

**Notice of public meeting of
Community Safety Overview & Scrutiny Committee**

To: Councillors Douglas (Chair), Orrell (Vice-Chair), Fraser, Healey, Hodgson, King and Warters

Date: Wednesday, 5 June 2013

Time: 5.00 pm

Venue: The Severus Room - 1st Floor West Offices

AGENDA

1. Declarations of Interest

Members are asked to declare:

- Any personal interests not included on the Register of Interests
- Any prejudicial interests or
- Any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Minutes

(Pages 3 - 8)

To approve and sign the minutes of the meeting held on 23 April 2013.

3. Public Participation

At this point in the meeting, members of the public who have registered their wish to speak at the meeting may do so. The deadline for registering is **5.00pm on Tuesday 4 June 2013**.

4. Introductory Presentations on Suggested Scrutiny Topics for Review in this Municipal Year

Introductory presentations will be given on suggested scrutiny topics for review in this municipal year:

- (i) Restorative Justice – to look at the work of the Youth Offending Team and Safer York Partnership to improve joint working and community payback.
- (ii) Tenancy Enforcement – to look at tenancy related issues affected by the relationship between mental health, and anti-social behaviour and other crime.
- (iii) CCTV – to understand any changes/developments in service provision as a result of the move to West Offices and the introduction of new technologies.

5. Work Plan (Pages 9 - 10)

Members are asked to consider the committee's work plan.

6. Urgent Business

Any other business which the Chair considers urgent.

Democracy Officer:

Name: Jayne Carr

Contact Details:

Telephone – (01904) 552030

Email – jayne.carr@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting Jayne Carr, Democracy Officer

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

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- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
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Further information about what's being discussed at this meeting

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The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business following a Cabinet meeting or publication of a Cabinet Member decision. A specially convened Corporate and Scrutiny Management Committee (CSMC) will then make its recommendations to the next scheduled Cabinet meeting, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Committee Minutes

MEETING	COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE
DATE	23 APRIL 2013
PRESENT	COUNCILLORS DOUGLAS (CHAIR), HEALEY (VICE-CHAIR), KING, STEWARD, FRASER (SUBSTITUTE), BURTON (SUBSTITUTE) AND REID (SUBSTITUTE)
APOLOGIES	COUNCILLORS REID, WATSON AND ORRELL

54. DECLARATIONS OF INTEREST

Members were asked to declare at this point in the meeting any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of the business on the agenda.

Cllr Fraser declared a personal non prejudicial interest regarding item 5, Report on A Boards, that he was the acting Chair of the Micklegate Action Group who represents businesses in the Micklegate quarter.

55. MINUTES

RESOLVED: That the minutes of the meeting of 12 March 2013 be confirmed and signed as a correct record.

56. PUBLIC PARTICIPATION

It was reported that there were no registrations to speak at the meeting under the Council's Public Participation Scheme.

57. ATTENDANCE OF CABINET MEMBER FOR ENVIRONMENTAL SERVICES

The Cabinet Member for Environmental Services was in attendance for this item.

He provided a progress update on:

- the future plans for waste collections in York including garden waste collection changes and proposals for a food waste collection service.
- highways and street lighting maintenance.
- public realm.

In answer to Members questions the Cabinet Member confirmed that:

- the implementation of charging for the collection of two green wheelie bins would be in force from late May 2013.
- officers would be writing to all households that owned two green bins to inform them of the changes. Residents would be given the option to either opt in and pay to have both bins collected or receive a free label to stick on the bin they would like collecting.
- if a household had placed both bins out for collection and had not paid to opt in then only the bin with the label attached would be collected.
- the highways department were currently looking at new ways of working and improving technology to ensure that pot holes would be maintained and fixed for a longer period of time making them less likely to reoccur.
- due to an influx of requests the turnaround time for replacement recycling boxes to be delivered to residents was currently within 3 weeks and 4 weeks for the black wheelie bins. Officers were hoping that once the charges for replacement bins and recycling boxes were in place the turnaround should be back to 10 working days.
- a business case would be drafted to distinguish if it was viable to provide a food waste collection service in York.
- currently the Council had no facilities to dispose of food waste but could use suitable amenities within North Yorkshire.
- Councillors could have an input into the non commercially sensitive areas of the food waste business case.

