

Sustainable Communities Scrutiny Committee

Agenda

Date: Thursday, 10th May, 2012
Time: 10.30 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Minutes of Previous Meeting** (Pages 1 - 6)

3. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and /or prejudicial interests in any item on the agenda.

4. **Declarations of Party Whip**

To provide an opportunity for Members to declare the existence of a party whip in relation to any item on the agenda.

5. **Public Speaking Time/Open**

A total period of 15 minutes is allocated for members of the public to make a statement(s) on any matter that falls within the remit of the Committee.

Individual members of the public may speak for up to 5 minutes, but the Chairman will decide how the period of time allocated for public speaking will be apportioned, where there are a number of speakers

For any apologies or requests for further information, or for a member of the public to make a statement:

Contact: James Morley
Tel: 01270 686465
E-Mail: james.morley@cheshireeast.gov.uk

6. **CCTV Cameras Survey**

To receive a report on 30 CCTV cameras that highlights the issues that can impact on the effectiveness of CCTV surveillance (to follow)

7. **Cheshire Road Safety Partnership**

To discuss the establishment of the Cheshire Road Safety Partnership

8. **Equality and Diversity** (Pages 7 - 14)

To consider data from consultation and examples of equality issues regarding employment procedures

9. **Heritage Crime Initiative** (Pages 15 - 24)

To give consideration to endorsement of recommendation for the Implementation of the Heritage Crime Initiative in Cheshire East

10. **Antisocial Neighbours in Private and Let Housing** (Pages 25 - 30)

To give consideration to the policy and procedures for dealing with Anti-Social Neighbours in private and let accommodation

11. **Work Programme** (Pages 31 - 34)

To give consideration to the Work Programme

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Sustainable Communities Scrutiny Committee**
held on Thursday, 5th April, 2012 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor H Murray (Chairman)
Councillor M Grant (Vice-Chairman)

Councillors A Barratt, L Brown, P Hayes, D Hough, J Jackson, W Livesley,
M Parsons and J Wray

Apologies

Councillors G Wait

OTHERS PRESENT

Councillor Rachel Bailey- Portfolio Holder for Safer and Stronger Communities

OFFICERS PRESENT

Caroline Simpson – Head of Development
Rachel Bolton – Section 106 Officer
Stuart Penny – Spatial Planning Area Manager North
Jan Griffiths – Community Safety Operations Manager
Peter Hartwell – Head of Safer Communities
James Morley – Scrutiny Officer

162 MINUTES OF PREVIOUS MEETING

RESOLVED - That the minutes of the meeting held on 24th February 2012 and the minutes of the meeting held on 1st March 2012 be approved as a correct record.

163 DECLARATIONS OF INTEREST/WHIPPING DECLARATIONS

There were no Members of the Committee present who wished to declare any interests

164 PUBLIC SPEAKING TIME/OPEN

Ms Peters Rock, a member of Cheshire Area for Cheshire Action (CAFCA), addressed the Committee regarding the formation of CAFCA which was set up to make links between concerned groups across Cheshire. She suggested that cuts to locally based services were affecting a large number of service users and their family carers and that many public buildings in areas such as Knutsford were going unused. She went on to suggest that the Sustainable Communities Scrutiny Committee could work closely with the Health and Wellbeing Scrutiny

Committee and the Adult Social Care Scrutiny Committee to find a way to give local services to local people in their local areas. She stated that CAFCA was currently drawing together groups of elderly people in Cheshire to represent their views and suggested that Cheshire East should consider the need for a Community Strategy that would not disadvantage elderly and disabled people by transporting them to regional centres and away from their local area and families.

The Chairman stated that while health and adult social care was not part of this Committee's remit, the Committee would assist the Council and local organisations where possible and support local initiatives from the community for organisations to adopt assets and services from the Council as part of the Localism Act 2011.

165 **SECTION 106 AGREEMENTS**

The Committee received a report from the Section 106 Officer Rachel Bolton on improvements implemented with regards to managing Section 106 monies (s106). The report contained a project plan which outlined further developments planned related to improving the process for the expenditure of s106.

Appendix 1 of the report was a spreadsheet tabled at the meeting which had been edited from the previous version based upon comments made by the Committee at a previous meeting. Rachel had prioritised the time limited s106 agreements for updating which were shown in the spreadsheet. The remaining entries would be updated as part of the project plan at Appendix 2. Additional information included in the spread sheet identified which ward the s106 was to be spent in, the scheme manager responsible for spending the money and the current status of plans to spend.

The project plan indicated the tasks required to make further improvements to the spreadsheet and developments to the s106 management process. These improvements included improved communication with ward councillors and ensuring that scheme managers communicate with Rachel to ensure status of spending is up to date.

The Committee was pleased with the improvements made so far and the project plan for future developments. Members welcomed that they would be able to use the spreadsheet to monitor s106 in their wards and contact scheme managers directly if required.

RESOLVED:

- (a) That the report be noted and the Section 106 Officer be thanked.
- (b) That the Section 106 Officer be requested to return to the Committee in July with the full Section 106 Deposits Held spreadsheet completed to agree standard.

166 **COMMUNITY INFRASTRUCTURE LEVY**

The Committee received a presentation from Stuart Penny the Spatial Planning Northern Area Manager about the Community Infrastructure Levy (CIL).

The Government introduced CIL to ameliorate the adverse effects that developments could have on infrastructure in the area. Developments could increase the population of an area or the traffic attracted to the area which could result in the need to improve the infrastructure to cope with increased demand. CIL monies would be spent on infrastructure only and could be spent across a wider area than Section 106 (s106) agreement monies which needed to be spent in the area affected by a development.

CIL would be a charge that had to be paid on all developments and could not be avoided by developers. If developers were unable to pay the full amount in advance then a local authority could agree a series of instalments or payment in kind such as accepting land or assets as payment.

S106 agreements would still be an option however the Government was expected to advocate the use of CILs. In future CIL money could be spent in a wider area than s106 however the Government could legislate that a specified percentage had to be passed down to town and parish councils or neighbourhoods to be spent on local development. Currently the guidance was that a “meaningful” proportion of CIL monies should be passed on to neighbourhoods and local authorities would have to decide what a meaningful proportion was as part of their local plans.

The advantage of CIL would be that improvements to infrastructure contributed massively to communities and development. The money from developments could be used to make improvements that would benefit a larger area of the borough. The advantage of s106 agreements is that when an area was negatively affected by development then money would be spent to make improvements to the area that mitigated the affect of the development. The Committee believed that this was an important characteristic of s106 that needed to be maintained and that a meaningful proportion of CIL to be spent in local neighbourhood would have to be at least 50% and also maintain the use of s106 were appropriate.

The Council needed to develop a policy regarding the types of developments that would incur CIL requirements with remaining developments subject to s106. The development of the Council's Charging Schedule would be key to which developments incur CIL. Once developed the Charging Schedule had to be published for consultation and scrutinised by an independent examiner.

RESOLVED:

- (a) That the Committee recommend that the final decision, on what is a meaningful proportion of Community Infrastructure Levy acquired to be passed on to the local neighbourhood, should be made by Full Council.
- (b) That the Committee recommend to Full Council should define a meaningful amount to be passed onto neighbourhoods as not less than 50% of Community Infrastructure Levy.
- (c) That the Preliminary Draft Charging Schedule be presented to the Committee before being it is published for consultation.

