

MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	14 SEPTEMBER 2009
TITLE OF REPORT:	COMMUNITY PROTECTION TEAM
REPORT BY:	ACTING HEAD OF ENVIRONMENTAL HEALTH & TRADING STANDARDS

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To update the Committee on the current status of the Community Protection Team.

Key Decision

This is not a Key Decision.

Recommendation

THAT subject to any comments the Committee may wish to make the contents of this report be noted.

Introduction and Background

- 1 The council have a range of statutory responsibilities in respect of what are generally referred to as environmental crimes. The most common of these crimes, and potentially the most detrimental to our communities' enjoyment of their environment, are fly tipping, abandoned vehicles, dog fouling, and littering.
- 2 Historically environmental crime has been dealt with by officers working in different teams across council, effective to a degree, but without a consistent approach or a common purpose.
- 3 In April 2008 the Director of Environment & Culture initiated a project to draw these various strands together to form a cohesive and customer-focused team. Initially known as the Anti-Social Behaviour team, considerable development work was done over the next 12 months or so to arrive at a position in July 2009 whereby an operational Community Protection Team existed.

Key Considerations

- 4 The Community Protection Team consists of a Team Leader, five enforcement officers and two dog wardens.

- 5 To enhance community contact and working relationships with Local Policing Teams and other partners and stakeholders, the enforcement officers each have 'ownership' of a specific geographic area. To facilitate this the County is split as follows – Hereford City (two officers), Kington and Leominster (one officer), Bromyard and Ledbury (one officer), Ross-on-Wye and Golden Valley (one officer).
- 6 The two dog wardens operate on a north – south split.
- 7 The team aims to provide a timely, co-ordinated, intelligence-led and customer-focussed service primarily in the areas of fly tipping (National Indicator), abandoned vehicles, dog fouling and littering. There is work ongoing in respect of introducing a Dog Control Order for the County, at which point some of the existing problems associated with the enforcement of dog fouling offences will be resolved. The dog wardens also provide a comprehensive stray dog service, another statutory council responsibility. Additionally the team works with, and supports, other council departments, and partners where appropriate, to deal with fly posting, graffiti, nuisance vehicles, and other low level anti-social behaviour.
- 8 In delivering these services the team seeks to balance prevention, through education and raising awareness, with robust enforcement. Education and awareness can be evidenced by the team's involvement in The Big Event at the Bishops Meadow in June, the team's lead in the multi-agency litter initiative in High Town in June, joint-patrols with the Police in the Castle Green area in June, and a number of media initiatives. In respect of enforcement the team currently has two cases of fly tipping before the Magistrates Court and a number of investigations pending that are likely to lead to prosecution. The team's 'enforcement protocol' is attached as Appendix 1.
- 9 There are primarily three main ways in which the team is tasked:
 - reactively, by incidents reported to the council through available reporting channels;
 - through multi-agency tasking;
 - through Partners and Communities Together (PACT) meetings.

Outside of this, however, the team has a 'can do' attitude and will seek to be imaginative and creative in its support to communities, and it's internal and external partners, in dealing positively with any issue that affects quality of life and enjoyment of our wonderful environment.

- 10 The work of the team is supported by an overt and covert surveillance capability in the form of cameras and associated equipment. The team manager is aware of the potential sensitivities around the use of such equipment, particularly by local authorities and any requests for surveillance will be carefully considered, managed, and will comply with legislative requirements (the Regulation of Investigatory Powers Act 2000 and the Human Rights Act 1998) and with the council's policy on such authorisations. A copy of the policy is included at Appendix 2. Before any surveillance can be undertaken, the Investigating Officer has to submit a comprehensive RIPA request form, clearly detailing the reasons why it is required, what it is intended to achieve and the steps to be taken to minimise any collateral intrusion and risk. There is an automatic three-month time limit imposed on any such request, although this can be reduced if deemed appropriate by the authorising officer. Approval to undertake such activity can only be given by one of the council's six designated authorising officers who are senior experienced managers within the local authority and who have had specific training in this field. The whole process is managed by the Council's Legal Services team and is subject to external audit and approval by the Office of the Surveillance Commissioners (OSC). There has been several audits by the OSC who have been complimentary in the way that we

have undertaken this process. The team has only deployed this equipment once to date and that was at a vacated Gypsy & Traveller site where criminal damage and theft had occurred, as a result no further incidents were reported at the site. There is currently one surveillance application being considered in relation to a joint-working initiative with the police in respect of graffiti.

- 11 The use of Fixed Penalty Notices has recently been introduced and this will provide a speedy sanctioned outcome to low level offending. Fixed Penalty Notices are complemented by a Notice of Environmental Crime that can be issued to offenders at the time of the offence, in circumstances where it may be prudent to make a decision at a later date, but be seen at the time to deal with the offending behaviour. This is considered a useful development in managing public perception.
- 12 Herefordshire Council is now an accredited organisation under sections 40 to 42 of the Police Reform Act 2002. Once trained and vetted accreditation status will be awarded to each enforcement officer in the Community Protection Team by the Chief Constable of West Mercia Police. Such accreditation will give them further powers to deal with an additional range of offences for example drinking alcohol in a designated area, alcohol and young people, fireworks, and cycling on footpaths.
- 13 This is an exciting time for the team as a number of strands of work are coming to fruition that will enable the team to establish itself and hopefully make a positive impact.

Community Impact

- 14 There are no community impact considerations attached to this report.
- 15 However, the Community Protection Team can make a positive impact through its engagement with the PACT process (dealing with local concerns), its development of positive working relationships with partners, and its community focused engagement. It is intended that such work will positively influence perceptions of the way the Council is dealing with anti-social behaviour (in partnership with the Police where appropriate), and contribute to improving the reputation of the council.

Financial Implications

- 15 There are no financial implications attached to this report.
- 16 Financial considerations will be an issue should future decisions be made about increasing the size of the team to either (i) continue to effectively meet demand, or (ii) to expand the scope of the team to deal with additional enforcement matters

Legal Implications

- 17 There are no legal implications attached to this report.
- 18 Any future legislative change(s) could have an impact on the team.

Risk Management

- 19 There are no risks associated with this report.
- 20 A significant risk to the Community Protection Team is the raised expectations internally and externally of what the team can deliver and its capacity to meet these expectations with existing resources. Such expectations will need to be carefully managed.

- 21 This is a small team covering the whole County, but a small team with the potential to make a difference in a number of key areas. Pressures to diversify into too many areas by regarding the team as the 'enforcement team' for the Council will have the associated risk of the team not making that difference.

Consultees

Not applicable.

Appendices

Appendix 1 – Community Protection Team Enforcement Protocol.

Appendix 2 – Form 9 - Regulation of Investigatory Powers Act 2000 – County of Herefordshire District Council Policy

Background Papers

None identified.