

Report to:	EXECUTIVE
Relevant Officer:	Alan Cavill, Director for Places
Relevant Cabinet Member	Councillor G. Campbell, Cabinet Member for Housing, Public Safety and Enforcement
Date of Decision:	8 th September 2014

COMMUNITY TRIGGER THRESHOLDS

1.0 Purpose of the report:

1.1 Setting the thresholds for the forthcoming Community Trigger.

2.0 Recommendation(s):

2.1 To agree the threshold for the Community Trigger as that outlined in section 5.8 and in line with neighbouring Lancashire authorities namely:

- If you (as an individual) have complained about three or more incidents of antisocial behaviour in the last six months, or
- If five individuals have complained about the same or similar incidents in the last six months, or
- If you (as an individual) have complained about one incident or crime motivated by hatred (Hate Incident/Hate Crime) in the last six months

3.0 Reasons for recommendation(s):

3.1 It is a statutory requirement pursuant to the Anti-Social Behaviour, Crime and Policing Act 2014 that the Council set a Community Trigger threshold. The threshold proposed will ensure that Blackpool Council is consistent with neighbouring Lancashire Authorities.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? NO

3.2b Is the recommendation in accordance with the Council's approved budget? YES

3.3 Other alternative options to be considered:

To establish a different set of thresholds.

4.0 Council Priority:

4.1 The relevant Council Priority is:

‘Create safer communities and reduce crime and anti-social behaviour’.

5.0 Background Information

5.1 The Community Trigger is one of the new provisions introduced by the Anti-social Behaviour, Crime and Policing Act 2014, which will come into effect in October 2014. The Community Trigger will give victims and communities the right to require agencies to deal with persistent anti-social behaviour that they feel hasn't been adequately dealt with previously. The aim is that the Community Trigger will ensure that victims of persistent anti-social behaviour have a say in the way their complaints are dealt with.

5.2 Home Office guidance states that relevant bodies (Local Authorities, Police, Clinical Commissioning Groups and Registered Social Landlords) will have a duty to undertake a case review when someone requests one and the case meets a locally defined threshold. The threshold and procedure for carrying out the case review is to be set by the local agencies, taking into consideration the nature of anti-social behaviour experienced by victims in their area and working practices of the agencies involved. The threshold must be no higher than three complaints of anti-social behaviour within a six month period.

5.3 The threshold may also take into account:

- the persistence of the anti-social behaviour;
- the harm or potential harm caused by the anti-social behaviour;
- the adequacy of the response from agencies.

5.4 For the purpose of the Community Trigger, anti-social behaviour is defined as any behaviour causing harassment, alarm or distress to a member, or members, of the public. However, when deciding whether the threshold is met, agencies should consider the cumulative effect of the incidents and consider the harm or potential harm caused to the victim, rather than rigidly deciding whether each incident reached the level of harassment, alarm or distress.

- 5.5 Through the Lancashire Community Safety Strategy Group, it has been proposed that a pan-Lancashire threshold is agreed between all partner agencies following the learning from the 'test pilot' areas, and that the threshold is agreed pan-Lancashire in order to achieve a consistent and standardised approach across the County.
- 5.6 Although the Home Office guidance states that agencies may wish to consider consulting the local community about what they would consider to be an appropriate threshold in their area, the decision to do so has not been undertaken in Blackpool. However there will be an opportunity for consultation to take place after a twelve month period to discuss whether the threshold is appropriate locally. Consultation has been held through the BSafe Blackpool Strategic Partnership Group.
- 5.7 Through the Lancashire Community Safety Strategy Group, it has been proposed that a pan-Lancashire threshold is agreed between all partner agencies following the learning from the 'test pilot' areas.
- 5.8 The proposed Trigger thresholds are as follows:
- If you (as an individual) have complained about three or more incidents of antisocial behaviour in the last six months, or
 - If five individuals have complained about the same or similar incidents in the last six months, or
 - If you (as an individual) have complained about one incident or crime motivated by hatred (Hate Incident/Hate Crime) in the last six months
- 5.9 Each statutory responsible agency (Blackpool Council, Lancashire Constabulary, Blackpool Clinical Commissioning Group and Blackpool Coastal Housing) will have a single point of contact for any victim who wishes to utilise the trigger. For Blackpool Council, these contacts are:
- Suzy McCafferty, Antisocial Behaviour Co-Ordinator
Dominic Blackburn, Community Safety and Drugs Officer
- 5.10 The Community Trigger process of review will be carried out primarily by Blackpool Council in conjunction with other statutory responsible bodies and/or other relevant agencies. This will be done through the already established ASBRAC (Antisocial Behaviour Risk Assessment Conference) group. The Community Trigger response will be signed off by:
- Paolo Pertica, Community Safety Manager
- 5.11 Equality data will be monitored as part of the Community Trigger application process to enable investigation into whether all facets of the community are being fairly represented within the applications. After twelve months there will be a period

whereby the Community Trigger can be consulted upon to ensure that it accurately reflects local need and further equality work can be done through this consultation if necessary.

5.12 Community Trigger applications will be administered to allow full accessibility to all members of the community (for example, large text, braille, translations etc.) and work to ensure proactive publicity of the Community Trigger amongst equality groups will be undertaken. To mitigate any Trigger applications that are specifically relating to equality issues as opposed to actual antisocial behaviour problems, a vexatious complaints procedure will be put in place.

5.13 Does the information submitted include any exempt information? NO

5.15 **List of Appendices:**

None

6.0 Legal considerations:

6.1 The proposed course of action is a requirement Anti-social Behaviour, Crime and Policing Act 2014 and is in line with the statutory guidance of this act.

7.0 Human Resources considerations:

7.1 There are no human resources considerations arising from this decision.

8.0 Equalities considerations:

8.1 To ensure these triggers do not discriminate against people because of any protected characteristic, the Council through the Lancashire Community Safety Strategy Group will undertake equality monitoring on these cases. The Council through the Lancashire Community Safety Strategy Group will periodically assess these against our local community profile and explore any anomalies with the Council's Equalities team.

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 There is a risk framework already in place in terms of anti-social behaviour which will be used for Community Triggers.

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 Consultation BSafe Strategic Partnership

13.0 Background papers:

13.1 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207468/community-trigger-trials-report-v4.pdf

BSafe Blackpool Strategic Partnership Minutes 30th April 2014
Anti-social Behaviour, Crime and Policing Act 2014: Home Office Statutory Guidance
Notes from the Lancashire Anti-Social Behaviour County Group 12th August 2014

ONLY APPLICABLE FOR REPORTS WHICH WILL EVENTUALLY BE CONSIDERED BY THE EXECUTIVE/ CABINET MEMBER

14.0 Key decision information:

14.1 Is this a key decision? NO

14.2 If so, Forward Plan reference number:

14.3 If a key decision, is the decision required in less than five days? N/A

14.4 If **yes**, please describe the reason for urgency:

15.0 Call-in information:

15.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? NO

15.2 If **yes**, please give reason:

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE

16.0 Scrutiny Committee Chairman (where appropriate):

Date informed: N/A

Date approved: N/A

17.0 Declarations of interest (if applicable):

17.1

18.0 Executive decision:

18.1

18.2 Date of Decision:

19.0 Reason(s) for decision:

19.1 Date Decision published:

20.0 Executive Members in attendance:

20.1

21.0 Call-in:

21.1

22.0 Notes:

22.1