



EAST RIDING

OF YORKSHIRE COUNCIL

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Malcolm Sims Director of Corporate Resources

To: Members of the Safer and Stronger
Communities Overview and Scrutiny Sub-
Committee (for attention)

All other Councillors (for information)

Your Ref:

Our Ref: Agenda/GN

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Date: 2 September 2015

Dear Councillor

I hereby give you notice that a meeting of the SAFER AND STRONGER COMMUNITIES OVERVIEW AND SCRUTINY SUB-COMMITTEE will be held at COUNTY HALL, CROSS STREET, BEVERLEY, HU17 9BA on THURSDAY, 10 SEPTEMBER 2015 at 10.00AM.

The business to be transacted is as set out below.

Yours sincerely

for Malcolm Sims
Director of Corporate Resources

AGENDA

1. Declarations of Pecuniary and Non-Pecuniary Interests - Members to declare any interests in items on the agenda and the nature of such interests.
2. To approve as a correct record the minutes of the meeting of the Safer and Stronger Communities Overview and Scrutiny Sub-Committee held on 16 July 2015 (pages 1 - 6).
3. Humberside Police Update - To receive an update from Chief Inspector Adegbembo (page 7).
4. Community Safety - To receive the following reports:
 - (i) Community Safety Partnership - Report of the Report of the Director of Environment and Neighbourhood Services (pages 8 - 15).
 - (ii) Overview of the Regulation of Investigatory Powers Act 2000 ('RIPA') - Report of the Director of Corporate Resources (pages 16 - 18).
 - (iii) Update on Hate Incidents and Defamatory Incidents - Report of the Director of Corporate Strategy and Commissioning (pages 19 - 26).



5. Early Morning Restriction Orders and Late Night Levy - Report of the Director of Environment and Neighbourhood Services (pages 27 - 37).
6. Safer and Stronger Communities Overview and Scrutiny Sub-Committee Work Programme 2015/16 - To update members on the Sub-Committee's work programme for 2015/16 (pages 38 - 45).
7. Forward Plan of Key Decisions - To note that there are no key decisions on the Council's most recently approved Forward Plan of Key Decisions that have not previously been reported and which fall within the Sub-Committee's terms of reference
8. Any other business which the Chairman decides is urgent by reason of special circumstances which must be specified.

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EAST RIDING OF YORKSHIRE COUNCIL
SAFER AND STRONGER COMMUNITIES
OVERVIEW AND SCRUTINY SUB-COMMITTEE

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16 JULY 2015

PRESENT: Councillors Skow (in the Chair), Billinger, Bryan, Chadwick, Green, Hardy, Jump, Mole, Peacock, Rudd, Sharpe and Walker.

Members of the Health, Care and Wellbeing Overview and Scrutiny Sub-Committee

Councillors L Bayram, Davison, Fox, Galbraith, Green, Hall, Hogan, Jefferson, Kingston, Smith and Steel.

Officers Present: Paul Abbott - Public Protection Group Manager, Paul Bellotti - Head of Housing, Transportation and Public Protection, John Craig - Forward Planning and Housing Strategy Manager, Laurie Fergusson - Public Health Addictions Officer, Steve Hellewell - Community Safety Manager (Humberside Fire and Rescue Service), Steve Henry - Station Manager (Humberside Fire and Rescue Service), Tony Margetts - Substance Misuse Manager, Paul Martindale - Senior Practitioner (East Riding Partnership - Open Access), Helen McEgan - Housing Strategy Officer, Lee Potter - Watch Manager (Humberside Fire and Rescue Service) and Gareth Naidoo - Senior Committee Manager.

Co-optees: Mavis Vines, Tony Smith and June Pitt.

Also in attendance: Press - 0
 Public - 0

The Sub-Committee met at County Hall, Beverley.

54 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS - Councillors Green, Jefferson and Sharpe declared non-pecuniary interests in minute 56 insofar as they are members of the Fire Authority.

55 MINUTES - Agreed - That the minutes of the meeting held on 12 March 2015 be confirmed as a correct record and signed by the Chairman.

56 HUMBERSIDE FIRE AND RESCUE SERVICE - The Sub-Committee received an update from Steve Hellewell, Community Safety Manager from Humberside Fire and Rescue Service. Also in attendance was Steve Henry, Station Watch Manager and Lee Potter, Watch Manager, who would now be representing the Fire and Rescue Service at future meetings of the Sub-Committee.

Performance figures for the last quarter were as follows:-

		April	April	May	May	June	June	2015/16	2015/16
	Local Performance Indicator	Actual	Target	Actual	Target	Actual	Target	Actual	Target
LPI 2	Accidental Dwelling Fire	10	11	8	8	8	9	26	28
LPI 2aii	Accidental (other)	7	1	5	5	2	3	14	9
LPI 3a	Deliberate Primary Dwelling	0	1.6	1	0.6	0	0	1	2.2
LPI 3bii	Deliberate Commercial Vacant	1	0.3	2	0.7	0	0.7	3	1.7
LPI 3c	Deliberate Primary Vehicle	5	3	6	4	4	1	15	8
LPI 3d	Deliberate Primary Other	1	1.3	2	0.6	1	3.2	4	5.1
LPI 4	Deliberate Secondary	37	26.7	27	23.7	19	23.4	83	73.8
LPI 8	Road Traffic Collision	11	8.6	9	6.7	11	8.7	31	24

The Fire Authority at its meeting on Monday 16 February approved the Service Re-design Programme for Incident Command and Specialist Functions and gave the authority to the Fire and Rescue Service CMT to implement the options as necessary. The options could be achieved in line with current retirement profile without the need for redundancies. It was recognised that it might take several years before all of the options could be fully implemented in this way.

Following the Service Redesign Programme - Incident Command and Specialist Functions, the organisation was now being restructured, with a reduction in posts being accommodated and the new structure was comprised of the following five areas:

- Emergency Response
- Public Safety
- Corporate Planning and SRP
- Organisational Development and
- Service Support

The principal changes affecting the East Riding were as follows:

Previous Structure

- Community Protection Unit (CPU) Group Manager (Niall McKiniry) who oversaw all emergency response and public safety within the East Riding
- Community Safety Station Manager (Steve Hellewell) East Riding
- Technical Fire Safety Watch Manager (Dave Bottomley) East Riding
- Equivalent positions for the other 3 CPU's (Hull, North Lincolnshire, North East Lincolnshire)

New Structure

- Emergency Response Group Manager (Jason Kirby) North Bank
- Public Safety Group Manager (Allen Cunningham) North Bank
- Community Safety Station Manager (Steve Henry) North Bank
- Business Safety Station Manager (Martin Cawkwell) North Bank
- Equivalent positions for the South Bank

The Customer Service Excellence Award was developed to offer services a practical tool for driving customer-focused change within their organisation. The Fire and Rescue Service had proudly held this award since 2009. The award covered a three year period and 2015 marked the start of the re-certification process. Following a two day on-site audit in February, the Service was again found to have a deep understanding of and commitment to Customer Service

Excellence. The commitment was displayed from Senior Management levels through to Operations and Front line Staff.

Currently, the Fire and Rescue Service had an agreement with the British Red Cross to provide practical and emotional support in the aftermath of Fire or Emergency. The aim of the Fire and Emergency Support Service was to respond quickly and effectively in an emergency situation, assisting in recovery arrangements and sign-posting to other services for help. The British Red Cross volunteers provided this support during out of office hours, with the original vehicle currently based at Hull Central. In order to make this a 24/7 service, Community Safety Advocates had now received training to provide this support during the working week. This had been further supported by HFR Solutions who had purchased a second Fire and Emergency Support Vehicle which would be based at Cromwell Road, Grimsby.

Agreed - (a) That the update be noted, and

(b) that Mr Steve Hellewell be thanked for his participation at Sub-Committee meetings throughout the last few years and wished well in his future role within Humberside Fire and Rescue Service.

JOINT ITEM WITH HEALTHCARE AND WELLBEING OVERVIEW AND SCRUTINY SUB-COMMITTEE

57 USE OF IMAGE AND PERFORMANCE-ENHANCING DRUGS AND NOVEL PSYCHOACTIVE SUBSTANCES IN THE EAST RIDING - Members of the Healthcare and Wellbeing Overview and Scrutiny Sub-Committee were invited to take part in the consideration of this item.

The Sub-Committees received a report of the Director of Public Health presented by Tony Margetts, Substance Misuse Manager. Also taking part in the consideration of this item was Paul Abbott - Public Protection Group Manager, Paul Bellotti - Head of Housing, Transportation and Public Protection, Laurie Fergusson - Public Health Addictions Officer and Paul Martindale - Senior Practitioner (East Riding Partnership - Open Access).

The report looked at changes in illicit drug use in the East Riding, in particular, the growth in the use of Image and Performance Enhancing Drugs (IPEDs), particularly anabolic steroids and Novel Psychoactive Substances (NPS), also known, rather misleadingly as 'legal highs'. The report looked at the evidence of use of these drugs in the East Riding and put into the national context and then looked at the risks and harms of this use. There was a discussion of national and legislative approaches to NPS.

Also discussed was the evidence for an increasing use of IPEDs and the work that had been undertaken to address this, particularly the development of local initiatives. Also considered was the use of tools and powers that were currently available in response to NPS, including those used in other authorities and briefly outlined new powers proposed by the Government.

Developing performance information with NPS or IPEDs was challenging. There was limited evidence on effective interventions for those groups and neither group was currently well represented in treatment. The National Drug Treatment Monitoring Service (NDTMS) which was the national database on drug users in treatment distinguished between opiate and crack cocaine users and non-opiate users, so there was no national data on performance on work with these particular groups of drug users. These were groups that were reluctant to come into treatment and so it was difficult to give figures on use among those groups. The needs of both groups would be addressed in the tender for Community Drug Services, which was currently underway with the retendered service due to start April 2016.

It was difficult to disaggregate the costs of IPEDs and NPS from other drugs as they were part of the overall burden on drug treatment services. There were also a significant number of people who took several different types of drugs or mixed drugs and alcohol. The cost of the IPEDs pilot was anticipated to be £27,473.60 and an estimate of the burden of injecting equipment for steroid users was £25,728.92.

Both NPS and IPEDs were a relatively new challenge for the control and treatment of drug problems and represented a real, but difficult to quantify, threat to Public Health. At present there was a lack of evidence as to the nature of use, scale and harm represented by these types of drug use.

The existing legislative and regulatory framework was not well adapted to these emerging and rapidly-changing concerns. Considerable efforts were being made in the East Riding though, through work between different departments of the Council, partners and commissioned drug treatment services, to adapt to these new concerns and develop a local response.

One authority had put in place a Public Protection Order to combat the rise of NPS and IPEDs. There was, however, no such evidence that there was a particular problem in the East Riding and therefore there were no plans at present to introduce such a measure.

