

NOTICE
OF
MEETING



CRIME & DISORDER OVERVIEW & SCRUTINY PANEL

will meet on

THURSDAY, 19TH MAY, 2016

At 6.15 pm

in the

DESBOROUGH 4 - TOWN HALL, MAIDENHEAD

TO: MEMBERS OF THE CRIME & DISORDER OVERVIEW & SCRUTINY PANEL

COUNCILLORS DAVID HILTON (CHAIRMAN), JOHN STORY (VICE-CHAIRMAN),
HASHIM BHATTI, JOHN BOWDEN, HARI SHARMA, LISA TARGOWSKA AND
SIMON WERNER

SUBSTITUTE MEMBERS

COUNCILLORS MALCOLM ALEXANDER, CLIVE BULLOCK, MOHAMMED ILYAS,
GARY MUIR, SHAMSUL SHELM, MALCOLM BEER OR LYNNE JONES

Karen Shepherd - Democratic Services Manager - Issued: Wednesday, 11 May 2016

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Tanya Leftwich** 01628 796345

Fire Alarm - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Congregate in the Town Hall Car Park, Park Street, Maidenhead (immediately adjacent to the Town Hall) and do not re-enter the building until told to do so by a member of staff.

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	-
2.	<u>DECLARATIONS OF INTEREST</u> To receive Declarations of Interests from Members of the Panel in respect of any item to be considered at the meeting.	7 - 8
3.	<u>MINUTES</u> To note the minutes of the Crime & Disorder Overview & Scrutiny Panel held on the 22 March 2016.	9 - 12
4.	<u>THAMES VALLEY POLICE PRIORITIES</u> A verbal update by Chief Inspector Grahame, Thames Valley Police.	-
5.	<u>DOMESTIC ABUSE - PATHWAY TO RESOLUTION</u> By the Domestic Abuse Coordinator, RBWM (Kate Whittaker).	-
6.	<u>ROAD SAFETY IMPROVEMENTS AT SCHOOL - PARKING POLICY & PRACTICE</u> To comment on the report to be considered by Cabinet on the 26 May 2016.	<i>(to follow)</i>
7.	<u>DAAT REVIEW OUTCOME AND RECOMMENDATIONS</u> To comment on the report to be considered by Cabinet on the 26 May 2016.	<i>(to follow)</i>
8.	<u>COMMUNITY PROTECTION & ENFORCEMENT NEW STRUCTURE</u> By the Head of Community Protection & Enforcement, RBWM (Craig Miller).	-
9.	<u>CONSTITUTIONAL AMENDMENTS</u> By the Chairman, Councillor Hilton.	13 - 16
10.	<u>COMMUNITY SAFETY PARTNERSHIP PLAN</u> By the Head of Community Protection & Enforcement, RBWM (Craig Miller).	-

11.	<p><u>CRIME & DISORDER OVERVIEW & SCRUTINY FORWARD PLAN (ITEMS FOR NEXT MEETING)</u></p> <ul style="list-style-type: none"> • Integrated Offender Management (IOM) Update – Objective – to ensure IOM is operating effectively. • Cyber Crime – How do stakeholders & CSP protect residents/victims. • Night Time Economy – Update on Options for Enhancing the Management of the NTE. 	-
12.	<p><u>DATE OF FUTURE MEETINGS</u></p> <p>To note the future meeting dates:</p> <ul style="list-style-type: none"> • Tuesday 19 July 2016. • Thursday 15 September 2016. • Monday 14 November 2016. • Monday 30 January 2017. • Thursday 20 April 2017. 	-
13.	<p><u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u></p> <p>To consider passing the following resolution:-</p> <p>"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 14 & 15 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of part I of Schedule 12A of the Act"</p>	-

PRIVATE MEETING

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
14.	<u>PART II MINUTES</u> To note the Part II minutes of the Crime & Disorder Overview & Scrutiny Panel held on the 22 March 2016. <i>(Not for publication by virtue of Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	17 - 18
15.	<u>COMMUNITY PROTECTION & ENFORCEMENT NEW STRUCTURE</u> By the Head of Community Protection & Enforcement, RBWM (Craig Miller). <i>(Not for publication by virtue of Paragraph 4 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	-

MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

PREJUDICIAL INTERESTS

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

DECLARING INTERESTS

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

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Public Document Pack Agenda Item 3

CRIME & DISORDER OVERVIEW & SCRUTINY PANEL

TUESDAY, 22 MARCH 2016

PRESENT: Councillors David Hilton (Chairman), John Story (Vice-Chairman), Hashim Bhatti, John Bowden, Hari Sharma and Lisa Targowska.

