

Coventry City Council
Minutes of the Meeting of Cabinet Member for Policing and Equalities held at 3.00 pm on Thursday, 10 January 2019

Present:

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

Other Members: Councillor N Akhtar – invited for item 36 below
Councillor P Male – invited for item 37 below
Councillor J O’Boyle – invited for item 36 below

Employees (by Directorate):

People L Millar, L Nagle

Place G Carter, G Hood, M Rose, A West

Invited: S Kimberley – Police Representative
J Haywood – invited for item 36 below
K Blakeman – invited for item 39 below

Apologies: Councillor D Welsh – invited for item 36 below
Mr Rogers - invited for Item 36 below
Orbit Housing – invited for item 36 below

Public Business

33. Declarations of Interest

There were no disclosable pecuniary interests.

34. Minutes

The minutes of the meeting held on 25th October, 2018 were agreed as a true record.

35. Petition - Reduce the number of Councillors in each ward

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which responded to an e-petition bearing 24 signatures, which had been submitted to the City Council on 29th September, 2018 and closed on 23rd December, 2018. The petition entitled “Reduce the number of councillors in each ward” stated “There are 18 local wards in Coventry and 54 councillors. We want the council to reduce the number of councillors in each ward from 3 to 2 and hold elections once every 4 years instead of the current cycle. This will save money and make the council more efficient.” The petition spokesperson was invited to the meeting but was unable to attend.

With regard to reducing the numbers of councillors in each ward, the report noted that local authorities had no powers to alter the number of councillors. The Local Government Boundary Commission for England was the independent body responsible for carrying out electoral reviews. An electoral review was an examination of a council's electoral arrangements covering:

- the total number of councillors elected to the local authority;
- the number and boundaries of wards or divisions for the purposes of the election of councillors;
- the number of councillors for any ward or division of a local authority;
- the name of any ward or division.

The Commission were responsible for setting their own work programme and may consider carrying out a review of a council for two reasons:

- at the request of the local authority; or
- If the local authority meets the Commission's intervention criteria:
 - a) If one ward has an electorate of +/-30% from the average electorate for the authority
 - b) If 30% of all wards have an electorate of +/-10% from the average electorate for the authority.

The timeframe for such reviews was normally around 18 months and would involve the commitment of human and financial resources from the local authority to support the review. While a local authority was able to request a review, the decision on councillor numbers was made by the Boundary Commission which may not recommend any change. For comparison, the report detailed the population, number of councillors and ratio for all of the seven West Midlands Metropolitan Councils.

With regard to changing the pattern of elections, the report noted that Elections to Coventry City Council were by thirds; elections take place three out of every four years with each councillor being elected for a term of four years. Legislation allowed for alternative models including whole-council elections. Whole-council elections would take place every four years with every seat being up for election at the same time.

The Local Government and Public Involvement in Health Act 2007 (as amended) enabled councils to consider moving to whole-council elections from elections by thirds or halves. If a Council was considering passing a resolution for whole-council elections, it had to take reasonable steps to consult such persons as it thinks appropriate on the proposed change. The final resolution must be passed at a meeting specially convened for the purpose of deciding the resolution with notice of the object, and by a majority of at least two thirds of the members voting on it. If a Council moved from elections by thirds to whole-council elections, it could go back to election by thirds at a later date but could not move to elections by halves. The Council could pass a resolution at any point to move to whole-council elections the only restriction being that the move cannot take place in a fallow year. The next fallow year for Coventry is 2021. It was anticipated that the introduction of whole Council elections would deliver cost savings over time, although some caution needs to be applied to any estimates as the pattern of other elections to the Police and Crime Commissioner, West Midlands Combined

Authority and general elections had a significant impact on cost, and the costs of elements of elections may change over time. The approximate costs of current elections, together with an estimate of the potential savings that could be achieved should whole council elections be introduced were shown in the report. Where elections were combined with national elections the costs were shared depending on the number of polls taking place on the day. It was not an exact split as there were some costs which were needed for each election such as ballot papers. The estimated costs were based on current information, however, if the Police and Crime Commissioner (PCC) and West Midlands Combined Authority Mayor (WMCA) elections were to be combined then the costs would be more and the potential annual savings from any change reduced.

The introduction of whole-council elections would be a significant change for electors and would require clear information advising them of their ability to select more than one candidate. It would also have an impact on the count process, where the selection of three candidates from the ballot paper would mean the count process would take longer.

