



Meeting Agenda

**Policy Development Scrutiny Committee,
Town Hall, Lytham St. Annes
Thursday 9 June 2011, 6:15pm**

The main doors to the Town Hall will be open to the public at 6:00pm
The maximum capacity for this meeting room is 60 persons –
once this limit is reached no other person can be admitted.

POLICY DEVELOPMENT SCRUTINY COMMITTEE MEMBERSHIP

CHAIRMAN	Fabian Craig-Wilson
VICE-CHAIRMAN	Leonard Davies

Councillors

Ben Aitken	Frank Andrews
Susan Ashton	Julie Brickles
David Chedd	Simon Cox
John Davies	David Donaldson
Charlie Duffy	Karen Henshaw JP
Edward Nash	Richard Redcliffe
Elizabeth Oades	Elaine Silverwood

Contact: Annie Womack, St. Annes (01253) 658423
Email: anniew@fylde.gov.uk



Our Vision

Fylde Borough Council will work with partners to provide and maintain a welcoming, inclusive place with flourishing communities.

Our Corporate Objectives

- To Promote the Enhancement of the Natural & Built Environment
 - To Promote Cohesive Communities
 - To Promote a Thriving Economy
- To meet the Expectations of our Customers

The Principles we will adopt in delivering our objectives are:

- To ensure our services provide value for money
- To work in partnership and develop joint working



A G E N D A

PUBLIC PLATFORM

*To hear representations from members of the public in accordance with
Committee procedure rules*

ITEM	PAGE
1. DECLARATIONS OF INTEREST: <i>If a member requires advice on Declarations of Interest he/she is advised to contact the Monitoring Officer in advance of the meeting. (For the assistance of Members an extract from the Councils Code of Conduct is attached).</i>	4
2. CONFIRMATION OF MINUTES: <i>To confirm as a correct record the minutes of the Policy Development Scrutiny Committee held on 24 March 2011. As attached at the end of the agenda.</i>	4
3. SUBSTITUTE MEMBERS: <i>Details of any substitute members notified in accordance with council procedure rule 26.3</i>	4
4. WASTE ENFORCEMENT	7 - 22
5. SCRUTINY REVIEW OF MONITORED CCTV	23 - 58
6. EMPTY PROPERTY POSITION STATEMENT UPDATE	59 - 72

Personal interests

8.—(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body—
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

- (i) any employment or business carried on by you;
 - (ii) any person or body who employs or has appointed you;
 - (iii) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
 - (iv) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
 - (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
 - (vi) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - (vii) any land in your authority's area in which you have a beneficial interest;
 - (viii) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
 - (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision;

(2) In sub-paragraph (1)(b), a relevant person is—

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

- 9.—(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(d).

Prejudicial interest generally

- 10.—**(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
 - (c) relates to the functions of your authority in respect of—
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

- 11.—** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

- 12.—**(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
 unless you have obtained a dispensation from your authority's standards committee;
 - (b) you must not exercise executive functions in relation to that business; and
 - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

REPORT



REPORT OF	MEETING	DATE	ITEM NO
CUSTOMER & OPERATIONAL SERVICES	POLICY DEVELOPMENT SCRUTINY COMMITTEE	9 JUNE 2011	4

WASTE ENFORCEMENT

Public item

This item is for consideration in the public part of the meeting.

Summary

The report provides details of the approach to waste enforcement, the current activity and the planned future changes designed to ensure that waste enforcement supports a cleaner and greener Fylde. Waste enforcement covers dog related, litter and refuse related enforcement.

Recommendations

1. That the Committee scrutinise the details provided in the report and make any proposed recommendations or suggestions to the Portfolio Holders and officers responsible for delivering the services.
2. That the Committee support the allocation of resources to enforcement and the change in focus of the dog service away from welfare and education.
3. That the Committee agree to a performance report on the impact of the new measures in respect of dog fouling enforcement when they have had the opportunity to be fully implemented (8 to 12 months).
4. That Committee members champion the reporting of waste enforcement offences in their local community to support the limited resources available to address a borough wide issue.

Portfolio Holder

The Cabinet Portfolio Holder for Customer & Operational Services is Councillor Albert Pounder.

Continued....

Report

1. This report has been produced at the request of the Committee for an update on the waste enforcement services and resources.
2. The waste enforcement responsibilities in the Customer & Operational Services Directorate include dog fouling, litter and refuse related offences. The team provide support and work closely with the Environmental Enforcement officers in the Community Services Directorate that is responsible for fly tipping, rubbish accumulations, fly-posting and littering.
3. The Waste Enforcement Team was established in 2009 as part of a restructure in Operational Services. No additional resources were available to set up the team but the roles and responsibilities of several existing post holders were changed to create a team that is focused on enforcement as part of a waste prevention and minimisation strategy.
4. The dog warden responsibilities remained unchanged at this time and the posts are still designated as Dog Welfare Officers with a strong focus on welfare and education as part of a preventative approach. This had been developed some years earlier in response to a series of recommendations made by an Overview and Scrutiny task and finish group.
5. In September 2010 evidence suggested that the Dog Welfare approach was not having an impact on the minority of irresponsible dog owners that allow a significant amount of dog fouling to occur across the borough. Complaints and feedback from residents and elected members was increasing and there was little or no evidence of enforcement. In October 2010 the Cabinet instructed the Customer and Operational Services Director to reallocate all dog welfare service resources and any other support resources to enforcement and away from welfare and education. Support for this approach was reiterated by the Overview and Scrutiny committee in the recommendations made as a result of the budget preparation work in January 2011.
6. The changes needed to establish a service that can meet the current demand required updated job descriptions and person specifications as well as significant changes to the operational terms and conditions of the existing Dog Welfare posts. These changes included working outside of office opening hours and weekends as well as the need for a flexible and responsive approach to the enforcement role in order to target areas or offenders based on intelligence. The service delivery changes proposed will not require any additional budget.
7. In order to make these changes it was necessary to undertake the required consultation period along with a selection process to the new posts of Dog Enforcement Warden. This process has recently been completed and the new arrangements will be in place from April 18th 2011. Appendix 1 includes a copy of the final report published after consultation.
8. Other changes are being made to ensure that the maximum impact will be achieved from the enforcement resources available to address the dog fouling issues across the borough. These changes include the co-ordination of all the

employees that have authorised powers to issue penalty notices to people that allow their dogs to foul and fail to clear up after them. The Senior Waste Prevention & Enforcement Officer will be responsible for holding regular briefing and update sessions with employees that have enforcement powers but who operate in other service areas i.e. Beach Patrol Officer and Play Equipment Inspectors. This approach will ensure a more co-ordinated approach as well as greater awareness of current problem areas, offenders or campaigns in respect of dog fouling. The work will include working with managers responsible for planning work loads and locations with a view to ensuring greater presence in a target area where necessary. The success of this approach is dependent on other departments allowing for the provision of authorised officer support.

9. Further measures already in place include closer working through PACT groups and their representatives. The co-ordination and sharing of reports, complaints and feedback through the Senior Waste Prevention and Enforcement Officer will deliver greater impact. Presentations have been held at PACT meetings to outline the new approach but also to outline the role that members of the community take to help address the problem of irresponsible owners. This includes reporting every incident so an in depth and accurate picture of the current challenges is always available and where willing provide sufficient detail to allow retrospective warning letters and if possible penalty notices to be issued.
10. It is too early to properly assess the impact that these changes will have on the dog fouling issues currently evident across the borough. The regular monitoring of incidents and the valuable feedback from PACT meetings and PCSO's as well as data from employee activity will determine the impact of these measures. A commitment will be made to come back to the Committee when the new arrangements have been implemented and had the opportunity to take effect. The arrangements will be subject to ongoing review as part of the best practice approach when introducing any change measures.
11. Further developments in respect of the dog warden service will be investigated in the coming months including the issue of enforcement as part of the previously proposed update of the existing bye-laws, covering dogs being allowed to run off their leash in designate locations. This is an issue that members have previously looked at as an option and has recently been the subject of feedback and enquiry through the PACT meetings and customer service team. This is one example of how the service will be flexible and responsive to changing demands.
12. The other aspect of waste management enforcement in the Customer & Operational Services Directorate has been around refuse and litter. The restructure in 2009 created from existing resources two Enforcement Officer posts in the waste prevention team. The officers have authorised powers to issue penalty notices for illegally deposited waste, littering and failure to produce documentation for commercial waste arrangements.
13. Since the team was established in October 2009 they have been involved in a number of projects in specific locations to tackle refuse and litter related problems including the illegal dumping of waste (sacks of waste), leaving bins out at all times and littering offences. Areas worked in to date include Kirkham, (Kirkham North and Kirkham South ward), Lytham (St John's and Clifton ward), St Annes (Central

ward). On every occasion elected members and the local community have provided their full support. The Waste Prevention and Enforcement Team have also completed education work across the borough.

14. The team work on known 'hot spot' and problem areas based on ongoing reports and feedback from a wide range of sources, they work closely with community groups and PACT teams as well the Environmental Enforcement officers. This approach supports the maximum use of the resources available and is the same principle that will be applied to the dog fouling enforcement arrangements from April 2011.
15. To date the team has issued over 2,000 warnings to offenders and 13 penalty notices that have generated £300 (£1, 600 pending) income. More importantly the outcomes have benefitted hundreds of residents and supported the clean up several problem areas contributing significantly to a cleaner borough. Appendix 2 includes some examples of the before and after evidence of waste enforcement initiatives.

IMPLICATIONS	
Finance	There are no direct financial implications arising from the report.
Legal	There are no direct legal implications arising from the report.
Community Safety	There are no direct community safety implications.
Human Rights and Equalities	There are no direct human rights and equalities implications arising from the report.
Sustainability	There are no direct sustainability implications arising from this report.
Health & Safety and Risk Management	There are no direct health and safety or risk management implications arising from the report.

Report Author	Tel	Date	Doc ID
ALLAN OLDFIELD	(01253) 658576	MARCH 30 TH 2011	

List of Background Papers		
Name of document	Date	Where available for inspection

List of appendices

Appendix 1: The Dog Control Enforcement Service Proposals – Final Report

Appendix 2: Waste Enforcement Projects: Example Bins on Rear Streets Action

Our Ref: DGEFP0211

Your Ref:

Please ask for: Jamie Dixon

E-mail: jamied@fylde.gov.uk

Date: 4th April 2011

Dear Colleague,

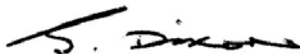
FINAL REPORT - DOG CONTROL ENFORCEMENT SERVICE

Please find enclosed a copy of a final report and supporting documents that outline changes to the dog control service at Fylde Borough Council to be implemented from 4th April 2011.

It is the Council's policy to avoid compulsory redundancies whenever possible, and it is our intention to follow the ring fence procedure to fill new posts that are created as part of the new structure from internal candidates wherever possible. Details of the selection process including ring fenced posts are included in the report.

Service changes can cause concern and anxiety for some employees and this is recognised by the management who will offer all the support and advice necessary to ensure that everyone is treated fairly and equally. Employees are encouraged to raise any concerns at the earliest opportunity and discuss them with their line manager or a HR representative.

Yours sincerely,



JAMIE DIXON
ASSISTANT DIRECTOR OF OPERATIONAL SERVICES
jamied@fylde.gov.uk
01253 658632

DOG CONTROL ENFORCEMENT SERVICE

1. PURPOSE OF THE REPORT

The purpose of this report is to outline proposed changes to the dog control service that are required to provide greater enforcement activity and address one of the major anti social behaviour issues in the Borough.

The key drivers for the service changes proposed is a clear remit from elected members and feedback from residents to see more enforcement in the local community. This has to be achieved within existing resources because the current financial position of the Council means there are no additional resources.

The report provides details of the proposed changes to the service that include a reduction in the responsibilities of the existing posts of Dog Welfare Officers with the changes being made to service delivery to ensure that the resources can be dedicated to enforcement.

2. RECOMMENDATIONS

- a) To delete from the establishment the post of Dog Welfare Officer.
- b) To create the post of Dog Enforcement Warden focused on statutory duties (dangerous dogs and stray dogs) and enforcement.
- c) To implement new service delivery and working arrangements which meet the requirements of the service including extended and annualised hours.
- d) To implement the selection and recruitment process for the Dog Enforcement Warden post.
- e) To have all changes implemented and appointments made for 2nd May 2011.

3. BACKGROUND

Dog fouling has been highlighted as a significant anti-social behaviour problem in the borough through PACT meetings, elected members and residents with the demand for enforcement action has escalated. In some local communities it is claimed to be the number one anti social behaviour problem they have. In response to this the Cabinet and the Overview & Scrutiny Committee has recommended, and provided clear instruction, that the service should be solely focused on enforcement and statutory duties.

4. RATIONALE FOR CHANGE

All services are continually under review and changes are made when the need is identified and a commitment has also been made to the Council as part of the Modernisation Strategy that the services will be efficient and demonstrate value for money. The need to focus the dog warden service on enforcement and the statutory responsibility to deal with dangerous dogs has been clearly evidenced by recent feedback from stakeholders, this is the key driver for the service delivery

and working arrangement changes proposed in this report. The service must be flexible and responsive to changing needs.

The Dog Welfare Service currently operates with 1.3 FTE resources (48.5 hours per week) and has previously been focused on welfare, education and enforcement. The emphasis has been primarily on welfare and as such the posts are currently designated Dog Welfare Officers.

A clear remit has been provided by the elected members, through Cabinet and the Overview and Scrutiny committee, based on feedback from the local community, that the service must focus on enforcement as the top priority. To achieve this within existing resources and maximise the enforcement capacity all welfare and education responsibilities including micro chipping dogs will be ceased and the service dedicated to statutory duties (dangerous and stray dogs) and enforcement activity.

There will also need to be changes proposed to service delivery and working arrangements for the new role of Dog Enforcement Warden in order to deliver a service that can meet the expectations and needs of elected members and the local community.

The removal of the education, welfare and micro chipping responsibilities removes a significant number of the existing duties and responsibilities from the current Dog Welfare Officers post. A new job description will be worked to that excludes responsibilities around education and welfare and the title of the post will reflect the remaining duties focused on enforcement. A copy of the new job description is included in Appendix 1 to this report along with an updated person specification that places greater emphasis on enforcement skill and experience.

