

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

25 OCTOBER 2007

REPORT OF HOUSING AND COMMUNITY SAFETY SELECT COMMITTEE

CABINET DECISION

Housing and Community Safety – Lead Cabinet Member - Councillor Nelson

SCRUTINY REVIEW OF THE NEIGHBOURHOOD ENFORCEMENT SERVICE

1. Summary

The attached report sets out the findings and recommendations from the Housing and Community Safety Select Committee's scrutiny review of the Neighbourhood Enforcement Service (NES). The review encompassed an examination of the first year's operation of the Service and makes recommendations, in order to inform forthcoming decisions regarding its future.

2. Recommendations

The Committee recommend:

1. that Cabinet note the Housing and Community Safety Select Committee supports the continued provision of a neighbourhood enforcement service to deliver no less a service than that currently delivered and that this aspiration be considered by Council as part of the review of the Medium Term Financial Plan;
2. that consideration should be given to incorporating the neighbourhood enforcement service with an out of hours noise control service and increased linkages with the environmental health service;
3. that as the funding arrangements for the Service are reviewed, consideration is given to increasing the provision of administration support to the frontline Enforcement Officers;
4. that Parish and Town Councils within the Borough are approached to explore the potential for contributions towards the funding of the Service, using the arrangement with Ingleby Barwick Parish Council as an example;
5. that the Head of Community Protection continue negotiations with the Driver and Vehicle Licensing Agency with regard to future funding of the NES and potential support in that regard, including the consideration of performance related options;
6. that there should be enhanced publicity of the role and achievements of the Neighbourhood Enforcement Service, with the emphasis on the services that can be provided;

7. that information is distributed to all Members to further increase understanding of the role of the Neighbourhood Enforcement Service.

3. Reasons for the Recommendations/Decision(s)

The topic was identified during a meeting of the Scrutiny Liaison Forum in January 2007. The Neighbourhood Enforcement Service was established in April 2006 is currently funded until March 2008; a decision will need to be made in order to determine the future of the Service. The review has assessed the first year's operation of the service in order to inform this decision.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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COMMUNITY SAFETY SELECT
COMMITTEE**

CABINET DECISION

SCRUTINY REVIEW OF THE NEIGHBOURHOOD ENFORCEMENT SERVICE

SUMMARY

The attached report sets out the findings and recommendations from the Housing and Community Safety Select Committee's scrutiny review of the Neighbourhood Enforcement Service.

RECOMMENDATIONS

The Committee recommend:

1. that Cabinet note the Housing and Community Safety Select Committee supports the continued provision of a neighbourhood enforcement service to deliver no less a service than that currently delivered and that this aspiration be considered by Council as part of the review of the Medium Term Financial Plan;
2. that consideration should be given to incorporating the neighbourhood enforcement service with an out of hours noise control service and increased linkages with the environmental health service;
3. that as the funding arrangements for the Service are reviewed, consideration is given to increasing the provision of administration support to the frontline Enforcement Officers;
4. that Parish and Town Councils within the Borough are approached to explore the potential for contributions towards the funding of the Service, using the arrangement with Ingleby Barwick Parish Council as an example;
5. that the Head of Community Protection continue negotiations with the Driver and Vehicle Licensing Agency with regard to future funding of the NES and potential support in that regard, including the consideration of performance related options;
6. that there should be enhanced publicity of the role and achievements of the Neighbourhood Enforcement Service, with the emphasis on the services that can be provided;
7. that information is distributed to all Members to further increase understanding of the role of the Neighbourhood Enforcement Service.

DETAIL

1. The Neighbourhood Enforcement Service (NES) is a Council-run service which was established in April 2006 in order to concentrate on tackling 'environmental' crime (fly tipping, littering etc) and anti-social behaviour. In order to do this the Service makes use of a number of devolved

powers including police powers through the Community Safety Accreditation Scheme and local authority powers derived from the Clean Neighbourhoods and Environment Act. These include the power to issue Fixed Penalty Notices.

2. This represented a significant shift away from the previous warden approach of reporting incidents and providing public reassurance, towards a response-based approach and the taking of direct action by the Enforcement Officers themselves. This decision was taken within the context of a projected increase in Police Community Support Officers and the implementation of Neighbourhood Policing.
3. The NES is funded until the end of March 2008. The majority of this funding is derived from elements of the Neighbourhood Renewal Fund. The review was undertaken in order to inform decisions on the future of the NES by assessing the first year performance of the Service.
4. The Committee found that there is widespread public, Member and stakeholder support for the continuation of the Service. The NES had undertaken 16,793 taskings during the first year of its operation and these ranged from the seizure of alcohol from young people and dealing with illegal Traveller occupations to the removal of untaxed vehicles and the issuing of fixed penalty notices for flytipping. This represented a significant increase from the number of taskings completed by the Wardens in the last year of their operation (1700).
5. To enable the service to continue this good work, the Committee feel strongly that when the future of the Service is included in the review of the Medium Term Financial Plan mainstream funding should be found to maintain the Service as the Council cannot rely on an allocation of funds from the Neighbourhood Renewal Fund. In addition, the Committee would like to see all options explored regarding funding and that these should include discussions with Parish and Town Councils in order to assess the potential for extra contributions in order to provide for additional cover for such areas, using the arrangement with Ingleby Barwick Parish Council as a model. Discussions should also take place with the DVLA in order to explore the potential for support for future funding arrangements.
6. The Committee recognise the implications of increasing the amount of publicity regarding the Service and the potential for extra demands on the Service that could result. However, it is clear that there are residents who remain unclear about the role of the service and its place within the partnership arrangements in place to improve community safety within the Borough. Enhanced publicity may have a beneficial effect on the type of calls and referrals that come through to the service, thereby improving efficiency alongside allowing the NES to receive due recognition for the role it provides.
7. Following consideration by Cabinet an action plan will be submitted to the Select Committee setting out how the approved recommendations will be implemented detailing officers responsible for action and timescales.

FINANCIAL IMPLICATIONS

8. This is detailed from section 4.9 of the main Committee's report. In order to ensure continuation of the Service beyond March 2008, Cabinet/Council will need to consider mainstream funding alongside other priorities. If the Service is continued, the associated costs for 2008/09 would be £740,000, with £646,000 needing to be identified assuming that other funding remains stable and NRF costs are not used for the Service. NRF allocations may not be finalised until January 2008.

LEGAL IMPLICATIONS

9. There are no direct legal implications emanating from this report.

RISK ASSESSMENT

10. The Service is heavily dependent on grant funding and failure to identify further funding will impact upon the Council's ability to maintain the Service. Similarly, an early decision would be desirable in relation to staff morale.

COMMUNITY STRATEGY IMPLICATIONS

11. The NES contributes towards a number of Community Strategy priorities:

- Liveability – Make Stockton a cleaner, greener place to live, work and visit
- Community Safety – Reduce crime and the fear of crime
 - Reduce anti-social behaviour and offensive incidents

CONSULTATION INCLUDING WARD/COUNCILLORS

12. Consultation activities carried out as part of the review are identified at sections 2.3 and 2.4 of the main report. Activities included Viewpoint focus groups, staff discussion groups and an all-Member survey.

Senior officers within DNS and Cabinet Member responsible for Housing and Community Safety were consulted on the scope of the review and the findings and recommendations.

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Background Papers

First Annual Review of the Neighbourhood Enforcement Service (Head of Community Protection)

Ward(s) and Ward Councillors:

Not ward specific

Property

None