

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Monday, 30th June, 2008 at 5.00 p.m. at the Civic Offices, Telford

PUBLISHED ON FRIDAY, 4th JULY, 2008

(DEADLINE FOR CALL-IN WEDNESDAY, 9th JULY, 2008)

PRESENT: Councillors J.M. Seymour (Vice Chairman – in the Chair)
D.G. Allen, S. Bentley, S. Burrell, and A. Lawrence

ALSO PRESENT: Councillors, G.M. Green, C.F. Smith (representing Cllr R K Austin) (Opposition Group Leaders)

CB-22 MINUTES

RESOLVED – that the minutes of the meeting of the Cabinet held on 16th June, 2008 be confirmed and signed by the Chairman.

CB-23 APOLOGIES FOR ABSENCE

Councillors A.J. Eade (Chairman) and E.J. Carter. Also Councillors R.K. Austin, W.L. Tomlinson and V. Tonks

CB-24 DECLARATIONS OF INTEREST

None.

CB-25 DESIGN FOR COMMUNITY SAFETY – SUPPLEMENTARY PLANNING DOCUMENT

Key Decision identified as “**Design for Community Safety**” **Community Safety Guidance SPD** the Forward Plan published on 16th June 2008.

Councillor S Bentley, Cabinet Member: Environment presented the report of the Corporate Director: Environment & Regeneration that sought approval to adopt the “Design for Community Safety” Supplementary Planning Document (SPD). The document, plus the associated sustainability and consultation statements, was appended to the report before the meeting.

The document had been produced in response to Government policy and guidance documents, specifically Planning Policy Statement 1: Delivering Sustainable Places (2005) and its companion guide, “Safer Places: The Planning System and Crime Prevention” (2004).

The “Design for Community safety” SPD was intended to guide developers, planning consultants and members of the public about how to reduce crime when designing development proposals. However it would also be a policy

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document that development control officers could use when assessing the appropriateness of planning applications in respect of crime prevention and community safety.

As part of the formal adoption process under the LDF, formal consultations yielded a number of comments, and they were fully considered in detail at a number of sessions of the Council's Development Plan Steering Group (a cross party member group put in place to advise on LDF preparation).

It had been developed in partnership with West Mercia Police and the Council's Safer Communities Strategic Unit, who had both supported the need for such practical guidance. It was also intended that the publication of the document would strengthen the overall approach to tackling crime reduction both before and after a development was constructed.

Members welcomed the report and commented that the initiatives would be particularly beneficial to those elderly residents, by helping to reduce increase levels of community safety in the Borough.

RESOLVED – that the Supplementary Planning Document “Design for Community Safety” be approved and adopted for use as part of the emerging Local Development Framework and in Development Control for use in assessing planning applications.

CB-26 ANNUAL EFFICIENCY OUTTURN STATEMENT 2007/08

Key Decision identified as **Performance Management, Value for Money and Best Value** the Forward Plan published on 16th June 2008.

Councillor A Lawrence, Cabinet Member: Resources presented a joint report of the Head of Finance and the Head of Policy, Performance and Partnership that updated Members with information relating to the achievement of the Gershon efficiency targets set by Communities & Local Government (CLG) as part of the Delivering Efficiency Agenda. There was a requirement to submit an Annual Efficiency Statement (AES) by the 8th July 2008 showing the efficiencies achieved by the Council in 2007/08 and cumulative efficiencies achieved over the 3 year period since 2005/06.

The information appended to the report would form the basis of the submission to Government and showed that the Council had achieved the Government's target of £2.932m efficiencies in 2007/08 and the 3 year target of £8.796m.

Performance indicators were also reported for each work stream to verify that the efficiencies had not had an adverse impact on the service delivered, and they were currently being reviewed and would be included in the submission to Government.

Members welcomed the report.

RESOLVED – that

- (a) the information in the appendices of the report that would form the basis of the 2007/08 Backward Look AES which will be sent to CLG by the 8th July deadline be approved.**
- (b) the Head of Finance / Head of Policy Performance and Partnership be authorised to finalise and submit the AES statement electronically as specified in the guidance**

The meeting ended at 5.13 p.m.

Signed for the purposes of the Decision Notices

.....
Ken Clarke
Head of Audit & Democracy
Date: 4th July 2008

Signed:(Chairman)

Date:

TELFORD & WREKIN COUNCIL

CABINET - 14TH JULY 2008

WEST MIDLANDS REGIONAL SPATIAL STRATEGY REVIEW - PHASE 3

**REPORT OF CORPORATE DIRECTOR, ENVIRONMENT &
REGENERATION**

1. PURPOSE

To respond to the invitation by the West Midlands Regional Assembly under Section 4 of the Planning and Compulsory Purchase Act 2004 to provide advice on the preparation of Phase 3 of the current revision of the West Midlands Regional Spatial Strategy.

2. RECOMMENDATION

- 2.1 That Members endorse the proposed Section 4 response summarised in this report.**

3. SUMMARY

- 3.1 This report sets out the Borough's response to the consultation brief issued by the West Midlands Regional Assembly on the issues and options that need to be considered in the preparation of the Preferred Options for Phase 3 of the revision of the West Midlands Region Spatial Strategy. It covers issues on critical rural services, gypsies /travellers, environment, minerals, culture and tourism.

4. PREVIOUS MINUTES

None.

5. INFORMATION

- 5.1 The revision to the West Midlands Regional Spatial Strategy is being progressed in three phases: Phase 1 sets out policy specifically related to the Black Country and this has now been adopted by the Regional Assembly; Phase 2 deals with population, housing, employment and transport and the preferred option is currently out to consultation (a separate report on this will be presented to Members in due course).

Phase 3 considers the remainder of the Region's issues, that is, Rural Services, Gypsies/travellers, Culture, Environment and Minerals.

