

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

SUTTON COLDFIELD DISTRICT COMMITTEE

MONDAY, 15 FEBRUARY 2016 AT 17:00 HOURS
IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise the meeting to note that this meeting will be webcast for live and subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs. The whole of the meeting will be filmed except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 - 12

3 MINUTES

To confirm and sign the Meetings of the last meeting held on 23 November 2015

4 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will make announcements, if any.

5 WYNDLEY LEISURE CENTRE

Paul Wells, Leisure Project and Client Manager and Jamie Bryant, Partnership Manager will give a verbal report.

13 - 22

6 CORPORATE PARENTING

Item Description

7 **PURCHASE OF THE RED ROSE SHOPPING CENTRE, SUTTON COLDFIELD - FULL BUSINESS CASE**

Cabinet report submitted for information purposes only.

8 **COMMUNITY TRIGGER (ANTI-SOCIAL BEHAVIOUR)**

The Birmingham 'Community Trigger' Protocol is submitted for information purposes only.

9 **NEIGHBOURHOOD CHALLENGE - SUTTON COLDFIELD**

The District Head will give a verbal update.

10 **SUTTON COLDFIELD TOWN HALL**

The District Head will give a verbal update.

11 **SUTTON COLDFIELD TOWN COUNCIL**

The Executive Member for Sutton Coldfield will give a verbal update.

12 **DATE OF NEXT MEETING.**

To be notified.

13 **UPDATE FROM WARD CHAIRMEN AND CO-OPTED MEMBERS.**

To receive an information update from the Ward Chairmen and Co-Opted Members on matters/interest in their respective areas.

14 **DISTRICT WORK PROGRAMME 2015/16**

The Chairman / District Lead Officer to advise Members on the future working arrangements for District Committees

15 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

16 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

BIRMINGHAM CITY COUNCIL

**SUTTON COLDFIELD
DISTRICT COMMITTEE
MONDAY 23
NOVEMBER 2015**

**MINUTES OF A MEETING OF THE SUTTON
COLDFIELD DISTRICT COMMITTEE HELD ON
MONDAY 23 NOVEMBER 2015 AT 1700 HOURS IN
COMMITTEE ROOMS 3 & 4, THE COUNCIL HOUSE,
BIRMINGHAM**

PRESENT : - Councillor Anne Underwood in the Chair;

Councillors David Barrie, Lyn Collin, Andrew Hardie, Meirion Jenkins, Ewam Mackay, David Pears, Robert Pocock, Margaret Waddington and Ken Wood.

CO-OPTED MEMBERS :- Lorna Steers – Housing Liaison Board
Eric Shipton – Housing Liaison Board
Kevin Eades – West Midlands Fire Service
Supt Brandon Langley – West Midlands Police.

ALSO PRESENT :-

Gary Ladbrooke – District Head (Sutton Coldfield)
Carol Dawson – Senior Service Manager
Patrick Canavan – Senior Service Manager
Sarah Stride – Committee Manager

WELCOME

The Chairman welcomed the two young visitors that were in attendance at the meeting.

NOTICE OF RECORDING

32 The Chairman advised that the meeting will be webcast for live or subsequent broadcast via the Council's internet site (www.birminghamnewsroom.com) and that members of the press / public may record and take photographs.

The whole of the meeting will be filmed except where there are confidential or exempt items.

APOLOGIES

33 Apologies were submitted on behalf of Councillors Maureen Cornish and Alex Yip for their inability to attend the meeting.

MINUTES

34

RESOLVED:-

That the Minutes of the last meeting held on 21 September 2015, having been previously circulated, were confirmed and signed by the Chairperson..

Matters Arising

Referring to page 12 of the Minutes (Minute No.21), Councillor Pears requested an update on the latest position with regard to Wyndley Leisure Centre and Serco following operational changes to the Centre.

He also made reference to page 18 (Minute No. 27) and requested an update on the issue regarding the poor wheelie bin collection service and the problem of fly-tipping in Carhampton Road. He explained that the issue was raised again at the Trinity Ward Committee as it appeared that the problem had not been resolved due to the absence of a co-ordinated approach by both the Housing and Waste Management Services.

Gary Ladbroke, District Head (Sutton Coldfield) responded and stated that he had arranged for the appropriate officer to attend the next meeting of this District Committee to give further explanation with regard to the proposed management structure at Wyndley Leisure Centre.

In relation to the concerns regarding Carhampton Road he explained that he had liaised with the Housing Officer and it was currently work in progress and that he would monitor the situation.

Councillor Pocock introduced the two young visitors at the meeting and requested that they each ask a question to the Chairperson.

Abbie – (Page 14 – The Big Hoot 2015) Have we managed to keep any of the decorative owls in Sutton Coldfield?

The Chairman replied that the Business Improvement District managed to collect over £6,000 to buy the owl that was in the vicinity of the College and there was also an owl situated in the Town Centre which was purchased by a local business. She advised that the sale of the owls was a great success and had raised over £500,000 for the Children's Hospital.

Edward – (Top of page 17) Do you have any further details on how the Youth Promise will work?

Councillor Jenkins responded and stated that he had been asking the Cabinet Member the very same question for some time and he was still awaiting an answer on what makes up a Youth Promise and what were the consequences if it failed to deliver. He concluded that he was unable to add any further information from that what was discussed at the last meeting.

Councillor Hardie made reference to Minute No.30, page 22 of the Minutes and requested whether a response had been given to the petition he submitted at the last meeting regarding the Flat doors at Boldmere Close.

The Chairman requested that Carol Dawson and Patrick Canavan, Housing Department investigate and respond directly to Councillor Hardie on their findings.

CHAIRMAN'S ACTIONS AND ANNOUNCEMENTS

- 35 Councillor Pears advised that information on the Sports Awards had been launched in the Sutton Observer. There are thirteen categories in total. The closing date for all nominations is 17 December 2015.

The Sports Award Ceremony will take place on 29 January 2016

Nomination forms are available at info@suttoncoldfieldsportsawards.co.uk. Forms can be completed online or posted to the address listed on the form.

PETITION

Air Pollution Petition by Ecosutton

- 36 The following petition was submitted by Councillor Waddington on behalf of Ecosutton:-

“ There are four main issues that need to be considered –

1. To both reinstate and increase the number of Air Pollution monitors to allow coverage throughout the City.
2. To collect and collate detailed information on pollution levels.
3. For the information to be put in the public domain as soon as possible and for updates to be made available on a monthly basis.
4. To establish a Working Party who will report to the BCC Cabinet with an action plan for implementation.

We wish to make it very clear that is being raised as a cross Party issue.”

The Chairperson requested that the petition be referred to the Cabinet Member for consideration and appropriate action.