The Council's Licensing Team held regular meetings and training sessions for licensees and held good working relationships with the Police, partners and licenced premises. The enforcement on misuse of drugs was, however the responsibility of the Police and the Sub-Committee agreed to challenge the Police at a future meeting on its performance on enforcing misuse of drugs. In particular the Sub-Committee was interested to hear from the Police as to what steps it was taking to tackle the rise of NPS and IPEDs and protect the public from these users. The Sub-Committee would also enquire as to the effectiveness of the Police's drug testing policy and how often drug dogs were trained in detecting new drugs as it would appear that current drug testing process was not effective in detecting these new drugs.

The Public Health team also worked closely with partners, such as Yorkshire Ambulance Service and particularly the Community Rehabilitation Company Purple Futures, providing training on IPEDs. The Council had also provided training on IPED use locally, including for leisure centre staff and drug and alcohol workers. Once this training was fully rolled out across the public sector, the Council would look to roll this training out further to private sector leisure centres, where there was a desire.

Agreed it be recommended -

(a) That the Sub-Committee recognises and supports action taken so far to address concerns regarding IPEDs and NPS and, in particular, the joint work of East Riding staff, partner agencies and commissioned drug treatment services in this area;

(b) that the Sub-Committee recognises that both NPS and IPEDs are complex and emerging concerns and that there is a lack of evidence on effective ways of dealing with these problems, and

(c) that the performance by the police on enforcement of misuse of drugs be added to the scope for 'Humberside Police Update' at a future meeting.

58 EAST RIDING HOUSING STRATEGY UPDATE - The Sub-Committee received a report of the Director of Corporate Strategy and Commissioning presented by Helen McEgan, Housing Strategy Officer. Also in attendance for the consideration of this item was John Craig - Forward Planning and Housing Strategy Manager and Paul Bellotti - Head of Housing, Transportation and Public Protection.

This report provided a retrospective look at performance in delivering the priorities of the East Riding of Yorkshire Housing Strategy 2011. During the last four years the Council and its partners had delivered the majority of the actions set out within the Strategy, all within a challenging background of austerity measures and rapidly changing national policy context.

A new Housing Strategy was currently being developed by the Housing Strategy Development Team and would be informed in light of prevailing national policy and best practice, a full assessment of progress made in relation to the existing strategy, availability of funding and support and a review of available evidence.

The Housing Strategy Update 2014 provided a useful summary of the key achievements by the Council and its partners against the priorities set out within the Housing Strategy 2011. The new Strategy was currently under development, which would be informed by a range of national policy drivers, available resources and in light of lessons learnt over the course of the current Strategy.

The Housing Strategy 2015 would have regard to the context provided by the two Local Enterprise Partnerships and an increased focus on integration between Housing, Health and Social Care, in recognition of the influence that Housing Strategy has on the prevention agenda.

Despite the changes that the Council faced in light of national policy, the Sub-Committee was reassured that the Council had a healthy housing business plan in place for the next few years, and that the impact of the new proposals would be accommodated. Social housing investment would continue over the next three years as previously determined.

Agreed it be recommended -

(a) That Members support the progress made in delivering the existing East Riding Housing Strategy and the context against which a new Strategy is to be prepared;

(b) that the findings of the full benchmarking exercise of the Council's housing management and maintenance service be added to the scope of the item 'Housing Bill' at the meeting of 22 October 2015, and

(c) the Housing Allocations Policy take into account and consider the use of cross border housing vacancies.

59 SAFER AND STRONGER COMMUNITIES OVERVIEW AND SCRUTINY SUB-COMMITTEE DRAFT WORK PROGRAMME 2015/16 - The Sub-Committee received its draft Work Programme for 2015/16 following an agenda-setting workshop in June 2015.

Agreed - That the draft Work Programme be approved.

60 FORWARD PLAN OF KEY DECISIONS - The Sub-Committee received a report of the Director of Corporate Resources presented by Gareth Naidoo, Senior Committee Manager.

The Forward Plan of Key Decisions contained information regarding all the key decisions The Cabinet and the Council would be asked to take within the next four months. The Plan was reviewed monthly and rolled forward for each subsequent four month period, with each Plan superseding the previous one.

An extract from the most recently approved Forward Plan of Key Decisions detailing any issues which fell under this Committee's Terms of Reference and was due to be taken within the next four months was shown at paragraph 1.4 of the report for Members' information and consideration for the period August to November 2015.

Agreed - That the items 'CCTV Implementation Policy' and 'Waste Paper Security Policy' not be considered by the Sub-Committee prior to a decision being taken by The Cabinet.

Recorded Crime to July 2015**All Crime**

	12 months to Jul 2014	12 months to Jul 2015	per 1000 population	Population *
East Riding of Yorkshire	13,234	13,009	38.6	337,115
Kingston upon Hull	26,664	26,533	103.0	257,710
North East Lincolnshire	15,405	16,596	103.9	159,804
North Lincolnshire	10,593	10,083	59.6	169,247

Criminal Damage

	12 months to Jul 2014	12 months to Jul 2015	per 1000 population	Population *
East Riding of Yorkshire	2,117	2,096	6.2	337,115
Kingston upon Hull	3,867	3,924	15.2	257,710
North East Lincolnshire	2,866	2,971	18.6	159,804
North Lincolnshire	1,659	1,461	8.6	169,247

Violence with injury

	12 months to Jul 2014	12 months to Jul 2015	per 1000 population	Population *
East Riding of Yorkshire	1,551	1,557	4.6	337,115
Kingston upon Hull	2,639	2,873	11.1	257,710
North East Lincolnshire	1,626	1,811	11.3	159,804
North Lincolnshire	1,124	1,155	6.8	169,247

Domestic Burglary

	12 months to Jul 2014	12 months to Jul 2015	per 1000 households	Households **
East Riding of Yorkshire	687	679	4.7	143,032
Kingston upon Hull	1,595	1,430	12.7	112,596
North East Lincolnshire	1,056	965	13.8	69,707
North Lincolnshire	712	703	9.9	70,684

* Population is the mid-2014 population estimate based on the 2011 census

** Household estimates obtained directly from the 2011 census

EAST RIDING OF YORKSHIRE COUNCIL

Report to: Safer and Stronger Communities Overview and Scrutiny Sub-Committee
10 September 2015

Wards: All Wards

Community Safety Partnership

Report of the Director of Environment and Neighbourhood Services

A. Executive Summary

This report provides members of the Sub-Committee with an outline of the Community Safety Partnership (CSP) structure and purpose. It gives some practical examples of the oversight possible via the CSP and lays out the relevant legislation which governs the CSP's operation.

The commitment to partnership working by the responsible authorities within the East Riding is largely effective and as a result crime levels in the area are consistently considered to be low, making the East Riding a very safe place in which to live and work.

B. Corporate Priorities 2011-2015

Valuing our Environment
Supporting Vulnerable People, Reducing Inequalities

C. Portfolio

Community Involvement and Local Partnerships

D. Matters for Consideration

Members may wish to:

- Take the opportunity to reinforce the importance of partnership working and sharing of information in changing times.
- Continue to support CSP efforts in working towards outcomes rather than processes.
- Consider the content of the report.

E. Equality Implications

There are no equality implications

1. Background Information

Community Safety Partnership

- 1.1 The structure relevant to the delivery of partnership working to tackle crime and disorder is the Community Safety Partnership. Within the East Riding this partnership is currently known as the Safer Stronger Communities Action Group (SSCAG) which is a sub-group of the Local Strategic Partnership (LSP). The legal basis for the existence of the Partnership, and the requirements to publish an audit and strategy, is found within the **Crime and Disorder Act 1998**, as amended by the Police and Justice Act 2006 and Policing and Crime Act 2009. The CSP has periodically reviewed its terms of reference, operation and membership, which has resulted in several changes being made since a “Reduced Crime” partnership was first convened in 1995. This will be discussed in section three.

Membership

- 1.2 The above legislation places a statutory duty on six organisations known as ‘Responsible Authorities’ to form the Community Safety Partnership, within the East Riding. These are (with current representatives alongside):

CSP Chair and Cabinet member, ERYC	Councillor Shaun Horton	Chairman
Humberside Police (C Division)	Superintendent Darren Downs – Communities Command	RA ¹
East Riding of Yorkshire Council	Paul Bellotti Head of Housing, Transportation and Public Protection	RA
East Riding of Yorkshire Council	Kevin Hall, Director of Children, Family and Schools	
NHS East Riding of Yorkshire	Tim Allison – Director of Public Health	RA
Office of the Police and Crime Commissioner	Neil Kingston	
Humberside Fire & Rescue Authority	Niall McNiry – Community Safety Manager	RA
National Probation Service	Kate Munson - Director	RA
HM Prison Humber (Transitions)	Andrea Lee	
Third sector “point of contact”	Penny Brown	

It is for these organisations to determine the appropriate level of representation in line with national good practice.

¹ RA – indicates that the organisation listed to the right is a Responsible Authority under the 1998 Crime & Disorder Act (as amended)

- 1.3 The 'Responsible Authorities' are able to invite representatives of organisations or bodies to become part of the Community Safety Partnership Board on the basis that they can assist in the delivery of the goals of the Partnership.

Community Safety Partnership Statutory Responsibilities

- 1.4 The responsibilities of the Community Safety Partnership for East Riding of Yorkshire, as set out in the legislation, are as follows:

- To undertake an audit of crime and disorder, reoffending and drugs misuse annually. This is known as the Joint Strategic Intelligence Assessment (JSIA). Based upon the JSIA the CSP must then publish a strategic Community Safety Partnership Plan to address the agreed priority issues identified in the JSIA.
- To publish in the plan the results of the JSIA of the East Riding of Yorkshire area and the impacts of crime, disorder, levels of re-offending and substance misuse within the area.
- To include in the plan how performance against priorities will be measured and how the partnership will engage with their communities. The plan should also include the role of each partner in supporting delivery of the priorities and how this will be resourced.
- To consider, at least once a year, whether the partnership has the requisite skills and knowledge to meet the statutory requirements.
- The CSP has responsibility ensuring that a strategy is produced for the East Riding of Yorkshire.

2. Community Safety Partnership

- 2.1 In 2011 the CSP undertook an extensive review, the findings and implementation of which are still valid.
- 2.2 The 2011 review produced a number of detailed conclusions which, for the sake of brevity are not discussed exhaustively here, but the main areas that have subsequently changed are summarised below.
- 2.3 The partnership reviewed and revamped the partnership plan for crime and disorder, introducing a five year plan, the endpoint of which coincides with the end of the current community plan (2016).
- 2.4 Overall strategic themes are simplified, which makes it easier for partner organisations to contribute to the entire community safety agenda and not just police-focused activity.

These are:

- *Cutting crime and disorder*
- *Community involvement and engagement*
- *Confidence and satisfaction with our services.*

- 2.5 The CSP chose these themes because it recognised that community safety cannot be one dimensional and simply focussed on cutting crime; *how* we do that is equally important. Traditionally, the CSP identified the crime and disorder areas that impact the most on our communities and highlighted how as a partnership we intended to tackle those issues. Whilst this approach has merit it does not always solve those deep-rooted problems that can sometimes affect our communities. We have included community involvement and engagement as a strategic theme because we believe it is in the communities that the solutions to long standing problems will be found. Engaging with our communities, becoming community-led and more accountable to the community will, in the long term, have the biggest impact on the confidence and satisfaction that communities have in our services.
- 2.6 The continuing development of Neighbourhood Watch has helped to develop community links and the huge rise in active groups has served the crime strategy well in addition to improving current networks.
- 2.7 East Riding Voluntary Action Services (ERVAS) were invited to join the CSP as the review identified a gap in provision from the Voluntary and Community Sector.

