



**COMMUNITY AND PUBLIC SAFETY
SCRUTINY COMMITTEE
2 SEPTEMBER 2015**

PRESENT: COUNCILLOR C J T H BREWIS (CHAIRMAN)

Councillors L Wootten (Vice-Chairman), K J Clarke, D C Morgan, C R Oxby, N H Pepper, Mrs A E Reynolds, Mrs N J Smith, R Wootten and A M Austin

Councillors: W J Aron, R G Fairman, Mrs J M Renshaw, A H Turner MBE JP, C N Worth, Mrs S M Wray and Trisha Carter attended the meeting as observers

Officers in attendance:-

Sara Barry (Safer Communities Manager), Katrina Cope (Team Leader Democratic and Civic Services), Tony McGinty (Consultant Public Health Children's), Pete Moore (Executive Director of Finance and Public Protection), David Powell (Head of Emergency Planning), Dave Ramscar (Chief Fire Officer), Jasmine Sodhi (Performance and Equalities Manager) and Louise Tyers (Scrutiny Officer)

22 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor S L W Palmer.

The Chief Executive reported that, having received notice under Regulation 13 of the Local Government (Committees and Political Groups Regulations 1990), that Councillor A Austin had been appointed as a replacement member on the Committee in place of Councillor S L W Palmer for this meeting only.

23 DECLARATIONS OF MEMBER'S INTERESTS

No declarations of Councillors' interests were declared at this stage of proceedings.

24 MINUTES OF THE MEETING HELD ON 15 JULY 2015

RESOLVED

That the minutes of the Community and Public Safety Scrutiny Committee meeting held on 15 July 2015, be signed by the Chairman as a correct record.

25 LINCOLNSHIRE ASSOCIATION OF LOCAL COUNCILS - UPDATE

Consideration was given to a report from the Chief Executive of the Lincolnshire Association of Local Councils (LALC), which provided the Committee with an update on the LALC activities in respect of support for local councils, partnership working with LCC and training provision during the period January 2015 – August 2015.

The Committee were advised that LALC training continued to grow year on year, and there had been demand for both established and new training topics. It was highlighted that there had been more attendees at training events than in previous years. The Chief Executive and her Assistant Chief Executive advised that they were now at their maximum level of sessions that could be dealt with effectively.

It was highlighted that the biggest problem that LALC faced was getting those who needed the training to attend training sessions. The vast majority of councillors and clerks were committed to transparent, accountable and effective management were always willing to attend training sessions, networking and sharing best practice. It was just a small minority of local councils where problems continued to arise as the result of poor administrative and procedural processes, where councillors and staff were resistant to change and progress, and as a result the council failed to function as a cohesive unit.

Thanks were extended to the County Council for their continued support towards training activities, and the active promotion of the need to work more closely with town and parish councils, and recognition of LALC's contribution to local governance.

During discussion, the Committee raised the following issues:-

- Non-parished areas becoming Town councils. It was noted that there was national engagement in this process, particularly with the current issue of devolving services. The Committee were advised that a petition containing signatures from at least 10% of the local population would be needed to establish a town council, if the petition was then valid the local authority would then carry out a community governance review to see if a local council should be created; and
- It was highlighted that currently there was a national campaign to try and remove business rates from public toilets. The campaign had arisen as the result of some district councils closing public toilets due to budget constraints, and as result some town and parish councils were now looking into taking over the running of them. However, because of the business rates applicable on these premises, it was making the process a huge financial burden to town and parish councils, and as a result a national campaign had been started by NALC to try and get the government to recognise this. One member confirmed that NKDC had closed all but one of their public toilets as they had been uneconomical to run. It was also noted that village halls also caused parish councils issues, as a parish council was not able to get business rate relief; as they were not a charity, this was again an area that needed changing. It was noted that some village halls were run by charitable organisations, and as a result there was no business rates to pay.

(Note: Councillor R Oxby wished it to be noted that he was Chairman of the Heighington Village Hall Committee).

