



Crime and Disorder Scrutiny Panel

Wed 26 Sep
2018
6.30 pm

Committee Room Two
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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**If you have any queries on this Agenda please contact
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Crime and Disorder Scrutiny Panel

Wednesday, 26th September,
2018

6.30 pm

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs:	Pattie Hill (Chair)	Gemma Monaco
	Debbie Chance	Jennifer Wheeler
	Julian Grubb	

1. Apologies and named substitutes

2. Declarations of interest and of Party Whip

To invite Councillors to declare any Disclosable Pecuniary Interests and / or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests, and any Party Whip.

3. Minutes of Previous Meeting (Pages 1 - 4)

4. North Worcestershire Community Safety Partnership - Update Report (Pages 5 - 16)

5. Child Sexual Exploitation - Presentation to follow

6. Anti-Social Behaviour Data - Presentation to follow

7. Anti-Social Behaviour Crime and Policing Act 2014 - Implementation of Provisions - Implications for the Crime and Disorder Scrutiny Panel (Pages 17 - 36)

At a meeting of the Executive Committee on 11th September Members considered a report in respect of Anti-Social Behaviour Crime and Policing Act 2014 - Implementation of Provisions. During consideration of this item it was proposed that the Crime and Disorder Scrutiny Panel should receive monitoring update reports in respect of the implementation of the provisions within officers' delegated powers as well as updates on Public Safety Protection Orders. This proposal was agreed by Council on 17th September 2018.

An extract from the minutes of the Executive Committee held on 11th September together with a copy of the report that was considered by the Committee, has been attached for Members' consideration.

The Crime and Disorder Scrutiny Panel is asked to note this requirement.

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8. Exclusion of the Press and Public

Should it be necessary, in the opinion of the Chief Executive, during the course of the meeting to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:

“That, under S.100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (to be specified) of Part 1 of Schedule 12 (A) of the said Act”.

These paragraphs are as follows:

Subject to the “public interest” test, information relating to:

- Para 7 – the prevention, investigation or prosecution of crime;
and may need to be considered as ‘exempt’.



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MINUTES

Present:

Councillor Matthew Dormer (Chair), and Councillors Pattie Hill, Paul Swansborough and Nina Wood-Ford

Officers:

Sue Hanley, Bev Houghton and Judith Willis

Democratic Services Officer:

Jess Bayley

1. APOLOGIES AND NAMED SUBSTITUTES

An apology for absence was received on behalf of Councillor Gareth Prosser.

An apology submitted by the Portfolio Holder for Community Safety and Regulatory Services, Councillor Joe Baker, was also noted by Members.

2. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest nor of any party whip.

3. MINUTES

RESOLVED that

the minutes of the meeting of the Crime and Disorder Scrutiny Panel held on 22nd March 2017 be approved as a correct record and signed by the Chair.

4. NORTH WORCESTERSHIRE COMMUNITY SAFETY PARTNERSHIP - UPDATE REPORT

The Community Safety Manager presented a briefing note outlining the work of the North Worcestershire Community Safety

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Chair

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Partnership in 2017/18. During the presentation of this paper the following matters were highlighted for Members' consideration:

- A number of projects, designed to facilitate crime prevention, had received grant funding from the West Mercia Police and Crime Commissioner (PCC).
- There was also a Community Safety Project Officer who had been recruited relatively recently to deliver projects in the Borough. These projects were designed to address key areas of local concern based on available data.
- There had been an increase of 21 per cent in total recorded crime during the year.
- The increase appeared in large part to be due to changes in reporting practices. In previous years only reports supported by viable evidence identified by the police would be included in the data; by 2017 all reported incidents, regardless of the evidence basis, were recorded.
- There had been a significant increase in bicycle theft, with this peaking in the months of April, May and June.
- Bicycle theft had been particularly notable in Church Hill and Matchborough and had included thefts from rear gardens.
- The available data revealed that 14 per cent of crime had been committed in the town centre. A lot of this was linked to the night time economy.
- There had been 11 hate crimes reported, leading to an increase of 19 per cent in such offences. It was noted that 10 of these offences related to a single, ongoing complaint which had since been resolved.
- The Partnership had been reviewing action that could be taken to address crimes committed by repeat offenders.

Following the presentation a number of issues were raised by Members:

- The work of YSS. Members were advised that this was a charity that carried out work with offenders and those at risk of offending as well as on other projects involving young people in Worcestershire.
- The work of Swanswell to support people struggling with substance abuse problems. Officers explained that Worcestershire County Council commissioned Swanswell to deliver drug and alcohol services across the county and representatives of the organisation were involved in the work of the Redditch Tasking Group.
- The work of the Partnership to raise the profile of the partnership in terms of helping retailers to tackle theft from

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shops. Members were informed that the partnership worked closely with the Kingfisher Shopping Centre.

- The approach adopted by partners to address cases of child and sexual exploitation (CSE).
- The role of schools in terms of referring young people at risk of CSE. Members were advised that training was being delivered to school staff to help assist with this.
- The extent to which the increase in reported bicycle thefts was linked to changes in the reporting of crime statistics. Members were advised that there had been an increase in bicycle thefts and the partnership was examining these to identify any patterns.
- The work of partners to ensure that stolen bicycles were not subsequently sold on. Members were advised that the Police had worked with second hand stores and scrap metal dealers to try and address this. Owners were also encouraged to use property marking merchandise like SmartWater which could help to demonstrate ownership and facilitate the return of stolen property.
- The data indicated there had been an increase in vehicle crimes, which covered offences such as theft of a vehicle and theft from a vehicle. Officers were asked to clarify how drink driving was categorised in the data.

RESOLVED that

the update report be noted.

5. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that

under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matters on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12 (A) of the said Act, as amended:

Minute 6 – Report Concerning Anti-Social Behaviour in Redditch Borough; and

Minute 7 – Report on Preventing Violent Extremism

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6. REPORT CONCERNING ANTI-SOCIAL BEHAVIOUR IN REDDITCH BOROUGH

The Community Safety Manager presented a report on the subject of anti-social behaviour (ASB) in Redditch Borough and in so doing highlighted the following information for Members' consideration:

- There were various definitions of ASB, which took into account the likely impact including on the quality of people's lives.
- The Council was in the process of updating its definition of ASB as identified in the Anti-Social Behaviour Crime and Policing Act 2014. A report on this subject would be presented for the consideration of the Executive Committee in due course.
- ASB included a number of incidents considered to be beyond the bounds of acceptable behaviour.

[During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed which relates to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime].

7. REPORT ON PREVENTING VIOLENT EXTREMISM

The Community Safety Manager presented a report on the subject of preventing violent extremism.

[During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed which relates to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime].

The Meeting commenced at 6.30 pm
and closed at 7.55 pm



Elected Member

BRIEFING NOTE

To: Crime and Disorder Scrutiny Panel
From: Bev Houghton
Dept: Community Safety
Contact Info: 01527 534187

CC: Cllr Gareth Prosser – Portfolio Holder for Community Safety
Sue Hanley – Deputy Chief Executive
Judith Willis – Head of Community Services

North Worcestershire Community Safety Partnership 2017/18

1. Summary

1.1 This report provides an update on the progress of the North Worcestershire Community Safety Partnership (NWCSP) during 2017/18 and to date.

2. Background

2.1 NWCSP has been in existence since May 2013, following the merger of the three district CSPs in Bromsgrove, Redditch and Wyre Forest. The community safety teams that support and administer the Partnership continue to sit within the respective local authorities.