SHELTERED HOUSING

A written presentation entitled ‘Services for Older People’ was circulated at the meeting:

(See Document No. 1)

Carol Dawson, Senior Service Manager introduced the written presentation and made the following additional comments:

- A review on Sheltered Housing was being undertaken. The need to undertake a review is due to the increase in challenges in responding to the needs of elderly people – a growing population and reduced service budgets for care.

- As a directorate the City Council lost the 'Supporting People' funding 18 months ago. The funding lost amounted to £3.1 million. This funding was used to support the wardens/support officer's role. As an interim measure HRA funding was put in place to support the Sheltered Housing and Care line service.
- There was a need to investigate the City Council's stock and make best use of all resources available – are demand issues in some of the Sheltered Housing schemes.
- The scope of the review is:
 - To consider how the Council can meet the needs of older people in the absence of funding.
 - Identify those schemes that are not fit for purpose – focus on sheltered high rise.
 - Tender for the assistive technology contract – currently 2 providers of an alarm service in Birmingham and looking to bring both providers together to form a more holistic service.
 - Consider how the review impacts on the wider review of older people's services as part of the future Council programme.
 - Making the best use of the Council's stock:
 - In Birmingham there is 4890 units of sheltered accommodation divided across 126 sheltered housing schemes.
 - 4 extra care
 - 9 category II schemes that are purpose built and linked by a corridor.
 - 77 category I schemes – some purpose built and some designated as sheltered housing,
 - 37 sheltered high rise. The focus of the review on the stock is on high rise sheltered accommodation. In the Sutton Coldfield District there are 2 high rise schemes, one at Park Court and the other at Herron Court. Park Court does not give rise to concerns in the letting of units. Herron Court does cause issues at times.
 - Methodology used when reviewing schemes:
 - Housing demand for a scheme and the number of proposed tenants on the waiting list for high rise accommodation. 15 people are currently placed on the waiting list for high rise accommodation.
 - Currently have approximately 120 vacant units across all sheltered housing stock.
 - Support needs.
 - Location of schemes – Park Court is sited in an excellent location with all the facilities that older people require.
 - Other sheltered stock within an area, including all registered social housing landlord partners.
 - Impact of welfare reform. A number of the high rise schemes are two bedroomed and if the resident is under the age of 61 years old then they will be impacted by the welfare reform and will be required to pay the under occupancy surcharge which could result in a negative impact on letting 2 bedroomed properties. The introduction of Universal Credit will also impact occupants of sheltered housing who are of working age.
 - Whether a scheme meets the needs of older people – can it accommodate mobility scooters – most of the high rise schemes cannot meet this need. Look at the availability of lifts in a scheme, whether showers can be installed.
 - Profiling of information – Sutton Coldfield District has the highest number of older people in the City with Northfield District being the second highest.

- The Council's approach:
- Exploring a proposal to change some sheltered high rise into general needs housing. This is in response to the issues outlined in the methodology.
- Pilot scheme carried out at Stanley's Tower in Erdington District to test out the Council's consultation approach and the potential offer to customers.
- Consulted with the City Housing Liaison Board and the District Boards.
- Approval has been given by the Cabinet Member.
- The consultation process is a one on one discussion with customers. Do have an offer for tenant's that asks them if they want to transfer to another property with support provided to them. Re-designating the scheme so can give additional points to allow a property move. Have approval to give tenant's wishing to move an incentive in terms of paying removal costs, the installation of appliances from the old property to the new and also support them in the bidding process as elderly people do have concerns through the choice based letting scheme. Tenant's will have the option of remaining on the care line scheme if they so desire.
- Eight options available:
 1. Do nothing – but not a viable option.
Discontinue the service with effect from 1 April 2016. However, aware that older people need and want the service.
 2. Increase service charges. However, housing benefit will only pay for a certain element of the service so although a possibility will need to remodel the service.
 3. Fully fund the service through the Housing Revenue Account. However, this would result in the discontinuation of another service.
 4. Identify alternative funding - have made a bid to the Better Care Fund to fund the hospital discharge service.
 5. Sell/lease some sheltered stock. Has been tried successfully in one scheme in Sutton Coldfield – Ludford Close is leased to MENCAP.
 6. Discussions have taken place with the People Directorate to commission a support service or to take over the management of the service. However, the Directorate has indicated that it does not have the necessary funding.
 7. Establishing a different delivery model that includes older people in the community who live in general needs housing.
- Hospital discharge service:
 - The service was set up in 2010 following the City being fined to assist with delayed discharges where the delay was due to housing issues.
 - 280 referrals from Good Hope, Queen Elizabeth and Solihull hospitals in the last financial year.
 - Service currently being funded through the Housing Revenue Account.
- Care line – support and reassurance 24 hours a day, 365 days a year:
 - Based at Lancaster Circus.
 - 13000 connections – from both Council tenant's and owner occupiers, private sector tenant's and registered social landlord tenants who have an alarm on the wall or a pendant worn around the neck or their wrist.
 - Tele care services accredited service and inspected annually to ensure compliance with regulations. The service is funded by the Housing Revenue Account and currently reviewing the charges for the care line service – the current charge is £1.87. The contract is currently with Tunstall which was due to expire March 2016 but has now been extended until September 2016. The service provides equipment to

ensure that tenants are able to remain in their property and not go into hospital or residential care.

- The next steps::
 - Need to consider the risks.
 - Timescales are a real issue.
 - Currently exploring options 3 and 8. As an interim measure the Housing Revenue Account will continue to support both services.
 - Working with tenants on an individual basis due to sensitivities.

The Chairman thanked Carol Dawson for her informative verbal report.

In response to a question raised by the Chairman Carol Dawson undertook to provide the statistical information to all Members on the actual number of the 280 hospital referrals identified that were dealt with successfully.

In response to questions raised by Members, Carol Dawson gave assurances that the consultation exercise was a one on one discussion with customers. If every tenant in a high rise sheltered accommodation scheme expressed a wish to remain in their current location then they will not be re-designated. This will ensure that tenants who have formed a community with their neighbours in the high rise will remain in place and will not be moved. She stated that measures were taken to ensure that all tenants moving into high rise accommodation were suitable to do so and would not cause nuisance to existing tenants. During the consultation process a quality impact assessment is carried out on all proposed schemes and the results of that assessment would determine the final outcome.

37

RESOLVED:-

That the verbal report on sheltered housing be noted and that a progress report be submitted in 3 months.

BIRMINGHAM COUNCIL HOUSING INVESTMENT PROGRAMME
ENVIRONMENTAL WORKS BUDGET

The following report of the Strategic Director Place was submitted:

(See Document No.2)

Patrick Canavan introduced the report and highlighted the salient points.

