

COMMUNITY & SAFER CITY SCRUTINY COMMITTEE

AGENDA

Meeting to be held in the Civic Centre, Committee Room No. 1, on
Tuesday, 18th October, 2011 at 5.30 p.m.

Membership

Cllrs Anderson, Copeland, Curran, Emerson, Essl, Forbes, T. Martin, Scaplehorn, Thompson,
D. Trueman and Wiper

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E. WAUGH,
Head of Law and Governance.
Civic Centre,
SUNDERLAND.

10th October, 2011

**Date of Next Meeting: Tuesday 6th December, 2011 at 5.30pm in the Civic
Centre, Committee Room No.1**

At a meeting of the COMMUNITY AND SAFER CITY SCRUTINY COMMITTEE held in the CIVIC CENTRE on TUESDAY, 6th SEPTEMBER, 2011 at 5.30 p.m.

Present:-

Councillor Anderson in the Chair

Councillors Copeland, Curran, Emerson, Essl, Forbes, T. Martin, Thompson, D. Trueman and Wiper

Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Scaplehorn

Minutes of the Last Meeting held on 19th July, 2011

1. RESOLVED that the minutes of the last meeting of the Committee held on 19th July, 2011 be confirmed and signed as a correct record.

Declarations of Interest (including Whipping Declarations)

Response from Cabinet – 22 June 2011 – Policy Review – Study into Alcohol, Violence and the Night Time Economy

Councillor Essl declared a personal interest as an owner and manager of Hackney Carriage licence plates.

Response from Cabinet – 22 June 2011 – Policy Review – Study into Alcohol, Violence and the Night Time Economy

The deputy Chief Executive and the Portfolio Holder for Safer City submitted a report (copy circulated) which provided feedback from the Cabinet meeting held on 22nd June, 2011 which considered the Scrutiny Committee's policy review report into Alcohol, Violence and the Night Time Economy.

(For copy report – see original minutes)

The Chairman welcomed the Portfolio Holder, Councillor Kelly, to the meeting.

Councillor Kelly advised that the Cabinet had considered the report and had accepted the Committee's recommendations. He then addressed some of the various recommendations and the work that had been done to progress these. The

Council was keen to continue with the use of drink banning orders and the Best Bar None scheme was continuing to encourage premises to work to prevent their customers from getting drunk. The Taxi Marshalls had been removed from Park Lane on Friday nights however the service was continuing at Green Terrace; the savings achieved by removing the Park Lane Taxi Marshalls on Friday nights would be used to provide additional cover when necessary, for example following concerts at the Stadium of Light.

Voluntary reductions in licensing hours had been considered as a way of reducing alcohol related violence; licensees would be encouraged to close their premises earlier. There was work to reduce the number of alcohol related incidents. There was a range of work ongoing to reduce the number of alcohol related incidents and the PCT were looking at ways to reduce the number of alcohol related hospital admissions. A proposal was being looked at around developing an SOS Bus for the city centre to help reduce the pressure on the emergency department on weekend nights. It had been agreed that the alcohol treatment services would be recommissioned.

The Chairman stated that Members had been on a visit to the city centre and had met with the street pastors; they did an excellent job with assisting people who may have had too much to drink. The younger generation would often get drunk at home before going out. Having seen how intoxicated people were on nights out she found it hard to believe that it was an offence to serve anyone who was drunk.

Councillor T. Martin stated that the Taxi Marshalls at Green Terrace were excellent; there had been a noticeable change since they were implemented. The street pastors were also welcomed, there were concerns about broken glass on the streets and the pastors would give out flat soled shoes to people who had taken their high heeled shoes off. He felt that there was no need for premises to be open until 4 or 5 in the morning.

Councillor Kelly stated that the street pastors were given as much support as possible; part of the cause of glass being on the streets was people who took drinks outside when they went out to smoke, these glasses then sometimes got knocked over and broken. The 'Café Culture' which it was hoped would come about as a result of the new licensing laws had not materialised and with the proliferation of cheap alcohol a lot of people were going out with the intention of drinking as much as possible. There was the potential for a late night levy to be introduced which would see late opening bars being required to contribute to the cost of policing and street cleaning.

Councillor T. Martin commented on the change in drinking culture and stated that when drinking pints of beer it was easier to be aware of how much you had drunk than when drinking spirits or alcopops which were popular among younger drinkers.

Councillor Kelly agreed with this and added that young people drank a lot of shots and would have spirits mixed with energy drinks. The low cost of drinks had resulted in a lot of bars closing down as they could not sell enough to cover their operating costs.

Councillor Essl stated that the Taxi Marshalls were excellent and that they prevented a lot of trouble from occurring.

Councillor Forbes queried the late night levy and was informed by Councillor Kelly that the city provided a lot to ensure the safety of late night drinkers and the levy would pass some of these costs onto premises which decided to open until the early hours of the morning. Councillor Forbes then stated that she did not think a change to a 'Café Culture' would happen as people went out with the intention of getting drunk.

Julie Smith, Associate Policy Lead for Community Safety, advised that the Primary Care Trust had invested £2.6 million in alcohol services in the city. The drug and alcohol treatment services had been recommissioned and there was now a focus on getting people recovered and out of treatment rather than just getting people into treatment and keeping them there. She was not aware of any monitoring of people after they had left treatment but would look into this and feedback on the process; it was known however that people would often relapse and it could take several courses of treatment before they were recovered.

The Chairman thanked Councillor Kelly for his attendance and it was:-

2. RESOLVED that the content of the report be noted.

Policy Review – Monitoring of Recommendations

The Chief Executive submitted a report (copy circulated) which provided Members with progress updates in relation to the Fear of Crime policy review and the Anti-Social Behaviour policy review recommendations.

(For copy report – see original minutes)

Julie Smith, Associate Policy Lead for Community Safety, presented the report and advised that the Committee had been receiving 6 monthly progress updates. As shown in the table at paragraph 3.1 to the report, all of the key actions had been achieved and so the focus of the update report was to inform members on what partners had done to add further value to the original actions..

The Action Plan at Appendix A to the report detailed the progress made in relation to each of the actions which had arisen from the policy review recommendations. Dr Smith went through this action plan and drew Members attention to some of the actions listed.