The working patterns and arrangements for the Dog Welfare Officers is inconsistent with those required for a service focused on enforcement where it is necessary to have a presence outside of normal working hours. To retain Dog Welfare Officers that only operate during normal working hours is an inefficient use of resources and fails to meet the needs of the service. A number of different arrangements will be applicable to the Dog Enforcement Warden post including:

- Availability Monday to Sunday with working arrangements often based upon identified problem areas and the enforcement requirements of the service
- The post holder will be required to be predominantly 'out in the community' providing the enforcement role
- The post will operate to annualised hours through-out the year, with the requirement to work at least two early mornings (from 7am) or late evenings (until 7pm) per week during the peak months between 1st March – 31st October inclusive
- The post holder(s) will be required to work at least one weekend per month when necessary
- The ability to be flexible and to change working patterns in response to identified service needs will be essential
- To maximise service delivery the resource will be spread across the week as much as possible

- Administrative responsibilities will be reduced to a minimum based on enforcement, stray dogs and dealing with dangerous dogs
- The post will not operate to the flexible working hours scheme

In order to further maximise the enforcement capacity across the Council the Senior Waste Prevention and Enforcement Officer will be responsible for co-ordinating service activity and resources based on demand. This will require close co-ordination and regular briefing with a number of other employees that have the designated authority to issue enforcement notices in respect of dog fouling. Records show that enforcement has been carried out by these employees based in the local community and they will work closely with the Dog Enforcement Warden.

5. RESOURCE IMPLICATIONS

5.1 Financial Implications

There will be no additional cost to the service as a consequence of these changes but there remains an ongoing requirement across all service areas to continuously improve value for money and achieve efficiency savings. Establishing a dedicated enforcement service that meets the identified needs of the service will deliver improved value for money.

5.2 Human Resource Implications

Job Descriptions

The revised job description and the updated person specification for the Dog Enforcement Warden are included in Appendix 1.

The Dog Enforcement Warden job description is a reduction of the Dog Welfare Officer post with the welfare, education (school / community visits) and micro chipping responsibilities removed.

Although the *range* of responsibilities and duties has been reduced the *level* of responsibility remains unchanged and as such the remuneration for the post will remain at the existing level scale 3. The person specification has been updated to reflect the competencies required for working in a modern organisation and the skill and experience focused on enforcement.

The Dog Welfare Officer post will be deleted from the establishment and the Dog Enforcement Warden post created. There will be no reduction in the total resource of 48.5 hours. A recruitment and selection procedure will be put in place for the new posts of Dog Enforcement Warden because of the significant change in the service delivery and working arrangements required for the post and the updated competencies applicable to the post.

The two staff currently employed as Dog Welfare Officers will be ring fenced and invited to apply for the new post of Dog Enforcement Warden. The selection procedure will involve a formal interview and a short assessment to test ability and understanding of the enforcement role. The selection process will be an opportunity to fully articulate and understand the service delivery and working arrangements. The current employees will not be required to complete an application form or personal profile but will be required to formally express their interest in the new post by notifying their line manager (Sarah Wilson, Senior Waste Prevention and Enforcement Officer).

Staff Consultation

All employees affected by the proposed service delivery changes have been consulted in accordance with the agreed procedures in place at Fylde. Consultation opportunities specifically include one to one and group briefings at the employee's request. The changes to the service delivery are required to meet the changing needs of the service every effort will be made to introduce the changes in partnership with the employees concerned.

Establishment Changes

The following post will be deleted

- Dog Welfare Officer x 1.3 FTE

The following post will be created

- Dog Enforcement Warden x 1.3 FTE

6. REDUNDANCY & REDEPLOYMENT

The redundancy and redeployment policies adopted by Fylde Borough Council will be used in the event that any redundancy situation arises as a result of the proposed changes. Copies of the policies and procedures for redundancy and redeployment are posted on the Council's intranet.

7. CONTACT DETAILS

Employees can, and are encouraged to, arrange to have one to one or group meetings to discuss the proposed changes or submit questions at any time. Employees have the right to be accompanied by a trade union representative or a work colleague of their choice at any meetings held as part of the consultation procedure.

All initial contact should be made through the Assistant Director of Operational Services (contact details are included below).

Jamie Dixon: Assistant Director of Operational Services **01253 658632**
jamied@fylde.gov.uk

The primary HR Team contact dealing with the restructure is Vanessa Machen who can be contacted on **01253 477200** or vanessa.machen@blackpool.gov.uk

List of Appendices

Appendix 1 – Dog Enforcement Warden Job Description and Person Specification

Appendix 2 – Time Table for Implementing the Service Changes

APPENDIX 1- Dog Enforcement Warden Job Description & Person Specification

 FYLDE BOROUGH COUNCIL JOB DESCRIPTION	
Post title:	Dog Enforcement Warden
Section:	Waste Prevention & Enforcement Team
Department:	Customer & Operational Services Directorate
Responsible to:	Senior Waste Prevention and Enforcement Officer
Responsible for:	N/A
Grade:	Scale 3
Hours of Work:	At least two early mornings (from 7am) or late evenings (until 7pm) per week during the peak months between 1 st March – 31 st October inclusive. At least one weekend (Saturday / Sunday) per month when necessary.
Car User Status:	Van provided (during working hours only)
Other Payments:	None

PURPOSE OF THE JOB

- To undertake the statutory dog control functions of the Council including strays, dangerous dogs and enforcement.
- To undertake the investigation and enforcement of issues which may give rise to dog fouling of community areas or facilities.

MAIN DUTIES AND RESPONSIBILITIES

- To act as enforcement warden in respect of all relevant dog control legislation in operation in the Borough including the collection of evidence (e.g. removal, identification and preservation of faeces and witness statements for court exhibits, the administration of fixed penalty schemes and appearances at court)
- To identify, seize and ensure the proper impounding of stray dogs and to respond to complaints of stray dogs.
- To monitor the condition of dogs during impoundment and to assist members of the public in identifying seized dogs.
- To support the police, town and parish councils and other relevant organisations on dog control issues.
- To carry out routine patrols throughout the Borough and deal with breaches of relevant legislation.
- To report associated problems relating to environmental quality (e.g. littering and fly tipping).

- To maintain a good working knowledge of appropriate legislation within the remit of the Dog Enforcement service.
- To prepare and issue correspondence as necessary.
- To maintain appropriate records in relation to the Dog Enforcement Service.
- To ensure that vehicles and equipment are maintained in good working order and clean condition.
- To undertake training appropriate to the duties of the post.
- To carry out the process for dealing with dangerous Dogs under the Dangerous Dogs Act 1991.
- Scanning animal carcasses. (Dogs and cats).
- Upkeep and remuneration of the Council's Kennelling fees.
- Removal and Disposal of contaminated animal waste from vehicles.
- To report dog control signage & dog bins throughout the Borough that are damaged.
- To undertake any other duties as may be commensurate with the level of the post.

April 2011

This is a description of the job, as it is constituted at the date shown. It is the practice of this Authority to periodically review employee job descriptions and to update them to ensure that they relate to the job as then performed, or to incorporate whatever reasonable changes are being proposed. Each manager in consultation with those working to him/her jointly conducts such reviews and you will be expected to participate fully in such discussions.



PERSON SPECIFICATION

Post title: Dog Enforcement Warden
Section: Waste Prevention & Enforcement Team
Department: Customer & Operational Services Directorate
Grade: Scale 3

Essential Competences

1. Decision Making

Ability to make appropriate operational decisions with confidence and in accordance with laid down procedures and regulation.

2. Performance Monitoring

Ability to achieve targets and deadlines for service delivery.

3. Communication & Relationships

Ability to hold open and frank discussion, show respect and maintain positive and productive working relationships.

4. Pride & Integrity

Demonstrates behaviours that promote a positive reputation for the authority and adopt a professional and respectful approach at all times towards colleagues, customers and partners.

5. Customer Focus

Demonstrates exceptional customer care to internal and external customers to meet their expectations from service delivery.

6. Teamwork

Ability to build working relationships based on trust, respect, sharing, co-operation and mutual support.

7. Health & Safety

Demonstrates an understanding and compliance with all prevailing health and safety requirements.

8. Equality & Diversity

Demonstrates an operational understanding of the equalities agenda and actively promotes and supports equal opportunity and dignity for all.

Essential Skills, Knowledge & Experience

- The ability to deal tactfully and firmly with members of the public
- Ability to use computers and use common software packages including Microsoft Office

- Knowledge of dog control enforcement systems and approaches
- The ability to maintain records and generate correspondence
- The ability to organise and plan fluctuating workloads
- Relevant dog handling experience
- Possession of a current driving license
- Able to work outside normal office hours as part of the role

Desirable Skills, Knowledge & Experience

- Previous experience of enforcement related work
- Knowledge of relevant legislation

Final Report

APPENDIX 2 - TIMETABLE FOR IMPLEMENTATION

The timetable below is a provisional proposal and may be revised and updated in response to feedback during the consultation period although every effort will be made to ensure that timetables are adhered to. Any subsequent changes to the timetable will be communicated to all the employees involved in the process.

DATE	ACTION
4 th April 2011	♦ Final service delivery changes published after consultation feedback
8 th April 2011	♦ Current employees to formally express their interest in the new post by notifying their line manager (Sarah Wilson, Senior Waste Prevention & Enforcement Officer) in writing stating the hours per week they can work
W/C 11 th April 2011	♦ Selection interviews and assessments held ♦ Appointments to Dog Enforcement Warden posts
2 nd May 2011	♦ New service delivery arrangements start
4 th April 2011 to End Date of Notice Period	♦ Appeals process ♦ Redeployment options considered ♦ Retraining & support needs defined
End date of individual notice periods	♦ Employees nominated for redundancy are provided with final confirmation of termination of employment and redundancy payment

**APPENDIX 2:
WASTE ENFORCEMENT ACTION EXAMPLE
BINS PERMANENTLY LEFT IN REAR STREETS
LOCATION – LYTHAM (ST JONH AND CLIFTON)**



BEFORE



AFTER



REPORT



REPORT OF	MEETING	DATE	ITEM NO
GOVERNANCE AND PARTNERSHIPS	POLICY DEVELOPMENT SCRUTINY COMMITTEE	9 JUNE 2011	5

SCRUTINY REVIEW OF MONITORED CCTV

Public Item

This item is for consideration in the public part of the meeting.

Summary

The Community Focus Scrutiny Committee recently appointed a task and finish group to undertake a review of monitored CCTV within the borough.

The review group has met on three occasions with work commencing in September 2011. Essentially, the group were tasked with evaluating the effectiveness and value of the monitored CCTV systems (which are installed in Kirkham and St Annes) together with consideration of its suitability for other areas including cost implications. The group examined the benefits, costs and processes involved in providing the service. To fully appreciate the effectiveness, consultation was undertaken with key stakeholders.

The review group was chaired by Councillor Roger Small and comprised Councillors Elizabeth Clarkson, Ken Hopwood, John Singleton and Dawn Prestwich.

Recommendation

1. To recommend that the Council continues with its commitment to the provision of CCTV monitoring.
2. To recommend that CCTV be extended to other appropriate areas subject to appropriate funding being realised.
3. To seek improved arrangements of the processes and procedures used by the Police (within the Kirkham area) in capturing images from the existing CCTV system as opposed to private CCTV systems.

Continued....

Reasons for the recommendation

To assist in maintain the Council key objective, promoting cohesive communities.

Alternative options considered and rejected

To not continue to support monitored CCTV would contradict the Council's aim of reducing the fear of crime

Cabinet Portfolio

The item falls within the following Cabinet portfolios:

Portfolio Holder for Social Well Being – Councillor Cheryl Little

Report

Background

Over the last eight years, the Community Safety Partnership (CSP) has worked with in partnership with the Council and Lancashire Constabulary to provide CCTV.

In September 2009, the monitored town centre CCTV systems went live in St Annes and Kirkham, with images being sent to Blackpool's CCTV control room situated within the Western Police Divisional HQ at Bonney Street. To keep costs down, Fylde rent two BT fibre optic cables which connect the CCTV control room to a 'Node' or collection point in each town centre. The cameras then work via WI-FI to send their images to the Node point and then back to Blackpool via the fibre optics.

CCTV is a growing tool for promoting community safety and reducing the fear of crime. The CCTV system acts as both a deterrent for criminal and anti social behaviour but also provides vital evidence to Police. The aim of the service is:

1. To act as a deterrent thus preventing incidents of crime and disorder occurring
2. To help promote a feeling of safety and security amongst the public resulting in increased public confidence and help reduce the fear of crime
3. To act as a tool for gathering evidence in detecting crimes that has occurred.

The Task and Finish Group was only tasked with reviewing the monitored CCTV but for information purposes, a number of rapid deployment cameras were purchased by the partnership and deployed onto CCTV columns strategically located in hotspot areas. There are currently 20 cameras that can be moved between 29 CCTV columns.

In addition to the above, two CCTV vans with their own CCTV cameras and recorder onboard have also been purchased by the partnership and given to the police. These vans have a separate capability to control, monitor and download images from the rapid deployment cameras and it is the police who down load evidence using these vehicles.

The CSP has purchased the vast majority of the equipment via various funding streams.

Evidence/ Information considered by the Task and Finish Group

As part of the exercise the group considered the following areas:

- Background of CCTV provision in Fylde Borough Council
- Camera Locations of monitored CCTV
- Details of the costs of continuing the service at current and increased levels (including details of costs associated with maintenance and repairs and any other expenditure)
- Identification of the beneficiaries of and financial contributors to the service.
- An understanding of the extent of CCTV coverage and occurrence of crime by type and frequency within the borough (which included police statistics)
- Details of existing key processes and an evaluation of their effectiveness both internally and externally
- Identification of areas of good practice (where this exists)
- Identification of areas that have requested or considered to be suitable for the provision of CCTV
- The provision of evidence by key stakeholders

Interviews took place with:

- Councillor Elaine Silverwood – Representative of the Kirkham Business Group
- Mr John Moxham – Representative of St Annes Business Group
- Councillor Cheryl Little – Portfolio Holder for Social Well Being
- Bryan Ward (Community Safety Manager) and Martin Brownlow (CCTV Manager) presented findings from the Community Safety Partnership perspective.

Representatives of Lytham Business Group were also invited to provide evidence but did not attend the meeting.

Site Visit

A site visit took place to the CCTV Control Room at the Blackpool Police Station. Inspector Laura Lawler hosted the meeting.

Documents Reviewed

- Review of Fylde Borough Council's Monitored Town Centre CCTV systems document (appended) NB *this document includes details of costs of continuing the service and adding to the service (Appendix A).*
- Data Evaluation (Appendix B appended)

Key Findings

The monitored CCTV system is considered to be valuable within the community. It is seen as both a deterrent and a preventative tool in reducing crime and disorder and increasing

community safety. It is regularly utilised by the Police to provide evidence when incidents occur.

It was noted that in addition to the monitored CCTV, the Police still rely/make use of private CCTV systems to address community safety/ crime and disorder issues particularly within the Kirkham area. It was suggested that the success of crime and disorder matters was as a result of joined up working using a mixture of private and public technology, neighbourhood policing presence and pro activity amongst traders.

The Task and Finish Group and representatives of the business groups generally felt that the monitored CCTV system provided good value for money.

It was also felt that the Police in the first instance should rely on images captured on the monitored CCTV system as opposed to private systems to ensure the best utilisation of processes and procedures. Specific examples within the Kirkham area were given at the meeting.

