

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 26 February 2024** at **9.30 am**

Present:

Councillor P Heaviside (Chair)

Members of the Committee:

Councillors J Charlton, V Andrews, P Atkinson, L Fenwick, C Hampson, C Lines, D McKenna, E Mavin, J Miller, D Nicholls, R Potts, A Simpson and D Sutton-Lloyd

Co-opted Members:

Mr D Balls

1 Apologies for Absence

Apologies for absence were received from Councillors M Currah, J Quinn and Superintendent N Bickford.

2 Substitute Members

There were no substitutes.

3 Minutes

The minutes of the meeting held on 11 December 2023 were confirmed as a correct record and signed by the Chair.

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 Combating Drugs and Alcohol Update Quarter 4 2023/24

The Committee received a report of the Director of Public Health that provided an update on the Dame Carol Black substance misuse grant funding awarded to Durham County Council (DCC). This funding was being used to support the implementation of the new national drugs strategy. The report highlighted the outcomes of the Drugs and Alcohol Recovery Service for 2022/23 (for copy see file of minutes).

J Sunter, PH Strategic Manager (L,AW) provided a further update on the work of the service following on from information given by the Director of Public Health at a previous committee meeting. She explained that the County Durham Joint Local Health and Wellbeing Strategy (JLHWS) outlined the vision for improving health and wellbeing and tackling inequalities across the county. Following a two-phase review by Dame Carol Black in 2021/22 the government had developed a new 10 year strategy in 2021 - *'From harm to hope: A 10-year drugs plan to cut crime and save lives'* that had three key priorities i) to break the drugs supply chain; ii) deliver world-class treatment and recovery systems; and iii) achieve the shift in demand for recreational drugs. The council had been successful in securing grant funding from the government to finance substance misuse treatment and recovery, in patient detox, rough sleepers treatment and recovery, individual placement support and housing support. Workstreams had been established to ensure the funding was directed to the relevant areas that required it the most.

There was a new Combating Drug and Alcohol Partnership working across Durham and Darlington that was supported by the police, NHS, probation, social care and the voluntary sector to deliver a plan for action. Deaths from substance misuse in Durham were low in the north east but higher than England. Funding had helped to increase the use of Naloxone within communities to help prevent deaths. The Connect service worked with people coming out of prison to help with their substance misuse and accommodation needs. The service kept track of them whilst they still resided in Durham. The successful completion numbers were now sent to the Office for Health Improvement and Disparities (OHID) instead of Public Health England monthly to help achieve goals. There was an uplift from the drug and alcohol service with 3,000 people from June 2022 to July 2023. The unmet need was still being monitored.

Councillor J Miller noted that there was reference made to County Durham through out the report and asked if there were any specific areas that were more problematic than others. The report mentioned that work was being carried out with the Housing Solutions regarding accommodation. He felt that location was key in success rates for any accommodation provision as if they were not situated in the right place it would be pointless. He queried if all eventualities were taken into consideration when developing homeless accommodation.

The PH Strategic Manager (L,AW) responded that there was a correlation with active areas of substance misuse and areas of deprivation. The Council worked closely with private landlords and Housing Solutions on where to purchase properties. The Dame Carol Black grant helped to fund wrap around services to work with rough sleepers and others to help them to keep tenancies. The health squad had been funded to work with organisations that provided supported accommodation but the local authority had less jurisdiction over some of the private flats. Housing Solutions tried to engage with all housing providers to offer advice and support with the health squad knocking on resident's doors to work with people who needed help or who had just come of prison.

Councillor E Mavin was worried about potentially people being at work who were under the influence of substance misuse/alcohol whether intentionally or still being under the influence from the night before. He queried if there was anything being done to combat this.

The PH Strategic Manager (L,AW) responded to Councillor E Mavin that this was difficult to combat but the police ran safety campaigns about not driving and taking drugs as potentially people may not realise they could still be under the influence the next day. The police carry out drug tests in custody suites that could identify people who may need support. Testing could help young people who could be helped into understanding if they were being experimental with substances or if they were addicted and then could be referred into treatment.

Councillor E Mavin asked how many veterans the service worked with.

The PH Strategic Manager (L,AW) replied that she was unaware of a specific number but Human Kind did work with a number of veterans who were peer supporters. Those veterans in the programme also helped to reach out to others that may need help.

