

Notes of the Scrutiny and Overview Committee
Crime and Disorder Working Group
7th May 2014

Present: Councillors: Kate Rowbottom (Chairman), Christine Costin, Duncan England, Jim Sanson

Also present: Councillors: Roger Arthur, George Cockman

Apologies: Councillors: David Coldwell, Jim Goddard, Frances Haigh

Officers: Greg Charman, Community Safety Manager
Neil Worth, Community Safety Officer

1. **TO APPROVE AS CORRECT THE RECORD OF THE MEETING HELD ON 19TH JUNE 2013**

The notes of the meeting held on 19th June 2013 were approved as a correct record.

The Working Group noted that the Councillor Sue Rogers was now the Council's representative on the Sussex Police and Crime Panel.

The Working Group welcomed confirmation that the Community Safety Partnership was now automatically consulted on planning applications for developments of more than 25 residential units or planning applications that might have a significant impact on communities.

2. **TO RECEIVE ANY DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **ANNOUNCEMENTS FROM THE CHAIRMAN OR CHIEF EXECUTIVE**

There were no announcements.

4. **PROTOCOL FOR THE SCRUTINY OF CRIME AND DISORDER MATTERS**

The Working Group received the protocol which had been presented at the Scrutiny and Overview Committee meeting on 5th November 2012. The protocol outlined the key provisions of the relevant legislation, the terms of reference of the Working Group, the duty to meet at least once a

year, the role of scrutinising the CSP Plan and performance reports, the ability to give notice to responsible authorities to require their representatives to attend Working Group meetings or to provide information required for scrutiny.

Members considered the protocol and felt that no amendments were required.

Subsequent to the last meeting of the Working Group, the Director of Community Services, the Chairman, and the Chairman of the Scrutiny and Overview Committee had met and decided that the Working Group would no longer meet on a quarterly basis but would meet once or twice a year. That was agreed in order to ensure the Horsham District Community Safety Partnership had time to progress its priorities and for the Working Group to then meet to review performance in relation to the CSP Plan and to consider whether any issues required a further meeting with or without CSP partners in attendance.

5. **CHAIRMAN TO REPORT BACK ON THE COMMUNITY SAFETY PARTNERSHIP BOARD MEETINGS AND PERFORMANCE**

The Chairman attended the quarterly meetings of the CSP Board which she felt was working well. She stated her disappointment with the decision to end the Joint Action Group meetings but noted that those meetings might be reinstated.

The Working Group noted the Anti-Social Behaviour Action Plan progress report for 2013/14. It provided an example of how the action plans were tracked and progress was noted using a red, amber and green coding; the other action plans would be circulated. Horsham District Council had taken the lead on two of the action plans: reducing anti-social behaviour and community engagement and reassurance.

Members were shown how the E-CINS system worked in relation to information about anti-social behaviour. It allowed the relevant agencies to share data securely in a central hub; partners could task and inform one another, bring together reports in one place and share information. It acted as a case management tool for recording anti-social behaviour, domestic violence and hate crime cases across Sussex.

6. **ACTION PLANS FOR THE COMMUNITY SAFETY PARTNERSHIP PLAN 2014/15**

The Community Safety Partnership Plan for 2014/15 had identified five actions, some new and some continuing from the previous year. The CSP

Plan was being refreshed and finalised; it would be circulated in due course.

The Working Group noted the following Action Plans.

Reducing anti-social behaviour (lead partner is Horsham District Council), Community engagement and reassurance (lead partner is Horsham District Council), reducing violence against the person (lead partner is Sussex Police), and casualty reduction with the aim of reducing the number of people killed and seriously injured on the roads in the District (lead partner is West Sussex Fire and Rescue Service). A final action plan was being developed to tackle issues around drugs and alcohol; all of the CSP partners would share the work on that action plan.

The Community Safety Manager regretted the reduction in the level of analytical support that the County Council once provided; the Insights Team no longer provided in-depth analysis but would, if requested, provide broad statistics on specified topics. Sussex Police did provide raw statistics but that needed to be analysed.

The Horsham District CSP website would be updated; that work was programmed as part of the Business Transformation programme and the proposed transfer to a new website.

7. CSP CAMPAIGNS AND EVENTS CALENDAR 2014

The Working Group noted the CSP campaigns and events calendar for 2014.

Members, in particular, noted the success of Junior Citizen which had taught 900 young children via thirteen fun scenarios crucial life skills and the importance of being responsible citizens. New Drivers Awareness sessions had been scheduled every second month from May 2014 onwards; the sessions would be provided by West Sussex Fire and Rescue Service with support from the Sussex Safer Roads Partnership.

A campaign was planned to coincide with the World Cup. The licensing team from Sussex Police would visit those premises that wished to apply for a late licence. An alcohol awareness event would be held in Horsham town on 13th July 2014.