Conclusion

The review group recognises that CCTV supports the Council in its key corporate objective of promoting cohesive communities and local businesses welcomes and supports the CCTV service as an effective tool.

IMPLICATIONS	
Finance	<p>At its meeting on 3rd March 2009, the Council approved contributions towards CCTV costs as follows:</p> <ul style="list-style-type: none">capital expenditure of £66,000 towards the set up costs of monitored CCTV systems in St Annes and Kirkham; andongoing revenue contributions to support the revenue running costs of the schemes of £33,136 in 2012/13 and 2013/14, and £39,859 per annum from 2014/15 onwards. <p>These costs have been reflected in the Council's Medium Term Financial Strategy.</p>
Legal	The system needs to be operated within the legal requirements
Community Safety	If the system is switched off, crime and anti social behaviour would increase within town centres
Human Rights and Equalities	See legal section
Sustainability and Environmental Impact	Requires continued revenue funding for sustainability – little or no environmental impact

Health & Safety and Risk Management	Funding includes regular maintenance of the system
-------------------------------------	----------------------------------------------------

Report Author	Tel	Date	Doc ID
Lyndsey Lacey	(01253) 658504	2 March 2011	

List of Background Papers		
Name of document	Reports to ctee	Governance Section and website
Document name	CCTV	Governance section

Attached documents

Town Centre CCTV Data Evaluation
Review of Fylde Borough Council's Monitored Town Centre CCTV Systems

Town Centre CCTV Data Evaluation

Methodology

The two current town centre CCTV systems each straddle two wards, Ashton and Central Wards in St. Annes and Kirkham North and South in Kirkham. Any proposed CCTV system in Lytham would be located within Clifton Ward alone.

Data sets for the Ward areas were obtained for the past 3 years in respect of incidents/crimes reported to and recorded by the police on their incident recording system. The data covered the following crimes/incidents considered relevant to CCTV:-

- Assault
- Robbery
- Theft
- Criminal Damage (excluding vehicles)
- Vehicle Crime
- Public Order
- Rowdy or Inconsiderate behaviour
- Suspicious Circumstances
- Street Drinking
- Begging

Both the Town Centre CCTV systems were switched on for the 1st September, 2009, so the analysis looked at 12 month periods that corresponded to the first 12 months operational use of the cameras. (01/09/2007 to 30/08/2008, 01/09/2008 to 30/08/2009 and 01/09/2009 to 30/08/2010)

The total annual Ward figures for the specified offences were initially compared to see if there was a step reduction in incidents that could be attributed to the 12 month period after the installation of CCTV.

The data was then narrowed down to exclude streets that aren't covered by the CCTV system to give an indication of what effect the cameras have had in their specific areas

Any data that could not be expected to be addressed in some way by CCTV was then removed. e.g. complaints from within the Ward area that related to an incident that took place elsewhere. Finally, the remaining number of incidents/crimes were broken down into their respective categories to see how, if at all, each type had been affected by the CCTV.

* There is a health warning in respect of the figures relating to 2008/09. There is an absence of information on a significant number of records which makes it impossible to determine whether they would be capable of being affected by CCTV. Therefore the figures for incidents with both streets and irrelevant incidents removed are not accurate for 2008/09 and will be lower than those shown. This made it too difficult to provide any meaningful breakdown into specific categories of incidents for that year.

Analysis

St. Annes

	2007/08	2008/09	2009/10
Ward totals	2064	2136	1539
Irrelevant streets removed	951	935	764
Irrelevant streets and incidents removed	704	753*	444

Fig 1.

Breakdown of offences

	2007/08	2008/09*	2009/10
Robbery	2		2
Assault	39		39
Theft	103		100
Damage	38		18
Vehicle Crime	9		11
Public Order	13		4
Rowdy/Inconsiderate behaviour	350		183
Suspicious Circumstances	144		81
Street Drinking	4		4
Begging	2		2

Fig 2.

The Data in Fig. 1 shows a significant drop in the number of recorded incidents for the 12 month period that the CCTV system was operating. Ward totals for these offences are down 28% on the previous year and 25% when compared to 2007/08.

Once the irrelevant streets were removed from the data the recorded figures for 2009/10 were 20% and 18% lower when compared to the previous two years.

Having discounted all the incidents that CCTV could not have any effect on, the recorded figures drop by 37% when compared with 2007/08.

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Kirkham

	2007/08	2008/09	2009/10
Ward totals	964	753	601
Irrelevant streets removed	438	349	273
Irrelevant streets and incidents removed	354	298*	180

Fig. 3

Breakdown of offences

	2007/08	2008/09*	2009/10
Robbery	1		0
Assault	28		19
Theft	28		17
Damage	40		20
Vehicle Crime	8		10
Public Order	12		3
Rowdy/Inconsiderate behaviour	179		74
Suspicious Circumstances	57		37
Street Drinking	0		0
Begging	1		0

Fig. 4

Ward figures for Kirkham show a consistent decrease year on year of 22% in 2008/09 and then a further 20% in 2009/10. This equates to a 38% drop over the whole 3 year period.

Once the irrelevant streets have been taken out these figures are reversed and there is a 20% drop in 2008/09 followed by a 22% drop in 2009/10. This also equates to a 38% drop over the whole 3 year period.

Once irrelevant streets and incidents/crimes are removed the data shows a decrease of 51% of these types of incidents when compared to 2007/08

Lytham

	2007/08	2008/09	2009/10
Ward total	482	492	429
Irrelevant streets removed	223	195	153

Fig. 5

Breakdown of offences

	2009/10
Robbery	3
Assault	18
Theft	23
Damage	7
Vehicle Crime	3
Public Order	2
Rowdy/Inconsiderate behaviour	55
Suspicious Circumstances	41
Street Drinking	1
Begging	0

Fig. 6

Lytham has no monitored CCTV and the Ward figures have been broadly level over the whole period, showing a slight increase in 2008/09 followed by a decrease of 13% in 2009/10

Looking at offences committed in the town centre where a notional 3 camera CCTV system could be installed, the data shows a year on year decrease. 13% in 2008/09 and 21% in 2009/2010. The streets used for this notional system are Clifton Street, Station Road, Park Street, Market Square, Dicconson Terrace, Henry Street, Part of Warton Street and Hastings Place.

A breakdown of the incidents/crimes for 2009/10 are included at *Fig. 6 above*.

Conclusion

St. Annes

There is a distinct step change in all the figures for the 12 month period the CCTV system in St. Annes has been in operation. There is a clear 18- 20% reduction in the specified crimes/incidents in the effective CCTV area that is difficult to attribute to any other initiative but the CCTV system.

The system appears to have reduced the incidents/crimes that you would expect it to be able to have an effect on by 37% when compared to 2007/08. Despite the lack of data for 2008/09 it seems acceptable to presume the result would be similar for that year as the rest of the data for 2007/08 and 2008/09 are also similar.

It is disappointing that there seems to be no reduction in the robbery, assault and theft categories. Robbery is remarkably low in any case and appears to be consistently so (There were only 2 offences reported in 2008/09). All the reported robberies appear to involve the theft of personal property from an individual and could be classed as less serious robberies, particularly when compared to the 3 that took place in Lytham in 2009/10

Most of the thefts are shoplifting offences and although CCTV can assist in this type of offence we are monitoring the cameras outside the normal shop opening times.

Kirkham

There isn't the clear step change here as there is in St. Annes. The figures show a consistent drop year on year which is more difficult to attribute to the CCTV system.

However, the Incidents recorded by the CCTV control room show that the Kirkham cameras were involved in 58 of the 211 incidents recorded for Fylde, which amounts to 28% of the total. The cameras had also been used in 13 arrests for assault, damage, public order, stealing vehicles and shoplifting.

It is probable that the system has contributed to the reduction of incidents/crimes for 2009/10 but it is not easy to quantify

Lytham

Clifton Ward as a whole has maintained a relatively low level of incidents over the three years with no significant reduction in any year. If CCTV was having an effect in the other two towns then this is the sort of result that would be expected for Lytham.

However, this is not reflected in the area a prospective town centre CCTV system would be sited, the actual incidents/crimes having reduced by 21% in 2009/10.

Although the figures show relatively low numbers of incidents/crimes it is worth noting that the 3 robberies that Lytham has suffered are all serious offences. Neither St Annes nor Kirkham have suffered similar, serious robberies in the past three years.

Review of Fylde Borough Council's Monitored Town Centre CCTV Systems

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1. Background of CCTV provision in Fylde

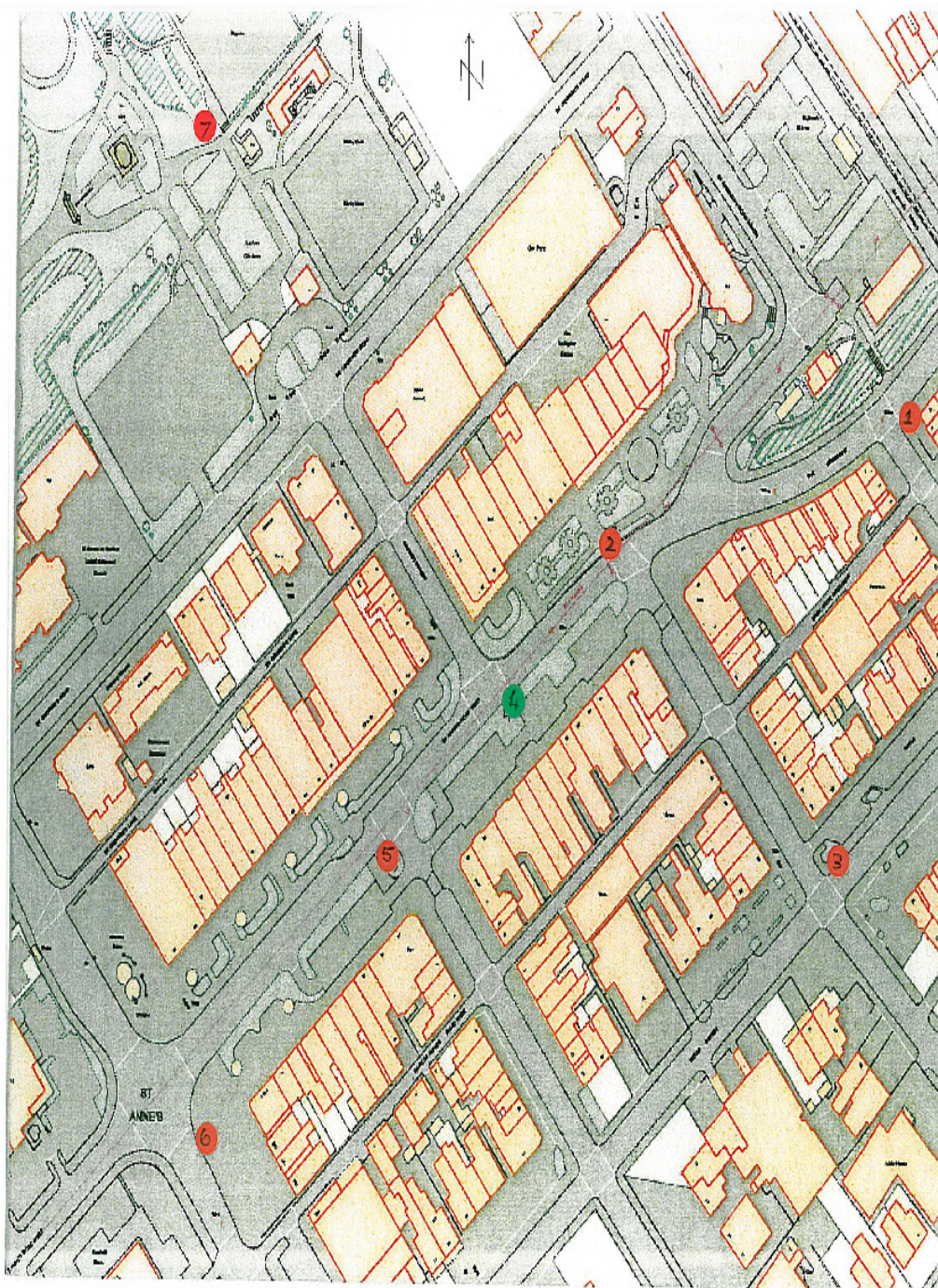
1. Over the last eight years the Crime and Disorder Reduction Partnership has worked in partnership with the Council and Lancashire Constabulary to provide CCTV. In 2002 a small number of rapid deployment cameras were purchased by the partnership and deployed onto CCTV columns strategically located in 'hotspot' areas. We currently have 20 cameras that can be moved between 29 CCTV columns.
2. The rapid deployment cameras can be programmed to automatically tour between several areas or can be operated manually. They record up to 1 weeks worth of images onto a self contained hard drive, which is continually overwritten once it is full.
3. Two CCTV vans with their own CCTV camera and recorder onboard have also been purchased by the partnership and given to the police. These vans have a separate capability to control, monitor and download images from the rapid deployment cameras and it is the police who download evidence, using these vehicles. They also have the capability of pro-actively monitoring the cameras or altering the automated tours to focus on different areas.
4. The CDRP has purchased the vast majority of this equipment via various funding streams. There have been numerous successes attributed to the rapid deployment CCTV cameras, ranging from an offender being imprisoned for 6 years for an assault to more minor infringements that have been subject of Penalty notices. It clearly has public reassurance benefits as well as proving to have been a good deterrent.
5. The rapid deployment cameras had limitations, particularly when used in close proximity in the town centres. In September 2009 The monitored town centre CCTV systems went live in St. Annes and Kirkham, with images being sent to Blackpool Council's CCTV control room situated within Western Police Divisional HQ at Bonny Street. To keep costs down Fylde rent two B.T. fibre optic cables which connect the CCTV control room to a 'Node' or collection point in each town centre. The cameras then work via Wi-Fi to send their images to the Node point and then back to Blackpool via the fibre optics.