There were no direct financial implications arising from the initial decision on how to respond to the issues raised in the petition. Should Council take the decision to hold local elections on a four year cycle, this could save the Council in the region of £100,000 on an annualised basis. The outcomes of any review carried out by the Boundary Commission may not result in a reduction in the number of councillors and in this case would not deliver a financial saving.

The Petition spokesperson was unable to attend however, he had send a response to the report to the Cabinet Member. His response questioned costs to support a review and requested that the Council ask for a review by the Boundary Commission and also consult with Council members and the public about moving to whole council elections in order to save money.

The Shadow Cabinet Member asked about the cost savings.

RESOLVED that the Cabinet Member:

- 1) Considered the detail in the report and determined what action, if any, should be taken in response to the issues raised in the petition.**
- 2) Requests that no further action be taken.**

36. Petition - Anti-Social Behaviour at Cephass Court, Hillfields

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which responded to a petition bearing 15 signatures, sponsored by Councillor O'Boyle, a St Michaels Ward Councillor, which had been submitted to the City Council on 26th October, 2018. The petition reported that Anti-Social Behaviour issues associated with Cephass Court were having a detrimental impact on residents and the wider community. The petition specifically mentioned acts of alleged drug dealing, property damage, forced entry to communal areas and access doors, use of drugs and other substances. The petition spokesperson and Councillor O'Boyle were invited to the meeting and spoke on behalf of a number of residents who also attended. The Police and Orbit Housing were also invited to

attend. The Police attended and spoke to the Cabinet Member about their experience of the issues concerned. Orbit Housing sent their apologies.

The report noted that with regard to anti-social and criminal behaviour, the main issue concerned a spate of ongoing incidents during 2018, during which some local residents witnessed the main entry door being vandalised to gain entry and using the communal areas to use drugs, by unknown persons. Coventry City Council's recorded data regarding Antisocial Behaviour from 1st January 2018 to 1st December 2018 showed two reports directly related to Cephass Court logged with the City Council for various issues. One reported unsightly land / fly tipping and the other reported drug misuse which council officers passed to the Police. In response to the petition, officers from the Council had made contact with the lead petitioner on 13th December 2018.

Police data for the same period showed a total of 33 logs for Cephass Court. A large proportion of these logs related to criminal damage, reporting of drug taking, smashed windows, gaining entry to the building via breaking the fire door and main doors.

The report noted that West Midlands Police, Orbit Housing Group and the Council were monitoring the situation. Extra patrols took place as duties allowed and individuals found to be causing issues were challenged and appropriate action was taken. From a housing perspective Orbit Housing Group had responsibilities to manage the Anti-Social Behaviour in their building and land. Orbit Housing Group had written to the petition spokesperson outlining some of the remedial steps that they had taken in response to the issues raised.

The Petition spokesperson, Joan Haywood Centre Manager at St Peter's Community Centre, was invited to speak on behalf of the petitioners. She indicated that issues were regularly reported regarding the residents' concerns and she noted that the strength of feeling was reflected by the high number of people in attendance at the meeting in support of the petition. Anti-social behaviour in the area, drug related litter, lack of security and property conditions were having a real impact on the community. There was a fear for the safety of residents and their children. The following impacts were discussed:

- drug use and ambulances were witnessed
- washing cannot be put outside,
- evidence of damp in properties including clothing and a doctor's note
- vermin
- a local school were also concerned for resident children

The Petition spokesperson noted that Orbit had made some progress with remedial action but they had not discussed the matter with residents.

Councillor O'Boyle provided some background to the issues and he felt that it was not acceptable that children witness people injecting drugs outside their homes. Councillor O'Boyle discussed funding, the building and bin area not being secure, poor lighting, violence, threats, damage to property, fly tipping and also being mindful of safety when reporting crimes.

Councillor O'Boyle and Councillor N Akhtar also discussed a recent meeting with Orbit at which they had discussed solutions.

The Police confirmed they had met with all residents and had increased patrols but were currently unable to source evidence to identify people involved. They had spoken to Orbit regarding supporting the management of antisocial behaviour with Whitefriars, another Housing Association in the local area.

The Shadow Cabinet Member recognised the quality of life of the residents was affected and supported responding to their petition.

