



**London Borough of Hackney**

## **Enforcement Service Plan 2021/22**

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## **ENFORCEMENT SERVICE AIMS AND OBJECTIVES**

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### **INTRODUCTION**

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

#### **1. ENFORCEMENT SERVICE AIMS AND OBJECTIVES**

##### **1.1 Aims and Objectives**

An integrated area and ward-based enforcement service with officers empowered to enforce a range of legislation, including street scene enforcement, anti-social behaviour (ASB), noise nuisance, integrated with Business Regulation to enhance the priorities of the specialised legislative areas enforced by licensing, trading standards and environmental health.

To provide through comprehensive casework a system to ensure that all relevant complaints are taken through from inception to completion, including enforcement action where necessary.

To work closely through an intelligence led tasking process, with other sections of the Council particularly Housing, Waste, Highways Markets and Street Scene.

To work in partnership via intelligence led operations with the Police and other emergency services where appropriate.

To task the 'out of hour's' enforcement service to deal with inter alia; allegations of anti-social street-based behaviour (ASB), residential noise (some commercial noise), street urination, littering, routine licensing matters, fly tipping and other environmental issues.

To provide a highly visible street enforcement service to ensure public reassurance especially within the night time economy and to work with Police resourced by the Late-Night Levy.

Create single points of contact for customers and partners for ward-based issues.

To provide, through an agreed Service Level Agreement, a service 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 obtaining Closure Orders on properties due to ingrained drug consumption, ASB and ASB in the communal areas.

To contribute to and provide support for 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

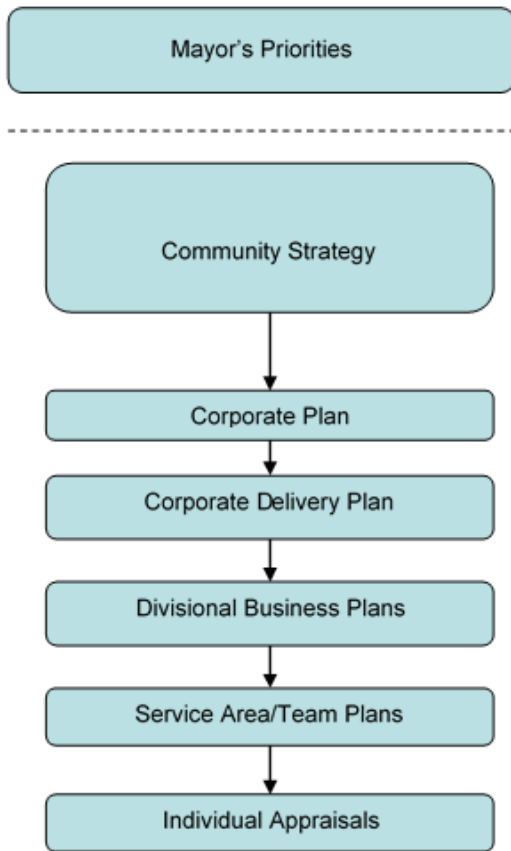
To lead and organise 4 area defined Anti-Social Behaviour Panels, meeting monthly across the borough to determine solutions with partners particularly in social housing and Police to counter ingrained issues of ASB to an individual level.

To provide reactive enforcement activities 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. Street-based patrols will control and sanction members of the public who carelessly drop litter or who urinate on public land.

Through the Lockdown periods as dictated by the government to react and support all council wide activities in relation to maintaining a safe public environment and as tasked through the intelligence unit – having a particular focus on London Fields and the other green spaces across the borough.

To lead on providing legal measures (Injunctions) and spearheading the implementation and consultation of Public Space Protection Orders across the Borough.

## 2. Links to Corporate Objectives and Plans



**Mayor's Priority 1:** 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.

**Mayor's Priority 2:** Making Hackney a place where everyone can feel healthy and safe, at home, at work, and on streets, parks and estates.

**Mayor's Priority 3:** Making Hackney an economically and environmentally sustainable place, with strong, cohesive and diverse communities.

The **2018-2028 Community Strategy** has five cross-cutting themes:

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.