4. Vision Statement

- 4.1 Having a clear and compelling vision of the partnership's direction is a critical starting point in our planning process, it provides us with a marker for which to aim and guides how we use our resources:

'Our vision for Community Safety within the East Riding of Yorkshire is an area where community safety is community driven and community-led, it is a place where differing communities have their needs met and people feel safe and secure.'

'Crime and anti-social behaviour are low and continue to fall, people have respect for each other and differences are valued.'

- 4.2 In addition the Community Safety Partnership under the lead of the Director of Children, Family and Schools Services has responded to some additional responsibilities and new legislation in relation to radicalisation under the PREVENT part of the national counter terrorism strategy:
- Manage performance including monitoring, by exception², the work of its supporting groups to ensure that the objectives in the Partnership Plan are achieved, thus supporting delivery of the Community Plan.
 - Have oversight of the work of partner agencies in taking forward the Safer and Stronger Communities agenda across the East Riding
 - Have “due regard” for the need to tackle the potential radicalisation of at-risk people within the East Riding of Yorkshire.
 - Lead the development and implementation of other relevant local strategies, including the current refresh of the Domestic Violence Strategy.

² Exception report examines areas of performance which are not within the expected range(s). This may warrant an additional report from the main agency involved or may call for the creation of a time-limited working group to examine the issues in more detail.

- Report the progress of the Community Safety Partnership and its sub-groups against the Community Safety Plan to the LSP Board on a regular basis.
- Lead on the statutory responsibility to review Domestic Homicides when these tragic events occur.
- Assume strategic management of the MARAC³ process in domestic violence cases. The DV lead officer is currently re-convening a MARAC steering group to help with the detail of continuing to strengthen our response to high risk cases.
- Support strategic leads in working with the office of the Police and Crime Commissioner when appropriate.
- Link into safeguarding boards and assist with initiatives such as PREVENT and Child Sexual Exploitation.

5. Working in Partnership – in Practice

5.1 Described below, are several practical examples of agencies working together to reduce crime as required by the 1998 Crime and Disorder Act, including:

- the Tasking and Co-ordination process within Humberside Police with attendance from key council services
- the Multi-agency Risk Assessment Conference (MARAC) process in Domestic Violence cases, chaired by the DV Services Manager jointly with a Detective Inspector based in the Public Protection Unit.
- schedule of perpetrator meetings used by Humberside Policing Teams and the Council's ASB service.

5.2 'Vulnerable Victims' are also now routinely discussed by agencies across a number of meetings. These provide an opportunity for all partners to provide a swift, bespoke response to any calls for service from the victim. A written Community Intelligence Assessment is prepared where trends and hot spots are identified, from this, interventions are discussed and tasks allocated to the various partners at the meeting. This methodology is strongly supported by recent research by a group of respected criminologists (Bowers et al, 2011).

5.3 The integration of Neighbourhood Watch with the Safe Communities service has created further opportunities for closer working between partner organisations. Humberside Fire and Rescue Service and the Council's Emergency Planning service are now fully engaged with development and co-ordination issues. This illustrates how communities can be mobilised to work alongside statutory partners to help make our towns and villages feel safer and reduce recorded crime and arson.

³ Multi Agency Risk Assessment Conference. This process focuses on high risk domestic violence cases and determines a management plan that provides professional support for the victim.

6. The Future

National Policy Context

- 6.1 The government has reaffirmed its commitment to CSPs, and there is a requirement for Community Safety Partnership and PCC to co-operate with each other in the exercise of their respective functions. However the PCC is not in the first instance, a member of the Community Safety Partnership in the same way that Police Authorities were.
- 6.2 The local authorities of the areas covered by the PCC have established a Police and Crime Panel (PCP), representative of the Police Area which the commissioner covers and it has at least 10 members appointed from the local authorities. The panel is representative of the political and geographical area which it covers.
- 6.3 The panel scrutinises the work and decisions of the PCC and the PCC must make information available to allow the PCP to carry out its duties. The PCP can require the PCC to appear before it to answer questions.
- 6.4 The PCC has arranged meetings to assist in the development and implementation of Crime & Disorder strategies and has specified attendees who included representatives of the responsible authorities comprising the Community Safety Partnership (CSP). These “summits” discussed Violent Crime and reoffending.

Budgets

- 6.5 All statutory partners are still facing similar financial pressures and it is important that at a time when resources are stretched, partnership working is seen as an opportunity to deliver services more efficiently rather than be considered an additional burden.
- 6.6 One of the key elements of successful crime reduction and prevention is high quality evaluation. The Community Safety Partnership is adopting a revised performance dashboard and where necessary will use nationally recognised evaluation tools to “test” successes and outcomes of services and projects.

7. Conclusion

- 7.1 The Community Safety Partnership provides the main framework around which partnership working by individual agencies takes place; members of the partnership have highlighted the commitment to the concept of working together to deliver an effective service to the public. Other groups outside the immediate remit of the Community Safety Partnership also contribute to the effectiveness of partnership working within the East Riding.
- 7.2 To lessen the likelihood of duplication happening, information is shared between partners whenever possible. Groups supporting the partnership have been rationalised and a detailed constitution has been drafted, which has just been refreshed to take into account PREVENT and Child Sexual Exploitation.

Nigel Leighton
Director of Environment and Neighbourhood Services

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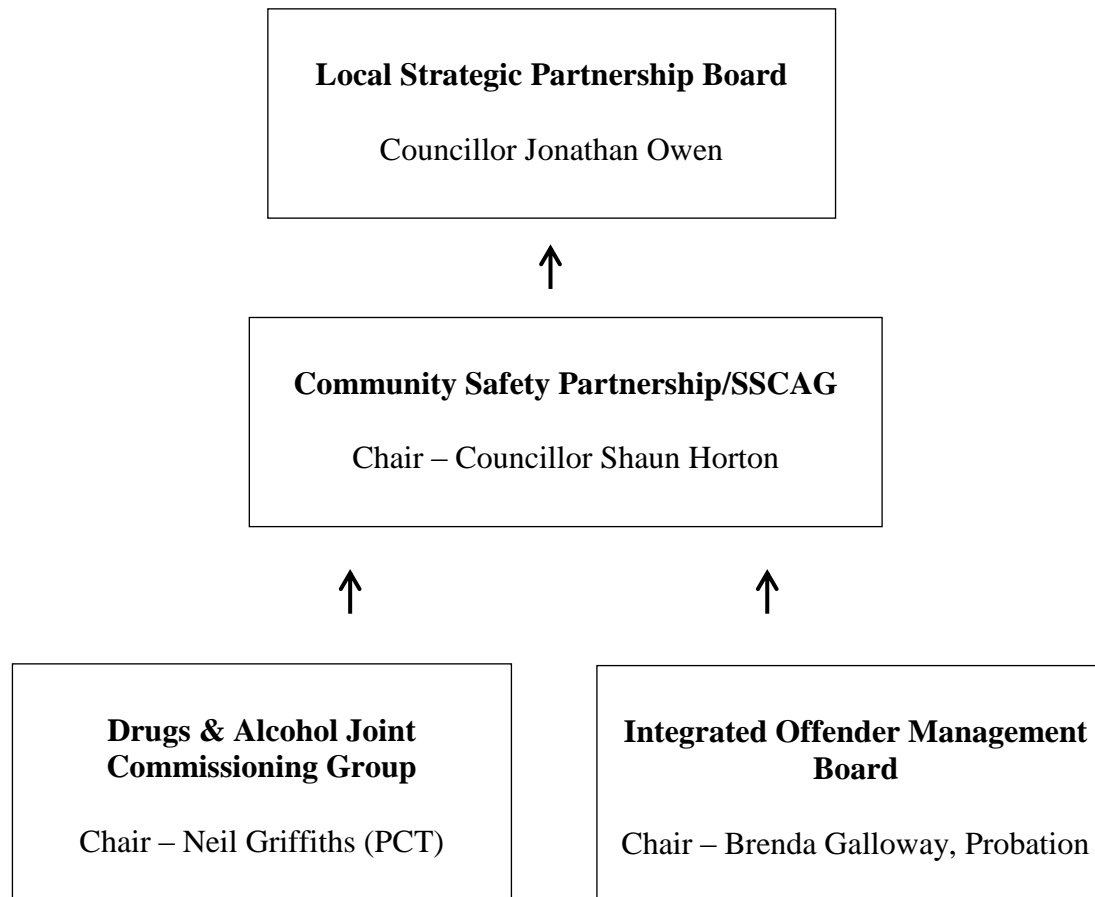
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Legislation and Background Papers

Crime and Disorder Act 1998.
Police and Justice Act 2006
Policing and Crime Act 2009.
Police Reform & Social Responsibility Bill
Community Safety Plan 2011-2016
East Riding of Yorkshire Council Partnership Manual 2010
East Riding of Yorkshire Council General Information Sharing Protocol

**COMMUNITY SAFETY PARTNERSHIP
DELIVERY STRUCTURE 2011/16 PARTNERSHIP PLAN**



EAST RIDING OF YORKSHIRE COUNCIL

Report to: Safer and Stronger Communities Overview and Scrutiny Sub-Committee
10 September 2015

Wards: All

Overview of the Regulation of Investigatory Powers Act 2000 ('RIPA')

Report of the Director of Corporate Resources

A. Executive Summary

The Regulation of Investigatory Powers Act 2000 ('RIPA') establishes a regulatory framework for the use of covert investigatory techniques employed by public authorities. RIPA does not provide any powers to carry out covert activities, but instead ensures the use of covert investigatory techniques is compatible with the European Convention on Human Rights (ECHR), in particularly Article 8, the right to respect for private and family life.

B. Corporate Priorities 2011-2015

Supporting Vulnerable People, Reducing Inequalities

C. Portfolio

Community Involvement and Local Partnerships

D. Matters for Consideration

That Members note that there have been no applications for judicial authorisation to use a Covert Human Intelligence Source, and there have been no applications for judicial authorisation to carry out directed surveillance.

E. Equality Implications

There are no equality implications

1. Background Information

1.1. RIPA restricts a local authority's use of covert techniques used during investigations into three specific practices which can be utilised solely for the purpose of preventing or detecting crime. These are:

- Directed Surveillance,
- The Use of Covert Human Intelligence Sources, and
- The Collection of Communications Data.

