

**MINUTES OF A MEETING OF THE SCRUTINY MANAGEMENT TEAM  
HELD AT THE TOWN HALL, NELSON  
ON 26<sup>TH</sup> JANUARY, 2016**

*PRESENT –*

*His Worship the Mayor Councillor N. Ahmed  
Councillor C. Wakeford – Chairman (In the Chair)*

***Councillors***

*M. Adams  
S. Benson*

*W. Blackburn  
S. Wicks*

***Also present***

*Councillor D. Whipp     Council's representative on the Lancashire Police and Crime Panel*

***Officers in attendance***

<i>P. Mousdale</i>	<i>Corporate Director</i>
<i>G. Whitehead</i>	<i>Community Protection and Localities Manager</i>
<i>T. Horsley</i>	<i>Community Protection Co-ordinator</i>
<i>L. Rowland</i>	<i>Committee Administrator</i>

*(Apologies for absence were received from Councillors K. Hartley, A. Mahmood and N. McEvoy.)*



**42.    DECLARATION OF INTERESTS**

Members were reminded of the legal requirements concerning the declaration of interests and that whipping declarations were also required.

**43.    PUBLIC QUESTION TIME**

There were no questions from members of the public.

**44.    MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 20<sup>th</sup> October, 2015 be approved as a correct record and signed by the Chairman.

**45.    COMMUNITY SAFETY PARTNERSHIP UPDATE**

The Council's Lead for Community Safety gave a presentation on the work of the Community Safety Partnership over the last six months. He provided details on the priorities for Pendle and reported on the crime figures to December, 2015.

He explained that a Partnership Plan was being developed to address the challenges that the Partnership faced over the next three years. He also made reference to the Police Early Action Team and the Transforming Lives Programme.

Following the presentation he answered questions on a number of issues including the Partnership's interaction with mental health services; anti-social behaviour and road safety issues in areas of Brierfield; and substance misuse.

#### **46. COUNTRYSIDE ACCESS STRATEGY**

The Neighbourhood Services Manager submitted an update on the implementation of the Countryside Access Strategy 2014-18. There were four main objectives for the strategy and the performance against these objectives was detailed in the briefing note. Progress on specific actions in the strategy was also provided.

It was reported that with effect from 1<sup>st</sup> April, 2015 an agreement with Lancashire County Council (LCC) for Pendle Council to carry out public rights of way management had ended, along with annual funding for the function. Since this date, Pendle Council had worked on rights of way matters on an informal arrangement with LCC. However, work was ongoing in establishing a new agreement or alternative for Pendle Council to deliver the statutory public rights of way duties.

#### **47. REVIEW PLANNING**

##### **Council's policies for safeguarding adults**

A review of the Council's policies for safeguarding vulnerable people had been included in the Team's work programme for this year. The Council's Family Support and Safeguarding of Children Policy had been considered at the October meeting of this Team. Members were now asked to comment on the Safeguarding Adults Policy, prior to its adoption by the Council.

The Policy had been developed in line with a legislative framework which had been introduced in the Care Act 2014. It was a concise version of the Pan-Lancashire and Cumbria Policy and included a flowchart for action, as with the Family Support and Safeguarding Children Policy. It was envisaged that, like the Children's Policy, it would be a joint policy between Pendle Council, Liberata and Pendle Leisure Trust.

The Team was reminded that elected Members had been involved in the development of the Policy. This had included discussions with the Health and Wellbeing and Disability and Mental Health portfolio holders and the delivery of a presentation to Members prior to the Full Council meeting in December, 2015.

To ensure that all members of staff were aware of the Council's duties and requirements they would be required to complete an e-learning package by the Lancashire Safeguarding Adults Board.

#### **RESOLVED**

That the contents of the Safeguarding Adults Policy be noted.

#### **48. REVIEW MONITORING**

##### **Promoting Pendle**

The Corporate Director submitted a report that was considered by the Executive at its December, 2015 meeting. The report provided an assessment of the impact of the Tour of Britain Cycle Race which had been held in September of last year. It gave details of the media coverage; presented an assessment of the economic impact for the area; outlined work on a new Tour of Britain Legacy Cycling Strategy; and gave details of the final cost of holding the event.

Reference was made to the findings of the recent Corporate Peer Challenge and a specific recommendation to 'create a strong narrative for Pendle as a place'. This, together with other recommendations, would be considered by a Task and Finish Group which had been established to develop an Action Plan to deal with the issues raised. In the meantime 'footers' promoting Pendle had been added to external emails. These would be rotated on a regular basis.

## **RESOLVED**

That a quarterly update on the work of the Task and Finish Group established to deal with the issues raised during the recent Corporate Peer Challenge, be submitted to this Team.