2.2 Local representation on NWCSP is fulfilled through a number of positions. Redditch Borough Council's Elected Member representative is the Portfolio Holder for Community Safety, Councillor Gareth Prosser. Sue Hanley, the Council's Deputy Chief Executive is Chair of NWCSP and is also Redditch Borough Council's Responsible Authority representative on the Partnership. The Council's Community Safety Manager, Bev Houghton provides support to NWCSP and is also Chair of the Safer Redditch Operational Group.

2.3 Scrutiny arrangements for the CSP currently remain unchanged with local authorities having a statutory duty to scrutinise the work of its local CSP, under Section 19 of the Police and Justice Act 2006.

2.4 Alongside the relationship the Council has with the CSP, there is also a direct role in holding the West Mercia Police and Crime Commissioner (PCC) to account through the West Mercia Police and Crime Panel (PCP). Bromsgrove District Council's representative on the PCP is the Portfolio Holder for Community Safety, Councillor Gareth Prosser.

3. Current Position

3.1 Partnership Structure

District Operational Groups are identified as Safer District Groups and are known as Safer Bromsgrove Group, Safer Redditch Group and Safer Wyre

Forest Group. There are also a number of other sub-groups as illustrated in Appendix 1

3.2 The Partnership Plan 2017-20

NWCSP has a statutory duty to produce a three year rolling plan outlining how the Partnership intends to address key crime and community safety priorities, as identified through its annual Strategic Assessment.

The Strategic Assessment gathers research, evidence and intelligence from national and regional sources, as well as drawing on professional expertise of those working locally. It is designed to be a point of reference and guidance to resource community safety initiatives among partner agencies across the area.

The Strategic Assessment is used to inform the Community Safety Partnership Plan and the priorities that the CSP will focus on for a 3 year period. The partnership agreed its priorities for 2017-20 in Dec 2016 and they are:-

- I. Reducing Violence and Abuse: including sexual offending, domestic abuse and Child Sexual Exploitation (CSE)
- II. Reducing Theft and Acquisitive crime: including shoplifting, thefts and burglaries
- III. Reducing Anti-Social Behaviour, Damage and Nuisance: including criminal damage, environmental issues and deliberate fires/arson
- IV. Protecting vulnerable communities: including reducing harassment and threatening behaviour motivated by Hate
- V. Reducing Offending and Reducing the Harm caused by Drug and Alcohol Misuse are cross cutting themes which impact on all priorities

3.3 John Campion, West Mercia Police and Crime Commissioner

John Campion was elected as the Police and Crime Commissioner for West Mercia on 5th May 2016. The PCC has a duty to co-operate with CSPs to reduce crime and disorder and there is a reciprocal duty on CSPs to collaborate with the PCC. The PCC and the CSP must have regard to each other's priorities within their respective plans. The PCC's Safer West Mercia Plan was published in October 2016 and his priorities are reflected in the NWCSP Action Plans, which the partnership will contribute to delivering at a local level. The PCC's vision is focused on four key areas:

- I. Building a More Secure West Mercia: CSE, domestic abuse, vulnerable people, sexual offences, ASB, drugs and alcohol, reducing reoffending, road safety
- II. Reassuring West Mercia's Communities: feeling safe as well as being safe, engaging with the public, protecting from cyber-crime, making voices heard around rural crime

III. Putting Victims and Witnesses First

IV. Reforming West Mercia

Tracey Onslow was appointed as Deputy Police and Crime Commissioner in July 2016. Her role is to represent the PCC in communities across West Mercia. Her portfolio includes cyber, rural and business crime, victims' services and commissioning. CSPs will be working closely with the Deputy PCC as the PCCs commissioning model is developed and put into operation. The first commissioning areas to be considered by the Deputy PCC were CCTV and CSP funding for Analysis support. Both reviews are underway, with a number of changes proposed to the way these areas have previously been funded.

3.4 Grant Funding from the PCC 2018/19

In December 2017, CSPs in West Mercia were advised of their respective funding allocations for 2018/19 and were asked to apply to the PCC with details of how the funding would be used. On 17th January 2018, an extraordinary meeting of the NWCSP was held to agree which projects and areas of work partners wished to deliver. The funding available was based on previous year's allocations and the table below shows the projects agreed by NWCSP.

Project	Funding request
Research & Information Officer (ring-fenced)	£35,000
Bromsgrove & Redditch Community Guardians Project	£54,125
Wyre Forest Keeping Safe Project	£48,125
NW Street Pastors	£1,000
NW Young Citizens Challenge	£1,000
Total Amount	£139,250

The PCC has also agreed to consider funding applications for a two-year period up to the end of the PCCs current term in March 2020.

The Bromsgrove & Redditch Community Guardian project proposes to create a team of officers who will patrol areas identified as ASB locations of concern. The patrol teams will engage with groups of young people and adults who are gathering in local neighbourhoods and the project will support the work of SNT officers and the Street Pastors to provide another resource to address issues of on-street ASB and nuisance. The CSP is currently in discussions with the H&W Fire and Rescue service to identify officers who may be interested in delivering this project, which will also complement their ongoing community role modelling project PRIME.

NWCSP has also been allocated funding of £200,000 over a 3 year period for improvements to the area's CCTV scheme. On behalf of the three Local

Authorities, the CSP is investigating options to use this capital contribution to modernise the CCTV infrastructure. This could potentially see an upgrade of the current scheme to support to Internet Protocol Recording. Therefore improving the technological capabilities of the scheme and allowing for increased digital capability and more capacity to expand and/or link to other digital systems across the region. This CCTV grant is separate to NWCSP's core funding allocation.

3.5 Local Delivery, Key Projects and Progress

Local delivery of community safety projects and initiatives falls under the remit of the Community Safety Operational Groups. The Safer Redditch Group meets on an 8 weekly basis to monitor district performance and review local operational delivery. This group is the first point of contact for any local crime and community safety issues or concerns that may require a multi-agency response.

Progress of grant funded projects was reported to the PCC and at the end of the financial year there was a requirement to provide a comprehensive evaluation of all projects funded in 2017/18. This included a breakdown of expenditure and a requirement to demonstrate the difference the projects had made. The NWCSP project evaluations for 17/18 can be shared with Members on request.

This report will now provide an update on some of the key community safety projects that were delivered in 2017/18.

Redditch Community Safety Project Officer

Safer Redditch has invested some of its funding in providing a dedicated officer to deliver community safety projects and initiatives and liaise with local communities and groups on crime prevention and personal safety issues. Richard Waterhouse has been in post since March 2017.

Alongside partners, the Redditch Project Officer has worked with a number of local community groups and residents to offer guidance and information on a variety of community safety concerns. This includes attending a wide range of groups such as neighbourhood watches, residents' representative groups, student events and specific health groups including dementia awareness and carers support. As a result of supporting these events, follow-up home and business security surveys have been conducted to offer bespoke crime prevention advice.

As part of the Community Safety Team, the Project Officer also responds to ad hoc calls from residents expressing concern about all aspects of crime, ASB and community safety issues in their local area. The whole team offers appropriate advice, facilitates contact with other agencies and provides crime prevention support as necessary.

ASB in Matchborough

Following a number of crime prevention and design initiatives to address an increase in ASB in Matchborough last year, Safer Redditch provided funding to Redditch Boxing Academy and to Redditch United in the Community Trust

(RUIC) to provide targeted diversionary activities to the young people engaging or at risk of engaging in ASB.

Redditch Boxing Academy received £2,000 to deliver their 'Fight for Peace' Programme at Matchborough Boxing Club. The aim of the programme is to address some of the challenging behaviour young people display, by teaching them different ways to channel their emotions and feelings. The programme was delivered to students who attended The Forge Short Stay School and Arrow Vale High school. The young people who attended the sessions engaged well, and showed positive steps forward in their behaviour. The Safer Redditch funded ended in March 2018, but due to the positive outcomes of the programme, Redditch Boxing Academy were able to secure further funding to continue their work and expand the programme into other schools.

