

DURHAM COUNTY COUNCIL

SAFER AND STRONGER COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

At a Meeting of **Safer and Stronger Communities Overview and Scrutiny Committee** held in **Committee Room 1A/1B, County Hall, Durham** on **Tuesday 22 September 2015** at **9.30 am**

Present:

Councillor D Boyes (Chairman)

Members of the Committee:

Councillors J Armstrong, J Gray, M Hodgson, G Holland, J Measor, T Nearney, P Stradling, F Tinsley, J Turnbull and C Wilson

Co-opted Members:

Mr J Welch

Co-opted Employees/Officers:

Chief Superintendent G Hall

1 Apologies for Absence

Apologies for absence were received from Councillors J Charlton, S Forster, C Hampson, J Maitland, N Martin, K Shaw and S Errington.

2 Substitute Members

No notification of Substitute Members had been received.

3 Minutes

The Minutes of the meeting held 19 June 2015 were agreed as a correct record and were signed by the Chairman.

Chief Superintendent G Hall noted for the Committee's information that at a recent meeting involving the Lord Chancellor and Secretary of State for Justice, Michael Gove MP a "wholesale review" of Youth Offending Services (YOS) was mooted.

The Overview and Scrutiny Officer, Jonathan Slee noted that an update report regarding the County Durham YOS was set out in the Committee's work programme and that, in relation to the Alcohol Harm Reduction Strategy, the views of the Committee had been fed back into the Alcohol Harm Reduction Coordinator. Members noted that in relation to the Quarter 4 Performance Report, the typographical error had been corrected.

The Overview and Scrutiny Officer added that dates as regards Wise Drive events would be circulated to Members and that in relation to the Committee's report on Organised Crime, the report had been received at Cabinet last week and would be presented to the meeting of the Safe Durham Partnership next Tuesday.

4 Declarations of Interest

There were no Declarations of Interest.

5 Any items from Co-opted Members or Interested Parties

There were no items from Co-opted Members or Interested Parties.

6 Media Relations

The Overview and Scrutiny Officer referred Members to the recent prominent articles and news stories relating to the remit of the Safer and Stronger Communities Overview and Scrutiny Committee (for copy see file of minutes). The articles included: Police in Durham and Cleveland carrying out seatbelt checks as part of a national campaign; reporting of the Committee's Organised Crime review, including the Chairman being a guest on Star Radio to discuss the report; and reports relating to £14,000 worth of fines issued in County Durham as regards littering.

Resolved:

That the presentation be noted.

7 The City Safety Group

The Chairman thanked the Corporate Director of Neighbourhood Services, Terry Collins who was in attendance to speak to Members in relation to the work of the City Safety Group (CSG) in connection with Riverside Safety (for copy see file of minutes).

The Committee were reminded of the background to the establishment of the CSG, with the Corporate Director also being Chairman of the Group. It was noted that there had been 56 incidents between January 2010 and March 2015, with 6 fatalities, 3 of which were students, over a 14 month period. Members were informed that alcohol had been considered a contributory factor in 4 of the fatalities and it was noted that parents of one of the students that had died had discussed being safe near the river prior to attending university. Members were reminded that while the most recent incidents had involved students, safety within the City was an issue that affected all residents and users of the City.

The Corporate Director reminded the Committee of the significant media interest at local, regional and national levels and that there had been potential for reputational damage and, more importantly, further incidents. Accordingly, the CSG was established, with the first steps being to gather together all stakeholders to be able to carry out actions to help mitigate risks to the public.

Members noted that the Corporate Director had met with the Superintendent Andy Huddleston of Durham Constabulary to discuss issues and to see if there were any obvious “blind spots” in respect of safety, particularly in connection with the river. It was noted that each of the incidents had their own individual circumstances and there was no single solution to mitigate all potential risks, accordingly a multiagency approach was required. Councillors noted that the CSG quickly agreed upon a shared commitment and urgency to improve safety in the city centre and to reduce the risk of further fatalities or near misses in the river.

The Committee were reminded that Durham was a safe city noting large events such as Lumiere which attract large numbers of visitors to the city, in the region of 170,000, and these have passed with no significant issues. Members were reminded however that unfortunately Durham was not alone in respect of issues with rivers and waterways, with other cities such as Bath, York, Norwich and Manchester also having a number of tragic incidents over the last few years.

Councillors were reminded that the CSG adopted a multiagency approach and partners included: Durham County Council (DCC); Durham Constabulary; Durham University; Durham Cathedral; Durham Students’ Union; and liaised with interested parties, such as the various riparian landowners. It was noted that the approach that was taken by the CSG had been recognised by the Royal Society for the Prevention of Accidents (RoSPA) as an example of best practise.

