

## **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 2, County Hall, Durham on **Monday 17 February 2020 at 9.30 am**

#### **Present:**

**Councillor D Boyes (Chair)**

#### **Members of the Committee:**

Councillors B Avery, A Bainbridge, A Batey, J Charlton, R Crute, C Hampson, S Iveson, H Liddle, D Stoker and J Turnbull

#### **Co-opted Members:**

Mr A J Cooke

#### **Co-opted Employees/Officers:**

Chief Fire Officer S Errington

#### **Also Present:**

Councillors P Crathorne, L Hovvels, P Jopling, M Simmons, O Temple and M Wilkes

### **1 Apologies for Absence**

Apologies for absence were received from Councillors G Huntington, B Kellett, J Maitland, E Mavin, J Stephenson, K Thompson and Mr Balls.

### **2 Substitute Members**

There were no substitutes.

### **3 Minutes of the Meeting**

The minutes of the meeting held on 9 January 2020 were agreed as a correct record and signed by the Chair.

In relation to item 7 the Overview and Scrutiny Officer informed the Committee that a response containing the views of the committee had been sent to the Chief Fire Officer regarding the County Durham and Darlington Fire and Rescue Authority Integrated Risk Management Plan (IRMP) Three Year consultation.

The Overview and Scrutiny Officer noted that a response containing the views of the committee had also been sent to Strategic Manager – Partnerships regarding the Safe Durham Partnership Plan 2020-25.

#### **4 Declarations of Interest, if any**

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.

Articles included “Fine for unlicensed scrap metal dealer” DCC website 6 February 2020 that related to a scrap metal dealer who was prosecuted and fined for not having a licence to trade in the material during an operation to crack down on unlicensed dealers. This related to item 9 on the Committee’s agenda that would be presented by the Consumer Protection Manager.

The second article was “Illegal tobacco – appeal to public to help stop kids smoking”, Northern Echo 21 January 2020. The article related to the Keep it Out campaign aimed at people in County Durham being encouraged to help stop local children from smoking by reporting the sale of illegal tobacco by dishonest shops or through private homes or ‘tab houses’ to the Police, Trading Standards or HMRC. This also related to item 9 on the Committee’s agenda.

Councillor Boyes was concerned that the scrap dealer mentioned in the media article that had been caught recently had been operating without a license for over two years. He thought these types of licenses were operated and monitored in the same way as taxi licenses.

Councillor Crathorne stated that she was unclear as to what the scrap metal licenses looked like so would not be able to tell whether a scrap metal dealer had a valid license or not.

Councillor Boyes was unsure how scrap metal licenses were displayed unlike taxi badges which were displayed in the vehicle.

The Overview and Scrutiny Officer agreed to circulate information to members.

## **7 Drug and Alcohol Recovery Service Update**

The Committee considered a report of the Director of Public Health, Adult and Health Services that provided Members with an update on the County Durham Drug and Alcohol Service (DARS) delivery.

The Chair introduced the Public Health Strategic Manager who was in attendance to give an update on DARS and share progress made to date since the last report that was presented in January 2019. The Public Health Strategic Manager informed the committee that the new contract that commenced in September 2017 had embedded well. Members were informed that in the last 18 months the DARS had established many new pathways that had transitioned more outreach workers to provide a more accessible, fully mobilised service.

The Public Health Strategic Manager notified the committee that the performance of DARS was reviewed on a quarterly basis by the Drug and Alcohol Strategy Group that reported to the Safer Durham Partnership. She explained that the service had formed pathways with Humankind that worked alongside Spectrum Community Health Community Interest Company (CIC) to deliver services.

As part of the new contract, the Public Health Strategic Manager explained that they had decommissioned three recovery centres but had kept three centres located at Whinney Hill, Consett and Stanley. The remodelled service included outreach provision to clients in the community rather than clients coming to them and the service was built around the family and young children. She added that a Health Needs Assessment (HNA) had also been carried out to look at the further needs of long-term opiate users.

