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Agenda Item No: 8

Bristol City Council
Minutes of Neighbourhoods Scrutiny Commission
Thursday 16th April 2015 at 10.00am

Neighbourhoods Scrutiny Commission Members Present:-

Councillors Lovell (Chair), Harvey (Vice-Chair), Fodor, Greaves, Hance, Janke and Melias

People Scrutiny Commission Members Present: Councillor Lesley Alexander (Chair), Councillor Rob Telford (Vice-Chair), Jenny Smith

Officers in Attendance:- Alison Comley – Strategic Director (Neighbourhoods), Di Robinson (Service Director – Neighbourhoods and Communities), Kate Murray (Head of Libraries), Nick Hooper (Service Director – Strategic Housing), Stuart Pattison (Crime Reduction Manager), Richard Fletcher (Neighbourhood Engagement Manager), Anne James (Equalities and Community Cohesion Team Leader), Nick Carter (Regulatory Services Manager), Romaine De Fonseca (Policy Adviser – Scrutiny), Jeremy Livitt (Democratic Services Officer)

Also In Attendance: Councillor Daniella Radice – Assistant Mayor for Neighbourhoods and Councillor Glenise Morgan – Cabinet Adviser to the Assistant Mayor

47. Apologies for Absence (Agenda Item 1)

Apologies for Absence were received from Councillors Frost and Tincknell (Neighbourhoods Scrutiny Commission) and Councillors Campion-Smith, Kirk and Jethwa and John Swainston (Diocesan Co-opted).

48. Public Forum (Agenda Item 2)

Members noted that the following Public Forum statements:

- (1) Restorative Justice – Councillor Christian Martin (Clifton and Clifton East Ward)
- (2) ASB in Parks and Green Spaces – Councillor Mark Wright (Cabot Ward)
- (3) Report and Recommendations from Scrutiny Inquiry Day “How do We Keep Our Parks and Green Spaces safe for everyone?” – Rob Acton-Campbell, Friends of Troopers Hill

- (4) Report and Recommendations from Scrutiny Inquiry Day “How Do We Keep Our Parks and Green Spaces Safe for Everyone?” – Fraser Bridgeford, Bristol Parks Forum

In making his statement, Fraser Bridgeford expressed concern that there had been very slow progress on this issue since the Inquiry Day and as yet no indication of any analysis of the recommendations drawn up in the subsequent report. He expressed the hope that progress on this issue could be reported by any Councillor or officer attendees at the Bristol Parks Forum. The Chair acknowledged there had been some delay as there were only a limited number of dates available for the Scrutiny Commission to progress the work when the Work Programme was set at the beginning of the Municipal Year. He gave an undertaking that the Parks Forum would be a key partner in driving any recommendations forward.

49. Declarations of Interest (Agenda Item 3)

There were none.

50. Minutes of the Neighbourhoods and Communities Scrutiny Commission – 8th December 2014 (Agenda Item 4)

Resolved – that the minutes of the above meeting be signed and confirmed as a correct record by the Chair.

51. Action Sheet – 8th December 2014 (Agenda Item 5)

Resolved – that the above Action Sheet be noted.

52. Whipping (Agenda Item 6)

It was noted that no notice had been given concerning use of the party whip for any item.

53. Chair’s Business (Agenda Item 7)

The Chair raised no business under this item.

54. Safer Bristol: 2014/15 Review of Spending On Crime Reduction Projects (CRP) (Funded by PCC Community Safety) (Agenda Item 8)

The Crime Reduction Manager made the following points:

- (1) Grants had been awarded to new projects – these involved working with the Police and Crime Commissioner to address behaviour
- (2) The Year End output on these projects was set out
- (3) Pages 19 and 20 set out the projects that were agreed
- (4) The report gave details of a new service providing new advocacy report

It was noted that there was an ongoing discussion with the Office of the Police & Crime Commissioner (PCC) to see if future contracts could be extended to 3 years (from 12 months) to create greater funding certainty and better achievement of outcomes of programmes, and to open up to a wider cross-section of organisations within the city.

In response to Members' questions, officers made the following responses:

- (1) Areas such as Community Tagging, increased drug use in certain parks and the problems of mental illness faced by ethnic minorities and asylum seekers would continue to be delivered through mainstream funding, as opposed to a specific CRP;
- (2) Councillors' concerns were noted that the restorative approach was not being used as much as it could (ie the process of enforcement and warnings did not operate). However, CRP grants were designed to deal with specific needs and were one aspect of a multi-faceted approach;
- (3) Officers were asked to liaise with the CCG in relation to unsuccessful bids ie the mental health impact project.

