

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD
6th September, 2017**

Present:- Councillor Steele (in the Chair); Councillors Brookes, Clark, Cowles, Evans, Napper, Sheppard, Short, Walsh and Wyatt.

Apologies for absence:- Apologies were received from Councillors Cusworth and Mallinder.

32. MINUTES OF THE PREVIOUS MEETING HELD ON 2ND AUGUST 2017

Resolved:-

That the minutes of the meeting held on 2nd August 2017 be agreed as a true and correct record of the proceedings.

33. DECLARATIONS OF INTEREST

There were no declarations of interest.

34. TO CONSIDER WHETHER THE PRESS AND PUBLIC SHOULD BE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF ANY PART OF THE AGENDA.

The Chair reported that there were no items on the agenda that would require the press or public to be excluded from the meeting.

35. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from the press or public.

36. CONSULTATION ON CHANGES TO POLICY FOR HOME TO SCHOOL TRANSPORT

Consideration was given to the report which sought approval to carry out consultation on all aspects of home to school transport in Rotherham.

The Council has a statutory duty under various Acts and Guidance to provide education transport to eligible students. Home to School Transport in Rotherham takes two main forms; the issue of passes on service buses and direct travel assistance. The Council spends approximately £3.3m per annum for 1,795 children and young people.

The report outlined benchmarking information with comparable unitary and city councils which identified that Rotherham is in the upper quartile of cost comparators, spending an average per student of £4,260. Rotherham also had the highest number of single occupancy journeys.

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Based on increasing school population and number of children and young people with Education, Health and Care Plans (EHCP) , it is anticipated that greater numbers of students will require transport to support attendance for educational provision. This raises the possibility of potential increased transport costs in the future.

In considering any changes to services, the Policy must contribute to the Council's priority of ensuring every child has the best start in life and the following principles:

- Safeguarding
- Promoting independence
- Choice
- Maximising attendance at school and arriving at school ready to learn
- Promoting healthy lifestyles
- Value for money and sustainability

The proposals outlined the following options for consultation:

- General eligibility for children and young people
- Independent travel training
- Personal travel budgets
- Post 16 transport policies
- Benefits related to mobility

Consultation would be undertaken with parents and carers; children and young people, schools, the Rotherham Parents Forum and other relevant stakeholders.

Discussion ensued on the report with the following issues raised/clarified:-

Support was given to the principle of independent travel training as a way of promoting independence and developing life skills. Assurances were sought that the independent travel training assessment reflects that level of support that the student requires based on their EHCP and in discussion with parents/carers and relevant agencies. Increasing numbers of local authorities are exploring the option of independent travel training and the use of third sector organisations to support this training was being explored;

Consultation will take place across transport providers including taxi-providers to seek views.

Parent/carers would also be consulted on the use of elements of Disability Living Allowances or mobility vehicles to encourage families to take their child to school. There would be a number of children and young people whose travel arrangements would remain unchanged, however, the

intention would be that the Policy would lead to greater choice and flexibility.

Resolved:-

1. That Cabinet be advised that the following recommendations be supported:-
 - That approval be given to carry out a consultation on all aspects of Home to School Transport in Rotherham;
 - That a further report be submitted to the Cabinet meeting in December 2017 detailing the outcome of the consultation exercise and presenting the recommended Policy options for approval.
2. That the proposals for changes to the Policy for Home to School Transport be submitted to this Board prior to its submission to Cabinet for decision.

37. INTRODUCTION OF A PUBLIC SPACES PROTECTION ORDER (PSPO) FOR ROTHERHAM TOWN CENTRE

Consideration was given to the report which sought approval for a Public Spaces Protection Order (PSPO) for a period of three years following consideration of the public consultation and relevant legal requirements.

Concerns had been raised by town centre businesses, the public and Ward members regarding anti-social behaviour (ASB) in Rotherham Town Centre and Clifton Park. Formal data from South Yorkshire Police has been collated to give an accurate reflection of reported incidents (824 in 2016); attached as Appendix 1. The majority of incidents (93%) take place during the day time which is likely to have a greater impact on local businesses and a larger number of people who visit or work in the town. A significant number of these reports relate to rowdy or considerate behaviour; with begging/vagrancy, vehicle nuisance and street drinking also highlighted as concerns.

Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) enables local authorities to address anti-social behaviours in public places by use of a PSPO. These orders are designed to tackle the behaviour of individuals or groups where their behaviours has, or is likely to have, a detrimental effect on the quality of life of those within the locality.

Following this process, 9 prohibitions setting out behavioural boundaries were consulted on. These are as follows:

- A. Behaving in such a way or using language that causes, or is likely to cause, harassment, alarm or distress to another person.
- B. Drinking alcohol other than in a licenced premises or event.