- 5.2 The West Midlands Regional Assembly is required under Section 4 of the Planning and Compulsory Purchase Act 2004 to seek the advice of the Strategic Planning Authorities (the County Councils, Unitary Authorities and Metropolitan Councils) to help shape the options for the partial revision of the current Regional Spatial Strategy. The time table for Phase 3 completion is:-

- Submission of Local Authority Response 25th July 2008
- Publication and consultations on preferred Options either January 2009 or May 2009 depending on timing of Phase 2 Public Inquiry
- Phase 3 Inquiry anticipated Autumn 2009
- Adoption – estimated early 2010

The collection and analysis of the evidence that the West Midlands Regional Assembly (WMRA) will require to underpin the policy development proposed in Phase 3 is currently incomplete and reference to local evidence will also be required to inform strategic choices. The Council therefore has an opportunity to influence WMRA policy development and to help shape early regional thinking. However, Telford and Wrekin's response must be considered an initial one at this time and we may want to refresh our position on some issues as further information and evidence becomes available. This will be made clear to the WMRA. At this stage our response aims to:

- maximise the recognition given to opportunities and needs in Telford and Wrekin where there is a strategic reason for doing so;
- maximise the clarity provided by policy, but avoid introducing strict criteria where this cannot be justified on the basis of clear and available evidence;
- minimise the possibility for RSS to overlap with the role of Local Development Frameworks, particularly where this would simply duplicate national policy or constrain local policy development;
- Minimise the repetition of generic policy where this does not have a specific regional context.

- 5.3 The WMRA pose a series of questions against which they invite comment. The most important matters are summarised under the key Phase 3 headings below and the proposed full response is available on request.

Summary of Response

- 5.4 Rural Services: Phase 3 aims to identify and prioritise the services that are critical to the sustainability of rural communities, and to identify mechanisms for promoting their provision

We take the view that rural communities are diverse in terms of their socio-economic make-up and service provision and that no particular model will fit every situation. We argue, therefore, that policy needs to be able to recognise local circumstances and this is best done at the local level. Strategic policy could help by differentiating remote rural areas where population increase could support declining communities from those close in to urban areas where commuting would undermine urban renaissance. We consider that RSS policy already covers this point adequately and introducing further complexity – particularly by trying to define “rurality” - is unnecessary. However, policy needs to be extended to cover the rural areas around Settlements of Significant Development (SSDs) (such as Telford) where a more managed approach to housing growth would be appropriate.

- 5.5 Housing (gypsies and travellers) Phase 3 aims to identify the number of pitches required for Gypsies, travellers and travelling show people

Local Authorities are requested to quantify accommodation requirements on the basis of three options, as defined by a range of environmental constraints and opportunities. This requires a significant and complex study locally and across the region, and this work has not yet been carried out. At this stage we are unable to predict the outcome of the evidence and analysis arising from this work.

- 5.6 Culture: Phase 3 aims to identify and address gaps in the provision of international, national and sub regionally significant cultural assets

We believe that regional policy should identify regionally significant assets and key strategic and sub regional locations where assets should be developed or protected. Amongst these should be recognition of the role of Settlements of Significant Development – including Telford – as key locations for adding to the stock of regional assets. We set out key cultural/sporting facilities in Telford that we expect will be important to this objective and which RSS should recognise. Criteria based policies are necessary but these should be applied only where evidence is unable to support more specific proposals.

- 5.7 Environment: Phase 3 aims to further develop environmental policies in RSS including flood risk, air quality renewable energy and Green Belt

We argue that the RSS approach to environmental quality and green space issues needs to be more strategic. Where critical natural

features/green space and biodiversity habitats are under pressure or have been eroded Regional Policy should take the lead in identifying these for protection and enhancement. Detailed directions to local authorities are unnecessary. Current Regional policies are generally sufficient but they could be strengthened by establishing policy around the Environmental Quality and Biodiversity maps and by linking wildlife corridors. We also take the view that Environmental Quality policies seeking to uplift the quality of the built environment should explicitly prioritise regeneration zones, Settlements of Significant Development and locations where local housing markets are weak.

- 5.8 Flood risk is clearly a management challenge for the Borough, but is not thought to unduly constrain current RSS proposals for housing growth. It might, however, constrain the delivery of significantly higher growth figures.
- 5.9 We take a cautious approach to supporting policies that seek to impose local energy reduction targets. Whilst the Borough has a clear low carbon agenda and supports in general the creation of region wide criteria and targets it will be difficult to find a single set of criteria that will be appropriate to all cases. We are concerned that criteria, targets and development size thresholds will constrain the balance that Local Planning Authorities will have to make between many factors when considering development proposals. Therefore regional or sub-regional targets may be appropriate but they will need to be proportional to the circumstances and characteristics of sub regions. There needs to be room for local flexibility in their application.
- 5.10 Minerals: Phase 3 aims to develop policies on safeguarding mineral resources and the future supplies of construction aggregates and brick clay

We highlight concern over whether the sand, gravel and crushed rock supplies can be worked within acceptable environmental limits and state that it is unlikely that the Borough would have sufficient capacity to meet any shortfalls in supply arising elsewhere in the sub region. We take the view that most of potential regional policy proposed by the WMRA is already covered by the requirements set out under legislation and government guidance. However, we advocate a strengthening of policy in respect of the exploitation of hydro-carbons such as coal and make suggestions on the monitoring and management of stockpiles.

6.0 EQUAL OPPORTUNITIES

The report may have an impact on gypsy and traveller communities. This report comprises the Council's initial response in relation the Regional Spatial Strategy Phase 3. RSS Phase 3 will, in due course, set regional policy figures for the provision of accommodation for Gypsies and Travellers and the Council will then be expected to take action towards meeting the figure specified for the Borough.

7.0 ENVIRONMENTAL IMPACT

Comment on environmental matters is dealt with in the main body of the report.

8.0 LEGAL COMMENT

The results of the finally adopted Regional Spatial Strategy may have wide financial consequences for the Council but the details are not possible to evaluate at this stage. Varying allocations of housing for instance could create very different pressures on the Council's resources. Once the RSS is adopted by the Secretary of State the detailed resource implications will become clearer and where appropriate the Council will integrate them in its budget strategy process.

9.0 LINKS WITH CORPORATE PRIORITIES

Priority 1:– Renaissance of Telford Town Centre, enhancing leisure and cultural facilities, developing the Telford Sports enterprise and learning Village.

Priority 3: – sustainable development, promoting and protecting World Heritage Site – Environmental; Quality

Priority 6:- promoting the area as a visitor and tourist destination, playing an effective role in the region

10.0 FINANCIAL IMPLICATIONS

There are no additional resource requirements arising directly from this report

11.0 WARD IMPLICATIONS

Borough Wide Implications.

12.0 BACKGROUND PAPERS

West Midlands Region Spatial Strategy (WMRSS) Jan 2008-06-18
WMRSS Phase 2 Revision December 2007
WMRSS Phase 3 Section 4 Brief May 2008
WMRSS All technical Papers located on WMRA web site.

