

At a meeting of the COMMUNITY AND SAFER CITY SCRUTINY COMMITTEE held in the CIVIC CENTRE on TUESDAY, 11TH JANUARY, 2011 at 5.30 p.m.

Present:-

Councillor Heron in the Chair

Councillors Copeland, Emerson, Maddison, J. Scott, Timmins and J. Walton.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Ball, Ellis and Scaplehorn.

Minutes of the Last Meeting held on 7th December, 2010

1. RESOLVED that the minutes of the last meeting of the Committee held on 7th December, 2010 be confirmed and signed as a correct record.

Declarations of Interest (including Whipping Declarations)

There were no declarations of interest.

Victim Support Sunderland

The Chief Executive submitted a report and powerpoint presentation (copies circulated) to provide the Committee with information about Victim Support and how they worked with the victims of violent crime.

(For copy report and presentation – see original minutes).

Gillian Thirlwell and Liz Jarvis from Victim Support, presented the report and were on hand to answer Members' queries.

In response to Councillor J. Scott's enquiry, Ms. Thirlwell advised that there was only one Anti Social Behaviour Worker for the Sunderland area.

Stuart Douglass, Safer Communities Manager advised that the Council had received external funding from the Home Office for a specialised worker based within the ASB Team to work with victims and to develop new approaches. Whilst it was only one person, they would liaise with a whole range of Officers to tackle problems together.

The Chairman also advised that the Council had its own Anti Social Behaviour Officers.

Councillor Scott commented that he still felt it was a large workload for just one person.

In response to Councillor J. Walton's query, Ms. Jarvis informed the Committee that they try to advertise the service in a number of ways, namely through attending community events, Universities and Drop-in Centres although this was quite difficult with limited resources.

In response to Councillor Maddison's query, Ms. Thirlwell advised that they had funding to last for the next five months and they would be looking to apply for more at that time.

Councillor Copeland commented that she whole heartedly supported the service as they had always been there when she had needed them and she believed they should not have to apply for funding as it should come out of mainstream funds for the long term.

Ms. Jarvis thanked Members for their support and advised that due to funding cuts, there was a worry on how to sustain the current service. The only way appeared to be to apply for core support from the local authorities in order to keep a local presence.

The Chairman enquired if the service was funded by the Home Office or the Police and if it was still difficult to recruit volunteers.

Ms. Thirlwell advised that the service was funded via the Home Office and that generally the volunteers were university leaders looking to gain experience which resulted in a high turnover of staff, which brought difficulties.

The Chairman enquired if the family members of the perpetrators received support.

Ms. Thirlwell advised that in cases such as domestic violence, they would not send workers out to homes but would arrange to meet elsewhere so that support could still be provided.

Ms. Jarvis commented that they were aware of the risk factors and the need to be careful, not only for the victims, but for the care workers' safety also.

The Chairman commented that the victims were often the silent people in the issue, who needed more support, we had come a long way on this, but was still an issue.

Ms. Jarvis agreed that the service had come a long way and they realised circumstances were not always black and white.

Councillor Copeland commented that a number of services were set up to help the perpetrators and she would like a greater emphasis on services for the victims who, in her opinion, seemed to be at the end of the line when resources were allocated.

The Chairman having thanked the Officers for their report, it was:-

2. RESOLVED that the report be received and noted.

How Northumbria Probation Trust Works with High Risk Drinkers who Commit Violent Offences in Sunderland

The Northumbria Probation Trust submitted a report (copy circulated) to illustrate the work that they carried out with its partners in Sunderland in:-

- (a) identifying violent offenders who were high risk drinkers; and
- (b) addressing their alcohol use and offending behaviours to protect the public from further offending and prevent the creation of new victims of violent crime.

(For copy report – see original minutes).

Kevin Robinson, Head of Offender Management, presented the report and advised that they did not just work with statutory offenders but engaged with people via Police Intelligence and LMAPs.

Councillor Timmins commented that the issue of drugs had not been mentioned, yet on many occasions there was a direct link to violence and there was a need to overcome the problem that young people did not believe they had drink/drug issues.

Mr. Robinson advised that there was a far greater problem with alcohol, which was the cause of most offences rather than drugs, but the service did deal with drug issues also.

Councillor Emerson commented that the alarming figures of individuals consuming 70-100 cans per day was mind boggling with regards to how they funded this, it must be through some form of crime.

Mr. Robinson commented that drug addicts would fund their habits through shop lifting and such like, the same applied to alcoholics with added issues of domestic violence etc. In relation to the consumption of 70-100 cans per day, evidence of these instances were not unusual.

The Chairman advised that he had been involved in the Total Place review in which it was found £385 million was the costs incurred through health issues alone, so with £50,000 going to victim support, £80,000 to Northumbria Probation Trust, these were

small amounts to try and tackle the problems before they became health issues. The Chairman also believed that these services' budgets needed to be increased.

