

Leicester
City Council

MEETING OF THE NEIGHBOURHOOD SERVICES SCRUTINY COMMISSION

DATE: THURSDAY, 17 MARCH 2022

TIME: 5:30 pm

**PLACE: Meeting Rooms G.01 and G.02, Ground Floor, City Hall, 115
Charles Street, Leicester, LE1 1FZ**

Members of the Committee

Councillor Thalukdar (Chair)

Councillor Solanki (Vice-Chair)

Councillors Joshi, Nangreave, O'Donnell, Waddington and Westley

One unallocated Labour group place

One unallocated non group place

For Monitoring Officer

Officer contacts:

Anita Patel (Scrutiny Policy Officer)

Jacob Mann (Democratic Support Officer),

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Leicester City Council, 115 Charles Street, Leicester, LE1 1FZ

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- ✓ where filming, to only focus on those people actively participating in the meeting;
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If you have any queries about any of the above or the business to be discussed, please contact: **Jacob Mann, Democratic Support Officer on 0116 454 5843.** Alternatively, email Jacob.Mann@leicester.gov.uk, or call in at City Hall.

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PUBLIC SESSION

AGENDA

FIRE / EMERGENCY EVACUATION

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1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business to be discussed.

3. CHAIR'S ANNOUNCEMENTS

4. MINUTES OF THE PREVIOUS MEETING

[Appendix A](#)

The minutes of the meeting of the Neighbourhood Services Scrutiny Commission held on 28 January 2022 are attached and Members are asked to confirm them as a correct record.

5. PETITIONS

The Monitoring Officer to report on the receipt of any petitions submitted in accordance with the Council's procedures.

6. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

The Monitoring Officer to report on the receipt of any questions, representations and statements of case submitted in accordance with the Council's procedures.

7. VOLUNTARY, COMMUNITY & SOCIAL ENTERPRISE (VCSE) ENGAGEMENT STRATEGY

[Appendix B](#)

The Director of Delivery, Communications, and Political Governance submits a report to inform the Commission of the proposed new Voluntary, Community & Social Enterprise (VCSE) strategy.

8. DRAFT TAXI STRATEGY

[Appendix C](#)

The Director of Neighbourhood and Environmental Services submits a report to outline the Draft Taxi Strategy. The Commission is asked to provide any comments or suggestions prior to the strategy being approved by the Deputy City Mayor (DCM) for Culture, Leisure, Sport and Regulatory Services.

9. LIBRARY SERVICES PROVISION – SUPPORT FOR EMPLOYMENT AND CAREERS

[Appendix D](#)

The Director of Neighbourhood and Environmental Services submits a presentation on the new Employment Support Service at Leicester Libraries.

10. NOISE AND POLLUTION MONITORING SERVICE OVERVIEW

Appendix E

The Director of Neighbourhood and Environmental Services submits a presentation providing an overview of the Noise and Pollution Monitoring Service.

11. HATE CRIME POLICY

Appendix F

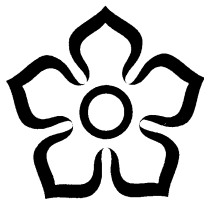
The Director of Neighbourhood and Environmental Services submits a report to provide the Commission with details of the work undertaken in formulating the Leicester City Council Hate Policy and share the policy for discussion and comment.

12. DRAFT WORK PROGRAMME

Appendix G

The current work programme for the Commission is attached. The Commission is asked to consider this and make comments and/or amendments as it considers necessary.

13. ANY OTHER URGENT BUSINESS



Leicester
City Council

Appendix A

Minutes of the Meeting of the
NEIGHBOURHOOD SERVICES SCRUTINY COMMISSION

Held: THURSDAY, 27 JANUARY 2022 at 5:30 pm

P R E S E N T :

Councillor Thalukdar(Chair)

Councillor Joshi
Councillor Nangreave

Councillor O'Donnell,
Councillor Waddington

In Attendance:

Councillor Clair, Deputy City Mayor for Culture, Leisure, Sport, and Regulatory
Services

Councillor Master, Assistant City Mayor for Neighbourhood Services
Councillor Cole

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Solanki and Westley.

2. DECLARATIONS OF INTEREST

Members were asked to declare any pecuniary or other interests they may have in the business on the agenda.

Councillor Nangreave declared that she licenses were currently being considered in her ward.

3. CHAIR'S ANNOUNCEMENTS

The Commission observed a minutes silence in recognition of Holocaust Memorial Day.

The Chair noted that this was John Leach's final meeting as Director of Neighbourhood and Environmental Services as he was leaving the Council. The Chair, Commission Members, and Members of the Executive all noted their thanks and praise to John for his years of service to Leicester.

4. MINUTES OF THE PREVIOUS MEETING

It was noted that a response to an enquiry raised at the previous meeting had only been received that morning.

AGREED:

1. That the Minutes of the meeting of the Neighbourhood Services Scrutiny Commission held on 9 December 2021 be confirmed as a correct record.
2. That the Commission requests that written responses to enquires raised by the Commission should be provided as soon as possible.

5. PETITIONS

The Monitoring Officer reported that none had been received.

6. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

The Monitoring Officer reported that a question had been submitted by a member of the public as set out on the agenda to be considered in accordance with the Council's Constitution, Part E Procedure Rule 10.

The Chair invited Mr Michael Taylor to present his questions to the Members of the Commission.

Mr Taylor put his questions to the Members of the Commission as follows:

- *Climate Action strongly support the introduction of Selective Licencing for private rental accommodation in the city requiring rental housing to reach specific standards of energy efficiency. At the moment you are suggesting a licencing requirement that Energy Performance Certificates (EPCs) demonstrating band E are provided to get licences, and that properties are required to improve to band D by 2025. We understand that if you got full council agreement you could ask for higher energy efficiency standards. Is it correct that you have the power to do this if you choose to?*
- *Given that it is both more energy efficient and cheaper, as well as less disturbing to tenants, to do housing improvements in one go, rather than in bits and pieces, and given that considerably higher that EPC band D is needed for the city's housing in order to address climate change, would you consider requiring EPC certification band D for licencing now, rising to band C by 2025?*

In response it was noted that Councils could impose conditions on hazards such as cold and heat, but energy efficiency was not considered as part of this as it did not relate to standards experienced by tenants. It was also noted that private property could not be rented out if it was lower than EPC band E and that a government consultation was ongoing to look at raising the minimum band to C by 2030.

Mr Taylor thanked Officers for their responses.

7. DRAFT REVENUE BUDGET 2022/23 AND DRAFT CAPITAL PROGRAMME 2022/23

The Deputy Director of Finance submitted a report setting out the City Mayor's proposed budget for 2022/23. The Commission was recommended to consider and comment on the Neighbourhood Services element of the report. The Commission's comments would be forwarded to the Overview Select Committee as part of its consideration of the report before presentation to the meeting of Council on 23rd February 2022.

The Head of Finance, presented the item, it was noted that:

- The main issues affecting the budget were the decade of austerity, the Covid pandemic, and the rising costs of Adult Social Care. Of those the latter was most significant.
- The Government Finance Settlement was better than expected but was still only for one year.
- It was noted as per recent years reserves would be used to balance the budget. However, it was projected that these reserves would run out by 2024/25 and savings would need to be found to balance the budget.
- It was noted a 3% Council Tax increase was proposed as part of the revenue budget report.

In response to Member's questions, it was noted that:

- The report going to Full Council would be the final budget with updated figures following the Government's funding settlement.
- The inflation situation was under review and would be considered in the final budget figures.
- It was noted in Neighbourhood and Environmental Services there were some savings built into 2022/23 budget. However, they predominantly related to income generation.
- It was noted that future budget savings would go through the relevant consultation process and decisions would be taken as savings were identified.
- It was noted in the revenue report that there were areas of budget shortfalls in relation to income. It was confirmed that this mainly related to areas where income was being impacted as a direct result of the pandemic, such as parking income and one-off covid money was being used to fund these budget gaps.
- A fundamental budget review was ongoing, with the aim of assessing where the best place to make savings would be, as well as generating more income.
- The only Capital Projects for the Service that had an impact on the Revenue Budget were leases for equipment for the Parks Service which used prudential borrowing.

AGREED:

1. That the Commission recommends that the Council explore how more income can be generated for Neighbourhood and Environmental Service in future.
2. That the Commission supports the Draft Revenue Budget and Draft Capital Programme.

8. KNIFE CRIME STRATEGY

The Director of Neighbourhood and Environmental Services submitted a presentation on the development of a Knife Crime and Serious Violence Strategy for Leicester.

The Assistant City Mayor for Neighbourhood Services and Director of Neighbourhood and Environmental Services introduced the item, noting that the Strategy was being developed to provide a coordinated approach to knife crime which was community led.

The Community Safety (Knife Crime) Co-Ordinator presented the item, it was noted that:

- The development of this Strategy was a pledge in the City Mayor's Manifesto.
- Crime data indicated that the majority of perpetrators and victims of knife crime were under 25 and male. The number of incidents involving under 25s fluctuated over time, but overall incidents were trending slowly downwards.
- Parliament was currently considering changes to legislation to give public bodies a legal duty to work together to tackle serious violence, which would also newly include domestic abuse and sexual offences, therefore these new aspects would be included in the Strategy going forward.
- Communities across the city had been consulted for the Strategy through community events, as well as a Steering Group and Taskforce Group.
- The Strategy was initially launched in July 2021 and was Council-wide, meaning that many Departments were included in the work.
- Coming out of the community consultation, 34 recommendations had been produced. These were based around a wide variety of areas.
- The aim was to finalise the Strategy and launch the recommendations in March.
- In order to action the recommendations, a number of projects had been launched. This included the community designed Community Mentor Project, and the Reach Project which was funded by the Home Office.
- Many other initiatives were already ongoing in the Council to tackle this agenda.

In response to Members' questions, it was noted that:

- The Safer Leicester Partnership was liaising with the Police and OPCC's office to get crime data in more usable formats. A variety of different data was available on the issue, recorded by various public bodies
- Effects of the strategy may start to be seen when the recommendations were implemented, however it was a long-term strategy so the full impact would take time to show.
- One of the recommendations was to have an audit of Pupil Referral Units, which were not regulated by Ofsted.
- The issue of trauma was dealt with in the recommendations with regards to positive messaging and supporting those impacted by knife crime.
- Issues with funding of Youth Clubs had been raised in the consultation. It was hoped that community spaces could be made more accessible for youth activities with regards to cost. The £450k of funding for the strategy was provided by several public bodies, with the Council providing £250k. This was priming money to help develop more sustainable support.
- The goal was to allow communities to take a bottom-up approach to knife crime over a long-term period.
- The east and west of the city remained the hotspots for knife crime. These areas were the focus of the Community Mentor Project.
- Leicester was in the top 20 nationally for knife incidents, which was why Home Office funding had been received.

AGREED:

1. That the Commission recommends that Members' comments raised be taken into account by Officers implementing this work.
2. That the Commission recommends that a Briefing for all Councillors be held on the issue of knife crime.
3. That the Commission requests a progress update in 6 months.
4. That the Commission requests that the slides be presented be included in the minutes pack for the meeting.

9. AFRICAN CARIBBEAN CENTRE CONSULTATION FINDINGS

The Director of Neighbourhood and Environmental Services submitted a report to provide a summary of the public consultation exercise undertaken to gather views on the usage and future running of the African Caribbean Centre (ACC).

The Head of Neighbourhood Services presented the item, it was noted that:

- The ACC was currently used by several different community groups.
- Previous investment to the ACC had come in to improve the facilities.
- Most recently the building was run by a partnership arrangement.

- The majority of the annual £170k running cost for the ACC was in running costs.
- The consultation took place during a period where the ACC was operational and there were no Covid restrictions. The consultation was promoted across the city and online. Paper responses were available.
- 352 responses were received in total, 82% of respondents were users of the ACC.
- Social and cultural functions were found to be the most popular usage of the ACC.
- 47% of respondents had expressed a preference for the ACC to be run in future by community organisations via the Community Asset Transfer policy.
- The proposal was to trial the Community Asset Transfer with a 5-year lease, with a peppercorn rent.
- Updated assessment criteria for the building were also proposed.

In response to Members' questions, it was noted that:

- There was a positive history of the Community Asset Transfer being used in Leicester.
- As part of the Community Asset Transfer process, interested community organisations would need to submit a business case which would be assessed by the Council. This would ensure a transparent process and provide assurances around the business plans submitted, as well as ensuring a consistent process for evaluating different organisations.
- There would be an option for the Council to take the building back if the organisation running it ran into difficulties.
- If the 5-year trial period was successful, there would be an option for the lease to be continued.
- Independent support would be provided to those writing the business plan in order to help to keep it realistic and avoid over-promising.
- Community groups interested in the opportunity to run the ACC would have access to a full financial breakdown and details of the building and conditions survey.
- Community benefit would be an important part of the assessment criteria that would be used to decide who would run the ACC.

Councillor Cole was invited to comment on the proposal. He said felt that it was important for the African Heritage Community to have a distinctive location as a focal point for the community, and that the proposal to have the ACC run by the community would better enable this. He also felt that the ACC being run by the community would allow the community to express itself more authentically.

AGREED:

1. That the Commission recommends that Members' comments raised be taken into account by Officers implementing this work.

2. That the Commission recommends the proposal to allow community group to run the African Caribbean Centre via Community Asset Transfer.
3. That the Commission recommends that robust business and financial plans be in place for the Community Asset Transfer process.

10. STATEMENT OF LICENSING POLICY - 2022-2027

The Director of Neighbourhood and Environmental Services submitted a report to update the Commission on the review of the Council's Statement of Licensing Policy under the Licensing Act 2003 and seek any comments before the Policy went to Full Council on 24 February 2022.

The Deputy City Mayor for Regulatory Services introduced the item, noting that legislation required the Council to publish a new Statement of Licensing Policy every 5 years. The policy was largely unchanged but had some new elements including Areas of Special Interest and Consultation.

In response to Members' questions, it was noted that Sexual Entertainment Venues were not covered by this policy and had a specific policy. It was also noted that noise nuisance was considered during the Licensing process and that there were procedures within Licensing to deal with noise complaints.

AGREED:

1. That the Commission recommends that Members' comments be taken into account by Officers implementing this work.
2. That the Commission supports the new Statement of Licensing Policy.

11. DRAFT WORK PROGRAMME

The Chair noted that any suggestions for future items for the Commission should be emailed to himself or the Scrutiny Policy Officer.

12. ANY OTHER URGENT BUSINESS

The Chair noted that a briefing for all Members would be held on Friday 4 February to brief Members on the Council's response to the recent lifting of all Covid restrictions in England.

The meeting closed at 7.56pm.

Neighbourhood Services Scrutiny Commission Report

Voluntary, Community & Social Enterprise (VCSE) Engagement Strategy

March 2022

Useful information

Ward(s) affected: All

Report author: Andrew Shilliam, Head of the City Mayor's Office

Author contact details: ext. 37 0131

Report version number: V2.0

1. Summary

- 1.1. Voluntary, Community, and Social Enterprise (VCSE) sector organisations play an increasingly vital role in our city. The sector has long been a valued partner of the City Council as well as many other public sector organisations in Leicester. Likewise, the VCSE in Leicester also benefit from closer working relationships with the private sector and some long-standing arrangements exist in that regard.
- 1.2. The groups and organisations that make up the VCSE in the city provide support to some of the most deprived, needy, and underserved people, families, communities, and neighbourhoods. They also enrich our lives through their promotion of the arts, culture, education, the environment, festivals and events, heritage, sport, and tourism.
- 1.3. The VCSE sector provides a great deal of the energy, impetus, and momentum to our social capital – helping make Leicester an attractive, dynamic, and progressive place to live, work, study, and visit.
- 1.4. As Local Government budgets and resources continue to shrink, the VCSE sector and other agencies/organisations will undoubtedly continue to play an important and perhaps more enhanced role within peoples' lives. We saw this recently, when agile and able VCSE groups and organisations of all sizes came to the fore during the pandemic to work in partnership with the Council and others.
- 1.5. The relationship between the Council and the sector has changed over the last decade or so. Because of the cuts to our budgets and therefore our services, we can no longer be called upon by the VCSE to be the funder of first choice in the same way that we once were, and therefore we must cultivate a new, mutually beneficial relationship with the sector.
- 1.6. The need to recognise the value of the impact of VCSE organisations, together with the need to reset our relationship is clear. So much so that the Council is committed to establishing a strategy to engage with our local VCSE in a more coordinated manner.
- 1.7. The strategy is intended to make clear how the Council intends to engage with the VCSE, what role the Council can play in ensuring that Leicester has a vibrant, strong, and sustainable VCSE sector, and how that can be achieved within the current environment. Developing and maintaining a better understanding of the sector is fundamental to that goal.
- 1.8. This report provides an overview of the work so far to establish that improved understanding and provides an outline of the likely key priority themes for the strategy.

