

## **HIGH PEAK BOROUGH COUNCIL**

### **Community Select Committee**

**16 June 2021**

<b>TITLE:</b>	<b>Community Safety Partnership Review and Refreshed Community Safety Strategy</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Councillor Todd - Executive Councillor for Climate Change, Environment and Community Safety</b>
<b>CONTACT OFFICER:</b>	<b>David Smith - Principal Officer Communities &amp; Partnerships</b>
<b>WARDS INVOLVED:</b>	<b>All</b>

**Appendices Attached – Appendix A: Community Safety Partnership Plan; Appendix B: Summary of Council’s Contribution to the Community Safety Partnership**

#### **1. Reason for the Report**

1.1 The Borough Council is required by statute to work in partnership with other listed organisations to tackle community safety problems in the High Peak. The Council’s corporate plan committed the Council to ‘review the Community Safety Strategy to ensure that the Council is supportive in fighting crime and anti social behaviour’. This report delivers that commitment.

#### **2. Recommendation**

2.1 That the Committee recommends that the Executive approves the creation of a Strategy Group that focuses just on High Peak.

2.2 That the Committee notes:

- the Community Safety Partnership’s plan; and
- the contributions that the Council makes towards community safety.

#### **3. Executive Summary**

3.1 The Borough Council has three main duties in relation to community safety and must:

- work with partners to formulate and implement a community safety strategy (Section 8);
- ensure that it has a committee to scrutinise crime and disorder matters at least once a year (Section 9); and
- consider the crime and disorder implications when exercising its functions (Section 10).

3.2 The Borough Council discharges its duty to work with partners to formulate and implement a community safety strategy through its involvement in the High Peak Community Safety Partnership (Appendix A). Appendix B provides a summary of the Council's contributions to the Community Safety Partnership.

3.3 The Community Select Committee scrutinises crime and disorder matters at least once a year. The Committee receives an annual report on the activity of the Community Safety Partnership as well as an annual update from Derbyshire Constabulary.

3.4 Every Committee report includes a section on community safety implications, which ensure that such considerations form part of the Council's decision making process. This includes evaluating the impact of regeneration, asset management or planning policies.

3.5 The Council provides a range of services that contribute to improving the safety of High Peak. This includes CCTV in town centres across the Borough, the work of the Democratic and Communities Service, licensing taxis and places that sell alcohol, responding to statutory nuisances, managing Council tenancies, and providing support to vulnerable people and those at risk of becoming involved in crime and anti-social behaviour.

#### 4. **How this report links to Corporate Priorities**

4.1 This report helps to deliver Aim 1: 'Supporting our communities to create a healthier, safer, cleaner High Peak' and specifically the commitment to: "Review the Community Safety Strategy to ensure that the Council is supportive in fighting crime and anti social behaviour".

#### 5. **Alternative Options**

5.1 None identified

#### 6. **Implications**

##### 6.1 Community Safety - (Crime and Disorder Act 1998)

The report describes how the Council meets its obligations under the Crime and Disorder Act 1998.

6.2 Workforce

None

6.3 Equality and Diversity/Equality Impact Assessment

None

6.4 Financial Considerations

None – all commitments are made from within current budgets. The Partnership also receives specific funding from Derbyshire's Police and Crime Commissioner.

6.5 Legal

The Borough Council is required to work in partnership to tackle community safety issues by the Crime and Disorder Act 1998 and associated regulations.

The Borough Council has a duty under s17 of the Crime and Disorder Act 1998 to exercise its functions with regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder, substance misuse and re-offending.

The Council must also ensure that it has a committee to scrutinise crime and disorder matters at least once a year under the Police and Justice Act 2006.

6.6 Climate Change

The Partnership duties include a requirement to tackle behaviour that spoils the local environment like dumping rubbish. The Council intends to continue to influence the Partnership's priorities to include a greater emphasis on both the local environment and climate change.

6.7 Consultation

The Partnership Plan has been shared with and agreed by community safety partners.

6.8 Risk Assessment

The change of Police and Crime Commissioner is likely to have some impact on the work of the Partnership and possibly to partnership funding. The Partnership will reflect any changes in approach when developing its future plans.

Mark Trillo

**Executive Director (Governance & Commissioning) & Deputy Chief Executive**

**Web Links and  
Background Papers**

<https://www.derbyshire-pcc.gov.uk/Home.aspx>  
<https://www.saferderbyshire.gov.uk/home.aspx>  
Derbyshire Police and Crime Commissioners  
Vulnerability Fund:  
<http://highpeakcvs.org.uk/index.asp?ID=158>

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**7. Community Safety**

7.1 The Borough Council has three main duties in relation to community safety and must:

- work with partners to formulate and implement a community safety strategy (Section 8);
- ensure that it has a committee to scrutinise crime and disorder matters at least once a year (Section 9); and
- consider the crime and disorder implications when exercising its functions (Section 10).