2. Directed Surveillance

- 2.1 Directed surveillance involves the use of covert CCTV cameras to record video or images in public, or audio recording equipment. Local authorities cannot record images or conversation taking place inside residential premises or private vehicles (known as 'intrusive' surveillance). Local authorities are also restricted in their use of directed surveillance solely to prevent or detect criminal offences punishable, whether in the magistrate's court or the crown court, by a maximum term of at least 6 months' imprisonment or where they are related to the underage sale of alcohol, tobacco or nicotine products.
- 2.2 An example of the use of directed surveillance is where two or more people hold a conversation in the street or on a bus and a local authority investigator wants to know what is being said. There would be a reasonable expectation of privacy even though the conversation is taking place in public. As such the conversation would be considered private and an authorisation for directed surveillance would be required if the local authority wanted to record or listen to the conversation as part of a specific investigation or operation.
- 2.3 Where possible steps are taken to ensure investigations are overt, thereby removing the need for authorisation.

3. Covert Human Intelligence Sources

- 3.1 A Covert Human Intelligence Source (a 'CHIS') in the contexts of RIPA is anybody who is tasked by a local authority to establish or maintain a personal relationship with another person in order to use that relationship with the sole intention of obtaining information, providing access to information or disclosing information which would otherwise be unobtainable. This type of covert surveillance is more commonly associated with trading standards investigations where a member of the public could be tasked with purchasing age restricted items from local shops.
- 3.2 A CHIS is not someone who simply volunteer's information regarding something they have witnessed in their neighbourhood such as a victim of anti-social behaviour, or a witness to an act of anti-social behaviour, as that type of activity would not involve information being passed as a result of a relationship established for a covert purpose.

4. Communications Data

- 4.1 Communications Data ('CD') is the 'who', 'when' and 'where' of a communication, but not the 'what' (i.e. the content of what was said or written). Local authorities are not permitted to intercept the content of any person's communications, but they can obtain the who. CD for the purposes of RIPA is grouped into three different types:
- 'traffic data' (which includes information about where the communications are made or received);
 - 'service use information' (such as the type of communication, time sent and its duration); and
 - 'subscriber information' (which includes billing information such as the name, address and bank details of the subscriber of telephone or internet services).

4.2 Under RIPA a local authority can only seek the acquisition of ‘service use’ and ‘subscriber information’. Under no circumstances can local authorities authorise the collection of ‘traffic data’. ‘Service use’ and ‘subscriber information’ are more commonly sought in benefit fraud cases where bank details or the registered address for a mobile phone are often required to ‘prove’ an offence.

5. Applications for RIPA Authorisation

5.1 If this or any other local authority wishes to undertake directed surveillance or utilise the services of a CHIS authorisation is required from one of its Authorising Officers. These are specially trained senior officers who assess the necessity and proportionality of the application. With regards the collection of CD, applications are made through a designated person, also known as a Single Point of Contact who liaises with the National Anti Fraud Network (NAFN). NAFN collects and processes communications data on behalf of local authorities nationwide.

5.2 From 1 November 2012, an additional safeguard was also included within the RIPA framework. From that date onwards any local authority wishing to engage in a covert investigatory technique requires additional authorisation from a single Justice of the Peace (a District Judge or lay magistrate). Only when the Justice is satisfied that the statutory tests have been met and that the use of the technique is necessary and proportionate will he or she approve the activity. Local authorities still need to carry out their own internal authorisation process prior to making an application to the Court, but from 1 November 2012 the activity can only lawfully take place if the application is also approved by a single Justice.

5.3 Since this change, this Authority has made three applications for judicial approval to collect CD. There have been no applications for judicial authorisation to use a CHIS, and there have been no applications for judicial authorisation to carry out directed surveillance. The number of authorising officers has been reviewed following the reduction in activity.

6. Conclusion

6.1 RIPA provides a regulatory framework through which the use of covert investigatory techniques employed by public authorities are compatible with the European Convention on Human Rights.

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EAST RIDING OF YORKSHIRE COUNCIL

Report to: Safer and Stronger Communities Overview and Scrutiny Sub-Committee
10 September 2015

Wards: All

Update on Hate Incidents and Defamatory Incidents

Report of the Director of Corporate Strategy and Commissioning

A. Executive Summary

The Equality and Human Rights Commission (EHRC) and the Home Office published the final set of recommendations following the Pilkington Inquiry in the 'Out in The Open' manifesto for change during autumn 2012. Its main purpose to minimise disability related hate crime across England, all local authorities were tasked with leading a partnership response to these recommendations.

During 2012/13, the Council developed an action plan to address the recommendations resulting from the Pilkington Inquiry and widened the scope to include all protected groups. The main priorities were to define what a hate incident was, develop a Hate Incident Policy, develop a revised reporting process and raise the awareness of these with services and the public.

The Defamation Act 2013 sought to provide effective protection for freedom of speech, while at the same time ensuring that people who have been defamed are able to protect their reputation. Section 5 of the Act creates a new defence to an act of defamation, brought against an operator of a website hosting user-generated content, where the action is brought in respect of a statement posted on the website. The Government have provided guidance on Section 5 and how organisations, including the Council, can use this as a defence. The guidance is relevant to any Council service that publish user-generated material, but particularly the Planning Service (where the majority of user-generated comments are posted).

This report provides an update to the Safer and Stronger Overview and Scrutiny Sub-Committee on hate incident reporting since the implementation of the revised reporting process agreed in November 2013, progress made against the Pilkington action plan and the defamatory incident reporting processes.

B. Corporate Priorities 2011-2015

Supporting Vulnerable People, Reducing Inequalities
Reducing Costs, Raising Performance

C. Portfolio

Community Involvement and Local Partnerships
Council Corporate Services and Performance
Economic Investment and Inequalities
Deputy Leader

D. Matters for Consideration

That Members consider and give their view on the content of the update report.

E. Equality Implications

This report covers work specifically undertaken to ensure that the Council meets its duties under equalities related legislation and guidance.

1. Background Information

- 1.1 The Equality and Human Rights Commission (EHRC) and the Home Office published the final set of recommendations following the Pilkington Inquiry in the 'Out in The Open' manifesto for change during autumn 2012. The main aim of the manifesto for change was to minimise disability related hate crime across England, with all local authorities tasked with leading a partnership response to these recommendations.
- 1.2 The Council developed an action plan to address the recommendations made from the Pilkington Inquiry and widened the scope to include all protected groups. The main priorities were to define what a hate incident was, develop a Hate Incident Policy, develop a revised reporting process and raise the awareness of these with services and the public.
- 1.3 The Defamation Act 2013 sought to provide effective protection for freedom of speech while at the same time ensuring that people who have been defamed are able to protect their reputation. Section 5 of the Act creates a new defence to an act of defamation, brought against an operator of a website hosting user-generated content, where the action is brought in respect of a statement posted on the website. The Government have provided guidance on Section 5 and how organisations, including the Council, can use this as a defence. The guidance is relevant to any Council services that publish user-generated material, but particularly the Planning Service (where the majority of user-generated comments are posted).
- 1.4 This report provides an update to the Safer and Stronger Overview and Scrutiny Sub-Committee on hate incident reporting since the implementation of the revised reporting process agreed in November 2013, progress made against the Pilkington action plan and the defamatory incident reporting processes.

2. Current Performance Information: Hate Incidents Process Development

Hate Incident Definition

- 2.1 Following extensive consultation with staff, community groups, residents and partners, it was apparent that there needed to be one generic definition as to what constituted a hate incident, which would include discriminatory behaviour and elements of hate crime. In November 2013, Corporate Management Team (CMT) agreed that the following definition of a hate incident should be adopted by the Council.

"A hate incident is any incident you believe is motivated by hate based on a person's identity or perceived identity, for example their race, disability, religion or faith, sexual orientation, gender or age"

Hate Incident Policy

- 2.2 Feedback from staff suggested that a clear policy was required which would provide information on what hate incidents are, how they can be reported and what should be expected once they have been reported. A Hate Incident Policy was developed and approved by the Cabinet in February 2014 (minute 4931).

Hate Incident Reporting Process

E-form reporting process

- 2.3 Feedback from consultation suggested that the Council should have various methods for staff and residents to report hate incidents. Therefore, as well as reporting hate incidents directly to the Equality and Diversity lead officer via email, text, telephone, or hard copy leaflet, an e-form has been developed. This form is available on the ‘My Apps’ section of the intranet and the Council’s website.

Internal Publicity Campaign

- 2.4 Staff awareness of the importance of reporting any hate incident reported to or witnessed by them has been increased including:
- Training and hate incident reporting as part of the corporate equality and diversity training, e-learning package, training for frontline staff and inclusion on the induction checklist.
 - Publicity via internal communication channels, including The Grapevine and the intranet.
 - Raising awareness to front line staff via leaflets and posters.

3. Hate Incident Reporting - November 2013 to March 2015

- 3.1 Since improvements were made to the reporting process in November 2013, the following has been recorded:

		Number	Percentage of total
Reported incidents:	Number classified as hate incidents	146	93%
	Number not classified as hate incidents	11	7%
		157	100%
Method of reporting*:	Number reported through the e-form	51	32%
	Number reported by email	48	31%
		99	63%
Schools:	Hate incidents related to schools	50	32%**
Type of incident:	Race related	63	43%
	Disability related	31	21%
	Other (including gender reassignment and sexual orientation)	52	36%
		146	100%

* Includes e-form and email reporting only and does not include other means for example via telephone, which make up 37% of reports.

**This figure represents the percentage of all reports, and should be considered within the context of a total school population of over 46,000 in 150 schools across the East Riding.

- 3.2 The numbers recorded equate to 8.5 per month. The majority of incidents reported were verbal abuse, alleged discrimination by the Council, offensive cyber harassment and threats of assaults.
- 3.3 Whilst the majority of hate incidents reported related to the Beverley area, it is believed that this is due to schools and agencies in the area embracing the need to report such incidents, rather than it being a 'hot spot'.
- 3.4 The majority of hate incidents reported were resolved by Council services working together, for example Housing and Anti-Social Behaviour, with only 26 (18%) requiring referral to the Police, due to their potential criminal nature (such as reports of assault or threats of arson). The new process has reduced the burden on Humberside Police to investigate issues that were not a crime.
- 3.5 The implementation and promotion of the new process, as predicted, has led to a significant increase in the reporting of hate incidents, although overall numbers remain low when compared to other parts of the Humberside Police Force area.

4. Review of the Hate Incident Reporting Process

- 4.1 In November 2014, an internal review of the hate incident reporting process was undertaken to ensure that it remained fit for purpose and also to update the Pilkington Recommendations action plan.
- 4.2 As part of the review, the Senior Management Team (SMT) and officers from Corporate Strategy and Performance, Housing, Anti-Social Behaviour, Public Health and Customer Service Network Teams were consulted on their experiences of using the hate incident process, namely what was working well and what could be improved. The feedback received focused on three areas: raising awareness, governance and partnership working. Below is a summary of the findings, together with key implications and proposed next steps.

5. Raising Awareness

Internal Awareness Raising

- 5.1 Although managers felt that they had a sound knowledge of what constitutes a hate incident, there was an acknowledgement that staff may not. Further, they also felt that if staff were aware of the reporting process, they may not have the confidence to use it. Following consultation with staff, it is felt that these issues can be addressed by developing a set of resources to help them identify and report hate incidents. Furthermore, it was agreed that the best method by which awareness could be raised was through face to face training.

