

**Minutes of a Meeting of the
Joint Overview & Scrutiny Committee of
Adur District and Worthing Borough Councils**

Gordon Room, Stoke Abbott Road, Worthing Town Hall

15 February 2018

Roy Barraclough (Chairman)
Keith Bickers (Vice Chairman)

Adur District Council:

Carol Albury
*Les Alden
*George Barton
Kevin Boram
*Ann Bridges
Stephen Chipp
Joss Loader
*Robin Monk

Worthing Borough Council:

Sean McDonald
Nigel Morgan
Louise Murphy
*Luke Proudfoot
Bob Smytherman
Steve Waight

*Absent

JOSC/17-18/49 Declarations of Interest/Substitutions

Councillor Joss Loader declared an interest as a Member of AREA

Councillor Louise Murphy declared an interest as a Non-Executive Director of Worthing Homes

Councillor Sean McDonald declared an interest as a part time employee of Sussex Police

Councillor Nigel Morgan sat on the Committee that decided the precept in relation to Sussex Police

Councillor Bob Smytherman declared an interest as a trustee of Coastal West Sussex MIND

Councillor Steve Waight declared an interest as a member of West Sussex County Council

Councillor David Simmons declared an interest as a member of West Sussex County Council

JOSC/17-18/50 Minutes

Resolved that the Minutes of the Committee held on 25 January 2018 be approved as the correct record and signed by the Chairman

JOSC/17-18/51 Public Question Time

A question was put via the Chair in relation to Police action concerning Stalking. The Adur and Worthing Divisional Commander of Sussex Police stated that in relation to stalking and other public protection crimes there was a significant area of policing being undertaken. There was a significant amount of risk of harm in this area. Stalking in the past had not been identified well in the past, however significant improvements had been made in this area. The Police and Crime Commissioner had funded a specialist pilot stalking service located in Brighton and Hove, as a result of that pilot additional funds had been made available to extend the service across Sussex. This investment had included specialist training that had so far reached over 600 officers, 200 of which were supervisors. The improved understanding of stalking had led to a four fold increased identification of stalking cases in the last calendar year. There was a better understanding of appropriate related charges and there was a single point of contact whereby Officers could contact and receive specialist advice and help.

The following question was put by the Chairman on behalf of Leanna Moore, Neighbourhood Manager, Worthing Homes. *'How do the local agencies work with the police in partnership with no local point of contact and all communications via 101? Currently this can present challenges around waiting times and prioritisation of urgent issues.'* The prevention inspector for Adur, Worthing and Horsham told members that Officers worked with Adur and Worthing Councils and Worthing Homes on a variety of different matters. The Police and these agencies worked closely on cases of anti-social behaviour, on instances of 'Cuckooing'. Where there was ongoing time sensitive information concerning these issues it was expected that the Councils and registered social landlords would contact the Police using 101 or 999 so the information could be assessed, subsequently the Duty Inspector could assess the information and distribute resources to tackle the information appropriately. If information was given via messages or voicemails on Mobile phones it could be missed if for instance the Officer concerned was on three rest days.

The following question was put by the Chairman on behalf of Guy Boughton-Leigh.

1. Does Air Pollution caused by stationary traffic during peak periods worsen in Adur because of the affected roads' close proximity to The River Adur - where such air might "hang around" for longer over water during high tide times than it might over land ? The Team Leader (Environmental Protection) told members that contact had been made with Academia at Kings College in London who had reported that they were not sure that pollutants hang around longer over water than over land although pollutants tended to hang around lower levels it could be argued that it could be

worse over rivers which were often lower than the surrounding land. However, as the river is tidal it may counteract that effect. Tidal waters could be warmer (warmer than the air) pollution could be expected to be worse at low tide.

2. Why has the pollution monitoring equipment in the High Street on the South side near the Off License been allowed to remain non-functional for so long, whilst developments have continued regardless of this lack of publicly accessible data. The Team Leader (Environmental Protection) told members that levels of NO₂ had continued to be measured on the Shoreham High Street using diffusion tubes. The results from this were published as required and showed that levels were below the national objectives. The equipment previously at the site had suffered from repeated failures and a final catastrophic failure had led to the decision to decommission the equipment. Logistics had delayed a replacement. The site should be up and running in the next two weeks.

3. But, if pollution measurements have indeed been taken by means other than the above, apparently to continually satisfy affected large development planning application "mitigation" clauses, where has such measurement data been made continuously publicly available - and if not - why not? The Team Leader (Environmental Protection) told members that monitoring data was available on the website and was published. Monthly data was not available because correction factors were applied to the data by an outside agency.