It was –

38

RESOLVED:-

- (i) That the progress in connection with the projects initiated in 2014/15 be noted;
- (ii) That approval be given to all the projects outlined in appendix 2 attached to the report;
- (iii) That the budget position statement provided at appendix 3 attached to the report be noted.

SUTTON COLDFIELD DISTRICT CONVENTION

39

The Chairman advised that she had written to the Leader of the Council to inform him that she did not feel that it was possible for Sutton Coldfield to hold a meaningful District Convention before the end of the calendar year due to several reasons mainly the lack of staff within the District to give the time to produce a quality event. The establishment of the Town Council must take priority and as the District Head currently services 2 Districts in the City staffing resources within the Sutton Coldfield District has been severely reduced. The future of the Town Hall has also put a strain on staffing resources.

The Chairman proposed that the Convention should be held in February 2016 by which time the steering group for the Town Council will be well established.

It was requested that the Leader take into consideration as mitigation for the decision that arriving from the last very successful District Convention a number of major issues to be addressed were identified and following on from this and jointly with local health partners and public health officers some very successful local dementia training awareness has been held. Further sessions are planned to which local businesses and the retail sector will be invited to attend by the BID and/or the Chamber of Commerce. False prevention and the need for activity amongst our older residents is also on the agenda working in part with MyTime Active who are very interested in this issue.

In addition we have under the Chairmanship of Councillor Hardie established the membership of a Health and Wellbeing Committee for Sutton Coldfield which includes local partners such as the CCG and Hospital.

Another concern to arise was that of jobs and skills training and Councillor Jenkins has held a meeting very recently with local stakeholders to take the issue forward. We are aware that we have the lowest jobless figures in the City but the argument is that Sutton Coldfield can offer opportunities for youngsters from local areas less fortunate than ourselves that could lead to meaningful careers and this is one of the issues that I have personally addressed with Councillor Josh Jones when discussing how we can work together for the benefit of the whole of North Birmingham.

I do hope that you w (the Leader) would be able to accept what is a very genuine request for assistance at this time of great pressure on resources and grant an extension until 28 February 2016.

Members endorsed the communication sent by the Chairman to the Leader and agreed to circulate the letter to all Members of the Sutton Coldfield District.

TAKING THE COUNCIL TO THE PEOPLE

40

The District Head advised that the issue was one of 10 events which brought to each of the Districts a consultation exercise to look at what the City Council might look like as a future Council and to get an idea of the view of the citizens around the City in terms of taking the Council forward. The first exercise undertook was

to ask about 50 people that were at the Sutton event what the Council would look like in 2020 with issues such as being in control of its own destiny, well managed, financially sound and well organised, integrated social care with the NHS and the commissioning groups and the City Council and partners, better communication, quality services but essential services, being imaginative with its partners but not always the City Council taking the lead or providing everything. Promoting the good things that the City Council does and being less reactive and more proactive.

The City is proposing at the moment that we look at 4 broad groups as this is where the bulk of the money is currently being spent. The groups are prevent family breakdown, maximise independence of adults, sustainable neighbourhoods and economic growth and jobs.

The report is currently in draft form and the intention is that the recommendations will help shape the budget for the City Council..

The consultation exercise will commence on 9 December 2015 and recommendations therein will feed into the Cabinet report to be discussed at the end of February 2016.

Members expressed concern that only 50 residents were in attendance at the event and asked whether there was any other way to engage with the public. It was also suggested that the consultation exercise should take place in the evening to capture those residents in full time employment.

The District Head requested that Members share information with their local residents and encourage them to attend the consultation event.

SUTTON COLDFIELD TOWN HALL

- 41 The District Head advised that the information he would provide was very brief as discussions were still ongoing.

The Sutton Coldfield Arts and Recreation Trust is in the process of being established and have submitted their business case. Once the business case has been finalised it would be submitted with a recommendation to the Deputy Leader as soon as possible with the way forward.

SUTTON COLDFIELD TOWN COUNCIL

- 42 The Chairman advised that 3 meetings of the Steering Group have been held to discuss the way forward and to identify issues to be discussed. At the last meeting there were a number of residents in attendance but it was disappointing when given the opportunity to ask questions residents questioned the membership and constitution of the Town Council.

Political and non-political parties need to identify 24 candidates by May 2016 and we need to ensure that the new Town Council will operate with the benefit of the citizens of Sutton Coldfield.

DATE OF NEXT MEETING

43

RESOLVED:-

It was agreed that the next meeting of the Sutton Coldfield District Committee be held on Monday 15 February 2016 at 1700 hours in Committee Rooms 3 & 4, The Council House, Birmingham.

UPDATE FROM WARD CHAIRMEN AND CO-OPTED MEMBERS

44

Supt Brandon Langley, West Midlands Police gave a brief presentation and responded appropriately to questions raised and assured Members that Neighbourhood Policing will be included in the proposals for the future.

DISTRICT WORK PROGRAMME 2015 - 2016

45

The District Head advised that the following issues will be included in the District work programme for a future meeting:

- Sport and Leisure
 - Budget 2016/17
 - Neighbourhood Challenge
 - Jobs and skills.
-

OTHER URGENT BUSINESS (REPORTS BY OFFICERS)

46

No items of other urgent business was raised.

AUTHORITY TO CHAIRMAN AND OFFICERS

47

RESOLVED:-

In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee.

The meeting ended at 1820 hours.

CHAIRMAN

District meetings

Corporate Parenting

Andy Pepper

Assistant Director Children in Care Provider Services

What is Corporate Parenting?

- **The Statutory definition - As the corporate parent of children in care the State has a special responsibility for their wellbeing. Like any good parent, it should put its own children first. That means being a powerful advocate for them to receive the best of everything and helping children to make a success of their lives.**
- **Having the same aspirations and commitment to children and young people in care as any good parent would have for their own children.**



Good Corporate Parenting delivers...

- Children in Care and Care Leavers that are effectively supported to reach their potential through the provision of excellent parenting, high quality education, opportunities to develop their talents and skills, and effective support for their transition to adulthood.
- Good quality outcomes – narrowing the gap
- Good quality interventions that deliver real opportunities



Birmingham's Vision for Children in Care

Birmingham's vision is that as corporate parents we will have the same aspirations and commitment to children and young people in care as any good parent would have for their own children.

Birmingham is a big city with big challenges but this also provides big opportunities. Support and services provided should always make a positive difference every day to children and young people's lives.

