



Civic Centre
HARTLEPOOL

7 December, 2020

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Brown, Buchan, Cartwright, Cassidy, Fleming, Hall, Hamilton, Harrison, Howson, Hunter, James, King, Lauderdale, Lindridge, Little, Loynes, Marshall, Moore, Prince, A Richardson, C Richardson, Smith, Stokell, Tennant, Thomas, Ward, Young.

Madam or Sir,

You are hereby summoned to attend the COUNCIL meeting to be held on THURSDAY, 17 DECEMBER 2020 at 6.00 p.m. in the Civic Centre, Hartlepool to consider the subjects set out in the attached agenda.

PLEASE NOTE: this will be a 'remote meeting', a public link to which will be available on the Hartlepool Borough Council website at least 24hrs before the meeting.

Yours faithfully

D McGuckin
Managing Director

Enc

COUNCIL AGENDA



17 DECEMBER 2020

at 6.00 pm

PLEASE NOTE: this will be a 'remote meeting', a public link to which will be available on the Hartlepool Borough Council website at least 24 hours before the meeting.

- (1) To receive apologies from absent Members;
- (2) To receive any declarations of interest from Members;
- (3) To deal with any business required by statute to be done before any other business;
- (4) To approve the minutes of the last meeting of the Council held on 20 October 2020 as the correct record;
- (5) To answer questions from Members of the Council on the minutes of the last meeting of Council;
- (6) To deal with any business required by statute to be done;
- (7) To receive any announcements from the Chair, or the Head of Paid Service;
- (8) To dispose of business (if any) remaining from the last meeting and to receive the report of any Committee to which such business was referred for consideration;
- (9) To consider reports from the Council's Committees and to receive questions and answers on any of those reports;
 1. Licensing Act - Licensing Policy – Report of Licensing Committee
- (10) To consider any other business specified in the summons to the meeting, and to receive questions and answers on any of those items;

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

(11) To consider reports from the Policy Committees:

(a) proposals in relation to the Council's approved budget and policy framework;

1. Community Safety Plan 2020-2021 – Report of Finance and Policy Committee

(b) proposals for departures from the approved budget and policy framework;

(12) To consider motions in the order in which notice has been received;

1. "This Council notes the significant and costly disruption being experienced by Staff and Students as a result of Covid infections and restrictions.

Despite the very best efforts of schools, staff, students and the Local Authority this is having a detrimental impact on the wellbeing and education of young people in our town.

Therefore, Council resolves to set up a working party of the Children's Services Committee to engage with schools and explore a range of possible options, to support schools in their continued delivery of excellent education for all our young people."

Signed by: Councillors Harrison, Thomas, Lindridge, Prince, Howson and C Richardson

2. The motion is to revert York Road pedestrian and vehicle movement restriction with immediate effect.

Residents have complained directly to us as elected members informing us that this is placing extra cost and unwanted wasted time on the day to day life.

The restriction of cars/vans using York Road diverts the traffic via already busy roads in Hartlepool. The routes also flow past places of worship and schools and as a result places vulnerable people and children at risk.

We acknowledge the email sent reference communication with the local business; however, this is already impacting far more people of the town in a negative way and we can make a difference to our residents now.

Signed: Councillors Cartwright, Moore, C Akers-Belcher, S Akers-Belcher, Smith, T Richardson, Little and Brown.



- (13) To receive the Managing Director's report and to pass such resolutions thereon as may be deemed necessary;
- (14) To receive questions from and provide answers to the public in relation to matters of which notice has been given under Rule 9;
- (15) To answer questions of Members of the Council under Rule 10;
 - a) Questions to the Chairs about recent decisions of Council Committees and Forums without notice under Council Procedure Rule 10.1
 - b) Questions on notice to the Chair of any Committee or Forum under Council Procedure Rule 10.2
 - c) Questions on notice to the Council representatives on the Police and Crime Panel and Cleveland Fire Authority
 - d) Minutes of the meetings held by the Cleveland Fire Authority on 14 February 2020 and the Police and Crime Panel held on 7 July 2020, 10 September 2020, 15 September 2020 and 6 October 2020.



COUNCIL

MINUTES OF PROCEEDINGS

20 OCTOBER 2020

The meeting commenced at 6.00 pm and was an online remote meeting in compliance with the Council Procedure Rules Relating to the holding of Remote Meetings and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The Ceremonial Mayor (Councillor Loynes) presiding:

COUNCILLORS:

C Akers-Belcher	Brown	Buchan
Cartwright	Cassidy	Fleming
Hall	Hamilton	Harrison
Howson	James	King
Lauderdale	Lindridge	Little
Marshall	Moore	Prince
A Richardson	C Richardson	Smith
Stokell	Tennant	Thomas
Ward	Young	

Officers: Denise McGuckin, Managing Director
Tony Hanson, Director of Neighbourhood and Regulatory Services
Chris Little, Director of Resources and Development
Hayley Martin, Chief Solicitor
Joan Stevens, Statutory Scrutiny Manager
Amanda Whitaker, Democratic Services Team.

54. APOLOGIES FOR ABSENT MEMBERS

Councillors S Akers-Belcher and Hunter.

55. DECLARATIONS OF INTEREST FROM MEMBERS

None.

56. BUSINESS REQUIRED BY STATUTE TO BE DONE BEFORE ANY OTHER BUSINESS

None.

57. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 17 September 2020, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

58. QUESTIONS FROM MEMBERS OF THE COUNCIL ON THE MINUTES OF THE PREVIOUS MEETING OF THE COUNCIL

Minute number 45 (3) – Allotments Service Review and Dispute Resolution Process – Elected Members requested that the Neighbourhood Services Committee give further consideration to the allotments service review to allow meaningful consultation. The Chief Solicitor referred to Council Procedure Rule 14.2 - A motion or amendment in similar terms to one that has been rejected at a meeting of Full Council in the past six months cannot be moved. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

Following further debate by Elected Members, it was moved to proceed to the next business. In response to a request for clarification, the Chief Solicitor advised Elected Members that there was not a procedure for rescinding a minute of Full Council.

Whilst accepting that the decision could not be changed until a period of six months had expired, it was moved by Councillor C Akers-Belcher and seconded by Councillor Cartwright:-

“That the Neighbourhood Services Committee further review the allotment service pertaining to allotment rules with particular regard to the rights and responsibilities of allotment holders.”

In accordance with Rule 8 of the Council’s Procedure Rules relating to the Holding of Remote Meetings, a recorded vote was taken on the referral to the Neighbourhood Services Committee.

Those for

Councillors C Akers-Belcher, Brown, Cartwright, Fleming, Hall, Hamilton, Harrison, Howson, James, Lauderdale, Lindridge, Marshall, Prince, A Richardson, C Richardson, Thomas and Ward.

Those Against

Councillors Buchan, Cassidy, Loynes, Moore, Smith, Stokell, Tennant and Young.

Those Abstaining

Councillors King and Little.

It was announced that the vote was carried.

Minute 48 – Motions on Notice – The mover of the Motion sought an update in relation to the timescale for sending the letters agreed by Full Council and sought clarification in relation to the progress in relation to options for funding home to school transport. The Managing Director advised that the issues highlighted by the Elected Member would be progressed by the end of the week.

59. BUSINESS REQUIRED BY STATUTE

None

60. ANNOUNCEMENTS

None

61. TO DISPOSE OF BUSINESS (IF ANY) REMAINING FROM THE LAST MEETING AND TO RECEIVE THE REPORT OF ANY COMMITTEE TO WHICH SUCH BUSINESS WAS REFERRED FOR CONSIDERATION.

None

62. TO RECEIVE REPORTS FROM THE COUNCIL'S COMMITTEES

1. Anti-Social Behaviour in Hartlepool – Final Report of the Audit and Governance Committee.

The Chair of the Audit and Governance Committee presented the Committee's findings and associated recommendations following completion of the investigation into Anti-Social Behaviour in Hartlepool. A copy of the Committee's final report was appended to the report to Full Council.

Elected Members debated issues arising from the report including a suggestion of a publicity campaign, by the Authority, relating to issues associated with 'loan sharks'. Appreciation was expressed to all those who had been involved in the investigation.

RESOLVED, with no dissent - That the final report and associated recommendations from the Audit and Governance Committee's investigation into Anti-Social Behaviour in Hartlepool be received.

63. TO CONSIDER ANY OTHER BUSINESS SPECIFIED IN THE SUMMONS OF THE MEETING

None

64. REPORT FROM THE POLICY COMMITTEES

(a) Proposal in relation to the Council's budget and policy framework

None

(b) Proposal for Departure from the Budget and Policy Framework

None

64. MOTIONS ON NOTICE

None

MANAGING DIRECTOR'S REPORT

65. COMMUNITY GOVERNANCE REVIEWS

Elected members were reminded that that the Authority had received two valid community governance petitions.

The petitions were received as follows:

- Residents of Wynyard have proposed that Wynyard be removed from Elwick Parish Council and that a stand-alone Wynyard Parish Council (Hartlepool) be established.
- Residents of South Fens have proposed that South Fens be removed from Greatham Parish Council but without an alternative Parish Council being established.

Elected Members were advised that upon receipt of valid petitions (which include the signatures of 250 electors from the Parish) the Council must, as a matter of law undertake a community governance review and must do so in accordance with the statutory guidance.

Following an issue raised by an Elected Member with reference to Elwick Parish Council arrangements, the Managing Director undertook to clarify if the consultation could be extended to part of Hart Ward with reference to the situation surrounding the catchment zone for Elwick Primary School, should this be permissible within the Regulations relating to Community Governance Reviews.

RESOLVED –That the key stages of the reviews be noted and the terms of reference under which the reviews will take place, attached as Appendices A and B, be approved.

66. APPOINTMENT OF REPRESENTATIVE TO TEES VALLEY CLINICAL COMMISSIONING GROUP (CCG) PRIMARY CARE COMMISSIONING COMMITTEE

The Managing Director reported that the Authority had been requested to appoint an Elected Member representative to the Primary Care Commissioning Committee of the new Tees Valley CCG. It had been suggested by the CCG that the appointment of the Chair of the Health and Wellbeing Board would be the most appropriate nominee in light of the role of the Committee. The terms of reference for the Primary Care Commissioning Committee were appended to the report.

Councillor Thomas and Cllr Hall (Chair of Audit and Governance Committee) were nominated to the Committee.

Following the nomination of Councillor Thomas, the Managing Director sought to clarify if there was a conflict of interest as an employee of Healthwatch.

RESOLVED – That the appointment to the Committee be deferred to the next ordinary meeting of Full Council, to clarify CCG Constitution in relation to Member interests.

67. PUBLIC QUESTION

One question had been received from Mr Feeney to Chair of Neighbourhood Services Committee:-

“As you will be aware, littering is a huge problem for our town. I hope you are also aware of the fantastic hard work put in by our town a small but passionate community of voluntary litter pickers. An issue that regularly crops up in the community is grass cutting. When a grass cutter goes over a can for example, it will shred that one item into 20 small and sharp pieces. This means that in a green space of say, 20 items of litter, it now contains hundreds of tiny pieces of litter, resulting in a lot more work for the voluntary litter pickers, and poses a risk for children playing on that green space. While I appreciate that budgets are tight and we cannot expect our already hard working council environmental team to clear every area before cutting the grass, it would be very useful for the public to have access to the grass cutting schedule. This gives a heads up for local litter pickers to have at least a chance of clearing it up before the grass is cut. I understand that schedules are subject to change, but this would still help alleviate frustrations of local voluntary litter pickers and provide cleaner and safer green spaces in our town. I look forward to hearing your response.”

The Chair of the Neighbourhood Services Committee responded that with the resources currently available the team operate a planned grass cutting return frequency of between 14 working days up to 21 working days for most open spaces and verges. This equates to approximately 14 cuts in an average year however sports pitches, bowling greens and other grass sports surfaces will

receive more frequent cuts to ensure they meet required sports playability standards. During warm, wet, sunny conditions grass growth can be much quicker than during the cooler, shorter, daylight conditions of the autumn and winter. Rapid dense grass growth makes it more difficult for machinery to cut. Persistent rain creates soft ground and slows, or in worst cases, prevents machinery progress so whilst we aim for approximately 14 cuts a year this can vary depending on the conditions. Because of fluctuating weather conditions it is almost impossible to develop a fixed timetable or schedule of when a piece of ground will be cut.

With regard to sharing grass cutting schedules, the Chair advised that Operators are trained to check and clear litter as much as possible before mowing. Unfortunately this cannot guarantee everything is removed and litter can lay within the grass unseen. The Chair, therefore, advised that anyone concerned about timing a litter pick to consider the grass cutting return frequency monitors if it is getting close to 14 working days since the last grass cut of an area there is a high probability that grass cutting machinery will be returning in the very near future.

68. QUESTIONS FROM MEMBERS OF THE COUNCIL

- a) Questions to the Chairs about recent decisions of Council Committees and Forums without notice under Council Procedure Rule 12.1

None

- b) Questions on notice to the Chair of any Committee or Forum under Council Procedure Rule 12.2

None

- c) Questions on notice to the Council representatives on the Police and Crime Panel and Cleveland Fire Authority

None

- d) Minutes of the meetings held by the Cleveland Fire Authority and the Police and Crime Panel

None

The meeting concluded at 7 p.m.

CEREMONIAL MAYOR



Report of: Licensing Committee

Subject: LICENSING ACT – LICENSING POLICY

1. PURPOSE OF REPORT

- 1.1 To provide Members with an opportunity to consider the adoption of a revised Licensing Policy as required by the Licensing Act 2003.

2. BACKGROUND

- 2.1 Section 5 of the Licensing Act 2003 states that each licensing authority must determine and publish a licensing policy every five years.
- 2.2 The current licensing policy became effective as of 1st January 2016 and, as such, a new or revised policy must be published no later than 1st January 2021.
- 2.3 A licensing policy details how the licensing authority intends to discharge its licensing functions and also details how it expects licence holders to contribute towards the promotion of the Act's four licensing objectives which are: -
- Prevention of public nuisance
 - Public safety
 - Prevention of crime and disorder
 - Protection of children from harm
- 2.4 A licensing policy does not create new obligations for existing licence holders but can be referred to when considering new applications or variations to existing licences.
- 2.5 A draft new policy was presented to the Licensing Committee in June 2020 and approval was given for a consultation exercise to be undertaken. A copy of this draft policy is attached as **Appendix 1**.

- 2.6 A consultation document was widely circulated between July and September 2020 and no responses were received.
- 2.7 The Licensing Committee considered the Licensing policy at its meeting on 1st October 2020 and recommended its approval by Council.

3. PROPOSALS

- 3.1 The proposed policy does not differ significantly from the policy that has been in place since 2016 except for the proposed removal of the designation of a Cumulative Impact Area (CIA).
- 3.2 Hartlepool has designated the town centre area as a CIA since the Licensing Act first came into effect in 2005.
- 3.3 A CIA places the burden to prove that a new licence application will not undermine the Act's licensing objectives on the applicant – rather than objectors. A CIA does not however allow a licensing authority to make pre-determined decisions about an application and, in accordance with the law, all applications are still required to be considered on their own merits.
- 3.4 In 2019 the Government changed the legal basis for CIA's and now requires licensing authorities to undertake a formal Cumulative Impact Assessment before adopting, or retaining, a CIA.
- 3.5 The new requirements, along with the significant reduction in activity in Hartlepool's Night Time Economy in recent years, means that there is insufficient evidence to meet the new statutory requirements to retain a CIA.
- 3.6 The removal of a CIA from Hartlepool's licensing policy does not undermine its ability to amend or refuse an application for a new licence in the town centre area if appropriate representations are received.
- 3.7 Formal adoption of the licensing policy and approval of Full Council is required in accordance with the law and the Council's Constitution as the Licensing Policy is included in the Policy Framework.

4. RECOMMENDATIONS

- 4.1 That Council accept the Licensing Committee's recommendation and approve the adoption of the draft Licensing Policy as detailed in **Appendix 1** with effect from 1st January 2021.

5. BACKGROUND PAPERS

- 5.1 Licensing Committee report and Minutes – 1st October 2020

6. CONTACT OFFICER

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Director of Neighbourhood and Regulatory Services
Hartlepool Borough Council

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Tony.hanson@hartlepool.gov.uk

Sign Off:-

Director of Policy and Finance ☒

Chief Solicitor ☒

Managing Director ☒

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HARTLEPOOL BOROUGH COUNCIL

STATEMENT OF LICENSING POLICY

2021

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CONTENTS

	Page
1. INTRODUCTION	2
2. PURPOSE AND SCOPE OF POLICY	3
3. TYPES OF LICENCES	4
4. LICENSING PRINCIPLES	5
5. CONSIDERATIONS	11
6. SPECIAL POLICY	17
7. ADMINISTRATION, EXERCISE & DELEGATION OF FUNCTIONS	17
8. CONTACT DETAILS	18

APPENDIX ONE

1. INTRODUCTION

- 1.1 This policy statement is based on the provisions of the Licensing Act 2003 and has taken full account of the guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State for the Department of Culture, Media and Sport (DCMS).
- 1.2 This policy will apply for a period of five years from 1st January 2021. It will be kept under review and revised/amended if considered appropriate to support the licensing objectives. Any policy changes or revisions will be subject to consultation.

The Borough of Hartlepool

- 1.3 Hartlepool Borough Council, acting as the licensing authority for the Licensing Act, recognises the benefits to Hartlepool of a thriving service economy and wishes to promote, wherever possible, a town that meets and exceeds the requirements of its residents and visitors. However, the licensing authority recognises that certain types of licensed premises, particularly those offering alcohol and/or music, may have a detrimental impact on those who live nearby through the escape of noise or the actions of patrons both on and off the premises.
- 1.4 The licensing authority intends to seek a balance between the needs of residents and local businesses by using this Licensing Policy, and other strategies, to promote and encourage well-managed, neighbour friendly licensed premises that represent a positive addition to life in Hartlepool.

Legal Background to this Policy Statement

- 1.5 Hartlepool Borough Council, acting as the licensing authority, is able to grant or reject applications for the sale of alcohol, the provision of regulated entertainment or late night refreshment. Conditions designed to ensure safety, protect children from harm, prevent crime, disorder and public nuisance will be attached to licences where appropriate. However, the ability of licensing authorities to grant licences and attach conditions is limited by provisions in the Act, Regulations made under the Act and by guidance from the Secretary of State. The licensing authority must have regard to the guidance and will deviate only where there are justifiable reasons for doing so.
- 1.6 In formulating this policy document the licensing authority has had regard to the provisions of the European Convention on Human Rights, recognising that everyone has the right to respect for his/her home and private life and that every person is entitled to the peaceful enjoyment of his/her possessions.

- 1.7 The Human Rights Act 1998 makes it unlawful for a public authority to act in a way which will be incompatible with a convention right. The licensing authority will endeavour to ensure that any licensing decision does not cause a breach of a convention right.
- 1.8 The licensing authority in taking into account the provisions of the Crime & Disorder Act 1998 will also have regard to the likely effect of the exercise of their functions on crime and disorder in their area.