It was explained that in the short-term a number of actions had been taken, including: a student volunteer group; guardianship arrangements; riverside assessment; “Durham Street Lights” support; education and awareness; taxi arrangements; alcohol retail training; a night bus service; communications/briefings; a planned breathalyser pilot; and creating a “safe haven” area.

Members noted that an important step had been to commission RoSPA to undertake an independent review of safety, to encompass all aspects within the City, not just riverside safety. It was added that RoSPA worked with key stakeholders and looked at the experiences from other cities across the country. Councillors noted RoSPA reported back their findings and these were taken into account by the CSG.

The Committee noted that the CSG supported Durham Street Lights, a volunteer group patrolling the city centre on Saturday evenings assisting vulnerable people. It was added that the student volunteer group pilot had recently been reviewed, with the University looking at its responsibilities to those volunteers, noting a number of complex issues.

Members learned that working with licensed premises had been particularly successful with improved guardianship arrangements: raising awareness of identifying vulnerable people; new equipment to enhance communication across the city; volunteers were notified of any individual refused entry to a licenced premises. Councillors were reminded that issues with a particular establishment had been dealt with via other methods, working with Durham Constabulary and the DCC Licensing Team. It was added that in relation to breathalysers, there had been a 3 month pilot scheme agreed with 6 premises having been involved, the scheme currently being evaluated.

The Corporate Director explained that there had been useful work carried out with the University and the Students’ Union in respect of education and raising awareness of risks.

Members learned that a £50,000 Public Health grant had been secured to develop a student peer-led educational awareness campaign focusing on social norms and personal safety. It was added that a 3 year social marketing campaign would include a series of initiatives and activities to raise awareness and promote personal responsibility and wellbeing. Councillors noted that campaigns would launch at key dates in the student calendar, including “Freshers’ Week”, now known simply as induction week, to look to inform students as regards the drinking culture and being responsible. Members noted an agreement between a number of taxi operators and the University to help vulnerable students who are unable to fund their journey home.

The Corporate Director noted in summary that there was no single solution to be able to prevent accidents, however a lot of good work had been carried out over a short period of time. It was added that while actions would continue to be monitored, there was a limit to what the CSG could do in terms of safety. It was noted that there was an element of personal accountability and this would remain a key part of safety campaigns. It was reiterated that Durham was a safe city and the continued use of the excellent partnership approach already undertaken in Durham would help to maintain this.

Councillors were reminded of the review undertaken by RoSPA which looked at safety within the city, not just from a student perspective, and were informed of the identification of all relevant stakeholders and of the various site visits undertaken. Members noted that a feasibility study was developed from the implementation plan derived from the RoSPA report. It was explained that the feasibility study specified the extent of the physical works required and associated costs, with the CSG having then considered the feasibility study. The Corporate Director explained that the RoSPA review had only identified 1 high risk area, alongside the river between Prebends Bridge and Framwelgate Bridge. Members were referred to a number of slides showing photographs of areas where works were undertaken to improve safety, including: upgrading existing fencing; installing new fencing; improved Public Rescue Equipment (PRE); upgrades to footpaths; additional lighting; improved signage; and riverbank erosion prevention. It was noted that as the City was within a conservation area, and contained a World Heritage Site there had been a need for a pragmatic approach that was not reactionary, that gave careful consideration to the views of stakeholders and landowners. The Corporate Director explained that around 75% of the works related to fencing, with the remainder being split between lighting, footpaths, drainage, PRE, and signage. Members noted the works were in the order of £250,000, split between the Council, Durham University and Durham Cathedral.

The Committee noted, in summary, that a lot of work had been undertaken over a short period of time and had been carried out in partnership with the relevant authorities and organisations. It was reiterated that the approach had gathered national recognition and that as there was not one solution to river safety, a collective approach was required. Members noted that while there could be incidents in the future, the work undertaken meant that Durham continued to be a safe city in which to work, study and live. Councillors noted that RoSPA would be providing an updated assessment in October, and it was hoped that the high risk area that had been identified would no longer be categorised as such. It was noted that there were the wider ongoing concerns of “preloading” and cheap alcohol being available, these already being issues the Committee had expressed concerns with.

The Corporate Director concluded by noting that the CSG had met recently, 18 September, and work was continuing, most notably in terms of preparation by partners in respect of the upcoming induction week for new students arriving in Durham.

The Chairman thanked the Corporate Director, noted the positive work of the CSG and other partners, and asked Members for their questions.

