

TELFORD & WREKIN COUNCIL**CABINET – 29th JUNE 2017****PRIDE IN OUR COMMUNITY BY SECURING SAFER, CLEANER
NEIGHBOURHOODS THROUGH APPROPRIATE USE OF OUR ENFORCEMENT
POWERS****REPORT OF: ASSISTANT DIRECTOR OF CUSTOMER & NEIGHBOURHOOD
SERVICES****LEAD CABINET MEMBER – CLLR RICHARD OVERTON, CABINET MEMBER
FOR HOUSING AND ENFORCEMENT****PART A) – SUMMARY REPORT****1.0 SUMMARY OF MAIN PROPOSALS**

- 1.1.1 A number of specific Regulatory and Enforcement teams across the Council currently work together to deal with various aspects of anti-social behaviour and environmental crime. These include the Public Protection team who deal with, amongst other things, noise, waste on private land, rodent infestations, statutory nuisance and poor housing conditions, whilst Planning Enforcement Officers deal with problems such as unsightly land and buildings which affect the amenity of the local area and often also harbour other related problems such as rubbish and rodents. Likewise the Environmental Enforcement team has traditionally dealt with more direct environmental crime such as littering, abandoned vehicles and dog fouling through the use of fixed penalty notices.
- 1.1.2 To effectively tackle the problems associated with anti-social behaviour and environmental crime we need to ensure we work with all stakeholders to encourage them to take responsibility and an active interest in the areas in which they live, work and invest.
- 1.1.3 As part of our Pride in our Community programme keeping the Borough a clean and safe environment to live and work is a key priority for the Council. Over the last few years we have increased the number of litter bins across our borough, opened a new 7 day a week, 362 days a year Household Recycling Centre at Hortonwood, offered discounts on our bulk collection service and run a number of enforcement campaigns such as our 'Angry Eyes' campaign which focussed on dog fouling and littering. However despite all of those actions we still have a small minority of the population who blight our community through incidents of anti-social behaviour such as fly tipping, littering, dog fouling, graffiti etc. This report therefore focuses on the level and type of enforcement activity we propose to take to address this challenge and in doing so working with partners such as the police, Town & Parish councils and the community to tackle this together.

This specific report does not go into detail in respect of all the community engagement and prevention activities that are undertaken regularly by the council to change behaviour of those involved, which we will continue. This report focuses on our approach to those few who continue to blight our community.

Our approach will incorporate:-

- ✓ Strong Enforcement that allows the use of powers we now have under the Anti-social Behaviour, Crime and Policing Act 2014 and other relevant legislation to take more robust action for persistent offenders
- ✓ 40 plus officers from across the council who have a level of enforcement responsibilities due to their role have been identified to take part in a new enforcement training course which will include helping to address environmental crime.
- ✓ Targeted communication campaigns to engage the community to play their part, including better use of social media to highlight our enforcement successes and to educate and raise awareness.
- ✓ Improved partnership working with the Safer Neighbourhood Policing teams to work together in key anti-social behaviour hot spots across our borough to address the cause, and consequences of ASB.
- ✓ Greater use of mobile CCTV to gather evidence for environmental crimes and potential prosecutions.
- ✓ Greater use of the Community Payback service in ASB hot spots to play their part in keeping our borough clean eg litter picking.
- ✓ New performance dashboards tracking ASB hot spots and both prevention and enforcement action taken as a result.

1.1.4 This report should be considered alongside the separate report being presented to Cabinet titled ***'Fixed Penalty Enforcement Policy & Setting of Fixed Penalty Fines.'***

2.0 RECOMMENDATIONS

- 2.1 Cabinet endorses the revised and more robust approach to enforcement activity outlined in this report
- 2.3 The Cabinet Member for Housing and Enforcement to work closely with the Assistant Director for Customer & Neighbourhood Services to monitor the impact of a more robust approach to the enforcement of environmental and other crimes.

3.0 SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	Protect and support our vulnerable children and adults Ensure that neighbourhoods are safe, clean and well maintained.
	Will the proposals impact on specific groups of people?	
	NO	
TARGET COMPLETION/DELIVERY DATE	Implemented from July onwards	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	<p>The costs of Council Officers time supporting enforcement activity will be met from existing Council budgets. Training costs will be funded from training budgets within the Organisational Development & Delivery Team. Marketing and publicity campaign costs will be contained within current levels of funding available to Customer & Neighbourhood Services.</p> <p>Reserves of up to £300k are available for the investment required into CCTV.</p> <p>There is income associated with the issuing of Fixed Penalty Notices. These will be considered in the separate report being taken to cabinet on the setting of Fixed Penalty Fines. MLB 17.05.17</p>
LEGAL ISSUES	Yes/No	<p>The council has a duty to enforce regulations relating to anti-social behaviour and environmental crime within its area and where it is the designated enforcement authority. The initiatives set out in this report support the delivery of these duties.</p> <p>All legal action arising out of enforcement activity must be carried out in accordance with the corporate and individual service area enforcement policies. Work is currently underway to</p>

		update both the Corporate Enforcement Policy and the RIPA Policy to support the increased enforcement activity proposed in this report. The impact on Legal Services will be closely monitored to ensure adequate resources are available and to prevent detrimental impact on the Legal Service Teams support of other Council services. PM 18.5.17
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	This approach gives the council the opportunity to work with partners and the community in building and promoting safer, stronger, cohesive communities.
IMPACT ON SPECIFIC WARDS	Yes	Borough-wide impact

