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Freedom of Information  
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## **FREEDOM OF INFORMATION REQUEST 1057**

I write further to your email dated 02 January 2020.

Your request has been dealt with under the terms of the Freedom of Information Act 2000, explained on our [freedom of information](#) page.

Our response:

### **Q1. Does your local authority have a policy for issuing Community Protection Warnings/Community Protection Notices? If yes, please can this be attached.**

Not as such, but is part of a wider approach that is County wide and cover all ASB approaches, not Just CPN. I have added this to the document attached. It means as a council we do not have a specific policy for CPN/W, but we have an agreed process. We do have a District Council ASB policy that refers to the Incremental Approach.

### **Q2. Do you use Community Protection Warnings/Community Protection Notices when there is other legislation in place that could be applied?**

No, but Neighbour Noise cases, that are often not statutory noise (which is geared towards dealing with Industrial noise), are still addressed. This is more about frequency than volume. We work with the Environmental Protection team to ensure the correct legislation is used.

### **Q3. Do you have any systems of oversight to ensure that Community Protection Notices are being used correctly? For example: oversight by a senior officer, or a chance for recipients to appeal the Community Protection Notice within the local authority?**

All CPN decisions are checked by our Legal team prior to them being issued. All decision are logged on a case management system, which is reviewed by team leader. Flow chart on attached document.

### **Q4. Does your local authority use pre-written Community Protection Warnings/Community Protection Notices where the issuing officer 'fills in the blanks'?**

Yes, as described in Q1 we have adopted the same approach across Leicestershire. This means that all CPN/CPW from any partner is on the same template.

**Q5. How do you apply the 'detrimental effect' threshold required for the issuing of a Community Protection Notice? For example, do you define 'detrimental effect' as conduct that causes nuisance or harm, or conduct that others find very annoying?**

We comply with the statutory guidance.

**Q6. What information about the appeal process is given to Community Protection Notice recipients?**

We comply with the statutory guidance.

**Q7. Is information about Community Protection Warnings/Community Protection Notices that have been issued shared with relevant interested partners, such as housing or police? If so, how is this done?**

Yes. All logged on Shared Computer System.

**Q8. What training is given to officers that issue Community Protection Warnings/Community Protection Notices, in terms of content and duration?**

We train all staff in partnership in accordance Leicestershire. This is planned at County stage.

Please also see the attached document. It contains an excerpt from Incremental Approach Document. This is county wide agreed approach the Council uses.

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## **GOING FORWARD**

If you are dissatisfied with the information supplied please feel free to contact me on the number above for any queries in relation to this response. Please note that in responding to further enquiries I can only comment on the information contained within this correspondence and cannot provide any further information that may pertain to an additional FOIA request.

Please remember to quote the Authority's four digit reference number given at the top of this email in any future communications.

If you remain dissatisfied following the conclusion of the above informal review, you have the right to ask for an internal review. A request for a review whether formal or informal should be submitted within two calendar months of the date of receipt of the response to your original letter and should be sent to [DPO@NWLeicestershire.gov.uk](mailto:DPO@NWLeicestershire.gov.uk) or the address above.

Further details on our appeals and complaints procedure can be found on our website [here](#).

If you remain dissatisfied following the conclusion of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at [accesscoinformation@ico.org.uk](mailto:accesscoinformation@ico.org.uk).