RUIC received £3,000 to provide Football sessions and Dance Sessions in the area to engage with the young people involved in disorder. Their project evaluation feedback states:-

Football Sessions - Individuals are now engaging with the lead coach very well, responding well to instructions and engaging in appropriate conversations. To ensure that young people initially engaged, Redditch United utilised a coach who had an existing relationship with the young people through his work in the area. He was able to relate to the individuals attending and understand their needs and behaviours.

Dance Sessions – Sessions have been regularly attended by 6 individuals each week. The behaviour of the individuals has been good and we have received positive reports from the girls about the tutor used; who appears to relate well and engages the individuals to participate and lead the group. P&E Sports, who manage the local sports centre, have stated that there has been an improvement in the individuals' behaviour in the centre. Their attitudes to staff have become less disruptive and they are now taking care of the facility. The facility is no longer a place to 'hang out' but is the place to take part in organised activity.

Nominated Neighbour Scheme

The Nominated Neighbour scheme, aimed at protecting vulnerable residents from door step crime offences continues to be a successful initiative. More than 50 Redditch residents have so far been signed up to the scheme and evaluation so far suggests that not a single resident signed up to the scheme has had a cold caller. The scheme is currently operating in Redditch and Bromsgrove but it is anticipated that it will be rolled out across the West Mercia Police area in the near future, featuring as part of their Economic Crime Unit's Prevention Strategy.

The Community Safety Team seeks customer feedback on the scheme and examples of residents' comments are as follows:-

“Mrs A felt the sign on her door was a deterrent, on one occasion she had someone at the door who saw the sticker and went away. She commented she definitely felt safer with having that on.”

“Mrs B feels numbers of unwanted callers have definitely reduced significantly since she has had the sticker put up”

“Mrs C was very glad with the scheme as she had had a lot of unwanted callers before and it has stopped completely, even "religious people" don't call in any more so she is very glad.”

“Mrs D was very pleased with the scheme; she felt it reduced the number of unwanted callers significantly and that people were not bothering to knock her door anymore.”

The Community Safety Project Officer has been delivering presentations about the scheme and personal safety in general to various vulnerable adult groups across Redditch and has also visited every bank and building society in Redditch and liaised with Managers, all of whom have agreed to promote the scheme when appropriate within their respective branches.

Town Centre and Smallwood Area - Community Safety Concerns

The Community Safety Project Officer is working on a number of initiatives within the Town Centre and Smallwood areas, predominately relating to discarded hypodermic needles, street drinking and associated ASB, aggressive begging and theft from shops.

Multiple agencies are involved in resolving these issues and the Project Officer has a co-ordinating role in consulting with residents, partner agencies and local businesses. The SARA problem solving model is being used to address the problems and evidence is currently being gathered and scanned to develop longer term responses. With regards to the discarded needles, RBC Environmental Services team are mapping the locations where needles are removed to identify any patterns and trends. Also, the Community Safety Project Officer is liaising with Swanswell Drug and Alcohol Service and local Pharmacy's to develop an incentive scheme to stop the discarding of used needles.

Redditch Pub Watch

The Project Officer has been working with the Town Centre Manager to reintroduce a pub watch scheme in Redditch Town centre; which is working towards reducing incidents of violence and anti-social behaviour. An effective means of communication between the licensed premises is being established in the form of a new online app called 'Disc'. This has been successful in other areas where it has been implemented and allows members to share information about offenders and disorder, very quickly and securely via the GDPR compliant app. Licenses for the app have been funded by Safer Redditch and there is a plan to link this scheme to retail outlets within the town centre in order to reduce shoplifting offences.

MARAC

The Project Officer attends the local MARAC - Multi-Agency Risk Assessment Conference, which is a nationally recognised process for managing high risk Domestic Abuse cases. In attending MARAC, the Project Officer has assisted in protecting 73 vulnerable and high risk victims of domestic violence across Redditch and provides a single point of contact for the process for the council. As a result of MARAC, a number of home security assessments have been carried out and security upgrades to victim's properties have been made, assisting to keep these vulnerable residents safe and remaining in their homes.

ASB in Abbeydale

Following an article that appeared in the local paper regarding resident concerns about a play area that was being frequented by people using drugs and street drinking; the Project officer liaised with police, residents and RBC landscaping team and an environmental solution to the problem was identified. Following the works, the ASB has all but disappeared and residents report feeling safer and are once again using the park. Feedback from residents included the following comment:-

"I would like to thank you and everyone involved for the changes you have made in our area. Playground at Sedgley Close wasn't the safest place in the past few years. I couldn't let my kids go and play without me going there first to pick up the litter and all the broken glass pieces. I was always scared walking back home at night because of all the dodgy people smoking marihuana or drinking alcohol behind the bushes. You couldn't really see them, so they felt comfortable doing all things they shouldn't be doing at the playground! Most of all my living room finally managed to get some sun! The room is brighter and much warmer because the trees are now gone! It makes a difference already. Please pass my Thank you to all the team involved! Guys involved in getting the trees out were brilliant! They did their job very quickly and made sure everyone was safe during their work time. Thank you very much once again and I cannot wait to see my kids' reaction to it once they are back from their holidays!"

ASB in Astwood Bank

Following a spike in anti-social behaviour in Astwood Bank, Project Officers liaised with residents and businesses in the area and then carried out a crime reduction survey of the local park. Subsequent work completed by RBC's Landscape Team has assisted in reducing issues of ASB and again has received a positive response from local residents and park users.

"Just wanted to say thanks for the work that's been put into Astwood bank playground over the last week. Having spoken to a council representative this morning seeking positive/negative feedback.... I am positive that more improvements are underway!! Thank you!!!"

Phillips Terrace

Phillips Terrace is an Older Persons complex where a number of incidents of anti-social behaviour had been causing alarm and distress to residents.

The Project Officer assisted the Locality team, met with residents and carried out a security survey of the site. Work has subsequently been carried out, with a new fence and gate being installed. This has had a positive impact on the elderly residents who are now feeling much safer in their homes.

In addition to the above examples, a number of neighbour and community disputes have been resolved which in turn has improved the quality of life of residents and reduced the demand on both local authority and Police resources. Also, a number of community events have been attended such as at the Morton Stanley Festival and Woodrow Family Fun Day.

Redditch & Bromsgrove Schools Respect Programme

The Respect programme continues to be successful in providing whole day awareness sessions as part of school drop down days, it also provides bespoke classroom sessions on a number of subjects such as recognising and reporting hate crime, understanding healthy relationships/domestic abuse, the dangers of substance misuse and promoting respect and community responsibility. The project also provides one to one mentoring sessions to individual students who are felt to be at risk of becoming involved in crime and ASB or are at risk of becoming victims of crime.

Last school year (Sept 17 to July 18) the project saw 1,234 students receive community safety information during school PHSE lessons and drop down days across Redditch and Bromsgrove. 92 students were referred for 1 to 1 support through therapeutic mentoring sessions and 55 students received information via targeted small group workshops. 36 students took part in the nationally recognised CRUSH Programme, a young people's Domestic Abuse awareness course created and accredited by Women's Aid.

Redditch Travel Ambassadors Project

Initially the project worked with 15 HOW College students from Redditch, who have a disability and travel independently on public transport. Their experiences of using public transport were recorded and evaluated over a 12 month period. Some of the students did not feel able to continue with the project for a variety of reasons; however 10 young people have now completed the programme. This information is currently being used to write training materials for bus companies and to help influence permanent service changes by public transport providers.

