

Coventry City Council
Minutes of the Meeting of Cabinet Member for Policing and Equalities held at
10.00 am on Tuesday, 13 March 2018

Present:

Members: Councillor A Khan (Chair)
Councillor A Andrews (Shadow Cabinet Member)
Councillor P Akhtar (Deputy Cabinet Member)

Other Members: Councillor N Akhtar (Invited for Item 16 below)
Councillor A Lucas (Invited for Item 15 below)
Councillor D Welsh (Invited for Item 16 below)

Employees (by Directorate):

People A Harwood, C Hickin, M McHugh, M Rose, L Stockin

Apologies: Councillor J O'Boyle

Public Business

13. Declarations of Interest

There were no disclosable pecuniary interests.

14. Minutes

The minutes of the meeting held on 26th October, 2017 were agreed and signed as a true record.

15. Response to a petition regarding concerns over; lack of site protection, extensive flytipping and anti-social behaviour in the entry which serves Kirkdale Avenue and Selworthy Road.

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which responded to a petition bearing 17 signatures, sponsored by Councillor Mrs Lucas, a Holbrooks Ward Councillor, which had been submitted to the City Council on 16th January, 2018. The petition was regarding concerns over; lack of site protection, extensive flytipping and anti-social behaviour in the entry which serves Kirkdale Avenue and Selworthy Road. Councillor Mrs Lucas attended the meeting and spoke on behalf of the petitioners.

The report stated that the residents had highlighted concerns that the area was constantly being fly tipped on and whilst the council had cleared the site they wanted a long term solution to the issue. Residents stated that there were numerous incidents of anti-social behaviour, littering and fly tipping in the same area. This made the area look dirty and untidy and encouraged more flytipping. Residents were keen to have the issues addressed at the earliest opportunity.

Coventry City Council recorded data from January 2017 to January 2018 showed 17 reports related directly to flytipping to the rear of Selworthy Road and Kirkdale Avenue. The Council therefore agreed that some action was required to reduce this activity and had been working with residents prior to receiving this petition.

Residents requested that the council install two new bollards which drop down within the entry to only allow authorised vehicular access to the entry. The entry that ran between the two roads was privately owned and was therefore the collective responsibility of all the residents, there was no deed of ownership therefore it was essentially a patch of no-man's land. The council doesn't have any ownership or liability for this piece of land, however it was decided that in the interests of public health, the waste that had been dumped in the area would be removed at cost to the council.

Officers from the Council had made contact with the Ward Councillors, had made numerous site visits and had spoken to many residents. The Council were monitoring the situation and extra patrols take place as duties allow and individuals found to be causing issues were challenged and appropriate action taken.

The area had been highlighted as a 'Hot Street' and as such weekly patrols were made of the area. In addition, specific visits were undertaken to collect reported fly tipping from this private land. All cases of fly tipping were investigated, with the appropriate course of action depending on any evidence found at the scene and witnesses to the offence(s).

Officers from the council had already implemented some target hardening measures in the area notably the installation of the bollards on the access passages from Selworthy Road. This would ensure that only authorised vehicles were able to access the rear entry via this route. Officers would continue to monitor the area and meet with residents when needed. It was not the intention of the Council to install the 2 new bollards within the entry itself. It was believed that the introduction of these bollards would be problematic, as no one would take ownership of the padlocks, and that leaving the site open but with monitoring of the site was a better option. This would be reviewed at a later date and look at installation of a height restriction barrier if necessary.

Officers had arranged for the adaption of the lamp column on Marshdale Avenue so that it could accommodate a CCTV Camera and also for the entry to be cleared of all waste.

The Cabinet Member and Councillor Lucas thanked the officers for their support with the issue in the area.

The Cabinet Member, the Ward Councillor and other members present discussed with officers prosecutions and bollards and keys.