The Public Health Strategic Manager noted that an inspection had been carried out by the Care Quality Commission (CQC) in 2018 that had ranked the service 'as requiring improvement'. Members noted that at the time of the inspection, the service was only four months into the new contract and still in the infancy stage. Members were informed that an action plan had been implemented and the next inspection was expected in March 2020.

The Public Health Strategic Manager informed the Committee that there were 3,035 clients by the end of quarter two and the number of successful completions was stable with several clients getting into recovery leading fulfilling lives. In addition, there were now 40 outreach workers across the County and clinical intervention covered areas that had no provision in the past.

The Public Health Strategic Manager advised the Committee that there had been pathways established with the Criminal Justice Network, prison service, the police and children and family services through the Youth Justice Service and had created better integration and partnership working. Members were advised that there were 121 clients being supported through the Criminal Justice Team which was a huge increase from the previous 35. In addition, 311 children and families had access to the service through the multi-agency safeguarding hub (MASH).

The Public Health Strategic Manager supported the significant developments within hospital settings in both the Lanchester and North Durham hospitals with recovery workers gaining access to hepatology, maternity services and paediatric wards with 100 new referrals made to the drug and alcohol team. In addition, there had been developments within the Primary Care Trust with the increase in prescriptions for gabapentin and in GPs offering flu vaccinations for clients with respiratory diseases and long-term conditions.

The Public Health Strategic Manager explained that a new Housing Solutions Outreach Worker had been employed to engage with people who were sleeping rough in Durham City that had led to them liaising with Housing Solutions for help. She noted that a harm reduction death group had been established to aim to prevent and reduce the number of deaths from substance misuse. Naloxone kits had been rolled out to vulnerable services to include families, carers and custody suites to counteract the effects of drugs when people overdosed. She added that a programme had been recognised for pharmacies to also give them out.

Councillor Charlton asked if there was capacity within the budget if the service engaged with more and more clients.

The Public Health Strategic Manager responded that the new model of working had enabled better provisions for the service to engage with service users but it had not brought in many more extra clients. She added that although the budget remained the same for this year and next, it was unclear how it would be funded in the future.

Councillor Bainbridge asked if the Outreach Worker was focused on working with rough sleepers in the Durham City area.

The Public Health Strategic Manager informed the Committee that the Outreach Worker was part of a bigger programme regarding rough sleepers that involved Housing Solutions that had success in getting people into homes. She added that the service had received funding from housing providers and the Outreach Worker reacted to specific work in Durham City but the programme looked at County Durham as a whole. She highlighted that the service also looked at people at risk of homelessness and not just those known to be rough sleeping so issues were picked up earlier and potentially referred to the Drug and Alcohol team if needed.

Councillor Boyes enquired as to what work was carried out with people in or coming out of prison who had drug and alcohol issues.

The Public Health Strategic Manager notified the Committee that Humankind had won the contract with prisons across the region to carry out work with people with drug and alcohol issues within the prison system.

The Service Manager, Humankind stated that Humankind and Spectrum Community Health CIC were integrated to interface better with people in and out of prison so that treatment was seamless and there were no gaps.

The Public Health Strategic Manager noted that the prison outreach worker worked with the health worker to ensure there were strong links into the prison.

Councillor Turnbull was disappointed that due to GDPR a Councillor could not find out the progress or outcomes of a person who they had referred to housing. He noted good work undertaken by the Drug and Alcohol Recovery Service but was concerned at the number of needles and drug paraphernalia that was dumped in villages. Cllr Turnbull asked how this could be prevented.

The Service Manager, Humankind responded that if the problem areas were reported, the service could respond by examining how things could be done differently like adding additional bins or needle exchange sites. He added that through partnership working, education could also be provided to users in those areas to the dangers of dumping needles. He noted that this multi-pronged approach would take time but could be achieved.

Councillor Boyes requested some form of update to be given to Councillors on people who were rough sleepers that were helped by Councillors.