PART B) – ADDITIONAL INFORMATION

4.0 INFORMATION

4.1 Working in partnership and Intelligence Lead activity

4.1.1 We are working with our partners to create multi-functional teams who will work together to tackle issues of crime, disorder and quality of life issues within our towns and communities. Our approach will be intelligence lead using a performance dashboard; this will identify the top 10 anti-social behaviour issues based on volume of reports and demands on services. We are developing a series of dashboards looking at trends for possible Enforcement action. An example of our environmental crime dashboard is attached in (**Appendix 1**). Further dashboards for Planning, Housing Benefit and Council Tax, Public Protection and Housing are being developed to help ensure our enforcement powers are targeted appropriately to achieve the greatest improvements.

4.1.2 Our joint working with the Police and other key partners will see the combined objectives and common values being drawn together to share information and intelligence, tasking council officers, partner agencies, such as the Wrekin Housing Trust, the 49 Police Community Support Officers (PCSO's), Shropshire Fire & Rescue Services and registered social and private landlords to respond to and resolve issues at a Town/Parish level based on the intelligence and data each organisation holds. This is known as our Integrated Community Management Model (ICM) and will help to provide a co-ordinated approach to tackle ASB; and environmental crime.

4.2 More Robust Enforcement of Environmental Crime

4.2.1 Staff working in our Customer and Neighbourhood Service teams will have delegated authority to act on behalf of the Council, creating additional capacity

that looks at the root causes of antisocial behaviour as well as taking the required level of enforcement action. This approach will allow more interaction with the community to identify the solutions, building community resilience and promoting social responsibility that will hopefully reduce demand for services.

4.2.2 Under appropriate powers staff will be able to enter premises and to carry out enforcement action such as the serving of enforcement notices, powers to seek information, and the prosecution of offenders for breaches of the legislation or enforcement notices.

4.2.3 The powers contained in a variety of Statutes and Regulations give Council officers the ability to issue Fixed Penalty Notices (FPN's) for the following types of offences. There is a potential for a reduced fee that encourages early repayment that reduces the risk of further prosecutions for non-payment.

- Fly tipping - £400 maximum fine / £200 early repayment
- Littering - £80 maximum / £50 early repayment
- Dog fouling £80 / £50 early repayment
- Domestic Waste receptacles £80 / £50 early repayment
- Abandoning a vehicle £200/£120 early repayment
- Failure to furnish duty of care £300/£180 early repayment
- Offences in relation to receptacles for household waste £60/£40 early repayment
- Unauthorised distribution of literature £75/£50 early repayment
- Graffiti, fly posting and other relevant offences £75/£50 early repayment
- Nuisance parking (vehicle for sale on a public highway) £100/£60 early repayment
- Nuisance parking (repairing vehicles on a public highway) £100/£60 early repayment
- Consumption of alcohol in breach of a prohibition in order £100/£60 early repayment
- Failure to comply with a Community protection notice (CPN) £100/£60 early repayment

4.2.4 The fines form part of an overall Fixed Penalty Enforcement Policy. The policy sets out in detail the circumstances under which the Council will issue Fixed Penalty Notices. For certain offences the local Authority has the ability to set both maximum and minimum FPN levels. Where this is possible this Council is setting fixed penalty fines at the highest levels which have been bench marked against other local Authorities. A separate report is being presented to Cabinet today to outline this approach in more detail.

4.2.5 The Assistant Director: Customer and Neighbourhood Services has used delegated powers under the Council's Constitution to delegate authority to relevant officers to give them the necessary powers to carry out the enforcement functions outlined in this report.

- 4.2.6 The 49 Police Community Support Officer's employed by the Police will have the ability to issue Fixed Penalty Notices for dog fouling and littering on behalf of the council and the four PSCO's that are funded by a number of Town and Parish Councils will have additional powers to enforce a greater number of offences at the locality level.