167 **COMMUNITY WARDENS SERVICE UPDATE**

The Community Safety Operations Manager attended the meeting to present an update on Community Wardens Service. The Committee was presented with operational statistics since third quarter 2010/11 municipal year and the budget analysis for the service.

The Budget showed that employment costs had been reduced. This was due to a reduction in the pay grade of staff but the number of posts had been maintained at eight. Management costs had also been removed from the budget and two vacant posts had not been filled. On the spot penalties that Community Wardens had issued to offenders had resulted in customer receipts.

The operational statistics indicated the activities Community Wardens had been carrying out. There had been an increase in fly-tipping investigations with one successful prosecution in the last six months as prosecutions were difficult to achieve without eye witness evidence, cases were rarely taken to court proceedings.

RESOLVED – That the Community Safety Operations Manager be thanked and the update be noted.

168 **CCTV UPDATE**

The Committee received an update on the Council's CCTV service from the Head of Safer Communities. The Committee was presented with financial information relating to CCTV, the current learning and development plan for CCTV staff, an update on tree obscuration of CCTV cameras and a checklist for an audit of CCTV camera locations.

The Head of Safer Communities explained the changes in the budget figures for CCTV. Employee costs had reduced due to the changes in terms and conditions of staff. The budget for premises and recharges was moved into the Assets portfolio due to the introduction of the Corporate Landlord model. The customer receipts consisted of income the CCTV service had brought in from monitoring of CCTV cameras in Phoenix Park in Crewe on behalf of its owners. The CCTV service also contributed to savings throughout the Council by taking on work that had been previously bought in through contractors.

The purpose of the training plan was to ensure that the CCTV team all reached the same level of expertise and understanding. The budget for training was part of the Places Directorates budget for training and development.

The Head of Safer Communities presented the Committee with a list of cameras which had trees obscuring their line of sight. The Street Scape team had received the list and it was now its responsibility to trim the trees to ensure that cameras were now longer obscured.

The CCTV Camera locations checklist which formed the basis of the CCTV survey contained ten factors which contribute to the effectiveness of a camera's location. It was hoped that the survey would identify needs for improvement and would inform work to update and improve the service.

The Committee expressed concerns about whether the CCTV staff would be able to carry out their core duty of monitoring CCTV cameras effectively considering all of the extra responsibilities they were being given. No issues concerning distraction from core duties had been identified currently and the possibility of over loading the CCTV staff with secondary duties was continually being monitored.

RESOLVED:

- (a) That the information provided by the Head of Safer Communities be received and noted.
- (b) That the Head of Safer Communities be requested to provide an update on the tree obscuration of cameras be provided at the next meeting.
- (c) That the Head of Safer Communities be requested to provide a list of the 30 least effective cameras based on the CCTV Camera location checklist, and identify the reasons for their inclusion in this list, to be presented to the Committee at its next meeting.

169 **AGEING WELL PROGRAMME**

The Committee received a response to questions it had asked during an item on the Ageing Well Programme at the previous meeting.

RESOLVED – That the response be received

170 **WORK PROGRAMME**

The Committee considered the Work Programme and discussed items for the upcoming meetings.

RESOLVED – That the Work Programme be updated

The meeting commenced at 10.30 am and concluded at 1.30 pm

Councillor H Murray (Chairman)

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CHESHIRE EAST COUNCIL

REPORT TO: Sustainable Communities Scrutiny Committee

Date of Meeting	10 th May 2012
Report of:	Strategic Director of Places & Organisational Capacity and Head of HR & Organisational Development
Subject/Title:	Equalities and Diversity
Portfolio Holder:	Councillor Brown

1.0 Report Summary

- 1.1 At its meeting on 1st March 2012, the Committee received a report on the requirements of the Equality Act 2010 to develop equality objectives for the Council and publish other key information. The draft objectives were noted and officers were asked to return to the Committee with the data from the consultation and also to provide examples of equality issues regarding employment procedures. This report contains information on these two issues.

2.0 Recommendation

- 2.1 Committee is requested to:
- 2.2 Note the information contained within the report

3.0 Wards Affected

- 3.1 Not applicable

4.0 Local Ward Members

- 4.1 Not applicable

5.0 Policy Implications including - Climate Change - Health

- 5.1 None

6.0 Financial Implications

- 6.1 None

7.0 Legal implications (authorised by the Borough Solicitor)

- 7.1 Failure to comply with equalities duties has formed the basis for successful judicial reviews of budget and service provision decisions.

8.0 Risk Management

8.1 None

9.0 Background

9.1 The statutory Public Sector Equality Duty came into force on 5 April 2011 as part of the 2010 Equality Act. The Equality Duty has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it
- foster good relations between people who share a protected characteristic and people who do not share it.

9.2 The 2010 Act lists the characteristics that are protected by the Act. These are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

9.3 Having due regard means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by the Council – such as in:

- how it acts as an employer
- how it develops, evaluates and reviews policy
- how it designs, delivers and evaluates services
- how it commissions and procures from others.

9.4 The Specific Duties came into force on 10 September 2011; these cover the publication of information and the setting of equality objectives.

9.5 The Council must publish the information that it deems necessary to demonstrate its compliance with the general equality duty by 31 January 2012 and at least annually thereafter (schools and pupil referral units must do this by 6 April 2012 and at least annually thereafter). This information must include information relating to people who share a relevant protected characteristic who are the

Council's employees or those affected by the Council's policies and practices. Workforce information has been published on the Council's website in order to meet this requirement.

- 9.6 Draft equality objectives were also published on the website with comments invited. These draft objectives were subsequently reported to this Committee and then, together with the results of the consultation, considered by Cabinet on 2nd April when the objectives, as appended, were finalised and subsequently published.

10.0 Consultation on Equality Objectives

- 10.1 Comments were invited through the website on the draft objectives during January and February. Two responses were received. One was from a member of staff and the other from a local resident. The responses are summarised as follows:

Respondent One – was concerned that the objectives were insufficiently SMART and therefore may not assist the authority in meeting its duty to advance equality of opportunity. Additionally, suggested a specific amendment of “ensuring the workforce feels valued, respected and is reflective of the diverse communities it serves” as being more tangible.

Respondent Two – again, there were concerns that the objectives were insufficiently SMART. This response focussed on:

Data & Analysis – suggested that there was already a considerable source of data available and questioned our need to better understand inequalities within the Borough. Also suggested that our aim should be to improve services for all rather than just hard to reach communities

Workforce Profiling – suggested that there is no evidence to suggest that a workforce reflective of the diversity of the Borough will result in improved service delivery

Engagement & Consultation – concern that our objectives were focussing on hard to reach communities

Embed Equalities throughout the Council – suggested a simpler statement

- 10.2 As a result of these comments, amendments were made to the draft objectives and these are highlighted on the appendix. In particular:

Hard to reach communities - reference was removed as our approach was intended to apply to all communities

Data and needs analysis – additional statements were added to better reflect our intentions

Engagement and consultation – the objective was strengthened by the addition of specific actionable statements

Workforce – an additional statement was added on developing a culture where staff understand their role and expected behaviours. This

will be actioned by the development of a compulsory equalities training module and through the behaviours framework adopted for personal development reviews

- 10.3 The general comments on the need for the objectives to be SMART is accepted and a corporate action plan is currently being developed which will focus on how these objectives are to be delivered. This will sit alongside the departmental action plans which detail how each directorate is taking action on specific service issues. These plans will be monitored by the Corporate Equality Group and periodic reports will be presented to Corporate Management Team.

