

Crime and Disorder Select Committee

A meeting of Crime and Disorder Select Committee was held on Thursday, 26th May, 2022.

Present: Cllr Pauline Beall (Chair), Cllr Paul Weston (Vice-Chair), Cllr Kevin Faulks, Cllr Clare Gamble, Cllr Lynn Hall (sub for Cllr Stephen Richardson), Cllr Barbara Inman, Cllr Steve Matthews, Cllr Alan Watson.

Officers: Marc Stephenson, Jamie Stephenson (A&H); Gary Woods (CS).

Also in attendance: Gary Cookland (Cleveland Police); Craig Strike (Cleveland Fire Brigade); Michael Hall (Thirteen Housing Group).

Apologies: Cllr Stephen Richardson.

CD 1/22 **Evacuation Procedure**

The evacuation procedure was noted.

CD 2/22 **Declarations of Interest**

There were no interests declared.

CD 3/22 **Minutes**

Consideration was given to the minutes of the Crime and Disorder Select Committee meetings which were held on the 31st March 2022 and the 28th April 2022 for approval and signature.

AGREED that the minutes of the Committee meetings held on the 31st March 2022 and the 28th April 2022 be approved as a correct record and signed by the Chair.

CD 4/22 **Monitoring the Impact of Previously Agreed Recommendations**

Consideration was given to the assessments of progress on the implementation of the recommendations from the Committee's previously completed review of Fly-Grazed Horses. This was the second progress update following the Committee's agreement of the Action Plan in February 2021 and key developments were noted as follows:

- Recommendation 1 (Cleveland Police, Stockton-on-Tees Borough Council (SBC) and other relevant partners, in conjunction with any other interested Tees Valley Local Authorities, develop a joint formal policy document to address the fly-grazing of horses on both Council and non-Council land, clearly outlining the roles and responsibilities of the relevant organisations): Cleveland Police has added the necessity for the policy / protocol to be in place on its Executive Risk Register. The policy and protocol for Cleveland Police is now in draft format and is being examined by its Legal and Procurement teams. A meeting has also been agreed with Police Procurement (9th June 2022) to seek a dedicated budget for this work. In terms of the horse contractor element, Police Procurement have approached World Horse Welfare to determine the viability of a green yard arrangement. A PCSO has been confirmed as having responsibility for the force's horse policy / workplan and

has been introduced to relevant SBC officers (assurance was given that this would not adversely impact upon their existing duties) – the Police Sergeant who was the main Cleveland Police link during the Committee’s review is also an additional contact for future horse-related queries (as is their immediate Line Manager).

- Recommendation 3 (There is improved presence (e.g. dedicated webpage) on the Council website around the issue of fly-grazed horses, including key (nonpersonal) contacts (Council and other partners) / links to guidance / tips for landowners / formal policy (once finalised), etc.): Web pages live and containing both essential horse ownership information (welfare information, advice to land owners and the public, and SBC and RSPCA contact details), as well as being prepared to host the Cleveland-wide policy document.
- Recommendation 5 (Further investigation of potential Council land for a licenced grazing pilot scheme be undertaken as part of the wider SBC Asset Review (ensuring input from the Council’s Environmental Health department)): SBC Land & Property continue with their review of land across the Borough, but still no sites have been identified. Given that this position is unlikely to change, it was suggested that the agreed actions in relation to this recommendation be re-graded to ‘fully achieved’ (as opposed to ‘on-track’ as stated within the published update document).
- Recommendation 6 (Relevant SBC departments identify specific areas of Council land requiring a zero-tolerance approach based on location alone, along with an assessment of the resources required to support the enforcement of the new formal policy on these pieces of land and any other land where a horse’s presence poses an identified risk): Future progress of the actions identified with this recommendation will be made easier following the re-alignment of Environmental Health and Civic Enforcement as part of the recent SBC management restructure.
- Recommendation 7 (Consideration be given to arranging a future microchipping clinic in the Borough (in conjunction with the British Horse Society)): SBC officers have contacted both the British Horse Society and World Horse Welfare, and are currently in discussions to allow for a local chipping session to take place.
- Recommendation 8 (An Officer network group to encourage regular collaboration (including the sharing of best practice around this issue) between the Council and relevant partners regarding fly-grazed horses be created): In addition to the commitment of SBC and Cleveland Police to enhanced partnership-working on this issue, attempts will be made to grow this collaborative to include other relevant organisations (e.g. housing providers).

