

MIDDLESBROUGH COUNCIL

OVERVIEW AND SCRUTINY BOARD
DATE
SHORT REVIEW
FINAL REPORT OF THE CULTURE AND
COMMUNITIES SCRUTINY PANEL- OFF ROAD
BIKES

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PURPOSE OF REPORT

1. To present the final report of the Culture and Communities Scrutiny Panel following its investigation into Offroad bikes.

AIM OF INVESTIGATION

2. The aim of the panel's investigation was to consider Middlesbrough Council's and Cleveland Police's approach to Offroad bikes, following concerns within the community and recent media attention.

STRATEGIC PLAN 2021-24

3. The scrutiny of this topic aligns with the two of the Council's three core aims set out within the Strategic plan 2021-24.

People- Working with communities and other public services in Middlesbrough to improve the lives of local people

Place- Securing improvements in Middlesbrough's housing, infrastructure and attractiveness, improving the town's reputation, creating opportunities for local people and improving our finances.

4. The scrutiny topic further links with the below priority set out for the next three years:

Crime and anti- social behaviour- We will tackle crime and anti-social behaviour head on, working with our partners to ensure local people feel safer.

TERMS OF REFERENCE

5. The terms of reference for the panel's investigation were as follows:
 - To understand what initiative Cleveland Police and Middlesbrough Council have in place to combat the issue of off road bikes.

BACKGROUND

6. At the panel's first meeting, they agreed their work programme and raised increasing concern regarding off road bikes in the town.
7. The Panel wished to ask the following key questions to further their knowledge, as well as exploring avenues that the panel and local councillors could help assist the police to combat the issue.
8. The key questions the panel wished to ask were as follows:
 - In the past 12 months, how many off road bikes have been seized and how many arrests have been made?
 - How do Cleveland Police and Middlesbrough council work together?
 - What powers to PSCOs have to deal with off road bikes?

- Is there any education being undertaken within primary/ secondary schools to increase awareness of off road bikes?
- In your view is there anything, are there any specific areas that we, as a panel, can recommend to assist the police/ council to combat/ control the issue.
- What partners do we engage with?

9. The panel undertook their investigation over a series of two meetings.

SETTING THE SCENE

10. Sunday 7th August, it was estimated over 100 persons gathered across various locations in Middlesbrough on off and on road bikes, cars and quads. A subsequent “ride” out commenced where the group rode to Marske via the Trunk Road, Eston High Street and Redcar in convoy before returning to Middlesbrough where they dispersed.
11. This began a full scale investigation from Cleveland police and partners.

EVIDENCE- MIDDLESBROUGH COUNCIL

12. At the panels meeting on 20 October 2022, the panel heard from Dale Metcalfe, Middlesbrough Council’s Operational Community Safety Manager in relation to the work the Council do to assist Cleveland Police.
13. The Manager advised that the Council are instrumental in what is known as 'Operation Endurance', a scheme that aims to crack down on nuisance riders and motorists initially in the Cleveland areas. The Scheme is led by Cleveland Police, however works with partners, including Middlesbrough Council and Thirteen. From the Council, Neighbourhood wardens and community safety officers will join forces with the Road traffic team to crack down on this issue. Under the Road Traffic Act 1988. It is illegal to drive or ride a mechanically propelled vehicle without lawful authority on common land, moorland or land not forming part of a road, or on any road which is a footpath, bridleway or restricted byway.
14. After the incident on 7 August 2022, the Police gathered CCTV images which had been gathered from Middlesbrough Council CCTV and private CCTV and mobile phone footage. These images were able to assist Cleveland Police in identifying individuals.
15. It was known that several railing fences were cut down by the offenders in order to gain easy access to “cut through” points for the intended route. These were repaired by Middlesbrough Council with additional target hardening methods put in place to prevent/ reduce the risk of this happening again in the future.
16. In terms of new build estates, the panel heard that Cleveland police are involved from the off set to see if there are any possibilities to include bollards/ traffic calming measures, however any measures need to ensure they meet DDA compliance.
17. In terms of supporting the police, the Council have measures in place through the Statement of Policy and Procedures for Antisocial Behaviour to assist and there are 5 strands:

Stage 1; Warning letters,
Stage 2; Second warning letter
Stage 3; Joint interviews (with parents and perpetrators), contracts and anti-social behaviour agreements
Stage 4; Final warning
Stage 5; Fixed Penalty Notices and penalty notices for disorder /parenting Orders, Noise Abatement Notices, Civil Injunctions, CPN's, Public Space Protection Orders (PSPO) and Criminal Behaviour Orders for offenders with criminal behaviour linked to antisocial behaviour.

