

REPORT TO	DATE OF MEETING
Cabinet	10 September 2014

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SUBJECT	PORTFOLIO	AUTHOR	ITEM
Anti-Social Behaviour Community Triggers	Neighbourhoods and Streetscene	Jennifer Mullin	5

SUMMARY AND LINK TO CORPORATE PRIORITIES

The Anti-Social Behaviour Crime and Policing Act 2014 introduces the provision of Community Triggers. The triggers give anti-social behaviour (ASB) victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem-solving approach to find a solution. Agencies including councils, the police, clinical commissioning groups and registered providers of social housing will have a duty to undertake a case review should a case meet a locally defined threshold. This report requests approval to adopt the proposed Community Triggers which are due to be introduced in October 2014.

The proposals in the report link directly to all of the Council's corporate priorities but especially Clean, Green and Safe.

RECOMMENDATIONS

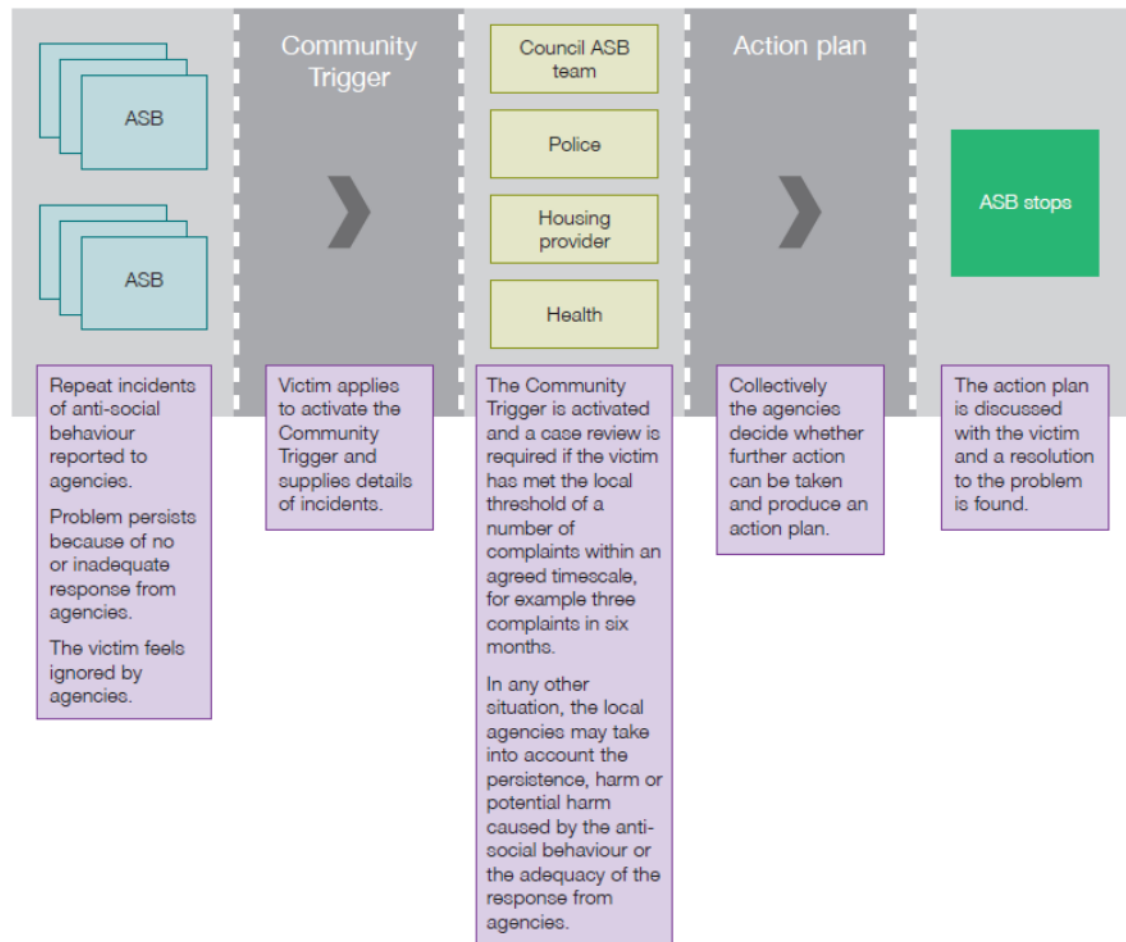
That Cabinet agrees to:

1. Adopt the proposed Community Triggers as outlined in the report.
2. Delegate authority to the Director of Neighbourhoods, in consultation with the Cabinet Member for Neighbourhoods and Streetscene, to designate social landlords in the borough to be part of the Community Trigger group of relevant bodies and/or to issue Community Protection Notices.
3. Delegate authority to the Director of Neighbourhoods, in consultation with the Cabinet Member for Neighbourhoods and Streetscene, to adjust the Community Triggers following any future review and subsequent recommendations from the Lancashire ASB group.

