

---

MEETING	DECISION SESSION - CABINET MEMBER FOR CRIME AND COMMUNITY SAFETY
DATE	1 NOVEMBER 2011
PRESENT	COUNCILLOR FRASER (CABINET MEMBER)

---

## 16. **DECLARATIONS OF INTEREST**

At this point in the meeting the Cabinet Member was invited to declare any personal or prejudicial interests he might have in the business on the agenda. None were declared.

## 17. **MINUTES**

RESOLVED: That the minutes of the last meeting of the Crime and Community Safety Decision Session held on 4 October 2011 be approved and signed by the Cabinet Member as a correct record.

## 18. **PUBLIC PARTICIPATION - DECISION SESSION**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

## 19. **PUBLIC CONSULTATION ON A NEW MANDATORY POWER OF POSSESSION FOR ANTI-SOCIAL BEHAVIOUR**

The Cabinet Member considered a report that presented him with details of government consultation on proposals to strengthen the sanction landlords had to evict tenants who have committed serious anti-social behaviour (ASB).

It was reported that the main changes proposed were:

- Courts could grant possession where a tenant or member of their household had been convicted of violence against property, violence against persons at a scene of violent

disorder or theft linked to violent disorder. There would be no requirement that the offence had been committed within the locality of the dwelling house.

- Power to evict for serious, housing related anti-social behaviour proven by another court.
- Powers limiting the court to suspend a possession order.

Officers confirmed that the most controversial element of the proposals were the widening of existing powers to apply for repossession on issues of ASB and criminality that had not necessarily happened in the locality of the tenants residence. Officers pointed out that, although these powers were a welcome addition, they would only be used as a final resort with less punitive measures being used to try and resolve problems.

It was reported that this report had also been considered by the Cabinet Member for Housing and Adult Social Services at her Decision Session on 25 October, at which time she had endorsed the proposed response but flagged up the issue of proportionality.

The Cabinet Member confirmed that he also welcomed the proposals which gave clearer timescales. He did however have concerns at anomalies in the proposals which included the lack of equality between owner occupiers and the tenants of social landlords and the affects on families and younger siblings when an adult child was convicted of an offence.

Following further discussion it was

**RESOLVED:** That the Cabinet Member endorses the response at Annex 1 of the report to the consultation document on the new mandatory power of possession for anti-social behaviour.  
1.

**REASON:** To offer City of York Council's views on the consultation paper.

#### Action Required

1. Forward consultation response.

TB

## 20. SALES OF AGE RESTRICTED PRODUCTS

The Cabinet Member considered a report which detailed the work undertaken by the council's trading standards service to prevent the illegal sales of age-restricted products.

It was reported that the products regulated with age-restrictions included alcohol, fireworks, certain video games, cigarettes, knives, aerosol paint and solvents. The results of test purchasing activity for the period 2007-2011 together with details of the qualifying criteria for the Responsible Retailer Scheme were also set out in the report at Annexes 1 and 2.

In answer to questions, officers confirmed that the number of test purchasing visits had been scaled down following the use of targeted grants. It was pointed out that, with limited resources, it had been felt that the best way to reduce underage sales of alcohol was to undertake proactive work with shop owners which it was considered had a longer term impact.

The Cabinet Member thanks officers for their report and details of activity in this area.

RESOLVED: That the Cabinet Member notes the report and agrees Option 1 to approve the programme of enforcement action for the next 12 months as set out at paragraph 4.<sup>1</sup>

REASON: So that the council can meet its obligations.

### Action Required

1. Continue with the programme of education and enforcement action.

CR

CLLR S FRASER, Cabinet Member  
[The meeting started at 4.30 pm and finished at 4.45 pm].