

## **Minutes of the meeting of the Community Protection Overview and Scrutiny Committee held on 18 November 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 Peter Fowler.

### Officers:

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

Louise Denton, Scrutiny Officer, Performance and Development Directorate.

Phil Edwards, Community Protection Directorate.

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

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

Kit Leck, DAAT Manager.

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

Corrine Brown, Service Manager, Enforcement Team, Trading Standards.

Also present: ACC Lewis Benjamin, Dave Shirley (PCSO Manager), David Whitehouse, Head of Community Protection and DCI Adrian Pearson.

## **1. General**

### **(1) Apologies for absence**

Apologies for absence were received from Councillors Gordon Collett and Bernard Kirton.

### **(2) Members' Declarations of Personal and Prejudicial Interests**

None

### **(3) (a) Minutes of the meeting held on 3 September 2008**

The minutes of the meeting held on 3 September 2008 were agreed as a correct record, subject to the deletion of the letters "DTI" and the insertion of the words "Department of Business Enterprise and Regulatory Reform", in line 1 of subparagraph (1) of minute 5 Introduction of Regulatory Enforcement and Sanctions Act 2008.

**(b) Matters Arising**

**(i) Minute 3 WCC Community Safety Strategy**

The Chair referred to the concern expressed at the last meeting about the democratic deficit on the CDRPs and undertook to discuss the inequality of representation with the party spokespersons outside the meeting.

**(ii) Minute 5 Introduction of Regulatory Enforcement and Sanctions Act 2008**

Louise Denton reported that a representative from the Local Better Regulation Office had agreed to attend the Committee's February 2009 meeting and that this item would be added to the Committee's work programme.

**(iii) Minute 6 Warwick District Council and Warwickshire County Council Flooding Review in Warwick District**

Louise Denton said that a report on the post-2007 floods was scheduled to be presented to Cabinet on the 11 December 2008. It was anticipated that this would pick up on the flooding review recommendations as well as the implications of the Pitt report.

**2. Public Question Time**

None.

**3. Review of Police Community Support Officers (PCSOs) in the Community**

David Whitehouse, with the aid of a power-point presentation (attached), gave an update and overview of the PCSO initiative and highlighted –

1. that there were currently 144 PCSOs deployed across the county (locations listed) including 6 in schools which, through a number of indicators had identified them as being a priority;
2. the positive impact of PCSOs in Warwickshire;
3. the new powers invested in PCSOs from 2007 which did not include the power of detention;

4. the importance of PCSOs presence in the community in terms of information and intelligence gathering and high visibility patrolling;
5. that Home Office funding was secured until 2011-12.

In reply to questions David Whitehouse said that –

- (1) investing PCSOs with a power of detention had been piloted in 6 areas, in the country, one had given up and an addition was with the British Transport Police;
- (2) Additionally, the Home Office questioned funding in Merseyside for PCSOs with traffic warden powers as they tended to be dealing with all traffic warden issues;
- (3) Training for PCSOs covered citizens arrest powers and dealing with confrontational situations;
- (4) PCSOs were best used in working with victims of crime;
- (5) PCSOs could call on the Police to deal with a situation that they were powerless to engage with;
- (6) PCSOs commanded much respect in the community and had built up a close working relationship. There was a perception from some that PCSOs did not have respect in the community, because of their lack of powers, but this was not borne out in practice;
- (7) Although PCSOs did not have traffic warden powers they had proved resourceful in suggesting long term solutions to parking problems;
- (8) In general PCSOs were trained to deal with minor conflict and information gathering for feeding back to the Police. Whilst PCSOs did not have the power of detention, they were able to persuade members of the public to remain at the incident for a period of 30 minutes until assistance arrived;
- (9) He would not advocate stepping up the role of PCSOs role as this would confuse their role with the core police role;
- (10) The schools that had PCSOs located within them had seen an improvement in attendance.

