

# Public Document Pack

## **Safer Stronger Communities Select Committee Supplementary Agenda**

Thursday, 14 April 2016

**7.00 pm**

Civic Suite

Lewisham Town Hall

London SE6 4RU

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### **Part 1**

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<b>Safer Stronger Communities Select Committee</b>		
Title	Review of Lewisham’s Crime, Enforcement & Regulation Service (CER) and the Environmental Health Service	
Contributors	Executive Director for Community Services, Head of Crime Reduction and Supporting People	Item 5 (Supplementary)
Class	Part 1	14 April 2016

## **Reason for lateness and urgency**

The report has not been available for five clear working days before the meeting and the Chair is asked to accept it as an urgent item. The report was not available for despatch on Monday 4 April 2016 because to complete the report we needed to include as up to date data as we could and as such this data was collated this week.

## **1. Introduction**

- 1.1 This report provides an update to the committee in respect of the Reorganisation of Lewisham’s Crime, Enforcement & Regulation Service (CER) and the Environmental Health Service which was implemented in Aug 15. The paper also highlights changes to service delivery, which will have had an effect on the wider public and finally, the review looks at some of the early findings and lessons learned within the working practices of the new service.
  
- 1.2 The Crime, Enforcement & Regulation Service was developed as a new and streamlined Service, intended to contribute to the Community Safety and wider Safety agenda by ensuring that a “range of officers” are delivering on a range of outcomes across a number of cross cutting agendas. The aim of this new Team was fundamentally to enable a much more flexible approach to service delivery, and hopefully, ultimately assist the public in accessing better services. The Crime, Enforcement & Regulation Service works to ensure better coordination and consistent execution of the Local Authority’s duties across the areas of **Crime Reduction, Licensing, Trading Standards** and **Public Health & Nuisance**, whilst maintaining areas of specific expertise and a general focus on casework.
  
- 1.3 The Environmental Health Service (EH) consist of **Environmental Protection (EP)** and **Food and Safety Team (FST)**,(which includes food Hygiene and Standards, Commercial Health and Safety, Infectious Disease control, The regulation and Enforcement of Sports Grounds and Stadia and also encompasses Special treatment Licensing). The new EH service continues to provide professional advice and protection to the public of Lewisham (both residents and visitors). It undertakes delegated functions including enforcement from Government Departments, Agencies and Legal statutes. It strives to provide a level playing field for local and national businesses working locally and also provides technical support advice and enforcement to a wide range of internal departments within the Council.

### **Recommendations:**

- It is recommended to note the report

## **2. Background to the review**

- 2.1 In 2015 it was agreed that the merging and development of these 2 distinct and new Services was as a response to the significant financial challenges the Council faces whilst also considering how some of the Services could be better aligned to deliver Statutory services more efficiently but with a shift to delivering ONLY those which were deemed High risk/ greatest volume/ significant impact. This moved the delivery model to a Risk based approach and not a regular and routine service.
- 2.2 Prior to the Review the following areas of work were undertaken (this is illustrative of the work and is not an extensive list):
- Weights and measures - check accuracy of equipment and quantity of product
  - Anti social behaviour; manage and implement reduction strategies; Investigate and lead; partnership activity; Take action
  - A range of legal powers : community triggers, crack house closures, injunctions etc
  - Gambling act; deal with applications; Check security/ management plan / betting machines / premises quality
  - Fair trading ; Consumer protection from unfair trading (including scams & rogue doorstep sellers) . Duty to consider complaints re distance selling and cancellation of consumer contract regulations; Business protection from misleading marketing; Estate agency & letting agents; Counterfeiting & copyright
  - Reducing reoffending; partnership working ; Jointly managing offenders - specifically Multi Agency Public Protection Arrangements (MAPPA); Integrated Offender Management
  - Licensing act; Administration and enforcement ; all applications and compliance checks i.e. alcohol / late night / special treatment ; Committee requirements
  - Age restricted goods –Sale of alcohol, fireworks, tobacco, butane lighter fuel to persons under 18; Control of illicit tobacco & alcohol, tobacco display
  - Unauthorised encampments – travellers; undertake the initial welfare assessment ; Agree legal action if Council land; Advise others if not council land
  - Scrap metal act ; Enforcement and administration; Checking paperwork i.e. crb / passport ; Collectors licence / sure licence
  - Statutory nuisances. PESTS (identify but not remove), drains, alarms, amplified noise reactive (noise –Intel lead if recurring)
  - Domestic Homicide Reviews (DHRs); Appoint independent chair; Working with home office re sign off ; Working with partners to deliver the recommendations
  - Product safety – toys, cosmetics electrical goods etc.
  - Smoke free legislation
  - Complete annual Strategic Assessment / annual plan / 3-yearly Crime Reduction Strategy – administer Statutory Community Safety Partnership.
  - Anti Social Behaviour MARAC coordination - multi agency case work
  - CCTV monitoring 24/7/365, borough-wide
  - Restricted cold calling zones – link to fair trading – prevention
  - Roll out of responsible retailers agreement
  - Hate crime - 3rd party reporting sites - advice and support
  - Violence against women and girls and Serious Youth Violence