- Children & Young People – proud of their City.
- Be part of the Big city, be up for the big challenge, and be enabled to take the big opportunity

Corporate Parenting Board (CPB) - what it does

- The (CPB) acts strategically
- Considers issues for children and young people in Care.
- Champions how these issues can be addressed.
- Overview of CiC data – from which issues can be identified e.g. educational attainment
- Overview of how services are working with CiC through reports from the Corporate parenting working group and the Director of Children's Services
- Engagement with Children and Young People

What we have done

- New Board
- New Strategy
- New focused working group
- Corporate parenting champions group
- New TOR and role definition
- Working on links with scrutiny
- Working on gaining commitments
- Concentration on added value
- <http://inline/corporateparenting>



Elected Members

Local Government Association “We can’t put enough emphasis on the role of elected members to ensure the Council acts as an effective Corporate Parent”

To be able to do this:

- Be supported to understand the Care system
- Have clear briefings on performance, compliance and quality
- Have the opportunity to listen to children and young people’s voice and the voice of those caring for the City’s Looked After Children
- Be supported to understand the application of threshold and risks

Regulation 44

- Local Elected Members supporting Regulation 44 visits
- Basic training for members from the commissioning team and undertake joint visits
- A fresh pair of eyes
- Getting more involved with Registered Managers of the Children's Homes in your area

Find out more



Visit:

<http://inline.birmingham.gov.uk/corporateparenting>

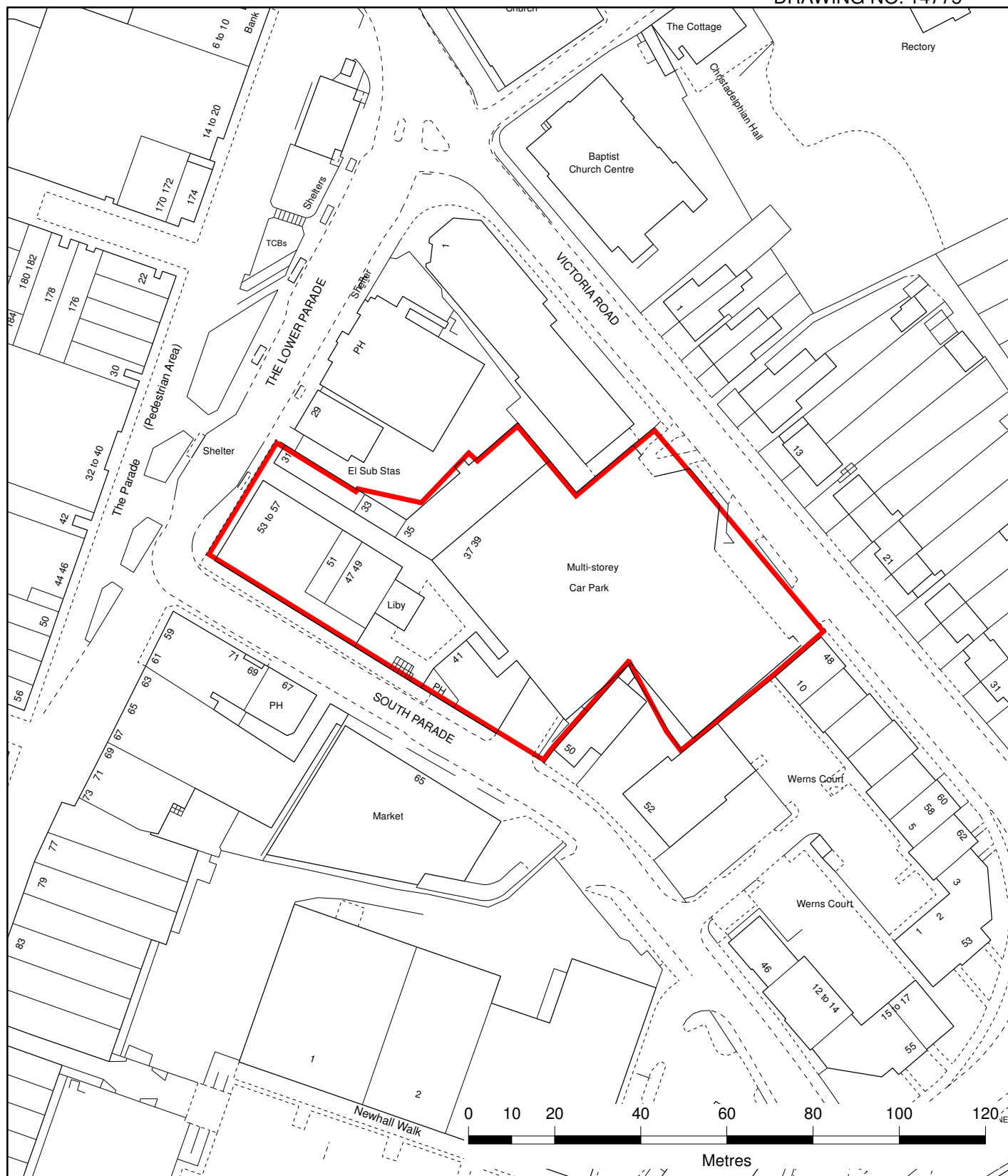
<http://www.birmingham.gov.uk/corporateparenting>

Email:

andy.pepper@birmingham.gov.uk

Report to	CABINET	<i>Exempt information paragraph number – if private report: N/A</i>
Report of: Date of Decision:	Director of Property 26 th January 2016	
SUBJECT:	PURCHASE OF THE RED ROSE SHOPPING CENTRE, SUTTON COLDFIELD – FULL BUSINESS CASE	
Key Decision: Yes	Relevant Forward Plan Ref: 001292/2016	
If not in the Forward Plan: (please "X" box)	Chief Executive approved X O&S Chairman approved X	
Relevant Cabinet Member(s):	Councillor Ian Ward – Deputy Leader of the Council Councillor Tahir Ali – Cabinet Member for Development, Transport and the Economy	
Relevant O&S Chairman:	Councillor Waseem Zaffar - Corporate Resources Councillor Victoria Quinn - Economy, Skills and Sustainability	
Wards affected:	Sutton Trinity	

LATE REPORT
* To be completed for all late reports, ie. which cannot be despatched with the agenda papers ie. 5 clear working days notice before meeting.
<p>Reasons for Lateness Birmingham City Council has responded to an opportunity to purchase the Red Rose Centre which has only recently been brought to the open competitive market. Following negotiations the City Council's bid has only just been accepted and terms confirmed, hence the reason for the report being presented late.</p> <p>Reasons for Urgency Birmingham City Council is in a competitive commercial situation and the bid submitted to (and accepted by) the vendor is subject to Cabinet approval. The swift securing of this approval will give the vendor comfort that the City Council will deliver on the purchase; likewise a delay in achieving such an authority could result in the vendor pursuing another offer.</p>



AREA EDGED RED **6434** SQ. METRES APPROX. **7695** SQ. YARDS APPROX.