- He would be willing to have further discussions regarding the locking of parks and open spaces. The Cabinet Member agreed that each area had it's own case but working with the Parish Councils could be a way forward.

Officers confirmed that the removal of hedges in parks and open spaces had been ongoing since it was agreed three years ago as part of the budget plan. Hedges in all open spaces were constantly reviewed and were removed for various grounds such as health and safety or maintenance reasons.

The Chair thanked the Cabinet Member for attending the meeting and asked Committee Members to email any further questions directly to him.

RESOLVED: That the Cabinet Member for Environmental Services update be noted.

REASON: To ensure that Members are kept informed of work within the remit of the Committee.

58. REPORT ON A-BOARDS

Members considered a report which provided information on the use of A-boards across the city, including the implications associated with implementing a total ban on their use.

The Chair confirmed that this item had been brought back for consideration because other options such as producing a minority report to Cabinet were available to the committee but were not explored at the last meeting.

Members discussed and considered the following options:

- (a) To proceed with a recommendation to Cabinet for a city wide ban on the use of A-boards.
- (b) To proceed with a review on the use of A-boards in order to identify suitable requirements/guidelines for implementation across the whole city, in line with paragraph 29 of the report.
- (c) To make no recommendation to Cabinet thereby leaving the arrangements as they currently stand, as outlined in paragraphs 8-11 of the report.

Cllr Fraser informed the Committee that this item had been previously discussed at a meeting in 2008 and a petition on A Boards was submitted from traders on Micklegate which was considered at the Executive Member for City Strategy and Advisory Panel (EMAP) on 16 March 2009. Members of that EMAP approved the development of intervention guidelines for an enforcement policy for the removal of "A" boards and the like from the Public Highway.

The Committee agreed that this subject had been discussed for many years and it was vital that some permanent action was now taken.

After further discussion it was decided that the report recommending that Cabinet approve to ban all A boards should be withdrawn from the June 2013 meeting. New recommendations would be resubmitted after a full review had taken place and all possible options had been explored.

Cllr Fraser moved that option b should be adopted including an additional amendment, that the remit should be reconsidered to take into account other issues such as alternative ways of advertising and health and safety issues. This was seconded by Cllr Healey and agreed by the whole committee.

The scrutiny officer confirmed that this topic would be considered in the next municipal year.

RESOLVED:

- (i) That option B be agreed including the additional amendment.
- (ii) That the report going to Cabinet on A Boards be withdrawn.

REASON: To ensure the removal of the many and varied obstructions from the public highway, the projection of trees, and the safety of all public highway users.

59. OPTIONS FOR COMMERCIAL WASTE RECYCLING

Officers updated Members on the current options available to businesses for Commercial Waste Recycling in York.

Members were informed that currently the Council held around 2000 commercial waste contracts in York with 1400 being in the City Centre. Due to a large proportion of businesses still using private companies, officers were working with Yorwaste to secure more commercial waste contracts by identifying customers requirements and developing a service waste scheme that would provide additional services without increasing the cost.

Officers had also developed an interactive Business Waste Handbook that was available online for businesses to use to understand how they could effectively dispose of their waste.

Members thanked officers for their update and agreed that this subject did not need to be scrutinised and that a future overview update would suffice.

RESOLVED: That the update be noted.

REASON: To keep the Committee informed on Commercial Waste Recycling options.

60. IMPROVING COMMUNITY RESILIENCE SCRUTINY REPORT - FINAL REPORT

Members considered a report that presented information gathered in support of the Committee's review on Improving Community Resilience and asked Members to agree the recommendations arising.

The Chair confirmed that this was the final report that would be presented to Cabinet.

The Committee felt that the Community Resilience Plan must cover all types of emergencies and unforeseen circumstances such as fire, terrorist attacks, natural disasters and not just focus on flooding. The Chair confirmed that each Plan would ensure community preparedness for any form of emergency and enable communities to build their own resilience.

