

Enforcement Service Delivery Plan 2019/20

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INTRODUCTION

1. ENFORCEMENT SERVICE AIMS AND OBJECTIVES

INTRODUCTION

This plan identifies the objectives, priorities, actions and measures for the Enforcement Service.

2. ENFORCEMENT SERVICE AIMS AND OBJECTIVES

2.1. Aims and Objectives

- An integrated area based enforcement service with Officers empowered to enforce a range of legislation, including street scene enforcement, anti-social behaviour (ASB), noise nuisance and to integrate with and enhance the activities of staff within the other specialised legislative areas enforced; licensing, trading standards and environmental health.
- To provide a casework system that ensures relevant complaints from residents are taken through from inception to completion including enforcement action.
- To work closely through a targeted and request process with other Officers from other sections of the Council particularly Housing, Waste, Highways and Street Scene.
- To work closely through targeted setting and prearranged operations with the Police and other emergency services where appropriate.
- To task the out of hour's enforcement service to deal with inter alia; reported offences and complaints concerning anti-social street based behaviour (ASB) , residential noise, street urination, littering and routine licensing matters.
- To provide a highly visible street enforcement service to provide and support public reassurance especially in the night time economy and to work with Police units paid for through the Late Night Levy.
- Create single points of contact for customers and partners for ward based issues.
- To provide through a detailed Service Level Agreement to deal with all aspects of ASB in LBH estates. This is directed through an intelligence-based approach via weekly tasking meetings and will include activities ranging from public reassurance patrols through to closing entire housing units or blocks due to ingrained drug consumption and ASB in the communal areas.

- To contribute to and provide support to street user panels and meetings (SUOM) and for the service to provide as agreed and directed backstop enforcement activities once all attempts to resolve issues with particular street users have been exhausted. To work therefore closely with services and providers directed at dealing with the issues of homelessness
- To lead and organise 4 area defined Anti-Social Behaviour Panels meeting monthly across the borough to determine solutions with partners particularly in social housing and Police to ingrained issues of ASB on an individual level.
- To provide reactive and regular proactive enforcement activities and projects connected to the disposal of unregulated commercial waste on public land. This will include the issuing of Fixed Penalty Notices on individuals and businesses and will include prosecutions on repeat offenders and or larger scale fly dumping. Regular street-based patrols will control and sanction members of the public who carelessly drop litter or who urinate on public land. Also, there will be regular enforcement activities in focused commercial areas which will include onsite inspections and request to inspect waste trade agreements to ensure that these are in place.

2.2. Links to Corporate Objectives and Plans



Community Strategy 2018-28

1. A borough where everyone can enjoy a good quality of life and the whole community can benefit from growth.
2. A borough where residents and local businesses fulfil their potential and everyone enjoys the benefits of increased local prosperity and contributes to community life.
3. A greener and environmentally sustainable community which is prepared for the future.
4. An open, cohesive, safer and supportive community.
5. A borough with healthy, active and independent residents.

Mayor's Priorities

- 1. Fairer**
Working and campaigning to keep Hackney a place for everyone with genuinely affordable homes, job opportunities, and excellent schools; where everyone can play a part, and where tackling inequality is at the heart of what we do.
- 2. Safer**
Making Hackney a place where everyone can feel healthy and safe, at home, at work, and on streets, parks, and estates.
- 3. More sustainable**
Making Hackney an economically, and environmentally sustainable place, with strong, cohesive, and diverse communities.

3. BACKGROUND

3.1. Organisational Structure

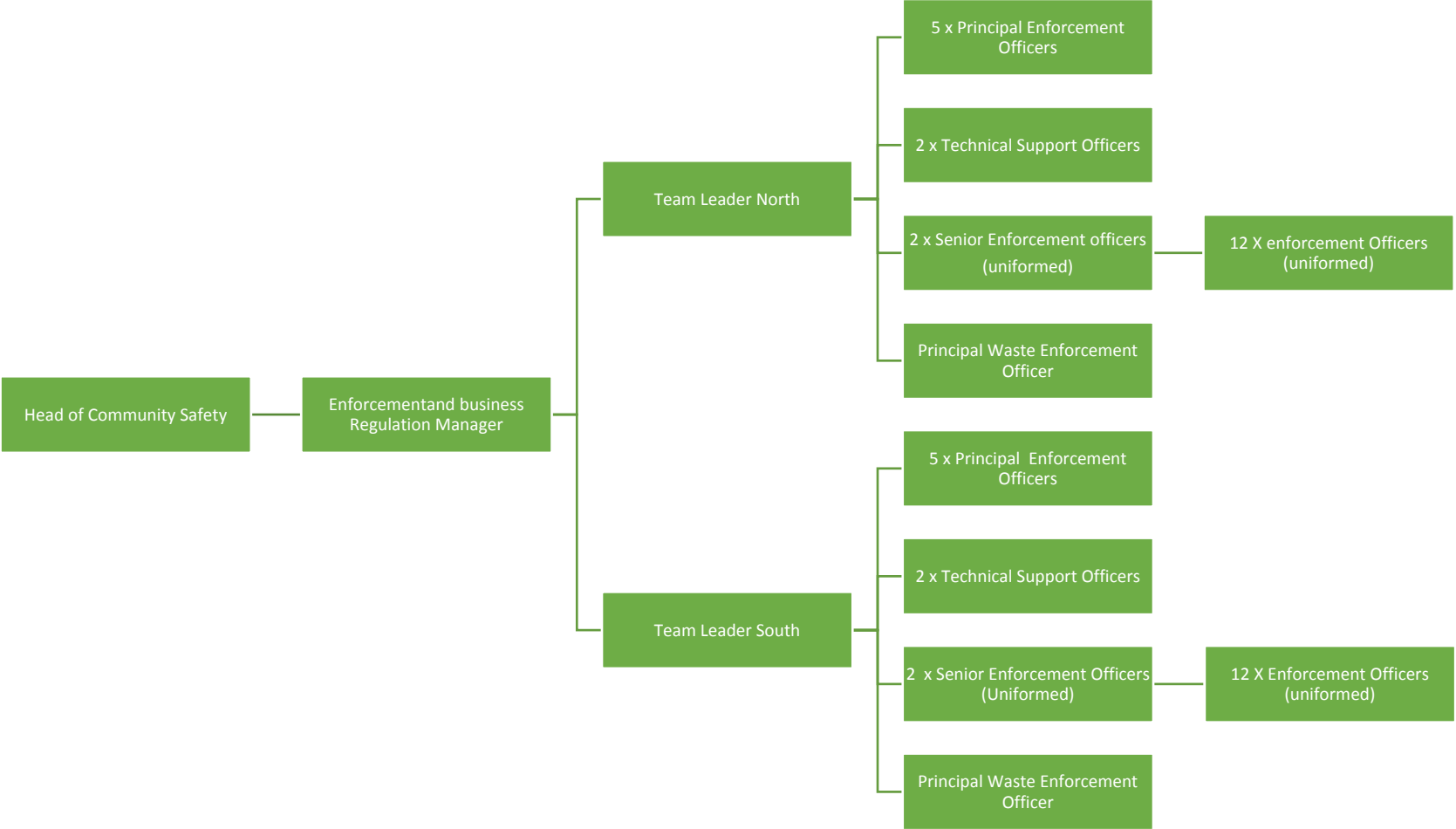
The Enforcement Service is nominally divided into North and South divisions and each Team is headed by a Team Leader. The service is then managed alongside two further Business Regulation divisions which are concerned with Food Law Enforcement, Pollution Control, Trading Standards, Technical Business Support and Licensing. The overall manager is the Enforcement and Business Regulation Manager who in turn is managed by the Head of Community Safety, Enforcement and Business Regulation.

