

**REPORT FROM: DEPUTY CHIEF EXECUTIVE
POLICY TEAM MANAGER**

TO: EXECUTIVE

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**COMMUNITY SAFETY PARTNERSHIP COMBINATION AGREEMENT
PENNINE LANCASHIRE COMMUNITY SAFETY PARTNERSHIP**

PURPOSE OF REPORT

To seek a decision from Executive on whether Pendle Community Safety Partnership ceases and merges with Blackburn with Darwen, Burnley and Rossendale to form a single partnership covering those areas.

RECOMMENDATION

There are arguments on both sides. Overall retaining the Pendle Community Safety Partnership and maintaining our involvement in the Pennine strategic group would appear to give opportunity to collaborate at a strategic level where it makes sense to do so and at the same time retain local support for a Pendle focused approach to reducing crime and anti-social behaviour.

REASON FOR RECOMMENDATION

To maintain the confidence of members and residents that our statutory duties under the C&D Act 1998 will be fulfilled and at the same time we are seeking to work positively with partners to seek solutions and enhance investment in Community Safety solutions and programmes across borough boundaries.

Background

1. Over the past four years, partly in response to the reduction in public spending, there have been several attempts to rationalise the community safety landscape within Lancashire driven largely by Lancashire County Council and Lancashire Constabulary. The rationale centred on the avoidance of duplication of meetings, shared priorities and dwindling resources across the public sector. It would mean less meetings to attend for senior representatives and be established at a level which makes more sense for those working strategically across several Borough areas such as police , health commissioners and County Council

2. The aim was to reduce the number of Community Safety Partnerships operating at Borough level and work towards Strategic Boards based upon Police Divisional areas in Pennine, North and South Lancashire. As these divisional areas have changed so to have the Borough areas included in the new strategic groups:
3. In response to a proposal produced by the then Lancashire Community Safety Strategic Group the Executive meeting on the 22 nd May 2013 agreed to retain the Pendle Community Safety Partnership but to continue as a partner in a Community Safety Strategic Group covering Pendle, Burnley and Rossendale.
4. This group was superseded by a similar but larger group covering the new Pennine police division which now includes Blackburn with Darwen, Burnley, Hynburn, Rossendale, Ribble Valley and Pendle and established in 2014. The meeting is an officer led group and has been attended by the Chief Officers (or deputies) of the responsibly authorities including Borough and Unitary Councils, Fire and Rescue Services, Police and the two Clinical Commissioning Groups covering the wider area . This group has developed shared priorities and thematic strategic groups covering Domestic Violence , Reducing Reoffending and Casualty Reduction (currently covering Blackburn with Darwen only) which will work to coordinate action across East Lancashire. A tactical support group with community safety practitioners from the participating boroughs works to support the strategic group .The aim of the group is to establish a powerful coherent strategic community safety group for East Lancashire which would coordinate shared priorities and aspires ultimately to attract significant funding from the PCC and County to commission community safety programmes for the area.

a. **The proposal**

5. The Pennine Lancashire Strategic group at their meeting in January 14th 2015 following discussions over several meetings has asked participating Boroughs who support their own Community Safety Partnerships to move to a decision to formally commit or not to a formal merger of all CSPs into one Pennine Lancashire Community Safety Partnership which would take on all the statutory responsibilities currently invested in the Borough wide CSP. The Police and Crime Commissioner for Lancashire who now holds the power to agree such mergers has set out the requirements which need to be met for this to happen. These are spelt out in Appendix 1 - the agreement of all responsible authorities is required and the initial signing of the proforma by the Borough's Chief Officer, Leader of the Council and Chair of the Community Safety Partnership as the first step in the agreement see Appendix 2. Originally the PCC had expressed a view that he would be unhappy with the Strategic group becoming a hybrid – operating as the CSP for some areas but not others but now will accept proposals of merger between a number of CSPs. Currently out of the six CSPs which make up the Pennine area we understand that Hyndburn and Ribble Valley intend to retain their statutory CSP and do not want to merge. Rossendale and Burnley are currently operating without a formal CSP and want the matter resolving quickly and together with Blackburn with Darwen want to see the Strategic Group as a full CSP for their areas.
6. A structure has been circulated as to how the group could operate but which concentrates on the relationships between existing county theme groups and those established by the Pennine Lancashire CS Strategic group. In the model (appendix 3) district CSPs would be replaced by District Community Safety Business Groups. Those groups would concentrate on delivery of day to day crime reduction and local issues though it is unclear where they would derive their direction .How the group would operate as a CSP for some and not others is difficult to say – there was one suggestion that those not joining in would have less say in deciding on East Lancs wide issues which could be unfair and problematical as not all Boroughs are signed up as Full CSP members.

