

Crime and Disorder Select Committee

A meeting of Crime and Disorder Select Committee was held on Thursday, 30th January, 2020.

Present: Cllr Pauline Beall (Chair), Cllr Paul Weston (Vice-Chair), Cllr Kevin Faulks, Cllr Barbara Inman, Cllr Stephen Richardson, Cllr Tony Riordan, Cllr Andrew Sherris and Cllr Mrs Sylvia Walmsley.

Officers: Joanne Roberts (EGDS); Stephen Donaghy, Mark Berry, Christine Naylor (A&H); Gary Woods (MD).

Also in attendance: Gary Cookland (Cleveland Police).

Apologies: Cllr Clare Gamble

CD 33/19 Evacuation Procedure

The evacuation procedure was noted.

CD 34/19 Declarations of Interest

Cllr Riordan declared a personal non-prejudicial interest in relation to item 5 (Scrutiny Review of Fly-Grazed Horses) as he was a former colleague of the Cleveland Police representative who was providing evidence at this meeting

CD 35/19 Monitoring the Impact of Previously Agreed Recommendations

Following agreement at the Committee meeting in October 2019 to defer the decision to sign off the one outstanding recommendation from the previously completed Scrutiny Review of School Parking, Members were asked to consider whether this could now be marked as fully achieved.

Discussions took place around the possible production of a Stockton-on-Tees version of the Cambridgeshire County Council school parking video (shown at the October 2019 meeting), the potential costs involved, and the need to get schools on board (parental consent would also be required). Members felt that a video featuring local schools would have a bigger impact in addressing problem parking, and in supporting this, encouraged the involvement of a number of schools across the Borough. Approaching Tees Music Alliance regarding its production was also suggested.

AGREED that the outstanding recommendation in relation to the Scrutiny Review of School Parking would continue to be monitored, with a further progress update on the production of a Stockton-on-Tees school parking video to be provided at a future Committee meeting.

CD 36/19 Scrutiny Review of Fly-Grazed Horses

The first main evidence-gathering session for this review involved contributions from representatives of the Local Authority and Cleveland Police. To supplement the information presented at this meeting, Members had also been given a link to the Control of Horses Act 2015 legislation.

Local Authority Officers reminded the Committee of the background briefing that

was provided at the last meeting in December 2019 to aid discussions around the scoping of the review. In addition, the following documents were circulated:

- SBC Equine Bailiff Services Specification (Draft)
- SBC Illegally Grazed Horses on Council Land – Protocol for Security Centre Staff
- SBC Land Warning Letter
- SBC Horse Owner Passport / Document Receipt
- SBC Horse Reclaim Instructions

The representative from Cleveland Police drew attention to the circulated 'Protocol for Management of Horses in York' document as an example of what exists elsewhere in relation to this issue. The protocol included flowcharts on reporting and responding to horse-related problems, as well as a section around roles and responsibilities.

Further observations regarding fly-grazed horses from a Police-perspective were noted as follows:

- The Police fully accept that this is an issue across the whole of Cleveland, not just within Stockton-on-Tees. Officers have met with the Force's legal team, and became aware of the existing policy in York which has similar problems in relation to fly-grazed horses as Cleveland.
- The Force are keen to work in partnership to address concerns, but need buy-in from Local Authorities across Cleveland. Most Council's are willing to co-operate, though Hartlepool have yet to commit – the Chair suggested that they be approached on behalf of the Committee to encourage them to join in efforts to tackle this issue.
- A key problem is not having anywhere to store horses.
- There is no active Police protocol currently in place, and any specific incidents are dealt with on an ad-hoc basis. The York protocol covers all aspects and is a good foundation to build from, though geographical differences are acknowledged.
- In terms of available data, there have been 198 recorded issues of fly-grazed horses across Cleveland (62 within Stockton-on-Tees) in the last six months. Redcar and Cleveland had the most reported incidents.