2. PURPOSE AND SCOPE OF THE LICENSING POLICY

Purpose

- 2.1 The licensing policy has four main purposes:
- To reinforce to elected Members on the Licensing Committee, the boundaries and powers of the local authority, and to provide them with parameters under which to make their decisions.
 - To inform the licence applicants of the parameters under which the authority will make licence decisions, and therefore how a licensed premises is likely to be able to operate within the area. (Note however that each case will be examined on an individual basis.)
 - To inform residents and businesses of the parameters under which the authority will make licence decisions, and therefore how their needs and concerns will be addressed.
 - To support decisions made by the licensing authority when these decisions are challenged in a court of law.

Scope

- 2.2 The Act is concerned about the supply and sale of alcohol, the provision of certain entertainment and late night refreshment.
- 2.3 Activities that require a licence under the Licensing Act 2003 and covered by this policy include:
- Retail sale of alcohol
 - Supply of hot food or drink from a premises from 23.00 to 05.00 hours
 - Supply of alcohol or provision of regulated entertainment to club members or guests
 - Provision of regulated entertainment listed below to the public or section of the public, or club members or with a view to profit:

- Performances of a play
- Exhibition of a film
- Indoor sporting events
- A boxing or wrestling entertainment
- Live music performances
- Playing of recorded music
- Dance performances

- 2.4 The scope of the policy covers new applications, renewals, transfers, variations and reviews of both premises licences, personal licences and club premises certificates. The policy also applies to temporary events notices (TEN's).

3. TYPES OF LICENCES

Personal Licences

- 3.1 A personal licence will be granted where an applicant:
- a) is aged 18 or over
 - b) possesses an accredited licensing qualification
 - c) has not forfeited a personal licence in the last 5 years
 - d) has not been convicted of a relevant offence
- 3.2 The licensing authority will, however, reject any application where the applicant fails to meet a), b) or c) above.
- 3.3 Where an applicant has an “unspent” relevant conviction, the police may oppose the application. If such an objection is lodged a licensing hearing will be held. Where no such objection is received from the police, the licensing authority will grant the licence.
- 3.4 At a hearing the licensing authority will consider carefully whether the granting of a licence will be in keeping with the promotion of the crime and disorder objective. Considerations will include the seriousness and relevance of the conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances. The licensing authority will only grant the application if it is satisfied that doing so will promote this objective.
- 3.5 Reason(s): Prevention of crime and disorder is both an objective of the Licensing Act 2003 and an important responsibility of the Council under the Crime and Disorder Act 1998. The holder of a personal licence should be a person who is not only properly qualified but a person who will assist the fight against crime. Granting a licence to a known criminal will, in many cases, undermine rather than promote the crime and disorder objective.

Premises Licences and Club Premises Certificates

- 3.6 An application for a premises licence or club premises certificate must consist of: -
- an application form, in the prescribed format, detailing the licensable activities and proposed operating hours
 - an operating schedule
 - a plan of the premises to which the application relates
 - the appropriate fee
- 3.7 If the licensable activities include the sale of alcohol, a consent form from the individual agreeing to be the designated premises supervisor (DPS) will also be required (not required for club premises certificates).
- 3.8 The application must be advertised in the prescribed manner.

4. LICENSING PRINCIPLES

General

- 4.1 In carrying out its licensing functions the authority will promote the licensing objectives set out in the Act. These are:
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm
- 4.2 To achieve these objectives the authority will use its full range of powers and consider all relevant responsibilities including its planning controls, transport controls and crime and disorder policies. The authority will enter into appropriate partnership arrangements, working closely with the police, the fire authority, local businesses, community representatives and local people in meeting these objectives.
- 4.3 In determining a licence application the overriding principle adopted by the licensing authority will be that each application will be determined on its individual merits.
- 4.4 The Act covers the licensing of individuals for the retail sale of alcohol (personal licences), the licensing of premises for the retail sale of alcohol, the provision of regulated entertainment and late night refreshment (premises licences), the supply of alcohol and/or the provision of regulated entertainment and late night refreshment from certain clubs (club premises certificates) and the permitting of certain licensable activities on a temporary basis (temporary event notices).

- 4.5 In general a reference in this policy to a licence will include a club premises certificate.

Duplication

- 4.6 So far as is possible, this Policy is not intended to duplicate existing legislation and regulatory regimes that are already placed on employers and operators, e.g. Health and Safety at Work etc. Act 1974. Conditions in respect of public safety will be attached to licences only if they are considered necessary for the promotion of the licensing objectives.
- 4.7 It is accepted that licensing and planning regimes are separate and distinct and it is therefore possible that duplicate, or similar, conditions may be applied to a premises under both regimes. It is also possible that contrary decisions about the granting or refusal of a licence/planning permission may occur as such decisions must take into account differing legislative matters.

Licence Conditions

- 4.8 Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act. Conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others granted relevant authorisations.
- 4.9 Conditions will be specifically tailored to the premises and activities to be undertaken, with a view to ensuring the licensing objectives are achieved.
- 4.10 Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from licensed premises and therefore beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned.
- 4.11 The licensing authority will not impose blanket standard conditions. Where there are outstanding representations regarding a licence application, licence conditions will be tailored to the individual application to help promote the licensing objectives. They will not be imposed where it is considered that other regulatory regimes provide sufficient protection to the public e.g. health and safety at work and fire safety legislation.
- 4.12 In the spirit of openness, transparency and reasonableness, the licensing authority encourages all parties to a licence application to discuss concerns during the statutory consultation period so that any necessary conditions can be agreed without the need for the intervention of the licensing authority.
- 4.13 To assist applicants, the licensing authority has published a range of model conditions that applicants are encouraged to consider as part of their risk assessment process. These model conditions can be found at www.hartlepool.gov.uk/licensing.

Alcohol Harm Reduction

- 4.14 The licensing authority recognises that for most people alcohol represents an enjoyable addition to well-balanced social activities. However, there is increasing concern that, for some people, alcohol misuse is leading to self harm and social nuisance.
- 4.15 In determining licence applications, the licensing authority will have regard to any relevant Government guidance relating to alcohol consumption, alcohol misuse and alcohol harm.

Protection of Children

- 4.16 Whilst the protection of children from harm is a licensing objective, the licensing authority will not normally impose conditions restricting or prohibiting the admission of children to licensed premises. However, conditions designed to protect children will be imposed where necessary if relevant representations have been received.
- 4.17 The licensing authority will not impose any licence conditions requiring the admission of children to licensed premises.
- 4.18 Examples of premises where the introduction of additional controls are likely to be necessary are:
- Where entertainment or services of an adult or sexual nature are provided.
 - Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or premises with a reputation for underage drinking.
 - Where there is a known association with drug taking or dealing.
 - Where there is a strong element of gambling on the premises.
 - Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
 - Where entertaining or providing facilities for the entertainment of children is a significant part of the premises' operation.
- 4.19 In such circumstances, additional conditions may be expected where considered necessary for the prevention of harm to children. These may include: -
- Limitations on the hours when children may be present
 - Age limitations
 - Limitations on the parts of premises to which children will be given access
 - Requirements for accompanying adults
 - Full exclusion of people under 18 from the premises when any licensable activities are taking place

- 4.20 Where the exhibition of films is permitted, the licensing authority will impose a condition requiring the exhibition of films to be limited to only those age groups recommended by either the British Board of Film Classification or the licensing authority. For such films, licensees must indicate in their operating schedules how such action will be assured. Only in exceptional cases will variations of this general rule be granted by the licensing authority and then only with appropriate safeguards.
- 4.21 In relation to specialist Film Festivals where it is desired to show films not classified by the BBFC the licensing authority will, provided adequate notice has been given, classify the films concerned. Information regarding such classifications will be available for inspection at the Civic Centre, Victoria Road, Hartlepool. To achieve consistency and the protection of children the licensing authority will use the guidelines published by the BBFC.
- 4.22 In connection with the protection of children from harm, the licensing authority will provide details of which body is responsible for such matters. Details of licence applications, where relevant, should be forwarded to this nominated body for examination.
- 4.23 Where there is provision of entertainment specifically for children (e.g. a children's disco) the licensing authority will expect the presence of sufficient appropriate adults to control the entertainment and the access and egress of the children to ensure their safety.
- 4.24 Where it is the intention of the licensee to offer responsibility for the supervision of children as part of a licensable activity, the licensing authority will expect licensees to take appropriate measures to ensure the suitability of employees for such purposes – this may involve employees providing a Criminal Records Bureau Disclosure.

Designated Premises Supervisors

- 4.25 The sale and supply of alcohol, because of its impact on the wider community and on crime and anti-social behaviour, carries with it greater responsibility than that associated with the provision of regulated entertainment and late night refreshment.
- 4.26 Because of this the licensing authority expects that the designated premises supervisor (DPS) for a licensed premises will be able to demonstrate that they are in day to day control of the premises, playing an active role in its operation through a regular personal presence.

Licensing Hours

- 4.27 The licensing authority does not accept that longer opening hours for licensed premises have been a benefit to Hartlepool but rather that they place an undue and unnecessary strain on the local transport infrastructure, Accident & Emergency services and law enforcement agencies and can create a nuisance for those residents who are affected by the general operation of a premises or from revellers returning home during the early hours.

Shops, stores and supermarkets will in general be licensed to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping but licences for before 9:00 a.m. or after 10:00 p.m. in residential areas will generally be refused. In addition, licence applications for the supply of alcohol for consumption on the premises for before 9:00 a.m. or after 11:30 p.m. in residential areas will generally be refused.

In non residential areas applications for licences to allow the sale of alcohol or the supply of late night refreshment beyond 2:00 a.m. will normally be refused subject to relevant representations being received.

- 4.28 Whilst zoning will not be adopted, the licensing authority will impose stricter conditions with regard to noise control in areas which have denser residential accommodation.

Live Music, Dancing & Theatre

- 4.29 The licensing authority recognises that traditional cultural activities such as music and dancing should be encouraged as part of a wider cultural strategy. Account should be taken of the need to encourage and promote entertainment such as live music, dancing and theatre for the wider cultural benefits of communities generally.
- 4.30 Only conditions considered necessary, proportionate and reasonable for the promotion of the licensing objectives will be attached to licences for activities of this nature. The authority will avoid measures that may deter live music, dancing and theatre by imposing unjustified indirect substantial costs. The licensing authority will closely monitor the impact of licensing on such activities and, where a negative impact can be identified, will re-visit the Licensing Policy with a view to investigating how the situation might be reversed.

Enforcement

- 4.31 Where necessary, enforcement action will be taken in accordance with the principles of the Regulators Code and the Council's Enforcement Policy.
- 4.32 In particular, regard will be had to the following principles:

- Targeting - i.e. focusing on activities that give rise to the most serious risks or where hazards are least well controlled.
 - Consistency - i.e. similar approaches in similar circumstances to achieve similar ends.
 - Transparency - i.e. helping duty holders to understand what is expected and distinguishing between statutory requirements and guidance.
 - Proportionality - i.e. action taken should be proportional to the risk presented.
- 4.33 The authority will establish protocols with the local police and the fire brigade on enforcement issues to avoid duplication and to provide for the most efficient deployment of council, police and fire officers in respect of inspection of licensed premises and the enforcement of licensing law.
- 4.34 Furthermore the policy of the Council will be a light touch inspection regime for well managed and maintained premises with a targeted and increased inspection and enforcement regime for “high-risk” premises and those suspected of not being operated within the terms and conditions of the licence.

Integration of Strategies and Other Policies

- 4.35 Hartlepool Borough Council fully recognises and endorses the value of good relations between persons of different racial groups. The licensing authority recognises the obligations placed upon it by the Equality Act 2010 and will ensure that this Policy promotes race equality and the elimination of unlawful discrimination.
- 4.36 The Council will integrate its various strategies to achieve consistency and transparency in the achievement of the licensing objectives.
- 4.37 Arrangements for reporting to local authority transport committees will be made to ensure transport strategies take account of the need to quickly disperse people from busy town centre areas to reduce the potential for nuisance and disturbance.
- 4.38 Arrangements will be made for the reporting of Hartlepool’s employment situation and the needs of the local tourist economy to the licensing committee to ensure that these issues are taken into account when licensing matters are being considered.

5. CONSIDERATIONS

General Requirements

- 5.1 The licensing authority will expect individual applicants to address the licensing objectives in their operating schedule, (as required under the Act). The operating schedule will have regard to the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided, the times during which it is proposed that relevant licensable activities are to take place and details of other times during which it is proposed that the premises are to be open to the public.
- 5.2 In many cases it may be helpful to all concerned for council officers to discuss with applicants and/or their advisers a draft operating schedule before it is formally submitted. This will help ensure it properly addresses all the issues of concern to the council. Where licensable activities include the supply of alcohol, specified information on the individual identified as premises supervisor shall be supplied as well as whether the supply of alcohol is proposed for consumption on and/or off the premises and operational procedures.

Nuisance

- 5.3 The licensing authority will expect the operating schedule to clearly demonstrate actions intended to ensure the operation will be “neighbour friendly”. In particular, the applicant shall propose adequate practical steps to prevent disturbance to local residents.
- 5.4 The licensing authority does not accept that longer opening hours for licensed premises have been a benefit to Hartlepool but rather that they place an undue and unnecessary strain on the local transport infrastructure, Accident & Emergency services and law enforcement agencies and can create a nuisance for those residents who are affected by the general operation of a premises or from revellers returning home during the early hours.
- 5.5 Shops, stores and supermarkets will in general be licensed to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping but licences for before 9:00 a.m. or after 10:00 p.m. in residential areas will generally be refused. In addition, licence applications for the supply of alcohol for consumption on the premises for before 9:00 a.m. or after 11:30 p.m. in residential areas will generally be refused.
- 5.6 In non residential areas applications for licences to allow the sale of alcohol or the supply of late night refreshment beyond 2:00 a.m. will normally be refused subject to relevant representations being received.
- 5.7 In relation to noise from within the building the licensing authority will expect the applicant to have carried out acoustic tests to ascertain whether there is sound leakage. This noise could relate not only to entertainment but also from

air handling equipment or patrons. The licensing authority will expect potential noise breakout to have been addressed in practical ways such as:

- Keeping doors and windows closed and providing suitable mechanical ventilation
- Installing soundproofing measures to control noise breakout and vibration to an acceptable level.

5.8 The licensing authority will expect venues that attract queues to formulate a scheme to avoid disturbance to nearby residents. In some cases this may be achieved by simply ensuring that the direction of the queue is away from residential accommodation.

5.9 However, possible excessive noise generated by customers and/or disorder requires more rigorous action. It is important that queues formed later in the evening or in early morning are adequately supervised to keep noise/disorder to a minimum. Such action can also help stop drug dealing during the queuing process but the prime purpose will be to prevent noise and disturbance. Door supervisors will generally be expected to carry out this role, but they must be adequately trained and given clear instructions as to their duties and responsibilities – where necessary they should be adequately supervised by a suitably nominated person or persons.

5.10 In terms of patrons leaving the premises, particularly late at night or early in the morning, the licensing authority will expect the applicant to indicate in their operating schedule that consideration has been given to, and included where appropriate, such practical steps as:

- Erecting prominent notices at the exits to premises asking customers to leave quietly and not to slam car doors, etc
- At appropriate times making announcements to the same effect.
- Instructing door staff to ask customers leaving the premises to leave the area quietly
- Reducing the volume of music towards closing time and where appropriate playing quieter, more soothing music.
- The availability of licensed taxis or private hire vehicles to take patrons from the premises
- In appropriate cases door supervisors or a premises manager patrolling nearby streets periodically to assess for themselves whether there is a noise or disorder problem and how best to deal with it
- Banning from the premises people who regularly leave in a noisy fashion.
- Increasing outside lighting levels
- Where there is a private forecourt, yard, etc, preventing patrons from using it for eating and drinking etc after a certain time. Planning conditions are usually imposed to restrict use after 8.00 pm or at sunset where adjacent to residential properties.

5.11 There can be little doubt that a well-managed licensed venue can benefit the local community. However, there is clearly a risk of local residents being

disturbed particularly if the venue is open late at night. People leaving the premises, particularly late at night or in the early hours of the morning, can be a significant problem. Customers may be less inhibited about their behaviour and may be unaware of the noise they are creating.

- 5.12 A responsible applicant or licensee will wish to further the licensing objective of preventing public nuisance by introducing practical measures such as those referred to above to prevent such nuisance.

Prevention of Crime and Disorder

- 5.13 The licensing authority does not accept that longer opening hours have been a benefit to Hartlepool but rather that they place an undue and unnecessary strain on the local transport infrastructure, Accident & Emergency services and law enforcement agencies and create a nuisance for those residents who are affected by the general operation of a premises or from revellers returning home during the early hours.

Shops, stores and supermarkets will in general be licensed to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping but licences for before 9:00 a.m. or after 10:00 p.m. in residential areas will generally be refused. In addition, licence applications for the supply of alcohol for consumption on the premises for before 9:00 a.m. or after 11:30 p.m. in residential areas will generally be refused.

In non residential areas applications for licences to allow the sale of alcohol or the supply of late night refreshment beyond 2:00 a.m. will normally be refused subject to relevant representations being received.

- 5.14 The licensing authority will expect an applicant to indicate in their operating schedule the steps proposed to prevent crime and disorder such as:
- Use of CCTV both within and outside the premises
 - Procedures to prevent the supply of alcohol to those already drunk
 - Metal detection and search facilities
 - Procedures for risk assessing promotions and events such as “happy hours” for the potential to cause crime and disorder, and plans for minimising such risks
 - Measures to prevent the use or supply of illegal drugs
 - Employment of licensed door supervisors and other appropriately trained staff
 - Participation in an appropriate scheme designed to ensure effective liaison with the local community
- 5.15 Reason(s): Prevention of crime is both an objective of the Licensing Act 2003 and an important responsibility of the Council under the Crime and Disorder Act 1998. It is important, therefore, that the applicant is able to demonstrate to the licensing authority the practical steps that will be taken to further this objective.

- 5.16 Premises that are supplying alcohol for consumption on the premises after midnight and whose operation, at that time, is primarily or significantly of the 'vertical drinking' format, will be expected to provide all drinks in plastic glasses.
- 5.17 Reason: Standard drinking glasses are made of annealed glass that, when broken, can create long shards which can be used as a stabbing weapon. Toughened glass will shatter completely when broken but, due to its manufacturing process, is extremely hard and may cause blunt force injuries if thrown or used as a weapon.
- 5.18 Rigid or flexible plastic glasses will not shatter when broken and will not cause blunt force injuries. As such, the licensing authority believes such a condition is a reasonable and proportionate requirement that will prevent those serious injuries that occur when drinking glasses are used as weapons.

Construction/Maintenance and Safety

- 5.19 The licensing authority will expect licensed premises to meet all legal safety requirements, but in addition wishes to promote the highest possible standards of safety for patrons and others who may be affected by a licensed premises. It will expect the applicant to have addressed the requirements of Health and Safety at Work and Fire Safety legislation and, where appropriate, other technical standards that may be appropriate for the premises concerned.
- 5.20 The licensing authority will also expect the operating schedule to detail how the premises will be properly managed and maintained to ensure public safety at all times.
- 5.21 The licensing authority expects licensed premises to be a safe environment and applicants will be expected to consider how customers can be kept safe from foreseeable risks.

Pricing of Alcohol

- 5.22 The Licensing Authority encourages all licensed premises to apply a minimum price of 50p per unit of alcohol to all products sold under their premises licence. (The unit pricing will be reviewed in line with national Guidance.)
- 5.23 Where licensed premises are found to be selling alcohol below this price, and problems associated with that premises are in breach of the licensing objectives, a responsible authority or interested party may bring a licence review. Following the review, the Licensing Committee may impose a condition in relation to the pricing of alcohol, in order to uphold the licensing objectives.