## 2.2 Mayor's Priorities

### REVISED CORPORATE PLAN PRIORITIES

As a result of the Covid-19 Pandemic, priorities from the 2018 corporate plan have been simplified and consolidated into the following priorities:

#### **FAIRER**

1. Poverty reduction
2. Rebuilding an inclusive economy
3. Lasting solutions to London's housing crisis and homelessness
4. Supporting children and families to thrive
5. Community wellbeing and tackling health inequalities

#### **SAFER**

6. Reducing harm

#### **GREENER**

7. Responding to the climate emergency

### 3. BACKGROUND

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#### 3.1 Organisational Structure

The Enforcement Service is nominally divided into North and South divisions and each Team is headed by an Enforcement Manager. 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 overseen by the Head of Community Safety.

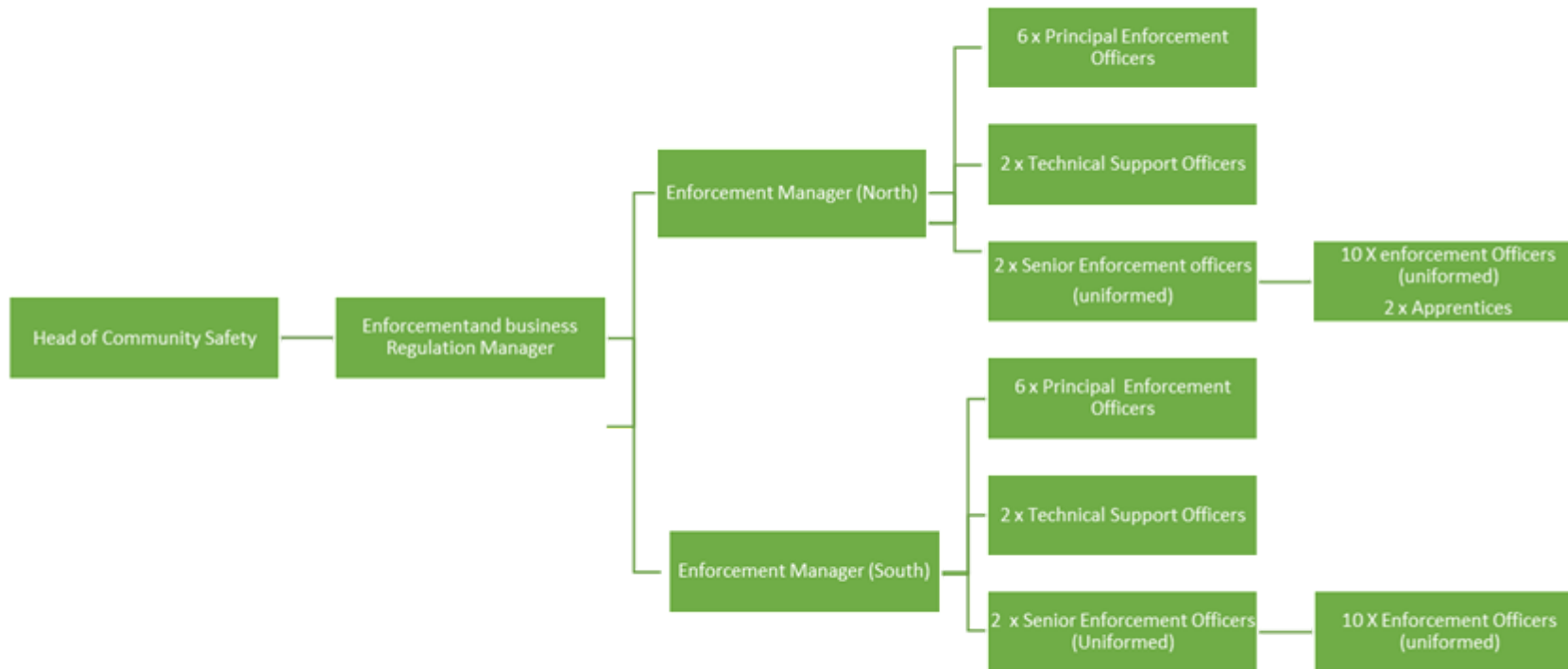
There are two area based teams each comprise of six ward based Principal Enforcement Officers and two Technical Support Investigation Officers.

