

Anti-social behaviour powers provisions under Anti-social behaviour, Crime and Policing Act 2014

Appendix 2

Power	New/existing power	Purpose	Applicants	Test	Penalty on breach	Appeal
Closure Power	Existing power but modified	To allow the Police or Council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder.	Police, Council	Satisfied that the use of particular premises has resulted or is likely soon to result in nuisance to members of the public or that there has been or is likely soon to be disorder near those premises associated with the use of those premises, and that the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.	Criminal offence - unlimited fine or prison	Appeal to the Crown Court
Community Protection Notice	Existing power but modified	To stop a person, business or organisation committing anti-social behaviour which spoils the community's quality of life.	Police, Council, Designated Social Landlords	The conduct of the individual, business or organisation is having a detrimental effect on the quality of life of those in the locality, is persistent or continuing in nature and is unreasonable.	Criminal offence - fine	Appeal to the Magistrates Court
Criminal Behaviour Order	Existing power but modified	To deal with a wide range of anti-social behaviours with the aim to tackle the most serious and persistent offenders and available on conviction for any criminal offence.	CPS	Offender has engaged in behaviour that caused, or was likely to cause, harassment, alarm or distress to one or more persons and that making the order will help in preventing the offender from engaging in such behaviour.	Criminal offence - fine and or prison	Appeal to the Crown Court
Civil Injunction	Existing power but modified	To stop or prevent individuals engaging in anti-social behaviour quickly before they escalate.	Police, Council, Housing Provider, NHS, Environment Agency	Evidence to the civil standard of proof that the respondent has engaged in, or is threatening to engage in, conduct capable of causing nuisance or annoyance to another person.	Contempt of Court - fine or prison	Appeal to Crown Court
Police Dispersal Power	Existing power but modified	Requires a person committing or likely to commit anti-social behaviour, crime or disorder to leave an area for up to 48 hours.	Police	Reasonable grounds to suspect that the behaviour of the person has contributed or is likely to contribute to members of the public in the locality being harassed, alarmed or distressed or to crime and disorder occurring in the locality. Giving a direction to the person is necessary for the purpose of removing or reducing the likelihood of anti-social behaviour, crime or disorder.	Criminal offence - fine and or prison	Appeal to Police
Public Spaces Protection Order	Existing power but modified	To stop individuals or groups committing anti-social behaviour in a public space.	Council after consultation with Police and Crime Commissioner and Police	The activities carried out have had, or are likely to have a detrimental effect on the quality of life of those in the locality, is likely to be persistent or continuing in nature, is unreasonable and justifies the restrictions imposed.	Criminal offence - fine	Appeal to High Court by anyone who lives in or regularly works or visits the area subject to PSPO.