Dr Smith referred to the Fear of Crime review and started by referring to recommendation 4, which was detailed in the action plan, and advised that a task and finish group had been set up in order to look at promoting and publicising how offenders are dealt with. The Police publicised some information on sentencing on the internet, in the local media and at PACT meetings. The government were keen to publicise sentencing information and as such, from May 2012 there would be

information included on the national online crime mapping website www.police.uk showing what had happened following the crimes.

With regard to recommendation 7 Dr Smith stated that that the safer communities survey has shown good awareness, amongst local residents, of the community payback scheme which was a good way to improve the environment, this had the advantage that fear of crime would be reduced. There was still a need to raise awareness of the scheme and feedback postcards showing before and after pictures of the work done had been introduced.

Dr Smith then referred to recommendation 10 and advised that there had been a lot of work around communications. Leaflets, newsletters and emails were residents preferred method of getting information on community safety and so were used to inform residents of the work done. The promotion of the PACT meetings was good in Sunderland with 71 percent of residents being aware of them.

Dr Smith then moved onto the Anti-Social Behaviour policy review and advised that there had been a number of developments and some of the recommendations had been incorporated into the Council's strategic review of ASB services, led by Alan Caddick. She then referred to Recommendation 7 and advised that the XL youth village scheme had expanded greatly and was now citywide and was still undergoing continual development, including the introduction of the youth buses. They allowed youth work to be targeted at anti-social behaviour hotspots.

Councillor Emerson commented that these past policy reviews linked into the current review into Community Cohesion. He also stated that elderly residents often assumed that groups of young people were causing a nuisance. The XL Youth Villages were excellent, when the villages had been held in Ryhope the local police had stated that the area had been very quiet. The villages were good at preventing young people from drinking as they wanted to be allowed into the village but were only allowed in if they had not been drinking; young people who had been turned away because they were drunk had been allowed in the next week when they had arrived without having consumed any alcohol.

Dr Smith responded stating that the youth villages had allowed engagement with young people who the providers had previously not been able to engage with.

Councillor T. Martin agreed with Councillor Emerson's comments and added that the Youth Villages attracted young people from different areas and there were no territorial issues. Andy Neal had done a lot of good work on youth provision and it had been a great loss when he tragically died. It was not always possible to attend the PACT meetings; there were 2 meetings on at the same time as this Committee Meeting. Stories in the local press could increase fear of crime, recently there had been a story in the Echo about a man who had been beaten and robbed by a group of youths near to his home. The police website was good however the maps were not always accurate; he had heard an article on the radio about a man who had found that there were five incidents recorded on what was usually a quiet street, after a submitting a Freedom of Information request it was discovered that the incidents had actually occurred on streets near to the street they were recorded at.

Dr Smith advised that the national police website on crime maps provided a lot of good information on local policing teams and PACT meetings and had a lot of visitors, however, the crime mapping was an issue though; crimes were clustered in the centre of streets rather than being shown where the crime took place and this lead to some of the information being misleading.

Councillor Thompson stated that the youth buses were excellent; every Wednesday there was a youth bus in his area where there was no other provision. At the local residents association meeting the local young people had done a presentation for the older residents in an effort to improve relationships between the age groups.

The Chairman commented that fear of crime was a difficult subject. Public transport could be very frightening at night. CCTV cameras were good however they did not protect people from crime, only help to catch the offender after the fact. In Washington there had previously been areas where there was too much greenery, this had been cut back and had made the areas lighter and increased people's feelings of safety.

Dr Smith stated that there was a strong correlation between how well informed people felt about what partners are doing to make their area safer and how safe they felt.

Councillor T. Martin referred to a time when he had been travelling on the Metro and at Brockley Whins it had looked as though there was going to be trouble. He had moved from his seat into the space between the two carriages; if he had not moved he would have been showered with broken glass as bricks were thrown through the windows of the train.

Councillor Wiper stated that he used the Metro a lot and that on the mornings when people were travelling to work, and normally had annual travel tickets, there were regularly ticket inspectors. However on a night when there were youths who may cause problems there was never any staff around.

Dr Smith agreed to feedback these issues to Nexus, however, Councillor Emerson advised that he was a member of the Integrated Transport Authority and agreed to raise the concerns at the next meeting and then report back to the Committee.

3. RESOLVED that the progress made on the actions detailed in the Action Plan be noted.

Community Cohesion Policy Review 2011/12: Setting the Scene

The Chief Executive submitted a report (copy circulated) which allowed Members to consider the background to the Committee's Policy Review into Community Cohesion.

(For copy report – see original minutes)

Jane Hibberd, Head of Strategy & Policy People & Neighbourhoods, along with Policy Officers Dawn Rugman and Sarah Woodhouse delivered a presentation which provided Members with a background to the idea of Community Cohesion, which had come about following riots in 2001, and how it worked in Sunderland along with the issues faced and the steps taken to tackle the issues.

The early focus had been around racial tensions however this had now been expanded to cover all aspects of community.

The Community Cohesion strategy would be getting refreshed in the next year and it had been agreed that this refresh would take place after the Committee's Policy Review had been completed so that the policy review could inform the updated strategy.

The Chairman thanked the officers for their presentation and stated that she thought of community cohesion as being like a jigsaw puzzle. She welcomed suggestions from Members regarding which strands the policy review could follow. Councillor Emerson had previously mentioned the changes to the housing benefit system and this was something that could be looked at. Show Racism the Red Card had expanded massively over the years and did a lot of work on tackling racism. There were area cohesion groups and each of these groups had a local Councillor on it who was the Equalities Champion for the area; these groups had representatives on them from a lot of local groups, organisations and authorities. She then queried whether the funding from the Home Office for 'Prevent', which had been set up to tackle terrorism, was still ongoing.

Ms Hibberd advised that there would not be funding for Prevent directed at Sunderland any more as the resources would be targeted at areas where it was likely that there would be issues.

The Chairman then stated that she sat on the inclusion board and she had been shocked to learn about the amount of hate crime there was against people with disabilities. Ted Cante had visited to Sunderland when he had been writing his report following the riots in Bradford, Oldham and Burnley in 2001; there had been a lot of people who had not been happy with his report. She also referred to the work that had been done to reduce the tribalism between schools which would help to reduce the fighting between groups of pupils from different schools.

Ms Woodhouse stated that Leslie Etherington from Thornhill School had been involved in the inter-school work as the operational lead.