Agreed future actions: that a set of resources, including guidelines, an e-learning package and a schedule of training sessions for priority services are developed. Additional awareness raising activity, including articles in The Grapevine and on the intranet should also be developed.

External Awareness Raising

- 5.2 During 2014, various engagement activities were undertaken with hard to reach groups, namely the Lesbian, Gay, Bisexual and Transgender (LGBT), Black and Minority Ethnic (BME) and Gypsy and Traveller communities. It has been highlighted that community safety and the reporting of hate incidents is a priority issue for these community groups. The engagement activities also highlighted a perceived lack of confidence relating to the value of reporting hate incidents.

Agreed future actions: further awareness raising activity to promote the Council's reporting processes to community groups will be developed, targeting those who are vulnerable to these types of incidents.

Elected Member and Town and Parish Council Awareness

- 5.3 Following consultation at Community Partnership meetings, many Town and Parish Councillors were not aware that these incidents required reporting or could constitute a criminal offence, and that there needs to be additional awareness raising.

Agreed future actions:

- Hate incident awareness raising to be offered as a Members seminar
- Consideration to be given to sharing information with existing networks such as the Town and Parish Council newsletter and other community newsletters.

6. Governance

Capacity

- 6.1 There has been an increased number of hate incidents reported since the implementation of the new process, which has had resource implications for the Corporate Strategy and Performance team in terms of the recording and signposting of incidents. Furthermore, locating the appropriate team and member of staff who can seek to resolve a hate incident can be time consuming.

Agreed future actions: hate incident items are integrated into the Feedback system, utilising the existing network of Investigating Officers, working in conjunction with the Corporate Strategy and Performance team, to ensure incidents are investigated and resolved appropriately and quickly.

Internal Services

- 6.2 In order to better understand the profile of a victim of a hate incident, a monthly meeting with representatives from Housing, the Anti-Social Behaviour Team, Adult Services, Children's Services, Corporate Strategy and Performance and Public Health was established to discuss issues in detail. Information from these meetings also informed Humberside Police's Community Intelligence Assessment (CIA) meeting, where hate crimes and incidents are discussed.
- 6.3 However, following review, it was concluded that the monthly meeting process was not the most effective approach and that the assessment of vulnerability matrix used in an Anti-Social Behaviour context could be adopted.

Agreed future actions: Utilising the model adopted by the Adults Safeguarding Team for the Vulnerable Adults Risk Matrix (VARM) meetings, it is proposed that when a victim is classed as high risk, a similar multi-agency meeting with the relevant officers is held to assess the case and develop an action plan in response. This will ensure an effective and risk based approach is implemented without the need for a regular meeting.

Support to Victims

- 6.4 There have been some hate incidents reported where the victim does not want direct support from a Council service or the Police but, nevertheless, wishes for an organisation to be aware of what is happening to them. In such cases, victims are referred to local support services, such as Humber All Nations Alliance (HANA), a voluntary sector organisation for BME community groups, which receives funding from the Humberside Police and Crime Commissioner to provide support to BME victims of crime.

Agreed future actions: that further work is undertaken to determine how support can be provided to victims of all types of hate incidents.

Safeguarding

6.6 The Care Act 2014 created a duty to safeguard adults. There are various definitions of abuse that will meet the need for safeguarding, including that of 'discriminatory abuse' which includes discrimination on the grounds of race, gender, gender identity, disability, sexual orientation, religion and other forms of harassment, slurs or similar treatment. However, for any incident to fall under the safeguarding remit, it must satisfy a three stage test of where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):

- (i) Has needs for care and support (whether or not the authority is meeting any of those needs),
- (ii) Is experiencing, or is at risk of, abuse or neglect, and
- (iii) As a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it.

6.7 In 2014/15, only 3 referrals had been reported as discriminatory abuse. The Corporate Strategy and Performance team will continue to work closely with the Adult Safeguarding team regarding this closely related issue.

Agreed future actions: Effective and regular communication to be established between the Corporate Strategy and Performance team and the Adult Safeguarding Team.

7. Partnership Working

Local Strategic Partnership (LSP)

7.1 The Pilkington Inquiry recommended that local authorities should play a lead role in driving local partnerships to deliver on preventing and tackling disability (and all) related hate crimes and incidents, and all organisations should develop approaches for effective joint working. As part of the development and implementation of the Council's hate incident reporting processes, there has been extensive partnership work undertaken with Humberside Police, with intelligence being shared (where relevant and possible), following the completion of the data sharing protocol.

7.2 During 2014, through the LSP Equality and Diversity Sub Group, investigative work was undertaken with partners to determine how hate incidents were reported within their organisations. This concluded that there were no structures for reporting hate incidents within health organisations, including Humber Foundation Trust, Hull and East Yorkshire Hospitals and East Riding of Yorkshire Clinical Commissioning Group. The Corporate Strategy and Performance team are currently working with these organisations to support development of their own reporting processes.

Reporting Centres

7.3 As part of the implementation of the hate incident reporting process, two reporting centres were developed and trialled whereby victims could report hate incidents in a safe environment where they felt confident and perhaps knew the member of staff. The two reporting centres were The Courtyard in Goole and Worklink in Cottingham. To date, there has only been one incident reported through these reporting centres. As part of the review, it was found that further publicity of these centres and support for staff in how to respond to any hate incidents that were reported to them was required.

Schools

- 7.4 Ofsted places a great emphasis on identity based bullying with special attention drawn to homophobic bullying. Although awareness has already been raised through the Headteachers' Bulletins and via those schools who have signed up to the Equality and Diversity Service Level Agreement, the number of schools reporting hate incidents is very low. This is in the context of 50 reported incidents over the 17 month period from November 2013 to March 2015. Presuming that each report concerns a different victim, this equates to 0.1% of the school population over the period. However, further work with schools will be undertaken to raise the awareness of the hate incidents reporting process to help ensure that any incidents occurring are appropriately responded to.

Agreed future actions: provide further support to the LSP partners to develop effective reporting mechanisms; review the use of 'reporting centres'; and raise awareness of reporting processes within schools.

Community Trigger

- 7.5 The Council approved a process and threshold for the Community Trigger on 25 February 2015 (Minute 2194). This gives victims of hate incidents, or their representative, the opportunity to request a review of action taken by the Council and its partners to address the concerns they have raised in relation to anti-social behaviour, including hate incidents. To date, no requests to activate the Trigger have been received.

8. Defamatory Incidents

Definition of Defamatory material

- 8.1 A statement is not defamatory unless its publication has caused, or is likely to cause, serious harm to the reputation of the complainant. In the case of a body which trades for profit, harm is not 'serious' unless it has caused, or is likely to cause, serious financial loss.
- 8.2 In 2013/14, only one incident of defamatory material being posted on the Council's website was recorded. The Council has since undertaken consultation with staff, specifically Legal and Democratic Services and Planning and Development Management, over how best to ensure it is complying with the guidance set out under section 5 of the Defamation Act 2013. As a result, a new defamatory material notice of complaint e-form has been created. The new e-form has been placed on relevant Council webpages including the 'Say' page. Notices of complaint will be logged and coordinated centrally by the Council's Feedback Monitoring Team and existing Investigating Officers will be responsible for removing defamatory material if required. The Council will only accept notices of complaint in respect of genuinely defamatory material.

9. Conclusion

- 9.1 During 2012/13, the Council developed an action plan in order to address the recommendations made from the Pilkington Inquiry and widened the scope to include all protected groups. The main priorities were to define what a hate incident was, develop a Hate Incident Policy, develop a revised reporting process and raise the awareness of the reporting processes with services and the public.

- 9.2 There has been good progress made with the Pilkington Inquiry action plan which has culminated in an increase in reporting of hate incidents. However, there is still further work to be undertaken internally and with partners to ensure that vulnerable people are protected from such behaviours.
- 9.3 A new e-form for reporting defamatory incidents has been introduced, and processes are in place to respond to any incident which may be reported.

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Legislation and Background Papers - None

EAST RIDING OF YORKSHIRE COUNCIL

Report to: Safer and Stronger Communities Overview and Scrutiny Sub-Committee
10 September 2015

Wards: All

Early Morning Restriction Orders and Late Night Levy

Report of the Director of Environment and Neighbourhood Services

A. Executive Summary

This report provides an overview of two new powers introduced by the Police Reform and Social Responsibility Act 2011, the late night levy and early morning restriction orders.

The report includes information on the likely cost to premises of introducing a late night levy, what measures must be taken by the Council to operate a late night levy or early morning restriction order and what the benefits and impacts of implementing such a power would be.

B. Corporate Priorities 2011-2015

Maximising our Potential
Supporting Vulnerable People, Reducing Inequalities
Reducing Costs, Raising Performance

C. Portfolio

Community Involvement and Local Partnerships

D. Matters for Consideration

The following are matters for consideration by the Sub-Committee:

- The Sub-Committee notes the current schemes in place nationally in relation to the implementation of the Late Night Levy and Early Morning Restriction Orders and how the two powers work in practice
- The Sub-Committee considers the merits of the two powers to better manage the night time economy and forward their findings to the Licensing Act 2003 Committee on 6 October 2015 as part of the review of the Licensing Act 2003 policy

E. Equality Implications

There are no equality implications

1. Background Information

- 1.1 The Police Reform and Social Responsibility Act 2011 introduced discretionary powers for licensing authorities to impose a Late Night Levy (the Levy) across the whole of its area or an Early Morning Restriction Order (EMRO) on all or parts of its area as a means of changing the balance of the night time economy in favour of the general community.
- 1.2 To date the take up nationally of these two new powers has been very low as Authorities have chosen to use the existing licensing powers that already exist to manage licensed premises and the night time economy. There are no EMROs nationally to date.
- 1.3 There are currently seven Late Night Levy schemes in place nationally, Newcastle City Council being the first Authority to impose a Levy in November 2013 which impacted on 240 premises, Cheltenham, Islington, City of London, Nottingham, Chelmsford and Southampton following with their schemes in 2014.
- 1.4 These schemes are being closely monitored by professional licensing solicitors representing the licensed trade to see if they have met the original aims of implementation. In their findings, following the making of Freedom of Information requests, it is reported by Poppleston Allen, a key licensing solicitor company representing the trade, that in the schemes implemented to date there has been no reduction in crime seen in the first year and in some cases no transparency around how the funds raised have been spent. The Local Authorities concerned have not responded to these findings.

2. Early Morning Restriction Orders (EMRO)

- 2.1 Early Morning Restriction Orders (EMRO's) allow a licensing authority to prohibit the sale of alcohol for a specified time period **between midnight and 6am in the whole or part of its area**, if satisfied that it is appropriate for the promotion of the licensing objectives, which are; the prevention of crime and disorder; the prevention of public nuisance; public safety; and the protection of children from harm. This does not necessarily preclude other wider considerations being taken into account such as public health and reducing pressures on Ambulance Service and A&E.
- 2.2 They are designed to address recurring problems where it is evidenced such as high levels of alcohol-related violent crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related antisocial behaviour, where the problems cannot be specifically attributable to individual premises.
- 2.3 When a licensing authority introduces an EMRO, it applies to all premises licences, club premises certificates and temporary event notices that operate within the specified EMRO period and area. Licensing authorities have to advertise the proposal to make the EMRO and demonstrate that they have the evidence to justify doing so, as well as considering representations, before its introduction.
- 2.4 The Government has announced that in relation to EMROs there will be **no exemptions** for types of premises to ensure that an EMRO remains a simple tool for licensing authorities to use to readjust the focus of their night-time economy away from problem drinking, if such a measure would serve to promote the licensing objectives.