Councillor Longden suggested that there should be greater publication of PCSOs powers in order to address residents' concern about why they were not dealing with parking infringements. He said that he had been unable to find on the Home Office website that PCSOs needed to be traffic wardens to deal with parking issues. The Area Committee had tried to provide PCSOs in its area with mobile phones and cameras but this proposal had not received Police support. He expressed concern about PCSO vacancies in his area where there was only one and one new starter when there should have been 5, and there was no mention in the presentation of recruitment. Police support was also not up to full strength there being only 3 out of 6 Police Officers in Nuneaton. He said that he could not fault the staff on the ground who he said were worn out but there was no support from Police Headquarters.

In response ACC Lewis Benjamin said that he was well aware what was happening in Nuneaton. The fact was that crime numbers showed a reduction, for example 13% down on violent crime, acquisitive crime was down 26% and road related deaths down 85%. Councillor Longden had been invited to Police Headquarters to discuss his concerns. PCSOs had been operating for a few years and they worked best in heading off problems before they arose and they had been trained to do that without confrontation. There had been some resilience issues but succession planning was in place.

Councillor Ross said that, in Bulkington, before January there had been a good relationship with the Police and PCSOs but that since then a new regime had been introduced whereby the Nuneaton Commander could deploy staff around the area, which had resulted in a reduction of police presence and a build up of problems again. The issue of protection for PCSOs was raised at meetings and he enquired about the number of assaults sustained by PCSOs.

In reply to these and other questions David Whitehouse and Dave Shirley said that –

1. there had only been 3 recorded assaults on PCSOs but the training they received focussed around influencing and achieving non-confrontational resolution to incidents;
2. Nuneaton had lost 8 PCSOs, some to Police recruitment but 14 new recruits would be undertaking training in January and it was hoped that that would bring numbers up to full complement;
3. Special Constable numbers had reduced as a result of PCSO recruitment and were strongly linked to the Safer Neighbourhood Teams.

A member commented on the positive issues highlighted in the presentation and thanked the PCSOs for reducing crime in the community. Concern still remained about PCSO's safety.

In conclusion the Chair thanked David Whitehouse for a very interesting presentation and said he recognised the work being undertaken by PCSOs. In order to raise awareness of the PCSOs powers he asked that a copy of the presentation material be circulated to all Members, press and Neighbourhood Watch Co-ordinators.

(The order of these minutes reflect the order that they are listed on the agenda and not the order in which they were taken.)

#### **4. Virement Proposal - Community Safety**

The Committee considered the report of the Strategic Director for Community Protection and County Fire Officer.

The report detailed a forecast underspend on the £125,000 allocation made for this year in relation to the funding of 5 Police Community Support Officers to specialise in addressing anti-social behaviour.

Kate Nash outlined the proposed alternative use for the unallocated part of the budget allocation, approximately £65k, on community protection related activity as outlined in paragraph 3 of the report.

The Chair said that whilst he had no problems with the list of alternative uses outlined in the report, he considered that the sum should be divided between the CDRPs, ( £8k each) Trading Standards work on rogue traders (£10k) and the remaining balance on tackling domestic violence;

During discussion the following comments were noted –

- (1) That the report should be deferred to enable the relevant officer in Environment and Economy Directorate (Sue Ashley) to comment on the Hams Hall proposal;
- (2) That this proposal provided an opportunity to address the Hams Hall problem and should be supported. Dispersal of the problem was of concern and the need to work with partners and adjacent authorities was highlighted; It was considered that the remainder of the money should be spread across the CDRPs (£8k x 5) and £10k for Trading Standards to spend on its top priority;
- (3) The need for an injunction was questioned because it was felt that this was a Police issue. Concern was expressed about the engineering proposals and Hams Hall businesses being expected to fund these measures on top of their business rate tax;
- (4) The effectiveness of the injunction was questioned as Police action up to this time had not resolved the problem. Concern was expressed that, if this were also a county-wide problem, that £25k would not be sufficient to solve the problem;
- (5) More details of the injunction were requested and an explanation of its effectiveness;
- (6) That the Hams Hall proposal should be supported as the dispersal of the problem to other areas of the county had already begun;
- (7) Concern was expressed that this surplus was as a result of a delay in recruitment and that no-one had mentioned dispersal orders or what Police action had taken place to date;
- (8) That the allocation of this funding would be better done through the political groups rather than being tied to the list of proposals outlined in the report.