Also in attendance: Parish Councillor Margaret Lenton (Wraysbury Parish Council) and Parish Councillor Pat McDonald (White Waltham Parish Council).

Officers: Tanya Leftwich, Brian Martin and Simon Fletcher.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Werner, Superintendent Rai (Thames Valley Police) and Parish Councillor Spike Humphrey (Sunninghill & Ascot Parish Council).

The Chairman informed everyone present that the meeting was being recorded and would be made available on the RBWM website.

DECLARATIONS OF INTEREST

None.

MINUTES

The Part I minutes of the meeting held on the 4 February 2016 were agreed as a correct record.

The Community Safety Manager agreed to check whether the draft findings of the National Youth Justice Review were available.

RBWM TRANSFORMATION PROGRAMME 2015-18: AN AGILE COUNCIL

The Strategic Director of Operations and Customer Services, Simon Fletcher, referred Members to pages 17-38 of the agenda and explained that the report introduced a refreshed RBWM Transformation Programme (strategy) 2015-18. It was noted that the programme was designed to respond to the changing face and funding structure of local government and enable the Royal Borough to become a change ready and 'Agile' organisation. Members were informed that the report would be going before Cabinet on the 31 March 2016.

Members were given a short presentation and were informed that the Royal Borough had been transforming for a number of years now. It was noted that the Royal Borough had achieved £20.5million savings since 2013/14. Members were informed that savings for 2016/17 – 2019/20 needed to be made.

Councillor Targowska arrived.

The Strategic Director of Operations and Customer Services went onto explain that over the next couple of years the Royal Borough needed to respond to challenges and aim to be an agile Council.

In the ensuing discussion the following points were noted:

- That the 10% reduction in Council tax by 2017/18 (referred to on page 29 of the agenda) was a cumulative figure.
- That the names on page 30 of the agenda (transformation programme governance arrangements) needed to be updated.
- That the 'TBC' figures would be available by the end of April.
- That all March dates in the report needed to be amended to April.
- That the Version 0.4 date on page 35 of the agenda needed to be amended to read 07/01/2016.
- The Strategic Director of Operations and Customer Services agreed to confirm the 50% (tbc) 2015/16 savings figure from the staff survey so it could be included in the minutes.
- That the Council was committed to retaining fact to face and over the phone conversations particularly for those without internet access.
- That the Council was considered to be multiple businesses and as such did not have the money to invest in being able to see every transaction for a particular individual.
- That 150 Fundamental Service Reviews (FSRs) were due to be undertaken in total – 80 had so far been undertaken / scheduled in to take place. It was noted that the majority would be completed by the end of the financial year.
- That the need to complete the FSRs was considered high risk.
- That the Council was looking at joint ventures and providing services itself.
- That between January and the end of March 102 of the management team would have been trained to help complete the transformation programme.
- That the Royal Borough wanted to be the local government employer of choice.
- That the figure of 720 on page 33 of the agenda (baseline of complaints received in 2015/16) related to resident complaints. The Chairman commented that he did not like the fact that some of the 4000+ complaints were considered valid and some were not.
- That the Council was starting to group complaints to enable trends to be available in the future.
- That the complaints process consisted of three levels / stages.

The Crime & Disorder Overview & Scrutiny Panel unanimously agreed to recommend to Cabinet the following:

i. Approves the refreshed RBWM Transformation Programme 2015-18: An Agile Council.

The Panel thanked the Strategic Director of Operations and Customer Services for an excellent report.

RECOMMENDATIONS FOR A NEW TYPE OF PUBLIC SPACE PROTECTION ORDER (PSPO)

The Community Safety Manager, Brian Martin, referred Members to pages 39-48 of the agenda and explained that the paper proposed that Cabinet recommended that full Council considered and approved an extension to the scope of PSPOs available to use within the Royal Borough to include anti-social behaviour (ASB) arising from barbeques lit in public spaces.

It was noted that the report recommended that delegated authority be given to the Lead Members for Environmental Services and Highways and Transport in conjunction with the Strategic Director of Operations & Customer Services to make further recommendations on the extension of the scope of PSPOs direct to full Council.

