

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 9 September 2024** at **9.30 am**

Present:

Councillor P Heaviside (Chair)

Members of the Committee:

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

Co-opted Members:

Mr D Balls

Co-opted Employees/Officers:

Superintendent N Bickford

1 Apologies for Absence

Apologies were received from Councillor R Potts and Chief Fire Officer S Helps.

2 Substitute Members

There were no substitute members.

3 Minutes

The minutes of the meeting held on 1 July 2024 were agreed as correct and signed by the Chair.

4 Declarations of Interest

There were no substitute members.

5 Any items from Co-opted Members or Interested Parties

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

6 Hate Crime

The Committee received a report of the Director of Legal and Democratic Services which provided background information in advance of the presentation from Inspector I Bowden, Durham Constabulary that gave an overview of hate crime (for copy see file of minutes).

Inspector I Bowden gave a detailed presentation that focused on hate crime and what it was. He was part of a team that covered Durham and Darlington. He explained that the Safe Durham Partnership Strategy (SDP) 2024 – 2029 was approved on 26 June 2024 which identified three priorities:

- Anti-social behaviour and crime which disrupts our communities
- Hate crime and building community cohesion
- Sexual violence and other violent crime

Inspector I Bowden clarified that the law recognised five types of hate crime based on:

- Race
- Religion
- Disability
- Sexual Orientation
- Transgender Identity

Any crime could be prosecuted as a hate crime if someone had demonstrated hostility or be motivated by hostility. Inspector I Bowden added that people may be subject to more than one type of hate crime. He added that in some situations things may not be obvious but could be deciphered as hate crime such as through a pattern of behaviour. Examples of actions that were classed as hate crime could include the following:

- Physical assault
- Verbal abuse
- Criminal damage to property or possession
- Harassment
- Murder
- Sexual assault
- Theft/burglary

Inspector I Bowden mentioned that anyone could report a hate crime either online, through 101 or 999 if it was an emergency. He noted that not all victims reported hate crime to the police due to their vulnerabilities or confidence to do so if they had had a bad experience or believed the portrayal of the police by the media. He advised that there were many support groups available that could help and gave examples of Crime Stoppers, TellMAMA for the Muslim community and CST for the Jewish community.

The Joint Hate Crime Action (JHCA) Group worked in partnership to agree and implement a co-ordinated approach to issues associated with hate crime. The work had stalled over the last few years due to covid but now was to be reinstated with the group looking to agree its terms of reference to move forward. He highlighted statistics on the number of hate crimes recorded, resolved and not resolved – closed. He added that there was a 25.2% success rate in resolving hate crime. However as there was no reporting nationally to use as a comparative it was unclear if this figure was good or bad. There was an expectation that the statistics for August would be high. There were various reasons for hate crime that resulted in public order offences, violence without injury, language and physical injury and criminal damage. He noted that a court could impose a tougher sentence on the offender under the Crime and Disorder Act 1998 and the Criminal Justice Act 2003 but for lesser crimes community resolutions were used without going to court.

Councillor D Boyes asked if there were any degrees of prioritisation with reported hate crime. He felt that some were worse than others. He was saddened by what had happened online which had encouraged people to attack mosques following the murder of three young girls in Southport, Merseyside in July.

Inspector I Bowden responded that the overarching goal was to treat every reported case the same, much depended on how the victim perceived it to be a hate crime. The severity of the case depended on the findings of the investigation and the crown prosecution service (CPS) who made the decision to press charges. The objective was to make a victim feel safe and have the confidence to report the incident to the police.

Superintendent N Bickford added that police applied a professional judgement that focussed on the most harmful crimes. He added that it was not helped when there was political discourse on how to deal with issues like immigration.

Councillor R Crute asked how hate crime was defined as what looked to be alright on eg Facebook, at first glance in relation to immigration may well be hate crime. He gave an example of people posting negative things on-line that stated immigrants were being housed in East Durham who claimed benefits to provoke a response when the allegations were untrue. These posts generated hostile comments and were provocative within a community and relied on people's fears. He asked where this fell within hate crime regarding intent.

Inspector I Bowden was aware that what happened through August regarding online posts to rile the community was horrendous but intent was difficult to prove. This was generally the case within hate crimes and the only way to prove intent was by the act. Unfortunately the incidents were monitored to see how they developed before action could be taken as to whether the intent was to stir up hate or if it was just someone's opinion.

Councillor R Crute asked if there were certain places on social media where hate crime could be reported. It was commented that Facebook often responded to say posts did not breach their guidelines.