The two Teams each comprise of five ward based Principal Enforcement Officers, one Principal Waste officer, two Technical Support Investigation Officers and a uniformed Enforcement Service which consists of twenty three Enforcement Officers, two Apprentices and four Senior Enforcement Officers.

All staff with the exception of the Team Leaders work on a rota basis which includes night time and weekend working.

The service hours are 08:00 to 18.00 Monday to Wednesday, 08:00 to 02:00 Thursday, 08:00 to 05:00am Friday, 16:00 to 05:00 am, Saturday 16.00 to 02.00 on Sunday.

Service Structure below:



3.2. Accessing the Enforcement Service

The Service is accessed by the public, residents and businesses in a number of ways principally via the council service number during normal office hours and a dedicated line after these hours on those days that the reactive service operates. The service can be contacted at all times via email and via the Councils website.

3.3. Scope of the Enforcement Service

The Principal Officer ward based service deals with a variety of complex cases and casework such as eliminating through enforcement activity ingrained ASB activity to include closing property and areas and repeated larger scale fly tipping activity. Most of this type of complex activity will be delivered in close co-operation with a number of other services mainly the Police, Community Safety, Housing, Environmental Protection Service, Housing and Adult and Child Safeguarding.

Principal Officers operate on a ward based distribution where they act as single points of contact for their ward areas. They have responsibility of dealing with ASB and unauthorised waste complaints within their nominated wards. They will intimately know their wards and will be aware if all issues including begging and homelessness. They attend relevant Panel meetings in their wards where they will meet and get to understand the concerns of local residents alongside the Police and other relevant staff in housing parks and other services. They will also know and communicate regularly with their Police SNT Officers and Sergeants in their ward clusters. In association with Police services and other sections they will carry out routine enforcement action which can include obtaining entry warrants and applying for Closure Orders at the Magistrates' Court.

The Principals also work out of regular service hours on a rota basis covering Borough wide issues concerning either reactive or proactive issues as above but also including unlicensed street trading operations and the like through concerted action with other agencies and parts of the council.

The Uniformed Service has no formal limits other than those imposed by legislation and by its own resource. The main stay of the service is to provide a highly visible protective and proactive service that can be deployed easily and quickly within the envelope its core hours according to need. Naturally this is constrained through law on employment and particularly on health and safety. For example it cannot respond directly to those activities concerning crime more properly dealt with by the police e.g. stabbings and drug supply.

The Service is also expected to support some of its financial requirement through its own enforcement activities such as administrating Fixed Penalty Notices in preventing and tackling ASB, waste and other nuisance type violations that occur on the Borough's public spaces and

streets. This is usually determined as a tool for behaviour change, where they can have considerable impact on the casual disposal of litter on the Boroughs streets. The Enforcement Officer interactions will be usually one-off offences and are dealt with at the time of the offence. More complex and ingrained activity is passed to the relevant ward based Principal Officer. The Enforcement Officers are also tasked on a daily and weekly basis to prevent and investigate instances of nuisance and ASB on the Borough's streets and Estates. One of the key indicators on this is the administration of Fixed Penalty Notices and other types of enforcement tools such as formal cautions and prosecutions.

Given the above, both elements of the service work through a proactive and reactive intelligence based tasking process which is continually adjusting to ensure that resources are directed and managed to the best most efficient effect.

Proactive and Reactive Service Elements

| Functions | Activities & Comments |
|---|---|
| The regular patrolling for and response to reports of unregulated commercial waste This includes proactive activity such as dealing with waste generated through cultural celebrations | This specialised work is led by two dedicated Principal Waste Officers but supported by uniformed staff and other Principal Officers. |
| Proactive area co-ordination and forward deployment of resources through the co-ordinated management arrangements with Business Regulation. | This is achieved through having a shared common management structure where common objectives and working can ensure co-ordinated responses and planning. |
| Intelligence material sourced from the Community Safety Team's Intelligence Hub used directly to inform tasking and problem solving with partners across the Council and Police. | Regular weekly tasking and action centred management meetings ensure this is maintained and delivered. |
| Fulfilling specific requirements as set out in the Service Level Agreement (SLA) between the service and the Housing Department, primarily focused in dealing with unauthorised waste disposal, ASB, and ingrained noise problems other smaller matters and issues such as the removal of pirate radio aerials and paraphernalia whilst providing a uniformed patrolling deterrent. | The SLA is vital to the functionality of the service and regular contact with Housing ASB team ensure that the work is relevant and is continuity adjusted to need. It works through tasking and other linkages to ensure complete functionality. The Enforcement service leads on the Anti-Social Behaviour Panels which primarily but not exclusively deals with Hackney Housing Tenants. |
| Preventing and managing complex and local cases through enforcement case management (for all areas of non-compliance but especially noise and ASB). | This is ongoing work that concern complaint resident derived cases, for example include dog barking to extreme cases of continual noise pollution from one individual playing amplified music at all times. These can become complex matters which although local in nature can cause considerable harm and reputational damage to the council if not dealt with adequately. |

