

Southend-on-Sea Borough Council

Department of the Chief Executive

John Williams - Director of Democratic & Legal Services

Our ref:

Telephone: **01702 215000**

Your ref:

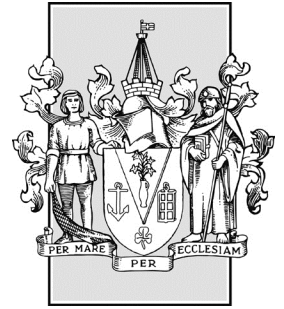
Fax: **01702 215994**

Date: 4th April 2017

E-mail: **committeesection@southend.gov.uk**

Contact Name: Fiona Abbott

DX 2812 Southend



PLACE SCRUTINY COMMITTEE - MONDAY, 10TH APRIL, 2017

Please find enclosed, for consideration at the next meeting of the Place Scrutiny Committee taking place on Monday, 10th April, 2017, the following report which was unavailable when the agenda was printed.

Agenda No Item

9. **In-depth Scrutiny Project - 'To investigate the case for additional enforcement resources for Southend' (Pages 1 - 54)**

Report of Chief Executive

This page is intentionally left blank

Southend-on-Sea Borough Council

Agenda
Item No.

9

Report of Chief Executive
to
Place Scrutiny Committee and
Policy & Resources Scrutiny Committee

10th and 12th April 2017

Report prepared by: Tim Row

**Joint In-depth Scrutiny Report –
‘To investigate the case for additional enforcement resources for Southend’
A Part 1 Agenda Item**

1. Purpose of Report

To seek formal approval to the draft report of the scrutiny project – ‘To investigate the case for additional enforcement resources for Southend’.

2. Recommendations

- 2.1 That the report and the recommendations from the joint in-depth scrutiny project, attached at **Appendix 1**, be agreed.
- 2.2 That the Chairman of the Policy & Resources Scrutiny Committee, in consultation with the Chairman of the Place Scrutiny Committee, be authorised to agree any final minor amendments to the draft report.
- 2.3 That, in accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), the Chairman of the Project Team present the final report to a future Cabinet meeting.

3. Background

- 3.1 At their meetings on Monday, 11th July 2016 and Thursday, 14th July 2016, the Place Scrutiny Committee and Policy & Resources Scrutiny Committee (Minutes 110 and 153 refer respectively) approved the suggestion for a joint in-depth study to investigate the case for additional enforcement resources for Southend. The project plan was agreed by both Scrutiny Committees at their meetings on Monday, 10th October 2016 and Thursday, 13th October 2016 respectively (Minutes 340 and 372 refer).
- 3.2 The specific focus of the review was to:
 - (i) To investigate the possibility of the Council increasing resources for enforcement activity including consideration of the Council employing its own PCSOs or financing the provision of additional “Specials” by the Police. In the context of “Specials” specific consideration should be given to whether financial support could be offered to such officers and how they would be dedicated to the Borough of Southend-on-Sea; and
 - (ii) To consider how such PCSO’s or additional “Specials” could contribute to an improved level of service in connection with the enforcement of public protection, waste, graffiti, street scene etc.

- 3.2 The Committees also agreed that ‘officers proceed with background work in advance of the scope of the topic being fully developed.
- 3.3 The Member Project Team, which was chaired by Councillor Brian Ayling, met on 9 occasions and considered a range of evidence to inform their approach, including witness sessions and a site visit. The Project Team comprised Councillors Robinson (Vice-Chairman), Arscott, Assenheim, Bright, Burzotta, Callaghan, D Garston, J Garston and Gilbert. Officer support was provided by Lysanne Eddy (Project Manager), Tim Row (Project Support Officer), Tim MacGregor, Ade Butteriss, Kelly Clarke and Rob Walters

4 Recommendations

- 4.1 The scrutiny report is attached at **Appendix 1**. The report has been discussed and agreed by the Member Project Team and will be shared with the witnesses.
- 4.2 The review was set within the context of continuing budget cuts to the Council of at least £28m over the next 3 years; and continuing budget reductions to the Police which required them to prioritise and reduce services. It also came at a time where the Council was looking at the future vision of the Borough and redefining its contribution through the Our Town; Our Future programme
- 4.3 It should be noted that approval of any recommendations with budget implications will require consideration as part of future years’ budget processes prior to implementation.
- 4.4 Scrutiny is recommended to endorse the following conclusions from the review, for approval by Cabinet:

1. That the Council actively promotes the recruitment and retention of Special Constables within Southend as a sustainable and active part of reinforcing an enhanced uniformed presence by:

- 1.1. Enrolling in the ‘Employer Supported Scheme’ for Special Constables run by Essex Police and actively promoting it to council employees with an initial target commitment of up to five staff enlisted and trained;
- 1.2. Investigating the appetite of Essex authorities to a County wide approach for a Council Tax incentive scheme that promotes and encourages the recruitment and retention of Special Constables.

2. That the Council explores the potential for a revised ‘Borough Patrol’ model to be reintroduced by:

- 2.1. Further investigating Maldon District Council’s example of community enforcement as a potential updated delivery model;
- 2.2. Aligning existing council resources for enforcement more clearly under the premise of the ‘Borough Patrol’;
- 2.3. Investigating opportunities from the income generation proposals that support, fund and expand the role of the revised ‘Borough Patrol’.

3. That the Council leads a renewed emphasis on the importance of continued strong and effective partnership working that achieves better coordinated working between existing enforcement agencies through clearly identified and articulated priorities by:

- 3.1. Undertaking a review of the governance, purpose and membership of the Southend Community Safety Partnership (CSP) to reinforce essential partnership relationships and ensure the inclusion of wider community and private sector partners in priority setting, information and intelligence gathering;
- 3.2. Commissioning an evaluation of the Community Safety Hub (CSH) with particular emphasis on reducing the apparent disconnect between the priorities of the CSP and the operational response of the CSH; ensuring more effective sharing, appropriate focus and direction of the current resourcing of wider enforcement across Southend partners;
- 3.3. Looking at how the Council currently uses the Community Safety Accreditation Scheme (CSAS), with a view to widening the scope of its use;
- 3.4. Tasking the CSP with ensuring that night time provision of suitable uniformed resourcing is identified and strengthened with particular emphasis on the high street and the night time economy;
- 3.5. That the Council instigates and facilitates quarterly updates to all Elected Members by the Southend Community Safety Partnership and in parallel with the Essex Police briefings.

4. That the Council explores potential income generation that supports the resourcing of enforcement activities through initially investigating:

- 4.1. The Proceeds of Crime Act 2002 to identify how recoverable funds could be better aligned to local enforcement response;
- 4.2. The options available through re-negotiation of key council contracts to better utilise corporate social responsibility accountability and social value legislation; for example the introduction of Waste Champions as identified in the waste contract;
- 4.3. A commercial approach to management of the CCTV capability and offer;
- 4.4. Sponsorship from private businesses;
- 4.5. How council contracts (for example, the parking contract) could be used to enhance the use of wider enforcement powers;

4.6. Reviewing Maldon's experience to take a more pro-active approach to enforcement, including in relation to the issuing of Fixed Penalty Notices.

5. That the council promote the use of technology to enable real time processing of information and enhance intelligence capture that supports enforcement activities by:

5.1. Investing in appropriate equipment, such as handheld reporting devices and cam-vests for council personnel;

5.2. Ensuring that mobile technology requirements are met as part of contract re-negotiations as appropriate;

5.3. Supporting and investing in the creation of an 'Intelligence Hub', focused around the current CCTV unit and clearly linked with the Council's SMART City programme;

6. That the Council proposes that the CSP realigns and strengthens its core communications across wider enforcement agencies and builds on existing channels by:

6.1. Establishing a Communications Group with representation across key agencies;

6.2. Producing a structured approach to communications across agencies with a coordinated and agreed strategy and projects identified;

6.3. Producing a succinct directory of local agencies that support the delivery of CSP priorities for coordination of messaging and clear sign posting;

6.4. Leading on key campaigns that promote community resilience such as the national campaign 'Killing with Kindness';

6.5. Ensuring that all activities for high level campaigns are 'front loaded' with adequate and accessible legal advice; as well as adequate resourcing of officers across the partnership to be visible and meet the challenges that prompted this review, such as street begging and anti-social behaviour.

7. That, given the Police and Crime Commissioner's point during session two that the Council plays a vital and unique leadership role through the promotion of community cohesion and by championing community resilience, consideration should be given to how these messages are reinforced through existing networks, such as Tenants and Residents Associations, Active Citizens and Neighbourhood Watch Areas.

5. Other Options

Not applicable.

6. Corporate Implications

6.1 Contribution to Council's Vision and Critical Priorities –

(a) Excellent :

- Work with and listen to our communities and partners to achieve better outcomes for all;
- Enable communities to be self-sufficient and foster pride in the town; and
- Promote and lead an entrepreneurial, creative and innovative approach to the development of our town.

(b) Safe:

- Create a safe environment across the town for residents, workers and visitors;
- Work in partnership with Essex Police and other agencies to tackle crime; and
- Look after and safeguard our children and vulnerable adults.

(c) Clean:

- Continue to promote the use of green technology and initiatives to benefit the local economy and environment; and
- Encourage and enforce high standards of environmental stewardship.

6.2 Financial Implications – The review was set within the context of continuing budget cuts to the Council of at least £28m over the next 3 years; and continuing budget reductions to the Police which required them to prioritise and reduce services. It also came at a time where the Council was looking at the future vision of the Borough and redefining its contribution through the Our Town; Our Future programme. There are financial implications to some recommendations but as yet they are unquantifiable. However, any recommendations progressing with associated financial implications will need to go through the annual budgetary process before implementation, as currently no revenue or capital budgets exist for the proposals.

6.3 Legal Implications – none.

6.4 People Implications – as described in report.

- 6.5 Property Implications – none.
- 6.6 Consultation – as described in report.
- 6.7 Equalities Impact Assessment – none.
- 6.8 Risk Assessment – none.

7. Background Papers –

- Witness Session meetings held on 19th October 2016, 19th December 2016, 1st February 2017, 7th February 2017, 15th February 2017, 22nd February 2017 and 6th March 2017
- Updates to Scrutiny Committees on – 10th October 2016, 13th October 2016, 28th November 2016, 1st December 2016, 23rd January 2017 and 25th January 2017
- Other evidence as described in the report.

8. Appendix

Appendix 1 – Joint In-depth Scrutiny Project Draft Report

APPENDIX 1

Southend-on-Sea Borough Council Joint Policy & Resources and Place Scrutiny Committee Study

into

Additional Enforcement for Southend-on-Sea

v10 – 31.3.17

Contents

	Page
1. Background	3
2. Framework for the Study	3
3. Methodology	4
4. Recommendations	5
5. Key Findings	8
Annex 1 - Witness sessions	
Annex 2 – Southend Borough Council’s Enforcement Activities	
Annex 3 - Other local authorities approaches to enforcement	

1. Background

- 1.1 At their meetings on Monday, 11th July 2016 and Thursday, 14th July 2016, the Place Scrutiny Committee and Policy & Resources Scrutiny Committee (Minutes 110 and 153 refer respectively) approved the suggestion for a joint in-depth study to investigate the case for additional enforcement resources for Southend.
- 1.2 This followed the notice of a motion to Council at its meeting on Thursday, 10th December 2015 (Minute 495 refers), proposed and seconded by Councillors Assenheim and Ward respectively, requesting:

“That this Council recognises the importance of an effective Police Force in the Borough because the situation we are facing at this present time with the ever decreasing Police services and presence on our streets means we have a duty of care to the residents of our town who need to be reassured that their security is paramount.