4. Finally, who would want to walk their children to school through increasingly polluted air along the increasingly overcrowded roads in Adur? The Chairman told the committee that the final question was more of a rhetorical statement

Margaret Harris asked a question *A working group had been set up, what progress is the working group making and when will it report its findings to this Committee?* The Chairman told the meeting that the working group would meet first on the 27 February details of the review would be discussed at the working group's initial meeting but it would be concluded in a timely manner. The Chairman was asked if the committee would complete their review in time in order to influence the design of the public consultation on the Council Tax Scheme. The Chairman explained that the review was relevant to consultation generally across the authority and that is what the working group would do.

Geoff Hodgson asked a question about Air Quality. *'The Air Quality Plan of September 2017 stated that one of the principal challenges and barriers to implementation is that the air quality is just one of a large number of considerations with local development, so with mitigations, Air Quality is competing with other causes. Can the Council assure us that recommendations made by this Committee will raise the importance of air quality in proposed developments and ensure the continued funding for measures to protect and improve air quality is fully costed, adequate and ring fenced?'* The Chairman stated that the question would be

answered in writing. A supplementary question was asked *'The new figure for the particular figures and nitrogen dioxide levels, can it be made available as soon as possible to the public so there were no comments like at a previous application where figures were out of date.* The Committee was told that AREA would like to assist the Council in tackling air quality. It was felt that the topic was important and it was felt that AREA could help in raising local awareness and would like to support the Council in making the public health case for treating air pollution and congestion as important priorities.

A resident of Marine Ward in Worthing stated concern that issues will not look at a report on housing until 2019 and asked if given the seriousness of the issue it was unwise to delay the report? The Chairman responded that he didn't think so. The following supplementary was asked *It was understood that Homelessness was one of the highest priorities of both councils, surely the Scrutiny Committee should give this issue the highest weight it can. A key policy of both councils and yet you are telling me that waiting a year is a bad thing.* The Chairman told the resident that he would receive a response in writing within two days.

A resident asked how you went about asking questions at a meeting. The chairman explained the difference between public question time and submitting items for Scrutiny Review. There were questions raised about the timings for the agenda and notification of the item being heard and the Chairman stated that he would get back to the resident.

JOSC/17-18/52 Items Raised Under Urgency Provisions

There were no urgent items.

JOSC/17-18/53 Consideration of any matter referred to the Committee in relation to a call-in of a decision

There were no items.

JOSC/17-18/54 Interview with the Adur and Worthing District Police Commander

Before the Committee was a report by the Director for Digital and Resources, a copy of which was sent to all Members, a copy of which was attached to the signed copy of these minutes as item 7. The report provided some background and guidance to assist the Joint Overview and Scrutiny Committee (JOSC) in interviewing Chief Inspector Miles Ockwell, Adur and Worthing District Police Commander on local operational policing issues.

The Divisional Commander gave an introduction to the work of the Police and set out his priorities.

A Member asked the following question *'How many Officers are there in West Sussex from the roads policing unit on duty right now?'* The Divisional Commander told members that the answer was not straightforward. There were a number of departments that delivered a service across both Surrey and Sussex and officers could be deployed either side of the border. As well as a roads policing unit there was a roads safer partnership which brought more resources in addition response and investigation teams could be deployed if necessary.

A Member asked the following question: *Please can the Divisional Commander set out the Force's rationale for providing feedback to residents who have reported crimes? In the past two years, I have reported the following: - Ongoing vandalism of a public place, with four youths committing the crime in front of me. I dialled 999 and the Police attended. I was not provided with any feedback after the incident. - Information relating to the identify of a youth (one of four) who had assaulted a 16-year -old girl. Again, no feedback. - Information relating to the identity of a van driver who had removed protected plants from the Local Nature Reserve on Shoreham Beach. Police feedback in this instance was very good and I received emails and two telephone calls from the investigating officer. Given the very different nature of these crimes, please clarify the different approaches?* The Divisional Commander told Members that there was no specific policy to what level of feedback should be provided to those informing the Police of something. If someone was a witness to a crime and evidence was required the Police would absolutely have future feedback, equally victims of a crime would have further communication. However the Police received a large number of calls and resources were limited so not everyone who contacted police with information would be receive contact back.

A Member asked the following question: *A lot has been made of the " Broken Window Syndrome" this was pioneered in New York in the 1980's... This is quite the opposite to stifling publicity about the crime....which seems to be happening in areas , particularly Lancing ...The theory states that maintaining and monitoring urban crime and dealing quickly and efficiently with this, is the best way of preventing the mindless vandalism and juvenile crime from growing into far more serious problemsand putting out a message that this mindless crime is just not tolerated.... Do you see a time when the police will be able to deal with this rising tide of young persons getting away with this destructive , often abusive and totally damaging behaviour. What ideas do you have to deal with this? As this is something that is now affecting all of us... and is becoming an everyday occurrence.....* The Divisional Commander told Members that he did not accept the premise and that he encouraged people to report crime. He told the Committee that there was a sad situation whereby there was conflict between young people and older people in Lancing and that he was committed to working with the community in Lancing.

