

Agenda Item: 9

Meeting: Executive

Date: 23 June 2009

Subject: Flitwick Dispersal Order

Report of: Portfolio Holder for Community Safety

Summary: The report proposes that the Executive give consent to Bedfordshire Police for the implementation of a Dispersal Order in Flitwick under Part 4 of the Anti Social Behaviour Act 2003.

Advising Officer: Gary Alderson, Director Sustainable Communities

Contact Officer: Jeanette Keyte, Head of Community Safety

Public/Exempt: Public

Wards Affected: Flitwick West including Steppingley
Flitwick East

Function of: Executive

Key Decision Yes

Reason for urgency/
exemption from call-in
(if appropriate) Not applicable

RECOMMENDATIONS:

- 1. That the Executive give Bedfordshire Police consent for the implementation of a Dispersal Order in Flitwick under Part 4 of the Anti Social Behaviour Act 2003.**

Reason for Recommendations: The Dispersal Order for Flitwick gives Bedfordshire Police additional powers to address long-standing anti social behaviour issues in this area.

Background Legislation

1. Powers to disperse intimidating groups were introduced by Part 4 of the Anti-Social Behaviour Act 2003. Part 4 created a power for a senior police officer, of at least the rank of superintendent, to designate an area, with the local authority's consent, where there is persistent anti-social behaviour and a problem with groups causing intimidation, harassment, alarm or distress.

2. Within dispersal areas the police and designated police community support officers (PCSOs) have the power to:
 - disperse groups where the relevant officer has reasonable grounds for believing that their presence or behaviour has resulted, or is likely to result, in a member of the public from being harassed intimidated, alarmed or distressed. Individuals can be directed to leave the locality and may be excluded from the area for up to 24 hours.
 - Return young people under 16 home, who were out on the streets and not under the control of an adult, after 9pm if they are either:

at risk or vulnerable from anti-social behaviour, crime etc;

or causing, or at risk of causing, anti-social behaviour.
3. Before an authorisation for a dispersal order can be given the relevant officer must obtain the agreement of the local authority. Local authority for these purposes is defined for England as a district council, a unitary authority, the Common Council of the City of London or the Council of the Isles of Scilly.
4. Dispersal Orders may be made for a period not exceeding six months.
5. Once consent is obtained from the local authority the police are empowered to issue an authorisation in writing which must be publicised locally, which specifies the relevant locality, the grounds for authorisation, and the period during which the dispersal powers can be exercised, which is up to six months.

Dispersal Order Application for Flitwick

6. Bedfordshire Police have made an application for a Dispersal Order to cover the Coniston Road area of Flitwick to support a reduction in the number of incidents in the town centre area. The order has been requested for a period of six months.
7. Key areas identified in the application that attract particular problems in Flitwick are Coniston Road near to Tesco, the road next to the recreation ground, Coniston Road near to the Russell Centre shops and Bumble Bee Public House and also the area of the Village Hall car park.
8. The application indicates that the reason for the majority of calls to the police regarding anti social behaviour is linked to young people gathering in the area. Recorded police incidents for this area from early 2008 through until January 2009 total 70.
9. The application advises that public consultation and engagement with young people and adults has shown that there is concern about the groups and behaviour in the Coniston Road.
10. The application confirms that a multi-agency problem solving group has been convened in response to the problems in Coniston Road and a number of diversionary activities are currently being developed as a response.

11. The application is supported by an exit strategy for the Dispersal Order which identifies diversionary activities that will be taking place in conjunction with the Dispersal Order and once the order has expired with a view to achieving sustainable reductions in the incidents reported for this area.

Conclusion and Next Steps

13. The application and supporting documentation has been submitted to the Council in line with the requirements of Part 4 of the Anti Social Behaviour Act 2003. The Executive is asked to consider the application accordingly.

CORPORATE IMPLICATIONS

Council Priorities:

Providing consent for the Dispersal Order for Flitwick will contribute to the Council priority to create safer communities. Effective use of Dispersal Orders reduce incidents of anti social behaviour and disorder thus improving public confidence and reassurance.

Financial:

There are no financial implications for the Council.

Legal:

Provision of consent relates to Part 4 of the Anti Social Behaviour Act 2003 which requires the local authority to provide consent for the Dispersal Order.

Risk Management:

Awaiting comments.

Staffing (including Trades Unions):

No implications

Equalities/Human Rights:

The Dispersal Order is likely to promote equality of opportunity because national evidence has highlighted that certain vulnerable groups are more likely to be disproportionately affected (and even targeted) by antisocial behaviour. These groups include disabled people, older people, children, women and some ethnic groups.

Community Safety:

Section 17 of the Crime and Disorder Act 1998 requires the Council to do all that it reasonably can to prevent crime and disorder. Dispersal Orders give the police additional powers to target action in problem areas to help communities remove intimidation and anti-social behaviour such as that identified in Flitwick. The Order is also supported by additional multi-agency activities which aim to support a sustainable reduction of incidents in this area.

Sustainability:

No implications

Appendices:

Appendix A – Evidence for use in the application for a dispersal order in Flitwick

Appendix B – Map of proposed dispersal order area

Appendix C – Exit Strategy Regarding Dispersal Order in Flitwick

Background Papers (open to public inspection):

None

Location of papers: Priory House, Chicksands