It was noted that the report also suggested further research be undertaken in conjunction with the Policy Committee and stakeholders to determine the most appropriate response, if any.

The Community Safety Manager referred Members to para 2.2 of the report on page 40 of the agenda which had been a continuing problem over the last 3-5 years. Members were also referred to paras 2.7 & 2.8 of the report on page 41 of the agenda which looked at the possibility of going straight to Council rather than through the Cabinet process.

In the ensuing discussion the following points were noted:

- The Vice-Chair asked whether the Council had thought about designating certain public spaces that were considered suitable and safe for barbecues. Councillor Targowska agreed that she would support having a concrete space with plenty of bins would be useful to encourage people outside to use the parks in the Royal Borough.
- Councillor Bowden raised his concern that if a PSPO was granted it could displace the issues elsewhere.

Parish Councillor Margaret Lenton left the meeting.

The Panel raised concern about the displacement that could occur if a PSPO on barbecues was approved for a specific location. The Community Safety Manager suggested that if this happened then PSPOs would need to be considered for the displacement locations. However, in this context whilst recognising that the Council website indicated that barbecues were not allowed in public spaces Members felt that particularly given the proposals for significant flatted developments in Maidenhead consideration should be given to establishing a number of pleasant public amenity barbecue locations.

The Crime & Disorder Overview & Scrutiny Panel unanimously agreed to recommend to Cabinet the following:

- i. Approves Option1 in section 2.9 in the report;**
- ii. Delegates authority to the Strategic Director of Operations & Customer Services in conjunction with the Lead members for Environmental Services and Highways & Transport to propose any future widening of the scope of ASB covered by PSPOs directly to full Council;**
- iii. Requests the Strategic Director of Operations & Customer Services in conjunction with the Policy Committee and relevant stakeholders to complete an options appraisal of the potential responses to the items detailed at a) to e) in section 2.7.**

DATE OF FUTURE MEETINGS

The Chairman informed Members that the dates of the next meetings were as follows:

- Thursday 19 May 2016.
- Tuesday 19 July 2016.
- Thursday 15 September 2016.
- Monday 14 November 2016.
- Monday 30 January 2017.
- Thursday 20 April 2017.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion took place on item 8 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of part I of Schedule 12A of the Act.

The meeting, which began at 6.15 pm, finished at 7.30 pm

CHAIRMAN.....

DATE.....



Contains Confidential or Exempt Information	NO
Title	CONSTITUTIONAL AMENDMENTS
Responsible Officer(s)	Sean O'Connor
Contact officer, job title and phone number	Sean O'Connor, Solicitor 07824546852
Member reporting	Cllr. David Hilton
For Consideration By	Council
Date to be Considered	15 December 2015
Implementation Date if not Called In	
Affected Wards	All
Keywords/Index	Constitution

Report Summary

1. This report sets out amendments to the Constitution agreed by Council on the 15th December 2015.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
An up to date Constitution reflecting best practice will ensure democratic processes run efficiently and effectively, and ensure residents are informed of the correct processes.	From date of decision

1. Details of Recommendations

RECOMMENDATION: that Council:

- 1.1 Approves the amendments to the Constitution in the Appendix; and

2. Reason for Recommendation(s) and Options Considered

2.1 The Constitution of the Council is a single point of reference which contains the principal operating structures and procedures of the authority. It sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.

2.3 Parish Council Membership on Crime and Disorder Overview and Scrutiny Panel.

The Terms of Reference for Overview and Scrutiny Panels allows the co-opting of part of its membership from Parish Councils. The Crime and Disorder Overview and Scrutiny Panel consists of 7 members with 2 being co-optees from the Parish Councils.

Where a vacancy exists, the current process of selecting a nominee from the Parish Councils involves notifying the Parish Councils of the vacancy and inviting nominations. Where more than one nomination has been received, a ballot is held where the Parish Councils may vote for one candidate.

The process is not formalised within the Constitution for the Crime & Disorder Overview & Scrutiny Panel and the Chairman has requested that the selection process is formalised within the terms of reference for the panel in para A3 (c) of Part 4A 'Purpose and Procedure Rules for Overview and Scrutiny' in the Constitution.

