecution and
 - Refusal / Suspension / Revocation of Licences
- 5.4 Alleged offenders and witnesses will be informed of the progress of investigations.

HOW DECISIONS ARE MADE ON ENFORCEMENT ACTION

- 5.5 Where formal enforcement action is necessary, the most appropriate course of action (from the range of sanctions and penalties available) will be considered with the intention of:
- protecting public safety
 - protecting the environment and animal welfare
 - changing the behaviour of the offender
 - eliminating any financial gain or benefit from non-compliance
 - being responsive and considering what is appropriate for the offender and issue involved, including punishment and the public stigma that may be associated with a criminal conviction
 - being proportionate to the nature of the offence and harm caused
 - deterring future non-compliance.
- 5.6 Where the responsible person has failed to respond once a breach of legislation has been brought to their attention or the breach is so severe as to present an imminent risk formal action will be taken.
- 5.7 Before instigating legal proceedings, service will consider many factors, including:
- the seriousness of the alleged offence
 - the history of the party concerned
 - the willingness of the business or the individual to prevent a recurrence of the problem and to co-operate with officers
 - whether it is in the public interest to prosecute
 - whether there is a realistic prospect of conviction
 - whether any other action (including other means of formal enforcement action) would be more appropriate or effective
 - the views of any complainant and other persons with an interest in prosecution.
- 5.8 These factors are NOT listed in order of significance. The rating of the various factors will vary with each situation under consideration.
- 5.9 Where appropriate there will be cooperation and coordination with any relevant regulatory body and/or enforcement agency to maximise the effectiveness of any enforcement.

- 5.10 Where an enforcement matter affects a wide geographical area beyond the County boundaries or involves enforcement by one or more other local authorities or organisations; where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity coordinated with them.
- 5.11 Where the law allows, regulation and enforcement will share intelligence relating to wider regulatory matters with other regulatory bodies and enforcement agencies, including:
- ❖ Government Agencies
 - ❖ Police Forces
 - ❖ Fire Authorities
 - ❖ Statutory undertakers
 - ❖ Other Local Authorities.
- 5.12 When a decision is made to take enforcement action against you and:
- you are a business operating in more than one Local Authority area and you have chosen to have a registered Primary Authority Partnership under The Regulator Enforcement Sanctions Act 2008 (The RES Act); and
 - the enforcement action proposed is covered by the definition of enforcement action for the purposes of Part 2 of the RES Act
- 5.13 The Council will comply with the agreement provisions for enforcement and notify your Primary Authority of the proposed action. Your Primary Authority has the right to object to the Council's proposed action in which circumstances either they or the Council may refer the matter to OPSS.

6. SERVICE STANDARDS

HOW SERVICES ARE DELIVERED

- 6.1 Each service will have robust Service Standards which underpin expectations of level of service to relevant stakeholders including the public.
- 6.2 Services will be delivered in accordance with the requirements of the **Regulators' Code**.
- 6.3 Our officers will:
- be courteous and polite
 - always identify themselves by name, and provide contact details (the exception to this is Civil Enforcement Officers undertaking parking enforcement, who under provisions in the Traffic Management Act Guidance for Local Authorities, should only be identified by their individual officer number)
 - provide details of how to discuss any concerns there may be
 - agree timescales, expectations and preferred methods of communication
 - ensure that information and progress on any outstanding issues is provided.
- 6.4 The Council will allocate resources to where they will be most effective by assessing the priority risks:
- risk will be considered at every stage when making a decision, including the most appropriate intervention, the way of working, checks on compliance, and when taking enforcement action
 - assessment of risk will recognise previous compliance history and all available relevant data including relevant external verification
 - Use national risk assessment frameworks
 - the effectiveness of regulatory activities and outcomes will be reviewed regularly and adjusted accordingly.