2. Locations of monitored CCTV cameras in Fylde.

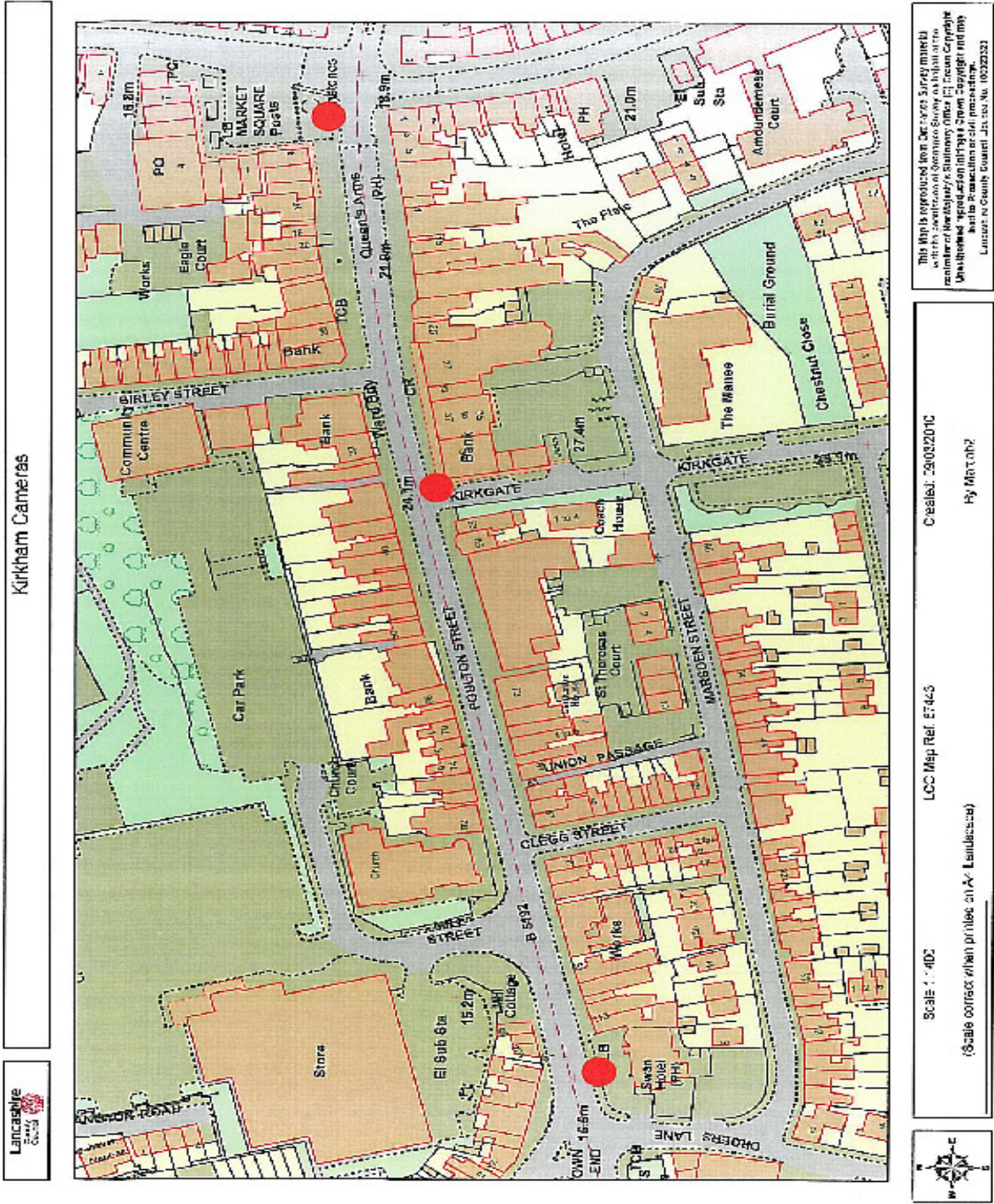
St. Annes

CCTV Camera sites for St. Annes

1. Crescent/St Andrews Road South junction
(O/S No. 10 The Crescent)
2. North side of St. Annes Road West/
Opp. Park Road.
(in line with No. 3 St. Annes Road
West)
3. North side of Wood Street at junction
with Park Road.
(in line with 9b Park Road)
4. South Side St. Annes Road West/Opposite
Garden Street. NO CAMERA – collects
and re-directs data from location 7 to
Node Point at location 2
5. St. Annes Road West/Orchard Road
Junction.
(In line with building line on the
West side of Orchard Road)
6. South side of St. Annes Road West/
Clifton Drive South junction.
7. Ashton Gardens



Kirkham



3. Council's partners and financial contributors to town centre monitored CCTV provision

Partner	Revenue Contribution to FY 2013/14	Capital Contribution To date
L.S.P.	55,000	30,000
CDRP	69638	nil
Safer Lancashire Board	nil	40,000
Fylde Borough Council	nil	66,000

4. Beneficiaries of town centre monitored CCTV provision

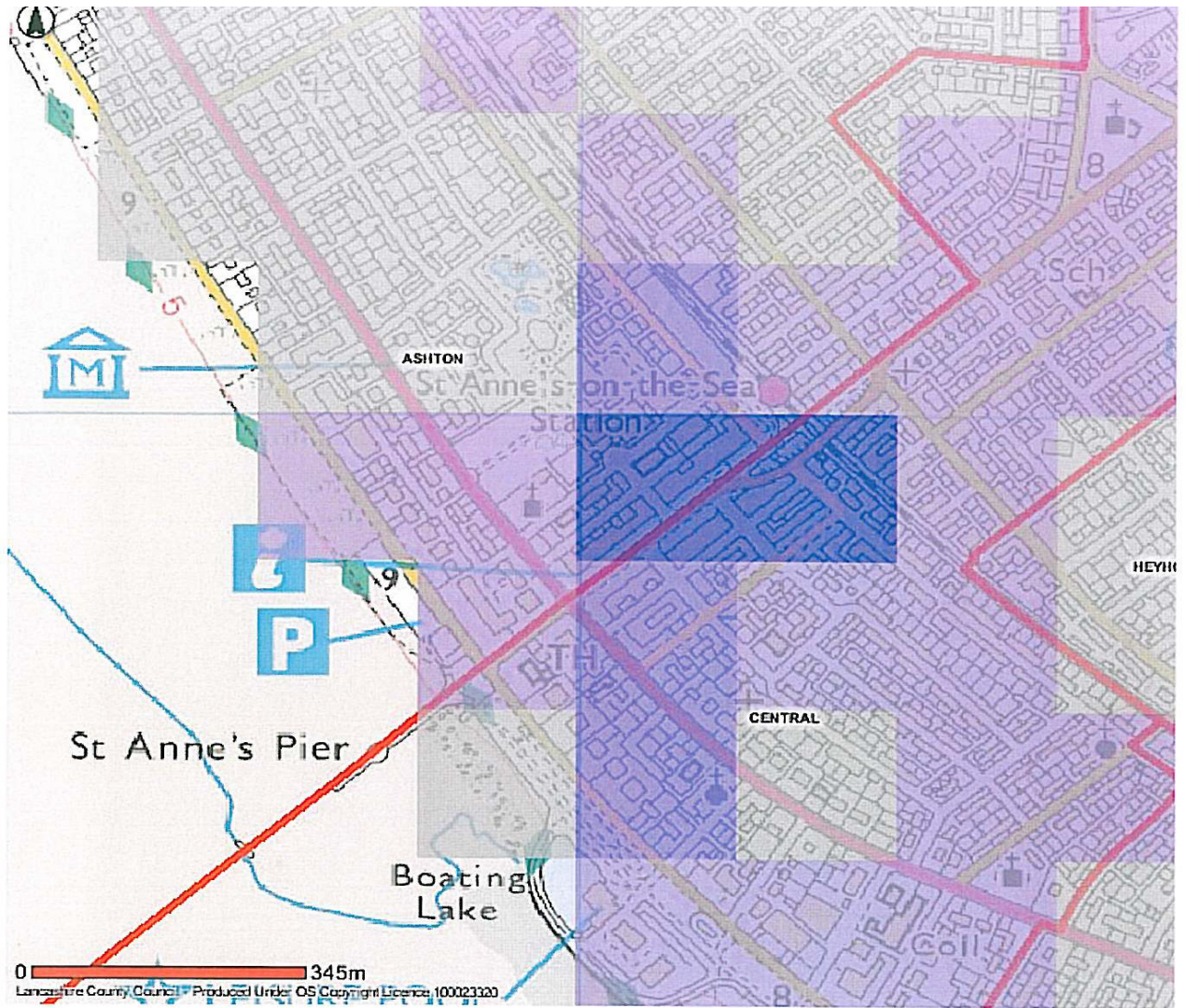
- Local businesses
- Residents
- Visitors
- Town centre workers
- Fylde Borough Council
- Police service
- Fire Service

5. Details of costs of continuing the service

Revenue Costs	2009/10 £	2010/11 £	2011/12 £	2012/13 £	2013/14 £	Ongoing £
St. Annes expenditure:						
BT line rental	681.61	2,513	2,513	2,513	2,513	2,513
Monitoring	18,772.02	19,429.04	20,245.05	20,245.05	20,245.05	20,245.05
Maintenance/cleaning	3,231	3,344.08	3,504.60	3,504.60	3,504.60	3,504.60
Ad Hoc monitoring	1,250	1,250	1,250	1,250	1,250	1,250
Extended maintenance	5,000	5,000	5,000	5,000	5,000	5,000
Sub Total	28,934.63	31,536.12	32,512.65	32,512.65	32,512.65	32,512.65
Kirkham expenditure:						
BT line rental	1,151.50	3,928	3,928	3,928	3,928	3,928
Maintenance/cleaning	1,931.77	1,999.71	2,083.70	2,083.70	2,083.70	2,083.70
Ad Hoc monitoring	1,250	1,250	1,250	1,250	1,250	1,250
Sub Total	4,333.27	7,177.71	7261.70	7261.70	7261.70	7261.70
Total Revenue expenditure:	<u>33,268</u>	<u>38,713.83</u>	<u>39,774.35</u>	<u>39,774.35</u>	<u>39,774.35</u>	<u>39,774.35</u>
External financing:						
Contribution from L.S.P.	33,268	21,732	Nil	Nil	Nil	Nil
Contribution from C.D.R.P.	Nil.	16,982	39,774.35	6,441	6,441	Nil
Total external funding	33,268	38,713.83	39,774.35	6,441	6,441	Nil
Impact on F.B.C. Budget	Nil	Nil	Nil	33,333.35	33,333.35	39,774.35

6. Occurrence of crime within the Borough

St. Annes – Map of All Crime 2007



Analysis of reported incidents – St. Annes Town Centre 2007

Anti-social Behaviour.....	299
Assaults.....	23
Criminal Damage.....	50
Robbery.....	1
Theft.....	87
Suspicious Circumstances.....	115
Total Incidents for calendar year 2007.....	575

Number of Incidents occurring between 1800hrs – 0200hrs.....298

Number of Incidents occurring between Thurs – Sat.....290

This shows that 52% of incidents are taking place between 1800hrs – 0200hrs which is 33% of the week. There is clearly a similar bias towards incidents occurring between Thursday and Saturday with 50% of incidents occurring on these days which represents 43% of the week.

The vast majority of thefts are shoplifting which take place during the day. Although CCTV can be useful in respect of identifying active shoplifters in the town these offences would take place out of the proposed hours of operation. Suspicious circumstances is a cover all heading which generally don't include anything of a serious nature.

This leaves Anti-social behaviour, Assaults, Criminal Damage and Robbery, all of which have a high impact on public perception and are demanding on police resources.

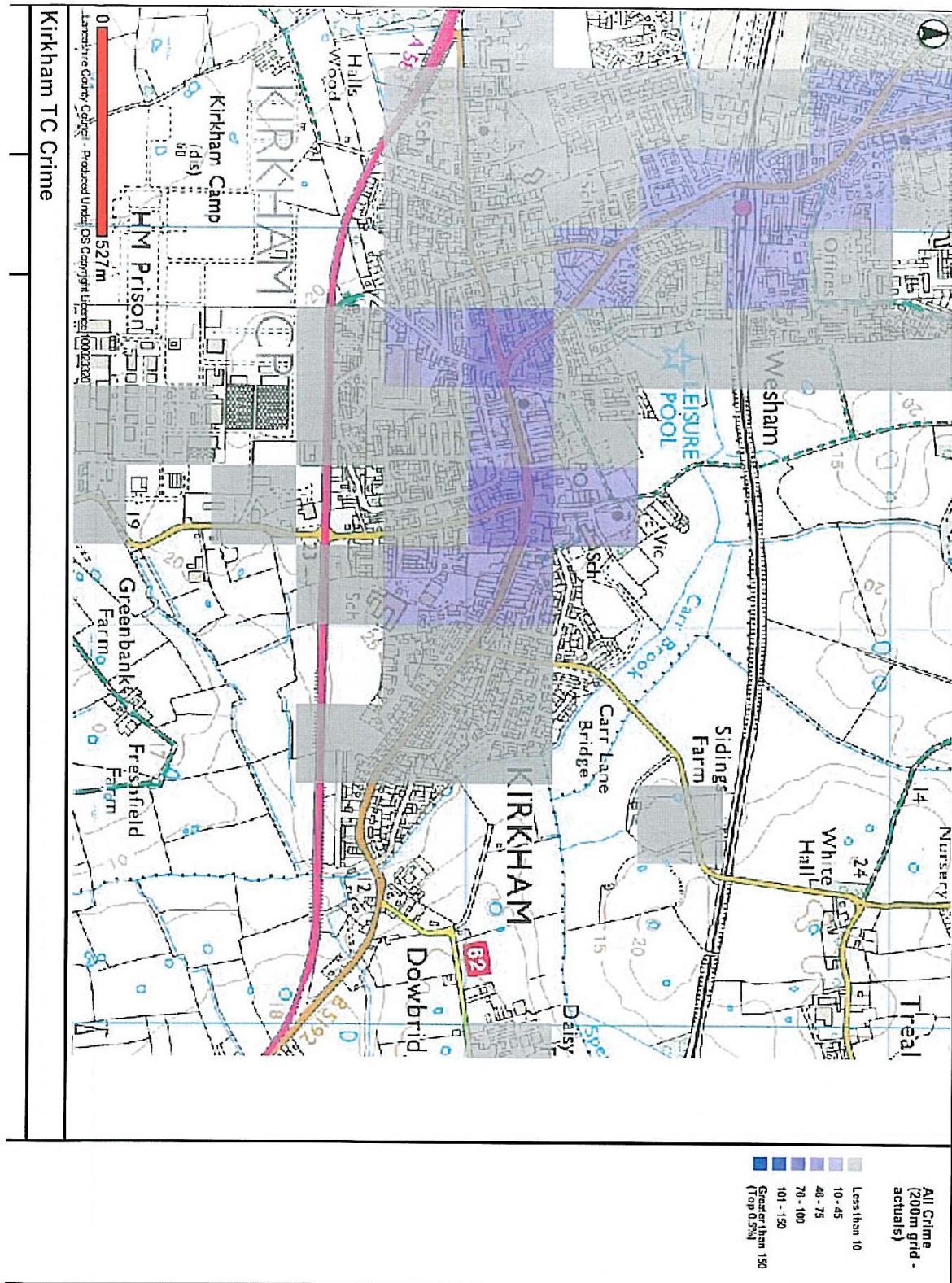
Total incidents of A.S.B. Assault, Damage and Robbery.....373

Number occurring between 1800 – 0200228

Number occurring between Thursday – Saturday.....226

These offences still account for 65% of all incidents occurring in and around the Square. 61% of these incidents occur between 1800 – 0200 and 61% occur between Thursday and Saturday.

