

North Yorkshire County Council

Corporate & Partnerships Overview & Scrutiny Committee

Minutes of the remote meeting held on Monday, 11th September 2023 commencing at 10.30 am.

Councillor Andrew Williams in the Chair. plus Councillors Bryn Griffiths, Karl Arthur, Nick Brown, Michelle Donohue-Moncrieff, Richard Foster, Tim Grogan, Robert Heseltine, David Ireton, Tony Randerson, Subash Sharma, Steve Shaw-Wright, Phil Trumper, Peter Lacey, Arnold Warneken and George Jabbour.

In attendance: Councillor Rich Maw, Chief Superintendent Cathryn Clarke and Mr Damian Readman

Officers present: Nigel Smith, Andy Dukes, Deborah Flowers, Marie-Ann Jackson, Barbara Merrygold, Odette Robson, Adele Wilson Hope, Jayne Charlton, Wendy Cordery, Bryan Walker, Daniel Harry and Melanie Carr.

Apologies: Councillors Chris Aldred, Kevin Foster and Malcolm Taylor.

Copies of all documents considered are in the Minute Book

47 Apologies for Absence & Notification of Substitutes

Apologies were received from three members of the Committee and the following substitutes attended the meeting:

Councillor Peter Lacey – in place of Councillor Chris Aldred
Councillor Arnold Warneken, in place of Councillor Kevin Foster
Councillor George Jabbour, in place of Councillor Malcolm Taylor

Apologies were also received from Assistant Chief Constable Scott Bisset who was scheduled to attend the meeting in his role as Chair of North Yorkshire Community Safety Partnership for agenda item 6 – Bi-annual Update on Community Safety Plan Delivery & Partnership Working. Chief Superintendent Cathryn Clarke attended as his substitute.

48 Minutes of the Meeting held on 5 June 2023

Resolved – That the draft Minutes of the meeting held on 5 June 2023, having been printed and circulated, be taken as read and confirmed and signed by the Chair as a correct record.

49 Declarations of Interest

Councillor Nick Brown declared a non-prejudicial interest in Agenda item 5 – Notice of Motion – Proposal to Ban Trial Hunting on Council Owned Land, as a member of Countryside Alliance.

50 Public Participation

There was one public statement received in relation to Agenda Item 5 – the proposal to ban trail hunting on council owned land, from Mr Damien Readman, as follows:

“My name is Damian Readman, I come from Snainton and work as a full-time farrier. Thank you for the opportunity to address you today. I appreciate that not all of you will have extensive knowledge about trail hunting and other lawful hunting activities so I just wanted to give you a brief overview from my perspective.

I am a joint-master of the Derwent Hunt which is a voluntary position and as part of that team I am effectively one of the managing directors of our hunt. The hunt employs two people on a full-time basis who are assisted by many other volunteers. Our hunt accesses council-owned land throughout the season and it is our wish that you continue to permit us to do so and that you enable tenant farmers to make their own decisions regarding the land for which they are responsible. I would like to remind this meeting that trail hunting complies with the Hunting Act 2004 and it is conducted by over 230 packs of hounds which are registered with our governing body, the British Hound Sports Association.

Trail hunting and hound exercising, which are both legal activities, are no different to any other lawful countryside pursuits like dog walking or mountain biking. Wild mammals are no more at risk from the hounds carrying out their lawful activities than they are from any other dogs.

I haven't see any call for the council to consider banning dogs being exercised on council-owned property, yet hunts are being targeted as part of a wider campaign by animal rights activists. False information and heavily-edited footage is being used in an attempt to persuade both private, public and institutional landowners that hunts should be banned from accessing their land. North Yorkshire Council is just one of a number of local authorities which has had similar motions proposed by Labour candidates. I strongly believe that it is for Parliament to make laws and new legislation with regards to wildlife and, since 2004, Parliament has seen no reason to make any amendments to the Hunting Act. Neither should it be for regional councils to pre-emptively determine that a legal activity, such as trail hunting or hound exercise, is illegal or should not be conducted on their property.