The uniformed Enforcement Service which consists of twenty-two Enforcement Officers, two Apprentices and four Senior Enforcement Officers. The uniformed Officers have responsibilities across the whole Borough and are not tied to individual wards. This team is split into 4 units each headed by a senior officer and are managed by the Enforcement managers above.v

All staff with the exception of the Managers 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 05:00am, Saturday 16.00 to 02.00 on Sunday. During the COVID pandemic and the closure of the NTE these times have been altered to ensure better early afternoon and evening cover.

### 3.2 Service Structure:





### **3.4 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. Key elements of the service can also be accessed through Fix My Street which is a more recent development and which over time is likely to be the principal conduit for the Public.

### **3.5 Scope of the Enforcement Service**

The Principal Enforcement Officers(PEOs) operate across the Borough on a ward-based distribution where they act as single points of contact for their ward areas. They have the responsibility of dealing with all ASB and unauthorised waste disposal complaints (fly tipping) within their nominated wards. They intimately know their wards and are aware of all the relevant local issues including begging and homelessness as they present and develop. 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 conduct routine enforcement actions which can include obtaining entry warrants and closure orders from the Magistrates' Court.

As opposed to the uniform service described below PEOs deal with a variety of complex cases and casework including; eliminating ingrained ASB activity by closing property and larger defined areas (public land) and investigating and sanctioning repeated large-scale fly tipping activity. Most of this type of complex activity is 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 as well as the Uniformed Service.

The PEOs also work out of hours on a rota basis covering Borough wide issues concerning either reactive or proactive issues as above but also include such activities like unlicensed street trading, through concerted action with other agencies and parts of the council. They also regularly work on the out of hours noise abatement service as an additional activity.

The Uniformed Service has no formal limits other than those imposed by legislation and by its own resources. The mainstay of the service is to provide a highly visible, protective and proactive service that can be deployed easily and quickly within the envelope of its core hours according to need. Naturally this is constrained through law on employment and particularly on health and safety grounds. For example, the service and its staff cannot respond directly to those activities concerning crime more properly dealt with by the police e.g., violent knife crime and the criminal supply of drugs. Additionally, the COVID pandemic produced extra constraints in respect of team working and interaction with the public on grounds of social distancing. These were minimised due to having detailed risk assessments .

The Service is also expected to support some of its financial requirements through its own enforcement activities such as administering Fixed Penalty Notices (FPN's) in preventing and tackling ASB, fly tipping, littering, highway obstructions and other environmental matters. FPN's are not merely monetary as they also act 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 usually concern 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 described above. 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.

During out of hour's deployment the Uniformed Service also works in two critical service areas; these are the out of hours noise service and in patrolling the priority NTE areas across the Borough.

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

### 3.6 Proactive and Reactive Service Elements

Functions	Activities & Comments
Proactive area coordination and forward deployment of resources through the coordinated management arrangements with Business Regulation	This is achieved through having a shared common management structure where common objectives and working can ensure coordinated 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 the Housing ASB team ensures that the work is relevant and is 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 concerns 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.

<p>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.</p>	<p>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.</p>
<p>The deployment of uniformed generic based enforcement and patrols to deal with and prevent low level ASB casework and noise abatement issues</p>	<p>This is ongoing work that concerns 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.</p>
<p>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 and prosecution offenders and publishing this.</p>	<p>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</p>
<p>Night and weekend enforcement including basic Premises Licensing enforcement in conjunction with police, Trading Standards and Licensing</p>	<p>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.</p>
<p>Highways Licensing Enforcement including unlicensed skips and scaffolding undertaking patrols and intelligence received from Street Scene</p>	<p>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.</p>
<p>Uniformed patrolling service dealing with other non-compliant issues such as unauthorised street trading, unlicensed external tables and chairs and A boards.</p>	<p>These non-compliances are usually generated by businesses and are proactive in nature, operations can be set up relatively quickly.</p>

Large scale unauthorised waste dumping through fly tipping and other waste related issues and problems e.g. accumulated waste from vacated traveller camps.	Following the transfer of resources and responsibilities Environmental services are leading the proactive side of this work and the Enforcement service will concentrate on reactive elements.
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 reactive and proactive work on problems such as idling vehicles and the use of unauthorised fuels.
Special activity focused on particular local areas of concern for example the prevention of ASB, noise and air pollution in the Borough Parks Via the use of PSPO's and/or emergency Injunctions	A specialised team to be set up and tasked with this during the Spring & Summer months
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 monthly specialised cross departmental activity led by Enforcement Managers to ensure individual cases are dealt with.
Public reassurance achieved through regular visible proactive patrolling through town centres and estates.	This is self-descriptive and is an important element of the service for 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 incoming complaints and enquiries which need to be researched and responded to this is actioned in the main by Enforcement Managers and Principal Officers.