Kirkham - Map of All Crime 2008



7. Stats for Monitored CCTV Systems (01/09/2009 – 31/08/2010)

The new monitored CCTV system has been in place since the beginning of September 2009 and up to the end of August 2010 has been involved in 247 incidents in the St. Annes and Kirkham areas. (135 of these incidents took place out of the monitored hours we contracted Blackpool to cover – which is equivalent to 56%)

Many of these incidents resulted in nothing more than monitoring a situation or establishing that nothing was in fact occurring. However, both these end results invariably assist the police greatly when making a decision on deploying their finite resources both to and away from the incidents. Future government cuts in respect of the police may make this facility even more critical

There were in total 65 arrests made for various offences including assaults, drugs dealing offences, drunk and disorderly, possession of an offensive weapon and breach of ASBO.

The CCTV system was responsible for 27 of these arrests either being made in the first place or being proceeded with. In respect of the remaining arrests most were monitored by the CCTV, which provides increased safety to the arresting officers as well as clear evidence in respect of the more problematic ones. The police are increasingly asking for the CCTV cameras to monitor them whilst they are dealing with people for this very reason.

The cameras have also been successful in a range of other incidents including locating vulnerable people missing from home, providing evidence for and monitoring road traffic collisions, monitoring cash in transit vehicles and negating the accounts of two potential victims who were shown to be not telling the truth!

8. Details of existing key processes and Identification of good practice wherever it may exist.

- CCTV Codes of Practice – National guidelines for CCTV use included with this documentation (page 19)

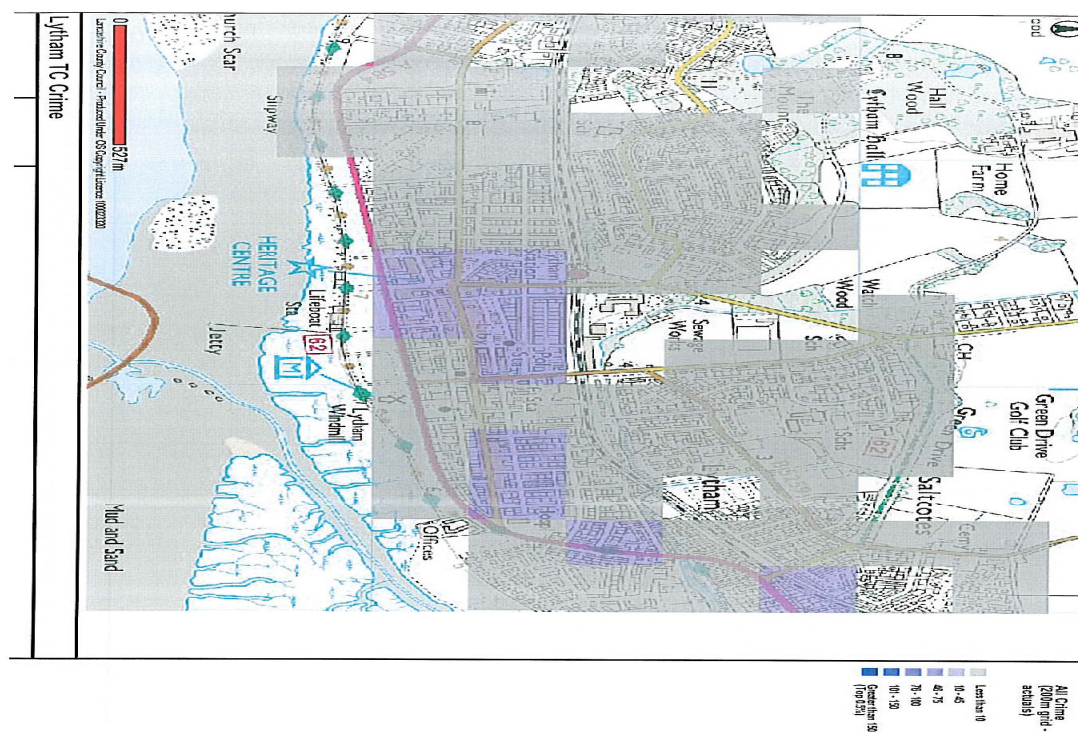
See separate documaentation:-

- Blackpool Council CCTV codes of practice
- Blackpool CCTV Docs and Policies
- S.L.A agreement between Fylde and Blackpool

Suggest a visit to Blackpool CCTV control room and compare with other CCTV systems locally – Fleetwood, Chorley, Blackburn, Preston for example.

9. Areas considered suitable for the provision of monitored CCTV

Lytham – Map of All Crime



Costs

Item	Capital £	Revenue £
3x Columns -fitted	7,500	
3x wi-fi cameras plus monitoring & recording equipment	30,000	
B.T. collection Hub	25,000	
B.T. Annual line rental		4,700
Cleaning/Maintenance		2,400
Extended Warranty		5000
Total	62,500	12,100

10. CCTV User Group National Survey

The CCTV User group is a UNIQUE membership driven organisation representing the needs and diversity of the end users of CCTV.

The Group is the pre-eminent, independent body for UK public space surveillance with over 500 member organisations and over 800 people involved, most of whom are the Local Authority CCTV managers, and Police Officers dealing with CCTV issues.

We formed in 1996 when the use of CCTV in public areas was growing and there was a dearth of guidance, regulation and standards available to protect groups and end users. The stream of government funding in the late 1990's hastened the growth to the extent of public space CCTV coverage we see today. Initially supported by a commercial company, we gained our independence in 1999 and now operate a wholly independent business solely for the benefit of our membership and the CCTV Users community

The survey was undertaken on our behalf by TNS Research International, a highly respected international research company. We supplied an indication of the issues we wished to raise and they re-worded the survey questions to ensure no bias. They used their own 'Nationally' representative sample of survey respondents, to which we had no input.

The approach with over 1,000 respondents gives a statistical accuracy (reflecting the views of the 47m over 16 population of Great Britain) of 95% with a variation of +- 3.19%

EXECUTIVE SUMMARY (Based upon the results of the National Survey)

90% of survey respondents support the use of Public Area CCTV by Local Authorities and Public Bodies

82% believe CCTV saves money by reducing Police and Court time

0% of respondents believe that clearly visible CCTV managed by Local Authorities and Public Bodies does not infringe on their privacy rights.

76% consider there is the right amount or too few Public Area CCTV cameras currently operating

71% believe that CCTV in public areas makes them feel safer and reduces crime.

70% are against any removal of CCTV cameras by public bodies to meet Government budget cuts

63% believe that Crime and Disorder would increase if CCTV was removed in their area.

61% are against any reduction in the monitoring hours of CCTV by Local Authorities even considering the current economic climate

70% are in favour of the continuing use of vehicle Number Plate recognition technology

11. CCTV user group Open Letter to Home Secretary

From: Peter Fry [Peter.Fry@cctvusergroup.com]

Sent: 03 September 2010 12:45

Subject: Open Letter to Rt Hon Theresa May, Home Secretary - Public Opinion Survey on Public Area CCTV

I am circulating the letter below, and a copy of the Public Opinion Survey report attached, to all CCTV User Group Members, and because of the critical times for many CCTV Managers facing major budget cuts or threats to their systems and I feel it absolutely critical that this is not a time for parochialism, that together we can win but divided we could fall, that all CCTV Managers throughout the UK (irrespective of the organisations they are involved with) should be aware of what is going on, and have the maximum ammunition to respond to their authorities. I have therefore forwarded to Martin at PCMA, and all regional and special area groups involved in Public Area CCTV (EG Hospitals, Universities etc) for circulation to their members should they wish, provided our copyright is respected.

I have already circulated it to the National Press contacts I have and to the major TV channels, so it is possible your local papers and radio may well get hold of you for comment or interview.

I hope you find the survey and letter useful

Yours Sincerely

Best Wishes

Peter Fry

The CCTV User Group

To the Rt Hon Theresa May MP
September 2010

2nd

Dear Ms May

COULD THE GOVERNMENT LIVE WITH A 30% INCREASE IN CRIME?

The CCTV User Group, the largest representative body for users of Public Area CCTV, believes that Public Area CCTV Cameras are now facing a combination of circumstances, the cumulative effect of which **may lead to a dramatic reduction or even cessation of CCTV cover across the country.** Whilst this may bring joy to a few the title of this letter gives a clear indication of the possible consequences of such a course of events.

The title is not intended to be scaremongering, fanciful or alarmist. There is a factual precedent for such an increase – Lisburn, Northern Ireland, was forced to close its Public Area CCTV because of funding difficulties. Additional funding was subsequently found to re-open it but during the intervening period crime in that area rose by over 30%. Whilst it would be wrong to take one example as the norm it does provide a clear indication of the potential for significant increases in crime. Other systems threatened with closure, have only been reprieved after a massive public outcry.

CCTV is the most effective tool being used by Local Authorities to meet their responsibilities under the Crime and Disorder Act, and in doing so it has achieved many thousands of arrests, and greatly assists post incident investigations.

The CCTV User Group believes that there are three major issues:

1. PERCEPTION OF PUBLIC AREA CCTV

The increasingly negative way in which Public Area CCTV is being presented by both the press and media, together with a number of self-appointed groups allegedly set up to ‘protect’ the public from the so-called ‘surveillance society’. This negative publicity is inevitably colouring both the public and political perception of CCTV, despite the fact that it is frequently based on incomplete, inaccurate or wrongly interpreted data. Notwithstanding any of the above the CCTV User Group actually welcomes the fact that there is such scrutiny of Public Area CCTV and Group Members, within the constraints of relevant legislation, wish Public Area CCTV to be as open and accountable as possible about their activities. **Our survey shows that the actual opinions of the public are diametrically opposite the perceptions portrayed in the media and are extremely supportive of it.**

2. THE FINANCIAL SITUATION

The CCTV User Group is very mindful of the country’s current and projected financial constraints and understands that no public service will be immune from

them. **Local Authority Public Area CCTV is generally regarded as a ‘non-statutory’ service provision and as such may be particularly vulnerable to budgetary cuts, for example by reduced level of cover, reduction of monitoring services or total cessation of the service.** The core role of most such systems is crime and disorder prevention, detection or reduction and the primary partner or stakeholder is the Police. Clearly the Police Service is also subject to the financial pressures and reduced budgets. This will have an effect on their ‘front-line’ service delivery and the assistance of Public Area CCTV to help police carry out their role will become ever more critical at a time when some Public Area CCTV may also be reduced. Consciously or otherwise, for the past fifteen years the presence of an extensive network of Public Area CCTV has played a major part in the formulation of local policing plans and staffing levels. The potential result brought about by the reduction of both services is self-evident.

3. **LEGISLATION AND REGULATION OF CCTV**

Since its formulation in 1996 the CCTV User Group has been concerned about the **lack of specific legislation or regulation relating to the installation and use of CCTV in all its forms.** Having initially allocated many millions of pounds for Public Area CCTV successive political administrations have either failed to acknowledge or failed to grasp the nettle of legislation or regulation and as a consequence it has been left to bodies such as the CCTV User Group and others to formulate policies and protocols for its use.

The User Group welcomed the publication of a National Strategy for CCTV by the Home Office in 2007 and offered its support. Unfortunately, publicly there appears to have been little progress to implement the recommendations contained within it and the uncertainty regarding the future of the NPIA, the body tasked with implementation of the CCTV Strategy, though understandable in the current financial climate, is further cause for concern.

The appointment of Andrew Rennison as Interim Regulator was also warmly welcomed as the first step to regulation. The current lack of legislation, regulation and coherent policy over the past decade has resulted in an organic growth of Public Area CCTV, often without any clear assessment of why it was being installed, where it was being installed or for what reason.

We appreciate the concerns of a minority (see below) over the potential of CCTV to infringe upon privacy and were influential in assisting the SIA in the licensing of Public Space CCTV operators (an objective we strongly supported). CCTV equipment itself cannot infringe upon privacy, it is the human element and we suggest strongly the licensing regime be extended to in-house operators as well as contracted operators to ensure Public Area CCTV is only operated by professionally trained staff, to yet further increase public confidence. We understand the legislation was drafted but never presented to Parliament.

The net result is that Public Area CCTV has been left in a vulnerable position, open to attack and criticism and unable to defend itself adequately by clearly demonstrating its effectiveness.

Each of the issues outlined above are individual causes for concern. Added together they have the potential to cause irreparable damage.

The CCTV User Group commissioned an **independent survey** conducted by RNS Research International which illustrates the public support of the value of CCTV, eg,

- **90% of survey respondents support the use of Public Area CCTV by Local authorities and Public Bodies;**
- **82% believe CCTV saves money by reducing Police and Court Time;**
- **80% of respondents believe that clearly visible CCTV managed by Local Authorities and Public Bodies does not infringe on their privacy rights;**
- **76% consider there is the right amount or too few Public Area CCTV cameras currently operating;**
- **71% believe that CCTV in public areas makes them feel safer and reduces crime;**
- **70% are against any removal of CCTV cameras by public bodies to meet Local Government budget reductions.**

I attach a copy of the full research findings which I hope will be of value to your researchers.

Accepting that there are no quick and easy answers to these issues **the CCTV User Group wishes to volunteer its services, backed up by a large number of Members with many years of experience in the Public Area CCTV field, to assist in any way to ensure the future of Public Area CCTV.** To this end the CCTV User Group have also written to the Parliamentary Under Secretary with responsibility for Crime Reduction, James Brokenshire Esq. MP, formally volunteering its services.

Yours sincerely,

Results of Local Survey

A local survey was conducted in the Kirkham and Freckleton areas, which was not as sophisticated or as scientific as the CCTV user group's survey but showed 100% of respondents were in favour of it and that they did not want the council to reduce it to save money.

(There were 40 members of the public consulted and simply asked for their views)

CCTV Code of Practice

(Revised edition 2008)

Deciding whether to use CCTV or continue using CCTV

Using CCTV can be privacy intrusive, as it is capable of putting a lot of law-abiding people under surveillance and recording their movements as they go about their day to day activities. You should carefully consider whether to use it; the fact that it is possible, affordable or has public support should not be the primary motivating factor. You should take into account what benefits can be gained, whether better solutions exist, and what effect it may have on individuals.

Example: Cars in a car park are frequently damaged and broken in to at night. Consider whether improved lighting would reduce the problem more effectively than CCTV. You should consider these matters objectively as part of an assessment of the scheme's impact on people's privacy. This does not have to be an extensive or time-consuming process in all cases. The extent of assessment necessary will depend on the size of the proposed scheme and the level of impact it is likely to have on people's privacy. You should use the results of the impact assessment to determine whether CCTV is justified in all the circumstances and if so how it should be operated in practice.

The things to cover in any impact assessment include:

What organisation will be using the CCTV images? Who will take legal responsibility under the Data Protection Act (DPA)?