It is therefore requested that the Cabinet explore the possibility of reintroducing the Southend Borough Patrol back on the streets of the town. The Southend Borough Patrol was extremely successful and effective, from the late 1990’s until they were dissolved into Essex Police in the early 2000’s, with many of the Patrol Officers becoming Police Community Support Officers (PCSOs) or Special Constables.”

- 1.3 The Cabinet considered this motion and, at its meeting on Tuesday, 15 March 2016 (Minute 711 refers), subsequently resolved:
- i. That the Council explore, with Partner Agencies, an effective approach to ensuring the town remains a safe place to live, work and visit in the context of austerity measures on all public services within Southend.
 - ii. That the Council explore the recruitment of Special Constables in helping to police communities, primarily within the town.
 - iii. That the current South Essex Homes warden patrol scheme (of the Borough’s tower blocks) be reviewed to determine whether the scheme could be integrated into a combined collective approach to community safety across the Borough.

2. Framework for the Study

- 2.1 At their meetings on Monday, 10th October 2016 and Thursday, 13th October 2016, the Place Scrutiny Committee and Policy & Resources Scrutiny Committee (Minutes 340 and 372 refer respectively) both agreed that the framework for the study should be:
- i. To investigate the possibility of the Council increasing resources for enforcement activity including consideration of the Council employing its own PCSOs or financing the provision of additional “Specials” by the Police. In the

context of “Specials” specific consideration should be given to whether financial support could be offered to such officers and how they would be dedicated to the Borough of Southend-on-Sea; and

- ii. To consider how such PCSO’s or additional “Specials” could contribute to an improved level of service in connection with the enforcement of public protection, waste, graffiti, street scene etc.
- iii. The Committees also agreed that ‘officers proceed with background work in advance of the scope of the topic being fully developed.’

2.2 The review was set within the context of continuing budget cuts to the Council of at least £28m over the next 3 years; and continuing budget reductions to the Police which required them to prioritise and reduce services. It also came at a time where the Council was looking at the future vision of the Borough and redefining its contribution through the Our Town; Our Future programme.

2.3 The joint project team acknowledged that a perception of crime was much harder to dispel than working with statistical information. It therefore recognised the importance to establish some key basics early within the project to ensure resources were being utilised in pursuing the right things. For example:

- Do crime statistics show an increase of low level crime?;
- What is a police function and what is enforcement?;
- What is the gap in provision, if any?;
- What are the powers we want to utilise?;
- ‘mapping’ of wider enforcement functions with the Council?;
- Cost of PCSO and associated powers?;
- On-costs for Specials and associated powers?
- What else already exists?

3. Methodology

3.1 The study was undertaken on behalf of the Scrutiny Committees by a joint project team whose membership comprised: Councillors Ayling (Chairman) Robinson (Vice-Chairman), Arscott, Assenheim, Bright, Burzotta, Callaghan, D Garston, J Garston and Gilbert.

3.2 The joint project team was supported in its investigations by the following officers: Lysanne Eddy (Project Manager), Tim Row (Project Support Officer), Tim MacGregor, Ade Butteriss, Kelly Clarke and Rob Walters.

3.3 The project was undertaken using an evidence-based approach to the consideration of a range of options, through a mixture of desk top research and information and evidence hearings with expert witnesses. It also included a workshop for ideas mapping, a site visit to the CCTV operation and the opportunity to individually partake in a ‘ride-along’ with the police.

3.4 The joint project team met on nine occasions, between October 2016 and March 2017. At seven of these the project team heard from a variety of witnesses. More detail on the witness sessions is outlined in **Annex 1**

4. Recommendations

These recommendations have been developed following consideration by the Scrutiny Project members of the evidence provided, including testimony from witness sessions and information in reports submitted to them.

1. That the Council actively promotes the recruitment and retention of Special Constables within Southend as a sustainable and active part of reinforcing an enhanced uniformed presence by:

- 1.1. Enrolling in the 'Employer Supported Scheme' for Special Constables run by Essex Police and actively promoting it to council employees with an initial target commitment of up to five staff enlisted and trained;
- 1.2. Investigating the appetite of Essex authorities to a County wide approach for a Council Tax incentive scheme that promotes and encourages the recruitment and retention of Special Constables.

2. That the Council explores the potential for a revised 'Borough Patrol' model to be reintroduced by:

- 2.1. Further investigating Maldon District Council's example of community enforcement as a potential updated delivery model;
- 2.2. Aligning existing council resources for enforcement more clearly under the premise of the 'Borough Patrol';
- 2.3. Investigating opportunities from the income generation proposals that support, fund and expand the role of the revised 'Borough Patrol'.

3. That the Council leads a renewed emphasis on the importance of continued strong and effective partnership working that achieves better coordinated working between existing enforcement agencies through clearly identified and articulated priorities by:

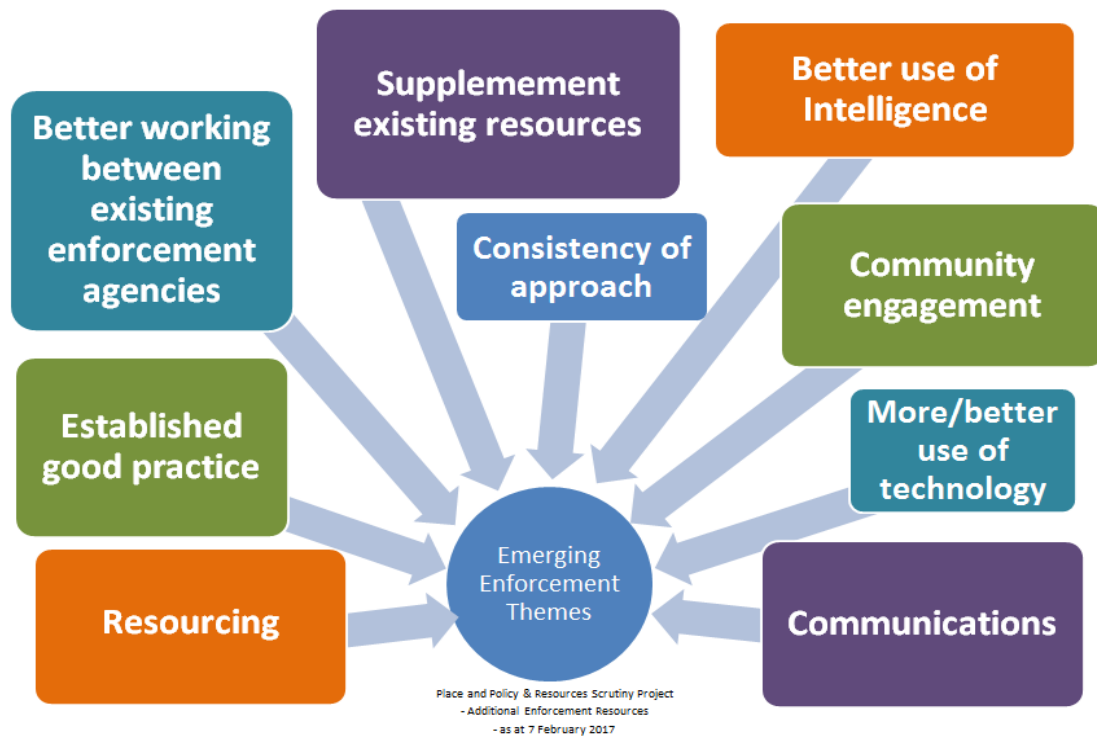
- 3.1. Undertaking a review of the governance, purpose and membership of the Southend Community Safety Partnership (CSP) to reinforce essential partnership relationships and ensure the inclusion of wider community and private sector partners in priority setting, information and intelligence gathering;
- 3.2. Commissioning an evaluation of the Community Safety Hub (CSH) with particular emphasis on reducing the apparent disconnect between the priorities of the CSP and the operational response of the CSH; ensuring more effective sharing, appropriate focus and direction of the current resourcing of wider enforcement across Southend partners;
- 3.3. Looking at how the Council currently uses the Community Safety Accreditation Scheme (CSAS), with a view to widening the scope of its use;

- 3.4. Tasking the CSP with ensuring that night time provision of suitable uniformed resourcing is identified and strengthened with particular emphasis on the high street and the night time economy;
 - 3.5. That the Council instigates and facilitates quarterly updates to all Elected Members by the Southend Community Safety Partnership and in parallel with the Essex Police briefings.
- 4. That the Council explores potential income generation that supports the resourcing of enforcement activities through initially investigating:**
- 4.1. The Proceeds of Crime Act 2002 to identify how recoverable funds could be better aligned to local enforcement response;
 - 4.2. The options available through re-negotiation of key council contracts to better utilise corporate social responsibility accountability and social value legislation; for example the introduction of Waste Champions as identified in the waste contract;
 - 4.3. A commercial approach to management of the CCTV capability and offer;
 - 4.4. Sponsorship from private businesses;
 - 4.5. How council contracts (for example, the parking contract) could be used to enhance the use of wider enforcement powers;
 - 4.6. Reviewing Maldon's experience to take a more pro-active approach to enforcement, including in relation to the issuing of Fixed Penalty Notices.
- 5. That the council promote the use of technology to enable real time processing of information and enhance intelligence capture that supports enforcement activities by:**
- 5.1. Investing in appropriate equipment, such as handheld reporting devices and cam-vests for council personnel;
 - 5.2. Ensuring that mobile technology requirements are met as part of contract re-negotiations as appropriate;
 - 5.3. Supporting and investing in the creation of an 'Intelligence Hub', focused around the current CCTV unit and clearly linked with the Council's SMART City programme;
- 6. That the Council proposes that the CSP realigns and strengthens its core communications across wider enforcement agencies and builds on existing channels by:**
- 6.1. Establishing a Communications Group with representation across key agencies;
 - 6.2. Producing a structured approach to communications across agencies with a coordinated and agreed strategy and projects identified;

- 6.3. Producing a succinct directory of local agencies that support the delivery of CSP priorities for coordination of messaging and clear sign posting;
 - 6.4. Leading on key campaigns that promote community resilience such as the national campaign 'Killing with Kindness';
 - 6.5. Ensuring that all activities for high level campaigns are 'front loaded' with adequate and accessible legal advice; as well as adequate resourcing of officers across the partnership to be visible and meet the challenges that prompted this review, such as street begging and anti-social behaviour.
- 7. That, given the Police and Crime Commissioner's point during session two that the Council plays a vital and unique leadership role through the promotion of community cohesion and by championing community resilience, consideration should be given to how these messages are reinforced through existing networks, such as Tenants and Residents Associations, Active Citizens and Neighbourhood Watch Areas.**

5. Key Findings

The key evidence presented to Scrutiny Project members is outlined below and in the accompanying annexes. It has been loosely grouped under the following enforcement themes which had emerged, and were reviewed, in witness session four.



5.1 Current position and established good practice

Scrutiny Project Members heard (at witness session three in particular) that local authorities undertake an extensive range of enforcement activity primarily aimed at securing the health and safety of local people, enhancing their quality of life, improving the quality of the local environment and ensuring the Council is fulfilling its statutory duties.

It also heard that the Council is subject to a huge raft of legislation that both enables and places limits on the enforcement activity that can and should be undertaken. The scope of legislation has increased significantly since the early 2000s (at the time of the Borough Patrol) and recent legislation, notably the Anti-social Behaviour, Crime and Policing Act 2014, provides further opportunities for the Council and Police to refine their approach.

