

COMMUNITY SAFETY PLAN

Head of Service/Contact:	Rod Brown, Head of Housing & Community
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Annexes/Appendices (attached):	Community Safety Plan 2020
Other available papers (not attached):	Strategy and Resources Committee Minutes 17 April 2018

Report summary

In 2018 the Strategy and Resources Committee agreed to adopt a more effective and coordinated approach to community safety. This report updates the Committee on progress to date and recommends the adoption of a Community Safety Plan and seeks a delegation of the power to issue Community Protection Notices to local registered social housing providers to increase the remedies available to the to tackle anti social behaviour in relation to their estates.

Recommendation (s)

The Committee;

- (1) note progress on the community safety agenda;
- (2) approves the Community Safety Plan 2020, attached at Annex 1
- (3) agree to authorise the Head of Housing and Communities, in consultation with the Chair, to approve the designation of Community Protection Warnings and Community Protection Notices to Registered Social Landlords in accordance with section 53 of the Anti-Social Behaviour, Crime and Policing Act 2014.

- 1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

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- 1.1 The Council is in the process of reviewing its strategic plan and a new Four Year Plan for 2020-2024 is, at the time of writing this report in the process of being approved. The key themes of the new corporate plan were identified through the Future 40 consultation. One of these themes is “Safe and Well”, to which this report is directly applicable.

2 Background

- 2.1 In 2018, following the agreement of a new approach to enhance the area of community safety and enforcement, several areas of development have occurred including:
 - 2.1.1 The recruitment of a full time Community Safety and Enforcement Officer;
 - 2.1.2 An active involvement at Head of Service level with the East Surrey Community Safety Partnership;
 - 2.1.3 A successful application for £50,000 of funds from the Police and Crime Commissioner to fund joint enforcement start up expenditure;
 - 2.1.4 A more productive and effective partnership with Surrey Police including the implementation of joint patrols and joint operations;
 - 2.1.5 The adoption of a Public Space Protection Order (PSPO), for areas of the Borough;
 - 2.1.6 The creation of an Enforcement and Community Safety Steering Group to co-ordinate enforcement activities across the Council and with other partners;
 - 2.1.7 Robust and proactive use of pre-existing powers to address environmental crime and antisocial behaviour.
- 2.2 The range of powers available to Councils to deal with environmental crime and anti social behaviour has grown substantially with numerous powers being introduced to deal with a variety of specific issues. With the introduction of the Anti Social Behaviour Crime and Policing Act 2014, the way to tackle a range of environmental crime was brought together.

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- 2.3 The powers available to officers under the Anti-Social Behaviour, Crime and Policing Act 2014 (“The Act”), to address lower level crime and antisocial behaviour have been used in the past year. In particular the use of Community Protection Notices, have been found to be effective and flexible. These Notices are designed to be a broad ranging tool to deal with repeated or ongoing nuisance behaviour. The Anti-Social Behaviour, Crime and Policing Act 2014 deliberately does not stipulate the types of behaviour that can be considered to give authorities freedom to tackle all behaviour that is detrimental to the local community’s quality of life. It puts victims at the heart of the response to anti-social behaviour, and gives the flexibility needed to deal with any given situation.
- 2.4 So as to enable local registered social housing providers (Housing Associations) to manage more closely adverse behaviour in Housing Association properties, it is proposed to utilise the ability the Council has to extend the power to issue Community Protection Orders to local social housing providers (Housing Associations).

3 Proposals

- 3.1 Following the Committee’s decision to adopt a more effective and coordinated approach to community safety, the draft Community Safety Plan has been produced (Annex 1). The development of this plan has been evidenced based, using data available both from publicly accessible information, police data and council records.
- 3.2 The powers as set out in the Anti-Social Behaviour Crime and Policing Act 2014, gives the Council’s the authority to issue Community Protection Notices (CPNs) where behaviour of individuals or businesses is having a detrimental effect on the quality of life of those in the locality, is persistent or continuing in nature and is unreasonable. The legislation allows authorised officers to issue preventative notices for statutory and non-statutory issues and compel an individual or company to make good their actions or lack of actions or face a fixed penalty fine or court proceedings.
- 3.3 Utilising these powers has assisted the Council in tackling issues of anti-social behaviour, environmental crime and help to improve the quality of our street scene and open spaces.
- 3.4 Building on the proven effectiveness of the Council’s use of Community Protection Warnings and Notices, it is proposed that the Council authorises the power to issue Community Protection Notices under section 43 of the Act to social housing providers.
- 3.5 A community protection notice is designed for use by authorised persons within the local authority, Police Officers and Police Community Support Officers (PCSOs) if designated by the Chief Constable.