Report prepared by Ray Budd Principal Planner 384235

TELFORD & WREKIN COUNCIL

CABINET - 14th JULY 2008

ANNUAL REPORT ON HEALTH AND SAFETY 2007-8

REPORT OF THE HEAD OF HUMAN RESOURCES

1. PURPOSE

- 1.1 This is an information report that outlines the overall health and safety performance of the Council between April 2007 and March 2008.

2.0 RECOMMENDATIONS

That the contents of the report are noted and the following proposed key actions for 2008-9 be endorsed:

**Promotion of employee health and wellbeing.
Embedding the health and safety strategy across the Council.**

3.0 SUMMARY

- 3.1 The key findings of the report are:

- There has been a slight reduction in the number of accidents reported to employees and a significant reduction in the number of days lost due to accidents.
- There has been a slight reduction in the number of violent incidents reported by employees.
- The Occupational Health Service is increasingly well used and is now able to offer mini health checks for employees.
- A further five corporate health and safety awards for good performance were presented.
- A corporate health and safety strategy has been developed to enable consistent management of health and safety.
- The uptake of health and safety training by managers remains encouragingly high.

3.2 Proposed key actions for 2008/2009

The key actions proposed by the Chief Executive's health and safety group are as follows:

- Promotion of employee health and wellbeing.
- Embedding the health and safety strategy across the Council.

4.0 PREVIOUS MINUTES

- 4.1 The previous annual report on health and safety performance was considered by Cabinet at the meeting on 16th July 2007 minute number CB20 2007.

5.0 INFORMATION

- 5.1 The health and safety performance information is given both in terms of reactive monitoring where incidents have occurred and proactive monitoring to show what is being done to ensure that we have robust systems in place to prevent injury and ill health. The detail of this information is set out in the three appendices attached:

- **Appendix 1 Reactive safety performance** This covers accidents, violent incidents and enforcement.
- **Appendix 2 Health performance** Covering occupational health, counselling services and stress related sickness absence.
- **Appendix 3 Proactive health and safety performance** Includes detail on training, reviews, consultation, awards, safety of buildings and progress on the corporate plan for health and safety.

- 5.2 Some comparison with other comparable local authorities is included.

5.3 Background

The Health and Safety Commission encourage employers to include reporting on health and safety performance in their annual reports as part of the drive to achieve the targets set in strategy statement "Revitalising Health and Safety".

5.4 Equal opportunities

Some health and safety issues are gender specific, for example the safety and health of new and expectant mothers.

5.5 Environmental impact

None.

5.6 Legal comment

The key actions discussed in this report are needed to continue to comply with current health and safety law.

5.7 Link with corporate priorities

5.7.1 Promoting employee health and wellbeing links to the priority of promoting healthier communities and also to the priority of providing and efficient, effective and customer focussed Council that delivers value for money to the community

5.7.2 Embedding our health and safety strategy links to the priority of being an efficient, effective and customer focussed Council that delivers value for money to the community.

5.8 Financial implications

The Health & Safety and Occupational Health service are both support services funded from within existing resources. The cost of counselling services are borne by service budgets according to usage.

5.9 Opportunities and Risks

The opportunities and risks associated with these actions have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.

6 Ward Implications

District wide implications.

7. Background papers

Annual reports of health and safety performance for 2005-2006 and 2006-7

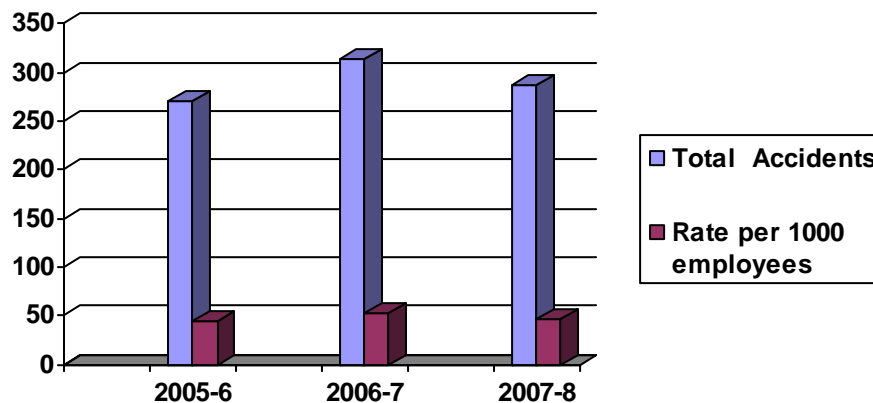
Any queries regarding this report please contact: Jo Revell Health and Safety Manager 383625

Appendix 1

REACTIVE SAFETY PERFORMANCE –Accidents, Violent Incidents and Enforcement

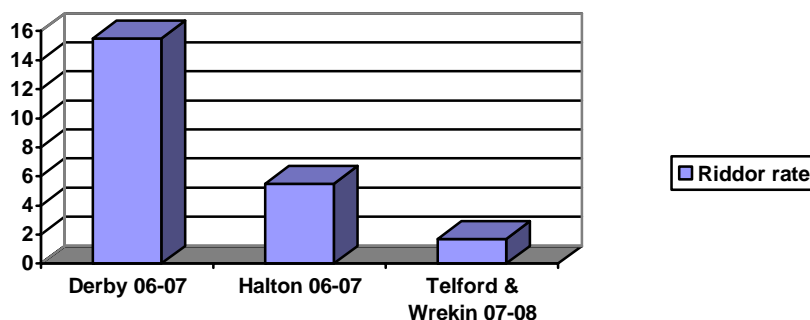
1.1 ACCIDENTS TO EMPLOYEES: April 2007 –March 2008

Chart 1 Total employee accidents and accident rate



1.1.2 Our notifiable accident rate (ie serious accidents reportable under the Reporting of Incidents, Disease and Dangerous Occurrences Regulation (RIDDOR)) to employees is 1.7 per 1000 (2.9 last year) whilst our overall accident rate 46 per 1000 which is also decrease from last year.

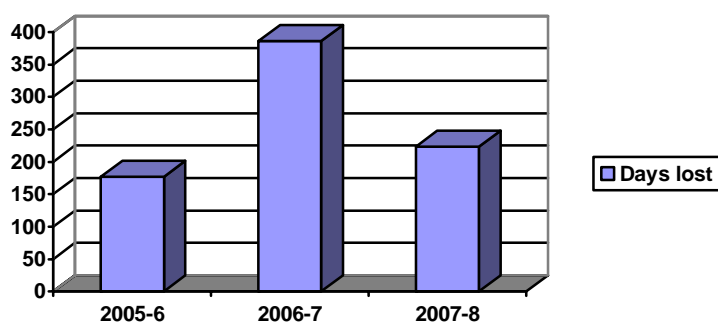
Chart 2 Comparison of Telford & Wrekin notifiable accident rate to employees with that of other excellent authorities from our family group.