Peter Jones BSc, FRICS
Director of Property
Birmingham Property Services
PO Box 16255
Birmingham, B2 2WT

FREEHOLD OF THE RED ROSE CENTRE
LOWER PARADE
SUTTON COLDFIELD



SCALE

1:1,250

DRAWN

Bharat Patel

DATE

19/01/2016

Page 25 of 46

Ref. SP1296SW Aerial Photography, if present, Copyright Bluesky 2012

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Purchase Of The Red Rose Shopping Centre, Sutton Coldfield - Full Business Case
Directorate	Economy
Service Area	Birmingham Property Services
Type	New/Proposed Function
EA Summary	The report seeks approval to purchase the freehold of the Red Rose Shopping Centre in Sutton Coldfield. The City Council currently leases two parts of the centre (Sutton Coldfield Library and Victoria Road car park) on long, onerous leases and the acquisition of the freehold would enable the Council to effectively manage these interests and develop strategies to significantly reduce the revenue liability.
Reference Number	EA001109
Task Group Manager	Felicia.Saunders@birmingham.gov.uk
Task Group Member	
Date Approved	2016-01-21 00:00:00 +0000
Senior Officer	eden.ottley@birmingham.gov.uk
Quality Control Officer	eden.ottley@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Function.

2 Overall Purpose

2.1 What the Activity is for

What is the purpose of this Function and expected outcomes?	<p>The proposal to purchase the Red Rose Shopping Centre to facilitate the significant reduction in revenue costs is allied emerging Future Operating Models for those BCC services currently located within the centre (Libraries and District Car Parks).</p> <p>Once purchased the Centre would form part of the Commercial Investment Property Portfolio and its acquisition is allied to the Commercial Investment Property Portfolio Strategy 2014-19 and provide opportunities for frontline services to significantly reduce their revenue costs</p>
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For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
A Fair City	Yes
A Prosperous City	Yes
A Democratic City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	No
Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	No

2.3 Analysis on Initial Assessment

The acquisition of this asset will enable the City Council to manage its current leasehold interests in the complex, which will result in the opportunity for the continual usage as a library and a cost retail resource for the provision of services for the business and members of the public to produce significant operational revenue savings and also enable strategic input into the management of Sutton Coldfield town centre.

The decision to purchase the freehold of the Red Rose Centre closely aligns to the strategic objectives of the Council Business Plan 2015+, specifically to help deliver a balanced budget.

3 Concluding Statement on Full Assessment

The Deputy Leader, Cabinet Members for Development Transport & Economy and Skills Learning & Culture, local members representing Sutton Trinity ward and the Executive Member for Sutton Coldfield District will have been consulted on the proposal and support it going forward. Officers in Place Directorate, Birmingham Property Services, Legal and Democratic Services and City Finance have been involved in the preparation of this report. The report and associated Full Business Case have been reviewed and approved by the Quality Assurance and Governance Team

Representatives of the Sutton Coldfield Parish Council Steering Group have been consulted on the proposal.

BPS supports the Council in achieving its priorities as set out in the Council Plan and strives for continuous improvement in terms of delivering efficiencies and economies in the management of the City's property assets, as well as maximising the effectiveness of the contribution made.

Based on the initial ongoing consultation with members and officers, and as the shopping centre asset will still be available for business use and leisure, there is no immediate requirement to proceed to a full equality assessment.

Any future proposals about the usage of the Sutton Coldfield Shopping Centre for BCC owned operating assets will be subject to individual further equality assessments.

4 Review Date

14/06/16

5 Action Plan

There are no relevant issues, so no action plans are currently required.



BIRMINGHAM COMMUNITY
SAFETY PARTNERSHIP

WORKING TOGETHER FOR A SAFER CITY

THE BIRMINGHAM 'COMMUNITY TRIGGER' PROTOCOL

Equalities, Community Safety & Cohesion Service
Birmingham City Council

June 2015

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BACKGROUND

The Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) came into effect on 20 October 2014. It presented a radical overhaul of the powers to tackle anti-social behaviour (ASB) and introduced new victim-focussed concepts, particularly the Community Trigger. This is a new mechanism through which victims (or their representatives) can challenge how agencies have responded to reports of ASB.

The full Birmingham response to the new powers is set out in the Birmingham Community Safety Partnership (BCSP) ASB Strategy 2014-17. The purpose of this paper is to set out the revised protocol for responding to applications for the Community Trigger (CT) in Birmingham. It replaces the first protocol which was agreed in October 2014.

The Birmingham Community Trigger Protocol June 2015

Before the Act came into force it was agreed that BCSP would take responsibility for managing the CT process. The CT is, in effect, an enhanced appeals process. Its aim is to prevent some of the tragic consequences that have occurred when agencies failed to respond correctly to reports of ASB.

Partnership Arrangements

The main Birmingham partners who respond to reports of ASB are West Midlands Police, Housing Landlord Services of Birmingham City Council (BCC) and Registered Providers (RPs). There are in excess of 30 RPs who own and manage around 40,000 homes across the city. The RPs have formed Birmingham Social Housing Partnership (BSHOP) to ensure a collective response where needed on issues such as ASB.

There are multi-agency meetings which 'case manage' ASB, these are called Safer Communities Groups (SCG). In June 2015 there were four SCGs in Birmingham aligned to police Local Policing Unit (LPU) and BCC quadrant boundaries. Their purpose is to consider the reports that have come into the various agencies where accusations have been made about particular individuals. SCGs consider these reports and agree actions to resolve the identified problems. Officers from the Police, BCC and RPs convene meetings, together with other partners on an 'as needs' basis (such as the Youth Offending Service with cases involving young people). As the meetings require the exchange of detailed personal information, attendance is strictly controlled to ensure compliance with the Data Protection Act.

The BCSP's role is strategic in that it is not directly represented at SCG meetings but services the ASB Steering Group (see Appendix 1 for Steering Group Terms of Reference) and manages the CT process.

The Act also refers to other agencies, particularly the three NHS Clinical Commissioning Groups that cover Birmingham. SCG working has shown that there also needs to be engagement with West Midlands Fire Service and the Youth Offending Service, on an 'as needs' basis.

THE COMMUNITY TRIGGER

Introduction

The Community Trigger is the right to challenge how agencies have dealt with ASB. It is open to communities and victims (including representatives of vulnerable people) and is designed to ensure that the needs of victims are met. Its intent is to bring agencies together to find a solution suitable for the victim. The CT can be activated by individuals of any age, it is the responsibility of agencies to make it as accessible as possible.

Section 104(5) of the Act states that where an application for a Community Trigger is made, considerations about a case may include:

- The persistence of the ASB about which the original complaint was made;
- The harm caused, or the potential for harm to be caused, by that behaviour;
- The adequacy of the response to that behaviour.

BCSP Arrangements for Responding to Applications for a Community Trigger

In Birmingham BCSP performs the Community Trigger gatekeeper role. As BCSP does not handle ASB cases, when an application is received it is well-placed to provide an independent oversight function, being better placed to see a case from the perspective of the victim.

