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| ADULTS AND COMMUNITIES SCRUTINY COMMITTEE | AGENDA ITEM No. 9 |
| 10 JULY 2018 | PUBLIC REPORT |

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| Report of: | Adrian Chapman - Service Director Communities and Safety | |
| Cabinet Member(s) responsible: | Councillor Irene Walsh, Cabinet Member for Communities | |
| Contact Officer(s): | Rob Hill, Assistant Director Community Safety | Tel. 01733 864715 |

ENVIRONMENTAL ENFORCEMENT - KINGDOM REVIEW

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| R E C O M M E N D A T I O N S | |
| FROM: Service Director Communities and Safety | Deadline date: N/A |
| <p>It is recommended that the Adult and Communities Scrutiny Committee:</p> <ol style="list-style-type: none"> 1. Scrutinise this report providing feedback on current performance, delivery arrangements and future service plans. | |

1. ORIGIN OF REPORT

1.1 The Adults and Communities Scrutiny Committee requested officers to provide an update on the current contract in place with Kingdom Services to tackle environmental crimes in Peterborough.

2. PURPOSE AND REASON FOR REPORT

2.1 To inform and update members on the current performance and delivery in relation to the existing environmental enforcement contract. The report also details future plans for tackling environmental crime across Peterborough including development of an enhanced community provision.

2.2 This report is for the Adults and Communities Scrutiny Committee, sitting as the Crime and Disorder Scrutiny Committee to consider under its Terms of Reference No 2.2 Functions determined by Statute: To review and scrutinise crime and disorder matters, including acting as the Council's crime and disorder committee in accordance with Sections 19 of the Police and Justice Act 2006.

2.3 This report links into the following Corporate Priorities?

- Keep all our communities safe, cohesive and healthy.
- Implement the Environmental Capital agenda.

3. TIMESCALES

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| Is this a Major Policy Item/Statutory Plan? | NO | If yes, date for Cabinet meeting | N/A |
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4. BACKGROUND AND KEY ISSUES

4.1 Enforcement Trial

On 12th June 2017 Peterborough City Council commenced an enforcement trial with Kingdom Security Ltd, a private organisation contracted to tackle environmental crime. The trial has taken place in the two areas in Peterborough where Public Spaces Protection Orders (PSPOs) are in place - the city centre and the Millfield area. A team of 5 officers and 1 supervisor has patrolled the pilot areas on a 5 day a week rota across Monday to Saturday.

The current contract will be cost neutral to the city council.

The pilot has provided a complimentary service to existing roles within the Prevention and Enforcement Service, and has allowed us to improve visibility and intervention in hotspot areas. It has received positive feedback from members of the public and has been reported favourably in the media.

Kingdom Officers have delegated powers to issue Fixed Penalty Notices (FPNs) on behalf of the council under the following legislation:

- Section 88 - Fouling of Land by dogs (or similar) 1996
- Section 59 - Clean Neighbourhoods and Environment Act 2005
- Section 33 - Environmental Protection Act 1990

Prior to commencement of enforcement activity, an education phase of 6 weeks took place in each PSPO area. This included radio/tv interviews, information on websites, social media activities, engaging with individuals, businesses and community organisations. Work is ongoing with the community cohesion team to produce short film clips to use on social media to ensure foreign nationals and new arrivals have an awareness of the scheme.

4.2 Performance

From 12th June 2017 to the end of May 2018 Kingdom Officers issued 8,824 FPNs in the two PSPO areas in the city:

City Centre - Total **7,594**

- Unauthorised cycling (on Bridge Street) = 1,648
- Failing to dismount from a cycle = 35
- Littering = 4,887
- Spitting = 996
- Urination = 22
- Failure to disperse = 5
- Defecation = 1

Millfield - Total **1,230**

- Littering = 781
- Spitting = 439
- Urination = 9
- Failure to disperse = 1

FPNs in Millfield are considerably lower than the city centre, though this can be expected given the difference in footfall. Additionally, the cycling ban only applies to Bridge Street.