Councillor T. Martin commented on the work that had been done around bringing the schools together; there had been groups set up where children from different schools were working together to improve relations. He then went on to state that in some of the cultures within the city men took the leading role in the family and community and this had the problem that the women from these communities were not integrated into the wider community as fully as they could be. He also commented that people with learning difficulties were often discriminated against and bullied.

Ms Woodhouse replied that there had been some work however there needed to be more done around the gender agenda. Ms Rugman added that there had been a joint prayer session arranged by a Catholic Vicar and this had been very successful. There were a number of projects ongoing which encouraged participation from all parts of the community.

Councillor Essl stated that the work with the schools seemed like a good idea; there was a need to improve cultural awareness. Prevent sounded like it was a classic case of getting funding simply because it was available, there was no real issue with violent extremism in Sunderland. In Millfield there had been a resident's association meeting to discuss the proposals for the mosque on St. Mark's road and this meeting had been hijacked by BNP supporters. There was a need to break down the barriers which caused communities to be isolated although this could be difficult as it could be difficult to get in contact with people within some communities. There were sessions which were only for Bangladeshi women, who were traditionally isolated from the wider community.

Ms Hibberd advised that in Sunderland Prevent had been more around promoting cohesion than preventing extremism. The Equalities Act had been updated and following this there was a need to update the Community Cohesion Strategy to ensure that it had the equality assessment incorporated into it.

Councillor Essl then referred to a session which had taken place for young women which people had not been able to find; he had asked about this session and it had seemed that no-one knew anything about it. Ms Woodhouse responded that some parts of the community would not allow young women to attend sessions outside of school and agreed to find out about this session and report back.

The Chairman thanked the officers for attending and it was:-

4. RESOLVED that the report be given consideration as part of the Committee's Policy Review into Community Cohesion.

Performance Report Quarter 4 (April – March 2011)

The Chief Executive submitted a report (copy circulated) which provided the Committee with a performance update against the former National Indicators relating to the period April – March 2011.

(For copy report – see original minutes)

Mike Lowe, Head of Performance Improvement, presented the report and advised that there had been reductions in crime rates for almost all of the types of crime and the overall number of crimes had fallen by 8 percent which equated to 1,637 fewer victims of crime. There had also been improvements on the indicators relating to environmental health.

The Chairman thanked Mr Lowe for his presentation and stated that there was a need to look at the indicators and priorities which were below the targets to ensure that work was done to tackle the issues.

Councillor Thompson stated that a recorded reduction in repeat victims of domestic violence was not necessarily a good thing as the reduction could be as a result of the victims not reporting incidents; there was a need to know how the reduction had come about. He also stated that drunk driving was only reported when people were caught.

Julie Smith, Associate Policy Lead for Community Safety, advised that an increase in drug offences was normally a sign of increased police activity;. The repeat domestic violence victims recorded were only those who were brought to the attention of the Multi Agency Risk Assessment Conference who would then be able to monitor the situation. It was good to see that the levels of repeat offences were reducing however domestic violence has the highest levels of repeat victimisation of any crime and so it still seemed like it was quite high.

5. RESOLVED that consideration be given to the continued good progress made by the council and the Sunderland Partnership.

Forward Plan – Key Decisions for the period 1 July 2011 – 31 October 2011

The Chief Executive submitted a report (copy circulated) to provide Members with an opportunity to consider those items on the Executive's Forward Plan for the period 1 July 2011 – 31 October 2011 which relate to the Community and Safer City Scrutiny Committee.

(For copy report – see original minutes).

The Chairman advised that there were no items on the current forward plan which fell under the remit of the Committee.

6. RESOLVED that the report be received and noted.

Work Programme 2011-12

The Chief Executive submitted a report (copy circulated) which provided, for Members information, the current work programme for the Committee's work for the 2011-12 Council year.

(For copy report – see original minutes)

7. RESOLVED that the work programme be received and noted.

(Signed) F. ANDERSON,
Chairman.

COMMUNITY AND SAFER CITY SCRUTINY COMMITTEE

COMMUNITY COHESION POLICY REVIEW 2010/11: EVIDENCE GATHERING

REPORT OF THE CHIEF EXECUTIVE

STRATEGIC PRIORITIES: SP3: SAFE CITY

CORPORATE PRIORITIES: C101: Delivering Customer Focussed Services, C102: Being 'One Council', C103: Efficient and Effective Council, C104: Improving partnership working to deliver 'One City'

1. Purpose of Report

- 1.1 The purpose of this report is to receive evidence in relation to the Committee's policy review into community cohesion.

2. Background

- 2.1 On 7 June 2011, the Committee agreed to undertake a policy review into the actions and interventions being taken by the Council and its partners in relation to community cohesion and how national policy will impact on the city.
- 2.2 Members chose this area in view of the importance attached by local people to the related issues of improving employment opportunities, tackling poverty, improving educational attainment, securing better housing and improving sport and cultural activities.
- 2.3 At its meeting on 19 July 2011, the Committee received a report outlining the process to be adopted for the review, together with background information on the development and evolution of the concept of community cohesion during the past decade.
- 2.4 It was agreed that the policy review should include consideration of the following themes:-
 - the background and policy context for the development of community cohesion at a national and local level;
 - the priorities for a future refresh of the Sunderland Partnership Community Cohesion Strategy;
 - the range of community cohesion interventions in the city across a number of themes including young people, sport and cultural activities, education, housing and planning, community safety and policing, press and media and ethnic and minority groups;

- the policies and programmes of the Council, its partners and the community and voluntary sector which can help bring people together across the city and build bridges between communities;
- the range of interventions being taken to tackle tensions for example between older and younger generations within neighbourhoods and communities;

3 Current Position

3.1 As part of the evidence process for the review, the meeting of the Committee will receive evidence across three key areas:-

(a) Michelle Meldrum Deputy Director (gentoo Sunderland) has been invited to the meeting to outline and discuss the approach of gentoo to the development of community cohesion across the city;

(b) The Institute of Community Cohesion report on Cohesion in Sunderland in 2008 suggested that there is a large correlation between cohesion and deprivation. In order to discuss the background and implications of changes to housing benefit, Fiona Brown, Head of Transactional Services, Commercial and Corporate Services has also been invited to the meeting;

(c) At its last meeting, it was suggested that the Committee could examine the kinds of actions and interventions being taken in the city. As part of this process, the Committee will therefore receive a presentation on the range of initiatives and approaches being undertaken in the East Sunderland Area.