- Some members of the Committee felt public toilets were very important to the general public and the lack of a presence of public toilets moving forward

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would mean that some sectors of the community would feel more vulnerable when venturing out. It was agreed that toilets were an essential rather than a luxury;

- Level of training for the Council Awards Scheme, it was noted that there was an Institute for Clerks, which brought the clerks some accreditation. It was reported that there was now a new course which had been updated to provide a certificate in Local Council Administration which had been aligned to a level three NVQ; and
- What made a failing council? It was highlighted that a council that had no policies or procedures in place would struggle and ultimately fail as no structured planning had been put in to place. It was highlighted that a failing council was a matter for National Government. An example of an excellent council was Mablethorpe Town Council who operated in a very open and transparent manner both in the way that they worked and with the information they made available on their website.

RESOLVED

That the report be noted.

26 EMERGENCY PLANNING - EXERCISE BARNES WALLIS - PUBLIC ENGAGING EXERCISE

The Committee gave consideration to a report from the Head of Emergency Planning, which provided information on the forthcoming Exercise Barnes Wallis (a civil emergency exercise planned for 12 November 2015), which would be a simulation of a wide area public engaging exercise to demonstrate how local community and voluntary responses could be integrated with that of the emergency services during an emergency situation.

It was reported that the value of the work of the resilience partnership was put to the test in 2013 with the tidal surge and the flooding in Boston. To this end the Local Resilience Forum led by the County Council would be running the exercise (simulation of the discovery of a large bomb) within the three communities of Anderby, Wyberton and 'The Suttons' to test the activation of their own community emergency plans, alongside the organised voluntary sector practising their own response roles under the coordination of the County Council. The exercise would help the council refine its own procedures for working and communicating with local communities and the voluntary sector, whilst promoting the benefits of 'community resilience' to a wider audience.

During discussion, the following issues were raised:-

- Attendance by members of the Committee at the exercise. The Head of Emergency Planning advised the Committee that anyone wanting to attend the Exercise should email him direct;
- EMAS – The Committee were advised that EMAS were unable to be involved, as they were already involved in a regional exercise;

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- Lessons learnt from the Boston flooding with regard to the problems encountered communicating with general public where English was not their first language. The Committee were reassured that there was access to interpreters, but the issue was still a challenge;
- Using volunteers to the best advantage. The Council was looking to introduce a system which would encourage people to become accredited volunteers;
- Whether due to the reduction in resources Lincolnshire had enough emergency services to deal with an emergency situation. The Committee were advised with the flooding in 2013, Lincolnshire had assistance from other fire crews, and that this situation would always be the case, as no authority would have the resources to deal with an incident on their own;
- The use of iphones and ipads to relay what's happening on the ground. It was confirmed that the Commander on the ground would make those decisions and then update the control centre accordingly. It was highlighted that the use of such equipment would be experimented with. It was reported that for the flood in Boston, emergency services used CCTV to assist them with what was happening on the ground. It was reported that the control centre for the exercise would be in Alford; and
- Caravans along the coast – One member referred to the implications of people living in caravans along the coast. The Chairman advised that a Task and Finish Group had previously looked at this issue. It was agreed that this item would be included on a future agenda.

RESOLVED

1. That the report presented be noted.
2. That a further report be presented to a future meeting of the Community and Public Safety Scrutiny Committee on the lessons learnt from Exercise Barnes Wallis.

27 LIBRARIES UPDATE

Consideration was given to a report from the Consultant in Public Health, which advised the Committee of the progress made since 3 February 2015 in implementing the decisions made on the future provision of libraries.

The Committee were advised that the procurement element of the project remained on time. Three bidders had submitted their initial written documents in August. A period of dialogue had then commenced which would continue into October with a final submission being required by 19 October 2015.

The final decision would then be taken by the Executive at its meeting on 1 December 2015; the Committee would undertake pre-decision scrutiny of the proposed decision at its planned meeting on 25 November 2015.

The Committee were advised that a 45 day consultation with all the 57 staff affected by the transfer of libraries to community hubs was now complete and that all staff

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within this cohort would be departing by the end of September 2015. A further consultation with temporary Area Managers was also complete and these staff would be leaving the Council at the end of October 2015. It was also highlighted that a Library and Heritage Service Senior Management restructure consultation was underway, the main purpose of the proposals was for the need to separate the joint management structure to enable the outsourcing of Library Services should a contract be awarded in December 2015.