BCSP has set up the mechanisms for victims (or those acting on their behalf) to activate the Trigger, via a contact telephone number and a website facility. From time to time the BCSP also undertakes various initiatives to raise awareness of the CT through established networks.

Qualifying Criteria

Applications for a Trigger are assessed against the Threshold agreed by partners as shown below. Other categories which affect the suitability of applications are: -

- Anonymous referrals.
- Time Limits and
- Live Cases.

Community Trigger Threshold

While the Trigger is intended to ensure that victims needs are met, the process is also open to vexatious, inappropriate or groundless applications. To prevent this the following Threshold has been devised and agreed between partners:

- I. **If you (as an individual) have reported ASB to the Council, Police and/or a Registered Provider (social landlord) three times about separate incidents in the last six months, or:**
- II. **If five individuals in the local community have reported similar incidents of ASB separately to the Council, Police and/or Registered Provider (social**

landlord) in the last six months, and they consider no action has been taken, or:

- III. If you (as an individual) have reported one incident or a crime motivated by hate in the last 3 months to the Council / Police and /or Registered Provider (social landlord) and no action has been taken.

(Hate Crime is defined as any criminal offence committed against a person or property that is motivated by hostility towards someone based on their actual or perceived disability, race, religion, gender identity or sexual orientation, which is a factor in determining who is victimised. A victim does not have to be a member of a group and in fact, anyone could be a victim of a hate crime.)

The flowchart on page 10 shows how applications are assessed and sets out the timetable by which responses have to be delivered.

Anonymous Referrals

Applications for a Trigger from anonymous parties will not be accepted. In order for the case to be investigated properly the full details of each ASB report are required, i.e. name of person making the report, date of report, organisation receiving report, name of Officer handling the report, any case reference number(s) and the nature of the ASB. Assessing an application is impossible in the absence of these details.

Time Limits

Section 104(11) of the Act indicates that for a case to be accepted as a Trigger:

- The most recent report of ASB must have taken place within one month of the alleged behaviour occurring, and
- Any application for a Community Trigger must take place within six months of the last report of ASB.

Given these terms, a situation could arise where an application could still be made up to six months after the third incident, potentially up to 13 months from the date of the first incident, as set out below

	Date of ASB Incident:	Can be reported by:	Trigger Application valid to:
Incident 1	1 Jan year <u>a</u>	1 Feb year <u>a</u>	-
Incident 2	1 Mar year <u>a</u>	1 Apr year <u>a</u>	-
Incident 3	30 June year <u>a</u>	31 July year <u>a</u>	31 January year <u>b</u>

Live Cases

An application for a Trigger by a victim or their representative will be assessed solely using the CT Threshold, this can include cases which agencies may consider to be still 'live'.

THE COMMUNITY TRIGGER PROCESS

Applications for a Community Trigger

When an application for a CT is received, BCSP carries out the following:

Lead	Action	Timeframe
BCSP	Acknowledge receipt of the activation by the most appropriate means (usually a formal letter).	1-5 working days
BCSP	Forward details of the case to the Chair or Vice-Chair of the Safer Communities Group (SCG) responsible for the relevant part of the city.	1-5 working days

Vulnerable People

Given that ASB is often directed at vulnerable people, BCC Housing and West Midlands Police utilise a Risk Assessment Matrix to identify vulnerable victims. Each RP also conducts such risk assessments using their own processes.

Though BCSP performs the gatekeeper role, officers are not trained in handling ASB cases and have no access to ASB case management systems. Therefore it is not in a position to conduct vulnerability risk assessments. If a case appears to concern a vulnerable person, it will be referred on for assessment by experienced staff within 24 hours.

For applications concerning vulnerable people the application process will be prioritised as follows: -

Lead	Action	Timeframe
BCSP	Acknowledge receipt of the activation by the most appropriate means	1 working day
BCSP	Forward details of the case to the Chair or Vice-Chair of the Safer Communities Group (SCG) responsible for the relevant part of the city.	1 working day

Applications from Victims not Considered Vulnerable

Up to 5 working days are allowed when an application for a CT is made from a case where the victim is not thought to be vulnerable.

Lead	Action	Timeframe
SCG	Determine whether the application meets the CT Threshold and notifies BCSP of this decision	Up to 5 working days
	<i>Where a case does not meet the Threshold-</i>	
BCSP	Notifies caller	1-5 working days

	<i>Where a case meets the Threshold</i>	
SCG	Notifies BCSP of next steps	1-5 working days
	Arranges panel review	1-5 working days
BCSP	Notifies caller	1-5 working days

Progressing A Community Trigger Case

The Act states that the Chair or Deputy Chair under Section 104 may make recommendations to a person who exercises a public function (including the relevant body they are working for) in respect of any matter arising from the review.

Vulnerable People

The priority with vulnerable people is to ensure their safety in line with existing procedures and practices. The SCG Chair / Vice-Chair must determine the most appropriate way forward.

BCSP Actions

BCSP will:

- Take responsibility for updating the victim at key stages and seeking to ensure that the SCG processes run in line with the deadlines set out in this protocol.
- Maintain an auditable record of all referrals (including those that are not appropriate or do not meet the Threshold).
- Facilitate the appeal process if a victim is dissatisfied with the outcome of the Trigger case.

SCG Actions

Once an application is accepted, SCG will:

- Respond to BCSP enquiries on receiving an application.
- Where needed, convene a panel of whom the Chair should be at least Inspector rank or a designated deputy provided by BCC. If the case relates to an RP, a senior member of staff from a BSHOP partner will be involved. It is expected that all partners involved in the case will attend the review. In cases which involve multiple partners, an independent party may be asked to either chair the meeting or act as an observer to bring an independent view and transparency to the process.
- meet within the timescales set out in this protocol.

Expectations on Partners

- Partners should provide all the necessary information prior to attending the meeting.
- Partners need to ensure that their representative has the necessary seniority and authority to make commitments and give undertakings. This is to ensure that recommendations by the group can be agreed and delivered on a timely basis.
- Each representative will be responsible for completing the agreed actions and providing progress updates.
- The aim is to review the measures previously taken and solve any problems collectively. The recommendations will be jointly agreed and binding on all partners represented at the meeting.