Councillor J Armstrong noted that a lot of valuable work had been undertaken and agreed that the availability of cheap alcohol, notably in the city centre, was an issue. The Chairman agreed, adding that cheap alcohol and preloading were issues the Committee had discussed on several occasions.

Councillor T Nearney thanked the Corporate Director and all those involved in the work and asked whether there were any plans for a replacement volunteer group. The Corporate Director noted that the Students' Union were in the process of developing a volunteer group and DCC would provide support and experience to the Students' Union.

Councillor M Hodgson noted that minimum unit pricing (MUP) for alcohol would have helped to curb the prevalence of preloading, had it been agreed at a national level by Government.

Councillor G Holland commended the work of the CSG, and the work of the Corporate Director in his role as Chairman of the Group. Councillor G Holland informed the Committee that the University now had a new Vice-Chancellor, effectively the Chief Executive role at the organisation, and that it would be advantageous for the Corporate Director to meet with the new Vice-Chancellor to be able to give a first-hand account of the work already undertaken and to discuss future activities. The Corporate Director thanked the Councillor for the suggestion, and added that the initial meetings involving the Council, Durham Constabulary and the University had raised a number of sensitive issues, and in working with the University a number of successful actions had taken place including: the University now having an alcohol policy and working with the Students' Union to discuss alcohol related activities, such as the "Lumley Run", with suggestions of making it a more fitness focussed event rather than alcohol based, replacing the alcohol element with soft drinks.

Councillor F Tinsley asked whether consideration had been given to safety in areas alongside the River Wear outside of the city centre, as tragically there had been fatalities in other parts of the County. Councillor F Tinsley also noted that preloading was an issue and that MUP had not been grasped in England as it had in Northern Ireland, with the Northern Ireland approach being as similarly proactive as their approach in terms of tackling psychoactive substances. The Chairman noted that the Committee had forwarded support for MUP to Government in 2013, and would continue to support the issue. The Corporate Director noted that areas outside of Durham City had been considered, with all areas of water within the County having been assessed. It was explained that consequently 20 riparian landowners had been contacted via letter to explain their responsibilities in this respect.

Mr J Welch noted the safety works undertaken and asked whether there were emergency procedures in place to be able to promptly repair any damage from flooding, or whether the issue would be simply placed onto a normal priority list for repairs. The Corporate Director noted that there were procedures to close off the riverside footpaths if the river was in spate and there were also other issues to consider, such as fallen trees in the river, and the Authority together with the University and Cathedral would address these, and any repairs, as necessary.

The Chairman thanked the Corporate Director and noted the Committee would wish for a progress update to be included within the Committee's work programme

Resolved:

- (i) That the contents of the report and presentation be noted.
- (ii) That an update report be presented to a future meeting of the Committee.

8 County Durham Road Casualty Reduction Forum

The Chairman introduced the Strategic Traffic Manager, Regeneration and Economic Development, Dave Wafer and Acting Superintendent, Cleveland and Durham Special Operations Unit, Alison Jackson who were in attendance to speak to Members in relation to the County Durham Road Casualty Reduction Forum and Road Casualties in 2014 (for copy see file of minutes).

The Strategic Traffic Manager explained that the number of incidents fluctuated and, given the relatively low numbers of incidents, it was more useful to look at trends in connection with road user casualties. Members learned that number of road user casualties in 2014 was 1,585, 16% higher than in 2013, however, this was 21% fewer than the baseline average of 2,011, determined from the figures over the period 2005 to 2009. The Committee were informed that of those casualties, 182 were either killed or seriously injured (KSI) and this was a decrease of 9% from 2013, and 16% fewer than the baseline average. It was added that the number of road deaths decreased from 28 to 17 from 2013 to 2014, and this represented a 26% reduction in comparison to the baseline average. The Strategic Traffic Manager explained that total number of child casualties, in the age range 0-15 years old, had increased from 134 in 2013 to 252 in 2014. It was noted this was also an increase from the baseline average, though it was explained that one specific accident in July 2014 had resulted in 86 child injuries.

Members noted that the general trends, excluding the child injuries, were positive, though it was noted that 2015 was showing an increased number of fatalities. It was explained that County Durham compared favourably nationally when looking at the number of casualties per members of the population and also the number of casualties per number of miles travelled. It was added that if the incident involving 86 children was removed from the figures then there would have been a downward trend.