COVERT SURVEILLANCE, INCLUDING THE USE OF SURVEILLANCE OF SOCIAL MEDIA

- 6.5 The Council's use of surveillance powers is covered by the covert activity policy. The Council will only do this when it is necessary and proportionate to do so.
- 6.6 Investigating officers will seek legal advice where necessary and always act in accordance with the Council's RIPA Policy and appropriate guidance issued by the Home Office and Regulator. If investigators believe they need to look at someone's social media accounts closely for a case, they must get approval under RIPA or equivalent first. This is in accordance with written departmental procedures. Such authorisation will ensure as far as possible that authorised officers act lawfully and in a fair and transparent manner.

REQUESTS FOR OUR SERVICES

- 6.7 In responding to service requests, including requests for advice and complaints about breaches of the law, there will be:
- a response to the request within a maximum of 10 working days (or the relevant statutory timescale in law)
 - advise when a substantive response can be expected
 - seek to fully understand the nature of the request
 - explain what may or may not be possible, so that it is clear what the customer can expect
 - keep the person or business informed of progress throughout the Council's involvement
 - keep the person or business informed of the outcome as appropriate.

- 6.8 Notice that officers intend to visit will be provided. This is unless there is a specific reason to believe that an unannounced visit is more appropriate.

INFORMATION SHARING

- 6.9 The Council has information sharing protocols with various partners including the Police. This is to detect and deter crime and anti-social behaviour. The Council is committed to the objectives of this partnership. They will balance data protection considerations in line with the information sharing protocol.

POLICY REVIEW

- 6.10 The implications and effectiveness of this policy will be regularly monitored.
- 6.11 This policy will be reviewed where appropriate (and, in any case at least once every five years) to assess whether any amendments are required taking into account changing circumstances affecting the area, or any relevant changes in national policy.
- 6.12 Minor and inconsequential amendments may be made to the policy from time-to-time by a senior officer to reflect legislative changes or to correct any inaccuracies.

ENFORCEMENT ACTIONS AVAILABLE TO THE COUNCIL IN RESPECT OF CRIMINAL AND CIVIL BREACH**Compliance Advice, Guidance and Support**

The Council uses compliance advice, guidance and support as a first response in the case of many breaches of legislation that are identified. Advice is provided, sometimes in the form of a warning letter, to assist individuals and businesses in rectifying breaches as quickly and efficiently as possible, avoiding the need for further enforcement action. A warning letter will set out what should be done to rectify the breach and to prevent re-occurrence. If a similar breach is identified in the future, this letter will be persuasive in considering the most appropriate enforcement action to take on that occasion. Such a letter cannot be cited in court as a previous conviction, but it may be presented in evidence. The Council recognises that where a business has entered a partnership with a primary authority, the primary authority will provide compliance advice and support. The Council will take such advice into account when considering the most appropriate enforcement action for it to take. It may discuss any need for compliance advice and support with the primary authority. Where more formal enforcement action, such as a simple caution or prosecution, is taken, the Council recognises that there is likely to be an ongoing need for compliance advice and support, to prevent further breaches.

Voluntary Undertakings

The Council may accept voluntary undertakings that breaches will be rectified and/or recurrences prevented. The Council will take any failure to honour voluntary undertakings very seriously and enforcement action is likely to result.

Statutory (Legal) Notices

In respect of many breaches the Council has powers to issue statutory notices. These include: 'Abatement Notices', 'Prohibition Notices', 'Emergency Prohibition Notices', and 'Improvement Notices'. Such notices are legally binding. Failure to comply with a statutory notice can be a criminal offence and may lead to prosecution and/ or, where appropriate, the carrying out of work in default. A statutory notice will clearly set out actions which must be taken and the timescale within which they must be taken. It is likely to require that any breach is rectified and/or prevented from recurring. It may also prohibit specified activities until the breach has been rectified and/or safeguards have been put in place to prevent future breaches. Where a statutory notice is issued, an explanation of the appeals process will be provided to the recipient. Some notices issued in respect of premises may be affixed to the premises and/or registered as local land charges.

