



**MINUTES OF THE MEETING OF
POLICE, FIRE and COMMUNITY SAFETY SCRUTINY COMMITTEE**

**THURSDAY 12 NOVEMBER 2020
VIA THE DIGITAL MEETINGS SYSTEM**

Committee Members Present:

Councillor J Goodfellow (Convener)
Councillor L Bruce
Councillor F Dugdale
Councillor J Findlay
Councillor N Gilbert
Councillor C Hoy (Items 2 – 7)
Councillor C McGinn
Councillor K McLeod (Items 2 – 7)

Police Scotland

Chief Superintendent J McKenzie
Chief Inspector N Mitchell

East and Midlothian Scottish Fire and Rescue Service

Mr S Gourlay, Area Commander
Mr A Anderson, Group Commander

Council Officials Present:

Ms S Saunders, Head of Communities and Partnerships
Mr P Vestri, Service Manager – Corporate Policy and Improvement
Mr K Black, Safer Communities Team Leader
Ms A Smith, Committees Officer

Clerk:

Ms F Currie

Apologies:

None

Declarations of Interest:

None

1. MINUTES OF MEETING OF 14 NOVEMBER 2019

The minutes of the meeting held on 14 November 2019 were approved.

2. SCOTTISH FIRE AND RESCUE SERVICE LOCAL PLAN PERFORMANCE REPORT FOR EAST LOTHIAN, Q2 2020/21

Stephen Gourlay, Scottish Fire and Rescue Service (SFRS) Area Commander, gave a brief overview of some of the key issues which had affected the Service since April 2020. He reported that there had been 12 attacks on crews across Scotland on Bonfire Night, however none had occurred in East Lothian. He thanked the police for their support over the period. He referred to the impact of COVID-19, the requirement for additional PPE and advised that local crews had continued to operate at close to normal levels throughout. He also updated the Committee on the ongoing pay discussions and review of service roles and highlighted new legislation relating to fire and smoke alarms in domestic dwellings which was due to come into force in February 2021.

Mr Gourlay responded to questions from Councillors Findlay and Bruce. He clarified the responsibilities for enforcement of new standards on fire safety and the costs of a new system; he also referred to potential implications for insurance and home sales. He confirmed that the SFRS had a budget for fitting new alarms and heat detectors in vulnerable households and he expected decisions to be made shortly on the timing and logistics of any roll out programme. He added that all other households had a responsibility to ensure that their fire safety systems met the required domestic standards.

Replying to a question from Councillor Findlay, Sharon Saunders, Head of Communities & Partnerships, said that the Housing Service would be aware of the requirements of the new legislation in respect of Council tenants and she offered to seek further detail from the Head of Development. The Convener, in his role as Housing Spokesperson, confirmed that the Housing Service had a programme in place to fit alarm/detection systems that met the new standards.

Councillor Dugdale raised the issue of further prevention measures. Mr Gourlay reiterated his point about smoke alarms and advised that heat detectors in kitchens had a been a legal requirement for several years and that further recommendations and regulation had come from the Ministerial Working Group put in place following the Grenfell Tower fire. He said that this was important new legislation but that he expected its coming into force to be delayed, possibly by up to a year, as a result of COVID-19.

Andrew Anderson, SFRS Group Commander, summarised the main points of the performance report. He noted that the SFRS had responded to 665 incidents across East Lothian in the period reported, a decrease of 147 compared to the previous year. He drew attention to fire casualties, pointing out that while these remained low in East Lothian they did include one fatality as a result of a dwelling fire in Aberlady in April. Members were advised that home safety visits had continued despite the pandemic, although numbers were lower than previous years. He also highlighted the home safety visit referrals from the Community Access Team. On 'Unwanted Fire Alarm Signals' (UFAS), he reported that the service had responded to more than 216 such incidents, which was a reduction of 25% on the previous period. He concluded with a summary of prevention and protection work, which included visits, referrals, advice and publicity campaigns. While this work had been impacted by COVID-19, he said he expected capacity to increase as the Service developed better ways of engaging with community groups.