In relation to recommendation 1, discussion ensued around the availability of horse contractors. The police representative in attendance informed the Committee that the force had entered into a dialogue with a bailiff as part of its planning to address this issue, but the individual had since retired due to ill-health. The only other identified bailiff was based in Gloucestershire which plainly was not a viable option, therefore the use of a ‘green yard’ (a temporary place of safety for the horse until the owner can be traced) was being considered instead. This will have a cost attached for the police (though will be

less than what a bailiff would charge), but there appears to be very few alternative options.

Mindful of the easing of social restrictions imposed by the COVID-19 pandemic, as well as the cost-of-living pressures which had emerged in recent months, the Committee asked if a rise in cases of horses being fly-grazed was anticipated. Officers acknowledged that these factors could well lead to an increase in such practice, and that having sufficient resources to manage this was key. However, Cleveland Police has no dedicated budget for dealing with fly-grazed horses (though this has been raised with the force's Executive Team who are willing to address the issue), therefore will need to establish with the Council what can be realistically achieved, in partnership, with existing funds / personnel. Reference was made to other areas of the UK which had invested in tackling this practice (e.g. Kent / Essex, West Yorkshire), an approach which, after the initial funding, had resulted in a significant decrease in cases. It was also noted that the force was still trying to progress contacts with other Local Authorities within its footprint, even though they had previously not engaged to the same extent as SBC.

The Committee queried if the PCSO who had been designated as the force's lead on horse policy / workplan required police warranty powers to effectively carry out this role. It was clarified that the PCSO would be the contact for day-to-day communications around this issue, but that any required removal of a horse from a location would need the intervention of an alternative warranted officer. The future intended protocol would reflect this.

AGREED that:

- 1) the Progress Update be noted and the assessments for progress be confirmed (including the amendment to the recommendation 5 grading).
- 2) a future update on outstanding actions be provided to the Committee in late-2022.

**CD
5/22**

Scrutiny Review of Bonfires on Public Land

The third evidence-gathering session for the Committee's review of Bonfires on Public Land was held and involved contributions from Cleveland Fire Brigade and Thirteen Housing Group.

CLEVELAND FIRE BRIGADE

Focusing upon engagement with the community, interventions with the community, and an exploration of bonfire-related incidents and impacts, Cleveland Fire Brigade's (CFB) Head of Prevention and Engagement gave a presentation to the Committee which outlined the following:

- Legal Position: From a preventative perspective, Section 6 of the Fire and Rescue Services Act 2004 requires 1) a fire and rescue authority to make provision for the purpose of promoting fire safety in the area, and 2) make arrangements for the provision of information, publicity and encouragement in

respect of the steps to be taken to prevent fires and death or injury by fire, as well as the giving of advice. Section 7 centres on fire-fighting, including preparing for, responding to, and extinguishing fires (protecting life and property) in a fire and rescue authority's area.

Whilst CFB has no legal powers to prevent bonfires, other relevant legislation (enforced by SBC Environmental Health) involves the Environmental Protection Act 1990. Part 2 states that it will be illegal to burn most types of waste (though some wastes can be burnt in certain circumstances such as a domestic bonfire burning only dry plant waste), and Part 3 states that smoke, fumes or gases from a bonfire may be classed as a statutory nuisance (i.e. if smoke interferes unreasonably with the ordinary use or enjoyment of another person's property – in practice, a fire would have to be a recurrent or persistent problem, interfering substantially with neighbours' wellbeing, comfort or enjoyment of their property, to be a nuisance in law).

- **Definition / Classification of Bonfires:** Within the Fire and Rescue Service, the term 'bonfire' covers both where fuel is constructed to burn refuse and for recreational / celebratory purposes. Bonfires are classified in one of two ways: 'secondary fires' (uncontrolled, not supervised and at risk of spread) or 'false alarm good intent' (controlled, supervised and no risk of spread) – CFB uses a risk-based approach to focus on, and extinguish, the former (no action taken regarding the latter). Other agencies may record these incidents in different ways which may explain discrepancies when comparing data between organisations.