In all walks of life there are rule breakers and admittedly there have been a handful of convictions under the Hunting Act where hunts have broken the law but with over a quarter of a million hunting days having taken place since the Act was enforced in February 2005, it really is a tiny percentage and not representative of the activities of the majority of hunts who hunt within the law at all times. Speeding is illegal, but there have not been any calls to ban cars from accessing council-owned land. Why should trail hunting be any different?

Hunting is already well-regulated. Like any small business we comply with employment legislation, health & safety and all other laws, of which the Hunting Act is just part and parcel. I believe there is absolutely no reason for North Yorkshire or any other council to ban hunting from its land when it is a legal and well-regulated pursuit that benefits physical and mental health, supports local businesses and binds rural communities together while helping to maintain the countryside that is so vital to the rural economy.

Thank you for your time today and may I take this opportunity to extend an invitation to any members of this committee to visit our hunt kennels in Snainton ahead of making your representation to the full council in November.”

The Chair thanked Mr Readman for his submission and contribution to consideration of the Notice of Motion and agreed to move to the next item on the agenda so that the issues could be debated.

51 Notice of Motion - Proposal to Ban Trail Hunting on Council Owned Land

Considered – A report of the Assistant Chief Executive (Legal & Democratic Services), presenting information on Trail Hunting in response to a Notice of Motion proposed by

Councillor Rich Maw at full Council in July 2023, asking for the banning of trail hunting on council owned land.

Councillor Ric Maw introduced his Notice of Motion and made a statement in favour of his view that trail hunting should be banned on North Yorkshire Council owned land. He confirmed his motion was not about enforcement but rather a matter of consent. He also confirmed his views that:

- If the laws around trail hunts had previously been enforced robustly, there would be no need or his motion as hunts would have been shut down years ago;
- Trail hunting was widely understood as being used as a smoke screen for illegal hunting, mirroring old-fashioned hunting with dogs in almost every respect apart from claiming to follow a laid trail rather than live animals;
- Trail hunting allowed the inevitable chasing and killing of animals to be labelled as accidental;
- Hunting with dogs remained a blight on rural communities despite the Hunting Act 2004;
- In North Yorkshire 78% of the public were in support of new laws on hunting to protect animals

He went on to highlight a number of high profile decisions by large landowners and local authorities to ban trail hunting on their land (as detailed in the report). He accepted the Council would not be able to unilaterally ban trail hunting on land covered by existing tenancies, but instead suggested a voluntary agreement with existing tenants should be explored in line with the approach taken by Cheshire West and Chester Council, alongside the inclusion of a ban within any new tenancy agreements. He also suggested this would enable the Council to act without infringing on existing tenants' rights under current agreements, whilst balancing the need to mitigate risk and demonstrate its positive attitude towards the environment and animal welfare.

Finally he confirmed his Notice of Motion was about recognising that current legislation was being abused, that the Government was doing nothing to remedy that fact, and in the absence of any new legislation the Council had a responsibility to take appropriate action to reflect that and to act to prevent the possibility of the use of its land for illegal or damaging activity. He therefore urged the Committee to return the Motion to Council with a full recommendation to support it.

Councillor Arnold Warneken who seconded the Motion to Council also spoke in its favour. He confirmed his love of the countryside and the pageantry of hunting but stated he was against the council facilitating the potential breaching of the law in regard to trail hunting. He gave examples of his experience as a landowner, of members of the public coming on to his land to undertake illegal activity and stated his belief that the Council had an ethical and moral duty to prevent an escalation of lawbreaking and should exercise a precautionary principle by banning the activity that could lead to it. He therefore sought the Committee's endorsement of the Motion.

Councillor Subash Sharma spoke in favour of the Motion suggesting the Council should do whatever it can to uphold the law regardless of the difficulties associated with enforcement.

Councillor Tony Randerson spoke in favour of the Motion, noting his belief that pre the 2004 act, those participating in fox hunting enjoyed the thrill of the kill. He suggested it was naïve to think this was still not the purpose for those hunters and that it was an abhorrent sport that needed curtailing.