Officers engaged in enforcement made clear that their approach across all areas is to promote good practice and behaviour, to prevent unacceptable activity developing, to use education, interventions, warnings and mediation *before* moving to more formal sanctions such as notices, enforceable contracts, orders and prosecutions.

The review received substantial evidence highlighting good or excellent enforcement practice that is currently undertaken. This includes **(see Annex 2 for more information)**:

- Work undertaken by the multi-agency Community Safety Hub that was cited by the PCC as a model of good practice in enabling different agencies to work together. Successful multi-agency working was demonstrated, notably, by the recent 'Operation Stonegate' exercise with a range of partners coming together on 'community days' to support residents in York Road through a range of support services and targeted enforcement action.

While detailed evaluation on the impact of the exercise is awaited, initial feedback highlighted successes in providing reassurance to local residents and improving the look and feel of the area. The exercise was seen to be a potential model in tackling other identified areas of priority for the borough.

- During March 2017 officers from Southend Community Policing Team have been working with numerous partner agencies, including the Council, homeless and treatment charities, DWP, and others, in the High Street, undertaking patrols, to reduce the level of street begging and drinking and promote the safety of the homeless. The impact of this initiative is currently being evaluated.
- Extensive, and highly valued, CCTV coverage across the borough, enabling a rapid response to incidents, and providing evidence for prosecutions.
- The award winning Early Help, Family Support and Youth Offending Service, which, over 5 years has worked with some 1500 young people at risk of offending, tackling issues such as, truancy, gang activity, drug and alcohol misuse and other ASB. It was noted that the re-offending rate for those going through 'triage' assessment has fallen to 16% compared to 30% for those going through the criminal justice system.
- Extensive environmental enforcement, undertaking thousands of investigations to maintain the quality of the public realm, including tackling fly-tipping, littering, graffiti, inappropriate waste disposal as well as noise nuisance, illegal sales and contravention of environmental health contraventions;
- Dealing with about 600 service requests a year relating to improving private housing conditions dealing with rogue landlords;
- Managing and enforcing the range of tenancy issues (neighbour disputes, ASB, noise nuisance etc...) that arise in relation to the borough's 6000 council tenants, including a popular Neighbourhood Security Patrol commissioned to work primarily in the Victoria Ward area and which has proved invaluable to the Police in providing them with evidence when undertaking prosecutions;
- Undertaking 10,000 highways inspections a year to ensure the safety and proper maintenance of roads, particularly ensuring that utilities undertake their work properly;

- Issuing 40,000 Parking Control Notices each year to enforce parking regulations.
- Investigating around 270 planning enforcement cases each year.
- Providing advice, support and reassurance through park wardens and 'resort assistants' to park users and seafront visitors.
- Establishing a pool of volunteer Council staff (about 13) who called on by the Police to provide support at borough events (eg. carnival and car cruise).

Police and Council enforcement activity is supplemented by other parties including:

- Business Improvement District Street Rangers (x4 fte) who are CSAS (Community Safety Accreditation Scheme) accredited and provide a presence in the town centre but whose powers are limited to fixed penalty notices.
- Door Security for pubs/clubs etc.. whose remit is limited to particular premises.
- Adventure Island Security – CSAS accredited but limited to the Adventure Island complex.
- Hospital Security – CSAS accredited to provide security.
- Active Citizens (about 10) – Police vetted volunteers who assist police on crime prevention/advice, particularly following recent burglaries.

5.2 Resourcing

There is, therefore, a somewhat complex picture of current resourcing across relevant partners around wider enforcement activities. Both the Council and the Police have been subject to severe budget cuts since 2010 and this has led to a significant reduction in the numbers of enforcement officers (noticeably in the town centre) while demand for services in areas of the reviews' focus continues to increase. **A constant theme of the witness sessions was that the reduction in a 'uniformed' presence across the borough, but particularly in the high street, has had a detrimental impact on community safety.**

This 'gap' was highlighted as having an impact, in particular, on so called 'lower-level' crimes and anti-social behaviour such as begging, street drinking, shoplifting, cycling on footways/ 'soft' drug use etc.. which impact on the lives of, and are of significant concern to residents and visitors.

It was recognised, by all parties, that the relationship between key agencies is essential in meeting the needs of communities to ensure appropriate focus and shared application of very limited resources.

Ideas for obtaining additional resources for enforcement activity and for using resources more effectively included:

- Exploring the potential 'selling of CCTV monitoring' to other boroughs. Officers stressed this would not be to the detriment of the borough's current service.
- Accrediting more Council officers to the CSAS. The scheme enables officers engaged in enforcement activity to have additional powers, conferred by Essex Police for a specific responsibility. These include, issuing Fixed Penalty Notices (FPNs) for offences such as truancy, dog fouling, graffiti, littering, pavement cycling and obtaining names and addresses. Currently South Essex Homes tenancy officers and the Youth Offending Service Street Engagement Team are accredited (about 17 officers).

While the vetting process was highlighted as an obstacle to recruitment, and there is a small cost, encouraging more officers in appropriate areas to undertake the scheme does enhance enforcement powers available in the borough and provides an element of uniformed presence as accredited officers are required to wear an Essex police ID badge when using their CSAS powers.

- Further business sponsorship of enforcement activity (supplementing BID rangers), for PCSOs or CSAS accredited civil officers.
- More rigorous use of fixed penalty notices and fines for areas such as dog fouling, pavement cycling, littering, etc.. Witness session five heard that Maldon's Community Protection Team achieved a four-fold increase in fine income from a more co-ordinated and rigorous approach – and, although, questions were raised about the sustainability of this level of fines, to date, there has not been a drop off. Witness session six heard that an initiative to undertake enforcement on dog fouling by PCSOs had met with apparently limited support from Council officers.
- Witness session three heard that there was more scope for the Police and Council to share workload on undertaking some areas of enforcement activity. This mainly relates to lower level crimes (pavement cycling was cited as an example), with the Police obtaining the necessary information from perpetrators and the Council processing the 'paperwork' to enable a prosecution. It was noted that such a practice had been in place previously but had stalled in recent years.
- Continuing current efforts to make more extensive use of the Proceeds of Crime Act. Witness session five heard that Thurrock Council recovers more than twice the amount of money obtained by Southend Council.

5.3 Special Constables

A key consideration of this study has been around the current and potential role of Special Police Constables in relation to enforcement in the Borough and how the Council might support Essex Police's drive to recruit more Specials to work in Southend. There are currently 39 Specials working in the borough, with a desire by Essex Police to increase this number to 70 by 2019.

In witness sessions 2 and 4, Essex Police extended an invitation for the Council to consider committing to the 'Employer Supported Policing' (ESP) initiative. In doing so, the Council would

encourage and support a defined number of staff to train and become Special Police Constables for deployment in Southend and promote the scheme to other organisations. A key consideration is that Special Constables have identical powers to regular Police officers.

The cited benefits of ESP include:

- Enhanced levels of policing, helping to address the fear of crime among residents;
- Providing greater capacity for the Police to focus on so called 'low level' crimes such as anti-social behaviour and missing persons as well as more 'serious' crimes;
- Promoting greater links between employers in the borough and a range of statutory services, including the Police;
- Enabling employers to enhance corporate social responsibility commitments;

Specific benefits to the council engaging in ESP include:

- **2019 target** - the Council could make a significant contribution to meeting the 2019 target for recruiting Specials;
- **Lead by example** - the Council would be leading by example when encouraging other employers to enable staff to sign up as Specials;
- **Engagement** – it would further promote engagement between the Council and community, including providing a further source of intelligence regarding local developments and community cohesion;
- **Partnership** - further strengthens partnership with the Police;
- **Shared responsibility** - encourages local residents/employees to adopt shared responsibility for the wellbeing of Southend;
- **Value for money** – provides a significant increase in enforcement resource for a relatively small investment and
- **Enhanced staff** - staff learn new skills, develop confidence and strategic thinking.

The Scrutiny project are recommending that the council should commit to signing up to the ESP, and specifically supporting up to five members of Council staff to train and become Specials for deployment within the Borough*. Such a commitment would need to be in line with service and organisational needs, so, for example, for practical reasons, school staff would exempt from this recommendation.

**There are rare occasions such as regional emergencies where specials may be called outside of the borough but these are exceptional.*

Council commitment

In real terms, the notional costs of supporting five staff members to become specials could vary, depending on the level of commitment supported and the salary levels of the individuals.

The following provides an initial estimate of core notional costs, based on a full time staff member earning £25,951 (mid-point of Level 7, SCP 29 £23,398- £29,324, 2017/18).

Notional costs (per person)

One off notional costs per person for paid leave to complete initial training:

10 days: £1,000

20 days: £2,000

Annual notional costs per person for paid leave towards Special Constable duties in Southend:

4 hours per month: £672

8 hours per month: £1,344

16 hours per month: £2,688

Council Tax Discount for all Specials resident in Southend

The study explored the potential of offering an incentive of discounted Council Tax for Specials who are resident within Southend. Differing views were expressed on this matter, including the view that this could become divisive. For example, between Specials living inside and those living outside of the town. There is also the possibility that those living in Southend might choose to volunteer in another borough. Additionally, a case could be made for other residents undertaking public service (JPs and school governors for example) to receive a similar discount.

The Scrutiny Project group, therefore, voted not to pursue this idea. However, it was felt that if there was further support for exploring the idea, that this would be better done via an Essex wide approach to ensure consistency of application.

5.4 Borough Patrol

A key theme of the review was to assess the case for re-introducing a form of 'Borough Patrol' - uniformed Council employees who had responsibility for promoting community safety in the town.

Witness session six heard (from a former manager of the Patrol, Paul West) that it had operated from 2002-2005 and had provided a uniformed presence in the town centre, sea front and other areas of high demand, undertaking a range of enforcement duties. These particularly related to environmental, parking and other anti-social behaviour offences. The Borough Patrol had a complement of 9-10 officers with one administrative support officer and was located in a building situated in York Road.

The Patrol was seen by other witnesses, (for example, former Chief Superintendent Mick Thwaites at witness session 7) to have provided a popular and invaluable service, acting as the eyes and ears for both the Police and Council officers. It dealt with over 5000 complaints in one year (the majority of which related to car tax offences and waste related issues, but also included defective lighting, street trading, unauthorised street signs and pavement cycling).

Session 6 also heard that many of the staff and functions of the Borough Patrol were superseded by the introduction of PCSOs and the transfer of functions to other Council staff such as Environmental Care Officers and highways inspectors.

The Scrutiny Project heard that the powers of BP officers were very limited (essentially acting as 'professional witnesses' and reporting offences to other authorities to take action) and that hard core offenders soon became aware of their limited ability to take action.

Estimates of the cost of introducing a Borough Patrol were placed in the region of £300,000 pa for salaries, plus £10-15,000 other costs (training, equipment etc..) based on 10/11 staff, on an average salary of £22,000. It should be noted that costs could be significantly higher or

potentially lower, depending on the outcome of a job evaluation exercise. Any re-introduction of a BP service would require a significant re-organisation of existing resources, however, could potentially be done with limited additional resources if it was introduced using existing Council staff engaged in enforcement only.

The Scrutiny Project members were also reminded that the funding for SEH Neighbourhood Patrol (about £100,000pa) is due to end in March 2017 and that continuing to resource this service would need to be factored into any funding identified for a BP service.

While a 'uniformed presence' of some kind was highlighted as being highly desirable, it was also felt, for example, by the Portfolio Holder for Housing, Planning & Public Protection, that an enhancement in numbers of Police Officers was the most preferable solution in terms of having an impact in taking effective enforcement. In this context, the PCC recognised that Southend was somewhat under resourced, proportionate to crimes per capita committed, and explained that some more front line police officers would shortly be made available to South Essex.