What is the organisation's purpose for using CCTV? What are the problems it is meant to address?

What are the benefits to be gained from its use?

Can CCTV technology realistically deliver these benefits?

Can less privacy-intrusive solutions, such as improved lighting, achieve the same objectives?

Do you need images of identifiable individuals, or could the scheme use other images not capable of identifying the individual?

Will the particular equipment/system of work being considered deliver the desired benefits now and remain suitable in the future?

What future demands may arise for wider use of images and how will you address these?

What are the views of those who will be under surveillance?

What could you do to minimise intrusion for those that may be monitored, particularly if specific concerns have been expressed?

Where the system will be operated by or on behalf of a public authority, the authority will also need to consider wider human rights issues and in particular the implications of the

European Convention on Human Rights, Article 8 (the right to respect for private and family life). This will include:

Is the proposed system established on a proper legal basis and operated in accordance with the law?

Is it necessary to address a pressing need, such as public safety, crime prevention or national security?

Is it justified in the circumstances?

Is it proportionate to the problem that it is designed to deal with?

If this is not the case then it would not be appropriate to use CCTV.

Ensuring effective administration

Establishing a clear basis for the handling of any personal information is essential and the handling of images relating to individuals is no different. It is important to establish who has responsibility for the control of the images, for example, deciding what is to be recorded, how the images should be used and to whom they may be disclosed. The body which makes these decisions is called the data controller and is legally responsible for compliance with the Data Protection Act (DPA).

Where more than one organisation is involved, each should know its responsibilities and obligations. If both make decisions about the purposes and operation of the scheme, then both are responsible under the DPA. This may be the case, for example, where the police have a 'live feed' from a local authority-owned camera.

Who has responsibility for control of the images and making decisions on how these can be used? If more than one body is involved have responsibilities been agreed and does each know its responsibilities?

Has the body (or have the bodies) responsible notified the Information Commissioner's Office (ICO) that they are the data controller? Does the notification cover the purposes for which the images are used, the disclosures that are made and other relevant details?

If someone outside your organisation provides you with any processing services, for example editing the images, is a written contract in place with clearly defined responsibilities? This should ensure that the images are only processed in accordance with your instructions. The contract should also include guarantees about security, such as storage and the use of properly trained staff.

You will also need clear procedures to determine how you use the system in practice. Have you identified clearly defined and specific purposes for the use of images, and have these been communicated to those who operate the system?

Are there clearly documented procedures, based on this code, for how the images should be handled in practice? This could include guidance on disclosures and how to keep a record of these. Have these been given to appropriate people?

Has responsibility for ensuring that procedures are followed been allocated to an appropriate named individual? They should ensure that standards are set, procedures are put in place to meet these standards and they should make sure the system complies with this code and with legal obligations such as an individual's right of access. Are proactive checks or audits carried out on a regular basis to ensure that procedures are being complied with? This can be done either by you as the system operator or a third party.

You should review regularly whether the use of CCTV continues to be justified. You will have to renew your notification yearly, so this would be an appropriate time to consider the ongoing use of CCTV.

Selecting and siting the cameras

Any CCTV images must be adequate for the purpose for which you are collecting them. It is essential that you choose camera equipment and locations which achieve the purposes for which you are using CCTV. Both permanent and movable cameras should be sited and image capture restricted to ensure that they do not view areas that are not of interest and are not intended to be the subject of surveillance, such as individuals' private property. The cameras must be sited and the system must have the necessary technical specification to ensure that images are of the appropriate quality.

Example: Check that a fixed camera positioned in winter will not be obscured by the growth of spring and summer foliage.

Have you carefully chosen the camera location to minimise viewing spaces that are not of relevance to the purposes for which you are using CCTV?

Where CCTV has been installed to deal with a specific problem, have you considered setting the system up so it only records at the time when the problem usually occurs?

Alternatively, have you considered other privacy-friendly ways of processing images? For example, some systems only record events that are likely to cause concern, such as movement into a defined area. This can also save on storage capacity.

Will the cameras be sited to ensure that they can produce images of the right quality, taking into account their technical capabilities and the environment in which they are placed?

Is the camera suitable for the location, bearing in mind the light levels and the size of the area to be viewed by each camera?

Are the cameras sited so that they are secure and protected from vandalism?

Will the system produce images of sufficient size, resolution and frames per second?

In areas where people have a heightened expectation of privacy, such as changing rooms or toilet areas, cameras should only be used in the most exceptional circumstances where it is necessary to deal with very serious concerns. In these cases, you should make extra effort to ensure that those under surveillance are aware.

To judge the quality of images that will be necessary, you will need to take into account the purpose for which CCTV is used and the level of quality that will be necessary to achieve the purpose. The Home Office Scientific Development Branch⁵ recommends identifying the needs of a CCTV system by using four categories:

Monitoring: to watch the flow of traffic or the movement of people where you do not need

to pick out individual figures.

Detecting: to detect the presence of a person in the image, without needing to see their face.

Recognising: to recognise somebody you know, or determine that somebody is not known to you.

Identifying: to record high quality facial images which can be used in court to prove someone's identity beyond reasonable doubt.

Using the equipment

It is important that a CCTV system produces images that are of a suitable quality for the purpose for which the system was installed. If identification is necessary, then poor quality images which do not help to identify individuals may undermine the purpose for installing the system.

Do the recorded pictures and prints as well as the live screens produce good clear pictures? This is important to ensure that there has not been an unacceptable loss of detail during the recording process.

Have you considered the compression settings for recording material? In a digital system, a high level of compression will result in poorer picture quality on playback.

Have you set up the recording medium in such a way that images cannot be inadvertently corrupted?

Is there a regular check that the date and time stamp recorded on the images is accurate? If automatic facial recognition technology is being used, are the cameras placed so that facial images are clearly captured? Are the results of any match checked by people before any action is taken?

Has a regular maintenance regime been set up to ensure that the system continues to produce high quality images?

If a wireless transmission system is used, are sufficient safeguards in place to protect it from being intercepted?

CCTV must not be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified. You should choose a system without this facility if possible. If your system comes equipped with a sound recording facility then you should turn this off or disable it in some other way.

There are limited circumstances in which audio recording may be justified, subject to sufficient safeguards. These could include:

Audio based alert systems (such as those triggered by changes in noise patterns such as sudden shouting). Conversations must not be recorded, and operators should not listen in. Two-way audio feeds from 'help points' covered by CCTV cameras, where these are activated by the person requiring assistance.

Conversations between staff and particular individuals where a reliable record is needed of what was said, such as in the charging area of a police custody suite.

Where recording is triggered due to a specific threat, e.g. a 'panic button' in a taxi cab. In the limited circumstances where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out.

Looking after the recorded material and using the images

Storing and viewing the images

Recorded material should be stored in a way that maintains the integrity of the image. This is to ensure that the rights of individuals recorded by the CCTV system are protected and that the material can be used as evidence in court. To do this you need to carefully choose the medium on which the images are stored, and then ensure that access is restricted. You may wish to keep a record of how the images are handled if they are likely to be used as evidence in court. Finally, once there is no reason to retain the recorded images, they should be deleted. Exactly when you decide to do this will depend on the purpose for using CCTV.

Many modern CCTV systems rely on digital recording technology and these new methods present their own problems. With video tapes it was very easy to remove a tape and give it to the law enforcement agencies such as the police for use as part of an investigation. It is important that your images can be used by appropriate law enforcement agencies if this is envisaged. If they cannot, this may undermine the purpose for undertaking CCTV surveillance.

How easy is it to take copies of a recording off your system when asked for by a law enforcement agency? Can this be done without interrupting the operation of the system? Will they find your recorded images straightforward to use?

What will you do when recorded material needs to be taken away for further examination? Viewing of live images on monitors should usually be restricted to the operator unless the monitor displays a scene which is also in plain sight from the monitor location.

Example: Customers in a bank can see themselves on a monitor screen. This is acceptable as they cannot see anything on the screen which they could not see by looking around them. The only customers who can see the monitor are those who are also shown on it.

Example: Monitors in a hotel reception area show guests in the corridors and lifts, i.e. out of sight of the reception area. They should be turned so that they are only visible to staff, and members of the public should not be allowed access to the area where staff can view them.

Recorded images should also be viewed in a restricted area, such as a designated secure office.

The monitoring or viewing of images from areas where an individual would have an expectation of privacy should be restricted to authorised persons.

Are your monitors correctly sited taking into account the images that are displayed?

Is your monitor viewing area appropriate and secure?

Where necessary is access limited to authorised people?

Disclosure

Disclosure of images from the CCTV system must also be controlled and consistent with the purpose for which the system was established. For example, if the system is established to help prevent and detect crime it will be appropriate to disclose images to law enforcement agencies where a crime needs to be investigated, but it would not be appropriate to disclose images of identifiable individuals to the media for entertainment purposes or place them on the internet. Images can be released to the media for identification purposes; this should not generally be done by anyone other than a law enforcement agency.

NOTE: Even if a system was not established to prevent and detect crime, it would still be acceptable to disclose images to law enforcement agencies if failure to do so would be likely to prejudice the prevention and detection of crime.

Any other requests for images should be approached with care, as a wide disclosure of these may be unfair to the individuals concerned. In some limited circumstances it may be appropriate to release images to a third party, where their needs outweigh those of the individuals whose images are recorded.

Example: A member of the public requests CCTV footage of a car park, which shows their car being damaged. They say they need it so that they or their insurance company can take legal action. You should consider whether their request is genuine and whether there is any risk to the safety of other people involved. Are arrangements in place to restrict disclosure of images in a way consistent with the purpose for establishing the system?

Do those that may handle requests for disclosure have clear guidance on the circumstances in which it is appropriate to make a disclosure and when it is not?

Do you record the date of the disclosure along with details of who the images have been provided to (the name of the person and the organisation they represent) and why they are required?

Judgements about disclosure should be made by the organisation operating the CCTV system. They have discretion to refuse any request for information unless there is an overriding legal obligation such as a court order or information access rights⁷. Once you have disclosed an image to another body, such as the police, then they become the data controller for their copy of that image. It is their responsibility to comply with the Data Protection Act (DPA) in relation to any further disclosures.

The method of disclosing images should be secure to ensure they are only seen by the intended recipient.

Retention

The DPA does not prescribe any specific minimum or maximum retention periods which apply to all systems or footage. Rather, retention should reflect the organisation's own purposes for recording images. You should not keep images for longer than strictly necessary to meet your own purposes for recording them. On occasion, you may need to retain images for a longer period, where a law enforcement body is investigating a crime, to give them opportunity to view the images as part of an active investigation.

Example: A system installed to prevent fraud being carried out at an ATM may need to retain images for several weeks, since a suspicious transaction may not come to light until the victim gets a bank statement.

Example: Images from a town centre system may need to be retained for enough time to allow crimes to come to light, for example, a month. The exact period should be the shortest possible, based on your own experience.

Example: A small system in a pub may only need to retain images for a shorter period of time because incidents will come to light very quickly. However, if a crime has been reported to the police, you should retain the images until the police have time to collect them.

Have you decided on the shortest period that you need to retain the images, based upon your own purpose for recording the images? Is your image retention policy documented and understood by those who operate the system?

Are measures in place to ensure the permanent deletion of images through secure methods at the end of this period?

Do you undertake systematic checks to ensure that the retention period is being complied with in practice?

Responsibilities

Letting people know

You must let people know that they are in an area where CCTV surveillance is being carried out. The most effective way of doing this is by using prominently placed signs at the entrance to the CCTV zone and reinforcing this with further signs inside the area. This message can also be backed up with an audio announcement, where public announcements are already used, such as in a station.

Clear and prominent signs are particularly important where the cameras themselves are very discreet, or in locations where people might not expect to be under surveillance. As a general rule, signs should be more prominent and frequent where it would otherwise be less obvious to people that they are on CCTV.

In the exceptional circumstance that audio recording is being used, this should be stated explicitly and prominently. Signs should:

- be clearly visible and readable;
- contain details of the organisation operating the system, the purpose for using CCTV and who to contact about the scheme (where these things are not obvious to those being monitored); and be an appropriate size depending on context, for example, whether they are viewed by pedestrians or car drivers.

Signs do not need to say who is operating the system if this is obvious. If CCTV is installed within a shop, for example, it will be obvious that the shop is responsible. All staff should know what to do or who to contact if a member of the public makes an enquiry about the CCTV system. Systems in public spaces and shopping centres should have signs giving the name and contact details of the company, organisation or authority responsible.

Example: “Images are being monitored and recorded for the purposes of crime prevention and public safety. This scheme is controlled by Greentown Borough Council. For more information, call 01234 567890.”

Do you have signs in place informing people that CCTV is in operation?

Do your signs convey the appropriate information?

Subject access requests

Individuals whose images are recorded have a right to view the images of themselves and, unless they agree otherwise, to be provided with a copy of the images. This must be provided within 40 calendar days of receiving a request. You may charge a fee of up to £10 (this is the current statutory maximum set by Parliament). Those who request access must provide you with details which allow you to identify them as the subject of the images and also to locate the images on your system. You should consider:

How will the staff involved in operating the CCTV system recognise a subject access request?

Do you have internal procedures in place for handling subject access requests? This could include keeping a log of the requests received and how they were dealt with, in case you are challenged.

A clearly documented process will also help guide individuals through such requests. This should make it clear what an individual needs to supply. You should decide:

What details will you need to find the images? Is it made clear whether an individual will need to supply a photograph of themselves or a description of what they were wearing at the time they believe they were caught on the system, to aid identification?

Is it made clear whether details of the date, time and location are required?

What fee will you charge for supplying the requested images (up to a maximum of £10) and how should it be paid? Make this clear to people making access requests.
How will you provide an individual with copies of the images?

If images of third parties are also shown with the images of the person who has made the access request, you must consider whether you need to obscure the images of third parties. If providing these images would involve an unfair intrusion into the privacy of the third party, or cause unwarranted harm or distress, then they should be obscured. In many cases, images can be disclosed as there will not be such intrusion.

Example: A public space CCTV camera records people walking down the street and going about their ordinary business. Where nothing untoward has occurred, this can be released without editing out third party images.

Example: Images show the individual who has made the request with a group of friends, waving at a camera in the town centre. There is little expectation of privacy and the person making the request already knows their friends were there. It is likely to be fair to release the image to the requester without editing out the faces of their friends.

Example: Images show a waiting room in a doctor's surgery. Individuals have a high expectation of privacy and confidentiality. Images of third parties should be redacted (blurred or removed) before release.

Where you decide that third parties should not be identifiable, then you will need to make arrangements to disguise or blur the images in question. It may be necessary to contract this work out to another organisation. Where this occurs, you will need to have a written contract with the processor which specifies exactly how the information is to be used and provides you with explicit security guarantees.