A number of Councillors spoke against the Notice of Motion. Councillor Tim Grogan suggested it was at best misguided and at worst a complete waste of the Council's valuable time. He noted that since 2005 there had been in the region of 250,000 hunts held (roughly 12,000 a season) and would have expected that if it were a smoke screen for illegal

behaviour there would have been 100s of prosecutions during that time. Instead there had only been a handful and some of those had been turned over on appeal.

Councillor Nick Brown recognised that traditional hunts had been operating across rural North Yorkshire for 100s of years and suggested the Council should be focussing on the real issues affecting residents instead of a legal activity accredited by Trail Hunting's Governing Body – the British Hound Sports Association, which had strict codes of conduct. He went on to highlight a number of other Councils who had chosen not to adopt a similar ban (as detailed in the report) and expressed concern about the behaviour of opponents to hunting who often under a cloak of anonymity used harassment and intimidation to disrupt a legal countryside pursuit. Finally he suggested that a Council representing rural communities should presume in favour of any lawful activity on publicly owned land and should seek to maximise not restrict public enjoyment of land, held as a public asset for everyone.

Councillor Steve Shaw-Wright suggested the Council should support what the majority of the public want to do and not what only a certain few people want to do. He therefore asked that the issues associated with Trail hunting be fully debated at a meeting of full Council.

Councillor Michelle Donohue-Moncrieff sought clarity of the current use of council-owned land for the gathering of Hunt Groups and it was confirmed that the Council was not aware of any. In most cases it was usually common land. Given that it was not possible to ban legal gatherings on common land, she queried how the public could be expected to distinguish between common land, parish council owned land and council owned land, and suggested that should a ban be introduced, the public perception would be that the Council was not enforcing its own ban, when in fact the gathering was not on council-owned land. Finally she confirmed her view that without a threshold of evidence of illegal activity, a ban should not be introduced as without enforcement it would only lead to more problems.

Councillor Phil Trumper stated the ban was impractical and therefore he would not be voting in favour of it. Councillor Richard Foster referred to the amount of hearsay being put forward as evidence of illegal activity and noted he was only aware of one case in North Yorkshire that had led to a prosecution. On that basis he recommended the Committee not support the Notice of Motion.

Councillor Bryn Griffiths sought clarification on the risks to the Council if illegal activity took place on council – owned land and it was confirmed by Wendy Cordery – Senior Lawyer Property & Projects, that it would be the perpetrators of the illegal activity who could be subject to prosecution, not the land owners who allowed legal trail hunting to take place on their land, be it the Council itself or a tenant.

Finally Councillor David Ireton sought clarity on what action the Council would take to enforce the ban if it were written in to a tenancy agreement. In response Wendy Cordery confirmed it would have to be enforced through the terms of the lease i.e. by lease forfeiture through a legal action to end the tenancy which would come with possible implications. She noted it would not be possible to enforce a ban on the public highway.

Councillor Andrew Williams acknowledged and agreed with the views expressed about the proposed ban being both ineffectual and unenforceable, and sought a vote on Councillor Richard Foster's recommendation not to support the Notice of Motion.

Members voted on that recommendation – 9 voted in favour of not supporting the Notice of Motion and 6 voted to support it. It was therefore

Resolved – That a recommendation be made to full Council that a ban of Trail hunting on council owned land not be introduced.

52 Bi-annual Update on Community Safety Plan Delivery & Partnership Working

Considered – A report of the Head of Safer Communities providing an update on the partnership working around the priority areas identified by North Yorkshire Community Safety Partnerships.

Odette Robson, Head of Safer Communities introduced the report providing an overview of the role of the Community Safety Partnership and its ongoing work to tackle crime and disorder across the county.

She went on to introduce Cathryn Clarke, Chief Superintendent for Local Policing to the Committee, and confirmed she would be taking over as Chair of the Community Safety Partnership in place of Scott Bisset.

