

## Community Safety Policy

### 1. Aim

The aim of this policy is to state Dover District Council's approach to Community Safety, which includes tackling anti-social behaviour.

### 2. Scope

Community Safety includes operation and enforcement. Community Safety is a generic term and includes anti-social behaviour, crime and disorder. Under S.17 of the Crime and Disorder Act 1998 Dover District Council has a duty to exercise its various functions with due regard to the likely effect on crime and disorder in its area.

### 3. Authorisations

In accordance with the Council's constitution, the Community Safety, CCTV and Parking Manager has a duty to appoint officers with suitable qualifications, experience and level of competency to enforce, or, to ensure that appropriate officers are trained to the required level to undertake an enforcement role..

Authority to exercise executive functions in relation to Community Safety has been delegated to the Community Safety, CCTV and Parking Manager as detailed in the Council's Constitution.

### 4. General Principles

When carrying out actions relating to Community Safety it is important that the Council works within the statutory framework set out and that it follows best practice and procedure.

In particular, the Council is committed to acting in a fair and consistent manner and has adopted this Community Safety policy as part of this commitment. When exercising its functions, the Council will act in such a way which is

- transparent;
- accountable;
- proportionate;
- consistent;
- targeted only at cases in which action is needed

The relevant criminal legislation underpinning this strategy is

- Anti Social Behaviour Act 2003
- Crime and Disorder Act 1998
- Clean Neighbourhood and Environment Act 2005
- Violent Crime Reduction Act 2006

Account has also been taken of:

- Dover District Councils Overarching enforcement strategy
- Advice from CPS
- Home Office COPS and Guidance
- Human Rights Act 1998
- Police and Criminal Evidence Act 1984
- Criminal Procedures and Investigations Act 1996
- Regulation of Investigatory Powers Act 2000
- Data Protection Act 1998
- Freedom of Information Act 2000
- The Protection of Freedoms Act 2012

Dover District Council has also produced an Anti Social Behaviour Charter (Appendix A), together with an agreement on primacy on joint investigations (Appendix B) which details our commitment to our communities.

## 5. Interventions and Enforcement

Dover District Council adopts a robust stance in tackling anti-social behaviour and associated issues, as feeling safe is frequently cited as one of the main issues affecting our communities and making the district a safe place to live, work and visit.

In all investigations the emphasis will be on achieving a speedy resolution which is acceptable to all parties without the need to pursue legal remedy. Whilst Dover District Council do not have the power of arrest, we work closely with the police and all investigations relating to matters covered by this policy are jointly investigated which enables the full range of available enforcement powers to be utilised, including arrest.

After considering all relevant information one or more of the following courses of action shall be taken:

- no action
- informal action (verbal or written)
- fixed penalty notice
- seizure
- caution
- prosecution
- injunction
- crack house closure
- premises closure

- alley gating
- drink banning order
- anti-social behaviour order
- dispersal area
- S.27 VCRA 2006 notice

Not all of these options are available in every case. This underlines the need to consider powers available under each piece of legislation individually.

In making any decision on enforcement, officers will consider the following criteria:-

- the seriousness of the offence
- the offender's past history
- consequences of non-compliance
- the known or likely public benefit of the chosen enforcement action
- the willingness of the offender to prevent a recurrence and in the case of a business, the confidence in management
- the likely ability of any witnesses to give evidence and their willingness to co-operate
- the Crown Prosecution Service's Code of Practice for Crown Prosecutors

#### 6. Policy monitoring

To ensure compliance with this policy, the activities of the Community Safety Unit will be monitored regularly by the Community Safety, CCTV and Parking Manager and are subjected to a regular audit process.

This policy will be reviewed annually by the Community Safety, CCTV and Parking Manager.

#### 7. Training and Development

Appropriate resources will be made available for training officers to enable them to successfully carry out their duties within this policy

#### 8. Equality impact assessment

This Policy falls within the Overarching Enforcement Strategy Equality Impact Assessment