ABSTRACT: This report asks Members to note the Service Level Agreement between Angus Council and Angus Community Mediation Service which agrees the provision of mediation services as is mandatory through the Anti-Social Behaviour (Scotland) Act 2004.

1. RECOMMENDATION(S)

1.1 It is recommended that the Committee:-

(i) note the contents of this report;

(ii) approve the exemption from procurement requirements of the continuation of the SACRO arrangement to allow competitive tendering to be undertaken (as set out in Section 4);

(iii) approve the deadline of 31 March 2012 for the procurement exemption (as set out in Section 4);

(iv) note that a further report will be brought forward to a future Committee setting out the procurement process and seeking the appropriate procurement authority; and

(ii) note the ongoing work of the Joint Services Team and Angus Community Mediation in the resolution of antisocial behaviour in Angus.

2. BACKGROUND

2.1 Community Mediation is one of a range of measures provided by Angus Council and its partners in tackling antisocial behaviour and/or settling neighbour disputes. Mediation assists parties involved to reach an agreed solution to the problem without the need for further enforcement measures.

2.2 Since 2004, Community Mediation in Angus has been delivered by SACRO, initially through funding provided by the then Scottish Executive to tackle antisocial behaviour and latterly through the budget of the Community Safety Team.

2.3 The service is available to all residents of Angus, who can be referred through any Angus Council Department, Tayside Police, NHS Tayside and Tayside Fire and Rescue or who can refer themselves to the service directly.

2.4 The service enables service users to resolve neighbour disputes, thereby improving the quality of life for people affected by antisocial behaviour in Angus.

3. CURRENT POSITION

3.1 Angus Community Mediation has provided early intervention and resolution in over 80 cases annually.

3.2 Angus Council has a duty to have an Anti-Social Behaviour Strategy under s.1 of the Anti-social Behaviour etc (Scotland) Act 2004. The Angus Community Safety & Anti-Social Behaviour Strategy 2009-2012 identified the need for providing support, guidance and intervention methods to people affected by neighbour disputes and other forms of antisocial behaviour. The mediation service makes up part of the published Angus Council Antisocial Behaviour Policy.
3.3 SACRO have provided a measurable and effective mediation service for the residents of Angus. They have provided Angus Council and its partners with yearly reports detailing the number of cases addressed and closed and hold quarterly advisory meetings to ascertain areas for development.

3.4 The Service Level Agreement for year 2011/12 has been reviewed by Angus Council Law and Admin Department.

4. EXEMPTION FROM FINANCIAL REGULATIONS

4.1 To allow time for a full compliant competitive tendering exercise to be carried out, an exemption from procurement requirements is being sought to allow the current arrangement to continue to 31 March 2012. A further report will be brought forward to a future Committee setting out the procurement process and seeking the appropriate procurement authority.

4.2 As required by the exemption scheme, the Exemption Co-ordinator was consulted and has approved the exemption under Financial Regulations Exemption Clause (FR 16.24.10): (d) temporary supply one year max pending full competitive tendering exercise. As the value of the arrangement with SACRO is above the Exemption Co-ordinator’s delegated authority limit however, his approval was on a consultation basis only and recommended that the exemption be for a maximum of 12 months to allow the tendering exercise to take place.

4.3 Members are now asked to consider and approve the exemption from Financial Regulations and to set a limit to the exemption of 31 March 2011 as this allows sufficient time for the tendering exercise to be concluded.

5. FINANCIAL IMPLICATIONS

5.1 The funding provided to SACRO for the continued work of Angus Community Mediation for year 2011/12 is £54,402. This marks a reduction in the funding provided to SACRO of £10,000 and is part of the plan of spending cuts mapped out by the Joint Service Team. Since funding for the investigation and resolution of antisocial behaviour is no longer ring-fenced by the Scottish Government, provision has been made within the Community Safety budget for this funding.

6. HUMAN RIGHTS IMPLICATIONS

6.1 There are no human rights implications arising from this report.

7. EQUALITIES IMPLICATIONS

7.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective. An equalities impact assessment has been undertaken.

8. ANGUS COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT

8.1 This report contributes to the following local outcome contained within the Single Outcome Agreement for Angus:-

- Our communities are safe, secure and vibrant.

9. CONSULTATION

9.1 The Chief Executive, Director of Corporate Services, Head of Finance and Head of Law and Administration have been consulted in the preparation of this report

10. CONCLUSION

10.1 Access to an independent mediation service in Angus is agreed in the Angus Council Antisocial Behaviour Policy. The current review of how this service continues to be funded and supplied will result in further reduced costs in future years.

RON ASHTON
NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

Hsg/NS/AMcK/ID