



# Vibrant, Safe and Sustainable Communities Scrutiny Panel

## Minutes - 2 October 2014

### Attendance

#### Members of the Vibrant, Safe and Sustainable Communities Scrutiny Panel

Cllr Stephen Simkins (Chair)  
Cllr Andrew Wynne (Vice-Chair)  
Cllr Mary Bateman  
Cllr Greg Brackenridge  
Cllr Ian Brookfield  
Cllr Barry Findlay  
Cllr Bhupinder Gakhal  
Cllr Keith Inston  
Cllr Tersaim Singh  
Cllr Richard Whitehouse

#### Employees

Deborah Breedon	Scrutiny Officer
Christopher Hale	Head of Housing
Andy Jervis	Head of Regulatory Services
Joanne Mason	Manager - Anti-social Behaviour Unit
Karen Samuels	Head of Community Safety
Adam Sheen	Senior Solicitor

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## Part 1 – items open to the press and public

*Item No.*    *Title*

- 1 Apologies**  
There were no apologies for non attendance.
- 2 Declarations of Interest**  
Cllr Tersaim Singh declared a non-pecuniary interest in item 5 on the agenda as a member of Wolverhampton Homes Board.
- 3 Minutes of previous meeting (17 July 2014)**  
Resolved:  
That the minutes of 17 July 2014 Vibrant Safe and Sustainable Communities Scrutiny Panel be approved and signed by the Chair as a correct record.
- 4 Matters arising**  
Cllr Andrew Wynne voiced his concerns that the Neighbourhood Warden report requested at the last meeting had not been forthcoming, the scrutiny officer advised that a briefing note is been prepared for circulation to the group. Cllr Andrew Wynne

they voiced further concern that the Scrutiny Panel would not be receiving all savings proposals that fall under the panel remit and asked for some clarity about the budget process.

Cllr Stephen Simkins requested that panel members are notified of specific savings proposals that fall under the panel remit and are given opportunity to request a specific report to panel meeting 4 December 2014 on any item that falls in the remit of the panel.

Cllr Wynne and Findlay voiced their opposition to the reduction of Neighbourhood Wardens from 15 to 0 as a budget saving proposal and requested a more in depth report to this panel on 4 December 2014.

Resolved:

That the chair of Scrutiny Board and the Leader be requested to clarify the process for budget scrutiny this year

That Scrutiny Board is requested to approve a report relating to Neighbourhood Wardens to VSSC Scrutiny Panel 4 December 2014.

#### 5 **ASB Service Review and options' appraisal for future service delivery**

Cllr Elias Mattu introduced the report and provided a summary of the future delivery of the City's Anti-Social Behaviour (ASB) Service. Karen Samuels outlined the options outlined arising from the comprehensive service review.

Cllr Gakhal welcomed the work of the ASB team and congratulated them on the fantastic work they are doing.

Cllr Mary Bateman suggested that ASB is still a major problem in her Wednesfield North ward as the figures reveal there has been a 15% increase in the first seven months of 2014. She welcomed option 4, the proposed new staffing structure and TUPE transfer of Wolverhampton City Council (WCC) staff to Wolverhampton Homes (WH) as the preferred way forward.

Cllr Stephen Simkins also considered option 4 as the way forward and suggested that scrutiny should keep an overview of how the proposal moves forward and for scrutiny to help shape the service going forward.

Cllr Richard Whitehouse referred to paragraph 3.2.1 of the report a section relating to noise nuisance and voiced concerns that there would be no out of office hours unless in serious circumstances. He referred to a noise nuisance incident that had occurred recently; a Sunday church service had been disturbed by noise from a neighbouring restaurant, which he advised is a criminal offence. He endorsed option 4 as the right way forward.

Cllr Ian Brookfield referred to the proposed teams that will cover the business districts and suggested that work should be done to get support from local businesses, he referred to a recent issue canal boats had had with a public house and restaurant in a Wednesfield business district. He welcomed the ASB team and

new ways of working from 1 October 2014 and endorsed option 4 emphasising that he would like to see proposals reaching out to business districts. Cllr Ian Brackenbridge praised the good work of the ASB team in Wednesfield South ward. Cllr Findlay further praised the ASB team for the good work they are doing.

Mark Henderson thanked Councillors for their comments

Scrutiny Panel heard that ASB team works closely with local police to talk to complainants to reduce tensions in local areas, Jo Mason advised that there is a police officer based in the ASB team and that the relationship between police and ASB team is strong and develops enhanced information sharing.

Councillors agreed that nipping ASB incidents in the bud through communication to express what the issue is and trying to resolve the issue at an early stage is the sensible way forward.

