

Meeting:	Safer and Stronger Communities Scrutiny sub committee
Date:	5 July 2006
Subject:	Scrutiny Policy Briefings
Responsible Officer:	Paul Najsarek, Director, People Performance and Policy
Contact Officer:	Heather Smith, Scrutiny Officer
Portfolio Holder:	Councillor David Ashton, Business Development
Key Decision:	No
Status:	Part I

### **Section 1: Summary**

#### **Decision Required**

That the policy briefing be noted.

#### **Reason for report**

This report provides key information on policy areas within the sub committee's terms of reference. It is intended that the policy briefings inform Members' discussion of the work programme.

#### **Benefits**

The policy briefings help to inform Members and support the decision-making process relating to items for inclusion in the scrutiny work programme.

## **Cost of Proposals**

Not applicable. The report is for information only.

## **Risks**

Not applicable.

## **Implications if recommendations rejected**

Not applicable.

## **Section 2: Report**

### **2.1 Brief History**

The terms of reference of the Safer and Stronger Communities Scrutiny sub committee has expanded from the former Strengthening Communities Scrutiny sub committee. Members may find it useful to have some information on the key areas of policy to introduce to key issues that the sub committee may address over the coming months.

### **2.2 Detailed Briefings**

As well as the briefings themselves (attached to this report as appendices), more detailed policy information is also available from the Scrutiny Officer on request. Other documents such as executive summaries can also be provided where applicable.

### **2.3 Consultation**

Not applicable.

### **2.3 Financial Implications**

There are no direct costs associated with this report as it is for information only.

### **2.4 Legal Implications**

There are no specific legal implications arising out of this particular report.

### **2.5 Equalities Impact**

None specific to this report.

### **2.6 Section 17 Crime and Disorder Act 1998 Considerations**

The Safer and Stronger Communities Scrutiny sub committee will need to give consideration to s17 considerations as part of its programme of work.

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

#### Appendix A: Policy Briefings

- A – Community safety
- B – Public realm and liveability
- C – Community planning and partnership working
- D – Local Area Agreement
- E – Anti-poverty
- F – Community wellbeing

## **Appendix A – Policy Briefings**

### **A: Community safety**

Community safety relates to making communities stronger by reducing crime and anti-social behaviour and making the environment safer to improve quality of life for local people. Responsibility for community safety rests with local government in partnership with the police, voluntary sector and other agencies.

#### **1. Crime and Disorder Reduction**

The Crime and Disorder Act 1998, as amended by the Police Reform Act 2002, sets out statutory requirements for responsible authorities to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder and misuse of drugs in their area. These statutory partnerships are known as Crime and Disorder Reduction Partnerships (CDRPs). Currently, the responsible authorities are the police, the local authority, the fire authority, the police authority and the primary care trust. They are required to work together to carry out an audit to identify crime and disorder and misuse of drugs problems in the area and to develop strategies to address them. Partners are required to work with local education and probation authorities and invite co-operation with local private, voluntary, and community groups, as well as the community itself.<sup>1</sup>

Section 17 of the Act recognises that there are key partners who have responsibility for the provision of a wide range of services to and within the community. In carrying out these functions, section 17 places a duty on them to do all they can reasonably do to prevent crime and disorder in their area. The level of crime and its impact is influenced by the decisions and activities taken in the day-to-day of local bodies and organisations. The responsible authorities each have a key statutory role in providing their services and, in carrying out their core activities, can significantly contribute to reducing crime and improving the quality of life in their area. Section 17 is aimed at giving crime reduction a focus across the wide range of local services and putting it at the heart of local decision-making.<sup>2</sup> It means that community safety becomes an institutional responsibility, rather than resting with particular officers, in the same way that equal opportunities has been mainstreamed.<sup>3</sup> Awareness and ownership need to take root at four levels. Authorities should consider how to generate a culture which:

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<sup>1</sup> Home Office Crime Reduction Centre. Partnerships mini site.  
<http://www.crimereduction.gov.uk/regions00.htm>. Accessed 6 February 2006.

<sup>2</sup> Home Office. *Crime and Disorder Act 1998, Section 17*.  
<http://www.crimereduction.gov.uk/legislation26.htm>. Accessed 6 February 2006.