5.5 Better working between existing enforcement agencies / consistency of approach

Evidence showed that enforcement agencies in the borough, across both the public and voluntary sector, are historically well known to each other and benefit from a history of generally productive working relationships. It was acknowledged that Southend's relatively bounded geography was a factor in this although challenges arose in instances where partners do not always share coterminous boundaries (such as the Council and Police).

There was testimony that partners, on the ground, made efforts to integrate and support each other operationally. Police Officers, Street Pastors and SOS Bus volunteers working together to tackle late night issues in the high street was a clear example of this loose collaboration. The Council's Community Safety Manager, Simon Ford, reported at witness session three, that Southend has a long tradition of partnership working and is viewed by others across Essex as a 'leading light'.

However witnesses felt that more strategic coordination of this collaboration would give greater impact to their enforcement roles and, in particular, prevent duplication of effort. Officers managing enforcement functions within the Council also recognised that more could be done to share information and deliver across services in a more cohesive way. In session one Members heard examples from BID Rangers and local homeless charities that the town at times felt like it was saturated with Outreach services and that a 'more joined up plan' was needed so that services complement each other.

A good deal of evidence from Essex Police, the Council and wider community partners emphasised the importance of continued strong and effective partnership working, with clearly identified and articulated priorities. However, feedback also highlighted something of a disconnect between the Community Safety Partnership and current resourcing in relation to wider enforcement. This was particularly evident from the first witness session with voluntary, community, faith and business based groups feeling there is limited ability for them to influence priority setting, receive information updates or be part of an on-going dialogue.

Witnesses comments showed that not all partners are fully aware of the Partnership's priorities, plans and operations. In particular Members questioned whether the Community Safety Partnership could have a greater coordinating role to play in promoting an overarching enforcement strategy. It was noted that there may be potential for the Council and other relevant partners to continue to work on mapping current activity with a view to introducing a layered enforcement approach that fed into the Community Safety Hub.

A reoccurring line of questioning explored the benefits of the visual impact of patrolling enforcement officers – usually termed 'a uniformed presence'. A range of witnesses from Maldon District Council's Group Manager Community and Living to Southend's BID Rangers said that uniformity of appearance helped to engender respect of the public, provided vital personal protection and helped partners and public identify officers more easily. However some felt that the public could, at times, become confused between the different livery and roles of uniformed staff, be it PCSO's, Parking Control Officers or South Essex Homes Rangers. This led to exploratory questions from Members on the potential for a common Southend branding of enforcement agencies.

5.6 Community engagement

A recurring theme throughout the sessions was the concept of promoting civic pride and active citizenship. There was a general consensus that engaging with local communities in an authentic, focused and consistent way can help to prevent or reduce the need for enforcement work.

Much community engagement is being done on a face-to-face and daily basis by enforcement officers simply talking to local people on the street. The level of rapport varies from role to role - BID Rangers for example tend to lean towards long term relationship building whilst Parking Control Officers are focussed on more immediate enforcement and the issue of Fixed Penalty notices (FPNs). Some partners, such as the Police, were actively promoting the concept of greater personal and corporate responsibility – for example by advising local retailers on more proactive methods of reducing shoplifting.

Council Officers, in particular, confirmed that services increasingly rely on local people – 'their eyes and ears' - to report issues to police and partners. Witnesses cited a range examples where local business and community groups were actively engaged, such as 'street watchers', and ambassadors in communities willing to challenge or engage with culprits.

The Police and Crime Commissioner, in particular, strongly advocated fostering community cohesion, recognising the positive impact it can have on reducing the need for enforcement. He strongly rejected the tentative suggestion that councils fund private security firms, much preferring direct investment in the local voluntary sector or community groups such as residents associations.

It was acknowledged that many community delivered initiatives were dependent on ongoing and sustainable support from the public sector, whether financial or through direct action. One example was the previously successful Behave or Be Banned (BOBB) scheme which saw local pub and club owners working together with the Police to tackle anti-social or violent behaviour. The Scrutiny Project heard in session one that witnesses felt that BOBB had become less

effective since Essex Police withdrew an element of their support in order to focus on other priorities.

Engagement with local people via voluntary sector organisations was also much in evidence. Council Officers in Session 3 cited work with the Turning Tides team and using their services and staff to raise awareness and advise vulnerable people. Some witnesses stated that there was a need to better understand how the voluntary sector can make an impact and then explore ways of making this happen.

Some witnesses believed there was further scope to engage communities through third party providers by developing the *social value* aspects of contract arrangements. An example of this approach is the Council's contract with the waste services provider, Veolia, who are incentivised to encourage communities to challenge wrongdoers and take responsible action to keep Southend clean. As a result Veolia oversee volunteers acting as Snow Wardens and Environmental Ambassadors and have put in place a number of mechanisms of engaging with residents.

5.7 Communications

In most cases witnesses acknowledged that more effective communications with local residents would positively impact on reducing the fear of crime. They also cited a need to promote the success of our enforcement work to increase public confidence in what agencies are doing. Presently local communities receive fragmented messages from a range of agencies in a relatively inconsistent manner. It was felt likely that a more planned and strategic approach to communication campaigns would produce more focus and a better response from residents.

Members reminded witnesses that communication must be two way, with a particular focus on feeding back to residents how the information they have given has been used, for example the repair of faulty street lights that have been reported. Witnesses in session one also pointed to the power of social media as a particularly effective way to reach out and directly engage with communities in a cost effective and immediate way.

5.8 Greater use of technology and intelligence

Different enforcement agencies and services are often dealing with the same issues and offenders (or potential offenders) and, therefore, have a significant incentive to work together, share information and pool resources.

Furthermore, increasingly enforcement activity (and Police work generally) is applying the use of technology to make better use of resources and enable better sharing of information. Witness session two heard from the PCC how Essex Police are increasingly equipped with hand held devices, body cams and other devices that enable officers to process information in the field immediately, rather than having to do so at a station.

Use of similar technology by council officers is currently fragmented and is an obvious area for potential investment that would drive effectiveness and efficiency in the future. Such investment would complement the Council's work to embark on an ambitious programme of

introducing new digital infrastructure across the borough with pure fibre connection providing super-fast connectivity and complementing moves for Southend to become a 'Smart City'.

It was suggested that these developments, together with investment and development of the CCTV centre provides the opportunity to create an 'intelligence hub', that will enable officers to source and cross match a range of pooled data and intelligence to better tackle enforcement activity. It will also enrich the Strategic Intelligence Assessment and facilitate a more tiered response from agencies to tackling different levels of crime and ASB.

In addition, the benefits of gathering and harnessing 'soft intelligence' from a range of sources was seen as critical to efforts to promote community safety.

DRAFT

Annex 1

Witness Session 1 - Wednesday 19th October 2016

To help inform the study and gain a sense of what was happening at grass roots level, the project team heard from voluntary sector groups, volunteer programmes, private sector programmes and faith groups within the Borough. This set the context for the study, particularly in terms of what such groups were seeing and what wider responses already existed. The session was in the form of a workshop, where invitees were arranged into three groups and asked to consider some pre-set questions. Each group was supported by two officers. The attendees are listed below.

Name:	Representing:	Table One:
CLlr Bernard Arscott	Leigh Ward	Support Officers: Ade Butteriss & Tim Row
CLlr Alex Bright	Southchurch Ward	
Simon Patterson	Seafront Traders	
Gary Turner	HARP	
Rebecca Venn	BID Ranger	

Name:	Representing:	Table Two:
CLlr Jonathan Garston	Milton Ward	Support Officers: Lysanne Eddy & Rob Walters
CLlr Brian Ayling, Chair	St Luke's Ward	
CLlr Ian Gilbert	Victoria Ward	
Alison Dewey	BID	
Helen Symons	Leigh Town Council	
John Bastin	YMCA & SOS Bus	

Name:	Representing:	Table Three:
CLlr David Garston	Prittlewell Ward	Support Officers: Kelly Clarke & Tim MacGregor
CLlr Mike Assenheim	Shoeburyness Ward	
CLlr David Burzotta	Chalkwell Ward	
Paul Sutton	Taxi Drivers Association	
Phil Norton	Street Pastors	
Steve Bright	Local Community Meetings	

The responses to the pre-set questions were collated by the support officers, and then fed back and discussed by the Members of joint project team at the end of the session. The questions were as follows:

- Q1. How does it feel to be in Southend? (This question looked for actual experiences and what they were dealing with as agencies/residents).
- Q2: How does your organisation/association contribute to the Borough? (This looked for where they currently field elements of enforcement).

Q3: How can we collectively solve the problems identified? (This question was about drawing out what they saw as being needed to help).

Q4: What is working well in Southend; what could we do more of or better? (This question sought to draw out what worked now and what other opportunities we may not have thought of).

The joint project team also received a copy of the Southend Community Safety Partnership's Strategic Intelligence Assessment (February 2016), Essex Police Performance Summary to August 2016 and the comparison of Southend's league position with its BCS family.

Witness Session 2 - Monday 19th December 2016

At this second witness session, the joint project team heard from Roger Hirst, Police and Crime Commissioner for Essex, as its key witness. He attended with his deputy, Jane Gardner. The session was also attended by T Chief Superintendent Paul Wells, Chief Inspector Scott Cannon and Chief Inspector Glen Pavelin from Essex Police.

This session explored the role of modern day policing within the context of a diminishing public sector and a widening gap of resources, examined crime statistics and the priorities for and budget pressures faced by Essex Police. The pre-set questions were as follows:

Q1. One of your 7 key priorities is to make Policing more 'local, visible and accessible'. How is this being done in Southend?

- How are you resourcing this activity?

Q2. How do you proportionalise the amount of uniformed policing resource across Essex?

- Do you believe Southend is being appropriately resourced in line with crime levels and in comparison to similar areas?

Q3. We have heard evidence at the last meeting that there is a widening gap developing within the enforcement of community safety across Southend; particularly in relation to low level crime such as street begging, street drinking and shop lifting.

- Is this the reality that you see? and
- What is your response to addressing this gap?

- Q4. In the past the PCC has provided a “Capacity Building Fund” specific to voluntary and community groups around themed resilience projects. What are your plans to support a wider partnership approach?
- Q5. What do you think about areas in Essex using private security firms? Do you think they represent value for money? What are the implications of this?
- Q6. In practical terms what will Southend’s Policing look like at the end of your four year term as Police and Crime Commissioner?
- How do you think Southend Council and other partners can support this within the context of equally reducing resources?

The joint project team also had before it the Police and Crime Plan 2016-2020.

Upon completion of the questions, the session concluded with what was now familiar tale to Southend. The incident in the case study was from a local resident and was one which was no longer unusual and was something being seen locally on an all-too-frequent basis.

“I live in the Southend Conservation area.

Last night I had dinner with two friends who also live in this area, it was a nice evening and so we decided to walk to our destination the Pipe of Port restaurant.

Upon arriving in the high street I was absolutely appalled by the run down state of it and I was unnerved by the very sinister air generally but what I was most concerned about was the fact that on our very short walk to the restaurant we were accosted not once, or even twice but three times by people begging.

To make matters worse upon leaving the pipe of port - not particularly late, but the same thing occurred, we were approached at least three times on the way home.

There was no police presence in the high street, there were groups of people who were openly drinking and who certainly saw my friends and I as 'civilians' and therefore targets and my question to you is this, what are you doing about it ?