Community Trigger Case Handling Schedule

Once a CT application has been accepted: -

Lead	Action	Timeframe
SCG	Determines whether the CT case can be heard at a scheduled SCG, or a special panel has to be convened.	1-5 working days
SCG	Notifies BCSP of decision	1-5 working days
BCSP	Notifies caller	1-5 working days
SCG	Convenes panel and considers case	Within 28 working days
SCG	Findings are relayed to BCSP	1-5 working days
BCSP	Informs caller of findings and advises of right to appeal including date by which appeal must be received	1-5 working days
Caller	Determines whether to lodge an appeal and notifies BCSP	Within 28 working days
	<i>Where no appeal lodged by set date</i>	
BCSP	Notifies caller that the case is now closed	Up to 5 working days
	<i>Where an appeal is lodged</i>	
BCSP	Invokes appeal process with senior managers and informs SCG	1-5 working days
SCG	Forwards papers to BCSP to prepare appeal papers	1-5 working days
Appeal	Senior managers examine case papers and reach decision	Within 28 working days
BCSP	Informs caller of final outcome	1-5 working days

Appeals Process

Schedule 4, Part 1 of the Act states that the review procedures must include provision about what is to happen where an applicant is dissatisfied with the outcome of the CT case review.

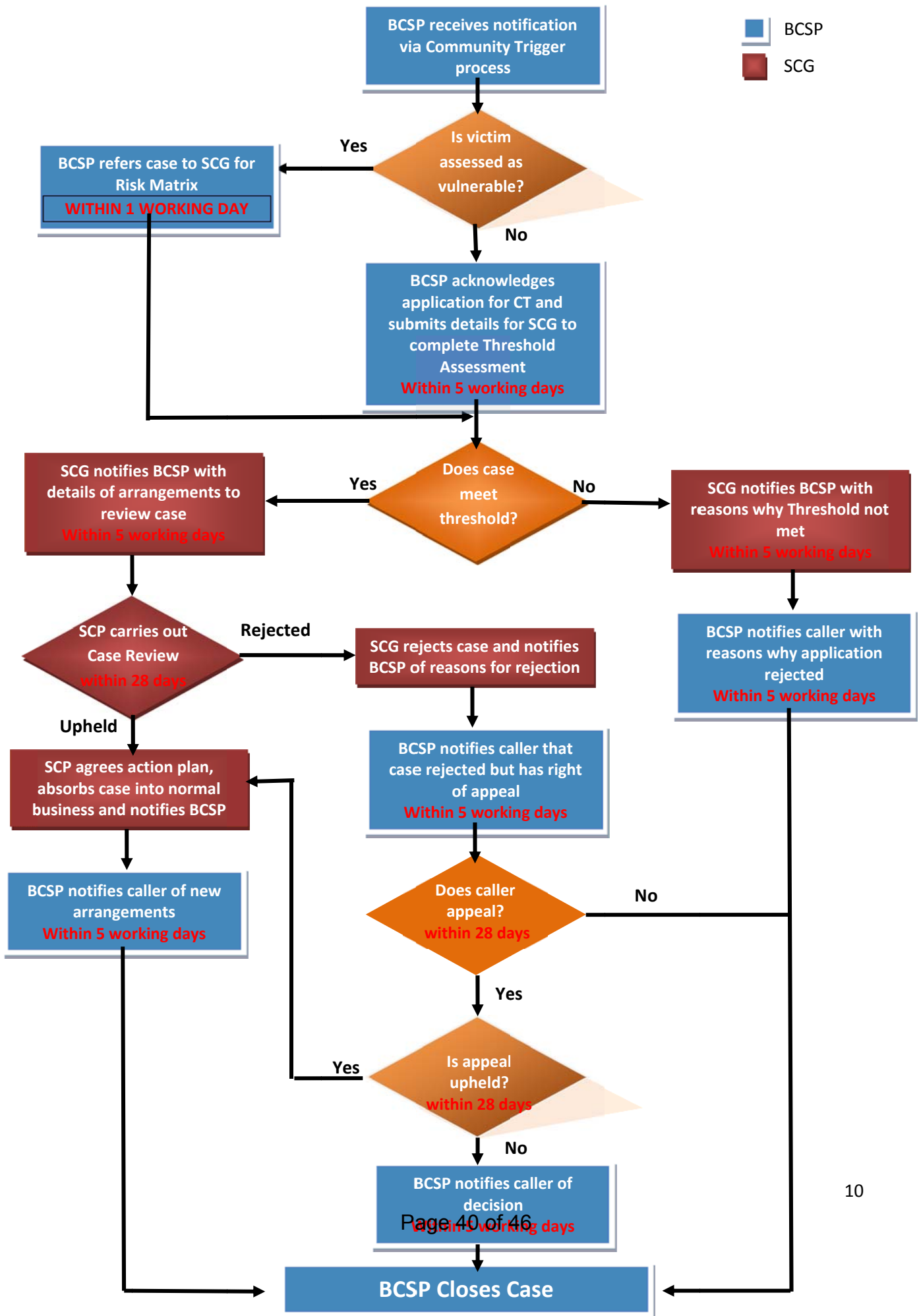
Any appeal will be reviewed by;

- the Assistant Director of Equalities, Community Safety and Social Cohesion, and / or
- the Service Director of BCC Housing Landlord Services.

If the case involves an RP, this responsibility will fall to a senior representative of a BSHOP partner. They will provide a further level of scrutiny to assess the group's response, including any activity proposed and will then liaise with relevant partners and applicants. The BCSP will inform the victim of the final decision.

Dip samples and case reviews may undertaken in the early stages after the Community Trigger comes into force to gather any learning and assess the process.

COMMUNITY TRIGGER PROCESS MAP



CASE STUDY

The first Community Trigger activation in Birmingham took place in November 2014. It contained an allegation of racism and therefore passed the Threshold and was accepted as a full case. The following is a summary of the report prepared by the SCG Vice-Chair, Jonathan Antill (Housing Landlord Services, Birmingham City Council) after the review panel with some recommendations for future activations.

The Community Trigger panel convened at the end of the Safer Communities Group meeting in the South on 24 November 2014 (11:30-13:00 hours). Present were:

1	SI	West Midlands Police	Partnerships Inspector	Panel Chair
2	GC	Birmingham City Council	Senior Service Manager	Panel
3	SC	Midland Heart Housing Association	Operations Manager	Panel (Independent)
4	JA	Birmingham City Council	Safer Communities Team Leader	Panel
5	KF	Birmingham and Solihull Women's Aid	Think Family Worker	Presenting Officer
6	CP	Bromford Housing Association	Think Family Manager	Support to Presenting Officer
7	NP	Birmingham City Council	Local Housing Manager	Presenting Officer
8	PC JK	West Midlands Police	Police Constable	Presenting Officer
9	AT	Birmingham City Council	Safer Communities Officer	Technical support
10	AN	Birmingham City Council	Safer Communities Officer	Minute-taker

The Panel agreed that the issue met the requirements for activation of the Community Trigger. The complaint focused on two areas:

- 1) A feeling of not being supported;
- 2) No wish to move home but instead wanted the ASB to be addressed and be able to settle down.

