

Crime and Disorder Select Committee

A meeting of Crime and Disorder Select Committee was held on Thursday, 5th March, 2020.

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

Officers: Stephen Donaghy, Mark Berry, Christine Naylor (A&H); Jamie McCann, Marc Stephenson (CS); Margaret Waggott, Gary Woods (MD).

Also in attendance: Cllr Steve Nelson (Cabinet Member for Access, Communities and Community Safety), Helen Ivison (Thirteen Housing Group), Mark Gent (RSPCA), Gary Cookland (Cleveland Police).

Apologies: None.

CD 39/19 Evacuation Procedure

The evacuation procedure was noted.

CD 40/19 Declarations of Interest

There were no interests declared.

CD 41/19 Minutes

Consideration was given to the minutes of the Crime and Disorder Select Committee meetings which were held on the 19th December 2019 and the 30th January 2020 for approval and signature.

AGREED that the minutes be approved as a correct record and signed by the Chair.

CD 42/19 Scrutiny Review of Fly-Grazed Horses

This latest evidence session for the ongoing review of Fly-Grazed Horses involved contributions from representatives of Thirteen Housing Group and the Royal Society for the Protection of Cruelty to Animals (RSPCA).

Thirteen's Senior Neighbourhoods Manager (Stockton and Darlington) presented information to the Committee which included:

- Organisational overview
- Animal welfare (i.e. Tenancy agreements, pets policy (includes a specific part relating to horses))
- Horses on Thirteen-owned land and how this is managed
- Experience of liaising with partners
- The services that Hartlepool Borough Council (HBC) provide to Thirteen, and the cost of that service

The main issues highlighted and discussed were as follows:

- There are no formal agreements in place between Thirteen and Stockton-on-Tees Borough Council (SBC) to deal with instances of fly-grazed

horses (of which there have been very few of on Thirteen land in recent years), though Officers from each organisation have started to engage more in recent times regarding this issue.

- Thirteen's Tenancy agreement states that its tenants are not allowed to keep or tether horses, ponies, donkeys or any livestock on open plan areas or any other land owned by Thirteen. Thirteen would take action if one of its tenants owns a horse that is placed on private or Council-owned land, and could look at an injunction or possession proceedings if the horse was on Thirteen-owned land. The use of injunctions is designed to stop behaviour, and has also been considered for cases of horses on private or Council-owned land too.

- With reference to the work with HBC around the mapping and tracking of where horses were and where they were being moved to, Members asked how successful this approach had been. Thirteen confirmed that this action sent a strong and effective message to horse-owners across Hartlepool, though did result in horses being relocated to industrial land, which then became the responsibility of the landowner to remove (not the Council's).

- The Committee questioned how horses were being moved within Hartlepool, and were informed that some were sold, while others were sent to slaughter. It was noted that at some points during the year, owners could not afford to put their horses into a livery. Horses were not highly valuable and changed hands cheaply.

- Members queried if there has been any issues around identifying the owners of horses. It was thought that the cases seen at Primrose Hill could possibly involve Thirteen tenants, and that if this was proved, Thirteen would take action and were happy to initiate these challenging conversations if required. However, that information is not available.

- The Committee noted the action in Hartlepool of taking a horse to a suitable livery facility, though reflected on the potential cost implications of this. Linked to this action was the use of horse bailiffs to initially remove the horse from its location, though the RSPCA representative who was present at this meeting highlighted concerns around what some bailiff companies do with the horses once they are seized. If SBC are considering using such a service, it needs to be confident of what happens to the horse after it is seized, particularly since the horse becomes the property of the Council once the bailiff removes it from its existing location.