How is this town to improve or survive if no effort at all is being put in to the high street, how is it possible that the apathy of our MPs, Councillors and Police force has allowed a sub-culture of drunks and addicts take over the area after dark?

By the time I got home last night I was extremely upset and agitated and that is not how a person should feel after having enjoyed a pleasant evening with friends.”

Witness Session 3 – Tuesday 1st February 2017

Colleagues from Southend-on-Sea Borough Council's enforcement functions were invited to the third witness session as the key witnesses. This session explored the role of the Council in relation to current enforcement activity within the context of a diminishing public sector and a widening gap of resources. The joint project team heard from Simon Ford (Group Manager Community Safety and Crime Reduction), Carl Robinson (Head of Public Protection), Steve Crowther (Group Manager Waste & Environmental Care), Zulfi Ali (Group Manager Traffic Management & Highways Network), Scott Dolling (Director for Culture, Tourism and Property), Andrew Fiske (Group Manager Housing), Mike Gatrell (Chief Executive South Essex Homes Ltd.) and Mario Ambrose (Executive Director South Essex Homes Ltd.).

The joint project team also had before it a report prepared by Tim MacGregor which provided some background information and highlighted some key issues for consideration, in relation to current enforcement activity undertaken by the Council, including:

- additional information on the Community Safety Hub;
- additional environmental enforcement data;
- Planning Enforcement
- more relevant formal bodies/working groups, such as the ASB Operations Group;
- More info on the powers conferred by the Community Safety Accreditation Scheme used by tenancy officers and others; and
- some corrections on the current legislation (e.g. taking out reference to ASBOs).

The questions to the witnesses are set out below. Some of these questions were more pertinent to particular officers attending and were identified for a 'LEAD' response; other officers in attendance were invited to contribute or add to the response.

Q1. We have heard evidence at previous meetings that there is a widening gap developing within the enforcement of community safety across Southend; particularly in relation to low level crime such as street begging, street drinking and shop lifting. (LEAD: Simon Ford, Carl Robinson, Steve Crowther & Scott Dolling)

(a.) Is this the reality that you see? and

(b.) What is your response to addressing this gap?

Q2. What do you think currently works well? (ALL)

Q3. What do you think could be improved? (ALL)

- Q4. How effective do you think intelligence sharing is between the Council enforcement services? (ALL)
- Q5. How effective do you think intelligence sharing is between partners, particularly with the Police? (Simon Ford & Carl Robinson)
- What more could we do on both these areas to improve it?
- Q6. How could we better focus our resources to meet CSP shared priorities? (ALL)
- Q7. What would an SBC wide enforcement function look like and how would it ensure we used current resources more effectively? (Dipti Patel, Scott Dolling & Mike Gatrell)
- Q8. Other than the Police, who else do you mainly work with to deliver your element of enforcement? (ALL)
- Q9. What do you see as the role of the voluntary and community sector plus residents in wider enforcement? (Mike Gatrell, Scott Dolling & Dipti Patel)
- How could we better engage them to encourage an active citizenship approach? (ALL)
- Q10. Can you see opportunities for using private sector or commercial firms and what are the implications of that? (LEAD: Simon Ford & Mario Ambrose/Andrew Fiske)
- Q11. If you had a complete wish list of opportunities – what would your ideal ‘enforcement dream team’ look like? (ALL)

Witness Session 4 – Tuesday 7th February 2017

At this session, the joint project team received a presentation from Chief Inspector Scott Cannon and Inspector Bill Potter on the Employer Supported Policing for the Special Constabulary and Police Support Volunteers. A copy of the slides used in the presentation, together with the supporting documentation is attached at Appendix 1.

Witness Session 5 – Wednesday 15th February 2017

Karen Bomford (Group Manager Community and Living) and Adrian Rayner (Community Protection Team Manager) from Maldon District Council, David Kleinberg from the Southend-on-Sea Fraud Team and Councillor Mark Flewitt, the Council’s Executive for Housing, Planning and Public Protection Services were invited to as the key witnesses to the fifth session. This explored an example of what another Council is doing in relation to current enforcement activity within the context of a diminishing public sector and a

widening gap of resources. It also explored the role of Fraud Teams within the wider enforcement function and heard from the Council's Executive Councillor on current issues.

A copy of the slides used in the presentation by Maldon District Council are attached at Appendix 2. The questions below were for Cllr Mark Flewitt, Executive Councillor for Housing, Planning and Public Protection Services.

- Q1. What do you think currently works well across the wider enforcement functions in the town? What do you think could be improved?
- Q2. We have heard evidence at previous witness sessions that there is a widening gap within the enforcement of community safety across Southend, particularly in relation to low level crime such as street begging, street drinking and shop lifting. Is this the reality, in your experience?
- Q3. As Portfolio Holder what do you think are your most important challenges in addressing this gap?
- Q4. What are the opportunities coming forward from this review that could help address this gap and support the Council's commitment to enforcement?

The joint project team also received a briefing paper prepared by Ade Butteriss which outlined various approaches taken by other areas to enforcement. It summarised the response of local authority staff (most commonly the Community Safety Partnership Manager or their equivalent) to a simple questionnaire emailed in February 2017.

The joint project team also discussed the emerging themes from the study so far.

Witness Session 6 – Wednesday 22nd February 2017

Prior to the commencement of the session, the project team was afforded the opportunity to visit the Council's CCTV Facility based at the Tickfield Centre. At the session, the project team heard from Paul West, who was formerly a Council employee and co-founder of the former Southend Borough Patrol, and Jackie Jones, formerly a Borough Patrol Officer and currently a PCSO with Essex Police. The session explored the Borough Patrol's previous function, role and remit and explored how this may fit nowadays, in relation to current enforcement activity within the context of a diminishing public sector and a widening gap of resources. It also explored the role of PCSO's within the wider enforcement function. The questions to the witnesses are set out below.

- Q1. Please can you outline your role now as a PCSO and the powers you have for enforcement? (Jackie)
- Q2. How well do you think PCSO's work with partners? (Jackie)

Could this be improved and how?

Q3. Please can you outline the role of the Borough Patrol and explain the powers they had for enforcement? (Paul)

Q4. How well do you both think the Borough Patrol worked with partners?

Could this have been improved and how?

Q5. Some of the key issues that councillors have consistently raised are around low level crime such as street begging, street drinking and shop lifting.

(a.) What were the merits and limitations of the Borough Patrol in this area; and

(b.) What are the merits and limitations of PCSO's in this area?

Q6. What was the legacy of the Borough Patrol and were there any arrangements for the transition of key responsibilities to relevant partners?

Q7. We've heard from the Police and Crime Commissioner at a previous witness session, that our focus should be on investing in community capacity and the interface with active citizens and neighbourhood action.

What are your thoughts on this and how it might support wider enforcement?

Witness Session 7 - Monday 6th March 2017

At this session, the joint project team heard from Mick Thwaites, the former Divisional Police Commander for Southend (2000-2005) and security consultant, to explore Southend Police Service's experience of the operation of the Borough Patrol in the early 2000s and its applicability to current need and circumstance. It also heard from Alison Dewey, Southend BID Manager, to explore further the role of the BID Street Rangers, levels of resourcing and potential for growth/improved working arrangements/partnership working.

The joint project team also received a briefing paper prepared by Tim MacGregor which outlined indicative resource implications in supporting a programme of recruitment of additional Special Constables;

- Mosaic profiles of current Special Constables;

- Costings for a Borough Patrol service and

- An outline of enforcement powers and costs of other enforcement agencies in the Borough

Joanna Ruffle, the Council's Director for Transformation, was in attendance for this discussion and gave evidence in respect of the volunteering policy for the Council and how the Council could engage in the Employer Support Policing scheme.

The joint project team also received a paper prepared by Tim MacGregor on the Community Safety Accreditation Scheme (CSAS), which included information on the number of CSAS accredited staff in the Borough and a list of Countywide CSAS organisations.

DRAFT

Southend-on-Sea Borough Council

Report of Chief Executive and Town Clerk
To

Joint P&R/Place Scrutiny Study into Additional Enforcement for Southend-on-Sea

On
1 February 2017

Report prepared by:
Tim MacGregor – Team Manager, Policy & Information Management

Witness session 3 - Southend Council's Enforcement Activities

1. Purpose

To provide background information, and highlight some issues for consideration, in relation to current enforcement activity undertaken by the Council for the joint Policy & Resources and Place Scrutiny study into additional enforcement for Southend-on-Sea.

2. Recommendation:

That the Joint Scrutiny Committee Working Group note the report and consider the issues highlighted with a view to exploring some of these at the witness session on 1 February.

3. Background

- 3.1 Local authorities undertake an extensive range of enforcement activity across a wide range of services. These are primarily aimed at securing the health and safety of local people, enhancing their quality of life, improving the quality of the local environment and ensuring the Council is fulfilling its statutory duties. An outline of the activity undertaken by the Council is set out in **Appendix 1**. Key areas include: tackling violent crime and anti-social behaviour; action against rogue landlords; preventing illegal sales of alcohol and unsafe goods; action against littering; enforcing parking regulations; enforcement of planning decisions; ensuring highways are fit for use and ensuring children are attending school.
- 3.2 The Council, is subject to a huge raft of legislation that both enables and places limits on the enforcement activity that can and should be undertaken. The scope of legislation has increased significantly since the mid-1990s, when the ability of the Council, Police and other partners to take enforcement action, (particularly in relation to anti-social

behaviour and 'enviro-crimes') was significantly more limited. Some of the relevant Acts of Parliament are outlined in **Appendix 2**.

3.3 In addition, the Council has its own policies and procedures, which govern the way it undertakes enforcement, for example, in relation to the environment, parking, planning and private sector housing which set out the Council's approach and scope of enforcement.

4. Enforcement action and sanctions:

4.1 The Council's approach across all areas is to promote good practice and behaviour, to prevent unacceptable activity developing, to use education, interventions, warnings and mediation before moving to more formal sanctions such as notices, enforceable contracts, orders and prosecutions.

4.2 The range of sanctions can include:

- Verbal warnings
- Written warnings
- Simple Caution
- Fixed Penalty Notice (FPN) - payable for a range of offences, including anti-social behaviour such as littering and public disorder offences.
- Penalty Charge Notice (PCN) - paid when an individual is in contravention of regulations such as traffic, parking and waste, which are under civil enforcement.
- Statutory Notice (requiring action from individuals or organisations)
- Seizure of items
- Prosecutions
- Criminal Behaviour Orders
- Acceptable Behaviour Agreements (ABCs)
- Public Spaces Protection Order
- Injunctions. Including injunctions to Prevent Nuisance and Annoyance (replacing ASBOs).

4.3 The action and sanctions applied, while governed by legislation, policy and guidelines, will, however, be assessed on a case by case basis, depending on particular circumstances. These include the seriousness of an offence, the frequency of occurrence, the quality of evidence and an assessment of effective application (such as the likelihood of a prosecution).

5. Key Areas of Enforcement Activity – The Council

5.1 Community Safety

The multi-agency Community Safety Hub, based at Southend Police Station, and working to priorities set by the Community Safety Partnership, is overseen and co-ordinated by the Council's Community Safety and Crime Reduction Group Manager. Issues that the hub tackles include: violent crime; gangs; sexual exploitation; anti-social behaviour; domestic violence; management of offenders and identification of individuals at risk. The hub holds daily briefings to identify key actions and decide on day-to-day resourcing requirements.

