

Community Scrutiny Committee – 27 June 2017

Present: Councillor Coles (Chairman)
Councillor Ms Lisgo MBE (Vice-Chairman)
Councillors Booth, Davies, Mrs Floyd, Hunt, R Lees, Ross, Ryan, Townsend and Watson.

Officers: Ann Rhodes (Planning Policy Officer) and Marcus Prouse (Democratic Services Officer – Scrutiny).

Also present: Councillors Berry, Morrell and Warmington.

(The meeting commenced at 6.15 pm).

29. Apologies/Substitution

Apologies were received by Councillors Mrs Blatchford, Mrs Reed and Martin-Scott. Councillor James Hunt substituted for Councillor Mrs Blatchford.

30. Minutes

The Minutes of the meeting of the Community Scrutiny Committee held on 16 May 2017 were confirmed as a correct record and were signed.

31. Declaration of Interests

Councillor Coles declared personal interests Member of Somerset County Council and Member of Devon & Somerset Fire & Rescue Service. Councillor Ms Lisgo - Trustee of North Taunton Partnership and User of Tone Leisure's Feelgood Factory. Councillor Ross declared a personal interest as a member of the Somerset Waste Board and a Director of the Wiveliscombe Area Partnership. Councillor Townsend declared a personal interest as his business was located in Coal Orchard. Councillor Watson declared a personal interest as a Member of Bishops Lydeard and Cothelstone Parish Council.

Councillor Hunt declared personal interests as a Member of the Exmoor National Park Authority, Member of Devon and Somerset Fire and Rescue Authority and a Member of the Tacchi Morris Management Committee.

32. Update on Crime and Policing in Taunton.

Considered report previously circulated, concerning the update on Crime and Policing in Taunton.

Headline crime and satisfaction figures for the Taunton policing area were set out in the report, members were cautioned that this information was taken from live systems so would be different to the statistics reported on Police.uk.

The below table detailed the breakdown of different offences across the Taunton Deane Borough Council area for the last 24 months (April 2015 to March 2017 inclusive).

Offence Group	Current YTD	Previous Year	Pct Change	Actual Change
Violence Against The Person	2917	1902	53%	1015
Theft And Handling Stolen Goods	1989	1634	22%	355
Criminal Damage	730	602	21%	128
Burglary	444	395	12%	49
Sexual Offences	219	170	29%	49
Other Offences	176	90	96%	86
Drug Offences	119	148	-20%	-29
Robbery	46	29	59%	17
Arson	23	24	-4%	-1
Fraud Forgery	12	30	-60%	-18
Total	6675	5024	33%	1651

Below set out a further breakdown of the offence group 'Violence Against the Person'. This evidenced the significant increases were reported around offences linked to public fear, harassment and assaults without injury. The increases could be linked to an improvement in crime recording due to internal changes as well as national compliance. This was further evidenced in Anti-Social Behaviour (ASB) reductions which was how these offences could have been previously recorded.

Breakdown of Violence Against the Person	Current YTD	Previous Year	Pct Change	Actual Change
Public fear, alarm or distress	793	367	116%	426
Assault without injury	733	567	29%	166
Harassment	571	304	88%	267
Assault with injury	566	494	15%	72
Racially or religiously aggravated public fear, alarm or distress	57	30	90%	27
Threats to kill	41	24	71%	17
Cruelty to and neglect of children	40	22	82%	18
Assault with Intent to cause Serious Harm	30	24	25%	6
Assault without injury on a constable	20	31	-35%	-11
Possession of article with blade or point	12	7	71%	5
Possession of other weapons	12	2	500%	10
Stalking	12	9	33%	3
Racially or religiously aggravated assault without injury	6	5	20%	1
Kidnapping	5	2	150%	3
Racially or religiously aggravated actual bodily harm and other injury	5	1	400%	4
Poisoning or female genital mutilation	3	6	-50%	-3
Child abduction	2	0	-	2
Possession of firearms with intent	2	0	-	2
Racially or religiously aggravated harassment	2	4	-50%	-2
Causing death by dangerous driving	1	0	-	1
Endangering Life	1	3	-67%	-2
Modern Slavery	1	0	-	1

Murder	1	0	-	1
Racially or religiously aggravated inflicting grievous bodily harm without intent	1	0	-	1

The detailed the breakdown of 'other offences' was set out below. This evidenced a significant increase within the original table (96%). As per the detail below, the majority of the increase was seen in the 'offence against the state or public order' category.