Reports were received from: Birmingham City Council's Local Housing Team responsible for addressing anti-social behaviour; the Brandwood Neighbourhood Policing Team representing West Midlands Police and; Birmingham & Solihull Women's Aid acting in their capacity as an Intensive Family Support provider for the Think Family programme. The reports contained details of: all complaints made by the victim; complaints made about their behaviour; the support offered; investigation process; and the interventions taken.

Decision:

- 1) The Panel unanimously agreed that adequate support had been offered to the victim and her family throughout the duration of the investigations. A vast majority of the support mechanisms suggested to the victim are voluntary and therefore require her consent and active engagement. Most importantly, there is current Think Family Intensive Family worker who is leading an fCAF (Family Common Assessment Framework) with the family to identify their needs and identify appropriate intervention.
- 2) The Panel also considered that appropriate investigations into all incidents have been correctly conducted by Birmingham City Council and West Midlands Police in order to address the anti-social behaviour. This has included the use of CCTV evidence, door-knocking, statement taking and evidence from partner agencies such as Schools. There are clear recorded outcomes for all incidents and feedback provided to the victim and her family.

There was a concern from the Panel that all agencies working with the victim stated that she was motivated by a desire to move home, yet the Community Trigger complaint clearly stated that this was not her intention.

Actions:

It was highlighted that none of these actions related to a lack of intervention previously by any of the involved agencies, however they are ongoing actions to support the family and to prevent further ASB.

1. Birmingham City Council to review the live Homeless Application made by the victim in October 2014 and to clarify whether there really is a wish to move or not.
2. Birmingham City Council to conduct an investigation into the new allegations of antisocial behaviour made by the victim on 20 November 2014 at 16:11 hours. This has been allocated to LH (a Housing Officer) to investigate and contact has already been attempted with the victim.
3. All agencies to adopt a multi-agency approach to the fCAF and support the officer to fully implement.
4. West Midlands Police to continue investigating the live criminal report.
5. The victim and her family to continue engaging with the Think Family process and attend all arranged appointments.

General Community Trigger recommendations by Panel members:

Due to this being the first Community Trigger panel convened in Birmingham, there were a number of recommendations made to help shape future Community Trigger activations:

1. There needs to be a clear Community Trigger form for the complainant to complete, in their own words, regardless of whether they telephone or use the website to active the Trigger via BCSP.

- BCSP did not agree, seeing a form as a potential barrier to a vulnerable victim.
2. 1-2 days for the Chair of the Safer Communities Group meeting (often a Police Inspector) to confirm whether a complaint meets the Trigger threshold is not sustainable, especially if the nominated person is on leave, off shift, or tied up in commitments for that period. This part of the process needs to be reviewed.
 - The timeline was changed.
 3. The reports from each agency involved in the case need to be prescriptive to avoid information overload, personal opinions, and aspects not relevant to the original Trigger complaint. All reports from Officers need to be consistent across the City.
 4. The Panel need clear questions to answer when considering their decision to ensure that all Trigger complaints are dealt with consistently and that BCSP receive standardised feedback for the complainant.
 5. The Panel took one and a half hours in total to hear all summaries of the reports, ask relevant questions of the reporting officers, and for the Panel to review and agree the outcomes. This approach would not be viable should there be more than one Trigger in an area.
 6. The complainant in this case was a persistent / malicious complainer – we must have safeguards in place to review these sort of issues outside of a full panel hearing approach.
 7. Should the matter now refer down to the Safer Communities Group meeting to track the above actions accordingly as standard practice, or is there another procedure in place for this?
 8. How do we inform the Presenting Officers of the decision and actions – is this done through the Panel or by BCSP?

Points 3-8 were discussed with BCSP and agreements made. However, it was noted that this was the first CT case and lessons would be learned with later activations.

ASB Steering Group Terms Of Reference

Aim

The aim of the ASB Steering Group is to oversee the development and implementation of the ASB strategy, provide senior management oversight of policy and direction, and provide a forum for partnership working on complex matters.

Objectives

The objectives of the Birmingham ASB Steering Group are to:

- monitor the implementation of the 2014 Anti-Social Behaviour Policing & Crime Act, including the new duties, particularly the Community Trigger
- maintain an overview of the implementation of the Birmingham ASB Strategy
- ensure the effective working arrangements for tackling ASB and for supporting victims and witnesses
- provide support to local partnership arrangements as set out in the ASB strategy in addressing complex or difficult cases and issues
- ensure the proper use of any funding or grants allocated to initiatives which further the aims of the group
- facilitate reports to stakeholders on ASB in Birmingham as and when required
- ensure all statutory duties relevant to tackling ASB are fulfilled, including information-sharing, equalities and human rights obligations.

Membership

The membership of the ASB Steering Group is attached at Annex A.

Meetings

Meetings will usually be held bi-monthly, though the Chair can commission ad hoc working groups to consider particular areas of business.

Review

The Terms of Reference will be reviewed at the first meeting in the September / October period of each year.

MEMBERSHIP

Name	Agency
Baz Javid (Chair)	WM Police
Claire Berry (Vice-chair)	Housing Landlord Services, Birmingham City Council
Alan Brown	Victim Support
Alan Moorhouse	Birmingham Social Housing Partnership
Claire Veitch	CRI, Team 6 ROR Manager - Criminal Justice, Womens Service, Open Access
Geoff Taylor	Equalities, Community Safety & Cohesion
Gurdeep Hanspaul	Victim Support
Harry Stanton	WM Police, Partnerships Team, Data Analyst
Hilary MacPherson	Legal, Birmingham City Council
Lee Gordon	British Transport Police
Mark Croxford	Regulatory Services, Birmingham City Council
Mashuq Ally	Assistant Director, Equalities, Community Safety & Cohesion
Rahila Mann	Equalities, Community Safety & Cohesion
Reg New	CENTRO ASB Team Manager
Sue Brookin	WM Fire Service
Tom Dobrovic	WM Police, Partnerships Team
Trevor A Brown	Head of Youth Offending Service, Birmingham City Council
Interim Members	
Karen Greasley	WM Police, Partnerships Team
Pete Henrick	WM Police
Phil Cape	WM Police

USEFUL LINKS

Birmingham City Council
<http://birmingham.gov.uk/>

Birmingham Community Safety Partnership
<http://birminghamcsp.org.uk/>

Bromford Housing Association (RP)
<http://www.bromford.co.uk/>

Castle Vale Community Housing Association (RP)
<http://www.cvcha.org.uk/main.cfm>

Midland Heart Housing Association (RP)
<http://www.midlandheart.org.uk/>

West Midlands Police
<http://www.west-midlands.police.uk/>

West Midlands Police and Crime Commissioner
<http://www.westmidlands-pcc.gov.uk/>