### 3.7 Enforcement Policy

An Enforcement Policy was implemented for the Service and was approved by Cabinet on 21<sup>st</sup> January 2019 and remains highly relevant.

Officers recognise that whilst businesses want to maximise margins, 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 in the first instance, whilst taking firm action that may include prosecution or other formal action, where appropriate, against those who knowingly disregard the law or act irresponsibly.

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

## **4. SERVICE DELIVERY**

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### **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 the volume of 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 on-call resilience to provide additional specialist resources as it is required or in the event of a Civil emergency ( Uniformed staff can act as Local Authority Liaison Officers) .

#### **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. This has been especially relevant during the COVID Crisis.

#### **4.4 Additional Priorities and Partnership Working**

The weekly tasking of Enforcement Officers 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 meetings determine the following:

- Coordination 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 Partnership Tasking takes place 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 Officers 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 responses back to the group. In addition to this Partnership Tasking has a responsibility to review and identify some of the more problematic ASB repeat locations and victims over a one week period (identified through intelligence) and determine what if any action including strategies should be taken.

#### **4.5 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. Dealing with issues some 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.

However there has been a significant decline in activity due to the present lockdown. This recommenced on restrictions eased In April and continue to ease in May and June later in the summer. It is anticipated that a high level of activity and visibility will be required as pent up demand will be high.

#### **4.6 Housing**

A Service Level Agreement has been agreed with the Housing with the individual responsibilities and expectations have been set out. The majority of work is dealt with through the ASBAP meeting outlined above and then the uniformed service through patrolling and other enforcement activities as requested and prioritised by housing through weekly tasking. This is a significant area of work for the Service and the partnership work with housing is vital to the success in controlling ASB throughout the Borough. KPI's have been established to assist in Housing's need to report to their senior management.

## 4.7 Proactive Work Developments

The current projects are under development:

- A revised Public Space Protection Order (PSPO) in relation to alcohol control will need to be implemented across the borough as it has currently lapsed. This will enable Officers to take enforcement action where there is ASB associated with the consumption of alcohol in public spaces. This is currently out for consultation until 4th July 2021.
- As part of this proposal consultation will also be undertaken to include a ban on the consumption of alcohol in London Fields Park.
- A potential PSPO is being 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.
- The PSPO for Wick Woodland will be extended and developed to include Hackney Marshes which was covered by an injunction which expired in June and the Council was not able to apply to have this extended for legal reasons.
- 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. This will commence in May and commercial activity has increased throughout the NTE.
- Due to increased overcrowding and a growth of ASB in London Fields and other green spaces in the Borough during the COVID pandemic there is a dedicated team of Officers working throughout the Spring and summer of 2021 to ensure that order is maintained and that minority of Park users who cause ASB and prevent the majority of users enjoying the Park are prevented from doing so. Additional resources have been provided to implement this and a dedicated team of Enforcement Officers which join up with a private security agency is in place. This is additional work but seen as vital in ensuring that there are minimal levels of ASB. Officers work in conjunction 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 earlier years.

The service will continue to strive for more efficiency 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.

## 5. RESOURCES

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### 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

20 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.