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- C. Spitting saliva or any other product from the mouth
- D. Face to face fundraising and marketing carried out by organisations without prior written permission of the Council.
- E. Failing to keep a dog on a leash and under control
- F. Using or carrying controlled drugs otherwise than in accordance with a valid prescription
- G. Littering
- H. Using a vehicle to cause a nuisance by gathering in groups, playing loud music or otherwise impacting the quality of life in the locality
- I. Urinating or defecating in a public place

These prohibitions were proposed to apply to all those living in or visiting the Town Centre and at all times and in all areas covered by the Town Centre and Clifton Park.

In order to fulfil the consultative requirements, the Council has undertaken a public consultation, which commenced on the 19th July 2017 and closed on the 16th August 2017. The consultation plan is attached as Appendix 2.

The consultation was publicised using various mechanisms including online, social media and traditional print and broadcast media. Feedback was invited primarily via the Council's website, as well as inviting feedback in the form of a questionnaire and comment box.

The Community Safety Unit also undertook a range of additional activities in order to capture as many views as possible. These activities included:

- A Members' seminar held on the 1st August
- Attendance at the Council's Overview and Scrutiny Management Board
- Two informal drop-in sessions, one within the Town Centre and another in Riverside House reception
- Attendance at the National Citizenship Scheme (both for under 16's and 16–18 year olds)
- Consultation with staff and colleagues working within the area
- Attendance at the Rotherham Youth Cabinet
- Visits to 82 town centre businesses

A full breakdown of responses to the consultation is provided attached as Appendix 3. In total, officers have gathered 525 responses through the various methods outlined above. Of those responses, 492 (93.7%) were in favour of the introduction of the PSPO. The online survey attracted a total of 151 respondents. Of these 126 (83%) were in favour of the Order.

Following the consultation, each of the prohibitions were recommended for inclusion in the order with the exception of:

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- Using or carrying controlled drugs otherwise than in accordance with a valid prescription
- Using a vehicle to cause a nuisance by gathering in groups, playing loud music or otherwise impacting the quality of life in the locality

A timetable for implementation will work towards enacting the PSPO on the 1st October 2017. Due to the risk posed by displacement of issues, with this Order focussing on the Town Centre only, it is furthermore recommended that a review is scheduled for 12 months post-implementation, during October 2018.

Discussion ensued on the report with the following issues raised/clarified:-

Concerns were raised about whether the response was sufficiently representative and the methodology underpinning the research was robust. The officer was satisfied that statutory requirements for consultation had been met and the response rate was in line with, if not better than, most public consultation exercises undertaken by the council.

Questions were asked in respect of the removal of the following prohibition of using a vehicle to cause a nuisance by gathering in groups, playing loud music or otherwise impacting the quality of life in the locality from the Order. Although assurances were given that its future inclusion would be reassessed following further evidence gathering and consultation, it was felt that this prohibition should be included in the current Order.

Enforcement of the Order would be carried out by defined personnel, including Police Constables, Police Community Safety Officer and designated RMBC staff or external agencies. Assurances were sought that guidance would be issued to all enforcement agencies to ensure that breaches to the Orders and issuing of any fines were dealt with consistently and transparently.

Concerns were expressed about the vulnerability of many of the people who may be subject to this Order, particularly in respect of street drinking or disorderly behaviour; further to this would the Order displace this problem to other parts of the Borough. Assurances were given that individuals would be referred to appropriate agencies for further support – e.g. Mental Health Service. The 12 month review would establish if the Order had displaced prohibited behaviours to other parts of the Borough outside of the defined area.

Resolved:-

1. That Cabinet be advised that the recommendations be supported, subject to the following insertion being made:

- That the condition of using a vehicle to cause a nuisance by gathering in groups, playing loud music or otherwise impacting the quality of life in the locality (as outlined in Paragraph 7.8) be included in the Order.
- That a single code of practice in respect of enforcement activity and issuing of penalties be adopted by the Council or any external body undertaking these functions on behalf of the Council.

2. That the post-implementation 12 month review be submitted to this Board for consideration.

38. SAFER ROTHERHAM PARTNERSHIP ANNUAL REPORT

Superintendent Steve Chapman (Operating Superintendent – South Yorkshire Police) with Sam Barstow, Head of Community Safety, Resilience and Emergency Planning, introduced the Annual Report on behalf of the Safer Rotherham Partnership (SRP).

The Annual Report provides a high level overview of SRP activity over the year; listing its priorities over the previous twelve months.