RESOLVED: That Cabinet be recommended to instruct officers to:

- i) Strengthen community resilience by following best practice as implemented by others (e.g. East Riding of Yorkshire Council) through the introduction of Community Resilience Plans.
- ii) Work with Communities to help them identify any available external funding.
- iii) Work with appropriate partners to encourage their support and assistance.

REASON: To conclude the work on this review.

61. WORK PLAN

Consideration was given to the Committee's work plan.

The following addition to the work plan was agreed:

- 12 November 2013: Update on implementation of previous Scrutiny Reviews.

Cllr Healey also requested a meeting be arranged for the Domestic Waste Recycling Task Group, to receive an update from officers on the reasons for the delay in identifying appropriate control rounds to support the outstanding work on this review.

RESOLVED: That, subject to the inclusion of the above items, the work plan be approved.

REASON: To ensure that the Committee has a planned programme of work in place.

Cllr Douglas, Chair

[The meeting started at 5.00 pm and finished at 6.45 pm].

Youth Offending Team & Restorative Practice



YORK Youth Support Services

The Trouble with Words

- Restorative Justice
- Restorative Practice
- Reparation
- Community Payback
- Community Service
- Victim Support

YORK Youth Support Services

YorkYOT

- Statutory **partnership** service established under 1998 Crime & Disorder Act
- Local Authority is lead partner
- Straddles multiple social policy and operational areas:
 - Children & Young People
 - Criminal Justice
 - Community Safety

YORK Youth Support Services

Partnership Resourcing

- Local Authority
- Police (now P&CC)
- Health
- Probation
- Youth Justice Board for England & Wales
- Combination of staffing, services and revenue

YORK Youth Support Services

Multiprofessional

- Youth Justice Officers
- Social Workers
- Probation Officer
- Police Officer
- Mental Health Nurse
- Lifeline (substance misuse)

YORK Youth Support Services

Outcomes and Performance

5 Justice for young people and communities

Fewer young people will get into trouble with the law, because they get help at the earliest opportunity. Those who do will be challenged, have underlying problems addressed and be helped to return to law-abiding lives. They will be supported in putting things right: communities and victims of youth crime will feel justice has been done. Communities will be protected from serious harm.

- Strategic Influence and Operational
 - First Time Offenders
 - Reoffending
 - Use of custody
 - NEET rates
 - Use of Secure Remands

YORK Youth Support Services

Statement of Purpose



York YOT
YOUTH OFFENDING TEAM

reducing youth crime improving lives protecting the public

Helping make York a safer, better place for everyone:

- Changing the outlook and behaviour of individuals we supervise
- Reducing youth crime by working in partnership to ensure that young people get the support and direction they need
- Ensuring that the voice of victims is heard
- Working with families and the community to help them promote positive change in young people
- Protecting the public through rigorous enforcement of sentences imposed by the court

york yot
youth offending team

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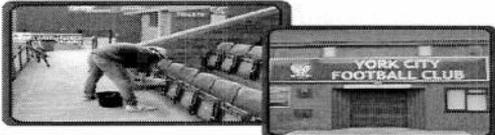
Youth Restorative Justice

- Out of Court Disposals -
Local Police
- Referral Orders -
Community Panel
- Youth Rehabilitation Orders -
YOT Officers
- Community Payback -
Probation Service

york Youth Support Services

Restorative Justice and re-integration

- Young people convicted of football related offences
- Working for the groundkeeper they learn another point of view
- And earn the lifting of their bans



york yot
youth offending team

YOT RJ Services

- Victim contact
- Full restorative conferencing
- Exchange of communication, written, verbal
- Direct Reparation
- Indirect Reparation
- Community Payback
- Letter of Apology
- Victim Awareness interventions

york Youth Support Services

Restorative Justice: making amends... and more besides

- Reparation – a positive contribution to the life of the City
- Accredited skills and workplace experience
- Learning from the company of adults



york yot
youth offending team

A partnership made possible with York Archaeological Trust

YOT RJ issues

- Victim is primary beneficiary
- But does have research-proven impact on reoffending rates
- RJ works if there is positive learning, not if simple punishment or tokenistic
- Most victims just want to move on
- Commercial sector is biggest problem
- Looked After Children have particular needs
- To make a **lasting** difference young offenders have to be treated as children first

york Youth Support Services

Restorative Justice: for victims of crime

- Giving victims the chance to influence things
- Reassurance: dealing with fear and anger
- Ensuring young offenders confront the real impact they have on others' lives
- Building confidence in communities
- Challenging the myth of 'victimless crime'