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| Preventative joint operations with the Police and Partners; some ad hoc 'on the night' and others with considerable forward planning involving cross border and working through tasking processes. This can include planned activity in controlling the noise and ASB issues in localised cultural events or on street dealing of nitrogen dioxide. | Joint operations have targeted issues such as kerb crawling or weapon sweeps planned through tasking or eliminating noise pollution through entry and seizure of noise emitting equipment arranged on the night. |
| The deployment of uniformed generic based enforcement and patrols to deal with and prevent low level ASB casework and noise abatement issues. | This is regular proactive activity mainly at late night to deter and deal with noise pollution and other ASB problems especially at night in the Dalston and Shoreditch areas. |
| Dealing with and preventing environmental ASB and waste including fly tipping, street urination and littering through intelligence based tasking and formalised patrolling. This will include issuing FPN's and prosecution offenders and publishing this. | This is a regular service activity and results in increased levels of on the spot enforcement activity. It is an essential tool in achieving compliance in ensuring a visible deterrent especially in the fly tipping of waste by business outside authorised times and limits. |
| Night and weekend enforcement including basic Premises Licensing enforcement in conjunction with police, Trading Standards and Licensing. | Joint tasked activity arising from intelligence of business noncompliance such as trading beyond authorised hours and selling age controlled products (e.g. Alcohol) to juveniles. |
| Highways Licensing Enforcement including unlicensed skips and scaffolding undertaking patrols and intelligence received from Street Scene. | The Uniformed Service will patrol areas of the Borough where there are suspected Highway obstructions such as unlicensed skips. Street Scene will also provide intelligence relating to Highway obstructions. |
| Uniformed patrolling service dealing with other non-compliant issues such as unauthorised street trading, unlicensed external tables and chairs and A boards. | These non-compliances usually generated by businesses and are proactive in nature, operations can be set up relatively quickly. |
| Large scale unauthorised waste dumping through fly tipping and other waste related issues and problems e.g. accumulated waste from vacated traveller camps. | Two Officers are embedded with the Waste teams located at Millfields Depot although managed by the service investigate these matters. Proactively and reactively working solely on these issues |
| Dealing with and preventing sources atmospheric pollution and other detriments to air quality. | This is a developing area of work and there will be a focus on the reactive and proactive work on problems such as the use of authorised fuels and enforcement of clean air legislation. |
| Special activity or projects focused on particular local areas of concern for example the prevention of noise and air pollution in the Borough Parks over the summer | A team has been set up and tasked with this on weekend afternoons and evenings over the Summer in 2019 and funded from budgets within Public Realm. |
| Leading and Co-ordinating Anti-Social Behaviour Action Panels; dealing with localised individual ASB problems especially in association with Housing ASB Officers. | This is regular specialised cross departmental activity led by Enforcement Team Leaders to ensure individual cases are dealt with. |
| Public reassurance achieved through regular visible proactive | This is self-descriptive and is an important element of the service for |

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| patrolling through town centres and estates. | example there may be issues with ASB outside a school and therefore distinctively uniformed Officers can be tasked to be in the vicinity to provide public reassurance at school leaving time. |
| Dealing with and providing customer responses to enquiries and complaints (including freedom of information matters and members enquiries). | The section receives a large quantity of incoming complaints and enquiries which need to be researched and responded to this is actioned in the main by Team Leaders and Principal Officers. |

3.4. Highlights from 2018/19

Below is a detailed list of highlighted activities which occurred throughout the financial year and represent a sample of the work the service is involved with and help illustrate breadth of responsibilities that the service deals with.

ILLEGAL ENCAMPMENT, 139-141 MARE STREET, HACKNEY

Principal Enforcement Officers, Enforcement Officers with Community Support Officers and colleagues in Waste Operations removed an encampment that had been set up on the Highway outside 139-141 Mare Street, Hackney for a number of months.

The persons camped out were in fact residents of Tower Hamlets who had moved across the boundary into Hackney and they refused all offers of assistance. During Enforcement Officer patrols the teams identified the encampment on the Highway and that it was attracting anti-social behaviour and potentially causing a significant risk to members of the public using the footpath. Officers engaged with the subjects living there and worked with support services from Hackney and Tower Hamlets to try and resolve their housing needs. However on this occasion the offers of support were refused. Officers have having no further option served notices for the encampment to be removed.

Dalston, Days of Action 21st & 22nd February 2019

On Thursday 21st February Officers from Met Police including undercover Officers from Neighbourhood Task Force Team and local Safer Neighbourhood Officers, Trading Standards, Principal and Enforcement Officers, Licensing, Markets Inspectors Team joined this operation. This operation was led by the Principal Enforcement Officer for the Dalston Ward.

Outcomes from action day:

- Licensing and Police came across a trader illegally selling alcohol without a licence in Ridley Road. Licensing will invite him in for a PACE interview.

- A female street beggar who said she was pregnant and taking class A drugs asked EOs for support and intervention she was referred to the Pause project for them to make contact with her and offer intervention.
- Officers spoke to a local business on Bradbury Street regarding Highway obstructions and were advised that Enforcement EOs would be issuing a 7 day notices if the bikes were not removed. This was followed up on 22nd February when the notice was issued.
- Officers spoke to the security at Harmar Market who have experienced confrontation from members of the public displaying anti-social behaviour and praised them for their efforts and reassured them that we will support their efforts. EOs and Police Officers carried out a walk-through with the security team in the problem areas of Harmar Market and spoke to traders inside. This approach showed a public display of solidarity with Harmar security and other Enforcement Officers in tackling ASB.
- The traders expressed their reassurance that Officers out in force walking through Ridley Market and there were positive interactions between traders and Officers.
- One problem the market had identified concerned people riding through on their bikes without consideration for others despite signage being displayed to dismount, but it was noted riders came off their bikes when they saw the Officers so their visible presence acted as a deterrent.
- Trading Standards engaged with 10 market traders. All had major pricing issues and seven day notices served and advice on the sale counterfeit goods, although no infringing goods were discovered on the road market.
- Officers were also deployed on the evening of 22nd February. They engaged with the street population in Gillett Square and advised them about concerns in respect of environmental problems and littering. This gained some compliance as bottles and cans of alcohol were cleared. They had a two aggressive incidents and those individuals were given the appropriate Community Protection warnings or notices. Enforcement Officers issued a bike with a seven day notice Highway Obstruction Notice on Bradbury Street.