Young Citizens Challenge

Young Citizen's Challenge is an initiative that has been running in Redditch and Bromsgrove for over 10 years. The project provides community safety and personal safety messages and information to Year 6 pupils from middle schools across both districts. Students, accompanied by their teacher, are taken to a partner location to take part in a range of interactive workshops and activities, raising awareness of various community safety issues.

In 2018, the project was delivered from Bromsgrove Police and Fire Station and saw 920 young people receiving a variety of community safety messages. Schools that took part in the initiative included Woodfield Middle School, St

Bede's Middle School, Birchensale Middle School and Churchill Middle School.

Safe Place Scheme

The Safe Place Scheme is a CSP supported scheme that was set up by Our Way Self Advocacy in Wyre Forest in 2014. The scheme is now operating across Worcestershire and it offers vulnerable people a safe place to go if they have a problem or concern when out and about in the town centres. All Safe Places are identified by a Safe Place sticker and the staff receive training, so that they are able to give reassurance and help people contact appropriate support, if needed. A directory of the Safe Places in Redditch and across the county is available at www.ourway.org.uk/safe-place-scheme/ and there is also a free Safe Place Scheme app available for mobile phones. Downloads of "My Town Worcestershire" from the App Store, will show you your nearest "Safe Place" and can guide you to it via Google Maps.

Community Safety teams in Worcestershire work in partnership with West Mercia Police and Our Way Self Advocacy to support, develop and maintain the scheme across the county.

Hate Crime Awareness Week 2017

As part of national Hate Crime Awareness Week in October and using funding provided by the PCC, North Worcestershire Hate Incident Partnership organised a number of community engagement events across the districts. Locally, an awareness stand was set up in the Kingfisher Shopping Centre and a Street Theatre Company was commissioned to engage with residents through a number of thought provoking performances.

Over 270 information bags were handed out and residents felt comfortable approaching the stand and engaging with performers and staff to find out more about hate crime. In some instances, people also offered their own personal experiences of how they had been a victimised and how services could be improved. Information was displayed in public areas across the town and press releases were sent to the local papers. The events were also promoted via relevant Twitter and Facebook pages.

The Hate Incident Partnership underwent a number of changes in 2016/17 and it was felt that Hate Crime Awareness week would be a good opportunity to hold a re-launch of the group. On the 20th October 2017, the launch event was held at the Bromsgrove Hotel and Spa with over 100 professionals attending. The event was also supported by MP Sajid Javid, who attended and spoke about his own personal experiences of Hate Crime.

This year's Hate Crime Awareness Week main event is currently being organised by the Community Safety teams, who have managed to secure some of the most high profile guest speakers ever engaged for the week. More details of the 2018 programme of events will be forwarded to Members shortly.

Community Engagement

Last year, Community Safety Project Officers attended a considerable number of events in order to speak to local residents, provide crime prevention advice and raise awareness of community safety campaigns. Community engagements were carried out at HOW College Redditch Campus and to various residents associations and community groups to promote personal safety, crime prevention and keeping safe.

3.6 Community Safety Partnership Performance and Evaluation

As part of a partnership review held in 2017, NWCSP is re-assessing how it will measure its performance and achieve its desired outcomes. CSPs are moving away from the traditional method of considering only police recorded crime and ASB data as performance indicators and are moving more toward focusing on delivering agreed partnership outcomes and improving mainstream provision. This is partly being driven by the PCC and his outcomes-based commissioning framework and also due to changes to police recording as a result of the implementation of a new information management system. As part of these reforms the Data Analysis, Research and Information provision for the Partnership has been combined across the force area and will now be provided by a Partnership Analyst Team, providing a service to all CSPs in West Mercia. This team will be instrumental in assisting partners to ensure performance measurement and evaluation are carried out in the best way, in order to evidence that partnership activities are making a difference.

4. Recommendation

- 4.1 That progress made by the North Worcestershire CSP be noted.

5. Appendices

Appendix One: NWCSP Structure

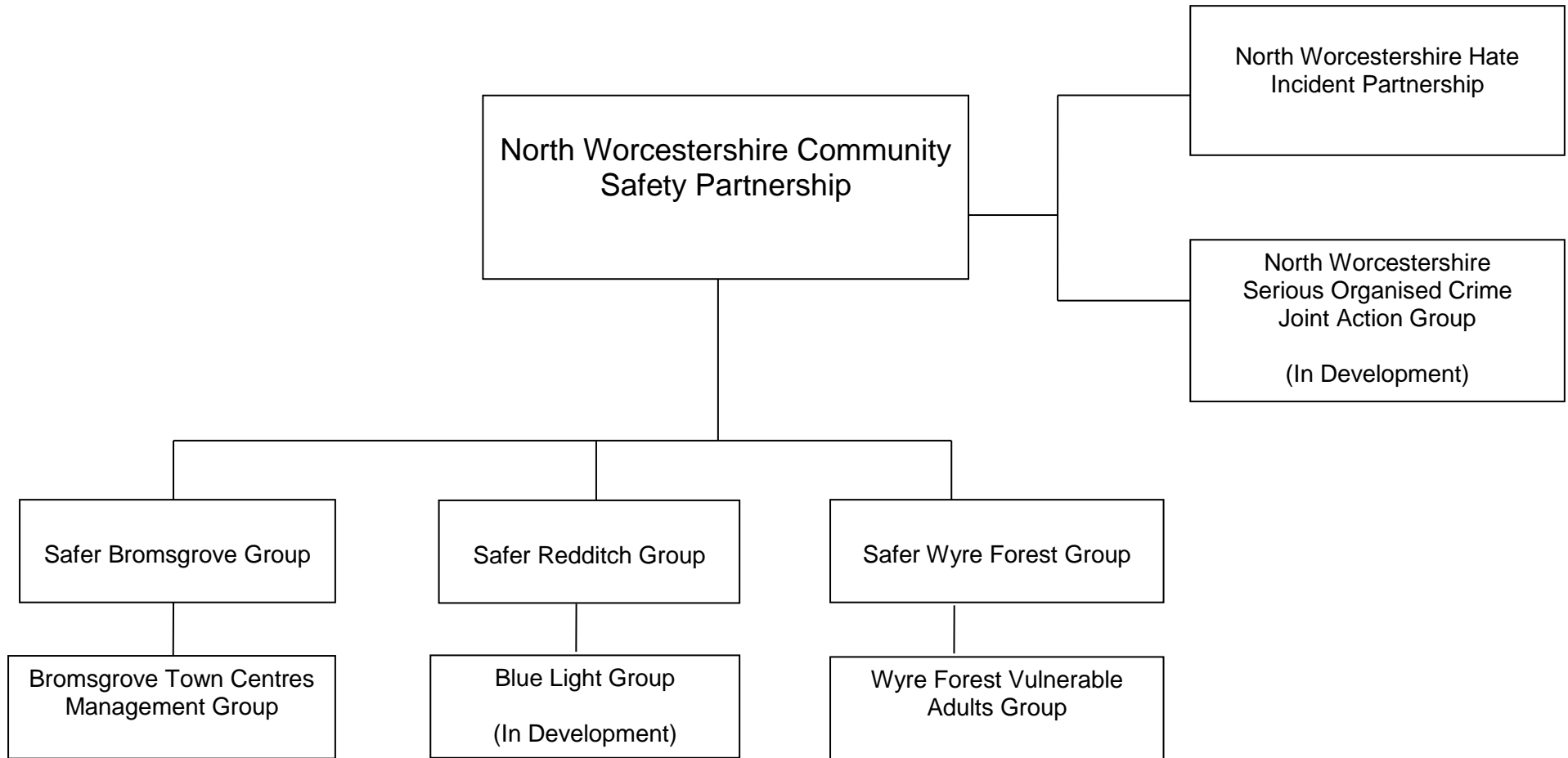
6. Background Papers

West Mercia PCC's Safer West Mercia Plan 2017/21

Officer Contact Details:

Name: Bev Houghton
Title: Community Safety Manager
Tel: 01527 534187
Email: bev.houghton@bromsgroveandredditch.gov.uk

Appendix 1: Structure of the North Worcestershire Community Safety Partnership



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Executive Committee

Tuesday, 11 September
2018

MINUTES

Present:

Councillor Matthew Dormer (Chair), Councillor David Bush (Vice-Chair) and Councillors Tom Baker-Price, Greg Chance, Brandon Clayton, Bill Hartnett, Gareth Prosser, Mike Rouse and Craig Warhurst

Also Present:

Roger Bennett, Michael Chalk and Anthony Lovell

Officers:

Kevin Dicks, Clare Flanagan, John Godwin, Sue Hanley, Mark Hanwell, Rachel Hines, Bev Houghton, Karen Jones, Jayne Pickering, Guy Revans, David Riley and Judith Willis

Democratic Services Officer:

Jess Bayley

MINUTE EXTRACT

30. ANTI SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014 - IMPLEMENTATION OF PROVISIONS

The Community Safety Manager presented a report in respect of implementing the provisions of the Anti-Social Behaviour Crime and Policing Act 2014. The guidance in relation to this legislation had been issued in 2017 and the report detailed the implications for the Council, including a requirement to change the list of officer delegations for anti-social behaviour.

One of the key issues that had been addressed in both the legislation and the guidance was the previously inconsistent approach that had been adopted by Councils across the country to establishing protection orders against anti-social behaviour. The government had concluded that there needed to be a similar approach in all areas and the Government guidance recommended that the Executive Committee and Council to consider and agree any future requests for Public Space Protection Orders (PSPOs). Members were advised that there were five PSPOs in Redditch on

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Chair

Executive Committee

Tuesday, 11 September 2018

the date of the meeting which mainly related to alcohol consumption and anti-social behaviour. All of these would need to be reviewed.

Following the presentation of the report Members discussed the proposals in detail. Questions were raised about the new Closure Power in the Anti-Social Behaviour Crime and Policing Act 2014 and Officers confirmed that Closure Notices could only be request by a police officer in the position of an Inspector or in a higher position and any follow up action could be only be undertaken by a Chief Inspector or someone more senior.

Members noted that many of the powers detailed in the report would be delegated to Officers and they suggested that the use of these powers needed to be monitored. An additional proposal was therefore brought forward for a monitoring update to be undertaken which would be reported to the Crime and Disorder Scrutiny Panel. Some discussion was held about how frequently this monitoring should take with some suggesting that this could occur on an annual basis. However, Members concluded that this should instead take place every six months.

RESOLVED that

- 1) the powers available to the Council under the Anti Social Behaviour, Crime and Policing Act 2014, as amended in December 2017 be noted;**

RECOMMENDED that

- 2) the Council's Scheme of Delegation is amended, in accordance with the recommendations outlined in Section 3.6 of this report, to allow relevant officers to apply these tools and powers; and**
- 3) a monitoring update report, detailing action taken in relation to the powers provided in the scheme of delegations to officers (as outlined in recommendation 2 above), should be delivered to the Crime and Disorder Scrutiny Panel on a biannual basis.**

The Meeting commenced at 7.00 pm
and closed at 8.14 pm

EXECUTIVE11th September 2018**DRAFT - ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 –
IMPLEMENTATION OF PROVISIONS**

Relevant Portfolio Holder	Cllr Gareth Prosser
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis, Head of Community Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	No
Key Decision / Non-Key Decision	No

1. SUMMARY OF PROPOSALS

- 1.1 The purpose of this report is to provide an overview of the Anti Social Behaviour, Crime and Policing Act 2014, as updated in December 2017 and highlight any changes in the statutory Home Office guidance which are likely to have a direct impact on the Council.
- 1.2 The report also proposes a series of amendments to the Council's Scheme of Delegation to enable this Council to best utilise and implement the ASB tools and powers under the Act.

2. RECOMMENDATIONS

The Executive Committee is asked to RECOMMEND that

- 2.1 **The powers available to the Council under the Anti Social Behaviour, Crime and Policing Act 2014, as amended in December 2017 be noted;**
- 2.2 **The Council's Scheme of Delegation is amended, in accordance with the recommendations outlined in Section 3.6 of this report, to allow relevant officers to apply these tools and powers.**

3. KEY ISSUES**Financial Implications**

- 3.1 There are no direct financial implications arising from this report. Should additional resources be required in the future, any requests will be subject to the Council's normal budget approval process.

Legal Implications

- 3.2 The Anti Social Behaviour, Crime and Policing Act 2014 came into force in October 2014, with further statutory guidance issued by the Home Office in December 2017. The Act introduced changes to how local agencies deal with anti social behaviour, streamlining the tools available to them so that they can be

more effective. The 19 tools and powers provided in the previous Anti Social Behaviour Act 2003, were reduced to just 6 in the 2014 Act.

- 3.3 In order for this Council to effectively apply its powers under the 2014 Act, amendments to the Council's Scheme of Delegation are required.

Service / Operational Implications

- 3.4 The Anti Social Behaviour, Crime and Policing Act 2014, provides the following tools and powers which are of relevance to this Council and support the Strategic Purpose 'Keep My Place Safe and Looking Good':

- a) Civil Injunction (Sec. 1 – 21 of the Act) – is a way of stopping individuals from engaging in anti social behaviour by either prohibiting certain activity or requiring some positive intervention. An Injunction is sought against an individual who is causing nuisance or annoyance within a housing related context or whose anti social behaviour is causing harassment, alarm or distress elsewhere (i.e. non-housing related). To include a positive requirement within the terms of an injunction the Council must (i) believe it is necessary; (ii) have the resource to make it happen; and (iii) have a named individual or organisation that will ensure compliance with the requirement.
- b) Criminal Behaviour Order (Sec. 22 – 33 of the Act) – gives agencies the power to deal with the hard core of persistently anti social individuals who also engage in criminal activity. The court may make a criminal behaviour order against an offender, on conviction of **any** offence, if two conditions are met: (i) the person has also engaged in behaviour that caused or was likely to cause harassment, alarm or distress to one or more persons; and (ii) the court considers that making the order will help in preventing the offender from engaging in such behaviour.
- c) Dispersal Power (Sec.34 - 42 of the Act) – allows police officers to direct people to leave a public place and not return for a specified time (maximum 48 hours) if two conditions are met: (i) the police officer has reasonable grounds to suspect that, the presence or behaviour of the person in the locality has contributed to or is likely to contribute to members of the public in the locality being harassed, alarmed or distressed, (or the occurrence crime or disorder); and (ii) the police officer considers that giving a direction to leave is necessary, for the purpose of removing or reducing the likelihood of anti social behaviour, crime or disorder. The police officer may also require the surrender of any item being used to harass, alarm or distress members of the public.
- d) Community Protection Notice (CPN) (Sec. 43 – 58 of the Act) - prohibits persons aged 16 or over, businesses or organisations from committing anti social behaviour, which has a detrimental effect on the quality of life of those in the locality. The CPN can include requirements to ensure that problems are rectified and that steps are taken to prevent the anti social behaviour occurring again. In these cases the behaviour must be of a persistent or

continuing nature and be unreasonable. CPNs replaced measures such as litter clearance notices, defacement control notices and street litter control notices.