Breakdown of Other Offences	Current YTD	Previous Year	Pct Change	Actual Change
Other offences against the State or public order	127	56	127%	71
Obscene publications etc	18	7	157%	11
Blackmail	10	3	233%	7
Other notifiable offences	4	6	-33%	-2
Absconding from lawful custody	3	1	200%	2
Dangerous driving	3	1	200%	2
Perverting the course of justice	3	6	-50%	-3
Going equipped for stealing, etc	2	3	-33%	-1
Other firearms offences	2	4	-50%	-2
Violent disorder	2	0	-	2
Non Notifiable	1	0	-	1
Perjury	1	0	-	1

The ASB figures for the TDBC area were reported in the table below, broken down by the three categories.

ASB Type	Current YTD	Previous Year	Pct Change	Actual Change
ASB - NUISANCE	1438	1762	-18%	-324
ASB - PERSONAL	179	421	-57%	-242
ASB - ENVIRONMENTAL	84	107	-21%	-23
Total	1701	2290	-26%	-589

An overall decrease of 26% was reported, as previously discussed, this was likely absorbed into the 33% increase reported in crime. This was further supported by one of the larger decreases seen in ASB – Personal which could have previously included offences now recorded as harassment or public fear. Similar logic could be applied to ASB – Nuisance, though more in depth analysis would be required to fully support this.

During the discussion of this item, Members made comments and statements and asked questions which included:-

- It was considered if there were further explanation of evidential difficulties that had an impact on crime reporting.
- There were instances where there wasn't enough evidence when charged, if there was public interest and whether it would stand up in court.

- Assault with Injury had a reduction of 15% - this was considered as encouraging due to other leaps.
- There had been different methods of recording since last addressed to Scrutiny setting out results over a 24 Month Period.
- Perceptions of the major trends were discussed, it was considered if there were any increases in issues around the town Centre in homelessness.
- The last time the report was considered at committee was in 2015 and new standard guidance from Home Office had been introduced since then.
- It was acknowledged that there had been an increase in Town Centre vagrancy, partners were being worked with to tackle this, The Town Centre Forum was focusing on this, lessons were being learned from a new project in Bristol before going down enforcement route, additional work was being done in signposting members of the community to homeless organisations, shelters and support Agencies.
- Trends and Awareness of ASB in open spaces was recognised, some of it was connected to outsiders not from the Somerset area – targeting vulnerable individuals through use of their property in supplying illegal substances.
- Avon and Somerset police were working with partners on prevention to tackle incidents of ASB in areas such as Victoria Park/ Open Spaces.
- Councillors were reminded that the Police.uk website was available to access statistics published for all to research.
- Prohibition Orders in Town Centre were discussed, and how this was working from the Police perspective.
- Instances of Fraud were included in the reporting. Further detail relating to Fraud Figures would be passed on to the next time this comes back for discussion in December for further clarity.
- The Town Centre Forum had been introduced to deal with issues such as street drinking. It was agreed for details of forum to the Committee to enable Councillors to have input.
- In relation to Halcon Skate Park and ASB in Hamilton Park. Suggestion was made for Taunton Deane to provide Signage in Open Spaces areas to set out the rules of expected behaviour and provide a mandate for the police on their patrols?
- Instances of ASB in Hamilton and Victoria Park was discussed. There were uniformed patrols in the area along with an ASB Plan and control plan to look in the summer months.
- The ASB drop reported was considered to be due to the enforcement along with partnership working. The ban on legal highs was also considered a factor
- Parish Councils received a monthly crime report, ward Councillors also received beat reports for their areas. It was understood the both sets of reports would be standardised in the future.
- Concerns around Partners not buying in is being addressed with funding for the One Team running out in March 2018.
- Due to the success of the One Team, this is being replicated and is being endorsed by other districts. Support from partners was improving. There are now 8 One Teams across all authorities Somerset. The PCC supported extension of the One Teams across the region.