RIDLEY ROAD MARKET

Since January 2018 an Enforcement Officers has been based full time at Ridley Road Market his placement paid for by the Markets section. His responsibilities include the control of waste and other enforcement issues at the Market. He has supported traders and business owners in sign-posting them to the correct departments to ensure that their licences or commercial agreements are in order and a deadline in which to resolve, before he would take enforcement action.

He has arranged meetings with Waste and other services and is sharing intelligence with the wider department. Within a few weeks he had made an impact serving notices to four business and verbally warning five others on non-compliance with waste issues following a couple of controlled late night operations. The visible presence of an enforcement officer has significantly improved the overall look, standard and compliance in the market. Traders have been communicated regarding housekeeping expectations for the footpaths at the front of the market and compliance to waste management agreements. The officer has ensured follow ups to all trading licensees and conducted this with Market Officers to ensure a unified approach.

The Officer leads on all enforcement aspects at the weekly Markets meeting where he updates the wider team in the activities and issues he is dealing with. This has been very useful in ensuring a more prominent focus on the enforcement of terms and conditions with the Inspectors, which has in turn had a positive impact on the wider team benefitting our other markets. Importantly the feedback from The Ridley Road Traders association (RRMTA) continues to be positive in both the Officer's approach and execution of his role within the market.

CLOSURE ORDER- CYCLE PIT STOP, 241 WELL STREET, E9 6RG (continued)

The area Principal Enforcement Officer in conjunction with the Police applied to Thames Magistrates' Court for a Closure Order under s80 of the Anti-Social Behaviour Act 2014 due to a re-emergence of serious ASB issues ongoing at the premises together with alleged drug dealing. On 23rd February 2018 the Thames Magistrates' Court issued a Closure Order in relation to the address above on the grounds that the Court was satisfied that it is necessary for the Order to be issued to prevent the occurrence, recurrence or continuation of:

Disorderly, offensive or criminal behaviour on the premise or,

Serious nuisance to members of the public resulting from the use of the premise, or

Disorder near the premise associated with the use of those premises.

On 21st May 2018 the Principal Enforcement Officer applied to have the order extended for a further three months under the provisions of S.82 of Anti- Social Behaviour, Crime and Policing Act 2014 which was granted by the Court. While placing Orders on the premises the officer inspected the back of the shop and spoke to neighbours who had removed a ladder that was there, and had also felt necessary to apply anti-climb paint to the wall to prevent intruders from trying to gain access to their own adjacent properties. It was suspected that potentially illegal sexual activity and drug taking were being permitted or encouraged on the property but this could not be proved to a criminal threshold. The landlord was informed of the closure and of further civil action the Council intended to prevent the person who ran the shop from returning to the premises. An Injunction was later placed on the tenant to prevent him operating a business from that property.

PARTIAL PREMISES CLOSURE ORDER SHOREDITCH HOUSE

On 21st November 2018 The Principal Enforcement Officer for Hoxton West successfully obtained a Partial Premises Closure Order at Thames Magistrates' Court for the external and internal areas of Shoreditch House banning any unauthorised persons from getting access to the block. Hoxton West Safer Neighbourhood Team was also able to obtain a Full Closure Order for one of the flats in Shoreditch House and both Orders were served on the same day at 4pm. The Orders were granted for a period of three months initially.

The Court was satisfied that the Closure Order was necessary for the following reasons:

a) that a person has engaged or is likely to engage in disorderly, offensive or criminal behaviour on the premises, and

- b) that the use of the premises has resulted, or is likely to result in serious nuisance to members of the public, and
- c) that there had been or is likely to be disorder near the premise associated with the use of those premises.

The Court was satisfied that the Order was necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring.

The Order was made under section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014 for a period of three months initially and prohibits access by all persons to Shoreditch House subject to certain exemptions including residents, their friends, visitors and associates, emergency services and employees of Hackney Council.

On 11th January three persons were reported as being in the Stairwell at Shoreditch House at approximately 16.30 and Police Officers attended and they were arrested for the Breach of the Closure Order. They appeared in Court on 16th January and were all given a two year community service order at Court not to attend Charles Square for 2 years. Officers attended Court on 19th February and successfully applied for the extension of the Closure Order for a period of three months.

This was an excellent piece of partnership working with Hackney Housing and the Police.

WEAPON SWEEPS

Enforcement Officers throughout the year conduct weapon sweeps with Police Teams in areas where intelligence leads the service to believe that gang members (not exclusively) are storing and hiding weapons, such as knives in the locality for potential altercations. These are highly visible operations and serve as a preventive and disruptive tactic to potential lethal encounters. Examples would include the following:

On 1st June 2018 the Brownswood SNT and Enforcement Officers carried out a weapons and drugs sweep in the Wilberforce Road and Finsbury Park road area. The previous day the local Police found a packet of MDMA with the street value of £350 behind the telephone exchange box so it was suspected that people continue to stash drugs. Although nothing substantial was found a Senior EO found a travel visa card in the same green box. Also, a member of the public approached Officers and thanked them for the work they do so it was good to show a visible presence. The Community Safety and Principal Enforcement Officer for the Ward was also able to deal with a dumped fridge on the pavement and rubbish in a front garden and the landlord agreed to remove these items.

Enforcement Officers together with Dalston and Shacklewell Safer Neighbourhood Team undertook a weapons Sweep on 24th October in Gillett Square and Bradbury Street and found four knives and one razor blade in Gillett Square. One lock knife found behind electricity box at entrance to Gillett Square from Bradbury St., three older knives were found by bin area near urinals and a razor blade was found in flower bed next to Dalston Jazz B.