- 2.5 The Government has however confirmed that the provision to supply alcohol to residents through mini-bars and 24 hour room service in premises with overnight accommodation will not be subject to an EMRO and, in recognition of New Year Eve's status as a night of national celebration; EMROs will not apply on New Year's Eve to any premises.
- 2.6 The introduction of an EMRO can be suggested by the public, the Police and Crime Commissioner or Chief of Police, Members or even the Licensing Authority itself.
- 2.7 The Licensing Authority alone determines whether or not it is appropriate to introduce an EMRO in its area. If it felt to be an appropriate option then the 'proposed EMRO' is advertised publicly for 42 days and the final decision on whether to adopt an EMRO made by Full Council having regard to consultation responses and any evidence provided.
- 2.8 There has been **no** take-up of EMROs nationally, those Councils who consulted on an EMRO, eg Hartlepool, Blackpool, Newcastle and Harrow have since withdrawn its implementation. The possible reasons include:
- procedural irregularities
 - an EMRO does not sufficiently target the worst premises but covers a wide area, and
 - the EMRO is probably more suited to cities with large crowds going from premise to premise such as taking advantage of cheap drink deals
- 2.9 The Licensing Authority must ensure that it is satisfied that it has sufficient and robust evidence to demonstrate that its decision is appropriate for the promotion of the licensing objectives. Evidence should be considered from relevant partners, responsible authorities including public health, and the local Community Safety Partnership Group.
- 2.10 Issues which should be considered before adopting this power include:
- The benefits to the promotion of the licensing objectives
 - Whether other tools already been used and found to be ineffective, such as CCTV
 - Whether the problems are so widespread that targeting individual premises by review/enforcement would be ineffective
 - What socio economic effect might an EMRO have on the area and local business
 - What effect would the potential loss of the late-night economy have on the area concerned
- 2.11 The Government has estimated the cost to a Licensing Authority of introducing an EMRO at £5,500 however this is considered by the Institute of Licensing to be an underestimate and likely to be nearer £20,000. The resource implications include obtaining suitable evidence and undertaking a public hearing and funding for ongoing enforcement of the EMRO if introduced, and there is the risk of judicial review if not introduced properly.
- 2.12 There is no funding provided to Licensing Authorities for implementing or maintaining an EMRO once approved and therefore core general funding would be needed to implement this power and to monitor and enforce against premises caught under the power. This would create a budget pressure of about £15,000 per year.

2.13 An EMRO is viewed more of a ‘last resort’ than other measures available under the Licensing Act 2003. The Statutory Guidance suggests that before introducing an EMRO local authorities have regard to other measures such as, reviewing licenses of specific problem premises and encouraging the creation of business led best practice schemes etc. such as Best Bar None (already implemented in the East Riding).

3. Late Night Levy (the Levy)

3.1 The aim of the Levy is to empower local areas to charge businesses that supply alcohol late into the night for the extra enforcement costs that the night-time economy generates for police and licensing authorities. The concept being that ‘the polluter pays’. The Government consider it right that businesses which profit by selling alcohol in the night-time economy should contribute towards these costs incurred to the public purse.

3.2 The late night levy enables licensing authorities to raise a small contribution from late-opening alcohol retailers (on and off sales) towards managing the night-time economy. It is a local power that licensing authorities can choose whether or not to exercise and it must cover licensed premises across the whole of the licensing authority’s area. However, the licensing authority can also specify the period during which the Levy applies every night, between midnight and 6am (the late night supply period), or a later start than midnight is possible, which would normally exclude most pubs.

3.3 The Levy will not apply to premises providing late night refreshment after 23.00 hours including takeaways or entertainment activities on licensed premises or to the opening hours of premises which is not a licensable activity.

3.4 If a licensing authority chooses to introduce the levy in their area, **all licensed premises** across that area, which are authorised to supply alcohol in the levy period, would be affected, apart from a long list of exempt premises including country village pubs, community centres, theatres, and premises with overnight accommodation. Premises that do not wish to operate into the levy period are able to make a free minor variation to their licence before any levy is introduced to alter their hours to supply alcohol so as to avoid paying the levy.

3.5 The amount of the Levy has been set at a national level by the Home Office and the charge is calculated according to non-domestic rateable value (this system applies to existing licence fees). The Levy would be in addition to the existing annual fee and would be collected at the same time as the annual licence fee is collected. The charges and numbers of premises licensed in each band in the East Riding of Yorkshire are shown below:

Band	Number of premises licensed	Existing Annual Fee	Annual Levy (between 01:00am and 06:00am assuming 30% reduction for members of the Council's accreditation scheme, or equivalent or in receipt of small business Rate Relief (non-accreditation levy amount))	Levy cost per day
A- No value to £4300	219	£70	£209 (£299)	57p
B - £4301 to £33000	692	£190	£538 (£768)	£1.47
C - £33001 to £87000	140	£295	£881 (£1,239)	£2.41
D - £87001 to £125000	27	£315	£956 (£1,365) or £1,911 (£2,730) if exclusively or primarily for sale of alcohol for consumption on the premises **	£2.62
E - £125001+	64	£350	£1,045 (£1,493) or £3,108 (£4,440) if exclusively or primarily for sale of alcohol for consumption on the premises **	£2.86

A multiplier is applied to premises in band D and E that primarily or exclusively sell alcohol for consumption on the premises. This is set to ensure that larger clubs and bars make a higher contribution towards the levy. *Most premises selling alcohol after midnight in the East Riding of Yorkshire fall under band A or B.***

- 3.6 Any net revenue from the Levy must be split between the licensing authority and the Police. The licensing authority must pay at least 70% of the net Levy revenue to the Police. The decision on the percentage to be given must be subject to public consultation but the final decision on the percentage to be paid will rest with the Licensing Authority.
- 3.7 The amount paid to the Police is not ring fenced to the area who imposes it, but if a Levy were introduced, it is suggested that the Licensing Authority should seek assurances from the relevant PCC and Police through agreeing a service level agreement that the additional funding was allocated to their area, ie the East Riding to support policing in the night-time economy, and for the levy to be seen to have made a positive difference in addition to the Police's existing resources. To not have this assurance in place would weaken the Council's position in having the sufficient and robust evidence needed to introduce the Levy.

- 3.8 The percentage retained by the licensing authority is subject to restrictions on the types of services which can be funded and must be used to fund services which tackle late night alcohol related crime and disorder, and services connected to the management of the night-time economy, and the four licensing objectives.
- 3.9 Funds allocated to the Licensing Authority may be spent on activities designed to:
- reduce crime and disorder and anti social behaviour;
 - promote public safety;
 - reduce or prevent public nuisance; or
 - for the cleaning of any relevant highway or relevant land in the local authority area
- 3.10 This could for example include; compliance and enforcement activity by licensing officers in the night time economy as well as:
- the provision for taxi marshalls
 - cctv in the town centres
 - a "safe bus", where demand for taxis outstrips the supply, eg New Year's Eve
 - street cleansing
 - alcohol and drug treatment and education
 - extension of Best Bar None scheme or similar, and offer a subsidised cost to businesses, and
 - other initiatives to promote the 4 licensing objectives for example, domestic violence and anti social behaviour services
- 3.11 Licensing Authority's are able to deduct their permitted administration, collection and enforcement costs from the gross levy revenue collected and decide the design of the Levy. This would include the late night supply period, any exemptions or reductions that may apply and the proportion of the revenue which will be paid to the Police.
- 3.12 Premises would have to meet specific criteria to be considered for exemptions. Licensing Authorities also have the discretion to exempt premises that only open late on New Year's Eve.
- 3.13 Licensing authorities would have the discretion to offer a 30% reduction from the Levy to premises that are either a member of a best practice scheme such as Best Bar None or other scheme that must fulfil specific criteria, eg Purple Flag, or in receipt of Small Business Rate Relief and have a rateable value of less than £12,000.
- 3.14 In making a decision to introduce the Levy any licensing authority must, as a minimum, consider the costs of policing and other arrangements for reduction or prevention of crime and disorder connected with the sale of alcohol between midnight and 6 a.m. and the desirability of raising revenue to be applied to such arrangements.
- 3.15 There are other wider considerations which should also be taken into account by Authorities when looking at introducing this power such as:
- the economic effects of the Levy on existing operators and new business,
 - The PCC's own capacity to fund crime prevention in the night time economy,
 - whether or not voluntary arrangements can achieve the same outcomes of less crime and disorder, and the high level of A&E, Ambulance Service call outs, and health referrals for example; and
 - the number of Temporary Event Notices could increase, although these are limited to no more than 21 events per year per premise

4. Current Situation in East Riding of Yorkshire

- 4.1 There is no EMRO or Levy imposed in the East Riding. No formal request has been received from the Police and Crime Commissioner or Chief Constable of Humberside Police to implement either scheme since 2012. The suggestion of looking at a Levy in the future was raised recently at the Community Partnership Group and discussions must take place with the Police before moving forward with a suggested scheme.
- 4.2 The 2003 Act has always offered responsible authorities, local residents, local businesses and Ward Councillors the provision to apply at any time to review any premise licence or club premise certificate if one or more of the four licensing objectives are being undermined. The review process targets individual 'problem' premises. Issues at these premises can be dealt with in less than 2 months from an application being received to a decision being made at a sub-committee hearing.
- 4.3 Since 2005 Humberside Police have used the review process on 12 occasions to raise issues with licensed premises undermining the licensing objectives although other steps have been taken and early interventions to raise standards.
- 4.4 The Council together with the Police liaise over those areas causing crime and disorder issues, or other nuisance. Statistics show that the night time economy in the East Riding has its flash points or hotspots and these are normally contained to the larger settlements including Goole, Bridlington, Beverley, Driffield and Withernsea. The difficulty is the geographic scale in attending incidents in Bridlington, Goole, Beverley or Withernsea. Comments are made by the licensed trade around the lack of a police presence in the early hours in hot spot areas, although this has not been verified, but recent press reports raise it as a concern.

5. Consultation before Implementation

- 5.1 If the Council considered introducing either an EMRO or the Levy a formal consultation would have to take place, as stated in the legislation and guidance and the decision would have to be approved by Full Council.
- 5.2 The licensing authority would have to undertake a consultation process which must include the Police and Crime Commissioner, The Chief Constable and all the holders of late night authorisations.
- 5.3 Initial discussions with the licensed trade over the last year have indicated that there is some support for a Levy if the revenue raised was used for direct police resourcing in the night time economy in the area it was raised rather than for other police initiatives.

