

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF ENVIRONMENTAL AND HOUSING SERVICES	OPERATIONAL MANAGEMENT COMMITTEE	17 JANUARY 2023	6
<b>ENFORCEMENT TEAM REVIEW</b>			

### PUBLIC ITEM

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

#### SUMMARY

At the March 2021 Operational Management Committee, Members supported the establishment of a dedicated inhouse team to respond to anti-social behaviour. This has followed an engagement and encouragement approach, requesting compliance, with appropriate arrangements in place for enforcement to be used as a final deterrent in responding to issues such as dog related offences, littering, BBQs, street beggars and illegal encampments. This has been followed over the course of the last 18 months with members of the public responding positively to the engagement and encouragement response

This report reviews the service and discusses the future service provision for this area of activity.

#### RECOMMENDATION

That the Enforcement Team be re-branded as the Community Enforcement Officer Team with an agreed staffing core of two FTE's, supplemented by two Temporary Community Officers each year employed from 1 April to 30<sup>th</sup> September.

#### SUMMARY OF PREVIOUS DECISIONS

March 2021 Operational Management Committee – agreement to the establishment of an in-house team to respond to anti-social behaviour

#### CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

## **REPORT**

### **Enforcement Team Overview**

1. Public spaces protection orders (PSPOs) are in place across the borough for the enforcement of dog control under the Anti-Social Behaviour Crime and Policing Act 2014. A PSPO is also in place to prohibit BBQ's and outdoor cooking on the Borough's coastline and coastal public open spaces. Failure to comply with a PSPO is an offence which can be dealt with by a fixed penalty notice of £100.
2. At the March 2021 Operational Management Committee, Members supported the establishment of a dedicated inhouse team to respond to anti-social behaviour, an engagement and encouragement approach was agreed which involved requesting compliance, with appropriate arrangements in place for enforcement to be used as a final deterrent in responding to issues such as dog related offences, littering, BBQs, street beggars and unauthorised encampments.
3. Over the course of the last 18 months members of the public have responded positively to the engagement and encouragement response which has been appropriate in most cases. However, failing to remove dog faeces, has always been a zero-tolerance approach, though it is very difficult to catch offenders resulting in the council only issuing a handful of FPNs for dog fouling.
4. Since March 2021, the team has had the ability to respond to issues seven days a week, working a rotating shift pattern covering early starts and late finishes, particularly across the busy summer season and on Bank Holidays. The patrol work covers the whole of the Borough across the year with more of a focus on the coastal strip during the busy summer months.
5. Recruitment of the 6-member team, operating as a 9-month pilot scheme, began shortly after the March 2021 committee with 4 members of the team commencing duties in June and the final 2 officers joining in September. It has proved to be a transient team with only one of the original team recruited in June 2021 still in place. This is in part due to half the team being employed on temporary contracts during the trial period which can lead to uncertainty. Equally, shift patterns, and working outside traditional working hours can provide challenges in balancing work/life commitments. The team has access to a beach gator which allows them to traverse the beach area in St Annes to quickly to respond to issues.
6. Most of the non-compliance has been accidental, due to ignorance of the rules and most people have responded well to polite requests to leave the beach exclusion zone with their dog or extinguish a BBQ. There are notable exceptions to this such as street beggars and illegal encampments where a firmer approach is needed.
7. As the work of the two dog wardens has been subsumed into the work of this team, a significant proportion of the work of the team focuses on dog control issues and responding to stray and dangerous dogs.

