

MINUTES OF A MEETING OF THE CORPORATE COMMITTEE

TUESDAY 14 MARCH 2023

The live stream link: <https://youtu.be/4aDUDHY9LNc>

- Councillors Present:** Cllr Clare Potter in the Chair
- Cllr Michael Desmond, Cllr Alastair Binnie-Lubbock, Cllr Jon Narcross, Cllr Fliss Premru, Cllr Ali Sadek, Cllr Claudia Turbet-Delof, Cllr Jessica Webb, and Cllr Sarah Young (Vice-Chair).
- Apologies:** Councillor Steve Race and Councillor Lee Laudat-Scott
- Officers in Attendance:** Gerry McCarthy – Head of Community Safety, Enforcement and Business Regulation
Josephine Sterakides – Senior Lawyer
Rabiya Khatun - Governance Officer
- Also in Attendance:** Cllr Susan Fajana-Thomas

1 Apologies for Absence

- 1.1 Apologies for absence were received from Cllrs Joseph, Race, Ross and Laudat- Scott.
- 1.2 Cllrs Joseph, Ozsen and Ross joined the meeting virtually.

2 Declarations of Interest - Members to Declare As Appropriate

- 2.1 There were no declarations of interest.

3 Consideration of Minutes Of The Previous Meeting

RESOLVED

that the minutes of the previous meetings held on 13 December 2022 were agreed as a correct record of the meetings proceedings.

4 Annual Report of Public Space Protection Order (PSPO) 2022

- 4.1 Gerry McCarthy, the Head of Community Safety, Enforcement and Business Regulation introduced the report. The visible street population had appeared to increase in the last three years and the service had many tools at its disposal to tackle anti-social behaviour (ASB) including ASB warning, Fixed Penalty Notices (FPN) and injunction. However, the service's moderate approach had been to engage and offer support and use enforcement action as the last option. The statistics for anti-social behaviour in 2022 had been low.

4.2 In response to questions from members in relation to the report, the Head of Community Safety, Enforcement and Business Regulation responded as follows:

- Certain problematic locations such as Gillett Square and Stamford Hill had improved over the year but Gillett Square would continue to be an issue due to the access points and the pods in the square should improve the situation and additional Enforcement Officers in Dalston were on duty at night between Thursday and Sunday to deal with the ongoing issues. Statistics could be provided on the number of people officers had engaged with and notices issued. The Council also worked jointly with other services such as Public Health to provide support to street people including oral healthcare from the Colgate Bus etc;
- The Council provided support and assistance to vulnerable and street people with alcohol addiction and substance abuse issues to find accommodation and also referred them to external agencies such as Turning Point for addiction support. The service's approach had been to provide assistance to street persons to get them off the streets;
- An Equality Impact Assessment would have been undertaken for the Public Spaces Protection Orders (PSPO) report submitted to Cabinet, which was available on the Council's website. It was confirmed that the demographic data would have been monitored and that this data would be available from the Street Population Co-ordinator;

ACTION 1:

The Head of Community Safety, Enforcement & Business Regulation:

1. To provide the statistics for the additional Enforcement Officers deployed in Dalston and the number of notices issued in the year.

2. To obtain from the Street Population Co-ordinator the demographic data monitored within the EIA and the number of referrals of vulnerable/street people with alcohol and drug addiction issues to external agencies such as Turning Point and Public Health and whether they had found accommodation.

- With regard to the support available for repeat offenders of ASB with mental health issues, this information was not held by the service but could be held by another service within the Council.

ACTION 2: Governance Officer to seek a response from the appropriate service area in respect of the mental health support for repeat offenders and respond directly to Cllr Turbet-Delof

- In relation to the table at page 20 of the report, the work undertaken to tackle ASB was intelligence led and there were some incidents that could have been resolved under noise nuisance if it was not alcohol related ASB. An ASB warning could only be issued if the person was identifiable and if the incident had been reported to the service or police;
- With regard to missing Wards in the table at paragraph 4.13.2, it was stated that this data had been extracted from the police and that there had been reports recorded;

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- The Head of Community Safety, Enforcement and Business Regulation undertook to allocate an officer to attend a future Ward Forum meeting to discuss with local residents the issue of repeated drink related ASB in a small park at Albion Parade close to a primary school and issues and support available to street drinkers.

ACTION 3: The Head of Community Safety, Enforcement and Business Regulation to liaise with Cllr Pemru and make arrangements for an Environmental Enforcement Officer to attend a future Ward Forum meeting.

- It was clarified that the intelligence led approach included reports of ASB received from both residents and officers. The service had officers that were pro-active and patrolling the borough 24 hours a day and any homeless person with substance issues would be logged on the system and automatically referred to Turning Point. The parks in the borough were also regularly patrolled during the summer months to deal with drinking.
- The annual report of the Environmental Enforcement Service would address the wider issue of alcohol and drug related ASB within the borough including Manor Park and data on the Fixed Penalty Notices and Orders and the interactive work with the police.
- The service worked with other teams such as Streetscene and Licensing Night-time economy to reconfigure and change open spaces to minimise alcohol and drug related ASB including Manor Park.
- In relation to the breakdown of data by demographics for police enforcement action and warnings issued under Section 17 Crime and Disorder Act, it was stated that the Council did not hold this data and would request the Intelligence Officer to get any further information.
- It was also the Council's policy not to take any no enforcement action or issue a FPN to children under 18 years old.