Appendix A to the report provided the Committee with details of the Community Hub Implementation Phasing as at 3 August 2015. The Committee were updated on the following:-

- Bracebridge Heath, North Kesteven from Phase Two would be going live on 7 September 2015;
- Boultham, Lincoln from Phase Three would be going live on 21 September 2015;
- Kirton, Boston Borough from Phase Three last day of operation would be 1 October 2015.
- That there were still no leads from the community with regard to Conningsby/Tattershall, Skellingthorpe, Washingborough and The Deepings. It was however noted that an application was expected from a community group to operate The Deepings Library;
- That Holbeach and Spilsby would be run by the Co-op when they re-opened;
- That Pinchbeck had some problems with the building, and that some action would need to be taken before the premises re-opened;
- Confirmation was given that staff would TUPE across and that contractors had been given an initial list of the relevant staff;
- That opening times for Boultham Library would be from 9 to 5, five days a week, transferring all operations into the site;
- That reference books would be provided based on customer requirements, but further stock was available if required from the catalogue. The Consultant in Public Health agreed to look into an issue with regard to reference books at the Ermine library being removed outside of the meeting;
- Opening times and provision. The Committee were advised that the minimum requirement was for six hours, information relating to support was detailed on page 23 of the agenda; and
- Some members requested that a further report should be presented to a future meeting of the Committee relating to usage and performance.

The Chairman extended his thanks to the Consultant in Public Health for his informative update and he requested that the Committee should receive further updates regarding progress with the library service.

RESOLVED

That the report presented be noted.

28 QUARTER 1 PERFORMANCE - 1 APRIL TO 30 JUNE 2015

The Committee gave consideration to a report from the Performance and Equalities Manager, which presented the Quarter one data in a new style performance report measured against the Council Business Plan.

Members were reminded that in October of 2014, Corporate Management Board had supported a new Performance Management Framework for the Council which had included a proposal to use infographics for performance reporting against the Council Business Plan. Appendix A to the report listed the measures in the Council Business Plan that were within the remit of the Community and Public Safety Scrutiny Committee.

Members received a demonstration of how to access the performance information from off the Lincolnshire County Council website to aid them with their discussion. It was highlighted that the reporting was new and was still in the development stage, and the Committee were invited to make comments with regard to the presentation of the data.

Appendix B provided the Committee with performance data relating to the three commissioning strategies within the remit of the committee:-

- Protecting the Public
- Community Resilience; and
- Wellbeing.

During consideration of the performance information presented, the Committee raised the following issues:-

- That previous year's figures would be a useful addition so that the Committee could readily compare performance;
- That the landing page containing area should not contain ticks as this implied that all the targets had been met;
- Page 29, where a percentage was quoted, an explanation was needed so that members understood how the figures were calculated. Members were advised that for quarter two officers were being asked to provide numerator and denominator references;
- The use of national information to show how Lincolnshire was performing;
- The inclusion of exception reporting so that the Committee could identify what indicators were on line; and
- The Committee were reassured that although they were able to view the information electronically, it was easy to print hard copies from the web pages.

Overall, the Committee thought that the information presented was easier to read and follow, and the Committee extended their thanks to officers for all their hard work with the new performance data.

RESOLVED

That the report and comments raised be noted.

29 UPDATE ON THE TRADING STANDARDS SERVICE FOR
LINCOLNSHIRE - FINDING SOLUTIONS TO ENSURE EFFECTIVE AND
EFFICIENT DELIVERY

The Committee gave consideration to a report from the Safer Communities Manager, which provided an update on how the Trading Standards Service was managing following a 50% reduction in resources over the last four years. The report also detailed the priority setting process that had been adopted and the priorities that had been set for 2015/16.

It was highlighted that nationally all consumers requiring advice and assistance were now directed to the Citizens Advice Consumer Service. The service was government funded and provided advice by telephone, e-mail and through the web, and it was used as the main reporting portal for Trading Standard issues.

Even though the service had experience a 50% reduction in resources, adopting intelligence led approach, reorganising officers to meets needs and priorities in a flexible way and exploring alternative delivery methods had meant that the Trading Standards service in Lincolnshire had retained the ability to protect and safeguard the most vulnerable victims of consumer fraud whilst balancing their approach to monitoring and supporting a fair and safe trading economy.

It was highlighted that currently the service was awaiting the outcome of the three national reviews into the service and that Lincolnshire's views would be heard at a national level.