Councillor Peter Fowler spoke in support of an injunction for Hams Hall to prevent the car cruising and thanked the Police for all the work they had done in trying to resolve this issue over the last year. Despite Police action they had been unable to prevent the events that were taking place involving 500 cars and some 2,000 spectators, which were drawing participants from neighbouring areas and were a danger to the HGV drivers and Coleshill Parkway commuters.

The Chair read out a statement from Councillor Joan Lea supporting a countywide injunction to resolve the Hams Hall problem, which she said, had been ongoing for several years and had taken up many hours of Police time.

She urged that the injunction be supported in that it would have much wider benefit in protecting other sites that were suffering similarly across Warwickshire.

In reply to concerns and comments about the injunction –

- (1) Kate Nash said that she could provide greater details about how the injunction would work and its effectiveness and confirmed that the £25k would cover the county-wide costs. She also said that all options had been considered in detail and had included discussion with Sue Ashley.
- (2) David Whitehouse explained that an injunction had a long-term effect and was of county-wide benefit and could result in confiscation of vehicles which he said had a deterrent effect on the offenders. Using the Nottinghamshire County Council example of good practice he could give assurance about the effectiveness of injunctions in resolving this problem.

With regard to the proposals to allocate funding to the CDRPs Kate Nash said that this funding needed to be spent in the current financial year and because of the timing of CDRP meetings this would be difficult to achieve.

The Chair then proposed that a vote should be taken on the range of proposals that had been put forward during the debate in order to achieve a recommendation to Cabinet that had the consensus of all Members, following which –

The Committee agreed to recommend to Cabinet that the underspend on PCSOs be allocated as follows –

1. £25k to fund a county-wide injunction as set out in paragraph 3.2 of the report;
2. £10k to Trading Standards Services' top priority;
3. £6k be offered to each CDRP for spending on local priorities. If CDRPs are unable to use the money within this financial year it shall be referred back to the officers for allocation in consultation with the Portfolio Holder and Party Spokespersons.

## **5. Mid-Year Directorate Report Card – 2008/09 (April – Sept 2008)**

The Committee considered the report of the Strategic Director of Community Protection and County Fire Officer.

The report provided an analysis of the Community Protection Directorate's performance at the mid-year point for 2008/09. It reported on performance against the key performance indicators as set out in the Directorate Report Card.

Glen Ranger asked members to be aware that some figures in the baseline column had been corrupted by the upgrade of Performance Plus, however this had not affected the report outcomes. He reported a very good mid-year performance, which boded well for the year end and was the result of the

Strategy put in place two years previously. The Fire and Rescue Service was performing well in 18 out of 20 Performance Indicators but needed to improve in the area of “repeat false alarm calls” and to increase the number of smoke alarms installed. He added that a CLG report measuring all UK Fire & Rescue Services using socio-demographic data had placed Warwickshire in the top 10 in all points of measurement regarding the number of accidental dwelling fires and associated injuries/deaths.

The Chair said that, although the performance figures showed improved performance, the Committee needed to drill down into the performance indicators more sharply than previously, as required by the recent CPA inspection. Glen Ranger welcomed the further scrutiny suggested by the Chair.

The Committee noted the summary and detail of the performance indicators within the Directorate Report Card at the mid-year point of 2008/09 (Appendix 1).