SMAART (Southend Multi Agency Anti-social behaviour Response Team) comprises 2.5 officers based within the Community Safety Hub alongside Community Policing Team (2 from South Essex Homes, 0.5 from the Council). The team work with all partners to co-ordinate their approach to anti-social behaviour, share information to prevent duplication of activity and respond to complaints of anti-social behaviour from residents. The team attend all Local Community Meetings and also take on community based anti-social behaviour cases. They liaise with the Street Engagement Team around youth based anti-social behaviour.

The ethos of the team is Intervention, Prevention, Enforcement. The majority of cases are dealt with by means of visits and warning letters working closely with social and private landlords and has direct and daily contact with statutory, voluntary and commissioned services offering advice, guidance and best practice around tackling anti-social behaviour. This contact can include carrying out joint patrols (although reduced in past 12 months). The team draft applications for Criminal Behaviour Orders where criminal convictions are secured.

The team has provided advice and assistance to social and private landlords in pursuing enforcement action including witness statements and/or attendance at court.

The team are accredited through Essex Police Community Safety Accreditation Scheme and are vetted to enable them to access Police computer systems to assist in their investigations. The team have recently introduced Uniform, a case management system used by other teams within the Council (including Environmental Health, Planning, Private Sector Housing).

SMAART case work

Year	Cases	Letters	Visits	Mediation	CBO*	Injunction
2014-15	615	395	201	14 referrals 92.8% success		1
2015-16	639	430	225	31 ref 82.6% success	2	
2016 to current	824	501	195	10 ref 100% success	5	4

* Criminal Behaviour Order

The Community Safety Unit manage the CCTV centre, operating cameras covering the town centre, Hamlet Court Road, the seafront and major car parks as well as linking into the Royals security camera provision. The centre also acts as the Council's out of hours service. Further investment in the coming years will support the strategic vision for the centre to become an intelligence hub for a variety of agencies and partners.

The Community Safety and Crime Reduction Manager also co-ordinates a small pool (currently 13) of council officers who provide voluntary support (ie in their own time) by means of high visibility in the town. A specific job description was developed and recruitment process undertaken to appoint the Event Safety Team (EST) officers, with a council budget of £25,000 for 16/17. The EST are increasingly being called on by the

Police to provide support and since starting in August 2016 have supported 14 events, such as the carnival, car cruise and Coca Cola truck visit (see Appendix 3 for more detail). The EST concept is subject to review.

5.2 Early Help, Family Support and Youth Offending Services

Includes: Youth Offending Service; Connexions; supporting the troubled families agenda; Targeted Youth Support; Young People’s Drug and Alcohol Team; Teenage Pregnancy and Community Engagement. The teams work with young people at risk of offending or re-offending and provide support to young people that are hard to reach and vulnerable. They provide drug and alcohol treatment and support for under 21s; provide support to families with issues ranging from children not attending school to involvement in crime; work with teenagers both pre and post natal and work within the communities to make positive changes. The teams also provide a traded service to schools and work with young people who are not in education, employment or training.

Sanctions broadly divide between:

1. Diversion (to avoid prosecution): Over 1000 young people have gone through the highly successful ‘triage’ system since it began in 2009. Assessments are made of requirements of offenders which include, for example: regular reporting to the YOS; group work; reparations and restorative justice. The re-offending rate for Triage over a 7 year period is 16% (compared to 30% for those that go through the criminal justice system).

2. Prevention: A challenge and support team manage initial warning letters following reports of ASB, with persistent ASB resulting in Acceptable Behaviour Contracts (ABCs). Failure to adhere to these contract results in court application for Criminal Behaviour Orders. These are also used to disrupt gang/drugs activity. Other sanctions available include Parenting Orders for non-attendance at school

The Street Based Team conducts outreach deployments at ASB hot spots (such as the high street, parks, seafront, community events) as informed by intelligence from partners. They also complete truancy projects. A team of 10 (6 frontline) engagement staff undertake, for example, test purchasing of alcohol, truancy sweeps, confiscation of alcohol, moving children on from places they should not be in.

Powers of street engagement staff are limited to asking names/addresses of offenders and confiscating alcohol. Staff also attend all Local Community Meetings (LCMs).

Number of First Time Entrants to the Criminal Justice System	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
Number of children and young people entering the criminal justice system for the first time and receiving a substantive court outcome	360	107	75	75	75	98	53	47

Challenge & Support	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Totals
Number of children and Young People worked with.	572	342	229	115	225	1483
How many of these young people have gone on to offend and receive substantive orders?	17	19	17	11	3	67
Acceptable Behaviour Contracts	35	10	8	3	4	60
ASBOs/CBO	0	0	0	0	4	4
Warning Letters	373	223	193	170	125	1084
Home Visits	82	88	39	34	18	261

Street Based Team	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Totals
Operations/deployments undertaken	134	363	480	325	679	1981
Children Engaged	456	1953	2229	2376	2145	9159
Taken to Place of Safety	2	1	9	5	0	17
Litres confiscated	14.27	6.6	26	35.1	3	84.97
No. of children alcohol confiscated from	20	4	32	30	4	90
Parents contacted	9	3	14	11	18	37
Youth ASB	1438	1304	1029	720	507	3560

5.3 Regulatory Services

The Council's Regulatory Services undertake a range of environmental protection activity. This covers: statutory nuisance and public health; regulation of businesses including environmental health functions of food safety, health and safety and trading standards (fair trading, business inspection and product safety); as well as the licensing of taxi/private hire vehicles and business licensing (alcohol, entertainment and gambling, tables and chairs and scrap metal dealers);

Regulatory Services Officers undertake enforcement, working closely with other council services and agencies to respond to complaints and undertake their statutory functions. Sanctions available include: verbal warnings, written warnings, formal cautions, a requirement for corrective action and prosecution.

5.4 Waste & Environmental Care

The service undertakes the collection and disposal of domestic refuse and recycling, street cleaning and activity to promote environmental care and clean neighbourhoods. Effective awareness raising and education of the public of their responsibilities and promoting a general culture of civic care, alongside enforcement activity, are all critical to meeting objectives in these areas.

A small team of Environmental Care Officers undertake investigations, inspections and follow up action. Some areas of recent activity are outlined below.

Waste related Enforcement action (mainly investigations and notices served) recorded on 'fly-capture' database

	2012-13	2013-14	2014-15	2015-16	2016-17 (to Sep 2016)
Investigation	515	479	475	2183	401
Warning letter	147	382	390	788	52
Statutory notice	8	48	36	113	4
Fixed Penalty Notices	14	16	23	25	0
Duty of Care (largely commercial Waste)	113	571	534	46	43
Stop/search	36	0	0	0	0
Vehicle seized	0	0	0	0	0
Formal caution	0	0	0	1	0
Prosecution	0	2	3	1	0
Injunction	0	0	0	0	0

Environmental Enforcement Action (including notices served and investigations)

Year	Dog Fouling	Fly Posting	S215, P40, P41, P42, s92a	Obstruction	A-board	Printed Matter	Education	OHV – s154*	Loose Gravel	Waste Storage	Cars for sale on Highway	Highway damage
14-15	10	12	68	1	4	0	25	94	0	0	0	0
15-16	11	14	133	12	20	1	15	89	3	4	0	0
16-17	12	1	128	16	0	0	6	98	0	0	1	1

* Overhanging vegetation

There have been 354 enforcement actions undertaken across the borough since October 2014 in relation to vehicles causing damage to pavements and verges. These include a combination of warning letters and the serving of enforcement notices, with 264 enforcement notices issued to residents.

5.5 Private Sector Housing

The Council's Private Sector Housing Team undertake work to assess the condition of the borough's properties using a health and safety assessment rating system to determine the risk to the health of residents or public, including the likelihood of an accident. This is based on a visual assessment of the condition of the property, rather than the tenant. Notices requiring action can be served in relation to, for example, the physical structure of a property, overcrowding, asbestos, sewage leaks, empty properties and energy certification.

A (non-exhaustive) list of sanctions include:

- Improvement Notice
- Prohibition Order (for hazards)
- Emergency Prohibition Order
- Slum Clearance Declaration
- Revocation of HMO Licence
- Power of Entry – where a Management Order is in force
- Overcrowding Notice
- Nuisance Abatement Notice
- Notice of cleansing or destruction of filthy & verminous articles

- Enforcement of minimum energy efficiency levels with private rented accommodation.

The team liaise regularly with SMAART, the Police, Environmental Health, Trading Standards and social care services in relation to criminal activity and safeguarding issues.

For April to December 2016, the service dealt with:

Number of service requests	438
Category 1 or high Category 2 hazards removed	247
Empty dwelling brought back into use from Private Sector Housing action	45

5.6 Social housing

South Essex Homes (SEH) undertake enforcement activity in a number of ways in relation to council tenants and leaseholders. The Tenancy Management Team undertake day-to-day management of council tenancies, which includes dealing with low level anti-social behaviour such as noise nuisance and neighbour disputes. All tenancy officers are accredited to the Community Safety Accreditation Scheme, which confer limited powers to request names and addresses and to issue a Fixed Penalty Notice in relation to offences that cause injury, alarm and distress to another person or damage or loss of another's property. Being accredited enables officers to attend briefings and receive information with/from the Police.

South Essex Homes also make an operational and financial contribution to the multi-agency SMAART which tackles ASB on council estates and across the borough. In addition, a neighbourhood patrol (2 officers) provide an out of hours patrol service from 5pm-2am for council housing concentrated in Victoria Ward, providing a visible presence in the area. The service, contracted from a private security firm, has been operating as a pilot since 2015.

SEH also sit on the board of 'RESOLVE Antisocial Behaviour', a national body to promote good practice and advise government in relation to ASB and social housing.

5.7 Traffic Management & Highways

The service carries out the Council's statutory functions associated with highways, parking and traffic management to keep traffic moving and maintain the highways network. Parking enforcement (off and on-street) is undertaken through the Council's chosen provider, APCOA. The requirements of Parking Control Officers are set out in the agreed contract, but are essentially limited to checking that parking regulations are being followed and issuing Penalty Charge Notices where they are not.

Highways inspectors check on the state of the roads, progress of works being carried out by utilities and others, the quality of reinstatements and works over-runs. Companies that are found to be non-compliant are subject to fines, Fixed Penalty Notices and Improvement Notices.

Enforcement activity for 2015/16 included:

Number of inspections undertaken	10,036
FPNs issued	1,155
Work over-runs notice (Section 74s)	171
Parking Control Notices issued	40,000 (approx)

5.8 Planning Enforcement

The Council's Planning Team ensure the enforcement of planning control under the Town & Country Planning Act 1990 and the Planning (Listed Building and Conservation Area) Act 1991. Planning enforcement deals with breaches of planning controls, including where building work requiring planning permission is undertaken without such permission, where conditions attached to a planning condition are not complied with, or where the use of a building or site is changed without planning permission.

Planning enforcement is not a statutory function, however, without effective enforcement, the planning system would be ineffective. Breaches of planning control are not illegal, however, non-compliance with a planning enforcement notice is. Unauthorised works to a Listed Building constitutes a criminal offence.

The team employs 1.6FTE officers dedicated to planning enforcement. The level of work undertaken is summarised below.

5.9 Planning Enforcement Data 2015 – 2016

Enforcement Cases investigated in 2016	275
Formal Notices Issued in 2016	3
Enforcement Cases investigated in 2015	269
Formal Notices Issued in 2015	6

The vast majority of cases are resolved by negotiation and regularisation without the need for formal action, as is advised by Government. Often a resolution by the Development Control Committee to take enforcement action results in the land-owner remedying the situation before said notice is served.