In response to questions from Councillor Findlay, Mr Anderson explained that the key performance indicator did not include deliberate dwelling fires but that this information could be provided separately. Mr Gourlay added that a figure for all deliberate fires (including dwelling fires) could also be included in future reports. In relation to figures for accidental dwelling fires involving Houses of Multiple Occupation (HMOs), Mr Gourlay said he did not have an exact number but confirmed that post-fire audits were received from the Prevention Team for accidental fires and he was not aware of HMO fires being a particular problem in East Lothian.

Later in the meeting, Mr Gourlay was able to provide the additional information requested. He reported that over the 6 month period there had been 2 deliberate dwelling fires but no incidents, deliberate or accidental, involving HMOs.

Decision

The Committee agreed to note the report.

2a. EAST LOTHIAN AREA LOCAL COMMUNITY FIRE AND RESCUE PLAN REVIEW 2020

Mr Gourlay informed the Committee that the SFRS was required by law to prepare Local Community Fire and Rescue Plans for each local authority in Scotland. The first of these Plans were prepared in 2014 and reviewed and replaced in 2017/18. The publication of the new SFRS Strategic Plan 2019-22 included a requirement to review all Plans currently in place. The 2018 East Lothian Community Fire and Rescue Plan contained an element of future proofing and the review had concluded that the 5 local priorities were still fit for purpose.

Mr Gourlay outlined the 5 local priorities within the current Plan and invited the Committee to agree to these priorities being used as the basis for drafting the new Plan. This document would be subject to further consultation and would be presented to the Committee for consideration at their meeting in May 2021.

The vote on the recommendation was taken by roll call:

Councillor L Bruce	Agreed
Councillor F Dugdale	Agreed
Councillor J Findlay	Agreed
Councillor N Gilbert	Agreed
Councillor J Goodfellow	Agreed
Councillor C Hoy	Agreed
Councillor C McGinn	Agreed
Councillor K McLeod	Agreed

Decision

The Committee agreed to the proposed approach for the drafting of the new Plan.

3. POLICE SCOTLAND SCRUTINY REPORT – THE LOTHIAN AND SCOTTISH BORDERS, Q2 – 2020/21

Chief Superintendent McKenzie provided opening comments prior to the report. He confirmed that the new mobile data and contact assessment systems had been successfully introduced for East Lothian and were working well. He referred to the increase in antisocial behaviour complaints but observed that comparison with previous years were perhaps inappropriate given the circumstances of the past few months. He advised Members that officers continued to engage with the public and provide advice regarding current restrictions; enforcement remained a last resort. He thanked Council officers and other partner agencies for their continued efforts and support during the year. He concluded by looking forward to 2021 commenting that many of the current challenges would continue into the New Year and that these and the COP26 meeting in Glasgow next autumn would have a significant impact on policing.

Chief Inspector Neil Mitchell provided a detailed summary of the performance report. He detailed the performance results for each of the seven groups noting that the first 6 months of this year had been unprecedented and that all figures had been impacted by COVID-19. He informed Members of the retirement of Inspector Andrew Harborow and the departure of PC Lynn Black to other duties. He thanked them both for their contributions over the past few years.

Chief Inspector Mitchell highlighted prevention, intervention and enforcement activity in relation to missing people, domestic abuse, hate crimes, antisocial behaviour, road safety, drug crimes and serious and violent crimes. He drew particular attention to the successful implementation of Operation Juneau, the purpose of which was to tackle the harm caused by substance misuse in East Lothian. He commended the work of local officers, national specialists and partner agencies which had assisted in the seizure of significant amounts of drugs and cash. The operation had also increased engagement with the local community through social media, leaflet drops and targeted patrols, and had seen 60 fast track referrals to the NHS and Third Sector organisations to support and monitor vulnerable individuals. He added that the East Lothian Community Action Team had been pivotal to this success.

Councillor Hoy referred to the contact assessment system and call waiting times. He said he had concerns about waiting times for people calling 101 and he asked whether this may have resulted in an under-reporting of crime.

