
MEETING	FISHERGATE WARD COMMITTEE
DATE	6 OCTOBER 2009
PRESENT	14 RESIDENTS COUNCILLORS D'AGORNE AND TAYLOR; JAMES HUNT AND MORA SCAIFE FROM THE NEIGHBOURHOOD MANAGEMENT UNIT; LIZ LEVITT, HEAD OF ENVIRONMENTAL ENFORCEMENT AND PARKING SERVICES; SGNT. ANDY HAIGH AND PC JO BROOKE FROM THE SAFER NEIGHBOURHOODS TEAM; RICHARD GOODACRE AND ERICA TAYLOR, LOCAL MAGISTRATES AND KATHERINE ATKINSON, COMMUNITY PLANNING OFFICER
APOLOGIES	DENISE CRAGHILL

1. 7PM SURGERY

Residents had the opportunity to talk to Councillor Andy D'Agorne and Councillor Dave Taylor; James Hunt and Mora Scaife from the Neighbourhood Management Unit; Liz Levitt, Head of Environmental Enforcement and Parking Services; Sgt Andy Haigh and PC Jo Brooke from the Safer Neighbourhoods Team; Richard Goodacre and Erica Taylor, local Magistrates and Katherine Atkinson, Community Planning Officer.

2. 7.30PM INTRODUCTION AND MINUTES

2.1 Councillors D'Agorne and Taylor welcomed residents to the Ward Committee meeting. Cllr Taylor explained that in the absence of the regular facilitators, Jonathan Tyler and Hazel Gallogly, he would be chairing the meeting. Future meetings will have an independent facilitator as usual.

2.2 The minutes of the previous meeting were approved and signed, subject to the amendment that Denise Craghill had sent her apologies.

2.3 It was requested by a resident that the minutes from the April meeting be presented at the January meeting.

2.4 A change to the agenda (moving the Fulford Road Conservation Area Appraisal to before the Scheme Suggestions) was approved by assent.

3. 7.35PM SAFER NEIGHBOURHOODS TEAM

3 Sgt. Andy Haigh (AH) from the Safer Neighbourhoods Team gave a verbal update.

3.1 Crime figures for 2008/9 are as follows, so far this year:

- Overall there has been a 30% reduction in crime across the ward.
- Auto crime down 37%
- Burglary dwelling down 18% although there is more risk in winter
- Burglary other up 3% (increase of 1 crime)
- Criminal damage up 37% (mostly graffiti)
- Violent crime up 43% (from 65 crimes to 93)

3.2 There is a particular area that is affected by ASB and criminal damage, and over the last 6 to 8 weeks the Safer Neighbourhoods Team have focussed their efforts on tackling this 'hot spot'.

3.3 Sgt. Haigh is currently trying to get a dispersal order put in place, but needs community support to achieve this. Sgt. Haigh requested that residents continue to report crime and ASB to support his efforts.

Calls for questions and comments:

Q. If young people are out on the streets after 9 pm in groups of more than 2 can they be arrested?

AH: Yes, however the focus will be in one particular area in order to focus on youths that are causing the issues.

Cllr. Taylor commented that if you live outside of the area affected you are unlikely to notice any particular problems. However in the 'hot spot' issues are really quite significant and need addressing.

Q. Does the dispersal order cover private land as well as public land?

AH: No, the order does not cover private land. However adopted roads are also covered and there are options for moving people on from private land.

Q. Are the current levels of ASB at the same levels as those that were reported in the media in relation to the mother and daughter elsewhere in the country that killed themselves?

AH: Definitely not, the police are working proactively to tackle this issue through a variety of measures.

Q. Is anything being done to address the issue of dangerous cycling along Broadway and up to the university campus?

AH: Yes, I am going up to campus to give a talk to students about cycling laws and acceptable behaviour to address this issue.

4. 7.50PM MAGISTRATES IN THE COMMUNITY

Richard Goodacre (RG), Magistrate, spoke about the York Magistrates' Court.

4.1 He introduced himself and his colleague who also contributed to the presentation. The purpose of their visits to this round of ward committees is to dispel myths and misunderstandings about magistrates.

4.2 Magistrates are volunteers, and their role is almost unique. The first 'justices of the peace' came about in 1362, so the tradition has been going a long time.

4.3 96% of all crime is dealt with by the magistrates. The remaining 4% are the very serious crimes which get dealt with by the crown court. Their

role is to hear evidence in trials and come to a decision about the appropriate sentence.