In response to Councillor Copeland's query, Mr. Robinson advised that their service only dealt with people of 18+ ages but there were instances where children aged 12-13 had been addicted to alcohol. It was not just an issue about crime, but health risks also.

Councillor Copeland raised concerns that there would be greater numbers of people suffering from sclerosis of the liver in the future, if action was not taken now.

3. RESOLVED that the report be received and noted.

Drinking Banning Orders

The Deputy Chief Executive submitted a report (copy circulated) to provide the Committee with information about Drink Banning Orders (DBOs) which were introduced via the Violent Crime Reduction Act, 2006.

(For copy report – see original minutes).

Kelly Henderson, Safer Communities Officer/Violent Crime and Leanne Davis, Drug and Alcohol Strategy Manager, presented the report and advised on the two DBOs that had been issued in Sunderland.

Councillor J. Walton referred to paragraph 2.3 of the report which mentioned defined areas and queried that if an individual was banned in a certain area, would they not just move to a non-defined area, which would only shift the problems somewhere else rather than solve them.

Ms. Henderson advised there was a need to be specific and would be based on each individual's circumstances. The issue had not come up under the DBOs issues in Sunderland so far, but she did take Councillor Walton's point on board.

Councillor Copeland enquired if the £500 costs incurred prohibited the Council from issuing further orders.

Ms. Henderson advised that financially, it was a problem in the current economic climate which was why there was a need to work with the Home Office to retrieve the funds back through convictions.

In response to Councillor Copeland's query, Ms. Henderson advised that the two DBOs had been brought to the Authority by the police and it was not just about City Centre issues, so they utilised such services as LMAPs for intel.

The Chairman enquired if the issuing of the DBOs had any effect on the individual's friends, acting as a deterrent almost.

Ms. Henderson commented that there was no information as yet and there may be a need to study the current DBOs that were in place to see what effects they had.

In response to the Chairman's enquiry, Ms. Davis advised that breaches of ASBOs could be taken to criminal court and we now had a real hierarchy to tackle behaviour and problems. DBOs were just one measure in terms of an arsenal of possible routes to take.

Ms. Henderson also advised that they were working with the police to send out joint warning letters to individuals involved in drink related crime and they were working with Pubwatch also.

Councillor Copeland enquired if the person issued with a DBO had to report anywhere, similar to being on parole.

Ms. Henderson advised that this was not necessary as the police would monitor the individual to make sure they were not arrested or involved in further breaches of their order.

4. RESOLVED that the report be received and noted.

Police Reform and Social Responsibility Bill

The Executive Director of City Services submitted a report (copy circulated) to advise Members of the implications of the Police Reform and Social Responsibility Bill with regard to the functions of the Council in licensing and sale of alcohol.

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager presented the report and advised Members that the Bill was currently at Committee stage with a complete report to be submitted by 17th February if they wished to submit any feedback.

Councillor J. Walton commented that he felt these amendments were a long time coming and in particular paragraph 3.4 'Removing the Vicinity Test' although he felt the term 'interested parties **likely** to be affected' was a rather loose term.

Mr. Terrett advised that the Officer's response would be to refer any objectors to the Licensing Sub-Committee so that Members could judge each case on its own merits.

Councillor Walton referred to paragraph 3.6 and questioned how it could be operated when they plan to reduce notification from ten working days to five working days, which would not give much time to organise a Licensing Sub-Committee.

Mr. Terrett advised that a similar approach would be used as the procedures already set up for when the police called for emergency reviews and such like.

In relation to paragraph 3.7, Councillor Walton commented that increasing the maximum fine from £10,000 to £20,000 seemed quite ridiculous when the highest prosecutions we had made were in the region of £1,500 at present.

Mr. Terrett advised that the vast majority of fines issued had been way short of £10,000. This was usually due to the limitations of what people could actually afford to pay, so the increase of possible fines was more symbolic than anything else.

Councillor Emerson raised concerns that the amendments to the Vicinity Test, which needed, could allow frivolous objections and create extra workload for both Officers and Members of the Licensing Sub-Committee.

Mr. Terrett advised that inevitably it would generate more work but they could reject any frivolous objections as they would have to meet the licensing objectives. At this stage, the department suggested an open mind be kept on the issue.

Councillor Copeland enquired if consideration was given over garages selling alcohol in the early mornings.

Mr. Terrett advised that he was not sure it was a major problem with a lot depending on the geographical location of premises and proximity to residential areas. A review had been carried out on one premise which had additional conditions imposed upon it, but the Bill related more to City Centre premises.

Mr. Terrett also advised that any decisions made would need to be appropriate and evidence based.

Councillor J. Scott referred to paragraph 3.9 and enquired how much the Annual Fees would be.

Mr. Terrett advised that depending on the premises the fee could vary from a few hundred pounds to a few thousand pounds.

In relation to the Late Night Levy, Councillor Scott enquired if these would be imposed on Night Clubs and Takeaway establishments.

