

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 27 March 2017** at **9.30 am**

Present:

Councillor D Boyes (Chairman)

Members of the Committee:

Councillors J Armstrong, J Charlton, J Gray, C Hampson, M Hodgson, J Maitland, N Martin, T Nearney, F Tinsley and J Turnbull

Co-opted Members:

Mr A J Cooke and Mr J Welch

Co-opted Employees/Officers:

Chief Fire Officer S Errington

1 Apologies for Absence

Apologies for absence were received from Councillors S Iveson, P Stradling and C Wilson.

2 Substitute Members

No notification of Substitute Members had been received.

3 Minutes

The Minutes of the meeting held 21 February 2017 were agreed as a correct record and signed by the Chairman.

The Overview and Scrutiny Officer, Jonathan Slee noted that in reference to Item 7 from 21 February 2017, the presentation on consumer protection was circulated to Members and Councillor T Nearney had presented the report on the Review of Home Safety – Safe and Wellbeing Visits to Cabinet on 15 March 2017, with the report being well received. It was added that the report would be presented to the Safe Durham Partnership later today.

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 Update on Novel Psychoactive Substances

The Chairman introduced the Public Health Portfolio Lead, Durham County Council, Jane Sunter, Detective Constable Dean Haythornthwaite and Saran Norman, Drug Intervention Coordinator, Durham Constabulary to give a presentation to Members in respect of Novel Psychoactive Substances (for copy see file of minutes).

The Public Health Portfolio Lead noted that a range of partners worked together in respect of the prevention agenda, including early interventions. It was added that it was very fortunate that in County Durham the Council and Public Health were able to work alongside Durham Constabulary's Harm Reduction Unit (HRU). The Drug Intervention Coordinator added that Novel Psychoactive Substances (NPS) or "legal highs" were an issue and Officers were aiming to provide insight as regards what these substances looked like and how education and training was provided. DC Dean Haythornthwaite added that Durham Constabulary worked closely with the Council's Trading Standards (Consumer Protection) Team, utilising legislation available to the Authority as appropriate, and with legislation changes there had been a need to understand how this would then impact.

The Drug Intervention Coordinator explained that County Durham and Darlington did not have the same issues as large cities in terms of the use of NPS, however the good work of partners was also important in making sure the issue was being addressed. It was added that the main NPS being used in the County was synthetic cannabis, also known as spice, and it was explained that this was not a grown product, rather it was a random leaf sprayed with the NPS. Members learned that the synthetic cannabis and other NPS could also be in white powder form, liquid form and gas form. It was noted one NPS, nitrous oxide was inhaled from balloons which was a very dangerous activity that people needed to be educated against. It was reiterated that while there was not a large problem in County Durham and Darlington, there were pockets of such use in our area.

DC Dean Haythornthwaite explained that "legal highs" or NPS looked similar in their physical form of illicit or street drugs and while the chemical structures were very similar to those of illegal drugs, however were sufficiently different that they fell outside of the Misuse of Drugs Act 1971. It was added that the publicity from a number of high profile celebrity cases had brought attention to the matter and accordingly a change in the law was made with the Psychoactive Substances Act 2016. Members were reminded that the inhalation of nitrous oxide was very dangerous, and was being passed off as a fun activity similar to inhaling helium, however this too was also dangerous. The Drug Intervention Coordinator noted that a lot of work was ongoing in terms of education in this regard, working with drug and alcohol services, however unfortunately there was a degree of normalisation in terms of nitrous oxide being offered to young people while on holiday abroad.

DC Dean Haythornthwaite noted that the national picture was of increased use of NPS in prisons and an increase in violence, with synthetic cannabis, or spice, being the main substance associated with this.

It was added that the synthetic cannabis was up to 80% more potent and it, and other NPS, could lead to disorder and violence, with an example being an illegal “rave” held in Twyford Wood in Lincolnshire where a number of police forces had to be called to deal with violence against Officers attempting to close down the event. It was added that afterwards there were large amount of balloons and silver canisters littering the area. DC Dean Haythornthwaite noted that while the number of deaths from NPS was relatively small, there had been a sharp increase in the numbers and there was a need to challenge this.

In terms of the local picture, DC Dean Haythornthwaite explained that there were several aspects to consider: the student population; the homeless; prisons; and support for individuals and our communities. The Public Health Portfolio Lead explained that there were the 6 recovery centres in the County however, unless NPS were proving problematic for an individual they were not likely to access such support services. This was highlighted by noting that last quarter approximately 1,038 people were accessing services in relation to opiate use, compared to 261 for NPS.

The Drug Intervention Coordinator noted that in order to reduce the supply there was need to reduce the demand for NPS and that there was an Education Sub-Group looking at which messages needed to be given and also looking at targeting groups in schools and also in alternative settings. Members were referred to campaign posters designed by pupils, highlighting the dangers of NPS, and it was noted that if Members wished for copies for use in their communities they could get in touch.