A Member asked the following question *How many rough sleepers have been arrested under the Vagrancy Act 1824 in Worthing and Adur and how many have led to charges being brought and does the Chief Inspector think this is a good way to*

tackle street homeless in our area? The Divisional Commander told the Members that there had been zero arrests and that it was not a good way of dealing with homeless people.

A Member asked the following question *Does the Chief Inspector feel that the introduction of PSPO's by the Council has had a positive or negative effect on the rough sleepers in the town?* Members were told that the alcohol exclusion zones had been useful and had made a positive impact, the other PSPO's were more for the Council to enforce as they saw fit. The Police had a range of other powers that were suitable to deal with begging although begging was not an issue if it was not aggressive.

A Member asked the following question: *Firstly can you advise how many Police officers actually walk any kind of beat in Adur?* Members were told that Officers were not given dedicated 'beats' and officers were directed to places where there was the most significant need this was the the same for PCSO's. It was related that PCSOs were experienced officer who provided a valuable service.

A Member asked the following question: *Do you feel that the Police & Crime Commissioner's priorities in terms of policy match your own and that of your superiors?* The Division Commander responded that they were

A Member asked the following question: *Can you advise on your thoughts in terms of minor crime going unreported and not investigated. I know anecdotally of contractors being given crime reference numbers when tools have been stolen from vehicles without ever having the crime followed up.* The Divisional Commander told members that there was a local policing programme and that Police needed to put resources where it would be most effective some crimes would take a lot of time to investigate and were not solvable, however, if patterns emerged along with other crimes then investigation would take place.

A Member asked the following question: *Why, when clear drug taking by rough sleepers has been seen, and reported, in Shoreham town centre has this not been followed up and arrests not made?* The Divisional Commander explained that Police may not always arrive to witness the drug taking although reports made added to develop intelligence which could lead to the execution of arrests later on.

A Member asked the following question: *When first elected the Police and Crime Commissioner set a priority of visible and effective neighbourhood policing. Has the visible part of neighbourhood policing now been dropped from her priority list?* The Divisional Commander told members that he was not present to speak on behalf of the PCC, however he was committed to providing visible policing and the police did

that. There had been a new operation and hopefully councillors would notice an increase in visibility. The questioning member recounted his long experience of being a Councillor for Goring Ward and told the meeting that the police presence had effectively disappeared including the removal of the designated PCSO who visited the neighbourhood panel. In Goring people saw that the police were no longer there and low level crime was no longer reported. As a police representative no longer attended the neighbourhood panel the police were missing out on intelligence. There was a reluctance from residents to report crime as it was purported that there was a feeling that the 'police no longer cared about us'. There was scepticism that the increased precept and proposal to increase the number of police officers would bring visible policing. The Divisional Commander told the members that increasing officers in one area meant taking the resource from another area. He listed a number of competing demands and reported that there was a balancing act to be struck. Police Officers would attend Goring when needed. He also told members about the increase in investigations relating to domestic abuse a huge amount of the threat and harm was online and behind closed doors which would not be addressed with an on-street police presence. If there was a specific policing purpose then the police would visit a neighbourhood panel. Crime should be reported so that patterns could be identified.

A Member asked the following question: *How can the District Councils help you with Crime prevention.* Members were told that the Police worked well in partnership with the councils on a number of issues.

A Member asked the following question: A Member discussed the speculation and myth around some of the questions that the police were asked and suggested that the public do not have a true picture of what the police did and asked *do you feel the public and potentially the councils do not understand fully what you do as a police force and would work better with greater understanding?* The Divisional Commander told members that if a member of the public was a victim of crime then they had a right to expect that it was something for the police to deal with. There was a challenge to generate an understanding in the public about where the threat to harm was.

Resolved: that the Police and Crime Commissioner be invited to a future meeting

JOSC/17-18/55 Review of Public Space Protection Orders

Before the Committee was a report by the Director for Communities, a copy of which was sent to all Members, a copy of which was attached to the signed copy of these minutes as item 8. The purpose of the report before members was to provide a review of the use and enforcement of the current Public Space Protection Orders

(PSPO). The report supported Members in assessing the use of the legal powers contained within the orders and agree future monitoring requirements.

The Director for Communities introduced the report to the Committee and set out the recommendations to the Committee.

A Member asked the following question: *Why do the Police not collate data for the use of antisocial drinking powers? How do we monitor the situation?* Members were told that it was a useful tool, however it would be overly bureaucratic to begin recording the information. There was no requirement for the Police to do so

A Member asked the following question: *Will the Council be able to use PSPO powers to tackling travellers setting up camp illegally on Council land?* Members were told that there were no plans to, that it was not the purpose of PSPO's and that the council already had multi agency protocols to address the issue.