### **Evaluation**

8. Over the first busy summer period the new team followed an intense program of induction, orientation, and familiarisation, training, and job shadowing. In the summer of 2021, CSP Security were commissioned to undertake educational patrols on behalf of the council over the spring and summer, to provide experience and support while the new team became established in the role. The CSP contract finished at the end of September 2021. Following this the in-house team took over full responsibility for environmental education and enforcement initiatives.
9. The team has provided a visible presence across the borough and in general through interaction with the public they have been positively received. Whilst the team initially worked in teams of two, this was changed to lone working at times, to be better able to manage shift patterns. The team has been faced with difficult circumstances on occasion, and there has been the need for a robust approach to risk management, which will be required going forward. The approach of engage and encourage has been proportionate and successful. Although there is a graduated approach to enforcement officers are aware of the need to take enforcement action where necessary.
10. The team has provided support across a wide range of activities including dog control, stray and dangerous dog control, beach dog exclusion zone and BBQ and hot food prohibition on the coastal strip. The team has also worked well with other teams such as the Ranger and Seasonal Support Teams. There is a case of others

sometimes not understanding the specialist role the team plays, and assuming that they are on-call to provide more general support across a wide-range of issues, which has been a frustration at times for members of the team.

11. The team are called ‘Environmental Enforcement’, the word ‘Environment’ creates the perception they can enforce all matters, examples of this have been violent members of the public, littering offences, security on our estates etc. The team respond to ‘service requests’ from all areas of the Council. The proposed changes detailed in this report would ensure that the slimmed down, and permanent team of people are embedded in the Environmental Health team under direct line management. The relevant section manager would be responsible for work and target setting, with major service requests being sent through him/her. This would make the service more in line with other Environmental Health sections, such as food safety and Environmental Protection. It is proposed that the team are called **Community Enforcement Officers**.
12. The review will underline the role of the team within the council and to partner organisations. Whilst partner organisations such as Lancashire Constabulary might be keen for the team to take on wider responsibilities by engaging with more violent / dangerous individuals to issue Community Protection Warnings and Notices, this is not possible within the role and responsibilities of the team. Street drinkers and street beggars will continue to be engaged and where appropriate issued with Community Protection Warnings and Notices, but this will not extend to other more serious criminal activities. The team work closely with the **Environmental Protection and Housing teams** to gather evidence and serve notices.
13. The role of the two Community Enforcement Officers will be (highest priority first):
  1. **Providing a dog warden service (statutory role)**
  2. **Responding to and patrolling areas of dog fouling** - These will form the main duties of the two permanent officers, especially during the winter months and out of season.
  3. **In the summer: enforcement of the PSPO’s (no dogs on amenity beach, no BBQ’s on the beach/dunes)**
  4. **Assisting professional departments with street drinkers and beggars**
  5. **Provide support in dealing with unauthorised encampments (on the ground engagement)**
  6. **Removing fly posting/A boards where they are causing an obstruction**

Many of the activities are demand driven (never know what is going to happen when or how often) with the most demand in the summer months when the seasonal resource will be deployed. The team will work to annualised hours offering the flexibility to respond to increased demand and / or bespoke initiatives.

The reduction in resource will mean there are occasions when cover is not provided in the evenings or weekends therefore issues may have to wait until the start of the working day/week where there is no health and safety or security risk e.g. initial engagement with an unauthorised encampment. The current work of the team with respect to the statutory dog warden service is summarised in the below table:

	Patrols	Interactions	Fouling	Strays
Jan	194	148	34	3
Feb	168	132	28	0
Mar	214	138	30	4
Apr	324	154	41	2
May	356	178	29	4
Jun	523	212	18	2
Jul	461	186	21	5
Aug	364	146	16	6
Sep	636	232	28	2

The current work of the Enforcement Team wider remit is summarised in **APPENDIX A – ENFORCEMENT DIARY FOR JULY**

14. The Community Enforcement team will work annualised hours fluctuating in response to seasonal demand. operating as a core team of two with hours worked front-loaded during the busier months, with the team continuing to work outside traditional core hours as much as reasonably practicable. The funding for the remaining resource allocated to the team will be used to award a contract for an external provider to provide a top-up in support for Community Enforcement work during the busier summer months. The intended working pattern of the Community Enforcement team over 7 a day period is:

4<sup>th</sup> April to 7<sup>th</sup> October – 42 hours

8<sup>th</sup> October to 28<sup>th</sup> October – 34 hours

29<sup>th</sup> October to 31<sup>st</sup> January – 30 hours

1<sup>st</sup> February to 3<sup>rd</sup> April – 34 hours

\*Holiday allowances will need to be taken from these times.