The Committee noted there were arrangements to speak to youth groups and parent/carer community groups and use of a DVD that had been produced previously “But it’s legal”. It was explained that this had been produced to highlight the dangers of a drug that was being used at the time, mephedrone, however as the production did not mention the specific substance it was still a relevant tool. It was noted that the production was made by young people, for young people, with the Bishop Auckland Theatre Hooligans performing.

The Drug Intervention Coordinator explained that in terms of training internally, Police Officer and staff at Durham Constabulary had received training and externally there had been many partner organisations that had received training including: the Prison Service; Darlington Borough Council; DCC; the Youth Offending Service; Health partners; Licensed Premises; Teachers and Educators; Employers; the Third Sector; and support organisations. The Public Health Portfolio Lead explained that 488 adults had been trained and 2,410 young people had received training.

DC Dean Haythornthwaite noted that it was quite a complicated picture in terms of NPS having hundreds of types and this had made it very difficult for Police to act in terms of the Misuse of Drugs Act 1971, and also in practical terms such as testing for substances and the use of trained sniffer dogs. Members noted that accordingly the Psychoactive Substances Act 2016 set out new offences and effectively eradicated the presence of NPS on the high street, with it being an offence to create or supply such substances. It was highlighted that there was not an intent to criminalise the end-users, with possession not being illegal. It was explained that nationally this had been seen to have an effect, and the Police now had tools to be able to deal with the issue.

DC Dean Haythornthwaite noted that in County Durham the Police worked with DCC Trading Standards, even prior to the 2016 Act, to challenge shop owners and therefore County Durham was in a strong position in terms of tackling the issue. DC Dean Haythornthwaite added that synthetic cannabis would soon be listed as Class B illegal substances.

The Chairman thanked the Officers for their presentation and asked Members for any questions.

Councillor M Hodgson asked if teachers were being trained as regarding NPS. The Drug Intervention Coordinator explained that there was a great deal of training available for teachers and there had been a lot of requests for training. It was noted that training could be accessed via the Police, the Drug and Alcohol Service, or through material available on the schools extranet. Members noted that all school nurses were trained as regards the key messages relating to NPS. Any groups or individuals could access training initially through contacting the public health team or through the drug and alcohol treatment service, Lifeline.

Councillor J Charlton noted she had no knowledge or experience in dealing with people who use NPS and asked if NPS were as addictive as existing illegal drugs. The Public Health Portfolio Lead noted that if an individual had a predisposition towards addiction, or a mental health issue, they could be more prone though it was now the position in treatment to look to help the individual not look necessarily at the substance. It was added that the prevalence of NPS and an association by young people with other substance use, such as alcohol and cocaine, was an issue. Members noted that while there had been issues in other areas in the North East but luckily there was not such a large issue in County Durham.

Mr J Welch asked if taxi drivers had been trained and whether there was legislation such that they would need to report use in their vehicles, or refuse to take people using such substances.

DC Dean Haythornthwaite noted there was not specific legislation, however there would be an expectation to report any drug use as taxi drivers were considered a "fit and proper person" in respect of their licence. It was reiterated that the possession or use of NPS was not illegal. He added that guidance was that when dealing with an unknown substance then Officers would work on the basis that the substance was a controlled drug.

Mr AJ Cooke asked as regards the recorded use and the ongoing cost of NPS to the health and emergency services.

The Public Health Portfolio Lead added that for every £1 spent in drug treatment then you would get £2.50 back in terms of preventing harm. It was reiterated that as those using NPS did not seem to be accessing services then perhaps the actual number of those using NPS was hidden somewhat. The Public Health Portfolio Lead noted that the drug and alcohol service had an open door policy and it was important to make people aware of the wider implications of NPS use. The Drug Intervention Coordinator noted that it would be difficult to give a figure in terms of cost as in many cases it would not be possible to attribute an attendance at a hospital to NPS use. The Public Health Portfolio Lead noted that specific codes were used in recording those attending hospital and accordingly it may not be known if NPS were involved.

The Chairman noted there had been deaths caused by NPS and asked whether there were more deaths attributable to NPS than those caused by taking other drugs, such as ecstasy.

The Public Health Portfolio Lead noted that while all deaths as a result of drug use were a tragedy they were not high numbers, and the number of death attributed to NPS use were greater than for ecstasy.

It was stressed that the issue was often people did not know what they were taking, the substances could contain anything and could be highly dangerous.

Councillor F Tinsley noted that changes in the law meant that NPS could no longer be bought over the counter in such "head shops" and asked where they were being supplied from, was it via the internet or existing illegal drug dealers. He also asked whether people were substituting the use of conventional drugs for NPS.