Financial Penalties

The Council has powers to issue fixed penalty notices, penalty charge notices and monetary penalties in respect of some breaches of legislation. A fixed penalty notice, penalty charge notice or monetary penalty is not a criminal fine and does not appear on an individual's criminal record. If a fixed penalty, penalty charge notice or monetary penalty is not paid, the Council may, however, commence criminal proceedings or take other enforcement action in respect of the breach or take civil enforcement action to recover the value of the fixed penalty, penalty charge or monetary penalty subject to the provisions of the relevant legislation. If a fixed penalty, penalty charge notice or monetary penalty is paid in respect of a breach, the Council will not take any further enforcement action in respect of that breach. Payment of the penalty does not provide immunity from prosecution in respect of similar, continuing or recurrent breaches. The Council is only able to issue a fixed penalty notices, penalty charge notices and monetary penalties where it has specific powers to do so. If fixed penalty notices are available, their issue is at the Council's discretion. In some circumstances, in particular where breaches are serious or recurrent, it may be that prosecution is more appropriate than the issue of a fixed penalty notice. In specific instances dictated by regulation, the Council has powers to issue monetary penalties. In some cases the Council has discretion in the level of monetary penalty to impose. Where regulation makes

provision for the Council to receive representations in respect of a charge, the Council will inform recipients how to make representation and provide guidance on what might be relevant issues. Any representation received will be reviewed in a timely manner within the terms of the regulation, the requirements of this policy and based on the reasonableness of the charge on a case-by-case basis. If the Council deems fit it may confirm, vary or quash a monetary penalty.

Injunctive Actions, Enforcement Orders etc

In some circumstances the Council may seek a direction from the court (in the form of an order or an injunction) that a breach is rectified and/or prevented from recurring. The court may also direct that specified activities be suspended until the breach has been rectified and/or safeguards have been put in place to prevent future breaches. Failure to comply with a court order constitutes contempt of court, a serious offence which may lead to imprisonment. The Council is required to seek enforcement orders after issuing some enforcement notices, providing the court with an opportunity to confirm the restrictions imposed by the notice. Otherwise, the Council will usually only seek a court order if it has serious concerns about compliance with voluntary undertakings or a notice. The Council may seek Banning Orders where relevant convictions exist and it is appropriate and proportionate to do so.

Prosecution

When deciding whether to prosecute, the Council has regard to the provisions of **The Code for Crown Prosecutors** as issued by the Director of Public Prosecutions. Prosecution will only be considered where the Council is satisfied that it has sufficient evidence to provide a realistic prospect of conviction against the defendant(s). Before deciding that prosecution is appropriate, the Council will consider all relevant circumstances carefully and will have regard to the following public interest criteria:

- seriousness of the offence committed
- the level of culpability of the suspect
- the circumstances of, and the harm caused to the victim?
- was the suspect under the age of 18 at the time of the offence?
- what is the impact on the community?
- is prosecution a proportionate response?
- do sources of information require protecting?

A successful prosecution will result in a criminal record. The court may impose a fine and in respect of particularly serious breaches a prison sentence. The court may order the forfeiture and disposal of non-compliant goods and/or the confiscation of any profits which have resulted from the breach. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors.

Refusal/Suspension/Revocation of Licences

The Council issues a number of licences and permits. The Council also has a role to play in ensuring that appropriate standards are met in relation to licences issued by other agencies. Most licences include conditions which require the licence holder to take steps to ensure that, for example, a business is properly run and public safety is assured. Breach of these conditions may lead to a review of the licence which may result in its revocation or amendment. When considering future licence applications, the Council may take previous breaches and enforcement action into account and also other matters which, on the balance of probability, may influence the assessment of a person to be a fit and proper person.

Prohibitions

The Council has a range of powers that allow for the prohibition of activities, structures, or use of facilities such as sports grounds. The Council has a role to ensure the safety of the public and will exercise prohibition powers only where it is essential to protect health and there is sufficient evidence available to demonstrate that a risk to health exists.

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

Community Safety and CCTV Service Anti-Social Behaviour Policy and Procedure

An Equality Impact Assessment (EIA) form is a document that proves paying due regard by considering protected characteristics. EIAs that accompany reports presented to Councillors for decision-making are published with the committee papers on our website and are also available in hard copy at the relevant meetings.