- 5.24 The Licensing Authority will expect applicants to demonstrate in their operating schedule how the pricing of alcohol products on sale in their premises will not negatively impact on the licensing objectives.
- 5.25 **Reason:** The licensing authority believes the price of a product influences its demand and, where alcohol is sold cheaply, consumers may be encouraged to buy, and consume, more of it.
- 5.26 The expectation that licensees will not sell alcohol below the stated minimum unit price does not create a legally binding obligation but it does place a duty on licensees to take into account the price of the alcohol they sell and the effect that price may have on levels of alcohol consumption.
- 5.27 If a licence is reviewed and the Licensing Authority believes that one or more of the licensing objectives has been undermined because of the price that alcohol has been sold at, it may impose a condition on the licence to prevent irresponsible pricing in future.

Access for Persons with Disabilities

- 5.28 All premises are expected to provide adequate facilities and access for people with disabilities. The needs of disabled people must therefore be addressed in the operating schedule.
- 5.29 Reason(s): Wherever practicable, persons with disabilities should not be treated in a less advantageous way. In addition, responsibilities under the Disability Discrimination Act 1995 will need to be considered and adequate facilities provided in premises where necessary.

Publicity

- 5.30 All those affected by an application should be made aware of its existence and of the opportunity to make representations. In an attempt to ensure this is achieved, applications for a premises licence must be advertised in accordance with statutory requirements.
- 5.31 Reason(s): The grant of a licence can have a significant impact on the lives or businesses of those living or working in the vicinity of premises for which a licence is sought. Therefore, all those likely to be affected by an application have the right to be made aware of it and of the opportunity to make representations.

Other Policies, Objectives and Guidance

- 5.32 Applicants for licences will be expected to have taken into account relevant strategies and policies such as the local crime prevention strategies, planning

and transportation policies, tourism and cultural strategies in determining their operating schedules.

- 5.33 In addition to the above, applicants will also be expected to address the impact of their premises on the local community and demonstrate that matters such as the prevention and clearance of litter and other waste materials arising from the use of their premises have been considered.

Planning

- 5.34 Premises for which a licence is required must have a suitable, appropriate authorised use under planning legislation.
- 5.35 The licensing authority will not normally entertain an application for a licence unless the applicant can demonstrate that the premises has either an appropriate (in terms of the activity and hours sought) planning consent, or an appropriate certificate of lawful use or development. Exceptions may be made where the applicant can demonstrate compelling reasons why the application should not be refused and the planning status of the premises has not yet been finalised.
- 5.36 Reason(s): Licensing applications should not be a re-run of a planning application and should not cut across decisions taken by the local authority Planning Committee or following appeals against decisions taken by that Committee. Proper integration will be assured by the Licensing Committee, where appropriate, by providing regular reports to the Planning Committee on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder. This will enable the Planning Committee to have regard to such matters when taking its decisions and avoid any unnecessary overlap.

Drug Awareness

- 5.37 The licensing authority recognises that drug use is not something that is relevant to all licensed premises. However, it is recognised that special conditions may need to be imposed on certain venues where drug use is, or has been, taking place in order to reduce the sale and consumption of drugs and to create a safer environment for all.
- 5.38 The licensing authority will expect licensees of venues to take all reasonable steps to prevent the entry of drugs into their premises; to take appropriate steps to prevent drugs changing hands within the premises; and to otherwise adopt precautionary measures to address the consequences of drug misuse.

Door Supervisors

- 5.39 Whenever any persons are employed at licensed premises to carry out any regulated security activity, all such persons must be licensed with the Security Industry Authority.
- 5.40 The licensing authority may consider that certain premises require stricter supervision for the purpose of promoting the reduction of crime and disorder or other licensing objectives. In such cases, the licensing authority may impose a condition that licensed door supervisors must be employed at the premises either at all times or at such times as certain licensable activities are being carried out.
- 5.41 Reason: Door supervisors, and others placed in a similar position, are often those first called upon to respond to issues of safety and disorder on licensed premises. The licensing authority intends to ensure that such people are equipped with the skills necessary for the discharge of this important role.

6. CUMULATIVE IMPACT

- 6.1 The licensing authority has carefully considered the issues of alcohol related crime, disorder and nuisance in Hartlepool and has determined not to publish any Cumulative Impact Assessments.

7. ADMINISTRATION, EXERCISE & DELEGATION OF FUNCTIONS

- 7.1 The licensing authority has delegated its decision-making functions to the Licensing Committee, Sub-Committees and officers in accordance with the guidance issued by the Secretary of State.
- 7.2 Many decisions and functions are purely administrative in nature and these will be delegated to officers in the interests of speed, efficiency and cost-effectiveness.
- 7.3 Detailed information regarding the delegation of functions can be found in Appendix One.

8. CONTACT DETAILS

- 8.1 Further details regarding the licensing application process, including application forms can be obtained from:

The Licensing Team
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Tel No: 01429 523354
Fax No: 01429 523308
Email: licensing@hartlepool.gov.uk

APPENDIX ONE

Delegation of Functions

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If an objection made	If no objection made
Application for premises licence/club certificate		If a representation made	If no representation made
Application for provisional statement		If a representation made	If no representation made
Application to vary premises licence/club premises certificate		If a representation made	If no representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Application for interim authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decisions regarding personal licence holder following conviction of offences		All cases	
Decision on whether a complaint is relevant frivolous vexatious etc.			All cases
Decision to make representations on behalf of the licensing authority acting as a Responsible Authority			All cases
Determination of a police objection to a temporary event notice		All cases	



Report of: Finance and Policy Committee

Subject: COMMUNITY SAFETY PLAN (2020 – 2021)

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Budget and Policy Framework

2. PURPOSE OF REPORT

2.1 To consider the Safer Hartlepool Partnership Community Safety Plan 2020-2021.

2.2 To consider referral to Council for adoption of the Safer Hartlepool Partnership Community Safety Plan 2020-2021.

3. BACKGROUND

- 3.1 The Crime and Disorder Act 1998 established a statutory duty for Local Authorities, Police, Fire Brigades, Probation Trusts (including Community Rehabilitation Companies) and Clinical Commissioning Groups to work together to address local crime and disorder, substance misuse and reoffending issues. Collectively the organisations are known as the “Responsible Authorities” and make up the Safer Hartlepool Partnership.
- 3.2 In accordance with the Crime and Disorder Act 1998 and the Crime and Disorder Regulations 2011, Community Safety Partnerships (CSPs) have a statutory responsibility to develop and implement a Community Safety Strategy setting out how it intends to address crime and disorder, substance misuse, and re-offending issues.
- 3.3 In March 2020, the Safer Hartlepool Community Safety Plan 2017/20 came to an end.
- 3.4 At its meeting on 13th November 2020 the Safer Hartlepool Partnership agreed the Community Safety Plan for 2020/21
- 3.5 At its meeting on 30th November 2020 the Finance and Policy Committee considered the plan and referred it to full Council for adoption.

4. DEVELOPMENT OF THE COMMUNITY SAFETY PLAN 2020-21

- 4.1 The Community Safety Plan 2020-21, **attached at Appendix 1** provides an overview of some of the recent activities undertaken to improve community safety in Hartlepool, and key findings from the Safer Hartlepool Partnership's Annual Strategic Assessment and public consultation.
- 4.2 The plan sets out the Partnership's strategic objective for 2020/21 and the key priorities that the Partnership will focus on.
- 4.3 The Safer Hartlepool Partnership strategic objective for 2020-21 is: -
- “To make Hartlepool a safe, prosperous and enjoyable place to live, work and visit”
- 4.4 The key priorities for the Partnership in 2020/21 are: -
- Drugs and Alcohol
 - Anti-social Behaviour
 - Domestic Violence

5. CONSULTATION

- 5.1 Following agreement of the Safer Hartlepool Partnership strategic objective and priorities in September 2020, the first draft of the Community Safety Plan was published for an eight week public consultation period.
- 5.2 The public consultation included an on-line survey and direct consultation with the Cleveland Police and Crime Commissioner (PCC) and Hartlepool Borough Council's Finance and Policy and Audit and Governance committees.
- 5.3 Although there was relatively low take-up in relation to the on-line survey, there was strong agreement with the proposed strategic objective and priorities from respondents and committees.
- 5.4 Feedback from the Office of the Police and Crime Commissioner also confirmed that the Community Safety Plan supports the objectives of the Police and Crime Plan, fulfilling the obligation set out in the Police Reform and Social Responsibility Act 2011 for PCC's and Community Safety Partnership's to have due regard for the priorities established in the Police and Crime Plan and Community Safety Plan.

6. DELIVERY AND PERFORMANCE MONITORING

- 6.1 Delivery of the Community Safety Plan will be via existing agencies, organisations and through partnership working.
- 6.2 Performance will be monitored by the existing Neighbourhood Safety Group.

7. LEGAL CONSIDERATIONS

- 7.1 Failure to develop a Community Safety Plan would undermine the Safer Hartlepool Partnerships ability to fulfil its statutory responsibilities to set out a strategy for the reduction of crime and disorder, combating substance misuse and reduction in re-offending in Hartlepool.

8. EQUALITY AND DIVERSITY CONSIDERATIONS

- 8.1 The strategic assessment and consultation process ensures that the needs of all sections of the community are considered in formulating and implementing the Community Safety Plan.

9. FINANCIAL CONSIDERATIONS

- 9.1 On 16th November 2020 the Ministry of Housing, Communities and Local Government (MHCLG) advised councils that they would be providing a one-off grant of £50,000 to allow local authorities to prepare for the new statutory duty to provide domestic abuse support in safe accommodation, contained in Part 4 of the Domestic Abuse Bill currently before Parliament. Further MHCLG guidance on the use of this funding is detailed in **Appendix 2**.

10. OTHER CONSIDERATIONS

Risk Implications	No relevant issues
Child/Family Poverty Considerations	No relevant issues
Staff Considerations	No relevant issues
Asset Management Considerations	No relevant issues

11. RECOMMENDATION

- 11.1 It is recommended that Council adopts the Safer Hartlepool Community Safety Plan 2020-21.

12. REASONS FOR RECOMMENDATIONS

- 12.1 As a Responsible Authority, the Local Authority has a statutory duty to develop and implement strategies aimed at reducing crime and disorder, substance misuse, and re-offending behaviour.

13. BACKGROUND PAPERS

- 13.1 The following background papers were used in the preparation of this report:-
- 13.2 Safer Hartlepool Partnership – Community Safety Plan 2020-21

14. CONTACT OFFICER

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Director of Neighbourhood and Regulatory Services
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Sign Off:-

Director of Policy and Finance ☒

Chief Solicitor ☒

Managing Director ☐

☐



Safer Hartlepool Partnership



Community Safety Plan 2020 - 2021



CONTENTS

Section	Heading	Page
1	Foreword	3
2	Introduction	4
3	Local Context	5
4	Summary of the 2019/20 Plan	6
5	Strategic Assessment 2019	7
6	Public Consultation	8
7	Strategic Objectives 2020/21	9
8	Priorities 2020/21	9
9	Delivering the Plan	11
10	Monitoring Performance	12



1. FOREWORD

As Chair, I am pleased to present the Community Safety Partnership (CSP) Plan for 2020 – 2021 on behalf of The Safer Hartlepool Partnership (SHP).

The Partnership Plan brings together our aims, ambitions and priorities for the next year. We will work in Partnership to tackle the issues which impact on, and matter to local people.

During the lifetime of the previous Community Safety Plan introduced in 2017, there have been a number of key community safety achievements, not least the launch of an integrated Hartlepool Community Safety Team in March 2018.

Created in response to requests from residents for a more joined-up service, the team brings together staff from Hartlepool Borough Council, Cleveland Police and Cleveland Fire Brigade who are all based together in the Police Station on Avenue Road. During 2020, the work of this team will be strengthened by the Chief Constable of Cleveland Police's commitment to neighbourhood policing which will see an increase in dedicated resources to gather intelligence, prevent crime and problem solve in our local communities.

The Community Safety Plan 2020 – 2021 reflects the outcomes of the 2019 SHP Strategic Assessment. In utilising this data and information, it has enabled the SHP to identify the priority areas to be focussed on for the next year. This will enable us to deliver a holistic approach, with a greater emphasis on prevention and reducing harm.

The SHP has faced new challenges in recent years including, most recently, the onset of COVID-19 which has had a huge impact on all aspects of life in the town. There has been a significant change in issues that are presented to partners to address, whilst also tackling substantial resource pressures. Important matters such as organised crime, serious violence, anti-social behaviour, substance misuse and responding to those members of our communities with specific vulnerabilities understandably take priority.

The SHP will continue to look at new and innovative ways of working collaboratively to reduce crime and disorder, substance misuse and re-offending, and most importantly, improving the quality of life for the people who live and work in and visit Hartlepool.

Councillor Shane Moore

Chair, Safer Hartlepool Partnership



2. INTRODUCTION

The Safer Hartlepool Partnership (SHP) brings together a number of agencies and organisations concerned with tackling crime and disorder in Hartlepool. As defined by the Crime and Disorder Act 1998, the Partnership comprises members from each of the “responsible authorities”; Hartlepool Borough Council, Cleveland Police, Cleveland Fire and Rescue Service, National Probation Service (Cleveland), Durham Tees Valley Community Rehabilitation Company and Hartlepool and Stockton Clinical Commissioning Group. In addition, a range of other stakeholders from the public and voluntary sectors are also represented and include Thirteen Group, Safe In Tees Valley and the Police and Crime Commissioner for Cleveland.

Our key role is to understand the kind of community safety issues Hartlepool is experiencing; decide which of these are the most important to deal with; and then decide what actions we can take collectively, adding value to the day-to-day work undertaken by our individual agencies and organisations.

We detail these actions in our Community Safety Plan. To help us do that we undertake a Strategic Assessment which analyses a range of detailed information that exists about crime, disorder, substance misuse, re-offending and other community matters that are affecting Hartlepool.

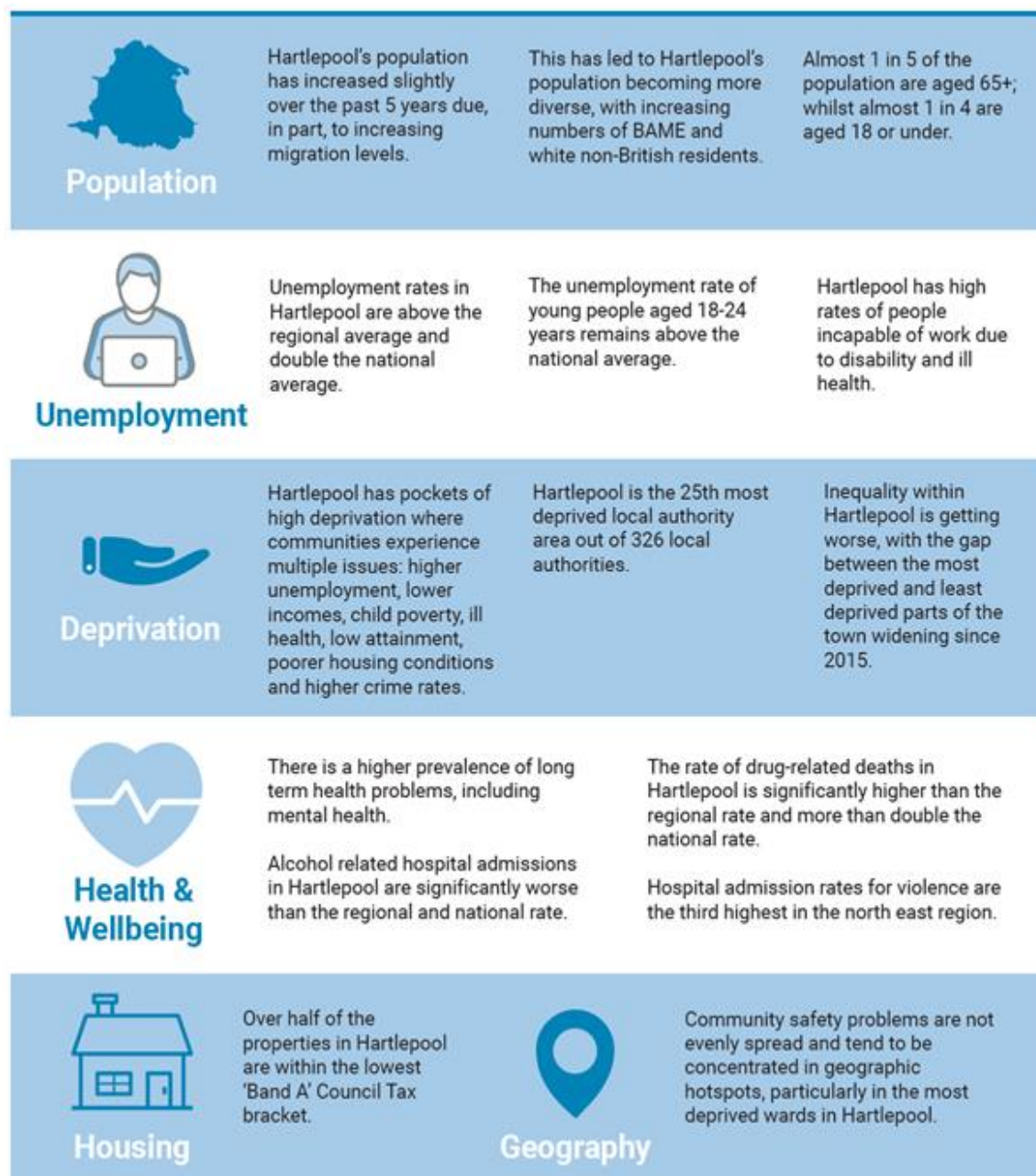
The outcomes of the assessment form recommendations about how to keep the Community Safety Plan priorities relevant.

In producing our plan we are also mindful of the pledges of the Police and Crime Commissioner in his Police and Crime Plan and the requirement to 'have regard' to the priorities established by this plan.

The community safety landscape continues to evolve and partners continue to face challenges in having to adapt the way services and initiatives are delivered. Since the introduction of the Crime and Disorder Act 1998, legislative changes have amended our focus, and also the statutory partners we work with, but the principles of working together remain at the heart of tackling crime and disorder.

3. LOCAL CONTEXT

Hartlepool is the smallest unitary authority in the North East region and the third smallest in the country comprising of some of the most disadvantaged areas in England. Issues around community safety can be understood by a number of contextual factors:





4. SUMMARY OF THE 2019/20 PLAN

During the final year of the Community Safety Plan 2017 – 2020 we have continued to focus our priorities on ensuring Hartlepool is a safe place for residents, workers and visitors by undertaking activity to address the issues that are likely to have most effect on people during their day to day lives.