7.2 The Council also has a general duty to promote and improve the economic, social or environmental wellbeing of the High Peak and specific obligations in relation to various functions that contribute towards making communities safer, such as licensing. This report primarily focuses on the specific obligations highlighted above.

**8 Working in Partnership**

8.1 The Borough Council discharges its duty to work with partners to formulate and implement a community safety strategy through its involvement in the High Peak Community Safety Partnership.

8.2 The term Community Safety Partnership<sup>1</sup> (CSP) is not used in legislation and a CSP is not a legal entity. Rather, it is the collective term used to describe multi-agency arrangements that allow specified organisations (“the responsible authorities”) to fulfil their statutory obligations under the CDA and associated regulations.

8.3 The responsible authorities for the purposes of the Act are the:

- Borough Council
- County Council
- Chief officer of police
- Providers of probation services under section 3 of the Offender Management Act 2007

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<sup>1</sup> CSPs are sometimes referred to as Crime and Disorder Reduction Partnerships (CDRPs) or Safer and Stronger Communities Partnerships.

- Fire and Rescue Authority; and
  - Every Clinical Commissioning Group (CCG) that covers the whole or any part of the area.
- 8.4 These responsible authorities must also act in co-operation with the relevant local probation board, specified providers of probation services, and anyone prescribed by order by the Secretary of State.
- 8.5 The CSP members are required to work together to formulate and implement a strategy at borough level for:
- Reducing crime and disorder in the area (including anti-social and other behaviour adversely affecting the local environment);
  - Combatting the misuse of drugs, alcohol and other substances in the area; and
  - Reducing re-offending in the area.
- 8.6 This work is carried out on behalf of the responsible authorities by a strategy group<sup>2</sup> that is appointed to prepare an annual strategic assessment, prepare and implement a partnership plan, review the expenditure of partnership monies, and assess the economy, efficiency and effectiveness of partnership expenditure.
- 8.7 In recent years, High Peak Borough Council has shared a strategy group with Derbyshire Dales District Council. This was largely because both areas sat within the same policing division. This rationale no longer exists following a restructure by Derbyshire Constabulary and partners have agreed that having separate strategy groups would allow a greater focus on the specific issues of the two local authority areas. However, it is envisaged that the two areas will work together on issues where it makes sense to do so (such as on rural or cross-border issues).
- 8.8 Having separate strategy Groups also makes it easier to involve agencies and organisations that do not have cross-border responsibilities in partnership activities. High Peak CVS have now been invited to join the Strategy Group to represent the voluntary sector. High Peak CVS have also taken on responsibility for distributing small grants of up to £1000 as part of the Derbyshire Police and Crime Commissioners Vulnerability Fund.

#### *High Peak Community Safety Partnership*

- 8.9 Following the adoption of a single CSP for High Peak, both High Peak CVS and the Peak District National Park Authority have been invited to join the CSP's Strategy Group. The current membership of the Strategy Group is as follows:
- Councillor Jean Todd (Chair), High Peak Borough Council
  - County Councillor (to be nominated by Derbyshire County Council)
  - Mark Trillo, Executive Director, High Peak Borough Council
  - James Bromley, Chief Executive, High Peak CVS

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<sup>2</sup> Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007

- Sarah Fowler, Chief Executive, Peak District National Park Authority
  - Paul Hawker, Group Manager, Derbyshire Fire and Rescue Service
  - Inspector Dave Parker, Derbyshire Constabulary
- 8.10 It has been suggested that the Borough Council's Head of Housing and a representative from Public Health should also be invited to Strategy Group meetings. Officer support for the group is provided by High Peak Borough Council and Derbyshire County Council.
- 8.11 The Partnership has adopted the following vision:
- Our Vision** is for High Peak to be a place where people feel safe and supported, the diversity of our community is valued, and our environment is protected.
- 8.12 The Partnership follows a three-tier approach to enable it to achieve its vision, and looks to:
- **PREVENT** problems from occurring in the first place (Primary prevention).
  - **REDUCE** the impact of community safety problems (Secondary prevention)
  - **SUPPORT** those affected by problems and provide support to help stop people from reoffending (Tertiary prevention).
- 8.13 Each year, the CSP updates its priorities and partnership plan. The delivery of the 2020/21 plan was hampered by the Coronavirus pandemic and associated lockdown and several actions have been rolled-over to the 2021/22 plan.
- 8.14 The Partnership has updated the format of its partnership plan for 2021/22 with the aim of developing a more rounded plan that delivers the statutory obligations and which also links more closely to the work of other key partnerships. The plan, which can be found at Appendix A, describes how the Partnership intends to address the following priorities:
- Acquisitive and Drug-Related Crime
  - Anti-Social Behaviour
  - Domestic Abuse
  - Personal Safety
  - Preventing re-offending
  - Rural Problems

8.12 The partnership has also identified two cross-cutting priorities: working with the community and voluntary sector, and improving mental health.