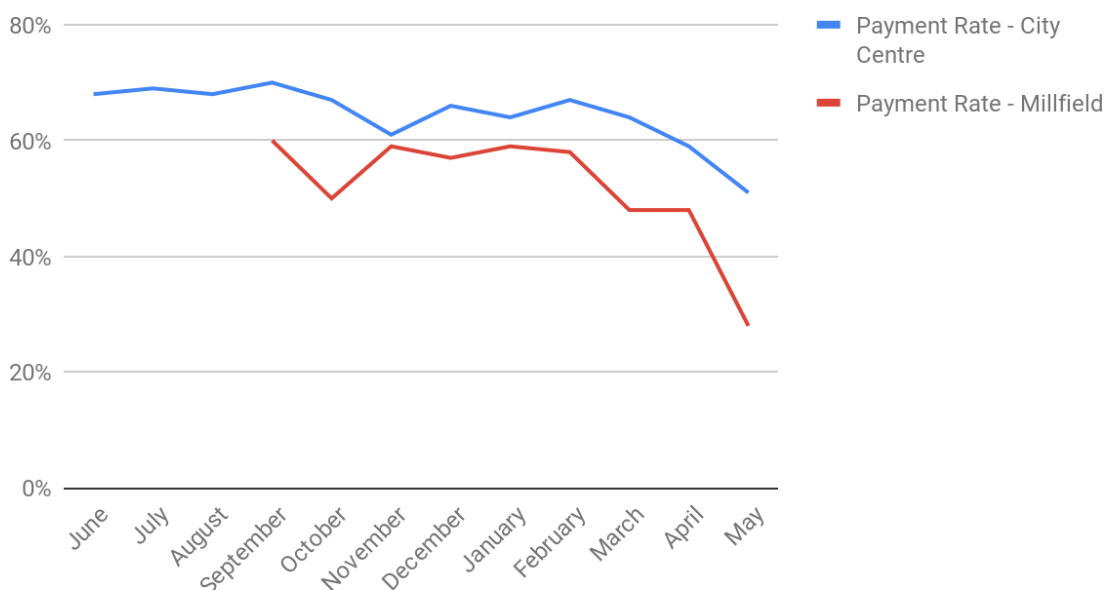
4.3 Payment Rate / Court Action

Payment rates for FPNs issued average around 68% for those issued in the city centre, although the payment rate for the Millfield area is lower at 50%. This is illustrated in the chart below, The dip for the months of April and May relates to a lag in payments, and our experience of the last year shows this is recovered as the month's progress.

If an FPN remains unpaid then individuals are summoned to court for non-payment. To date 320 cases have been brought before the court, the average fine imposed is £220, with costs of £180

and a victim surcharge of £30. It is important to note that the council has had a 100% success rate at court.

Payment Rate - City Centre and Payment Rate - Millfield



4.4 Public Perception / Feedback

A snapshot survey was undertaken mid-year. This showed that 51% of members of the public considered the enforcement of the PSPO to have reduced ASB in the city centre. The significant majority of survey respondents reported that they felt safe in the city centre with 39% reporting they felt very safe and 59% stating they felt fairly safe.

Anecdotal information shows that the orders have had a positive impact on the issues relating to street drinking in the PSPO areas.

Some concerns have been raised that the scheme is motivated by generating income, however as outlined above the scheme has not brought any additional revenue to the council, and is intended to be cost neutral. This and performance information has been publicised via the media to help better inform the public regarding the motivation for the scheme.

4.5 Complaints and Appeals

Kingdom have received an average of 52 appeals per month. To give some context, Parking enforcement receive an average of 340 per month.

Kingdom appeals generally involve either the customer defending the offence or a request for a longer payment period. The use of bodycams (CCTV) ensures transparency of service and provides a record of the interaction between officer and customer - this is regularly dip sampled and indicates a high level of professionalism.

Customers are encouraged to appeal FPNs direct to Kingdom who have their own complaints procedure. If a customer remains unhappy about a response received they have an escalation right direct to Peterborough City Council. Our robust review procedure includes officers reviewing bodycam footage and the making of an independent decision regarding the case. Regular monitoring meetings are held with Kingdom officers to chart progress and to discuss any organisational learning.

The vast majority of appeals have not been upheld, with the exception of a minority of circumstances where there has been an element of doubt or a rational explanation for the behaviour. Whilst the term 'zero tolerance' was initially published, the trial has led us to soften

this approach and apply an element of discretion.

4.6 **Prevention and Enforcement Service Vision**

The Prevention and Enforcement Service is undergoing a transformation programme to improve local delivery and cost effectiveness. This vision includes:

- Deploying Council resources to geographic community areas. These will be multi-skilled officers who will become community 'problem solvers' to ensure local needs are met. This will be a change from the current model - officers will be accountable for local delivery and spend much of their working time 'on patch'. These officers will be instrumental in working with local communities and councillors to, for example, develop 'Public Space Protection Orders' to enable our staff to tackle issues of most concern
- Establishing a core team of dedicated enforcement officers - allowing us to target some of the bigger challenges that require focus such as parking and enforcement of the Public Space Protection Order areas.

These proposals are currently subject to public consultation as part of the phase 1 budget proposals.

4.7 **Next Steps**

The current phase 1 budget consultation continues until the end of July. Subject to feedback informing the final shape of the PES, the following actions will be taken:

Stage 1 - Establish a dedicated enforcement team. Consideration is being given to the delivery model for the enforcement elements of the service, and particularly whether that should be an in-house or contracted-out service. It is recognised that the existing PES transactional (ticketing) functions may sit best in this area including PSPO enforcement and Parking Enforcement. Additional consideration is being given to other areas of business where there is a relation to community safety and where bringing them together may enhance commercial opportunity, with any resultant revenue supporting the costs of the service.

An options paper is in production to help identify the most efficient method of delivery, and once approved we aim to implement no later than April 2019. The views of the Committee would be helpful in informing the final decision.

Stage 2 - Develop further the remaining PES model. Staff in the PES who are not in the dedicated enforcement team will remain multiskilled officers, but with a greater focus on working in communities with the greatest need for their support. These officers will be expected to coordinate other council and partner activity to simplify routes into the services and improving ease of contact.

The timing of this development is related to the completion of stage 1 - implementation is expected no later than April 2019. The views of the Committee are invited regarding this more localised approach to community provision.

5. **CONSULTATION**

- 5.1 Consultation was undertaken with cabinet before the implementation of the current pilot contract. Ward Councillors in the two PSPO areas were also consulted.

6. **ANTICIPATED OUTCOMES OR IMPACT**

- 6.1 The future delivery arrangements for environmental enforcement will be well informed and meet the needs of communities most in need of support.

7. **REASON FOR THE RECOMMENDATION**

- 7.1 To inform the design of the environmental enforcement service.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 N/A

9. IMPLICATIONS

Financial Implications

9.1 Appropriate advice and guidance will be provided as part of the design work.

Legal Implications

9.2 Appropriate advice and guidance will be provided as part of the design work.

Equalities Implications

9.3 N/A

Rural Implications

9.4 A greater focus on addressing environmental and other forms of low harm crime in rural areas is an intended outcome from this work.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 N/A

11. APPENDICES

11.1 None

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