

Minutes of the meeting of the Community Protection Overview and Scrutiny Committee held on 3 September 2008.

Present:

Councillor	Richard Chattaway (Chair)
"	David Booth
"	Chris Davis
"	Bob Hicks
"	Katherine King
"	Barry Longden (Vice Chair)
"	Philip Morris-Jones
"	Mike Perry
"	John Ross
"	Dave Shilton

Also Present: Councillor Richard Hobbs, Portfolio Holder for Community Protection.

Officers:

Emma Curtis, Assistant to the Political Groups, Performance and Development Directorate.

Louise Denton, Assistant to the Political Groups, Performance and Development Directorate.

Jeremy Lee, Emergency Planning Manager, Community Protection Directorate.

Phil Maull, Senior Committee Administrator, Performance and Development Directorate.

Michelle McHugh, Overview and Scrutiny Manager, Performance and Development Directorate.

Kate Nash, Head of Community Safety, Community Protection Directorate.

Mark Ryder, Head of Trading Standards, Adult Health and Community Services Directorate.

Glen Ranger, Deputy County Fire Officer, Community Protection Directorate.

The Chair informed the Committee that Louise Denton would be temporarily taking up the appointment as Overview and Scrutiny Officer and would take over from Michelle McHugh in connection with the Community Protection Overview and Scrutiny Committee. The change would occur as from the 15th September, 2008.

The Chair then said that arising from the recent CPA inspection, it had been identified that Overview and Scrutiny Committees should ask more questions directly of the Portfolio Holders.

1. General **(1) Apologies for absence**

An apology for absence was submitted from Councillor Michael Doody. He had been appointed to replace Councillor Gordon Collett for the meeting but was unable to attend because he was ill.

The Committee asked that their wishes for his speedy recovery to health be passed to him.

It was also noted that DCC Andy Parker had submitted his apologies and that David Whitehouse, Warwickshire Police, had indicated that he would not be able to attend.

(2) Members' Declarations of Personal and Prejudicial Interests

None

(3) (a) Minutes of the meetings held on 17 June 2008

The minutes of the meetings held on 17 June 2008 were agreed as a correct record.

(b) Matters Arising

(i) Minute 7(a)

The Vice-Chair referred to the information and figures he had requested of assaults on emergency staff. He had seen the information relating to police and understood that there were no records of assaults on fire-fighters although he was aware of incidences when fire-fighters had been stoned and had returned with police escorts. He had seen no figures for the health service and asked why it was proving so difficult for the figures to be provided. It would be difficult to reduce the public's fear of crime if it were not possible to obtain the figures of assaults on front line emergency staff.

Kate Nash explained that whereas the police were required to record separately all incidences involving police, there was no such requirement in respect of other emergency staff. This meant that the police had to go through the records manually to extract the information. Information relating to NHS emergency staff was shown on the second page of the information provided. In respect of fire-fighters, there had been thirteen incidences of violence and aggression directed against fire-fighter in 2007/8; most were verbal but a smaller number involved stone throwing. No fire-fighter was injured and, therefore, there were no assaults to be recorded,

Members having indicated that they had not seen the second sheet, the Chair asked that the information be circulated to members after the meeting and considered at the next meeting.

Kate Nash undertook to take up any specific questions that members might have before the next meeting.

Glen Ranger said that there were rigid procedures in place for fire-fighters to follow if they were confronted with an aggressive situation and the success of this was demonstrated by no fire-fighter having been

injured. Warwickshire did not face the same problems as fire-fighters in the metropolitan areas.

(ii) Minute 5(b)(i)

In response to a question from Councillor Mike Perry, Councillor Richard Hobbs confirmed that Councillor Jose Compton had agreed to undertake the role of Older People's Champion.

The Chair suggested to Councillor Richard Hobbs that the appointment and an explanation of what she would be doing in the role should be outlined in a formal report to Cabinet to inform members of the role and to ensure accountability.

2. Public Question Time

Nil.

3. WCC Community Safety Strategy

The Committee considered the report of the Strategic Director Community Protection, which sought the Committee's comments to the draft community safety strategy prior to its submission to Cabinet for approval.

Introducing the report, Kate Nash said that there would be no surprises in the report, as members would have seen it before in various strategic documents. In connection with the performance management section, Members would see that there was no specific action plan for the strategy because the actions were already part of other Directorates and Partnership strategies including, Community Safety Agreement and the LAA. Instead, she had signposted where the strategies could be found and indicated how performance would be monitored.