Councillors noted a breakdown of casualties and KSIs, noting the overrepresentation of "vulnerable" road users in terms of injury, for example cyclists comprising 1% of road users and being 5% of all casualties, and with safety improvements to motorcars meaning that the number of KSIs involving car occupants was less than half the total number of KSIs. The Committee learned that decreasing trends in 2014 included: the severity of motorcycle casualties had reduced from the baseline average; the number of pedestrian casualties; the number of car occupant fatalities had decrease by 5 from 2013; and there had been no pedal cyclist fatalities. In relation to increasing trends in 2014, Members noted: bus occupant casualties had significantly increased, again in the context of one incident accounting for 87 injuries; there had been 103 additional car occupant injuries in comparison to 2013, though the number of car journeys had increased; and the numbers of pedal cyclist injuries had increased, again in the context of more people choosing to cycle.

The Strategic Traffic Manager explained that partners worked together to help spread the messages of road safety and that a more detailed breakdown of road casualty figures was included within the presentation for Members' information.

The Acting Superintendent thanked the Committee for the opportunity to give Members information on the work of the Cleveland and Durham Specialist Operations Unit and partners. It was explained that all involved worked hard to: tackle criminality; keep people safe; and increase public confidence. It was noted that the priorities of the County Durham and Darlington Road Safety Partnership was to address the "fatal four" of: speed; distraction; drink/drug driving; and restraints. The Acting Superintendent explained that distraction was a major issue and that mobile phone use while driving was likely more prevalent than currently thought. Members were informed that Police Officers from the Unit now had the capacity to test for illegal substances at the roadside, and there had been a high number of arrests since the legislation came into effect. It was explained that there were a number of vulnerable/high risk road users, including: pedestrians; cyclists; older drivers; younger drivers; "powered 2 wheelers"; and children.

It was explained that the Police and Crime Commissioner, Ron Hogg, had several community priorities within his Police and Crime Plan 2013-17 that linked to the work of the Specialist Operations Unit, namely: to tackle anti-social behaviour; to tackle the harm caused to individuals and communities by alcohol and drugs; to improve road safety; and to make policing services visible at all times. Members were reminded that there were a large number of activities undertaken in respect of road safety, with local events as well as participation in national campaigns, a list provided to Members within the presentation. Councillors noted a number of future planned campaigns and operations that looked to educate the public and work with partners such as the Council's Trading Standards Officers.

The Acting Superintendent informed the Committee of the enforcement/achievements for the Durham force area: 4,025 offences detected by the Safety Camera Unit in respect of excess speed; 1,054 motorists issued with Traffic Offender Reports for endorsable traffic offences; 266 motorists issued with fixed penalty notices (FPN) for non-endorsable offences; and 423 motorists issued with Vehicle Defect Rectification Forms. Members learned that between 8 March 2015 and 1 August 2015, 59 blood test submissions had been made, subsequent to arrests made. Councillors were reminded of an incident in Spennymoor where a young driver had sped through the town at speeds of 90mph, the offender having been sentenced to 3 years in a Young Offenders Institution.

The Committee was informed of education initiatives that included the Police working with partners such as Local Authorities, the Fire Service and Ambulance Service, such as the successful Bike Wise, Bike Safe and Shiny Side Up events that had helped in reducing the number of severe incidents involving cyclists and motorcyclists. Members noted that other activities included: Community Speed Watch; the National Citizen Programme; EXELerate; and the National Driver Offender Retraining Scheme (NDORS). It was explained that it was important to educate in order to try to change behaviours and to help prevent incidents in the future. Councillors were asked to note future events that were planned, including the Wise Drive events being held between 5 and 23 October and the "#DeadDrunk" campaign regarding the safety of individuals that walk home after a night out involving alcohol, highlighting the importance of individuals thinking about how they would get home after a night out.

The Acting Superintendent noted that all fatal road traffic collisions would have an associated in-depth investigation and Officers from the Local Highways Authority would be involved in determining whether the road environment was a contributing factor in any incident and whether any engineering solutions would be appropriate for a location.

In conclusion, it was added that another aspect of the work carried out by the Police was to enhancing public confidence, by having uniform patrols during key times and to ensure that there was a visible presence of Road Policing Unit Officers to give members of the public reassurance.

The Chairman thanked the Strategic Traffic Manager and Acting Superintendent and asked Members for their questions.

Councillor C Wilson noted that it was good to note that coach accidents were not prevalent, however, asked for clarification as regards seatbelts being fitted to coaches and buses. The Strategic Traffic Manager noted that it would be for National Government to legislate in respect of the fitting of seatbelts to public transport, however it was noted that public transport was very safe, and that in cases where people have been more seriously injured it has been when they have been standing, rather than seated.