ACTION 4: The Head of Community Safety, Enforcement and Business Regulation to liaise with the Intelligence Officer to ascertain if it would be feasible to obtain a breakdown of data by ethnic groups for police enforcement action and warnings issued under Section 17

- Referring to paragraph 4.133 it was confirmed that no ASB warnings or FPNs had been issued. Applying for an injunction would be taken in exceptional cases and only if all other enforcement action in line with the Council's policy failed to address the behaviour;
- With regard to the impact of the police's changes in classification on the demographics within the report, it was stated that the Council did not hold this data.

ACTION 5: The Head of Community Safety, Enforcement and Business Regulation to liaise with the Intelligence Officer to ascertain if the police could provide further information on the changes in classification and its impact on demographics.

- In relation to the fines for any FPN or warnings, any person that could not afford to pay the fines had the option to pay instalments and there was also a reduction in any penalty paid early.

4.3 The Chair thanked the officers for their work.

RESOLVED:

There are no official recommendations arising from this report. This report is for information purposes. Corporate Committee can note the content of this report and level and the scope of work being carried out to meet the requirements of the PSPO.

5 Annual Performance Report Of The Noise Service 2022

- 5.1 Gerry McCarthy, the Head of Community Safety, Enforcement and Business Regulation introduced the report setting out the annual performance report in relation to noise. Hackney continued to look at statutory noise nuisance and noise arising from anti-social behaviour together. It also provided an update on the volume of noise complaints, a breakdown of the individual types of noise within the services workload, including Temporary Event Notices (TENs), which continued to place significant demand on existing resources.
- 5.2 In response to questions from members in relation to the report, the Head of Community Safety, Enforcement and Business Regulation responded as follows:
- With regard to noise nuisance during Covid-19, social landlords and landlords were responsible for flooring issues in residential blocks and the council had no powers to force residents to improve their floor sound installation;
 - Any noise nuisance arising from wooden floors in flats should be reported to the landlord and the terms would be in the tenancy agreement and noise nuisance from the power showers could be reported to the service;
 - In relation to construction related noise nuisance, any request for construction outside normal hours could be considered and permitted from Monday to Saturday from 08.00 to 18.00 hours, Saturday from 08.00 to 13.00 hour and no Sundays. If the developer were granted permission to do construction works beyond 18.00 hours the developer would be expected to inform residents. The Legal Officer added that the Council tried to give advance notice of any works that were required as an emergency;
 - With regard to the long-term noise issues from registered and unregistered schools in the north of borough, schools that were not under Hackney Council were defined as commercial premises and notices could be served. The Environmental Protection Officer could deal with the noise nuisance as the process was faster than challenging under planning rules. If the noise nuisance continued it could be reported to the Ward Environmental Protection Officer or Principal Enforcement Officer;

- It was emphasised that residents needed to continue reporting ongoing noise nuisance on the reporting system and each complainant would be given a reference number. With regard to ongoing noise nuisance issues, an Enforcement Officer would make arrangements to visit the resident;
- It was possible to report on the system nuisance arising from noise and smell such as bonfire smoke;
- If the noise nuisance was occurring during the out of hours service, officers could remain to investigate the complaint and get witness statements;
- With regard to domestic noise and the fewer first response visits compared to the number of reports, this was not due to under reporting and residents could complain to their Ward Councillors;
- In relation to the commercial noise nuisance, the reduction in complaints had been due to the measures implemented such as the night portal, engaging with venues owners and working jointly with the police;
- The new system was expected to be functioning in the next 12 months;
- Licensees could apply for TENs to extend its ongoing operational hours and would need to demonstrate that they would uphold the Council's four licensing objectives to be granted the TENs but it was more of a challenge to obtain in the Council's two Special Policy Areas;
- With regard to the number of cultural events that had been granted under the TENs, it was stated that the Council held no separate information regarding the type of events granted.

5.3 The Chair indicated that it would be useful to have a breakdown of the TENs granted and the types of events being held across borough under the TENs in terms of community engagement. The Head of Community Safety, Enforcement and Business Regulation the Head of Community Safety, Enforcement and Business Regulation stated that once an application was received the TENs was either granted or refused.

RESOLVED:

There are no official recommendations arising from this report. This report is for information purposes and Corporate Committee can note the annual performance report for the service.

6 Draft Work Programme 2023/24

6.1 Members noted the Committee's work programme and the inclusion of the Report of the Public Realm including policies for tables and chairs on pavements for June 2023

RESOLVED:

The draft work programme 2022/23 was noted subject to the inclusion of the above report.

7 Any Other Business the Chair Considers to be Urgent

- 7.1 The Chair indicated that members would like an update on the Future workplace and ways of working at a future meeting.

END OF MEETING

Duration of the meeting: 6.30pm - 8.39 pm

Councillor Clare Potter
Chair of the Committee

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