5.10 Parks

The Council currently has three parks wardens to cover 15 parks, gardens and nature reserves (at one time the Parks Rangers Service numbered 15). The role of wardens is to provide a presence, promoting re-assurance, advice and support to parks users as well as challenge where byelaws are being contravened (although this rarely leads to prosecutions in practice).

5.11 Pier and foreshore

From April to September four-six seasonal Resort Assistants provide first aid, and health and safety along the foreshore for beach users. While this will include advising/challenging people on, for example, not having bbqs or dogs on the beach, their action does not extend to issuing FPNs or prosecutions for contravention of byelaws. For more serious incidents, additional support is sought from ECO officers or the Police, where appropriate.

5.12 Enforcement Prosecutions 2013-16 (by calendar year)

The number of enforcement related prosecutions undertaken by the Council's Legal Section in recent years are as follows:

Service Area	2013	2014	2015	2016
Education	13	14	11	22
Fraud	20	18	14	8
Highways	0	1	9	5
Planning	8	8	8	2
Private Sector Housing	6	1	8	1
Regulatory Services	11	4	7	3
Street Scene	6	10	3	4
Youth Services	2	3	2	2

6. Issues for consideration

6.1 Joint working

There is considerable overlap of work between service areas, with anti-social behaviour, criminality and risk to health and safety of residents requiring a multi-agency approach to ensure such issues can be tackled effectively. However, reports relating to the same issues/cases can, in some cases, be made to different service areas, leading to the potential for duplication of effort or for issues to 'fall between the gaps'. Avoiding this relies on officers building and maintaining good informal networks and relationships.

There are a number of formal mechanisms to help promote joint working, including:

- **Community Safety Partnership:** Chaired in alternate years by the Police and the Council, the CSP sets the overarching community safety priorities for the borough. Membership includes Essex Fire & Rescue Service, Office of the PCC, South Essex Homes, Probation and health services. It brings together organisations and groups that share responsibility of tackling crime and disorder, anti-social behaviour and drug and alcohol related offending.
- **Community Safety Partnership sub-group:** Multi agency officer group, focussing on violent and other serious crime in the borough.
- **ASB Operations Group:** Multi-agency group chaired by the Police Community Policing Inspector and covering a range of council services (including environmental health, parks, community safety, private sector housing), and including the hospital, SEPT, housing providers among others. Meeting monthly the group identifies issues, including priority areas to be tackled. Agencies bring their high risk ASB cases for multi-agency approach to be taken, information and best practice is shared and areas where agencies are experiencing barriers or

difficulties

- **Homelessness Strategy Group:** Multi-agency group (including Police, voluntary sector and housing providers) chaired by the Council, addresses operational issues to address, among other issues, homelessness and street begging in the borough. Meets monthly to align with the ASB Operations Group.
- **Complex Needs Panel:** Multi-agency group, chaired by the Council and including voluntary sector providers
- **Adults and Children Safeguarding Boards:** Statutory multi-agency bodies that play a strategic role in protecting vulnerable adults and children, ensuring the right policies are in place and helping to improve relevant services.
- **Strategic Safeguarding and Community Safety Meeting:** bringing together issues of safeguarding, community safety and health and wellbeing.
- **Two Safety Advisory Groups** – 1. To promote health and safety for events held in the borough. 2. To oversee health and safety at Southend Utd games.

While informal relationships between officers are generally good, there may be more systematic ways in which joined up working could be more effective, particularly in relation to tackling anti-social behaviour, and ensuring greater clarity in terms of operational priorities across the Council (building on the overarching priorities of the CSP). A new Anti-Social Behaviour Strategy may help in this respect.

6.2 Sharing of intelligence

Intelligence led approaches to tackling criminality have proved increasingly successful over many years. However, different council services tend to have different systems to record and process information. Ensuring better means of sharing knowledge and intelligence, obtained from multiple sources, (assuming issues of data protection can be addressed) may, therefore, prove fruitful if extended.

To this end the more staff are equipped with effective technology that enables them to record and process cases 'in the field', the more effective they can be in tackling requests made of them and the quicker and easier it becomes to share information.

6.3 Generic approach

While the Council's Environmental Care Officers have responsibilities beyond waste and cleansing, some local authorities have extended this approach further, with more generic enforcement officers who have a wider range, or a different mix of responsibilities. For example, parking enforcement officers in some borough have responsibilities beyond the immediate role of parking restrictions.

However, each area of enforcement has their own specialist requirements (in relation to planning, trading standards and private sector housing) and so a more generic approach to enforcement, comes with risks and significant resource and training requirements.

6.4 Resourcing and partnership working

Inevitably, given the declining levels of resources available to the Council and Police, the extent and range of enforcement activity, as well as work to raise awareness and undertake education and training has been increasingly restricted in recent years (when the demand for those resources has been increasing). This has been reflected in the ability of both organisations to address lower-level anti-social behaviour.

There is also a perceived growing disengagement from other aspects of partnership working from the Probation Service (particularly since the supervision of low-medium risk offenders was outsourced in 2015 to community rehabilitation companies) and to some extent from the health and fire sectors.

However, effective joint working has been notable recently in exercises, such as, Operation Stonegate designed to support residents in the York Road area. The operation, has included close working of council services as well as Essex Police, Fire and Rescue Service, BID Rangers, Street Pastors, Family Mosaic, Harp, Storehouse, and South East Alliance of Landlords (SEAL). This model, of focussed joint working, has the potential for being extended to other parts of the borough, where it is deemed to be required.

There may also be scope for more agencies to share resources – for example, for the Council to process FPNs that have been issued by the Police.

6.5 Culture and consistency of approach

There can be a wide range of views on the extent to which enforcement activity should undertaken and the way it is applied by local authorities. The use of CCTV footage and covert surveillance (such as using the Regulation of Investigatory Powers Act (RIPA)) to tackle issues such as dog fouling, test purchases and fly tipping, by some councils in the past, has prompted accusations of ‘big brother’ behaviour.

Similarly areas vary in their approach to tackling street begging, with some such as Southampton, introducing a Public Spaces Protection Order (PSPO) and prosecuting people asking for money. Others such as City of London and Tower Hamlets have run campaigns (‘your kindness could kill’) to urge people not to give money to beggars.

Whether the Council has a consistent approach to enforcement, may, therefore, be worthy of consideration.

6.6 Public engagement

Engaging the public further in supporting, (or in some cases undertaking?) levels of enforcement has long been seen as critical to success in this area. This requires equipping residents/community groups with the right knowledge of what can and should be done as well as who to liaise with in particular circumstances. Part of the solution could include providing more community safety related information and data to members and the public generally on a regular basis.

6.7 Use and knowledge of legislation

Given the complexity and changing nature of the legislative framework in this area it remains a challenge to ensure officers, and members, are aware of the relative powers available, determine whether legislation is being used to best effect, and identify areas where the legal framework needs to change. Examples of recent changes to legislation include:

- Anti-Social Behaviour, Crime and Policing Act, 2014. The Act introduced a range of new powers/requirements, including: a 'Community Trigger' for residents to demand action; a 'Community Remedy' giving victims a say in out of court punishment and new powers of injunction in relation to ASB (breaches of which can lead to 2 years in prison/unlimited fine);
- Since May 2016, councils have been given the power to issue FPNs on those committing the offence of fly tipping;
- Further legislation is expected to amend the Housing Act 2004 on extending mandatory licensing of all HMOs;

In addition, the Council has support previous (unsuccessful) efforts to make pavement/verge parking a civil offence (as in London).

6.8 Use of third sector/private enforcement

The Council already engages some additional support from private enforcement providers. Whether there is further scope to supplement mainstream services with private/third sector, potentially funded through a supplementary charge (such as a rent levy) is something local authorities may increasingly consider. Experience from other areas has arguably been mixed, with concerns expressed at the application of a heavy handed approach and lack of accountability.

....
TM
27.1.17

Appendix 1 to Annex 2

Summary of service area enforcement activity and related sanctions

Service area	Area of enforcement	Lead officer	Sanctions
Community Safety	Range of community safety issues, including: Anti-social behaviour Violent crime; Gangs; Sexual exploitation; Domestic violence; Management of offenders and Identification of individuals at risk CCTV	Simon Ford	<ul style="list-style-type: none"> - Home/office interviews, - Warning letters, - Acceptable Behaviour Contracts, - Joint patrols - Mediation, - Restorative Justice Referrals, - Community Circles, - Injunctions - Designated Public Spaces Order (replaced by Public Spaces Protection Order) - Community Protection Warnings/Notices (not used by - SMAART at present)
Children at risk of offending	Youth Offending; Targeted Youth Support; Young People’s Drug and Alcohol	Carol Compton	<ul style="list-style-type: none"> Acceptable Behaviour Contracts (ABC). Criminal Behaviour Orders (CBO) Parenting Contracts Parenting Orders Education Supervision Order School Attendance Order Prosecutions
Regulatory Services	Noise nuisance Licensing Trading standards Environmental Health Filthy & verminous	Carl Robinson	<ul style="list-style-type: none"> - Verbal warnings, - Written warnings, - Formal cautions, - Requirement for corrective action - Prosecution
Waste & Environmental Care	Fly-tipping Fly-posting Littering Dog control orders Street furniture Commercial waste Overgrown gardens (EPA), S215 Planning) Graffiti Unsafe buildings –building control	Steven Crowther	<ul style="list-style-type: none"> - Verbal warning - Written warning - Simple Caution - Fixed Penalty Notice (FPN) - Statutory Notice (requiring action from individuals or organisations) Seizure of items - Prosecutions - Acceptable Behaviour Agreements (ABCs)

Service area	Area of enforcement	Lead officer	Sanctions
	Highways obstruction Street trading Waste collection		- Injunctions
Highways	- Highway inspections – safety/condition - Highway licensing - Utility works - Non-compliance - e.g. skips, scaffolding, hoarding, oversail etc. - Obstruction, unauthorised vehicle crossing etc. - Overgrowing trees - Obstruction of highway - Pavement crossings (pvxs) - Abandoned vehicles - Parking enforcement	Zulfi Ali	Written warning Fines (mainly utilities) Penalty Charge Notice Improvement Notice
Planning	Breaches of planning control	Peter Geraghty / Dean Hermitage	- Planning Contravention Notice - Temporary Stop Notice - Enforcement Notice - Stop Notice - Breach of Condition Notice - Powers of entry - Section 215 notices (untidy land)
Private Sector Housing	HMO licencing Health and Safety assessment (physical structure/overcrowding/asbestos/water leaks etc...) Empty homes Energy certification	Andrew Fiske / Stuart Burrell	- Improvement Notice - Prohibition Order (for hazards) - Emergency Prohibition Order - Slum Clearance Declaration - Revocation of HMO Licence - Management Order (to take over an HMO) - Overcrowding Notice - Nuisance Abatement Notice - Notice of cleansing or destruction of filthy & verminous articles - Enforcement of minimum energy efficiency levels with private rented accommodation
Social housing	Tenancy Management (eg noise nuisance and neighbour disputes). Support for SMAART Neighbourhood patrol	Andrew Fiske/Mike Gatrell	- Warning letters - Application of ASB related sanctions - ABC's - Mediation - Notice of Seeking Possession

Service area	Area of enforcement	Lead officer	Sanctions
			<ul style="list-style-type: none"> - Court Undertaking - Injunction - Eviction.
Parks	Anti-social behaviour in parks Contravention of Park bye-laws	Scott Dolling / Paul Jenkinson	Minimal: (largely limited to advice and challenging contraventions)
Pier & Foreshore	Bye-laws	Scott Dolling	Minimal: (largely limited to advice and challenging contraventions, such as issues of bbqs or dogs on the beach).