Councillor J Armstrong asked whether it was thought use of hands-free equipment to make telephone calls was also a distraction to drivers. The Acting Superintendent noted that it was likely as a distraction, however, this was again an area to be researched and if it was an issue, then for the Government to legislate to allow the Police to act upon accordingly. It was added that the Acting Superintendent was not aware of any such research, and from a Police perspective the use of mobile telephones in people's hands was an issue, with the driver then not being in proper control of the vehicle.

Councillor J Armstrong noted correspondence he had received in connection with raising a speed limit from 30mph to 40mph at a location in his Electoral Division, and asked why such an increase would be proposed. The Strategic Traffic Manager noted that in some areas 30mph limits were not effective and research had shown that compliance often had to do with the environment and where areas were "built-up", with signage often secondary in terms of encouraging compliance. It was added that where appropriate if there is not an environment that encourages compliance, then engineering solutions may be required, however there was a need for the full range from education to enforcement to engineering works to be able to help tackle road safety. Councillor J Armstrong added he felt that speed cameras were effective as they hit people in their pockets, which would be something most people would react to.

The Chairman noted he agreed with the Acting Superintendent as regards the prevalence of mobile phone use by drivers, citing an of a recent incident where a person who had been sending text messages while driving had crashed, and agreed that it was important to tackle the attitudes of some road users and to reinforce the message of safe driving.

Mr J Welch noted, as a wheelchair user, when he travelled by coach he would be helped and strapped in by the coach driver. He added that when he travelled by public service bus there would be no strapping, and wheelchair users would be located against a padded pillar, facing backwards down the bus and asked to engage their wheelchair's brake. It was explained that this would not prevent the wheelchair from moving about completely and Mr J Welch asked if Officer were aware of any planned legislation that may be looking to address the problem.

The Strategic Traffic Manager noted he was not aware of any planned legislation, adding that he thought it was also an issue of how a bus was driven, and was aware that bus companies provide training to drivers in this respect and as buses now tend to have cameras installed, it can be determined whether a driver or passenger was in error in relation to any incident or accident.

The Strategic Traffic Manager explained that if any areas of concern regarding bus routes was identified, the Council would try to address them, and provide feedback to bus companies as appropriate.

Councillor M Hodgson noted that trees and bushes encroaching onto roads and footpaths alongside roads can often hamper visibility and asked how such inspections were carried out. The Strategic Traffic Manager explained that the highway network was inspected regularly and hedge/verge trimming was carried out accordingly. It was noted, however, in respect of reoccurring issues, further actions such as removal of trees or bushes may be appropriate. Members were reminded that County Durham had a relatively large rural highways network and that in many cases the responsibility was not that of the Authority, rather the owner of the land in which the trees and bushes were located. In cases where signage was being obscured, it was explained that subject to the layout of a particular stretch of road, and any necessary legislation, it was possible to move the sign to another location.

Chief Superintendent G Hall asked whether there were any information relating to the outcomes of the 59 blood tests in respect of drug driving offences and whether the scale of the issue was not yet known. The Acting Superintendent noted she did not have the figures to hand regarding the tests, however, these could be obtained for information. It was added that in the past for suspected drink-drivers, it had been possible to administer a "fit test", however, this had not been possible for drug driving. The Acting Superintendent explained that the new roadside test could be administered and register a result within 8 minutes and that the scale of the issue would become more apparent as more test results come back. The Chairman noted that this may be something that could be incorporated into the performance monitoring statistics that are presented to the Committee. The Acting Superintendent added that funding had been secured to purchase the drug testing kits, however, they cost around £19 per kit, with the long established breathalysing equipment effectively cost 1p per kit.

Councillor F Tinsley commented that as most people now owned a mobile phone that it would be perhaps beneficial to have a requirement for cars to connect to phones in such a way that text messages were disabled, to prevent incidents as previously described. Councillor F Tinsley noted that there had been in the past a culture of drink-driving, prior to education on the issue, and added that now there appeared to be a culture of drug-driving and asked whether the numbers seen so far were felt to be "just the tip of the iceberg". The Acting Superintendent noted that the scale of the issue would begin to be determined, and added that it was important to have a media strategy and education programme in place to try and make a similar impact to that of drink-driving campaigns. It was added that it was important to be able to communicate to young people especially the consequences of drug-driving, to explain that young people can ruin other people's lives and, and indeed their own, through irresponsible actions.

The Chairman thanked the Officers again and reminded the Committee that the Police Interceptors television programme on Channel 5, which aired on Monday evenings, featured Officers from the Cleveland and Durham Specialist Operations Unit during the course of the current series.

Resolved:

That the contents of the report and presentation be noted.

