

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO POLICY & FINANCE COMMITTEE

Agenda Item No.

meeting date: TUESDAY, 9 SEPTEMBER 2014
 title: COMMUNITY TRIGGER
 submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
 principal author: BILL ALKER – POLICY DEVELOPMENT OFFICER

1 PURPOSE

- 1.1 To explain to Members some of the provisions of the new anti-social behaviour, Crime and Policing Act 2014 with particular reference to the Community Trigger.
- 1.2 To agree to publish details of how the trigger will operate in the Ribble Valley on the Borough Council's website.
- 1.3 To agree the appropriate threshold levels for the trigger.
- 1.4 Relevance to the Council's ambitions and priorities:
 - Community Objectives - }
 - Corporate Priorities - } Ribble Valley has a duty to all its citizens to provide a safe and crime free living environment.
 - Other Considerations - }

2 BACKGROUND

- 2.1 Tackling antisocial behaviour has long been a priority for both the Community Safety Partnership and the Borough Council.
- 2.2 Earlier legislation enacted under the Crime and Disorder Act 1998 introduced antisocial behaviour orders which sought to restrict the movements of individuals who were causing antisocial behaviour to residents, businesses or the community at large.
- 2.3 Antisocial behaviour has always been a cause for concern amongst communities and shared by many Councils and Community Safety Partnerships. Over the years there have been a number of different initiatives which have been tried including:
 - Dispersal Orders banning large groups of youths from gathering in a particular place;
 - Outreach by youth services providing diversionary tactics;
 - Stay Safe operations – ensuring youths were not in a risk situation;
 - Clitheroe Castle Grounds project – targeting youths who were gathering in Clitheroe Castle grounds and providing them with an alternative;
 - Restorative Justice enabling offenders and victims to speak face to face about the causes and outcomes of a particular action.

3 ISSUES

- 3.1 Earlier in 2014 the Antisocial Behaviour Crime and Policing Act became law and brought into force a number of initiatives, one of which is the Community Trigger.
- 3.2 Under the Community Trigger provisions, Councils have a legal requirement to provide a mechanism whereby members of the public who feel they have been the victim of antisocial behaviour can “trigger” a review of how different agencies have dealt with a particular case of antisocial behaviour.
- 3.3 This element of the new Act comes into force on 20 October by which time relevant authorities have to be able to show that they are undertaking the process and have published their current review procedures.
- 3.4 All Lancashire districts have agreed on the following trigger mechanisms:
- a) Behavioural threshold “harassment, alarm and distress” rather than nuisance and annoyance.
 - b) Proposed trigger thresholds.
 - i) 3 or more complaints in the past 6 months from one individual about the same problem where that person thinks that no action has been taken.
 - ii) 5 individuals complaining about the same or similar incidents in the last 6 months where it is felt no action has been taken.
 - iii) One incident motivated by hate in the past 6 months where it is felt that no action has been taken.
- 3.5 Other “relevant bodies” include the police, registered social landlords and clinical commissioning groups, all of whom have signified their agreement with these threshold levels.
- 3.6 Other steps which need to be taken are:
- agree a single point of contact to activate the trigger – we should not identify an individual member of staff at this stage, a phone number will suffice;
 - publish the details of the trigger threshold (not the behavioural threshold) on the Council’s website with links to other relevant authorities websites;
 - identify single points of contact for each area and individuals making up local panels including the co-opting of social landlords. (Note: There is no specific procedure laid down for co-opting landlords);
 - select a suitable forum which would serve as the Review Panel. (Many areas are using their existing ASBRAC panels);
 - identify the various ways members of the public can activate the Trigger eg on-line, telephone, in writing etc, and make preparations to put the processes in place and advertise this effectively;
 - provide LCC CS Team with a hyperlink to your Community Trigger page so this can be added to the Safer Lancashire, Constabulary and Housing providers’ web sites. This will enable users to be directed to your Trigger page without having to navigate to it themselves;
 - agree an appeals/escalation process (most areas are using the managers of Review Panel members);

- produce and publish guidance for members of the public and consider how the trigger can be advertised effectively in respect of hard to reach groups. (Some areas are doing this by means of their ASBRAC panel partners);
- progress proposals through local democratic processes in time for launch on 20 October 2014;
- agree and produce a reporting/monitoring mechanism eg:
 - number of applications for Community Triggers received.
 - the number of times the threshold for review was not met
 - the number of anti-social behaviour case reviews carried out
 - the number of anti-social behaviour case reviews that resulted in recommendations being made
 (Most areas will be using a simple spreadsheet for this purpose).

3.7 It is important to recognise that this legislation relates to new incidents of antisocial behaviour. It is not meant as a historical trawl through issues which have been dealt with in the past by one or more agency.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – No extra staffing or funding has been identified.
- Technical, Environmental and Legal – We have a legal duty to ensure that this legislation is publicised and enacted.
- Political – None.
- Reputation – Giving the community the opportunity to challenge and question authorities will understandably enhance the Council's reputation.
- Equality & Diversity – This legislation applies to all members of the community.

5 RECOMMENDED THAT COMMITTEE

5.1 Note the contents of this report.

5.2 Agree to adopt the Community Trigger as set out in paragraph 3.4 in line with other Lancashire districts and other relevant agencies (Police, RSL's and CCG's).

5.3 Delegate the wording of the website and on-line forms to the Chief Executive in consultation with the chair and vice chair of this Committee.

5.4 Monitor the progress of the Community Trigger and consider an update report to be submitted to the March 2015 meeting of this Committee.

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BACKGROUND PAPERS

Antisocial Behaviour Crime and Policing Act 2014.

For further information please ask for Bill Alker, extension 4412.

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