Relevant campaigns and events could be rolled out to rural locations in the District.

8. REFORM OF ANTI-SOCIAL BEHAVIOUR POWERS

The Community Safety Officer gave a presentation which outlined the reform of anti-social behaviour powers.

The Anti-Social Behaviour, Crime and Policing Act 2014 received Royal Assent on 13th March 2014 and would come into effect on 13th May 2014. The Act would introduce simpler, more effective powers to tackle anti-social behaviour to provide better protection for victims and communities. It created new statutory duties for local authorities in relation to anti-social behaviour and information sharing.

The new Community Trigger and Community Remedy would empower victims and communities, giving them a greater say in how agencies responded to complaints of anti-social behaviour and in relation to out-of-court sanctions for offenders.

The Working Group noted the following reforms and powers.

The Community Trigger and Anti-Social Behaviour Case Reviews – this gave victims of anti-social behaviour, communities and Members the right to request a review of a case subject to certain criteria being met. There was a responsibility on the Relevant Bodies (HDC, Sussex Police, the District Clinical Commissioning Groups, and Registered Social Landlords) to have a procedure in place to undertake case reviews. The proposed Community Trigger Threshold for Horsham District was when there were three or more qualifying complaints of anti-social behaviour within a six month period, starting from the date of the first complaint. A qualifying complaint was one of anti-social behaviour made to a relevant body within seven days of the incident occurring. A complaint would be assessed within working seven days, and if it met the threshold a case review would commence and relevant agencies would be requested to provide information. Cases would be reviewed at monthly Anti-Social Behaviour Advisory Group meetings. If necessary an action plan would be prepared in consultation with the complainant. Recommendations could be made to the relevant agency. It was proposed that an annual report would be issued and data presented about the number of cases that met the threshold or not, how many case reviews were undertaken, and the number of reviews that led to recommendations being made. An appeals process would also have to be established to allow appeals to be submitted in writing within 14 days of the receipt of a case review decision.

The draft policy document would be circulated to Working Group Members who would be invited to submit their comments prior to a consultation with CSP partners.

The Community Remedy – this gave victims a say about the out-of-court punishment of offenders for low level crime and anti-social behaviour. The Police and Crime Commissioner had a duty to consult with the public and community representatives about punitive or restorative actions.

Injunction to prevent nuisance and annoyance – this could be used by various agencies to stop or prevent individuals engaging in anti-social behaviour. The injunctions would include prohibitions but could also include positive requirements. Breaches were civil contempt of court which could result in up to two years imprisonment.

Criminal Behaviour Order – this Order could be issued when a person was convicted of an offence to tackle the most persistent anti-social behaviour offenders engaged in crime. Breaches were a criminal offence which could result in up to five years imprisonment, a fine or both.

Police Dispersal Power – the Police would have the power to require a person committing or likely to commit anti-social behaviour, crime or disorder to leave an area for up to 48 hours. This was for use in a specified location and had to be authorised by an Inspector or above. Failure to comply was a criminal offence subject to a £2,500 fine or three months imprisonment.

Community Protection Notice – this power could be used to stop a person, business or organisation committing anti-social behaviour which spoiled the quality of life. Breaches were a criminal offence subject to a fixed penalty notice of up to £100, a fine on conviction of £2,500 for individuals or £20,000 for businesses.

Public Spaces Protection Order – this could be issued by Horsham District Council following consultation to stop individuals or groups committing anti-social behaviour in a public place. The behaviour had to be or likely to be detrimental to the quality of life of local people, be persistent in nature and unreasonable. The Order could be enforced by the Police and Council officers. Breaches were a criminal offence resulting in a £100 fixed penalty or a fine on conviction of £1,000.

Closure Power – this power would allow the Council or Police to quickly close down premises being used or likely to be used to commit a nuisance or disorder. The Closure Notice could close premises for up to 48 hours without court action. A Closure Order made by a court could close premises for up to six months. Breaches of the Order would be a criminal offence with up to six months imprisonment.

Absolute Grounds for Possession – this was a new power to grant possession of secure and assured tenancies where anti-social behaviour or crime had already been proven.

9. FUTURE MEETING DATES

Members expressed their view that the Working Group meetings were useful and they felt that regular scheduled meetings would be beneficial. It was suggested that meetings be held at least twice a year and perhaps approximately six months apart. The first meeting could review the previous year's CSP Plan and the performance in delivering the action plans, and the second meeting could consider the progress of the current year's Plan and address issues or seek clarity on any matters by requesting CSP partners to attend the meeting.

The Chairman, the Community Safety Manager, and the Chairman of the Scrutiny and Overview Committee agreed to meet the Director of Community Services to discuss the Working Group's pattern of working and the frequency of its meetings.

The meeting finished at 4.55 p.m. having commenced at 3.00 p.m.

CHAIRMAN