9 Update on the implementation of Anti-social Behaviour, Crime and Policing Act 2014

The Chairman introduced the Neighbourhood Protection Manager, Neighbourhood Services, Ian Hault who was in attendance to give Members an update in relation to the implementation of Anti-social Behaviour, Crime and Policing Act 2014 (for copy see file of minutes).

The Neighbourhood Protection Manager reminded Members that the Chairman of the Safe Durham Partnership's (SDP) Anti-Social Behaviour (ASB) Group, Chief Superintendent Ivan Wood had given a presentation at the October 2014 meeting of the Committee and this was followed by a Members' Seminar in December 2014 on the new powers available under the Anti-social Behaviour, Crime and Policing Act 2014.

It was explained that the Neighbourhood Protection Manager had asked all the Lead Officers involved to provide information to allow an update for Members at this meeting. Councillors were reminded that there were a number of key powers and explained the progress being made in the implementation in those areas.

The Committee noted that the Community Trigger was a tool to be used by victims and communities to give a greater voice when they feel that no adequate action has been taken, with 5 activations having been made to date, although none of these have resulted in a panel being convened following a review. It was explained that a Community Remedy document for County Durham and Darlington had been developed, building upon the existing successful use of Restorative Approaches (RAs), with a strategic group already in place.

Members were reminded of Community Protection Notices (CPN) which could be used to tackle any behaviour detrimental to the quality of life in a community, which was persistent and unreasonable. It was added that a staged approach was operated and within the first 9 months since implementation there had been 450 warning letters issued with around a third of these resulting in official Notices, with 17% of the total resulting in Fixed Penalty Notices (FPNs) being issued. It was added that should any FPN in this regard not be paid, the Authority would always take court action. Members noted that CPNs started with few core areas, however now they were widened out to encompass issues such as: stray dogs; individuals and their ASB; and would be used in conjunction with other tools such as Statutory Notices from colleagues in the Council's Environmental Health section.

The Neighbourhood Protection Manager reminded Members that Public Space Protection Orders (PSPOs) had replaced several other powers, and this meant several "old" Orders were in the process of being updated to the new PSPOs. It was noted that PSPOs would require a level of consultation, proportional to the size of the area of the Order. The Committee noted that an Injunction to Prevent Nuisance and Annoyance was a new tool, available in the County Court for adults and the Youth Court for 10 to 17 year olds and Criminal Behaviour Orders (CBOs) had replaced Anti-Social Behaviour Orders (ASBOs). Members noted that to date, in relation to CBOs, there had been 4 successful applications, 5 failed applications, with 2 pending cases. It was added that some of the successful CBOs had been in relation to the fly-tipping and scrap metal collecting, with the CBOs meaning those individuals were now banned from those activities.

The Neighbourhood Protection Manager concluded by noting that another new power that had been made available was for Premises Closure Orders (PCOs), however none had been used in Durham, this being in line with expectations.

The Chairman thanked the Neighbourhood Protection Manager for his update and asked Members for their questions, the Chairman asking whether the message was getting across as regards the new powers available.

The Neighbourhood Protection Manager explained that the approach taken was to start small and expand once elements were put in place and working. It was added that this approach appeared to be working well and there had been a number of training sessions with partners and as people become more confident in use of the powers they should become more widely utilised. Members noted that the SDP would also be monitoring the implementation and usage of the new powers.

Chief Superintendent G Hall asked what learning points had been gleaned from the 5 CBOs that had failed. The Neighbourhood Protection Manager advised that this was a suite of tools and CPN's had been used effectively and that the level of evidence required at court was high, for two particular cases a specialist Lawyer would be utilised where they were being used for a new area. Chief Superintendent G Hall noted that ASBOs had been perceived as bureaucratic and that CBOs were meant to operate with a faster more streamlined process, and therefore asked whether this had been the experience. The Neighbourhood Protection Manager noted it was still early in the implementation of CBOs and both Courts and Authorities placing Orders were learning the processes and that they were part of a suite of tools and powers. It was added that an advantage of CBOs was that in addition to the Order stating you "should not do that", it can include directions to say "you should do that", for example attend treatment for substance abuse.

Councillor T Nearney asked whether it was felt the roll out of CBOs had been successful in County Durham, and what the experiences of other Local Authorities was in this respect. The Neighbourhood Protection Manager noted that Durham had particular successes in respect of s222 Injunctions and looked to use all tools and powers to the best advantage, where appropriate. It was explained that there were regional networks with other Local Authorities to look at best practice and to look to arrange wider training. Councillor T Nearney asked whether it was felt that CBOs were as effective as ASBOs. The Neighbourhood Protection Manager explained that they were one tool amongst many and they had their part to play.