3.2 Based on the information provided to the meeting, the Committee may wish to consider looking in more detail at some of the projects and activities operating in the area and the operation of the East Sunderland Area Cohesion Group (remit attached as an appendix).

4. Recommendations

4.1 Members are recommended to consider the report which will be included as part of its policy review into community cohesion.

5. Background Papers

Sunderland Partnership – Community Cohesion Strategy 2008-2015

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THE EAST SUNDERLAND AREA COMMUNITY COHESION GROUP

TERMS OF REFERENCE

Introduction

The *East Sunderland Area Community Cohesion Group* (hereafter known as the Group) will be made up of nominated officers from the Sunderland Partnership, other statutory agencies, the voluntary and community sector, and other organisations actively involved in provision of services and support to young people and the wider population living in the East area of the City.

Purpose of the Group

The Group is about making a difference to the lives of all residents in the above area by:

- Working together to implement positive change thereby improving the cohesiveness of the area
- Building community identity, pride in place and developing relationships among all residents of the community
- Developing trust and mutual respect among local communities
- Developing local indicators of cohesion that will link to the Local Area Agreement, the Community Cohesion Strategy, Local Area Plan and Inclusive Communities priorities of the Sunderland Strategy.

The Group will aim to meet these challenges through:

- The development of an action plan and strategy for the area and its communities
- The development of a rapid response group comprised of front-line staff from the organisations listed above. This group, known as the Community Cohesion Practitioners Network, meets monthly to consider quick and appropriate responses to issues of shared interest and feeds into the overall work of the Group.
- Sharing good practice, information and ideas
- Targeting interventions between groups and individuals in order to resolve conflict
- Identifying local tension points and understanding where grievances and myths are circulating
- Identifying gaps in service provision and determining whether these can be met from existing resources, structures and organisations
- Planning and implementing a programme of activities that promotes community cohesion in the area.

Membership

Membership of the Group should comprise a lead officer, and nominated substitute, of a grade sufficiently able to influence policy and practice within the organisation they represent. A senior member of the Council's Diversity and Inclusion team shall initially chair the Group, though this will be open to discussion with a view to sharing this responsibility among members at a later date.

Members are expected to link with and provide feedback to the whole of their organisation, not just the service area they represent.

The Agenda

- A reminder will be sent to all group members two weeks before the next meeting requesting items for the agenda.
- The Council's Diversity and Inclusion Team will circulate the agenda at least three working days in advance of the meeting. All items must therefore be received at least 1 week in advance.
- All issues must relate to the tabled agenda item. The Chair reserves the right to disallow any exchanges or debate that are not relevant to that particular item.
- Queries should only be put to other group members if they are directly relevant to the item under discussion.
- Regular set items are to be time restricted at the discretion of the Chair.

Support and Frequency of Meetings

The Group will meet approximately every 6 weeks. This however can be reviewed and the frequency changed if considered appropriate. The Council's Diversity and Inclusion Team will initially chair, support and service the Group.

Minutes

The minutes will be circulated within 14 working days of a meeting and will contain a clear list of action points and individual responsibilities.

COMMUNITY AND SAFER CITY SCRUTINY COMMITTEE

POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011 - UPDATE

REPORT OF THE CHIEF EXECUTIVE

STRATEGIC PRIORITIES: SP3: SAFE CITY

CORPORATE PRIORITIES: CIO1: Delivering Customer Focussed Services, C102: Being 'One Council', C103: Efficient and Effective Council, C104: Improving partnership working to deliver 'One City'

1. Purpose of Report

- 1.1 The purpose of the report is to receive an update on the progress of the Police Reform and Social Responsibility Act 2011 and its implications for the Council.

2 Background

- 2.1 On the 15th September 2011, the Police Reform and Social Responsibility Bill completed its passage through Parliament, becoming the Police Reform and Social Responsibility Act 2011.
- 2.2 The three key elements of the Act that are of most relevance for Community Safety Partnership are:
- The abolition of Police Authorities to be replaced by directly elected Police and Crime Commissioners;
 - The creation of Police and Crime Panels;
 - Amendments to the 2003 Licensing Act
- 2.3 As the Bill went back and forth between the House of Commons and the House of Lords, hundreds of amendments were made to the different sections and clauses.
- 2.4 Whilst much of the detail will be provided in secondary legislative guidance, this briefing note summarises the key points and final changes made to the Bill as it became an enacted. This is structured around the three key themes above.

3 Police and Crime Commissioners, Police and Crime Panels and the Relationship with Community Safety Partnerships

Police and Crime Commissioners

- 3.1 The Act includes the provision for the election of a Police and Crime Commissioner (PCC) for each police force area.
- 3.2 The role of a PCC is intended to increase the accountability of the police and strengthen the link between police and communities.
- 3.3 The PCC will replace the local Police Authority. This means that Northumbria Police Authority will be abolished and replaced by a single individual.
- 3.4 With the exception of London, which already has its PCC (via the Mayor of London), the public elections for PCCs in the remaining 42 police forces in England and Wales will take place on 15th November 2012. Their first term will be three and a half years, after which it will revert to a May cycle every 4 years. The Bill was amended so that a PCC's term is no longer limited to 2 terms. An amendment was made to allow Members of the House of Lords to stand for election to become a PCC, but existing serving Members of Parliament are not eligible to stand.
- 3.5 The PCC will:
 - be responsible for appointing their Chief Constable and holding them to account
 - determine local policing priorities, produce and publish a Police and Crime Plan, set a local precept and force budget
 - have the power to make community safety grants
 - become Responsible Authorities under the Crime and Disorder Act 1998 to work with Criminal Justice System (not Community Safety Partnership as this will only be a reciprocal duty to co-operate)
 - be able to appoint a deputy PCC
 - have to appoint a chief of paid staff (i.e. a chief executive) and a chief finance officer. They can appoint admin and other posts if they wish. The funding for these posts will come from their overall budget. They will have to publish details of the functions and costs of their staff.

Police and Crime Panel (PCP)

- 3.6 Police and Crime Panels (PCPs) will be made up of a maximum of 20 representatives, consisting of 10 elected members and a minimum of 2 co-opted members. Each local authority in the police force area will

have a seat on the panel. Any remaining seats can be filled so as to reflect the political make-up of the area.