The following issues arose during the ensuing discussion:–

- (1) The Environment Overview and Scrutiny Committee should look at the road safety aspect of the strategy.
- (2) The proposal for performance management was effective and avoided duplication.
- (3) The implications of narrowing the gap would mean increasing finance to improve certain areas with a consequential reduction in finance for other areas. There was a need to outline more clearly how the strategy would contribute to narrowing the gap.
- (4) There appeared to be insufficient emphasis on measures to tackle crime against industry or commerce and therefore the key actions for the County Council (page 11 of 11) would need to be strengthened.
- (5) It was noted that a list of abbreviations used in the document was not provided and although this was not essential as this was intended for

internal use, it was considered that it would be helpful if one were provided.

- (6) The increase in the number of domestic abuse cases reported could be viewed as an improvement because it meant that victims were reporting offences. Also perpetrators were seeking advice. In 20+ cases where the cause of domestic abuse had been alcohol related, there had been no repeat offending,
- (7) The top priority for police was serious violent crimes.
- (8) There was concern expressed about the democratic deficit on the Crime and Disorder Reduction Partnerships and it was agreed that the Chair should be notified of the membership of each CDRP so that he could take the matter up with the leaders of the local authorities in Warwickshire. The Committee asked Councillor Richard Hobbs to raise members' concerns with the Leader of the Council.
- (9) It was noted that although road safety covered speeding, cycling and walkers, there was no mention of horse riders. Kate Nash undertook to pass this on to the Road Safety Section in the Environment and Economy Directorate.
- (10) The Vice-Chair questioned how the contributions of the Public Service Agreements to increasing the number of young people on the path to success and to delivering a more effective Criminal Justice System would be achieved. Similarly, he felt that there was too much emphasis on PACTs and he questioned how they could be influenced or how feedback from them could be relied on. Kate Nash agreed to strengthen these sections.
- (11) The Strategy should include reference to Economic Development Strategies, employment and crime being linked and the strategy should acknowledge the need to increase employment opportunities.
- (12) The Strategy currently emphasises the use of PACTs as a method for community engagement, however, the Community Engagement carried out by the Police and WCC was much broader than PACT's. The Strategy needed to reflect this.

The Chair asked Michelle McHugh to let him have a note of the discussion so that he could inform Cabinet.

Councillor Richard Hobbs asked if Kate Nash could see a copy of the notes first.

4. Recommendations and decisions made by Community Protection Overview and Scrutiny Committee 2007/08

The Committee considered the report of the Strategic Director of Performance and Development, which set out the progress made against the Committee's decisions of 2007/8 for the Committee to review.

The Chair went through Appendix A to confirm whether the Committee were satisfied with the outcomes:-

Date	Agenda item	Comment
1/5/07	Alcohol Test Purchasing	Satisfied
	Fire and Rescue Service CPA Older People Safety – final report	Satisfied Satisfied
3/07/07	CDRP Performance Report	It was noted that Andy Parker had attended in place of the District Commander to answer members' concerns about increase in crime. It was noted that work was still needed on how to scrutinise CDRPs. The Committee was concerned about the lack of response from the magistrates' courts service. It was appreciated that they were independent and not subject to scrutiny from the Committee. It was also appreciated that magistrates operated under sentencing rulings. It was suggested that the Committee could use the magistrates on the Police Authority as a conduit.
15/01/08	Presentation by DCC Andy Parker – “Protecting our Communities together” – an overview of the Force Reorganisation and Performance	Satisfied
	Trading Standards Half Yr Performance Report 2007/8	Satisfied
	First Draft – Anti-Social Behaviour Strategy for Warwickshire	Satisfied
	Emergency response to summer floods in Warwickshire	Report today – satisfied

	Domestic Abuse – A Strategy for Warwickshire	Satisfied
26/02/08	LAA – Q3 Performance	Satisfied
	Corporate Business Plan 2008-2011	Satisfied
17/03/08	Ensuring the Safety of Older People who live independently	The Chair attended the Cabinet meeting and was content with the decisions. Satisfied.
2/04/08	CDRP Changes: Community Safety Agreement – Implications for Warwickshire	Satisfied.
	Status Report on Animal Welfare and Disease Control Measures by Trading Standards Service.	Satisfied.
	Update on the work of the Trading Standards Service in the area of restricting the sale of alcohol to Minors.	Satisfied.
	Local Resilience Forum	The Chair attended Cabinet meeting and was reasonably content with outcome. There was room for improvement but Cabinet was aware of this. Satisfied.

5. Report on the Introduction of Regulatory Enforcement and Sanctions Act 2008, and the impact on the delivery of Trading Standards Services

The Committee considered the report of the Strategic Director of Adult, Health and Community Services, which gave a summary of the main points of the legislation and an impact assessment for the Trading Standards Services.

