

ITEM 4

Time Commenced – 6.00pm
Time Finished -7.04pm

Communities Scrutiny Review and Scrutiny Board 27 November 2017

Present: Councillor Smale (Chair)
Councillors Hudson, Nawaz and Skelton

Officers Andy Thomas – Head of Service – Partnership and Communities
John Tomlinson – Director of Communities, Environment and
Regulatory Services
David Walsh – Head of Democracy (Items 18/17 and 19/17 only)

In the absence of the Chair, Councillor Pegg, the meeting was chaired by the Vice Chair, Councillor Smale.

18/17 Apologies for Absence

Apologies for absence were received from Councillors Anderson, Pegg, Hassall, Sandhu

19/17 Late items introduced by the Chair

It was put by the Chair that he proposed to move an item under Council Procedure Rule CP42(r), on the basis of urgency and utilising Council Procedure Rule CP42(d), to refer the matter to the appropriate body, namely Council.

It was moved by Councillor Smale, and seconded by Councillor Hudson, that:

"This committee agrees that Councillor Nawaz is to be removed from his membership of the Communities Scrutiny Review Board in respect of the unanimous recommendations of the cross-party Standards Committee. This matter is to be sent to Full Council for debate and consideration in support of this committee's continued integrity on matters under its remit."

The Head of Democracy advised the committee that, in accordance with the Local Government (Access to Information) Act 1985, business was published on committee agendas five clear days in advance of meetings. It was confirmed that members had opportunity to place items on the agenda within the statutory timescales by notifying the Monitoring Officer, or her representatives, in advance under Council Procedure Rule CP96. This had not happened in respect of this matter.

The Head of Democracy advised the Chair that he would need to be satisfied that this matter could be considered excepted from the Access to Information statutory requirements by identifying the cause for urgency; specifically, by identifying the

circumstances that had changed between the member having opportunity to put the item on the agenda in accordance with the timescales under CP96 and moving the item at the meeting.

The seconder to the motion responded to this by stating that the matter was urgent because the Conservative Group had wanted to move a similar motion at Council but had been prevented from doing so by the Mayor. The Head of Democracy confirmed his advice that this was insufficient to justify that the matter be considered as 'urgent', but confirmed that it was for the Chair to determine.

Following a question by Councillor Nawaz, the Head of Democracy explained that, if the motion was carried, it would not have the immediate effect of removing him from the board as it was beyond the board's powers to do so. However, it would have the effect of referring the matter to Council, which was empowered to take that action.

Councillor Nawaz made representations to the committee against the motion but did not participate in the vote.

The Chair deemed that the matter was urgent and did require consideration by the committee.

The motion was put to the vote and carried.

Resolved:

This committee agrees that Councillor Nawaz is to be removed from his membership of the Communities Scrutiny Review Board in respect of the unanimous recommendations of the cross-party Standards Committee. This matter is to be sent to Full Council for debate and consideration in support of this committee's continued integrity on matters under its remit.

20/17 Declarations of Interest

Councillor Nawaz declared an interest in Item 6 and left the meeting whilst this item was discussed.

21/17 Minutes of the meeting held on 11 September 2017

These were agreed as a true and accurate record.

22/17 Psychoactive Substances and Anti-Social Behaviour

The Board received a report of the Strategic Director of Communities and Place presented by the Head of Service, Partnerships and Communities which informed Members about the use of Novel Psychoactive Substances (NPS) and antisocial behaviour, particularly in Derby city centre. NPS' were until 2016 not controlled but they are now prohibited under the Psychoactive Substances Act (2016). They fall into four main categories

- Synthetic cannabinoids
- Stimulant type drugs
- Downer/tranquilliser type drugs
- Hallucinogenic drugs

Since the advent of the Psychoactive Substances Act it is now illegal to supply or import them for human consumption – this included personal use. Possession for personal use is not an offence unless the person was in prison.

The report stated Derby City Council has had a Novel Psychoactive substance strategy in place since 2015. This had been very effective in reducing substance misuse related hospital admissions and supply of prohibited drugs. However more recently there had been an increase in the use and availability within the city centre which has resulted in some increase in Anti-Social Behaviour and public and media concern. This was most evident in the behaviour of users who appear dependant on the type of used, in a 'zombie' like state. Amongst Derby's cohort of drug users a relatively small group of drug users were using these new drugs either as replacement for more expensive and less available drugs or to supplant their existing use. The specific issue was concerned with a cohort of largely homeless individuals who are smoking and ingesting a hallucinogenic product euphemistically referred to as 'mamba' or 'spice'. Hallucinations ensue – followed by an almost comatose (or 'zombie' like) state that lasts for 15 min following consumption. This state can be very distressing to onlookers and can appear near fatal although it isn't – and individuals recover to a 'normal' intoxicated state soon after.

This drug use and behaviour had had a significant impact on the safety, both real and perceived in the city centre, particularly in the St Peters Cross area. The city had approximately 20 individuals who are causing this on street nuisance.

The report went onto to outline the responses that partnership work associated with antisocial behaviour (ASB) had undertaken in tackling this issue. Public Health England were centrally managing the Enforcement-Education – Engagement strategy through a tasking programme board – Partnership Engagement and Enforcement Programme (PEEP).

Resolved to:

- 1) note the report**
- 2) keep updated on the development of antisocial behaviour, Partnership, Engagement and Enforcement Policy Programme at the March 2018 meeting**
- 3) monitor how effective the Public Space Protection Order is.**

23/17 Information on Private Hire Operators Licence and School Contracts issued by the Council to Taxi Licence Operators

The Board received a report of the Strategic Director of Communities and Place which furnished the Board with Information on Private Hire Operators Licence and School Contracts issued by the Council to Taxi Licence Operators, this was presented by the Director of Communities, Environment and Regulatory Services.

The current status of the private hire operators' licence issued to Uber Derby Ltd was listed In Appendix 2 of the report

Resolved to note the report.

24/17 Remit Work Programme and Topic Review

The Board received a report of the Chief Executive which set out the Communities Scrutiny Review Board's remit and invited Members to discuss and agree the future work programme and topic reviews for the forthcoming municipal year.

Resolved to:

- 1) Note the report**
- 2) Agree topics for the work programme for the 2017-18 municipal year**
- 3) Receive regular updates on this programme.**

MINUTES END

17/17

18/17