Reduce crime and repeat victimisation

- Provided home and personal crime prevention advice, target hardening and emotional support to more than 500 victims of crime and anti-social behaviour.
- Held regular “drop in” sessions in the Community Hubs and schools to offer property marking.
- Delivered targeted crime prevention campaigns and communicated key messages through a variety of media.
- Hosted a Serious Violence Summit to explore how agencies can work together to tackle serious violence.
- Developed a Victim Care Pathway for victims of Modern Day Slavery

Reduce the harmed caused by alcohol and drug misuse

- Developed a new integrated model for drug and alcohol services.
- Secured 18 premise closure orders for residential properties concerned in the supply of illegal drugs

Create confident, cohesive and safe communities

- Delivered early intervention, diversionary, educational and positive activities through the deployment of the Target Youth Outreach Team, achieving more than 1,600 contacts with young people identified as at risk of exploitation and / or becoming involved in anti-social or criminal behaviour.
- Co-ordinated multi-agency “Days of Action” to target anti-social behaviour and environmental issues in hotspot locations
- Carried out targeted operations to address illegal and dangerous parking at schools, identify and seize nuisance off-road vehicles, respond to complaints of aggressive begging.
- Delivered the annual Anti-Social Behaviour Awareness Day (ASBAD) which highlights the consequences of anti-social behaviour and provides young people with the knowledge and understanding of the roles of support and Community Safety focused agencies working in Hartlepool.

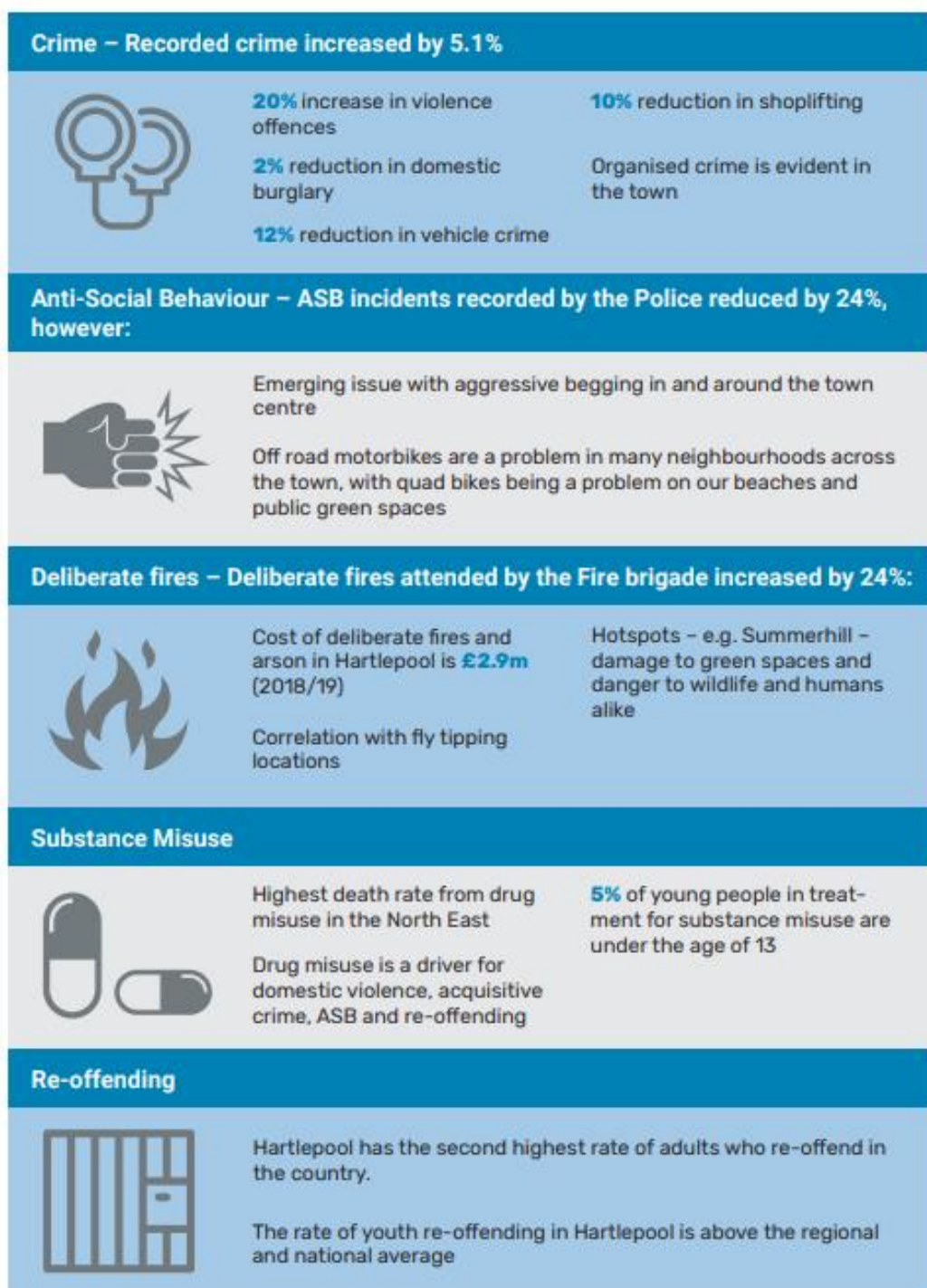
Reduce offending and re-offending

- Supported the implementation of the Cleveland Divert scheme which engages with adults at risk of entering the Criminal Justice System for low-level offences and offers eligible offenders the opportunity to engage with services as an alternative to prosecution.



5. STRATEGIC ASSESSMENT 2019

The Partnership conducts an annual assessment of the levels and patterns of crime and disorder, substance misuse and re-offending in Hartlepool to identify and address the community safety issues that impact upon and really matter to the local community. Key findings from the 2019 assessment are outlined below.





6. PUBLIC CONSULTATION

The Safer Hartlepool Partnership has a statutory obligation to engage and consult with the communities of Hartlepool about community safety priorities.

The annual Community Safety Survey is designed to assist the Partnership to:

- Gain a wider understanding of public perception of crime and anti-social behaviour in the local area;
- Understand what makes people feel safe and unsafe; and
- Understand which issues cause most concern

Analysis of the results of the survey conducted in February 2020 highlighted that although many residents perceive crime and anti-social behaviour to be a problem in their area, more than half of respondents said they had not been a victim of crime in the previous 12 months.

When asked about feelings of safety, most respondents said they feel safe being outside during the day and after dark. Those who said they felt unsafe stated this was due to poor street lighting, lack of police, suspicious people hanging around and people dealing drugs.

The survey findings also revealed that serious violence, organised crime and “county lines” drug dealing are issues which cause concern in our communities amongst the community and should be included as priorities in the Community Safety Plan.

The annual Face the Public event scheduled to take place on 16th March 2020, was cancelled due to safety concerns relating to COVID-19.

In addition to the Partnerships’ consultation with the public, and in fulfilling the requirements of the Police and Justice Act 2006, the Council’s Audit and Governance Committee, conducted an investigation into anti-social behaviour in Hartlepool during 2019 under its statutory crime and disorder scrutiny responsibilities.

A town wide public survey was conducted to seek residents’ opinions and experiences of ASB. The response rate was good with almost 400 surveys completed. More than two thirds of respondents stated that they had experienced ASB in the preceding six months.

The survey results further identified that the main issues of ASB experienced by respondents included rubbish / littering, groups hanging around in the street / public places, rude / abusive behaviour by young people, begging and vehicle nuisance (off-road bikes).



6. CONTINUED...

In addition to the survey, an extensive consultation and engagement exercise was conducted, with an open invitation extended to individuals and groups. Drop in sessions were held in a number of locations including the Community Hubs and Sheltered accommodation complexes.

A series of workshops were attended by representatives from resident's groups and associations, representatives from minority communities of interest or heritage, young people who attend various youth clubs across the town and representatives from the Hartlepool Taxi trade.

Several interviews were also conducted with individual residents who had experienced and reported anti-social behaviour.

Common issues of concern were identified across all of these groups and included drug and alcohol abuse and drug dealing, deliberate fires and fly-tipping, noise nuisance and littering and a lack of police visibility in neighbourhoods.



7. STRATEGIC OBJECTIVE 2020/21

The new strategic objective for the Partnership in 2020/21 is: -

**To make Hartlepool a safe, prosperous and enjoyable
place to live, work and visit**

8. PRIORITIES 2020/21

As with any town, Hartlepool faces many challenges and must work within an environment of conflicting demands and limited resources.

The Partnership recognises that there are many issues that impact on the lives of some, or all, of Hartlepool's residents and continued efforts will be made by all Partnership members to address these in a focussed and effective manner.

Issues such as hate crime, violence (particularly serious violence) and exploitation are significant in both the local and national context and the Partnership recognises the need to work both individually and collectively to address them.

However, the Partnership also recognises the benefits of identifying those issues that have the greatest impact on the town and the need to target resources and efforts to deal with them effectively and efficiently.

To do this, the Safer Hartlepool Partnership will focus activity on three key priority areas – each of which contributes towards a wide range of community concerns. The three key priority areas for 2020/21 are: -

Drugs and Alcohol

Through targeted partnership working, focussed efforts will be made to reduce both the demand for, and the supply of, illegal drugs in Hartlepool.

The Partnership will also work together to reduce the negative social, personal and health consequences caused by the misuse of alcohol in the town.

Anti-social Behaviour

The Partnership will look to reduce anti-social behaviour in Hartlepool.

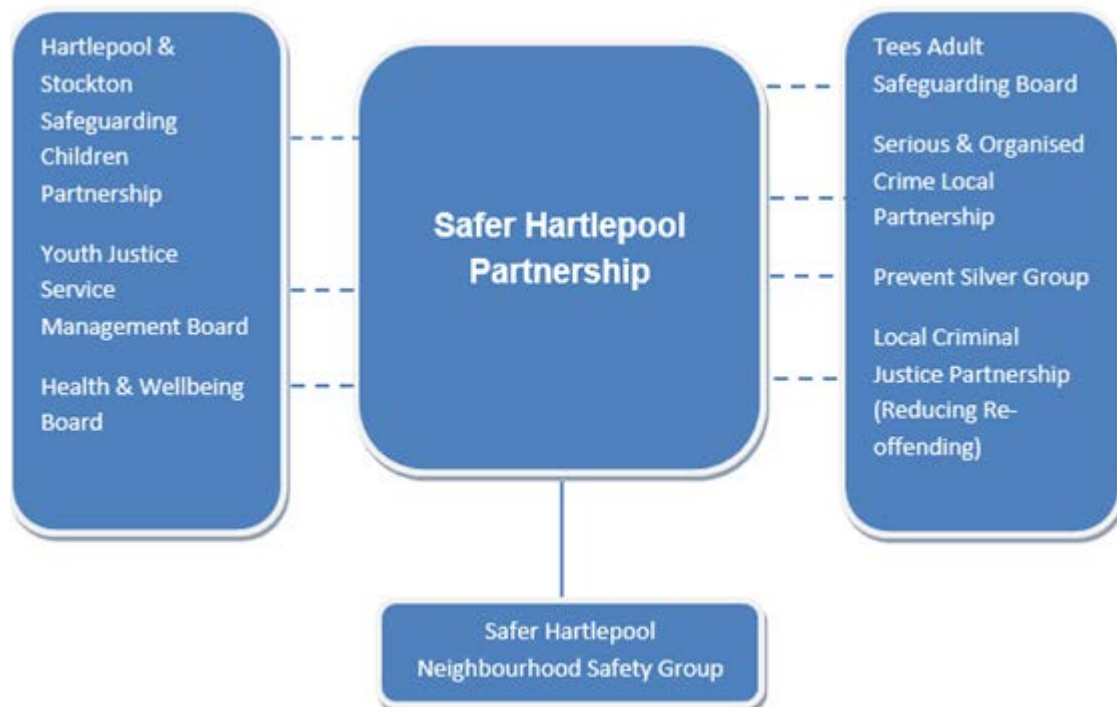
Domestic violence and abuse

The Partnership will work together to safeguard individuals and their families from domestic violence and abuse.



9. DELIVERING THE PLAN

The Partnership will draw on available resources to ensure delivery of the plan through the effective use of existing organisations, agencies and groups and the establishment of new ones where required.





10. MONITORING PERFORMANCE

Performance of the Community Safety Plan will be monitored by the Safer Hartlepool Partnership against a range of key performance indicators for each of the priorities which include:

Priority	Indicator
Anti-Social Behaviour	ASB incidents reported to the Police
	Rate of ASB per 1,000 population
	Number of noise complaints received
	Number of fly-tipping reports received by the Council
	Number of Deliberate Secondary (F3) fires
	Number of Deliberate Vehicle Fires
Drugs and Alcohol	Drug Offences - Possession
	Drug Offences - Supply
	% of opiate drug users that have successfully completed drug treatment
	% of non-opiate drug users that have successfully completed drug treatment
	% of alcohol users that have successfully completed alcohol treatment
	% of young people that have successfully completed treatment
	Number of young people known to substance misuse services
	% of people dependent on alcohol and not in the treatment system
	% of people dependent on opiates or crack and not in the treatment system
Domestic Violence	Domestic Abuse incidents reported to the Police
	Rate of Domestic Abuse incidents per 1,000 population
	Repeat Incidents of Domestic Abuse
	Rate of repeat Domestic Abuse incidents per 1,000 population



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For further information contact:

The Safer Hartlepool Partnership

Civic Centre

Victoria Road

Hartlepool

TS24 8AG

Tel: 01429 523100

Email: community.safety@hartlepool.gov.uk



Ministry of Housing,
Communities &
Local Government

16 November 2020

Dear

The 2020/21 Domestic Abuse Duty Capacity Building Fund: agreement to pay local authorities under the power in s31 of the Local Government Act 2003 [No.31/5228]

Thank you for your authority's continued work to provide core support for refuges and other safe accommodation services. As you know, MHCLG has secured £6 million to support local authorities in England to prepare for the new statutory duty to provide domestic abuse support in safe accommodation, contained in Part 4 of the Domestic Abuse Bill currently before Parliament. The Department is now able to issue a Determination to local authorities covering the Capacity Building Fund.

The total fund of £6 million will be distributed equally in a one-off payment to 119 Tier 1 local authorities. This is a one-off grant to allow local authorities to prepare for the implementation of the new duty. Each local authority will receive £50,000 with the exception of Northamptonshire County Council who will receive £100,000. This is because from April 2021 Northamptonshire County Council will become two unitary authorities (currently operating in shadow mode) and each will need to make preparations for the new duty. Local authorities are encouraged to spend this funding within the current financial year.

The aim of the Fund is to enable local authorities to plan and prepare for implementation ahead of the new duty which is expected to come into force in April 2021 – subject to the successful passage of the Domestic Abuse Bill. Early preparation work will ensure local authorities are more ready to implement the duty and will help promote effective delivery upon commencement. To support local authorities in this work, MHCLG has published guidance on the purpose and expected outcome of this fund. While local authorities will be best placed to determine the work

Ministry of Housing, Communities and Local
Government
Director of Housing
3 SW Fry Building
2 Marsham Street
London
SW1P 4DF

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HOUSINGDIRECTORS@communities.gov.uk

needed to prepare for implementation given local circumstances, the guidance provides recommended activities to help LAs prepare for implementation, including:

1. Hold conversations with local key stakeholders, including domestic abuse service providers and statutory agencies, to discuss the new duty and consider/plan how it could be delivered locally. This will help promote early partnership discussions and facilitate expertise & information sharing at Tier 1 level.
2. Map existing local safe accommodation providers, including consideration of any additional provision created during COVID-19.
3. Review existing governance arrangements, strategies relevant to domestic abuse and existing commissioning arrangements, to consider any adjustments needed for implementation.
4. Hold discussions with Tier 2 Local Authorities, to reach agreement over future engagement and roles of the Tier 1 / Tier 2 Local Authorities under the new duty.
5. Enable Local Authorities to engage with MHCLG to ensure they fully understand the requirements of the duty.

I enclose a Determination made under section 31 of the Local Government Act 2003, for the purpose of providing grant support to the local authorities listed in Annex A in England towards expenditure lawfully incurred or to be incurred by them to prepare for the new duty expected to come into force in April 2021.

Yours sincerely



Josh Goodman
Director, Social Housing

COUNCIL

17 December 2020



Report of: Managing Director

Subject: BUSINESS REPORT

1. APPOINTMENT OF REPRESENTATIVE TO TEES VALLEY CLINICAL COMMISSIONING GROUP (CCG) PRIMARY CARE COMMISSIONING COMMITTEE

At the meeting of Full Council held on 20 October 2020, Elected Members were advised that the Authority had been requested to appoint an Elected Member representative to the Primary Care Commissioning Committee of the new Tees Valley CCG. It had been suggested by the CCG that the appointment of the Chair of the Health and Wellbeing Board would be the most appropriate nominee in light of the role of the Committee. The terms of reference for the Primary Care Commissioning Committee are appended to this report.

Councillor Thomas and Councillor Hall (Chair of Audit and Governance Committee) were nominated. Following the nomination of Councillor Thomas, the Managing Director sought to clarify if there was a conflict of interest as an employee of Healthwatch. It was agreed, therefore, that the appointment to the Committee be deferred to this meeting of Full Council, to clarify the CCG Constitution in relation to Member interests.

Following the Full Council meeting, Officers contacted the CCG who advised that the appointment of Councillor Thomas, an employee of Healthwatch, would be acceptable. It was highlighted that the appointment is to a non-voting position and they already have Healthwatch representatives on the Committee (working for or volunteers). In fact one of these is the Vice Chair of the Committee. Any interests would be managed through declaration of interest form and other CCG processes.

Council's instructions are requested.

2. SPECIAL URGENCY DECISION

In accordance with the requirements of the Access to Information Procedure Rules included in the Council's Constitution, Full Council is informed that no special urgency decisions were taken in the periods set out below:-

August - October 2020

Council is requested to note the report.

3. COVID UPDATE

The UK Government's COVID-19 Winter Plan, announced 23rd November by the Prime Minister, presents a programme for suppressing the virus, protecting the NHS and the vulnerable, keeping education and the economy going and providing a route back to normality.

Vaccines are at the centre of the Government's Plan. Next month the Government intend to be ready for a UK-wide vaccination programme to begin, provided regulators approve the vaccines. Their ambition is that vaccinations and treatments should reduce the need for economic and social restrictions from the spring.

Until that point, we must rely on other tools to suppress the virus, e.g. community mass testing, similar to that in Liverpool and rapid testing to NHS front-line staff, social care and other high risk or critical settings such as care homes.

The COVID-19 Winter plan ensures the current national restrictions can be lifted on 2nd December and local tier restrictions introduced depending upon the prevalence of COVID cases plus other associated measures. On 2nd December, across all of England, regardless of tier:

- The stay at home requirement will end, with domestic and international travel being permitted again subject to guidance in each tier.
- Shops, personal care, gyms and the wider leisure sector will open.
- Collective worship, weddings and outdoor sports can resume, subject to social distancing.
- People will no longer be limited to seeing only one other person in outdoor public spaces – the rule of 6 will now apply as it did in the previous set of tiers.

The prevalence of the virus is still high, and without taking precautions, it could quickly run out of control before vaccines and large-scale community testing have had an effect.

The tiers therefore are strengthened to keep the virus under control:

- Tier 1 – the Government will reinforce the importance of working from home wherever possible.
- Tier 2 – pubs and bars must close unless they are serving substantial meals (like a full breakfast, main lunchtime or evening meal), along with accompanying drinks.
- Tier 3 – all hospitality will close except for delivery, takeaway and drive-through; hotels and other accommodation providers must close (except for

specific exemptions, including people staying for work purposes of where they cannot return home); and indoor entertainment venues must close.