11.0 Equality and Employment

- 11.1 Cheshire East Council's policy on equality is that no employee will be disadvantaged on the basis of their protected groups which are gender or transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability, pregnancy or maternity, social or economic status or caring responsibility.
- 11.2 This means that policies and procedures need to be flexible and may need adjusting to cater for the specific needs of an individual, including the provision of information in alternative formats where necessary.
- 11.3 Discrimination of individuals and employees in the protected groups can have a significant and detrimental impact and can be evident in a number of circumstances:
- Recruitment – being overlooked or treated less favourably on the basis of their protected group during the appointment process or in opportunities for promotion, e.g. on the basis of their age, whether young or old, maternity reasons, race, colour, religion or sexual preference.
 - Learning and development - being denied access to learning opportunities on the basis of a factor of their protected group, e.g. a training course that clashes with a religious festival or event
 - Lesbian, gay and transgender employees – may be bullied or harassed in the workplace as a result of homophobia, transphobia or stereotyping. This can result in low morale, anxiety/depression and poor performance.
 - Disability – individuals may be denied access to employment opportunities where the working environment is inaccessible or where the manager is unwilling to make reasonable adjustments.
 - Unfair treatment – for example not allowing traditional dress, related to an employee's religion to be worn in the workplace.
 - Lack of knowledge of religious traditions and norms leading to a misinterpretation of behaviour and may result in a belief that an

employee is unwilling to take part in or conform with a workplace culture.

- Lack of flexibility in allowing time off for employees with caring responsibilities.

11.4 In order to ensure that the Council's policy on equality is upheld and that none of the above issues arise in the workplace, a number of equality objectives have been agreed which include a complete review of the recruitment and selection processes. This review will also, include an analysis of the Council's recruitment data to help identify any protected groups that the Council is failing to attract and recruit. One of the objectives of the review is to identify barriers to employment and recommend positive measures that can be put in place to attract and recruit employees from all parts of the community.

11.5 A recent analysis of the workforce suggests that employees from the protected groups are indeed under represented in the Council's workforce, although there are some gaps in the data held about individual employees. An equality audit is currently underway and along with further development of the oracle system a key aim over the next year is to improve the quality of the workforce data held by the Council for both analysis, monitoring and to introduce more positive equality measures.

11.6 In the development of a suite of new HR policies and procedures as part of the review of terms and conditions, consideration of equalities implications and where necessary the completion of Equality Impact Assessments was of paramount importance. A number of additional policies were also introduced to support employees with some particular issues that may be related to one or more protected characteristic, for example:

Gender Reassignment

Dignity at Work (Harassment and Bullying)

Improved Flexible Working options and Time off provisions

Stress Management

Maternity and breastfeeding

Retirement – removal of the default retirement age

11.5 In addition to this, through the Council's Corporate Workforce Planning process, managers are required to put together workforce development plans that will both enable and assist them in having the right mix of skills, knowledge and experience in their service to ensure effective future service delivery. As part of this process and due to the Council's ageing workforce, consideration is being given to how older employees can be assisted to remain fully productive in the workplace in order to secure the retention of the knowledge, skills and experience of this valuable pool of employees. At the other end of the age range spectrum, the Council has a well developed Apprenticeship Scheme and National Graduate development Programme that has been

successful in attracting and employing younger talent in the organisation.

- 11.6 A key to ensuring the Council's commitment to equality and diversity is to embed these principles throughout all of its processes and to improve knowledge and understanding around equality issues for both managers and employees. In response to this, the Council's performance and appraisal process has been developed to embed these important and valuable principles and a new online e learning module on Equality and Diversity will be made available and mandatory for to all employees to complete during 2012/13.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writers:

Name: Zandra Neeld
Designation: Performance Manager
Tel No: 01270 686633
Email: zandra.neeld@cheshireeast.gov.uk

Name: Joy Crumbley
Designation: Senior Personnel Officer
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Equality Objectives

Our Equality Objectives have been based on available equalities information through research, consultation and engagement and service-level Equality Impact Assessments. Our equality objectives identify specific internal and external targets that will enable the council to improve the collection of equality information, and address the most persistent areas of inequalities faced by both employees and residents. Where possible our objectives are SMART (specific, measurable, achievable, realistic and timed) or identify key milestones for improvement.

The equality objectives listed below have been developed at service level and have informed our business planning process. Although the main objective headings may not change over the next 4 years the specific actions listed beneath each objective will be reviewed annually in line with the business planning cycle to ensure they remain reflective of current developments and circumstances.

The Council has identified four equality objectives that address our main priorities for improving our understanding of and response to inequalities across all our services including our new Public Health responsibility which will shortly come into effect. All have been designed with the intention of achieving the following shared outcomes:

- Narrowing the gap between our communities
- Providing access to services for all our communities
- Understanding and reflecting the needs of all our communities
- Fostering good relations with all our communities and partners
- Ensuring our workforce is representative of the communities it serves

1 Improve Data and Needs Analysis

Where possible we will collect robust data in our interactions with customers and communities to generate detailed equality information ensuring our services are well balanced and proportionate. We aim to ensure that 100% of data is collected where appropriate for the listed equality protected characteristics over the next 4 years. This will enable us to improve access to services for all as we:

- Capture protected characteristic information at service level where appropriate, which is subjected to annual customer trend analysis
- Develop a robust council wide data set, which is reviewed annually and published on Centranet and used in the Equality Impact Assessments process across the organisation
- Produce directorate equality action plans that are reviewed annually to address data gaps and issues identified in Equality Impact Assessments
- **Place the needs of our customers at the heart of our service and business planning processes**
- **Design and implement policies and procedures that meet the needs of all our communities**

2 To Better Reflect Our Communities through our Workforce Profile and Training

We will aim to reflect the diversity of the Borough within our workforce with the aim to improve service delivery by reflecting the needs of everyone in the Borough. We aim to achieve a 5% shift in gaps on our employment profile from 2011-2012 over the

next 3 years. This will be delivered through staff and Member recruitment and development by:

- Improving workforce planning data to incorporate listed equality protected characteristic information
- Including equality awareness training in corporate staff and Member induction processes
- Introducing general equality awareness raising with all staff using an e-learning package
- Introducing targeted equality training for specific processes ie: staff recruitment and disciplinary

3 To Ensure Community Engagement and Consultation is Effective

Our organisation will improve its understanding of communities within our area, and their perceptions of ourselves, partners and our services. This will be achieved through effective and meaningful consultation and engagement activities. The aim is to foster strong relations allowing customers the opportunity to influence services by:

- Building relationships that enable effective engagement and consultation to be undertaken
- Sharing resources for consultation and engagement activities with our partners and the community and voluntary sector where appropriate
- Reducing the consultation burden through targeted consultation and engagement with our hard to reach communities where appropriate
- Sharing consultation and engagement outcomes and learning between services and partners by publishing results within a shared forum
- Demonstrating how we foster good relations within our communities by achieving excellent status in the Equality Framework for Local Government

4 Embed Equalities throughout the Council

Equality and inclusion will be considered at all levels within the Council to ensure that there is a clear and concise link between strategic thinking and service delivery. We aim to ensure we understand and address the needs of all our communities in all functions by:

- Giving due equality and inclusion consideration to all our decisions taken at both Officer and Member level
- Completing and regularly reviewing Equality Impact Assessments for all our systems, processes and policies including the business plan, service plans and corporate action plans
- Ensuring all commissioned services give equality and inclusion the same importance as the Council
- Developing a culture where staff understand their role in relation to equalities and behaviour in a way that illustrates this understanding

CHESHIRE EAST COUNCIL

REPORT TO: Sustainable Communities Scrutiny Committee

Date of Meeting:

Report of: David Hallam, Principal Conservation and Design Officer

Subject/Title: Cheshire East Heritage Crime Initiative

Portfolio Holder: Rachel Bailey

1.0 Report Summary

- 1.1 Heritage Crime is defined in this report as “any offence which harms the value of England’s heritage assets and their settings to this and future generations”. It is important for the general wellbeing of our Borough and particularly for the security of its built heritage that we have an effective system in place to tackle heritage crime. This report sets out in summary how this is proposed to be achieved. This report seeks endorsement of the officer’s recommendations to Cabinet with regard to setting in place the Heritage Crime Initiative (HCI) as set out below.