DC Dean Haythornthwaite noted that there was not a huge amount of intelligence as regards supply, however, anecdotally it was through similar channels to traditional illegal drugs. It was added that nationally a trend had been noted in terms of drug dealers diversifying and while few years ago there was evidence of NPS being imported, there was evidence that in some cases more recently of people researching methods and producing NPS themselves. The Drug Intervention Coordinator added that it had been noted in prisons that NPS were used as substitutes for other illegal drugs and that evidence was that once leaving prison, individuals would most likely revert to their "drug of choice", though they may continue to "dabble" with NPS. Members noted an anecdote from a former heroin user who had tried a NPS and had such a bad reaction they had contacted the Police themselves to report the issue as a matter of public safety. The Public Health Portfolio Lead added that many people who had tried NPS had such bad experiences that they would never try them again and explained that some dealers of more "traditional" drugs saw NPS as competition.

Councillor J Charlton noted that with many families having to rely upon grandparents to look after children there was a generation of young people being brought up by those older people that may have no information as regards how to recognise the signs of NPS use.

The Drug Intervention Coordinator noted this was a good point and while there was workplace training and some targeted training, this was a group that could be looked at.

Councillor T Nearney noted that NPS was area of growing concern and asked if Police Forces shared intelligence in this regard. DC Dean Haythornthwaite explained there was the National Police Database, shared by all forces and this was incredible useful. Members noted that the lead agency in tackling the issue nationally was the National Crime Agency (NCA) and forces would feed into their work to help disrupt NPS use nationally.

Resolved:

That the report and presentation be noted.

7 Alcohol Harm Reduction Strategy Update

The Chairman asked the Public Health Portfolio Lead to give a update in terms of the Alcohol Harm Reduction Strategy (for copy see file of minutes).

The Public Health Portfolio Lead noted that the Alcohol Harm Reduction Strategy (AHRS) 2015-2020 and the associated action plans reflected World Health Organisation (WHO) strategies and had a vision:

“To change the drinking culture in County Durham to reduce the harm caused by alcohol to individuals, families and communities while ensuring that adults who choose to drink alcohol are able to enjoy it responsibly”.

Members noted that the strategy included a criminal justice element, a licensing element, on and off-sales and there were 5 associated action plans: Altogether Safer; Altogether Healthier; Altogether better for Children and Young People; Altogether Wealthier; and Altogether Greener. Members noted that a redrafting would include a “plan on a page” and also amalgamate elements of addressing alcohol and drug harm. The Committee noted that there were a number of campaigns associated with the AHRS as set out within the report, including the Dry January Campaign, and the recommendations of the Alcohol and its Demand on the Emergency Services report were being looked at with a report on implementation to be brought back to the Committee in June 2017.

Councillor T Nearney noted his thanks to all involved in the Alcohol and its Demand on the Emergency Services review, and also thanked the Safer Durham Partnership (SDP). He asked as regards the data issues as set out in Appendix 2 relating to the profiling of violent crime. The Public Health Portfolio Lead noted there was a lot of data to process and she would check with the lead for this area, Chief Superintendent Jane Spraggon.

Councillor N Martin noted that the report contained several acronyms and that it would be beneficial to have them expanded when first referred to within a report. This was noted.

The Chief Fire Officer, S Errington noted that Appendix 2 contained a column titled “Number of objectives completed” and felt this was meant to read “Number of objectives outstanding”. The Public Health Portfolio Lead noted he was correct, it should have referred to objectives outstanding.

Councillor J Maitland noted that Members, especially of this Committee, had made representations in terms of minimum unit pricing (MUP) for alcohol and asked how this was progressing in Scotland. The Public Health Portfolio Lead noted that there was an ongoing court case in terms of the implementation of MUP for Scotland and that Public Health England supported MUP on the evidence base that existed.

Councillor J Turnbull noted he had concern at the number and types of premises you could purchase alcohol, for example petrol stations, and asked if there was any legislation that would help in terms of stopping the proliferation of such sales.

The Public Health Portfolio Lead noted that the Council, along with Gateshead Council, were involved in looking at a fifth Licencing objective in terms of reducing harm due to alcohol. It was noted this was being evaluated by Sunderland University and maybe something that could be used by Public Health England to lobby Government.

It was added that it was also difficult to draw any relationship between off-licence premises and health issues, such as heart attacks.

Councillor F Tinsley noted that the Republic of Ireland had MUP for around 4 years and it had proven to be very successful.

The Public Health Portfolio Lead noted that campaigns in terms of tobacco had been very successful and legislation that had been put in place regarding smoking in public places showed how attitudes could change.

Councillor M Hodgson reiterated that the Committee had supported MUP and that Government had chosen not to take it forward.

Resolved:

That the report be noted.