The government have however refined the previous tiers:

- The 10pm closing time for hospitality has been modified to last orders at 10pm and closing time at 11pm. This allows customers to depart gradually and provides greater flexibility.
- In tiers 1 and 2, spectator sport and business events can now resume inside and outside with tight capacity limits and social distancing, providing more consistency with indoor performances in theatres and concert halls.
- The government is expanding eligibility of 'support bubbles' this will help mitigate the impacts of the restrictions on parents of children aged under one (or under five, but with a disability that necessitates continuous care) and for those households where a single adult cares for someone with a serious disability.

The government have announced the 5 key epidemiological indicators which will help determine the tier each area will go into on 2nd December and how areas move between tiers thereafter. They are

- Case detection rates in all age groups
- Case detection rates in the over-60s
- The rate at which cases are rising or falling
- Positivity rate (the number of positive cases detected as a percentage of tests taken)
- Pressure on the NHS, including current and projected occupancy

The indicators are designed to provide a full picture of what is happening with the virus in any area so that suitable action can be taken.

The government working with the devolved administrations of Scotland, Wales and Northern Ireland have agreed a common approach to Christmas. From 23 December to 27 December you may choose to form a Christmas bubble. A Christmas bubble will be able to spend time together in private homes, to attend places of worship, or meet in a public outdoor place. In all other settings, people should follow local restrictions in the tier in which they are staying. From 28 December, you must follow the guidance for the tier in your area. Christmas bubbles will no longer apply.

A local update regarding Hartlepool's position in terms of Tier structure and the prevalence of COVID-19 cases will be provided on the evening of Council.

4. COMMUNITY GOVERNANCE REVIEWS

Elected members will recall that that Full Council approved the terms of reference under which two community governance reviews would be undertaken. These reviews arose following valid petitions as follows:

- Residents of Wynyard have proposed that Wynyard be removed from Elwick Parish Council and that a stand-alone Wynyard Parish Council (Hartlepool) be established.
- Residents of South Fens have proposed that South Fens be removed from Greatham Parish Council but without an alternative Parish Council being established.

In accordance with the terms of reference an initial 6 week period of consultation has now concluded. These consultation responses are incorporated into, and form the basis of further draft proposals that are attached as appendices A and B. These draft proposals will be subject to further consultation between 18 December 2020 and 29 January 2021. A further report will then be submitted to Full Council for a final decision on 25 February 2021.

Full Council is requested to note the contents of the draft proposals and approve their use for the further 6 week period of consultation.

5. RESIGNATION FROM POLITICAL GROUP

Full Council is requested to note that I have received notification from Councillors Lindridge and Brown that they have resigned from the Labour Group and will be, therefore, Independent Councillors.

NHS Tees Valley CCG
Primary Care Commissioning Committee
Terms of Reference
Effective from 1 April 2020

1. Statutory Framework

- 1.1 In accordance with its statutory powers under section 13Z of the National Health Service Act 2006 (as amended), NHS England has delegated the exercise of the functions specified in these Terms of Reference to NHS Tees Valley CCG. The delegation is set out in Schedule 1
- 1.2 NHS England has delegated to the CCG authority to exercise the primary care commissioning functions in accordance with section 13Z of the NHS Act. Section 13Z of the NHS Act further provides that arrangements made under that section may be on such terms and conditions as may be agreed between NHS England and the CCG.
- 1.3 Arrangements made under section 13Z do not affect the liability of NHS England for the exercise of any of its functions. However, the CCG acknowledges that in exercising its functions (including those delegated to it), it must comply with the statutory duties set out in Chapter A2 of the NHS Act and including:
- a) Management of conflicts of interest (section 14O);
 - b) Duty to promote the NHS Constitution (section 14P);
 - c) Duty to exercise its functions effectively, efficiently and economically (section 14Q);
 - d) Duty as to improvement in quality of services (section 14R);
 - e) Duty in relation to quality of primary medical services (section 14S);
 - f) Duties as to reducing inequalities (section 14T);
 - g) Duty to promote the involvement of each patient (section 14U);
 - h) Duty as to patient choice (section 14V);
 - i) Duty as to promoting integration (section 14Z1);
 - j) Public involvement and consultation (section 14Z2).
- 1.4 The CCG will also exercise the delegated functions from NHS England, in accordance with:
- Duty to have regard to impact on services in certain areas (section 13O);
 - Duty as respects variation in provision of health services (section 13P).

- 1.5 The members acknowledge that the Committee is subject to any directions made by NHS England or by the Secretary of State.

2. Constitution

- 2.1 The Primary Care Commissioning Committee (the Committee) is established in accordance with the Tees Valley CCG constitution. The Committee is established as a Committee of the Governing Body. These terms of reference set out the membership, remit, responsibilities and reporting arrangements of the committee and shall have effect as if incorporated into the constitution.

3. Membership

- 3.1 In line with Statutory Guidance, the Committee must be constituted to have a lay and executive majority, where lay refers to non-clinical.

The Committee shall consist of the following members:-

2 Lay Members (not the Audit Chair)
 Chief Finance Officer
 Accountable Officer
 CCG Director responsible for primary care commissioning

Registered Nurse of the Governing Body
 Secondary Care Specialist of the Governing Body

- 3.2 The roles of Committee Chair and Committee Vice-Chair must be undertaken by a lay member.

- 3.3 The following will be invited to attend meetings of the Committee. For the avoidance of doubt, these will be in-attendance and not be entitled to vote.

- (a) Member Practice healthcare professional representative
- (b) Representatives from Local Authorities/Health and Wellbeing Boards
- (c) Representatives from Local HealthWatch
- (d) One representative from Local Medical Committees
- (e) One representative from NHS England
- (f) Medical Director

- 3.4 The Committee may call additional experts to attend meetings on an ad hoc basis to inform discussions, and may serve in an advisory capacity only.

4. Voting

- 4.1 All members of the Committee will have one vote. The Chair will have the casting vote.

5. Meetings

- 5.1 The Committee shall adopt the Standing Orders of the CCG insofar as they relate to the:-

- (a) Notice of meetings;
- (b) Handling of meetings;

- (c) Agendas;
- (d) Circulation of papers; and
- (e) Conflicts of interest

5.2 Meetings of the Committee shall, subject to the application of 5.3, be held in public.

5.3 The Committee may resolve to exclude the public from a meeting that is open to the public (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings or for any other reason permitted by the Public Bodies (Admission to Meetings) Act 1960 as amended or succeeded from time to time.

5.4 Agendas and papers for the in-Public Committee Meetings – including details about meeting dates, times and venues - will be published on the CCG's website at www.teesvalleyccg.nhs.uk

5.5. Quorum

5.5.1 The quorum must have a lay and executive majority. No business shall be transacted at a meeting unless at least the following are present:-

- (a) Chair or Vice-Chair
- (b) CCG Accountable Officer or Chief Finance Officer
- (c) Clinical member (Registered Nurse or Secondary Care Specialist)

5.6. Frequency and notice of meetings

5.6.1 The committee must consider the frequency and timing of meetings needed to allow it to discharge all of its responsibilities. A benchmark of six meetings per annum at appropriate times is suggested.

5.7 Decision-making

5.7.1 The Committee will make decisions within the bounds of its remit.

5.7.2 The decisions of the Committee shall be binding on the CCG and NHS England.

5.7.3 Decisions will be published by the CCG.

6. **Remit and Role of the Committee**

6.1 The Committee has been established in accordance with the statutory provisions set out in section 1 to make collective decisions on the review, planning and procurement of primary care services within the area covered by NHS Tees Valley CCG, under delegated authority from NHS England.

- 6.2 The functions of the Committee are undertaken in the context of a desire to promote increased co-commissioning to increase quality, efficiency, productivity and value for money and to remove administrative barriers.
- 6.3 The role of the Committee shall be to carry out the functions relating to the commissioning of primary medical services under section 83 of the NHS Act, except those relating to individual GP performance management, which have been reserved to NHS England. This includes the following activities:
- (a) GMS, PMS and APMS contracts, including:-
 - the design of PMS and APMS contracts;
 - monitoring of contracts;
 - taking contractual action such as issuing breach/remedial notices;
 - removing a contract;
 - (b) Directed Enhanced Services;
 - (c) Design of GP services as alternatives to the Quality Outcomes Framework [QOF];
 - (d) Approving practice mergers, boundary changes and list closures;
 - (e) Decision making on whether to establish new GP practices in an area;
 - (f) Making decisions on “discretionary” payment [eg returner/retainer schemes]
- 6.4 In addition, the Committee may also carry out the following functions:
- (a) Plan primary medical care services, including carrying out needs assessments.
 - (b) Undertake reviews of primary medical care services
 - (c) Co-ordinate a common approach to the commissioning of primary care services generally
 - (d) Manage the budget for commissioning of primary medical care services
 - (e) Premises Costs Directions Functions.
- 6.5 In performing its role the Committee will exercise its management of the functions in accordance with the agreement entered into between NHS England and the CCG, which will sit alongside the delegation and terms of reference.

7. Relationships and accountability

- 7.1 The Committee is accountable to the CCG Governing Body and to NHS England.
- 7.2 The minutes of the committee meetings shall be formally recorded by the secretary and submitted to the Governing Body and to NHS England, including the minutes of any sub-committees. The Chair of the Committee shall draw to the attention of the Governing Body any issues that require disclosure to the relevant statutory body, or require executive action and will highlight any key risks and assurances.
- 7.3 The Committee will provide an executive summary report of decisions made to the Governing Body and to NHS England at the next meeting of the Governing Body. It shall ensure through its engagement activities that the annual aims,

objectives, strategy and progress are reviewed. Publish an annual report of the Committee's performance, membership and terms of reference to be submitted to the Governing Body.

8. Conduct of the committee

- 8.1 Members of the Committee have a collective responsibility for the operation of the Committee. They will participate in discussion, review evidence and provide objective expert input to the best of their knowledge and ability, and endeavour to reach a collective view.
- 8.2 Members of the Committee shall respect confidentiality requirements as set out in the CCGs Standing Orders, unless separate confidentiality requirements are set out for the Committee, in which event these should be observed.
- 8.3 The Committee shall conduct its business in accordance with national guidance, relevant codes of practice including the Nolan Principles and the Declarations of Interest and Management of Conflict of Interest policy.
- 8.4 These Terms of Reference will be reviewed annually and may be amended at any time to reflect changes in circumstances which may arise.
- 8.5 Those individuals identified at 3.3 above may contribute to the discussion in the meeting and receive papers, unless the Chair determines that there is a conflict of interest and this would be managed in accordance with the CCG's Standards of Business Conduct and Management of Conflicts of Interest Policy.

9. Managing Conflicts of Interest

- 9.1 As required by section 14O of the National Health Service Act 2006, as inserted by section 25 of the Health and Social Care Act 2012, and set out in the Group's Constitution the CCG will make arrangements to manage conflicts and potential conflicts of interest to ensure that decisions made will be taken and seen to be taken without any possibility of the influence of external or private interest.
- 9.2 Where a member or invited attendee of the Committee has an interest, or becomes aware of an interest which could lead to a conflict of interests in the event of the Committee considering an action or decision in relation to that interest, that must be considered as a potential conflict, and is subject to the provisions of the CCG processes for Standards of Business Conduct and Managing Conflicts of Interest.
- 9.3 A conflict of interest will include:
 - (a) a direct pecuniary interest: where an individual may financially benefit from the consequences of a decision;
 - (b) an indirect pecuniary interest: for example, where an individual is a partner, member or shareholder in an organisation that will benefit financially from the consequences of a decision;
 - (c) a non-financial interest: where an individual holds a non-remunerative or not-for profit interest in an organisation, that will benefit from the consequences of a commissioning decision;

- (d) a non-financial personal benefit: where an individual may enjoy a qualitative benefit from the consequence of a decision which cannot be given a monetary value;
- (e) where an individual is closely related to, or in a relationship, including friendship, with an individual in the above categories.

9.4 If in doubt, the individual concerned should assume that a potential conflict of interest exists and consult the CCG's Standards of Business Conduct and Managing Conflicts of Interest Policy.

9.5. All Primary Care Commissioning Committee members are required to undertake the NHS England 'Managing Conflicts of Interest' online training.

Schedule 1: Delegation agreement

Effective from 1 April 2020

Review period - annual

Greatham Parish Council Community Governance Review

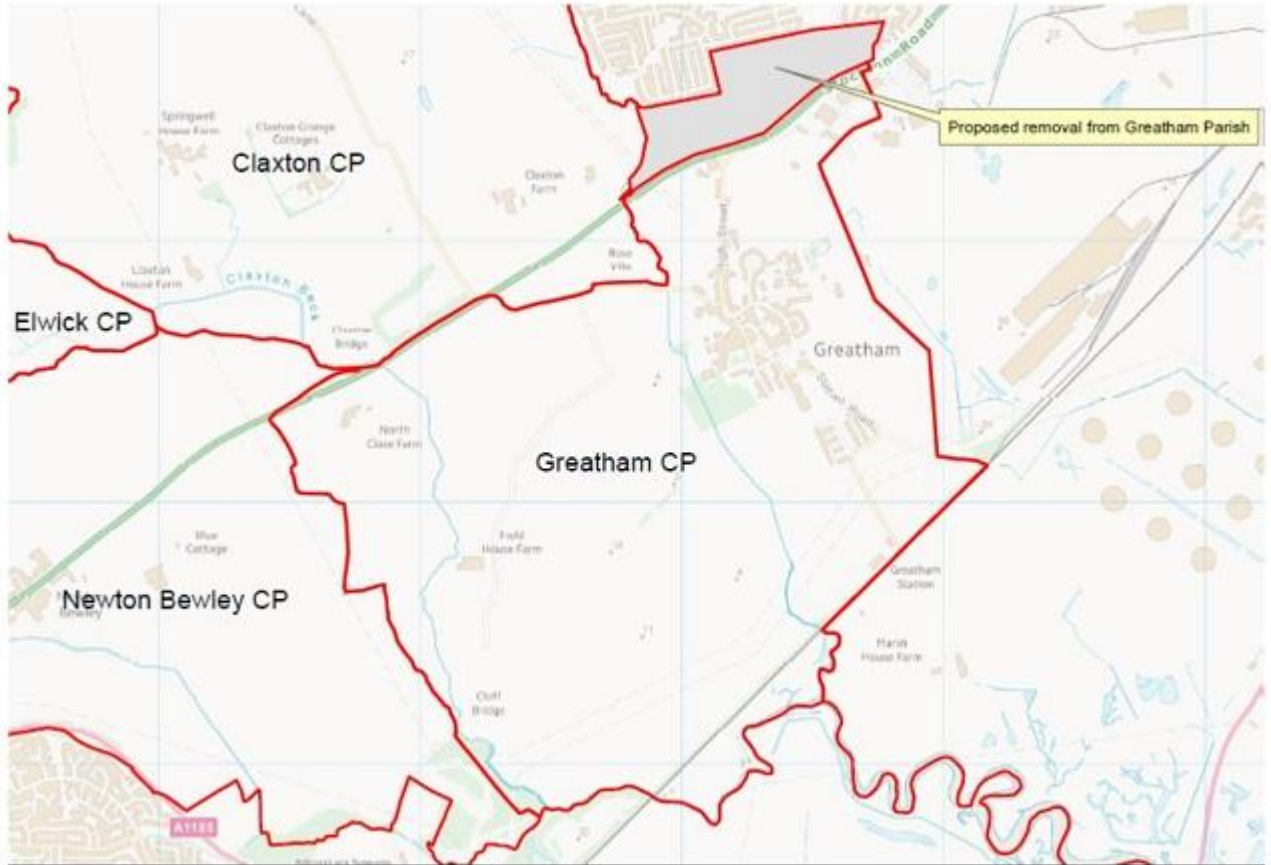
What is the Community Governance Review?

A community governance review is the process used to consider whether existing parish arrangements should be changed in any way. This includes:

- Altering the boundaries of existing parishes;
- Changing the names of existing parishes;
- Creating a new parish or abolishing an existing parish;
- Creating or abolishing parish councils;
- The electoral arrangements for parish councils (including the number of councillors and arrangements for parish warding);
- The grouping or de-grouping of parish councils (and consequential changes to their electoral arrangements);
- The “style” of a parish (enabling an area to be known as a town, community, neighbourhood or village rather than a parish).

Why is the Greatham Parish Council Community Governance Review happening?

Hartlepool Borough Council has received a petition from 257 residents proposing that the area of the existing parish, immediately to the north of Stockton Road (South Fens) (see map below) be removed from Greatham Parish Council but without an alternative Parish Council being established. Upon receipt of valid petitions the Council must, as a matter of law undertake a community governance review and must do so in accordance with the statutory guidance.



Initial Consultation:

An initial period of consultation ran from 23 October 2020 until 04 December 2020. Responses were invited from all local government electors in the area under review, the parish council, local businesses and public and voluntary organisations (such as schools and health bodies). Letters were sent to all residents and the consultation was also publicised in the Hartlepool Mail and on the council's social media accounts.

Of the 925 consultation letters sent, 83 responses were returned (8.9% response). Of those responses 75.9% (63 people) supported the proposal, 13.3% (16 people) were against the proposal and 4.8% (4 people) expressed no opinion. These consultation responses must also be considered alongside the 257 residents of the area who had signed the originating petition.

Of those who support the proposal a common theme is that the residents of Greatham Village and those of South Fens do not view themselves as being part of a single cohesive community. They point to the geographical differences and boundaries and that the nature and appearance of the areas are distinct.

Of those who oppose the proposal it is a common theme that the status quo should be maintained, change is not necessary and that the two areas share a sense of togetherness.

Next steps:

Hartlepool Borough Council now invites further responses on the below specific proposals:

- 1) That the area highlighted on the above map be removed from Greatham Parish Council.

Subject to this further period of consultation a final decision will be made by Full Council on 25 February 2021 and a reorganisation order be made to implement the changes which will come into force at the next ordinary parish elections in May 2022.

This further period of consultation will run for 6 weeks until **Friday 29th January 2021**.

There are 3 ways that you can submit a response to this review:

- You can complete the [online survey](#)
- You can send your response in writing to:

Community Governance Review
Legal Department
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

- Alternatively you can email your response to:

communitygovernancereview@hartlepool.gov.uk

What will happen with the information provided?

The responses received will be used to inform the draft proposals that will be put forward to Council on 17th December 2020. The draft proposals will then be subject to a further 6 week period of consultation.

How can I get further information or clarification on the review process?

Should you require any further information or need clarification on the review process, please contact:

Neil Wilson, Assistant Chief Solicitor

Write to: Civic Centre, Hartlepool, TS24 8AY

Telephone: 01429 284 383

Email: communitygovernancereview@hartlepool.gov.uk

Privacy Statement:

We will only store and use the information you supply to us for the purposes of carrying out our public task to undertake a Community Governance Review in accordance with the Local Government and Public Involvement in Health Act 2007 . The information you provide will be handled in accordance with the General Data Protection Regulation and the Data Protection Act 2018.

For information on how the Council process your information please see our privacy notice at www.hartlepool.gov.uk/privacy-notice . It is important that you read our privacy notice so that you are aware of how and why we process your personal information.