- Statutory Food Safety, Hygiene and Standards Inspections & Enforcement
- Commercial Health and Safety checks and enforcement where required
- Safety Advisory Group for Millwall
- Environmental Protection lead for Air Quality Monitoring
- Checking and considering Nuisance and pollution from redevelopments
- Interface with planning and developers in respect of plans and impact on the Environment
- Infectious disease investigation and control

### 3. The Service since August 2015

- 3.1 The new Services operate primarily on a response basis, assessing complaints and incoming work for risk and priority and responding accordingly. Officers will investigate complaints and, where appropriate and necessary, take enforcement action to address those complaints.
- 3.2 The CER service is responsible for responding to complaints and meeting statutory requirements and responsibilities. The service has four teams of officers who deliver across all four thematic areas of anti-social behaviour, Trading Standards, Noise Nuisance and Licensing. The CER service sits within the Crime Reduction Service and works to deliver strategic objectives set by the Safer Lewisham Partnership.
- 3.3 The Service acts as the Licensing Authority for the London Borough of Lewisham and is responsible for delivering all licensing functions of the council, with the Crime, Enforcement & Regulation Service Manager representing the Council as the Proper Officer for Licensing. As the Licensing Authority, the service is responsible for processing applications to statutory deadlines, supporting the licensing committee in its duties and where necessary, enforcing and prosecuting against breaches of licensing conditions.
- 3.4 Four Crime, Enforcement & Regulation Service locality teams (six officers and one manager per team) primarily cover the borough in geographical areas (North, South, East & West), however there is also a requirement to undertake cross-team working to address cross-borough issues, as well as borough wide projects, campaigns and operations.
- 3.5 The service is supported by a number of officers within the Business Support hub, who play a primary role in the processing of licensing applications and managing incoming work requests.
- 3.6 The Crime Reduction Service as a whole will continue to maintain specialist work on the Prevent (Counter Terrorism), Reducing Reoffending (Integrated Offender Management) and Violence Against Women & Girls (VAWG) and Serious Violence agendas along with delivering on Lewisham's CCTV capability. New and innovative initiatives will always continue to be embraced by the Crime Reduction Service as the national approach to Community Safety continues to evolve.
- 3.7 **The Environmental Health Service** has maintained staffing numbers in relation to Food and Safety Team. An example of the statutory functions the quantity and depth of certain functions were reduced where the number of food inspections covering the

lower risk premises are not being undertaken. The Environmental Protection team were reduced from five to three officers.

- 3.8 Various decisions were made to reduce either level of delivery on certain functions or in some cases to almost cease delivery of specialised functions and advice such as advice and dealing with low level complaints where no foreseeable positive outcome exists.
- 3.9 The two facets of EH provide the Environmental Health Link to Public Health – a link recognised and supported by Public Health England, the Department of Health and the Chartered Institute of Environmental Health along with colleagues within the councils Public Health team. Indeed there are statutory functions where EH is the only legal delivery vehicle for public health.