2.0 Recommendation

- 2.1 That the Sustainable Communities Scrutiny Committee endorses the officer recommendation that Cabinet approves the following:
- Implementation of the Heritage Crime Initiative within Cheshire East in accordance with the Delivery Framework in Appendix 1
 - Cheshire East becoming a member of ARCH and a co-signatory to the Memorandum of Understanding with English Heritage, Cheshire Police, the Crown Prosecution Service and other associated organisations.

3.0 Reasons for Recommendation

- 3.1 At present Cheshire East has no formal initiative in place and is not a signatory to the Memorandum of Understanding (MoU).
- 3.2 Cheshire East’s response to Heritage Crime and agreement to enter into the Heritage Crime Initiative needs to be approved by Cabinet, given the cross authority obligations and resources necessary to implement it effectively. The resources envisaged are:
- £1000 from within the existing Heritage and Design Team budget to help promote and deliver the Heritage Crime Initiative
 - Approximately 300 person hours from within the Heritage and Design Team to lead, manage and help deliver the initiative from now until the final stage in the action plan (this is an estimate based on discussions with Cheshire West and Chester).

- 3.3 In order to be effective, the HCI also needs a high profile within Cheshire East Council and support from members, senior officers and those staff directly involved in its implementation.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications including

Health

- 6.1 A quality environment is recognised as contributory factor to health and wellbeing. The historic built environment is an important contributory element to the high quality rural and urban environments of Cheshire East.

Carbon reduction

- 6.2 None

Prosperity

- 6.3 The historic built environment contributes directly and indirectly to the economy and prosperity of Cheshire East. An indication of its value is provided at paragraph 10.7 of this report.
- 6.4 Reducing heritage crime will reduce the maintenance costs and vulnerability of heritage buildings in both public and private ownership. The average estimated repair costs arising from the schedule of Heritage Crime Incidents (Appendix 2) is circa. £8,900 ranging from £3000 to £22,500. The high profile arson incident at Peckforton Castle resulted in a repair bill of £6.3 million.

7.0 Financial Implications

- 7.1 The Heritage Crime Initiative will require resources to enable its implementation. This will entail staff time to get the initiative up and running and a modest budget to assist in implementing the initiative (such as publicity, awareness raising events, materials etc.). These are estimated as:
- 300 hours of officer time (within the Heritage and Design Team – other officer time will be required in addition to this from other teams/Directorates)
 - £1000 from the existing Heritage and Design Team budget
- 7.2 The lead in the Cheshire area is being taken by Cheshire West and Chester and we intend to work collaboratively with them in order to achieve Best Value.

8.0 Legal implications (authorised by the Borough Solicitor)

- 8.1 The Memorandum of Understanding would commit the Council to investigating, enforcing and where appropriate prosecuting incidents of Heritage Crime within Cheshire East Council's remit and subject to its established policies and standing orders with regard to enforcement proceedings. Enforcement action will be reported to Members on a case by case basis.
- 8.2 The Memorandum and the partnership approach of the Initiative would also necessitate, that Council staff support other agencies in their prosecution of heritage crime incidents via other criminal proceedings/legislation, for example in providing heritage impact statements in cases brought by the Police to court. However, the number of such incidents is likely to be limited and purely to support for the lead prosecuting agencies (estimated at no more than 10 incidents per year).

9.0 Risk Management

- 9.1 The risks associated with implementing the Heritage Crime Initiative are considered to be minimal given that this is a national initiative, as outlined above. Risks would include:

Nature of Risk	Severity	Probability	Risk	Mitigation required
Underestimate of resources needed to fully implement the initiative	2	2	4	none
Potentially abortive work and incurred costs in cases of unsuccessful enforcement action/prosecution	3	2	6	Ensure protocol in place and reporting/agreement prior to formal action to minimise risk of unsuccessful cases.
Potential for adverse publicity from aggrieved parties	3	1	3	none

10.0 Background

- 10.1 Heritage Crime presently has a high national profile. A recent research report 'The extent of crime and antisocial behaviour facing designated heritage assets' led by Newcastle University highlights the extent of the problem across the country. This report is available as Background Paper 1.
- 10.2 In response to the growing national concern about the impact of and effectiveness of protection against heritage crime, the Alliance to Reduce Crime against Heritage (ARCH) was established. This is an alliance of organisations, operating at the national and local level to set in place procedures to prevent, detect, report and prosecute heritage crime through a co-ordinated response. Key partners are English Heritage, the Police, the Crown Prosecution Service and participating Local Authorities.
- 10.3 A national Memorandum of Understanding (MoU) has been prepared which sets out the requirements and commitments of each partner in respect to working collaboratively and which organisations will lead particular investigations and proceedings. Local Authorities are primarily responsible for unlawful works in relation to Listed Buildings and Conservation Areas. This is available as background Paper 2.

- 10.4 Cheshire West and Chester are already part of ARCH and have signed the Memorandum of Understanding with the other partners. Over the last year they have been setting in place a system for implementing the Heritage Crime Initiative, which has become recognised nationally as a model of good practice.
- 10.5 Incidents of heritage crime, both collectively and individually deprive the Cheshire East Community of aspects of the historic environment, to the detriment of its citizens and potentially to its local economy through the erosion of character and an adverse impact upon its image to residents and visitors.
- 10.6 Heritage crime is often unseen, but can impact significantly upon the historic fabric of heritage buildings, structures and places. For example, metal theft (usually lead from the roofs of churches) not only requires replacement but often leads to damage to masonry and roofing materials. This in turn can lead to significant repair costs, far outweighing the scrap value of the metal itself. Heritage Crime can be a significant burden for property owners and ultimately can lead to a situation where owners are either unable to secure insurance or the premiums are very high and unsustainable. The consequence is that it can lead, either directly or indirectly, to a threat to the long term future and wellbeing of the historic built environment.
- 10.6 The summary of reported incidents in Cheshire East up until March 2012 is presented in the table at Appendix 2.
- 10.7 Our Borough has a wealth of heritage assets that we rely upon to promote tourism, attract inward investment and regeneration and foster local feelings of pride in our area. It is estimated that heritage related tourism generates **£804 million** GVA (Gross value added) in the North West and **£225.8 million** GVA in Cheshire¹. Tatton Park, one of our key heritage assets drew in 852,000 visitors in 20011/12, which equates to £3,065,000 of heritage related revenue for that year.
- 10.8 Until recently, crimes against heritage assets were not necessarily classified as such. They were treated as individual unlawful activities and crimes and not grouped as crimes against our Heritage, which meant that the full extent of heritage crime was not appreciated and actions between agencies not co-ordinated.
- 10.9 The establishment of the Alliance to Reduce Crime against Heritage (ARCH) and the development of a Memorandum of Understanding at a national level involving the CPS, the Police and English Heritage and some local authorities has thrown into focus an approach that could be rolled out across the country as a means to more effectively prevent and tackle incidents of Heritage Crime.
- 10.10 The idea of the Memorandum and the wider HCI is to develop an agreed approach across the country in terms of recording crime, preventing it and in taking action against those responsible.