If you have any questions on how we process your data please contact the Data Protection Officer, Hartlepool Borough Council, Civic Centre, Hartlepool TS24 8AY
Tel: 01429 523087 or email dataprotection@hartlepool.gov.uk

Elwick Parish Council Community Governance Review

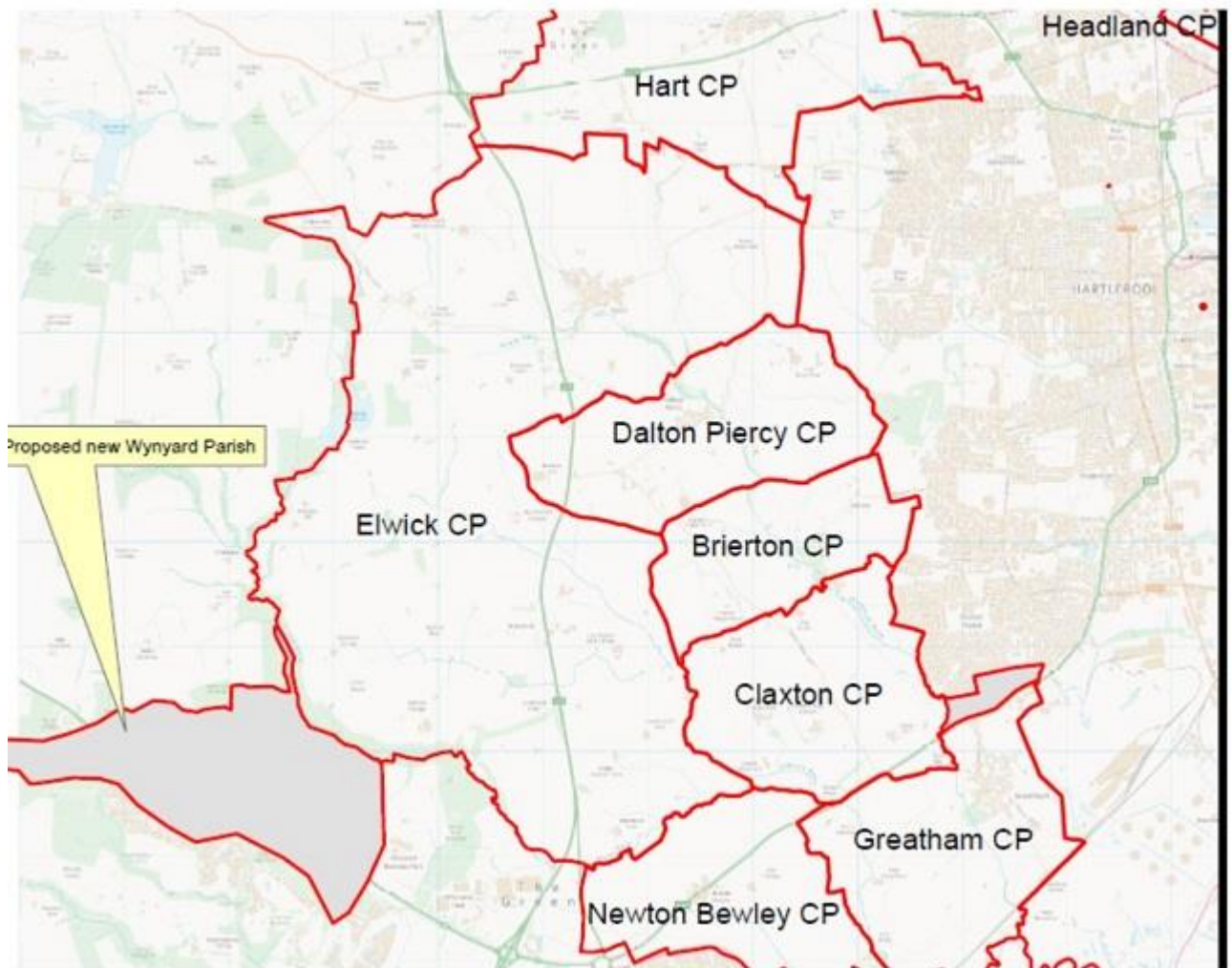
What is the Community Governance Review?

A community governance review is the process used to consider whether existing parish arrangements should be changed in any way. This includes:

- Altering the boundaries of existing parishes;
- Changing the names of existing parishes;
- Creating a new parish or abolishing an existing parish;
- Creating or abolishing parish councils;
- The electoral arrangements for parish councils (including the number of councillors and arrangements for parish warding);
- The grouping or de-grouping of parish councils (and consequential changes to their electoral arrangements);
- The “style” of a parish (enabling an area to be known as a town, community, neighbourhood or village rather than a parish).

Why is the Elwick Parish Council Community Governance Review happening?

Hartlepool Borough Council received a petition from 281 residents proposing that the area of the existing parish, immediately to west of Close Beck Wynyard (see map below) be removed from Elwick Parish Council and that a stand-alone Wynyard Parish Council (Hartlepool) be established in relation to that area. Upon receipt of valid petitions the Council must, as a matter of law undertake a community governance review and must do so in accordance with the statutory guidance.



Initial Consultation:

An initial period of consultation ran from 23 October 2020 until 04 December 2020. Responses were invited from all local government electors in the area under review, the parish council, local businesses and public and voluntary organisations (such as schools and health bodies). Letters were sent to all residents and the consultation was also publicised in the Hartlepool Mail and on the council's social media accounts.

Of the 745 consultation letters sent, 93 responses were returned (12.5% response). Of those responses 97.8% (91 people) have been supportive of the proposal. Only 2.2% (2 people) have objected to the proposal, both of whom point to the additional level of bureaucracy that an additional parish would create. These consultation responses must also be considered alongside the 281 residents of the area who had signed the original petition.

A consistent theme in the support for the proposals is that Wynyard has evolved into a community with a clearly identifiable and cohesive character that is separate and distinct from the rural nature of Elwick. The responses also point to benefits of decisions being made on a local level and that a newly formed parish will be best placed to make and implement those decisions.

Next steps:

Hartlepool Borough Council now invites further responses on the below specific proposals:

- 1) That the area highlighted on the above map be removed from Elwick Parish Council.
- 2) That a new parish is created to incorporate the area that has been removed from Elwick Parish Council.
- 3) That the newly formed Parish be named Wynyard Parish Council (Hartlepool).

Subject to this further period of consultation a final decision will be made by Full Council on 25 February 2021 and a reorganisation order be made to implement the changes which will come into force at the next ordinary parish elections in May 2022.

This further period of consultation will run for 6 weeks until **Friday 29th January 2021**.

There are 3 ways that you can submit a response to this review:

- You can complete the [online survey](#)
- You can send your response in writing to:

Community Governance Review
Legal Department
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

- Alternatively you can email your response to:

communitygovernancereview@hartlepool.gov.uk

What will happen with the information provided?

The responses received will be used to inform the final proposals that will be put forward to Council on 25th February 2021.

How can I get further information or clarification on the review process?

Should you require any further information or need clarification on the review process, please contact:

Neil Wilson, Assistant Chief Solicitor

Write to: Civic Centre, Hartlepool, TS24 8AY

Telephone: 01429 284 383

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CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING

14 FEBRUARY 2020



PRESENT:

CHAIR

Cllr Paul Kirton – Stockton on Tees Borough Council

HARTLEPOOL BOROUGH COUNCIL

Cllrs Marjorie James, Stephen Thomas

MIDDLESBROUGH COUNCIL

Cllrs Teresa Higgins, Naweed Hussain, Ashley Waters

REDCAR & CLEVELAND BOROUGH COUNCIL

Cllrs Billy Ayre, Adam Brook, Mary Ovens

STOCKTON ON TEES BOROUGH COUNCIL

Cllrs Luke Frost, Jean O'Donnell, Andrew Stephenson

AUTHORISED OFFICERS

Chief Fire Officer, Director of Corporate Services/Clerk, Legal Adviser and Monitoring Officer, Treasurer

APOLOGIES:

Cllr Tim Fleming - Hartlepool Borough Council

Cllr Norah Cooney - Redcar & Cleveland Borough Council

Cllr William Woodhead - Stockton Borough Council

99. DECLARATIONS OF MEMBERS INTEREST

It was noted no Declarations of Interests were submitted to the meeting.

100. MINUTES

RESOLVED - that the Minutes of the Ordinary Meeting on 13 December 2019 be confirmed.

101. MINUTES OF MEETINGS

RESOLVED - that the Minutes of the Executive (Appointments) Committee on 24 January 2020 and Executive Committee 31 January 2020 be confirmed.

102. COMMUNICATIONS RECEIVED BY THE CHAIR

KIT MALTHOUSE MP Fire & Rescue Inspection Update

LGA EMP/8/19 – Late Bank Holiday Pay Update

RESOLVED – that the communications be noted.

103. REPORTS OF THE CHIEF FIRE OFFICER

103.1 HMICFRS Inspection 2018/19 - Summary of Findings from Tranche 3 and Cleveland Fire Brigade's Inspection 2018/19

The Chief Fire Officer (CFO) provided Members with a summary of findings from tranche 3 Inspections and presented the outcomes from Cleveland's own inspection which took place in July 2019.

103.1 HMICFRS Inspection 2018/19 - Summary of Findings from Tranche 3 and Cleveland Fire Brigade's Inspection 2018/19 cont.

The CFO reported that the HMICFRS inspection regime had been introduced as part of the Government's reform agenda and was delivered across all Fire and Rescue Services in three tranches, the outcomes of Tranches 1 and 2 previously reported to Members in January and July 2019 respectively. He referred Members to Section 3 of the report which detailed those authorities inspected under Tranche 3 and the overall outcomes of the 2018-19 inspection.

The CFO reported that Cleveland's Inspection Report 2018/19, attached as Appendix 1, was published and distributed to Members in December 2019 and reported that the HMICFRS found that Cleveland Fire Brigade:

- is 'good' at effectively keeping people safe and secure from fire and other risks;
- is 'good' at how efficiently it manages its resources; and
- is 'good' at looking after its people.

Commentary from HMICFRS Chief Inspector Phil Gormley reported that Cleveland Fire Brigade had performed well in each of the main areas of inspection and that this was impressive given that the brigade has faced some of the largest cuts to its government funding. He stated that *'the brigade thoroughly assesses the risk to the community and its average response time to primary fires is faster than other fire and rescue services in England. Cleveland has taken an innovative approach to staff working patterns, which has improved flexibility and productivity of the service'*.

The CFO reported that in preparation for the inspection the Executive Leadership Team had undertaken a self-assessment of the areas of efficiency, effectiveness and people and the outcomes informed the improvement plan 2019/20. The actions within the plan have been reviewed following inspection and will be progressed through the Corporate Internal Operating Plan 2019/20.

The CFO confirmed that preparations were already underway for the next round of inspections which for Cleveland would involve a discovery week commencing 21 June 2021 and inspection week commencing 12 July 2021. Details on the exact themes were still unknown and updates would be reported to the executive committee.

Councillor Frost noted that equality, diversity and inclusion had been recognised as an area requiring improvement across the whole fire and rescue service and he felt issues regarding lack of 'positive action' in recruitment campaigns for Cleveland was not a fair reflection of the Authority's work. The CFO reported that an Engagement Strategy was being finalised which was aimed at enhancing how the Brigade communicated with staff, partners, businesses and the public moving forward. He confirmed that despite six months of positive action work prior to recruitment, all 16 of the Brigade's new recruits are white males as these were the best candidates for the job. He acknowledged that as an Authority there was more work to be done on positive action.

Councillor James asked whether application forms require applicants to state whether they are an 'ethnic minority' or whether this disclosure is optional as it would be make it easier to track at what stage of the process ethnic candidates drop out. Councillor James also highlighted the fact that the Authority had not recruited any firefighters for over 10 years therefore there had been little scope for the ethnic / gender profile of firefighters to change.

103.1 HMICFRS Inspection 2018/19 - Summary of Findings from Tranche 3 and Cleveland Fire Brigade's Inspection 2018/19 cont.

The CFO acknowledged that this was a significant matter for the Authority and confirmed that new recruits had the option of ticking a box saying they did not wish to declare their ethnicity. He added that an analysis report was being carried out to identify where people are failing in the process which would be shared with Members once available.

Councillor James suggested that the Audit and Governance Committee review the Brigade's workforce profile at least twice per year to ensure it is moving in the right direction. The CFO acknowledged Members support for achieving a diverse, strong organisation by promoting inclusivity that does not discriminate against anyone who wants to join the Authority.

Councillor Hussain asked if the Brigade was looking at neighbouring fire and rescue services to see if they were in the same position. The CFO confirmed that nationally diversity had not been a priority for a while however this has now become a focus for the service.

Councillor Waters congratulated the Brigade for a fantastic HMICFRS Inspection report. He acknowledged that it was not possible to manufacture the outcomes regarding equality and diversity and that he was confident the Brigade was doing everything possible regarding positive action.

Councillor Stephenson commented on how the funding the Authority had received from central government had been sufficient to deliver services. The CFO reported that it was the issue of 'equity' of distribution which the Brigade was challenging.

Councillor Higgins commended all staff for the excellent work they have done in very difficult financial circumstances.

RESOLVED:-

That Members noted:-

- **the summary of gradings from Tranche 3 Inspections**
- **the outcomes of Cleveland Fire Brigade's HMICFRS Inspection 2018/19 as detailed in the Report at Appendix 1**
- **that any identified areas of improvement/development are captured within the Brigade's Improvement Plan 2019/20 attached at Appendix 2**
- **that the next inspection discovery week will commence on 21st June 2021 with the inspection week commencing 12th July 2021**
- **a new Service Liaison Lead has been appointed for the Brigade's 2019/20 Inspection.**
- **that further reports on the next round of inspections will be provided as and when details of the arrangements are confirmed by HMICFRS**
- **Members agreed that the Workforce Profile is reviewed by the Audit and Governance Committee at least twice per year.**

103.2 HMICFRS - Public Perceptions of Fire and Rescue Services in England 2019

The CFO updated Members on the outcomes of the HMICFRS Public Perceptions of Fire and Rescue Services in England 2019 as attached at Appendix 1.

The CFO detailed the key findings of the survey for Cleveland at Section 4 of the report which covered the following areas:-

- Overall awareness and views of fire and rescue services
- Local fire and rescue services' activities
- Accessing local fire and rescue services
- Public interest in local fire and rescue services
- Fire safety

The CFO reported that the outcomes from the report would be used to inform the development of the Brigade's Community Engagement Strategy.

Councillor Ovens asked whether the Brigade is reimbursed for carrying out non-statutory services such as bariatric assistance and flooding. The CFO reported that Fire Brigades Union commentary on funding and the ability to deal with flooding indicated there was an expectation that the Brigade would respond should there be a flooding incident. It is currently unfunded but there are moves towards making this a statutory responsibility.

Regarding bariatric and safe and well, he acknowledged that this is in the interest of the community Cleveland serves and adds value, although they are services this Authority bears the financial cost of.

Councillor James noted that as a fire and rescue service there is a public expectation that they will be rescued, however there were occasions when they could be charged for. The CFO noted the Brigade was a consultation exercise was in place regarding charging for Accidental Fire Alarms (AFAs) the outcomes of which would come back to the Authority.

Councillor Stephenson pointed out that as an emergency service paid for by the tax payer the Brigade had a duty to attend incidents as required. The CFO confirmed that the Brigade would deal with every call it gets however the issue is when does it stop being an 'emergency' situation, such as the recent 42 day incident at SSI which became a 'protective standby' incident at a certain point and a charge was agreed to provide that service.

(3.05pm) Cllr Stephen Thomas left the meeting.

Councillor Ovens confirmed that the public perception for those living close to SSI was that it was reassuring to see the Brigade in attendance.

Councillor Frost suggested the Authority needed to be clear that it would consider charging businesses after an agreed number of offenses. The CFO confirmed that the Brigade's current policy is not to charge for AFAs and Members would have the opportunity to reconsider that position when the consultation is completed.

103.2 HMICFRS - Public Perceptions of Fire and Rescue Services in England 2019 cont.

RESOLVED:-

- (i) That the contents of the HMICFRS Public Perceptions of Fire and Rescue Services in England 2019 attached at Appendix 1, be noted.
- (ii) That Members noted that the Chief Fire Officer will ensure that the outcomes from the Report will be used to inform the development of the Brigade's Community Engagement Strategy.

103.3 HMICFRS – State of Fire and Rescue: Annual Assessment of Fire & Rescue Services in England 2019

The CFO informed Members of the State of Fire and Rescue: Annual Assessment of Fire and Rescue Services in England Report, Appendix 1, which draws on findings from inspections in the 45 fire and rescue services in England to provide an overall view of the state of the fire and rescue sector

Members considered the three parts of the report which were:

- (1) Her Majesty's Chief Inspector of Fire and Rescue Services assessment of the state of fire and rescue services in England, drawing on the inspections carried out between June 2018- August 2019.
- (2) Overview of the gradings and findings from the first round of inspections
- (3) Full list of HMICFRS fire and rescue reports and other inspection reports for 2018/19

The CFO referred members to Section 5 of the report which detailed the following key findings requiring some significant reform:-

- 'lack of consensus over what the role of a firefighter is and what the role of a fire and rescue is responsible for'
- 'discussions between the sector, employers and, more recently, central government having been going on for several years. Everyone, not least fire and rescue employees, would benefit from these being satisfactorily resolved'
- 'Trade Union influence is not always in the best public interest'.
- 'Chief Fire Officers should have operational independence to run their services effectively and efficiently to meet the priorities and commitments in their integrated risk management plans'

The CFO detailed the four recommendations contained within the report and gave assurance that all areas for development highlighted would be captured within the Authority's Internal Operating Plan for 20/21 onwards. In addition, the Executive Committee would receive update reports in connection with the next round of inspections when the information becomes available.

Councillor James queried the key findings in relation to trade unions and CFOs having operational independence and said she believed the Brigade's CFO has operational independence. The CFO reported that the reference to trade unions was a reflection of the non-agreement of Broadening the Role aspect of Emergency Medical Response and that in Cleveland the CFO achieves operational independence via the delegation scheme.

103.3 HMICFRS – State of Fire and Rescue: Annual Assessment of Fire & Rescue Services in England 2019 cont.

RESOLVED:-

- (i) That the contents of the State of Fire and Rescue: Annual Assessment of Fire and Rescue Services in England Report attached at Appendix 1 was noted.**
- (ii) That Members noted the that Chief Fire Officer will ensure that all areas for development highlighted within the Report, as set out in Section 5, are captured within the Authority's Internal Operating Plan for 2020/21 onwards.**

103.4 Local Pension Board – Annual Report

The CFO updated members on the activities of the Local Pension Board for the period covering September 2018 – August 2019, as detailed in the Annual Report at Appendix 1.

He reported that under delegation he was Scheme Manager of the Board with the responsibility of:

- Managing Risks and ensuring there are adequate internal controls
- Keeping records and ensuring the quality of member data
- Ensuring the correct contributions are paid to the scheme
- Managing conflicts of interest
- Publishing information about the board
- Communicating information to members
- Resolving disputes and reporting certain breaches of the law

He thanked Cllr Higgins and the Board for their support and reported that pensions was a significant issue and recent findings from the FBU claim for firefighters from the old scheme regarding age discrimination would incur significant financial burden on central governments and fire authorities.

Councillor James suggested that for resilience and learning purposes Authority Membership to the Board should be increased to two. The CFO confirmed that the issue of Membership could be revisited at the Annual Meeting in June. Councillor James suggested it would be useful for all Members to received basic pension knowledge.

