

NORTHUMBERLAND COUNTY COUNCIL

COMMUNITIES AND PLACE OVERVIEW AND SCRUTINY COMMITTEE

At a virtual meeting of the **Communities and Place Overview and Scrutiny Committee** on Wednesday, 3 February 2021 at 2.00 p.m.

PRESENT

Councillor J. Reid
(Chair, in the Chair)

MEMBERS

Cartie, E.	Gibson, R.
Dunbar, C.	Hepple, A.
Dunn, E.	Horncastle, C.
Gallacher, B.	Stow, K.

CABINET MEMBER

Riddle, J.R.	Planning, Housing & Resilience
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OFFICERS IN ATTENDANCE

J. Dennitts-Seal	Corporate Complaints Manager
R. O'Farrell	Executive Director of Corporate Resources - Planning & Economy
A. Mitchell	Director of Corporate Governance
S. Nicholson	Scrutiny Co-Ordinator
P. Soderquest	Head of Housing and Public Protection
N. Turnbull	Democratic Services Officer

75. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Armstrong.

76. FORWARD PLAN OF CABINET DECISIONS

The Committee considered the Forward Plan of key decisions (February to May 2021). (Schedule enclosed with the signed minutes as Appendix A).

RESOLVED that the report be noted.

77. OVERVIEW

77.1 Customer Corporate Complaints

The report provided an overview of Customer Complaints for the last financial year, 1 April 2019 to 31 March 2020. Additionally, the report covered some of the findings of the review of the Council's current Corporate Complaints reporting mechanisms and provided reassurance around future improvement plans. (A copy of the report is attached to the signed minutes as Appendix D).

Julie-Dennitts-Seal, Corporate Complaints Manager, explained that she had been in post approximately 12 months and outlined the key findings of the review that had been taking place under the Complaints Improvement Framework and Ombudsman guidance. These included:

- The current software system was outdated and inappropriate for case management with many staff managing caseloads using spreadsheets. It was therefore unreliable for performance data. It was proposed that a new system be procured.
- Staff were engaged, attempted to resolve issues at a local level, acknowledgements were issued within 3 working days and forms were compliant with the Complaints Handling Procedure model.
- Proposals for a centralised complaints team.
- Refresh the suite of complaint policies.

Information was provided of the number of stage 1 and stage 2 complaints and numbers closed within timescale, as well as a comparison with data for 2018/19.

Brief details were also given of the 9 cases that had been upheld by the Local Government and Social Care Ombudsman. This equated to 35% of the complaints accepted for investigation (25) and was significantly lower than the 56% average for similar authorities.

Whilst she acknowledged that more complaints had been received during the previous year, this could be viewed in a positive manner in that the Council was more active on social media, it was more accessible and that residents understood how to contact the council and make a complaint.

The following information was provided in response to questions:

- Information be circulated by email to all committee members regarding periods where there was a spike in numbers and relating to a particular area.
- She had many years' experience of systems used in other organisations including another local authority and a NHS trust. Comparison was also being made with neighboring councils, including Newcastle City Council and North Tyneside Council.

- Recruitment of the right individuals and a change of culture, to be proactive and learn from feedback, was key to successful resolution of complaints.
- The data excluded complaints regarding Town and Parish Councils, which were dealt with separately by the Monitoring Officer.
- The service plan included a satisfaction check. Surveys previously used by the Ombudsman had been revoked due the possibility of skewed results depending on the actual outcome of a complaint.
- It was not unexpected that the Ombudsman's complaints related to some of the largest departments including planning, local services, education and children's services. It was hoped that these cases had led to a review of systems and change of process or policies, if required. No large sums of financial redress had been required. Compensation was paid from the department's budget.
- There should be sufficient progress to be able to give a meaningful update in 6 months or more, depending on the timing of local government elections. These were currently expected in May 2021 and would require the agreement of future committee members.

Members welcomed the fresh and positive approach to dealing with complaints and hoped that this could be spread across the organisation.

RESOLVED that:

1. The information be noted.
2. An update be provided to the Communities and Place OSC in approximately 6 months, depending on the timing of local government elections and the agreement of future members of the committee.