- We must make sure we reach victims who are also children and young people
- And those from the most deprived communities and backgrounds

york yot
youth offending team

Broader Issues

- YOT RJ is a very small and narrow element of the whole picture
- RJ is slowly becoming mainstream in Policing
- RJ has slowly been taken on as Government social/ criminal justice policy
- Formal Criminal Justice system has been dragged into accepting RJ
- A very small number of Local Authorities have made systematic commitment to RP

Where does it take us?

- RP is mainstream in youth justice and has a toe-hold in education
- RP is well-established in adult justice
- The general public are much more sympathetic to RP than politicians believe but that is probably fragile
- RP gains momentum and effectiveness with scale and systemic commitment

YORK Youth Support Services 32

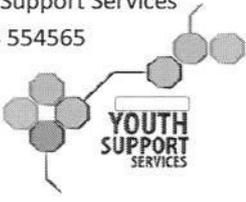
Leeds City Council and RP

- Restorative practice is about building, maintaining and repairing relationships with the fundamental premise that people are happier, more co-operative and productive, and more likely to make positive changes when those in authority do things with them, rather than to them or for them. Helping people find creative solutions to issues that are affecting them that avoid blame, retribution and punishment. It can help to build social capital and a sense of community in all settings, from schools, children's homes, police, social care, partnerships and communities. In Leeds we are using RP strategies across the organisation, to improve the way we communicate and engage with each other as well as with children, young people and families.

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Youth Offending Team & Restorative Practice

Simon Page
Head of Youth Support Services
01904 554565



**YOUTH
SUPPORT
SERVICES**

YORK Youth Support Services



Community Safety Overview & Scrutiny Committee 5 June 2013

Briefing Note - Mental Health & Anti Social Behaviour (ASB)

Problems with mental health and anti social behaviour have been increasing over the years, both as victims and perpetrators. Coupled with this, there has been an increase in the number of cases, who have 'Dual Diagnosis,' which are cases where the person has mental health issues and drugs and alcohol problems. These cases are more complex and need more input from Officer than cases where there are no issues about vulnerabilities.

Mental Health as Victims

People with mental health issues are often victims of ASB. Nationally evidence shows that people with mental health are more likely to be victims than perpetrators, and this has been the case within York also. A study in 2005 found that people with mental health issues were eleven times more likely to be a victim of crime than the general population. This led to Housing Services establishing a multi agency meeting to investigate cases where vulnerable people are targeted by predators, who target them because of their issues.

We are currently talking with Adult Safeguarding to ensure that this complements the safeguarding process. Often in these cases the victim, does not want action to be taken, either because they think the people are their friends, or because they are too scared.

Perpetrators with Mental Health

The numbers of cases involving people with mental health has grown steadily over the last few years, and from a Housing perspective, they are not keen to take enforcement action against people who have mental health issues (or any other vulnerability), but they have to balance this against their responsibilities to the neighbours and the wider community. There have been several high profile cases that have gone through the

court system, including one which is still ongoing several years after legal proceedings were first started, because of difficulties caused by conditions imposed by the Judge in the case. In many cases though because of the perpetrator not recognising the problems that they are causing, either because of a lack of perception, not taking medication or because they are abusing drugs or alcohol, there are only a very limited number of alternative options to enforcement action though.

The Environmental Protection Unit and other registered providers have also highlighted an increased number of similar cases.

Scale of the problem

City of York Council has struggled to obtain good evidence of the number of people, who are either causing ASB or who are victims. Housing Services recently checked through their active cases over a 3 year period. This highlighted that 75 cases had a mental health element, and that in 20 of those cases the tenant had been evicted. Anecdotally, the Housing Options service established a meeting to look at cases involving people who were going through the resettlement process, who had mental health issues and another area of concern such as ASB, and they have struggled to deal with the numbers of those cases.

