

“An Investigation into the Role and Function of the Elected Member When Dealing With Anti-Social Behaviour”

Agenda Item 7a

Portfolio Area: Communities
Report Presented by: Cllr Wendy Schmitt, Cabinet Member for Communities

Background Papers: Public Safety Policy Development Group (PS PDG) report 2005/6 “An Investigation into the Role and Function of the Elected Member When Dealing With Anti-Social Behaviour”; Crime and Disorder Act Review Guidance Jan 06; Cabinet Reports 27th November 08 and 30th March 09.

Corporate Implications: Please refer to table at end of report

Options: n/a

Risks: n/a

Executive Summary

The Public Safety Policy Development Group (PS PDG) report 2005/6 was approved by both Cabinet and Council. The key issues and recommendations as stated in pages 54 and 55 and summarised on page 15 of the report were accepted but were deferred pending the Crime and Disorder Act Review (CADAR) 2006.

The new legislation came into effect in August 2007. This set out new statutory requirements for Community Safety Partnerships, and in support of this, the Home Office also produced and published further guidance entitled “A Guide to Effective Partnership Working”.

The Braintree Crime and Disorder Reduction Partnership (CDRP) has implemented all the recommendations from the Crime and Disorder Act Review and at its meeting on 30th March 09 Cabinet noted and supported the recent benchmarking exercise against new National Hallmarks that demonstrated the Braintree CDRP meets all its obligations of the Statutory and Advisory Hallmarks.

The CADAR legislation has now been embedded into the work of the CDRP. Appendix 1 demonstrates that the Braintree CDRP has met, and in some areas exceeds, all the recommendations from the PS PDG report.

Decision

Members note that all recommendations from the PS PDG Report have been met and this concludes the significant contribution and research of the PS PDG.

Corporate Implications				
Financial:	None			
Legal:	Compliance with the Crime and Disorder Act Review			
Equalities & Diversity:	n/a			
Customer Impact:	n/a			
Environment & Climate Change:	n/a			
Consultation/Community Engagement:	Local Committees	n/a	Partners	CDRP
	Public	n/a	Staff	n/a
Key Decision:	No			
Public/Private Report:	Public			
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**ACTIONS FOR THE RECOMMENDATIONS OF THE PUBLIC SAFETY POLICY
DEVELOPMENT GROUP 2005/06**

**“An Investigation into the Role & Function of the Elected Member When Dealing With
Anti-Social Behaviour”**

(Extract from page 15 of the PS PDG Report)

The PSPDG recommendations and Actions taken by the Braintree CDRP are as follows:-
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1. Policies are put in place to ensure the provision of information to Elected Members of District, Town and Parish Councils regarding local anti-social Behaviour issues with this to include agendas and minutes of meetings of Police Community Safety Tasking Groups (PCSTGs) and the various Partnership Group.

Action:

Elected Members are contacted when appropriate about Anti-Social Behaviour (ASB) issues. This is predominantly with the Community Action Team (CAT) process and is included within the Policy. PCSTGs have been renamed as Joint Action Groups (JAGs). These are Police meetings and the request for wide circulation of minutes would have to be made directly to the Essex Police. All JAGs are publicised on the BDC web and intranet sites. In addition, Members can attend their local Neighbourhood Action Panels (NAPs).

2. Policies be put in place which recognise and promote a full anti-social behaviour partnership role for the Districts, Town and Parish Councils including supplying guidance and information regarding the use of PCSTGs.

Action:

Members Focus regarding JAGs and ASB is sent out at least annually. The BDC website contains details of all JAG meeting dates and times.

3. Town and Parish Councils are positively encouraged and helped develop a local “anti-social behaviour community” similar to the Uckfield model referred to in the report.

Action:

ASB is effectively dealt with wherever and whenever possible in line with ASB Legislation. The CPS are regular advisors for BDC (this system is not in place in Uckfield). Process is tracked through the JAGs.

4. A set of comprehensive guidelines be adopted which ensure guidance for the Elected Member on how anti-social behaviour issues are taken up, progressed and monitored to conclusion including bringing anti-social behaviour issues to the PCSTGs in a similar way to the lines recommended, b in appendix T (page 54)

Action:

Process is tracked through JAGs with additional meetings arranged if there is a need.

5. The key references in the report together with the recent Home Office Review of the Crime Reduction Partnerships Provision and the Respect Action Plan a clear policy is adopted by the Council which recognises the significant role Elected Members play in dealing with anti-social behaviour with specific regard to:

(Note:

This has been superseded by the CADAR Review and the introduction of National Hallmarks self assessment. The statutory requirements under the Hallmarks are met and in some cases exceeded by the BD CDRP. Additional elected members are involved wherever possible/appropriate and any Member can request to attend the CDRP for observation and the CDRP Minutes are published on the intranet.)

- I. Firmly embedding community arrangements when dealing with anti-social behaviour into the local democratic process.

Action:

This is achieved through the Community Action Team process. To adhere to legislation there is a need to restrict some information from the community. Areas where public and members have been involved includes (Weavers, Mersea Fleet Way, Croft Close, Great Notley, Spansey Court, Samphire Close, Braintree Bus Park, Freeport, Twelve Acres, Marks Farm etc.)

- II. Putting in place guidance on progressing issues by Ward Councillors to the scrutiny committee

Action:

Scrutiny guidance under the CADAR is still being received regards scrutiny. Issues / complaints are reviewed by the RAG and LSP as appropriate.

- III. To seek an increase in the Elected Members representation on the Responsible Authority Group (RAG) or its successor.

Action:

The Braintree CDRP meets CADAR Legislation under the statutory National Hallmarks.

- IV. Adopting the recommendation in the Appendix T. for Elected Members to develop a new Council ASB working group to develop partnership involvement and understanding.

Action:

Covered under the introduction of JAGs and NAPs where appropriate.

- V. Setting up a complaints system on the lines of the recommendation as set out in Appendix T, to enable complaints about the PCSTG to be heard and progressed

Action:

JAGS are Police Meetings. Any complaints follow the Essex Police Force Complaints procedure. This is the same for any complaints regarding the Police. Complaints of ASB made to Elected Members are dealt with through the JAGs.

- VI. The RAG be approached regarding the involvement of Elected Members in participating in confidential items on the tasking groups.

Action:

Town Councils and Parish Committees nominate the relevant Member to be their JAG Representative(s) and when attending the JAG must sign a confidentiality Agreement. A totally separate meeting that is not connected to the JAG is conducted where individual cases are discussed by those named in law as having specific responsibilities.

- VII. Having a policy in place which recognises that those responsible for crime and disorder – CROPs – will be held to account by the community who can insist on a response from the police.

Action:

CDRP Statutory partners are already held to account under the C&D Act

legislation. An effective Agency Complaints systems in place. Main complaints regarding the Partnership are made to BDC and the Police. Coordinated joint responses are made where possible/appropriate.

- VIII. The Council welcomes the introduction of Compulsory National Standards, which will affect the Elected Member when dealing with anti-social behaviour.

Action:

The BDCDRP was assessed against the National Hallmarks recently and this highlighted that the CDRP meets all of the statutory legislation and all of the advice guidance recommendations. We are the first CDRP in Essex to undertake this piece of work. This assessment will be reviewed annually and is reported to the CDRP and LSP.