- 4.4 The magistrates now have the power to use problems in local communities ('aggravating features') as part of their decision-making guidance. This came through the Criminal Justice Act 2003. They are interested in hearing about the local community's concerns to give them an understanding of which problems are considered prevalent in the local area.
- 4.5 The magistrates usually sit in groups of three to make decisions. The presence of three opinions form a safe system.
- 4.6 Sentencing depends on a mixture of aims: punishment, rehabilitation and protection of the public.
- 4.7 The advantage of the voluntary nature of the role is that magistrates are completely independent. They try very hard to act on the best interests of everyone. They are not under any obligation to the government. The judicial oath is sworn directly to the sovereign.
- 4.8 If anyone is interested in coming to the court, they can organise a visit including a tour and an explanation of the court in action.
- 4.9 Richard Goodacre's colleague, Erica Taylor (ET), spoke about the sentencing powers of magistrates and sentencing guidelines. There are five levels:

- Absolute discharge, which is rare.
- Conditional discharge.
- Fine, which is used most often. The fine will be based on income which includes benefits.
- Community order, including one or more requirements out of a choice of 12, for example, community payback, curfew or the Think First programme. This sentence is organised by the probation service.
- Custody. The maximum the magistrates can give is 6 months for 1 offence, or 12 months in totality. However, if they believe that more than this is required they have the power to submit the case to the crown court for final sentencing.

4.10 Sentencing guidelines:

1. When someone is found guilty there is a process they must follow to be consistent.
2. We look at how serious the crime was and the offender's history. The objectives of the sentence vary, depending on the offender. Protection of the public is the primary aim, and this can be achieved either immediately, by locking the offender up, or in the long-term, for example through rehabilitation programmes, which aim to break a pattern of behaviour.

- 4.11 They use the sentencing guidelines as given by the independent body, the Sentencing Guidelines Council. Even though these guidelines are necessary in order to maintain consistency, they do have the power to sentence outside of the guideline, but reasons for this must be valid and declared in court. Sometimes it is necessary to take into account people's financial circumstances, so penalties are relevant to the offender's income.

Q. What are the minimum time requirements to be a magistrate?

RG: You are expected to sit for 24 ½ day sessions or 12 full day sessions, as a minimum. However there are training commitments, meetings and briefings to attend too. If you would like to find out more about the details look on the DirectGov website, www.direct.gov.uk

Q. Can local residents put forward suggestions for community service?

RG: Magistrates cannot specify the type of community service an offender is given, that is the responsibility of the probation service.

MS: If residents have specific schemes or ideas in mind then pass them onto the Neighbourhood Management Officer and we will pass them onto the probation service.

5. 8.25PM FULFORD ROAD CONSERVATION AREA APPRAISAL

5. A presentation was received from Katherine Atkinson (KA), Community Planner and Janine Riley (JR), Conservation Architect. This pointed out the main features of the changes to the Fulford Road conservation area appraisal. They covered the areas that are proposed to be added to the conservation area and those that are to be removed.

5.1 KA briefed the meeting on the consultation process, which is running from mid October until the end of November.

5.2 Leaflets about the proposals will be available and there are display boards and information at the Fields Fayre sandwich shop and The Fulford Arms pub.

5.3 The full appraisal document is available online or at the council's offices at 9 St Leonard's Place.

There were no questions.

6. 8.05PM SCHEME SUGGESTIONS

6. This was an opportunity for residents to discuss ward committee scheme suggestions put forward for the 2010/11 ward committee budget.

Support and information was available on the following schemes:

1 – 4, 6 – 9, 12, 14 – 22, 24 – 28.

6.1 Other issues and questions were raised by residents:

Cllr. Taylor commented that schemes 4 through 8 were repeat funding schemes.

6.2 Cllr. Taylor introduced a repeat scheme proposal to continue to fund green waste recycling in the ward. When a simple poll was taken 5 residents were for continuing to fund this scheme and none were against.

Q. Schemes 2 and 3 are similar, could they not be amalgamated to save costs on separate events?

A. Depending on their popularity and the total budget available for spending this could be a possibility.

Q. What in particular are MIND intending to spend this money on (Scheme ref:9)?

A. Leaflets, a higher presence in the ward, more volunteers and more community engagement work.

Q. Shouldn't scheme 12 be part of the Traffic Planning Units responsibility?
Cllr. D'Agorne: The purpose of this scheme is to identify which areas of Fishergate are most supportive of speed management schemes and the money is allocated to speed the consultation process if TPU decide to go ahead with '20's Plenty' zones.

7. 8.40PM HAVE YOUR SAY

7. Cllr. Taylor opened the floor to questions, comment and feedback on any issues relevant to residents of Fishergate ward.

7.1 A resident raised a complaint he had sent into City of York Council's waste services department. MS agreed to talk to the resident after the meeting and try and resolve the issue and Cllr Taylor has since relayed the complaint to the Assistant Director responsible for Waste Services.

7.2 A resident asked if Cllrs. and residents were aware of the upcoming climate change strategy consultation that the City of York were conducting? Cllr. D'agorne responded that both Cllrs. of the Fishergate ward strongly supported the development and that Cllr. D'Agorne had attended the information briefing session run by the council.

7.3 A resident, commenting on the photographic display of gardens at the meeting, asked if the 'Fishergate in Bloom' competition would happen again next year? Cllrs. reassured the meeting that it would. It had been a great experience this year and was worth building on.

Chair: Cllr. Taylor

[The meeting started at 7.00 pm and finished at 9.30 pm].