7. The positive implications of the proposal

- a. The positives of moving the strategic focus of community safety away from District level to Area level is that key strategic players operate at that level to plan their programmes and are more likely to invest in mutually beneficial action which will help meet their objectives. For example Health Commissioning Groups are more likely to see the relevance of joint working to address social determinants of health and reducing vulnerability across boundaries.
- b. Community safety priorities are largely similar across the 6 areas and lend themselves to a more joined up approach where economies of scale could be identified.
- c. Best practice and consistent commissioning could reduce differences in delivery from area to area and we could benefit from being included with Blackburn with Darwen who have greater capacity to develop joint bids and new ways of working. The partly successful bid to the Transformational Challenge Award on working with Organised Crime Groups could not have been completed without the research and financial modeling expertise available there.
- d. The ambition to build a strong case for an East Lancs approach could be enhanced if all the partners sign up to the agreement.
- e. The statutory responsibility to conduct a Domestic Homicide Reviews would be a shared responsibility and less onerous than if it fell to a single CSP to conduct and respond.
- f. The statutory duty held by Boroughs to scrutinise their Community Safety Partnerships could be retained at Local level scrutiny panels

8. The negative implications of the proposal

- G The other two areas of Lancashire (North and South) are not proposing to form a single CSP but are still committed to work with in a strategic approach where collaboration makes sense.
- H Two CSPs, Ribble Valley and Hyndburn within East Lancs have already decided to retain their CSP but would want to continue as partners in the wider approach. The PCC would be keen to ensure all local partners are treated equally and local delivery does not suffer.
- I Members including the Chair , and local Chairs of the Area Working groups of the Pendle Community Safety Partnership have consistently supported the retention of the local CSP which has operated successfully in Pendle for more than 17 years. They express fears that a strategic CSP covering such a wide area would have difficulty reflecting or responding to local needs effectively. East Lancashire is a very wide area in excess of 500,000 people and strong local structures will continue to be essential to translate policy into action. It is difficult to respond to the complex differences and needs of communities even within our own Borough and these difficulties will be emphasised across the wider area .The lack of democratic accountability in the structure is a concern - members of the Partnership feel that there would be no effective representation of local views.

- J The commitment from Lancashire based partners to area working is clear. What needs to be clarified is how far these partners are prepared to continue to invest in local working. The absence of LCC is already a cause for concern. The detail of how local delivery on community safety will work in the new set up isn't clear. Strategic collaboration on such issues as reducing reoffending , domestic violence and issues such as Child Sexual Exploitation and Organised Crime must still go on irrespective of whether the CSPs are merged or not.
- K It may be difficult to opt out of a combined agreement once agreed but easier to join at a later date if the case for merger was reconsidered.

Conclusion

9. There are arguments on both sides. Support from partners and investment in community safety, relevant at a local level, is still needed to maintain the downward pressure on crime and disorder in Pendle .We also need to be able to influence the thinking and investment of resources in wider solutions and this needs to occur at the higher strategic level . Overall retaining the Pendle Community Safety Partnership and maintaining our involvement in the Pennine strategic group would appear to give opportunity to collaborate at a strategic level where it makes sense to do so and at the same time retain a locally accountable Pendle focused approach to reducing crime and anti-social behaviour.

IMPLICATIONS

Policy: The Crime and Disorder Act 1998, requires that each Borough area in the United Kingdom established a multi-agency Partnership to reduce crime and disorder, re-offending and combat the misuse of drugs, alcohol or other substances. Subsequent legislation added additional responsibility to conduct a Domestic Homicide Review on all cases where a homicide has occurred within a domestic setting in a CSP area. Local Scrutiny Panels have a statutory duty now to receive regular reports from the local CSP to scrutinise progress. Specifically the Partnership is required to audit and all levels of crime, consult with residents and agencies. Establish which crimes and types of uses are causing the greatest concern.

1. Conduct and publish an audit of local crime and disorder problems, taking into account the views of those who live and work in the area.
2. Determine priorities for action
3. Publish a 3 year action strategy outlining a plan with objectives to tackle the priorities. Review yearly.
4. Utilise partnership resources to deliver that agreed action.
5. Partners identified as responsible authorities work together and are required to attend the Partnership and do all they can to reduce crime and have a mind to the impact their policies have on crime and disorder. **(Section 17 of the 1998 C&D Act)**
6. Responsible authorities include Borough Council, County Council (in two tiers) Police, Clinical Commissioning Group, Fire and Rescue Services, Probation
7. Other partners including, Voluntary and Community sector, housing providers and prisons are expected to co-operate.

The Borough needs to be satisfied that any arrangement will meet the requirements expected in the Act and its amendments.