Councillor D Nicholls felt that within society no one wanted to talk about alcohol issues and the impact it caused as people normalised a glass of wine a night. He queried how addiction was measured and how it was decided that a person may be dependant and how people were found to offer help to. He thought that alcohol was too easily available in England with late licences but the rules were different in Scotland.

The PH Strategic Manager (L,AW) commented that the north east had the highest levels of alcohol abuse with admissions to hospital. Mortality rates were also high in the north east although County Durham was below the average level. There was an increasing trend for under 18s to not drink. Within the Health and Wellbeing programme there was a drive on alcohol misuse with campaigns that showed the harm that alcohol caused and how it had an impact on children and young people starting to drink early. Work was commissioned with Balance to lobby central government and work on the harms and impact of alcohol on children and young people.

The PH Strategic Manager (L,AW) stated that six local authorities within north east region were running campaigns with narrative on Adshel bus shelters, through Area Action Partnerships, through community and voluntary sectors and through the drug and alcohol recovery service. GP's used Audit C which was an assessment tool to identify people who may be addicts. Humankind also featured the tool on their website so people could refer themselves onto a fast track into the service for detox. There was a focus on positive energy and messages given to show the harm that excess alcohol and substance abuse did.

Councillor J Charlton was pleased to hear an outreach worker post had been established to work with young people. She queried if there was data on children and young people especially those with SEND.

The PH Strategic Manager (L,AW) replied that there was no data on outreach support to children and young people directly but data did come through the youth justice service on children and young people on the verge of crime. She agreed to provide a more formal response.

Councillor J Charlton asked what areas had been identified that were known had problems. If Councillors were aware that issues were in their locality they could reach out to the voluntary sector or through their AAPs to try to do something. She worried when people were released from prison they had no GP to go to for help if they needed it. She asked how successful the work was carried out in prisons to detox people before they were released.

The PH Strategic Manager (L,AW) stated that the Dame Carol Black fund had helped to finance the Reconnect hub at Durham Prison and the in reach worker that worked with inmates before they were released from prison. She commented that it was a great facility that had an open-door policy and was a one stop shop for people to get help and support as and when they needed.

Councillor P Atkinson thanked the officer for an informative presentation. He commented that in his division of Ferryhill he had seen a lot of supported accommodation and queried if Durham monitored the progress of people in these facilities. He acknowledged there was a range of people who had issues and not just ex-prisoners and queried if they were connected up to support groups or the police.

The PH Strategic Manager (L,AW) stated that housing solutions liaised with housing providers with inreach workers within supported accommodation to establish who were in the units and what issues they had in order to provide support. She noted that the local authority had no jurisdiction over these facilities and although the team knocked on doors they did not have to let them in. Support workers were trained to ensure they had the knowledge to support everyone. It was difficult to get these facilities in certain areas as residents complained stating they did not want them next to their homes.

Councillor P Heaviside asked that the data in the report related to outcomes from June 2023 and queried why there was a delay in providing up to date data.

The PH Strategic Manager (L,AW) advised that data received did not just include drug and alcohol but also substance misuse. She stated that success criteria was measured by someone being substance free for six months hence data collected would always be six months behind. Data gathering was continually ongoing.

Councillor D Sutton-Lloyd commented that work had been successful in his division of Newton Aycliffe as mini groups had been established that met on a four weekly basis with police, councillors and local residents to address local issues and tried to integrate the Council's services.

The PH Strategic Manager (L,AW) advised she sat on both the boards for the ASB strategy and the Reduce Reoffending and she could help members if they wanted representation at their meetings to try resolve issues. The Dame Carol Black funding enabled the expansion of its capacity.

Councillor L Fenwick asked where she could signpost people for information on drug and alcohol services in County Durham.

The PH Strategic Manager (L,AW) informed the committee that all the information was on the County Durham drug and alcohol recovery service website. She agreed to circulate the details to committee members for information.

Councillor P Heaviside requested that the presentation on supported housing should be circulated to committee members.