In response to Members queries, Cathryn Clarke confirmed the following:

- There had been no border force related issues in the last 28 days;
- A new hub was to be introduced in Ryedale to ensure quicker response times, to address the perceived lack of visibility of policing based out of the Malton hub;
- Understanding geographical challenges ensured equality in responses in harder to reach areas of the county;
- In regard to domestic abuse, the same level and type of support was available to both male and female victims;
- There was significantly higher levels of female reporting of domestic abuse – members noted the spike in male domestic abuse victims in Quarter 2 and requested a more detailed overview of the actions being taken to address it in the next bi-annual update;
- The community safety hubs had a strong focus on anti-social behaviour;
- Race was a key factor in reported hate crimes but the number of sexual orientation related hate crimes was increasing – The criteria under which NYP recorded hate crimes was noted (as listed in paragraph 5.3 of the report). It was noted a Group was in place and meeting regularly to look at it. Raising awareness was a key focus and a Hate Crime Awareness week was planned for October. Members requested a more detailed update on what was driving sexual orientation related hate crimes and the steps being taken to address it, as part of their next update;

In regard to the table at paragraph 3.6 of the report, Members suggested it would be helpful to compare the number of reported incidents of domestic abuse with pre-covid figures and to have an understanding of the root causes. In response it was confirmed that it would be hard to carry out a true comparison given the introduction of significant changes brought in by the Domestic Abuse Act 2021.

Members went on to question how Councillors might better feed in to the future work of the partnership and it was confirmed that following the local government reorganisation, a review was underway to better understand how that engagement might be improved. The review was also looking at the work of the hubs and local policing.

Finally concern was raised about the 101 system, and it was confirmed it was on a journey of improvement particularly in the last 12 months. It was noted that call handlers received a long period of training. Councillor Trumper queried whether it would be possible to introduce a town watch scheme similar to the rural watch scheme run in the Esk Valley. In response Cathryn Clarke agreed to take the idea away for consideration.

The Chair thanked Catherine Clarke and Odette Robson for their attendance at the meeting, and it was

Resolved – That the bi-annual update on the work of North Yorkshire Community Safety Partnerships be noted

The Meeting was adjourned at 12:15pm for a lunch break and reconvened at 12:35pm.

53 Youth Justice Performance Update

Considered – A annual performance update on the Youth Justice Service from the Head of Early Help providing an overview of the Services' overarching vision and key objective to reduce the number of children getting into trouble and where ever possible to divert them to positive support.

Barbara Merrygold - Head of Early Help and Andy Dukes - Youth Justice Team Manager, were both in attendance at the meeting to answer members questions arising from the report, as follows:

Members welcomed the good news report. The terminology in the report was queried and it was confirmed that 'Binary reoffending' referred to the measuring of proven reoffences over a one-year follow-up period following an initial offence.

Councillor Richard Foster questioned whether the reduction in custodial sentencing was due to offenders moving on to being classified as adults or as a result of the prevention and diversionary activities being delivered. In response it was confirmed that the more prolific young offenders were likely to have journeyed through to probationary services. Transitional arrangements were in place for those young offenders.

Councillor Andrew Williams expressed concern about the levels of multi-generational social exclusion and asked what work was being done to break the cycle of multiple deprivation that led young people into anti-social behaviour and other crimes. In response it was confirmed that the Early Help Service took a whole family approach, not just working with young people in jeopardy of offending/re-offending but also with parents.

It was noted:

- The number of young people returning to custody had markedly dropped across the County - the work of a Multi-Agency Resettlement Panel was highlighted as being a key factor in ensuring the right support was in place for young offenders on release in order to help steer them away from re-offending;
- The education offer in Wetherby Youth Offenders Institution had been improved in recent years;
- In the last year only one young person had returned to a custodial setting;
- Vulnerable young offenders in North Yorkshire were often placed in secured children's homes or secured training centres rather than in Wetherby Youth Offenders Institute, which enabled them to receive a higher standard of education and support;
- The disparity between boys and girls committing violent offences (63% girls and 39% boys) – it was confirmed that use of social media was often a catalyst for girls behaving in that way. The position in North Yorkshire reflected the national picture;
- Prevention and diversion work was underway, working closely with schools on pupil referrals, with a number of ongoing intervention programmes;
- A Participation Group was being set up to look at the issues affecting girls living in the Eastfield area – Councillor Tony Randerson expressed an interest in contributing to the work of that group.
- The Youth Justice multi-agency team sat within NYCC's Early Help Service and as a result of significant investment in the Early Help Service in recent years the workforce had been retained and remained stable.