¹ The Economic Impact of Heritage in the North West, Final Report, April 2009 (NWDA)

- 10.11 Cheshire West and Chester Council is already a member of ARCH and are signatories to the Memorandum of Understanding. CW&C has spent the last year setting up the mechanism to implement the Heritage Crime Initiative in that part of Cheshire. The initiative is now up and running and is being refined and developed, through an agreed delivery plan.
- 10.12 It is the intention of the initiative, that communities, civic societies and heritage interest groups will become the eyes and ears on the ground – enabling the local community to be active in detecting and potentially preventing Heritage Crime. In CW&C's case, the HCI is tied into the Community Safety Partnership's Strategic Assessment.
- 10.13 Whilst Cheshire East is unlikely to have the resources to replicate the HCI as developed by CW&C, it is the intention that we develop an approach, tailored to East Cheshire, and based on the resources that are realistically available as outlined above.
- 10.14 The Delivery Plan and Timeline sets out the approach and an approximate timescale for delivering the HCI in Cheshire East. This is attached as Appendix 1.
- 10.15 Key Milestones in the Delivery Plan are:
- | | |
|--|-------------------|
| 1) Sign Memorandum of Understanding and join ARCH | Early June 2012 |
| 2) Establish the Key Individual Network (KIN) | By end July 2012 |
| 3) Undertake publicity/promotional and training events in accordance with the communication and training plan) | By mid Sept 2012 |
| 4) Officially launch the Cheshire East HCI | By early Dec 2012 |
| 5) Pilot community through LAP | By Spring 2013 |

11.0 Access to Information

The background papers relating to this report are:

Background Paper 1 – Research report - The extent of crime and antisocial behaviour facing designated heritage assets (Newcastle University)

Background Paper 2 – Memorandum of Understanding

These can be obtained by contacting:

Name: David Hallam

Designation: Principal Conservation and Design Officer

Tel No: *m: 07807 493787*

Email: david.hallam@cheshireeast.gov.uk

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Stage	Response based on current resources	Timescale	Notes
Agree joint resources with CW & C	Finalise areas of shared resource/joint working with Cheshire West and Chester	By end March 2012	Obtain written agreement for use of shared materials etc.
Scrutiny Stage	Present report to Sustainable Communities Scrutiny Committee	May 2012	Subject to Committee cycles
Executive approval	Secure Executive approval and authority to sign Memorandum of Understanding	May 2012	Subject to Committee Cycles
ARCH membership	Register Cllr Bailey as Member of ARCH	May 2012	DH already registered as officer contact
Liaison with Regeneration	Meeting with Caroline Simpson/Cllr Jamie McRae to discuss CEC historic assets and raise awareness of HCI	By end of May 2012	Subject to availability
Memorandum of Understanding	Sign Memorandum of understanding with key partners	By early June 2012	Who will sign (Chief Executive)?
Key Individual Network	Finalise membership of Heritage Key Individual Network (KIN) and arrange first meeting.	By early July 2012	Subject to availability of member representatives
Communications plan	Liaise with PR & Communications to develop communications/publicity plan. Media release and website	By early July 2012	Subject to resources and capacity of the Communications team
Police Liaison	Meet locally with the Police Heritage Crime Portfolio Holder	By early July 2012	Subject to police availability
Evidence base	Complete basic research utilising Council officers and KIN members	By mid July 2012	The extent of research will be limited by the resources available
Analysis/profiling	Geographical analysis of heritage crime by Police statistician	By end July 2012	Subject to availability of police resources
Wider stakeholder liaison	Utilise existing liaison opportunities through Community safety teams and Area Partnerships	By early August 2012	Subject to availability of personnel and meeting dates.
Finalise protocols	Copy protocols adopted for CW & C and agreed joint working	By mid August 2012	As above and the agreement of CW & C to host reporting and management of incidents
Publicise heritage crime initiative in Cheshire East	Wider publicity as set out in communication s plan. Utilise established training/information opportunities and working jointly with CW & C on joint events. Utilise member training. Possibly involve assets, Community Safety, Trading standards etc. Take advantage of other opportunities as they arise	By mid September 2012	Subject to timing of meetings, availability of resources from other teams etc.
Include HC as priority in Community safety plan	Liaise with community safety teams through KIN	Date unknown	Subject to timetable of Community Safety Plan
Wider engagement with communities and heritage groups	HCI seminars for amenity groups and local councils, possibly working jointly with CW&C	By end September 2012	Subject to resources (e.g. for room hire, materials etc.) and availability of groups etc. Is this in the 1K budget?
Reporting/feedback mechanism	Establish reporting and feedback mechanism for communities, ward councillors and heritage champion. Work collaboratively with CW&C and use joint resources	By early October 2012	Subject to resources
Official Launch	Officially go live with HCI and promote in accordance with the communications plan	By early Dec 2012	Subject to availability of resources from Communications Team
CEC heritage assets	Work with CEC Assets team to implement pilots identified in Council assets strategy	By mid December 2012	Subject to team resources. Assets contact still to be finalised
Ongoing training	As part of the communication and training plan undertake ongoing training and awareness raising, taking advantage of existing and new opportunities as they arise	By mid February 2013	Subject to team resources and officer/member availability and programme
Pilot community	Pilot through one Local Area Partnership	By March 2013	Liaise with Nantwich LAP Manager, Sharon Angus-Crawshaw
Best practice guidance	Use and promote guidance prepared by CW & C		Liaise with CW&C about use

Key milestones

LAP – Local Area Partnership

CSP – Community Safety Partnership

MoU – Memorandum of Understanding

KIN – Key individual network

HCI – Heritage Crime Initiative

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APPENDIX 2 - SUMMARY OF INCIDENTS