### *Partnership Support*

8.14 The Borough Council provides administrative support to the partnership. This includes:

- Preparing the Partnership Plan and Strategy;
- Holding Partnership funds, overseeing expenditure, and accounting to the Police and Crime Commissioner;
- Completing annual evaluation of expenditure;
- Reporting on partnership activity to the Crime and Disorder Scrutiny Committee;
- Representing the partnership at County and other meetings;
- Arranging partnership meetings; and
- Minute-taking.

8.15 Appendix B provides a summary of the Council's contributions to the Community Safety Partnership.

## **9 Scrutiny of Crime and Disorder Matters**

9.1 The Council must ensure that it has a committee to scrutinise crime and disorder matters at least once a year. The Committee must have the power to:

- review or scrutinise how the responsible authorities discharge their crime and disorder functions and make reports or recommendations to the local authority about the discharge of those functions;
- make a report or recommendations to the local authority concerning crime and disorder (including in particular forms of crime and disorder that involve antisocial behaviour or other behaviour adversely affecting the local environment), or the misuse of drugs, alcohol and other substances that affects all or part of their ward. Any member of the authority who is not a member of the crime and disorder committee can also refer any such matter to the committee; and
- require the attendance of an officer or employee of a responsible authority or of a co-operating person or body in order to answer questions provided that reasonable notice is given.

9.2 In all cases where the Committee makes a report or recommendations then it must provide a report to each responsible authority and co-operating body.

9.3 The Community Select Committee fulfils the Council's obligations under the Police and Justice Act 2006<sup>3</sup>. The Committee receives an annual report on the activity of the Community Safety Partnership as well as an annual update from Derbyshire Constabulary.

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<sup>3</sup> Crime and Disorder (Overview and Scrutiny) Regulations 2009

## **10 The Effect of the Council's Functions on Community Safety**

- 10.1 The Borough Council has a duty to exercise its functions with regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent:
- (a) crime and disorder (including anti-social and other behaviour adversely affecting the local environment);
  - (b) the misuse of drugs, alcohol and other substances; and
  - (c) re-offending, in its area.
- 10.2 Every Committee report includes a section on community safety implications, which ensure that such considerations form part of the Council's decision making process. This includes evaluating the impact of regeneration, asset management or planning policies.
- 10.3 The Council's actions under each of the above heads is considered below.

### **A *Crime and Disorder***

- 10.4 The police have primary responsibility for responding to crime and disorder. The College of Policing describes the police's core operational duties as being:
- protecting life and property
  - preserving order
  - preventing the commission of offences; and
  - bringing offenders to justice.
- 10.5 The Borough Council is responsible for wide range of services. Many of these services can support work to tackle crime and disorder through the discharge of regulatory functions and by providing support for the work of High Peak's Community Safety Partnership.
- 10.6 The Council also provides a case management function in response to reports that it receives about anti-social behaviour. The Council will liaise both internally and externally, with agencies such as Derbyshire Constabulary, to seek to resolve issues. The Council received 230 reports of anti-social behaviour in 20/21 from members of the public via the reporting portal on the Council's website.
- 10.7 The Council has powers under the Anti-Social Behaviour, Crime and Policing Act 2014 to issue Community Protection Notices, and apply for injunctions or Closure Orders in response to problems. Other agencies, notably Derbyshire Constabulary, also have access to the same powers. The Borough Council is the only authority with the power to introduce a Public Spaces Protection Order to introduce prohibitions and requirements in response to unreasonable conduct that has a detrimental impact in public places within the borough. The Borough Council has, for example, used this power to address dog fouling and to prevent wildfires.

## CCTV

10.8 The Borough Council makes a substantial contribution to preventing crime and disorder by providing a borough-wide CCTV system. The system has 34 cameras that record images across the Borough with 24/7 monitoring from the control centre. The control room has recently been upgraded from analogue to digital at a cost of around £120,000.<sup>4</sup> The Council also spends around £100,000 per year on monitoring, maintenance and line rental.