Details were provided of the in-depth reviews undertaken to provide assurance that the Partnership was working effectively. This has included a thorough review of domestic abuse cases, which examined how individual cases had been handled and areas of improvement. The SRP has also undergone a peer review by Blackburn with Darwin Council. This review provided a high level of assurance as to how the Partnership works. Areas of improvement included joint commissioning and engaging with communities.

Continued work across partners to address anti-social behaviour has led to a further reduction by 6% during 2016-17, which is in contrast to most other geographical areas. The Partnership has identified a number of areas of improvement including joint working processes and shared risk management. Although there is an overall reduction, there are types of ASB where there has been an increase, including environmental ASB and arson incidents.

South Yorkshire Police, along with other members of the Partnership, are strengthening and enhancing community policing within Rotherham. Neighbourhood Policing in Rotherham provides communities with teams of dedicated local Police Officers together with Police Community Support Officers, who listen to and work with the public, community groups, partner agencies and businesses to reduce crime, protect the vulnerable and enhance community safety through problem-solving approaches. The Council are also looking to drive this development through the way its services are delivered with the hope of implementing a neighbourhood working model in line with partners.

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The area of domestic abuse has also been subject to intensive scrutiny by Councillors, Commissioners and partners alike. This work has identified gaps in terms of the strategic direction of this priority, the Partnership focus and the need to work better together both operationally and in respect of commissioning.

The following areas of improvement have been identified:

- A joint strategy being pulled together across the Partnership
- A single process for people suffering domestic abuse being developed (RMBC)
- A proposal developed for a perpetrator programme across the county
- A significant improvement plan undertaken by Police following an inspection report

A bid for £1.3m of Government funds was made during the last financial year in order to help the Partnership address community tensions. This bid was successful and plans are in motion to put resources in place to begin delivery. The data at the end of this report shows a significant increase in hate crime reporting (37%). This is something that can also be seen nationally, to varying levels. During the financial year 2016/17, there were 138 hate crime awareness raising meetings and events delivered by the South Yorkshire Police (SYP) Hate Crime Co-ordinator and other partners. These sessions were delivered to partner agencies, voluntary and community sector organisations and communities. These aimed to build public confidence to report hate crimes and incidents to the Police.

Outcomes for victims of CSE increased by 15% for 2016 – 17. A number of police and partner operations have been taking place to identify those at risk, alongside locations. Partners have also been continuing to strengthen referral processes and partnership working practices. Services continue to develop positive relationships with those they work with as can be seen by the feedback provided. Additional work also includes;

- New multi-agency plan based on reviews/learning events
- 8 convictions for 16 CSE offences in November 2016
- Prosecution for online contacts and CSE offences

It was outlined that Rotherham has seen 15% increase in crime (compared with a 19% increase across South Yorkshire). The increase was attributed to the standardised way in which data was being collated. For example, incidents which were recorded previously as ASB are now recorded as crime.

The quality of investigations and satisfaction levels were identified as key areas of improvement. The level of confidence in SYP's visibility and engagements has decreased but it was felt that changes to neighbourhood policing would improve this. A clear focus was improving victim care, including the standard and timeliness of feedback to victims of crime.

Discussion ensued on the report with the following issues raised/clarified:-

Concerns were expressed at the layout of the report, accessibility of its language for the general public and level of detail. A suggestion was made that contact details, linked to priorities, should be included in future reports to assist the public to report incidents. A request was made to report crime/ASB statistics over a longer period to identify trends (for example a five year period) with information broken down at a Ward level

Questions were asked about the non-attendance of SRP members and if there were barriers which hindered their participation and engagement. A commitment was given to exploring this further.

Whilst there had been an average increase of 15%, concerns were raised that there were areas where the increases were significantly higher; particularly in the area of sexual offences. This was viewed as a positive development as it indicated increased reporting of incidents. However, repeat incidents continued to be a concern. New developments such as cyber-crime, were showing an increase. In respect of hate crime relating to ethnicity, over 80% of reported incidents were experienced by people from the BME communities in Rotherham.

Concerns were raised about the timeliness of responses to 101 calls and the ability of the police to respond to reports of anti-social off-road biking. Assurances were given of improvements to the 101 services and details outlined of how agencies tackle nuisance off-road biking.

Resolved:-

1. That the report be noted.
2. That consideration be given to including contact details for support services and ensuring that the language and layout are accessible in future SRP annual reports.
3. That a further report be provided detailing key areas of SRP improvement and performance; with a breakdown of data at a Ward level and crime/ASB trends over a five year period.

39. TO DETERMINE ANY ITEM WHICH THE CHAIRMAN IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY.

The Chair reported that there were no urgent items that required the Board's consideration at the meeting.

40. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next scheduled meeting be held on Wednesday 27th September 2017 at 11.00a.m.