Date	Name	Cost	Postcode	NGR	Parish	Ward	Issue	Listing	Scheduling	Other asset	Type	Outcome	Notes
28-Aug-11	St Peter's Church, The Village, Prestbury, Macclesfield		SK10 4DG	SJ 90064 76931			Metal theft (lead); Criminal damage	LB I (1221919)			Church:early-mid C13	Cheshire Police (Incident Number CC11245241) Ecclesiastical Insurance	Theft of lead from the roof of the church south aisle and damage to stone roof tiles in an attempt to find more accessible lead
21-Aug-11	Queen's Hall	-	WA8 7RF		Widnes		Arson			Undesignated asset	Historic hall		Burnt down so demolished Feb 2012
11-Aug-11	St Mary's, Nantwich	Awaiting decision	CW5 5RQ	SJ 65210 52324	Nantwich	Penny Butterill Arthur Moran	Metal theft (lead)	LB I (1206059)			Church	Reported to Police and insurance company	Stripping and partial removal. Presumably the thieves were disturbed. Small roof area over attached extension about 4 m above ground. Evidence of ladders. Roof size aprox 3m x 5 m
27-Aug-11	St Mary's Church, Church Lane, Wistaston	-	CW2 8HA	SJ 68130 53625	Wistaston	Margaret Simon Margaret Weatherill	Metal theft (lead)	LB II (1138557)			Church, dated R.P.1827 on inscribed brick, by George Latham of Northwich with additions and alterations of 1884 and 1905	Reported to Police and insurance company	
04-Aug-11	St. Bartholomew's Church, Church Lane, Wilmslow	£2,909	SK9 4AA	SJ 84803 81492	Wilmslow Lacey Green	Don Stockton	Metal theft (lead)	LB I (1222475)			Church	Reported to local police.	Lead theft from roof of the rear extension.
01-Aug-11	St. Bartholomew's Church, Church Lane, Wilmslow	-	SK9 4AA	SJ 84803 81492	Wilmslow Lacey Green	Don Stockton	Metal theft (lead)	LB I (1222475)			Church	Reported to local police.	Theft of the lead between the main church building and the new extension to the church
20-Jul-11	Church of St. Mary the Virgin, Church Lane, Wistaston, Crewe	-	CW28HA	SJ 68130 53625	Wistaston	Margaret Simon Margaret Weatherill	Metal theft (lead)	LB II (1138557)			Church, dated R.P.1827 on inscribed brick, by George Latham of Northwich with additions and alterations of 1884 and 1905	Reported to Police and Ecclesiastical insurance	Lead theft from ridge of church roof.
15-Jul-11	Church of St. George, London Road, Poynton	-	SK121NH	SJ 91894 83584	Poynton East and Pott Shrigley	Howard Murray Jos Saunders	Metal theft (lead)	LB II (1232286)			Church, 1858-9 by Crowther, south steeple 1884-5 by Medland and Henry Taylor. Late C13 style.	Reported to Police and Ecclesiastical insurance	Lead stolen from vestry roof in small hours, plus other areas of lead bent.
10-Jul-11	The Church of St. Leonard, Main Road, Warmingham	Reply coming	CW11 3QL	SJ 70902 61074	Brereton Rural	John Wray	Metal theft (lead)	LB II* (1330059)			Parish church, formerly timber framed, west tower 1715, present church 1870 by Hussey.	Reported to Police, Chester Diocese, and Insurance company	Lead theft from roof
01-Jul-11	Chapel Mill	-	SK11 7LZ	SJ 91967 73213	Macclesfield		Arson	LB II (1290836)					Completely destroyed and so was demolished
27-Jun-11	Norcliffe Unitarian Chapel	-	SK9 4LH	SJ 83448 83448	Styal		Metal theft (lead)	LB II (1222255)			Formerly Baptist Chapel, from 1833 Unitarian Chapel		
18/19 June 2011	Peckforton Castle	£6,300,000	CW6 9TN	SJ 53326 58084	Wrenbury	Stan Davies	Arson	LB I (1135729)			Castle. 1844-50, by Anthony Salvin for Sir John Tollemache MP	Reported to Police	Disgruntled bridegroom set fire to curtains which spread and gutted an entire wing.
06-Jun-11	Church of St. Mary, Red Lane, Disley	£8,467	SK12 2NP	SJ 97473 84510	Disley	Harold Davenport	Metal theft (lead)	LB II* (1231620)			Church: West tower and porch 1527-1558, remainder 1824-1835 with aisles of 1828 by Thomas Lee of Barnstaple.	Reported to Police on day of theft. Policeman attended. Incident no. 224 6/6/11. Crime no. 11154794	Theft of a large amount of lead from Church roof
15 May 11	The Church of St. Leonard, Main Road, Warmingham	Reply coming	CW11 3QL	SJ 70902 61074	Brereton Rural	John Wray	Metal theft (lead)	LB II* (1330059)			Parish church, formerly timber framed, west tower 1715, present church 1870 by Hussey.	Reported to Police, Chester Diocese, and Insurance company	Lead theft from roof
03-May-11	Holy Trinity Church, Mossley	£2,569	CW12 3LZ	SJ8780661819	Congleton East	David Brown Peter Mason Andrew Thwaite	Metal theft (lead)			Undesignated church	This church was founded in 1845	Reported to Police (No. 215868) and to Ecclesiastical Insurance	Lead theft from vestry roof
29-Apr-11	Christ Church, Eaton, Nr Congleton	-	CW12 2NH	SJ 86969 65464	Gawsworth	Lesley Smetham	Metal theft (lead)	LB II (1139494)			Church. 1856-8	Reported to Police and insurance company	Theft of lead from Church vestry roof
24-Apr-11	Church of St. James, Church Lane, Sutton, Macclesfield	Reply being sent by email	SK11 9RJ	SJ 89010 69688	Gawsworth	Lesley Smetham	Metal theft	LB I (1139497)			Church. C15 and C16	Reported to Police and Ecclesiastical insurance	Theft of lead flashing and attempted theft of lead flashing to church roof.
15-Apr-11	Church of St Mary Magdalene, Crewe Road, Alsager	£22,604.74	ST72EW	SJ 79535 55475	Alsager	Rod Fletcher Derek Hough Shirley Jones	Metal theft (lead)	LB II (1138757)			Church. 1894-98.	reported to Police and Ecclesiastical insurance, architect and roofers	Damage to the roof, resulting in interior damage caused by water ingress, and need to re-roof using alternative material
11-Apr-11	Church of St. Mary, Astbury, Congleton	£9,030	CW124RQ	SJ 84623 61527	Odd Rode	Rhode Bailey Andrew Barratt	Metal theft (lead)	LB I (1138740)			Church. C12 with late C13 and early C14 and C15 additions and alterations	Reported to Police	Repeat incident. Attempted theft of lead from north aisle roof. Phone call to Police answered after 20 mins. Aluminium ladder left by thieves.
24-Feb-11	Church of St. James, Audlem	£5,092	CW3 0AW	SI 66004 43655	Audlem	Rachel Bailey	Metal theft (lead)	LB I (1136872)			Church. Perpendicular incorporating late C13 and early C14 remnants with further C19 additions and alterations of 1855-6 by Lynam and Rickman.	Reported to Police and Ecclesiastical insurance	Lead theft from north aisle roof
02-Feb-11	St Luke, Mow Cop	-	ST7 3NQ	SI8519956850	Odd Rode	Rhode Bailey Andrew Barratt	Metal theft (lead)			Undesignated church	This church was founded in 1875	Rural Dean (for notification to local clergy)	Theft of lead flashing
2011	Harbutt's field roman fort	-	-	SJ 70221 66954	Middlewich		Unauthorised metal detecting		SM (1008460)				

