

Meeting:	Safer and Stronger Communities Scrutiny sub committee
Date:	28 September 2006
Subject:	Section 17 of the Crime and Disorder Act 1998
Responsible Officer:	Paul Najsarek, Director, People Performance and Policy
Contact Officer:	Heather Smith, Scrutiny Officer
Portfolio Holder:	Cllr David Ashton, Business Development Cllr Eileen Kinnear, Urban Living (Public Realm)
Key Decision:	No
Status:	Part I

Section 1: Summary

Decision Required

That the sub committee:

1. Consider and agree the report of the challenge panel
2. Consider comments received from the co-opted member
3. Consider and agree suitable recommendations
4. Consider whether the report should be referred to (a) officers, and (b) the relevant portfolio holder, and/or (c) Cabinet/Safer Harrow Management Group for action.

Reason for report

At the sub committee's first meeting, members agreed to review the council's self-assessment of its effectiveness in having regard to its statutory obligations under s17 of the Crime and Disorder Act 1998.

To this end a challenge panel was held on 30 August. The findings from the session are detailed in this report.

Benefits

The challenge panel supports the development of a robust self-assessment for the council's forthcoming Corporate Assessment and supports efforts to increase the profile of the requirements of s17 within the organisation.

Cost of Proposals

No expenditure has been incurred in the undertaking of this project.

Risks

There are no risks associated with the approval of the report.

Implications if recommendations rejected

The council may not realise the benefits of this work or its contribution to preparations for the council's corporate assessment if this report is not approved.

Section 2: Report

2 Brief History

2.1.1 Section 17 of the Crime and Disorder Act 1998 requires local authorities to consider the community safety implications of all their activities. Section 17 says:

“it shall be the duty of each authority to... exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.”

2.1.2 The sub committee was asked to examine the council's self-assessment of its current performance in this area. To do this a desktop research exercise was carried out in order to identify best practice. Members met to discuss best practice and develop questions for the challenge panel. At the panel members put their questions to officers from the crime reduction team and then developed recommendations. The members also benefited from input from Dr Karim Murji, the Independent Member for Harrow from the Metropolitan Police Authority.

2.1.3 The Chairman and Vice-Chairman approved the scope of the review as a result of the tight timescale for completing this project. The scope is included within the report of the challenge panel, which is attached as Appendix A.

Comments from the co-optee, Independent Member for Harrow from the Metropolitan Police Authority

2.1.4 The following comments were received. The Chairman has requested that these comments be considered alongside the potential recommendations, which the sub committee is asked to agree when finalising the draft report.

- Scope for working across borough boundaries and doing joint work on training with others.

- Silo working is mentioned but perhaps the committee can encourage more cross-working on themes.
- Paragraphs. 4.13 and 4.14 and the potential recommendation could give a stronger steer to SHMG ,and how the Council intends to engage with partners so that s17 is not just mainstreamed but part of a corporate approach.

2.1.5 Members are requested to consider the comments as well as the following suggested amendments to the recommendations to reflect the comments:

Suggested additional recommendation (to be placed after 7): **That the scope for working across borough boundaries and undertaking joint work on training with others be explored.**

Recommendation 8: The Panel recommends that section 17 be drawn to the attention of the Harrow Strategic Partnership board with view to increasing the profile of the duty and also overcoming organisational barriers to mainstreaming across the partnership, **encouraging more cross-working on themes and developing a corporate approach.**

2.2 Consultation

Advice and input on section 17 compliance was sought from the Government Office for London and the Metropolitan Police Authority.

2.3 Financial Implications

The scrutiny budget for 2006/07 is £340,400 which is made up of £266,050 for salaries and £74,350 for projects and other expenditure. This programme of work was delivered within this provision.

2.5 Legal Implications

If litigation regarding a perceived failure of the Council's duty under section 17 were to be pursued this would be by way of judicial review. The relevance of the duty to the Council's functions, and therefore the likelihood of legal action being taken, varies. The risk of successful litigation against the Council is low.

2.6 Equalities Impact

The requirements of section 17 are compatible with the requirements that the authority faces with regard to equalities and should ensure that all sectors of the community are treated fairly with regard to community safety.

2.7 Section 17 Crime and Disorder Act 1998 Considerations

This piece of work is entirely concerned with the council's statutory obligations under section 17 of the Act.

Section 3: Supporting Information/Background Documents

Appendix A: Main findings arising from the challenge panel