Areas of concern

City of York Council provides general needs accommodation, Officers can make requests for support from specialist support agencies, but a lack of specialist accommodation remains an issue. Housing Services have been working with the Clinical Commissioning Group (CCG) to look at converting some accommodation at Queen Anne's Road into specialist accommodation, but this will only add a relatively small number of extra units. To tackle this CYC is working with partners to undertake a count to assess the numbers of people who are not housed appropriately. On a wider point, a supported housing strategy is currently being developed to ensure that the right supported housing options are available at the right time and the right place for those who need them. As part of this, research has been undertaken to look at best practice in terms of: type of accommodation, facilities and support arrangements, size and design of the scheme.

Problems can arise also between interactions between different agencies, particularly where they have different priorities and targets. An example of this would be people who are discharged without appropriate care plans

being drawn up (usually to reduce bed blocking) because of the lack of a formal process. This often happens without Housing Services being made aware that the person has been discharged.

Legal Perspective.

If a tenant has mental health issues (particularly if these are profound) then early consideration should be given to whether any challenges brought by the Defendant's representative under the Equality Act 2010 might succeed. Under that Act, landlords seeking to evict or take other enforcement action against a tenant with a mental disability must consider whether they would be able, if necessary, to demonstrate to a court that they have not, because of the tenant's disability, treated the tenant less favourably than they would have treated others without that disability.

The usual test of reasonableness - applied by the judge at trial when making a possession order - will also apply, but should perhaps be particularly borne in mind by the landlord at commencement of the proceedings where a tenant is mentally unwell. Early anticipation of potential, later challenges under public law/Article 8 ECHR rights (Right to Private and Family Life) and whether bringing the proceedings is a proportionate means of bringing about a legitimate aim, may also in certain cases be applicable.

Some tenants/defendants are so unwell as to lack mental capacity to conduct their own proceedings, in which case the Official Solicitor may be appointed to act on the tenant's behalf. The process of the appointment of, and interaction with, the Official Solicitor – who then conducts the litigation via a nominated solicitor – often makes defended cases more protracted and complex.

Paul Morrison
Neighbourhood Safety Manager
Tel: 01904 555095

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**Network Management**

City Strategy
9 St Leonard's Place
YORK
YO1 2ET

Darren Capes
Transport Systems Manager
Tel: 01904 551651

Briefing Note

Proposal to consider the City of York CCTV System as a Scrutiny topic

Introduction

This note outlines the present state of the City of York CCTV system and discusses current and planned developments of the system. It also offers a view on the proposal to consider CCTV as a scrutiny topic within the coming year.

Current Position

The CCTV system has recently moved into a dedicated monitoring facility at West Offices. This facility, known as the York Travel and Control Centre (YTCC) brings together traditional public realm CCTV monitoring, traffic network monitoring and control, police liaison, public transport control and emerging developments in CCTV provision to other parts of the Council.

The YTCC is a fully digital control facility and dispenses with the analogue technology previously used. This has been made possible by the development of the Council's 'Dark Fibre' network, which provides digital fibre-optic connectivity around the City. The opportunity presented by the development of this network has allowed the BT analogue connections to each camera site to be replaced with digital Dark Fibre ones. This has involved forming new ducted connections to each camera, but the cost of doing this has been off set by the lower rental charges and greater flexibility offered.

The CCTV network currently comprises over a 100 cameras covering public realm, the highway network, CYC car parks, park and ride sites, libraries, CYC's West Offices and the Rowntree Park Reading Cafe. In the control room, the cameras are viewable on a modular digital flat-

screen video wall, allowing 24 cameras to be viewed simultaneously. Four operator desks are provided, each with screens to view up to four cameras, as well as running a map based control system. Two additional command and control desks are also provided to allow management of events and incidents to be accommodated in the control room. As with the previous system, all cameras are recorded on a digital 'DVR' that stores footage from all cameras for a rolling 31 day period. Facilities are provided to allow this footage to be burned onto DVDs for issue to the police for use as evidence etc. The CCTV control room also has police, 'shopwatch' and CYC parking radio systems, allowing the operators with the police, Civil Enforcement Officers and shop / bar security staff.

