



To: West/Central Area Committee  
Report by: The Director of Community Services  
Wards affected: Market ward

## 1. Executive summary

- 1.1 This report seeks to gauge opinion from the West/Central Area Committee on the possible implementation of a Dispersal Order under section 30 of the Anti-social Behaviour Act 2003 to cover the historic centre of the City.
- 1.2 The attached report from Cambridgeshire Constabulary considers the merits of implementing such an Order given the current levels of disorder in the City Centre caused by members of the streetlife community.
- 1.3 Both the Leader of the City Council and the Police recognise the desirability of a clearer consultation process with members of the public and stakeholders prior to introducing, renewing or revising a s. 30 Dispersal Area. This prior consultation with the Area Committee is part of this improved pre-scrutiny process.

## 2. Recommendations

- 2.2 That the views of the Area Committee are use to inform the Leader of the City Council, prior to a formal submission from the Constabulary to the Council and any decision being taken.

## 3. Background

- 3.1 A Dispersal Order is implemented under section 30 of the Anti-social Behaviour Act 2003. A Dispersal Order provides the police with powers, in a designated area, to disperse groups of two or more where their presence or behaviour has resulted, or is likely to result, in members of the public being harassed, intimidated, alarmed or distressed.
- 3.2 The Leader of the Council can give approval to an Order but any approval must be reported to the next available meeting of the Strategy & Resources Scrutiny Committee. However, prior to this the

Leader is keen that the views of Members, the Area Committee, and others with an interest are taken into account.

- 3.3 A Dispersal Order was in place in the City Centre from 8<sup>th</sup> October 2007 until 6<sup>th</sup> April 2008. This Order covered the Market Hill, Sidney Street and the King's Parade locality. It was in place primarily to address the issues of behaviour of the streetlife community. This was seen at the time as a short-term measure.
- 3.4 Such was its success in reducing the drink related problems that there was no evidence to justify its renewal thereafter. It was also felt that any residual issues could be dealt with under other legislation such as the Violent Crime Reduction Act 2006 and the Public Order Acts.
- 3.5 The proposal to implement a further Dispersal Order in City Centre is still at an early stage, the full package of analysis to determine whether or not sufficient evidence exists to satisfy the legal requirements for an Order to be made, is still taking place. However, a recent consultation with retailers and traders shows considerable support for such a measure to be introduced. Once the analysis is completed it will be made available. However, an early indication as to the proposed area for the Order is included as part of the attached Police report. If an Order is subsequently approved, notification of its terms will be circulated quickly to interested parties via email and the police e-cops system.
- 3.6 Views from the West/Central Area Committee are requested to help both identify whether there is support for a Dispersal Order prior to any formal request from the Police to the Leader of the Council.
- 3.7 Views subsequent to the West Central Committee meeting should be sent to the author by no later than Monday 22<sup>nd</sup> February 2010. Please see contact details below.

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## **Streetlife Anti-Social Behaviour – Market Ward**

### **Consultation on Section 30 Dispersal Powers Under The Anti-Social Behaviour Act 2003**

#### **Purpose:**

The purpose of this paper is to prompt discussion concerning the impact and resolution of unacceptable behaviour attributable to persons adopting a 'streetlife' existence in Market Ward.

#### **Background:**

Cambridge has been nationally recognised as having a modern and effective approach to tackling issues of streetlife behaviour. Balancing engagement with services and accommodation provision with robust enforcement measures to tackle persistent unacceptable behaviour, where appropriate, is a model of good practise.

As one of the first local authorities in the country to use dispersal powers to manage problematic groups, Cambridge has seen a significant reduction in reported incidents and crimes in areas where such powers exist or have been used. However, recent findings suggest the positive break-up of large anti-social groups in City East has seen displacement into other parts of the city.

#### **Displacement to Market Ward**

Analysis of calls made to the constabulary, crimes recorded and comments expressed by officers and partners suggest that displacement has occurred into Market ward, notably in the Grafton area and the historic city centre. Market Square, Sidney Street, Sussex Street and the Round Church are areas currently cited as experiencing problems.

In a recent survey of traders operating in the historic city centre 78% felt there had been an increase in ASB with almost 70% linking this to behaviour to members of the Streetlife Community. Begging, intimidating behaviour, abusive language and street drinking were of greatest concern with 85% of those surveyed concerned about public drinking by the groups and resultant

drunken behaviour: Of those surveyed 87% support the introduction of dispersal powers in the area.

In December 2009, streetlife anti-social behaviour in the Grafton and historic city centre was adopted as a neighbourhood priority by the West Area Committee.

### **“Section 30” – In Practice**

Section 30 of the Anti-Social Behaviour Act 2003 allows police officers and police community support officers (PCSO) to disperse groups of two or more persons gathering in a public space whose behaviour is anti-social. Officers specify the area to be vacated in accordance with the order.

Failure to comply or returning to the area within 24 hours of being dispersed may result in arrest. Dispersal can only take place in an area approved by the local authority following application by the police and consultation with other parties.

Whilst other powers exist e.g. Section. 27 of the Violent Crime Reduction Act 2006, they cannot be implemented by PCSOs.

### **Human Rights**

All individuals have a right to meet and socialise in public spaces, but where behaviour is such as to disproportionately affect the right the rights of others, then there may be a case for intervention to protect those adversely affected.

Under the Human Rights Act, the use of policing powers must always be: Necessary, Proportionate, Lawful and Accountable.

### **Next Steps**

More detailed analysis of incidents, crimes and feedback from the Market Ward needs to take place to ensure effective measures can be introduced to address the problem. The police seek community feedback to help inform decision making.

Inspector Steve Kerridge  
Sector Commander – Cambridge City  
Cambridgeshire Constabulary