Councillor G Holland noted that while it was possible to deal with ASB with retribution, however, issues were often fuelled by alcohol or substance misuse and therefore it was important to tackle these underlying issues, amongst others such as poverty, poor education and poor job prospects, in order to break the cycle of ASB. Councillor G Holland asked whether the approach of victim involvement and restorative justice was perhaps a method to provide a more positive solution. The Neighbourhood Protection Manager explained that ASB levels in the County had reduced and that the County was a very safe place to live. It was added that Community Remedy and RAs were important, citing the excellent track record in Durham already in respect of RAs. Members noted that the Authority and partners were looking to try and address the wider underlying issues through services such as: Checkpoint; First Contact, having referrals made for young people and their families to the correct professionals that are able to help; and the Multi-Agency Intervention Services (MAIS) for adults. An update on MAIS was also due at a future meeting. Councillor G Holland asked whether the numbers involved with such services were at levels that were manageable. The Neighbourhood Protection Manager explained that there were a number of services provided by a number of providers, with Lifeline having a significant number of clients involved.

Councillor F Tinsley asked whether the new powers available would be useful in being able to tackle ASB at private rented properties. The Neighbourhood Protection Manager explained that one aspect of some of the new powers was to be able to use them against “anyone who has influence” and that while some private landlords could present difficulties, the tools now in place may be able to help.

Resolved:

That the contents of the report be noted.

10 Progress of Recommendations following the Overview and Scrutiny Review of the Neighbourhood Warden Service

The Chairman thanked the Neighbourhood Protection Manager who was to provide an update in relation to progress of the recommendations of the Overview and Scrutiny Review of the Neighbourhood Wardens Service (for copy see file of minutes).

For context, the Overview and Scrutiny Officer noted that the review was carried out in 2013/14 and the review report and recommendations had been approved by Cabinet in April 2014. It was added that several of the recommendations had been completed, namely: 1, 5, 6, 8 and 9, with the Neighbourhood Protection Manager to provide Members with an update on those outstanding.

The Neighbourhood Protection Manager reminded Members that recommendation 2 related to “consideration be given for all Neighbourhood Wardens to undertake training to use restorative approaches as a tool to tackle problems within their role”. It was added that as at September 2015 all of the Team had been trained and a new Team Mentor was planned through the Restorative Approaches Strategic Group to provide support locally.

Members learned that recommendation 3 had included expanding communications of the work undertaken by Neighbourhood Wardens, including use of social media. The Neighbourhood Protection Manager explained that newsletter circulation had increased and that a range of press articles relating to Warden’s activities continued.

It was added that Neighbourhood Protection now had access to the Area Action Partnership (AAP) Facebook pages and posts relating to issues local to those AAPs were being posted.

The Committee were reminded that recommendation 4 referred to “Neighbourhood Wardens exploring development of locality based confidence plans in line with local priorities and also to contribute to area based confidence plans produced by Durham Constabulary”. The Neighbourhood Protection Manager explained that through the ASB Delivery Group, the Council leads on tackling environmental crime and this has a partnership focus.

Councillors noted recommendation 7 had noted that Service review the tools and powers from the Anti-social Behaviour, Crime and Policing Act 2014 to ensure that appropriate training was undertaken for staff and changes are communicated to residents, businesses and communities. The Neighbourhood Protection Manager noted the previous agenda item had referred to the new Act, and that Neighbourhood Wardens were at the forefront of utilising these new powers. Members were reminded that the new legislation was being implemented with a phased approach with new and innovative ways to utilise the legislation having been piloted and continuing to be developed.

It was added that Wardens were now utilising powers to speed up the Council’s response to putrescent waste which traditionally would have sat with Environmental Health.

The Chairman thanked the Neighbourhood Protection Manager for his update and asked Members for their questions.

Councillor M Hodgson asked what the position was in terms of Neighbourhood Wardens, in the context of reducing funds for Local Authorities and also asked if in future reviews examples of successes and achievements of the Wardens could be shared with Members. The Chairman reiterated that a seminar had been held in December 2014 as regards powers under the new Act, however, he agreed that it would be useful for Members to have updates as regards how the new Act was bedding in, and where there was scope for Members to add value to any process. The Neighbourhood Protection Manager noted he would be happy to come back to a future meeting of the Committee to provide and update for Members.