Resolved – that the report be noted.

55 Anti-Social Behaviour Policing and Crime Act 2014 – Update (Agenda Item 9)

The Crime Reduction Manager introduced a report setting out the local implementation arrangements arising from commencement of the Anti-Social Behaviour, Crime and Policing Act 2014. He made the following points:

- (1) The Neighbourhoods Directorate scheme of delegation had been amended such that the new powers could be utilised by officers. The new powers have a focus on empowering victims;
- (2) The majority of issues would be dealt with through informal measures, as they were previously, rather than the tools set out within this Act;
- (3) The Legislation both gave powers to ensure certain types of behaviour stopped and also requiring individuals to take certain positive actions;
- (4) Community Trigger – 11 requests to use this power had so far been received. 80% of requests had met the specified threshold, resulting in an additional multi-agency review. The majority of these issues related to harassment, noise nuisance and criminal drugs activity. A significant number of triggers were due to individuals with mental health issues;
- (5) There would also be further training for GPs;
- (6) In certain situations, Criminal Behaviour Orders (CBO's) would need to be considered by PSP Sub-Committee – there would need to be a consultation process for members of the public for provision in certain areas;

In response to members' questions, the Crime Prevention Manager made the following points:

- (7) Issues were usually reported through the Police, the Local Authority or through calling 101;
- (8) Members of the public can report problems anonymously;
- (9) The Police had used the powers to good effect – in relation to dispersal powers to move on drinkers;
- (10) It was noted that a PSP Order had been requested by the St George Neighbourhood Partnership;
- (11) Governance arrangements are via Safer Bristol Partnership;
- (12) It was hoped that training for Councillors would be provided as part of a general training session for new Councillors after 7th May;
- (13) The process by which a Fixed Penalty Notice could be triggered was explained.

56 Report and Recommendations from Scrutiny Inquiry Day “How Do We Keep Our Parks and Green Spaces Safe for Everyone?” (Agenda Item 10)

The Policy Advisor drew members’ attention to the report and requested that the Scrutiny Commission discuss and agree the findings. The Assistant Mayor referred to her response which was contained in the report. She indicated that the Inquiry Day had been very helpful. She did indicate that she agreed with Councillor Mark Wright’s statement disagreeing with the byelaw for climbing and commenting that there were difficult issues to resolve concerning the byelaws for fires and cooking.

The Commission noted the following:

- (1) This report needed to be reflected within the Communications Strategy;
- (2) Once signed off, this would require work to be carried out in terms of Parks and Community Safety, as well as work with the public. It was noted that the process would require discussions with key stakeholders.

The Commission then discussed a number of specific byelaws and gave its views on each of them as follows:

(a) That the following byelaws should be approved:

Cycling “No person shall ride a cycle in the ground in such a manner as to cause danger or reasonable fear or injury to any other person” – retained for review

Excessive Noise “ 1. No person shall, after being requested to desist by any other person, make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground by: (a) shouting or singing (b) playing on a musical instrument (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device

(b) Byelaw 32(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council
(ie with the words “in the ground” being removed from the proposed byelaw)

In discussing this issue, the Scrutiny Commission took account of the views of Fraser Bridgford, Bristol Parks Forum who also participated in the discussion on this item.

The Scrutiny Commission also proposed that the following byelaws should be removed – relating to:

Climbing

Children's Play Areas

Children's Play Apparatus

Skateboarding, etc.

Ball Games

It was noted that some of the behaviour referred to in the proposed byelaws could already be dealt with under new ASB legislation "ie conduct that causes or is likely to cause harassment or distress". A problem-solving approach was crucial in the cases outlined. However, it was also acknowledged that, in certain situations, byelaws were important for giving the Police the power to intervene quickly if there is a byelaw.

It was noted that the report would be discussed at full Council on 21st July 2015.