- 3.7 The key role of the PCP is to:
- Scrutinise the work of the PCC and hold the PCC to account in the shape of an annual report, the police and crime plan, HMIC reports and other reports on activity, as and when these are necessary (and shared with councils)
 - Play a supporting role to the PCC.
- 3.8 The panel has no decision-making role other than the vetoes. The panel can veto the chief constable selection and removal, can veto the precept, but can't veto the budget. The threshold for exercising the power of the veto over the commissioner's precept is two thirds.
- 3.9 The PCP can appoint an acting PCC from within its own ranks, should there be a vacancy.
- 3.10 The panel can invite the Chief Constable to panel meetings with the PCC.
- 3.11 The final Act now includes additional powers in that the panel are to be engaged in the appointment of the deputy PCC, their chief officer and their chief finance officer.

The Relationship between the SSP, PCC and PCP, Challenges and Opportunities

- 3.11 The SSP will need to develop a strong and effective working relationship with the PCC and PCP. There will be both challenges and opportunities in terms of building these effective working relationships. For example:
- One of the key challenges in the short term is for all of the local authorities in the force area to come together to agree how the PCP will be set up, how it will operate and who will sit on it. The onus is on local authorities to do this and the panel is required to be in place before the PCC is elected in November 2012. It should be noted that in the event that local authorities in the force area fail to appoint a panel, the Home Office will itself appoint one. Some areas of the country are already well advanced in their plans. It is now no longer a requirement to have the local authority portfolio holder for community safety as a panel member, as there may be a conflict of interest with the portfolio holder working closely with the PCC and CSP on the police and crime plan, and then being required to scrutinise the PCC and their plan.

- Each force area also has to nominate a lead authority who will receive the funding required to select members, host meetings, administer them etc.
- The Home Office Community Safety Grant that the council receives on behalf of the SSP will be transferred to the PCC from 1st April 2013 (although the Home Office has made it clear that this transfer could happen sooner in 2012-13). It will not become clear until the PCC is in post as to how they will re-allocate this funding. They may commission all services themselves, offer grants to providers or pass funding back to the CSPs to commission. This will mean a new line of accountability for partnerships. Initiatives currently funded by CSPs will need to evidence delivery and quality if they stand any chance of being re-commissioned once PCCs are elected. Some services may end up being merged for efficiency across boundaries. However, given that the SSP has been recognised as one of the leading CSPs nationally and has an excellent track record in delivering safer communities, it places it in a good position to forge strong links with the new PCCs once elected in November 2012. It should be noted that in London, with the PCC already being in place, Boris Johnson has made it clear that he will not be transferring the community safety grant back to the London CSPs.

3.12 Whilst the Commissioner will not be a responsible authority on the SSP, they will have the following powers and duties relating to community safety:

- Reciprocal duty for the PCC and responsible authorities to co-operate with each other for the purposes of reducing crime and disorder
- Power to bring a representative of any of all CSPs in their area together to discuss priority issues
- Power to require reports from their CSPs about issues of concern
- Power to approve mergers of CSPs on application of the CSPs concerned
- Power to commission community safety work from a range of local partners including, but not limited to, CSPs.

3.13 The Home Office has a partnership transition board at a national level and have set up a number of transition projects and transition funding that areas can bid for to support the move to PCCs (details are awaited). The Home Office has set aside £2m nationally to pay for this. The lead authority area chosen to host the panel can expect £30,000 for administrative support, £1,000 per panel member for expenses, £2,000 per force for meeting arrangements. This will only be funded in

year one by the Home Office, after that it will be the responsibility of the PCC.

4 Amendments to the Licensing Act

- 4.1 The recent amendments to the Licensing Act 2003 will provide local areas with greater powers to restrict the number of licensed premises; challenge inappropriate behaviour; and invoke a late night levy to help meet the costs of additional policing associated with the night time economy.
- 4.2 All of the proposals that were in the last stages of the Bill have gone through.
- 4.3 However, three key elements of the Act require further consultation and secondary legislation and these are:-
 - (i) the late night levy;
 - (ii) full cost recovery; and
 - (iii) early morning restriction orders.
- 4.4 It is anticipated that these will be concluded and powers made available for implementation by October 2012. Other elements within the Act will be available from April 2012.

5 Home Office and Local Government Association Support

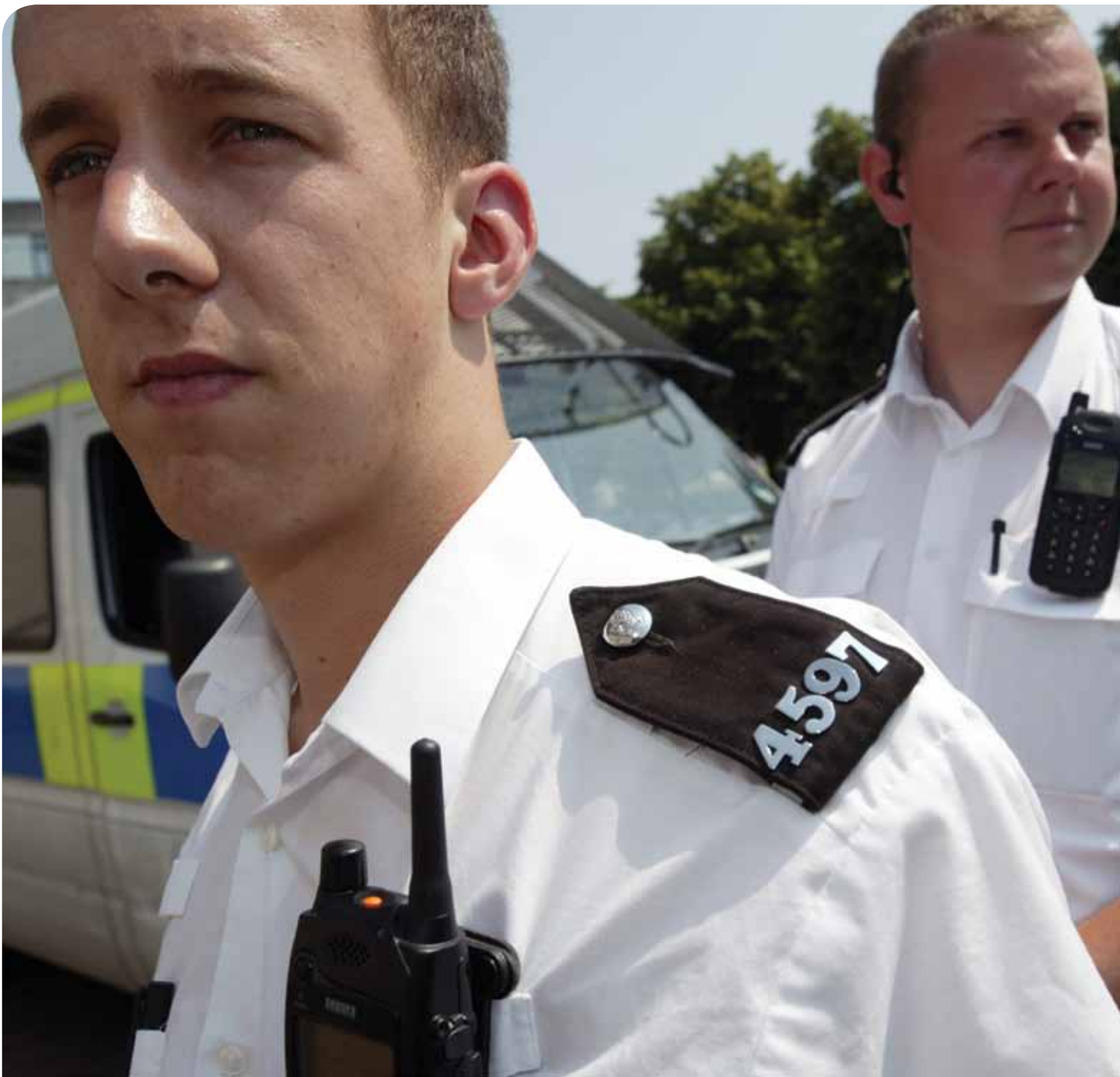
- 5.1 Home Office detailed guidance on implementing the Act is expected in December 2011.
- 5.2 The Home Office will also run a series of regional road-shows in January 2012.
- 5.3 The Local Government Association (LGA) published a guide for local authorities in early September (see attached as a separate document). However, this was published just before the announcement on the delay to the elections of the Police and Crime Commissioners. It should be noted that the LGA guide is correct with the exception that the PCC elections will be on 15th November 2012, and not the 3rd May 2012.