Financial: Staffing resources exist to deliver community safety and ASB with support from all sections of the Council. The PCC has agreed to ensure the 10 k allocated to CSPs will be available again in 2015/16. This year we have gained extra funding by negotiating with Burnley and Rossendale on mediation and vulnerable victims

Legal: The PCC would need to be satisfied that requirements in the Act would be met by any merged CSP.

Risk Management: None

Health and Safety: None

Sustainability: Maintaining an effective response to crime and anti social behavior creates the conditions for sustainable growth and community cohesion

Community Safety: having the right governance arrangements in place is essential to the management of crime and disorder in the Borough

Equality and Diversity: Community Safety Policy and Plans aim to reduce the impact of crime on the most vulnerable in our communities and reduce victimisation.

APPENDICES

1 Community Safety Partnerships

Combination Agreement – from Lancashire PCC October 2014

2 Pennine Area Steering Group

Briefing re: Combination Agreement from Lancashire PCC January 2015

3 Community Safety Structure presented at the Pennine Area Steering Group

LIST OF BACKGROUND PAPERS

Pennine Lancs Minutes

Pendle Community Safety Partnership minutes

Pendle CSP Partnership Plan



COMMUNITY SAFETY PARTNERSHIPS COMBINATION AGREEMENT

BACKGROUND:

Under the Crime and Disorder Act 1998 Act the Police and Crime Commissioner may make a combination agreement in relation two or more local authority areas.

A combination agreement is an agreement for the functions conferred under section 6 or section 7 of the Crime and Disorder Act 1998 to be carried out in relation to the combined area as if it was a single local authority area. This will include the requirement to produce a plan and undertake the required public consultation in relation to this, and to call a Domestic Homicide Review when required.

All the responsible authorities in relation to the combined area must agree to the combination agreement before the Police and Crime Commissioner may make the agreement.

PROCESS:

To enable the Commissioner to consider the making of a combination agreement the following process has been established by the Office of the Police and Crime Commissioner (OPCC):

1. An initial letter of intent to enter into a combination agreement, signed on behalf of all the relevant responsible authorities, is submitted to the OPCC. For each Local Authority, this should include a signature from the Leader of the Council as well as the Chief Executive or another nominated senior officer.
2. The OPCC will send a Combination Agreement Pro Forma to be completed and signed by all the relevant responsible authorities.
3. The relevant responsible authorities must submit evidence to the Commissioner to demonstrate that a combination agreement will support and enhance the delivery of one or more of the following:
 - Reducing crime and disorder
 - Reducing re-offending
 - Combating the misuse of drugs, alcohol and other substancesPartners may wish to include an evidence base drawn from local crime performance data, re-offending data and details of local engagement plans.



PENNINE AREA STEERING GROUP

BRIEFING RE: COMBINATION AGREEMENT

Background:

A combination agreement is an agreement for the functions conferred under section 6 or section 7 of the Crime and Disorder Act 1998 to be carried out in relation to the combined area as if it was a single local authority area. This will include the requirement to produce a plan and undertake the required public consultation in relation to this, and to call a Domestic Homicide Review when required.

All the responsible authorities in relation to the combined area must agree to the combination agreement before the Police and Crime Commissioner may make the agreement.

Options:

Following further discussion and consideration by the Commissioner there are two options that would be acceptable to the Commissioner the Steering Group may wish to consider