Resolved:

- i) That the report be noted.
- ii) That the work of the Combatting Drugs and Alcohol Partnership and the implementation of the Dame Carol Black funded workstreams be continuously supported.
- iii) That the positive outcomes of the DARS and affiliated partners to encourage more people to access the service and reduce the harms from drugs and alcohol part of everyone's business be promoted.

7 Community Risk Management Plan (CRMP), formerly known as the Integrated Risk Management Plan, Annual Consultation

The Committee received a report and presentation of the Deputy Chief Fire Officer that provided a background to the Fire Authority's CRMP annual action plan for 2024-2027 and that set out details of the plan and consultation process (for copy see file of minutes).

K Carruthers, Deputy Chief Fire Officer gave a presentation that explained that the service was undergoing the annual consultation process to develop their community risk management plan that was set out in the Fire and Rescue National Framework. He gave members background information that the fire authority served approx. 630,000 people and protected 302,500 households and 20,150 businesses from 15 fire stations with 600 staff. In the fire authority's most recent HMICFRS inspection they had achieved Good in all three categories of effectiveness, efficiency and people and had won Fire and Rescue Service of the year at the Public Sector Transformation Awards in 2022 and 2023. The fire authority planned to gather views from the community both online and face to face through their consultation process on the CRMP that looked to identify risks that the community faced and ways in which to alleviate those risks. There were financial pressures but the Medium-Term Financial Plan had been approved in February 2024.

He noted that from the consultation carried out in 2023 the service had implemented suggestions to crew all their wholetime fire engines with four firefighters with effect from 1 July 2023 and would continue to monitor the crewing of fire engines throughout 2024/25. He added that they had also reviewed and updated their Risk Based Inspection Programme (RBIP) for business premises that would commence on 1 April 2024 that utilised the developing work of the NFCC in collaboration with Operational Research in Health that would increase focus on premises types identified as a higher risk through this new research.

Members were invited to take part in the consultation and were given surveys to complete. The consultation questions for 2024/25 were i) Do you agree with the Service's approach to keeping you safe? ii) Do you agree with our commitments outlined in the plan? And iii) Do you have any comments on our plans for 2024-2027? The CRMP is available on the County Durham and Darlington Fire and Rescue Service website.

Councillor J Miller commented that the Fire Service within his division were excellent and had given him help and support since he had been elected.

Councillor E Mavin commented that the Fire Service carried out good work in the community. He noted that there was nothing in the annual consultation about fire fighters' safety.

The Deputy Chief Fire Officer confirmed fire fighter safety was included in internal documents.

Councillor D Sutton-Lloyd was impressed with the home visits that had taken place to ensure safety in the home. He asked if the service worked with community centres, if any visits had fallen by the wayside and how he could arrange a visit to a premises in his division to advise them on what to do.

The Deputy Chief Fire Officer advised that community centres were addressed in the risk space work element. There were less visits carried out post pandemic due to hybrid working conditions but there had been a change in legislation to enforce authorities to have stricter levels. He noted that there was information on their website that provided advice and support that anyone could access. He confirmed that if Councillor D Sutton-Lloyd emailed him he would get a site visit organised.

Councillor P Heaviside stated that the community centre in his division had received a visit last year and he had found it to be very helpful.

Councillor J Charlton felt that home visits were tremendous and the service provided by the fire authority was outstanding. She noted that there had been a horrendous tragedy in her village and within two weeks officers from the fire authority were knocking on resident's doors to install fire alarms in their homes. She wanted to pass on her thanks on behalf of her community for their services to the general public.

Councillor D Nicholls reiterated that the service had been outstanding in his area as well especially when dealing with waste and illegal bonfires. He asked how they would plan the ultimate move in the next inspection from good to outstanding as he felt the service should be recognised as such. He queried if the service had been impacted by Covid in terms of less road accidents with more people working from home, if the service was back to normal or if there had been any changes to the service.

The Deputy Chief Fire Officer responded that he would like to see the service achieve Outstanding but that was not just one big step to achieve as it would require every little aspect of the service to be reviewed across the sector. He thought it was the best Fire and Rescue Service in the region and Inspectors would see that in their reports. Lessons had been learnt from Covid and changes had been made with more hybrid working for office-based staff that was more flexible for them.