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

### Principal Enforcement Officers (PEOs)

#### 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 can be broken 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 1.5 hours 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 are those which have a score of 26 or more on a 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 taking 2 hours. Liaising with Police, Hackney Housing, RSL and attendance at ASBAP taking 4 hours and preparation of legal notice and prosecution if required 2.5 hours giving an average 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 undertake 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 with 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 are calculated on 300 patrols being undertaken per year 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 weekends 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 it 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 the Enforcement Function 2019/20 is 39506 hours (26.12 FTE).**



## 6. KEY PERFORMANCE INDICATORS

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	2019 -2020	2020- 2021
Fixed Penalty Notices	2222	2236
Anti-Social Behaviour Warnings	292	446
Community Protection Warnings	73	41
Community Protection Notices	20	21
Noise Abatement Notices	26	19
Injunctions	1	2
Prosecutions & Formal Cautions	53	3
Closure Orders	5	5

## APPENDIX

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### COVID Update

#### 1.1 Introduction

The purpose of this Appendix is to give a brief overview of the impacts and the response to those impacts of the current Pandemic by the Enforcement service. The service has continued running during this period and although there was significant disruption, programmed work both reactive and proactive work continued in a business as usual approach. This appendix only concerns those aspects of the work that were directly affected by the pandemic and the various and changing restrictions that have been put in place to contain it.

The COVID outbreak significantly disrupted the work of the section, and as a result staff needed to adapt quickly to a host of new challenges which began to emerge as a result of the abrupt lockdown announced on 23rd March 2020. Staff have responded to every challenge the pandemic has put on the service with Officers working in often challenging circumstances under pressure.

Non-uniformed staff Technical Services Officers (TSO's), Principal Enforcement Officers (PEO's) and Managers combined working from home and being in the office whilst Uniformed Officers EO's and SEO's continued working from the HSC to ensure that service operated as normal including Officer attending Court as necessary and the out of hours noise service operating every weekend.

#### 1.2 Equipment & PPE

All staff that needed to work from home, in the main, were equipped to do so and those that weren't were eventually supplied with this. At the outset little was known as to what PPE should be worn and by whom, but this was relatively quickly resolved and staff were kept apprised and ultimately supplied with the necessary PPE and the work instructions on how and when to use them.

The uniformed staff have had to work in some very difficult circumstances as they have been in a public facing role throughout the pandemic. Detailed risk assessments have been created and approved by Public Health and Corporate Health and Safety staff are now operating with these in place with managers keeping themselves updated to ensure that the assessments are being continually updated and staff informed.

As the advice changed so have staff been supplied with the necessary PPE. Initially for example face coverings were not required however these are now mandatory in certain circumstances. There has been little or no difficulty in obtaining all the PPE required to conduct their normal duties. Staff have been fully briefed on the social distancing requirements and sanitising routines.

### **1.3 Work Patterns**

The most immediate change to work patterns was that risk assessments identified that staff were unable to enter residential or domestic premises in any circumstance. This presented a problem for the noise service as to enforce noise nuisance staff needed to enter the premises from where the complaint emanated (at the relevant time) and witness the nuisance. Officers did manage this by witnessing outside and then used best endeavours to reduce the nuisance and this worked in most cases.

There was also a significant change in the pattern of noise complaints, because there was lockdown, noise complaints tended to be reported much earlier than usual with most coming in before midnight. This change in demand was responded to by changing the hours and staff shifts to increase the number of staff in these earlier hours. The staffed service was reduced from 5am to 2am on Saturday and Sunday mornings. After the lockdown and particularly after the licensed premises were allowed to trade the usual pattern reasserted itself and the service hours were restored. These were altered yet again back to a 2am close following the further restrictions placed on licensed premises which are still in place.

Work continued in relation to combatting ASB and although naturally affected by working restrictions it was not severely hampered and there were some notable successes for example in removing ingrained activity by obtaining Closure Orders where appropriate Patrols have continued throughout the Borough as informed by the weekly taskings.

#### **1.4 Public Spaces**

Early on there were serious problems in Hackney's open spaces particularly in London Fields. Due again to the lockdown and the hot weather there was serious overcrowding and local amenities were overwhelmed. Local residents and normal users of the park were severely impacted by the social noise and drunken behaviour of the crowds which were widely reported to the local media. Enforcement and Park services at this point could barely cope particularly with the numbers of people who were choosing to urinate and sometimes defecate in the park and on bordering streets. Officers served Fixed Penalty notices to deal with this and bBorough totals were 221 in May, 231 in June and 159 in July and 149 in August. Ultimately, It was agreed that an injunction would be the only sure way of controlling the unbridled activity.