<sup>3</sup> Local Government Association/NACRO. (no date). *Crime and Disorder Act 1998 - section 17: a briefing for local authorities on the implementation of section 17 of the Crime and Disorder Act 1998*. p. 13

### **Briefing for Members: Safer and Stronger Communities**

- Promotes community safety among staff within local partnerships
- Aligns departmental planning with the development of community safety strategy
- Aligns corporate processes to reflect community safety priorities
- Ensures a coherent framework for services.<sup>4</sup>

The Police and Justice Bill, currently before Parliament, proposes strengthening the role of scrutiny as a check and balance on community safety decision-making. The power will enable scrutiny to hold the local crime and disorder reduction partnership (CDRP) to account. The police, fire and primary care trust (PCT) will have a duty to consider recommendations from scrutiny and to report back on action taken or the reasons for not acting. One of the main drivers behind the Bill was a review<sup>5</sup> of the partnership arrangements set out in the Crime and Disorder Act by the Home Office. In Harrow the CDRP is known as the Safer Harrow Management Group.

Under the Bill the CDRP will be required to review its performance every six months. This presents the opportunity for the sub committee to scrutinise performance strategically, potentially in the format of a question and answer session with the chair of the CDRP (currently the Harrow Police Borough Commander) and the relevant council Portfolio Holder. Other organisations such as the Harrow Police and Community Consultative Group (which has established community links) could be invited to bring evidence to these sessions.<sup>6</sup>

The Bill also puts forward a last resort mechanism called the Community Call for Action, whereby the ward Councillors will be expected to use informal methods to seek resolutions to community safety problems raised by local residents. Scrutiny is expected to have a role in difficult cases that have not been resolved through the informal mechanisms available to the ward Councillors. The call for action may also relate to other areas such as health; a Government white paper on partnership working and local strategic partnerships is awaited. The Call for Action is an element of the wider Respect Agenda and Action Plan, which speaks of generating a culture of respect as well as addressing factors associated with anti-social behaviour such as poor parenting skills, truancy and exclusion, and living in areas where there is disorder and neglect.<sup>7</sup> The Respect Action plan indicates that senior representatives of the crime and disorder reduction partnerships (CDRPs) will be expected to hold regular Q&As which would be open to the public, community groups and the media.<sup>8</sup>

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<sup>4</sup> Ibid, p. 6

<sup>5</sup> Home Office. (January 2006). *Review of the Partnership Provisions of the Crime and Disorder Act 1998 – Report of Findings*.

<sup>6</sup> Other potential sources of evidence may include the Multi-agency forum on racial harassment, the Domestic Violence Forum, the Refugee Forum, the Partnership with Older People (POP) Panel, the Youth Safety Council and others.

<sup>7</sup> Home Office (Respect Task Force). (2006). *Respect Action Plan*. p. 5

<sup>8</sup> *Respect Action Plan*, p. 27

### ***Briefing for Members: Safer and Stronger Communities***

The recent Reducing Fear of Crime scrutiny review demonstrated that scrutiny is already developing its work in this area as it tackles cross cutting issues and supports partnership working. In 2005/06 the Strengthening Communities Scrutiny sub committee received a report on the likely impact on the bill and the crime and disorder reduction partnership more broadly, but Members will wish to give this area further consideration as it develops.

## **2. Licensing and Enforcement**

The council's new, cross-cutting enforcement powers have not been considered in depth by scrutiny before. Previous discussion has been limited to individual matters relating to planning and licensing. The government is now bringing in legislation, the Clean Neighbourhoods and Environment Act 2005, which significantly expands the council's enforcement activities. Local authorities will have the right to put in place punitive measures to ensure compliance with environmental regulations. This goes hand-in-hand with a stated intention on the council's part to crack down on infringement in more traditional areas of work (for example planning).

The council is rolling out area-based working to many enforcement matters, with area-based staff having greater powers to issue penalties and enforcement issues becoming more prominent locally. Communication between different sets of staff is critical in this environment, as was established by the conclusions of the Public Green Spaces scrutiny review.

A statutory gambling policy must be prepared by the council by January 2007 under the provisions of the Gambling Act, and this could be brought to the sub committee for comments prior to finalisation. Under the Act, local authorities will have a range of new responsibilities including licensing any premises used for gambling, regulating the use of gaming machines and the playing of games such as poker in pubs and clubs, and granting permits to certain types of amusement arcades. The Gambling Commission advises local authorities on these functions.