2. Current VCSE support and engagement

- 2.1. Despite diminishing Government grant, the Council continues to directly commission VCSE organisations for the delivery of a variety of different services and activities across a number of Council departments. It is likely that the amount spent through commissioned activities has reduced somewhat over the last decade or so, though it is also likely that this is still a sizeable amount.
- 2.2. That said, the Councils ability to provide grants and other financial assistance to VCSE organisations has changed over the years, in part because of our diminished budgets but also due to the need for transparency, for more equal and fair access to funding opportunities, and the responsibility to demonstrate value for money.
- 2.3. Until recently the Council commissioned Voluntary Action Leicestershire to provide infrastructure support to VCSE organisations operating in Leicester. This arrangement had three elements to it – (1) generic infrastructure support, (2) support to enable Adventure Play based VCSE organisations to become self-sufficient, and (3) support to health based VCSE organisations (on behalf of the Leicester City Clinical Commissioning Group).
- 2.4. This was a mature arrangement to extend non-statutory support to the sector, cost £140k annually, was in place for a number of years, and was extended more than once. This support was available to all VCSE organisations in Leicester and was not based on any assessment of need.
- 2.5. However, as part of the spending review process at the Council, this commissioned arrangement was always considered to be time-limited and one that was always intended to end. Once so, any financial savings resulting from the end of the contract contributed to the Council departmental savings required to balance the Councils overall budget.
- 2.6. As we have moved away from this generic and more blanket based approach to providing infrastructure support, we've looked more closely at how we might enable VCSE groups and organisations to help themselves by accessing support and information that is increasingly much more freely available.
- 2.7. In recent years, our experience is certainly that more 'self-serve' information has become available and free to access, so that VCSE groups or organisations can help themselves. Some of that can be found through the National Council of Voluntary Organisations (NCVO).
- 2.8. Of course, some organisations may need more expert, detailed, or specific advice and assistance, particularly those fledgling organisations (by age, size, or experience). If that is the case, rather than directing organisations elsewhere for support, we have in place a needs assessment process that we would work

through with each organisation as they approach us. That way we can assess and then tailor that support accordingly.

3. VCSE Engagement Strategy - Research Approach

- 3.1. In progressing the development of the VCSE Engagement Strategy, we've attempted to speak with a range of different stakeholders and interested parties to get a fuller understanding of the sector nationally, regionally, and more locally.
- 3.2. Though this work has been disrupted by the COVID pandemic, we've now recommenced our efforts to collect the information, evidence, and knowledge together so that we are able to develop the strategy.
- 3.3. We've used a mixed methods approach to this work, using primary and secondary methods, a wide variety of sources, and engaged with internal and external stakeholders. Crucial to this is the voice of the sector and as such VCSE organisations have been actively engaged in a number of ways.

Primary research - dialogue sessions

- 3.4. More than a dozen "open dialogue sessions" were held in 2018/19, in public venues around the city. Every ward was included, and invitations were sent to every VCSE group and organisation in those wards whose contact details we held. If the invitee had no email listed, we would phone them. If they were not contactable by phone, we sent an invitation by post – sometimes hand-delivered.
- 3.5. The meetings were promoted through by other means, such as Voluntary Action Leicestershire's (VAL) regular e-newsletter. As well as allowing us to meet many individuals face-to-face, this activity allowed us to verify contact information for every VCSE sector group and organisation possible, which helped deepen and strengthen all other parts of this process.

Primary research - asset mapping

- 3.6. With the assistance of the city council's Geographic Information System (GIS) mapping team, we developed a visual representation of the registered addresses of VCSE groups and organisations.
- 3.7. We sought to establish if this was also where they delivered services, alongside such questions as whether they owned their premisses, rented it from the city council, were sole occupant or shared it with other tenants. This was the first time that we have been able to visualise the geographical distribution of VCSE groups and organisations ward by ward, throughout the city.

Primary research – internal stakeholders

- 3.8. We made efforts to gather as much information as available about our current relations with VCSE sector groups and organisations across the authority, in part through an officer reference group, in part through direct conversations with colleagues at the level of Directors and Heads of Service.
- 3.9. The information included details of commissioned services; service level agreements; grant-aided work and other forms of engagement and support. This process allowed us to start to get a better understanding of the total spend of the city council on the sector and which service areas this involves.

Primary research - one-to-one interviews

- 3.10. A series of one-to-one interviews was held with individuals from thirteen groups and organisations, considered to be some of the larger and more prominent VCSE organisations in Leicester, seeking their views regarding the potential benefits, outputs, and outcome of our intended strategy.
- 3.11. Recurring themes from these interviews included: infrastructure support; expanding partnerships; differentiated forms and sources of funding, tendering and contracts; attracting younger people into volunteering; capacity building, including investing in staff, sharing skills and assets; meeting rooms, culture change – feeling valued; and educating LCC staff and others on the VCSE contribution to the city.

Primary research - topic sessions

- 3.12. We arranged a series of online update and topic sessions and invited the VCSE sector to each of these. Eventbrite bookings were arranged for two meetings on each topic plus a questionnaire, offering groups and organisations the opportunity to get involved, share their expertise, opinions, and views.
- 3.13. The six topics were informed by our research up to that point and focused on what we understand to be some of the more prominent priority areas. These topics were (1) finance and funding; (2) partnership and collaboration; (3) civil society; (4) infrastructure support; (5) and volunteering.

Citizen Space survey

- 3.14. The survey intended to explore the extent to which local groups and organisations had accessed the various forms of infrastructure support commissioned by the City Council, and – if they had – who had provided it, how it was delivered, if they found it useful, whether they would recommend the city council and which of the forms of support they valued most.

- 3.15. Out of the fifteen forms of support most recently offered, respondents collectively ranked them as follows:
1. Income generation
 2. Organisational strategy
 3. Business planning
 4. Marketing and outreach
 5. Financial management
 6. Set up and management
 7. Recruiting and retaining volunteers
 8. Responding to challenges, needs and opportunities
 9. Social media
 10. Maximising benefits of volunteers
- 3.16. Five services ended up outside the top ten ranking. They were (1) keeping up to date with VCS issues; (2) measuring, demonstrating and understanding impact; (3) underserved communities; (4) protected characteristics; and (5) social value.

Secondary research - online & electronic sources

- 3.17. We took a closer look at the strategies of several local authorities around England who we considered to work closely with the VCSE in their respective areas, seeking good practice in how they were engaging with and supporting their local VCSE sectors. We were particularly interested in content of the strategies of those local authorities which shared some characteristics with those of Leicester: post-industrial economy; university towns/cities; political complexion; elected mayor; elite sports teams.
- 3.18. We also gathered information from national agencies directly involved with the VCSE sector, most significantly the National Council for Voluntary Organisations (NCVO) – of which Leicester City Council enjoys public sector membership, the National Association for Voluntary and Community Action (NAVCA) and Locality. We looked to several relevant think tanks also, including the Institute for Voluntary Action Research (IVAR), The New Social Covenant Unit and the Voluntary Sector Studies Network (VSSN), and reviewed a number of sector specific podcasts, including “Bridges to the Future” (RSA), “Giving Thought” (Charities Aid Foundation), “NHS England and NHS Improvement Podcast” (NHS England), “Third Sector” (Third Sector), “Transforming Our Futures” (Globalnet21).

Other public sector stakeholders

- 3.19. We liaised with colleagues at Leicestershire County Council about our common interests in engaging with the VCSE sector in both city and county. We had many similar conversations with Leicester City Clinical Commissioning Group (CCG).

4. Areas of interest – pledges and actions

- 4.1. A number of pledges and actions will form the bedrock of the strategy. These pledges and actions will be developed and informed by all the research that we have done so far and will drive our relationship with the local VCSE and make clear the role that we are able to play in the future.
- 4.2. When they are drafted, they will:
- Address and respond to what we understand to be the position of the sector locally, regionally, and nationally
 - Respond to emerging views, issues, and themes captured during our engagement sessions
 - Will most likely be a mixture of activities that seek to understand matters further before determining a more definitive course of action, together with those that deliver immediately
 - Seek to reposition the Council as an enabling organisation, one that seeks to engage with and listen to the VCSE, and where it can play a coordinating role for the good of our communities
 - Be geared around the strategy being an iterative one i.e., as progress is made, the various pledges and actions are updated
- 4.3. Initial findings from the research suggest that we would be best to concentrate our pledges and actions around the following topics or emerging ‘priority’ themes:
- Civil society
 - Culture change
 - Data and insight
 - Digital transformation & social media
 - Finance and funding
 - Infrastructure support
 - Partnership and collaboration
 - Volunteering
 - Business engagement
- 4.4. It is currently our intention that the strategy, which was intended to be a 5-year one, will include an outline pledge for each of the areas of interest, aided by a number of deliverable actions within each theme. These pledges and actions will have to be deliverable within the scope of our current resources. It is also our intention to work collaboratively with the VCSE sector, partners, and other stakeholders as we create delivery plans for each of the pledges. We will be looking for VCSE organisations to play a role in improving and strengthening the sector in a coordinated fashion.

5. Next Steps and Timeline

- 5.1. We aim to launch the VCSE Engagement Strategy in April 2022 and welcome any contributions the Neighbourhood Services Scrutiny Commission wish to make in that regard, particularly in relation to the priority themes that have been identified.

Taxi Strategy

Neighbourhood Services Scrutiny Commission

Decision to be taken by: Deputy City Mayor

Decision to be taken on: 28 February 2022

Lead director/officer: Richard Sword

Useful information

- Ward(s) affected: All
- Report author: Rachel Hall, Chief Licensing Officer
- Author contact details: rachel.hall@leicester.gov.uk
- Report version number: 1

1. Summary

- 1.1 A draft taxi strategy has been prepared setting out the council's vision for the taxi trade in the city.
- 1.2 The strategy has five strategic objectives.
- 1.3 Once the overall strategy is approved straightforward changes can be made immediately and work can begin on implementing more detailed changes that will require additional work such as consultation or procurement.

2. Recommended actions/decision

- 2.1 Scrutiny is asked to provide any comments or suggestions prior to the strategy being approved by the Deputy City Mayor (DCM) for Culture, Leisure, Sport and Regulatory Services.

3. Scrutiny / stakeholder engagement

- 3.1 The taxi strategy has been prepared in consultation with Cllr Clair, DCM for Culture, Leisure, Sport and Regulatory Services.
- 3.2 There has been separate consultation with the public and with stakeholders on various proposals for taxi drivers, vehicles and private hire operators flowing from the overarching strategy.
- 3.3 Cllr Clarke, DCM for Environment and Transportation has also been consulted and has commented on the strategy.

4. Background and options with supporting evidence

- 4.1 These proposals contribute to the overall taxi strategy for the city for the coming years. The strategy document needs to set the overall tone for taxi licensing and, once approved, will steer policy development.
- 4.2 The statutory taxi and private hire standards have been introduced since work began on the taxi strategy, and the opportunity has been taken to combine these two pieces of work.
- 4.3 Some aspects of taxi licensing will require further consultation before they are taken forward, such as the possible introduction of CCTV in licensed vehicles.
- 4.4 Vehicle licensing impacts on air quality and therefore policies on vehicle age and emissions will be tied to Climate Change proposals.

5. Detailed report

- 5.1 A draft strategy has been prepared setting out the council's vision for the taxi trade in the city. The vision is: "... *for the hackney and private hire sectors to provide a safe and superb customer service within an integrated sustainable transport system, whilst contributing to the economy with minimal environmental impact.*"

- 5.2 The strategy sets out the role of the licensing authority and states that the council will apply its taxi policies with a clear focus on ensuring a safe and suitable taxi service within the city.
- 5.3 The strategy has five strategic objectives to ensure that our licensed taxi sectors are:
- **Trusted:** The public rate them consistently high for customer service and safety
 - **Safe:** Provide services in a safe manner to passengers, other road users, the public generally and the drivers themselves
 - **Low Emission (Environmentally Sustainable):** Providing a service with ultra-low emissions
 - **Viable:** Operators and drivers can operate on a viable commercial basis and have confidence to invest in their service
 - **Supported and well regulated:** Leicester City Council's engagement with the taxi sectors enjoys a high degree of public confidence; that support and regulatory interventions are targeted, proportionate, consistent; and the council is transparent in, and accountable, for its plans and commitment
- 5.4 The Council's existing policies and procedures have been reviewed with more work to follow, which will help to achieve a number of key deliverables listed in the strategy.
- 5.5 The final version of the draft strategy document is attached at **Appendix A**.
- 5.6 The Communications and Marketing team has provided input to ensure that the strategy is consistent with the 'house style' for Leicester City Council. They have suggested that this document be produced as an online strategy only, to allow improved accessibility, better promotion, and lower costs. This has the added advantage of ensuring that content can be easily amended/added and data can more visual and interactive.
- 5.7 Once the overall strategy is approved work can begin on implementing the straightforward changes resulting from consultation (eg, updates to conditions of fitness and various procedures) as well as the commencement of work on more detailed changes (eg, new ways of undertaking medicals and the taxi knowledge test).
- 5.8 Some of the changes could impact on the associated fees charged to applicants. For example, one of the proposals is a change in the knowledge test. There are several options for this and the cost to both the authority and the applicant will be an important consideration.
- 5.9 Members will be aware of ongoing concerns relating to taxi drivers and vehicles licensed outside the city (namely Wolverhampton) working within Leicester. The taxi strategy includes closer working with other authorities in order to address the impact of taxis licensed elsewhere and that will include Wolverhampton.
- 5.10 Some of the aims in the taxi strategy are not wholly within the control of the Licensing service, for example shared working and providing highway benefits to taxis. However, early indications from other authorities are that they are open to shared working and Highways are open to changes such as the use of bus lanes by wheelchair accessible vehicles subject to resourcing.
- 5.11 When this has been approved Communications and Marketing will lay out the document professionally.
- 5.12 The Social Care and Education Department is undertaking a significant project to re-procure taxi services for children, young people, vulnerable adults and staff. This work involves the commissioning of taxi drivers, vehicles and operators but is separate to the taxi strategy. The aim of the procurement exercise is to increase the number of taxis to support those using our services to access schools, day centres and contact appointments and to complete other essential or beneficial journeys supports a variety of priorities for the Social Care and Education Department. It is anticipated that some

of the providers will be licensed by Leicester City Council but that others may be licensed outside the city.

- 5.13 A six month update on progress will be reported to the Executive Lead/DCM following the NES Programme Board (and the City Mayor/CMB as appropriate). Additional reports will be made available as necessary in relation to specific pieces of work under the strategy.

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

There are no direct financial implications of the strategy for the Council. Detailed aspects of the strategy may result in additional costs in carrying out licensing activities, and this would need to be reflected in the licensing charges in due course. Any additional requirements placed on drivers and/or operators could increase the cost of providing a taxi service, and, consequently, taxi fares.

Stuart McAvoy – Acting Head of Finance, Ext. 4004

6.2 Legal implications

The purpose of the taxi strategy is to protect the public. That is Leicester City Council's overriding duty when carrying out its functions in relation to taxi licensing. On taking account of all relevant considerations, it is for the Council to reach its own decisions on overall policies and strategies.

John Moss, Legal Services 373010

6.3 Equalities implications

When making decisions, the Council must comply with the Public Sector Equality Duty (PSED) (Equality Act 2010) by paying due regard, when carrying out their functions, to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people who share a 'protected characteristic' and those who do not.

In doing so, the council must consider the possible impact on those who are likely to be affected by the recommendation and their protected characteristics.

Protected groups under the Equality Act 2010 are age, disability, gender re-assignment, pregnancy/maternity, marriage and civil partnership, race, religion or belief, sex and sexual orientation.

Whilst the Taxi strategy is a strategic overarching document setting out the role of the licensing authority and how the council will apply its taxi policies. The actions listed for progressing the various strands of the strategy will be used to monitor delivery and track progress, and equality considerations should be embedded throughout these. It is recommended that Equality Impact Assessments (EIAs) are carried out as appropriate on identified areas, for example where aspects of taxi licensing will require further consultation before they are taken forward, such as the possible

introduction of CCTV in licensed vehicles, etc, to ensure any impacts are identified and addressed, and mitigating actions put in place.

The equality impact assessment is an iterative process that should be revisited throughout the decision-making process and updated to reflect any feedback/changes due to consultation/engagement as appropriate.

Sukhi Biring, Equalities Officer, 454 4175

6.4 Climate Emergency implications

Transport is responsible for around 25% of carbon emissions in Leicester. Following the city council's declaration of a Climate Emergency in 2019, and its aim to achieve carbon neutrality, addressing transport-related emissions is a vital part of the council's work. This is particularly important in those areas where the council has influence, including through its licensing activities.

This is reflected within the Taxi Strategy, which sets out the ambitions for Leicester to have an efficient and sustainable taxi trade, and features low emission services as one of the five strategic objectives. This includes two of the actions, around enabling a choice of an ultra-low emissions vehicle and updating vehicle conditions of fitness to be environmentally sustainable. Further opportunities to support these aims should be considered as appropriate, for example through engagement activities to provide or refer drivers to grants and guidance on the purchase of low emission vehicles.

Aidan Davis, Sustainability Officer, Ext 37 2284

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

7. Background information and other papers:

8. Summary of appendices:

9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

10. Is this a "key decision"? If so, why?

Leicester City Council

Taxi strategy 2021-2025

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FOREWORD

Leicester has an ambition for an effective, efficient and viable taxi trade and we have developed a taxi strategy to help realise this goal. The trade should provide an excellent service to the travelling public, with a competent, trusted and welcoming workforce that is regulated by a fair licensing authority that applies its policies and procedures in a consistent and appropriate way.

The draft Leicester Transport Plan 2021-2036 focusses on a sustainable transport vision supporting a high quality of life and travel experience for people and a vibrant local economy. We encourage people to use more active travel such as cycling and walking as well as to make public transport their first choice for longer journeys. The taxi sector supports the city's public transport provision by providing a flexible and accessible door to door service and playing an essential role in the night-time economy when other forms of transport are not available.

The council is the licensing authority for Leicester with a duty to protect the public. In order to meet this obligation, we have several policies and procedures in place to ensure the suitability of both the people and the vehicles working in the taxi trade. This strategy document sets out how we will operate in the coming years to improve and enhance the service provided, working in tandem with relevant strategies to improve air quality and sustainability.