4.3 Training Council Regulation & Enforcement Officers

- 4.3.1 The effective training of officers is essential to achieve more robust and effective enforcement. As a result of significant restructuring of the council's enforcement services in recent years, knowledge and skills gaps have developed as more experienced officers leave the Authority and the remaining officers take on new roles and responsibilities.
- 4.3.2 A corporate wide approach has been taken to identify what a Telford & Wrekin Council enforcement officer should look like, i.e. what basic skills and knowledge are common to all enforcement posts. From this process a set of core knowledge and skills have been developed which now form the basis of a training programme attached in **(Appendix 2)**.
- 4.3.3 Training Officers to the same, minimum standard, not only improves the efficiency and effectiveness of their own enforcement actions, but it also means that Enforcement Officers can become more 'multifunctional' and 'effective' at dealing with at least the initial investigation stages of other offences whilst working in a district. An example of this would be a Planning Enforcement Officer on a visit to a residential property to deal with a breach of planning. Whilst undertaking their inspection the householder reports an incident of fly-tipping on a nearby public footpath. Rather than walking away to then report the matter to the Environmental Enforcement Team the Planning Enforcement Officer can gather evidence from the fly-tip and provide a witness statement to the Environmental Enforcement Team who can then immediately arrange for the waste to be removed and either issue a fixed penalty or pursue a prosecution. This not only reduces the need for a second officer to visit the location but also allows for the problem, in this case a fly-tip, to be removed much quicker.
- 4.3.4 Following a procurement exercise a training organisation has been engaged and some 40 Enforcement Officers from various Council enforcement services are to receive training across six core skill areas. The training commenced on 24 May 2017 and will continue until October 2017 and reflects the priority of enhancing our enforcement activity is being given by the Council for the minority of people who continue to commit environmental crime.

4.4 Communications Plan

- 4.4.1 A communications plan is being developed which aims to support the reduction of all forms of environmental crime by increasing understanding and awareness of the issues and the work the Council does to tackle them. This will be through a mixture of education (in order to try to prevent the problem from occurring in the first place) and, where necessary, through publicity of more stringent

enforcement action such as the issuing of Fixed Penalty Notices (FPNs) or legal prosecutions.

- 4.4.2 Where FPNs are issued, later communication would publicise where and on which environmental projects the money generated through fines is being spent to ultimately achieve further improvements.
- 4.4.3 A key message of the communications plan is that environmental crime is not just a “Council problem”, but everyone’s problem and, ultimately, the cost is borne by the community as a whole.
- 4.4.4 The overall campaign would be ongoing, within which there would be individual areas of short-term activity (be it educational or enforcement) that would be publicised within their own right, but also within the context of the wider campaign. Please see **(Appendix 3)** which outlines our emerging communications campaign over the next 12 months.

4.5 Investment into CCTV

- 4.5.1 The council in its recent budget strategy has committed to invest up to 300k which is to be match funded by the Police and Crime Commissioner to invest in enhancing CCTV provision across the Borough. The objective is to have one CCTV system based at Malinsgate police station that will have live monitoring supported by a Coordinator and a team of Police volunteers. This system will not only have the remit to support the prevention and detection of crime and disorder but will also improve public confidence, and will assist in gathering evidence across a number of environmental crimes in order to seek prosecutions where all else has failed. At present the lack of evidence/witnesses to environmental crimes has resulted in limited prosecutions.

4.6 Selective Licensing

- 4.6.1 Recently concerns have also been raised that Telford and Wrekin has a number of neighbourhoods which have a high proportion of privately rented properties where there is low housing demand, Anti-Social Behaviour (ASB) and crime. These areas exist despite the Council using its enforcement powers.
- 4.6.2 Selective licensing is a discretionary licensing scheme, which requires all private landlords (with certain exemptions) operating within a designated zone to operate under the terms of a licence awarded by the local authority. Licence conditions typically include a range of requirements aimed at ensuring that properties are safe and are managed in a satisfactory way but also covers aspects of Anti-social behaviour. Such a scheme provides the local authority with a further tool to help better regulate privately rented accommodation in the zones proposed and to uplift standards within an area. Consultation on this specific proposal begins on the 12th June 2017 and a final decision on whether to adopt selective licensing will be taken by the Cabinet in October 2017.

4.7 Community Payback

4.7.1 Telford and Wrekin Council has worked in partnership with the Probation service over a number of years, allowing for a team of offenders on community Service to carry out low level environmental works within local communities. As of 2017, this project has been further enhanced and developed which will see the emergence of an annual works programme, which will allow for additional environmental works to be undertaken in key anti-social behaviour hot spots eg litter picking and the community will be able to see offenders giving something back into the community.

4.8 Street Champions & Social Responsibility

4.8.1 To further support our approach, we will encourage local volunteers to help us in undertaking monitoring of environmental standards such as cleanliness of streets, estates or local open spaces. We will also be asking them to help us report incidents of ASB through our My Telford Citizens Portal or our Everyday Telford App and to work with us on projects to help keep our borough clean and safe.

4.8.2 Our approach will support and encourage residents and communities to take responsibility where they can for their own neighbourhoods, however in doing so, we will assist with solving problems.

5.0 IMPACT ASSESSMENT – ADDITIONAL INFORMATION

5.1 This approach will allow the council to have a robust approach to ensuring the borough is a safer, cleaner place to live, work and visit in a variety of ways through education and stringent forms of enforcement. Success would ultimately be seen in the form of a reduction in all forms of environmental crime monitored through the environmental dashboard.

6.0 PREVIOUS MINUTES

No previous minutes.

7.0 BACKGROUND PAPERS

Delegated Powers Cabinet report March 2016
Telford & Wrekin Council Enforcement Officer Training Model

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