A Member asked the following question: *Are the Councils confident that the PSPO powers to tackle anti-social behaviour by dog owners allowing their pets to foul our streets are working when we have only issued 4 fines across both areas and are more resources needed to tackle the scourge of dog fouling?* Members were told that the period in question less incidents had been encountered.

A Member asked the following question: *Given WCHP initially had concerns about the introduction of PSPOs will it be possible to receive an update on how they feel the powers are working in practice and the impact on their clients?* The Director told member that she could not speak for Worthing Churches Homeless project. However, statutory guidance made it clear that PSPOs were not for targeting homeless members of the public. Members were also told of the recent planning permission for a thirty seven bed hostel, Members were given detail of programs to support homeless people in Worthing.

A Member asked where fixed penalty notices had been issued in relation to dog control orders and was told that he would receive a written response as the information was not to hand.

Resolved:

- i) that the Committee receive updates on PSPOs at six monthly intervals;
- ii) that the Chief Exec of Worthing Churches Homeless Project be invited to the meeting the next time an update is provided.

JOSC/17-18/56 Monitoring our Air Quality

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all Members, a copy of which is attached to a signed copy of these minutes as item 9. The report provided members of JOSC with information regarding the responsibilities of the Councils for Local Air Quality

management, working in Partnership with a range of other agencies and bodies, and the outputs of these processes.

The Director for Communities introduced the report to the Committee and set out the main points therein. In particular Members were given a background to the legislative context around air quality and the situation within Adur and Worthing. There was no requirement in law for the Council to carry out continuous monitoring and it was up to the authority to determine how it monitors air pollution. The Authorities carried this out in the main with the use of diffusion tubes and results would be published in April or May 2018. There were three main Air Quality areas in Adur and Worthing and the approach to monitoring was reviewed annually. The area of monitoring on Shoreham High Street could have been revoked as figures were 'borderline' however it was agreed with DEFRA that monitoring continue. The Councils worked with developers at an early stage to identify mitigation activities such as the promotion of cycling / walking / public transport improvement. There was ongoing partnership work with other authorities and service providers including discussions with Brighton and Hove on how the authorities could improve taxi emissions, in addition the Councils were installing more electric vehicle charging points. The Councils were paying members of the Sussex Air Quality Partnership.

A Member asked the following question: *What action is being taken to tackle Air Quality along the A27 by Grove Lodge? What representations have been made to the Department of Transport and Department of Health to raise any concerns?* The Team Leader (Environment Protection) told members that the Councils were reliant on West Sussex County Council and Highways England. Contact had been made to improve cycling networks in the area as well as optimisation to improve the traffic system.

A Member asked the following question: *What did West Sussex County Council contribute from its public health and regulation budget to Adur and Worthing?* Members were told that Director for Communities was not sure if there was any.

A Member asked the following question: *How do we decide on an Air Quality Management Plan?* Members were told that data from diffusion tubes informed the plan going forward.

A Member asked the following question: *How did the Councils Benefit from being a part of the Sussex Air Quality Partnership?* The Team Leader (Environment Protection) told members that it meant that the Council could work on cross boundary projects, have access to government funding and make savings on procurement because of economies of scale.

A Member asked the following question: *How many statutory bodies does it take to improve air quality? Which bodies are most responsible?* The Team Leader (Environment Protection) told members that West Sussex realised that they had a big part to play and that relevant groups were working better together on the West Sussex Air Quality Action Plan. The Executive Members for Health and Wellbeing told the Committee of initiatives which included an education programme to inform

parents about the dangers of leaving their engines running when dropping children off at school.

The Committee discussed the issue and agreed to recommend to the Executive Members that they write to the Director for Public Health at West Sussex County Council and ask for resources that would help us tackle collectively the very real public health crisis. The Director for Communities stated that she was very aware that the new director was taking the issue very seriously and had asked for a West Sussex Air Quality Strategy to be developed, this would include the new director of public health as well as the Districts and Boroughs. The Executive Member for Health and Wellbeing told the Committee of the sustainable transport strategy being developed for Adur and Worthing.

Resolved: that the report be noted

Recommendation: That the Executive Members be requested to write to Department for Public Health to seek appropriate resources to help the Councils to tackle the problems of Air Quality.

**JOSC/17-18/57 Joint Overview & Scrutiny Committee Work Programme
update - 2017/18**

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all Members, a copy of which is attached to a signed copy of these minutes as item 10.

Resolved: that the work programme be noted

The meeting was declared closed by the Chairman at 7.32pm it having commenced at 6.30pm.

Chairman