DETAILS AND REASONING

The Community Triggers

The Community Triggers are a provision of the Anti-Social Behaviour Crime and Policing Act 2014. The triggers are a victim focussed risk assessment approach, which gives victims the ability to request action, starting with a review of their case. The diagram below explains how the proposed triggers will work:



On receipt of a request for the trigger to be activated, the responsible agencies (council, police, clinical commissioning group and any co-opted social housing provider) will meet to consider if the trigger threshold is met.

The basic process is:

1. The complainant(s) make an application for a review (i.e. "activate the trigger").
2. The relevant bodies decide whether the threshold is met and communicate this to the victim(s) (i.e. trigger activated or not).
3. If the threshold is met, a case review will be undertaken by the partner agencies. Agencies will share information related to the case, review what action has previously been taken and decide whether additional actions are possible or necessary.
4. The victim(s) is informed of the outcome of the review. Where further actions are necessary an action plan will be discussed with the victim(s), including timescales.

The review will prompt a problem-solving approach aimed at dealing with some of the most persistent, complex cases of anti-social behaviour. The Community Triggers can be used by a person of any age and can also be used by any person on behalf of the victim(s) for example a family member, friend, councillor or other professional person.

Community Trigger Threshold

Anti-Social Behaviour Crime and Policing Act 2014 guidance recommends the relevant agencies should work together to agree an appropriate Community Trigger threshold, taking into consideration the nature of anti-social behaviour experienced by victims in the area and working practices of the agencies involved. The Lancashire ASB group, of which the Council is a member, has developed countywide trigger thresholds which would mean that residents in Lancashire would receive a comparable service wherever they lived. The group has considered the national pilot schemes and has recommended thresholds. The pilot identified that only a small percentage of the triggers received resulted in further action being required by the local ASB agencies. The recommended and proposed countywide Community Triggers are as follows:

- 3 or more complaints in the last 6 months from one individual about the same problem where no action has been taken, or;
- 5 individuals complaining about the same or similar incidents in the last 6 months where no action has been taken, or;
- 1 incident motivated by hate in the last 6 months from one individual where no action has been taken

The legislation sets out what will be considered a 'qualifying complaint' for using the Community Triggers. For the purpose of the triggers, anti-social behaviour is defined as behaviour causing harassment, alarm or distress to a member, or members, of the public, not nuisance or annoyance. However, when deciding whether the threshold is met, agencies will consider the persistence and cumulative effect of the incidents and consider the harm or potential harm caused to the victim(s), rather than rigidly deciding whether each incident reached the level of harassment, alarm or distress.

The proposed Community Trigger thresholds described above will be reviewed at least for the first twelve months. This will allow agencies to monitor how the process is being delivered and enable any necessary improvements or changes to be implemented. It is therefore proposed that authority is delegated to the Director of Neighbourhoods, in consultation with the Cabinet Member for Neighbourhoods and Streetscene, to adjust the Community Triggers following any future review and subsequent recommendations from the Lancashire ASB group.

Role of the Police and Crime Commissioner (PCC)

The local PCC must be consulted on the Community Trigger procedure when it is set up, and must also be consulted whenever the procedure is reviewed.

Community Protection Notices

A Community Protection Notice (CPN) is intended to deal with particular, ongoing ASB problems or nuisances which negatively affect the community's quality of life by targeting those responsible. The relevant statutory provisions for CPNs are not yet in force but are expected to be soon. Following this they can be issued by councils and the police. In addition councils can designate social landlords in their area to issue CPNs, should the social landlord have the need to do so.

Relevant Bodies and Responsible Authorities

'Relevant bodies' are those organisations which have a statutory duty to have a Community Trigger procedure and to undertake case reviews when a person asks for one (and the threshold is met). The relevant bodies are:

- district councils, unitary authorities or London borough councils;
- police forces;
- clinical commissioning groups in England, local health boards in Wales; and
- social housing providers who are co-opted into the group by councils.

The Act does not determine which housing providers should be co-opted into the procedures but just requires arrangements to be in place for their inclusion amongst the relevant bodies in the area, should they wish or have a need to be included.

To enable these arrangements (if required) to be developed, it is proposed that authority is delegated to the Director of Neighbourhoods, in consultation with the Cabinet Member for Neighbourhoods and Streetscene, to designate social landlords in the borough to be part of the Community Trigger group of Relevant Bodies and/or to issue Community Protection Notices.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas listed below, and the table shows any implications in respect of each of these.

FINANCIAL	There are no financial implications as a result of this report.		
LEGAL	The new Anti-Social Behaviour Crime and Policing Act 2014 (in particular Section 104 and Schedule 4) places a statutory requirement on the Council with regard to the Community Triggers. The proposals in this report detail how the Council will meet this statutory requirement.		
RISK	Should the Council not adopt the Community Triggers then it will not meet its statutory requirements with regard to the Anti-Social Behaviour Crime and Policing Act 2014.		
THE IMPACT ON EQUALITY	It is considered that there are no adverse impacts on equality arising from this report. Equality Impact Assessments are in place for all those council services which have a role in the Community Triggers.		
OTHER (see below)			
<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

BACKGROUND DOCUMENTS

None