

**AUTHORISATION in respect of SECTION 30
(sub-sections 3 to 6) OF THE
ANTI-SOCIAL BEHAVIOUR ACT 2003
Police Powers**

(3) Subsection (4) applies if a constable in uniform has reasonable grounds for believing that the presence or behaviour of a group of two or more persons in any public place in the **relevant locality** has resulted, or is likely to result, in any members of the public being intimidated, harassed, alarmed or distressed.

- (4) The constable may give one or more of the following directions, namely-
- (a) a direction requiring the persons in the group to disperse (either immediately or by such time as he may specify and in such a way as he may specify),
 - (b) a direction requiring any of those persons whose place of residence is not within the relevant locality to leave the relevant locality or any part of the relevant locality (either immediately or by such time as he may specify and in such way as he may specify), and
 - (c) a direction prohibiting any of those persons whose place of residence is not within the relevant locality for such period (not exceeding 24 hours) from the giving of the direction as he may specify;

(6) If, between the hours of 9pm and 6am, a constable in uniform finds a person in any public place in **the relevant locality** who he has reasonable grounds for believing-

- (a) is under the age of 16, and
- (b) is not under the effective control of a parent or a responsible person aged 18 or over,

he may remove the person to the person's place of residence unless he has reasonable grounds for believing that the person would, if removed to that place, be likely to suffer significant harm.

(2) A person who knowingly contravenes a direction given to him under section 30 (4) commits an offence and is liable on summary conviction to-

- (a) a fine not exceeding level 4 on the standard scale, or
- (b) imprisonment for a term not exceeding 3 months,

or to both

(3) A constable in uniform may arrest without warrant any person he reasonably suspects has committed an offence under subsection (2)

(4) Where the power under section 30(6) is exercised, any local authority whose area includes the whole or part of the relevant locality must be notified of that fact.

These powers are also conferred on Police Community Support Officers (PCSO's). The power of arrest in this case is a power to detain, until the arrival of a Police Constable.

NORTHAMPTONSHIRE POLICE

NORTHERN AREA

OPERATIONAL ORDER NO: 44 / 2004

Operation "VAMOOSE"

1 INFORMATION

- 1.1 Anti-social behaviour in Kettering Town Centre has reached an unacceptable level. During the period 1 Nov 2003 to 30 Sept 2004 there were 984-recorded incidents of Anti-social behaviour on St. Mary's Ward NK01 in which the Town Centre is located.
- 1.2 The incidents were predominantly of a violent nature and often alcohol related. Of great concern is that 111 of the incidents related to Juvenile Nuisance.
- 1.3 Historically, during the six weeks leading up to Christmas Kettering Town Centre experiences a large increase in the day and nighttime economy. Late night shopping attracts increased youth activity and Anti-social behaviour, it is common for youths to congregate in large groups and roam the streets spraying silly string at shoppers and disturbing businesses.
- 1.4 Many local residents and businesses have been repeat victims of crime and will cite police inability to deal with such incidents as being responsible for a lack of public confidence.
- 1.5 As a proportionate response to these incidents, a dispersal order has been authorised under section 30 of the Anti Social Behaviour Act 2003 to deal with these issues within the area of Kettering Town Centre. This authorisation has been granted for a period of three months running from 7 November 2004

The dispersal order under section 30 of the Anti Social Behaviour Act 2003 is in operation 24 hours a day therefore positive action should be taken by officers at all times during the authorised period

2 INTENTION

- 2.1 To reduce Criminal and Anti-Social activity in the area of Kettering by Town Centre.
- 2.2 To offer reassurance to local residents, businesses and persons using the Town Centre through high visibility patrolling, covert operations and positive action.
- 2.3 To gather local intelligence on persons committing crime and Anti-Social acts in Kettering

- 2.4 To identify and arrest offenders who breach the conditions of the dispersal order.

3 METHOD

- 3.1 To provide a highly visible police presence within the Dispersal Order zone on foot patrol supported with marked police vehicles.
- 3.2 To direct persons in any group of two or more who it is believed have or are likely to cause members of the public harassment, alarm or distress to disperse from within the zone in any way deemed by the Officers to be appropriate.
- 3.3 To direct persons who it is believed have or are likely to cause members of the public harassment, alarm or distress whose place of residence is not within the locality to leave the designated area.
- 3.4 To direct persons and thereby prohibit them from returning to the locality for such a period not exceeding 24hours.
- 3.5 To remove to his or her place of residence any person who is believed to be under 16 years of age and is not under the effective control of a responsible person over 18 between the hours of 9pm and 6am.
- 3.6 To respond positively to incidents of anti-social behaviour allocated by the IMC on Kettering Town Centre. (Officers should be aware of Operation Leisure, which relates to the Policing of Kettering Town Centre on Friday and Saturday Nights. Between the Hours of 1900 and 0300 on these nights the Town Centre is a designated ZAP ZONE).

4 ADMINISTRATION

- 4.1 Operation to be coordinated by PS 365 Byrne, CAT Kettering, (6087) and will commence on 7 November 2004 to run for three months until 7 February 2005.
- 4.2 Upon giving a verbal warning to persons congregating within the dispersal zone, officers will be required to obtain names and addresses of persons prior to dispersal. This recording process is a legal requirement within the act. These details should be completed on the appropriate force form (on intranet) and e-mailed to PS365 Byrne.
- 4.3 Officers will also be required to record details of persons aged under 16 years who are returned to their place of residence after 9pm from within the dispersal zone. Details to be recorded on force form and e-mailed to PS 365 Byrne after each tour of duty.
- 4.4 Following any arrests, prisoners are to be escorted to Corby or Kettering Police Station and processed by the arresting officer or PIU. However, subject to circumstances, usual handover procedures will apply.
- 4.5 Any intelligence gathered should be cross-referenced Operation VAMOOSE.

5 RISK ASSESSMENT

5.1 Generic risks apply with regards to this type of police work.

Control measures include:

- Officers to be UDT trained in accordance with force policy and to comply with current force UDT procedures.
- Officers have access to wet weather and high visibility clothing.
- Officers have personal issue radios and appointments appropriate for their individual role.
- PCSO's should be distinguishable from Police Officers

If patrolling after 1600hrs, officers should make full use of PPE including body armour as supplied.

6 COMMUNICATIONS

6.1 Radios – Channel 21 through FHQ control room

6.2 FHQ control room to be notified of officers commitments via booking on system

7 HUMAN RIGHTS

7.1 Provisions of the Human Rights Act have been considered in the planning of this Operation. The policies and measures adopted are proportionate, legal, accountable, necessary and justified.

I McNeill
Chief Superintendent

DISTRIBUTION:

Chief Superintendent McNeill
Chief Inspector Doran
Inspector Aistrop
PS488 Campbell
Inspector Gosling
Control Room - NC/FHQ
Northern Area Planning Office
CAT Kettering
PC Chisholm – ASBO
Northern Area Briefing File

PS 365 Byrne
28/10/2004

No 44/04

KETTERING TOWN CENTRE DISPERSAL ZONE