13-Oct-10	Church of the Resurrection, Churchway, Upton Priory, Macclesfield	-	SK103HT	SJ8954374729	Broken Cross and Upton		Metal theft (lead)			Undesignated church	This church was founded in 1964	Reported to Police and Ecclesiastical insurance	Decorative roof lead removed around roof perimeter. Since incident, the lead has been removed and underlying panels painted as alternative. Anti-social behaviour regularly happening in church grounds. CCTV has helped.
09-Sep-10	Church of St. Mary, Astbury, Congleton	-	CW124RQ	SJ 84623 61527	Odd Rode	Rhode Bailey Andrew Barratt	Metal theft (lead)	LB I (1138740)			Church. C12 with late C13 and early C14 and C15 additions and alterations	Reported to Police	Repeat incident. Theft of lead from south porch roof. 2 uniformed officers attended and were given number of suspicious van. No identified lines of enquiry.
06-Jun-10	Mottram Parish Church (CHURCH OF ST MICHAEL AND ALL ANGELS)	-	SK14 6JL	SJ 99431 95293	Mottram		Metal theft (lead)	LB II* (1356436)			Church		
29-May-10	Church of Christ, Church Road, Alsager	£10,375.42	ST72HS	SJ 78893 55664	Alsager	Rod Fletcher Derek Hough Shirley Jones	Metal theft (lead)	LB II* (1138754)			Church. 1789-90. By Thomas Stringer for the Misses Alsager.	Reported to Police	Approx. 30sq metres of lead stolen from roof. £10,000 replacement and repair bill. Reported to police and officer visited the scene.
18-Apr-10	St. Michael & All Angels Church, 28 Hightown, Middlewich	-	CW109AN	SJ 70390 66250	Middlewich	Paul Edwards Simon McGroory Michael Parsons	Metal theft (lead)	LB II* (1138795)			Church, largely circa 1500 with a little C12 work inside and heavily restored by Joseph Clarke 1857-60	Reported to Police.	Lead theft from church roof
26-Aug-08	The Church of St. Bartholomew, Cross Lane, Church Minshull, Nantwich	-	CW56DY	SJ 66618 60594	Bunbury	Michael Jones	Metal theft (lead)	LB II* (1313128)			Parish Church 1702 (in blue bricks on tower), restored in 1861.	Reported to Police and Ecclesiastical insurance	Lead theft from nave roof
30-Jun-08	Church of St. Mary the Virgin, Monks Lane, Acton	£18,000	CW58LG	SJ 63173 53088	Bunbury	Michael Jones	Metal theft (lead)	LB I (1330112)			Parish church. Lower section of west tower, including three internal arches C13, north aisle windows C14, elsewhere the church has a mainly C15 appearance. Restorations in C17 and C18 also in 1897-8 by Paley and Austin (Pevsner).	Reported to Police and Ecclesiastical insurance	Theft of lead downpipes
Dec-07	39 Welsh Row, Nantwich		CW5 SEW	SJ6482352398	Nantwich North and West	Penny Butterill Arthur Moran	Listed Building Enforcement Notice	LB II (1249211)			Victorian former savings bank	Enforcement Notice issued and compliance date extended. Notice complied with March 2009	(Taken from Uni of Newcastle data sheet)
14-Sep-07	Church of St. Mary, Astbury, Congleton		CW124RQ	SJ 84623 61527	Odd Rode	Rhode Bailey Andrew Barratt	Metal theft (lead)	LB I (1138740)			Church. C12 with late C13 and early C14 and C15 additions and alterations	Reported to Police	Lead theft from west end of north aisle roof. Forensics attended and took photographs; no uniformed officer visited.
02-Jun-06	Church of St. Michael and All Angels, Narrow Lane, Crewe Green		CW15UN	SJ 72693 55360	Haslington	John Hammond David Marren	Criminal damage (vandalism)	LB II* (1138674)			Parish church, 1857-9 (Pevsner) by G G Scott.	Reported to Police and Ecclesiastical insurance	Vandalism to vestry windows. Guttering had been dislodged to swing on it to kick in the vestry windows. The windows are leaded (and have been replaced like for like), and the guttering was wrought iron. As neither had been removed, suggests that vandalism was the motive rather than metal theft.
Jul-05	Ye Old Kings Arms, Congleton		CW12 1BN	SJ 8662 3/10	Congleton West	Gordon Baxendale Roland Domleo David Topping	Unauthorised Development	LB II (1335898)			Public House, Probably C17. Restored	Criminal investigations underway and council is deciding whether to instigate prosecution proceedings and/or issue LBEN	(Taken from Uni of Newcastle data sheet)

CHESHIRE EAST COUNCIL

REPORT TO: Sustainable Communities Scrutiny Committee

Date of Meeting: Tuesday 10th May
Report of: Community Safety
Subject/Title: Cheshire East Council Anti Social Behaviour Policy
Portfolio Holder: Cllr Rachel Bailey

1.0 Report Summary

- 1.1 Policy and procedures for dealing with Anti-Social Neighbours in private and let accommodation

2.0 Recommendation

- 2.1 Approve policies on Anti Social Behaviour process
- 2.2 Seek additional funding for Mediation Service for 2013/14

3.0 Reasons for Recommendation

- 3.1 The policies have been written through consultation of partner agencies, knowledge of best practice and national guidance.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications including - Climate Change - Health

- 6.1 As a lot of the Safer Cheshire East Partnership's (SCEP) procedures and policies rely on assistance and commitment from partner agencies in order for the processes to have the greatest effect and success, the SCEP's documents around ASB and tackling ASB have to in most circumstances remain as working documents due to the following:

- Economical Climates and partner agency reduction of staff or funding meaning that they can no longer commit to the SCEP's processes as much as they previously had been.
- Changes in Partner agency processes meaning that ASB processes outlined by SCEP have to change in line with partner agencies methods

and processes or working. i.e. Transforming Policing, CE targeted Youth provision, prevention services funding cuts or change of priority/direction.

- New legislation from Home Office with regards to tools and powers to tackle ASB.
- Serious case reviews and recommendations of good practice.

7.0 Financial Implications

7.1 Funding will remain an issue with regards to the level of interventions that we can offer.

The most important currently being our Mediation Service which we currently hold cases with through a “buy in” back in 2010 and a SLA with the service.

These cases are available until 31st March 2013 and 54 cases were purchased at a cost of £32,400. These cases are exclusively for Private own and Private Rent tenants, who would normally not have this opportunity to solve disputes at a more preventative level, free of charge.

Loosing this resource would be detrimental to our commitment to work with private own and rent sectors of the community. There would not be capacity to replace this provision within our own team due to our limited resources and conflict of interest.

Although our ASB unit has managed to secure the majority of our posts by mainstreaming in 2011; we do still have a remaining post which does not have secure funding after 31/03/2013, which is the role of our part-time ASB Coordinator in Macclesfield. It is essential that we do what we can to secure funding for this post and ideally mainstream this. If we loose our Macclesfield post this would have to be divided out between an already very small team in comparison to other parts of Cheshire. Loss of this post could lead to some of our processes not being able to be carried out. The Macclesfield and Congleton posts have already been cut from full to part time roles which has it's strains on the team during busy periods.

8.0 Legal implications (authorised by the Borough Solicitor)

8.1 None

9.0 Risk Management

9.1 As with all interventions we can offer with regards to dealing with a perpetrator of ASB who is a home owner, if an ASBO is not deemed by our legal teams (police, housing or CE) as the best course of action, our team and resources then become more limited. The risk to this is the threat of action to a particular individual and then this not being carried out for any number of legal reasons. This can be seen to let members of the community down although it may be beyond our control.

All cases of this nature are carefully considered before actions are publicised or reported back to members of the community to try and avoid any disappointment. Coordinators are always clear from the start that no promises can be made with regards to eviction or more formal ASB processes.

10.0 Background and Information

Over the past 2 years the Safer Cheshire East ASB team have been working on increasing support and interventions for those members of the public that live in private rent and own properties.

It had been noted that those members of the Community that are part of a Registered Social Landlord scheme had access to preventative measures with regards to assisting with ASB and Neighbour disputes at it's lowest level through mediation and also housing officer support. However, private own and rent members of the community do not have the same access to this level of service without having to pay for these themselves.