#### **4. First Six – seven Months (August 2015 – March 2016)**

##### **Staff Training**

- 4.1 The reorganisation and subsequent amalgamation of officers from across the four areas of Crime Reduction, Trading Standards, Licensing and Public Health & Nuisance has brought together a range of skills, experience and knowledge in the CER Service. However, recognising that the new positions are very different from their previous roles, training has been put into place to ensure that officers are supported to perform to expected standards, along with fulfilling the aims of and meeting our duties under the Crime, Enforcement & Regulation Service.
- 4.2 Almost all officers in the new Service have now received external expert training on processes for tackling Anti-Social Behaviour and also on Problem Solving techniques. Specific training on how to meet duties on Trading Standards and Statutory Nuisance enforcement has also been delivered. All of the officers who were present at the beginning of the Service in August have completed accredited Licensing training from the Institute of Licensing and the remaining officers will undertake this shortly. Training on the correct use of secure e-mail and rules on information sharing has also been delivered.
- 4.3 Most Officers have received training in or plans are in place to cover:
- Restorative Justice (training currently taking place for CER officers alongside members of the public and police colleagues)
  - M3 Case management system
  - Illegal Tobacco Investigation Training
  - Illegal Money Lending Training
  - PACE Training
  - Conflict Resolution
  - Anti Social Behaviour Processes
  - Vulnerable Adults Awareness
  - Safeguarding Children
  - Prevent (Extremism Awareness)
  - Drugs & Alcohol Awareness
  - Mental Health Awareness and referral mechanisms

- Report Writing
- Minute Taking
- Presentation Skills

- 4.4 A number of officers have also been trained on installing & monitoring covert CCTV and sound recording equipment.
- 4.5 For Environmental health Officers specific training has been undertaken in relation to:
- Special treatment licensing
  - Environmental Protection Specialist expertise
  - Licensing of Riding Establishments and those around animal petting ‘farms’ and Zoos.
- 4.6 Staff training will be reviewed regularly.

### Communications

- 4.7 The new service started in August 2015 and Managers and Officers have actively promoted the service through local organisations and publications where possible. CER officers engaged with the community to explain the focus of the new service at both the Open Day at Lewisham Police Station and at Lewisham’s People’s Day in July 2015.
- 4.8 Managers and Officers from the Services have worked to promote the aims, priorities and working protocols of the new service both to key partners and the wider public. This is ongoing and is being achieved through service definition on the Council’s website, officer presence at a range of public meetings and through negotiation with key partners as to what will and will not be covered by the service in the future. Significant dialogue has taken place with the Police 101 and Lewisham out of hours contact centre to ensure appropriate information, advice or action is taken in relation to any out of hours calls.

### Activity

- 4.9 **Anti-Social Behaviour** has been a key priority of the Safer Lewisham Partnership for the past 10 years and ASB casework remains as a primary focus of the Crime, Enforcement & Regulation Service and its officers, as this underpins the work done to tackle offenders, develop geographic problem solving processes and ensure delivery of high quality victim support and reassurance. The CER service strives for effective case management while adopting a ‘you said, we did’ ethos to this work.
- 4.10 Looking at the first six months (August 2015 – March 2016) of the establishment of the new Crime, Enforcement & Regulation Service, there were **221 cases** of ASB recorded by the officers across all four Locality Teams. This does not differ greatly from the number of ASB cases (**218**) from the same period of the previous year (August 2014 – March 2015)
- 4.11 **Licensing Issues** – Using the risk and intelligence based approach to tackling problems reported to the Council, the CER service has dealt with **71** Licensing enforcement issues in the first six months. These include license plan checks, sun

bed safety checks, objections, mediations and suspension notices. This in addition to work undertaken as the Licensing Authority, which sits apart from the risk matrix approach, as these are statutory requirements. This work includes:

- **Personal Licence applications: 183**  
(200 in period August 2014-March 2015)
- **Minor License Variations: 15**  
(18 in period August 2014-March 2015)
- **Full License variations: 7**  
(14 in period August 2014-March 2015)
- **New Premises License Applications: 31**  
(22 in period August 2014-March 2015)
- **Temporary Event Notices: 294**  
(411 in period August 2014-March 2015)
- **License Transfers: 46**  
(13 in period August 2014-March 2015)
- **Designated Premises Supervisor Changes: 79**  
(26 in period August 2014-March 2015)

- 4.12 The significant reduction in the number of Temporary Event Notice applications coupled with the increase in New Premise License applications is the result of considerable work by CER officers to place the Authority in a better position to ensure that licensable events in Lewisham are held to account. A new Premises License payment will bring more revenue to the Authority and specific conditions can be placed on Premises License as opposed to a Temporary Event Notice.
- 4.13 **Licensing Committees: 12** Committees supported within the first six months with 2 licenses revoked in this period.
- 4.14 The CER Service has received and responded to **493 Noise** complaints in the first six months (August 2015 – March 2016). Most of these have become significantly downgraded by the time CER officers have responded to the complainant and often did not need to be progressed. The number of noise calls received by the Service has reduced greatly when compared to the same period the year before (**1241** in period August 2014-March 2015). As the night time service response to noise issues was taken away in September 2015, it is expected that this number will reduce when looking at future reviews.
- 4.15 There have been **40 Filthy & Verminous** or similar statutory nuisance cases dealt with by the CER service in the first six months. (Compared with **55** in period August 2014-March 2015).
- 4.16 The CER service has received **1204 Trading Standards** related queries in the first six months of the service. Many of these are passed directly on to Consumer Advice as they are not dealt with locally, but more than **300** of these were followed up by CER officers in relation to Firework sales/licenses, bogus callers & scams and counterfeit products on sale across the borough. Counterfeit products seized have included fake alcohol, illegal cigarettes, fake watches, handbags and perfumes. (Compared with **1700** queries in the period August 2014-March 2015). This reduction could be down to better signposting of issues to Citizens Advice Consumer Rights.



- 4.17 CER Officers have visited **15 Unauthorised Traveller Encampments** since August 2015 to carry out welfare assessments and inform on the timescales for vacating these sites.

#### **Problem Solving work other key areas of work**

- 4.18 After case management across the areas outlined above, the other principle duty of the Crime, Enforcement & Regulation Officer is to develop, manage, monitor and evaluate clearly defined, time-limited problem solving meetings in response to intelligence highlighting crime and ASB issues of the borough, be they geographic or thematic. Officers are responsible for identifying and bringing together key partners to address recurring, sustained issues reported by community members. This work is underpinned by police intelligence and analysis of information from a range of agencies, with work undertaken only when clear aims are established. Crime problem solving techniques have been introduced into the way many community safety partnerships (CSP) work. The Safer Lewisham Partnership has adopted the police problem-solving model to address crime and ASB problems in Lewisham. The two most important problem-solving techniques are scanning, analysis, response and assessment (SARA) and the problem analysis triangle (PAT). This is also known as the victim-offender-location triangle.
- 4.19 Since the formation of the Crime, Enforcement & Regulation Service, officers have been responsible for developing and leading on or involved as a key partner in the delivery of problem solving processes to address issues such as; tackling off-licenses that sell to street drinkers; intimidation of residents by small numbers of gang-affiliated young people on particular estates; perceptions of ASB through young people gathering in town centres; rough sleepers and begging; cafes and fast food establishments that persist in facilitating in noise nuisance and ASB; problems in the vicinity of bookmakers in Deptford and Catford; underage sales of fireworks, tobacco, alcohol & knives; sales of illegal/dangerous skin lighting cream and problems related to brothels.
- 4.20 Outcomes in multi-agency problem solving work in Lewisham have included relocating CCTV coverage to addresses and monitor ASB; setting up 'Responsible Retailers Agreements' with businesses; facilitating restorative justice conferences; acquiring Anti-Social Behaviour Injunctions restricting the activities of some individuals; using an intelligence based approach to target venues selling illegal tobacco and other goods; acquiring closure orders on brothels, rogue landlord premises, commercial premises allowing crime to take place on site and venues found to be dealing/growing drugs. Officers continue to work closely with Police colleagues and Rogue Landlord Housing Officers on proactive operations and they have also developed a key working/patrolling protocol in relation to trading standards and licensing issues at major events, mainly on Blackheath.
- 4.21 Air Quality Monitoring has continued along a similar but streamlined delivery path involving partnership working with both internal and external stakeholders. A review of the monitoring stations provisions is being undertaken with a view to reducing costs whilst transferring risks around obsolescence and maintenance and part of the review. To enhance work towards better air quality for Lewisham and London as a

whole various grants have been obtained to assist with regulation and enforcement in the key area.

