

Where an internal alarm is sounding and a breach of the notice has been witnessed a warrant is required to gain access to the property in order to silence the alarm and abate the nuisance.

Where it is intended that the noise and nuisance team will be undertaking a seizure of noise making equipment from a property, it is likely that entry would be refused if attending at the property without a warrant. Such action would then make the occupiers aware of the intention to seize noise making equipment, with the potential for items to be removed from the property before officers are able to return with a warrant.

The officer should attend at the court number given or if not given a court number go to the listings office to find the relevant court number. Once in court the officer should present only the application and the 3 warrants to the court clerk. The officer should have the abatement notice, OOH reports, witness statements and any other relevant information in case they are requested by the court. Proceedings will be as follows;

The officer will be sworn in and will then present the application.

- The magistrate will then ask any questions they feel are relevant.
- If the warrant is granted all 3 copies of the warrant will be signed.
- The noise and nuisance team keep the applicant's copy.
- The occupier's copy is left at the seizure/alarm address once the works have been carried out.

The court's copy is returned to the court after the seizure/alarm silencing has taken place with the second page of the warrant completed.

### **Seizing Noise Equipment (Seizures): -**

The Council's principal power to seize noise equipment is contained in section 81(3) of the Environmental Protection Act 1990. The Act states: 'Where an abatement notice has not been complied with the local authority may, whether or not they take proceedings for an offence under section 80(4), abate the nuisance and do whatever may be necessary in execution of the notice'

Following a breach of an Abatement Notice the case officer will discuss with the noise and nuisance team Supervisors/Managers as to whether it is appropriate to send a PACE letter (refer to section 10.0) to the person on whom the notice was served or a letter of intention to prosecute advising that legal proceedings are being considered.

The applicant is now left with the understanding that the Antisocial Behaviour Order (ASBO) application was created in the understanding that by pc Steve Elsmore and other officers acting in such a manner of the claims listed within this document and or by allowing other officers to use his id logging to gain such wrongful and illegal convictions they did do so upon oath to the legal services, new Scotland yard London sw1h bog Reference number L/107087/sag and stated that they was sure that the defendant was responsible for the acts to which particulars had been given, in respect to the complaints made and developed by them self's which are all concealed within the Antisocial Behaviour Order (ASBO) application, in turn knowingly and deliberately while intentionally misusing his or hers and their powers of conduct, while and with complete disregard for law and associated regulations, to aid in a manner to which was reckless and caused extreme disregard for the applicants and other human life's, creating a breach of many human rights as some are listed within this document in accordance towards the relevant issues of concern in regards to accountably breaches. The rights to respect for each person(s) Human rights "Articles" are of fundamental importance. Any invasion of the rights must be strongly justified.

All "public authorities" for the purposes of the Human Rights Act 1998, are directly subject to the legal obligation imposed by section 6 of that Act to act compatibly with Convention rights, the state can not discharge its obligations under ECHR Article 8 in relation to the retention and storage of data.

ASBO is disproportionate: -

The applicant states that the Antisocial Behaviour Order (ASBO) is disproportionate and it prevents him from engaging in lawful business. The Antisocial Behaviour Order (ASBO) prevents the applicant from applying for licences to hold events within each local council's boroughs, without alerting each individual council of the