The Chair thanked the officers for attending, and it was

Resolved – That the report be noted.

54 Bi-annual Stronger Communities Update & Update on Corporate Volunteering Project

Considered – A report of the Assistant Chief Executive Local Engagement providing a bi-annual update on the work of Stronger Communities and the corporate volunteering programme.

Marie Anne Jackson, Head of Localities and Adele Wilson-Hope attended the meeting, and it was confirmed that the intention was to base future updates on the broader localities function given that the Stronger Communities Team was now positioned within the new Localities Service. It was noted that those future reports would therefore also cover updates on Double Devolution, Parish Charter and migrant programmes. It was suggested that the next update start with a full overview of the Localities Service and its key priorities to provide a baseline for future updates.

Members welcomed the introduction of the new CAO model and the five pilot Community Partnerships planned. They also noted that post covid, a lot of organisations were struggling with volunteer numbers.

Future funding for the Service was recognised as a key priority –in particular grant funding for the voluntary and community sector. It was suggested the Committee could in the future add value to some of the thinking around that to inform future recommendations to the Executive.

It was confirmed that ‘Inspire Grants’ up to the value of £1,500 were available for grass root activities and events by small organisations. Applications could be made online via the Council’s website and could be offered alongside any locality grants made by Councillors.

In regard to the Household Support Fund, it was noted that the 22,500 households who received a direct award were identified via a huge data haul based on DWP expenditure guidance, with a focus on those people who had not received a cost of living payment, and any others who were classed as having a low income household. A decision was taken to support those people in receipt of housing benefit who did not qualify for the national cost of living payment – roughly 3,600 households. In addition, a decision was taken to give support to other households receiving the maximum Council Tax reduction.

The Chair thanked officers for their attendance, and it was

Resolved – That:

- i. The update on the work of the Stronger Communities Programme and Corporate Volunteering Programme be noted;
- ii. Future bi-annual updates cover the work of the whole Localities Service alongside the Corporate Volunteering Programme

55 Update on Operation of the Parish Portal and Parish Council Engagement

Considered – a Report of the Assistant Director – Highways & Transportation, Parking Services, Street Scene, Parks and Grounds providing an update of the operation of the Parish Portal, Members’ Dashboard and Parish Council engagement.

The Chair welcomed Jayne Charlton – Highways Area 2 Manager to the meeting and she confirmed that of the 731 Parish Councils, 571 were signed up to the portal, and of those 457 were actively using it (80% of those signed up).

It was noted that the members newly elected in May 2022 did not receive any induction on the use of the Members' dashboard. It was therefore agreed that Members could seek induction / refresher training as part of the weekly drop-in sessions held with Highways officers. It was acknowledged that there was a system deficiency in that Members were not able to access all the information contained within the system on a logged issue. Recognising the system was therefore not fit for purpose, Members requested that the next bi-annual update include information on the upgrade that would be required, together with the associated costs and time required for implementation, so that the Committee could consider making an appropriate recommendation to the Executive.

Councillor Michelle Donohue-Moncrieff requested an up to date list of those Parish Councils registered and not registered on the Parish Portal, with a breakdown of the registered ones between those actively using the system and those not, so that Members could seek to actively encourage greater use of the system. Furthermore, having used the public system on occasion she also suggested that system needed to be simplified to make it easier for the public to report issues.

The Chair thanked Jayne Charlton for attending the meeting, and it was

Resolved – That:

- i. The report be noted
- ii. A breakdown of Parish Councils be provided to all Members in line with the proposal made by Councillor Michelle Donohue-Moncrieff above
- iii. The next annual update include information on an upgrade to the Members' Dashboard, together with the associated costs and time required for implementation, so that the Committee could consider making an appropriate recommendation to the Executive.

56 Work Programme 2023/24

The report of the Principal Democratic Services and Scrutiny Officer inviting Members to consider the Committee's Work Programme for the remainder of 2023/24 taking into account the outcome of discussions on previous agenda items and any other developments taking place across the county.

Resolved – That the work programme be noted.

The meeting concluded at 1.18 pm.