Location of incidents are identified through the GPS co-ordinates of the appliance dealing with the incident (though the appliance may be forced to park away from the actual site of the bonfire). Incidents in open spaces are classed as un-addressable as it is not always possible to clearly define whether they are in public or private land. CFB does not hold information on who owns the land where a bonfire is sited – the Brigade merely attend and subsequently log the incident.

- **Engagement & Intervention:** During October and November 2021, CFB, via a team of School Education Officers (one in each Local Authority area), held 47 youth engagement sessions involving 3,488 children. 12 fire-setter intervention sessions were also delivered to identified individuals, and CFB continued its high-visibility 'giveaways' during all engagement events. Similar approaches are being rolled-out for identified adult fire-setters – Stockton-on-Tees will be the first area.

In terms of general communications, CFB kept its tagline from last year: Be Smart. Be Safe. Be Sensible. The call to action was to attend an organised display and report issues (bonfires, anti-social behaviour, deliberate fires) anonymously to Crimestoppers 0800 555 111. CFB decided to team-up with Middlesbrough Football Club mascot 'Roary the Lion' to help engage young people, particularly in the Middlesbrough area (the Brigade's target location).

CFB run a bonfire campaign every year involving paid-for communications in several printed publications across the Brigade's footprint, all of which have a circulation / reach of at least 10,000. The main social media platforms are also used to transmit safety messages (71 posts in October 2021 resulting in over

5,000 likes / comments / responses specific to bonfires and fireworks), and CFB are now looking at more targeted awareness-raising through other popular mechanisms (e.g. children have indicated a preference for TikTok).

Regarding interventions, Cleveland Police agreed for extra patrols in areas where CFB had attended most, and the Brigade liaised with SBC Enforcement Officers to discuss its bonfire strategy, with direct details provided for crews to contact clean-up teams via appliance mobile phones if they encountered anything. During the 30th October – 5th November period, all hotspot areas were monitored to leaflet drop and report any fly-tipped waste, and left out wheelie bins would have a sticker placed on it and the corresponding door knocked to advise residents if they were in. In addition, CFB attended the Stockton Home Safety Association day-event in Stockton High Street to give advice on the bonfire period and encourage people to attend organised displays.

CFB crews themselves continued to conduct Safer Home Fire Safety Assessments in target areas (including bonfire messaging) and a targeted campaign was developed and given to all stations informing them of the hotspot areas. Body-worn video cameras were used to provide evidence, though any subsequent prosecutions need to be communicated to further deter problem behaviour.

- Hotspot Targeting & Intervention: CFB uses multiple tools to establish service demand (including during the bonfire period) and identify high-risk / hotspot areas. Analysis of key indicators shows that, over the last five years, Stockton-on-Tees has experienced less 'secondary fires' (uncontrolled, not supervised and at risk of spread) per 100,000 population (1,721) compared to the entire Brigade patch (3,050), with 22% of the Brigade's bonfire and refuse incidents occurring within the Borough (a smaller proportion than in other areas). Given the Stockton-on-Tees population accounts for around 35% of the CFB area, this data demonstrates that the Borough is performing better than its Local Authority neighbours with regards both 'secondary fires' and bonfire and refuse incidents.

In recent years, analysis shows a 63% increase in bonfire and refuse incidents within the Borough when comparing the 2021 bonfire period to 2020 (2% increase Brigade-wide), though it should be noted that the latter year was impacted more by the COVID-19 pandemic. Comparing the 2021 bonfire period to 2019, there was a 33% increase in bonfire and refuse incidents within the Borough (10% increase Brigade-wide).

Data also indicates an expected correlation between hotspot areas during the bonfire period and 'secondary fires' throughout 2021-2022 and the last five years. Those Wards experiencing the highest level of both 'secondary fires' and bonfire and refuse incidents in the last five years (and in 2021-2022 alone) were Newtown, Stockton Town Centre, and Billingham South. However, when comparing such occurrences during the bonfire period (19th October to 9th November) in 2021, the Wards of Billingham East, Hardwick, Mandale & Victoria, and Stainsby Hill have all seen an increased proportion of reported cases.

- Impact: Bonfires can adversely impact the community in several ways.