1.1.3 The causes of accidents resulting in any time lost were as follows:

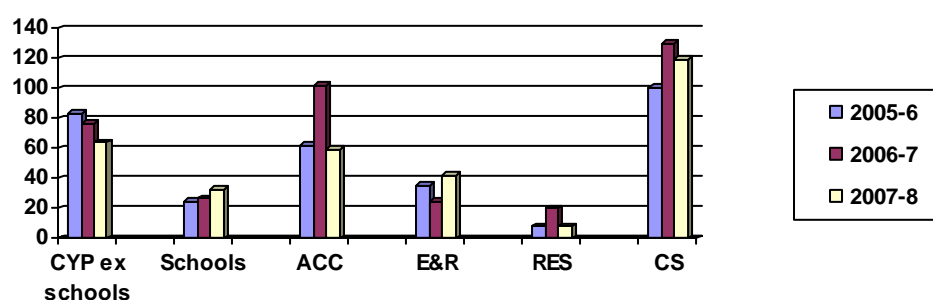
- 7 were due to slips trips or falls on the same level
- 3 whilst lifting and carrying (a manhole cover, a safe and a mop bucket)
- 2 falls from height (both down stairs)
- 2 being struck by a falling object (a window and a table)
- 1 was affected by fumes

Chart 3 Employee days lost due to accidents



1.1.4 Days lost due to accidents have stabilised again after the rise experienced last year, a reduction to 223 from 386.

Chart 4 employee accidents rate by portfolio over the last three years



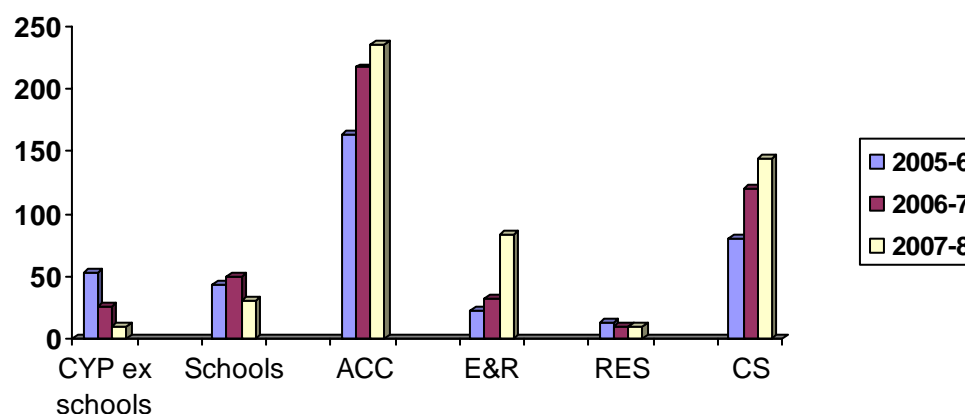
Key to chart abbreviations

Abbreviation	Portfolio
CYP ex schools	Children and Young People (excluding schools)
Schools	Children and Young People (schools only)
ACC	Adult & Consumer Care
E&R	Environment & Regeneration
RES	Resources
CS	Community Services

1.1.6 Accident rates vary widely between portfolios due to the nature to the work carried out.

1.2 VIOLENT INCIDENTS towards employees:

Chart 6 Rate of violent incidents to employees by portfolio over the last three years



1.2.1 A violent incident is any incident in which an employee is verbally or physically abused, threatened or assaulted in circumstances arising out of the course of his/her employment. 68% of the incidents reported in 2007-8 involved physical assault.

1.2.2 There were 340 violent incidents reported 2007-8

1.2.3 50% of the reported violent incidents in Adult & Consumer Care were perpetrated by just twelve clients. Further investigatory work is being carried out to identify ways to reduce these incidents. Given the increasingly complex nature of adult social care clients' needs, managing these in a way that also protects employees will be an ongoing issue.

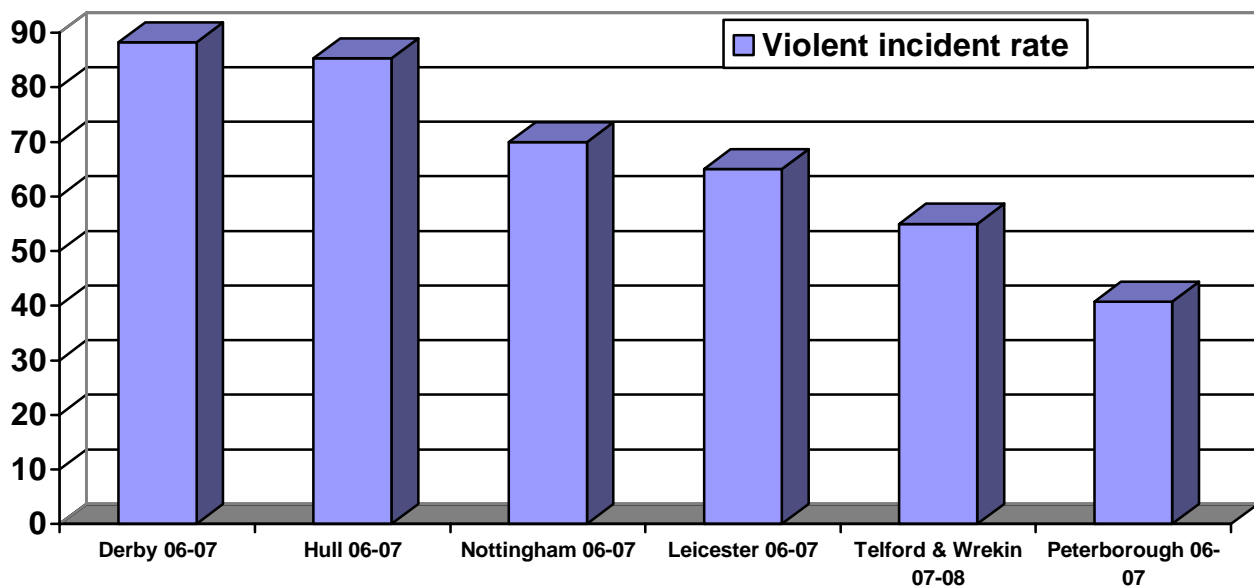
1.2.4 During 07-08 one violent incident in ACC resulted in 3 days being lost. No other days were lost as a result of violent incidents.