During Covid, home visits were abandoned and instead were undertaken via telephone calls. Home visits had now resumed back to face to face in person post pandemic. He noted that there had been fewer road accidents during Covid that they had had to respond to but tragedies had increased post pandemic with five fatalities in the last year.

Councillor E Mavin queried who he could contact to have a fire safety audit carried out on a working man's club in his division.

The Deputy Chief Fire Officer asked Councillor E Mavin to contact him and he would organise a visit. He advised that Fire Safety Audits were a legal duty for the service to inspect.

Councillor C Lines thanked the Deputy Chief Fire Officer for the useful and informative presentation. He noted that last year there had only been 300 responses to the survey and knew the difficulties in engaging with the public. He was glad to see that the survey was online. He asked if there was anything being done differently this year to try to increase responses by promoting the survey in community centres or libraries.

The Deputy Chief Fire Officer responded that officers were getting out and about more this year in person to promote the survey at community events, open days and having a presence at market days.

The committee were advised that there was a comprehensive engagement programme to promote the survey to encourage more responses. This had not been done in previous years due to the restrictions of Covid. The survey was online and was being promoted heavily through social media channels.

Councillor D Nicholls noted that no news was good news. He felt that if people were happy with a service they tended not to comment on it. It was only when they had issues that they would then comment. Potentially there were a lot of people who had not had any need of the fire authorities service in their life which would be another reason as to why there had been a low response rate in the past. He stated that no responses indicated indirectly that it was a well delivered service.

Resolved:

That the CRMP action plan and consultation be noted and the comments raised by the Committee in respect of the CRMP action plan formulated into a formal response to the consultation.

8 Community Protection Service - Enforcement and Intervention Activity

The Committee received a report of the Corporate Director of Neighbourhoods and Climate Change that provided background information on enforcement and intervention activity by the Council's Community Protection Service (for copy see file of minutes).

I Harrison, Business Compliance Strategic Manager gave a detailed presentation that gave an overview on the activities carried out by the Council's Consumer Protection service. The service dealt with enforcement and intervention activities in relation to consumer protection, consumer safety special investigations, health protection, environmental protection and licensing to protect the vulnerable. This involved investigation into underage sales, illicit tobacco and vapes, animal welfare, animal licensing, food safety, Natasha's Law around food being correctly allergen marked, health and safety at work, environmental protection, air quality, private water supplies, the Licensing Act 2003 and taxis.

Councillor D McKenna asked if the process in dealing with rogue traders could be explained as he had submitted a report that had included evidence on behalf of a resident to be then told it was a civil matter.

The Business Compliance Strategic Manager stated that he was not familiar with the case so could not comment. He advised that there were two elements to consumer protection – i) the civil law element that addressed contracts between the consumer and the business or trader to ensure they did a satisfactory job that was acceptable of the price; and ii) the criminal law element that investigated where you had to prove beyond all reasonable doubt that a crime had been committed. Officers would look at all the evidence and facts provided and make an assessment as to whether someone should be taken to court and prosecuted. A prosecution would only be made in the most serious of cases.

Councillor D McKenna felt that he had presented all the evidence that was necessary and the response back to the resident was disheartening.

The Business Compliance Strategic Manager agreed to look into the case on behalf of Councillor D McKenna and report back to him.

Councillor J Miller asked if people should have a licence to breed dogs. He felt that the reported number of dog breeders of 45 in Durham was very low and thought that there more unlicensed breeders. He questioned what was being done to find out who they were and if fines issued by the courts came to the local authority.

The Business Compliance Strategic Manager stated that the courts kept all the money obtained through fines. He confirmed that it was extremely difficult to try to find out the identities of unlicensed dog breeders. He noted that dog breeding was a well organised operation where there was generally more than one person involved. He added that breeding kennels were located in different areas, sellers would use different addresses when people collected puppies and they would use burner phones with different phone numbers being advertised each time. Work was ongoing to try to spot regular sellers but it was time consuming and was reliant on intelligence. He stated if puppies became ill after being bought buyers tended not to complain or try to get their money back as by that time they had already become part of the family and endured heavy vet bills.

Councillor D Nicholls reiterated that dog breeding was a serious issue that generated a lot of money and would be hard to tackle until legislation came into place.