They can be a blight on neighbourhoods, compromise public safety (whether real or perceived), and bring about negative environmental consequences. They have also proved to be a stimulus for related anti-social behaviour, including violence towards CFB staff who have been called to attend a reported incident. Significantly, bonfires also have a major impact on the local economy – over the last five years, bonfires are estimated to have cost Stockton-on-Tees around £10 million (based on data from central and local government).

Thanking the CFB representative for an in-depth and insightful presentation, the Committee asked if there was any evidence on where the Brigade's intervention had demonstrably reduced bonfire-related incidents within the Borough. In response, Members were informed that any increase or decrease in the number of reported cases was the ultimate indicator of the effectiveness of a Fire Service's intervention, and that evaluation tended to be done at a national level rather than a local one. CFB was starting to use funding for diversionary techniques as a further way of reducing incidents, and also received feedback from students regarding the messaging it gives out (though not on whether this did or did not prevent a subsequent fire-related incident).

A query was raised around the potential availability of community grants to bolster the drive to promote fire safety. CFB noted that such discussions had been held at the Safer Stockton Partnership (SSP) and that up to £3,000 could be accessible from April 2023 to cover a three-year period.

The Brigade's use of high-visibility 'giveaways' was further probed, and the Committee heard that this was a means of getting an individual's attention on the issue of fire safety before further engagement (appropriate to the level required) was planned / undertaken.

Attention was drawn to the materials that were being burned, with CFB noting that information on what is seen / found by its crews was shared with SBC. There have been issues throughout the year with getting potentially problematic materials removed (similar to those reportedly experienced by the general public), and CFB would welcome some form of priority communication mechanism with the Council so items could be collected and therefore prevented from being used on bonfires. As for the initiation of a bonfire, it was felt that these were started more for anti-social behaviour reasons nowadays than for fun.

THIRTEEN HOUSING GROUP

Providing input regarding their involvement in addressing bonfire-related issues, including collaboration with tenants / partners, Thirteen Housing Group's Head of Estate Services gave an overview of a pre-prepared report:

- Background: Thirteen work closely with Middlesbrough Borough Council (MBC) supporting Operation Autumnus, a multi-agency steering group surrounding the week around bonfire night.
- Operation Autumnus: Planned meetings start around August to discuss action plans for the Middlesbrough area and involve MBC, Thirteen (Neighbourhood Co-ordinators, Estates, ASB, Environmental), Cleveland Fire Service, Youth Offending Service, LINX (Hemlington Children's Action Group),

Middlesbrough Football Club, Cleveland Police, and other housing providers.

Thirteen, MBC and the police compile a list together of known perpetrators / youths who may cause issues around this time and pass this onto YOS / LINX who arrange to speak with identified individuals around fire issues / serious outcomes. Activities are arranged in the days leading-up to and around bonfire night to get the individuals away from the areas of high activities.

Thirteen work with MBC to dismantle any bonfire builds / remove bonfire remains, irrespective of land ownership, leading-up to and around bonfire night. Thirteen also have an internal inbox / administration specifically for bonfire removal requests / emails – where safe to do so, all bonfires and bonfire remnants are removed within 24-hours.

During bonfire night itself, Thirteen provide two staff (minimum – some years it has been four) and at least one van from 3.00pm – 8.00pm, paying their operatives overtime to assist MBC and the police in removing bonfire builds – an Area Lead is on standby during this period to provide a point of contact for both MBC and Thirteen's on-call teams. After bonfire night, MBC / Thirteen clear bonfires debris, irrespective of land ownership.

On a wider footprint, ahead of bonfire week, Thirteen undertake a number of 'flash your trash' days across all Local Authority areas to reduce the amount of bonfire fuel available – this is organised by Thirteen's Neighbourhood Co-ordinators to targeted locations.

- Other Local Authorities: From a Stockton-on-Tees Borough Council (SBC) perspective, Thirteen were previously a key partner in Project Gremlin, an initiative designed to tackle bonfires and anti-social behaviour (ASB), similar to Operation Autumnus. Over recent years, Thirteen's involvement in this project had slowly dwindled up to 2020 when Thirteen were not invited to any of the action planning meetings, although did support any actions / requests from these planning meetings (this could be partly attributed to the impact of COVID-19).