6. Benefits of the Powers

- 6.1 It is recognised that, as a general principle, if imposition of a Levy were considered it could bring some benefit to the East Riding in that it could provide greater resource for ensuring effective compliance with the licensing objectives and it could secure additional policing for creating vibrant and safe places in the night time economy. The Levy also incentivises the raising of standards by licensed alcohol-related premises by virtue of the 30% discount.

- 6.2 The EMRO option does not appear to have the same benefits as it prevents business activity and sales, unlike the Levy which permits the business activity at a cost of less than half a pint of beer per day for most premises. An EMRO is also not an easy process to achieve successfully. Those Councils who have tried have failed with an EMRO so far including Northampton, Hartlepool, Warrington and Harrow, some for procedural reasons, others perception of being anti-business.
- 6.3 An EMRO could shift late alcohol night-time problems from one area to another, villages to towns, and towns to neighbouring cities, and with it loss of local spend. It could also be argued that if all premises close at the same time under an EMRO, it could also potentially create anti-social behaviour issues and create queues for taxis, and at late night take-aways, which could create flashpoints if not managed well.
- 6.4 The introduction of an EMRO or Levy would promote the four licensing objectives of “the prevention of crime and disorder”, public safety, prevention of public nuisance, and protection of children from harm.
- 6.5 The funding from the Levy by the Licensing Authority could be used for clean-up operations, licensing promotions, taxi marshalls and public health initiatives to support prevention of addiction and promote healthier lifestyles, which could lead to fewer A&E admissions and health referrals.

7. Licensed Premises

- 7.1 When considering the Levy, the Authority has 1246 premises currently licensed however only **650** premises would be affected if a Levy was introduced from 01.00 hrs as some premises are exempt from fees and others are late night takeaways or entertainment only venues. The 650 premises are those authorised to sell or supply alcohol between the hours of 01:00hrs to 06:00hrs (circa 580 premise licences, 70 club premise certificates). The following table sets out the number in each of the non-domestic rateable value bands and broken down by hourly intervals:

	Midnight - 6a.m	1am - 6a.m	2am - 6a.m	3a.m - 6a.m	4a.m - 6a.m
Premises affected	852	650	180	45	15
Estimated Annual Income with exemptions and 50% of premises closing earlier*, using free minor variation	387k	175k	49k	12k	5k
Admin costs - estimate	35k	26k	12k	3k	1k
Net income	352k	149k	37k	9k	5k
70% Police	246k	104k	26k	6k	2.8k
30% LA	106k	45k	11k	3k	1.2k

*closing at 23:59 hours, 00:59 hours, 01:59 hours and so on.

The hours shown are the maximum hours licensed of premises, they do not necessarily reflect the hours currently operated by the premises. Many premises may apply to vary their hours to avoid paying the Levy which would reduce the potential income from the Levy.

- 7.2 If a Levy scheme were considered it is likely that a number of premise licence holders would request a minor variation to reduce their licensable hours for the sale of alcohol so that their hours no longer fall within the late night supply period, eg closing at 00:59 hours, and this could see the amount of income significantly reduce by an estimated 50%, as shown above.
- 7.3 Once administration costs are deducted, the net income has to be proportioned at a minimum 70% for the Police. If 01:00 am was adopted, after administration costs, the potential income for the Police amounts to circa £100k per year and £45k for the Licensing Authority.
- 7.4 Within the first year there would be additional costs around consultation, implementation and managing minor variation applications (estimated at £19k if half the premises varied their hours).
- 7.5 The potential income set out excludes premises with overnight accommodation authorised to supply alcohol to residents of the hotel only 24hrs (bed and breakfast) as it is widely recognised that these premises do not directly impact on the night time economy.
- 7.6 The introduction of a Levy nationally is perceived by many as an extra cost to businesses. On looking at the figures most premises would pay an additional £1.47 per day (less than the cost of half a pint of beer per day) for band B. The income from the Levy could be partly used to improve licensing objectives outcomes, and increase safety in towns and villages, which would support better enforcement against poor performing premises and raise standards, as well as dealing more effectively with the perpetrators of crime and disorder. As a consequence, the levy could improve further the appearance of town centres the following day, and attract more visitors, especially in our seaside resorts. Licences would be suspended if the Levy was not paid.
- 7.7 Some premises may argue that introducing a levy would lead to pubs opening for longer hours "to get their money's worth" as the levy costs the same whether the pub/club opens for 2 hours extra per week or 10 hours extra per week. Others may argue that this is an additional tax on the licenses trade and it will lead to job losses. However, for most businesses the additional cost is very low, and in return for paying the levy, there would be even cleaner and safer streets in our town centres, which will attract more customers to the area and benefit all licensed premises.
- 7.8 However if a Levy is not imposed then Police forces nationally may lose a potential funding stream to conduct anti-crime and disorder operations. A Levy may also reduce the number of premises open late at night, potentially reducing the scope for alcohol related crime and disorder in public areas.

8. PCC Funding

- 8.1 Within the legislation and guidance there are no restrictions on what the PCC's 70% portion of the Levy revenue can be spent on, this is in line with standard practice on the allocation of police funds.

- 8.2 However, if this authority were to consider the Levy, an agreement by service level agreement would be sought with the PCC that their allocation of the Levy revenue should be spent on activity to manage/police the late night supply period and allocated for use within this authority area only. The licensing authority can choose to amend the portion of net revenue given to the PCC in future years following further consultation.
- 8.3 The PCC's allocation of the income is subject to the same transparency measures as those that apply in relation to other aspects of the operation of the Police. The Police and Crime Panel would be able to request any documents of the PCC in order to scrutinise the allocation and use of their funds, and also be held to account by the electorate at the end of their term of office.
- 8.4 Crime figures and the cost of policing the night-time economy would be needed to evidence the need to introduce either an EMRO or the Levy, however there are clearly additional costs incurred managing the night-time economy, particularly when it extends past midnight, and data may not be recorded in such a way as to link alcohol related crime and disorder in public areas to late night drinking in specific town centre pubs and clubs.
- 8.5 Since the 2003 Act came into force the Council has received 12 applications to review premise licences including pubs and corner shops. Ten of these applications were received from responsible authorities and two from local residents. Three expedited Reviews have been received from Humberside Police.
- 8.6 A Licensing Authority would have to consider the evidence base to ensure a sound justification for the introduction of a Levy (or an EMRO) and its design and would need to seek further evidence to demonstrate the need for either.
- 8.7 By introducing the Levy (or an EMRO) a licensing authority would need to consider whether it would be able to better protect vulnerable people and communities that are affected by alcohol related public nuisance and crime and disorder during the late night economy period. Whether this would contribute to making communities safer and stronger for residents and businesses, increasing the visitor economy both during the night and the following day.

9. Conclusion

- 9.1 There are benefits and some risks associated in considering implementation of both of the new powers. Any Licensing Authority would need to carefully consider whether the cost of operating a Levy may be inhibitory to obtaining any effective funds to tackle alcohol related crime and disorder in comparison to the costs, both financial and goodwill, met by the local licensed premises. However, sufficient funding could be realised even with sensitivity testing. This may be mitigated by additional detail provided by partners at consultation with regard to what additional activities could be undertaken with the revenue raised by a Levy.
- 9.2 Another risk is with regard to the possibility of less than expected income received in a financial year from the Levy. For example if a Levy was introduced from 1am- 6a.m some premises may vary their licensable hours back to 00:59 am which would see no major change to operating hours in the night-time economy but a significant impact on any income received and resources to administer the free variation applications. The situation in the night-time economy would not change as a result. This is accounted for in the sensitivity testing.

- 9.3 The key opportunity when considering for the East Riding area is that additional funds are raised to manage the late night economy even more effectively. The early closure of some premises to avoid paying the Levy could lead to a safer night time economy with reduced alcohol related crime incidents, reduced Ambulance Service call outs, decreased A&E attendances, and impact on public health.
- 9.4 This would seem a reasonable step of helping to meet the costs of providing a safe environment and it would benefit businesses, residents and tourists and address some of the concerns of the health and social consequences of late night licences.
- 9.5 The Authority would also need to consider the impact of such changes on the late night economy as a whole including ‘ancillary’ businesses such as the Private Hire and Hackney Carriage trade and late night takeaways, and also in offsetting this negative impact, the likely increase in people attracted to the area by virtue of experiencing cleaner, safer areas, especially in market towns and seaside resorts.
- 9.6 It is still very early days to be able to measure the success nationally of the introduction of the Late Night Levy where schemes are in place. The aim of the Levy as set out by the Home Office guidance ‘the levy will empower local areas to charge businesses that supply alcohol late into the night for the extra enforcement costs that the night-time economy generates for police and licensing authorities’.
- 9.7 Using this as a measure the Levy may be deemed a success; following the many reductions of licences only those premises operating in the Late Night Levy period contribute additional funding, schemes are yet to establish the full extent of how this money is spent and what effect this is having. Initial findings would suggest the Levy schemes have been effective in raising additional revenue but their impact on crime and disorder is yet to be established.
- 9.8 The issue of potential use of Late Night Levy and Early Morning Restriction Order powers will be fully discussed at the Licensing Act 2003 Committee held on 6 October 2015 as part of consideration of the comments received following the consultation on the amended Licensing Act 2003 Statement of Licensing Policy. The Licensing Committee will make a recommendation to the Cabinet as to whether to proceed further with looking into the use of either power. Feedback from the Safer and Stronger Overview and Scrutiny Sub-Committee will be helpful to this process.

Nigel Leighton

Director of Environment and Neighbourhood Services

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Legislation and Background Papers

The Police Reform and Social Responsibility Act 2011

Licensing Act 2003

The Late Night Levy (Application and Administration) Regulations 2012

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Date of Meeting	Topic to be Scrutinised
Thursday 16 July, 2015 10.00am County Hall, Beverley	Humberside Fire and Rescue Service Update
	New and Emerging Drug Trends in the East Riding
	Housing Strategy Update
Thursday 10 September, 2015 10.00am County Hall, Beverley	Humberside Police Update
	Community Safety
	Late Night Levy and Early Morning Alcohol Restriction Orders
Thursday 22 October, 2015 10.00am County Hall, Beverley	Humberside Fire and Rescue Service Update
	Housing Bill
	Sheltered Housing Review
	Housing for Children and Young People
Thursday 3 December, 2015 10.00am County Hall, Beverley	Humberside Police Update
	Unauthorised Encampments & Fly Grazing
	Criminal Justice System
Thursday 21 January, 2016 10.00am County Hall, Beverley	Humberside Fire and Rescue Service Update
	Transforming Rehabilitation
	Road Safety
Thursday 3 March, 2016 10.00am County Hall, Beverley	Humberside Police Update
	Domestic Violence
	ASB Noise Nuisance