77.2 The Council's Response to Anti-Social Behaviour in 2020

The report informed the Committee of the approaches adopted by the Council and partners in response to reports of anti-social behaviour (ASB) during 2020. (A copy of the report is attached to the signed minutes as Appendix C).

Philip Soderquest, Head of Housing and Public Protection, gave a detailed summary of the report which included the legal definition of anti-social behaviour, as set out in the Anti-Social Behaviour, Crime and Policing Act 2014, how the service was delivered, composition of the team, application of powers, partnership working, use of Victim Offender Location (VOL) meetings with escalation to Anti-Social behaviour Risk Assessment Conference (ASBRAC), if required.

The report compared the numbers of complaints in the different categories for 2017-18, 2018-19, 2019-20 and 01.04.20 – 31.10.20. It was recognised that, although the latest figures were only for the first 7-month period of 2020/21, they were relatively high when compared with the figures for previous years. It was expected that there would be a significant increase in the numbers of complaints for 2020/21.

Categories where a lot of complaints had been made included: intimidation or harassment, rowdy or inconsiderate behaviour and noise nuisance. It was believed that this was partly down to people spending more time in their own homes and being less tolerant, due to the Covid-19 pandemic and national lockdown restrictions. The increase in numbers of complaints being experienced in other areas.

The Head of Housing and Public Protection explained how the restrictions arising from the first national lockdown on 23 March 2020 until July 2020, when staff had been working from home, had impacted on the normal physical delivery of the service. This had changed when national guidance had been released and enabled some aspects of service provision to be re-introduced, including; placement of noise equipment in residents homes, site visits for high risk cases, supporting resolution of complaints by telephone discussion and mediation to prevent escalation of community tension.

Other activity during 2020 had included a three-yearly review of Public Space Protection Orders concerning consumption of alcohol in public places which might lead to anti-social behaviour, nuisance or annoyance. Two new areas had been included, Ponteland and Wylam, whilst two areas previously covered had been removed.

The report also included information on performance indicators, response to youth disorder and targeting and intervention with lead individuals, work in relation to the Violence Reduction Unit, and nitrous oxide substance misuse, responsibility for which rested with the Police and Crime Commissioner and police, with the Council working in partnership, where appropriate.

He provided the following clarification in response to questions from members:

- Issues regarding NCC housing were dealt with by the Council's Housing team, with referrals being made to other housing providers, until their powers were exhausted, whilst the Community Safety Team responded to other housing complaints.
- The Council's housing service had obtained Domestic Abuse Housing Alliance (DAHA) accreditation which had meant that all staff had received training to recognise signs of domestic abuse and know when to make a referral.
- Different issues had emerged during the latest lockdown, compared to the first. Many businesses initially had not been prepared to provide a click and collect service and had since made changes to their operating models. In March 2020 there were hardly many businesses open and far less movements by residents, compared with the latest position. Businesses were mainly compliant with lockdown rules. There was a high level of compliance with restrictions by members of the public, but the level of weariness and frustration had increased with a small minority of residents creating issues and challenges.
- The report had initially been prepared for a meeting before Christmas, which was why figures were only included up to 31 October 2020. It was not anticipated that the increase in the number of complaints, believed to

be attributable to the pandemic, would continue as an increasing trend in future years, beyond the pandemic.

- Complaints regarding speeding vehicles were referred to the Police.
- Further information on an instance of inappropriate sexual behaviour would be obtained and investigated outside of the meeting.
- CCTV was a useful tool, although there were limitations on when this could be deployed, requiring a level of evidence and availability of staff resources. There were concerns that, anti-social behaviour arising from the consumption of alcohol was displaced elsewhere.
- Designated Public Places Orders (DPPOs) were superseded by PSPOs, a broadly similar mechanism to deal with anti-social behaviour arising from alcohol consumption.
- The report covered the period 1 April 2020 to 31 October 2020 and therefore complaints regarding inappropriate use of fireworks fell outside the reporting period.
- Incidents of fly tipping were recorded elsewhere.
- Category 1 incidents were of high priority and determined by national guidance with a target being that they should be responded to within 3 working days.

Members expressed their appreciation to the Community Safety Team for their continued hard work during the pandemic, and positive outcomes. However, they were concerned that there were no age restrictions for the sale of nitrous oxide. The Head of Housing and Public Protection suggested that members comments be forwarded to the Office for Product Safety and Standards (OPSS).