The Business Compliance Strategic Manager stated that there were even issues if for whatever reason a family could no longer keep the dog, they were being bought to be bred unbeknown to the family. This had been made aware when information on microchips within the dog did not contain the correct owner's details. If the team had more staff this area of work could be focused on.

Councillor D Nicholls was shocked that the money from fines issued to food premises was lost to the courts. It was unbelievable that people could be responsible for unhygienic places where people ate. He queried if there was any form of register to track and manage the licensing element of businesses when they closed down then reopened under a different name.

The Business Compliance Strategic Manager advised that food businesses were registered with the local authority. It had been found that if a person on the licence had been fined and the licence revoked then other people were identified unconnected to the original business to apply for a new licence to reopen. Unfortunately if the new person had no record there would be no reason why the local authority would not register that person. However the premises would get more inspections.

Councillor D Nicholls asked in terms of traders could they be fined if they appeared to be overcharging for a service.

The Business Compliance Strategic Manager informed the committee that the value of a service was subject to what someone was willing to pay for it. It was impossible to prove intent to commit fraud. There was no law to say how much a product was worth as this would be stated in the contract. He did think that education was the key. People should ask for at least three quotes from different traders and ask for references from people who have had work done by them before deciding. He felt that people should not be afraid to ask questions. He noted that it was difficult to catch rogue traders and people needed to look out for each other especially for vulnerable people.

Councillor V Andrews asked about air quality and whether there was guidance on log burners. She also asked about the quality of water and whether rivers were covered under Consumer Protection.

The Business Compliance Strategic Manager stated that the Environment Agency covered water in rivers. There were regulations for log burners as people needed to have the appropriate equipment and the government had introduced new rules on what wood could be burnt to ensure it contained less water that improved their efficiency. He noted that any industrial log burners would be covered under their environment permit. Within domestic law the local authority had no power to enter a home to ensure residents had the correct appliance so it was difficult to prove what went on behind closed doors

Mr D Balls queried in terms of event licences if the university was still one of the biggest offenders.

The Business Compliance Strategic Manager confirmed that the university still held lots of events. In 2022 the local authority issued temporary notices that legally gave the right to carry out an event but this had now changed and the local authority were just informed about events. It would be in consultation with Environmental Health or the police to give grounds to object to an event taking place. It would then come to committee for discussion but the organisation would have the right to appeal.

Councillor E Mavin queried health and safety in a premises and gave the example of a young man who had died by falling down the stairs at an Italian restaurant.

The Business Compliance Strategic Manager stated that he was aware of the case but it was inappropriate for him to comment. He advised that in general a premises should be safe as standard and gave an example that if there were stairs in a premises then an appropriate handrail should be installed. All the facts and evidence on health and safety elements would be taken into consideration when making a determination if someone was injured in that premises.

Councillor P Heaviside thanked the Business Compliance Strategic Manager for the very informative presentation.

Resolved:

That the report and presentation be noted.

9 Quarter Two, 2023/24 Performance Management Report

The Committee received a report of the Chief Executive that presented an overview of progress towards delivery of the key priorities within the Council Plan 2023-27 in line with the council's corporate performance framework and covered performance in and to the end of quarter two, 2023/24, July to September 2023 (for copy see file of minutes).

T Gorman, Corporate Policy and Performance Manager reviewed the key highlights of the report. He noted that 37% of properties were now fully licensed under the selective licensing programme which continued to grow in quarter three. Road safety had recorded seven fatalities in quarter two which was rather high which had not been seen for a number of years with each case being unique. Domestic violence had continued on a downward trend with fewer incidents being reported to the police but more victims being referred to Harbour. It was thought that it took victims about four years before they thought the threat levels were serious enough to report. Crime levels had decreased during the pandemic but were now on the rise with shoplifting on the increase. Upon police analysis this was happening due to the pressures of the cost of living, vulnerable adults that were dependant on drugs and organised criminality (not to be mistaken with organised crime) stealing certain items to order. Figures for anti-social behaviour had also decreased.

Mr D Balls asked if there were any enforcement remedies to tackle flyposting as he saw many posters that promoted events that remained well after the events were over.

The Corporate Policy and Performance Manager advised that any reports of flyposting to the Council were investigated. Many had contact details that were used to ask the perpetrator to remove their signs.