Mr. Terrett informed the Committee that there was no provision for this at present as it was a new power available to the Council. If the Levy was to be introduced, all establishments would be liable to pay with some eligible for exemptions or discounts. Which establishments were eligible for exemptions etc was unclear at this stage.

In response to Councillor J. Scott's enquiry Mr. Terrett advised that it was not stated at present if the Levy would be rateable similar to the Annual Fees and the Authority was awaiting guidance on the subject.

Councillor J. Scott suggested the remuneration for applying the Levy be based on the popularity of establishments, determined via a headcount for example, so that the more popular venues pay more.

Mr. Terrett commented that it was a valid suggestion worthy of further investigation but was not a decision the Council could make, yet could be put forward to the Government for consideration.

The Chairman referred to paragraph 3.6 and raised concerns of the effects it could have on the locality.

Mr. Terrett advised that if an application was made for a Temporary Event Notice, it would be a useful tool for the Council to be able to amend any set times.

In relation to paragraph 3.7, the Chairman commented that he believed the only way to tackle underage sales was to remove the sellers licence or impose CCTV as an effective method to control the situation.

Mr. Terrett advised that many premises applying for licences volunteered for CCTV, with the Authority suggesting it be installed to those without it, this was requested as CCTV had been used on occasions to examine particular incidents. With regards to the removal of licences, if two instances of underage sales were proven in a premises over a three month period then the licensee could be convicted.

Councillor J. Walton commented that imposing greater fines may be a better deterrent than threatening to remove a licence as a Magistrate may take a different light on such measures that could affect people's livelihoods.

Mr. Terrett advised that the law allows for both approaches to be implemented and the size of fines were a matter for the Courts to decide. Magistrates may overturn the Committee's decision which was why the need for evidence was vital.

The Chairman referred to paragraph 3.11 and suggested the funds generated from the Late Night Levy needed to be used for services such as late night buses servicing greater distances and areas further away from the City Centre, as this would help ease demand in the taxi queues.

Mr. Terrett informed the Committee that 30% of the funds generated by the Levy would be used for 'other services' and that he would investigate if it could be used for transport and report back in due course. As it was a new proposal, we did not know what kind of funds would be generated through the scheme as yet, but as a concept it was certainly worthy of further investigation.

The Chairman raised concerns over the short timescales for deciding on Temporary Event Notices and also referred to paragraph 3.9 of the report to enquire why a licence wasn't removed when a premises had been closed/empty for a period of three months for example.

Mr. Terrett advised that presently, a licence could end in a number of ways, either through suspension, being revoked or the company going into liquidation for example. Sometimes a licence was kept alive during the transferral of a premises but if an individual failed to pay the Annual Fees, under this new Bill, the licence could be suspended (not removed) and they would have to reapply. Mr. Terrett added that this had not been a major problem in Sunderland.

The Chairman commented that if a licence was removed due to premises being empty, it would allow the Authority to update conditions such as noise levels and CCTV, etc.

Mr. Terrett advised that if licensees wished to leave their premises vacant, yet still pay the Annual Fees, that was not a problem, but for the Authority to impose additional conditions there would have to be sufficient evidence of problems occurring.

5. RESOLVED that the report be received and noted with Members comments/suggestions included in future consultations.

Alcohol, Violence and Night Time Economy: Progress Report

The Chief Executive submitted a report (copy circulated) to provide Members with an ongoing progress report in relation to this year's policy review around alcohol, violence and the night time economy.

(For copy report – see original minutes).

Claire Harrison, Acting Scrutiny Officer, presented the report and advised on the City Centre night time visits carried out in December and that further visits would be arranged, possibly in February.

Ms. Harrison also advised that a further Task and Finish Group was to be set up at the end of the month.

In relation to the City Centre visits, the Chairman commented that Members had received a good flavour for the night time atmosphere, with a number of minor incidents occurring but nothing major. Members had also received a good reception from the staff in whichever establishment they visited.

Councillor Copeland commented that she had noted the excellent rapport between the Police and pub landlords who genuinely appeared to take suggestions on board, such as the polycarbonate glass schemes.

Councillor Copeland also commented that she believed the Street Pastors were providing a fantastic service and were well respected.

6. RESOLVED that the report be received and noted.

Work Programme 2010-11

The Chief Executive submitted a report (copy circulated) providing for Members information the current Work Programme for the Committee's work during the 2010-11 Council year.

(For copy report – see original minutes).

7. RESOLVED that the report be received and noted.

Forward Plan – Key Decisions for the Period 1 January 2011 – 30 April 2011

The Chief Executive submitted a report (copy circulated) to provide Members with an opportunity to consider those items on the Executive's Forward Plan for the period 1 January 2010 – 30 April 2011 which relate to the Community and Safer City Scrutiny Committee.

(For copy report – see original minutes).

8. RESOLVED that the Committee had considered the Executive's Forward Plan for the period 1 January 2011 – 30 April 2011.

The Chairman thanked everyone for their attendance and closed the meeting.

(Signed) R. HERON,
Chairman.