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- 3.6 An opportunity is available for the Council to delegate the authority to Registered Social Landlords for use on their estates, allowing them to deal effectively with problem tenants or problems directed towards their tenants. There will need to be in place agreed protocol to ensure the safe use of the power.
- 3.7 This would be subject to a delegation agreement to ensure they have a compliant policy and procedure in place.

4 Financial and Manpower Implications

- 4.1 No additional implications have been identified for the purpose of this report.
- 4.2 The expenditure associated with the new joint enforcement arrangements have been funded via a successful grant application to the Police and Crime Commissioner of £50,000. This is being used to finance training, uniforms, equipment and the new electric enforcement vehicle.
- 4.3 Two successful applications have been made to the Surrey County Council Community Safety Fund to finance the purchase of body worn cameras for EEBC staff and a redeployable, mobile CCTV camera.
- 4.4 In addition to the new redeployable CCTV, where justified, and subject to a site assessment, other CCTV may involve the use of false cameras in rotation with the functioning CCTV. In this way the greatest deterrent can be achieved. Future provision of CCTV is intended to take advantage of future outside funding opportunities as they arise.
- 4.5 **Chief Finance Officer's comments:** all financial implications are contained within the body of the report.

5 Legal Implications (including implications for matters relating to equality)

- 5.1 The Anti-Social Behaviour, Crime and Policing Act 2014 contains the provision for the council to delegate the power to serve Community Safety Warnings and Notices to "specified persons". Under these provision it is proposed that the council will consider giving specific social housing providers (Housing Associations) the ability to also issue such warnings and notices in order for them to manage anti-social behaviour by their tenants.
- 5.1 Registered Social Landlords being given the power will need to agree the arrangements for the exercise of the power. If the designation is approved, the Council would have oversight of those cases that are referred back to the Council for prosecution, since only the Council can prosecute for any failure to comply with a Community Protection Notice.

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5.2 The power will only apply to activity with the Borough of Epsom and Ewell. The Council cannot authorise activities outside the Borough.

5.1 The provisions of this report will have a positive effect on equalities by, for example, initiatives to combat activities associated with hate crime.

5.2 ***Monitoring Officer's comments: none for the purposes of this report.***

6 Sustainability Policy and Community Safety Implications

6.1 More effective and visible enforcement activity is associated with greater opportunities to prevent anti-social behaviour and environmental crime, such as fly-tipping, and giving greater community reassurance. As such the proposals within this report would make a positive contribution to community safety.

7 Partnerships

7.1 The Council will seek to build on the existing positive arrangements in place with strategic and operational partners such as the Police, Housing Associations, Adult and Children's Services and Mental Health Teams.

7.2 Mechanisms such as the Community Harm and Risk Reduction Meetings (CHaRMM), Joint Action Groups (JAG), Multi-Agency Risk Assessment Conference (MARAC), and Mapping of Offenders, Locations and Trends meetings (MOLT), are integral parts of the work around community safety and involve very close partnership working.

8 Risk Assessment

8.1 There are risks of not doing anything, including a rise in the incidents of anti-social behaviour and other undesirable activities with a reduction in community assurance. The Council could also be vulnerable to criticism for not using its statutory powers and service functions effectively to address public concerns about anti social behaviour and environmental crime such as flytipping.

8.2 The Plan in Annex 1 is intended to encourage the participation of partners such as the police and Housing Associations in our joint enforcement approach. There is a risk that not doing so would place greater burdens upon the council to act in the absence of action by partners. It is much easier for a Council with the necessary focus, training and deployment to hold other partners for account for their delivery.

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- 8.3 The Plan in Annex 1 sets out a range of activities which could be considered as being too proactive and excessive in the view of some. The risk is being mitigated by not using private enforcement companies for day to day enforcement activity, adhering to the principles of taking a partnership approach and using evidence to identify the areas of concern and inform the course of action.

9 Conclusion and Recommendations

- 9.1 The enhanced approach to community safety and enforcement is still relatively new for the council. The adoption of the Community Safety Plan will provide this area of work with a solid basis on which to proceed and facilitate the prioritisation of resources to the areas in need.
- 9.2 It is recommended the Committee notes the progress made in the Community Safety, adopts the Community Safety Plan as set out in Annex 1 and agree to the extension of Community Protection Warnings and Notices to social housing providers.

Ward(s) affected: (All Wards);