## **B: Public realm and liveability**

A key commitment of the Department for Communities and Local Government (DCLG) is that of 'Cleaner, Safer, Greener Communities', by improving the quality of planning, design, management and maintenance of public spaces and the built environment. The department develops policy on the liveability of public spaces.

The Clean Neighbourhoods and Environment Act is designed to help local authorities to deal quickly with problems affecting the environment including litter and refuse, graffiti and other defacement, waste, dogs and noise. The powers are being introduced in stages from June 2005 to 2007. It also introduces a power to issue fixed penalty notices for specific nuisance and allows authorities to keep the receipts.<sup>9</sup>

Waste and recycling continues to be an important area of focus. The challenge of managing waste has increased due to targets designed to reduce waste, landfill and the pressure on space and resources as well as contributing to the overall goal of improving environment. Local authorities must strive to improve their services each year to ensure they meet these targets. The Landfill Allowance Trading Scheme (LATS) introduced significant changes in waste policy and practice for the diversion of biodegradable municipal waste from landfill, with the intention of providing a way to enable England to meet its targets for reducing the landfilling of biodegradable municipal waste under the EC Landfill Directive.<sup>10</sup>

The "New Harrow Project", completed in 2005, rolled out area-based working across the entire borough. Rather than working within specific disciplines, area-based staff are responsible for a large number of different matters – street cleaning, rubbish removal, verge cutting, and other kinds of public realm maintenance – within a prescribed area. This joins up work across the council (reducing duplication) and improves life for local residents by reducing disruption.

The general success, and possible expansion, of area-based working, and the completion of the rollout for public realm infrastructure provides an opportunity to take stock and examine plans for the future.

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<sup>9</sup> Local Government Association briefing (n. d). *Clean Neighbourhoods and Environments Act 2005 – commencement of measures.*

<sup>10</sup> DEFRA. (May 2005). *Information for Councillors.*

<http://www.defra.gov.uk/Environment/waste/localauth/lats/pdf/lats-intro.pdf>

## **C: Community planning and partnership working**

The Local Government Act 2000 requires local authorities to prepare a community strategy to improve the economic, social and environmental well being of their area and its inhabitants. Community strategies will provide:

- An integrated approach to the sustainable economic, social and physical development of the area
- A clear strategy and vision for the future.<sup>11</sup>

In order to be able to address quality of life issues which cut across traditional organisational boundaries, a local strategic partnership (LSP) is a single body that brings together at a local level the different parts of the public sector as well as the private, business, community and voluntary sectors so that different initiatives and services support each other and work together. It is non-statutory and non-executive. It operates at a level which enables strategic decisions to be taken and is close enough to individual neighbourhoods to allow actions to be determined at community level. It also aligns with local authority boundaries.<sup>12</sup> In Harrow the LSP is known as the Harrow Strategic Partnership and the Community Strategy for Harrow is to be refreshed in 2006.

The neighbourhoods element of community planning and partnership working is set to develop. The document *Why Neighbourhood Matter* highlighted the aims of improving local services and re-engaging citizens with public institutions in order to deliver safer, cleaner and greener communities.<sup>13</sup> A possible neighbourhoods framework has been mooted, in which LSPs would agree a neighbourhoods strategy as part of the community strategy, with the potential for each neighbourhood to develop its own neighbourhood charter. Councillors would also have an enhanced role as community leaders and advocates.

Partnership working is a major theme for the sub committee. Given that much of this agenda requires meaningful relationships with partners it has been suggested that there is potential for a review of the council's approach to the voluntary, community and faith sectors. The quality of such relationships will no doubt impact on the ability to deliver local area agreement outcomes which benefit the local community. Questions that such a review would consider might include whether the council builds partnerships properly and whether the council and its partners are achieving their aims.

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<sup>11</sup> DETR. (2001). *Local Strategic Partnerships – Government Guidance*. p. 22

<sup>12</sup> DETR. (2001). *Local Strategic Partnerships – Government Guidance*. p. 4

<sup>13</sup> ODPM. (2005). *Why Neighbourhoods Matter*.