Section 1: Initial Equality Impact Assessment Screening

This section documents the equality screening process of actual or potential impacts of the proposed activity on a specific protected characteristic, along with NYC's additional agreed-upon characteristics, to determine whether a full EIA is necessary or appropriate.

Basic Details	
Directorate	Local Engagement
Service area	Community Safety and CCTV
Proposal being screened	Community Safety and CCTV Anti-Social Behaviour (ASB) Policy and Procedure
Officer(s) carrying out screening	Paul Romans
Lead Officer and contact details	Odette Robson
Date of the assessment	27/05/2026
Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, or stopping doing something?)	This EIA relates to the adoption of the Community Safety and CCTV Service ASB Policy and Procedure. The policy introduces a consistent, county-wide framework for preventing, managing and enforcing against ASB through early intervention, partnership working, and proportionate enforcement.
What does the authority hope to achieve by it? (E.g. to save money, meet increased demand, do things in a better way.)	<ul style="list-style-type: none"> • Provide a clear, consistent and transparent framework for responding to ASB across North Yorkshire • Improve community safety, quality of life and public confidence • Ensure fair, proportionate and targeted enforcement aligned to the Council's Enforcement Policy • Deliver early intervention and prevention, reducing escalation of harm • Strengthen support for victims and vulnerable individuals

Further Details	
<p>1.1 How have stakeholders been involved in this policy/decision/proposal? (e.g. a consultation exercise)</p>	<p>There has been no formal stakeholder consultation undertaken in the development of this policy, other than presentation to Management Board.</p> <p>The policy has been developed using:</p> <ul style="list-style-type: none"> • Best practice and operational experience from Community Safety Hubs across North Yorkshire • Existing legislative requirements and national guidance relating to ASB • Alignment with the North Yorkshire Council's Enforcement Policy, ensuring consistency with established corporate enforcement principles such as fairness, proportionality and consistency • The approach reflects an established, intelligence-led model of service delivery and builds on existing partnership working arrangements already in operation across the county.
<p>1.2 Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc). Please explain briefly</p>	<p>No, the policy is not expected to have a significant impact on how partner organisations operate.</p> <p>The policy formalises and standardises the North Yorkshire Council's Community Safety and CCTV Service's approach to ASB, but:</p> <ul style="list-style-type: none"> • Does not introduce new duties or requirements for partner agencies • Reflects existing partnership arrangements and ways of working already in place through Community Safety Hubs • Maintains alignment with current multi-agency working practices, including information sharing and joint case management • Partners will continue to operate within their own statutory responsibilities, with the policy providing a clear and consistent framework for collaboration rather than changing operational practice.
<p>1.3 Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics</p> <p>As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> • To what extent is this service used by particular groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? • Do different groups have different needs or experiences in the area the proposal relates to? <p>If for any characteristic, it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.</p> <p>Tick and indicate which protected characteristics are identified as relevant to the proposal (positive, negative, neutral or don't know)</p>	

Protected characteristic	Impact				Comments
	Positive	Negative	Neutral	Don't know	
Age	✓				Young people benefit from early intervention; older residents benefit from reduced ASB harm.
Disability	✓				Policy prioritises vulnerable victims and safeguarding; reasonable adjustments applied.
Sex		✓			Policy applies equally regardless of sex.
Race (including GRTS)	✓				Includes response to hate crime and discriminatory ASB.
Gender reassignment	✓				Protection through hate crime / harassment response.
Sexual orientation	✓				Protection against discriminatory behaviour and victimisation.
Religion or belief	✓				Policy addresses hate incidents linked to religion.
Pregnancy or maternity		✓			No specific impact identified; general protections apply.
Marriage or civil partnership		✓			No specific impact identified.
NYC's additional characteristics					
People in rural areas	✓				Community Safety Hubs provide localised response across rural areas.
People on a low income	✓				Reduces ASB impact often disproportionately affecting deprived communities.
Carer (unpaid family or friend)	✓				Indirect benefits through improved community safety.
Are from the Armed Forces Community (including veterans)		✓			No disproportionate impact identified.
1.4 To which Part(s) of the Public Sector Equality Duties is the Policy/decision/proposal relevant? Tick and briefly describe.					
General Duties	Yes	No	Details		
Eliminate unlawful discrimination, harassment and victimisation	✓		Policy ensures fair and proportionate responses and addresses hate crime and harassment.		
Advance equality of opportunity	✓		Focus on vulnerable victims and tailored support.		
Foster good relations between different groups	✓		Community engagement and multi-agency working reduce tensions and improve cohesion.		
1.5 Decision (Please tick one option)					
Decision to recommend this policy/ decision for an Equality Impact Assessment?	Yes		No	✓	
No. Full EIA not strictly required, as impacts are predominantly positive/neutral and no significant adverse impacts identified.					