1.2.5 Many of the violent incidents arise out of interactions with vulnerable service users who often are unable to appreciate the effect of their actions. In these cases work is done to try to identify and control the triggers of this unacceptable and inappropriate behaviour rather than taking a punitive approach which would not be understood and would be ineffective.

1.2.6 Where the violent incident is perpetrated by someone who should be well able to understand and control their actions then the course of action taken can range from warning them about their behaviour to reporting them to the Police so that legal action can be taken if appropriate. In some cases persons are placed under restrictions as to their access to Council buildings or Council officers and in extreme cases of continuing problems a court

injunction may be sought. Details of such individuals who are likely to pose an ongoing risk to employees are shared via a secure, confidential system with other staff who need to have contact with them. This system allows specific advice to be given on the protective measures that employees need to take when providing a service to that person.

Chart 7 Comparison of Telford & Wrekin violent incident rate to employees with that of other local authorities



1.3 ENFORCEMENT ACTION AND HEALTH AND SAFETY EXECUTIVE INVOLVEMENT (HSE)

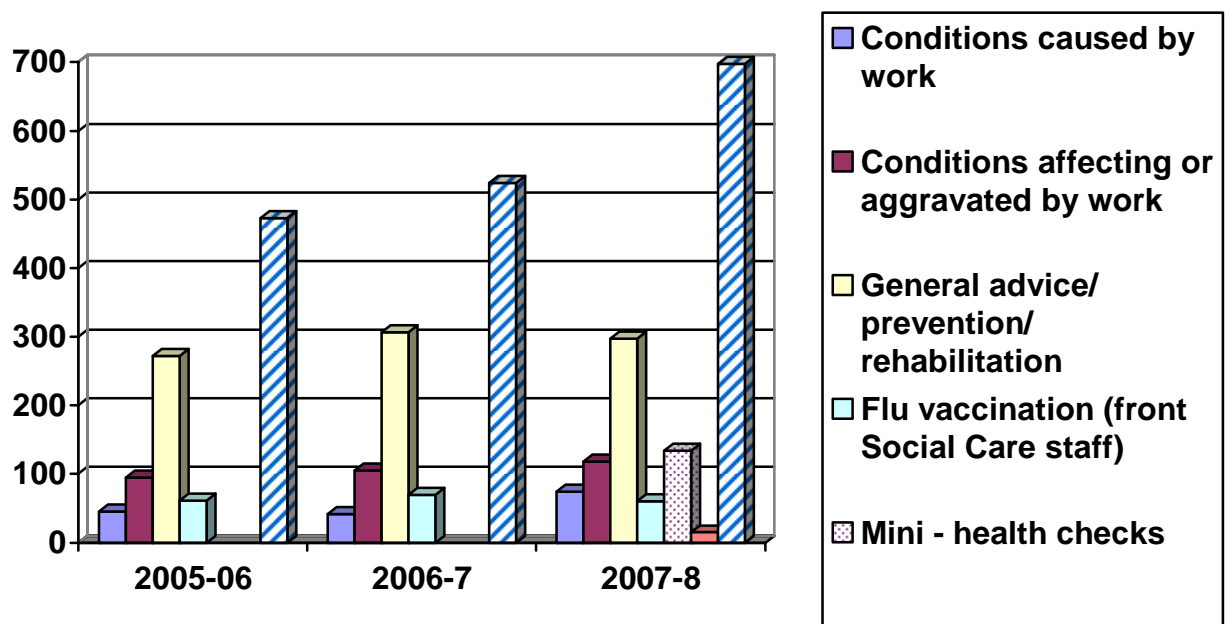
There has been no HSE involvement or enforcement this year.

APPENDIX 2

HEALTH PERFORMANCE - Occupational Health, Counselling Services and stress related sickness absence

2.1 CONSULTATIONS WITH OCCUPATIONAL HEALTH:

Chart 8: Reasons for consultations with occupational health



2.1.1 3.1 The Occupational Health Service continues to be increasingly well used. Recent changes have enabled more proactive health promotion to be carried out in the form of mini health checks.

3.2 In 2007-8 1488 pre employment medical questionnaires were processed ie 124 per month. The system for processing these has recently been streamlined to enable more time to be devoted to consultations and proactive health promotion work.

2.2 CONFIDENTIAL COUNSELLING SERVICE

2.2.1 Non physical causes of sickness absence (which include stress and anxiety) are one of the major causes of sickness absence across the Council (see chart 9). The variations over time by Portfolio of sickness absence due to stress, anxiety or depression are shown in chart 10 below. In the Portfolios showing a rise in this type of sickness absence work is being done to examine how employees can be further supported.

Chart 9 Days absent due to non physical illness

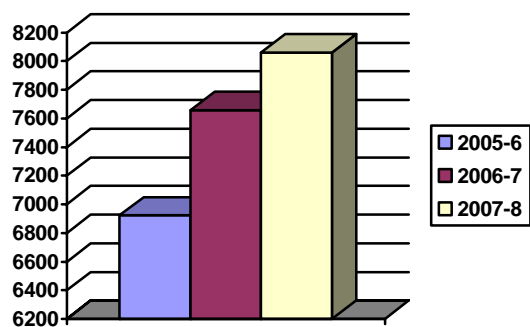
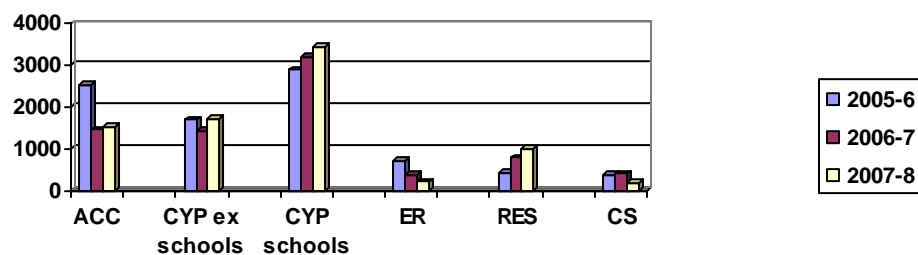


Chart 10: Full Time Equivalent (FTE) days lost due to non physical causes by portfolio in the last three years



2.2.2 Confidential counselling sessions are available for employees who need some support to resolve difficulties at home or at work that may be causing stress.

2.2.3 In 2007-8 221 employees used the service on average using 2.7 sessions. 62% of those using the service kept working. Chart 11 shows the breakdown of usage of the employee counselling service by Portfolio.