- e) Public Space Protection Order (PSPO) (Sec. 59 – 75 of the Act) – is used to stop individuals or groups from committing anti social behaviour in a public space, which has, or is likely to have a detrimental effect on the lives of those in the area. The restrictions and requirements of the order are set by the council and these can be blanket restrictions or requirements that are targeted against certain behaviours by certain groups at certain times. Orders can also restrict access to public spaces (including certain types of highway) where that route is being used to commit anti social behaviour. This tool replaces Designated Public Place Orders, Gating Orders, and Dog Control Orders and can be enforced by police officers, police community support officers and authorised council officers. **(See Appendix A)**
- f) Closure Power (Sec. 76 – 93 of the Act) – This power allows the police or council to close a premises quickly if it is being used, or is likely to be used, to commit nuisance or disorder. A Closure Notice is issued out of court in the first instance and following this the Closure Order can be applied for through the courts. The Notice can close premises for up to 48 hours out of court but cannot stop the owner or those who habitually live there from accessing the premises. The Order can close premises for up to six months and can restrict all access. Both the Notice and the Order can cover any land or any other place, whether enclosed or not, including residential, business, non-business and licensed premises. Breach of a Notice or an Order is a criminal offence with a sentence of up to three months in prison for breach of the Notice and up to six months for breach of an Order. Both can also attract an unlimited fine for residential and non-residential premises
- g) The Act also contains legislation, which is pertinent to the Council's Housing Service and Registered Providers of Social Housing, for the Recovery of Possession of Dwelling Houses, (Sec. 94 – 100) enables relevant landlords to expedite the eviction of anti social tenants in order to bring faster relief to those affected by their behaviour. This measure gives absolute ground for possession of secure and assured tenancies in specific cases of anti social behaviour or criminality, as long as certain conditions have been met and the landlord has also complied with its legal obligations
- h) The Community Remedy, (Sec. 100 – 103 of the Act) gives victims a say in the out of court punishment of perpetrators for low level crime and anti social behaviour. This tool is used by the Police, in consultation with their relevant partners and the Community Remedy document is produced and published by the Police and Crime Commissioner.
- i) The Community Trigger / ASB Case Review, (Sec. 104 – 105 of the Act) gives victims of ASB the ability to request action, starting with a review of their case, where a locally defined threshold is met. The West Mercia Police and Crime Commissioner has given permission locally for North

Worcestershire Community Safety Partnership to deal with all ASB Case Reviews /Community Triggers. The locally agreed threshold is that the Case Review/Trigger can be activated if a victim has made three or more reports relating to the same anti social behaviour problem in the past six months to the Council, Police or a Registered Housing Provider (Social Landlord) and they feel that no action has been taken. Or, at least three individuals and/or groups in the local community have made reports about the same problem in the past six months to the Council, Police or Registered Housing Provider (social landlord) and they feel that no action has been taken. The Case Review/Trigger can also be requested on behalf of someone else if their written consent is obtained.

- 3.5 **Appendix B** sets out more detailed information about each of the key provisions of the Anti Social Behaviour, Crime and Policing Act 2014, as updated in December 2017.

Proposed Amendments to Council's Scheme of Delegation

- 3.6 In order to enable all relevant Council officers to utilise the powers under the Act, the following amendments to the Council's Scheme of Delegation are recommended:-

- a) That the Head of Community Services and the Head of Housing Services, in consultation with the Principal Solicitor be given delegated authority to seek a Civil Injunction in accordance with Sec. 1 – 21 of the Anti Social Behaviour, Crime and Policing Act 2014.
- b) That the Head of Community Services, the Head of Environmental Services, the Head of Worcestershire Regulatory Services and the Head of Planning and Regeneration Services be given delegated authority to serve Community Protection Notices, (and Fixed Penalty Notices in the event of a breach) in accordance with Sec. 43 – 58 of the Anti Social Behaviour, Crime and Policing Act 2014.
- c) That the Head of Community Services, the Head of Housing Services, Head of Environmental Services and Head of Leisure and Cultural Services be given delegated authority to initiate and implement the consultation process required to make a Public Space Protection Order in accordance with Sec. 59 – 75 of the Anti Social Behaviour, Crime and Policing Act 2014.

As recommended in the statutory guidance, the decision to make a Public Space Protection Order will be put to the Executive Committee/Council.

- d) That the Head of Community Services, the Head of Housing Services, the Head of Environmental Services, the Head of Planning and Regeneration Services and the Head of Worcestershire Regulatory Services be granted delegated authority to issue a Closure Notice (up to 48 hour) and to apply

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for a Closure Order in accordance with Sec. 76 – 93 of the Anti Social Behaviour, Crime and Policing Act 2014.

- e) That the Head of Community Services and the Head of Housing Services be granted delegated authority to seek Absolute Grounds for Possession of a secure or assured tenancy where anti social behaviour or criminality have been proven in court, subject to the required conditions being met in accordance with Sec. 94 – 100 of the Anti Social Behaviour, Crime and Policing Act 2014

Customer / Equalities and Diversity Implications

- 3.7 The Act provides opportunities to improve how the Council deals with anti social behaviour, providing a variety of tools and powers that help the Council and its community safety partners to resolve issues in the community quickly and effectively. The Act also enables the Council to continue to work closely with its partners to achieve the best results for its residents and provides a mechanism by which agencies actions can be scrutinised by those directly affected by anti social behaviour.
- 3.8 Use of these ASB tools and powers will have a positive impact on residents and customers affected by anti social behaviour, including members of minority communities that may be targeted by harassment for a variety of reasons.

4. RISK MANAGEMENT

- 4.1 The Council has a statutory duty to exercise its functions with due regard to the effect of those functions on crime, disorder, ASB and reoffending. The Council must also do all it reasonably can to prevent crime, disorder, ASB and reoffending throughout the District. Failure to appropriately implement the powers and tools available to the Council to address these issues could result in the potential for legal challenge by those affected by crime and disorder. There is also the potential for reputational damage to the Council.

5. APPENDICES

Appendix A – NWCSP Briefing Paper on Public Space Protection Orders

Appendix B – Provisions of the Anti Social Behaviour, Crime and Policing Act 2014, as updated in December 2017

6. BACKGROUND PAPERS

Anti Social Behaviour, Crime & Policing Act 2014 – Updated Statutory Guidance from the Home Office (Dec 2017)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/679712/2017-12-13 ASB Revised Statutory Guidance V2.1 Final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/679712/2017-12-13_ASB_Revised_Statutory_Guidance_V2.1_Final.pdf)

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CPS - Criminal Behaviour Orders Legal Guidance

<https://www.cps.gov.uk/legal-guidance/criminal-behaviour-orders>


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North Worcestershire
Community Safety Partnership

PSPO – Public Space Protection Order

Bev Houghton
Community Safety Manager
23rd January 2018

2



Purpose of a PSPO

- Designed to stop people committing anti-social behaviour in a public space.
- Behaviour having or likely to have a detrimental effect on quality of life
- Persistent or continuing in nature
- Unreasonable

3

Who can make a PSPO



- District Councils in consultation with Police, PCC and other relevant bodies
- Restrictions set by Council and enforced by a Police Officer, a PCSO or Council Enforcement Officer.
- Breach of a PSPO is a criminal offence, a fine of up to £100 can be issued and a fine up to level 3 (£1,000) can be imposed on prosecution.

