

Report to Safer Cleaner Greener Standing Scrutiny Panel

Date of meeting: 23 June 2009

Subject: Scrutiny of Crime & Disorder Matters

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Committee Secretary: A Hendry



Recommendation:

- (1) To receive and note the guidance on the establishment and operation of Crime & Disorder Scrutiny Committee;**
- (2) That notwithstanding the need to consider crime & disorder scrutiny matters at any time throughout the civic year, to agree to nominate two meetings per annum, in February and October, for the consideration of formal crime & disorder scrutiny matters;**
- (3) To consider whether the Panel's Terms of Reference should facilitate the co-opting of non Council Members onto the Panel should the need arise; and**
- (4) To agree the required changes to the Panel's Terms of Reference and to present them to the Overview and Scrutiny Committee for endorsement.**

Report:

Background

1. Members of this Panel will clearly recognise the importance of the scrutiny role in holding the Executive to account for their proposals and decisions. This Panel is one example of that process in action. However, the scrutiny of partnership based functions is less clear, and Government has now introduced steps to address that as far as the scrutiny of crime and disorder matters is concerned.

2. Crime is consistently one of the top concerns for communities. Despite the fact that crime levels are relatively low in this area, levels of crime and the fear of crime are known to be a concern to residents of this District, a fact recognised by the Council in taking forward its "Safer, Cleaner, Greener" initiative.

3. Epping Forest District's Crime and Reduction Partnership (CDRP), also known as the Safer Communities partnership (SCP) has been very successful since its inception. Its capabilities and success have been further enhanced by the strengthening of the Safer Communities Team as part of the corporate restructure completed in the Spring of 2008.

4. In view of the multi-agency approach adopted by CDRPs, Government has concluded that it is time to put formal scrutiny processes in to place, enabling local councillors to hold the CDRP to account for its actions and policies. The powers to undertake this scrutiny role have been provided through the:

- the Police & Justice Act 2006 (sections 19 & 20); and
- the Local Government & Public Involvement in health Act 2007

5. Government has issued guidance on how to undertake this important scrutiny role which covers matters such as:

- (i) an introduction to community safety and its “jargon”;
- (ii) some examples of what good scrutiny might look like; and
- (iii) a discussion on some of the practicalities.

A copy of the guidance document has been circulated separately.

6. This report does not attempt to take Members in detail through the guidance, since a read of the document will fulfil that task, but it does seek to provide a more local approach and identify some of the issues which the Panel may like to consider as topics for scrutiny in the future and some practical issues around conflicts of interests for members and officers.

The Epping Forest SCP/CDRP

7. The guidance refers throughout to CDRPs. The Epping Forest CDRP resolved some years ago to change its name to a Safer Communities Partnership to better reflect what the Partnership wanted to achieve and the wider remit associated with Safer Communities. In this report, therefore please read SCP as CDRP.

8. The Epping Forest SCP has always had a wider Partnership Membership than was statutorily required. In law the SCP has to comprise:

- (i) the local authority;
- (ii) the police force;
- (iii) the police authority;
- (iv) the fire & rescue authority; and
- (v) the primary care trust.

The SCP in Epping Forest also has representation from:

- (a) the probation service
- (b) the County Council
- (c) Voluntary Action Epping Forest

In the recent green paper on policing, the inclusion of the probation service in particular, and others where appropriate, was put forward as good practice.

9. The SCP has established a Co-ordinating Group which is charged with the delivery of its strategic assessment and Partnership Plan. This is achieved through a variety of means including the Joint Area Action Group and specialist groups looking at issues such as domestic violence, hate crime, citizenship & community engagement and prolific and persistent offenders.

10. The Chairmanship of the SCP is currently held by the District Council with the PCT holding the Vice Chairmanship. These posts are re-elected every two years and will next be considered in June 2010.

Scrutiny of the Epping Forest District SCP

11. The first key issue to be considered is the requirement, in law, for the Council to establish a “Crime & Disorder Scrutiny Committee”. However, it is not a requirement for a Council to establish a stand alone committee and this function can be incorporated within other scrutiny activities. Council therefore decided that it was sensible to combine the SCP scrutiny function with the existing Safer Cleaner Greener scrutiny process.

12. The scrutiny of crime & disorder matters has to be undertaken at least twice a year, and therefore Members of the Panel are required to consider at which meetings they wish this to take place, or indeed to hold additional meetings. The published timetable for the Panel is currently as follows:

23rd of June 2009 (this meeting)
1st of September
27th of October
8th of December
25th of February 2010
29th of April

Scrutiny is not restricted to the Partnership as a whole. Any member or members of the Partnership may be asked to present themselves on a topic. It should be noted that the scrutiny function of the Police and Fire Service is part of the work programme for the parent Overview & Scrutiny Committee. The requirement to establish the Crime & Disorder Scrutiny Committee places this responsibility now with this Panel, although with respect to the Fire Service, this would only apply to crime & disorder related matters.

13. As stated above at least two scrutiny meetings are required each year. This does not prevent additional scrutiny meetings being arranged as required, nor indeed each meeting having a SCP scrutiny component. However, it should be recognised that because of the nature of the SCP, there may be conflicts of interest between members (Councillors & officers) of the SCP who are also Members of the SCG Scrutiny Panel or who serve the Panel. An example is the Director of Environment & Street Scene who currently chairs the SCP but is also the Lead Officer for this Panel. It is therefore suggested that two specific dates are chosen each year for crime & disorder scrutiny issues, thereby enabling Members and Officers who may have a conflict of interest to ensure that they are not undertaking opposing roles. Looking at the timetable set out above, and given the publication arrangements for the SCP's key annual documents, the Strategic Assessment and Partnership Plan, February would provide an opportunity for the Panel to look carefully at the next years proposals. It would then appear reasonable to select October as the next formal scrutiny date, enabling a half year assessment of progress against the targets set in the Strategic Assessment.

14. At each of these scrutiny meetings, or through additional processes, Members may also wish to scrutinise other crime & disorder issues. The guidance suggests that scrutiny could take the form of:

- (a) policy development (perhaps through the formation of a task & finish sub group);
- (b) contributing to the strategic assessment process (see above);
- (c) holding the SCP or one of the partners to account on a particular topic; and/or
- (d) performance management (perhaps exception investigation)

Given the wide nature of the crime & disorder agenda, the guidance suggests that scrutiny members may also wish to consider co-opting from within the community, if for example area based issues are to be considered.

15. The guidance booklet sets out a number of examples of scrutiny good practice in the Country, which Members may also wish to consider. As ever Members are reminded of the resourcing implications of undertaking complex scrutiny exercises and that all proposals will have to be approved by the parent Overview & Scrutiny Committee utilising the existing 'PICK' system.

Revisions to Terms of Reference (ToR)

16. In order to incorporate this new role, and changes made in the recent changes to the Cabinet structure, the terms of reference of the Panel will need to be amended. Given the formation of the new Highways Panel, ToR 5 can be deleted and it is also suggested that

ToR 6(i) and (ii) can also be deleted. It is suggested that ToR 6(iii) is retained since this is a specific safety related issue which falls within the remit of this Panel. A new ToR for the scrutiny process will be required and the following is put forward for consideration:

“To act as the Council’s Crime and Disorder Scrutiny Committee and keep under review the activities of the Epping Forest Safer Communities Partnership as an whole or any of the individual partners which make up the Partnership”

The amended Terms of Reference will have to be submitted to the next Overview and Scrutiny Committee for their endorsement.