18. These measures may not follow these stages, however quite often with younger people, the stages must be built to support evidence in Court especially for example, in supporting to put an anti-social injunction (ASI) on an individual.
19. Statement of Policy and Procedures for Antisocial Behaviour, paragraph 4 identifies the importance of the Neighbourhood Safety Wardens and Neighbourhood Safety Officers, advising that:

The teams gather and receive intelligence and evidence from a variety of sources, i.e. resident diary sheets, Ward Members, Police AS13 data and Neighbourhood Safety Warden incident reports. As front line officers they will quickly identify emerging trends, hotspot locations and perpetrators responsible. As a result, the team play a crucial role in the Active Intelligence Mapping (AIM) process where officers are often identified as "problem owners" due to their co-ordinated multi-agency approach when tackling the issues. This in essence is a huge part of Operation Endurance.

EVIDENCE- CLEVELAND POLICE

Operation Endurance

20. At the panel's meeting on 17 November 2022, the Panel received evidence from Chief Inspector Wendy Tinkler and Chief Inspector Jon Hagen, Cleveland Police.
21. Chief Inspector Tinkler, provided information to the panel on Operation Endurance, the overall force strategy.
22. The incident on 7 August 2022 did bring some criticism to Cleveland Police, but wanted to reassure work is ongoing to identify and arrest those involved.
23. Since the incident, the panel were advised that there have been 20 arrests , 19 bikes seized, 8 suspects who were further identified from the press appeal and they are looking at undertaking a day of action.
24. Following on from the incident on 7 August, there was intelligence that a further incident was planned in 2 weeks' time. Due to this intelligence significant work was completed between the Police and other partners (including Middlesbrough Council) to prepare. This included several press releases to deter offenders and the event didn't come to fruition.

In terms of the status of the investigation:

- When the incident was made known to Cleveland Police, there had been no intelligence to suggest this would occur which hampered opportunity to prepare. At the time of the event the incident was risk assessed, weighing up factors against current demand, potential harm and risk to members of the public, Cleveland Police and Staff and the offenders themselves.
 - The sheer number of people in attendance hampered any opportunity to consider pursuit tactics, as this would have increased the risk posed to members of the public.
 - The deployment of stingers was an available tactic (spikes that can be laid across the road to burst tyres) however due to the quantity of bikes, this was neither suitable nor appropriate.
 - Cleveland police requested assistance from air support, however as there was no significant threat to life this was not appropriate.
 - Following risk assessing the situation the Silver Command decided that evidence gathering would be undertaken by officers on the ground, and management of the event to ensure safety and minimize disruption to the community.
 - Officers were deployed with CCTV capabilities and also our town cctv was utilised.
 - The evidence gathered from the event has been reviewed.
 - The investigation was extensive involving the backtracking of CCTV footage in order to identify those riders who were wearing helmets and face coverings. This enabled the identification of some due to cctv footage being obtained where riders had their face coverings/helmets removed.
 - Those who have not been identified have been forward tracked, where officers have reviewed cctv and press coverage appealing for information e.g types of bikes/ quads and from 20 face recognition, there were 2 responses.
 - There were positive comments on social media, as the public felt the incident was being dealt with.
 - After the incident, and under the Preventative arm with partners, the route the bikes took was assessed and it was noted they have taken down a number of fences to gain access. Highways repaired these immediately and on the 2 days there was potential for another incident, there were Lorries on standby with boulders. The Police also conducted high visibility patrols to ensure no further damage was done.
 - There was significant social media and press releases to highlight the dangers and warn riders what would happen if they undertook this type of activity again.
25. Despite the incident on 7 August 2022, the panel were pleased to learn that Middlesbrough had one of the lowest number of off road bikes in the area.
26. The panel had heard of 'Smartwater' and wished to know whether it could be used in this situation. The Chief Inspector advised that it was not suitable for this scenario. However Cleveland Police do use 'SelectaDNA tagging' which comes in 2 forms: the first a spray which can be directed towards suspects and their vehicles and the second is a bomb burst style, which can be used in large crowds e.g football crowds.
27. In terms of further work, the Chief inspector outlined that they would link into SelectaDNA tagging spray under section 59 notices. There was currently a piece of work being undertaken to look at areas where off road bikes most affect communities.

28. Section 59 notices allow an uniformed officer, who may see an off road bike whose driver is causing anti-social behavior and nuisance, to serve a section 59 notice, and this MUST be done in order to seize the bike. If they haven't been served a notice, the police have no power to seize the bike.
29. Section 59 warning Signage prevents the requirement to provide a warning notice to offenders. In effect the signage acts as the warning notice. Partnership work is being conducted to have appropriate signage created and put in those areas most affected.
30. The Chief Inspector outlined that she would be working with Middlesbrough Council to have section 59 orders included in any further Public space protection orders.
31. Further police powers are as follows:
 - Driving offences
 - Section 59 warnings
 - Section 165 under the road traffic act
 - Those who are arrested, the police have the power to seize anything in relation to the incident. If it is identified that a bike is being kept in a lock up, a section 18 can be requested from their Inspector to search the property.