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THURSDAY 22 OCTOBER 2015, 10.00AM - COUNTY HALL, BEVERLEY (ROOM 1)				
ITEM / TOPIC	LEAD ORGANISATION	LEAD OFFICER	OTHER PARTICIPANTS	SCOPE
Humberside Fire & Rescue Service	HFRS	Steve Henry - Community Safety Manager		<ul style="list-style-type: none"> Verbal Update from Humberside Fire and Rescue Service
Housing Bill	Asset Strategy	Karen Williamson - Strategic Investment & Development Manager	<u>Forward Planning</u> Helen McEgan - Housing Strategy Officer	<ul style="list-style-type: none"> What are the implications of the Housing Bill as mentioned in the Queen's Speech What impact will this have on the Council's Housing Revenue Account? Extended Right to Buy to Housing Associations – what are the implications for the Council? Update on the development of the Housing Strategy
Sheltered Housing Review	Asset Strategy	Karen Williamson - Strategic Investment & Development Manager	<u>Business Management and Commissioning</u> Yvonne Rhodes - Interim Head of Business Management and Commissioning	<ul style="list-style-type: none"> Update on sheltered housing What is the criteria and priority for receiving sheltered housing? How many different types of sheltered housing schemes are there in the East Riding? How can sheltered housing be better promoted to make older people aware how they can continue to live independently?
Housing for Children and Young People	Forward Planning	Helen McEgan - Housing Strategy Officer		<ul style="list-style-type: none"> Want to ensure young people have the best start in life - do they have a proper housing environment from which to grow up in (ie enough space, gardens)? What is our housing offer like for children and young people? Private sector rental properties - are they providing adequate living standards for young people? What steps is the Council taking to ensure young people have the right environment to grow up in? What improvements can we make? Do we have a bottleneck because people without children are living in houses that are too large for them and families with children are living in second floor flats?
<i>[Joint item with Children and Young People Sub-Committee]</i>	Housing, Transportation and Public Protection	Dick Ikin - Housing and Safe Communities Group Manager Paul Bellotti - Head of Housing, Transportation and Public Protection		

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OVERVIEW AND SCRUTINY SUB-COMMITTEE WORK PROGRAMME 2015/16**

THURSDAY 3 DECEMBER 2015, 10.00AM - COUNTY HALL, BEVERLEY (ROOM 1)				
ITEM / TOPIC	LEAD ORGANISATION	LEAD OFFICER	OTHER PARTICIPANTS	SCOPE
Humberside Police Update	Humberside Police	Chief Inspector Olukayode Adegbenbo (East Riding Neighbourhood Policing)		<ul style="list-style-type: none"> • Update on Review Panel Recommendation - Police Numbers, Operation Bases and Response Times <ul style="list-style-type: none"> - What are the expected response times across the East Riding and categories of call? - Number of stations and operation bases across the East Riding - Number of police officers in the East Riding
Unauthorised Encampments and Fly Grazing	Housing, Transportation and Public Protection	Paul Abbott - Public Protection Services Group Manager Paul Bellotti - Head of Housing, Transportation and Public Protection		<ul style="list-style-type: none"> • What the changes brought about by the Control of Horses Act 2015? • What powers do farmers and landowners now have to can act for swift resolution when faced with the problem of horses illegally abandoned on their land? • The new law extends the options for dealing with abandoned horses, which now include private sale, gifting and rehoming - how realistic is it for land owners to rehouse horses illegally abandoned on their land? • Does the the Control of Horses Act 2015 offer any additional powers to the Council and its Enforcement Officers?
Criminal Justice System	Humberside Criminal Justice Board [Office of the Police and Crime Commissioner]	Robbie Walker-Brown - Business Manager		<ul style="list-style-type: none"> • Is it a soft touch giving offenders cautions – vs – actual sentences or tougher sanctions? • What evidence is there to suggest that the Out Of Court Disposals (OCD) are effective compared to prison sentences? • Are there unintended consequences following changes to rehabilitation (ie the courts know that people given prison sentences for under 12 months must be provided with support on their release, therefore are the courts sentencing higher numbers to prison because of this support)?

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THURSDAY 21 JANUARY 2016, 10.00AM - COUNTY HALL, BEVERLEY (ROOM 1)				
ITEM / TOPIC	LEAD ORGANISATION	LEAD OFFICER	OTHER PARTICIPANTS	SCOPE
Humberside Fire & Rescue Service	HFRS	Steve Henry - Community Safety Manager		<ul style="list-style-type: none"> • Verbal Update from Humberside Fire and Rescue Service
Transforming Rehabilitation	Purple Futures - Community Rehabilitation Company	Ian Ware - Director of the Humberside, Lincolnshire and North Yorkshire Community Rehabilitation Company	Tony Margetts - Substance Misuse Manager	<ul style="list-style-type: none"> • Update on work of Purple Futures and Payment by Results. • How much are Purple Futures receiving? • What is deemed 'successful'? • What will Purple Futures do with the bonuses? Will they reinvest them in the East Riding? • When released, are offenders being properly supported to reduce incidences of reoffending? • Update on Community Payback and the work of the Council in transforming rehabilitation
	Housing, Transportation and Public Protection	Nigel Brignall - Anti-Social Behaviour Team Manager Paul Bellotti - Head of Housing, Transportation and Public Protection]		

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THURSDAY 21 JANUARY 2016, 10.00AM - COUNTY HALL, BEVERLEY (ROOM 1)

ITEM / TOPIC	LEAD ORGANISATION	LEAD OFFICER	OTHER PARTICIPANTS	SCOPE
Road Safety	<p style="text-align: center;">Asset Strategy</p> <p style="text-align: center;">Infrastructure and Facilities</p>	<p style="text-align: center;">Mark Jessop - Principal Transport Policy Officer</p> <p style="text-align: center;">Paul Copeland - Assistant Principal Engineer (Road Safety Team)</p>		<p><u>Local Transport Plan</u></p> <ul style="list-style-type: none"> • Road safety strategy - what is the reduction in funding from Central Government. • How does this reduction in funding impact on the work that the Council can do to reduce KSIs? • How do we maintain a reduction in the number of KSI with reduced resources and reduced priority from Government? <p><u>Road Safety Engineering Plan</u></p> <ul style="list-style-type: none"> • Identify casualties at particular locations – How do we identify problem areas and develop a programme to address those roads/junctions <p><u>Schools</u></p> <ul style="list-style-type: none"> • What education/training/publicity programme is there for schools? • What cycling and pedestrian training is undertaken in schools? <p><u>Work with the Police</u></p> <ul style="list-style-type: none"> • Safer Roads East Riding - update on work of Safer Roads <p><u>Other Key Issues</u></p> <ul style="list-style-type: none"> • Speed cameras - how effective are they in reducing speed of motorists • Drug driving - 50% of drivers test positive for drugs compared to 5% for alcohol - what is being done to raise awareness of drug driving • Motorcycles - statistics and what are the key issues for motorcyclists on our roads? • Young drivers - statistics and what are the key issues for young drivers on our roads? • Collision data <ul style="list-style-type: none"> - Are we maintaining a reduction in accidents? - Is the data being used to best effect - Is it helping to keep the roads safe?

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THURSDAY 3 MARCH 2016, 10.00AM - COUNTY HALL, BEVERLEY (ROOM 1)				
ITEM / TOPIC	LEAD ORGANISATION	LEAD OFFICER	OTHER PARTICIPANTS	SCOPE
Humberside Police Update	Humberside Police	Chief Inspector Olukayode Adegbembo (East Riding Neighbourhood Policing)		<ul style="list-style-type: none"> • Update on Review Panel Recommendation - Neighbourhood Policing & Reducing Demand, Customer Services <ul style="list-style-type: none"> - How well are licensing functions interlinked with neighbourhood policing? - How has neighbourhood policing across the East Riding transformed since the implementation of the new Force structure? - How is demand being reduced and what is the expectation and communication with partners to field 'police' calls? • Performance figures on enforcement of misuse of drugs • What steps are the police taking to protect the public from Novel Psychoactive Substances (NPS)? • Is police drugs testing effective - how often are drug dogs retrained to detect new drugs?
ASB Noise Nuisance	Housing, Transportation and Public Protection	Paul Abbott - Public Protection Services Group Manager		<ul style="list-style-type: none"> • How are repeat offenders of noise nuisance dealt with (ie early shop deliveries and late night/weekend working in residential areas)? • What enforcement powers do the Council have? • What is the speed in which the Council reacts to noise nuisance complaints? • What role does the Police play in noise nuisance complaints?

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THURSDAY 3 MARCH 2016, 10.00AM - COUNTY HALL, BEVERLEY (ROOM 1)

ITEM / TOPIC	LEAD ORGANISATION	LEAD OFFICER	OTHER PARTICIPANTS	SCOPE
<p>Domestic Violence & Abuse</p>	<p style="text-align: center;">Housing, Transportation and Public Protection</p>	<p style="text-align: center;">Max Hough - Manager: Crime and Disorder/ DV Services</p> <p style="text-align: center;">Paul Bellotti - Head of Housing, Transportation and Public Protection</p>	<p style="text-align: center;"><u>Children and Young People Support and Safeguarding Services</u></p> <p style="text-align: center;">Victoria Hanley - Partnerships & Commissioned Services Strategic Manager</p> <p style="text-align: center;">Grace Davidson - Service Manager Children's Social Care</p>	<p>Cause of offences</p> <ul style="list-style-type: none"> • Late night drinking, financial distress, other factors? • Major sporting events/tournaments - past trends (ie planning for World Cup 2014) <p>Alcohol and drug related incidents</p> <ul style="list-style-type: none"> • How many incidents of domestic violence or abuse relate to drug and/or alcohol related problems? • How much does the Council contribute to drug action and alcohol intervention programmes compared to other partners? <p>Role of the Council and partners in tackling domestic violence and abuse</p> <ul style="list-style-type: none"> • What is the role of the Council, Police, other partners and private companies in responding to incidents and preventing future incidents? • Are there examples of best practise being carried out by other councils, police forces or companies? If so, what are they doing differently to us? • What has been the impact of the new mini body cameras worn by police officers in capturing more incidents and bringing perpetrators to justice? • Update on work undertaken by the Council with schools (Victoria Hanley/Grace Davidson) <ul style="list-style-type: none"> – Is there adequate information on the Council's website/other websites for referrals/signposting to relevant services/support? <p>Victims & Perpetrators</p> <ul style="list-style-type: none"> • Update on annual rates of referrals compared against the waiting list and number of incidents • What are the trends associated with victims? • Update on the Perpetrator Programme <p>Victim Support</p> <ul style="list-style-type: none"> • What support networks, advice or helplines are there available for victims? • How are these financed?

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BRIEFING NOTES				
TOPIC	LEAD SERVICE AREA/ ORGANISATION	LEAD OFFICER	OTHER PARTICIPANTS	SCOPE
Housing Energy Efficiency	Asset Strategy	Les Jennison - Principal Asset Officer	<u>Housing, Transportation and Public Protection</u> Dick Ikin - Housing and Safe Communities Group Manager	<ul style="list-style-type: none"> • How do we ensure that the Council housing stock is energy efficient? • What is the carbon footprint of the Council's housing stock? • Is there a rolling programme of replacing old inefficient appliances with new energy efficient ones?
Community Cohesion & Economic Migration	Resource Strategy & Economic Development	Simon Lowe - Policy, Partnerships and Intelligence Manager & Sue Lang - Regeneration and Funding Group Manager		<ul style="list-style-type: none"> • Update on community cohesion and economic migration, including an understanding of the social return on investment by the Council