In addition to this, two further control desks are provided in the network control room part of the YTCC, for the active management of the road and public transport networks. These desks have the same CCTV control equipment and full access to the camera network as found in the CCTV control room, but also have access to the Urban Traffic Control, BLISS and UTMC systems to allow reactive control of the transport network.

At present, the CCTV control room is staffed by a mixture of CYC staff and staff from an external security company. This provides the flexibility to ensure we are able to staff the control room 24 / 7, generally with two members of staff on duty at all times.

Up-coming Developments

Developments are currently underway to fully utilise the facilities available in the YTCC by broadening the range of services offered by the YTCC. We are currently working with four schools to trial the management of CCTV at school sites from the YTCC, including us providing their equipment maintenance and support through our existing contracts. Assuming these trials are successful, we will start to work towards offering services to more schools and other CYC and public sector sites, both to bring additional revenue into the YTCC and to offer the sites a better service than is provided by the private sector.

We are also working to expand the transport network management we undertake. Using capital funding from schemes such as the Better Bus Area Fund, the Lendal Bridge Restriction Trial and Coppergate Bus Enforcement, we will start to provide active traffic management during the peak periods, Monday to Saturday.

Proposed Examination of CCTV as a Scrutiny Topic

Now the service has settled into its new accommodation within the YTCC at West Offices and is using the new digital technologies outlined above, there could be benefit in scrutiny of the direction the service is taking and the opportunities for it's further development and expansion.

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Dates	Work Programme
5 June 2013 @ 5pm	<ol style="list-style-type: none"> 1. Introductory Presentations on Suggested Scrutiny Topics for Review in this Municipal Year: <ol style="list-style-type: none"> i) <i>Restorative Justice</i> – to look at work of Youth Offending Team and SYP to improve joint working and community payback. ii) <i>Tenancy Enforcement</i> – to look at tenancy related issues affected by the relationship between mental health, and ASB and other crime. iii) <i>CCTV</i> - to understand any changes/developments in service provision as a result of the move to West Offices and the introduction of the new technologies. 2. Workplan
9 July 2013 @5pm	<ol style="list-style-type: none"> 1. Attendance of Cabinet Mbr for Crime & Stronger Communities – discussion re priorities & challenges 2. Scrutiny Review No.1 – Scoping Report to Agree Review Remit 3. Safer York Partnership Bi-Annual Performance Report (Ian Cunningham) 4. CYC Year End Financial & Performance Monitoring Report (Patrick Looker) 5. Workplan & Verbal Update on Ongoing Reviews
10 Sept 2013 @ 5pm	<ol style="list-style-type: none"> 1. Attendance of Police Commissioner (Julia Mulligan) 2. CYC First Qtr Finance & Performance Monitoring Report (Patrick Looker) 3. Scrutiny Review No.2 – Scoping Report to Agree Review Remit 4. Workplan & Verbal Update on Ongoing Reviews
12 Nov 2013 @ 5pm	<ol style="list-style-type: none"> 1. Attendance of York & North Yorkshire Fire & Rescue Service 2. Scrutiny Review No.1 – Interim Report 3. Update on implementation of recommendations from previously completed scrutiny reviews 4. Workplan & Verbal Update on Scrutiny Review No.2
14 January 2014 @ 5pm	<ol style="list-style-type: none"> 1. CYC Second Qtr Finance & Performance Monitoring Report 2. Scrutiny Review No.2 – Interim Report 3. Safer York Partnership Bi-Annual Performance Report (Ian Cunningham) 4. Workplan & Verbal Update on scrutiny review No.1
11 March 2014 @ 5pm	<ol style="list-style-type: none"> 1. Attendance of Probation Service 2. CYC Third Qtr Finance & Performance Monitoring Report 3. Scrutiny Topic No.1 – Draft Final Report 4. Workplan & Verbal Update on Scrutiny Review No.2
22 April 2014	<ol style="list-style-type: none"> 1. Attendance of Cabinet Mbr for Environmental Services - discussion re priorities & challenges 2014/15 2. Police & Crime Panel Workplan 2014-2015 – Attendance of PCP Support Officer & CYC Panel Members 3. Scrutiny Topic No.2 – Draft Final Report 4. Draft Workplan for 2014/15 – Discussion re Possible Topics for Scrutiny Review in coming Year

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