## **D: Local Area Agreement**

A major area of focus for the Harrow Strategic Partnership has been the development of the Local Area Agreement. The agreement with central Government was signed in March 2006. It is a three-year agreement that covers both local and national priorities. It is grouped into four blocks, which are:

- Children and Young People
- Safer and Stronger Communities
- Healthier Communities and Older People
- Economic Development and Enterprise

There are around sixty non-stretched indicators within the LAA that have specific projects attached to them. Stretched indicators relevant to this sub committee are as follows:

### **Safer and Stronger Communities**

- Reduce the fear of crime amongst the population of Harrow
- Improve people's perception of anti-social behaviour and how it affects them
- Reduce the level of non-residential burglary in the borough
- A Harrow community that feels a strong sense of cohesion
- Empowering people to become involving in their community through volunteering

### **Healthier Communities and Older People**

- Reducing the level of residential burglary where the victim is over 75 years of age

As a result of negotiating the agreement Harrow will receive a payment from central Government of approximately £960,000 to pump prime the projects, followed by a reward payment of approximately £6,300,000 if all of the stretched targets are agreed. The Harrow Strategic Partnership (HSP) will receive reports every three months from the management groups that support the HSP and six monthly reports about progress against the indicators will be provided to central Government.

By its very nature, the focus of the Local Area Agreement for Harrow cuts across the full remit of the scrutiny function. However, there will be specific indicators that are relevant to the sub committee on which it may wish to monitor.

## **E: Anti-poverty**

### **1. Fuel poverty**

At central government level fuel poverty is the responsibility of the Department of the Environment, Food and Rural Affairs (DEFRA). A government grants programme called Warm Front has been set up to provide financial assistance for people to take measures to insulate their homes and reduce their fuel bills. Central government is negotiating with utilities companies to try to keep fuel prices down; however, energy shortages and the depletion of the North Sea oil and gas field make it clear that, in the long term, prices will be rising significantly in real terms. Insulation and fuel efficiency measures are being dealt with in Harrow's housing stock through the Decent Homes programme, but (as nationally) this is less straight forward in the private rented sector, and other housing not under council control.

Fuel poverty is an issue affecting an increasing proportion of residents, not only those who are elderly. Rising energy prices, inefficient or non-existent insulation and central heating and other economic and environmental mean that those on a low income, and other vulnerable people.

### **2. Financial exclusion and indebtedness**

In order to tackle financial exclusion, the Government is focusing on access to banking, access to affordable credit and access to face-to-face money advice.<sup>14</sup> The council has developed links with the Department for Work and Pensions relating to encouraging benefit take up, but there is scope for developing further advice services such as debt counselling.

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<sup>14</sup> HM Treasury. (2004). *Promoting financial inclusion*. p. 1

## **F: Community wellbeing**

The legislative framework for wellbeing is the Local Government Act 2000, which introduced the local government responsibility. The Local Government Association defines a cohesive community as one where:

- There is a common vision and a sense of belonging for all communities;
- The diversity of people's different backgrounds and circumstances is appreciated and positively valued;
- Those from different backgrounds have similar life opportunities and;
- Strong and positive relationships are being developed between people from different backgrounds and circumstances in the workplace, in schools and within neighbourhoods.<sup>15</sup>

Wellbeing has clear links to the development of the community strategy, as the challenge is to develop a vision that is meaningful to each part of the community. The Community Cohesion Management Group of the HSP is in the process of developing a work programme for the delivery of the Local Area Agreement targets based around volunteering and community cohesion.

Legislation such as the Race Relations (Amendment) Act 2000 place a duty on public authorities to monitor the impact of their policies on race equality. The Equality Standard highlights the importance of fair and equal treatment in local government services and employment and has been developed as a tool to enable local authorities to mainstream gender, race and disability into council policy and practice at all levels and it is included as a Best Value Performance Indicator. The Standard also provides a framework that can be extended to anti-discrimination policies for age, sexuality, class and religious beliefs.

Local analysis such as the Vitality Profiles highlight areas in which there is a potential need for focus. For example Harrow has the fifth most diverse population in the country and there is a need to ensure that services are provided in a culturally appropriate manner.<sup>16</sup> Based on the seven religions listed in the 2001 census, Harrow has the highest level of religious diversity of any local authority in England and Wales. Members may wish to consider the long-term impact of Harrow's diversity on service delivery.

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<sup>15</sup> IDeA/LGA. (2006). *Leading cohesive communities: a guide for local authority leaders and chief executives*. p. 5

<sup>16</sup> Harrow Primary Care Trust (2003). *Improving Health 2003 – Annual report of the Director of Public Health*. p. 44