The Cabinet Member and Deputy Cabinet Member thanked the St Peter's Community Centre for supporting local residents including all those present at the meeting.

Those present felt that Orbit Housing were key partners and as they were not able to discuss concerns at the meeting the Cabinet Member agreed to contact Orbit Housing to highlight the urgent need to address some of the problems raised and to seek clarity for the residents regarding Orbit's proposed solutions and also to bring to their attention the concerns regarding damp and vermin.

The Cabinet Member requested that the Housing enforcement team visit the property and that this area be considered during discussions about the wider Public Space Protection Order.

RESOLVED that the Cabinet Member:

- 1) Encourages residents of Cephas Court to report incidents of concern to Police, Orbit Housing Group and the Council as soon as they occur.**
- 2) Requests that West Midlands Police, Orbit Housing Group and Council officers, continue their monitoring of the area and respond accordingly to residents requests for assistance.**
- 3) Agrees to write to Orbit housing to seek clarity over the details of the recommendations they agreed at the meeting with Councillors, officers and residents on November 26th 2018, with the proposition that the works be carried out as soon as possible and within this financial year. Also bringing to the attention of Orbit Housing the conditions at the property including damp and vermin.**
- 4) Refers the issues discussed to the Housing Enforcement Team to visit Cephas Court with the petition spokesperson to see what action can be taken.**

37. Petition - Measures to prevent illegal encampment at the Ponderosa, off Jardine Crescent

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which responded to a petition bearing 100 signatures, sponsored by Councillor Male, a Woodlands Ward Councillor, which had been submitted to the City Council on 22nd June, 2018. The petition requested that the Council undertake all

necessary measures to ensure that the Ponderosa, otherwise known as Jardine Crescent Sports Ground, Tile Hill, was made secure in order to prevent further illegal encampments. The petition spokesperson Councillor Male was invited to the meeting and spoke on behalf of petitioners.

This report noted that the site was managed by the Councils Greenspace Service and contained several football pitches and an associated changing rooms. The changing rooms were leased to Mount Nod FC who use the pitches as their home ground.

Approximately 3 years ago the City Council's Streetpride & Green Space Service created a line of ditches and mounds along areas of the site's periphery as a defence to prevent unauthorised traveller incursions. The report noted that ditching and mounding was thought to be one of the most effective methods of preventing such incursions.

Despite a vehicle access gate being installed at the same time, some localised flattening of the mounds seemed to have taken place. It was found that a resident football club had been accessing the site with their vehicles over a long period of time by driving over the mounds and ditches. This had in one location flattened the defences and consequently, the travellers had the opportunity to gain unauthorised access onto the site in 2018. Subsequently the mounding was bolstered and no further such incursions had occurred. Following discussions with the football club a key was issued allowing the club to gain access to the site via a locked gate (with height barrier).

The report indicated that officers would continue to maintain and review the existing defences to ensure that as far as can practicably be achieved within the existing resources, unauthorised incursions onto the site would be restricted and or prevented in the future.

Councillor Male discussed the disruption to the local community caused by the incursion on the site. He questioned the cause of the incursion and the quality of the defences. He also discussed anti-social behaviour on the site.

The officer present discussed the cost of defences and had spoken to rangers who weren't aware that the defences had been damaged. The officer agreed to visit the site and inspect the defences along with the Ward Councillors. If they had been reduced they could be bolstered with in house resources.

Councillor Khan clarified that no illegal encampment had occurred since the defences had been bolstered in 2018 and suggested that officers be contacted as soon as possible if there were concerns about the defences.

RESOLVED that the Cabinet Member for Policing and Equalities:

- 1) Considered the content of the petition and note the concerns of the petitioners'.**
- 2) Notes that action has been taken to bolster the ditching and mounding around open space and that no further unauthorised incursions have taken place since.**

- 3) **Notes that agreement has been made with the local football club and keys supplied to allow access by the club to the site via a vehicular gate to prevent further damage to the mounding.**
- 4) **Notes that the Council's Street pride Service considers the defences adequate.**

38. **Extension of Public Space Protection Order for Edgwick Park**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which requested an extension be made to the existing Public Space Protection Order (PSPO) for Edgwick Park. A PSPO was granted for Edgwick Park in April 2016 (the Cabinet Member for Culture, Leisure Sport and Parks minute 43/15 refers). The order was created to address concerns at the park regarding Child Sexual Exploitation (CSE), exacerbated by drugs, alcohol and anti-social behaviour. Appended to the report were the proposed draft order for Edgwick Park and impact statements.

