

# Public Document Pack



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9 October 2014

Dear Councillor

**GENERAL EXCEPTION NOTICE: (GE06 14) ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

Please find attached a General Exception notice for a Key Decision that is due to be taken by Cabinet on 3 November 2014 but which does not appear in the Notice of Forthcoming Key Decisions. Under the General Exception procedure, this decision may still be taken provided 5 clear days' notice has been given.

Members of the public who require further information are asked to contact Kate Batty-Smith on 01304 872303 or by e-mail at [kate.batty-smith@dover.gov.uk](mailto:kate.batty-smith@dover.gov.uk).

Yours sincerely

A handwritten signature in cursive script that reads "Kate Batty - Smith".

Democratic Support Officer

ENCL

1 **GENERAL EXCEPTION NOTICE: (GE06 14) ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014** (Pages 2 - 3)



|  |                |
|--|----------------|
| <b>DEMOCRATIC SUPPORT<br/>SECTION ONLY</b> |                |
| Decision No:                               | <u>GE06</u>    |
| Publication Date:                          | <u>9/10/14</u> |

## General Exception

Pursuant to the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

### Notice of Key Decision

**A: Decision to be taken and by whom**

To note the implementation of the Anti-Social Behaviour, Crime and Policing Act 2014 and to agree the appropriate delegated authorities.

The decision will be taken by Cabinet at its meeting to be held on 3 November 2014.

This is a Key Decision which has not been included within the Notice of Forthcoming Key Decisions, but which must be taken by such a date that it is impracticable to defer the decision until 28 days after the next Notice is published.

**B: Reasons why this Key Decision was not included in the Notice of Forthcoming Key Decisions and why it would not be practicable to defer the decision**

The Act received Royal Assent on 13 March 2014. Initial guidance issued in October 2013 was subsequently replaced in August 2014. Since then research into the implications has been taking place and staff trained. The Commencement Order was made on 24 September 2014 stating that the provisions of the Act would come into effect on 20 October 2014. On 29 September 2014 formal notification was received that the introduction of one provision (civil injunctions) would be delayed until January 2015 at the earliest although the remaining provisions would still come into effect on 20 October 2014. Late notification and alterations resulted in this Key Decision not being included in the Notice of Forthcoming Key Decisions.

It is not practicable to defer the decision as the provisions come into effect on 20 October 2014. Dover District Council would wish to be in a position to be able to use the new powers in relevant circumstances to the benefit of our communities at the earliest opportunity.

**C: List of documents submitted to the decision-maker**

Report to Cabinet of 3 November 2014.

**D: Part of the Constitution authorising the decision**

Rule 15 (General Exception Procedure) of the Access to Information Procedure Rules (Part 4 – Rules of Procedure).

- Notice must be given in the first instance to the Chairman of the relevant Scrutiny Committee

- The General Exception procedure allows a Key Decision which has been omitted from the Notice of Forthcoming Key Decisions to be taken, provided 5 clear days has elapsed between informing the Chairman of the relevant Scrutiny Committee and making a copy of this notice available to the public (on the website and displayed in the Council Chamber lobby), and the decision being taken.
- Subject to any prohibition or restriction on their disclosure, copies of, or extracts from, documents submitted to the decision-maker in relation to the decision may be requested from the address given below. In addition, the public may submit other documents relevant to the decision to the same address.

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