2.7 Changing the Constitution

The Constitutional Sub-Committee is unique as a committee of Council in that it's current terms of reference do not allow the committee to make any decisions without express permission from full Council. Likewise there are no provisions in the Constitution for simple updates in changes in law to be made unless a report to Council is made

The result of this is that many simple and immaterial amendments to the Constitution often require a report to full Council.

The proposal is that where a decision has been made by Council, Cabinet or any of their subcommittees (and a matter hasn't already been expressly reserved to Council in law or the Constitution) then the Constitution may be changed to reflect such decision without further approval by full Council. Where a decision of Cabinet or any subcommittees of Cabinet or Council has been made (or delegated in general terms), then such decision or delegation shall deemed to include the necessary changes to the constitution.

This shall not include matters that are reserved to full Council either in the Constitution or at law. This includes matters which cannot be delegated

under s101 of the Local Government Act 1972 such as setting the annual budget, policy framework, appointments and terms of reference for Council subcommittees, changing the Code of Conduct and approval of Members Allowance Scheme.

In addition, it is proposed that very minor and inconsequential changes of an editorial nature as may seem appropriate to make the Constitution internally consistent, up-to-date and readily understandable are delegated to the Monitoring Officer in consultation with the Chairman of the Constitutional Sub-Committee.

Where amendments have been made, then Democratic Services will notify all members of the changes and (if necessary) the reason for the change.

2.8 Appendix

The Appendix to this Report documents the proposed changes to Constitution.

Appendix

Change to Constitution

The changes shall be made as stated in the table (strikethrough denotes deletion of existing and underline indicates additional/replacement wording):

Paragraph 2.3 Crime and Disorder Overview and Scrutiny Panel

Paragraph and Part of Constitution	Amendment
Part 2B A3 (c)	<p>Change to ‘Decision Making Body’ for Functions relating to Overview & Scrutiny:</p> <p>c) Crime and Disorder</p> <p>The Crime and Disorder Overview and Scrutiny Panel may, in accordance with <u>The Crime and Disorder (Overview and Scrutiny) Regulations Statutory Instrument 2009 no.942</u> co-opt additional members to serve on the Panel subject to:-</p> <ul style="list-style-type: none"> i) the person co-opted to serve on the Panel shall not be entitled to vote on any particular matter, unless the committee so determines. ii) the co-opted person’s membership may be limited to the exercise of the Panel’s powers in relation to a particular matter or type of matter. <p>The co-opted person shall not be a member of the Cabinet of the Council.</p>

being an employee, officer or member of a responsible authority or of a co-operating person or body.

The Panel shall be 7 members and two further co-opted parish councillors one representing each of the northern and southern parishes.

Co-optees and substitutes for either the northern or southern Parish Councils shall be appointed as follows:

- a. Vacancies are notified to each Parish Council by the Council
- b. Parish Councils must submit in writing their nominations within 28 days of notification. Each Parish Council can only nominate one co-optee.
- c. Each nomination shall include details of the proposed co-optee with a maximum 100 word supporting statement
- d. Where more than one nomination is received then each Parish Council (in either the northern or southern Parishes) is then entitled to vote on the nominated candidates. The votes must be received within 28 days of notification.
- e. The nominee with the greatest number of votes shall be elected to the Panel as the co-optee. The nominee with the next highest number of votes shall be the substitute. In the event of a tie for either position the Chairman of the Panel shall select the nominee to be appointed as co-optee to the Panel.
- f. If only one nomination is received for either the northern or the southern parishes, the nominee will automatically be appointed as co-optee

The Panel shall be permitted to change the process of appointment as it see fits and decide the exact methodology.

Each co-optee and substitute shall remain on the Panel for a period of 4 years (requiring a re-appointment at Annual Council meeting). In the event the co-optee is absent from 2 or more meetings in any one year then the Panel may pass a resolution to remove the co-optee from the Panel.

Where a co-optee resigns then the substitute shall take the place as the co-optee on the Panel for the remainder of the term if the Panel resolves to accept the substitute. Where the substitute elects not to take up the position on the Panel, then the Panel shall seek further nominations from the Parish Councils and steps a. to f. above shall be followed. Where a substitute position is vacant then the Parish Council's shall be requested to nominate further substitutes and the process in points a to f shall be followed.

The parish council representatives to be required to liaise with relevant parishes on a regular basis.

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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