REPORT



REPORT OF	MEETING	DATE	ITEM NO
COMMUNITY SERVICES	POLICY DEVELOPMENT	9 JUNE 2011	6

EMPTY RESIDENTIAL PROPERTY POSITION STATEMENT UPDATE

Public Item

This item is for consideration in the public part of the meeting.

Summary

This report is a follow up to a report to Community Focus Committee in October 2010, advising members of actions resulting from the recommendations from that Committee, advising of the current position in relation to empty residential properties and proposals to deal with the issues involved.

Recommendation

1. That members consider the information contained in this position statement

Reasons for recommendation

To guide members and officers on the appropriate actions to be taken to reduce the numbers of long term empty residential properties in Fylde.

Alternative options considered and rejected

The 'do nothing' alternative has been considered. It has been rejected because it will not address the issues raised by the existence of empty residential property in the borough.

Cabinet Portfolio

The item falls within the following Cabinet portfolio:

Portfolio Title: Social wellbeing

Councillor Name Cllr Cheryl Little

Continued....

Report

1. In the previous report to the community focus scrutiny committee a number of specific issues were discussed and identified in relation to the Council developing an Empty property strategy for residential properties in the borough, namely:
 - Formal Guidance from government anticipated in December 2010
 - Funding opportunities to deal with Empty properties
 - Research/desk top work to provide more detailed information on the current position

These activities have been concluded and detailed below in respect of each issue.

Government guidance

2. The previous report (attached at appendix 1) indicated that the government was carrying out work to 'develop options to bring more empty homes back into use, working with local authorities and housing associations and some of the property owners, neighbours and others affected'. In January 2011 the government reported that this piece of work had concluded with the action of 'consulting, as part of the new homes bonus consultation, on provision to reward local authorities for bringing empty homes back into use.'
3. The consultation on the new homes bonus proposals, of which an empty homes bonus forms a part, has also concluded. The government announced in February 2011 the final scheme design for the operation of the New Homes bonus. As part of the calculation of the new homes bonus there is an element for bringing empty properties back into use.
4. It is proposed that council tax records at a particular date will be used to compare the year on year numbers of empty homes present in the area. Whilst of the face of it this seems beneficial, it would however be possible for good intervention work done by the council in returning some empty homes back into use, only for the overall numbers of empty properties to increase for reasons outside the council's control, with the consequence that no reward would be received for that specific work.
5. Had, for example, the empty homes bonus been in place in 2009/10, the calculation as proposed, would have needed the Council to bring back into use more than 222 'empty' dwellings to receive any additional reward.
6. One of the powers available to the council in respect of empty homes is the use of empty dwelling management orders. Currently these can be considered for any property that has, subject to some exemptions, been empty for at least 6 months. The government has recently announced that it intends to change the way in which empty dwelling management orders will operate. In the future they will only be available in respect of properties that have been empty for at least 2 years and which are causing 'blight' to the local community.

Funding opportunities

7. As part of the spending review announcements of the last few months the government has indicated that an amount of £100m is to be made available nationally to help to bring empty properties back to use. It is understood that this funding will be available

through the homes and communities agency (HCA) to Housing Associations and will not be allocated directly to local housing authorities. It is anticipated that the funding will be available from 2012 and will be spread across three years.

8. Further discussions on the allocation of these funds will be undertaken through the Fylde RSL partnership and the HCA.
9. At the meeting of the earlier community focus committee comment was made on the use of s106 monies. The Council is in a fortunate position and has received capital sums through the planning process for the delivery of additional affordable housing. It could be an appropriate use of s106 monies to purchase appropriate empty properties so long as they added to the affordable housing stock of the borough. It would be usual for these properties to be purchased in partnership with registered social landlords.

Current position

10. Following the preparation of the previous report to the earlier community focus committee an updated position on the numbers of empty homes has been obtained. The primary source of data to the Housing team is records maintained by the Council Tax section. The updated figure shows that there are now 750 dwellings in the category that have been empty for at least 6 months. This compares with the previous figure of 528.
11. This latest data represents a significant increase. It is difficult to draw meaningful conclusions from this information but it will no doubt, in part, be due to the existing flat housing market. The Council will have little or no influence in the operation of the Housing market and consequently the Housing Team's activity in relation to empty homes will relate to those few properties where the Council's enforcement powers can have an impact.
12. Following the previous committee meeting a number of actions have been carried out within the Housing team to assess the current position in greater detail.
 - A desk top study of the Council Tax long term empty property data base has been carried out to exclude all dwellings with a council tax banding of greater than 'D'. This has removed 121 dwellings from the list. There remain 248 band 'A' dwellings, 117 band 'B', 177 band 'C' and 87 band 'D'.
 - A further 117 dwellings have been removed from categories such as sheltered and extra care housing, mobile homes, chalet homes and residential accommodation attached to commercial property. There then remain 512 properties that may be appropriate for some form of action by the council.
 - A sample of about 10% of the remaining 512 dwellings was selected for an external survey to determine the level of 'blight' properties that may exist in the area. The external survey of these dwellings indicates that there is a minimal presence of 'blight' properties in the borough. The survey has also indicated that a significant proportion of these empty dwellings (mainly in council tax band 'A') are self contained flats provided by conversion of larger properties.
 - There are no properties currently reported to the Housing team specifically identified as long term empty properties and upon which intervention actions are being considered. There have been, however, 5 properties where action has

been taken over the last 12 months or so which has led to an improvement in the properties.

- An empty property survey questionnaire has been prepared for future use should this be required.
- It has become evident however through this desk top work that the information available through the Council Tax records is of limited value. The council tax IT system is designed for council tax purposes. It is difficult, therefore, for the system to produce information that would be more useful to housing services. Council tax staff have been helpful in attempting to obtain information but it is likely that a bespoke reporting programme will need to be written by the software provider. A bespoke software solution may cost in the order of £1100.

13. The resources available for enforcement activity in the whole of the Boroughs' private sector housing stock are limited to two posts. The priority of the service, within the resources available, continues to be the enforcement of housing standards in the private rented sector.

14. The actions taken recently have increased the understanding of the position in relation to empty dwellings in the borough. It is suggested that the objectives for any future action remain to;

- Increase the use of the existing housing stock to provide additional affordable housing for rent and purchase and
- Remove 'blight' properties.

15. In respect of 'blight' properties it will only be possible in the future to take formal action using management orders once the property has been empty for at least 2 years. The indications are that there are few properties in the borough that would be appropriate for this action. In respect of all other 'non blight' empty properties the use of management order powers will no longer be available.

16. In respect of the 'non blight' empty properties and 'blight' empty properties of less than 2 years vacancy the remaining options for action include informal persuasion and other enforcement action culminating, rarely, in compulsory purchase. Any increased activity around empty homes whether informal or formal will have resource implications and only a limited amount of activity will be possible within existing resources.

17. Increased activity around empty homes would also benefit from improved data management that could be provided, at a cost, by the council tax service.

Developing an Action plan

18. The Council's position in relation to Empty properties is and should always be strategic; it is not possible for the Council to deal with the whole issue of empty property on its own. The Council has good relationships with external organisations and delivery partners who can help achieve the council's objectives.

19. The table below lists some assistance initiatives undertaken by other Councils in respect of their empty property strategies.

Supporting Home Ownership	Supporting Owners	Supporting All	New Initiatives
Home energy loans for property (HELP) Property essential repair loans (PERL) Equity share option Facelift schemes Security schemes Advice Help & Support Training	Landlord accreditation LL info system Bond schemes Small incentive schemes Special discounts with service providers e.g. gas servicing Advice Help & Support Training for LL	Assisted sales Assisted sales & marketing Managing agents Voluntary acquisitions LL training schemes Advice Help Training	National affordable homes scheme S106 agreements with nominations Leverage scheme 5 to 1 with nomination rights Voluntary acquisitions Rent to mortgage schemes Homesteading

20. Those assistance initiatives currently undertaken/proposed in Fylde are identified in **bold**. The scope for implementation of other initiatives listed would be subject to further research and resources.

21. In terms of enforcement action it is important that the Council is able to demonstrate why action is being taken and equally why action would not be taken. It is proposed to achieve this through an empty property matrix and ranking system an example of which is outlined at Appendix 3.

22. It is proposed that an updated empty property statement for Fylde borough setting out the Councils current activity and expectations as outlined in this report is published on the Councils website.

Next Steps

23. It is proposed that the following actions are undertaken over the next six months in relation to empty properties:

- Develop/complete the empty property matrix in terms of known blight properties
- Agree data collection and analysis requirements with Council Tax section.
- Undertake the empty property questionnaire
- Update the Councils website in terms of an empty property statement as outlined in this report

Conclusion

Empty residential properties continue to be a wasted resource in the housing market. The recorded number of long term empty properties seems to fluctuate significantly. From the latest figures and following the desk top study it appears that the potentially 'useful' stock of empty properties could number in the order of around 350. In the case of empty properties in Fylde it will not be possible to use formal management order powers in respect of the vast majority of cases. There are a number of other formal powers that could be used to bring empty properties back to use which will continue to be reviewed

although it will be difficult, within existing resources, to tackle all these issues in a meaningful proactive way. It will, though, continue to be possible to react to complaints about empty properties within existing resources.

In respect of any potential reward through the proposed empty homes bonus, it is not possible to confirm the detail and any assumption of additional income is premature at this time.

Report Author	Tel	Date	Doc ID
John Cottam	(01253) 658690	May 2011	

List of Background Papers		
Name of document	Date	Where available for inspection
Document name		Council office or website address

Attached documents - none

IMPLICATIONS	
Finance	There are no financial implications from the recommendations in the report. Additional activity above that provided for within the council's existing budget framework in relation to empty properties will require additional resources.
Legal	There are legally prescribed procedures to follow for a number of potential actions.
Community Safety	none
Human Rights and Equalities	none
Sustainability and Environmental Impact	Bringing empty properties back into use would have a positive impact on communities.
Health & Safety and Risk Management	none

Appendix 1

Previous report.....

REPORT



REPORT OF	MEETING	DATE	ITEM NO
COMMUNITY SERVICES	COMMUNITY FOCUS	14 TH OCTOBER 2010	6

EMPTY PROPERTY POSITION STATEMENT

Public Item

This item is for consideration in the public part of the meeting.

Summary

There are approximately 1095 empty properties in Fylde. Approximately 528 of these are considered to be long term empty properties. It is considered that empty properties are a waste of a valuable housing resource some of which could be used for helping to meet the needs for affordable housing for rent or purchase. Taking action to bring back into use some of these properties should result in an increased stock of affordable homes for rent or purchase. Taking action to improve the appearance of the limited number of 'blight' properties will improve the neighbourhoods in the vicinity of such properties.

Recommendation

1. That members consider the information contained in this position statement
2. Request a further report be presented if appropriate upon consideration of guidance to Local authorities due to be issued by Government in December 2010.

Reasons for recommendation

To guide members and officers on the appropriate actions to be taken to reduce the numbers of long term empty properties in Fylde.

Continued....

Alternative options considered and rejected

The 'do nothing' alternative has been considered. It has been rejected because it will not address the issues raised by the existence of empty property in the borough.

Cabinet Portfolio

The item falls within the following Cabinet portfolio:

Portfolio Title: Councillor Name Cllr Cheryl Little

Report

1. An action within the recently agreed Fylde Housing Action plan related to the bringing of empty dwellings in the Private sector back into use. This report represents the first step in addressing this action. The report relates only to residential property.
2. In any housing market there will always be a proportion of the housing stock that is empty. Some properties will be empty on a transitional basis pending a change of owner, some will be empty awaiting closure of a deceased person's estate, some will be empty awaiting renovation and some will be empty when an occupier moves into residential care. All of these cases are normal and to be expected within a properly functioning housing market.
3. In an area such as Fylde, with its attraction as a coastal tourist location, there is also likely to be an above average number of second or holiday homes. These properties may also be vacant for a part of the year. Such cases are also normal and to be expected within the local housing market.
4. There are however properties that fall outside the normal activities of a housing market as referred to above. Such properties will often show themselves as long term vacant properties which may also fall into disrepair and become an eyesore in the area. Long term empty properties are a waste of a scarce housing resource. There would be a benefit to the whole community in bringing long term empty property back in to use.
5. In Fylde the most recent information available (Council Tax records @ 1st April 2010) suggests that there are approximately 1095 empty properties in the borough. It is estimated that included in this number there are 528 properties that have been empty for at least 6 months. This represents approximately 1.45% of the total housing stock in Fylde. The national average for long term empty properties is approximately 1.5%.
6. The council has up to date information on housing needs and projected growth in households from a number of sources including government predictions, a strategic housing market assessment and a housing needs assessment. The conclusions are that long term housing demand will remain high, household numbers will continue to grow and that the acute needs for affordable housing will remain. The new build housing development industry has been particularly hard hit by the recession and it is most unlikely that any new supply of housing will meet the long term needs and

demands of the housing market. In this context the existence of the current levels of long term empty property is unacceptable.

7. The council does not currently have an empty homes strategy nor does it have an officer wholly dedicated to empty homes work. Current activity and priority for the Housing team relates to enforcing of standards in the private sector and dealing with individual empty properties on an adhoc basis.
8. A review of the Housing structure is proposed which among other things will seek to address the development of an empty homes strategy and the scope for greater emphasis on empty homes work in line with the objectives and actions outlined in paragraphs 13 and 14 respectively. It is not envisaged that this will produce significant extra resource to tackle empty homes issues and it is proposed that the overriding priority for private sector housing work will remain on enforcement of standards in the private sector.
9. The Council has performed adequately in the returning to use of empty property by meeting its target of 20 in 2007-08 and a further 21 properties over 2008-09 and 2009 - 10. This represents only a small fraction of the estimated stock of long term vacant properties in the borough.
10. However there were some notable successes in this period including the return to use of two large detached properties in St Annes which was achieved through the Fylde RSL partnership and use of the Council's commuted sums resources. The overall inability to meet the targets is largely as a result of the focussing of activity on other priority work in the private sector.
11. Fylde sits within a peer group of similar types and sizes of local authorities as defined by the Chartered Institute of Public Finance and Accounting. The proportion of long term empty properties within the peer group ranges from 1% to just over 4% of the housing stock. At about 1.45% the proportion of long term empty property in Fylde is about average within its peer group. Activity to address the issue of empty property also varies within the peer group. In some authorities activity is underdeveloped whereas in others activity is more advanced with, for example, cross county partnership working and dedicated officer resource.
12. Within the stock of empty properties there will be a wide range of property type from small flats to large detached dwellings. It is felt that most benefit to the community would be derived from the re-use of empty stock to provide affordable family housing either for rent or for purchase by first time buyers or lower income groups.
13. Within the stock of empty properties there will be a range of disrepair and stock condition issues ranging from good condition new build to serious disrepair 'blight' properties. It is felt that most benefit to the community would be derived by addressing the issue of 'blight' type properties as a priority. It is currently estimated that relatively few properties will fall into this category and requiring action by the Council
14. It is suggested that the objectives for action in relation to empty properties in Fylde are to;
 - Increase the use of the existing housing stock to provide additional affordable housing for rent and purchase and
 - Remove 'blight' properties.