PIRATE RADIO STATIONS

Not only do pirate stations interfere with vital radio communications used by the emergency services, aircraft systems, they can have an impact on the lives of our residents effecting their television or radio signals. The pirates frequently cause damage to property when siting equipment which can have an impact on residents. On many occasions as they are unregulated they can found to be broadcasting homophobic or other hate speech material.

On 2nd August 2018 Officers were able to disrupt individuals illegally transmitting over the airways.

The following locations were visited:

67-132 Lincoln Court

All aerials, wood, metal works and cabling were removed. The covering of the roof vent was removed where the transmitter was located. Officers were unable to take the transmitter out of the air vent as it has been wedged in. Officers have to regularly attend the location which is notorious for illegal pirate radio.

Avenue House

This location was passed to Officers by Housing. The lock to the roof area was insufficient and housing were advised it needs to be changed. At the top of the ladder there is no hatch. Officers removed the cabling and the aerials, however we could not reach the chimney breast where the transmitter maybe housed.

Trelawney Estate - middle block

The block was secure and the location was not transmitting, but the wiring and aerials were still in situ and Officers were unable to locate a transmitter.

This was a good piece of partnership work between CSEBR, Housing and OFCOM.

ILLEGAL STREET TRADING & NITROUS OXIDE SELLERS

On 24th August 2018 an Illegal street trader at Farleigh Road at junction of Amhurst Road selling food from a large van was issued with an FPN for trading without a licence.

There have been many complaints from NTE venue owners concerning the overt sake of Nitrous Oxide street selling in Dalston and Shoreditch. The Seller operates with look outs and can start to 'take over' the public space outside late night establishments causing problems with dispersal as customers leave causing disturbance and other issues with intoxicated people. An operation to combat Nitrous Oxide sellers with

uniformed Enforcement Officer working with plain clothes Police Officers and Principal Community Safety Officers in the Shoreditch night time economy area resulted in the seizure of two large bags of Nitrous Oxide with dispensers from sellers and two £150 FPNS were issued.

WASTE PROSECUTIONS

Abdul Wahid, T/A Best American Pizza, 61A Pitfield Street, N1

On 1st June 2018 the Defendant attended Court and entered a guilty plea to fly tipping under s33 of the Environmental Protection Act 1990. The Bench heard the Defendant's mitigating circumstances. The Defendant held that the waste was placed at the back of the business premises door and left in the car park along with the residents' waste in similar black refuse sacks. He alleged that his waste may have been mistakenly taken by the person in charge of clearing up the residents' waste and put it in the skip.

The Bench decided on a conditional discharge with costs of £250 awarded to the Council and a victim surcharge of £20 imposed which is a total of £270 to pay within 28 days. The bench also attached a collection order should the costs not be paid within the 28 days period and the Court's bailiffs will attend the registered address.

Satmar Meats, 8-10 Stamford Hill N16

The business was prosecuted for fly tipping offences under s33 of the Environmental Protection Act 1990 and also in respect of duty of care offences under s34 of the Act (in not providing details of waste carrier) and pleaded guilty and was fined £800.00 with costs of £622.50 awarded to the Council together with an £80.00 Victim Surcharge giving a total of £1,502.50 with 28 days for the defendant to pay. The bench also attached a collection order should the costs not be paid within the 28 days period and the Court's bailiffs will attend the registered address.

UNREGULATED WASTE

On 29th November 2018 Enforcement Officers and Officers from Waste Services undertook a joint operation which focused on the whole of Stoke Newington High Street. Most of the road was clear but towards Stamford Hill the problems were more evident. Seventeen businesses were engaged with three s33 EPA 1990 FPNs issued for fly tipping, three s88 EPA 1990 FPNs issued for littering, five s47 EPA 1990 notices issued, five s34(5) EPA 1990 notices served and one s34(6) EPA 1990 notice served. This is a continuing good example of joint working with the PEO's, EO's and Waste and the programme is continuing.

These operations are now a programmed feature and Officers have conducted them and will continue conducting the operations every second Thursday from now on. Additionally, there will be regular daytime patrols on the busiest thoroughfares where Officers will be visiting every trading premises to examine trade waste documentation to ensure compliance particularly the existence of agreements and any overproduction of waste. As to be expected there will be a strict adherence to the Enforcement Policy in respect of any sanctions as a result on non-compliance.

PUBLIC ORDER INCIDENT

In the early morning of July 28th 2018 Enforcement Officers were the first at the scene of large mob chasing a vehicle at Hackney Road near Browns. The Senior EO parked the van in the middle of the road to block traffic and put the vehicle emergency lights on as over 30 persons tried to smash into a nearby white vehicle and extract the driver. Shouting that 'he has run over five people' were heard as the windows of the car were put in. Security staff from Browns and other venues defended the driver and prevented potentially serious injury at the hands of the mob. Multiple armed units attended as the incident was treated as a potential terrorist incident and CCTV was updated.

On the following evening another Senior EO spoke to doormen and managers of several venues on Rivington Street and was able to examine one of the venues' CCTV recording. It appeared that an Uber driver started panicking after he found himself trapped between crowds of people on Rivington Street. He tried to reverse and hit one pedestrian. He then panicked again and drove forward, hitting at least another three people. It could have resulted in serious injuries of one or even several people.

The feedback from all involved (including the inspector who came to Shoreditch following the incident) praised the good team work between door staff, Enforcement Officers and Police.

PUBLIC ASSISTANCE

On Thursday 13th September about 1.00 pm, returning from lunch Enforcement Officers were approached by a member of public who informed them that he had found a man slumped on the pavement outside of Domino pizza on Darnley Road but had not been able to help the man.

The Officers made their way to the location and found a man leaning against a wall trying to stand. They explained who they were and the man advised them that he was diabetic. The man was having difficulty communicating to the Officers and his speech was in very slow and the Officers could see he was struggling to form words and sentences. The Officers believed that he was going into shock and a collapse was imminent. One of the Officers went into a shop and purchased some chocolate and Lucozade whilst the other remained with the man to reassure him. Once the man had replaced his sugars the Officers waited with him for about 30 minutes until he was able to walk and escorted him to the bus stop outside of the town hall.