4

What can be tackled



- PSPO legislation replaced DPPOs, Gating Orders and Dog Control Orders
- Any previous orders in place at October 2017 automatically transitioned into PSPOs
- The transitioned orders remain in force up to a maximum of 3 years from the point of transition (i.e. until October 2020)
- A single order can include multiple restrictions and requirements
- It can prohibit or restrict certain activities or place requirements on individuals carrying out certain activities (i.e. dogs must be kept on leads in a designated area)

Where can a PSPO be used



- On any public space within the Council's area of operation. The definition of public space is wide and can include any place which the public or section of the public have access
- The Council must consult with partners, stakeholders and community representatives, particularly any specific groups likely to have a particular interest such as resident's associations, regular users of a park or those involved in specific activities in the area e.g. buskers and other street entertainers.

What to consider



- **Vulnerability** - Any use of these powers must be compliant with the Human Rights Act 1998 and the Equality Act 2010 (in particular the public sector equality duty pursuant to section 149) along with all other relevant legislation. Particular consideration should be given to the needs and circumstances of the most vulnerable when applying any powers to ensure that they are not disproportionately and unreasonably impacted upon. Local agencies must be satisfied that the behaviour meets the legal tests
- **Risk Assessment** - Agencies should assess the risk of harm to the victims, and their potential vulnerability, when they receive a complaint about anti-social behaviour. This should be the starting point of a case-management approach to dealing with anti-social behaviour complaints. The welfare, safety and well-being of victims must be the main consideration at every stage of the process

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What to consider



- **Proportionality** – as PSPOs restrict what people can do or how they behave, the order must focus on specific behaviours and must be proportionate to the detrimental effect being caused; and must be necessary to prevent the behaviour continuing/recurring
- **Reasonableness** – The restrictions being introduced should be reasonable and designed only to prevent or reduce the detrimental effect of the behaviour taking place
- **Openness and accountability** – The council must publish the draft order in accordance with Secretary of State regulations and ensure that the draft is on the website as a minimum

RESTRICTED – NOT FOR CIRCULATION

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What to consider



- **Controlling the presence of dogs** – When making requirements or restrictions on dogs and their owners, local councils should consider whether there are suitable alternative public areas where dogs can be exercised without restrictions. Councils should also consider if the proposed restrictions will displace dog walkers onto other sensitive land, such as farm land or nature conversation areas
- Consideration must also be given to how any dog walking restrictions would affect those who rely on assistance dogs, ensuring that any prohibition or requirement is compliant with the provisions of Equality Act 2010 or consider what exemptions should apply for assistance dogs

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What to consider



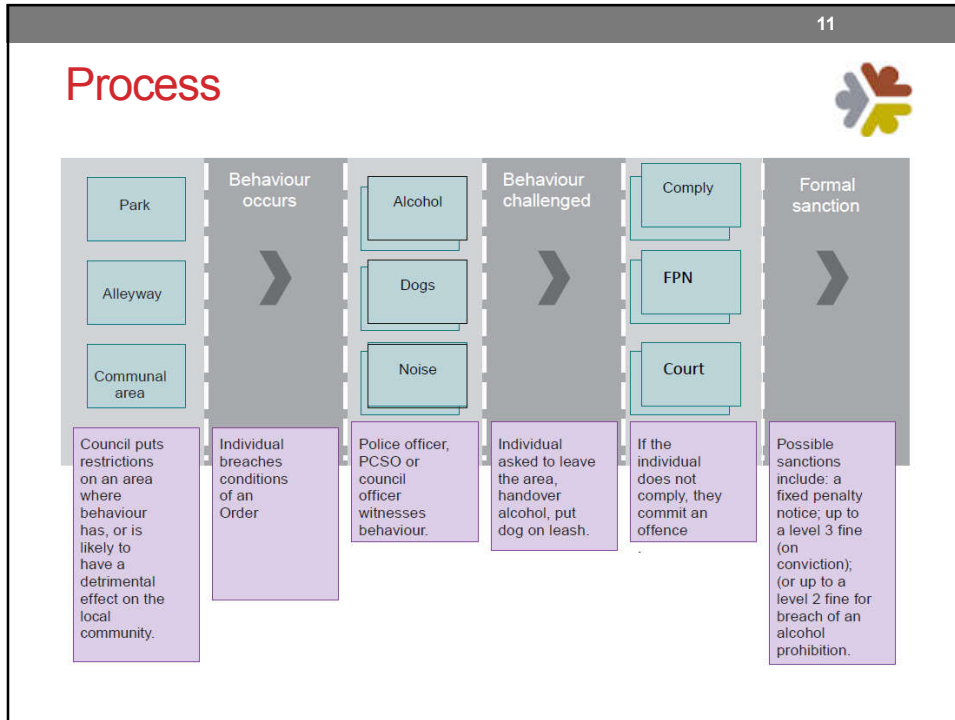
- **Homelessness and rough sleeping** – PSPOs should not be used to target people solely on the fact they are homeless/sleeping rough. Orders should only be used to address the specific behaviour that is causing a detrimental effect on the community in the area's quality of life
- **Group hanging around/standing in groups/playing games** - Councils should not inadvertently restrict everyday sociability in public spaces. A PSPO should target specifically the problem behaviour that is having a detrimental effect on the community's quality of life, rather than everyday sociability, such as standing in groups which is not in itself a problem behaviour

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What to consider



- **Young People** - Councils should think carefully about restricting activities that young people are most likely to engage in. Restrictions that are too broad or general in nature may force the young people into out-of-the-way spaces and put them at risk. In such circumstances, councils should consider whether there are alternative spaces that they can use.
- **Early and informal interventions** - Early intervention, especially through informal approaches, may often be all that is necessary to stop incidents of anti-social behaviour. Such interventions can establish clear standards of behaviour and reinforce the message that anti-social behaviour is not tolerated. It is recommended that the use of informal methods be considered first in most cases, and particularly when dealing with young people as a means of preventing poor behaviour from escalating



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Summary

Purpose	Designed to stop individuals or groups committing anti-social behaviour in a public space.
Who can make a PSPO	<ul style="list-style-type: none"> Councils issue a Public Spaces Protection Order (PSPO) after consultation with the police, Police and Crime Commissioner and other relevant bodies.
Test	Behaviour being restricted has to: <ul style="list-style-type: none"> be having, or be likely to have, a detrimental effect on the quality of life of those in the locality, be persistent or continuing nature, and be unreasonable.
Details	<ul style="list-style-type: none"> Restrictions and requirements set by the council. These can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. Can restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour. Can be enforced by a police officer, police community support officers and council officers.
Penalty on breach	<ul style="list-style-type: none"> Breach is a criminal offence. Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate. A fine of up to level 3 on prosecution.
Appeals	<ul style="list-style-type: none"> Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue. Further appeal is available each time the PSPO is varied by the council.
The legislation	Sections 59 to 75 of the Anti-social Behaviour, Crime and Policing Act 2014.
Protecting the vulnerable	<ul style="list-style-type: none"> Consideration should be given to how the use of this power might impact on the most vulnerable members of society. Consideration should also be given to any risks associated with displacement, including to where people may be dispersed to. There is value in working in partnership to resolve ongoing problems and find long term solutions.



Questions

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Appendix B:**Provisions of Anti-Social Behaviour, Crime and Policing Act 2014, as updated in December 2017**

Civil Injunction: This is a civil power that can be applied for by a range of agencies to deal with anti social individuals. Agencies that can apply for an injunction include; District Councils, Housing Providers, the Environment Agency and the Police. Applications must be made to County Court or High Court and to Youth Court for those under 18 years of age.

An injunction can prohibit the offender from doing certain things (prohibitions) but can also require them to undertake certain activities (positive requirements). These should aim to tackle the underlying causes of the anti-social behaviour and could include such requirements as attending an anger management course, participating in substance misuse awareness sessions, or attending a job readiness course.