15. A number of actions will be required to achieve these objectives;

- An up to date survey of the long term empty property stock
- A filter to remove stock with an exemption from formal action
- An analysis of the remaining stock to provide information on location, type and size, condition, value etc.
- From the above analysis targeting of the priority type of property can take place.
- Options presented to the owner to return into use including informal persuasion, formal action, agreement to purchase, grant to renovate etc.

The options for action can be detailed as follows;

- Informal persuasion. This will involve officer time in visiting properties, searching for and making contact with owners. It is most likely to be successful where dwellings do not require too much remedial work and the owner just needs a push in the right direction to do something with the property. The threat of formal action will be a useful tool to push the owner to take action. This option is likely to need a significant amount of staff time to achieve meaningful outcomes.
- The Housing Act 2004 introduced new powers for Local Housing Authorities to take action in respect of long term vacant dwellings. It now gives the power to the council to take over the management of the dwelling to ensure its return to use. There is a detailed prescribed procedure to follow and approval from the residential property tribunal will be needed before making the appropriate management orders. It has been estimated that the costs of the procedure up to the point of obtaining the approval of the residential property tribunal will be in the order of £7k. This will be made up of staff time, preparation of evidence and representation at the tribunal etc. This cost is not recoverable. If this power is used some arrangements will be needed to improve the property and to manage it and its tenancies during the time that the management order remains in force. The order would last for up to 5 years in any individual case. It would be probable that the management functions would be carried out by a partner agency under some form of service level agreement. The costs incurred in improving the property and managing it can be recovered from the rental income. There is a risk that the amount of work required and the costs of management could exceed the rental income to be generated.
- Compulsory purchase powers have existed for some time and remain an option for consideration. The procedures are time consuming and take a long time to implement. The property will need to be purchased and a capital provision to do so will therefore be required. There is currently no budget provision within the capital programme for compulsory purchase orders. It is likely that compulsory purchase would only be used as a last resort if all other options have failed or are not appropriate.

14. The implementation of actions to achieve the suggested objectives will have resource implications which may include

- Revenue costs for increased staff activity

- Capital costs if grant assistance is considered. This may be found within the current discretionary housing grants budget but this budget is already under significant pressure
- Possible use of the commuted sums budget particularly if housing association partners become involved. The commuted sums budget is limited and there are some restrictions on its use depending on the individual section 106 agreements under which the sums have been provided.

15. This report raises a number of issues that require consideration by members. It gives an up to date position statement about empty properties in the council area and suggests actions that can be taken to deal with the issues. All of the actions will require time and resources and there is only a limited amount of work that can be done within existing resources.

16. The Department for Communities and Local Government has begun work on developing options and advice for local authorities, property owners and others to bring more empty properties back into use. It is expected that information will become available on this work by the end of December 2010. Members may wish to consider any advice that comes from this work before making decisions based on this position statement.

Conclusion

Empty properties are a wasted resource in the housing market. There is continuing pressure on the supply of housing from an increase in the number of households in Fylde. It is predicted that the growth in household numbers will continue. The new build development industry is not expected to meet the demand for additional housing particularly when considering the impact of the current recession. A number of issues have been highlighted in this report that suggests that action is needed to reduce the number of long term empty properties in the area but which needs to be balanced against other priorities in the private sector.

Report Author	Tel	Date	Doc ID
John Cottam	(01253) 658690	September 2010	

List of Background Papers		
Name of document	Date	Where available for inspection
Document name		Council office or website address

Attached documents - none

IMPLICATIONS	
Finance	Additional activity in relation to empty properties will require additional resources. The council is facing significant and uncertain financial pressures from 2011/12. Central government have made it very clear that there will be public expenditure cuts of at least an average of 25% which

	potentially could be up to 40% over the next 4 years and members will be faced with some difficult budget decisions to make during this period.
Legal	There are legally prescribed procedures to follow for a number of potential actions.
Community Safety	
Human Rights and Equalities	
Sustainability and Environmental Impact	
Health & Safety and Risk Management	

Appendix 2 - Available enforcement actions

Positive Action Letters	Single Compulsory Purchase Order	Enforced Sale	Council Tax enforced sales	Empty Dwelling Management Order	Temporary Social Housing Grant	PRODS
<p>A staged approach raising interventions by increments.</p> <p>Ensures actions are reasonable and proportional.</p> <p>Complies with the human rights act.</p> <p>Can resolve matters on their own or lead to further interventions.</p>	<p>CPO single property under section 17 of the Housing Act 1985.</p> <p>Use of RSL or developer partners to renovate and bring property back into use following CPO.</p> <p>Initial costs recovered on sale.</p> <p>This power is tried & trusted but is time consuming. It can cost more than the market value of the property by typically 10%.</p>	<p>Can be used when a significant debt is owed to the council.</p> <p>Sale can be to a preferred purchaser or to an open auction sale.</p> <p>Preferred purchaser would normally be a RSL.</p> <p>Many authorities have used this power.</p>	<p>Only used when there is a debt owed from council tax.</p> <p>Sale can be to a preferred purchaser or to an open auction sale.</p> <p>Preferred purchaser would normally be a RSL partner.</p>	<p>Available under the 2004 Housing Act (but see text of report for new rules for use).</p> <p>Unlikely to be of much use in Fylde but could have limited use in some circumstances.</p> <p>Strict procedural rules laid down in legislation.</p>	<p>Application via Homes and Communities Agency.</p> <p>Likely to be the main focus for use with the new funding referred to in the text of the report.</p>	<p>Public Request Order Disposal</p> <p>Applies only to publicly owned property with a number of exemptions.</p> <p>Member of public has to make the request to the secretary of state.</p> <p>Not likely to be of much use in Fylde.</p>

Continued....

Appendix 3 – Example empty property matrix

	Property	Answer	Variable	Score
Q1	Garden Overgrown	Yes/No	Slightly – 5 Very – 10	
Q2	ASB at property	Yes/No	Minor – 5 Major – 10	
Q3	Accumulated refuse/litter	Yes/No	Minor – 5 Action Req – 10	
Q4	Boarded up	Yes/No	Boarded – 5 Rep Boarding – 10	
Q5	Property Up for Sale	Yes/No	Discount max -20	
Q6	Next door is Empty	Yes/No	Left Property + 5 Right Property + 5	
Q7	Property Type			
Q8	Located in key area	Yes/No	Variable score	
	Location			
Q9	In worst Empty Homes wards	Yes/No	0 or 5	
Q10	Special Target Areas	Yes/No	0 or 10	
Q11	Renewal Area	Yes/No	0 or 5	
Q12	Other Empty Homes on Street	Yes/No	0 or 5	
Q13	RTB causing problems	Yes/No	0 or 10	
Q14	Complaints	Yes/No	1 or 2 complaints = 5pts 3+ complaints = 10pts	
Q15	Previous Enforcement action	Yes/No	0 or 10	
Q16	Length time house/flat empty		1-2yrs = 2pts 2-3yrs = 4pts 3-5yrs = 8pts 5-10yrs = 10pts 10yrs + = 20pts	

Continued....

Policy Development Scrutiny Committee



Date	24 March 2011
Venue	Town Hall, St Annes
Committee members	Councillor Fabian Craig-Wilson (Chairman) Councillor Kiran Mulholland (Vice-Chairman) Brenda Ackers, Ben Aitken, Frank Andrews, Leonard Davies, John Davies, Patricia Fieldhouse, Richard Fulford-Brown, David Chedd, Karen Henshaw JP, Elizabeth Oades, Dawn Prestwich, Elaine Silverwood, Heather Speak
Other Councillors	Trevor Fiddler, Cheryl Little, Kevin Eastham
Officers	Phillip Woodward, Tracy Scholes, Paul Walker, Ian Curtis, Bryan Ward
Others	Inspector Laura Lawler; Members of the public

Public Platform

One member of the public and 2 councillors had made requests to address the committee on the topic relating to the call-in request. The Chairman invited them to speak at the start of the meeting, in accordance with the Public Platform rules.

Ms Duffy, speaking as a representative of Melton Grove Tenants Association, said that the estate had been gifted as a lasting legacy and residents very much wished that status to be preserved. She was concerned about the lack of engagement with residents regarding the proposed sale. She said that the residents would be interested in self managing the properties if the opportunity arose.

Councillor Eastham said that he did not want to dwell on whether the estate should be sold or otherwise. He was more concerned about the lack of wider elected member involvement in reaching the decision. He also raised planning considerations.

Councillor Louis Rigby, who is on the Board of Directors of Clifton Lytham Housing, said that he was against the sale to Windmill and felt that the properties should be sold to a registered social landlord.

1. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.

Councillors Ackers, Fieldhouse and Louis Rigby (who is not a member of the committee but who spoke under Public Platform) declared a personal interest in item 4, as members of the Board of Clifton Lytham Housing Association.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Policy Development Scrutiny Committee meetings held on 3 February 2011 and 21 February 2011 as a correct record for signature by the chairman.

3. Substitute members

The following substitutions were reported under council procedure rule 22.3:

Councillor Dawn Prestwich for Councillor George Caldwell

4. Request for Call-in – Clifton (Lytham) Housing Association Ltd

Ten members of the council had invoked the recovery and call-in procedure to question an individual cabinet member decision made on 3 March 2011 relating to the transfer of shares of the Clifton Lytham Housing Association Ltd. This decision was made by Cllr Trevor Fiddler, the Portfolio Holder for Planning and Development. Members of the committee were required to consider whether the decision was not in the interests of the inhabitants of the borough and ought to be reconsidered.

The Chairman invited the lead signatory, Councillor Elizabeth Oades, to explain why she felt that the decision was not in the interests of the inhabitants of the borough and ought to be reconsidered.

Cllr Oades called into question whether there had been wide enough engagement and drew parallels to the time when the council transferred its own housing stock and the thorough consultation that took place.

She had several other queries, including - was the transfer legal in light of the content of a solicitor's letter recently received by some Members of the Council?; should the residents not have had the opportunity to vote on the issue?; how was the decision reached to sell off the estate?; how was the tenderer selected?

There were many other questions and Cllr Oades said that the number of questions she raised illustrated the need for a fuller debate by Council. She

felt that the sale should not be proceeded with until such a debate had taken place as to whether the sale was in the interest of the residents of the Borough as a whole.

The Chairman asked Councillor Trevor Fiddler, Portfolio Holder for Planning and Development, to respond.

Councillor Fiddler said that he welcomed the call in. He stated that the Clifton Lytham Housing estate was an anomaly in terms of council business, in so much as the council no longer had an operational housing function and so did not have the expertise to run the company and had made a political decision in 2000 to dispose of its housing stock and its landlord function.

In reaching his decision he understood that the Clifton Lytham Board had sought professional advice and had considered eight options of how they might proceed. The preferred option had been to dispose to a social landlord but as a better offer was received this had been the best option to gain the best consideration for the site.

Cllr Fiddler accepted that with hindsight there should be a wider debate involving councillors and wholeheartedly agreed that a debate at council would be useful.

There were questions from committee members relating to transparency of the decision, the engagement of residents and the legality of the sale, following which the Portfolio Holder left the room.

The committee debated the topic thoroughly. Cllrs Patricia Fieldhouse and Brenda Ackers as Directors of the company reported that they had had legally competent and other professional advisors, and had always had the best interest of the residents at heart.

After an in-depth debate of the various issues raised, the committee RESOLVED:

That the decision of the Portfolio Holder should be called in, and referred to Council for debate.

There was no recorded vote as the Chairman decided that the matter was not controversial.

5. Community Safety Partnership

Members were reminded that there is a statutory responsibility to scrutinise the performance of the Fylde Community Safety Partnership (CSP) on an annual basis.

The purpose of this report, introduced by Cllr Cheryl Little (Portfolio Holder for Social Wellbeing), was to inform the appropriate Scrutiny Committee of the

work of the CSP to allow an informed scrutiny of the Partnership under the requirements of the regulations as outlined in the report.

The Chairman of the committee, Cllr Craig-Wilson, reported that the three year agreement with LCC for second homes council tax funding for the LSP concluded on 31 March 2012 and it was her intention to add this item to future items for review by scrutiny via the SMB.

The report contained a wealth of detail regarding the work of the CSP during the previous year including statistics on crime and successful initiatives. The committee members were invited to scrutinise the work of all the partners in delivering the five priorities of the CSP.

Statutory Partners in Fylde CSP comprise:

- Fylde Borough Council
- Lancashire County Council
- Lancashire Constabulary
- Lancashire Police Authority
- Lancashire Fire and Rescue Service
- North Lancashire Primary Care Trust
- Lancashire Probation Trust

The Five Priorities are:

- Domestic Abuse
- Alcohol harm
- Road Safety
- Violent Crime
- Anti Social Behaviour

Inspector Laura Lawler was in attendance on behalf of the police. There were a number of remarks and concerns directed at the police. In particular, members felt that there was room for improvement with police communications. However, they also felt that the initiative to deal with scrap metal crime was very proactive and thanked police for their efforts.

After the debate the committee RESOLVED:

To note the good performance of the Community Safety Partnership in 2010/11 and ask the partnership to seek invitations from two scrutiny members to participate in the 2011 strategic assessment nearer to that time.

There was no recorded vote as the Chairman decided that the matter was not controversial.

6. Review of Assets

This report was introduced by Paul Walker, Director of Strategic Development. The Committee had commenced a review of assets and at the last meeting

had appointed a Task and Finish group. The group had met and proposed a schedule of concessionary lettings for the Committee to review.

The schedules attached to the report were as follows:

a) 2007 Review

The assets last reviewed by Scrutiny and Cabinet in 2007, including the resolution of Cabinet and a summary of actions since the review.

b) 2008-10 Asset reviews

Reviews or actions that have been instigated and progressed since 2007.

c) Current Asset reviews

Reviews or actions currently underway and about to be concluded.

d) Concessionary lettings subject to review

A list of lettings which it was proposed would be the subject of the latest review.

Members considered the schedules. Mr Walker was asked to investigate the feasibility of community payback being used to tidy up the St David's Road site. He reported that there had been a clean up in the previous year but that he would investigate if further work could be undertaken.

It was noted that item 20 of schedule A needed to reflect that the Friends of Dickie Bush had also been involved in the improvements.

Following the debate, members RESOLVED:

1. To note the contents of schedules A, B and C, with the amendment relating to Friends of Dickie Bush added.
2. To recommend that Mill Street Car Park be added to the list of assets to be transferred to Kirkham Town Council.
3. To agree schedule D to go forward for review to the Task and Finish Group.

There was no recorded vote as the Chairman decided that the matter was not controversial.

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