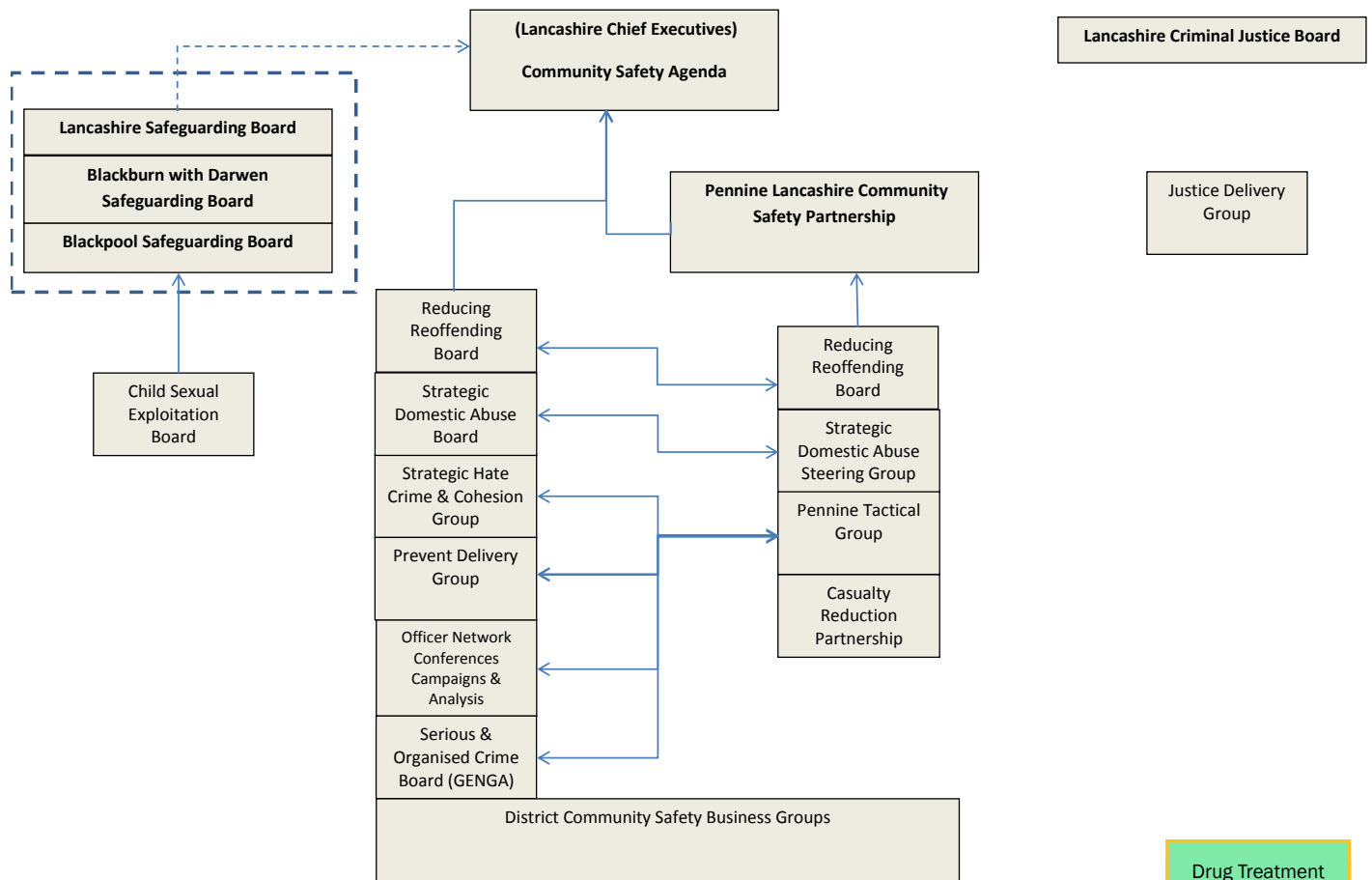
1. All the responsible authorities in relation to the combined area (the area covered by the Steering Group) must agree to the Steering Group taking on all the statutory functions conferred under Section 6 or section 7 of the Crime and Disorder Act 1998 as if it was a single local authority area. This should include executive officer, current chair and member signoff. In this situation the Steering Group would become the Pennine Community Safety Partnership.
2. For the Steering Group to retain its function as a non-statutory Steering Group and each local authority area to retain its own Community Safety Partnership responsible for carrying out the functions conferred under section 6 or section 7 of the Crime and Disorder Act 1998.

The Commissioner would not be able to approve a combination agreement whereby the Steering Group acted as a Community Safety Partnership in relation to some of the local authority areas, but not all. The Commissioner would be concerned that such an arrangement could result in the chair, who may not be from a statutory partner, taking responsibility for initiating a Domestic Homicide Review.

Under Option 2 the Commissioner would be prepared to make a combination agreement between more than one local authority area, provided that the conditions for a combination agreement are met; for example if Burnley and Rossendale wish to proceed with their agreement the Commissioner would be minded to approve this subject to the conditions for a combination agreement being met.

Robert Ruston
Commissioning & Partnerships Manager
Office of the Police & Crime Commissioner

Option A



Group	Chair	Policy Areas	Lancashire Group
Pennine CSP	Chris Clayton	All	Chief Executives Group
Pennine Tactical Group	Mark Aspin	Prevent, ASB Policy, Cohesion, Organised Crime, National Policy Guidance, High risk events, Strategic Board Support	Prevent Delivery Group Strategic Hate Crime Group Officer Network GENGA (Organised Crime)
Reducing Re-offending Board	Jo Dann	Offending – Violent, Volume and Management of High risk Offenders (MAPPA oversight)	Reducing Reoffending Steering Group
Domestic Abuse Steering Group	Sam McConnell	DA Policy, Commissioning, Delivery, High Risk Victim Management (MARAC)	Strategic Domestic Abuse Board
Casualty Reduction	Steve Morgan	Road Safety – Prevention.	TBC