Signed (Assistant Director or equivalent)	Rachel Joyce
Date	27/05/2026

Section 2: Equality Impact Assessment

This section aims to provide a full assessment of the actual or potential impacts on specific protected characteristics, along with NYC's additional characteristics. It will also identify the proper actions to mitigate these impacts, if needed.

2.1 Evidence, Consultation and Data: What data or evidence source(s) has/ have been used to inform this assessment? Select the relevant source (s):

- Demographic data
- Service usage data
- Consultation feedback
- National/local research and report
- Expert opinion
- Others

2.2 Stakeholder Engagement: What engagement has been done regarding the proposal and what are the results?

- Who has been consulted?
- How were they consulted?
- What feedback was received?

2.3 What positive impact will this proposal have on the council budget, people, community, economic growth and environment, etc? Please explain briefly

2.4 Please briefly describe how will this proposal affect people with protected characteristics? Only those who are identified as relevant to the proposal in section 1.

Protected characteristics	Negative	Don't know	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information, etc.
Age			
Disability			
Sex			
Race (including GRTS)			
Gender reassignment			

Sexual orientation			
Religion or belief			
Pregnancy or maternity			
Marriage or civil partnership			
NYC's additional characteristics			
People in rural areas			
People on a low income			
Carer (unpaid family or friend)			
Are from the Armed Forces Community (including veterans)			

2.5 Geographic impact: Please detail where the impact will be (please tick all that apply)

North Yorkshire wide	
Craven	
Hambleton	
Harrogate	
Richmondshire	
Ryedale	
Scarborough	
Selby	

If you have ticked one or more areas, will specific town(s)/village(s) be particularly impacted? If so, please specify below.

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2.6 Will the proposal affect anyone more because of a combination of protected characteristics?
(e.g. older women or young gay men) State what you think the effect may be and why, citing evidence from Q2.1 & Q2.2, e.g. engagement, consultation and/or service user data or demographic information, etc.

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2.7 Mitigation and Actions: List the actions that will be taken to reduce or eliminate any negative impact identified above and how positive impacts will be enhanced. Briefly describe the action you defined.

Actions	Lead	By when

2.8 Monitoring and Review: If the proposal is to be implemented, how will the impact be monitored? Briefly describe the monitoring arrangements/systems that will be put in place to find out how the expected outcomes have been achieved in practice.

2.9 Conclusion: Please summarise the findings of your EIA, including impacts, recommendations in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

2.10 Sign off section

This full EIA was completed by:

Name: Paul Romans
 Job title:
 Directorate: Local Engagement
 Signature: Paul Romans
 Completion date: 27/05/2026

Authorised by relevant Assistant Director (signature): Rachel Joyce
Date: 27/05/2026

Once this has been signed off, please send it to webteam@northyorks.gov.uk for publication on the appropriate webpage.

Publication:

To help people find completed EIAs, we publish them in the Equality and Diversity section of the NY Council [website](#).

Contact details

If you need further support and guidance about carrying out EIA, please contact your directorate equality representative as listed in Stage 4 on our Intranet: [Paying due regard to equality using equality impact assessments](#) or contact North Yorkshire Council's equality team on email Equality@northyorks.gov.uk