Cllr Piara Singh Clair
Deputy City Mayor
Culture, Leisure, Sport and Regulatory Services

THE VISION

Leicester City Council's vision is for the hackney and private hire sectors to provide a safe and superb customer service within an integrated sustainable transport system, whilst contributing to the economy with minimal environmental impact.

Hackney carriages and private hire vehicles are an important part of the city's public transport system. Leicester's taxi drivers provide a demand responsive, 24 hour a day, 7 days a week, year-round service catering to a wide range of individuals' needs. It is one of the most flexible elements of the transport system and operates on a completely commercial basis.

In Leicester, hackney carriages and private hire vehicles are integral in their support to the local economy by transporting people to their places of work and customers to places of business. The services are a primary mode of passenger transport for people for whom mainstream public transport is not an option and help support many disabled and vulnerable people to live more independent lives. Taxis play an important part in the city's night-time economy by providing people with a safe and secure mode of transport. Taxi services are also commissioned by the council to transport children, young people and vulnerable adults, for example to and from school, day centres and hospital appointments.

A thriving, efficient and affordable taxi sector contributes to the local economy and benefits local residents, businesses, and visitors to Leicester.

The City Mayor and Leicester City Council are committed to maintaining and enhancing the quality and reliability of Leicester's transport network through the integration of buses, taxis, cycling and walking to deliver economic benefits whilst contributing to a sustainable and healthy low carbon economy.

THE ROLE OF THE LICENSING AUTHORITY

Leicester City Council is a unitary authority and therefore the licensing authority for the city. As such the council must regulate the quality of service and safety standards of hackney carriages (taxis) and private hire vehicles. The council issues a combined driver's licence so that all licensed drivers may drive either a hackney carriage or a private hire vehicle. The distinction between hackney carriages and private hire vehicles is that hackney carriages ply for work from a rank, can be hailed in the street and can undertake pre-booked work. Private hire vehicles can only be pre-booked via a licensed private hire operator. The driver, vehicle, and operator must all be licensed by the same licensing authority.



The council is also the highway authority and so has a responsibility to implement taxi ranks on the public highway, reasonably close to where people want to travel from, including key interchange points with bus and rail networks. The number of hackney carriage licences can be limited by the council, but the number of driver or private hire licences cannot be restricted.

The council is responsible for ensuring certain children, young people and vulnerable adults are safely transported on pre-arranged journeys. This service is commissioned by the Social Care and Education department via a Dynamic Purchasing System. The scheme is independent of the taxi strategy.

“When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public. The importance of ensuring that the licensing regime protects the vulnerable cannot be overestimated.”

Department for Transport - Statutory Taxi and Private Hire Vehicle Standards

“The overriding aim of any Licensing Authority when carrying out its functions relating to the licensing of Hackney or Private Hire Drivers, Vehicle Proprietors and Operators, must be the protection of the public and others who use (or can be affected by) Hackney Carriage and Private Hire services.”

Institute of Licensing – Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades

“It is for individual licensing authorities to reach their own decisions both on overall policies and on individual licensing matters, in the light of their own views of the relevant considerations.”

Department for Transport – Taxi and Private Hire Vehicle Licensing: Best Practice Guidance

“The aim of local authority licensing of the taxi and PHV trades is to protect the public. Local licensing authorities will also be aware that the public should have reasonable access to taxi and PHV services, because of the part they play in local transport provision. Licensing requirements which are unduly stringent will tend unreasonably to restrict the supply of taxi and PHV services, by putting up the cost of operation or otherwise restricting entry to the trade. Local licensing authorities should recognise that too restrictive an approach can work against the public interest – and can, indeed, have safety implications.”

Department for Transport – Taxi and Private Hire Vehicle Licensing: Best Practice Guidance

POLICY STATEMENT

The purpose of the taxi strategy is to protect the public. This is the overriding duty of the licensing authority in carrying out its functions relating to taxi licensing.

The licensing authority is responsible for determining that hackney and private hire drivers, vehicles, vehicle proprietors, and private hire operators are safe and suitable. To do so, the authority will apply appropriate policies to ensure that decision making is consistent, transparent and proportionate.

Leicester City Council will apply its taxi policies with a clear focus on ensuring a safe and suitable taxi service within the city.

THE STRATEGIC OBJECTIVES

Our strategy has five strategic objectives to ensure that our licensed taxi sectors are:

- **Trusted:** The public rate them consistently high for customer service and safety
- **Safe:** Provide services in a safe manner to passengers, other road users, the public generally and the drivers themselves
- **Low Emission (Environmentally Sustainable):** Providing a service with ultra-low emissions

- **Viable:** Operators and drivers can operate on a viable commercial basis and have confidence to invest in their service
- **Supported and well regulated:** Leicester City Council's engagement with the taxi sectors enjoys a high degree of public confidence; that support and regulatory interventions are targeted, proportionate, consistent; and the council is transparent in, and accountable, for its plans and commitments

Leicester City Council will actively lead and shape the services provided in Leicester by taxis and work with taxi and private hire operators and other key stakeholders.

We will work with neighbouring authorities to deliver a level and competitive playing field and will take action – including legal action – to ensure fair trading and public safety.

LICENSING POLICIES AND PROCEDURES

We have reviewed our policies and procedures against the strategic objectives to ensure that they are fit for purpose. The existing policies cover matters such as:

- Driver licensing
 - Application process
 - Pre-licensing requirements including criminal record checks, medicals, knowledge test, English assessment, training
 - Code of conduct
 - Display of licence
 - Licence conditions
- Vehicle licensing
 - Application process
 - Pre-licensing requirements including conditions of fitness, vehicle age and emissions
 - Vehicle inspections
 - Display of licence, including door signs and external plate
 - Advertising
 - Licence conditions
- Operator licensing
 - Application process
 - Record keeping
 - Licence conditions

The updated policies and procedures aim to improve standards and clarity, and take account of the Statutory Taxi and Private Hire Vehicles Standards produced by the government. They will also will help us to achieve a number of key deliverables under the taxi strategy.

THE DELIVERABLE OUTCOMES

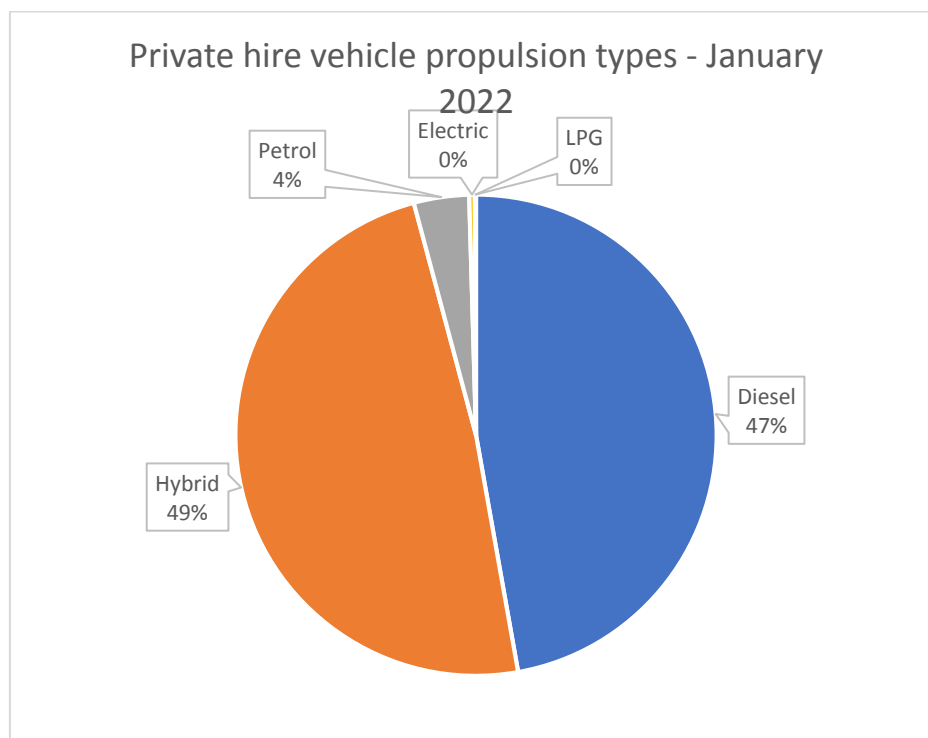
By 2025 we will have achieved the following:

For the public using taxi services in Leicester:

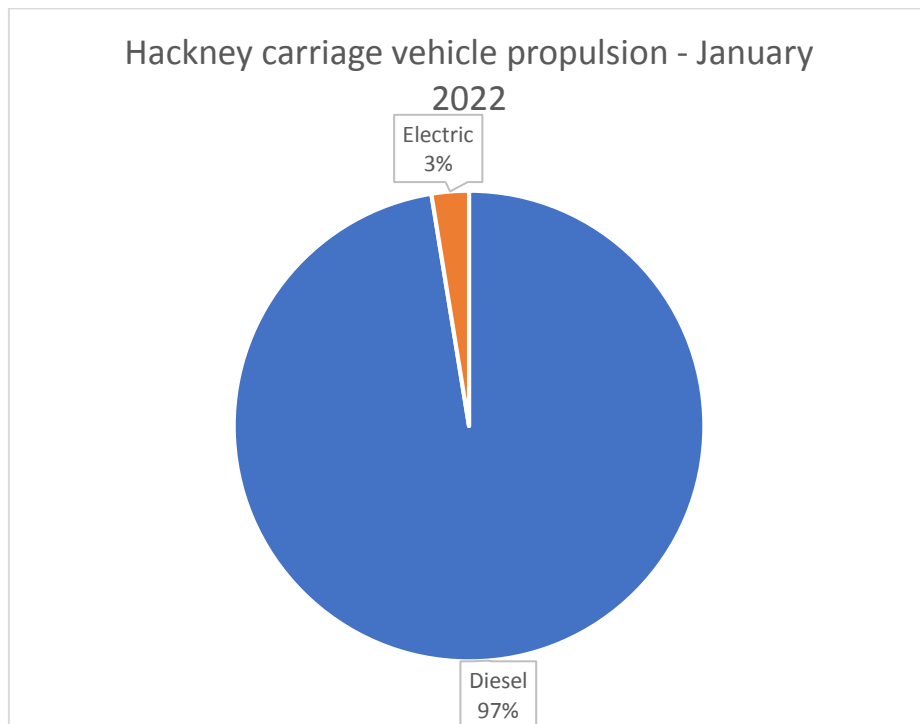
- 1 A choice between booking an ultra-low emission vehicle or diesel vehicle

Passengers should be given the option of choosing a vehicle type at the time of booking or hiring. The vehicles will need to be identifiable as **ultra-low emission vehicles**. This could be done through markings on vehicles and through vehicle type being an option at the time of advance bookings.

There has already been a shift in the private hire trade towards lower emission vehicles. On 13 February 2019 there were 456 licensed private hire vehicles that were classed as electric, hybrid or alternative fuel vehicles. This equated to 31% of all licensed private hire vehicles. By 28 January 2022 there were 648 licensed private hire vehicles in the same categories, equating to 49% of all licensed private hire vehicles.



Work is ongoing in relation to ultra-low emission hackney carriages. A temporary relaxation of the 11-year age policy was put in place in 2018/19 to bridge the gap between the replacement of old vehicles and the availability of approved ultra-low emission vehicle hackney carriages. A grant scheme was also in operation to assist with the purchase price. However, as of 28 January 2022 there were only six licensed ultra-low emission vehicle hackney carriages and the grant scheme had ended.

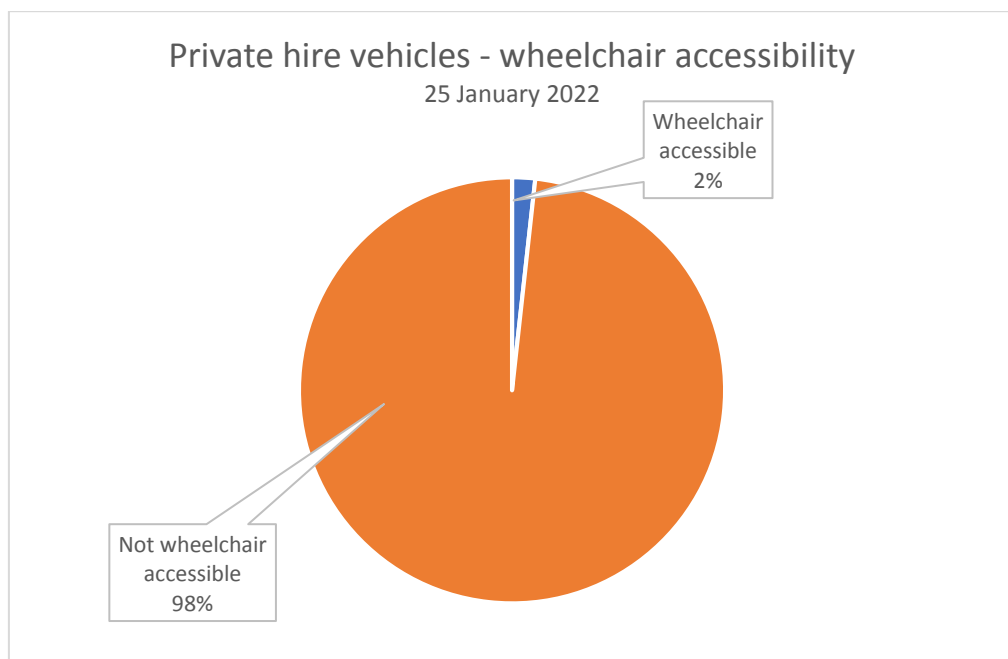


The council is working on plans in response to the Climate Emergency declaration and the policy on vehicle licensing will be developed in conjunction with this work. This is likely to involve changes to the current policies on vehicle age and vehicle emissions. The taxi strategy and supporting policies will be subject to the council's ambitions on air quality and climate change.

2 A choice between wheelchair accessible hackney and private hire vehicle.

All hackney carriages in Leicester are wheelchair accessible.

In January 2022 only a handful of private hire vehicles (23) were wheelchair accessible and this can create problems for wheelchair users.



The hackney booking apps enable wheelchair users to make advance bookings of vehicles that they know are wheelchair accessible. However, there may be active measures that can be taken to bring

more wheelchair accessible private hire vehicles into the private hire trade. Measures for investigation include positive incentives such as a charter mark/accreditation for the driver and/or operator, discounted fees, or conditions for operators such as a percentage of their fleet being wheelchair accessible.

3 Considered requiring CCTV and GPS in all licensed vehicles

The Statutory Taxi and Private Hire Vehicle Standards give a cautious endorsement to mandatory CCTV in licensed vehicles. However, there are significant responsibilities associated with CCTV and if the council decides to require it in every licensed vehicle then the council will be a Data Controller, alongside the vehicle owner/operator. A separate piece of work is necessary to scope whether CCTV should be made mandatory. This will involve further consultation with the trade, consideration of the data protection implications, and detailed consideration of what the requirements should be. A data protection impact assessment will also be completed. As an alternative, CCTV would not be mandated but the council would set out minimum standards for any CCTV system that a vehicle owner chooses to install.

A number of CCTV providers have already made contact in relation to being approved for use in licensed vehicles. The council could either procure a preferred supplier(s) or to set out minimum standards for CCTV systems in licensed vehicles, which would allow the vehicle owner to choose which system to install.

Some CCTV systems are linked to GPS, as are existing and proposed booking apps. GPS tracking could be investigated further alongside the CCTV work. Officers will carry out a feasibility study and submit a report at a later date.

4 Cashless payment option in all licensed hackney carriages and private hire vehicles

Many booking apps are linked to payments systems and therefore this would allow a joined-up approach. The benefits to drivers and passengers are significant and the cost is relatively low. This payment method could be achieved through a condition as part of the vehicle licence.

The coronavirus pandemic has impacted the taxi trade enormously and contactless payment became more important. The council will work with the trade to further encourage the take up of contactless payment systems.

For taxi operators and drivers operating in Leicester:

1 Online application/renewal/booking and payment arrangements, and communication [as the norm]

This is part of the digital transformation programme currently being implemented at Leicester City Council. Online applications are already available for new and renewal driver applications, new and renewal vehicle applications, and new and renewal private hire operator applications. Other application types are in development (e.g. change of vehicle, transfer of ownership). An online booking system for the Vehicle Testing Station has been developed and went live in January 2022.

