



CABINET: 7 AUGUST 2002

**PORTFOLIO HOLDER:
CRIME AND DISORDER**

DELEGATION OF POWERS TO OFFICERS: ANTI-SOCIAL BEHAVIOUR ORDERS AND ACCEPTABLE BEHAVIOUR CONTRACTS.

INTRODUCTION

On 2 July 2001 the Policy and Resources accepted a recommendation from the Advisory Cabinet on protocols for the use of Acceptable Behaviour Contracts (ABC's) and Anti-Social Behaviour Orders (ASBO's) (minute 33 refers). The adoption of the protocols was subsequently endorsed by Council on 23 July 2001.

With the full introduction of Executive decision-making, the use of ABC's and ASBO's falls within the remit of the Crime and Disorder Portfolio Holder.

The Council has now been operating the protocols for a year, and has strengthened its commitment, and immediate hands-on expertise through the employment of an Acceptable Behaviour Contract Co-Ordinator. The successful use of ABC's has so far obviated the need to serve any ASBO's, although this option has been considered in some cases.

In the light of experience, and to bring the operating procedures in line with the other regulatory and enforcement functions operated by the Council, it would now be opportune to delegate powers to the officers to be able to enter into ABC's, and to apply to the Courts for as ASBO. The ABC's are informal, low-key, documents and are strictly "operational" in nature. The decision on whether to proceed with an ASBO is largely technical in nature, based on whether sufficient strength of evidence is available, and the benefits of making such application. In other, similar, enforcements functions it is the common practice for the power to be delegated to the officers. Key members are normally kept informed of developments, informally, from a fairly early stage.

CRIME AND DISORDER AND ENVIRONMENTAL IMPLICATIONS

None arising directly from this report

FINANCIAL IMPLICATIONS

The efficient use of delegated powers reduces the Council's costs in carrying out its functions.

RECOMMENDED

That powers to act be delegated to the officers as set out in Appendix 1 to this report

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Background Papers
Published Documents

APPENDIX 1

Source	Power Delegated	Delegation to
Local Government Act 2000, s.15	To sign Acceptable Behaviour Contracts	Assistant Director (Environmental Health), or Assistant Director (Housing Landlord Services), or Assistant Director (Housing Strategic Services), or Senior Environmental Health Manager (Environmental Protection), or Housing Improvement Manager, or Environmental Health Manager (Commercial), or Senior Environmental Health Officers, or Environmental Health Officers, or Acceptable Behaviour Contracts-Co-Ordinator, or the Community Safety Officer, or Housing Estates Manager, or Senior Housing Officer, or Housing Officers, or Head of Legal Services or Solicitors
Crime and Disorder Act 1998, s1	To apply for an Anti-Social Behaviour Order	Head of Legal Services, or Solicitors, in consultation with Director of Community Services, or Assistant Director Environmental Health, or Assistant Director (Housing Landlord Services), or Assistant Director (Housing Strategic Services, and the Chief Officer Hampshire Constabulary