

EAST AYRSHIRE COUNCIL

IRVINE VALLEY LOCAL COMMITTEE – NOVEMBER 2003

ACCEPTABLE BEHAVIOUR CONTRACTS AND UNACCEPTABLE BEHAVIOUR NOTICES

Report by Director of Homes and Technical Services

1. PURPOSE OF REPORT

- 1.1** To report to the Committee on the introduction of a 12 month Pilot Scheme in Irvine Valley on the use of Acceptable Behaviour Contracts (ABC's) and Unacceptable Behaviour Notices (UBN's).

2. BACKGROUND

- 2.1** The Committee requested at their last meeting on 17 September 2003 that a report be presented on Acceptable Behaviour Contracts and Unacceptable Behaviour Notices to this Committee.
- 2.2** ABC's are complimentary to Anti-Social Behaviour Orders rather than an alternative. The aim of the Contract is to make people personally responsible for their actions. ABC's are not legally enforceable and a perpetrator cannot be compelled to enter into such an agreement.
- 2.3** ABC's can be used in respect of anti-social adults or juveniles (children aged between 8 and 15) irrespective of their housing tenure. If the Contract involves a person who is under 16 years of age then in addition to obtaining his/her agreement and signature the agreement and signature of the young person's parent or guardian is also obtained. It is envisaged that an ABC will only be offered to the perpetrator of an anti-social act on one occasion and that being when there is sufficient evidence to prove that he or she was responsible for the conduct. In the case of an adult who subsequently breached the Agreement, the Contract would be used as part of a body of evidence to proceed with an application for an Anti-Social Behaviour Order or an Eviction Order.
- 2.4** An ABC aims to make individuals stop and think about what they are doing and let them choose between what is right and wrong.
- 2.5** An Unacceptable Behaviour Notice (UBN) is complimentary to ASBO's and are an alternative to ABC's where the person responsible for the anti-social behaviour declines to be party to an ABC. The aim of the Notice is to make people personally aware of their actions and the consequences should they continue with the anti-social behaviour.

3. CURRENT POSITION

- 3.1** The Department of Homes and Technical Services in partnership with Strathclyde Police have introduced a pilot scheme covering a number of communities in the Irvine Valley Area to study the effectiveness of ABCs and UBNs in dealing with anti-social behaviour.
- 3.2** The pilot commenced on 1st September 2003 with the full support of the local Police working in the Irvine Valley.
- 3.3** To date one ABC has been signed and agreed between the Council, Strathclyde Police and an individual residing in a Valley Town.
- 3.4** An additional three cases are being reviewed where it is believed that an ABC would be appropriate given the anti-social behaviour of the individuals concerned.

4. FINANCIAL IMPLICATIONS

- 4.1** None.

5. POLICY IMPLICATIONS

- 5.1** The introduction of ABCs and UBNs has been incorporated into the Anti-Social Behaviour Policies of the Department of Homes and Technical Services.

6. LEGAL IMPLICATIONS

- 6.1** None.

7. RECOMMENDATIONS

- 7.1** It is recommended that:
 - (i) The Committee note the contents of this Report.

James Lavery
Director of Homes and Technical Services
22 October 2003

LIST OF BACKGROUND PAPERS

- 1. Departmental Neighbour Disputes Manual

For further information please contact John Pickering, Area Manager (Kilmarnock and Irvine Valley Area) on 01563-554656.