This has lead to feuds and disputes becoming unresolved and escalating to a point where Police have been called and repeat calls to service including the Partnership, Community Wardens and also Environmental Health Department had left some cases "stuck" due to the only options being to advise the residents that they were to seek their own legal advise at their own cost.

Many of these residents were not entitled to assistance with legal aid, so would therefore choose to let things lie and escalate to a level that was greatly affecting their quality of life.

Although the ASB unit offer assistance to all members of the community and work closely with RSL's, it was satisfied that the RSL's do have enough processes in place to deal with the majority of their tenants feuds "in-house". We were also confident that if this was not the case, a referral would be made to our team. With this in mind our focus over the past 2 years has been on making services available to the private sector, encouraging them to resolve their issues at the earliest point.

We had the opportunity to buy in 54 cases over a 3 year period for the private sector in order to encourage early intervention. The independent service offer mediation relevant to our department in the following circumstances:

- Between neighbours
- In communities
- Between tenants and Landlords
- With residents groups and associations
- In schools

Further information on the service is attached in the flyer and Service Level Agreement Documents below.



Version 1.2
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Mediation GENERIC v



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East Cheshire 2010-2

If mediation is not taken up, is not appropriate or was unsuccessful, then depending on the type of ASB the following actions can take place.

For private sector residents only:

If the incidents of ASB are not solely down to a two party dispute, Anti-Social Behaviour Log books can be issued to members of the community.

These log books have been designed specifically for private own and rent members of the community who are suffering from repeat incidents of Anti-Social Behaviour. The way the Log Books are now issued and monitored has changed dramatically since the serious case review of the well known "Pilkington" case.

The attached document below outlines purpose of the log books and protocol for issuing, collection and monitoring of the Log Books.



H:\ASB TEAM 2011\
ASB Log\ASB Log Boo

This Log Book has been created in conjunction with our partners in Cheshire West and Chester who now use a very similar style of book and also mirror our protocol.

This protocol is in its draft format, as it is still in "pilot" state until enough books have been handed out to members of the community allowing a full review of the process.

The ASB team has increased work to track down and trace private landlords and involve them in cases at the earliest opportunity. Due to this we have had recent success with regards to an Anti-Social family in Crewe being served "notice to quit".

There is view to team up further with Environmental Health Department in order to develop our communications with private landlords.

With regards to tackling Anti-Social Behaviour, we have a number of processes in place to deal with both young people and adults which cover all members of the community whether RSL or private.

Further processes for tackling Anti-Social Behaviour are detailed in the attached document below. The flow chart shows the processes that we go through in order to deal with reported ASB. This is a general flow chart, but other documents can be submitted on request if any of the other process would like to be seen in more detail. This basic flow chart has been submitted to assist with keeping to the scrutiny report summary brief.



H:\ASB TEAM 2011\
SCRUTINY BOARD\AS

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Abigail Webb
Community Safety Development Manager
01606 363352
Abigail.webb@cheshireeast.gov.uk

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CHESHIRE EAST COUNCIL

REPORT TO: SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE

Date of Meeting:	10 May 2012
Report of:	Borough Solicitor
Subject/Title:	Work Programme update

1.0 Report Summary

- 1.1 To review items in the 2012 Work Programme, to consider the efficacy of existing items listed in the schedule attached, together with any other items suggested by Committee Members.

2.0 Recommendations

- 2.1 That the work programme be received and noted.

3.0 Reasons for Recommendations

- 3.1 It is good practice to agree and review the Work Programme to enable effective management of the Committee's business.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications including - Climate change - Health

- 6.1 Not known at this stage.

7.0 Financial Implications for Transition Costs

- 7.1 None identified at the moment.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 None.

9.0 Risk Management

- 9.1 There are no identifiable risks.

10.0 Background and Options

- 10.1 In reviewing the work programme, Members must pay close attention to the Corporate Plan and Sustainable Communities Strategy.
- 10.2 The schedule attached, has been updated in line with the Committees recommendations on 5 April 2012. Following this meeting the document will be updated so that all the appropriate targets will be included within the schedule.
- 10.3 In reviewing the work programme, Members must have regard to the general criteria which should be applied to all potential items, including Task and Finish reviews, when considering whether any Scrutiny activity is appropriate. Matters should be assessed against the following criteria:
- Does the issue fall within a corporate priority
 - Is the issue of key interest to the public
 - Does the matter relate to a poor or declining performing service for which there is no obvious explanation
 - Is there a pattern of budgetary overspends
 - Is it a matter raised by external audit management letters and or audit reports?
 - Is there a high level of dissatisfaction with the service
- 10.4 If during the assessment process any of the following emerge, then the topic should be rejected:
- The topic is already being addressed elsewhere
 - The matter is subjudice
 - Scrutiny cannot add value or is unlikely to be able to conclude an investigation within the specified timescale

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: James Morley
Designation: Scrutiny Officer
Tel No: 01270 686465
Email: james.morley@cheshireeast.gov.uk

Sustainable Communities Scrutiny Committee Work Programme – 1 May 2012

Issue	Description/Comments	Officer	Suggested by	Portfolio	Corporate Priority	Current Position	Date
CCTV Update	To receive a further report on the CCTV Camera survey.	Peter Hartwell	Chairman	Safer and Stronger Communities	Nurture Strong Communities	On Target	10 May 2012
Heritage Crime Initiative	To consider a report on the Heritage Crime Initiative	David Hallam	Portfolio Holder	Safer and Stronger Communities	Nurture Strong Communities	Deferred from 5 April 2012	10 May 2012
Cheshire Road Safety Partnership	To receive a report on the establishment of Cheshire Road Safety Partnership	Cllr Livesley Kevin Melling	Committee	Safer and Stronger Communities	Nurture Strong Communities	On Target	10 May 2012
Equality and Diversity	To receive a report on the data collected from consultations	Juliet Blackburn Zandra Neeld	Chairman	Performance and Capacity	Nurture Strong Communities	On Target	10 May 2012
Antisocial Neighbours in Private and Let Housing	To receive a report on the policy and processes for dealing with antisocial neighbours	Abigail Webb	Vice Chairman	Safer and Stronger Communities	Nurture Strong Communities	On Target	10 May 2012
Section 106	To receive a report on s106 project plan for improvements to processes	Rachel Bolton	Committee	Safer and Stronger Communities	Nurture Strong Communities	On Target	25 July 2012

Possible Items to Monitor or consider at future Meetings

- Think Drive Survive site visits
- Libraries Strategy – Cllr D Brown
- Voluntary Sector Grants
- Domestic Violence
- Performance Management
- Budget Monitoring
- Police Commissioners Update – Stephen Pickup PA

Sustainable Communities Scrutiny Committee Work Programme – 1 May 2012

- Risk Management – Information, research & Business intelligence – Partnerships - Community Safety
- Customer Service Charter

Dates of Future Committee Meetings

10 May 2012, 21 June 2012, 26 July 2012, 13 September 2012, 25 October 2012, 22 November 2012, 20 December 2012, 17 January 2013, 14 March 2013 and 25 April 2013.

Dates of Future Cabinet Meetings

28 May 2012, 25 June 2012, 23 July 2012, 20 August 2012, 17 September 2012, 15 October 2012, 12 November 2012, 10 December 2012, 7 January 2013, 4 February 2013, 4 March 2013, 2 April 2013 and 29 April 2013.

Dates of Future Council Meetings

16 May 2012, 19 July 2012, 11 October 2012, 13 December 2012, 21 February 2013 and 18 April 2013.