## **6. Alcohol Harm Reduction Strategy 2006 - 2009**

The Committee considered the report of the Strategic Director for Community Protection and County Fire Officer that detailed progress made against the Warwickshire Alcohol Harm Reduction Strategy 2006-09. The report identified what had gone well, what actions had not been adequately delivered and proposed steps that could be taken to improve the delivery of the plans in future.

Kit Leck highlighted that–

- (1) the Strategy was the result of partnership work involving trading Standards, the Police and other partners;
- (2) progress had been made on the Strategy and it was now due for refresh and review;
- (3) work being undertaken to help young people in terms of planning and commissioning treatment and was now mainstream within the Adult and Community Services Directorate;
- (4) several new initiatives included the development of an alcohol arrest referral scheme (906 people in 2007/08 engaged at the point of arrest);
- (5) DAAT had received a National Award for Information Sharing on drug/alcohol awareness and service information.

In reply to questions he said that –

- (1) proxy sales were still a problem but research had found that a percentage of alcohol was usually procured by parents;
- (2) the level of underage sales of alcohol were reducing in supermarkets because more businesses were asking for proof of age;
- (3) he was not aware whether the volunteer custody visitors had specialists knowledge to recognise the symptoms of alcohol abuse;
- (4) that whilst there was a link between alcohol abuse and crime this was not always the case and its impact on individuals and their families needed to be addressed also.

DCI Adrian Pearson agreed with the Member's comment that underage drinking should be addressed by tackling the outlets. He commended the Trading Standards Service who he said responded every time they were requested to do so. Accident and Emergency Services were organising the completion of anonymous questionnaires as a way of picking up problem premises.

In response to a suggestion about re-establishing the cross-committee Alcohol Abuse Task Group Kate Nash said that a partnership officer group had been set up for this purpose and she was that Members' contribution to the new strategy would be welcomed.

The Chair said that he supported the proposal put forward to re-establish the Task Group and thanked Kit Leck for his presentation.

## **7. Trading Standards Anti-Counterfeiting Enforcement Strategy**

The Committee considered the report of the Strategic Director Adult, Health and Community Services.

Prior to 2007 anti-counterfeiting enforcement was not a key priority for the Trading Standards Service due to the resource-intensive nature of this work and limited success in securing ongoing compliance. However surveys carried out in 2007 revealed significant volumes of counterfeit products openly being offered for sale at Warwickshire's weekend markets and car boot sales, prompting a fresh approach.

In 2007/08 the Trading Standards Service received £39,686 additional funding from Central Government for anti-counterfeiting enforcement work. The additional funding has been utilised to bring dedicated, specialist resource to this area. An enforcement strategy was devised utilising the latest enforcement methods to persuade market organisers to work with Trading Standards Officers to rid markets of illegal merchandise.

This report provided an update on progress made to date and outlined further work needed in this area.

Mark Ryder highlighted the drivers behind the anti-counterfeiting work undertaken by Trading Standards and the increased activities that had taken place in this area

In reply to questions Corrine Brown said that –

1. Trading Standards focussed on the 8 regular markets and also car boot sales;
2. whilst she was not aware of markets selling counterfeit cigarettes and alcohol Members should report to Trading Standards any information that they might have on this activity.
3. Trading Standards worked closed with brand named companies to track down counterfeit goods.



The Committee –

- (1) noted the progress made by the Trading Standards Service in reducing the level of counterfeit products offered for sale at Warwickshire's markets;
- (2) endorsed continued anti-counterfeiting work in accordance with the strategy outlined in the report;
- (3) recommended that the annual funding from Central Government for anti-counterfeiting enforcement continues to pass directly to the Trading Standards Service so that this work can continue.

**8. 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.

A Member asked for an update report on the Hams Hall Injunction and its impact on other venues to be included in the future work programme. This proposal was agreed.

**(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.

**9. Any Other Items**

None

Chair of the Committee

The Committee rose at 5:17 p.m.