3.5. Enforcement Policy

An Enforcement Policy has been implemented for the Service and was approved by Cabinet in on 21st January 2019.

Officers recognise that whilst businesses look to maintain their reputation they also seek in most instances to be on the right side of legal requirements without incurring excessive expenditure and administrative burdens. So, in considering enforcement action, the service will

assist businesses to meet their legal obligations whilst taking firm action that may include prosecution or other formal action, where appropriate, against those who disregard the law or act irresponsibly.

All authorised Officers will take a graduated approach when making enforcement decisions. Any enforcement undertaken takes account of the principles of the Enforcement Concordat, Regulators Code and has regard to Crown Prosecution Service guidelines and Equality Impact issues.

4. SERVICE DELIVERY

4.1. Operational Context

The model adopted for the service includes an Intelligence Hub and an evidence based tasking process. This has brought together partnership support and intelligence capabilities for the service, creating a joined up approach to its delivery. The hub co-ordinates and enables effective joint tasking based on current intelligence. The hub also enables proper data management processes and ensures that all functions benefit from analytical expertise.

This service has brought together the previously disparate frontline enforcement response services and has increased capacity to address volume offences such as street urination, dog fouling, domestic noise nuisance, fly tipping etc. whilst also increasing visibility and public reassurance. This has enabled a better platform to achieve required behaviour change and a reduction in volume Anti-Social Behaviour (ASB) crime. The creation of the unit has simplified the triage of more serious offences and problems to allow higher level case management for resolution. This unit has also provided greater capacity to address out of hours demand.

The management of out of hours service has been overhauled ,as prior to the implementation of the new structure, the out of hour's service provision was insufficient and struggled to meet the needs of residents especially with regard to managing noise complaints and the demands associated with the night time economy. The current structure aligns more resource to out of hours service provision through a mixture of shift based working (primarily the Enforcement Team) and an on call resilience to provide additional specialist resource as it is required or in the event of emergency management.

4.2. Service Requests

These are received through normal Council routes and after triage are distributed on type and ward area for further investigation. Complex matters will be dealt with by Principal Officers whilst other perhaps more basic issues requiring one off intervention are tasked to the Enforcement Teams.

4.3. Advice to Businesses

The service is not formally established to provide legal or technical advice to business although in the normal course of service it is expected that Enforcement staff will always be ready to give general advice or signpost business (and residents) to sources of specialist advice offered by the Council.

4.4. Additional Priorities and Partnership Working

The weekly tasking of Enforcement Officers is now fully operational and is a vital component in ensuring that the service is on top of the problems and concerns that residents and other departments (especially Housing) are experiencing. These Tasking meetings determine the following:

Co-ordination and deployment of staff using an evidence based approach to provide targeted action and patrols based on weekly / ongoing analysis of intelligence and data (service wide). This will include planning for upcoming events, and seasonal peaks of activity that require action on a cyclic basis (e.g. Summer peaks, Christmas, pre-planned events in parks etc.)

- Highlight emerging patterns and trends and plan targeted early intervention and activities.
- Provide staff briefing: to include issues of concern that they need to be aware of (officer safety, missing persons, suspect premises, suspect vehicles, suspect people etc.), and to request additional information and data to fill information gaps.
- Enable a joined up and efficient use of Service provision in Hackney (From Enforcement Officer patrols to licensed premise and business regulation enquiries and checks, plus other enforcement functions), and task Officers dependent upon need and demand.
- Provide a transparent and auditable decision making process that will stand up to scrutiny and justify how and why decisions have been reached. Particularly relevant in this respect is where action is not possible or evidence is insufficient, and that alternative solutions or referrals have been considered.

- Provide a full list of all action/tasking's completed and action taken to resolve issues.

In addition a larger Partnership Tasking takes places on a monthly basis and is associated more closely with the Police tasking process. The Intelligence Hub raises issues with the Police (as a by-product of the weekly tasking). Any strategic requests from Police are currently either discussed at the weekly tasking process (generally regarding requests for the service area e.g. CCTV & Enforcement Officers), or discussed at Partnership Monthly Tasking if a multi-agency problem solving approach is better suited.

The Partnership Tasking meeting has developed from a need to improve joined-up working practices across a broad range of Council departments, organisations and agencies. Its purpose is to effectively tackle, control and reduce crime and ASB related problems; it is recognised that tackling problems together is a more effective approach to crime prevention and enforcement and has a broad two fold purpose:

1) Tasking is focused on a discussion around crime trends and hotspots that identify problem locations, and associated issues. Where relevant and appropriate, partners are asked to undertake specific actions to help resolve current problems. Enforcement Officer are frequently tasked to undertake patrols and enforce Fixed Penalty Notices at specifically defined hours and locations. The actions are relevant to the identified problem, and allotted to the relevant partner(s) only. A lead member is identified to co-ordinate and collate the response in a given time period; this usually consists of an initial response after two weeks, but some of the more complex or ongoing issues will require a longer period of resolution.

2) Development of problem solving more generally and a forum for partners to bring forward specific problems that require a partnership focused resolution. Some of the problems tackled under this umbrella have originated from Councillor Enquiries and complaints. As above a lead partner co-ordinates action and is responsible for the development of more detailed action plans and responds back to the group.

4.5 Waste

During 2018/19 it was recognised that the service needed to enhance its enforcement activities in regards of a more proactive approach to the enforcement of unregulated waste. Toward this end a programmed approach was implemented which includes checking trade waste agreements with businesses as well as concentrated and visible enforcement activities in a focused way. These programmed activities now occur on a weekly basis either on a Thursday or Friday afternoon/evening and are worked with uniformed and Principal Officers alongside staff from Waste Operations. Enforcement processes are in line with the enforcement policy but it is recognised that a lower tolerance particularly on fly tipping is required. Waste enforcement operations are now on an expanded and more proactive footing. A number of KPI's were developed and will be reported on a regular basis

Additionally there was a programme to ensure that the areas where time banding applies were refreshed with new signage on the waste collection time. Hoxton Square was added to this in March for time banded collections following a consultation with residents and businesses. This was seen as a responsibility for the service and so was done at full cost to the service.