10.9 The following table shows the number of incidents recorded by the CCTV system across the High Peak.

<b>Location</b>	<b>2016/2017</b>	<b>2017/2018</b>	<b>2018/2019</b>	<b>2019/2020</b>
Buxton	123	165	130	107
Hadfield	9	12	9	8
Glossop/Gamesley	53	58	63	44
Chapel-en-le-Frith	6	18	6	14
New Mills	12	25	18	13
Whaley Bridge	3	4	8	11
<b>Total</b>	<b>206</b>	<b>282</b>	<b>279</b>	<b>197</b>

10.10 The following table depicts the number of viewings made by the Police and the number of evidence provided to them:

	<b>2016/2017</b>	<b>2017/2018</b>	<b>2018/2019</b>	<b>2019/2020</b>
<b>Number of Reviews</b>	318	221	88	127
<b>DVD/CD/USB issued</b>	154	227	88	65

## *Environmental Crime*

10.11 The definition of crime and disorder includes behaviour adversely affecting the local environment. The Borough Council takes the lead role in responding to such matters, which are often at the top of the community's priorities for action and include dog fouling, litter, waste disposal, contaminated land and statutory nuisances (including noise). The following table provides details of some of the Council's work to tackle environmental crime<sup>5</sup>.

<sup>4</sup> The full upgrade has not yet been completed. The upgrade costs are shared equally with Staffordshire Moorlands District Council.

<sup>5</sup> The reduction in numbers of fixed penalty notices issued in 2020/21 is due to Covid restrictions. The Enforcement Officers were not able to carry out patrols at certain times of the year, and at the same time the footfall in many hot spot areas, such as littering in town centres, was much reduced. When patrolling was possible, officers were instructed to maintain social distancing and to issue fixed penalty notices by post rather than face-to-face. This made enforcement more difficult.

Type of Action	2018/19	2019/20	2020/21
<b>Fly tipping investigations</b>	206	302	448
<b>Dog Fouling FPN</b>	23	3	1
<b>Litter Only FPN</b>	114	58	4
<b>Duty Of Care FPN</b>	1	0	0
<b>Abandoned Vehicles Investigated</b>	321	272	199
<b>Disposed</b>	2	7	6

10.12 The local authority also has a duty to inspect its area for statutory nuisance which includes investigating noise. The Council responded to around 600 complaints about statutory nuisance/pollution in 2020.

#### *Dangerous Building and Untidy sites*

10.13 The Borough Council can take action in respect of dangerous buildings that could be a target for criminal and anti-social behaviour using its building control powers under the Building Act 1984. Actions can also be taken as a planning authority to rectify untidy sites, which can be locations for criminal activity.

#### *Licensing*

10.14 The overriding aim of the Council's licensing function is the protection of the public.

10.15 The Licensing Act 2003 regulates the sale of alcohol, the supply of alcohol by or on behalf of a club, the provision of regulated entertainment and the provision of late night refreshment. The Borough Council is the designated licensing authority under the Act and this function is considered further below.

10.16 The Borough Council is also responsible for promoting public safety through the licensing of hackney carriage and private hire vehicles. The Authority will not grant a licence to drive a vehicle unless satisfied that the applicant is 'safe and suitable'. This includes requiring an Enhanced DBS check for all drivers and compliance with the Council's code of conduct.

10.17 All drivers in the Borough are required to attend an approved safeguarding course and to complete and pass either the BTEC Level 2 certificate in the introduction to the role of the Professional Taxi or Private Hire Driver or the NVQ level 2 certificates in Road Passenger Vehicle Driving (Taxi and Private Hire Driver) or an equivalent qualification. This ensures that drivers have an awareness of safeguarding and how to provide safety and security for passengers

- 10.18 An applicant who fails to meet all required tests, conditions, code of conduct and standards will not be deemed a safe and suitable person and the application for a licence or renewal will be refused.
- 10.19 The Borough Council is also responsible for regulating scrap metal dealers under the Scrap Metal Dealers Act 2013. Every scrap metal dealer is required to have a licence and operating without one will be a criminal offence. The Borough Council can refuse to grant a licence where the applicant is judged not to be a suitable person to operate as a scrap metal dealer. The licensing of dealers contributes to community safety by helping to make it more difficult to commit crimes such as metal theft, fraud and money laundering.

### *Tenancy Enforcement*

- 10.10 The Borough Council is a local housing authority and provides social housing. All tenants must sign a tenancy agreement, which is updated periodically, and includes requirements not to be convicted of a criminal offence or to:
- carry out any illegal activity or use the property or the area around it for anything illegal;
  - cause a nuisance, annoyance, harassment or disturbance to someone else;
  - be aggressive or violent or threaten to be violent towards any other person; or
  - keep any weapons without the correct licence and Council permission.
- 10.11 Breaches of tenancy are investigated by the Council's Housing Officers. Tenants will usually be given an opportunity to resolve the issue but if they continue to break the tenancy conditions, or if the problem is very serious, then the Council will take legal action and may give notice that the tenancy will be terminated. In specified circumstances, such as where a serious offence is committed or the property is subject to a closure order, then a court must make an order for the possession subject to certain conditions.