- 4.22 This includes the inclusion and support of the service in projects to encourage less pollution at source such as the provision of electric vehicle charging points and reduction in emissions from plant and equipment on large scale building projects and development.
- 4.23 Food Safety inspections in high risk and unrated premises continued along the statutory required frequency along with other risk identified premises such as schools and care establishments where to risk to the vulnerable members of the public were identified.
- 4.24 The projected number of inspections for the year is 658 with additional inspections/interventions and enforcement undertaken where unacceptable premises and or practices are found. This includes situations where there is imminent risk to health.
- 4.25 Work is progressing to utilise technology to enhance the work of the team along with providing a greater internet based access to the public around the regulatory functions of the service.
- 4.26 Taking over the inspection function of the Special Treatment controls a plan of improving the licensing and compliance of this ever growing industry has commenced and strong links have been made with other London Authorities to share best practice and advice for practitioners and public alike. Work has started with Public Health England around a scheme run in Wales along the lines of the 'scores on the doors' rating scheme thus providing customers with relevant information and assisting in driving standards. This may be a scheme adopted by a few or all of London Authorities.

## **5. Changes in previous service delivery**

- 5.1 The main change has been volume and ability to provide advice to the previous level.
- 5.2 The Service has changed in its delivery as it moved to a more risk and intelligence based approach include the stopping of monthly surgeries with the public, reducing its preventative work in schools in relation to ASB, hate crime, cyber bullying etc., moving away from community safety roadshows and bringing the Safer Lewisham Partnership bus across the borough. Generally as the service looks to become an efficient, more reactive service it will move away from preventative work and routine inspection with a proactive focus.
- 5.3 Quite possibly the most significant change to service delivery brought about by the new Crime, Enforcement & Regulation Service is the decision to stop running a night time noise nuisance response service. This has understandably concerned a number of Local Councillors and members of the public, but also Police colleagues as they feel that they will bear the brunt of this issue now. However, despite some confusion amongst partners as to the protocol, it appears to be felt that the CER response to

follow up on calls at the next available opportunity and visit at night only where repeat issues occur, is working. This will become clearer within six months to a year.

- 5.4 From an Environmental Protection perspective some of the work that was starting to gather pace – determination of contaminated land by way of a more comprehensive register, the turnaround time for comments and advice on planning applications and the efficiency of dealing with IPC inspections and general enquiries has suffered. The knowledgeable and experienced staff that had left has also caused a drop in depth of technical advice that can be provided in the short term. The on-going training of the two new team members will aim to address a reasonable proportion of that expertise that has gone.
- 5.5 Potentially the lack of contaminated land site prioritisation and information exchange with interested parties and part of the overall planning process is the most noticeable area to those external to the service.
- 5.6 With the Food Safety Team function the proposals detailed to the national regulator (The Food Standards Agency) have not been commented on and a risk exists here that they may not accept our suggested method of risk based interventions. To date there has been little discernible change from a public perception of the new risk based strategy but this is likely to not be evident for approx. 12 to 18 months.