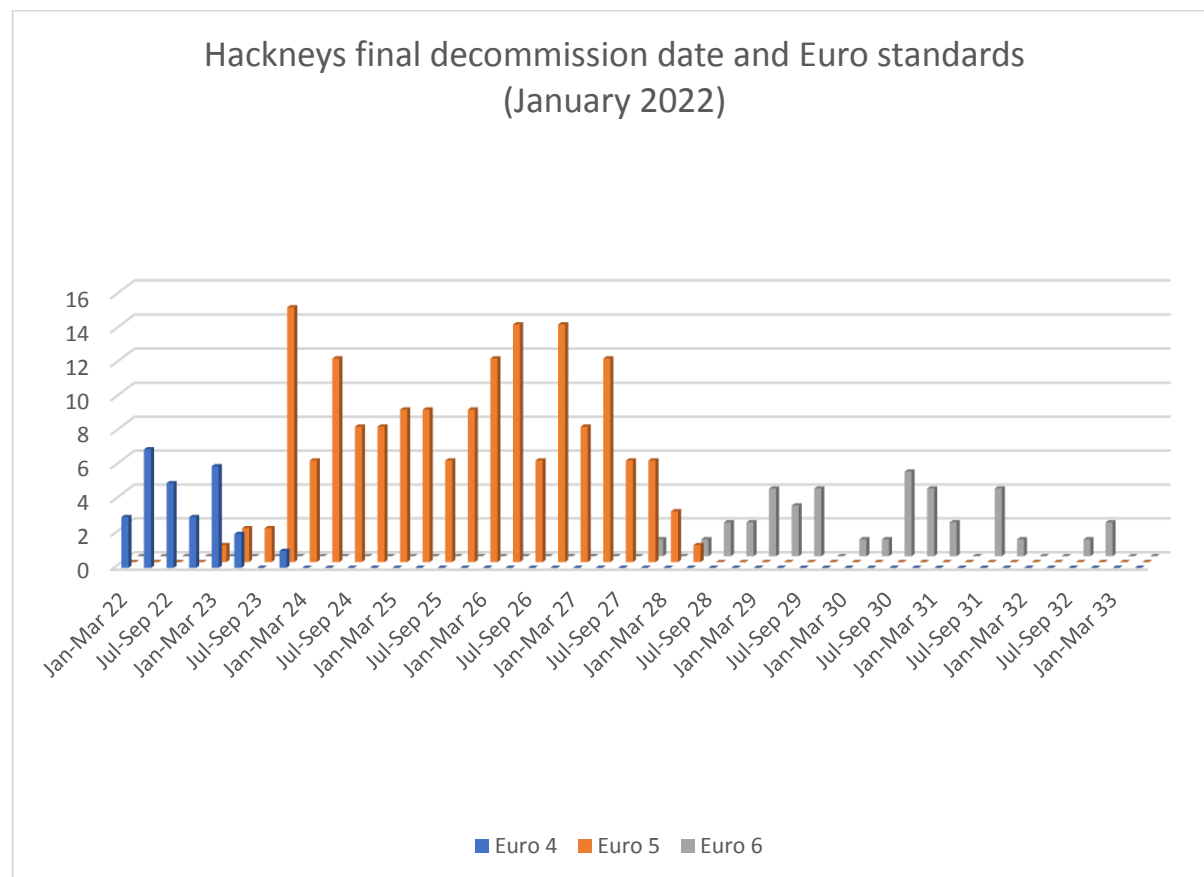
2 Clear comprehensive standards for drivers and operators

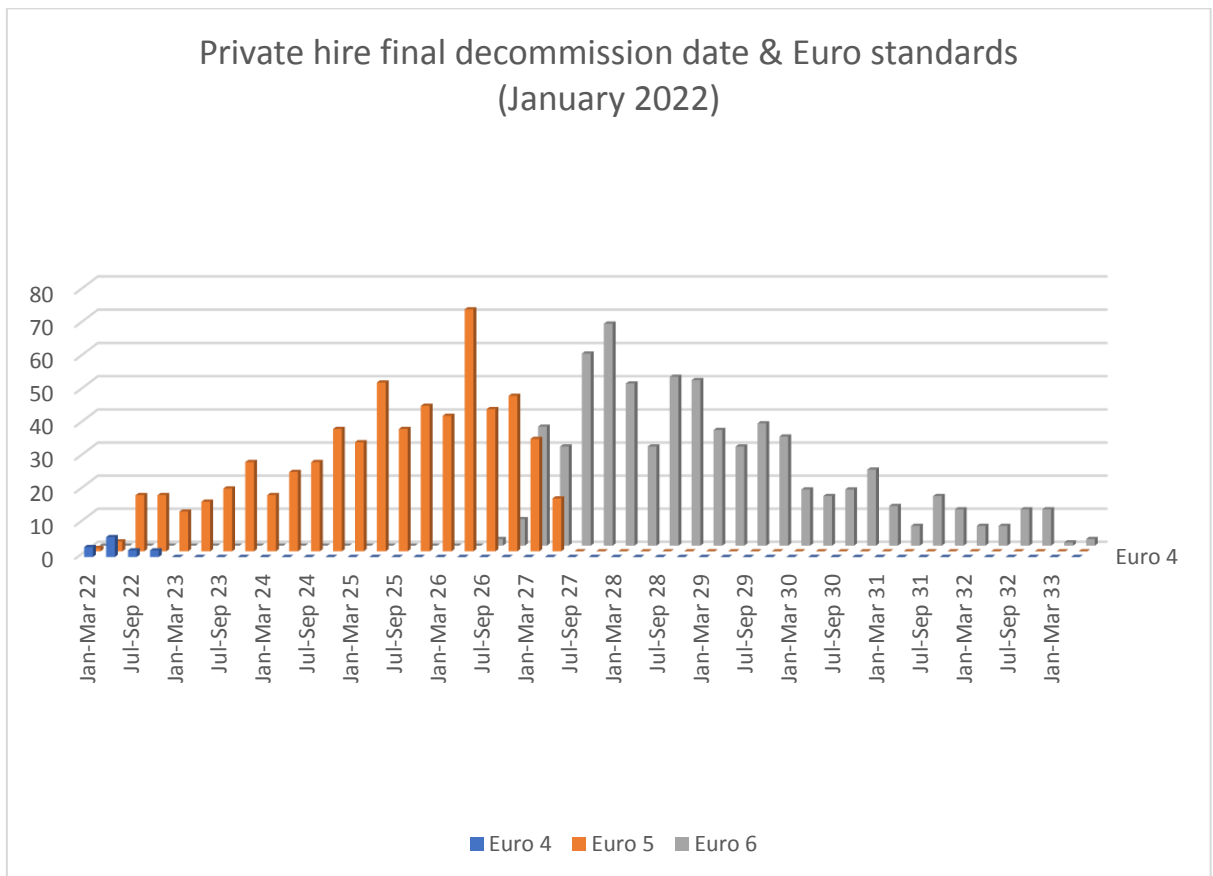
Many of our existing policies and procedures had not been formally reviewed for some time. There were some grey areas and other areas that needed bringing up to date following developments in law and practice. This essential piece of work directly related to customer and driver safety.

Consultation took place in 2019 and 2020 but the outcomes were delayed until 2021 due to the coronavirus pandemic. This work has now been completed and some new policies and procedures are being introduced alongside this strategy document, whilst others will be introduced once the preliminary steps have been put into place. One of the measures is to produce post-licensing guidance for drivers to ensure they are fully aware of their duties and responsibilities.

3 Updated vehicle conditions of fitness that are environmentally and economically sustainable

The vehicle conditions of fitness also required review. Licensed vehicles must be fit for purpose – safe, comfortable, practical, environmentally sound, and economical to operate. The conditions of fitness have been brought up to date. The intention to review the vehicle age and emissions policies has been deferred to become part of a wider strategy to improve air quality in Leicester (see above). The following charts illustrate the current make-up of the hackney and private hire fleets and when the older, more polluting vehicles are due to be replaced.





4 Highway use benefits for hackney carriage vehicles licensed by Leicester City Council

Discussions with the highways department are in progress and when resources permit highways will work with the licensing authority to move this forward. Initial considerations include a change of use to the bus lanes in the city so that instead of permitting all hackney carriages (taxis) only wheelchair accessible hackney carriages will be permitted. This will mean all Leicester hackneys will remain exempt but not the saloon vehicles licensed as hackneys by other licensing authorities.

Highways will also be considering whether other measures can be introduced to aid traffic flow and reduce pollution, whilst benefitting taxis licensed by Leicester City Council.

5 Elected taxi driver and operator representatives on a consultation forum administered by Leicester City Council

A previous survey of the hackney trade asked who they wanted to represent them in discussions with the council. 85 of 328 vehicle licence holders replied (26%). 72 respondents (90.6%) said they wanted Leicester Black Cab Association to represent them, six respondents (7.1%) identified the National Union of Rail, Maritime and Transport Workers (RMT), one (1.2%) said nobody and one (1.2%) said they wanted to represent themselves.

A similar survey of the private hire trade indicated no preference for any representative.

The hackney trade has traditionally been represented by the RMT so the above survey suggests a significant change in attitudes. Most private hire drivers have had no representation other than via private hire operators.

We will carry out annual surveys of licensed drivers to find out which organisations they want us to consult with on their behalf.

With our Partner Public Authorities

1 Open and easy access to our driver and vehicle records for police and licensing authorities

As a licensing authority it is right that we share information that will assist our partners in the police and other licensing authorities, subject to the requirements of data protection and GDPR. It is proposed that our current processes and procedures are reviewed to ensure they are correct and operations can be done easily. This could be by developing an online request form to ensure the correct information is captured, and/or by allowing restricted access to our records for specific partners.

A national database of driver refusals and revocations became live in 2018 following a delay due to GDPR. There is a significant amount of preparatory work to be done before signing up to add our own records and to view details provided by other authorities. The use of this database will enhance driver licensing because it will allow checks to be made on individual applicants, who may not be truthful about previous refusals or revocations.

2 Commitment to joined up operations

Given the cross-border nature of the taxi trade it is inevitable that vehicles and drivers licensed elsewhere will be in Leicester, and vice versa. Participating in joint operations in a regular and planned way will allow us, and partner authorities, to make best use of resources and to deal with vehicles and drivers that are not up to standard even if they are not licensed in Leicester. The reverse is also true, as council enforcement staff would participate in operations outside Leicester (e.g. at East Midlands airport or at motorway checkpoints) to deal with our licence holders.

Initial discussions with authorities in Leicestershire indicate that this suggestion would be welcomed.

3 Arrangements for the sharing of statutory powers to regulate 'out of town' drivers

Reports are received regularly that 'out of town' drivers are flouting the law safe in the knowledge that the authorities are unable to do anything about it, and that as a result the regulatory system is not a level playing field. Sharing statutory powers would be an extension of joint operations, where council enforcement staff are given delegated authority by other licensing authorities to deal with drivers and vehicles that they have licensed. This would allow us to stop and check vehicles and drivers licensed in, for example, Oadby & Wigston and Wolverhampton and to refer any breaches back to the relevant authority. The reverse would also be true, so that other authorities could deal with our licence holders in their area and report any issues for us to deal with.

Initial discussions with authorities in Leicestershire indicate a willingness to engage with us on this suggestion.

4 Explore opportunities for shared services in taxi licensing and regulation

Shared services would be another step further from joint operations and shared powers, which would involve the merging of taxi licensing and regulation with one or more neighbouring authorities. This has been considered in the past and there was a limited appetite for change. Nonetheless at this time it is appropriate to revisit this as an option.

5 Enhanced arrangements for training and development of officers in Leicester and Leicestershire

Training is an important element of the licensing function to ensure that staff are up to date and confident in their roles. The cost of providing suitable training is often prohibitive. With planning and co-ordination, it would be possible to organise a training schedule for the city and county to share and reduce costs and improve joint working. We will look to establish this in partnership with other Leicestershire authorities, subject to budget.

TIMESCALES

The timescales for introducing various strands of the strategy are:

	Action	Target date	Strategic objective(s)
1	Clear comprehensive standards for drivers and operators	May 2022	Trusted; Safe; Supported and well regulated
2	Updated vehicle conditions of fitness that are environmentally and economically sustainable	May 2022	Trusted; Safe; Low Emission (Environmentally Sustainable); Viable; Supported and well regulated
3	Elected taxi driver and operator representatives on a Consultation forum administered by Leicester City Council	May 2022	Trusted; Supported and well regulated
4	Open and easy access to our driver and vehicle records for police and licensing authorities	May 2022	Trusted; Safe; Supported and well regulated
5	Commitment to joined up operations	May 2022	Supported and well regulated
6	Cashless payment option in all Leicester City Council licensed hackney carriages and private hire vehicles	Jun 2022	Trusted Safe
7	Arrangements for the sharing of statutory powers to regulate 'out of town' drivers	Aug 2022	Supported and well regulated
8	Explore opportunities for shared services in taxi licensing and regulation	Aug 2022	Supported and well regulated
9	Enhanced arrangements for training and development of officers in Leicester and Leicestershire	Aug 2022	Supported and well regulated
10	Online application/renewal/booking and payment arrangements, and communication [as the norm]	Jan 2023	Trusted; Safe; Supported and well regulated
11	Highway use benefits for hackney cab vehicles licensed by Leicester City Council	Jun 2023	Supported and well regulated
12	An exercisable choice between booking an ultra-low emission vehicle or diesel vehicle	Jan 2025	Low Emission (Environmentally Sustainable)
13	A choice between wheelchair accessible hackney and private hire vehicle	Jan 2025	Trusted; Viable
14	All licensed vehicles have GPS and CCTV	Jan 2025	Trusted; Safe
15	Taxi strategy fully implemented	Jan 2025	Trusted; Safe;

			Low Emission (Environmentally Sustainable); Viable; Supported and well regulated
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Neighbourhood Services Scrutiny Committee



Library services provision – Support for employment and careers

Lee Warner, Head of Neighbourhood Services

Neighbourhood Services Overview

The Council's Neighbourhood Services section delivers community and library services to people who live and work in Leicester City.

- A network of 27 facilities, including 9 Multi-Service centres:
- 16 library service points
- 15 community centres offering room hire
- Ward & Community Engagement Team



Library Employment Support: national and local strategic context

Neighbourhood Services are committed to the Universal Offers developed by Libraries Connected:

- 39
- **Information & Digital** – Goal: “To ensure local communities have access to quality information and digital services, to learn new skills and to feel safe online”

Other Universal Offers are linked:

- **Health & Wellbeing**
- **Culture & Creativity**
- **Reading**

The National Context: DCMS Libraries Deliver:

“libraries help individuals into work. They run job clubs, back to work programmes and facilitated sessions with partner agencies such as Adult Learning and Skills, Jobcentre Plus and local organisations. They also provide training and support for digital skills and lifelong learning to prepare people for successful and productive careers...”

Increasingly knowledge is becoming a driver of productivity and economic growth. Library information and knowledge management professionals help people understand and become part of the knowledge economy, to boost business competitiveness locally and nationally.”



Leicester City context

Manifesto commitment May 2019

Lifelong learning:

“Leicester recognises, values and prioritises the need for people to learn throughout their lives and outside of formal education settings.”

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A fair City:

“We will:

- Develop job creation, skills and investment plans for parts of Leicester which are economically excluded, including opportunities for local businesses and for young people to engage in positive activities”

Library Services

Delivery team and network:

- 16 library service points
- Supported by Service Delivery Managers and Neighbourhood Services Assistants⁴³
- **2.1million visits** to Neighbourhood Services 2019/20
- **180,000 hours** public computer access 2019/20
- **110,000 Wi-Fi** accesses 2019/20



Advice and support sessions in libraries

Work Coach Sessions

- Partnership with DWP developed during pandemic
- Work coach sessions trialled in 3 libraries Autumn 2020
- 45 • Service rolled out to 6 libraries in total Summer 2021
- From 25 February 2022 sessions also delivered at BRITE Centre
- Weekly sessions
- Call or visit the local library to book

Work Coach Sessions – support available

EMPLOYABILITY

- CV writing
- Supported job search
- Interview skills and tips
- Individual action plans
- Virtual jobs fair
- Redundancy support
- Direct link to vacancies

QUALIFICATIONS

Sector specific training, including:

- I Health and social care
- I SIA (Security Industry Authority)
- I CSCS (Construction Skills Certification Scheme)
- I In-work retraining support
- I Direct links to adult education, training providers
- and support for young people

MONEY ADVICE SERVICE

- Benefit support
- Better-off calculations
- Charitable applications
- Debt advice

SPECIALIST SUPPORT

- Health issues/disabilities
- Childcare responsibilities
- Language barriers
- Ex-offenders
- Translation services available where required

Work coach sessions available at:

- St Barnabas Library (0116) 299 5450
- Beaumont Leys Library (0116) 299 5460
- Pork Pie Library (0116) 299 5480
- New Parks Library (0116) 229 8200
- Highfields Library (0116) 299 5494
- St Matthews Library (0116) 222 1045
- BRITE Centre Library (0116) 299 5476

Support for Skills Development and access to Information

Support for Children & Young People

- Reading Programmes to promote reading skills
 - Book Start programme
 - Our Best Book awards
 - Summer Reading Challenge
- Study support sessions
- STEM programmes
 - Code clubs
 - National Space Station partnership
- Cultural programmes
 - Amongst Ideal Friends library shows