Councillor N Martin left the meeting at 10.21am

8 Quarter Three 2016/17 Performance Management Report

The Chairman introduced the Strategic Manager - Performance and Information Management, Keith Forster who was in attendance to speak to Members in relation to the Quarter 3 2016/17 Performance Management Report for the Altogether Safer theme (for copy see file of minutes).

The Strategic Manager - Performance and Information Management reminded Members of the new format for the report with a “dashboard” page summarising the main performance issues on a single page.

The Strategic Manager - Performance and Information Management noted an increase in crime levels, particularly crime against the person. It was explained that Police colleagues had been looking at this and it was thought the impact of improved crime recording had been a factor, particularly when taking into account harassment, and that from this year a new baseline would be made. Members noted that all except 3 police forces had reported an increase in the figures relating to violence against the person. It was added that levels of anti-social behaviour (ASB) had significantly reduced and Members were reminded that Durham was on average a low crime area.

The Committee noted that alcohol and drug treatment successes remained low, however, it was acknowledged that Members were particularly well-sighted in this regard. Members were given a breakdown of successful completions in terms of alcohol, opiates and non-opiates and comparisons between different drug and alcohol treatment centres within the county. Members noted the statistics in connection with those killed or seriously injured in road traffic accidents and the positive trend of decreasing numbers.

The Chairman thanked the Officer, noted it was important to drill down into the performance data and asked the Committee for any questions.

The Chief Fire Officer asked whether ASB was common across all areas or whether there were “hotspots”. The Strategic Manager - Performance and Information Management noted that there were some hotspots and the Overview and Scrutiny Officer, Jonathan Slee added that a breakdown of certain types of ASB was set out within the Police, Crime and Victims’ Commissioner’s quarterly performance report given at the Police and Crime Panel. It was noted a link to this could be shared with Members, noting the information was broken down by Inspector Area.

The Chairman noted he felt that the Drug and Alcohol Service would be an issue to be looked at by the Committee within its Work Programme.

Resolved:

That the report be noted.

9 Council Plan 2016-2019- Refresh of the Work Programme

The Chairman asked the Overview and Scrutiny Officer to speak to Members in relation to the Council Plan 2016-2019 – Refresh of the Work Programme (for copy see file of minutes).

The Overview and Scrutiny Officer explained that the report highlighted work that had been undertaken by the Committee within the past year and also looked forward to seek suggestions from Members to be included within the Committee’s work programme for the forthcoming year. Members were reminded that the aims and objectives were aligned to those of the Council Plan and associated plans, as well as the Safe Durham Partnership Plan priority areas. It was explained that the report set out the current work programme, the in depth reviews looking at Alcohol and the Demand on the Emergency Services and Improved Safety In the Home – Safe and Wellbeing Visits, as well as the systematic reviews, focused scrutiny meetings and the areas of overview activity.

The Overview and Scrutiny Officer noted possible areas for review, however, a further report would come back to Committee in June for Members’ consideration.

The Chairman thanked the Overview and Scrutiny Officer and noted it was good to see all of the work that the Committee had undertaken. He added that cybercrime, especially in relation to the elderly, could be a topic for the Committee to consider. Councillor J Maitland agreed that cybercrime was an important issue that should be kept high on the agenda. Councillor J Armstrong added that he felt consumer protection was an important area to keep in mind, and the issue of the performance of the drug and alcohol service was also to be looked at.

The Chairman noted that reviews would need to be detailed and not look at national issues, however those issues could be looked at through focussed sessions. The Overview and Scrutiny Officer noted that it would be possible to have such sessions, similar to those held in the previous year looking at ERASE, Substance Misuse and Road Safety, with a flexible approach to any emerging issues.

Resolved:

- (i) That the Safer and Stronger Communities Overview and Scrutiny Committee note the information contained in the Altogether Safer priority theme of the Council Plan 2016 -2019.
- (ii) That the Safer and Stronger Communities Overview and Scrutiny Committee at its meeting first meeting of the 2017/18 Municipal Year, receive a further report detailing the Committee's Work Programme for 2017 -2018.

10 Police and Crime Panel

The Overview and Scrutiny Officer referred Members to the report setting out activity from the last meeting of the Police and Crime Panel held on the 10 March 2017. (for copy see file of minutes).

The Overview and Scrutiny Officer outlined activity from the last panel meeting in relation to the Police, Crime and Victims' Commissioner introducing the recently appointed Deputy Chief Constable Jo Farrell to Panel Members and considered a presentation on Operation Encompass that focused on engagement with schools following an incident of domestic abuse that was witnessed by a child and the quarter 3 performance report. The panel also received a report on Revenue and Capital budgets for 2016/17 and 2017/18 and where advised that Durham Constabulary had been rated outstanding following a HMIC Inspection Report into Police Effectiveness.

Members noted that the force had again received an "Outstanding" rating and the Chairman noted the Committee's congratulations to Durham Constabulary for their achievement.

Resolved:

That the report be noted.