## **6. Risks**

- 6.1 In respect of what was outlined that would be achieved – this has been done. The Services could however be described as fragile.
- 6.2 On a day to day basis the service will meet the aims and expectations but given tight resources it would not take much to derail the current trajectory. Lewisham are not alone as a Local Authority in this position but we are spread more thinly than all the other areas. An example would be within Food Safety. There are risks to the service as it stands as always changes in legislation may demand different labour intensive work streams but the greatest threat is external partners, agencies and /or government departments deciding that we have to fulfil our statutory duties in the way prescribed and not in the risk based approach we have adopted. There are significant changes in relation to our key Partners such as the Police, Probation and Fire services which will undoubtedly have a cumulative impact on residents.
- 6.3 The fewer staff with the expertise in certain areas has meant that despite training there are still fewer people to call upon and managers with significantly stretched portfolios that require constant plate spinning. This reliance on fewer individuals means that there is pressure for officers.
- 6.4 The annual returns to Central Government and other enforcing agencies will obviously show a drop in numbers as part of the statistical figures when compared to the previous year but in most cases this has been a diminishing return regarding numbers of visits, inspections etc. when compared year on year for the last five plus years. Nationally we are still measuring success by statistics rather than results and outcomes.

6.5 With the pending introduction of the mandatory rating scheme for food premises and the reduced allocated staffing time in this area specifically, there has been a recognition that additional capacity is required to meet the inspection requirements. Measures have been put in place to address this as an urgent remedy.

## **7. Next steps considerations:**

- Further training and support for staff across the range of fields they deliver on
- Ongoing monitoring of the resources against the requirements
- Improving the website and greater advice information made available on line
- Close monitoring of complaints – issues not just volume
- Impact of partnership changes and regional and sub regional changes and drivers across this agenda.

7.1 Staff commitment and “can do” attitude has been something too praise and be commended. Staff have all completely immersed themselves into the new work and have been optimistic about the challenges and how to make the Service work. There is however the fear of further cuts and impact to the public resulting from any cuts. Staff members have embraced the new working arrangements having understood the challenges faced by the Council and mostly embraced the opportunities for personal and professional development that are being provided.

7.2 In all areas the chances to the service have provided an increase in breadth and depth of officers capabilities, experience and knowledge.

7.3 This service will continue to be monitored and reviewed in line with the wider changing landscape.

## **8. Financial Implications**

8.1 The Safer Lewisham Partnership currently monitors the spend in relation to the MOPAC funding Resource allocation in relation to tackling emerging issues. Further reductions in budgets will impact on this service.

## **9. Legal & Human Rights Implications**

9.1 The Council is under a number of statutory obligations to reduce crime and anti-social behaviour. The Crime and Disorder Act 1998 requires the Council to formulate and implement a strategy for the reduction of crime and disorder; the Anti Social Behaviour 2003 requires the Council as a local housing authority to have policies and procedures for dealing with anti-social behaviour and the Race Relations (Amendment) Act 2000 places the Council under a duty to have, when carrying out its functions, due regard to the need to eliminate unlawful discrimination and promote good relations between persons of different racial groups.

9.2 The Local Government Act 1999 places a duty on the local authorities to secure continuous improvement in the way its functions are exercised having regard to the combination of economy, efficiency and effectiveness.

9.3 Section 2 of the Local Government Act 2000 empowers the local authority to do anything which it considers likely to achieve the promotion or improvement of the

economic, social or environmental well-being of all or any persons within the local authority's area. These statutory duties amongst others feed into the Council's Safer Lewisham Strategy.

## **10. Equalities Implications**

10.1 Developing safe and secure communities is central to the work of the Council as a whole and in particular to the Community Services directorate. Reducing and preventing crime, reducing fear of crime and supporting vulnerable communities is critical to the well-being of all our citizens and businesses.

## **11. Crime and Disorder Implications**

11.1 Section 17 places a duty on partners to do all they can to reasonably prevent crime and disorder in their area. The level of crime and its impact is influenced by the decisions and activities taken in the day-to-day of local bodies and organisations. The Local Authority as a responsible Authority has a key statutory role in contributing to reducing crime and improving the quality of life in their area.

## **12. Environmental Implications**

12.1 Key decisions made which may have environmental implications are considered by key officers including officers within this service. Key areas that develop strategies in relation to this aspect includes air pollution, land contamination, an environmental protection as examples.

*For further information on this report please contact Geeta Subramaniam-Mooney Head of Crime Reduction & Supporting People, Directorate for Community Services on 020 8 314 9569*

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