### **49. COMMUNITY PROTECTION NOTICES AND PUBLIC SPACE PROTECTION ORDERS**

Further to a light touch review on the process of issuing Community Protection Notices and Public Space Protection Orders under the new Anti-Social Behaviour, Crime and Policing Act 2014 being included in the Team's work programme, the Council's Community Protection Coordinator presented a report for consideration.

He began by providing information on the various sections of the Act and the parts of the legislation that impacted on the Council. These related to anti-social behaviour (ASB) matters and replaced 19 existing powers targeted at types of ASB with more generic powers targeted at general problem solving.

A list of the new powers was provided in the report. Some of the powers were available to the Police, the Council and housing providers, whereas others were only available to one or two of these organisations.

The government had provided statutory guidance to the new powers and in it recognised that they would not be a substitute for good case management. This was a view already held by the Council and therefore, the overwhelming majority of cases dealt with had been resolved through early intervention and negotiation. However, in some cases legal action had been necessary. The number of actions taken with regard to each specific power was detailed in the report. A further 15 cases were reported at the meeting.

In line with the review topic, detailed information was provided on Public Space Protection Orders (PSPOs) and Community Protection Notices (CPNs). It was explained that PSPOs were available to the district council only. CPNs could be issued by the Council, Police and a person designated by the Council, such as officers of housing providers. However, Lancashire Constabulary had declined to take up use of the power, although it was committed to supporting local authorities. Housing providers in Pendle had adopted a similar approach.

Therefore, and in view of future proposals, there had been an increased volume of work to the Council.

A proposal to make a single PSPO to replace existing dog control orders and to enforce a ban on dogs and on smoking in children's play areas and multi-use games areas was currently out to

public consultation with a view to the PSPO being in place from April 2016. There was also a timetable for the following two years to introduce individual PSPOs for the Council's eleven parks. In addition, over the next two years, the Council would need to review and convert its five town centre Designated Public Place Orders and Gating Orders to PSPOs.

## **RESOLVED**

That the impact for the Council of the Anti-Social Behaviour Crime and Policing Act 2014 be noted and the light touch review be concluded.

### **50. POLICE AND CRIME PANEL UPDATE**

Councillor D. Whipp, the Council's representative on the Lancashire Police and Crime Panel provided an update on the work of the Panel.

He began by circulating a report that had been considered at their January meeting, which set out the latest financial position for the Police and Crime budgets in Lancashire for 2016/17. This included a proposal to increase the council tax precept by 1.99%, which had been subject to a public and stakeholder consultation. The Panel had considered the report, including the outcome of the consultation, and had agreed with the proposal.

The Panel had also reviewed its impact and effectiveness in scrutinising the work of the Commissioner in monitoring the police. At its March meeting, the Panel was going to look at how complaints regarding the police were monitored. Future work included scrutiny of the differences in response times in busy urban areas and quieter areas. An update on progress would be reported to a future meeting.

### **51. HEALTH AND SOCIAL CARE SCRUTINY PANEL**

The minutes of a meeting of the Health and Social Care Scrutiny Panel held on 17<sup>th</sup> November, 2015 and the draft minutes of the meeting held on 12<sup>th</sup> January, 2016 were submitted for information.

### **52. 2015/16 WORK PROGRAMME**

Further to the request of this Team, a further invitation for suggestions for topics for inclusion in the scrutiny work programme had been made via the press and social media. Committee Services submitted a briefing note on the suggestions received and a discussion was held on each suggested topic. It was noted that, where appropriate, topics had been referred directly to the responsible department/organisation on receipt and in some cases had been resolved prior to the meeting.

## **RESOLVED**

- (1) That a briefing note on Pendle Council's response to the December 2015 flooding incidents be submitted to the March meeting of this Team.
- (2) That the behaviour of enforcement officers (formerly known as bailiffs) be added to the Team's work programme for scrutiny in 2016/17.
- (3) That, taking into account the work of previous panels on litter and detritus, a scrutiny review of littering be included in the Team's work programme for 2016/17.

- (4) That Colne Town Council be asked to provide feedback on the success or otherwise of the community toilet scheme in Colne.
- (5) That, subject to the outcome of a scrutiny review currently being carried out by Lancashire County Council, the topic of the impact of upper tier authorities on planning matters be considered for inclusion in this Team's 2016/17 work programme.

**53. EXECUTIVE WORK PROGRAMME/FORWARD PLAN**

The Executive Work Programme and Forward Plan for the four month period commencing 1<sup>st</sup> February, 2016 was submitted for consideration.

**54. WORK PLAN**

The Team's annual work plan was submitted for information.

CHAIRMAN \_\_\_\_\_