- Members made a suggestion that the local PCSO's be requested to attend Parrish Council meetings to inform about the previous months policing update in the area.

Resolved that:-

- 1) Community Scrutiny Note the Report and that;
- 2) Details around The Town Centre Forum circulated to Members and that;
- 3) Due to the Unparished Area not receiving PCSO reports that Parishes receive, the website link to the crime statistics to access from Police.uk was circulated to Members;
- 4) That when this item returns the appropriate senior officer from TDBC is also requested to attend;
- 5) That Community Scrutiny recognises early intervention is needed in all areas to prevent crime and disorder and increase public confidence, but recognise it cannot and should not be led by the Police and Emergency Services. We would wish to see this Council and Somerset's District Authorities leading on this, specifically on continuation of the One Team working after 2019 or in transition to other early intervention arrangements. This Committee should review the position on One Team Continuation by December 2017 at the latest to ensure any proposals are made ahead of Budget Setting deadline.

33. Trull and Staplehay Neighbourhood Development Plan

Considered report previously circulated, concerning the update on Crime and Policing in Taunton.

- 1) Ms Tessa Dean made the following statement on behalf of Trull Parish Council:-

The Parish Council started work on the plan in 2012 supported by Mark Edwards. The development included an urban extension over a planned period. Two years was spend consulting across parish, this was considered at Parish council in Spring 2015. Ms Dean thanked TDBC Planning Policy for the part they had played during the process and looked forward to the final steps before it is adopted by Full Council.

- 2) Mr Richard Denton-Cox made the following statement:-

Mr Denton-Cox considered forming the plan to have been a constructive process, residents had contributed to the quality of the plan and there had been strong support for the plan. It recognised as a comprehensive plan by the examiner. Commend the plan to the Community Scrutiny Committee.

The following Summary of the report was presented:-

The Trull & Staplehay Neighbourhood Development Plan is a community led planning document produced by Trull Parish Council. The document and its evidence base passed an Independent Examination and was supported by 78.53% of those who voted in the referendum. The Trull & Staplehay Neighbourhood Development

Plan should be formally adopted (made) to enable it to be used to help it decide planning applications in the Trull & Staplehay Neighbourhood Plan Area.

The Localism Act introduced Neighbourhood Development Plans to the planning system, giving communities direct power to develop a shared vision for their neighbourhood and shape a locally distinctive development plan which reflects the growth needs and priorities of their communities.

The Localism Act, the National Planning Policy Framework, Town and Country Planning Act 1990, Neighbourhood Planning Act 2017, Housing and Planning Act 2016 and various Neighbourhood Planning Regulations provide the regulatory framework for neighbourhood planning.

From inception Neighbourhood Development Plans are community led development plan documents with the Local Planning Authority provide advice and assistance, taking regulatory decisions at key legislative stages set out in the Act's and Regulations.

A Neighbourhood Development Plan must be predominantly land-use based (i.e. use of land, type and scale of development, allocate land for development). It cannot be contrary to National and Local Planning Policy (National Planning Policy Framework, TDBC Core Strategy, TDBC Site Allocations and Development Management Plan), nor can it conflict with European Legislation (Equalities, Environmental and Ecological). A Neighbourhood Plan cannot restrict development but it can shape development that has been allocated through local Planning Policy and allocate land for development.

Trull Parish Council began the process of developing a Neighbourhood Plan in November 2011. An application was received from them in February 2012 to produce a neighbourhood plan and for the designation of the Parish of Trull as a Neighbourhood Plan Area. The application was published for statutory consultation between 3rd August and Friday 14 September 2012 (six weeks and one day) in accordance with Regulation 6 of the Neighbourhood Plans (General) Regulations.

