

EXETER CITY COUNCIL

**SCRUTINY COMMITTEE - COMMUNITY
16 JANUARY 2007**

**EXECUTIVE
23 JANUARY 2007**

**AUDIBLE INTRUDER ALARMS
ALARM NOTIFICATION AREAS**

1. PURPOSE OF THE REPORT

- 1.1 To update Members following the consultation process for the proposed designation of the whole of Exeter as an alarm notification area.
- 1.2 To seek approval for the designation of the whole of Exeter as an alarm notification area and agree the amount of the Fixed Penalty Notice.

2. BACKGROUND

- 2.1 The Clean Neighbourhoods and Environment Act 2005 introduced new powers for local authorities to deal with audible intruder alarms in their areas and the annoyance these may cause by designating all or part of their district an alarm notification area.
- 2.2 The occupier/owner in respect of any premises (residential or commercial) that is fitted with an audible intruder alarm in the designated area must nominate a key-holder for those premises and notify the local authority of the contact details of that key-holder. Under these provisions it is a criminal offence to fail to nominate or notify the local authority of the details of a key-holder. The offence can be discharged by payment of a fixed penalty fine. The level of the fine can be set at £50 - £80 with a default amount of £75; it is the intention to set the fine at the default level of £75.
- 2.3 The legislation sets out the consultation process which local authorities must follow prior to the designation of the area:
 - the intention to designate must be publicised in a local newspaper
 - any representations on the proposal must be considered
 - if the decision is to designate the area a notice must be publicised in the local newspaper and a notice must be sent to all premises in the affected area
 - if it is decided not to designate the area a notice to this effect must be placed in the local paper.
- 2.2 At the June Executive, Members resolved (Min 53/06 refers) to designate the whole of the city an alarm notification area and to use the Citizen to publicise the decision if the public consultation exercise supported the proposal.
- 2.3 The intention to designate the whole city was published in the Public notices of the local paper and the closing date for any comments was 17 November 2006.

3 PUBLIC RESPONSE TO THE PROPOSALS

Issues raised and responses

3.1 Two letters of objection to the proposal were received which raised the following issues:

- *Concern, from a crime prevention viewpoint, if the Council has a list of addresses and telephone numbers of key-holders. All the necessary measures will be taken to securely store the data, the database will be password protected with limited access to the data. The data will be stored in the same way that all personal information is stored within the Council.*
- *Alarms should be fitted with a timing device which will reset the alarm after a short period, which should overcome any problems caused by noise from alarms. Some alarms are fitted with such a device, but not all alarms, this system will provide a mechanism whereby noise from all alarms can be dealt with.*
- *Key-holders should be trusted people not the person next door. The owner of the property will nominate a suitable key –holder.*
- *Would a secondary key-holder have to be nominated if the first went on holiday? The owner of a property will have to consider this when they are likely to be away from the property for any length of time.*
- *Is this a form of stealth tax when an admin fee is introduced? There is no intention to introduce an administration fee for compiling and maintaining the register of Key-holders.*
- *This system is perfectly reasonable for business premises but totally unnecessary for residential purposes. Complaints of noise from alarms from both commercial and residential premises are made to the Council and therefore it is necessary to have a system which will address these problems.*

3.2 Having considered the comments made it is proposed to proceed with the designation of the whole of the city as an alarm designation area.

4 WAY FORWARD

4.1 If Members wish to proceed with the designation of the City, this decision must be publicised in the local press and a notice sent to all premises in the city. It is the intention to use the March edition of the Citizen to inform the occupants of all premises in the city. The new provisions will come into force at least 28 days after the date that the Citizen is distributed and the effective date will be detailed in the public notice in the local press and the Citizen.

6. RECOMMENDED

that Scrutiny Committee Community supports and Executive approves:

- 1) the designation of Exeter as an alarm notification area.
- 2) the Fixed Penalty Notice fine is set at £75

HEAD OF ENVIRONMENTAL HEALTH SERVICES

Originator: John Leech

H:LP/ Committee/107SCC8
29 November 2006

COMMUNITY & ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling this report:

None