6 Recommendation

- 6.1 That the report be noted and the Committee continue to receive periodic updates on the progress of the Act.

Police and crime commissioners:

a guide for councils





METROPOLITAN
POLICE

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Introduction

The government is committed to replacing police authorities with directly elected police and crime commissioners (PCCs) in England and Wales. With the Police Reform and Social Responsibility Bill having almost completed its passage through parliament, the Home Office is looking to hold elections for PCCs on 3 May 2012.

The introduction of police and crime commissioners will have a considerable impact on local authorities. There will be a mutual duty on PCCs and community safety partnerships (CSPs) to cooperate. Both will also have to have regard to each other's priorities when drawing up the police and crime plan (in the case of the commissioner) and their strategic assessments (in the case of CSPs). More fundamentally perhaps, funding (which has until now been given to CSPs by the Home Office) will, at the start of April 2013, be in the hands of PCCs.

Councillors will also play a vital role in holding PCCs to account. In England all the councils in a force area will have to appoint a member to serve on the police and crime panel for that area, while in Wales the Home Secretary will seek nominations from councils for councillors to serve on the panels. The panels' role will be to scrutinise PCCs' decisions and actions and also assist them in carrying out their functions. Panels will have the power to veto PCCs' precepts and nominees for chief constable, to summon the PCC to answer questions and to review the commissioners' police and crime plans.

This guide:

- explains what the role of police and crime commissioners will be
- sets out what they mean for community safety partnerships
- looks at the implications for partnerships of PCCs commissioning community safety services
- examines the role and responsibilities of police and crime panels.

In the next few months the Local Government Group (LG Group) will be publishing more detailed guides for CSPs on working with commissioners and for councils on setting up police and crime panels. The LG Group is also able to provide more in-depth assistance for member councils on these issues for free. Contact details can be found at the end of this booklet.

Police and Crime Commissioners

The government's intention is that the police authorities holding the police to account in Greater London, England and Wales will be abolished from May 2012 and replaced with police and crime commissioners in 42 police force areas. The City of London will remain the police authority for the City.

In London the role of police and crime commissioner for the Metropolitan Police will be carried out by the Mayor of London through the Mayor's Office of Policing and Crime. In the rest of England and Wales the government's plan is for elections for the post of police and crime commissioner to be held on Thursday 3 May 2012 using the supplementary vote system that is used in London to elect the Mayor. The PCCs will then hold office for four years.

In many ways the PCC will have the same role as police authorities. Their main responsibilities will be to:

- secure an efficient and effective police force for their area
- appoint the chief constable, hold them to account for the running of the force and if necessary dismiss them
- set the police and crime objectives for their area by producing a five year Police and Crime Plan (in consultation with the chief constable)

- set the annual force budget and police precept, and produce an annual report setting out their progress against the objectives in the Police and Crime Plan
- contribute to the national and international policing capabilities set out by the Home Secretary in the Strategic Policing Requirement
- co-operate with the criminal justice system in their area
- work with partners and fund community safety activity to tackle crime and disorder.

It will be up to the PCC to decide what support they need to fulfil their role, though they have to appoint a chief of paid staff and a chief finance officer, and will have the option of appointing a deputy police and crime commissioner. Other staff can be appointed as appropriate on merit, but the PCC will have to publish details of the function and cost of the staff supporting them. Initially existing police authority staff will be transferred to support PCCs, but the PCC will be able to decide whether they wish to retain them after six months.

Although the PCC sets the local objectives for their force and holds the police to account, operational responsibility for the day-to-day work of the police remains with the chief constable. Funding for the police will come from a variety of sources including the police grant paid by the Home Office, the precept the PCC sets and various other grants such as the Community Safety Fund.

PCCs and Community Safety Partnerships

The introduction of PCCs will mean a fundamental change for community safety partnerships. Unlike police authorities, commissioners will not be 'responsible authorities' under the Crime and Disorder Act 1998, so will not be members of CSPs.

There is however a provision included in the Police Reform and Social Responsibility Bill that places a mutual duty on PCCs and the responsible authorities on CSPs to cooperate to reduce crime and disorder and re-offending. The bill expands on this duty to also require that a PCC, when putting together their police and crime plan, must have regard to the priorities of the responsible authorities in their force area, while the CSPs will have to have regard to the objectives in the PCC's police and crime plan when exercising their functions.