The Trull & Staplehay Neighbourhood Plan and its supporting documents were submitted to TDBC on 9 September 2015. In accordance with Regulation 16(v) of The Neighbourhood Planning (General) Regulations it was subject to regulatory consultation, which ran from 1 October till 13 November 2015, (six weeks and one days). 13 representations were received during the period of consultation which were submitted in their entirety to the independent examiner in accordance with Regulation 17(d).

In accordance with Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and in the Neighbourhood Plans (General) Regulations 2012 an Independent Examiner, Nigel McGurk, was jointly appointed by TDBC and Trull Parish Council to carry out an independent examination of the Trull & Staplehay Neighbourhood Development Plan.

The examination was conducted by written representations. The Independent Examiners report was received on 5 October 2015. The report concluded that:

The T&SNDP is compliant with European Convention of Human Rights;

The T&SNDP is compatible with EU Environmental Obligations (Strategic Environmental and Habitats Assessment) and does not breach Convention Rights;

The T&SNDP, subject to modifications, meets all the Basic Conditions;

As such the T&SNDP can progress to referendum and the referendum area should not extend beyond the Neighbourhood Area to which the Plan relates [the Parish of Trull].

Having considered each of the recommendations made in the Examiner's report, and the reasons for them, TDBC decided accept the recommendations and make modifications to the draft plan to ensure that it meet the basic conditions set out in legislation. This decision was published in the weekly bulletin on 6 October 2015, Record of Decision taken by an Executive Councillor.

In accordance with the Localism Act 2011, Neighbourhood Planning (Referendum) Regulations and Neighbourhood Planning (Prescribed Dates) Regulations the Trull & Staplehay Neighbourhood Development Plan was subject to a referendum, on 8 June 2016, which poses the question *Do you want Taunton Deane Borough Council to use the neighbourhood plan for Trull & Staplehay to help it decide planning applications in the neighbourhood area?*

Persons on the electoral register in the referendum area who were eligible to vote in a local election for the area were entitled to vote. There electorate was 1828 in the Trull & Staplehay Neighbourhood Plan Area and 1486 persons, 81.29%, voted. The results of the referendum were:

Yes 1167 78.53%;

No 282 18.98%;

Rejected ballot papers 37 2.49%

Officers recommend to members of Scrutiny that the Trull & Staplehay Neighbourhood Plan be made. The Independent Examiner's report commented that the Trull & Staplehay Neighbourhood Plan was compliant and compatible, subject to changes, which the Portfolio Holder accepted and those recommendations were applied to the Plan. The correct processes and procedures had been complied with in the plan preparation and submission.

The Trull & Staplehay Neighbourhood plan to 2028 was appended to the report.

During the discussion of this item, Members made comments and statements and asked questions which included:-

- The Committee Chairman commended the work undertaken by the parish council and the tireless work in getting this done along with the work done by the Planning Policy Team on an informative and aspirational report.
- Due Diligence had been conducted on the Neighbourhood Development Plan and a democratic mandate had been given.
- Concerns were expressed over the situation of the inequality between parished and unparished areas.
- This would be difficult for unparished area to achieve, a neighbourhood forum would have to be established under the regulations.
- A briefing note on Neighborhood Plans in unparished areas would be produced and circulated to the rest of the committee.
- A second neighbourhood plan for Bishops Lydeard was the next Neighbourhood plan to reach adoption

- It was suggested that Kingston St. Mary be used as a template for future plans.

Resolved that:-

That the Community Scrutiny Committee recommend to the Full Council that it is formally adopted (“made”) as a TDBC Development Plan Document, and used in the planning application decision making process for the Trull Parish area.

34. Community Scrutiny Forward Plan

Submitted for information the proposed Forward Plan of the Community Scrutiny Committee.

The following items were on the Community Scrutiny Forward Plan.

Review of One Team Funding – S. Lewis
Homelessness increase – S. Lewis
Flytipping – data - C. Hall
Neighbourhood Plans – Shifting Development
Cladding/ Civil Contingencies – S. Weetch.

Resolved that the Forward Plan be noted.

(The meeting ended at 8.25 p.m.)