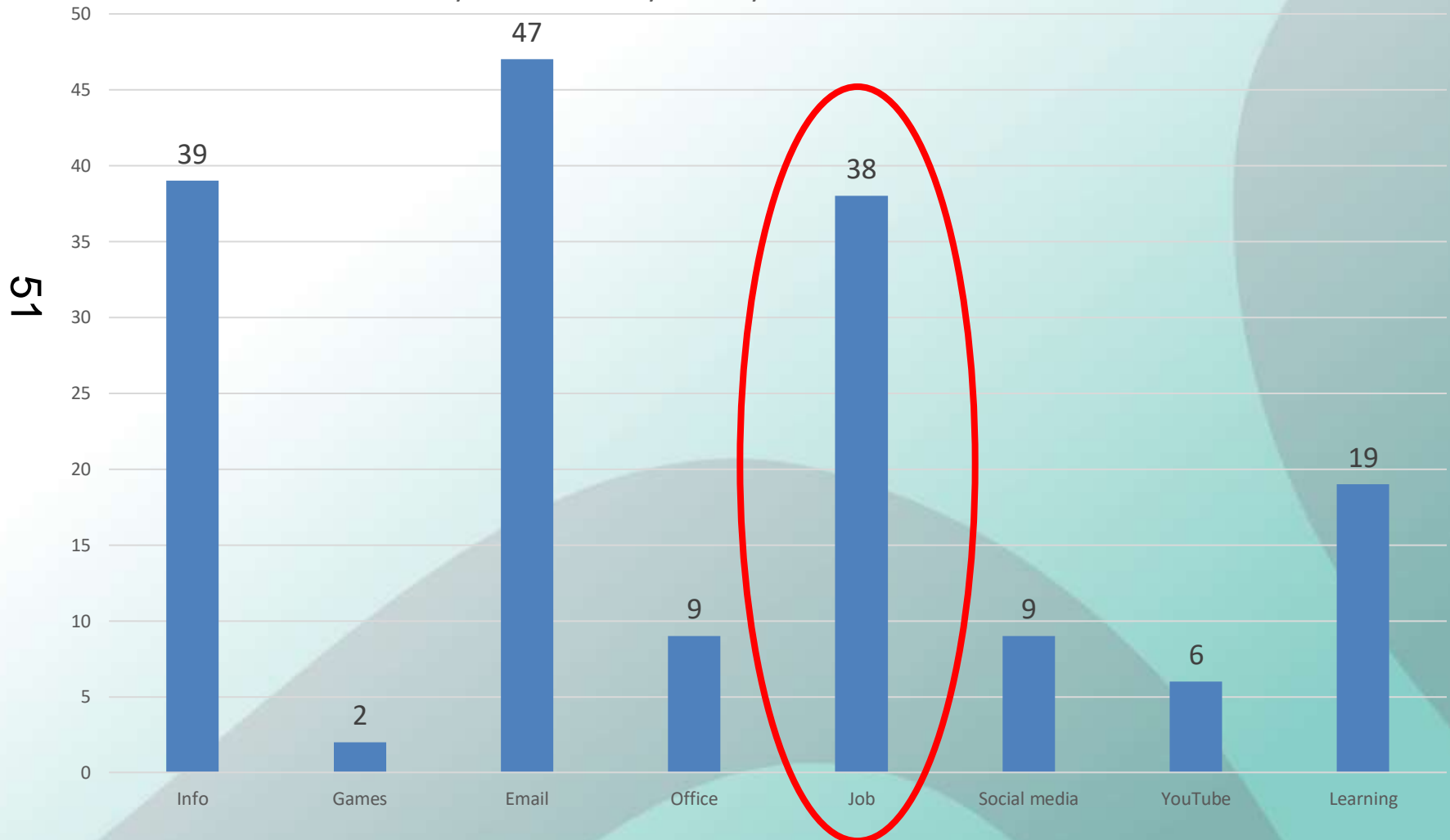
Access to Computers & the Internet

- Trained staff to support general IT use
- Provision of 166 public access computers in 16 libraries (bookable, free of charge) – renewed 2020
- Public access Wi-Fi in all 16 libraries (free)
- 59 • “Leicester Connected” device loaning scheme
- High quality printing – rising demand
- Wi-Fi printing – new service Dec 21
- IT training suites at 5 neighbourhood centres



What are people coming to do?

Survey: Beaumont Leys Library 3rd - 16th December 2019



Learning: Beginners IT sessions

- “Learn my Way” sessions running for over 10 years
- Resources from Good Things Foundation
- For complete beginners
- Learn at your own pace
- Self-led courses with staff to support for confidence



Topics covered include:

- Mouse/keyboard
- Internet safety
- Filling forms
- Universal Credit
- Health online
- Offered at Central Library Mon – Fri, and at high demand community libraries
- Recommencing in spring 2022



Are you taking part in Get Online Week?
We are.

 brought to you by  Good Things Foundation

Computer Skills for Beginners

- Are you a complete beginner with computers?
- Are you worried about using them?
- Have you heard scary things about the internet?

Don't worry we are here to help!

We have sessions at libraries across Leicester so there is one near you.

• Beaumont Leys Library	• New Parks Library
• Belgrave Library	• Highfields Library
• Leicester Central Library	• Rushey Mead Library

Session days and times vary, please contact the individual library for further information. www.leicester.gov.uk/libraries
Tel: 0118 454 3540



Leicester City Council

Learning: support from library staff

Library staff routinely provide basic signposting and support to computer users

Most common customer support request areas*:

1. Printing
2. Scanning documents
3. **Job search**
4. **Online forms**
5. Email (including set up)
6. Search engines
7. Browsing the Internet
8. Microsoft Word
9. Accessibility
10. Privacy settings



*Source: “Capture IT” survey in Leicester City 2019/20

Adult Learning in Neighbourhoods

- IT suites developed at 5 neighbourhood centres to support the LASALS programme at accessible community venues
- Basic Digital Skills Courses offered at a range of venues between 2018 – 2021
- A wide range of skills and classes are offered in Neighbourhood settings

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Adult Learning Enrolments	2018-2021
Belgrave Neighbourhood Centre	1018
African Caribbean Centre	574
Brite	760
Central Library	29
Highfields Library	874
New Parks Library	100
Pork Pie Library	288
St Mathews NC	461
Tudor Centre	80
St Barnabas Library	459
Total	4720

Kickstart roles in Neighbourhood Services

Kickstart roles

- Neighbourhood Services are providing Government funded “Kickstart” roles in libraries and community centres
- The scheme is open to 18-25 year olds
- 56 • Offers an opportunity to develop skills in community settings
- 4 customer are roles, one in each area of the city
- 1 admin support role, centrally based
- Roles will commence in 2022, each for 6 month period

Case Study: Beaumont Leys Library

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Case Study

Beaumont Leys Library, Nov 2021

- Beaumont Leys library customer Kevin Moore was referred to Jobcentre work coach Jay Adata in November 2021 by library staff, advising that he needed some help with online job applications.
- Mr Moore explained: “At that time, I was on Universal Credit, and whilst I had previous work experience in security, I wasn’t particularly confident in my computer skills, which put me off some job applications.
- “Jay referred me for extra support and on a follow-up appointment she identified a job offer in my spam emails, something I clearly missed!”
- Jay explained the job offer was based on the condition that Mr Moore would complete online job training, an induction and upload all relevant ID, which Mr Moore would have previously found daunting. However, he was supported by Jay to improve his IT skills.
- He added: “With Jay’s support and liaison with the employer, I was successful in gaining a full-time position as a security guard. Without Jay being in the library, giving me that support, who knows where I would be now. I’ve started 2022 with a fresh start and lots to look forward to. I would like to thank both Jay and the library staff for their support.

Any Questions?

Noise & Pollution Control Team

Dave Howard, Head of Regulatory Services
Annette Bryan & Robin Marston, NPC Team Managers

Objectives

- To provide an overview of the Noise & Pollution Monitoring Service
- Consider best evidence
- Inform members of our enforcement policy
- Provide statistics
- Answer any questions


Overview

- Leicester City Council's Noise and Pollution Control (NPC) Team operate a monitoring service to deal with noise, odour, smoke etc. from residential and commercial premises
- The team have additional workloads i.e. Petroleum, contaminated land
- 2 Team Managers job share, 8 FTE PCO/EHOs, 2 Night Noise Support Officers (1 FTE)
- The monitoring service runs Monday to Friday during office hours and Wednesday to Saturday nights until 02.00 hours.

Evidence

- Residents make a complaint <https://my.leicester.gov.uk/>
- Officer contacts customer to discuss their concerns and the monitoring service
- Nuisance is assessed from the complainant's property
- During service hours, officers will visit a complainant's home
- Noise diary to be kept for noise of short duration or that occurs outside service hours
- Noise monitoring recorders (NMRs) can be installed
- NMRs – complainant to provide statement
- The team have 6 NMRs
- Best evidence for an officer to witness noise/pollution **in person**, during monitoring service hours.
- 90% nuisances witnessed by officers **in person**

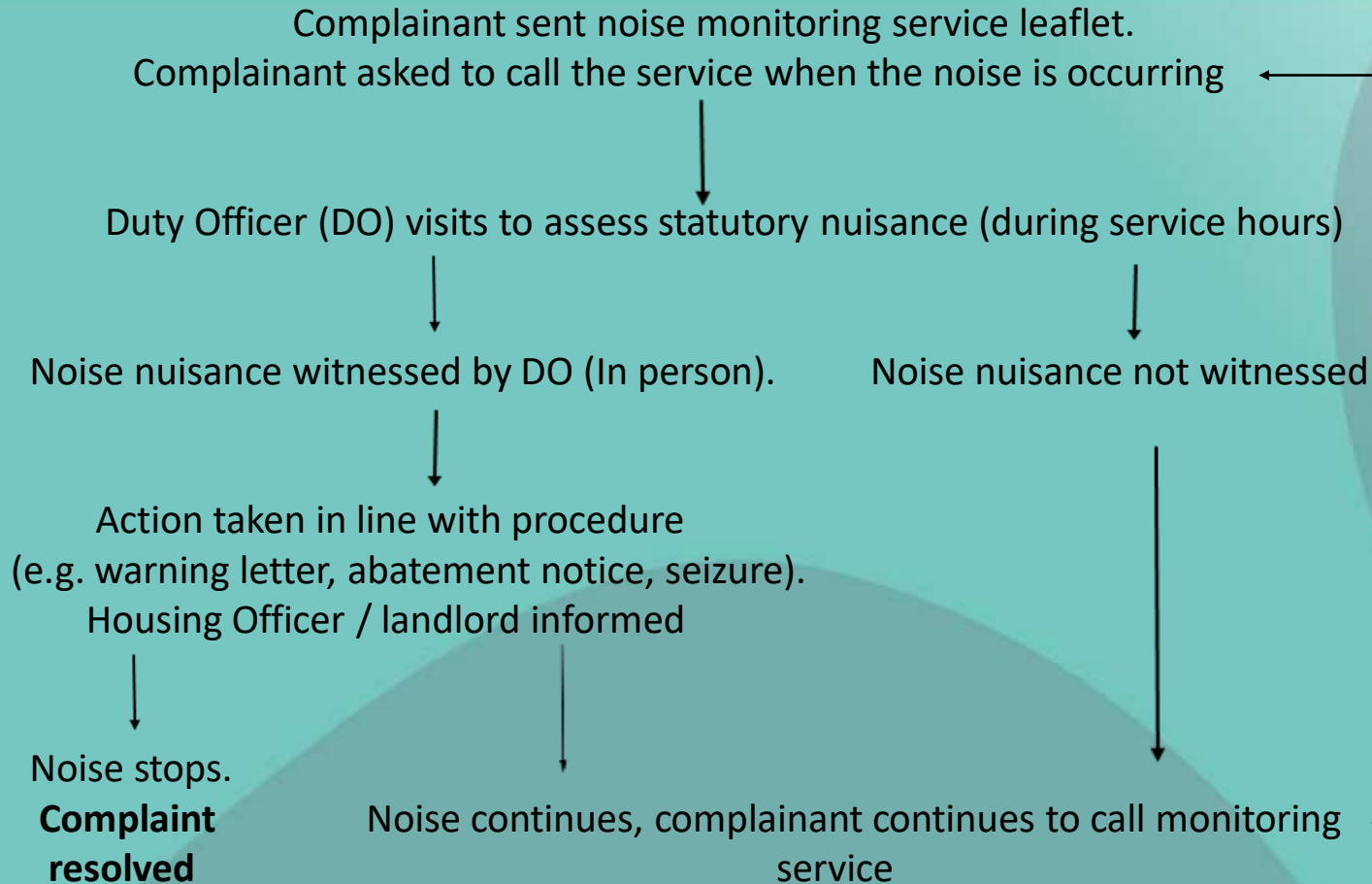
Enforcement

- Environmental Protection Act 1990.
- **1st noise nuisance** – informal warning letter and a request for the perpetrator to contact an officer. For commercial premises, officers will arrange a site visit.
- **2nd noise nuisance** – statutory abatement notice served
-  **3rd noise nuisance** – inform the perpetrator that their equipment may be seized if the noise continues / invite the perpetrator in for a recorded interview under caution
- **4th noise nuisance** – application to court to obtain a warrant to gain access to a property to seize noise equipment or commence a prosecution (where equipment cannot be seized e.g. dog barking)
- **Subsequent noise nuisance** – further seizures, legal proceedings, review of premises licence, request action by the Criminal Anti-social Behaviour Unit (CrASBU)/Housing Management

-
- **Pollution nuisances**- similar enforcement policy. However, we do not have equipment to install in homes and we would not seize equipment
 - **Landlords** – informed in writing of their tenants' noise nuisance
 - **LCC Tenants** – Joint Housing Approach. NPCT's evidence can be used in possession proceedings
 - Time between nuisances (6 month rule)
 - Different types of noise witnessed from the same address – separate abatement notices served



Noise Witnessed in Person



Noise outside monitoring service hours and/or of short duration

Complainant informed they are at the top the Noise Monitoring Recorder (NMR) Waiting List

NMR Installed

NMR no longer required
Complainant removed from list

NMR collected

NMR recordings analysed

No recordings made

Noise nuisance witnessed

Noise nuisance not witnessed.
No action taken, complainant informed

Action taken in line with procedures
(e.g. warning letter, abatement notice, seizure)
Housing Officer / landlord informed

Noise continues

Noise stops. **Complaint resolved**

Complainant continues to call
noise monitoring service
during service hours

AND/OR Put back on NMR waiting list

The Noise App

- ❑ The Noise App can be downloaded to a phone. 30 second recordings can be made and sent to the 'Investigator'
- ❑ The Noise App was trialled by the NPC team in 2020, during lockdown when NMRs were not being installed. Initially, it was useful in deciding whether people already on the NMR Waiting List should remain on it.
- ❑ Evidence from the App is not be used to establish nuisance as smart phones are not calibrated, we couldn't be 100% sure where the recorded noise was coming from and each recording is only 30 seconds long
- ❑ Difficult to manage complainant's expectations and a large number of unsolicited recordings were received
- ❑ When officers resumed installing NMRs (from Sept 2020), the Noise App was no more efficient than using diary sheets. The App took officers time away from installing and analysing NMRs
- ❑ To better manage expectations and utilise officer time, the contract was not renewed

2020/21 Statistics (during CV19 pandemic)

- Received **3862** initial complaints about residential and commercial noise and pollution.
- Received **5744** calls to the service when the noise/pollution was occurring
- Sent **670** advisory letters
- 70 • Witnessed **224** statutory noise/pollution nuisances
- Served **141** informal warning letters
- Served **53** abatement notices/notice reminder letters
- Served **17** 'further nuisance witnessed' letters
- Seized noise equipment from **8** properties
- Took legal proceedings against **3** properties, mainly for dog barking offences.

Any Questions?

Neighbourhoods Scrutiny Commission

Leicester City Council Hate Crime Policy

Date of Commission meeting: 17th March 2022
Lead Director: Richard Sword

Useful Information:

- Ward(s) affected: All
- Report author: Daxa Pancholi, Head of Community Safety and Protection
- Authors contact details: 0116 4540203

1. Purpose of the Report

1.1 The purpose of the report is to:-

- a) Outline the work undertaken to date to take forward work around the hate crime/ incident agenda.
- b) Provide the Commission with details of the work undertaken in formulating the Leicester City Council Hate Policy.
- c) Share the policy for discussion and comments.

2. Summary

2.1 Leicester City Council recognises the serious impact that hate can have upon residents, communities, and visitors to Leicester. The council's Hate Crime Policy aims to solidify the local approach to tackling hate, and it aligns the council's efforts with those of other key local partners.

2.2 The development of a Leicester City Council three-year hate crime policy has been led by the local authority's community safety and protection service. The approach taken has been to ensure that community organisations, relevant council services, councillors, and key local partners are involved in the production of the policy and the delivery of a partnership focussed response to hate.

2.3 The phases in relation to on-going work and production of the policy can be broadly divided into the following:

- Community Led Research – St Philip's Centre Hate Crime project – April to November 2020
- Lead Member Briefings and Forward Plan agreed – December 2020 to March 2021
- SLP funded community delivery – commences April 2021 and continues through 2021/22
- Launch of Leicester Councillor Hate Crime Working Group (and the subsequent launch of the City Council Officer Hate Crime Working Group) – August 2021
- Hate Crime Bystander Network – November 2021
- Drafted Hate Crime Policy – December 2021

2.4 The vision for the policy is suggested as below;

Leicester city is a great place to live in and we value and cultivate diversity, Leicester City Council is committed to tackling and reducing hate crime across both the

council and the city. The Council will work with its staff, partners and communities to tackle hate crime and incidents.

- 2.5 The priorities reflected by the draft policy follow those highlighted via the community research initiative, in general these being:
- a) Building awareness of hate crime.
 - b) Increasing confidence to report hate crime.
 - c) Agencies progressing appropriate responses to reports of hate incidents and hate crime.
- 2.6 Once the policy has been ratified, an action plan with a robust performance management framework with key indicators will be developed to support this policy and ensure programmes of work are measured and evaluated so that both impact and learning is captured.

3. Recommendation(s)

The Commission is recommended to:

- a) Consider the proposed policy and comment on how it should be delivered within Leicester City Council.
- b) Consider the priorities of the policy and comment on the proposal for the policy, which will run for a period of three years and refreshed annually to take into account of any national changes to hate crime legislation.
- c) Provide comments on the proposed policy and to consider how the policy can be of maximum benefit to residents and visitors of Leicester.

4. Report

4.1 Local Hate Crime Statistics – Background Information

- 4.11 Police capture data on reported hate crime incidences according to issues such as race, religious, sexual orientation, disability, and transgender. As can be seen at table 1 below, all areas of hate crime have been increasing. The most significant area of note is the large number of reports in relation to race-related hate reports. The statistic show an increase in the levels of hate crime over time for all characteristics but could also point to an increased confidence in reporting. That said, there is understood to be under-reporting where hate crime is concerned as people do not know who/ where to report incidents and/ or do not believe that attitudes of those committing hate crimes can be changed.