Resolved – that the Scrutiny Commission agrees and adopts the Inquiry Day Report and Recommendations, which are:

(1) to review the proposed list of byelaws (attached to the report at Appendix 5) in line with the principles stated in the report, with a view to revising the wording and with the overall aim of adopting the byelaws where a problem solving approach is not effective;

(2) To consider the use of the ASB legislation to tackle problems where this is more appropriate than the use of byelaws

(3) To clarify and promote the measures that are in place to address issues around dogs and dog fouling

(4) To develop a clear communications strategy to ensure that there is no public confusion and to ensure that people are not deterred from using parks and green spaces. Communications expertise will be required to lead the development of this

(4) To ensure that reports are brought back to the Neighbourhoods Scrutiny Commission on an agreed time lined costed plan setting out the implementation of these recommendations, the impact of these recommendations and any legal or other action taken under the byelaws.

The Regulatory Services Manager introduced this report and advised the Commission that, once approved by full Council, the Licensing Policy would be approved for 5 years.

Resolved:

- (a) That Councillor Fi Hance be nominated to present the report recommending the adoption of a new Statement of Licensing Policy to Full Council on 21st July 2015**
- (b) That Councillors Hance, Melias, Fodor and Shah be thanked for their assistance in considering the proposed Licensing Policy.**

58 Libraries for the Future – Update Briefing (Agenda Item 12)

The Head of Libraries introduced this report and gave a presentation which included the following points:

- (1) Details of Cabinet's decision in March 2015 were set out;
- (2) A confirmation that no libraries will be at risk of closure before April 2016;
- (3) An overview of the core service offer, as approved by Cabinet in March 2015;
- (4) Details of proposals for each of the 3 groups, including the 7 libraries not in group 1 or 2 (ie where alternative models are needed);
- (5) Reminder of national findings and recommendations from 5 years of research;
- (6) Facts for Bristol in comparison with other cities, concerning population , the number of libraries, the number of active borrowers and this number as a percentage of the population;
- (7) Details of how money is currently spent across each library in the city;
- (8) The methodology and an update on the consultation process;
- (9) Options development;
- (10) What ideas there are for doing things differently?
- (11) An overview of the timeline for the next phase.

In response to members' questions, officers made the following points:

- (12) Officers understood that there had been confusion as to why certain libraries were in particular categories – further information had been placed on the website and circulated via social media – however, these would be checked to ensure that they had gone to Councillors;
- (13) The core offer set out a framework for delivery in a wider range of areas in disadvantaged communities;
- (14) Issues unrelated to libraries were being raised as part of the consultation process;
- (15) It was acknowledged that the Boundary Commission would have an impact;
- (16) People should be encouraged to contribute as appropriate, including on twitter.

Resolved – that the report and presentation be noted.

59 Equalities Action Plan (Agenda Item 13)

The Equality and Community Cohesion Team Leader introduced this report. She explained that, under this plan, at least 1 objective would be reviewed every 3 years. She made the following additional points:

- (1) The focus was on good relations between communities
- (2) Quarter 4 had not yet been completed but the latest situation was reported – this area of work would shortly be transferred to another Scrutiny Commission;
- (3) Objective 2: promote a Fair and Safe Working Environment were being met through measures such as e-learning;
- (4) Theme 2 – services to be accessible and meeting the needs of the most vulnerable in the city's communities. One key issue was relating to people with learning difficulties who suffered from sexual violence;
- (5) Objective 6 – Paul Taylor would be talking to BME communities in relation to this;
- (6) Another key issue related to access of parks and cafes for people with autism – in relation to this, work was being done to identify 13 places in each Neighbourhood Partnership that these groups could go to;
- (7) Within the Council's Corporate Plan, there is a strand to reduce inequality;

In response to members' questions, officers made the following points:

- (8) The rationale for transferring this area of work to another Scrutiny Commission was that there was now a Policy and Business Unit which equalities was at the heart of;
- (9) The drop in the Stonewall Rating was due to the lack of a continuing dedicated resource in this area – Bristol City Council was no longer in the Top 20 but remained in Top 100.

Resolved – that Themes 1 and 2 should be more clearly spelt out in the Appendix and that it is noted that this document will now be within the remit of the Overview and Scrutiny Management Board for scrutiny purposes.

60 Work Programme (Agenda Item 14)

The Commission discussed which areas of work could be considered for discussion for the 2015/16 Neighbourhoods Scrutiny Commission at the Planning Day. It was noted that Libraries + Parks and Green Spaces had already been included.

Resolved: that, in addition to those items already indicated above, the following items be added to the list of items for discussion as future Scrutiny Commission Work Programme items at the forthcoming OSM Planning day – Public Toilets to agree arrangements for ongoing monitoring of outcomes from the 2nd Waste Inquiry Day.

The meeting ended at 12.30pm

CHAIR