The Public Health Strategic Manager stated that an update for Councillors may be difficult due to GDPR as they did not set regulations on this area. She agreed to forward concerns raised by Members to the services involved and explore if options were available within regulations to provide feedback to Councillors.

Councillor Temple praised the good work that had been covered in the report and said that the North East had some of the highest rates of deaths from drug misuse in the country which were roughly double the national average. He asked when we would see improvements in this area and were there any national initiatives that we could learn from. He was aware that things were done differently in other parts of the country and knew that poverty played a part in the amount of drug and alcohol misuse. He noted that Ron Hogg, former Police, Crime and Victims' Commissioner was a great believer in changing behaviour and policing towards drug users and asked if there would be any safe spaces created for people to inject.

The Public Health Strategic Manager stressed that the rates of deaths related to inequalities in the North East and County Durham. She noted that there were positive engagement rates with Naloxone being rolled out that counteracted the effects of drugs in the case of overdose. In addition, it was highlighted that work had been carried out around safer consumption as part of the Health Needs Assessment but would cost over £1million to undertake. She emphasised that the new model of working had been effective with safer consumption.

Councillor Temple requested further information to when the number of completion rates would reflect the decrease in deaths. The Public Health Strategic Manager could not give an exact date as there were a lot of factors that would have to be considered. Councillor Boyes stated that this could be followed up at a future Committee meeting.

Councillor Crathorne commented on the positive work and engagement undertaken by the service and asked if the figures reflected people who had successfully completed treatment and were without drug and alcohol.

The Public Health Strategic Manager stated that in the report the successful completion rates measured people that had been in the service for 5 years to be completely free of drug and alcohol. She added that within that time they may have come back into the service numerous times but the more they came back the greater the chance of recovery. Members were referred to the graph within the report that showed that opiate users in the County were higher than some of the national targets for England. She noted that people had gone into completion if they did not represent themselves within six months.

Councillor Crathorne stated that more need to be done on the ground targeting drug dealers to stop the vicious circle.

The Public Health Strategic Manager stated that there were improved relations with the Police and Prison Service that had made progress but more needed to be done.

## **Resolved**

That the report be noted.

## **8 Counter Terrorism and Security Act 2015 - Prevent Update**

The Chair introduced Detective Inspector, Melvin Sutherland Durham Constabulary who was also the Counter Terrorism Prevent Supervisor. He was in attendance to provide Members with a presentation to provide an update of the partnership's progress in meeting statutory duties contained within the Counter Terrorism and Security Act 2015 and an update on partnership working.

There were four elements to counter terrorism:

- Pursue – to stop terrorist attacks
- Prevent - to stop people becoming or supporting violent extremists
- Prepare – to mitigate the impact if an attack cannot be stopped
- Protect – to strengthen the overall protection against terrorist attacks

The Detective Inspector, Durham Constabulary informed the Committee that the UK threat level from terrorism had been reduced to substantial, meaning an attack was likely. He also informed the committee that a nation review of Prevent was being undertaken and a new chair was being recruited to take the work forward.

On a regional level the Detective Inspector, Durham Constabulary noted that a Prevent forum existed for elected members and officers where key speakers and learning of good practice was shared. Signs and symbols on the internet or graffiti were looked for that may also gauge where community tensions may exist and from where action may be taken.

The Detective Inspector, Durham Constabulary notified the Committee that there was a Local Counter Terrorism Network between the police and other organisations like the British Army, private organisations and the Council who acted as champions to assist with intelligence and serve as eyes and ears on the streets to identify threats. He added that there were currently 80 champions who were updated with refresher packs to keep them well informed.

The Strategic Manager - Partnerships highlighted that Prevent had been included as a topic area in events for Safeguarding Week held in November 2019 where staff who attended were given information and they learned what signs to look out for. She noted that the Home Office had produced an eLearning package for members of the public to ensure they were aware of what to look out for to spot the signs of suspicious behaviour and understand what to do in the event of a major incident, which she agreed to circulate the link for. She added that the Home Office had also produced a self-assessment under the security act that comprised of 10 bench markers that included local ones that had been delivered over the last few months.