Mark Ryder introduced the report.

The following issues arose during the ensuing discussion:–

- (1) The Local Better Regulation Office (LBRO) reported to the DTI. It comprised a Chief Executive and Directors with a staff of 25.
- (2) There was concern that the new body was unnecessary as the Trading Standards in Warwickshire was already working effectively. It was recognised that a review of regulatory services a year before had found a big gap between the best and worst services and therefore the concept behind the creation of LBRO was understandable but the views of Members were that it was not the best solution.

- (3) The Chair had made representations to colleagues in Parliament against the new body.
- (4) It was suggested that a representative of LBRO should be invited to a future meeting of the Committee to explain its purpose.
- (5) Mark Ryder did not believe that the point had been reached in Warwickshire when it would be necessary for the new body to direct Trading Standards in what it should be doing.
- (6) If fixed penalties were introduced, flexibility would be retained in the use of different sanctions.
- (7) There were concerns that the aim of LBRO to introduce consistency of service delivery across England and Wales would result in a levelling down of the higher performers.

Resolved:-

- (i) That the Community Protection Overview and Scrutiny Committee supports the approach recommended in section 5 of the report of the Strategic Director of Adult, Health and Community Services.
- (ii) That LBRO be invited to send a representative to a future meeting of the Committee to explain how it would operate.

6. Warwick District Council and Warwickshire County Council Flooding Review in Warwick District – Final Report of the Joint Panel

The Committee considered the report of the Strategic Director of Performance and Development, which asked the Committee to discuss the findings and recommendations of the joint panel established by the County Council and Warwick District Council to review the services provided to householders, including vulnerable people, and to businesses and the impact on the infrastructure

Michelle McHugh explained that this joint review had been the Warwick Area Committee's choice for Local Area Scrutiny exercise.

The following issues arose during the ensuing discussion:–

- (1) The Chair said that he believed that it was a good scrutiny exercise and he could endorse the recommendations. He knew that the Environment Overview and Scrutiny Committee would consider this and he hoped that it would be submitted to Cabinet.
- (2) Although the review was in respect of those areas that flooded in the Warwick Area, the points identified applied equally across the County. This should be highlighted to the Cabinet.
- (3) Decisions to uproot hedges and fill in ditches, to build more houses (with even more planned), to allow building on the floodplains, out of town shopping areas and concreting over of front gardens, reduced the area of

ground available to absorb rainfall and increased the danger of flooding. Therefore, the Planning process also needed to be reviewed.

- (4) The Environment Agency had ceased dredging water courses resulting in them silting up and action was necessary to resume dredging, There was responsibility for clearing for clearing surface water.
- (5) The Chair said that this had not been in the remit of the joint panel and he could not change the recommendations of another body. However including an addendum to the report when it went to Cabinet could cover this.
- (6) It was noted that farmers also had a responsibility to dig out their ditches.
- (7) The report focused on the responses to flooding, rather than the causes of flooding.
- (8) Councillor Richard Hobbs said that he was cautious about putting the joint report to Cabinet until the results of the Pitt Review were known, as they were likely to impact on the joint panel's recommendations.
- (9) Jeremy Lee said that there would be a need to cross-reference the findings of the joint panel and the Pitt Review. There were 60 recommendations contained in the Pitt Review which were relevant to Local Authorities, some of which duplicate the recommendations contained in the Scrutiny Review.

Committee resolved to pass the report to Cabinet, it would be Cabinet's decision as whether to delay consideration of the findings until after implications of the Pitt Review were known.

7. Provisional Items for Future Meetings and Forward Plan Items Relevant to this Committee

(a) Provisional Items for Future Meetings

Members considered the provisional items for future meetings.

The Chair referred to the proposed visit to Trading Standards on the 12th September and said that this had been postponed from the 13th August because of the unavailability of members. If a similar situation arose in respect of the September date, he proposed that it should be rescheduled and opened up to any member of the County Council who was interested in attending.

(b) Forward Plan Items relevant to the work of this Committee

The Committee noted the Forward Plan items relevant to the work of this Committee.

8. Directorate Asset Management Plan 07/09

The Committee noted the report of the Strategic Director of Community Protection and the Directorate's Asset Management Plan 07/09, which defined the property asset requirements for the Directorate to support its service objectives, strategy and plans. It was noted that the use of abbreviations without a list of those used was confusing.

9. Any Other Items

Members were reminded of a visit to the Regional Control Centre on the 25th November 2008.

.....
Chair of the Committee

The Committee rose at 3.55 p.m.