It was recognised that enhanced operations would need to be implemented for Cultural and or Religious events that traditionally produce large amounts of waste. This requires Officers to work with Waste Operations in a strategic way as in the case of Passover there will need to be advance notice provided to the community that waste collection arrangements will be altered and enforcement undertaken.

4.6 Late Night Levy

The Enforcement Service has always been involved with 'Policing' the night time economy. Since the introduction of the levy their patrolling activity has been increased to include all parts of the Borough and has been programmed through an increased level of staffing using overtime. Activities are mostly focused on NTE areas. Officers deal with issues some of which are tasked such as checking Temporary Events and focusing on areas known for ASB resulting from intoxication whilst providing a visible uniformed presence in these areas.

The Police have now commenced Patrolling the NTE on a focused overtime basis funded by the LNL and the enforcement service will co-ordinate and work closely with these teams across the year. There will need to be a special focus on the night time street sale of NO2 gas.

4.7 Housing

A new Service Level Agreement has been agreed with Housing with the individual responsibilities and expectations have been better set out although essentially the level of service will remain at existing levels. Housing requested information on the resources devoted by the Enforcement Service to work on Hackney Housing estates and property and this was supplied and which demonstrated clear value for money. A set of Monthly KPI's have been established to assist in Housings need to report to their own management.

4.8 Proactive Work Developments

The current projects are under development;

- A Public Space Protection Order (PSPO) with regard to ASB being undertaken at Wick Woodland was approved by Cabinet on 29th April and will come into effect six weeks from that date unless there is a legal challenge.
- A potential PSPO is to be scoped in conjunction with Islington and Haringey. This would be in Brownswood Ward and would represent a first combined effort for the three boroughs concerned to reduce high levels of ASB and drugs in these areas.
- There will be focus, given new resources from the Late Night Levy to reduce the incidence of on street drug sales in the NTE. This will focus on the pervasive availability of this product and the ASB it causes.
- There will continue to be an increased focus on waste and more enforcement activity on reducing the incidence of unregulated commercial waste through highly visible planned street operations.

- Due to a recent decision by the Council to ban all barbeques in the parks and open public spaces in the Borough there will be a dedicated team of Officers working throughout the summer on the weekends and Bank Holidays in 2019 to ensure that no barbeques are used in the key location of London Fields. This is additional currently unbudgeted work but seen as vital in ensuring that atmospheric pollution is kept to a minimum and that there are minimal levels of ASB. Officers will work with the Parks Service to ensure smooth running and it is anticipated that the clear message will be easier to explain and enforce than in previous years.
- The service will continue to strive for more efficiencies in delivery which will not impact on overall responsiveness. These will include a review of current levels and distribution of staffing particularly in technical services and in seeking cost improvements and efficiencies in IT capabilities delivered through the Public realm ICT Board or in conjunction with ICT.

5. RESOURCES

5.1. Financial Allocation

The total budget for the service is £2,392,124

5.2. Staffing Allocation

The Staffing Allocation for the service are as follows:

0.33 FTE x Head of Community Safety, Enforcement and Business Regulation

0.5 FTE x Enforcement and Business Regulation Manager

2 FTE X Enforcement Team Leaders

10 FTE X Principal Enforcement Officers

2 FTE X Principal Enforcement Officers (Waste)

4 FTE X Technical Services Officers

4 FTE X Senior Enforcement Officers

23 FTE X Enforcement Officers

2 FTE X Apprentices

5.3. Staff Development Plan

A comprehensive training programme is provided for all staff working in the service on a continual programme basis according to need and as the service requires ranging from dealing with Aggressive Situations, Noise Nuisance and all aspects of ASB law.

All Officers have been through a series of training opportunities to bring them up to speed with the range of legislation and tasks that the service covers. This is a very broad and diverse range but allows Officers to deal with a wide range of enforcement duties. As there is a relatively high turnover of staff within the uniformed element of the service the training programme will need to continue as new members join the teams.

5.4 Resource Allocation

The table below is the estimation of a full time equivalent.

| | |
|---|------------------------------|
| 1 year | 52 weeks (260 days) |
| Annual Leave / Bank holidays | 6 weeks (35 days) |
| Training / briefings etc | 2 weeks (10 days) |
| Sick leave / dependency / special leave etc. | 1 week (5 days) |
| Number of working weeks | 42 |
| Number of working days | 210 days |
| 1 FTE | 210 days (1512 hours) |

Principal Enforcement Officers (PEOs) excluding Principal Waste Enforcement Officers

Noise and Nuisance complaints

This is undertaken by the PEOs and it is not possible to accurately calculate how much time is spent on each nuisance complaint as it depends on the complexity of the case. For example some may only require a phone call and a letter sent out whilst others may require multiple visits to the complainant and to the perpetrating premises. Some domestic noise complaints can take a significant time to resolve particularly if the perpetrator has mental health issues. Therefore, a total of 19.5 hours is allocated to each service request to counter the different hours/time spent on each case. This breaks down further into the following, 2 hours initial call and letter preparation to complainant, 2 hours for obtaining details of perpetrator and dealing with Hackney housing/RSL etc, 9 hours for the

installation of and analysis of recording of noise monitoring equipment, 1 hour for preparation and service of a notice, 4 hours for attending Court to obtain a warrant and 1.5hours to prepare prosecution papers. This is based on 282 live cases throughout the year

Noise and Nuisance investigation time = 5499 (3.6 FTE)

High Risk ASB Cases

These cases are triaged and have score of 26 or more on the matrix. Officers need to undertake case research which takes 0.5 hours, visit to the person suffering ASB taking 1 hour, interviewing the alleged perpetrator taking one hour ,administration associated with both the complainant and perpetrator with taking 2 hours. Liaising with Police, Hackney Housing, RSL, attendance at ASBAP taking 4 hours and preparation of legal notice and prosecution if required 2.5 hours giving at total of 14 hours per case with approximately 312 cases per year.

High Risk ASB = 4386 hours (2.9 FTE)

Low Risk ASB

As for high risk cases but allowing for 780 cases per annum taking 13 hours of Officer time per case

Low Risk ASB = 10140 hours (6.7 FTE)

Licensing visits

PEOs undertaking out of hours proactive visits to assess compliance with Licensing conditions at weekends based on 624 visits each taking one hour.