The Detective Inspector, Durham Constabulary explained that a Community Cohesion toolkit had been created that linked in with the Area Action Partnerships to monitor any rise in community tensions. He noted that resources could then be put in place in an area if tensions were detected. He added that the toolkit was available on the intranet.

He added that although referrals for Prevent and the multi-agency Channel support programme had increased, the threats had been stable but people's vulnerability through loneliness could also draw them into terrorism online.

Councillor Wilkes wanted to know if the referrals were all located in the same geographical area in County Durham.

The Detective Inspector, Durham Constabulary replied that the referrals were spread evenly but there were less in Darlington than Durham. He noted that there was more of an online presence rather than a physical presence as the number of marches had declined but younger children were vulnerable to being targeted and radicalised online.

The Chief Fire Officer wanted to know if the referrals were right wing and whether there had been a decrease due to Brexit.

The Detective Inspector, Durham Constabulary responded that there had been an increase in referrals relating to Brexit but they had been dealt with at an early stage. He noticed that online activity had reduced around the time of the general election in December which may indicate that this was because people felt that they had a voice through their vote.

## Resolved

That the report be noted.

### 9 Consumer Protection - Enforcement and Intervention Activity

The Committee considered a report of Corporate Director of Resources that provided members with background information on enforcement and intervention activity by the Council's Consumer Protection Service.

The Chair introduced the Consumer Protection Manager who was in attendance to Provide the committee with a presentation on the work carried out by the Consumer Protection Service.

The Consumer Protection Manager explained that the service covered Trading Standards, Licensing Administration and Enforcement teams. On a National level the priorities for Trading Standards included:

- Doorstep Crime  
Customers were misled into fraudulent trading over the doorstep. Consumer Services worked in partnership with the Police, GP surgeries, Mental Health practitioners to help get information out to people to help prevent this as the crime was under reported. There had been 30 months imprisonments of people who had been caught within Durham, North Yorkshire and Northumbria with offenders paying compensation orders to victims
- Counterfeit Goods  
There were new ways of people obtaining counterfeit goods that were coming into the Country. This not only provided a loss to victims but also to the brand holder. This was also linked to organised crime.
- Underage Sales  
The Business Compliance team dealt with underage sales and age restrictive goods such as alcohol, tobacco, fireworks, knives. The team also carried out test purchasing at premises with underage children who tried to buy age restrictive goods.
- Illicit tobacco and alcohol  
The service supported Keep Fresh to prevent the selling of illicit tobacco. A campaign 'Keep it Out' had been launched to encourage members of the public to inform authorities of the illegal selling of tobacco through private properties called tab houses.

- Scams  
The service worked in partnership with National Scams team who promote 'Friends against Scams' to educate people and visit victims in their homes to advise on the dangers of scams. Victims did not always admit to how much they had been scammed. Work had also been carried out with the Young friends against scams with young people educating grandparents and parents on the dangers of scams.
- General fair trading  
There were issues with the motor and puppy trade with people being scammed, not getting repairs or refunds on faulty cars and puppies becoming ill or dying soon after being bought. New enforcement powers had been brought in regarding properties that helped deal with landlords relating to tenants fees. Fixed penalties could be issued.

The Consumer Protection Manager informed the Committee that the Licensing department was busy arranging hearings for new applicants or if there were changes to licences. He noted that there were on average approximately one hearing per week. He added that a new online application service had been launched for taxi drivers which had incurred a few teething problems but all in all was being used well. The Licensing Enforcement Team were also busy with 59 licence holders being taken to committee for conduct, behaviour or criminal convictions.

The Consumer Protection Manager notified the Committee that partnership working had taken place and links had been established with Immigration Officers regarding illegal workers in the County in licensed premises. He added that Brexit had the potential to cause issues within the service with regards current suppliers who may be considered to be importers as a result of the changes.