RESOLVED:-

- (i) that the report be noted.**
- (ii) That Authority Member representation on the Local Pension Board be increased to two at the Cleveland Fire Authority Annual Meeting in June 2020.**

103.5 Information Pack

- 103.5.1 Employers Circulars
- 103.5.2 Campaigns
- 103.5.3 Events

RESOLVED - that the information pack be noted.

104. JOINT REPORT OF THE CHIEF FIRE OFFICER & TREASURER

104.1 Medium Term Financial Strategy 2020/21 – 2022/23

The Treasurer presented Members with a tabled update of the Statutory Budget and Council Tax Calculations to support the report at Appendix 1 which had been considered by the Executive Committee on 31 January 2020.

The Treasurer reported no significant changes and that in line with the recommendations approved by the Authority on 13 December 2019 the resources detailed at Section 4 of the report would be transferred to the Budget Support Fund and a strategy for using these resources will be developed as part of the 2021/22 budget process.

Councillor James asked whether the rise in living wage had been factored into the budget. The Treasurer confirmed this would not affect this Authority as the basic rate was above the living wage and that the Budget was predicated on a 2% pay rise across the board.

A vote was taken and Members unanimously voted in favour of the tabled Statutory Budget and Council Tax Calculations and the Asset Management Plan for 2020/21 to 2025/26.

RESOLVED:-

- (i) That as recommended by the Executive Committee on 31 January 2020, Members approved the Statutory Budget and Council Tax Calculations tabled at the meeting.
- (ii) That the updated Asset Management Plan for 2020/21 to 2025/26, as detailed in Annex 1 – Appendix A, be approved.

105. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION ORDER) 2006

RESOLVED - “That under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 3 and 4 below of Part 1 Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006”, namely information relating to an individual; information relating to any financial or business affairs of any particular person (including the authority) holding that information; and information in relation to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

106. CONFIDENTIAL MINUTES

RESOLVED – that the confidential minutes the Executive (Appointment) Committee on 24 January 2020 and Executive Committee on 31 January 2020 be confirmed.

**COUNCILLOR PAUL KIRTON
CHAIR**

Cleveland Police and Crime Panel

A meeting of Cleveland Police and Crime Panel was held on Tuesday, 7th July, 2020.

Present: Cllr Tony Riordan (Chair), Cllr Graham Cutler (Vice-Chair), Cllr Lee Cartwright, Cllr Barrie Cooper, Cllr Dorothy Davison (substitute for Mayor Andy Preston, Cllr Dave Hunter, Councillor Chris Jones, Mr Paul McGrath, Cllr Steve Nelson, Cllr Vera Rider, Cllr Norma Stephenson O.B.E and Cllr Matthew Storey.

Officers: Julie Butcher, Peter Bell, Nigel Hart, Michael Henderson (Stockton-on-Tees Borough Council).

Also in attendance: Barry Coppinger (Police and Crime Commissioner), Simon Dennis, Lisa Oldroyd, Elise Pout (Commissioner's Office), Chief Constable Richard Lewis.

Apologies: Mayor Andy Preston and Cllr Steve Walmsley.

PCP 1/20 Appointment of Chairman 2020/21

Moved by Councillor Steve Nelson, seconded by Councillor Matthew Storey that Councillor Norma Stephenson be appointed Chair of the Panel for the Municipal Year 2020/21.

Moved by Councillor Vera Rider, seconded by Councillor Graham Cutler that Councillor Tony Riordan be appointed Chair of the Panel for the Municipal Year 2020/21.

A Vote took place and it was agreed that Councillor Tony Riordan be appointed Chair of the Panel for the Municipal Year 2020/21.

RESOLVED that Councillor Tony Riordan be appointed Chair of the Panel for the Municipal Year 2020/21.

PCP 2/20 Appointment of Vice Chairman 2020/21

Moved by Councillor Vera Rider, seconded by Councillor Tony Riordan that Councillor Graham Cutler be appointed Vice Chair of the Panel for the Municipal Year 2020/21.

Moved by Councillor Steve Nelson, seconded by Paul McGrath that Councillor Matthew Storey be appointed Vice Chair of the Panel for the Municipal Year 2020/21.

Moved by Councillor Lee Cartwright that Councillor Lee Cartwright be appointed Vice Chair of the Panel for the Municipal Year 2020/21.

A Vote took place and it was agreed that Councillor Graham Cutler be appointed Vice Chair of the Panel for the Municipal Year 2020/21.

RESOLVED that Councillor Graham Cutler be appointed Vice Chair of the Panel for the Municipal Year 2020/21.

**PCP
3/20**

Declarations of Interest

There were no interests declared.

**PCP
4/20**

Minutes

Consideration was given to the minutes of the meeting held on 4 February 2020.

RESOLVED that the minutes of the meeting held on 4 February 2020 be agreed.

**PCP
5/20**

Members' Questions to the Commissioner

The following question had been submitted by Councillor Barrie Cooper for response by the PCC:-

"How many blanket policies such as not attending none injury RTC's or not attending burglar alarms do Cleveland Police have and how often are these policies reviewed?"

The PCC responded with:-

"Cleveland Police do not have a blanket policy for discounting Police activity in any aspect of policing, however in line with national standards, they have to apply a decision-making rationale to incidents that are reported. They have to focus on risk and the incidents that are most likely to cause harm, whilst allocating the most appropriate resource to attend.

The tool they use to assess the risk is provided by the College of Policing, named THRIVE.

The non-requirement to attend non-injury RTC has been law since the Road Traffic Act. If you have a collision with another vehicle and exchanged details, there were no injuries and there were no allegations of driving offences or poor driving then there is no requirement to report to Police.

In relation to other incidents that the Police do not routinely attend are Noise Nuisance, which is now a council managed issue. Audible burglar alarms when there is no evidence of forced entry or a property being insecure. This was a national decision when alarms were sensitive and being activated by high winds etc.

All above are risk assessed at the point of call, against THRIVE and if any more details are provided that support criminal activity then police resources would attend with the appropriate grading."

Councillor Lee Cartwright asked a question regarding laws of the playing of ball games in residential areas and whether this was a Council or Police responsibility.

The PCC responded that the Police worked closely with Councils on these types of issues and that they were recognised as an ASB issue. Chief

Constable Lewis also added that he would work with the Chief Inspector to take the issue forward.

Councillor Tony Riordan asked a question regarding allocation of Neighbourhood Policing Police Constables and possible abstraction of NPT Officers in the Norton Ward.

Chief Constable Lewis responded that Cleveland Police did have to occasionally draw back on Neighbourhood Policing, but he would speak to the local police to see what had happened on this occasion and respond to the Panel.

**PCP
6/20**

Annual Report of the Commissioner 2019/20

Members considered the Commissioner's 2019 - 2020 Annual Report.

The report reflected a cross-section of the work the Commissioner had undertaken to implement his 71 point Police & Crime Plan, the Commissioner was grateful to the commitment and dedication of the staff in while in office; the Chief Constable Richard Lewis and all at Cleveland Police; the statutory partners and local agencies; many residents and community groups; and all those who work so hard in the communities, as organised groups, or as individuals, to keep the communities safe.

During the Commissioners term of office, he had attended over 700 community meetings to hear first-hand of the needs and challenges in the communities, which the Commissioner had either taken up directly, or had reflected in the policies, programmes and initiatives that had been developed.

There had been no shortage of challenges in 2019/20. Following an inspection, HMICFRS found the Force inadequate in its performance. The Commissioner was pleased his appointment of Chief Constable Richard Lewis in April 2019 was showing progress. The Commissioner could see evidence of improvement in several areas, reinforced by the positive attitude within the Force and the feedback he had received from the communities, but the Commissioner recognised there was still much for Cleveland Police to do. The Commissioner would continue to encourage and support this progress and monitor on behalf of residents of Cleveland through his wide-ranging scrutiny programme.

Ten years of Government austerity had also taken its toll across all public services. Having campaigned against cuts to policing over this period, The Commissioner welcomed the recognition investment was needed in policing and the extra resources distributed nationally in the autumn 2019, which had worked through in the spring 2020 to extra officers on the streets, however the Commissioner felt that this must be retained year on year and there must be the real time growth in spending this area needs and deserves.

The report also highlighted the wide-ranging activities undertaken to get a better deal for victims of crime; to help prevent offending and reoffending behaviour; to collaborate with public and third sector organisations; and to build stronger communities.

The Commissioner was immensely proud of all of this work, of how people in all organisations, and in the communities, rise to the challenge every day of the inequalities and injustices many of them face, and the part he had been able to play in helping and making progress.

The next year would be a real challenge, as everyone moved through Covid-19 and developed further responses to that, including different ways of working and living.

RESOLVED that the Annual Report be agreed.

**PCP
7/20**

Commissioner's Update

Consideration was given to a report that provided the Panel with an overview of the activity of the Police & Crime Commissioner (PCC) since the last meeting held in February 2020.

The report highlighted the impacts of the COVID-19 pandemic and how the PCC and his Office had adapted and responded to the unprecedented situation, and provided specific updates aligned to the priorities of the Police & Crime Plan.

The report was considered in conjunction with progress detailed in the PCC Scrutiny and Decisions of the PCC reports. Collectively, these reports provided progress in all areas of the Police & Crime Plan.

The PCC Performance report for this reporting period had been replaced by the PCC Annual Report, which provided details of performance activity against the Police & Crime Plan 2019/20.

The report highlighted the following key areas:-

- COVID-19
- Investing in Our Police
- A Better Deal for Victims
- Tackling Offending and Re-Offending
- Working Together to Make Cleveland Safer/Securing the Future of Our Communities

A member asked a question regarding the issue of young people becoming engaged in serious crime and violence. In response it was noted that the statistics could be taken down to ward level and that Cleveland Police work constructively with minority groups. Cleveland Police had also been using "Stop and Search" with good success. There was also a desire from Cleveland Police to intervene at the earliest age possible. Members also noted that despite having the third highest violent crime rate in the country, Cleveland had failed to qualify for Home Office Serious Violence funding. Following raising concerns in a letter to the Home Secretary and directly with the Policing Minister on 23 June the PCC held a call with the Policing Minister and Home Office colleagues. The PCC presented the Minister with research that had been conducted by his office, highlighting the scale and cost of violence in Cleveland and a proposal for a Cleveland Unit for Reducing Violence to prevent and address the issue.

The Minister welcomed discussions and offered ongoing support from the Home Office to develop and consider these plans further.

The PCC continued to explore alternative funding options to support the prevention of young people becoming engaged in serious crime and violence, and was instrumental in bringing together key stakeholders to discuss the possibility of bids to the Youth Endowment COVID-19 Fund which had been established to fund engagement activity with vulnerable children and young people that could be undertaken remotely or whilst adhering to social distancing guidelines. This was in response to concerns that most youth outreach work had had to be paused during COVID-19, including a range of targeted youth intervention projects funded by the OPCC. A range of local bids had been submitted to the fund.

The PCC would send a copy of submission that was sent to Government to the Panel for their information.

A member asked a question regarding the HAT scheme and if the scheme would be rolled out to further areas. In response it was noted that it was hoped that the scheme would be rolled out further and that results were starting to show that crime was reducing, public money being saved, and users were starting to turn their lives around.

With regard the issue of off-road motorbikes it was noted that this was still an on-going issue, Cleveland Police were using drones and deploying officers where possible. The public were being urged to keep calling the 101 service when incidents take place.

RESOLVED that the report be noted.

**PCP
8/20**

Decisions of the Commissioner

Consideration was given to a report that provided an update on decisions made by the Police and Crime Commissioner (PCC) and the Forward Plan.

The Police and Crime Commissioner made all decisions unless specifically delegated within the Scheme of Consent / Delegation. All decisions demonstrated that they were soundly based on relevant information and that the decision-making process was open and transparent.

A copy of the Forward Plan was attached to the report and published on the PCC website which included items requiring a decision in the future.

Each decision made by the PCC was recorded on a decision record form with supporting background information appended. Once approved it was published on the PCC website.

Decisions relating to private / confidential matters would be recorded; although, it may be appropriate that full details were not published.

Decisions made since the last meeting of the Police and Crime Panel were attached to the report.

RESOLVED that the report be noted.

**PCP
9/20**

Commissioner's Scrutiny Programme

Consideration was given to a report that provided the Panel with an update on the PCC's scrutiny programme.

Holding the Chief Constable to account was the key duty of the Police & Crime Commissioner and must encompass all the functions of the Chief Constable and functions of those who are under the Chief Constable's direction and control.

The PCC had a range of scrutiny approaches in place to engage with the Chief Constable and hold Cleveland Police to account. These take place on a daily, weekly and monthly schedule and include a range of meetings, data and feedback from partners and the public.

Changes were made to the scrutiny regime in July 2019 that resulted in a thematic approach to scrutiny across the priorities within the Police and Crime Plan and a greater depth of information was provided by Cleveland Police in order for the PCC to hold the force to account. The new approach could be seen in the sharper questioning and clearer minutes, which were attached to the report for information.

Changes in scrutiny and more targeted questioning had started to see the evidence of improvement in the Force, for example:-

- A new Standard Operating Process for postal requisitions has been implemented by the Force providing a distinct approach for domestic abuse related offences
- A focus on improving compliance to the Victims Code of Practice
- Recent backlogs with Op Encompass have now been cleared
- Public Protection Notices compliance has improved dramatically to 99%

The processes would continue to develop and it had been made clear that there would be greater use of independent scrutiny approaches such as Internal Audit (Joint Independent Audit Committee), internal scrutiny panels such as the Out of Court Disposals, the Use of Force and Domestic Abuse Scrutiny Panels as well as identifying those services which would benefit from a wider multi agency scrutiny approach.

During 2020/21 the Cleveland Police Service Improvement Programme (SIP) would be a key feature of the scrutiny programme, where SIP programme control documents would be routinely reviewed, and progress tracked against the programme stage plan.

OPCC representatives would attend the Delivery and Assurance groups for each of the SIP work streams and would provide feedback on respective programme activities including impact, highlighting and/or identifying any risks of opportunities that may affect delivery and provide performance pack to inform the PCC and External Assurance Process for SIP. Information and evidence

that we find will also be shared with HMICFRS to correlate with the evidence they were finding from the Force.

Assurance would also be provided by linking the scrutiny programme to the various internal and external forums and on a quarterly basis. Wider scrutiny arrangements are also in place including (and not limited to):

- Ethics Committee
- Feedback from complaints
- Issues raised at community meetings and focus groups

The Commissioner was now welcoming public questions around topical issues which he would put to the Force as part of his scrutiny programme.

March 2020 brought the unprecedented situation of the covid-19 worldwide public health crisis. In order to ensure effective oversight and scrutiny of the Force's preparedness and handling of the situation the Commissioner utilised the technology available to maintain scrutiny and accountability processes as normal and the Commissioner put a number of additional levels of scrutiny in place which included:

- Weekly Scrutiny and Accountability meetings with the Chief Constable
- Daily briefings from the Strategic Command Group
- Daily briefings from the Tactical Command Group

The weekly Scrutiny and Accountability meetings were established to provide a weekly supportive and appreciative scrutiny of the work of Cleveland Police as they work in conjunction with Local Resilience Forum partners, in relation to the Covid 19 Coronavirus public health scenario. The Commissioner asked members of the public for questions which were put to the Force. The meeting was an opportunity to put over 25 questions submitted by the public directly to Richard Lewis and his senior team. Topics ranged from police powers, travel for exercise, social distancing and queries about MOT tests.

As a result of those meetings, key questions were then regularly put to the Force and the meetings between the Chief Constable and the Commissioner were undertaken by video conference and relayed to the public in order that they could hear the key messages about the Coronavirus from the Force and his office.

The weekly scrutiny and accountability discussions between the Chief Constable and the Commissioner covered a range of topics both force and Covid related and included:-

- Operational updates
- Knife crime
- Communications
- Guidance
- Vulnerable communities
- Personal Protective equipment
- Fixed Penalty Notices
- Covid related scams

- Eston Hills

Since the previous Police and Crime Panel meeting the following meetings had taken place and the minutes were attached to the report:

- 10 February
- 9 March
- 6 April
- 14 May

Since the last update to the Panel there had been a Working Together meeting on the 25 February 2020. The minutes were also attached to the report.

In addition to the meetings above, the Commissioner continued to attend the following to complement his scrutiny programme:

- Daily review of the Control Room and Serious Incident Logs;
- Weekly accountability meetings with the Chief Constable;
- Attend at least one local area meeting in each of Cleveland's neighbourhood police team areas.

RESOLVED that the report be noted.

**PCP
10/20**

Police and Crime Plan Strategic Document

Consideration was given to a report that provided the Panel with details of the extension to the existing Police and Crime Plan, which had previously been refreshed in 2018.

The Panel noted that the Police and Crime Commissioner (PCC) for Cleveland's Police and Crime Plan was a statutory document. Requirements for the Plan were set out in the Police Reform and Social Responsibility Act 2011 and the Policing Protocol Order 2011. The Plan must have regard to the Strategic Policing Requirement (SPR) issued by the Home Secretary.

Following the Government's decision to postpone local elections in light of the Covid-19 pandemic, the Panel noted that Police and Crime Commissioners (PCC) would remain in post until 2021 when it would be possible to hold an election safely. The Panel agreed that the Strategic Programme 2020-2021 would provide a solid set of foundations for how the PCC would hold the force to account for its improvement and how it will help victim services, criminal justice agencies and the wider community recover from the Covid-19 crisis and ensure the innovative partnership work continued to make Cleveland a safer place to be.

The Panel noted that the Commissioner's Plan would maintain his commitment to the five objectives that he had been elected upon:

- Investing in our police
- A better deal for victims and witnesses
- Tackling re-offending
- Working together to make Cleveland safer

- Securing the future of our communities

The Panel accepted the extension to the Commissioner's Police and Crime Plan and were content that the Commissioner could now publish the extension to the Police and Crime Plan.

RESOLVED that the issuing of the Police and Crime Plan – Strategic Programme 2020-2021 be agreed.

**PCP
11/20**

Police and Crime Panel Annual Report 2019/20

The Panel was presented with the Cleveland Police and Crime Panel Annual Report 2019/20.

The Annual Report covered the following key areas:-

- Role of the Police and Crime Panel
- Cleveland Police and Crime Panel Membership 2019/2020
- Key Activities and Achievements
- The Panel's Core Programme
- Annual Report of the Cleveland Police and Crime Commissioner
- HMICFRS Integrated PEEL Assessment Report
- Operation Phoenix
- National Police and Crime Panel Conference
- Task and Finish Scrutiny
- Police and Crime Commissioner Achievement Report
- Complaints

RESOLVED that the Cleveland Police and Crime Panel Annual Report 2019/20 be agreed.

**PCP
12/20**

Scrutiny Work Programme of the Panel 2020/21

Consideration was given to a report that sought to set the Police and Crime Panel Scrutiny Work Programme for 2020/21.

The Police and Crime Panel was reminded of its role as scrutinising the actions and decisions of the Police and Crime Commissioner, thereby holding the PCC to account.

In addition, the Panel may wish to carry out one or more in-depth scrutiny reviews into a particular issue or concern. This may be a policy or performance issue in relation to priorities contained in the Police and Crime Plan.

Any additional work which the Panel may wish to undertake should be supportive and complementary to its statutory functions with the Panel acting as a critical friend; a supportive, but independent voice seeking to scrutinise the PCC in the interests of recommending appropriate changes and improvements. In addition, the work programme should avoid duplication and remain flexible and responsive.