Chief Superintendent McKenzie acknowledged that waiting times for 101 calls during peak periods were a concern but call volume had increased due to COVID-19 with people seeking advice on public health restrictions. However, he was confident that longer waiting times had not resulted in under-reporting as there were alternative ways to contact the police. He added that 999 should always be used for emergencies and that the response times there were very positive. He said he would be happy to deal with specific concerns from Members out with the meeting.

Councillor Dugdale asked what happened in case of domestic abuse that did not result in a crime report. Chief Inspector Mitchell assured her that all incidents were attended by officers and, where there was evidence to do so, the incident would be treated as a crime. If this was not the case, officers would provide advice and support to individuals on site and later complete a vulnerable person sheet which would be passed to the Concern Hub to share with partner agencies, as required. A domestic abuse assessor would also make contact to offer support and ensure the safety of the individual.

Chief Superintendent McKenzie added that tackling domestic abuse would always be a priority in East Lothian and that plans were in place to highlight and tackle the issue over the Christmas period, although these differed from previous years.

Councillor McGinn put on record his thanks and those of the local community for the work undertaken through Operation Juneau. He said that the work and community engagement had been very well-received and he was delighted to see it having such a positive effect. He asked if the operation had an end date or if it would continue as long as needed.

Chief Inspector Mitchell confirmed that Juneau would continue and that all drug-related action would come under its heading. The work at national and local level, as well as with partner agencies, would continue to be intelligence-led and to focus on getting people get onto the right pathways.

Mr Anderson added the thanks of the SFRS for the work undertaken by Chief Inspector Mitchell, Inspector Harborow and PC Black on this and other operations over a number of years.

Councillor Findlay complimented Chief Inspector Mitchell on his patience and engagement in dealing with the influx of visitors to coastal areas over the summer. He said his efforts had been much appreciated by the community. He also asked about road safety initiatives including youth engagement programmes and long term plans for speed reducing patrols being 'based on evidence and not just political point scoring'.

Chief Inspector Mitchell confirmed that the Tomorrow's Drivers events would be rolled out across the county and they would be considering the best way to deliver training given the current public health restrictions. On speed reducing patrols, he said that the police did not have the resources to be everywhere and could not send patrols to a particular area at the request of an individual, unless there was clear evidence of a problem. He added that the police used social media to publicise where speed enforcement was taking place in an effort to prevent incidents.

Chief Superintendent McKenzie reflected that this particular section of the report could have been worded differently. He added that the local policing plan commitments were an attempt to highlight to Members the priorities for action and to be realistic about what could be achieved with current resources. He acknowledged that the Members' role was to hold them to account and he accepted that the plan may have to be amended in future.

Councillor Bruce welcomed the police response to anti-social behaviour in Cockenzie, Prestonpans and Port Seton and the partnership approach. He also offered his thanks for the work on Operation Juneau. He asked what was being done to combat the rise in the use of drugs in public spaces.

Chief Inspector Mitchell said he was not aware that there had been complaints about this issue. He asked the Councillor to encourage his constituents to contact local officers so that they could take action on the problem.

Councillor McGinn commented on speeding problems in Elphinstone, particularly near the primary school, and the work that he and Councillor Dugdale had been involved in with community groups to highlight the issue. He welcomed the introduction of a speed table, scheduled for February 2021, and thanked officers for their support.

The Convener asked questions about the recording of statistics on domestic abuse. Chief Inspector Mitchell explained that the figures for the number of incidents and total crimes rarely matched due to the time lag in reporting from one quarter to another. Chief

Superintendent McKenzie clarified the circumstances in which domestic abuse would be recorded as a Group 1 crime and offered to provide further detail, if required.

Chief Inspector Mitchell responded to further questions from the Convener regarding car insurance offences and vehicle seizure following a crime of driving without insurance.

Councillor Hoy echoed his colleagues praise for Operation Juneau and asked about the reasons for the reduction in drug supply crimes and whether these related solely to COVID-19. He also asked about self-enforcement of the 20 mph limit and how this may impact on wider enforcement of speed limits.