Mr D Balls thanked the Corporate Policy and Performance Manager for including the glossary to the report which he had found very helpful.

The Corporate Policy and Performance Manager advised that the suggestion of a glossary had been highlighted to the service to include in the report to ensure lay members who were not familiar with service had clarity on certain terminologies that were used.

Mr D Balls queried if there was an issue with selective licensing as it stated in the report that only 37% of providers had registered since the programme had commenced.

The Corporate Policy and Performance Manager replied that there was no doubt a peak in performance measured but the programme was still ongoing and numbers had grown in quarter three. He recalled that Members had been given a session on selective licensing previously that had given a more thorough update.

Councillor P Heaviside reiterated that there seemed to be ongoing issues with the selective licensing programme as it had been difficult to identify properties that should be registered under the scheme. He felt that the committee should revisit the project for a further update as it had now been running for two years. This was a source of income for the Council and to not be more inclusive of properties was not acceptable.

The Corporate Policy and Performance Manager explained that an exercise had taken place to identify properties that were privately rented that would require a licence but investigations had found that the properties were not privately rented. He advised that this was being addressed again to refresh numbers to look at those that should be licensed but were not. He added that the scheme did not generate revenue as money generated was used to fund the scheme to enable enforcement action to be taken to bring private properties up to liveable standards. He noted that in quarter three there were 50% of properties registered and work was still ongoing.

S Gwilym reminded members that there was to be a special Economy and Enterprise Overview and Scrutiny Committee held on 22 April 2024 that would be discussing selective licensing. He would ensure an invitation was extended to members of the Safer and Stronger Communities Overview and Scrutiny Committee.

Councillor R Potts referred to the increase in crime within the report with 89% shop lifting offences that were not attended to by the police. He was concerned that if police did not attend it would not give repeat offenders who hit the same shops time and time again any incentive to stop.

The Corporate Policy and Performance Manager could not speak on behalf of the police on any changes to their policies. He advised that Trading Standards and other organisations did work alongside the police to prevent crime. He agreed to ask the police what policies they had changed and provide an update at a next meeting.

Councillor R Potts was glad to see that domestic violence had decreased but queried if this was due to the lack of reporting. He had seen in the HMIC inspection that domestic violence in Durham had been highlighted as being the worst in England and Wales and wanted more victims to come forward as there was a need to stop it. There was a need for more links to be made between Harbour and the police.

The Corporate Policy and Performance Manager advised that domestic abuse and sexual violence was now part of community safety. He informed Members that Harbour, the police and other agencies did work together to provide support and advice to victims. He was not aware that figures for domestic violence in Durham were the worst in England and Wales and agreed to look into what was being done to bring numbers down.

Councillor J Miller referred to anti-social behaviour within the report as the biggest case load but figures being smaller than 28.2% in 2023. He queried what the previous percentage was for comparison. It was reported in the top three problems that the public had no confidence in the local authority or police to report such matters and queried what could be done to change this.

The Corporate Policy and Performance Manager agreed that the public had little confidence in the police which had also been low in the past but had not featured as the top three. He agreed to contact the police to see what they were working on to try to improve this. He was aware that research was being carried out with Durham University around performance and lack of confidence that was based on people's perceptions of the attitudes of officers. People thought that if they dealt with one grumpy officer then every officer within the whole organisation was the same. The police had lost favour but attending events and dealing with crowds was meant to improve matters.

Councillor R Potts noted that the reduction in anti-social behaviour was down to it now being recorded as harassment and not a crime.

The Corporate Policy and Performance Manager confirmed that anti-social behaviour now fell in with harassment of a person when being recorded. He noted that figures were small and would not influence the reported figures.

Councillor P Atkinson commented that it was great having officers on board to look at selective licensing. He stated that an anti-social behaviour officer had attended a PACT meeting in Ferryhill and had engaged well with residents. He expressed concern about the amount of work the neighbourhood warden had to do in Ferryhill which seemed to be overwhelming for just one warden. He queried if this could be addressed.

The Corporate Policy and Performance Manager noted that wardens did cover each other's areas to cover holiday or sickness. He agreed to find out how the service managed the resources across the number of areas.

Resolved:

That the overall position and direction of travel in relation to quarter two performance, and the actions being taken to address areas of challenge be noted.