Councillor J Armstrong noted that in the context of continuing austerity measures set out by central Government there would be a need for Members to make hard choices in the future and also to set out which areas and services that they thought were priority areas that should be protected. Councillor J Armstrong noted that the Committee could choose to note that they believed that Neighbourhood Wardens were a priority and should be protected and that this be conveyed to the Executive. The Chairman asked the Committee and all agreed that the Neighbourhood Warden service was a valuable one and should be protected.

The Neighbourhood Protection Manager asked Members to note the successes in terms of fly-tipping involving a taskforce of partner organisations, with a designated Neighbourhood Warden leading on the issue. It was noted that the investigations and process were quite involved and staff having the time available to them in order to carry out this important work was crucial. It was added that since May 2015 there had been 44 prosecutions and around £25,000 in fines and costs awarded.

Councillors were informed that Neighbourhood Wardens were working with the National Farmers Union to tackle fly-tipping on private land with recent successes. Overall there has been a reduction of around a third in the number of fly-tipping incidents. It was added that there had been an increase in the number of white goods being fly-tipped and Officers would try to drill down as regards the reasons behind this.

Resolved:

- (i) That the contents of the report be noted.
- (ii) That recommendations from the Neighbourhood Wardens Review are now complete and require no further update report.
- (iii) That a response to the Portfolio holder is submitted from the Committee to recognise the value of the Neighbourhood Warden Service in the context of consideration of funding reductions from central Government and that arrangements be made for a Members Seminar on Neighbourhood Wardens to raise awareness of the service and implementation of ASB powers.

11 Quarter 1 2015/16 Performance Management Report

The Chairman introduced the Strategic Manager, Performance and Information Management, Children and Adults Services, Keith Forster and the Performance Manager, Durham Constabulary, Gary Pearson who were in attendance to speak to Members in relation to the Quarter 1 2015/16 Performance Management Report for the Altogether Safer priority theme (for copy see file of minutes).

The Strategic Manager, Performance and Information Management referred Members to the performance information as set out in the report and noted the Committee's earlier comments as regards having information in future relating to drug driving offences, and also highlighted the new indicators for those in drug and alcohol treatment.

The Chairman noted that Members had been given a tour of one of the new facilities operated by the new provider, Lifeline, and that Members would be able to comment further once the service had been in operation for 6 to 12 months.

The Strategic Manager, Performance and Information Management highlighted that the Multi-Agency Risk Assessment Conference (MARAC) referral rates had been considered low in comparison to other parts of the country and that an independent report had recommended that work was undertaken to identify repeat cases and improve referral figures.

It was noted that the key performance issues included a slight increase in the reoffending rate for young people in comparison to the same period the previous year, though it was noted that the trend over time has been of reducing reoffending rates for this cohort, and those that remained often having multiple complex issues. Another key performance issues with a slight underperformance in respect of the number of people completing alcohol and drug treatment, though it was noted, as previously mentioned, that the new provider, Lifeline, recently took over the service in April 2015

The Performance Manager, Durham Constabulary noted that there were a lot of positive indicators, with ASB and other crimes reducing, with Durham Constabulary forecasting an overall reduction in total crime by the end of 2015/16.

The Chairman highlighted the reduction in ASB, overall crime and theft offences and made specific reference to the Stronger Families Programme and the successful intervention with 1,320 families by the May 2015 target and the reward grant that has been gained.

Resolved:

That the report be noted.

12 Overview and Scrutiny Review Activity Updates

The Overview and Scrutiny Officer updated Members as regards Reducing Alcohol Harm, the 20mph Working Group and the Drug Treatment Centres Working Group.

It was noted that Scrutiny Officers were working to develop a scoping document for the Reducing Alcohol harm review and this would come back to Members in due course. It was explained that the 20mph Working Group would meet in October, this meeting was to consider a 20 mph policy and receive a progress update on schemes that are underway, with possible visits to coincide with National Road Safety Week in November.

Members were reminded that the Drug Treatment Centres Working Group had visited the facility at Peterlee and there would be a report at the October meeting.

Resolved:

That the verbal update be noted.

13 Police and Crime Panel

The Overview and Scrutiny Officer referred Members to the report setting out the main issues discussed at the last meeting of the Police and Crime Panel (for copy see file of minutes).

The Overview and Scrutiny Officer noted the main issues included:

- The appointment of Durham County Councillor J Allen as Chairman, and Darlington Borough Councillor S Harker as Vice-Chairman.
- The Police and Crime Commissioner's (PCC's) Annual Report 2014/15, and Panel's response.
- Presentations on delivering an efficient Policing Service and year end performance.
- Reports on HMIC Inspections, PCC Decisions Records and Commissioning Activity.
- The Police and Crime Panel Work Programme 2015/16.

Resolved:

That the report be noted.