RESOLVED that:

1. The report be received.
2. The concerns of the Communities and Place OSC on the sale of nitrous oxide and the introduction of an age restriction, be referred to the Office for Product Safety and Standards.

77.3 Environmental enforcement and public engagement activities in 2020

The report informed the Committee of environmental enforcement and associated public engagement activities during 2020, including headline statistics. A copy of the report is attached to the signed minutes as Appendix E).

Philip Soderquest, Head of Housing and Public Protection, outlined the report, emphasising the use of the four 'E's': engagement, education, encouragement and enforcement, to seek behavioural change.

Activities during the year had been limited by the Covid 19 pandemic which had meant that educational visits to schools and the Green Dog Walker programme had been unable to take place. There was also a backlog of

prosecutions, with courts not having reopened until September 2020. Investigations had also been delayed by the lack of a Police and Criminal Evidence (PACE) interview room which met Covid Safe requirements. This had now been constructed in October 2020.

Data was provided for 2020 in the following categories for each of the five local area councils:

- New Green Dog Walker members
- Dog fouling, dog control and animal welfare complaints.
- Enforcement actions for dog/animal control.
- Fly tipping incidents, investigations, and enforcement statistics.
- Targeted waste control action campaigns including advice and warning letters.
- Accumulations on private land.
- Littering enforcement.

The Head of Housing and Public Protection reported that vacant posts had recently been filled so the team was now working to full capacity. An additional 3 posts were funded by service level agreements (SLA) with Town and Parish Council's to enhance activity in those locations. Some of the successful prosecutions which had taken place, were highlighted.

Members made the following comments:

- Dog fouling continued to be an issue in certain areas, such as Lynemouth and Allendale; they enquired if the Green Dog Walker membership numbers could be provided at ward level.
- Lack of engagement between Town Councils with SLAs and Enforcement Officers would be followed up.
- Successful prosecutions should be promoted in as many ways as possible, including on local noticeboards.
- Fines and victim surcharges should be maximised where possible. Whilst it was frustrating that small fines appeared to be issued for in respect of successful prosecutions, magistrates had to work within sentencing guidelines and comparison made against other, more serious, offences.

The following information was provided in response to questions from members:

- 80% of the population followed the rules and behaved correctly whilst a small minority did not. The Green Dog Walker numbers were very good given the size of the population in Northumberland. More frustrating was the small number of dog owners, which bagged their dog's faeces, but did not dispose of the bags correctly.
- Members were invited to email details of times, days and locations which required targeted enforcement action where there were ongoing and persistent problems. Witness statements and evidence were required to

progress incidents to a prosecution; these were sometimes difficult to obtain from residents who were reluctant to provide them.

- Whilst it was frustrating that small fines were issued for successful prosecutions, magistrates had to work within sentencing guidelines and comparison made against other, more serious, offences.

Officers were thanked for the clear and concise report. Members requested that an update be received on an annual basis or a frequency determined by a future Committee, for clarity and to provide assurance.

RESOLVED that:

1. The report be received.
2. An update be provided to the Communities and Place OSC in approximately 12 months, depending on the agreement of future members of the committee.

78. REPORT OF THE SCRUTINY CO-ORDINATOR

Communities and Place Overview and Scrutiny Committee Monitoring Report

The Committee reviewed its work programme for the 2019/20 council year. (Report enclosed with the signed minutes as Appendix E).

Proposed changes to the Committee's terms of reference had been circulated to Committee members prior to the meeting as they were due to be considered by the Constitution Working Group and then Council. The changes proposed were highlighted in bold below.

'To monitor, review and make recommendations about: ...Crime, Community Safety, and fear of crime, **including CONTEST, Prevent and Channel.**'

The Head of Housing and Public Protection gave a summary of the arrangements for counter terrorism and new terminology and the requirement that the Council's Constitution be updated to recognise it's additional duties and responsibilities. It had been agreed that the most appropriate place was within the terms of reference for the Communities and Place Overview and Scrutiny Committee.

The Committee were in agreement with the proposals and suggested that explanations of terminology and acronyms be included within any future reports. They also enquired about training for all members on their responsibilities and it was agreed that this would be arranged.

RESOLVED that the report be noted.

CHAIR _____

DATE _____