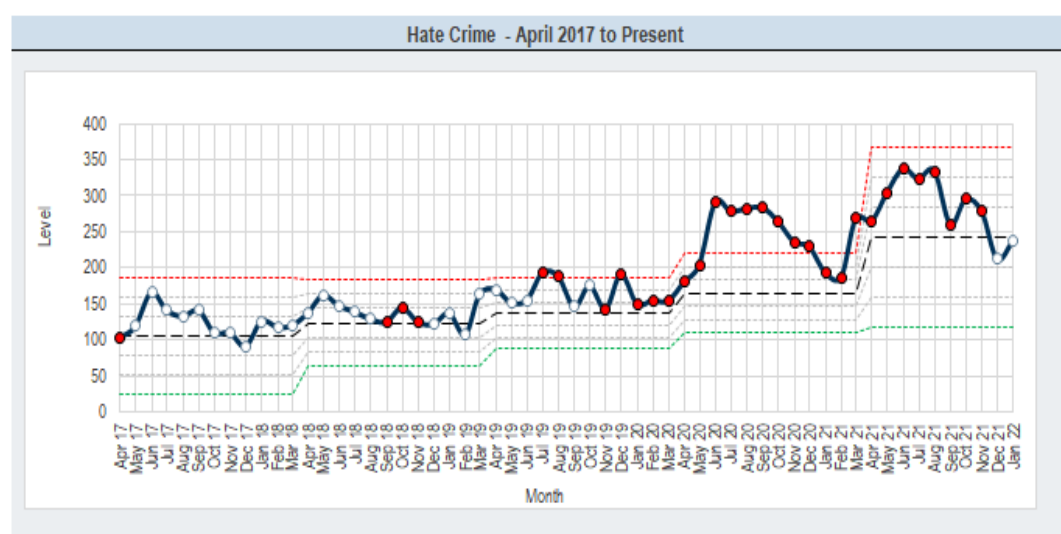
Table 1: Leicestershire Police Hate Crime statistics – Leicestershire, Leicester and

Rutland (LLR)

	2017/18	2018/19	2019/20	2020/21
Race	1153	1214	1472	2119
Religion	175	141	147	204
Sexual Orientation	144	199	252	433
Disability	67	90	100	176
Transgender	18	33	51	65

- 4.12 Outlined below is the trend in all reported hate crime over the period 2017 to the present as a line graph, which presents a better understanding of reports in relation to hate incidents over time. Whilst there are some peaks and troughs, these have not been significant enough to address the issue of the escalation in reports of hate. The most recent fall in reported hate crime was in February/ March 2020, this was likely to be due to the UK going into the national lockdown.

LLR Hate Crime Statistics (Leicestershire Police)



4.2 Community Feedback Supporting Policy Development

- 4.21 The SLP funded St Philip's Centre (SPC) Hate Crime & Cohesion project undertaken between April 2020 to November 2020 greatly assisted in providing a refreshed and updated viewpoint from local communities on their experience of hate crime.
- 4.22 The research project findings assisted informing the community safety and protection service of the community requirement to maintain the focus and management of hate crime as a local priority. Subsequently this has been reflected in the SLP 2021-2024 Plan including hate crime as a priority.
- 4.23 In addition to the SPC Hate Crime project, supplementary consultation has

been undertaken to involve the views of Leicester city councillors, staff groups within Leicester City Council, and via participants of the Safer Leicester Partnership funded community projects delivered through 2021. The data and information from these processes draws direct parallels and recurring themes and this has been reflected in the drafted policy.

4.3 Development of the Draft Hate Crime Policy for Leicester

4.31 The drafted policy has been created following phases of related work that have been conducted by the council's community safety and protection service since April 2020 and throughout 2021.

4.32 The phases in relation to on-going work and production of the policy can be broadly divided into the following:

- Community Led Research – St Philip's Centre Hate Crime project (as outline above) – April to November 2020
- Lead Member Briefings and Forward Plan agreed – December 2020 to March 2021
- SLP funded community delivery – commences April 2021 and continues through 2021/22
- Launch of Leicester Councillor Hate Crime Working Group (and the subsequent launch of the City Council Officer Hate Crime Working Group) – August 2021
- Hate Crime Bystander Network – November 2021
- Drafted Hate Crime Policy – December 2021

4.33 In addition to the Leicester specific hate crime activities delivered during this time there has also been research undertaken by the community safety and protection service with direct links made with other local authorities regarding their hate crime strategies and policies.

4.34 The mapping of other local authority as well as other police force hate crime policies has been considered in the drafting of the proposed Leicester policy. The structure and content of the policy is reflective of locally sourced consultation in addition to policy templates utilised by other areas.

4.4 Leicester, Leicestershire, Rutland (LLR) Hate Crime Strategy 2021-23

4.41 During 2021 the City Council's community safety & protection service has participated at the Leicestershire Hate Crime Strategic Oversight Board chaired by Assistant Constable Julia Debenham. This partnership link has allowed the City Council Hate Crime Policy to be developed alongside and with consideration to the finalising of the LLR Hate Crime Strategy 2021-23.

4.42 It has been considered by officers to have been beneficial to have developed the Leicester specific policy at a time that has coincided with the joint development of the revised 3-year LLR Hate Crime Strategy.

4.5 Hate Crime Draft Policy

4.51 The proposed policy, see appendix A contains sections that have been created to take into account the priorities put forward by the hate crime research conducted through 2020 and 2021.

4.52 The policy also incorporates as much as is possible national best practice and is reflective of the large selection of other similar policies and strategies that have been studied during the development of the document.

4.53 The vision for the policy is:-

Leicester city is a great place to live in and we value and cultivate diversity, Leicester City Council is committed to tackling and reducing hate crime across both the council and the city. The Council will work with its staff, partners and communities to tackle hate crime and incidents.

4.54 The priorities reflected by the policy broadly follow those highlighted via the community research initiative, and are the following:-

- a) Building awareness of hate crime.
- b) Increasing confidence to report hate crime.
- c) Agencies progressing appropriate responses to reports of hate incidents and hate crime.

4.55 Once the policy has been ratified. an action plan with a robust performance management framework with key indicators will be developed to support this policy and ensure programmes of work are measured and evaluated so that both impact and learning is captured.

5. Financial, legal and other implications

5.1 Financial implications

There are no direct financial implications arising from the recommendations in this report. The financial implications of specific programmes that arise to deliver the policy priorities and objectives will need to be considered as they are brought forward.

Stuart McAvoy – Acting Head of Finance

5.2 Legal implications

There are no direct legal implication's arising from this report/policy.

The Council has a statutory obligation to ensure that any strategies are

implemented, and as such it is important to ensure that the draft policy covers these. Having a robust process and policy in place for Hate Crime will ensure that building awareness, confidence in reporting and the correct processes are followed.

It is recommended that ongoing legal advice should be sought as and when necessary.

Meera Patel, Solicitor (Commercial) Ext. 37 4069

5.3. Climate Change implications

There are no significant climate emergency implications associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

5.4 Equality Impact Assessment

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The report recommends consideration of the proposed policy and how it should be delivered within Leicester City Council. The proposed policy will have an impact on people from across all protected characteristic/s

Hate crimes are any crimes that are targeted at a person because of hostility or prejudice towards that person's: disability, race or ethnicity, religion or belief, sexual orientation or transgender identity. This can be committed against a person or property. A victim does not have to be a member of the group at which the hostility is targeted, anyone can be a victim of a hate crime.

They can create a climate of fear and can stop people from taking part in everyday life. Incidents of Hate Crime are not only significant for an individual, family or group; they have widespread implications for the whole community.

Having a more robust, co-ordinated and effective policy response to tackling the persistent and growing problem of hate crime against a range of equality groups should lead to positive impacts.

Whilst the final policy would be expected to have a positive equalities, in order to

demonstrate that the consideration of equalities impacts has been taken into account in the development of the policy and as an integral part of the decision making process, it is recommended that an Equalities Impact Assessment is undertaken. The purpose of this is to ensure that peoples' needs are taken into account and that the three general aims of the Public Sector Equality Duty, as outlined above, are met.

Equalities Officer, Surinder Singh, Ext 37 4148

5.5 Other Implications

n/a

6. Background information and other papers:

- Leicestershire Police Hate Crime data and statistics

7. Summary of appendices:

Appendix A - Draft Leicester City Council Hate Crime Policy 2022/2025

8. Is this a private report?

No.

Leicester City Council

Hate Crime Policy – 2022/2025

Our Vision

Leicester city is a great place to live in and we value and cultivate diversity, Leicester City Council is committed to tackling and reducing hate crime across both the council and the city. The Council will work with its staff, partners and communities to tackle hate crime and incidents.

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Foreword

Leicester is a city that is quite rightly proud of its diversity, and proud of its history in welcoming new communities to become residents here so that they can call Leicester their home. As a part of welcoming new residents to Leicester we also wish to make provisions to keep them safe and make them feel protected. We recognise the harm and fear that hate can cause, and the social division that is risked if hateful attitudes are not challenged.

To deliver commitments made by Leicester City Council I am therefore very pleased to provide my support for the publication of this new Hate Crime Policy by the council. We have been involved in supporting community dialogue and listening to Leicester communities to assist the direction and content of the new policy. I would like to thank communities involved in this process as they have genuinely helped us shape the priorities of this policy.

We have also linked with key local partners including Leicestershire Police to ensure that the policy fits with the local framework for tackling reports of Hate Crime. The Safer Leicester Partnership (SLP) includes Hate Crime as a priority so that at a senior level across a range of local organisations we will also work to identify opportunities to tackle hate crime. We will work with local partners to continue to raise awareness of the ways in which residents can report Hate Crime. As part of this we will continue to support the Leicester, Leicestershire, and Rutland 'Stamp It Out' Hate Crime campaign and we encourage residents to use this as a local resource.



Councillor Piara Singh Clair

Deputy City Mayor - Culture, Leisure, Sport and Regulatory Services

1. Context

1.2 Leicester City is a proud multi-cultural, multi-ethnicity and multi-religious city. City's religious demographic is mainly made up of Christians, Hindus, Muslims, Sikhs, Jews as well as many other faiths and those of no faith. Leicester City Council recognises the serious impact that hate can have upon residents, communities and visitors to Leicester. The council's Hate Crime Policy aims to solidify the local approach to tackling hate, and it aligns the council's efforts with those of other key local partners.

1.3 Leicester City Council is committed to equality of opportunity, elimination of discrimination and promotion of good relations between all people regardless of age, disability, race, ethnic or national origin, sex, gender identity, religion and belief, sexual orientation, marital or civil partnership status.

'Leicester City Council resolves to:

- Affirm its commitment to total social harmony.*
- Protect the rights of all our communities that make up our wonderful city of Leicester.*
- Redouble our efforts to ensure fairness for all and work to eliminate hate from our communities.*
- Encourage those who encounter hate crime to come forward and report it to the Police and/or the Council.*
- Support further opportunities for people to come together and celebrate the diversity of the City.*
- Remind all other organisations and institutions of the part they have to play in supporting community cohesion and combating hate crime.*
- With partners prepare and consult upon an action plan to combat hate crime and promote community cohesion, which will include challenging Islamophobia and prejudice in all its forms and promoting positive images of groups vulnerable to stigmatisation by mainstream media.*

We pledge our solidarity with the people of Leicester and will work with all who are able to support and help us in maintaining Leicester as a safe and secure place for everyone to live in and thrive in' – adopted Leicester City Council Motion on Hate.

1.4 Leicester City Council is a core member of the Safer Leicester Partnership (SLP) and as such fully adopts the annual and 3 year SLP Plan priorities. For the 2021/22 annual SLP plan, Hate Crime features as a priority listed within a Strategic Priority covering Community Cohesion. The SLP Executive will therefore monitor and respond accordingly to reports of and trends in Hate Crime.

1.5 In its commitment to tackling Hate Crime Leicester City Council also endeavours to act as a key organisation in the delivery of a Leicester, Leicestershire, Rutland (LLR) Hate Crime Strategy. The LLR Hate Crime Strategy is a 3 year plan setting out the prioritisation of how Hate Crime will be tackled. A 2021-23 LLR Hate Crime Strategy has been adopted and this includes the strategic priorities as:

- Raising awareness of hate crime
- Improving our Response, Identifying and Responding to Emerging Issues

- Re-assuring and Strengthening Communities and Educating Communities

1.6 With the above in mind, through this policy our aim is to:-

- a) Building awareness of hate crime
- b) Increasing confidence to report hate crime
- c) Agencies progressing appropriate responses to reports of hate incidents and hate crime

2. Definitions of Hate

- 2.1 Hate incidents and hate crimes are acts of violence or hostility directed at people because of who they are or who someone thinks they are. For example, verbal abuse directed towards someone because of their actual or perceived disability, race, religion, sexual orientation or transgender identity.
- 2.2 People can also be targeted with hate because of their perceived relationship to others, due to the actual or assumed disability, race, religion, sexual orientation or transgender identity of these others.
- 2.3 The police and Crown Prosecution Service (CPS) have agreed a common definition of hate incidents. Something is a hate incident if the victim or anyone else perceives was motivated by hostility or prejudice based on one or more of the following things:
 - disability or perceived disability
 - race or perceived race
 - religion or perceived religion
 - transgender identity or perceived transgender identity
 - sexual orientation or perceived sexual orientation
- 2.4 This means that if you perceive something is a hate incident it should be recorded as such by the person you are reporting it to.
- 2.5 Anyone can be the victim of a hate incident. For example, someone could be targeted because of an incorrect perception they follow a particular religion, or because they have a family member with a disability.
- 2.6 Other personal characteristics
Leicester City Council recognises and will investigate incidents based on someone's appearance, including alternative subcultures. It may also consider misogyny and misandry as forms of hate incidents.
- 2.7 Hate incidents can take many forms. Below are some examples, but not exhaustive:
 - verbal abuse like name-calling and offensive jokes
 - harassment
 - bullying or intimidation
 - threats of violence
 - hoax calls, abusive phone or text messages, hate mail
 - online abuse on social media which may infringe the rights, or privacy, of other staff
 - displaying or circulating discriminatory literature or posters
 - harm or damage to things such as your home, pet, vehicle
 - graffiti

- throwing rubbish into a garden
 - malicious complaints for example over parking, smells or noise
- 2.8 The above examples may be classed as a crime by the police if they are conducted with physical assault or the act is regular and constant, and becomes stalking or harassment.
- 2.9 Hate Crime
- When hate incidents become criminal offences they are known as hate crimes. A criminal offence is something which breaks the law.
- 2.10 Any criminal offence can be a hate crime if it is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's:
- race or perceived race
 - religion or perceived religion
 - sexual orientation or perceived sexual orientation
 - disability or perceived disability
 - transgender identity or perceived transgender identity.
- 2.11 Incidents which are based on other personal characteristics, such as age and belonging to an alternative subculture, are not considered to be hate crimes under the law. You can still report these, but they will not be prosecuted specifically as hate crimes by the police and the Crown Prosecution Service.
- 2.12 Harassment
- There are three types of harassment which are unlawful under the Equality Act 2010:
- Harassment related to a relevant protected characteristic
 - Less favourable treatment of a student because they submit to or reject sexual harassment or harassment related to sex
 - Sexual harassment
- 2.13 Harassment related to a protected characteristic is when unwanted behaviour related to a relevant protected characteristic occurs, which has the purpose or effect of violating the person's dignity or creating an intimidating, hostile, humiliating or offensive environment.
- 2.14 Unwanted behaviour could include, but is not limited to:
- spoken or written abuse
 - offensive emails
 - tweets or comments on websites and social media
 - images and graffiti
 - physical gestures
 - facial expressions
 - banter that is offensive to you
- 2.15 Anything that is unwelcome to you is unwanted. You don't need to have previously objected to it. The unwanted behaviour must have the purpose or effect of violating your dignity, or creating a degrading, humiliating, hostile, intimidating or offensive environment for you.
- 2.16 To be unlawful, the treatment must have happened in one of the situations that are covered by the Equality Act 2010. For example, in the workplace or when you are receiving goods or services.

3. Reporting of Hate Crime

- 3.1 As part of its commitment to tackling Hate Crime across LLR, Leicester City Council is a core partner in the local hate crime reporting and awareness raising campaign and online portal. The local hate crime campaign is hosted on the 'Stamp It Out' website: <http://www.stamp-it-out.co.uk/>
- 3.2 Leicester residents are advised to use the reporting hate crime webpage for Stamp It Out where a selection of reporting methods are outlined (<http://www.stamp-it-out.co.uk/how-to-report/>), these being:
- **True Vision** - [True Vision](#) is a national scheme to help victims report hate crime online.
 - **Report a hate crime to the police:**
 - By phone** – Call 101 - The national, non-emergency telephone number is staffed 24/7 to give support and advice.
 - **Online** - You can make a [hate crime report](#) on the Leicestershire [police website](#)
 - **In person** - If you'd prefer to speak to someone in person, you can visit a police station with a front enquiry office and speak to a trained member of staff in confidence.
- 3.3 Leicester City Council will endeavour to support Hate Crime reporting awareness communications and utilise events such as the annual National Hate Crime Awareness Week (NHCAW) to increase public understanding of how to report.
- 3.4 As part of its corporate action plan Leicester City Council will also look to utilise its customer facing building spaces as locations to raise awareness of hate crime. This will be reviewed at least annually as part of the council's hate crime action plan (see section 6).