In addition to having to cooperate with PCCs and have regard to their priorities when carrying out their functions, CSPs will to some extent find themselves accountable to commissioners. Where CSPs are looking to merge they will need the agreement of the commissioner, though they will no longer have to seek the approval of the Home Secretary to do so. PCCs will also be able to require a report from a CSP on their work to reduce crime and disorder, if the commissioner is of the view that the partnership is not carrying out its crime reduction functions in an efficient and effective manner. PCCs will, as well, be given powers through regulations to convene and chair meetings with the CSPs in their force area to discuss strategic priorities.

PCCs and Community Safety Partnership Funding

Alongside these provisions PCCs will also be able to make crime and disorder reduction grants to any organisation or person in their force area. In order to give PCCs a budget to make these sorts of grants the Home Office is looking to transfer various funds to PCCs from 2012.

The Community Safety Fund, which is due to be reduced by 60 per cent from April 2012, will be paid to PCCs from April 2013 at the latest (though the fund for London boroughs was transferred to the Mayor of London from April this year). The government would like to see the Community Safety Fund transferred to PCCs ahead of April 2013, so it is likely that some of the fund will be handed to PCCs in the 2012/2013 financial year, with one option being for CSPs to get six months funding and the PCC getting the remainder once they are in post. Though a final decision has yet to be made, it is also likely that these funds will not be ring-fenced, so PCCs will not be compelled to use them to fund community safety services.

In England other funding will also be given to PCCs; commissioners will receive the proportion of Drug Intervention Programme funding not going to Health and Wellbeing Boards, as well as funding for services to address violence against women and girls. The Welsh government have indicated that any funding they currently give Welsh CSPs will continue to be provided to CSPs and not diverted to PCCs. PCCs will, as well, be able to decide how much of the funding available for Police Community Support Officers is used to support neighbourhood policing and how much is put towards other priorities.

CSPs across the country are likely to find they face different funding issues as PCCs become commissioners of services. Some PCCs may take the view that all their budgets ought to go into funding policing, with none left for community safety services. Others may decide they will commission all community safety services in their area (as will happen in London from next year), leaving CSPs to compete with voluntary, charitable and private sector providers for community safety funding from the PCC. Other public services, such as probation trusts, may also be in a position to bid for funding, as well as commissioning services themselves. Still other PCCs may decide to work with CSPs to commission services jointly.

CSPs will therefore have to decide whether or not they wish to compete for funding to provide community safety services in their area. CSPs will want to consider this carefully as only a few services, if any, can continue to be delivered from their own resources. If a CSP does decide to compete for funding to deliver community safety activity in its area it will have to quickly be in a position to:

- demonstrate its effectiveness to a new PCC by evidencing what its programmes have delivered in terms of outcomes and evaluating the quality of services provided
- consider whether services need to be merged to lower costs and drive efficiencies, possibly with other CSPs
- review whether it can work with other partners in the force area to create a single commissioning framework so that services are more efficient and effective
- look at how it can tailor programmes to ensure delivery of key priorities for the PCC.



Police and Crime Panels – holding PCCs to account

Alongside the relationship councils will have with PCCs through CSPs, they will have a direct role in holding commissioners to account. A police and crime panel (PCP) will have to be established for every police force area to scrutinise the PCC, and support them in the effective exercise of their functions.

In London this role will be undertaken by a specific committee of the Greater London Assembly, which will perform the same function as other panels, but will operate in a slightly different manner. **In the rest of England** councils will have to come together to form the panels as joint committees of the relevant authorities.

In Wales, due to the decision by the Welsh Assembly Government to refuse to allow the creation of panels as local government committees (which is a devolved matter), the Home Secretary will appoint and support the police and crime panels. The Home Secretary also has the power to appoint the panels in England where councils have not appointed a panel, so if councils are unable to agree on the setting up of a panel the matter could be taken from them by the Home Office.

Each council in the force area will appoint a councillor on to the panel, with the panel having a minimum of 10 councillors and two co-opted members. Where there are less than 10 councils in the force area it will be up to them to decide how the additional places needed to reach the minimum figure of 10 councillors are filled. A panel may co-opt additional members including extra councillors provided the panel does not exceed 20 members – and the Home Secretary agrees to the increased size of the panel.

In setting up the panel, the councils involved will need to make arrangements that deal with how the panel is supported and how this support is paid for; how long members of the panel hold office for; what happens when panel members resign; what allowances are paid to members of the panel; how the role of the panel is promoted; and what support and guidance is provided to the members of the panels.

When appointing councillors to the panel, the councils concerned must look to satisfy the balanced appointment objective, and the panel then has to take the objective into account when appointing co-opted members. Additionally the panel must from time-to-time consider whether its power to co-opt members would enable it to meet the objective. The objective is for the members of the panel to represent all parts of the force area, represent the political make-up of the councils in the

force area when taken together, and have the requisite skills, knowledge and experience for the panel to function effectively.

There are no restrictions in the bill on what type of councillors can be appointed to the panel (as there are with council overview and scrutiny committees). However where there is a directly-elected mayor they will automatically become their authority's representative on the panel unless they appoint another representative. When starting to consider which councillors should be appointed to the panel, councils will have to consider whether the role executive councillors play might generate a conflict of interest. Leaders and community safety portfolio holders are likely to be in regular discussion with the PCC about local crime and disorder issues. Would they then be well placed to scrutinise the PCC on arrangements they may have reached with the PCC?

PCPs will have a range of powers to provide a check and balance to the PCC. The panel has the power to:

- require the commissioner or a member of their staff to attend the panel to answer questions
- request the chief constable attends the panel to answer questions where it has already required the commissioner to appear before the panel
- appoint an acting commissioner from amongst the commissioner's staff if the commissioner has resigned, has been disqualified from office, or is incapacitated or suspended

- veto the commissioner's proposed precept if two-thirds of the members of the panel vote in favour of doing so
- veto the commissioner's proposed appointment of a chief constable if two-thirds of the members of the panel vote in favour of doing so.

Once it has been established, there are a number of things the panel is required to do. It will have to review the PCC's draft police and crime plan; review the commissioner's annual report; hold confirmation hearings for the PCC's proposed chief executive, chief finance officer and deputy police and crime commissioner appointments; and deal with complaints made about the PCC – passing on any allegations about criminal offences to the Independent Police Complaints Commission for them to investigate.