Cllr Andrew Wynne indicated that the scrutiny of ASB has resulted in a good and efficient ASB service with a joined up ASB team, in terms of moving to WH he asked for assurance that there has to be a robust management framework. He was assured that there is already a strong performance management network in place.

Cllr Tersaim Singh asked if Tenant Management Organisations (TMO's) are charged for ASB services. Chris Hale advised that housing services does try to support TMO's and that there is no formal charging back process.

Cllr Stephen Simkins voiced his concerns that there may be an imbalance, not charging for services. He suggested that other housing associations in the City could be considered and queried whether this could be an opportunity to offset the loss of three officer posts. He referred to Bromford Midland Heart Housing association who has its own ASB team.

Councillors considered that ASB officers doing the same job should be entitled to the same rate of pay.

Cllr Stephen Simkins considered that the out of hour's noise nuisance team should not be withdrawn, if there is a possibility of finding funding for the service, bearing in mind the community trigger and the need for the service to be there, to avoid putting extra pressure on police services. He suggested it may be merged into the ASB team. In response Andy Jervis advised that the noise nuisance team service is most likely to remain where it is currently, however he advised he would monitor how the new configured noise service will look to review in the future.

In response to a question from the Chair, Adam Sheen advised that the integrated legal team would save costs and would reduce the potential for two separate teams of lawyers pulling in different directions.

The Chair summarised that this was a good paper and that the areas of concern are:

- Out of hours noise nuisance cover
- Anomaly of different rates of pay for ASB officers
- Open negotiations with other housing providers in the City in relation to ASB
- Need for two full time police officers to work with the ASB team

Chief Inspector Tracey Packham confirmed that there is one full time ASB police officer. She advised that the police force is also facing staffing reductions and an additional ASB police officer is not a likely consideration.

Resolved:

1. That the scrutiny panel comments on the options for the future delivery model of the city's Anti-social Behaviour Service; in particular on the preferred option (Option 4) detailed in the report be taken into consideration in the final report to Cabinet, as follows:
  - Out of hours noise nuisance cover
  - Anomaly of different rates of pay for ASB officers
  - Open negotiations with other housing providers in the City in relation to ASB
  - Need for two full time police officers to work with the ASB team
2. That the scrutiny panel endorse the proposal to retain the existing arrangements for the management of domestic noise complaints.
3. That the scrutiny panel endorse the proposal to procure a single supplier for legal services for ASB legal work.
4. That the scrutiny panel endorse the application of a consistent approach to managing ASB cases in Tenant Management Organisation (TMO) properties by the introduction of a city-wide ASB policy.
5. That the item has been considered as pre-decision scrutiny and can therefore not be available for call-in once a decision is made by the Executive.

## 6 **Anti-social Behaviour Crime and Policing Act 2014**

Joanne Mason provided a report to brief councillors on the new legislation relating to Anti-Social Behaviour (ASB) and provide an update on plans for local implementation. Panel Members views were requested on the proposed threshold and process for the Community Trigger.

The report highlights that the ASB elements of the bill (parts 1-6) are designed to introduce simpler, more effective powers for tackling ASB and provide better protection for victims and communities, act as a deterrent to perpetrators and give victims a say in the way their complaints are dealt with.

Chief Inspector Tracey Packham highlighted the following points:

- ASB powers are being streamlined from 19 to 6.
- Encourages partnership working.
- Keen to give victims voice.
- Not entirely sure of the work load the community trigger may generate, in the pilot it had little effect, however in reality it could be very different.

The report highlighted that there is no additional funding from government for implementation of the new legislation and that the Community trigger process which is a statutory requirement, will have to be managed within existing resources.

Cllr Richard Whitehouse referred to the Community Trigger, he questioned what the legislation relating to Community Trigger was all about and what the point of it was.

Cllr Andrew Wynne indicated that the legislation was about empowering victims and anything that helps the victim and the community is good.

Cllr Stephen Simkins surmised that the take up and impact of the Community Trigger is an unknown factor; how many, what cost and what is expected of ward Councillors is yet to be established.

Cllr Stephen Simkins suggested that a briefing note for Councillors would be useful, to address the points made and addressing what is expected of ward councillors.

Resolved:

1. That councillors note the legislative change and plans for local implementation.
2. That the scrutiny panel comments on the proposed threshold for the community trigger and the suggested processes for its provision are noted.
3. That a briefing note is prepared for circulation to all Councillors to inform of the changes to Anti-social Behaviour (ASB) legislation with a focus on the 'Community Trigger, the trigger threshold and the role of ward councillor'.