

- 2.3 That the level of fixed penalty under section 52 of the Act for failing to comply with a Community Protection Notice be set at £70, payable within 14 days and references to statutory notices and fixed penalty notices within the Council's Enforcement Policy Statement shall be construed to include Community Protection Notices
- 2.4 That the Chesterfield Community Safety Partnership – Community Safety Officer be designated as the single point of contact for the Community Trigger and act as co-ordinator for the partnership response.

3.0 **BACKGROUND**

- 3.1 The current Anti-Social Behaviour Policy was last reviewed in 2009, In light of recommendations of the Ombudsman that the Council should develop a comprehensive policy and procedure to deal with anti-social behaviour across the Council.
- 3.2 Due to recent legislative changes including the Anti-Social Behaviour, Crime and Policing Act 2014 and emerging best practice in the field, the Anti-Social Behaviour Policy has now been revised.

4.0 **REVISED POLICY**

- 4.1 The new revised Anti-Social Behaviour Policy is attached at Appendix A. This policy sets out the Council's commitment to reducing anti-social behaviour, improving the quality of life for local people and reducing crime and fear of crime within our communities.
- 4.2 Chesterfield Borough Council is developing supporting operational guidance and has introduced an IT system to manage anti-social behaviour cases. This system (ECINS) is a multi-agency data base and is supported by Derbyshire Information Sharing Agreement.
- 4.3 Chesterfield Borough Council and Chesterfield Community Safety Partnership employees have undertaken a range of learning and development via Safer Derbyshire in order to effectively implement the new anti-social behaviour interventions and requirements contained within the Anti-Social Behaviour, Crime and Policing Act 2014. Elected members have also received briefing sessions on the new powers and ECINs.

5.0 **MONITORING**

- 5.1 The Anti-Social Behaviour Policy will be monitored via the delivery of the Community Safety Action Plan and associated performance measures. The Policy will be reviewed in 2019/20.

6.0 CONSIDERATIONS

6.1 Risk Management - This work concerns the implementation of statutory and good practice performance requirements. All relevant documents and reports have to be published and available for public scrutiny.

Risks	Impact	Likelihood	Mitigating Action	Residual Impact	Residual Likelihood
Failure to respond to the legislative requires of the Anti-Social Behaviour, Crime and Policing Act 2014.	H	H	<p>The ASB Policy has been revised to take into account the legislative changes within the Act and associated guidance.</p> <p>The new delegations proposed in the report will enable specific powers within the Act to be utilised and for the Council and Community Safety Partnership to fulfil their responsibilities.</p>	M	L
Possible LG Ombudsman intervention if new responsibilities are not carried out effectively.	M	H	<p>CBC and CSP employees have attended a range of Derbyshire wide training opportunities. There is access to central advice, guidance and assistance via Safer Derbyshire.</p> <p>An Elected Member training programme has also commenced.</p>	M	L
Continued victimisation of vulnerable persons	H	H	The new ASB Policy strengthens the "Victims First" approach. ECIN's case management and information system has been rolled out across the Council and Derbyshire.	M	M
Resourcing pressures from the new powers and responsibilities.	H	H	It is difficult to assess the level of impact of the new powers and responsibilities at the moment. If there are large numbers of community triggers called resources will need to be	H	M

			diverted from other activities or additional resources may be required. The situation is being monitored across Derbyshire.		
Perception of ASB remains high and the response by the Council is not easily understood or accepted by citizens	M	M	Continued Strategic intervention by the CSP and further utility of good news PR stories to reassure citizens Further development of Coordinated Community Response mechanisms	M	M/L
A reduction in the feelings of safety in subsequent 'are you being served' surveys (following the 2014 Act implementation)	M	H	Continued Strategic intervention by the CSP and further utility of good news PR stories to reassure citizens Further development of Coordinated Community Response mechanisms	M	M

7.0 EQUALITIES

7.1 The policy will enable the Council to implement the Anti-Social behaviour, Crime and Policing Act 2014. Provisions within the Act have been impact assessed at a national level by the Home Office. The Home Office impact assessment identifies positive impacts including: protecting people's freedoms and civil liberties, while protecting our citizens from terrorism; and simplifying and strengthening powers to protect the public from sexual harm.

8.0 RECOMMENDATIONS

- 8.1 That the Anti-Social Behaviour Policy be approved, published and widely circulated.
- 8.2 That the delegations listed in Appendix B are approved and the appropriate amendments to the Council's constitution are made.
- 8.3 That the level of fixed penalty under section 52 of the Act for failing to comply with a Community Protection Notice be set at £70, payable within 14 days and references to statutory notices and fixed penalty notices within the Council's Enforcement Policy Statement shall be construed to include Community Protection Notices

8.4 That the Chesterfield Community Safety Partnership – Community Safety Officer be designated as the single point of contact for the Community Trigger and act as co-ordinator for the partnership response.

9.0 **REASON FOR RECOMMENDATIONS**

8.1 To demonstrate our commitment to reducing Anti-Social Behaviour in Chesterfield Borough and improve knowledge and understanding of the issues relating to Anti-Social Behaviour.

D. ILLSLEY
ACTING COMMUNITY SAFETY OFFICER

Further information on this matter can be obtained from Dianne Illsley (X5225).

Officer recommendation supported.

Signed

S.L. Blank.

Executive Member

Date: 17.03.15

Consultee Lead Member/Support Member comments (if applicable)