4. National picture of Hate Crime (England and Wales) – from Home Office 2021 Hate Crime annual report

- 4.1 Police forces have made significant improvements in how they record crime since 2014. They have also improved their identification of what constitutes a hate crime. In year ending March 2021, three per cent of all offences recorded by the police were identified as being hate crimes. This proportion has gradually increased from one per cent in year ending March 2013.
- 4.2 There were 124,091 hate crimes recorded by the police in England and Wales in year ending March 2021, this was an increase of nine per cent compared with year ending March 2020.
- 4.3 Religious hate crimes fell by 18 per cent (from 6,856 to 5,627) which was the second consecutive fall in these offences and down from a peak in year ending March 2019 (when there were 7,202 offences).
- 4.4 There were increases in other categories of hate crime including in sexual orientation (up 7%), disability (9%) and transgender identity (3%) over the last year. However, these percentage changes were lower than seen in recent years.
- 4.5 It is thought that growing awareness of hate crime is likely to have led to improved identification of such offences. Although these improvements are thought to be the main drivers for the increases seen, there appear to have been short-term genuine rises in hate crime following certain trigger events. Increases in hate crime were seen around the EU Referendum in June 2016 and the terrorist attacks in 2017. There was also an increase in

public order hate crimes during the summer of 2020 following the widespread Black Lives Matter protests and far-right counter-protests.

5. The Legal Framework

- 5.1 There is a range of legislation that can apply to hate crime and incidents. This section gives an *outline* of some the main provisions that provide a framework for taking action against perpetrators and protecting victims.
- 5.2 Users of this policy should be aware that, although the information in this section is correct at time of publication, law can, and does, change. Having a basic understanding of the law may help you support a victim to consider options for action in an informed way. It is advisable to seek advice from the Police or Leicester City Council's Community Safety Team in relation to specific cases.

6. Criminal Law

6.1 Crime and Disorder Act 1998 (as amended)

This Act created a number of specific offences of racially aggravated crime, based on offences of wounding, assault, damage, harassment and threatening/abusive behaviour.

Section 28(4) of the CDA, 'racial group' means a group of persons defined by reference to race, colour, nationality (including citizenship), or ethnic or national origins."

The Act was amended by the Anti-terrorism Crime and Security Act 2001. It extended the scope of the Crime and Disorder Act by creating new specific religiously aggravated offences and applying the same sentencing duty to all other offences where there is evidence of religious aggravation.

To prove that an offence is racially or religiously aggravated, the prosecution has to prove the "basic" offence followed by racial or religious aggravation, as defined by section 28 Crime and Disorder Act 1998. An offence will be racially or religiously aggravated if:

- (a) at the time of committing the offence or immediately before or after doing so the offender demonstrates towards the victim of the offence hostility based on the victim's membership (or presumed membership) of a racial or religious group, or
- (b) the offence is motivated wholly or partly by hostility towards members of a racial or religious group.

A racial group means any group of people defined by reference to their race, colour, nationality, (including citizenship), ethnic or national origins.

It is not necessary for the Defendant to belong to a different racial group.

The offences do not require particular words to be used: the necessary hostility could be demonstrated in other ways, such as the wearing of swastikas or the singing of certain songs. But it will normally be proved by the use of some well-known terms of abuse.

The Assaults on Emergency Workers (Offences) Act **2018** came into force on 13 November 2018. The Act creates a statutory aggravating factor where an offence is said to have been committed against an "emergency worker acting in the exercise of their function as such a worker". Before the introduction of the 2018 Act, any assault e.g on a police constable

during the execution of their duty was charged under s.89 of the Police Act 1996. Under the 2018 Act where an emergency worker is subject to a racially/religiously aggravated assault, a sentence uplift would also be sought under section 2(6) 2018 Act to reflect the statutory aggravating factor of the victim being an emergency worker.

6.2 Public Order Act 1986

Section 4 deals with threatening, abusive and insulting Conduct. It provides that:

A person is guilty of an offence if he -

- (a) uses towards another person threatening, abusive or insulting words or behaviour, or
- (b) distributes or displays to another person any writing, sign or other visible representation which is threatening, abusive or insulting, with intent to cause that person to believe that immediate unlawful violence will be used against him or another by any person, or to provoke the immediate use of unlawful violence by that person or another, or whereby that person is likely to believe that such violence will be provoked.

An offence under this section may be committed in a public or a private place, except that no offence is committed where the words or behaviour are used, or the writing, sign or other visible representation is distributed or displayed, by a person inside a dwelling and the other person is also inside that or another dwelling.

- (3) A constable may arrest without warrant anyone he reasonably suspects is committing an offence under this subsection.
- (4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 (Currently £5,000) on the standard scale or both.

Section 4(A)(1) of the 1986 Act deals with the offence of causing harassment, alarm or distress; a person is guilty of an offence if, with intent to cause a person harassment, alarm or distress, s/he –

“uses threatening, abusive or insulting words or behaviour or disorderly behaviour; or displays any writing, sign or visible representation which is threatening abusive or insulting, thereby causing that or another person harassment, alarm or distress”.

Section 5 makes it a criminal offence to use threatening, abusive, insulting words or behaviour or disorderly behaviour within the hearing or sight of a person likely to be caused harassment, alarm or distress by that behaviour. There must be a victim present at the scene for this offence to be made out.

Disorderly, threatening, abusive or insulting words or behaviour:

- (a) causing a disturbance in a residential area;
- (b) persistently shouting abuse or obscenities at passers-by;
- (c) rowdy behaviour in a street late at night;
- (d) using slogans or language that causes distress.
- (e) threats or abuse directed at individuals carrying out public service duties;

- (f) throwing missiles;
- (g) minor violence or threats of violence;
- (h) incidents between neighbours that do not justify a charge of assault;
- (i) an individual who is picked on by a gang where the behaviour does not justify an assault charge.

The offender must first be warned by the police about the behavior and can only be arrested if the behavior is repeated.

Part 3A of the Public Order Act 1986 ('the 1986 Act') was amended in 2010 so as to create offences of intentionally stirring up hatred on the grounds of sexual orientation. The offence deals with conduct (either words or behaviour) or material which is threatening in nature, and which is intended to stir up hatred against a group of people who are defined by reference to sexual orientation. The term 'hatred on the grounds of sexual orientation' is defined in the new section 29AB of the 1986 Act and is expressly limited to orientation towards persons of the same sex, the opposite sex or both. It does not extend to orientation based on, for example, a preference for particular sexual acts or preferences. The offence is committed if a person uses threatening words or behaviour, or displays any written material, which is threatening, if he intends thereby to stir up hatred on the grounds of sexual orientation. Possession, publication or distribution of inflammatory material is also an offence. The offence can be committed in a public or private place, but not within a dwelling, unless the offending words and behaviour were heard outside the dwelling, and were intended to be heard.

6.3 Malicious Communications Act 1988

The MCA prevents the sending of communications (including online messages or letters) that convey a threat, a grossly offensive or indecent message, or false information, if the intention of the sender is to cause distress or anxiety to the reader or recipient. The offence covers communications that are offensive, obscene, menacing or false. There is no legal requirement for the communication in question to reach the subject or intended recipient; it is the act of publishing or sending the communication and the intention to cause distress that counts. An offence under the MCA is listed by the CPS as one of the offences most likely to be committed by the sending of communications via social media. The offence is punishable by up to six months in prison or a fine.

6.4 Section 3 Football Offences Act 1991 (as amended)

This offence is committed when a group of people, or one person acting alone, chants something of a racist nature at a designated football match. "Racist" means the same as "racist". To prove this offence, the prosecution has to show that the chanting, which means the repeated uttering of words or sounds, was threatening, abusive or insulting to another person because of that person's colour, race, nationality (including citizenship) or ethnic or national origin. It is not necessary to prove that the chanting was directed at a particular individual or group, although it will often be directed at a player or players from Black and minority ethnic communities. The offence only applies to a "designated" match as specified in the Football (Offences) (Designation of Football Matches) Order 2004. If convicted, the accused person can be fined (level 3), and, in addition to any other penalty, banned from attending football matches both in this country and abroad.

6.5 Section 127, Communications Act 2003

Section 127 of the CA provides that the use of public electronic communications equipment to send a message that is false, grossly offensive, or of an indecent, obscene or menacing character, will be punishable by either an imprisonment term not exceeding six months, or an unlimited fine, or both. It is also an offence to send a communication through a public network intended to cause annoyance, inconvenience or needless anxiety to the recipient. The sender must intend the unpleasant effect of the message, but there is no need for the message to have been received by the intended recipient. No one needs to have seen it or been offended by it at all for the offence to have been committed.

6.6 Gender Recognition Act 2004 (GRA 2004) – This provides for the legal recognition of the trans person in their acquired gender and the opportunity to acquire a new birth certificate for their new gender. The GRA 2004 also protects those who have received or who are in the process of receiving a Gender Recognition Certificate from having this information revealed without their consent. Under section 22 GRA 2004, it is an offence for a person who has acquired "protected information" in an "official capacity" to disclose the information to any other person UNLESS circumstances set out in statute. That "protected information" includes information regarding the application process itself, whether it has been applied for, started or concluded OR, if a Gender Recognition Certificate has been granted, the gender status of the individual before his or her acquired gender. Schedule 21, paragraph 5(2)(g), provides for a starting point of 30 years (rather than 15 years) for the minimum term for a life sentence for murder aggravated on the grounds of the victim's sexual orientation or transgender identity.

6.7 Racial and Religious Hatred Act 2006:

On 1 October 2007 the Racial and Religious Hatred Act 2006 came into force. The Act amends the Public Order Act 1986 ("the 1986 Act") by creating new offences of stirring up hatred against persons on religious grounds and amends section 24A of the Police and Criminal Evidence Act (PACE) 1984 so that the powers of citizens' arrest do not apply to the offences of stirring up religious or racial hatred.

The new offences apply to the use of words or behaviour or display of written material, publishing or distributing written material, the public performance of a play, distributing, showing or playing a recording, broadcasting or including a programme in a programme service and the possession of written materials with a view to display, publication, distribution or inclusion in a programme service or the possession of recordings with a view to distribution, showing, playing or inclusion in a programme service.

For each offence the words, behaviour, written material, recordings or programmes must be threatening and intended to stir up religious hatred. Religious hatred is defined as hatred against a group of persons defined by reference to religious belief or lack of religious belief. The new criminal offence carries a fine or a prison sentence of up to seven years if convicted.

6.8 Protection from Harassment Act 1997:

There are two offences that arise under this statute which may be relevant to the sanctioning of hate motivated harassment:

The offence of **harassment**: this arises under section 2 of the Protection from Harassment Act 1997. The Prosecution must prove:

1. That the Defendant had pursued *a course of conduct* on at least two separate occasions;
2. That the Defendant's course of conduct amounted to *harassment of another* - what constitutes 'harassment' tends to be a matter of common-sense e.g the repetition of racist or homophobic remarks could amount to harassment;
3. That the Defendant knew or ought to have known that the course of conduct amounted to harassment.

The offence of putting people in **fear of violence** arises under section 4 of the Protection from Harassment Act 1997. To secure a conviction the Prosecution would need to prove that the Defendant had pursued a course of conduct on at least two occasions; that the course of conduct had caused another to fear that violence will be used against him and that the Defendant knew or ought to know that his course of conduct will cause the other to fear violence on each occasion. The criminal court dealing with an offence under this Act may grant a Restraining Order as part of the package of punishment, preventing the Defendant from repeating his offending behaviour.

With effect from 15 March 2019, when the **Stalking Protection Act 2019** came into force, magistrates have power to grant, in response to an application by a local chief police officer, a civil stalking protection order in England and Wales to prevent offence of stalking under section 2A of the Protection from Harassment Act 1997, or the offence of stalking involving fear of violence or serious alarm and distress under section 4A of that Act. The order is designed for use particularly in cases where the stalking occurs outside of a domestic abuse context, or where the perpetrator is not a current or former intimate partner of the victim. It might also be appropriate when the criminal threshold has not, or has not yet, been met (such as while a criminal case is being built), or the victim does not support a prosecution.

7. Civil Remedies:

7.1 Warnings Letters:

Before taking any legal enforcement action *perpetrators of anti-social behaviour, hate crime/incidents as well racial harassment should be warned* that they should stop the unacceptable behaviour. If they fail to stop legal action might follow. Warnings should be in writing. Warnings may be enough to deter perpetrators from committing further offences. Legal action is unlikely to succeed if warnings have not been given.

7.2 Acceptable Behaviour Contracts (ABC):

An *Acceptable Behaviour Contract* is a *written agreement* between a person who has been involved in antisocial behaviour and one or more local agencies whose role it is to prevent such behaviour. ABCs are most *commonly used for young people* but may also be used for adults.

7.3 Community Protection Notice (CPN):

The community protection notice (CPN) is intended to deal with particular, ongoing problems or nuisances which negatively affect the community's quality of life by targeting those responsible. A CPN is a notice that imposes requirements on the individual or body

issued with it e.g a requirement to stop doing specified things or/and a requirement to do specified things or/and a requirement to take reasonable steps to achieve specified results.

A CPN can be issued by Council officers, Police officers, Police community support officers (PCSOs) if designated, and Social landlords (if designated by the council), if they are satisfied on reasonable grounds that the conduct of the individual, business or organisation: is having a detrimental effect on the quality of life of those in the locality; is persistent or continuing in nature; and is unreasonable.

A CPN can be issued against any person aged 16 or over or a body, including a business. A CPN can only be issued for behaviours that are persistent or continuing and unreasonable,

Also before a CPN can be issued, a written warning must be issued to the person committing anti-social behaviour.

Breach is a criminal offence. A fixed penalty notice can be issued of up to £100 if appropriate. A fine of up to level 4 (for individuals), or £20,000 for businesses. On conviction for an offence of failing to comply with a CPN, the prosecuting authority may ask the court to impose a remedial order and/or a forfeiture order. A remedial order may require the defendant to carry out specified work (this could set out the original CPN requirements) or to allow work to be carried out by, or on behalf of, a specified local authority.

Following conviction for an offence under section 45 of the 2014 Act, the court may also order the forfeiture of any item that was used in the commission of the offence. This could be spray paints, sound making equipment etc. Where items are forfeited, they can be destroyed or disposed of appropriately.

In some circumstances, the court may issue a warrant authorising the seizure of items that have been used in the commission of the offence of failing to comply with a CPN.

7.4 The Criminal Behaviour Order (CBO):

The Criminal Behaviour Order (CBO) is available on conviction for any criminal offence (including hate crimes) in any criminal court.

The court will grant a CBO, if it is satisfied, beyond reasonable doubt, that the offender has engaged in behaviour that caused, or was likely to cause, harassment, alarm or distress to any person; and that the court considers making the order will help in preventing the offender from engaging in such behaviour. CBO will include the details of what the offender is not allowed to do (prohibitions) as well as what they must do (requirements).

The order is aimed at tackling the most serious and persistent offenders where their behaviour has brought them before a criminal court. The prosecution, usually the Crown Prosecution Service (CPS), but in some cases it could be a local council, may apply for the CBO after the offender has been convicted of a criminal offence. The prosecution can apply for a CBO at its own initiative or following a request from a council or the police. The CBO hearing will occur after, or at the same time as, the sentencing for the criminal conviction.

It is a criminal offence if an offender fails to comply, without reasonable excuse, with either the requirements or prohibitions in the CBO. The court has the power to impose serious penalties on conviction, including on summary conviction in the magistrates' court: a maximum of six months in prison or a fine or both OR on conviction on indictment in the Crown Court: a maximum of five years in prison or a fine or both.

Special measures are available in proceedings for CBOs in the case of witnesses who are under 18 and vulnerable and intimidated adult witnesses (sections 16 and 17, Youth Justice and Criminal Evidence Act 1999).

7.5 Civil Injunctions:

Under the Anti-social Behaviour, Crime and Policing Act 2014 (ASBCPA), a court may grant an injunction against a person aged 10 or over (“the respondent”) if the court is satisfied, on the balance of probabilities, that the respondent has engaged or threatens to engage in anti-social behaviour AND that the court considers it just and convenient to grant the injunction for the purpose of preventing the respondent from engaging in anti-social behaviour.

An injunction may be granted only on the application of a local authority, a housing provider, the chief officer of police for a police area, the chief constable of the British Transport Police Force, Transport for London, the Environment Agency etc.

An injunction may for the purpose of preventing the respondent from engaging in anti-social behaviour prohibit the respondent from doing anything described in the injunction and/or require the respondent to do anything described in the injunction.

An application for an injunction may be made without notice being given to the respondent.

Under the ASBCPA 2014, “anti-social behaviour” means—

- a. conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- b. conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or
- c. conduct capable of causing housing-related nuisance or annoyance to any person.

7.6 Exclusion Order and Power of Arrest:

An injunction under section 1 of the ASBCPA 2014 may have the effect of excluding the respondent from the place where he or she normally lives (“the premises”) only if the respondent is aged 18 or over, the injunction is granted on the application of a local authority, OR the chief officer for the police area that the premises are in, or if the premises are owned or managed by a housing provider, that housing provider, and the court thinks that the anti-social behaviour in which the respondent has engaged or threatens to engage consists of or includes the use or threatened use of violence against other persons, or there is a significant risk of harm to other persons from the respondent.

A court granting an injunction under section 1 of ASBCPA 2014, may attach a power of arrest to a prohibition or requirement of the injunction if the court thinks that the anti-social behaviour in which the respondent has engaged or threatens to engage consists of or includes the use or threatened use of violence against other persons, or there is a significant risk of harm to other persons from the respondent.

