

Appendix D – Summary of New ASB Powers

Measure	For what reason	By whom	Non compliance
Injunction to prevent nuisance and annoyance (IPNA)	Where a respondent has engaged in conduct or threatened to engage in conduct resulting in nuisance or annoyance. Prohibit the respondent from doing something or require them to do something	Granted by county court. Applied for by local authority, police, housing provider.	Adult – 2 years in prison or fine. Under 18 – curfew/supervision/detention for up to 3 months.
Criminal Behavior Order (CBO) – replaces ASBO	Offender has engaged in behavior that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the offender AND the court considers that the granting of the order will prevent the offender engaging in such behavior.	Sought by Crown Prosecution Service on conviction of a criminal offence.	Fine or imprisonment.
Community Protection Notice	Deal with persistent low level ASB which negatively affect the community's quality of life – graffiti, noise nuisance, dog fouling, ASB in parks. Require person or body to stop doing specified things or take reasonable steps to achieve particular results.	Police, local authority or person designated by the local authority.	Fixed penalty notice or prosecution.
Public Spaces Protection Order	Deal with ASB in a public place and apply restrictions on how public spaces can be used.	Local authority in consultation with partners.	Fixed penalty notice or prosecution.
Closure of Premises	Notice to close a premise for a max of 48 hours where there are reasonable ground to suspect the premises are being used or the use is likely to cause nuisance to members of the public, or there has been or likely to be disorder near the premises associated with its use and that closure is needed to prevent the nuisance from occurring/reoccurring.	Police or local authority. Full application to be heard by magistrates and premise can be closed for up to 3 months.	Criminal offence resulting in maximum of £5k fine for individuals and £20k for business and /or up to 3 months imprisonment.
Police directional order	Police can direct a person over the age of 10 to leave a locality of a public place and not to return for a specified time (cannot prevent access to home).	Police	Fine/imprisonment.