The main issues discussed were as follows:

- The draft Equine Bailiff Services specification document could be used should the Council decide to go out to tender for such a service. In 2016, a contractor was in mind, but they did not want to get involved in the reunification of a horse with its owner.
- Where a contractor is based brings its own challenges – if within or near the Borough, response times would be quicker, but the risk of traceability is higher (owners trying to get back their horse). If a contractor is outside the Borough, there would be a longer response time and increased travel costs to consider.
- The protocol for Security Centre staff requires an update, but would not be required if a contractor could provide a full service.
- Clearer vision of a partnership approach since the relevant Local Authority Officers and the Cleveland Police representative began working together.

- Members queried if Council-owned land on Thornaby Road was being monitored, though it was noted that the vast majority of land around that particular area was privately-owned.
- The situation with traveller-owned horses was discussed, something which was specifically referenced within the York policy. It was noted that without a formal policy or adequate financial resources, dealing with concerns is very difficult – however, if everyone is aware of their responsibilities, issues can be more easily addressed, and the Police do have powers to deal with horses.
- The Committee queried what the horses in question are used for, and were informed that this can vary. Traditionally it was for breeding, and may be part of a cultural identity.
- Members asked if there was a risk of disease being spread to the wider community. Officers stated that some diseases are statutorily notifiable, but that there is no recognisable database for where horses are kept. Livery yards are not licensed premises, and there is more chance of disease within these yards.
- Once a horse is removed from an area, whoever carried this out becomes liable / responsible. Whilst removing a horse is difficult in itself, doing this can send out a strong message which can act as a deterrent.
- Sometimes a horse can be left close to the edge of a highway to get it conditioned to traffic and being on or near roads.
- Incidents of horses being left in someone else's field were highlighted which puts a landowner in a very difficult position. If a landowner opens a gate to get a horse off their land, they could be liable if an accident subsequently occurs – there may also be ramifications from the horse-owner if they do this.
- The Committee asked if a landowner was responsible for the welfare of a horse on its land. Officers stated that, under the Animal Welfare Act, once someone starts to have physical contact with a horse, they can be liable. The Local Authority can seize horses under the Act, but SBC no longer do this – instead, if a horse's welfare is compromised, the Council would look to work with the RSPCA. Historically, there were a very small number of cases where a horse had to be seized. Sometimes the Council receives a complaint about a horse being cold (in winter) or dead (when it is not).

The Chair proposed that, to allow the Committee more time to digest the information provided at this meeting, Members should take away the documentation and forward any questions they may have to the Scrutiny Officer. A response to the questions can then be given at the next Committee meeting.

AGREED that

- 1) the information be noted.
- 2) Hartlepool Borough Council be contacted with a view to them getting involved in a Cleveland-wide approach to the issue of fly-grazed horses.
- 3) Members should forward any questions regarding the information shared at this meeting to the Scrutiny Officer so that answers can be provided at the next Committee meeting in March 2020.

**CD
37/19** **Work Programme 2019-2020**

Consideration was given to the Crime & Disorder Select Committee Work Programme for 2019–2020.

As part of holding to account Cabinet Members and Services, and understanding the challenges and issues arising ahead of the next year's work programme, overview reports from each directorate will be considered at the appropriate Select Committees during February / early-March. Reports from both Administration, Democratic and Electoral Services (Licensing) and Community Services will be presented at the next Crime and Disorder Select Committee meeting on the 5th March 2020.

AGREED that the Crime & Disorder Select Committee Work Programme be noted.

**CD
38/19** **Chairs Update**

The Chair informed the Committee that Cabinet had recently endorsed the final report and recommendations of both the Scrutiny Review of Protection of Vulnerable Older Residents Living at Home, and the Councillor Call for Action: Obstructive and Illegal Parking around Whitehouse Primary School. Action Plans in relation to the agreed recommendations will now be collated and brought back to Committee for approval.