The order gave agencies powers to request groups leave the park that were felt to be acting in a manner to the detriment of other park users, if they refuse to leave they would be committing an offence and liable to enforcement, either a Fixed Penalty Notice (FPN) or a summons to court.

The PSPO was in place following an extensive consultation exercise, the renewal required consultation with key local partners and agencies. West Midlands Police, Parks and Greenspace colleagues and the adjoining primary school had been consulted and their responses were appended to the report. All consultees were in agreement that the existing PSPO had been effective in reducing instances of Anti-Social Behaviour in the park and whilst not completely solving issues, a renewal of the order was recommended by all respondents.

Whilst the order had not entirely eliminated incidents of anti-social behaviour, mainly due to the difficulty of consistently dedicating resources to patrol, having the PSPO gave officers powers to deal with issues quickly and effectively. Were the order to expire this would make enforcement at the park far harder than it currently was.

The report noted that local residents still expressed concern from time to time about gatherings of groups in the park. Primarily these groups congregate because of their living conditions outlined in the report. It was felt that the risk and incidents regarding CSE had greatly reduced however, it was not something agencies could be complacent about. It was still felt that the presence of such groups was a deterrent to others from using the park as regularly as they would otherwise.

Patrols to the park from several agencies had been increased. Whilst those patrols were not as regular as when the concerns were initially received it was still a location that Police and support workers from agencies such as Horizon (CSE) and similar attended and spoke to individuals and groups.

There had been physical alterations in and around the park to address matters. Significant amounts of vegetation and undergrowth had been cut back and a toilet block had been demolished. This had decreased the locations where it was felt there were potential for activities that would cause concern.

The report detailed the options considered were to extend the order or to let it expire, the extension option was recommended.

It was noted the use of a PSPO was intended to be an additional tool for officers to use to manage situations that could potentially escalate. The order in itself was not going to solve any particular issue on its own, that would often need a number of different methods, used jointly. The order would be valid for a period of three years and could be further extended or amended, providing due process was followed.

Once approved the draft order would be publicised at the site for up to 30 days and notification published on appropriate Council websites, following that process the order could be implemented and operational. Patrols and patrol plans were already in place for the location and would be continuing.

RESOLVED that the Cabinet Member for Policing and Equalities:

- 1) Notes the draft order attached to the report and agrees to renew the existing order for a period of three years from the date that the current order expires.**
- 2) Requests that all partner agencies continue their current actions and patrol plans and also monitor the surrounding areas for any potential displacement of the issues.**

39. Drone Policy and Police Drone Permission

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which concerned the adoption by the Council of a Drone/ Unmanned Aerial Vehicle Policy ("UAV") in relation to its land and grant the West Midlands Police permission to use Council land, for the launch and landing of drones in order to prevent and detect crime and maintain public safety. Appended to the report were a UAV Policy, UAV Permission West Midlands Police and UAV Permission. The Cabinet Member had received a large number of correspondence, following the publication of the documentation for this meeting, against the proposed policy and had agreed to let Mr Kerry Blakeman speak regarding the concerns.

The report noted that over the last few years a number of concerns had been raised about the flying of drones in both residential areas and in open spaces including parks. The concerns were about the nuisance caused by the noise of drones; privacy due to drones carrying surveillance equipment and the potential danger they could cause to wildlife, animals and people particularly when landing. Advice had been supplied to residents stating that any problems with drone flying should be reported to the Police and the Council's Community Safety Team who would carry out an investigation. Council officers had asked drone flyers in parks to stop their activities.

However the Council does not have a drone policy and to date had dealt with any matters using vehicle and nuisance prohibitions contained in the Council's Byelaws for Pleasure Grounds 1962. Due to a growing number of issues with this type of activity, it now appeared appropriate to adopt a drone policy, to prohibit their general use on Council land and regulate their specific use such as, for some police and professional or commercial operations. Other Councils had adopted similar policies.