Chief Inspector Mitchell advised that the reduction in drug supply crime figures were due to a lack of intelligence and a reduction in warrants being executed and he would expect these figures to be reflected across Scotland. Chief Superintendent McKenzie also acknowledged the impact of lockdown and the reduced traffic on the roads which had resulted in reduced instances of drugs being transported.

Addressing Councillor Hoy's question on speed limit enforcement, Chief Superintendent McKenzie explained that resources and actions were targeted where there was evidence of people breaching the limit or an increase in accidents. Decisions in relation to enforcement of the 20 mph limit were taken in the same way as for other limits and consideration would always be given to concerns highlighted about particular areas. He added that the majority of drivers adhered to speed limits, particularly in built up areas.

The Convener commented that there had been a lot of appreciation expressed in the community for the work of the police and the Council; Operation Juneau had been particularly well-received and he looked forward to seeing the results in the next report to the Committee. He also emphasised the importance of intelligence gathering and encouraged the public to come forward to report incidents.

Decision

The Committee agreed to note the report.

4. LOCAL POLICE PLAN 2020-23

Chief Inspector Mitchell presented the Local Police Plan 2020-23 noting that it had already been presented to Council and the priorities within it had received the support of Elected Members. He highlighted some of the key priorities and activities and advised that the Plan could be revised and updated as necessary during its 3 year lifespan. He thanked Members for their support and confirmed that the Plan would be brought back to the Committee at a future date to report on progress.

Decision

The Committee agreed to note the report.

5. TACKLING ANTISOCIAL BEHAVIOUR

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) advising of the number of antisocial behaviour complaints made to the Council during the reporting period and of ongoing actions being undertaken by local partner agencies in tackling antisocial behaviour.

Kenny Black, Safer Communities Team Leader, presented the report. He drew particular attention to Sections 3.2-3.13 of the report, noting the significant increase in antisocial behaviour complaints and suggesting that much of this could be attributed to more people working from home during the COVID-19 outbreak and a corresponding change in tolerance levels. He also advised that there had been 72% increase in referrals made to the Resolution Service compared with 2019. He reported that there were 32 live ASBOs in place in East Lothian and that the hiatus in court business between March and July 2020 had led to a delay in litigation of ASBO and eviction cases. He advised Members that the Night Time Noise Service had also been suspended since March and this was subject to monthly review. The Community Warden Team continued to deal with ASB complaints but had also been involved in the joint agency resilience efforts providing support to vulnerable people and helping the police to manage increased visitor numbers in coastal areas.

Councillor McLeod asked at what stage the police were involved in drug related incidents. Mr Black explained that all information received by council officers relating to drug incidents was passed to Police Scotland, and that, while enforcement was a matter for the police, the Council would, in the appropriate circumstances, take action against any tenant convicted of an offence that constituted a breach of their Tenancy Agreement. He took the view that such behaviour was antisocial as well as criminal.

Councillor Hoy offered his sincere thanks to Mr Black and his team for their work, particularly within the Haddington Problem Solving Partnership (PSP). Referring to the increase in antisocial behaviour complaints, he suggested that this may be a result of people who were currently working from home becoming aware of problems they had not noticed before, rather than simply a lowering of tolerance levels. Mr Black acknowledged the point and suggested it may be a combination of both.

Mr Black responded to questions from the Convener clarifying statements in the report in relation to the Night Time Noise Service. He also agreed that, should COVID remain a factor, he would provide a breakdown between day-time and night-time noise incidents in his next report to the Committee.

The Convener also asked Mr Black to pass on his thanks to the team for their efforts over the past months.

Decision

The Committee agreed to note the report.

6. PFCSSC ANNUAL WORK PROGRAMME 2020/21

The work programme was approved, with the addition of the following item to be presented at the May meeting:

- Draft Local Community Fire and Rescue Plan 2021

7. DATE OF NEXT MEETING

The Members noted that the next meeting of the Committee would take place on Thursday 13th May 2021 at 2.00pm.

Signed

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Councillor Jim Goodfellow
Convener of the Police, Fire and Community Safety Scrutiny Committee