RESOLVED Cabinet Member for Policing and Equalities:

- 1. Requests Council officers [and West Midlands Police if relevant] continue their monitoring of the area and respond accordingly to residents requests for assistance.**

2. **Encourages residents to set up a Neighbourhood Watch in the area and report incidents of concern to Police and the Council as soon as they occur.**
3. **Agrees to the reinstatement of the missing / broken bollards on the access roads from Selworthy Road so as to prevent unauthorised vehicular access to the rear entry.**
4. **Agrees to the installation of a lamp column on Marshdale Avenue which has the capacity to accommodate a deployable CCTV camera. [This will allow all vehicles which enter the entry to be observed and footage can be checked if there are any further incidents of tipping]**
5. **Agrees that arrangements be made for the clearance of all waste from site so that the area is left in a clean fly-tipped free state, this will allow the council to note any subsequent tipping and hopefully deter further tipping on the site.**
6. **Agrees to the installation of a no fly-tipping sign in the area, this will emphasise that fly-tipping is not acceptable and offer advice to residents as to who to report any subsequent tipping to.**

16. **6 Months Update: Response to a Petition regarding concerns over anti-social behaviour in the vicinity of Priors Harnall and Cawthorne Close**

Further to Minute 3/17 the Cabinet Member considered a report of the Deputy Chief Executive (Place) which was a six months progress report for a petition bearing 48 signatures and requested help with various concerns over anti-social behaviour in the vicinity of Priors Harnall and Cawthorne Close, notably focussed around the greenspace to the rear of 16-22 Priors Harnall. The petition was sponsored by Councillor's N Akhtar, O' Boyle and Welsh, the St. Michaels Ward Councillors and had been submitted to the City Council on 16th June, 2017 and considered by the Cabinet Member initially on 27th July, 2017. The petition organiser and Councillor's N Akhtar and Councillor Welsh were present at the meeting and spoke on behalf of the petitioners, Councillor O'Boyle had sent his apologies.

The report noted that the petition highlighted residents' concerns with anti-social behaviour notably that young children and youths congregate around the green open space between Priors Harnall and Cawthorne Close in the St Michaels Ward. The residents highlight that young children were playing ball games within the grassed area within Cawthorne Close. They also state that in the evening there were older youths who congregate to the rear of the garage area and it was believed that they were taking drugs. Residents felt intimidated and were regularly disturbed by the activity of these groups and stated that there were also numerous incidents of dog fouling, littering and fly tipping in the same area. This made the area look dirty and untidy and encouraged more flytipping. Residents were keen to have the issues addressed at the earliest opportunity.

The report listed the decisions from the previous meeting and updated on progress and actions taken by the City Council and West Midlands Police. The report noted that an outcome of the initial meeting was that the police and council agreed to carry out more proactive patrols in the area. Additional patrols had been carried out by both the police and the council to ensure that any Anti-Social Behaviour could be monitored. Reporting of incidents by local residents to both the police and the council over the previous 6 months, including Summer 2017 had been sparse.

Residents were encouraged to set up a Neighbourhood Watch in the area, records showed that residents from Cawthorne Close had one set up, and that Priors Harnall had made initial enquiries.

The local policing team were looking to work with partner agencies in the community in order to provide youth engagement, this was intended to commence once the warmer weather arrived.

It was agreed that a lamp column on the green space would be adapted to assist the police and the council in identifying perpetrators of Anti-Social Behaviour. Officers had requested that a lamp column be adapted in the area, this had been delayed however, it had now been installed in readiness for the lighter nights.

It was agreed that the ownership of the land and potential solutions would be investigated. The council own the land and it was officially designated as highways land, however due to logistical and operational arrangements it was maintained by the streetpride and grounds teams.

Several residents wanted the land to be closed off and turned into an allotment garden, however once this was raised with colleagues in highways / streetpride and also public health, they all felt that the land should remain how it was. It was a valuable piece of greenspace in a heavily built up area. Other residents had approached the Council and claimed that they enjoyed having a space where their children could play, within sight of their houses.

As part of the original petition it was agreed that a review would be undertaken 6 months' from the original meeting. It was originally noted that the Police and crime commissioner could be invited, however in light of the low levels of reporting of issues this was not pursued.

The Cabinet Member discussed the following issues with the petition spokesperson, Ward Councillors, other members present and officers:

- Cameras
- Reasons for the low level of reporting
- Police presence

The Cabinet Member, Ward Councillors and officers highlighted the importance of reporting any concerns as soon as possible.

