

REPORT TITLE

**Breach of Criminal Anti Social Behaviour Order
Outcome of prosecution proceedings against Mrs Julie
Griffiths, 123 Church Street, Butt Lane**

Submitted by:

(Environmental Protection Team Manager – Darren Walters)

Portfolio:

Environmental Health

Ward(s) affected:

Butt Lane

Purpose of the Report

To advise Committee of the outcome of legal proceedings taken by the Staffordshire Police in relation to breaches of a Criminal Anti Social Behaviour Order secured on the back of a prosecution for breach of a noise abatement notice

Recommendations

- 1. That the report be received**

Reasons

To act as deterrent to the creation of noise nuisance within the Borough and to raise the profile of partnership working across the Borough

1. Background

At a meeting of the public protection held on the 4th February 2013, members were advised of the outcome of prosecution proceedings against Mrs Julie Griffiths of Church Street Butt Lane. In respect of 47 breaches of a noise abatement notice served under the provisions of Part III of the Environmental Protection Act 1990.

Mrs Griffiths was subsequently fined £500 (maximum fine of £5000 for each offence) with a £15 victim surcharge and £250 costs awarded to the Council. The Chair of the Magistrates' bench advised Mrs Griffiths that should she be brought before the bench again for similar offences, that on conviction she would be likely to be fined a minimum of £500 for each single occurrence of noise nuisance.

Following the conviction, an immediate application was made for a Criminal Anti Social Behaviour Order (CRASBO). This was granted by the court for a period of five years and prohibits Mrs Griffiths from engaging in behaviour or conduct likely to cause nuisance, disturbance, alarm or distress; create audible noise in neighbouring properties or to shout, scream or bang on internal walls. Additionally she cannot contact or communicate with named individuals. Should Mrs Griffiths breach the CRASBO she risks arrest and on conviction, imprisonment for up to five years.

This case and its outcome have since received significant press coverage in the local and national newspapers and has generated significant public interest as a result.

2. Issues

Further issues of alleged noise nuisance have been reported to both Staffordshire Police and the Council's Environmental Protection Team which have been investigated and determined by Staffordshire Police to be a breach of the CRASBO conditions. Evidence was also provided by Council officers concerning conversations and correspondence with Mrs Griffiths concerning

complaints postdating her previous court appearance. Mrs Griffiths' was subsequently charged by Staffordshire Police with an offence relating to the breach of the CRASBO. There was a further breach shortly afterwards for which resulted in Mrs Griffiths being arrested and charged with an additional offence relating to the breach of the CRASBO.

Breach of a CRASBO is a criminal offence. The maximum penalty is 5 years imprisonment for an adult or a 2 year Detention and Training Order for juveniles, 12 months of which is custodial.

On the 12th September 2013, Julie Griffiths appeared before Newcastle under Lyme Magistrates' Court and pleaded guilty to one breach of the CRASBO in respect of shouting and door slamming. She was subsequently convicted and has received a 12 month conditional discharge.

This case has once again received significant coverage from the national and international news media.

It is considered that this case is an example of partnership working between the Police and Borough Council achieving positive results in the affected community. It also demonstrates to residents that the Council and its partners will take appropriate action within the law to tackle persistent nuisance and antisocial behaviour.

3. **Reasons for Preferred Solution**

None – For information only

4. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

The action taken achieves the following priorities within the Sustainable Community Strategy and the Council's corporate priorities:

- creating a cleaner, safer and sustainable Borough
- creating a Borough of opportunity

5. **Legal and Statutory Implications**

None

6. **Financial and Resource Implications**

None

7. **Background Papers**

- Public Protection Committee Report 4th February 2013 – Outcome of prosecution proceedings against Mrs Julie Griffiths, 123 Church Street, Butt Lane
- Public Protection Committee Report 3rd December 2012 - Prosecution of Mrs JG for breach of a statutory noise nuisance abatement notice
- Prosecution case file (Held by Legal Services)