### *Physical Activity and Support*

- 10.12 The Council's leisure provision can help with diverting people from crime and rehabilitating victims of crime. Involvement in physical activities can provide positive role models, teach life skills, offer diversion and safety, build confidence and encourage self-discipline. The Council's physical activity and sport strategy ('Towards an Active High Peak') recognises that physical activity and sport can also play a big part in enhancing relationships and social networks, which can create safer and stronger communities.
- 10.13 Some key outputs of the Council's strategy include:
- An average of over 66,000 attendances at the Council's leisure centres in Buxton, New Mills and Glossop per month in the period immediately before the pandemic
  - Completion of over £390,000 worth of capital improvements to parks and recreation facilities across the Borough
  - Transformation of the Bench Road play area in Fairfield.

- Delivery of water safety talks to around 5,000 children at 31 Primary schools and 2 secondary schools with in the High Peak.

## **B Misuse of Drugs, Alcohol and other Substances**

10.14 The Borough Council is the designated licensing authority for the High Peak and, as such, is responsible for developing a local policy, processing applications and convening hearings to consider any representations concerning applications or existing licences. The licensing authority must promote the licensing objectives when carrying out its duties:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance;
- the protection of children from harm.

## **C Re-offending**

10.15 Research on the reasons for re-offending has led to the identification of seven pathways for reducing re-offending:

- Pathway 1: **Accommodation** (stable accommodation can reduce the likelihood of re-offending by more than 20% as it provides the vital building blocks for accessing a range of other services and for gaining employment).
- Pathway 2: Education, training and employment
- Pathway 3: Health (Offenders are disproportionately more likely to suffer from mental and physical problems)
- Pathway 4: Drugs and alcohol
- Pathway 5: **Finance, benefit and debt** (Ensuring that ex-offenders have sufficient lawful funds to live on is recognised as vital to their rehabilitation.)
- Pathway 6: Children and families (maintaining family relationships can help to prevent prisoners re-offending and can assist them to successfully settle into the community).
- Pathway 7: Attitudes, thinking and behaviour (Offending behaviour programmes within prison and probation aim to change the way that offenders think about their actions and their effects on others, and to improve their self-control).

10.16 The Borough Council plays an important role in supporting Pathways 1 and 5. The Council can also assist in tackling alcohol misuse through its licensing function and the work of the Regeneration Service can support Pathway 2 through the creation of employment opportunities. This work not only assists in reducing recidivisms but may also help to prevent individuals from entering into the criminal justice system in the first place.

## *Accommodation*

10.17 The Borough Council has a duty to take reasonable steps to help prevent any eligible person who is threatened with homelessness from becoming homeless. This means either helping them to stay in their current accommodation or helping them to find a new place to live before they become actually homeless. If someone becomes unintentionally homeless then the Council will take reasonable steps to help them to secure accommodation.

10.18 The Borough Council provides financial support to:

- Good News Family Care, Buxton, providers of accommodation and support for those who require treatment for substance misuse (£20,000 per year).
- *Crossroads*, providers of accommodation and support for survivors of domestic abuse (£20,000 per year).

10.19 The Council:

- provided accommodation for 59 households as part of the *Everyone In* policy to protect rough sleepers during the Coronavirus pandemic.
- dealt with 39 homelessness applications in 2019 and 52 in 2020 where domestic abuse was the main reason for loss of settled home.

10.20 The Council also has powers to make sure that owners of private property maintain their properties to a good standard. The Council received 144 complaints about private sector rented accommodation conditions in 2020/21.

## *Finance, benefits and debt*

10.21 The Borough Council administers the housing benefit and council tax reduction schemes for eligible High Peak residents. The Council has also administered the Test and Trace Self-Isolation Support Payment Scheme during the pandemic.

10.22 The Council can also assist in the delivery of the other pathways by supporting the Voluntary, Community and Social Enterprise (VCSE) Sector and through its involvement in key partnerships (such as the Health & Wellbeing Partnership, High Peak Homelessness Forum and High Peak Rough Sleeper Action group).

10.23 For example, the Council contributes £50,000 annually towards the Citizens Advice's core funding and a further £25,000 to provide debt & money advice; £2,500 to the Samaritans, and £10,000 to High Peak CVS.