Inspector I Bowden noted that any action that was perceived to be hate crime should be reported so it could be recorded and investigated. He confirmed that police officers found hate crime frustrating as intent was difficult to prove.

Councillor E Mavin mentioned that he had been abused on Facebook which was so bad he had to report it to the police. The culprit was asked to take the comments down but no further action could be taken as he had not been named in the posts even though it was obvious they were targeted at him.

Councillor J Miller thanked the Inspector for the presentation. He was interested in the figures for August for hate crime. He stated that Front Street, Wheatley Hill in his division was the worst affected area in Durham for hate crime.

Inspector I Bowden declared that there were always rumblings of hate crime all the time but had been worse in August. He acknowledged that there was a delay in data but it was being processed and would be available in late September. He agreed to bring a short report and summary back to committee and would circulate the data when available.

Councillor J Charlton questioned some disparities with the figures within the report and queried why that was.

Superintendent N Bickford explained that the disparity was due to the retention rate of data with some cases being resolved straight away but others taking more time and this was reflected in the data. He gave an example of fraud cases which may take years to resolve but were still shown in the figures.

Resolved:

That the report and presentation be noted.

7 Open Water Safety Update Report

The Committee considered a report of the Director of Regeneration, Economy and Growth which provided information regarding the actions taken by Durham County Council and its partners in relation to Open Water Safety (for copy see file of minutes).

K Lough, Corporate Health and Safety Compliance Manager provided key points of the annual update to committee on water safety. It was a positive report around the two multi-agency water groups - the city safety group (CSG) and the county wide open water safety group (OWSG). The report showed statistics for open water incidents that had occurred within County Durham during 2023-2024. There had been no fatalities in the city centre within this period but two within the wider county area. There were on average 650 water related fatalities per year in the UK with an average of 200 suicide related incidents which were male dominated. He added that the Council carried out suicide prevention work through public health and other agencies to reduce the risk.

Due to a series of incidents in the city centre some years ago, around the river and bridges, water safety awareness and rescue training was provided by the Fire Service to licensed premises and neighbourhood wardens. Training included the deployment of throw lines. Proactive work was reflected with the county wide group to assess the risks at certain locations in Durham like Chester le Street park. Education was rolled out to schools to highlight the dangers of open water. Schools were provided with videos to help get the message across to children. He acknowledged that it was a challenge to keep on top of it all.

Councillor D Sutton-Lloyd mentioned that in his division of Newton Aycliffe there were 22 new housing developments that all had SuDS (sustainable drainage systems) incorporated into the designs. He was aware these could potentially cause flooding and a potential safety risk. He asked if these were included for monitoring in the open water strategy.

The Corporate Health and Safety Compliance Manager confirmed that SuDS were considered a risk and were monitored. There was a list of SuDS in County Durham and added to as and when these drainage systems came into existence and were assessed accordingly. He added that it was also the responsibility of the developer to assess them to ensure that there was no risk to life.

Councillor J Miller thanked the Officer for an informative report. He asked if there were any plans for the same techniques that were deployed within the Durham City area to be rolled out county wide.

The Corporate Health and Safety Compliance Manager explained that open water fatalities County wide were mainly suicide related. In these cases no equipment would have been required to be deployed, only recovery from the water. Rescue equipment assessments were carried out across the County with life rings being installed in some areas. Within Durham City throw line training had been carried out for swifter responses to incidents. Statistics were low for the deployment of throw lines. There were plans to replace life rings with throw lines this year and noted that outside the City Centre only two life rings had been deployed in the last ten years.

The Deputy Chief Fire Officer added that training had been carried out by the Fire Service within the City Centre with people who had been identified to take responsibility to attend if people went in the water. County wide training was more difficult as there were no designated people to be responsible, only members of the public who would need to see the incident to be able to react. He noted that if there were groups associated with open water the Fire Service would train them.

The Corporate Health and Safety Compliance Manager confirmed that the Friends of Chester Le Street Park had undertaken training.

Councillor J Miller asked if training by the fire service to local groups was free.

The Deputy Chief Fire Officer explained that there were different levels of training but this was part of the day-to-day duties of fire officers whilst in the station.