DRAFT

A (non-exhaustive) list of legislation used for enforcement

Anti-social Behaviour, Crime and Policing Act 2014

Anti-social Behaviour Act 2003

Building Act 1984

Clean Neighbourhoods & Environment Act 2005

Crime and Disorder Act 1998

Data Protection Act 1998

Deregulation Act – 2015 (relates to Enforcement of Waste Receptacle Offences)

Education Acts 1996, 2005, 2006

Enforcement of Waste Receptacle Offences Deregulation Act 2015

Environmental Protection Act 1990

Highways Act 1980

Housing Act 2004

Local Government Act 1972 (S222 Injunction for nuisance)

Local Government (Miscellaneous Provisions) Act 1982 (drainage)

Prevention of Damage by Pests Act 1949

Public Health Act 1961

Psychoactive Substances Act 2016

Regulation of Investigating Powers Act 2000

Town and Country Planning Act, 1990,

Event Support Team activity since August 2016

Date	Event	Number of Officers on Duty
6 th August 2016	Sierra Leone Festival	2
20 th August 2016	Carnival	2
26 th August 2016	Bank Holiday	3
27 th August 2016	Bank Holiday	3
2 nd October 2016	Car Cruise	6
15 th October 2016	Fireworks	2
22 nd October 2016	Fireworks	2
28 th October 2016	Halloween	4
29 th October 2016	Fireworks	3
12 th November 2016	Fireworks	3
19 th November 2016	High Street lights Switch On	3
2 nd November 2016	Leigh Lights Switch On	3
15 th December 2016	Coca Cola Truck	5
21 st January 2016	Car Cruise	2

Annex 3

Other local authorities approach to enforcement

The mini studies below are intended to give a brief taster of the various approaches taken by other areas to enforcement. They summarise the response of local authority staff (most commonly the Community Safety Partnership Manager or their equivalent) to a questionnaire emailed in February 2017.

AB – 14.2.17



Adur and Worthing Councils (member of Southend's Crime Family group)

Adur and Worthing have the following enforcement measures in place:

Enforcement Officers for PSPOs - There are 4 PSPOs in place to tackle **erected shelters in parks, DPPO conversion, aggressive begging and dangerous dogs**. Enforcement Officers are from a range of services within the Council's various services, such as parks staff, dog warden etc. these have enhanced powers added to their roles. And job descriptions. PSPOs are overseen by the Councils Overview & Scrutiny Committee as well as reporting to the Safer Communities Partnership. The orders were funded through Council budget.

Street Pastors - Affiliated to the Ascension Trust, Pastors put out teams in Worthing on Friday and Saturday nights. Pastors have no enforcement powers but provide an effective service to those using our night time economy who are **vulnerable, normally intoxicated**. Funding is always an issue and Pastors apply to a range of bodies. Worthing BC support them with consumables such as water, flip flops and foil blankets. This scheme started locally following conversations around trying to establish a safe haven where those who are in need of support can access. Street Pastors are managed by a voluntary board.

Taxi Marshals - This service is provided by a commercial security company, who provide 2 x SIA Door Supervisors to marshal taxi ranks in the centre of Worthing Town on a Friday and Saturday night. The scheme was started to reduce **Public Place Violent Crime** and, encourage Taxi Drivers to work over night and ensure that there were transport options available for those wanting to use the night time economy to get home safe. This is funded by contributions from taxi license fees, voluntary contributions from night time venues (calculated using a formula on hours opened after midnight) and underwritten by the Safer Communities Partnership. This scheme is very successful and is now embedded as the culture within Worthing. This contract is managed by Worthing BC staff and governed through the Safer Communities Partnership and reported on to Pubwatch.

Street Outreach Worker - Established to work with the street community to **reduce harm and minimise risk, with a particular focus on drug and alcohol use**. However, this officer now provides the link through to housing services as well as other services, enabling the street community to get service ready. This has

recently been mainstream funded by the Council and was previously funded through a mixture of Safer Communities Funding and Supporting People Funding (Housing Grant). This post is governed through the Safer Communities Partnership.

Town Centre Warden - Funded through the Business Improvement District levy and employed by the Town Centre Initiative, this post provides a meet-and-greet function within Worthing Town Centre, but also links in with the business community, supporting them with any issues that arise, ensuring a safe a peaceful Town Centre.

Worthing Borough Council: <https://www.adur-worthing.gov.uk/>

Safer Communities Plan: <https://www.adur-worthing.gov.uk/safer-communities/safer-communities-partnership/#a-w-safer-Communities-partnership-plan>



Bury Council (member of Southend's Crime Family group)

Bury have a single **Anti-social Behaviour (ASB) Caseworker**. They previously used to have more but this had to be scaled back. The **ASB Caseworker** routinely issues

- ABCs, Civil Injunctions,
- PSPOs,
- Closure Orders and
- CPNs.

Street Pastors are also in but have no enforcement powers.

Bury's enforcement work is governed through a Joint Engagement Team (JET) which is a partnership approach with the Police and other services. The team's focus is on **low-level ASB** across the borough and they allocate resources appropriately. These initiatives are primarily grant funded through the Community Safety Partnership.

Bury: <http://www.bury.gov.uk/>

Community Safety Plan: <http://www.bury.gov.uk/CHttpHandler.ashx?id=15740&p=0>



London Borough of Hounslow (member of Southend's Crime Family group)

Hounslow have a varied approach to enforcement.

The maintenance of the highways and all enforcement related to them (**fly-tipping, littering, abandoned vehicles, graffiti, fly-posting, obstruction of the highway, skips, building materials**, etc.) was outsourced as part of a 25 year PFI contract to **Hounslow Highways (part of Vinci Concessions)**. Hounslow would like the contractor to be more proactive on enforcement however, due to it being a very small part of the overall contract, the contract management team give it little emphasis unless directed otherwise.

Littering and dog fouling enforcement in high foot fall areas such as high streets and stations, outsourced to a private contractor, **Kingdom Environmental Protection Services** who provide a service where they receive £45 per ticket issued, and as such cost the Council nothing if not making us a little profit. This service performs well but at times can be seen to be a 'little over zealous' due to the pressure to issue tickets and ensure payment. Many Councils use Kingdom for other enforcement services and Hounslow are looking at using them to enforce PSPOs as they are implemented (primarily to replace existing **drink and dog control orders**).

Hounslow's **Estate Enforcement Team** are HRA funded and provide all **ASB enforcement on estates** including **fly-tipping, littering, abandoned vehicles, noise, loitering and associated ASB in communal areas, dog fouling**, whilst also reporting faults and monitoring and maintaining the Housing CCTV system.

The **Neighbourhood Enforcement Team** was formally the pollution team and as such now do a combined role of **pollution (noise, air, land, controlled processes) and ASB** primarily on private or unregistered land (fly-tipping, littering, abandoned vehicles, etc.). This team are funded from the Council's revenue budget.

Making Hounslow Safe:

https://www.hounslow.gov.uk/info/20056/community_safety/1203/making_hounslow_safe

Kingdom Environmental Protection Services: <http://www.kingdom.co.uk/services/environmental-protection/>



Ipswich Borough Council (member of Southend's Crime Family group)

Little additional enforcement activity other than **two dedicated co-located police officers** based in Ipswich's Community Protection Team. They are focused on **ASB** and are funded by Suffolk Constabulary, although this could change due to budget pressures.

Ipswich Borough council: <https://www.ipswich.gov.uk/>



MALDON DISTRICT COUNCIL

Maldon District Council

The Council now has a **Community Protection Team (CPT)** which has been in place since April 2016. The Community Protection Team undertakes monitoring and environmental enforcement on behalf of several parishes and town councils within the district. This Team brings together many previously separate enforcement roles by merging;

- Street Scene Enforcement Officers (x 2)
- Rangers (x 6)
- Dog warden (x .5)
- Civil enforcement Officer

The purpose of the merger was to achieve economies of scale, greater resilience of the team, and cover more hours.

There are now 10 CPOs in total which includes one Team leader and one Co-ordinator. Maldon are now looking to put in place an administration role as the work is constantly expanding and requires some office based support. This is an additional cost.

Maldon don't believe that this move has *led* to Police cutting back resources rather Maldon have set up the CPT to pick up much of the low level crime that is now not dealt with by the police.



From a local authority perspective, **outside of statutory enforcement of noise nuisance, planning, temporary structures** etc. most of Westminster's remaining enforcement is a single enforcement team which they refer to as **City Inspectors**.

These officers are a combination of two previous roles which were reorganised a couple of years ago; Licensing Inspector (**inspecting and enforcing against breaches of premises license conditions**), and City Wardens (on **street enforcement of waste and environmental issues such as fly tipping and ASB**).

The new officers (of which there are about **70**) cover a multitude of issues and work shifts split between geographic teams responsible for different parts of the City, including dedicated market inspectors, and response officers.

Response teams are more reactive but all are tasked through an intelligence led process which identifies the key issues affecting the City, including premises of greatest concern, and drives activity from Council Officers. Partners are also involved in this process to ensure plans are aligned and that we can get appropriate support as necessary. This process also identifies key events taking place in the City for which the Council need to provide support.

Much of the above came about in response to reducing budgets two-three years ago and the need to consolidate functions and reduce management layers. Consequently all of Westminster's environmental health services are now brought together on a geographic basis with a residential service covering the North and South of the City, and a commercial team directed towards the West End.

Westminster have a number of local and London byelaws to support additional enforcement, these are covered under City of Westminster, and London Local Authority Acts. Westminster also have DPPOs in place covering most of the City, DCOs (to become PSPOs later this year), and a single PSPO to tackle Street Gambling around Westminster Bridge.

As a Borough Westminster don't provide any funding to the police for additional officers, although many of our neighbouring boroughs such as Kensington and Hammersmith do invest significantly to boost their officer numbers.

<https://www.westminster.gov.uk/>



City of York Council (member of Southend's CIPFA's 'nearest neighbour' unitary authority group)

In 2014 York established a **Joint Community Safety Hub** with North Yorkshire Police. This has two teams working within it. One is an ASB team who undertake a daily risk assessment and deal with the **highest risk/vulnerability ASB cases**. This team is comprised of 5 City of York Council **ASB Officers** and 6 operational police officers. The other team is a **Neighbourhood Enforcement Team** who deal with **environmental ASB and noise nuisance**. The 9 officers work Monday- Friday 9am – 5pm but also carry out **domestic noise nuisance** patrols 9pm-3am Friday and Saturday. In addition they work flexible shifts to carry out joint operations with the police Safer Neighbourhood Teams targeting issues such as **bonfire night, begging, alcohol related ASB** etc

The Neighbourhood Enforcement Team have the usual enforcement powers granted through local authorities eg. **Fly tipping, noise nuisance, graffiti, littering, dog fouling** etc and in addition the Chief Constable granted them Community Safety Accreditation Scheme powers. The structure was established to improve the response to ASB for both organisations and also to remove duplication where **PCSOs** may be sent to deal with issues which are best dealt with by a Neighbourhood Enforcement Officer. The NEOs carry police radios and can be tasked directly from the North Yorkshire Police Force Control Room. They are a uniformed service (requirement for CSAS) which includes stab proof high viz orange vests

The team was initially piloted with funding from the Police Innovation Fund. However, because it has demonstrated efficiencies to both organisations it is now mainstreamed. Line Management structure is that each of the two teams report to a City of York Council Community Safety Manager.

<https://www.york.gov.uk/>