Breach of an injunction is not a criminal offence but is dealt with by a civil contempt of court, which is punishable by up to two years in prison and/or an unlimited fine. For those aged under 18, breach proceedings are dealt with in youth court and could result in a supervision order, curfew or an activity requirement. Only in the most serious of cases, would the court consider imposing a detention order on a young person for breaching the terms of an injunction. This would be limited to those between 14 and 17 years of age and limited to a maximum of 3 months detention.

The 2017 amendments to the Home Office guidance add information to emphasise the potential use of injunctions to tackle gang related activity, either directly on gang members or on those being exploited by gangs, in order to disrupt their activities. Specific reference is now made to tackling issues such as 'county lines' where urban gangs exploit children and vulnerable people to move drugs and money to suburban areas, market and coastal towns.

Criminal Behaviour Order (CBO): The CBO is available on conviction for **any** criminal offence in any criminal court and can be used to curb the anti-social behaviour of an offender, even if the behaviour is not linked to the original conviction.

For instance, updated guidance highlights that a CBO can be used to address the anti-social behaviour of gang members to prevent them from associating with certain individuals or to require them to attend a job readiness course to help them to get employment. It is similar to the Civil Injunction in that it can include prohibitions and positive requirements. However, unlike the Injunction, it is a criminal offence to fail to comply with an order without reasonable excuse. Breaches of CBO by those aged under 18 are dealt with in the youth court. In all other cases, the offence will be considered by Magistrates or Crown Court.

Updated guidance draws attention to a guide published by the Crown Prosecution Service to assist the police and local councils in preparing CBO applications, setting out the general principles to consider.

Dispersal Power: This power can be used by the police to disperse anti-social individuals from a specific locality for up to 48 hours, to provide immediate short-term respite to the local community. The power is authorised by a Police Inspector or above and as well as dispersing of individuals from a location, police officers can also confiscate any item that they believe has been used, or is likely to be used, in anti-social behaviour. Failure to comply with the direction is an offence, which can result in imprisonment or a fine. Although there is no requirement to consult the council before authorising use of the dispersal power, the authorising officer in the police may consider doing so in some circumstances.

Community Protection Notice (CPN): The CPN is intended to deal with particular, on-going problems, or nuisances that negatively affect a community's quality of life by targeting those responsible. CPNs can be used to tackle a wide range of problem behaviours including graffiti, rubbish and noise. It can be issued against any person over the age of 16 or a body, including a business. A person found guilty of failing to comply with a CPN without reasonable excuse is liable to a fine of up to £2,500 (£20,000 in the case of a body).

In addition to designated council officers, CPNs can also be issued by police officers and police community support officers. The Home Office notes that councils already take the lead in dealing with many of the issues that can be targeted by a CPN and the updated statutory guidance recommends that other issuing bodies should involve local councils when deciding whether or not to proceed.

The guidance now also emphasises that the issuing body should be satisfied that there is sufficient evidence that the activity in question is having a detrimental effect on others' quality of life, is persistent or continuing and is unreasonable. It is also noted that there is some cross over with the Council's responsibilities to deal with statutory nuisance and the updated guidance details how these powers can and should work together to achieve the best results for the affected residents. There is also a need to have due regard to the Equality Act 2010.

Public Spaces Protection Order (PSPO): A PSPO is intended to deal with a particular nuisance or problem in a particular area, which is detrimental to the local community's quality of life by imposing conditions on the use of the area that apply to everyone. They are intended to help ensure that the law abiding majority can use and enjoy public spaces, safe from anti social behaviour. District Councils are responsible for making a PSPO, but police officers and police community support officers can also play a role in enforcing the orders. Orders are issued by councils after consultation with the police, PCC and other relevant bodies.

Council officers, if granted powers by their Chief Executive, can also enforce the restrictions and requirements. It is an offence to fail to comply with an order without reasonable excuse and can result in a fine of up to £1,000. Following a number of legal challenges to PSPOs nationally, a large proportion of the updates to the statutory guidance relate to clarifying the consultation and implementation of these orders. The guidance gives additional information about the need for proportionality, comprehensive consultation, accountability and the need to consider the impact on vulnerable and at risk groups when considering implementation. (Appendix A)

The Act provides the ability for authorised local authority officers, police and police community support officers to issue a fixed penalty notice for failure to comply with both a CPN and a PSPO as an alternative to prosecution. The amount of the fixed penalty notice can be set by the local authority but cannot exceed £100

Closure Power: The closure power can be used by local authorities and the police to close premises that are causing nuisance or disorder. The power comes in two stages. The closure notice can be used out of court to provide short term relief up to a maximum of 48 hours. The notice can then be extended upon application for a closure order to the magistrates' court for a period of up to three months. At any time before the expiry of the closure order, an application may be made to the court for an extension (or further extension) of the order up to a total of six months.

Recovery of Possession of Dwelling-Houses: The purpose of the new absolute ground for possession is to speed up the possession process in cases where anti-social behaviour or criminality has already been proven in another court. Landlords will no longer have to prove that it is reasonable to grant possession but, instead, courts must grant possession if the landlord followed the correct procedure and at least one of the specified conditions is met.

The updated guidance provides more detail about the notice required to the tenant and also provides more technical detail on requirements to seek possession on discretionary grounds and also further technical information referring to secure or assured tenancies.

Community Remedies: The Act requires The West Mercia Police and Crime Commissioner to prepare a community remedy document for his area with a list of actions to be carried out by a person who has a) engaged in anti-social behaviour or has committed an offence and b) is to be dealt with for that behaviour or offence without court proceedings.

An action is considered appropriate to be carried out by a person only if it has one or more of the following objects:

- assisting in the person's rehabilitation;
- ensuring that the person makes reparation for the behaviour or offence in question;
- punishing the person

The Act sets out rules for out-of-court disposals for anti-social behaviour and conditional cautions. This includes a duty to consult victims before deciding what conditions to attach to a conditional caution.

ASB Case Review / Community Trigger: The Case Review/Community Trigger allows victims who feel that they have not received an adequate response to their ASB complaint to call for a review of their case.

At the request of the West Mercia PCC North Worcestershire Community Safety Partnership leads on the implementation of ASB Case Reviews on behalf of the Council and the other responsible authorities. An agreed countywide process is in place to ensure a consistent approach and to avoid confusion for victims.

Wherever possible, the CSP also tries to mirror arrangements across West Mercia and Warwickshire. To activate the Review/Trigger victims need to meet the agreed threshold of three or more reports relating to the same anti social behaviour problem in the past six months to the Council, Police or a Registered Housing Provider (Social Landlord) where they believe no action has been taken. Or at least three individuals and/or groups in the local community have made reports about the same problem in the past six months to the Council, Police or Registered Housing Provider (Social Landlord) and they believe that no action has been taken. The Community Trigger can also be activated by a third party with the victim's consent

Within 5 working days of receipt of the application a member of the respective District/Borough Council's community safety team will confirm whether the threshold has been met. Within 10 working days of this confirmation, a case review will be conducted by a review Panel made up of the responsible organisations and any other partners involved, to discuss the anti-social behaviour and what further actions can be considered and taken. Recommendations will be made as necessary to progress the case in consultation with the victim.

A final written response is sent to the applicant(s) by the Community Safety Partnership, explaining the findings of the Review Panel and detailing any suggestions and actions that will be taken to resolve the anti-social behaviour case.

Updated Home Office guidance on implementing the review process focuses on the vulnerability of victims and suggests that a risk assessment process is employed as part of the decision on whether the threshold has been met and also makes recommendations on information sharing and publicising of the process.