Crime and Disorder Reduction Partnerships

Meeting Date
Performance Management and Community Safety Panel 1 June 2009
Authority 25 June 2009

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Head of Service Delivery and Community Safety PMC 62

Public

Summary

Following legislative changes, this report summarises the new responsibilities for Crime and Disorder Reduction Partnerships to produce and implement a three year partnership plan and carry out an annual strategic assessment. Previously each “responsible authority” under the Crime and Disorder Act 1998, including the Brigade, had a statutory duty to formulate and implement every three years its own strategies for the reduction of crime and disorder and for combating the misuse of drugs.

Recommendations

For Panel:
That this report be noted.

For Authority:
That the Brigade's Borough Commanders be nominated as the Authority’s representative on the CDRP strategy groups in London and be given delegated authority to agree the Brigade's input into the local partnership plan and strategic assessment in accordance with the requirements of the Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007 and the provisions of the London Safety Plan.
Introduction/Background

1. The Crime and Disorder Act 1998 [amended by the Police Reform Act 2002], provides a legislative framework to maximise the contributions of all key partners to crime reduction and community safety. The Act designates these key partners as “Responsible Authorities [RAs]”. RAs include the police, local authorities, health authorities and from 1 April 2003, fire and rescue authorities. The Crime and Disorder Act also established Crime and Disorder Reduction Partnerships [CDRPs]. Each London Borough is designated as a Crime and Disorder Partnerships area, so there are 33 Partnerships in London. The Brigade engages with the individual CDRPs primarily via local Borough Commanders.

2. Under Section 6 of the Act, RAs had a statutory duty to formulate and implement for each relevant period (determined to be three years) strategies for the reduction of crime and disorder and for combating the misuse of drugs. The Authority’s last strategy covered the period April 2005 – March 2008 and was based on the 33 local Borough CDRP strategies. Legislative changes which came into force in August 20071 however replaced section 6 of the 1998 Act, which means that strategies no longer need to be replaced every three years. Instead, under the new Regulations, for each London Borough there is a “strategy group” which will (a) prepare an annual strategic assessment; and (b) prepare and implement a three year partnership plan for that area on behalf of the responsible authorities. The partnership plan must be reviewed every year. The purpose of the strategic assessment is to assist the strategy group in reviewing the partnership plan. For the purposes of preparing the strategic assessment and preparing and implementing the partnership plan the strategy group must make arrangements for obtaining the views of persons and bodies that live or work in the area. To assist in all of this, the strategy group must also prepare an information sharing protocol with which each RA must comply.

3. The members of this strategy group consist of one or more persons appointed from each responsible authority “one of whom shall hold a senior position in that authority.” Since the preparation of the strategic assessment and partnership plan are now undertaken on a collaborative basis rather than by individual RAs preparing their own strategies as before, it follows that the RAs representative on the strategy group must be properly authorised by their respective authorities to agree the contents of the strategic assessment and plan for the area concerned (in London that is the Borough Council)

Brigade role

4. Each responsible authority may appoint more than one member to the strategy group but at least one appointee must “hold a senior position in that authority”. Home Office guidance suggests that fire and rescue authorities should appoint a middle-ranking officer. Because the borough council is likely to have the strongest representation on the group – and because the group’s focus is the council’s own area, it is likely that the borough council will take the lead in preparing the documentation. The legislation does not provide for what should happen, if the RAs were unable to agree – neither does the guidance appear to address this issue.

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1 The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007
5. LFEPA’s member on the borough strategy group will be expected (as a representative of a RA) to participate in deciding various matters, as part of the statutory processes, on behalf of the Authority, as well as the various functions under the Regulations themselves. Accordingly, the person appointed needs in practice to have delegated authority to make these decisions on the Authority’s behalf – and should ensure that there is an “audit trail” showing that he/she did indeed take the decisions.

6. In effect, the Brigade is involved in the preparation of 33 partnership plans and strategic assessments – one for each London Borough. It is important that the Brigade has strong representation on all the local strategy groups in London.

7. The Brigade’s 33 Borough Commanders have hitherto represented the Authority on their local Crime and Disorder Reduction Partnerships. Borough Commanders play a key role in engaging with their local communities and are responsible for the delivery of a number of frontline services. It is therefore recommended that they be nominated as the Brigade’s representatives on the new local strategy groups and be given delegated authority to act in the role.

8. In representing the Authority on a delegated basis borough commanders will have to ensure that any commitments which they make on behalf of the Authority are compatible with the policy aims set out in the London Safety Plan, the Community Safety Strategy and the Fire Safety Regulation Strategy and that any commitment of resources is within scope of their delegated power.

Authority’s Strategic Objectives

9. The Brigade’s involvement with CDRPs primarily aligns with the Authority strategic Prevention Aim.- i.e. engaging with London’s communities to inform and educate people in how to reduce the risk of fires and other emergencies

Head of Legal and Democratic Services comments

10. The statutory background to the recommendations is set out in the main body of the report. As well as being required to participate in the planning process the Authority when exercising its various functions is also subject to a statutory duty under section 17 of the Crime and Disorder Act 1998 to do so with due 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 in its area (including anti-social and other behaviour adversely affecting the local environment) and the misuse of drugs, alcohol and other substances in its area.

11. Under Section 101 of the Local Government Act 1972 the Authority may arrange for the discharge of any of its functions by an officer of the authority. It is established practice that delegations of classes of decision, such as is proposed by this report, should be recorded in the authority’s scheme of delegations.

Head of Finance Comments

12. The Head of Finance has reviewed this report and has no comments.
Environmental Implications

13. Community safety is focused on risk reduction and one of the aims of CDRPs is to reduce the number of fires and the deaths and injuries arising from them. The Brigade is committed to reducing, where possible, the environmental impact of both its prevention and intervention activities. The action being taken to reduce the number of fire incidents will also reduce the environmental impact of incidents through:

- reduced appliance movements and the pollution levels associated with such incidents.
- a reduction in the many different chemicals that impact on the environment; for example engine oil, petrol or diesel, cadmium, lead and mercury and reducing the risks of these pollutants being released into the environment (air and water courses).

Equalities implications

14. CDRPs recognise that people are different and that the ways in which they go about their lives can impact on the risks they face. Culture, race, belief and age are amongst the more significant aspects that determine different lifestyles and so the CDRP will always be mindful of these differences (and others) when considering, designing and going about their community safety activities. As stated above, the strategy groups must make arrangements for obtaining the views of persons and bodies who live or work in the area, and this will include minority groups. An Equalities Impact Assessment (EIA) will cover the Brigade’s mechanism for engagement with the CDRP and that Borough Commanders will be responsible for carrying out an EIA of the local partnership plans.

Consultations Undertaken

15. Formal consultation with the Staff Side is deemed not to be required since Borough Commanders have for some time been the Authority’s representatives on local CDRPs and other partnerships. Consultation has been undertaken with the Head of Legal and Democratic Services and other departments and comments received have been included in this report.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of background documents
2. The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007

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