

MEETING	Full Council
DATE	6 October 2016
TITLE	Anti-social Behaviour, Crime and Policing Act 2014
PURPOSE	Inform Council members of changes made to Constitution's Scheme of Delegation for Officers in order to implement the Anti-social Behaviour, Crime and Policing Act 2014
RECOMMENDATION	Note for information
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1. The Anti-social Behaviour, Crime and Policing Act 2014 ("2014 Act") came into force on 20 October 2014. The aim of the act is to give individuals and organisations further flexibility in tackling anti-social behaviour. The act repeals a number of old powers in various acts and replaces them with a series of new powers that are simpler and more flexible.
2. The 2014 Act introduces two new powers to local authorities which replace old powers used by officers. These new powers are the power to issue a **community protection notice** and the power to issue a **closure notice**:
 - a. The Council can serve a community protection notice on an individual, business or organisation that causes specific, persistent problems or nuisances which negatively effect on the quality of life of the community. These problems can include graffiti, rubbish and noise. There is a right of appeal. Non-compliance with the notice may lead to prosecution, the issuing of a fixed penalty notice and other sanctions.
 - b. The closure notice allows the Council to close premises quickly and up to 48 hours where the premises are used, or likely to be used, to commit crime and disorder. Following this an application may be made to the Magistrates' Court for a closure order which may last up to 6 months. Breach of either the closure notice or order is a criminal offence which may lead to prosecution.
3. On 26 July 2016 the Council Leader, Councillor Dyfed Edwards, by decision notice issued a series of changes to the Constitution's Scheme of Delegation for Officers, in order to delegate the above powers to the relevant heads of service. These changes were made pursuant to the Leader's power to amend the Scheme of Delegation for Officers in respect of executive functions, under Part 5.8.3 of the Constitution.

4. In accordance with Part 5.8.3 of the Constitution, I am required as Monitoring Officer to inform the full Council of the changes made by the Leader.

5. In the circumstances I can confirm that the Leader has amended the Scheme of Delegation for Officers by delegating to the Head of Adults the power to issue a closure notice in accordance with Appendix 1, to the Head of Highways the power to issue a community protection notice in accordance with Appendix 2, and to the Head of Regulatory the power to issue a community protection notice and closure notice in accordance with Appendix 3.

Iwan G D Evans

Head of Legal Services / Monitoring Officer

6 October 2016