

EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – GHRITC04 21/22

Decision	
1	Title of decision: Anti-Social Behaviour (ASB) Case Review Policy
2	Decision maker (Cabinet member name and portfolio title): Councillor John Riley, Cabinet Member for Governance, HR, IT and Community Safety
3	Report author and contact details: Kristina Browning (Community Connections, Safer Communities -Technical Lead) 01752 398333 or Kristina.browning@plymouth.gov.uk and Dave Ryland (Community Connections - Strategic Manager) 01752 304823 or Dave.Ryland@plymouth.gov.uk
4	Decision to be taken: Approval of ASB Case Review Policy
5	<p>Reasons for decision:</p> <p>This is the Local Authority's first policy around the co-ordination of ASB Case Reviews in Plymouth. The policy includes changes to the way ASB Case Reviews are managed within the Local Authority, including:</p> <ul style="list-style-type: none"> • Lowering the threshold where an ASB Case Review can be requested by removing the requirement for the ASB case to be closed – in-line with updated statutory guidance under the ASB, Crime and Policing Act 2014 and best practice. • Lowering the threshold where an ASB Case Review can be requested where hate crime is an element of the ASB - in-line with updated statutory guidance under the ASB, Crime and Policing Act 2014 and best practice. • A provision where ASB Case Reviews can be requested without a victim's consent, in exceptional circumstances, e.g. if a victim is unable to consent or is at serious risk of harm, in-line with best practice. • A more inclusive application process to include an option for referrals to be made in-person at one of the city's libraries (e.g. for those digitally excluded) • Widening the variety of professionals who can chair ASB Case Reviews by including other agencies (including D&C Police, Registered Social Landlords and ASB Help) to ensure that cases are being reviewed by a person truly independent to the case • Updating the appeals procedure so that appeals are made to the OPCC instead of the Local Authority – in-line with the statutory guidance under the ASB, Crime & Policing Act 2014. • Keeping a central register of ASB Case Review statistics on the Plymouth City Council website, in-line with statutory guidance under the ASB, Crime and Policing Act 2014 and best practice.

6	Alternative options considered and rejected: N/A – this policy has been developed in-line with updated statutory guidance and best practice.			
7	Financial implications and risks: None			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which: in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
			x	
			x	
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	This policy supports Plymouth's vision to be a 'welcoming city' by helping to reduce and prevent anti-social behaviour within communities; this will positively impact citizens' perception of feeling safe in the neighbourhoods where they live. This policy also increases the inclusivity of the ASB Case Review process to ensure that it is accessible for all.		
10	Please specify any direct environmental implications of the decision (carbon impact)	None		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			

I2b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
I3a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	x	(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?			
I3c	Date Cabinet member consulted			
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	
I5	Which Corporate Management Team member has been consulted?	Name	Craig McArdle	
		Job title	Strategic Director for People	
		Date consulted	29 November 2021	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS93 21/22	
		Finance (mandatory)	djn.21.22.217	
		Legal (mandatory)	LS/37758/HM	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	N/A	
		Procurement (if applicable)	N/A	
Appendices				
I7	Ref.	Title of appendix		
	A	Briefing report for publication		
	B	Equalities Impact Assessment		
	C	ASB Case Review Policy		

Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	x					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
Signature			Date of decision	28 January 2022				
Print Name	Councillor John Riley							