The Council was contacted by the West Midlands Police in 2018 requesting permission for Council land to be used for the launching and landing of police drones in order to prevent and detect crime and maintain public safety. The Force Drone Team for West Midlands Police had stated that the operation of drones supported the reduction in local crime, helped to reduce anti-social behaviour and assisted in evidence gathering to support prosecutions. It helped to tackle issues such as quad biking in public areas, drug dealing, vehicle crime and suspect searches. Other West Midlands councils had already granted conditional permissions to the police to carry out this activity.

An option would be to have drone activity unregulated in parks and allow hobbyists unrestricted access to Council land to fly their drones as they chose. The Council was aware that drone activity caused a nuisance to other park users and concerned residents due to potential surveillance activity. Flying drones could also cause a health and safety hazard to both people and animals. As a land owner and operator the Council was likely to be held liable for any damage caused to people or property as a result of allowing the flying of drones in its parks and open spaces.

A second option would be to leave the situation as it was with drone operators being advised by Council officers of the vehicle and nuisance prohibitions contained in the Council's Byelaws for Pleasure Grounds 1962. However, this did not present a clear position for the public about the use of drones and does not deal with any exceptions which the Council may wish to grant for example for the police or commercial activities.

The proposed option was to adopt a Drone Policy for Council owned and controlled land which would give clear guidance on the use of drones. If this was not followed the Council would be able to ask people to leave its property if they were flying unauthorised drones or UAVs. The Drone Permission for the West Midlands Police would allow the police to use drones on Council land without gaining permission from the Council each time they wished to carry out an activity. The general Drone Permission would allow professional and commercial organisations to use Council land for flying drones under strict regulation and with the appropriate public liability insurance. There would be a charge of £50.00 for the permission and an additional charge for any photography undertaken to cover administrative expenses.

Mr Blakeman spoke against the proposed policy and was concerned about the ban on leisure flights from Council land i.e. parks and open spaces and felt adoption of the policy would be detrimental to the City. Reasons that he was against the proposed Policy included:

- There had not been consultation on the policy.

- The possibility of promoting safe legal responsible flying of drones in accordance with legislation in the Drone Code.
- Technology was available such as GPS systems which could restrict flite in certain areas.
- There was to be new legislation soon regarding registration and a flight test which would reduce nuisance and unregistered flights.
- Drones produced images which promoted the city.
- The 'erosion of privacy' by drones was questioned when mobile phones with cameras were frequently used in public places.
- The Councils 'liability for damage' was questioned for example would the council be liable if a dog attacked someone in the park?
- Concerns also included restricting families using drones for photos in the park and unintended consequences of the ban resulting in there being nowhere to fly drones and being used in gardens rather than parks contravening the code.

Mr Blakeman offered to assist with the creation of a policy which considered leisure flights and upheld the law and promoted the city. Consideration could be given to looking at a designated area and liability insurance.

Officers noted that the policy was intended to protect the public and the Council and to re-emphasise existing bylaws not make any changes, the bylaws prohibit the use of machinery and disturbance to users in the parks. The Council took reasonable steps to ensure safety including, dog control orders and cycling designated routes. Issues had been reported since 2016 as not all users were responsible. The Drone Code referred to ensuring they were not flown near people or property and the city's parks were frequently used. Also other motorised vehicles had been requested to use parks and had not been permitted.

The Councillors present valued the opinions presented and acknowledged that it was a complex issue demonstrated by the public interest in the policy. They felt it was worth further discussion, including benchmarking with other authorities and would like to give further consideration to balancing the responsibilities to protecting the public and the law with responsible use of drones.

RESOLVED that the Cabinet Member for Policing and Equalities:

- 1) Considered and delegates authority to the Director, Streetscene and Regulatory Services to sign the Drone and Unmanned Aerial Vehicle Permission to West Midlands Police, as set out in Appendix 2 to the report.**
- 2) With regard to the Drone and Unmanned Aerial Vehicle Policy at Appendix 1 to the report and the Drone and Unmanned Ariel Vehicle ("UAV") Permission at Appendix 3 to the report and the charge associated with this of £50.00, officers be requested to review the Drone Policy and bring back a full report having consideration of the representations made to him.**

There is no change to the current situation, the Byelaws remain in place and it continues to be the case that the flying of Drones and

Unmanned Aerial Vehicles (UAV) is not permitted in the Council's parks and open spaces.

40. **Outstanding Issues**

There were no Outstanding Issues.

41. **Any Other Business**

There were no other items of business.

(Meeting closed at 4.40 pm)