The Chief Inspector (Cleveland) of the RSPCA had been invited to address the Committee in relation to this scrutiny topic, and presented a report which included the following elements:

- RSPCA roles and responsibilities in equine matters
- What is the problem?
- Main issues seen around equines in the North East
- Enforcement
- Figures in the North East area (2015-2019) and incidents within the Borough
- Approaches to this issue by other Local Authorities and Police

- Solutions

The main issues highlighted and discussed were as follows:

- The RSPCA has no legal responsibilities, but uses current legislation to investigate animal cruelty and educate animal owners on welfare standards. There are eight Officers working daily during the week across the Cleveland patch, and between two and four Officers over the weekend. The RSPCA has no powers of seizure or entry on to land and does not investigate licencing issues (which is the responsibility of the Local Authority).
- Lack of enforcement, particularly on equine identification (the responsibility of the Local Authority), has meant that irresponsible owners can get away with illegal fly-grazing.
- There have been three horses removed from allotments in the Borough, though this may need further exploration as there is a suspicion that more cases may be found in these locations (not that this is always Council-owned land).
- The approaches of Hartlepool, County Durham and Northumberland in tackling this issue were highlighted.
- Several potential solutions to further address the fly-grazing of horses were noted, including the licensing of rescue and equine rehoming centres (not a current requirement), strengthening the link between horses and owners (equine identification), and better engagement with horse breeders. Underpinning all of this was the need for a joint approach by all key stakeholders, with clear policies and an understanding of each other's role and responsibility.
- The Committee noted the seemingly increasing number of ponies being raced in the locality, though it was acknowledged that whilst the RSPCA are aware of this, offences are not necessarily being committed.
- Liability following an accident involving an escaped horse was discussed – a horse-owner would be responsible for any damage to a vehicle, but a landowner could be responsible for the horse escaping, particularly if the fencing around the land was not adequate and the landowner had been given prior notice of this.
- Members expressed concern around the lack of a need for a licence if horse-owners intend to breed more horses. The RSPCA confirmed that there are no controls around breeding.
- Previous issues between communities were noted, including instances of fencing being removed to allow horses owned by others to escape.
- Supporting the need for a joint approach in tackling this scrutiny topic, the Police representative who was also present at this meeting updated the Committee on developments since the last meeting in January 2020. All Council's within the Cleveland patch had recently expressed a commitment to working together with the Police to address the issue on a regional-basis, an encouraging sign of progress.

AGREED that the information be noted.

**CD
43/19**

Monitoring the Impact of Previously Agreed Recommendations

Consideration was given to the assessments of progress on the implementation of the recommendations from the Scrutiny Review of Hate Crime.

As evidenced, much had been achieved since the Action Plan (in relation to the review's recommendations) had been agreed in March 2019, with specific attention drawn to the following developments:

- Good progress around targeted awareness raising and promotion of the support available for groups with protected characteristics, frontline staff and younger men.
- Work undertaken to encourage reporting of hate crime incidents, with key actions to reduce barriers to reporting now incorporated within the Hate Crime Action Plan. Regarding the development of an online form enabling users to report hate crime from any location, a regional reporting mechanism is now being looked at (this is particularly important for the asylum seeking community as these individuals / families can be moved around within a large geographical area).
- The action involving the recruitment and development of community advocates had been achieved by all responsible authorities. However, the Stockton Hate Crime Group had now broadened their horizons in relation to advocates – further work was now planned, including the promotion of advocates both within organisations and the community. In light of this, the Committee felt that the action should be marked as being achieved (instead of not achieved).

Members commended the work of all local partners in addressing the review's recommendations, and emphasised the need for frontline workers to report any concerns they had. Reflecting on the recent loss of the Council's Equality and Diversity Advisor to Cleveland Police, the Committee was encouraged by the fact that the Officer in question would still be involved in regional work around this issue, and would still be influencing the hate crime agenda.

The challenges around determining if a crime was a hate crime were discussed (e.g. a physical assault). Defining cases was often subjective, though for reporting purposes, it depends on the victim's perspective. If it is determined that a hate crime has been committed, this does not prohibit the perpetrator from being prosecuted for the original offence.

AGREED that:

- 1) the progress updates be noted and the assessments for progress be confirmed, subject to the one amendment outlined above.
- 2) a further progress update be provided to Members on those actions still to be completed at a future Committee meeting.