Thirteen's ASB officers regularly undertook letter drops and school visits, serve notice on customers stockpiling fuel, and undertook regular joint area inspections with SBC and the police. At present, Thirteen offer similar support to SBC annually, but due to the scale of the works in the Stockton area (since September 2021, Thirteen have only had five bonfires to clear), SBC has not, to date, felt the need to accept the offer. It was noted that Thirteen does not own much 'open space land' in the Stockton area suitable of supporting bonfires.

Thirteen have offered support to Hartlepool Borough Council (HBC) but, as a above, HBC has not, to date accepted Thirteen's offer to help (but have committed to request assistance if required).

- Issues: It is becoming increasingly problematic to dismantle bonfires prior to ignition, with regular threats and intimidation of the teams attending. With Thirteen and MBC following a no-risk strategy, many bonfires are left to burn if a competent adult is present (to prevent escalating issues). For the SBC area, Thirteen are solely responsible for the clean-ups on Thirteen-owned land.

- Strategic approach to reduction in bonfire fuel: Since 2018, Thirteen has employed 12 staff members in their Clean Sweep team – a project designed to increase the environmental standards to all Thirteen-owned estates and develop a sense of pride in the community. This team has had a significant impact on the amount of fly-tipping / fuel in-situ on its estates.

Thirteen undertake estates audits and generate an estates standards score, then using the Clean Sweep team, improve that estate to a pre-determined standard. One member of the team has been employed as a Fly-Tipping Investigator and has helped realise a 29% reduction in fly-tipping across Thirteen's operating area.

Reflecting on the level of support offered in Middlesbrough in comparison to Stockton-on-Tees, the Committee expressed concern about the stated lack of involvement in SBC action planning meetings. It was subsequently clarified that Thirteen officers from other parts of the organisation did continue to work closely with SBC (particularly in relation to compliance with tenancy agreements / enforcement), and that due to the Council's now mature bonfire strategy, there were fewer presenting issues across the Borough than in other areas. It was also reiterated that Thirteen had less owned and maintained land in Stockton-on-Tees than in Middlesbrough.

Despite the lower levels of intervention required within Stockton-on-Tees, Members were aware of previous bonfires on Thirteen-owned land. Concerns were also raised around the existing requirement to book slots at waste-disposal sites, and the potential for refuse to be left in undesirable places if people get frustrated at having to wait to dispose of it.

SCOPE AND PROJECT PLAN

Regarding the scope and plan that was originally agreed at the start of this review, attention was drawn to the inclusion of the Royal Society for the Prevention of Cruelty to Animals (RSPCA) as a contributor to the Committee's work. Members were informed that a number of attempts had been made to engage the RSPCA in this review, but no response had been provided to any correspondence. A link from the RSPCA website demonstrating an historical appeal to the public in relation to bonfires and wildlife had been separately sourced and was included with the papers for this meeting.

At the previous evidence-gathering session which focused on Cleveland Police, a request was made for further information on anti-social behaviour data. This had since been received from the force, and was circulated prior to, and at, this meeting.

The Committee agreed that sufficient information had been received from the identified contributors to the review, therefore an informal 'summary of evidence' session would be held next month (June 2022) to reflect on all of the submissions and then formulate draft recommendations.

AGREED that the information be noted.

6/22

Consideration was given to the current Crime and Disorder Select Committee Work Programme.

To avoid the need for a split meeting (containing both formal and informal elements) in June 2022, it was agreed that the next progress update in relation to the previously completed Protection of Vulnerable Older Residents Living at Home review could instead be considered in July 2022. The next formal meeting scheduled for the 30th June 2022 would therefore be changed to an informal remote session (via Teams) where the Committee will reflect on a summary of all the evidence received in relation to the ongoing Bonfires on Public Land review and then formulate draft recommendations.

AGREED that the Crime and Disorder Select Committee Work Programme 2022-2023 be noted.

**CD
7/22**

Chair's Update

Following the portfolio changes announced at Annual Council earlier this week, the Chair, on behalf of the Committee, gave thanks to the outgoing Cabinet Member for Access, Communities and Community Safety, Cllr Steve Nelson, for his valued input into the Committee's work. Cllr Nelson's successor, Cllr Norma Stephenson OBE, was welcomed to her new role and the Chair looked forward to engaging with her as part of the Committee's future work programme.