2.2.4 The reasons for seeking counselling were given as work related in 28% of cases, home related in 49% and both in 23%. This is a significant shift from a stable pattern over previous years where the breakdown was typically a third in each category.

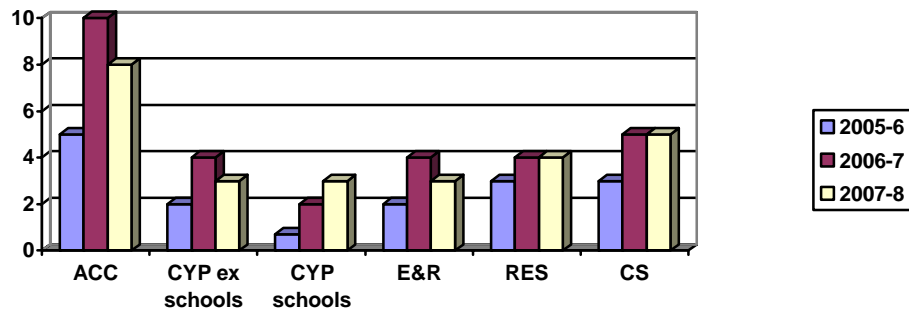
2.2.5 The counselling service is valued by employees and some typical comments from evaluation of the service include:

“Initially I was reluctant to take part, concerned about impartiality and confidentiality but these fears were soon allayed. Very empathetic and supportive counsellor”

“The counsellor has been brilliant and supported me through a very anxious and stressful time. This has enabled me to return to work.”

"I found the counsellor to be very approachable, put me at ease, showed me ways of helping me through a traumatic life event. At the time, my line manager was on long term sick leave, I didn't want to disturb other colleagues. This service was a saviour to me getting on with work and life despite everything life threw at me."

Chart 11: Percentage of employees using the counselling service over the last three years



APPENDIX 3

PROACTIVE HEALTH AND SAFETY PERFORMANCE

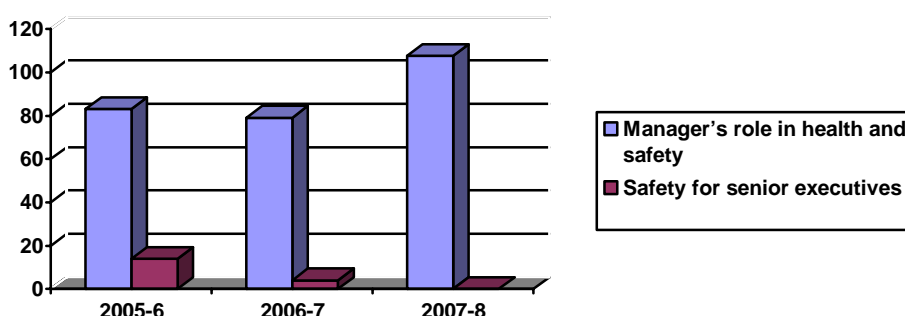
3.1 HEALTH AND SAFETY TRAINING

3.1.1 Health and safety training is itself a legal requirement and the key to achieving health and safety compliance in other areas as well. It can empower employees to take action to make their work places safer for themselves, their colleagues and anyone else affected by their work.

3.1.2 In 2007-8 248 new employees attending Welcome to Telford & Wrekin received induction health and safety training.

3.1.3 Due to their roles and responsibilities some employees will require formal training in some aspects of health and safety. Managers' competence in managing health safety is key to maintaining and improving health and safety standards throughout the Telford & Wrekin Council. It was encouraging that the level of up take on this training has remained at a high level below senior executive level (see chart 12). An additional 24 managers received training on the manager's role in health and safety via the Adult Consumer Care health and safety training programme.

Chart 12 Attendance by managers on corporate health and safety training



3.1.4 As many of the senior managers had received training in 2005-6 there was a lower demand in subsequent years. The training will be re-offered annually for the benefit of new Directors and Heads of Service.

3.1.5 A wide range of other health and safety training has been undertaken by employees including legionella, ladder safety and manual handling.

3.1.6 Employees are trained as first aiders to provide first aid cover in the majority of the Council's operational buildings. For larger establishments, especially where there will be large numbers of the public present, defibrillator training is also provided to enable assistance to be given promptly in case of collapse from a heart attack.

3.2 REVIEWING HEALTH AND SAFETY

3.2.1 A corporate programme of reviews of health and safety management has focussed part of the Children and Young People portfolio and on Environment & Regeneration portfolio in the last year. Managers are asked to carry out a detailed health and safety audit to inform this process. Action plans for improvements have been drawn up and agreed with managers where necessary.

3.2.2 Schools also carry out a detailed safety audit at least once a year, which is used to target help and advice to enable them to comply with health and safety regulations.

3.3 EMPLOYEE CONSULTATION

3.3.1 During the year the Corporate Health and Safety Committee met four times to consider health and safety issues of Council wide significance. The Trade Unions health and safety representatives raised a number of issues of concern to their members including thermal comfort, domestic violence, risk assessment, voice care, consultation arrangements and building security.

3.4 MAINTAINING SAFE PREMISES/STRUCTURES

3.4.1 The Council is continually active in trying to ensure the safety of the buildings and structures it is responsible for. The work is prioritised by means of risk assessment and includes a wide range of activities. A few examples are given below:

- Managing asbestos
- Maintaining water systems to ensure they pose no risk from Legionella.
- Improvements to fire detection, warning and evacuation systems.
- Road safety improvements.
- Land stability works.

3.5 HEALTH AND SAFETY AWARDS

3.5.1 Much good work is carried out on a daily basis to try to ensure legal compliance and good practice in health and safety. This is helped by the activities of the network of health and safety advisors and co-ordinators across the Council who support managers dealing with a wide range of health and safety issues.

3.5.2 During the year a further five awards have been made to:

- Windmill Primary School
- Lilleshall Primary School
- Building Services
- Community Services at Tan Bank
- Community Centres team

3.6 CORPORATE OCCUPATIONAL HEALTH AND SAFETY TEAM

3.6.1 The Council's occupational health service has continued to make efficiencies to free up more time to devote to provocative consultation work.

3.6.2 In the last year, with contributions from the net work of health and safety advisers and co-ordinators in the Portfolios the Occupational Health and Safety team has produced or revised a number of policy and guidance documents. These include; the Council's health and safety management strategy, managing health and safety in construction, domestic violence, thermal comfort and a health and safety policy for suppliers.