Officers agreed to pass on contact details of the petition organiser to the local police so that they could communicate directly as requested.

RESOLVED that the Cabinet Member for Policing and Equalities:

- 1) Requests West Midlands Police and Council officers to continue their monitoring of the area and respond accordingly to residents requests for assistance.**
- 2) Encourages residents to set up and create an active Neighbourhood Watch in the 2 area's and report incidents of concern to Police and the Council as soon as they occur.**
- 3) Requests that some form of youth engagement be initiated in the area before the warmer weather arrives to mitigate the impact that large numbers of children may have on the area.**
- 4) Agrees that the use of CCTV be looked at in the area if it felt that there is a need to monitor criminal activity.**
- 5) Requests that a report back be submitted to the Cabinet Member in 6 months' time.**

17. Annual Compliance Report - Regulatory and Investigatory Powers Act (RIPA)

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which reported on the Council's use of the Regulation of Investigatory Powers Act 2000 (RIPA). RIPA governed the acquisition and disclosure of communications data and the use of covert surveillance by local authorities. The report had been considered by the Audit and Procurement Committee on 19th February, 2018 (their minute 83/17 refers).

The report indicated that the Council used powers under RIPA to support its core functions for the purpose of prevention and detection of crime where an offence may be punishable by a custodial sentence of 6 months or more, or were related to the underage sale of alcohol and tobacco. The three powers available to local authorities under RIPA: the acquisition and disclosure of communications data; directed surveillance; and covert human intelligence sources ("CHIS")

The report noted that the Act set out the procedures that the City Council must follow if it wished to use directed surveillance techniques or acquire communications data in order to support core function activities (e.g. typically those undertaken by Trading Standards and Environmental Health). The information obtained as a result of such operations could later be relied upon in court proceedings providing RIPA was complied with.

The Home Office Code for Covert Surveillance Property Interference recommended that elected members, whilst not involved in making decisions or specific authorisations for the local authority to use its powers under Part II of the Act, should review the Council's use of the legislation and provide approval to its policies. The Council adopted this approach for oversight of the authority's use of Parts I and II of the Act.

The report noted that on the 1st September 2017, the Office of Surveillance Commissioners (OSC) and the Interception of Communications Commissioners (ICCO) were abolished by the Investigatory Powers Act 2016. The Investigatory Powers Commissioner's Office (IPCO) was now responsible for the judicial oversight of the use of covert surveillance by public authorities throughout the United Kingdom.

The report also noted that the Assistant Surveillance Commissioner, Sir David Clarke inspected the Council's RIPA arrangements in respect of directed surveillance on 8th December, 2016. He found that the Council's arrangements were 'generally in good order' and 'the use by the Council of its statutory powers is appropriate' and that the 'quality of authorisations is good'. One of the recommendations he made was that Coventry City Council's Policy and Guidance be further revised. A revised policy was being finalised and would go to a future Information Management Strategy Group and then to the Audit and Procurement Committee.

The report indicated that for the period 1 April 2016 to 31 March 2017, as reported to the Office of Surveillance Commissioners (OSC), three direct surveillance applications were granted and three authorisations were granted by the Magistrates. For the period 1st April 2017 to 31st December, 2017 one direct surveillance applications was granted and one authorisations was granted by Magistrates. There were no reported instances of the Council having misused its powers under the Act. There had been no applications for the disclosure of communications data during 2017.

The Audit and Procurement Committee were of the view that there were no specific comments or recommendations to forward to the Cabinet Member for Policing and Equalities.

RESOLVED that the Cabinet Member for Policing and Equalities, having consider the comments and recommendations provided by the Audit and Procurement Committee, approves the report as a formal record of the Council's use and compliance with RIPA.

18. **Outstanding Issues**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) that contained a list of outstanding issue items that would be submitted to future meetings and summarised the current position in respect of each item.

RESOLVED that the Cabinet Member for Policing and Equalities approves the dates for future consideration of matters relating to the outstanding issue items listed in the report.

19. **Any Other Business**

There were no other items of business.

(Meeting closed at 11.00 am)

