



Bollington

TOWN COUNCIL

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Section 17 of the Crime and Disorder Act 1998

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This version of the document supersedes any previous versions.

Table 1 Document Version Control

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Bollington Town Council has a duty to consider the impact of all their functions and decisions on crime and disorder in their local area, under Section 17 of the Crime and Disorder Act 1998. We exercise our powers to deliver services, in order to comply with Section 17.

As the most 'grassroots' level of government, parish and town councils are in an ideal position to represent the views of their communities and ensure that local crime reduction strategies represent those views.

The Town Council pay through their precept for crime and disorder reduction by supporting the funding of a Police Crime Support Officer to work within the town. The Officer provides regular updates to the Town Council every month and regularly attends meetings to liaise with decision making.

The Act introduces a partnership approach to local crime reduction; town and parish councils should be partners in that process. The Act also imposes certain duties on town and parish councils to consider crime and disorder reduction in everything they do. The Crime and Disorder Act 1998 advocates the use of a holistic approach to crime and disorder and highlights the establishment of a new modernising and radical agenda. It seeks to encompass the two functions of crime prevention and community safety. The Act introduces, for the first time, a framework for partnership working at a local level and places a statutory 'duty' on the police and local authorities to work together with key partners and agencies in partnership to formulate and implement local crime reduction strategies.

Examples

The intervention with disorderly behaviour at a local public house and after listening to several complaints the Town Council became involved with the police and the landlord was removed due to not acting lawfully.

The police report is circulated monthly both to Councillors and the public in an enclosure pack on the website. This then leads to influenced decision making by the Town Council.

The Town Council made a decision to pay for extra CCTV to cover the recreational ground and the public toilets due to vandalism and anti-social behaviour.

The Transport & Travel working Group make recommendations for a police presence following data produced by our Speed Display Unit.

Section 5(2) of the Crime and Disorder Act 1998

In exercising those functions, the responsible authorities shall act in co-operation with the following persons and bodies namely:

- a) Every police authority, any part of whose police area lies within the area of Bollington.
- b) Every probation committee or health authority, any part of whose area lies within the area.

- c) Every person or body of a description which is, for the time being, prescribed by order of the Secretary of State under this subsection.
- d) And it shall be the duty of those persons and bodies to co-operate in the exercise by the responsible authorities of those functions.

Examples

The Town Council liaises with Middlewood Partnership and regularly attends meeting, one of our Councillors chairs the patient partnership group. There was a peak in suicides and the Town Council reached a decision to improve awareness and improved their website with information links.

Section 17 of the Crime and Disorder Act 1998

- a) 'Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
- b) The greatest significance of Section 17 is the placing of ownership and responsibility for crime reduction beyond the police and on to a range of agencies. Section 17 has given these agencies a statutory responsibility to ensure that crime and disorder reduction is given the same importance in the decision-making process as other statutory responsibilities. Crime and disorder should not be seen as secondary consideration when making decisions.
- c) Town and parish councils, therefore, must consider the impact on crime and disorder when undertaking their daily functions and services. This includes not only positive impacts but also negative impacts. This is especially important when considering financial measures.
- d) Compliance with Section 17 demonstrates the commitment and willingness of the local authority agents to address crime and disorder issues. However, non-compliance could instigate a legal challenge from the courts for failure 'to do all that it reasonably can to prevent crime and disorder in its area'.
- e) Local authorities have the power, as commissioning bodies, to delegate work to parish and town councils (agency powers). This does not mean, however, that legal responsibilities are transferred across to the town or parish council. Both the local authority and the town or parish council assume responsibility, both in terms of their contractual obligation and duty under Section 17 to do all that they reasonably can to prevent crime and disorder in their area.

Conclusion

Bollington Town Council makes decisions both through Committees and Full Council that consider crime and disorder within the town depending on the information they have available at the time in question. They endeavour to communicate with the youth, ethnic minorities, local businesses and local residents.