

Meeting:	Safer and Stronger Communities Scrutiny Sub-Committee
Date:	5 <sup>th</sup> July 2006
Subject:	Crime & Disorder Act Review Recommendations - Implications for Scrutiny
Responsible Officer:	Gareth Llywelyn-Roberts – Head of Community safety Services
Contact Officers:	Ian Pearce, Crime Reduction Manager x2997 Dean McStay, Crime Reduction Officer x2663 Heather Smith, Scrutiny Officer x5203
Portfolio Holder:	Councillor Eileen Kinnear – Portfolio Holder for Urban Living – Public Realm
Key Decision:	No

## **Section 1: Summary**

### **Decision Required**

#### **Recommendation:**

Members to note the probable implications for Scrutiny Committee following the implementation of the recommendations attached to the Crime and Disorder Act Review (Appendix A)

#### **Reason for report**

The Police and Justice bill, currently before parliament proposes broadening the powers of local authority Overview and Scrutiny Committees encompass the work of CDRPs/CSPs (Community Safety Partnerships).

A form of 'scrutiny plus' involving the partner agencies e.g. MPA, Statutory Bodies under the Crime and Disorder Act and Voluntary Sector will allow scrutiny committees better to reflect the multi-agency nature of community safety work.

In addition, a mechanism will be introduced for triggering action whereby communities will be able to secure a response from partners to a particular community safety issue that has not been adequately addressed. The local ward councillor will play a key role in securing a response but the local authority scrutiny committee will be used to look at cases that cannot be easily resolved. See Community Call to action Flow Chart contained at pg13 in Appendix B.

It is expected that Local councillors will act as the conduit at neighbourhood level for relaying local concerns to community safety partners and encouraging local people to get involved in local governance. National standards which are yet to be developed will both include and build upon the active involvement of elected community safety portfolio holders in the strategic community safety decision making processes.

### **Benefits**

The new responsibilities proposed in the review will strengthen the Council's accountability for consulting and involving the community in community safety improvements.

### **Cost of Proposals**

It is unlikely that costs of community consultation can be contained within existing budget. Implications will need to be examined should the Review recommendations be implemented.

### **Risks**

It will become a statutory requirement under the Crime and Disorder Act to undertake these functions.

### **Implications if recommendations rejected**

The Council may fail to meet its statutory obligation to effectively address the Crime and Disorder Act and may be exposed to legal challenge.

The Council will be assessed by the forthcoming CPA regarding its contribution and resourcing of Crime and Disorder Act responsibilities.

## Section 2: Report

A summary of the recommendations is contained in Appendix B.

The main proposals are (Implications for Scrutiny highlighted in bold):

### 1. Structures

- The strategic functions of Crime and Disorder Reduction Partnerships (CDRPs) should be separated from the operational functions so to sharpen the roles and responsibilities between and within key agencies.
- The list of responsible authorities under the 1998 Act can be extended by secondary rather than primary legislation

### 2. Delivery

- Adapt a National Intelligence Model (NIM) for partnerships and require its use in the strategic and operational functions of community safety
- **CDRPs/CSPs should undertake at least six-monthly strategic assessments**
- **The requirement for triennial audits and strategies to be replaced with annual rolling three year community safety plans**
- Strengthen section 115 (data sharing) of the CDA and place a duty on responsible authorities to share depersonalised data which is relevant for community safety purposes and which is already held in a depersonalised format.
- List of agencies to which section 115 applies can be extended by secondary rather than primary legislation

### 3. Governance & Accountability

- **Ensure that CDRPs consult and engage with their communities on a regular and ongoing basis**
- CDRPs to produce regular reports to their communities
- Repeal the requirement for CDRPs to report on annual performance to the Home Secretary
- **Extend the powers of local authority Overview and Scrutiny Committees to encompass the work of CDRPs**

### 4. Mainstreaming

- Broaden the definition of section 17 (mainstreaming crime reduction) so that agencies take account of anti-social behaviour, adversely affecting the environment and substance misuse
- The list of agencies to which section 17 applies can be extended by secondary rather than primary legislation

### 5. National Standards

- A set of national standards for partnership working will be put in place

- Consultation with stakeholders on adopting a new name for English Partnerships that better reflects this wider remit e.g. Community Safety Partnership (CSP)

### Financial Implications

The Review recommendations, if implemented, may require additional resources over and above existing budget to finance the communications and training requirements. Any additional resource requirements, once they become clearer, will be the subject of an updated report.

### Legal Implications

The review recommendations, if implemented, will impose additional or altered statutory duties upon the Council, particularly the Overview and Scrutiny Committee. A further report may be required when the Police and Justice Bill 2006 has been enacted.

### Equalities Impact

The development of the new consultation requirements contributes significantly to the corporate equalities plan and achievement of level 3 of the equalities standard. For example, some minority groups are not adequately represented e.g. Lesbian, Gay, Bi-sexual and Transgender groups.

### S17 Crime and Disorder Act Implications

The Crime and Disorder Act review recommendations will broaden the definition of s17 so that the Council and partner agencies take account of anti-social behaviour adversely affecting the environment and substance misuse.

### **Conclusion**

The Crime and Disorder Act Review recommendations, if implemented, will result in new responsibilities for Scrutiny Committee and individual members. This will inevitably raise public expectation through the 'Community Call for Action' that members will become more directly accountable for community safety.

### **Section 3: Supporting Information/ Background Documents**

1. Review of the Partnership Provisions of the Crime and Disorder Act 1998 Report of Findings (Appendix A)
2. Review Summary (Appendix B).