Operation Edmondson

32. The investigation from 7 August 2022 is still ongoing and Cleveland Police had established a Preventative Plan to reduce any further incidents, known as Operation Edmondson.
33. Chief inspector, Redcar and Cleveland, Jon Hagan, was lead on the Operation.
34. The Chief Inspectors tactic was looking at it like organised crime and drugs, whereby establishing where the bikes are coming from, break the networks , establish where the bikes are and where they are stored. In terms of governance, each area in Cleveland now has a lead on Operation Edmondson, in Middlesbrough case, this is Inspector S Pattison.
35. In terms of the overall plan, the Chief Inspector was using the template from the Home Office organised crime strategy, in relation to the 4 P's:
 - PURSUE: prosecuting and disrupting people engaged in serious and organised criminality
 - PREVENT: preventing people from engaging in serious and organised crime;
 - PROTECT: increasing protection against serious and organised crime;
 - PREPARE: reducing the impact of this criminality where it takes place.
36. Each area will have a four P Plan and must take ownership and come up with tactical options, e,g, educational packages for schools to combat generational problems.
37. The Chief Inspector stressed the importance of educating parents on the dangers of off road bike but also ensuring teachers and educators understand. If a child is seen/ heard to be using an off road bike, this is a safeguarding issue and must be reported to children's services and the police.

38. The force were further looking at gaining a holistic approach to reoffenders of off road bikes, this would allow support to be put in place if considered appropriate.
39. In terms of criminal behaviour orders, the panel were made aware that currently the police have to appeal with the magistrates court and ask for certain restraints on an individuals e.g. not allowed to own a quad bike or be seen in public wearing a balaclava. If they are caught breaching these conditions, this gives the police power of arrest.

Support from the Council and local community

40. In terms of moving forward, the force were keen to advertise Operation Edmondson, and put 'faces' in the public domain (only over 18 years of age) as often 'naming' is the best way to catch perpetrators.
41. The Inspector advised the force was keen to work alongside the council to issue community protection orders which would allow PSCOs to issue warning letters, and if caught again they would be issued with a notice, where they are issued with a fine and if not paid, they can be taking to court.
42. Further action would be as follows:
- community intelligence and utilise crime stoppers
 - days of action,
 - standard reporting mechanism for housing providers
 - call backs and report back to the community on what is being done.
 - Internally launching front line training to inform officers of their powers
 - Key initiatives- link in with garages to ensure they do not serve riders who wear helmets in the forecourt/ shop.
 - Posters will be recirculated in the garages and circulated in ward areas.
 - Inspector Steve Pattison is also looking at a multi -agency response for off road bikes which will include Cleveland Police, housing, the council fire brigade etc. This will allow for a structured approach and there will be monthly actions on a local level.
43. The Chief Inspector presented some posters which were to be distributed within Section 51 areas and on social media. This would hopefully bring further attention to public of the dangers of off road bikes.

CONCLUSIONS

44. Based on the evidence received, the Panel applauds the excellent work being undertaken by Cleveland Police, Middlesbrough Council and partners.

Whilst there is excellent work being undertaken, the panel feels councillors and the wider community need to take action and promote information on what to do if they witness off road bikes.

DRAFT RECOMMENDATIONS

45. Based on the evidence gathered during the investigation, and the conclusions above, the Culture and Communities Scrutiny Panel makes the following recommendations for consideration by the Executive:-

- A) That greater awareness is made to councillors and the general public on the dangers of off road bikes. The panel recommend that all ward councillors are provided with Cleveland police's crimestoppers/ off road bike posters to promote within their community and social media sites.
- B) That Cleveland police provide the posters to the Council's stronger community team so that these can be placed on social media sites and within the lovemiddlesbrough magazine.
- C) That the excellent partnership work with Cleveland Police and the Council continue and that the panel receive an update on Operation Endurance/ Edmondson 6 months after recommendations have been endorsed.

ACKNOWLEDGEMENTS

46. The Panel would like to thank the following officers for their assistance in their work:

- Geoff Field, Director of Environment and Community Services
- Marion Walker, Head of Stronger Communities
- Dale Metcalf, Operational Community Safety Manager
- Chief Inspector Wendy Tickler, Cleveland Police (Middlesbrough Neighbourhood Policing)
- Chief Inspector Jon Hagan, Cleveland Police (Redcar and Cleveland Neighbourhood policing)

BACKGROUND PAPERS

47. The following sources were consulted or referred to in preparing this report:

- Minutes of the Culture and Community Scrutiny Panel held on 20 October 2022 and 17 November
- Cleveland Police
- Gazette Live - Chief Inspector condemns 'unacceptable' group on off-road bikes who will be 'held accountable', 9 August 2022.

COUNCILLOR C MCINTYRE- CHAIR OF CULTURE AND COMMUNITIES SCRUTINY PANEL

The membership of the scrutiny panel is as follows: Councillors C McIntyre (Chair), G Wilson (Vice-Chair), Z Uddin, R Arundale, D McCabe, M Nugent, C Dodds and J Rostron

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