Councils will therefore need to work through a range of issues in the next few months in order for them to ensure that their police and crime panel is established as soon as possible after the elections in May 2012 for police and crime commissioners. In fact the Home Office is keen for councils to have arrangements in place before PCCs are elected, so that commissioners can be scrutinised from an early stage.

Local Government Group support

The LG Group has been working with a number of councils in police force areas to start looking at the implications of police and crime commissioners for community safety partnerships, and what issues councils need to consider as they consider establishing police and crime panels.

This has been really helpful in working through the issues councils will face, such as:

- the options available for the composition of PCPs
- how the panel will be hosted and supported
- what changes need to be made to existing structures and processes for collaborative working such as putting together joint strategic assessments
- whether a joint commissioning framework could be established
- what links need to be made with other bodies in the force area.

If you would like to discuss what free support the LG Group can give your council, community safety partnership, or group of councils or CSPs, then please contact:

Chris Williams, about preparing CSPs for police and crime commissioners at christopher.williams@npia.pnn.police.uk

Mark Norris, about setting up police and crime panels at mark.norris@local.gov.uk

You can also keep in touch with the latest developments around police and crime commissioners on the Community Safety Community of Practice at <http://www.tinyurl.com/SaferCommsCoP>





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COMMUNITY AND SAFER CITY SCRUTINY COMMITTEE

18 OCTOBER 2012

WORK PROGRAMME 2011-12

REPORT OF THE CHIEF EXECUTIVE

Strategic Priorities: SP3 – Safer City

Corporate Priorities: CIO1: Delivering Customer Focused Services, CIO4: Improving partnership working to deliver 'One City'.

1. Purpose of the report

- 1.1 The report attaches, for Members' information, the current work programme for the Committee's work during the 2011-12 Council year.
- 1.2 The work of the Committee in delivering its work programme will support the Council in achieving its Strategic Priorities of Safer City, support delivery of the related themes of the Local Area Agreement, and, through monitoring the performance of the Council's services, help the Council achieve its Corporate Improvement Objectives CIO1 (delivering customer focussed services) and C104 (improving partnership working to deliver 'One City').

2. Background

- 2.1 The work programme is a working document which the Committee can develop throughout the year. The work programme allows Members and officers to maintain an overview of work planned and undertaken during the Council year.

3. Current position

- 3.1 The work programme reflects discussions that took place at the 7 June 2012 Scrutiny Committee meeting. The current work programme is attached as an appendix to this report.

4. Conclusion

- 4.1 The work programme developed from the meeting will form a flexible mechanism for managing the work of the Committee in 2011-12.

5 Recommendation

- 5.1 That Members note the information contained in the work programme and consider the inclusion of proposals for the Committee into the work programme.

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COMMUNITY AND SAFER CITY SCRUTINY COMMITTEE WORK PROGRAMME 2011/2012

| REASON FOR INCLUSION | JUNE 07.06.11 | JULY 19.07.11 | SEPTEMBER 06.9.11 | OCTOBER 18.10.11 | DECEMBER 06.12.11 | JANUARY 10.01.12 | FEBRUARY 21.02.12 | APRIL 03.04.12 |
|--|--|--|---|---|--|--|--|--|
| Cabinet-Referrals and Responses | | | Response to the 10/11 Policy Review – Alcohol, Violence and the Night Time Economy (JD) | | | | | |
| Policy Review | Annual Work Programme and Policy Review 2011/2012 (JD) | Policy Review - Scoping Report (JD) | Policy Review – Scene Setting (JD) | Policy Review - Evidence Gathering (JD) | Policy Review – Evidence Gathering (JD) | Policy Review – Evidence Gathering (JD) | Policy Review Progress Report (JD) | Policy Review: Final Report (JD) |
| Performance | | | Performance Report (Gillian Robinson) Progress on Past Recommendations (JD) | | Performance Q2/ Policy Review Progress (Mike Lowe) | | | Performance Q3/ (Mike Lowe) |
| Scrutiny | Food Law Enforcement (Norma Johnston) Forward Plan (JD) | Police Reform and Social Responsibility Bill - Update (Stuart Douglass) Drug Misuse – Update (Leanne Davis) Work Programme (JD) Forward Plan (JD) | Work Programme (SA) Forward Plan (JD) | Police Reform and Social Responsibility Bill - Update (Stuart Douglass) Work Programme (JD) Forward Plan (JD) | Neighbourhood Helpline (LSL) Work Programme (JD) Forward Plan (JD) | Work Programme (JD) Forward Plan (JD) | Work Programme (JD) Forward Plan (JD) | Work Programme (JD) Forward Plan (JD) |
| CCFA/Members items/Petitions | | | | | | | | |

COMMUNITY AND SAFER CITY SCRUTINY COMMITTEE

18 OCTOBER 2011

FORWARD PLAN – KEY DECISIONS FOR THE PERIOD 1 OCTOBER 2011 – 31 JANUARY 2012

REPORT OF THE CHIEF EXECUTIVE

1. Purpose of the Report

- 1.1 To provide Members with an opportunity to consider those items on the Executive's Forward Plan for the period 1 October 2011 – 31 January 2012 which relate to the Community and Safer City Scrutiny Committee.

2. Background

- 2.1 The Council's Forward Plan contains matters which are likely to be the subject of a key decision to be taken by the Executive. The Plan covers a four month period and is prepared and updated on a monthly basis.

- 2.2 Holding the Executive to account is one of the main functions of Scrutiny. One of the ways that this can be achieved is by considering the forthcoming decisions of the Executive (as outlined in the Forward Plan) and deciding whether Scrutiny can add value in advance of a decision being made. This does not negate Non-Executive Members ability to call-in a decision after it has been made.

- 2.3 Members requested that only those items which are under the remit of the Committee be reported to this Committee. The remit of the Committee covers the following themes:-

Safer Sunderland Strategy; Social Inclusion; Community Safety; Anti Social Behaviour; Domestic Violence; Community Cohesion; Equalities; Food Law Enforcement; Licensing Policy and Regulation; Community Associations; Registrars

- 2.4 In the event of Members having any queries that cannot be dealt with directly in the meeting, a response will be sought from the relevant Directorate.

3. Recommendation

- 3.1 Members are asked to note that there are no items in the current Forward Plan relating to the remit of this Committee.

4. Background Papers

- 4.1 There were no background papers used in the preparation of this report.

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