Where a power of arrest is attached to a provision of an injunction, a Police Constable may arrest the respondent without warrant if he or she has reasonable cause to suspect that the respondent is in breach of the provision.

Otherwise, where no power of arrest is attached to the injunction, if the person who applied for an injunction thinks that the respondent is in breach of any of its provisions, the person may apply for the issue of a warrant for the respondent's arrest.

The court has the power to remand a perpetrator in custody or on bail after they have been arrested for suspected breach of the injunction (with or without warrant).

7.7 Closure Powers:

The closure power is a fast, flexible power that can be used to protect victims and communities by quickly closing premises that are causing nuisance or disorder. The power comes in two stages: the closure notice and the closure order which are intrinsically linked. The closure notice can be used by the council or the police out of court. Following the issuing of a closure notice, an application must be made to the magistrates' court for a closure order, unless the closure notice has been cancelled.

A closure notice can be issued for 24 hours if the council or police officer (of at least the rank of inspector) is satisfied on reasonable grounds that the use of particular premises has resulted, or (if the notice is not issued) is likely soon to result, in nuisance to members of the public; or that there has been, or (if the notice is not issued) is likely soon to be, disorder near those premises associated with the use of those premises, and that the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.

A closure order can subsequently be issued if the court is satisfied that a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises; or that the use of the premises has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public; or that there has been, or (if the order is not made) is likely to be, disorder near those premises associated with the use of those premises, and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring.

A Closure Order: can close premises for up to six months and can restrict all access. Both the notice and the order can cover any land or any other place, whether enclosed or not including residential, business, non-business and licensed premises.

Before issuing a notice the police or council must ensure that they consult with anyone they think appropriate. This should include the victim, but could also include other members of the public that may be affected positively or negatively by the closure, community representatives, other organisations and bodies, the police or local council (where not the issuing organisation) or others that regularly use the premises.

An offence is committed when a person, without reasonable excuse, remains on or enters a premises in contravention of a closure notice or a closure order. Breaching a closure notice or temporary order is a criminal offence carrying a penalty of either imprisonment for a period of up to three months or an unlimited fine or both. Breaching a closure order is a criminal offence carrying a penalty of either imprisonment for a period of up to six months or an unlimited fine, or both. It is also a criminal offence to obstruct a police officer or local council employee who is serving a closure notice, cancellation notice or variation notice or entering the premises; or securing the premises. This offence carries a penalty of either imprisonment for a period of up to three months or an unlimited fine, or both.

7.8 Dispersal Power

The new dispersal power under the ASBCPA 2014, is available to uniformed police officers and designated PCSOs to deal with individuals engaging in anti-social behaviour, crime and

disorder not only when they have occurred or are occurring, but when they are likely to occur and in any locality. The new dispersal power replaces those available under section 27 of the Violent Crime Reduction Act 2006 and section 30 of the Anti-social Behaviour Act 2003.

Two conditions must be met for a direction to be given: namely that; the officer must have reasonable grounds to suspect that the behaviour of the person has contributed, or is likely to contribute, to: members of the public in the locality being harassed, alarmed or distressed; or crime and disorder occurring in the locality AND that the officer considers that giving a direction to the person is necessary for the purpose of removing or reducing the likelihood of anti-social behaviour, crime or disorder. The test includes behaviour that is likely to cause harassment, alarm or distress, allowing the dispersal to be used as a preventative measure.

The dispersal power is for use in public places, this includes places to which the public has access by virtue of express or implied permission.

Under the 2014 Act, there is no longer a requirement for the pre-designation of a “dispersal zone” in which the power can be used therefore it can be used in any locality immediately; the power is also available to disperse individuals without a requirement that two or more people be engaged in the offending behaviour. There is an additional power to confiscate items associated with the behaviour of the person being directed to disperse, for example alcohol, offensive material, noisy equipment or eggs and other missiles used for Halloween “tricks”. Also, the period of a person’s exclusion from a specified area has been extended to a maximum of 48 hours and there is no longer a requirement for the police officer or PCSO to definitively establish the person’s age as the new power is available if the person appears to be aged 10 or over

The power is preventative as it allows an officer to deal instantly with someone’s behaviour and nip the problem in the bud before it escalates. In authorising the dispersal power the inspector (or above) must have regard to Articles 10 and 11 of the European Convention on Human Rights that provide for the right for lawful freedom of expression and freedom of assembly.

Failure to comply with the direction is a summary only criminal offence which will be dealt with in the magistrates’ court or youth court for people under the age of 18. On conviction it carries a maximum penalty of a level 4 fine and/or three months imprisonment, although those people under the age of 18 cannot be imprisoned. Failure to surrender items is also a criminal offence with a maximum penalty of a level 2 fine.

7.9 Witness Support and Protection

A witness includes someone who gives, or is able to give hearsay evidence. It includes someone who has given evidence but may give further evidence.

Witness harassment or intimidation is a criminal offence under the Criminal Justice and Police Act 2001. Sections 39, 40 and 41 of the 2001 Act create two new offences intended to increase protection of witnesses in all proceedings including civil proceedings for an injunction or an anti-social behaviour order, civil tort proceedings etc.

Under the 2001 Act, it is an offence for a person to intimidate another person (the victim) where s/he knows or believes that the victim is, or may be a witness in any relevant proceedings, with the intention of perverting, obstructing or interfering with the course of justice. An offence is committed only where an act of intimidation occurs after proceedings

are commenced. The maximum penalty is five years of imprisonment or unlimited fine or both.

Intimidation includes threats against a person or against a person's finances or property. It is irrelevant whether the act of intimidation is carried out in the presence of the victim, whether it is done to the victim or through a third party. Obstructing, perverting or interfering with the course of justice need not be the predominant purpose of the act.

7.10 Section 40 of the Criminal Justice and Police Act 2001 makes it an offence for a person to do an act which harms, and is intended to harm another person, or, if intending to cause another person to fear harm, he threatens to do an act which would harm the other person. In order to commit the offence, the person doing or threatening to do the act must do so knowing or believing that another person has been a witness in relevant proceedings and he must do or threaten that act because of that knowledge or belief. The act must be committed after the commencement of proceedings, and within a year of that commencement. The penalty is up to five year imprisonment or an unlimited fine or both.

7.11 Protection from Harassment Act 1997 – under section 1 of the Protection from Harassment Act 1997 the term “harassment” applies to a course of conduct which harasses or alarms another or which causes that person distress. The criminal offence of harassment is set out in section 2. There is also a civil remedy against harassment provided in section 3 in the form of a restraining injunction.

Witnesses attendance may be dispensed with by the court powers to admit **hearsay evidence**. Where witnesses are not attending the Claimant will have to serve a Civil Evidence Act Notice.

7.12 Equalities Legislation

The Equality Act 2010 brings together and re-states all the following enactments (and a number of other related provisions):

1. the Equal Pay Act 1970
2. the Sex Discrimination Act 1975
3. the Race Relations Act 1976
4. the Disability Discrimination Act 1995
5. the Employment Equality (Religion or Belief) Regulations 2003
6. the Employment Equality (Sexual Orientation) Regulations 2003
7. the Employment Equality (Age) Regulations 2006
8. the Equality Act 2006, Part 2
9. the Equality Act (Sexual Orientation) Regulations 2007,
 - The Act extends the circumstances in which a person is protected against discrimination, harassment or victimisation because of a protected characteristic;
 - The Act extends the circumstances in which a person is protected against discrimination by allowing people to make a claim if they are directly discriminated against because of a combination of two relevant protected characteristics;
 - The Act creates a duty on listed public bodies when carrying out their functions and on other persons when carrying out public functions to have due regard when

carrying out their functions to: the need to eliminate conduct which the Act prohibits; the need to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and the need to foster good relations between people who share a relevant protected characteristic and people who do not.

- The practical effect is that listed public bodies will have to consider how their policies, programmes and service delivery will affect people with the protected characteristics;
- The Act allows an employer or service provider or other organisation to take positive action so as to enable existing or potential employees or customers to overcome or minimise a disadvantage arising from a protected characteristic;
- The key concepts on which the Act is based includes the characteristics which are protected (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation).

8. Delivery – Hate Crime Officer Working Group

- 8.1 For 2021 Leicester City Council has created an officer led Hate Crime Working Group to assist in the delivery of tackling Hate Crime. The aim of the task group is to identify the relevant functions and services of Leicester City Council that contribute towards raising awareness of Hate Crime or work towards reducing the impact of Hate Crime or incidences of hateful behaviour.
- 8.2 The Working Group will create and deliver a revised Leicester City Council Hate Crime Action Plan.
- 8.3 The responsibilities of the group are:
- a. To share information from across council services of incidences of hate or any forms of hateful behaviour.
 - b. To collectively contribute towards the development of and publishing of a Leicester City Council Hate Crime Policy.
 - c. To develop an action plan delivered across Leicester City Council service areas working towards delivery of the 4 'P' Overarching Objectives (Protect, Prevent, Pursue, Promote).
 - d. To use information from Leicester City Council service areas.
 - e. To coordinate delivery of Leicester City Council activities related to anti-hatred with similar initiatives being delivered by partner statutory agencies, community organisations, or local businesses.
 - f. To ensure the needs of victims and witnesses are considered in relation to this agenda.
 - g. To identify enforcement actions where the necessary evidence is available to support this.
 - h. To consider examples of national good practice related to reducing hateful behaviour and decide where learning can be adopted into local processes and procedures.
 - i. To identify additional areas / themes of Leicester City Council delivery where the Working Group may add value (i.e. Tackling Race Inequality Steering Group).

8.4 The objectives of the council officer group are:

PROTECT: To support local residents and communities to report Hate Crime issues

PREVENT: To support provision that builds understanding between local communities and that reduces the risk of hateful behaviour and Hate Crime

PURSUE: Where Hate Crime or hate incidents are identified, to undertake joint working with relevant partnership agencies to seek to challenge the behaviour or to support the relevant Criminal Justice outcome being sought

PROMOTE: To build community confidence that Hate Crime and hate incident information and enforcement activities are leading to proactive action and positive change

8.5 In its initial stages (during 2021/22) the council officer Hate Crime Working Group will be led by the Community Safety Team, this is in order for the resulting delivery plan to link with the Hate Crime related priorities of the Safer Leicester Partnership (SLP). There is scope for the group to be chaired by other respective services of Leicester City Council in following years if required whereby there may be other interlinked corporate objectives for the council. The chairing of the officer group will be reviewed on an annual basis.

8.6 A performance management framework with key indicators will be developed to support this policy and ensure programmes of work are measured and evaluated so that both impact and learning are captured.

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Meeting date	Meeting items	Actions Arising	Progress
1 July 2021	<ul style="list-style-type: none"> Overview of N/hoods Services Scrutiny portfolio Covid 19 Recovery plans – brief update (John Leach) Ward Meetings and Ward Funding reports (Lee Warner and John Leach) Tree Strategy Review (Steve Doughty) 	<p>Overview item members agreed:</p> <ul style="list-style-type: none"> Report to future meeting with more info re: CRASBU (<i>Potential task group review, led by housing to be added to the work programme - tbc</i>). Commission to receive reports to future meeting relating to VCSE work and strategy, and also on the Crowdfunding work and projects Council 'Annual Library Plan' – officers to check if this needs to go to a full council meeting, as a legal requirement? Officers to provide photos to comm members re: city centre deep clean that has taken place. Commission to receive report to future meeting re: 'Litter and Fly-tipping' issues and councils work on this. <p>Ward meetings item members agreed:</p> <ul style="list-style-type: none"> Members raised issues re: need better publicity and attendance low numbers, and virtual meetings pros and cons. Members praised Lee for an excellent report, and also praise to be passed onto the community engagement officers team, who have supported councillors. Members requested further details on comm mobilisation fund and breakdown of council-led schemes (and city warden schemes). <p>Tree Strategy item members agreed:</p> <ul style="list-style-type: none"> Stewart to provide to members a version of the structure chart with the names of the officers included. Members praised the trees strategy work, and the officers in the trees division team for their excellent work. 	
9 September 2021	<ul style="list-style-type: none"> Executive response report re: Scrutiny review report of findings into 'The Viability and Appropriateness of a Community Lottery' (Colin Sharpe and Exec lead Cllr Clair) 	<p>Executive response to community lottery review</p> <ul style="list-style-type: none"> The Commission note and accept the position adopted by the Executive which supported the scrutiny review findings and recommendations. <p>CRASBU item:</p> <ul style="list-style-type: none"> Members of the Commission thanked officers and Executive Members for all of their work and for bringing this report to scrutiny. That Officers be requested to provide a further report on the work of CRASBU Team to the Commission within 12 months. 	

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	<ul style="list-style-type: none"> • CRASBU report (lead John / Daxa) • VCS & Engagement work report (lead Andrew / Miranda) • Crowdfunding Project (lead Andrew / Miranda) 	<p>Crowdfunding Project item:</p> <ul style="list-style-type: none"> • Officers be requested to bring back the item to the Commission in December with a supporting report that details accountability and contractual governance • The Director of Neighbourhood Services suggested that the conversation on CrowdFund should continue as this was the new innovative approach to raise funding. <p>VCS & Engagement Work item:</p> <ul style="list-style-type: none"> • That the item on Voluntary and Community Sector Engagement be deferred to a future meeting (members requested a fuller report on the VCSE strategy work) 	
21 October 2021	<ul style="list-style-type: none"> • Litter & Fly-Tipping Strategy • Public Safety Team report • Gambling Policy 	<p>Litter & Fly-tipping Strategy item</p> <ul style="list-style-type: none"> • Recommends the possibility of a telephone number for fly tipping reporting be considered. • Recommended that the council considers extra bins and doing another campaign to raise awareness about litter and spitting outside shops that sell 'Indian Paan', as this seems to be an issue in some areas. • Cost of clearing litter and Fly-Tipping to be added into the Strategy. <p>Public Safety Team item</p> <ul style="list-style-type: none"> • Praise to the public safety team for their work, and members recommended that no further cuts be made in the budget to the public safety team. <p>Gambling Policy item</p> <ul style="list-style-type: none"> • Recommended the Council to consider how a No Casino Policy would be implemented? and recommends that the Council participate in the Government call for evidence on the online gambling industry. • Members raised concerns about TV advertising impacts to gambling, can this be added to the policy. 	
9 December 2021	<ul style="list-style-type: none"> • Draft Domestic Abuse Strategy (Joint with Housing Scrutiny members invited) • Crowdfunding Leicester Project • Homelessness & Rough Sleepers Strategy report 	<p>Domestic Abuse item</p> <ul style="list-style-type: none"> • Recommended the Commission to receive an update in 6 months. • Commission praised the Belgrave community event that was held on domestic abuse. • To be as inclusive as possible with regards to language. <p>Crowdfunding Leicester Project item</p> <ul style="list-style-type: none"> • That Commission to receive a progress update on Crowdfund Leicester in 6 months. 	

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		<ul style="list-style-type: none"> The Commission requests that more information be provided on the criteria for the City Mayor's Community Engagement Fund. <p>Homelessness & Rough Sleepers Strategy item</p> <ul style="list-style-type: none"> That the Commission requests to be kept informed on any concerning issues or impacts relating to neighbourhood areas. 	
27 January 2022	<ul style="list-style-type: none"> Knife Crime Strategy work Council annual budget reports Statement of Licensing Policy African Caribbean Consultation report 	<ul style="list-style-type: none"> Minutes of last meeting – members request that written responses to member enquires should be provided asap. <p>Council Budget item</p> <ul style="list-style-type: none"> The Council explore how more income can be generated for Neighbourhood and Environmental Service in future. Supports the Draft Revenue Budget and Draft Capital Programme reports <p>Knife Crime item</p> <ul style="list-style-type: none"> Members' comments raised be taken into account by Officers implementing this work. A Briefing for all Councillors be held on the issue of knife crime. A progress update in 6 months. That the slides be presented be included in the minutes <p>African Caribbean Centre Consultation item</p> <ul style="list-style-type: none"> Members' comments raised be taken into account by Officers implementing this work. Recommends the proposal to allow community group to run the African Caribbean Centre via Community Asset Transfer. Commission recommends that robust business and financial plans be in place for the Community Asset Transfer process. <p>Statement of Licensing Policy item</p> <ul style="list-style-type: none"> That the Commission recommends that Members' comments be taken into account by Officers implementing this work. That the Commission supports the new Statement of Licensing Policy. 	
17 March 2022	<ul style="list-style-type: none"> VCS Engagement and Strategy work Employment and Careers presentation Update on work of the Noise Control team Hate Crime Policy Taxi Strategy report 		

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FORWARD PLAN / SUGGESTED ITEMS		
Topic	Detail	Proposed Date
KEY DECISIONS & NON-KEY DECISIONS	WATCHING BRIEF – members to consider relevant items to this commission, from the councils Corporate Plan of Key & Non-Key Decisions	Ongoing / watching brief
CONSULTATIONS	WATCHING BRIEF – members to consider relevant items to this commission from planned or live consultations to provide scrutiny comments and views	Ongoing / watching brief
COUNCIL BUDGET	WATCHING BRIEF – members to consider any budget impacts relevant to this commission, as necessary.	Ongoing / watching brief
Possible items – forward planning <ul style="list-style-type: none"> • Waste & Recycling Services • Pilot on Modern Day Slavery – results • Cyber Fraud – enhancing support outside city centre to n/hoods (community safety) • Community Gold project – update • Voluntary and Community Sector strategy / engagement and support 		