Councillor D Boyes commented that water safety was a great success story of joint partnership working. This had been introduced by the former Officer/Chief Executive Terry Collins in 2014 in response to a number of fatalities of students who fell in the river whilst drunk. Work had been carried out with the Committee, police and the University to have barriers installed to make the area in the city safer. Education on water safety had also been provided to students to reduce fatalities. He noted that it was more difficult to monitor county wide as people were often determined to take their own lives and young people could get into difficulties in open water as they were unaware of currents or reeds that dragged them down. Education needed to be continuous with school children on water safety. He stated it was a positive report and thanked the officer along with everyone who had been involved with the programme from the start for all their hard work and commitment.

Councillor J Charlton was unsure if this was relevant to the water safety strategy but asked if polluted waters and rivers that made people ill or contained hazards like shopping trolleys were monitored and recorded.

The Corporate Health and Safety Compliance Manager advised that polluted waters did not come under the remit of the water safety strategy but under Environmental Health. He noted that if hazards like shopping trolleys in rivers were reported there was system in place to address this with the Environment Agency.

Resolved:

That the report and the progress made to date by City Safety Group and Open Water Safety Group be noted.

8 Quarter Four, 2023/24 Performance Management Report

The Committee received a report of the Chief Executive which provided information on the Council's performance and progress towards achieving the strategic ambitions and objectives set out in the 2023-27 council plan (for copy see file of minutes).

The Corporate Performance Manager gave contextual information that related to activity and events that had taken place in the fourth quarter of the 2023/24 financial year (January to March) which provided an insight into what was going well and what issues the Council were addressing. He highlighted statistics for road safety that showed that road traffic accidents had increased. He advised that the Council had received £3 million from the Department of Transport to put programmes in place to increase road safety that included a project at Nevilles Cross. He added that nearly half the properties within the selective licensing project were now either fully licenced or in the process of being licenced. The target was to have 100% complete by the end of 2027.

Councillor J Charlton asked if there were any statistics on the number of traffic road accidents that were caused by drivers using mobile phones as she had witnessed a few people using their mobiles whilst driving.

The Corporate Performance Manager replied that causes of traffic road accidents had been investigated and reported to a previous Safer and Stronger Communities Overview and Scrutiny Committee. He noted that 43% of traffic road accidents were caused through people not looking, alcohol/drugs and speeding. Accidents caused by people using mobile phones was a small percentage.

Councillor R Crute enquired about the recording system used for reporting anti-social behaviour within the selective licensing programme. He was aware the software had experienced problems and he was conscious that the scheme was nearly at the end of the five-year term. He was concerned there was a possibility of losing 2-3 years worth of data and queried if the team were going to seek an extension from the government to ensure the data was analysed to demonstrate if the scheme had been successful.

The Corporate Performance Manager agreed to feed this back to the relevant team and provide an update at the next meeting.

Superintendent N Bickford asked if selective licensing could be an agenda item for a future meeting.

The Principal Overview and Scrutiny Officer advised that selective licensing had been included in the housing report that had been presented to the Committee in April 2024. An invitation had also been extended to members of the committee to join an Economy and Enterprise Overview and Scrutiny Committee when they received an update on selective licensing earlier in the year that was part of their work plan.

Councillor D Nicholls mentioned that the council had received £2.9 million to make improvements to the A690 but his residents at New Brancepeth had received no allocation of monies to improve the footpaths to connect the villages and improve road safety in the area.

The Corporate Performance Manager agreed to feed this back to the relevant team.

Councillor V Andrews commented that she had also witnessed people using their mobile phones whilst driving especially around the traffic lights in Dipton. She queried if accessible data could be modified to show the statistics of this issue.

The Corporate Performance Manager stated that it was a driving offence to use a mobile phone whilst driving and agreed to feed this back to the relevant team.

Councillor D Boyes queried the layout of the Corporate Performance Report as he was unsure if it had changed. Data was all tracker based with no targets included where the committee could get directly involved.

The Corporate Performance Manager explained that the reporting format had not changed and there were some targets within the report but not necessarily as many as had previously been included for the previous year. The tracker-based formula was to make it easier to manage performance and make it clearer to understand. He added that some performance indicators warranted targets whereas others did not. He agreed to develop the report with the individual services and relevant partners to look to include more targets where appropriate and where realistically able to do so.

Resolved:

That the overall position and direction of travel in relation to quarter four performance (January to March), and the actions being taken to address areas of challenge be noted.

9 Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

The Chair mentioned that a site visit to the Probation Service made by him and the vice chair over the summer had gone well. He noted that of the prisoners to be released early country wide as part of a new government scheme, County Durham would receive 19. He was confident that the Probation Service had everything under control in terms of housing needs being met and management plans in place.