Licensing Visits = 624 hours (0.41FTE)

Reactive pre-planned work

This includes applications for Closure Orders based on 10 applications per year each taking 14 hours, applications for Injunctions based on 5 applications each taking 24 hours, planning for the introduction of a PSPO 150 hours and undertaking investigations in relation to pirate radio stations based on 27 cases at 2 hours each.

Reactive Planned Work = 454 hours (0.3FTE)

Enforcement

This includes dealing with fly tipping based 625 cases taking 8 hours each, Graffiti based on 48 cases taking 1.25 hours each and Organised Street Trading based on 3 cases each taking 30 hours each, Fly Posting based on 14 cases each taking 1.25 hours.

Enforcement = 5168 hours (3.4 FTE)

Members, Mayoral Enquiries, Freedom of Information Requests and Corporate Complaints

A total of 4 hours is allocated to each type of request or enquiry. However, it must be noted that some take significantly longer, but to balance the numbers an average of 10 per week with 4 hours allocated to each = 2000 hours

Members, Mayoral enquiries, Freedom of Information requests and Corporate Complaints time = 2400 hours (0.22 FTE)

Enforcement Officers

Out of hours Noise

EOs are on duty Thursday, Friday, Saturday and Sunday specifically dealing responding to noise complaints received with a total of 6084 hours per year allocated to this task.

Out of hours noise =4836 hours (3.19 FTE)

Enforcement

This includes dealing with littering based on 1,062 cases taking 1.25 hours each, fly-tipping based on 625 cases taking 4 hours each, Highway obstructions based 1,010 cases taking 2.5 hours each, Graffiti based on 48 cases taking 1.25 hours each, Illegal Street Trading based on 28 cases each taking 2 hours each, Fly Posting based on 14 cases taking 1.25 hours each, dog control based on 38 cases taking 2 hours each and nuisance vehicles based on 22 cases taking 2.5 hours each.

Enforcement = 6778 hours (4.5FTE)

Total = 11614 hours (7.68 FTE)

Proactive

Tasking Duties

Undertaking patrols in response to requests received at the weekly tasking meeting including on Housing Estates, ASB, drug related test purchases and is based on each EO undertaking one hour of tasking duties per week. There are an average of 25 tasking requests each week giving a total of 18,200 hours.

Tasking Duties= 18,200 hours (12FTE)

Enforcement Patrols

A number of proactive patrols are undertaken and is based on 300 patrols being undertaken each taking two hours giving a total of 1200 hours.

Enforcement Patrols = 1200 hours (0.8 FTE)

Night Time Economy

Patrolling out of hours at weekend in NTE are particularly Dalson and Shoreditch based on six Officers being on duty for six hours a night every weekend giving a total of 4992 hours.

NTE= 5616 hours (3.7FTE)

LALO Duties

This is difficult to quantify as depends on the number of Emergency Incidents Officers need to attend and based on 20 incidents with a requirement to be on site for 7 hours giving a total of 105 hours.

LALO=140 hours (0.09 FTE)

Waste Operations

Undertaking proactive visits with Waste Operations fortnightly with four Eos on duty for four hours

Waste = 384 hours (0.25FTE)

London Fields

Enforcement of Barbeque area at London Fields on Saturdays, Sundays and Bank holidays from April to September based on 4 Officers being present from 11.00am -11.30 pm on Saturday, Sunday and Bank Holiday giving a total of 2,352 hours.

London Fields= 2352 hours (1.55FTE)

Proactive= 27892 hours (18.4 FTE)

Total estimated hours required for carrying out Enforcement Function 2019/20 is 39506 hours (26.12 FTE).

6. KEY PERFORMANCE INDICATORS

| Indicator | Reporting Interval | Department | Section | 2018/19 | 2019/20 |
|--|--------------------|--------------------------|-------------|---------|---------|
| No. of Fixed Penalty Notices issued | Monthly | Neighbourhoods & Housing | Enforcement | 1650 | 1800 |
| No of Community Protection Notices issued under Anti-Social Behaviour , Crime and Policing Act 2014 | Quarterly | Neighbourhoods & Housing | Enforcement | 17 | 20 |
| No of Prosecutions instituted and Formal Cautions issued | Quarterly | Neighbourhoods & Housing | Enforcement | 21 | 25 |
| No of injunctions applied for in respect of ASB | Quarterly | Neighbourhoods & Housing | Enforcement | 1 | 5 |
| Number of noise abatement notices served under s80 EPA 1990 in respect of domestic noise | Quarterly | Neighbourhoods & Housing | Enforcement | 5 | 5 |
| No of Closure Orders applied for | Quarterly | Neighbourhoods & Housing | Enforcement | 6 | 6 |
| ASB warnings | Quarterly | Neighbourhoods & Housing | Enforcement | 392 | 300 |
| Community Protection Warning Notices issued under Anti-Social Behaviour, Crime and Policing Act 2014 | Quarterly | Neighbourhoods & Housing | Enforcement | 234 | 200 |
| % of Environmental Enforcement service requests responded to within three working days | Monthly | Neighbourhoods & Housing | Enforcement | 69.2% | 80% |
| % of domestic noise service requests responded to within three working days | Monthly | Neighbourhoods & Housing | Enforcement | 99.5% | 99% |
| No of s34(5) EPA 1990 notices | Monthly | Neighbourhoods & | Enforcement | 154 | 150 |

| | | | | | |
|---|---------|--------------------------|-------------|-----|-----|
| | | Housing | | | |
| No of s34(6) EPA 1990 FPNs issued for failing to provide waste transfer information | Monthly | Neighbourhoods & Housing | Enforcement | 35 | 30 |
| No of s47 EPA 1990 Notices regarding waste receptacles | Monthly | Neighbourhoods & Housing | Enforcement | 151 | 150 |
| No of s47 EPA 1990 FPNs issued | Monthly | Neighbourhoods & Housing | Enforcement | 49 | 50 |
| No of s33 EPA 1990 FPNs issued for fly tipping | Monthly | Neighbourhoods & Housing | Enforcement | 131 | 130 |