The Consumer Protection Manager notified the Committee that there had been a restructure within the Consumer Protection service. The Service was now known as the Public Protection Service that included Trading Standards, Licensing, Neighbourhood Interventions and Community Safety.

The Consumer Protection Manager agreed to forward a copy of the scrap dealers licence to be circulated to members for awareness purposes.

Councillor Wilkes was concerned that a shop in Framwellgate Moor had given Durham County Council negative publicity as it had been able to keep its licence even though it had been caught three times selling alcohol to underage children. He asked for further information on how many times licence holders could commit offences before action was taken.

Councillor Wilkes also asked how long after premises had been tested and failed that Officers could go back to retest. He added that he was also aware of premises linked to underage sales that also tended to leave waste and pallets outside making the area untidy and asked if there was any joint up working the Clean and Green Team.

The Consumer Protection Manager acknowledged that there was no guidance as such on predetermining the outcome of a Committee's decisions as each case was determined on the individual circumstances. Officers looked at all the evidence gathered before taking the case to Committee. In relation to the shop at Framwellgate Moor, it was noted that it had changed hands numerous times and had conditions added to its licence with strict restrictions that were required to be complied with. He added that with due diligence, Councillors could not be kept informed of these operations nor premises identified with an operation.

The Consumer Protection Manager informed the Committee that with underage test purchasing, significant evidence and preparation was required and an order must be applied for through the Magistrates Court before any test purchase action could be taken. Although enforcement work was carried out with Police regarding the licence the Consumer Protection Manager was unsure as to whether Clean and Green was linked into regarding waste. He noted that this could be a wider public nuisance and could be looked at in the future.

Councillor Wilkes highlighted that if waste was looked at it would show that the store was not managed well and asked what the shortest time could an Officer go back and retest the shop.

The Consumer Protection Manager clarified that authorisation from the Magistrates Court lasted an initial three months and once a premise had been caught further investigations had to take place to see who had sold the goods, management structures and identify the premises holder. The Consumer Protection Manager explained that if all the information was gathered within the three months Officers could go back and retest.

Councillor Boyes gave an example of a public house in his division that had been shut down as they had been caught on two occasions of underage sales.

The Consumer and Protection Manager stated that protocols were adhered to but all cases were individual and they may not all warrant the same response. He noted that if rules were too rigid then it may not result in the right decision being made. The Consumer and Protection Manager added that the service, prior to any closure of premise would focus on having well run establishments. Therefore, other sanctions could be imposed for example conditions applied to the licence or a suspension of a licence that people would need to adhere to in order to continue business in the future.

Councillor Boyes felt that consistency may need to be looked at on individual points.

Councillor Jopling was concerned that young people were targeted and small shops could offend time and time again. The welfare of young people needed to be protected to prevent them becoming alcoholics in the future. She added that stronger lines were required for youngsters as they were not aware of the ramifications down the line of what damage alcohol could do.

Councillor Batey welcomed news that the anti-social behaviour team was being transferred to community protection as she felt that there were a lot of synergies between this team and the work of other teams in this area.

**Resolved**

That the report be noted.

**10 Police and Crime Panel**

The Committee received a report of Corporate Director of Resources that provided members with an update on agenda items that were presented to the Panel.

The Overview and Scrutiny Officer informed the committee that at its meeting in January 2020, the Police and Crime Panel (PCP) considered the Countering Terrorism, the Police, Crime and Victims' Commissioner's Quarterly Performance report and the key item the precept consultation.

Councillor Boyes reiterated that this Committee was the link to feed any issues into the PCP.

**Resolved**

That the report be noted.

**11 Overview and Scrutiny Review Update**

The Overview and Scrutiny Officer gave a verbal update in relation to the review of activities of the Committee. He advised that the next stage for this work would be to comment on consultation of the draft road safety strategy.

**Resolved**

That the verbal update be noted.