Overview Reports 2020

Members were presented with overview reports from both the Administration, Democratic and Electoral Services and Community Services directorates.

The Administration, Democratic and Electoral Services report reflected on emerging issues in relation to a number of themes involving Licensing, including:

- Gambling
- Minimum unit pricing (alcohol)
- Regulation of activities involving animals
- Call for Taxi and Private Hire Vehicle Licensing Reform Bill
- Civica App
- Setting the Bar (bespoke Licensed Premises Award Scheme)

The following points were noted / discussed:

- The Council is using minimum unit pricing on some establishments within the Borough whose premises are proving to be more challenging.
- Highlighting the Committee's ongoing review of Fly-Grazed Horses, Members questioned why the new regulations of activities involving animals included an element on the hiring out of horses, but not the breeding of them.
- With regards the issues outlined in relation to taxis and private hire vehicles, the Cabinet Member for Access, Communities and Community Safety emphasised that the Council's overriding priority is the safety of the Borough's residents.
- The Cabinet Member for Access, Communities and Community Safety praised the Setting the Bar scheme, which had been worked up from scratch, and was now leading to owners approaching the Council to get involved.

The Community Services overview report provided a summary of key challenges and emerging opportunities involving:

- Crime and Anti-Social Behaviour (ASB)
- Hate Crime
- Domestic Abuse
- PREVENT
- Asylum and Migration
- Public Space Protection Order (PSPO)

In addition, details around the operational response in relation to the Civic Enforcement Service and the Security and Surveillance Service was provided.

The Committee noted and discussed the following aspects of the report:

- Officers commented that crime and ASB statistics are reported to the Safer Stockton Partnership (SSP) on a regular basis. There is a lag in the some of the data presented, but this is the information available at the current

time.

- Members asked for clarity around the data obtained from IQuanta, specifically the statement that Stockton is performing above average within its most similar group ('8th out of 15'). Officers noted that whilst eighth appears to place Stockton in the lower half of the group, performance is judged against crimes per 10,000 population, and Stockton is operating above the average.
- Regarding Asylum and Migration, the Council is working closely with Mears (who have taken over from G4S) to ensure community cohesion.
- The work of the Security and Surveillance Service was highlighted and commended (the Chair asked for the Committee's thanks to be passed onto staff), a service which pays for itself in terms of results. It was noted that whilst there had been reductions in crime and ASB, public perception was often worse than the reality.
- Frustration around the perception that someone is sat behind the CCTV cameras all the time was echoed by both Members and Officers. Even more frustrating was those individuals who use social media to highlight incidents instead of contacting the Police / CCTV Officers. Regular meetings with the Council's Communications Team are taking place to address negativities expressed via social media platforms.
- Members expressed concern around the limited capacity of Enforcement Officers, and were informed that shift patterns (which are under constant review) had been changed to ensure this resource was used to its maximum capability and covered those times when a higher number of calls are received.
- The Committee noted the forthcoming Euro 2020 football tournament, and the notion that such occasions can lead to an increase in domestic violence. Members were informed that the facts do not back this up.
- Officers informed the Committee of the ongoing Community Safety Plan consultation. Every three years the SSP undertake a Crime and Disorder Audit, and following public consultation, produce a Community Safety Plan which sets out how agencies within the Partnership intend to achieve targets for the next three years. A link to the online consultation would be provided to the Committee following this meeting.

The submission of future potential scrutiny topic suggestions from both directorates were supported by the Committee. These involved Animal Activities Licensing, Civic Enforcement Officer and Police Community Support Officer powers and duties, obstructive parking, and information-sharing between SBC and key partners (E-CINS focus).

AGREED that the information be noted.

**CD
45/19**

Work Programme 2019-2020

Consideration was given to the Crime and Disorder Select Committee Work Programme for 2019-2020. The next Committee meeting was scheduled for

the 26th March 2020 (4.30pm).

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

**CD
46/19**

Chairs Update

The Chair had nothing further to update.