On 3rd July an interim injunction was granted which included the prohibition of certain activities on London Fields:

- Organising, attending or participating in an unlicensed music event and/or rave(s) playing loud music;
- Urinating and/or defecating other than when making use of toilet facilities designed for this purpose;
- Lighting fires, fireworks, stoves, barbeques and/or naked flames (with the exception of a cigarette lighter), including on any equipment or entertainment device;
- Consuming or selling of nitrous oxide (laughing gas) save when used for a valid and demonstrable medicinal purpose;
- Uprooting, destroying or damaging any tree, shrub or plant;
- Bringing vehicles, including any engine or generator, onto any part of the prescribed area, with the exception of vehicles/engines/generators belonging to the emergency services or employees, agents or contractors of the council;
- Leaving litter in the prescribed area;

- Threatening or using violence, or engaging in abusive behaviour towards members of the public or employees or agents or contractors of the claimant who question or challenge their engagement in any of the behaviour described above.

On 10th July the injunction was made firm and applied for 3 months, a clause preventing the consumption of alcohol however was removed. Additionally, 3 additional temporary EO's were employed just to patrol London Fields. The messaging and signage could not be clearer and from that point on the crowds did not return and Park returned to normal.

A similar although quite not so severe situation had arisen in Hackney Marshes and an injunction had been granted on 9th June to last one year prescribing similar activities.

Wick Woodland has also benefited from a Public Space Protection Order that has been in place since 2019 and this also allowed better enforcement with police, in removing and preventing raves and other activities that started to occur as a result of the midnight curfew even after licensed premises were allowed to open.

The Borough wide Public Space Protection Order (PSPO) in relation to the control of dogs was approved by Cabinet on 17th March 2021.

### **1.5 Unlicensed Musical Events**

Unlicensed Musical Events, raves or parties, became increasingly more prevalent during the late summer and the service alongside the police were actively preventing and stopping the events from going ahead. These were identified through and by the intelligence hub and directed from the weekly tasking meeting and concerned keeping a watching brief on virtually all public spaces in the Borough. This meant that when certain intelligence pointed toward a particular space, EO patrols would be mounted. The principal areas were Gillett Square, Hackney Marshes, Hackney Downs, Daubeney Fields, North Millfields Park, Shepherdess Park, Hoxton Square and Mabely Green.

Gillett Square has become a principal focus of work for the section in combating ASB however this was not in itself a response to COVID, although the social pressures and issues that COVID has produced have contributed to an increased need in policing the Square.

## **1.6 Markets**

The service was also called to support in ensuring that social distancing measures put in place by Markets in Ridley Road once lockdown commenced although this role was ultimately taken over by private contractors the Service has continued to patrol the immediate areas to prevent any ASB.

Similar proactive and visible patrolling also took place as Broadway Market opened and started trading.

## **1.7 The Night Time Economy**

Working in the Night Time Economy, particularly Shoreditch has been a consistent focus for the enforcement service . The lockdown and the subsequent reopening presented new challenges. Initially there were issues with new surges in activity particularly Broadway Market, this was linked to the situation in London Fields outlined above as this commercial area is immediately adjacent to the park and which provided the food and drink that the park users were consuming. Although many of the premises abided with the requirements a number took advantage of selling alcohol as off-sales. This was legal but the consequences of this meant large crowds building up outside premises, with consequential issues especially street urination and social noise nuisance. Although the Service was able to issue FPN's for illegal urination and littering it was unable to deal with the breakdown of social distancing in these areas and Police themselves were at the time reluctant to intervene in a forceful way. Eventually agreements with the premises were made and the situation eased as more premises were allowed to open and customers were allowed to take seats inside.

## **1.8 Illegal Street Trading and Car Parties**

Illegal street trading also saw a minor increase especially in Shoreditch but this was quickly suppressed and prevented by EO's. However, as the Night Clubs and Bars had to close at Midnight problems arose with 'car parties' where people gathered around parked cars consuming alcohol and playing loud music. This was a particular problem as the cars tended to be parked in nearby residential streets in the Tower Hamlets, The Enforcement service responded by supporting the Parking service in policing the existing parking restrictions on Calvert Avenue and Boundary Road. This was followed up by advocating for further parking restrictions in the same area (Zone B) and this being followed up by Parking to increase the time at which non residents can park. This would match the time restrictions in the Tower Hamlets. As enforcement measures increased and the weather changed this became less of an immediate problem.