3.7 PROGRESS ON THE TELFORD & WREKIN COUNCIL PLAN FOR HEALTH AND SAFETY

3.7.1 The key actions selected for 2007/2008 are shown below with a comment on the progress made in italics.

- Monitor the health and safety performance of construction related consultants and contractors. *This is being achieved via in house monitoring as part of project management and buying in external monitoring services. Any poor performance on site is followed up with the contractor concerned.*
- Embed our expectations on health and safety standards with all contractors. *Work has been done with procurement to embed the use of CHAS (Contractors Health and Safety Scheme) standards and develop a health and safety policy for suppliers too.*
- Promote employee health. *134 employees took up mini health checks. Employees are also encouraged to make use of health and fitness facilities provided by the Council's leisure services.*
- Support actions needed to follow up employee survey to improve health, safety and wellbeing. *Action plans are being developed in each portfolio.*
- Monitor health and safety performance on at least a quarterly basis throughout the council, taking corrective action where appropriate. *Arrangements have been made for the senior management teams in all Portfolios to receive and act on these reports.*

3.7.2 Proposed key actions for 2008/2009 are as follows:

- Promotion of employee health and wellbeing.
- Embedding the health and safety strategy across the Council.

TELFORD & WREKIN COUNCIL

CABINET – 14TH JULY 2008

TACKLING ANTI-SOCIAL BEHAVIOUR IN DAWLEY HIGH STREET

JOINT REPORT OF THE CORPORATE DIRECTOR OF COMMUNITY SERVICES AND THE DIVISIONAL COMMANDER FOR TELFORD & WREKIN DIVISION, WEST MERCIA CONSTABULARY

1.0 PURPOSE

To inform Members of work being carried out to reduce ASB and crime in Dawley High Street and to identify options available to the Safer Communities Partnership to tackle these issues.

2.0 RECOMMENDATIONS

- 2.1 The actions outlined in the PIER (Prevention, Intelligence, Enforcement and Reassurance Joint Tasking plan) are endorsed.**
- 2.2 That the Council and the Police cooperate to ensure that all the legal powers available to the partnerships to tackle Alcohol related ASB and crime in Dawley are deployed as required to reduce the real and perceived fear of crime in the area.**

3.0 BACKGROUND

- 3.1 In July 2007 the Safer Communities Strategic Unit responded to a range of concerns expressed by Members in Dawley relating to young people accessing alcohol, underage/consumption on the street and anti social behaviour. A number of environmental issues were identified which impacted on the area at that time.**

An action plan was developed by a number of local partners and from council portfolios. The action plan included extension of Youth Services' provision, physical improvements to the High Street, proposal to upgrade the CCTV system, improved Police presence and test-purchasing with local supermarkets.

The position of Dawley in relation to crime and ASB has continued to be monitored through the Joint Action Group (part of the Safer and Stronger Communities Partnership) and there was some decrease in ASB leading up to Christmas and the New Year. A youth engagement programme has operated throughout this time, and has been

successful in working particularly with the younger children in the area. However, there remains a challenge to engage positively with others who are disaffected, and more inclined towards ASB and/or criminal activity.

In April 2008 a meeting with the local Police Team and elected members for Dawley was held and concerns about increases in ASB were once again raised. It was noted that there had been an increase in reports of ASB particularly on the High Street from February through to April. This placed Dawley as an area in the Borough with the highest volume of ASB during that period. It was noted that this was not significantly out of step with seasonal trends. However, whilst crime may have fallen slightly the local community were still rightly concerned about the level of crime in the area. At this time the Police instigated 'Operation Band Stand' which involved an increased Police presence in the area. Additionally a multi agency task group met in May to look at other measures that could be taken to work with young people, particularly the hard core of individuals who were seen to be at the heart of the problems. The range of actions includes short term and long term measures, and integrates with local Policing plans. This additional work has led to a number of arrests.

4.0 CURRENT POSITION

Meetings have recently been held between the Council and Senior Members of the Police Command Team, and these have been supported by multi agency meetings which focus on action plans for the next 6 and 12 months respectively. These cover areas such as prevention, enforcement, environmental and positive activities. This multi agency action plan is linked into the local Police control strategy (via PIER - Prevention, Intelligence, Enforcement and Reassurance Joint Tasking plan). The action plan is intelligence led and reliant upon full participation by all agencies in order to achieve success.

4.1 Most of these agreed actions are already underway and include:

- A proactive police presence in the area
- Use of the Council funded targeted CSO teams to increase visible patrols in the area
- Work with the local off licences around proxy sales, underage sales and their role in reporting ASB
- Policing of 'targeted groups and individuals; not all young people in the High Street area are involved in ASB. Some older people are also involved in ASB and/or criminal activity and these are subject to action. The Police operation Bandstand in the area identified a core group of between eight to ten young people aged in the 16 – 20 range who need to be engaged with.
- A review of the available legal actions such as Sec 30 Dispersal Orders – Designated Public Places Order (so called 'alcohol free zones') Sec 27 (street seizure of alcohol). The Police are

introducing a Sec 27 Order for a 6 week period expiring at the end of July. This will be operated by the local Policing team for that area and monitored and reviewed weekly. This work will be supplemented by the multi agency action plan which includes the following:

- The CCTV system in Dawley has recently been upgraded, and actions are being taken to ensure that all cameras are operational and linked into a monitoring facility.
- Positive activities to engage young people in the area now funded via Connections for Youth which includes football coaching and youth work based at the Phoenix centre, and the local football field. This project seeks to recruit CSOs and young people to qualify as football coaches and includes two age groups (11-14 and 15-19) to run over the summer will be available for one year.
- A 'drop in centre' for young people is now held every Wednesday between 6 – 8 pm. Efforts will continue to expand this.
- Family support measures are being looked at in respect of young people under consideration for ASB intervention, along with existing statutory involvement via Youth Offending Service.
- The Crime Reduction Officer of Telford Police has undertaken a site survey of the bandstand to consider immediate measures to control behaviours in this location. In the longer term, this facility will be considered under regeneration plans.

Significant funding will be generated under regeneration to invest in the Dawley area. There is an ongoing commitment to install crime reduction measures as part of this development.

