

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

12 October 2011

Joint Report of the Director of Health and Housing and the Chief Executive

Part 1- Public

Executive Non Key Decisions

1 DCLG: A NEW MANDATORY POWER OF POSSESSION FOR ANTI SOCIAL BEHAVIOUR

Summary

The Department for Communities and Local Government (DCLG) recently published a consultation paper entitled *A new mandatory power of possession for anti-social behaviour*. The consultation seeks views on six specific questions and this report presents a draft response.

1.1 Introduction

1.1.1 This consultation seeks views on the detail and practicalities of a new mandatory power of possession to enable landlords to take quicker action to evict their most anti-social tenants.

1.1.2 The Government's intention is that the necessary legislation be introduced alongside legislative changes required following the Home Office's recent consultation on reforming tools and powers to tackle anti-social behaviour.

1.1.3 A full copy of the consultation document is attached at **[Annex 1]**. A copy of the Council's draft response is attached at **[Annex 2]**.

1.2 Legal Implications

1.2.1 None.

1.3 Financial and Value for Money Considerations

1.3.1 None arising from the decision on the response to the consultation. There are potentially implications for the demands on the Housing Options service, and consequently the costs thereof.

1.4 Risk Assessment

1.4.1 None arising from the decision on the response to the consultation. Thereafter there is the risk of a greater demand on the Housing Options service.

1.5 Equality Impact Assessment

1.5.1 See 'Screening for equality impacts' table at end of report

1.6 Recommendations

1.6.1 **CABINET** is **RECOMMENDED** to **APPROVE** the draft response to the consultation which is attached at [Annex 1].

Background papers:

contact: Janet Walton/ Mark
Raymond

Nil

John Batty
Director of Health and Housing

David Hughes
Chief Executive

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	Consultation paper only.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	Consultation paper only.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.