A short discussion ensued, from which the following issues were raised:-

- The need for a local service especially when vulnerable people were being targeted;
- Charging for carrier bags. The Committee were advised that the five pence charge applied to larger businesses employing 250 or more employees, and only applied to plastic bags. It was highlighted that smaller shops could in effect charge what they wanted;
- The need for health and safety aspects especially when services for gas/electric were being provided by rogue traders. The Committee were reassured that rogue traders would be picked up through the CAB helpline and from intelligence. This would be picked up and an appropriate response would be made. A concern was expressed that making cuts could result in increased risks happening. The Committee were advised that some things the consumer themselves could spot and those with the highest risk would be targeted. The service also used Lincs Alert as a way of informing and warning the public of issues. The service focussed on vulnerability and safety;
- Responsibility for blind fitting, the Committee were advised that if the property was rented then responsibility would rest with the landlord, but it was highlighted that responsibility also rested with the consumer as they had a duty to protect themselves.

The Committee were reassured that the Trading Standards Service in Lincolnshire had retained the ability to protect and safeguard the most vulnerable victims of consumer fraud, whilst balancing the Councils approach to monitoring and supporting a fair and safe trading economy.

RESOLVED

That the report be noted.

30 PROPOSED COURT CLOSURES CONSULTATION

Consideration was given to a report from the County Officer Public Protection, which informed the Committee about the Government's current consultation to rationalise the court estate across England and Wales. It was highlighted that the consultation proposed the closure of both Grantham and Skegness Magistrates Courts.

The Committee were referred to a paper circulated at the meeting which contained comments from Councillor Mark Whittington, Divisional member for Grantham Barrowby, and the Chairman and Vice-Chairman of the Lincolnshire Magistrates regarding the proposed closures.

It was reported that Lincolnshire currently had four Magistrates courts at Lincoln, Boston, Grantham and Skegness. The consultation had identified that Skegness and Grantham were being underutilised by 20% and 40% respectively, and were therefore not offering good value for money. The consultation document also identified the state of repair of the estate. Paragraph 1.1 to 1.9 of the report contained details of the key issues to the consultation document. Appendices A and B to the report provided the committee with copies of the consultation documents.

The Safer Communities Manager introduced the report from which the Committee made reference to the following issues:-

- Some concerns were expressed that the proposal was a backward step of more centralisation;
- Whether Lincoln and Boston would be able to cope with the extra case load. The Committee were advised that the Council's legal service had been contacted and they had indicated that they had not had any issues with Lincoln or Boston;
- The effect the travelling could have on witnesses and victims;
- The rurality of Lincolnshire and the implication for people attending court using public transport, as services were infrequent, long and costly;
- Members of the Committee were also encouraged to make an individual response to the consultation document;
- The potential for additional cost for the prisoner transport service; and
- Wastage of police time travelling further to courts.

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In conclusion, the Committee agreed to the Chairman, Vice-Chairman and the Scrutiny Officer formulating a response to the consultation document on behalf of the Committee, other interested parties, and suggestions included in the report presented. That a copy of the said response would then be emailed out to all members of the Committee, prior to it being submitted to HMCTS Consultation Ministry of Justice before 8 October.

RESOLVED

1. That the report be noted.
2. That the Chairman, Vice-Chairman of the Community and Public Safety Scrutiny Committee and the Scrutiny Officer be authorised to formulate a response on behalf of the Committee; and that a copy of the said response should be emailed to all members of the Committee prior to being submitted to HMCTS Consultation Ministry of Justice before the deadline of 8 October 2015.

31 COMMUNITY AND PUBLIC SAFETY SCRUTINY COMMITTEE WORK PROGRAMME

Consideration was given to a report from the Executive Director responsible for Democratic Services, which enabled the Committee to consider its Work Programme for the coming year.

The Scrutiny Officer presented the report which had detailed at Appendix A, a copy of the current Community and Public Safety Scrutiny Committee Work Programme.

The Committee were reminded that early on in the meeting a request had been made for a report concerning Emergency Planning issues relating to static caravan's sites; and that the PCSO's item would be reinstated on to the Committee's Work Programme.

RESOLVED

That the Work Programme presented be agreed subject to the inclusion of the two items mentioned above.

The meeting closed at 1.05 pm

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