- Shop Watch and Pub Watch are being progressed by the Local Policing Team supported by the Community Safety Partnership, and will involve liaison with the Telford Business Against Crime Group.
- A survey is underway, led by the Police, with local businesses to identify crime reduction measures that can be instigated.
- Dawley 'Clean Up' is planned to take place during September.
- Police have committed to meet regularly with local elected Members to discuss and review Police and partnership actions.
- It has been agreed that the impact of these measures will be reviewed at the end of July to assess the impact of actions taken

to date and to consider possible further actions that could be taken

5.0 FURTHER OPTIONS TO BE PURSUED

The Council and the police have committed to pursue a range of enforcement sanctions including the use of Section 30 Dispersal Orders, other ASB legislation (individual sanctions) and Designated Public Places Orders. None of these provide single solutions to the problems identified, and require the range of multi-agency actions to address the underlying issues which have given rise to ASB in the High Street area of Dawley. These also need to be supported by plans on regeneration, to ensure that crime reduction measures are built into the design of the High Street area and its vicinity.

The Council and the Police will continue to ensure all legal powers available to the Partnership to tackle alcohol related ASB and crime in Dawley will be developed to reduce the real and perceived fear of crime.

6.0 COMMUNICATION STRATEGY

The Council and Police will continue to act jointly in any press releases and media campaigns on these issues. A communications plan has been developed with the Police to promote reassurance and to highlight the positive work that is being done in the area

7.0 EQUAL OPPORTUNITIES

Residents in Dawley will experience the problems associated with ASB in different ways, but this impacts significantly on the quality of life for all. There will be particular groups of individuals who feel afraid and intimidated and the Council has a responsibility towards the protection of these. It also has a responsibility towards all groups, including young people to ensure that their needs can be addressed and ASB tackled effectively. The legal powers being used to do this may have an adverse impact on people using the High Street area; this is particularly the case with geographically based restrictions, rather than those that apply solely to individuals. For this reason, it is appropriate that the Police consider the full range of sanctions that apply to both, and apply them with proportionality. Community impact assessments will be undertaken with the Police to ensure the actions are assessed in terms of their impact on the wider community.

8.0 ENVIRONMENTAL IMPACT

Steps are being taken to assess the impact that changes to the physical environment can have in increasing peoples' sense of place and reassurance in the area.

9 LEGAL COMMENT

Section 30 Dispersal Powers

- 9.1 Under section 30 Anti-Social Behaviour Act 2003 the Police can disperse groups in designated areas suffering persistent and serious anti-social behaviour. The Police and the Council work together to identify particular problem areas; evidence of anti-social behaviour would need to be collated and be sufficient to show that the problem in a particular area justified the making of an order.
- 9.2 The Police designate an area with the consent of the Council where there is persistent anti-social behaviour and a problem with groups of two or more persons causing intimidation.
- 9.3 Once a designation has been made, it must be notified in a local newspaper or through notices in the area. A designation lasts for up to 6 months.
- 9.4 Individuals can be excluded from an area for up to 24 hours.
- 9.5 The Council delegated authority to give consent to an order to the Chief Executive following consultation with the Leader under section 31(2) of the Anti-Social Behaviour Act 2003.

Designated Public Places Order

- 9.6 Section 12-16 of the Criminal Justice and Police Act 2001 provide Local Authorities with an adoptive power to restrict anti-social public drinking in designated public places and they provide the police with the power to enforce this restriction. The procedures to be followed by Local Authorities in designating public places are set out in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007.
- 9.7 The Act provides the Police with powers to deal with anti-social drinking in places that have been designated. The police have the power to require a person not to drink alcohol in that place where the officer reasonably believes that the person is, or intends to do so, and to surrender any alcohol or alcohol containers in the person's possession. It is not an offence to drink alcohol in a designated public place, but failure to comply with the officers' requirements in respect of public drinking or surrender of alcohol, without reasonable excuse, will be an arrestable offence.
- 9.8 Local Authorities can only designate areas for this purpose where they are satisfied that nuisance or annoyance to the public or disorder have been associated with public drinking in that place. The Council and the Police will need to be satisfied that public nuisance annoyance or

disorder has been associated with public drinking in the area concerned.

- 9.9 An assessment about the level of the anti-social drinking and disorder in the areas proposed for designation is required. The Council and the Police will need to provide evidence that the extent of the disorder or nuisance in these areas is linked to the public consumption of alcohol. This evidence could include comparisons with other areas in the Borough and also address the appropriateness of making an order of this nature for the particular area concerned. The Council will have to be satisfied that the proposed area for designation has a history of anti-social drinking and disorder. Failure to make such an assessment could result in a legal challenge.
- 9.10 Under the Human Rights Act 1998 all actions of the Council must be proportionate and not unduly interfere with the rights of individuals. Accordingly in considering whether to make a Designated Public Places Order, in addition to considering the evidence referred to in paragraph 9.11 of this report, it would be prudent to assess other measures available to address anti-social drinking and disorder in the specified area to ascertain what a proportionate and reasonable approach would be in those particular circumstances.
- 9.11 If the Council is satisfied with the assessment and evidence gathered on the proposals they need to undertake consultation and receive representations about areas which will be affected by the designation order. There is also a publicity (notice) requirement and process to be followed. An order cannot be made until at least 28 days after the publication of the notice referred to above. A further press notice is then required.

10.0 LINKS WITH CORPORATE PRIORITIES

Addressing issues of anti-social behaviour relates directly to the councils priorities of:-

- Transforming Telford & Wrekin
- Giving young people the best possible start in life
- Maintaining a high quality attractive and sustainable environment
- Creating a safe, strong and cohesive community.
- Promoting healthy communities and improving the quality of life of vulnerable older people.

11.0 RISK ASSESSMENT

A range of legal sanctions will be applied by the Police and the Council to address the issues in Dawley High Street. These are considered to be proportionate and effective as this is a focus upon individuals believed to be involved in criminal activity and ASB, and not on

applying restrictions which may not be necessary. These actions will be under constant review and steps to escalate under ASB legislation will be taken, only on the basis of evidence. If this, and the current action plans are unable to impact on the volume of ASB in Dawley High Street, further legal sanctions will be considered. In respect of a Designated Public Places Order, steps are being put in place to start the process. This approach is incremental and evidence based, and sufficiently robust to withstand the possibility of legal challenge.

12.0 FINANCIAL COMMENT

Mainstream funding provides for core Police and Telford and Wrekin activities, supplemented by grant funding elements from Safer and Stronger Communities Fund, and Positive Activities for Young People. In addition, the Council has allocated £100,000 per annum for three years to support its priorities in the Alcohol Strategy, including measures to tackle ASB. The Borough Towns Initiative will bring significant investment into Dawley and Malinslee, and this presents an opportunity to respond to crime and ASB by design.

13.0 WARD IMPLICATIONS

This work impacts directly on Dawley Magna ward.

14.0 BACKGROUND PAPERS

None

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