It was important that when identifying topics for additional work, the Panel took into account the capacity and resources needed to carry out the investigation, to ensure that the review programme was manageable. It was also important to prioritise the issues identified, so that the work of the Panel was adding value.

The Panel was asked to identify and consider suitable topics for scrutiny review during 2020/21. In selecting topics, the Panel considered whether:-

- there is public demand / a real need for the review
- there is a genuine opportunity through the reviews to influence policy and practice
- there is a clear focus for the review, recognising that going 'deep and narrow' can have more impact than 'broad but shallow'

The only review topic that was on the Work Programme at present was the Overall Budget Strategy (Annual Review). The Panel were asked to consider the capacity and resources needed to carry out the review programme to ensure that it was manageable. It was suggested that one further topic be added to the Work Programme. An issue that was raised by Members at a previous meeting was the Communication Strategy.

The matter of the overall budget strategy had been reviewed annually and subject to amendment continues to be scrutinised by a Task and Finish Group in order to facilitate sufficient time and analysis to the financial arrangements of the PCC and commissioned services. The number of agenda items for a full Police and Crime Panel meeting might preclude sufficient scrutiny of budget and its impact on the level of precept set, and therefore in recent years a Task and Finish Group had undertaken this work on behalf of the full Panel. This review would report in February 2021.

The allocation of officers was discussed as a possible item for scrutiny. The Chief Constable outlined that it maybe more useful for him to provide the Panel with the rational for the allocation of officers and then provide the Panel with a written report at a later date. A request was also made to look at the use of custody suites throughout the Cleveland Police area.

Members agreed the following Police and Crime Panel Scrutiny Work Programme for 2020/21:-

- Task and Finish Group - Communication Strategy
- Task and Finish Group - Overall Budget Strategy

RESOLVED that the following be agreed as the Police and Crime Panel Scrutiny Work Programme for 2020/21 and the following Members be identified to sit on each Group:-

- Task and Finish Group - Communication Strategy – Councillor Steve Nelson, Councillor Matthew Storey, Councillor Vera Rider and Councillor Lee Cartwright.
- Task and Finish Group - Overall Budget Strategy – Councillor Graham Cutler, Councillor Norma Stephenson, Councillor Barrie Cooper, Councillor Lee Cartwright and Paul McGrath.

PCP Forward Plan

13/20

Members were presented with the Forward Plan for the Panel.

RESOLVED that the Forward Plan be noted.

PCP Public Questions

14/20

Members were informed that there were no Public Questions.

Cleveland Police and Crime Panel

A meeting of Cleveland Police and Crime Panel was held on Thursday, 10th September, 2020.

Present: Cllr Tony Riordan (Chair), Cllr Graham Cutler (Vice-Chair), Cllr Barrie Cooper, Cllr Chris Jones, Mr Paul McGrath, Cllr Steve Nelson, Cllr Vera Rider, Cllr Norma Stephenson O.B.E, Cllr Shane Moore (Sub for Cllr Lee Cartwright) and Cllr Matthew Storey.

Officers: Julie Butcher, Nigel Hart, Peter Bell (Stockton-on-Tees Borough Council).

Also in attendance: Simon Dennis, Lisa Oldroyd, Elise Pout (Commissioner's Office),

Apologies: Mayor Andy Preston, Cllr Lee Cartwright, Cllr Dave Hunter, Cllr Steve Walmsley, Chief Constable Richard Lewis.

PCP 15/20 Declarations of Interest

Councillor Norma Stephenson declared a personal non prejudicial interest in respect of agenda item 3 - Appointment of Non-Political Independent Member as a member of her family was involved in the HAT Programme.

PCP 16/20 Appointment of Non-Political Independent Member

Consideration was given to a report that related to the appointment of one Non-Political Independent co-opted member to the Cleveland Police and Crime Panel ("the Panel"), under provisions within the Police Reform and Social Responsibility Act 2011.

At a previous meeting, the Panel agreed arrangements for the appointment of a replacement Non-Political Independent Members (NPIM), following the resignation of the one of the two existing NPIMs.

As part of the arrangements the Panel appointed five members to serve on a Sub Committee, which would consider applications, undertake interviews and make recommendations with regard to the appointments. The members appointed to the Sub-Committee were :

Cllr Dave Hunter (Hartlepool Borough Council)
Cllr Graham Cutler (Redcar & Cleveland Borough Council)
Cllr Barrie Cooper (Middlesbrough Council)
Cllr Tony Riordan (Stockton-on-Tees Borough Council)
Cllr Norma Stephenson (Stockton-on-Tees Borough Council)

The positions were widely advertised throughout the Cleveland Police area. The Sub-Panel met on 2 September 2020 and conducted an interview. The Sub Panel unanimously agreed to recommend that Luigi Salvati be appointed to the Panel.

The terms of office of the NPIM would be for the period beginning 10 September 2020 and expiring on 1 February 2021. A further report would be brought to the Panel prior to 1 February 2021 to consider the appointments of both NPIMs from 1 February.

RESOLVED that Luigi Salvati be appointed as Non-Political Independent Member to the Panel, with effect from 10 September 2020 until 1 February 2021 (the remainder of the term of office for the vacant position), and the Home Secretary be notified accordingly.

Cleveland Police and Crime Panel

A meeting of Cleveland Police and Crime Panel was held on Tuesday, 15th September, 2020.

Present: Cllr Tony Riordan (Chair), Cllr Graham Cutler (Vice-Chair), Cllr Barrie Cooper, Cllr Dorothy Davison (Sub for Mayor Andy Preston), Cllr Chris Jones, Mr Paul McGrath, Cllr Steve Nelson, Cllr Vera Rider, Mr Luigi Salvati, Cllr Norma Stephenson O.B.E Cllr Matthew Storey and Cllr John Tennant (Sub for Cllr Lee Cartwright).

Officers: Julie Butcher, Nigel Hart, Peter Bell (Stockton-on-Tees Borough Council).

Also in attendance: Simon Dennis, Lisa Oldroyd, Amanda Wilkinson, Elise Pout, Ian Cross, Hannah Smith (Commissioner's Office), Chief Constable Richard Lewis, Will Green, (Cleveland Police).

Apologies: Mayor Andy Preston, Cllr Steve Walmsley, Cllr Lee Cartwright and Cllr Dave Hunter.

PCP Declarations of Interest

17/20

There were no interests declared.

PCP Minutes of the meeting held on 7 July 2020

18/20

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

PCP Members' Questions to the Commissioner

19/20

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

PCP Commissioner's Update – To Follow

20/20

RESOLVED that the item be deferred to a future meeting of the Panel.

PCP Decisions of the Commissioner and Forward Plan

21/20

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

PCP Commissioner's Scrutiny Programme

22/20

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

**PCP
23/20** **Public Questions**

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

**PCP
24/20** **Forward Plan**

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

**PCP
25/20** **Proposed Appointment of an Acting Police and Crime Commissioner**

With the agreement of the Chair this urgent item had been included for consideration at this meeting.

The report had been submitted to the Panel following the resignation of Barry Coppinger as the Police and Crime Commissioner for Cleveland Police on Tuesday, 8 September 2020.

The report would assist the Panel to appoint an Acting Police and Crime Commissioner under section 62(1)(a) of the Police Reform and Social Responsibility Act 2011 (the Act).

The Police and Crime Commissioner, Barry Coppinger, gave notice of his resignation from office on Tuesday, 8 September 2020 with immediate effect in accordance with section 61 of the Act. The office was accordingly declared vacant.

Section 62 of the Act required the Police and Crime Panel to appoint an Acting Police and Crime Commissioner (Acting Commissioner) in such circumstances.

The Act provided that the Panel may only appoint a person to the office of Acting Commissioner if that person was a member of the Police and Crime Commissioner's staff at the time of the appointment.

Once appointed the Acting Commissioner could exercise all the functions of the Police and Crime Commissioner except the issuing or variation of the Police and Crime Plan.

The appointment of the Acting Commissioner would continue until a new Police and Crime Commissioner was elected or the appointment was terminated by the Panel or the Acting Commissioner.

Ordinarily the election of a new Police and Crime Commissioner would take place within 35 days of the declaration of the vacancy of the office however the

Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 postponed all PCC elections until 6 May 2021, and by-elections to fill vacancies cannot be held before that date. The Acting Commissioner would therefore perform the role until a substantive Commissioner takes office (or earlier termination by the Panel or Acting Commissioner).

The current Assistant Chief Executive of the Office of the Police and Crime Commissioner, Lisa Oldroyd, had indicated a willingness to be considered for the role of Acting Commissioner.

The Chief Executive & Monitoring Officer Simon Dennis, and Chief Finance Officer, Michael Porter, whilst willing in principle to be considered, in practice do not propose themselves for Members' consideration. They consider that as the serving senior statutory officers, their first order of priority was to offer all support to the Acting Commissioner and to the Panel. Both Mr Dennis and Mr Porter also had existing statutory officer roles at the Office of the Police, Fire & Crime Commissioner for North Yorkshire in respect of both the PCC as local policing body and the PFCC Fire & Rescue Authority. These roles cannot appropriately be combined with the role of Acting Commissioner in Cleveland.

The Chief Executive and Chief Finance Officer, together with the remainder of the Senior Management Team of the OPCC, had expressed their absolute commitment to working as a team to achieve the stewardship of the role in the best interests of the public of the Cleveland force area and would provide their full support to the Acting Commissioner, regardless of who that may be, following appointment by the Panel.

All other Members of the Senior Management Team had similarly indicated a willingness to be considered in principle but had not proposed themselves for Members' consideration, on the basis they would work closely with the Acting Commissioner to ensure all the powers and duties of the Commissioner can be delivered to their full potential.

As a small and committed team, the Office of the Police & Crime Commissioner commit collectively to the stewardship of the role of Police & Crime Commissioner in the public interest and to the delivery of the Police & Crime Plan.

Accordingly, the OPCC Senior Management Team wish to commend Lisa Oldroyd to Members and would provide her with their full support.

Lisa Oldroyd was, therefore, respectfully proposed by the Office of the Police & Crime Commissioner for Members' consideration, as the appropriate person to serve the public in the role Acting Police & Crime Commissioner for Cleveland.

A personal statement by Lisa Oldroyd had been circulated to the Panel for their information.

The Chief Executive & Monitoring Officer Simon Dennis spoke and commended Lisa Oldroyd as Acting Police & Crime Commissioner for Cleveland. He also outlined that if Lisa was appointed to the role, she would receive the full support

of the OPCC.

Chief Constable Richard Lewis outlined that whoever the Panel chose to appoint as the Acting Police & Crime Commissioner for Cleveland they would receive the full support of Cleveland Police.

At this point the Panel agreed to debate the appointment of Lisa Oldroyd as Acting Police & Crime Commissioner, including asking questions of her in private.

RESOLVED that:-

1. The public be excluded from the meeting pursuant to section 100A(4) of the Local Government Act 1972 during the debate of the appointment of the Acting Police and Crime Commissioner due to the likelihood that if members of the public were present during that item there would be disclosure to them of exempt information and
2. The information is exempt information because it is information relating to an individual under Paragraph 1 of Part I of Schedule 12A of the LGA 1972 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

At this point members of the Panel were given the opportunity to ask detailed questions of Lisa Oldroyd.

Following the question and answer session, the Panel then requested that Lisa Oldroyd leave the meeting while they debated the appointment.

The Panel then debated the appointment. Following the debate, the Panel unanimously agreed to appoint Lisa Oldroyd as Acting Police & Crime Commissioner.

All those that had been excluded from the meeting were then invited back into the meeting to hear the decision of the Panel.

RESOLVED that Lisa Oldroyd be appointed Acting Police & Crime Commissioner for Cleveland.

Cleveland Police and Crime Panel

A meeting of Cleveland Police and Crime Panel was held on Tuesday, 6th October, 2020.

Present: Cllr Tony Riordan(Chair), Cllr Graham Cutler(Vice-Chair), Cllr Lee Cartwright, Cllr Barrie Cooper, Councillor Chris Jones, Mr Paul McGrath, Cllr Steve Nelson, Mayor Andy Preston, Cllr Vera Rider, Mr Luigi Salvati, Cllr Norma Stephenson O.B.E, and Cllr Steve Walmsley.

Officers: Julie Butcher, Nigel Hart, Michael Henderson, Sarah Whaley, Gary Woods, Peter Bell (Stockton-on-Tees Borough Council).

Also in attendance: Lisa Oldroyd (Acting Commissioner), Simon Dennis, Elise Pout, Michael Porter, (Commissioner's Office), DCC Helen McMillan, Will Green (Cleveland Police).

Apologies: Cllr Dave Hunter and Cllr Matthew Storey.

PCP 26/20 Declarations of Interest

There were no interests declared.

PCP 27/20 Minutes

Consideration was given to the minutes of the meetings held on 7 July, 10 September, 15 September 2020.

RESOLVED that the minutes of the meetings held on 7 July, 10 September, 15 September 2020 be agreed as a correct record.

PCP 28/20 Members' Questions to the Commissioner

There were no Members' Questions to the Commissioner.

PCP 29/20 Commissioner's Update

Consideration was given to a report that provided an overview of the activity of the former Police & Crime Commissioner (PCC) and the Acting PCC (A/PCC) since the last meeting held in July 2020.

The report highlighted specific updates aligned to the priorities of the Police & Crime Plan, as agreed by the Panel in July 2020.

The report was considered in conjunction with progress detailed in the PCC Scrutiny and Decisions of the PCC reports. Collectively, these reports provided progress in all areas of the Police & Crime Plan.

The report covered the following key areas:-

- COVID 19
- Investing in Our Police
- A Better Deal for Victims and Witnesses
- Tackling Offending and Reoffending
- Working Together to Make Cleveland Safer/Securing the Future of Our Communities

A member asked a question around the support that rape victims were given.

The Acting PCC responded that the Independent Sexual Violence Advisers Service was a specialist adviser service that was there to help people through the criminal justice process and help the victim make any decisions. There was also a Sexual Violence Referral Centre to help capture evidence and there was wrap around support given to the victim going forward. The Police and the criminal justice system were seeing a rise of cases due to the impact of COVID 19.

A member requested that the Howard League Commission receive the data around gambling screening. The Acting PCC agreed that this would be possible.

A member asked a question around the funding for Safer Streets and if this was annual funding. The Acting PCC reported that Government had not committed to further funding yet but if further funding did become available a further bid would be submitted.

A member made a comment about the good figures around domestic abuse cases and that it may be worthwhile the Panel receiving a briefing note on the figures and as Chair of the Safer Stockton Partnership he would welcome a presentation of the figures at a future meeting of the Partnership. The Acting PCC responded that a joint presentation / report on how the response had been developed by the PCC office and other partners would be possible.

Regarding rules around COVID 19 it was noted that Cleveland Police were adopting the 4 E's approach and each incident would be judged with common sense.

A member asked a question around the SARC (Sexual Assault Referral Centre) Service and if the same facility would be retained. The Acting PCC responded that the same facility would be used and in terms of co-commissioning with neighbouring PCCs and NHS England that would continue which would add sustainability and resilience to the service.

In responses to concerns raised around the 101 service the Panel was informed that the 101 service was an integral part of the service improvement plan.

A member asked a question around police response times to incidents. The DCC responded that an assessment was applied to each incident to grade the response. The Acting PCC also added that she would forward the details of the Victim Care and Advice Service to the member and the rest of the Panel.

RESOLVED that the report be noted.

**PCP
30/20**

Decisions of the Commissioner and Forward Plan

Consideration was given to a report that provided an update on decisions made by the Police and Crime Commissioner (PCC) and the Forward Plan.

The Police and Crime Commissioner made all decisions unless specifically delegated within the Scheme of Consent/Delegation. All decisions

demonstrated that they were soundly based on relevant information and that the decision-making process was open and transparent.

In addition, a forward plan was included and published on the PCC website which included items requiring a decision in the future. This was attached to the report.

Each decision made by the PCC was recorded on a decision record form with supporting background information appended. Once approved it was published on the PCC website.

Decisions relating to private/confidential matters would be recorded; although, it may be appropriate that full details were not published.

Decisions made since the last meeting of the Police and Crime Panel were attached to the report.

A member raised a question around the Oracle System and whether the system was already in use by Sopra Steria. The Acting PCC responded that as outlined in the decision record the Oracle System was in place however it was a very old version of the system and it had been upgraded. The Chief Finance Officer added absolute assurance that procurement process was done in an open and fair manner and that bids were not specific to the Oracle System. There were a number of bids that could have taken on the roles and responsibilities. There was no benefit to the incumbent.

A member raised a question around the HAT programme extension and if the Panel would get a further evaluation report. The Acting PCC responded that at the end of November 2020 the PCC office was expecting the finalisation of an independent evaluation by Teesside University. As soon as that was available the Acting PCC would be happy to share it with the Panel.

RESOLVED that the report be noted.

**PCP
31/20**

Commissioner's Scrutiny Programme

Consideration was given to a report that provided an update on the PCC's scrutiny programme.

Holding the Chief Constable to account was the key duty of the Police & Crime Commissioner and must encompass all the functions of the Chief Constable and functions of those who were under the Chief Constable's direction and control.

The PCC had a range of scrutiny approaches in place to engage with the Chief Constable and hold Cleveland Police to account. These took place on a daily, weekly and monthly schedule and include a range of meetings, data and feedback from partners and the public.

Changes were made to the scrutiny regime in July 2019 that resulted in a thematic approach to scrutiny across the priorities within the Police and Crime Plan and a greater depth of information was provided by Cleveland Police in

order for the PCC to hold the force to account. The new approach could be seen in the sharper questioning and clearer minutes, which were attached to this report for information.

The processes would continue to develop and it had been made clear that there will be greater use of independent scrutiny approaches such as Internal Audit (Joint Independent Audit Committee), internal scrutiny panels such as the Out of Court Disposals, the Use of Force and Domestic Abuse Scrutiny Panels as well as identifying those services which would benefit from a wider multi agency scrutiny approach.

During 2020/21 the Cleveland Police Service Improvement Programme (SIP) would be a key feature of the scrutiny programme, where SIP programme control documents would be routinely reviewed, and progress tracked against the programme stage plan.

OPCC representatives would attend the Delivery and Assurance groups for each of the SIP work streams and would provide feedback on respective programme activities including impact, highlighting and/or identifying any risks of opportunities that may affect delivery and provide performance pack to inform the PCC and External Assurance Process for SIP. Information and evidence that was found would also be shared with HMICFRS to correlate with the evidence they were finding from the Force.

Assurance would also be provided by linking the scrutiny programme to the various internal and external forums and on a quarterly basis. Wider scrutiny arrangements were also in place including (and not limited to):

- Ethics Committee
- Feedback from complaints
- Issues raised at community meetings and focus groups and consultation

Scrutiny, Performance and Delivery meetings

Since the previous Police and Crime Panel meeting the following meetings had taken place, attached to the report

- 22 June 2020
- 19 August 2020 - The meeting was an in-depth look at the Force Control Room.

In addition to the meetings above, the Commissioner continued to attend the following to complement the scrutiny programme:

- Daily review of the Control Room and Serious Incident Logs;
- Weekly accountability meetings with the Chief Constable;

RESOLVED that the report be noted.

**PCP
32/20**

Public Questions

Members were informed that no Public Questions had been received.

PCP

Forward Plan

33/20

Members were presented with the Forward Plan.

RESOLVED that the Forward Plan be noted.