15. There will be flexibility e.g. in the summer to work longer when the work is needed (such as during good weather or planned events) and less when a presence after normal working hours isn't required (such as during bad weather and during darker evenings).

16. The staff rota will be managed by a Principal Environmental Health Officer, who will ensure that the two permanent members of staff are not off work at the same time (as far as reasonably practicable and certainly during periods of high demand).

17. The team will have access to this email and other inline messaging at weekends to deal with priority issues as well as an on duty out of hours dedicated line for the team with the number being available for limited circulation only.

### **Funding**

18. There is funding in place for three full time equivalent posts. With pressures on the council's base budget, the Budget Working Group is keen to contain budgetary pressures as far as practicable, including the council's staffing core. Therefore, it is not believed to be appropriate to seek a revenue budget increase to retain the current staffing levels of six FTE posts going forward.

19. The core business of the team is focused on dog control and there is a need to retain sufficient resource to respond to dog control issues, including stray and dangerous dogs, whilst not being a significant number they are demanding in terms of time commitment.

20. It is recommended that a core team of two officers (no senior officer) is retained with the funding for the vacant officer used to employ two additional temporary seasonal members of staff. The increase in summer will aid the service when demand is highest with peak tourism and the dog enforcement PCPO's active. During the winter months, there will be no need for full days of cover and at sometimes, only need for limited cover.

21. With resources for the team reduced there will not be the ability to respond to issues seven days a week, covering every early start and late finish and seasonal cover will be more limited than the current seven day a week and every weekend, with early starts and late finishes, on a consistent basis. Staff rotas will be proactively managed to ensure there is adequate staff during events or periods of heightened public build up and with direct management, the team will not be expected to deal with matters outside their remit.

### **Staffing Costs/implications**

22. The financial requirements are within the current budget provision. Three posts will remain on the establishment, with the equivalent funding from one of the posts used to commission additional resources for the seasonal months by the most effective means possible.

IMPLICATIONS	
Finance	The proposals set out in this report can be met from the existing budget provision for the enforcement team.
Legal	No direct legal implications arising
Community Safety	Reducing anti-social behaviour, crime and disorder is a key corporate objective for the council
Human Rights and Equalities	No direct implications arising from this report
Sustainability and Environmental Impact	Creating clean, safe and healthy communities is a key corporate objective for the council and this team and its responsiveness seeking to positively impact on the environment
Health & Safety and Risk Management	The team can deal with difficult circumstances on occasions and there is a need for risk assessments, and health and safety practices, to mitigate these risks

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
NA		Council office or web address

## APPENDIX A – ENFORCEMENT DIARY FOR JULY 2022

Environmental Enforcement Weekly Report 05/07/2022

Monday 27<sup>th</sup> June 2022

- Van patrol to Exclusion Zone – raining all clear.
- Vehicle patrol Heeley Road, no issues.
- Vehicle patrol Frobisher drive, no dogs all clear.
- Vehicle patrol Blackpool Road North, all dogs under control no fouling seen.
- Vehicle patrol Waddington Road, all clear.
- Vehicle patrol Hope Street, 1 x foul removed but other than that all clear.
- Vehicle patrol Ramsgate Road, no issues.
- Gator beach patrol – Took the barriers out, Flag half down on north side, North side lock for barriers stuck due to sand, cleaned and sorted.
- Gator patrol Starr gate beach, all good.
- Van patrol with for Lytham Centre, no begging seen and all dogs under control.
- Foot patrol Lowther Gardens, all dogs leaved no issues.
- Foot patrol Fairhaven Lake, 2 x dogs off lead and asked to put on they did. No fouls or other issues seen.
- Foot patrol Lytham Green, all clear no issues.
- Foot patrol Church Scar, all dogs under control.
- Foot patrol St Anne’s Square, no issues with begging.
- Foot patrol Ashton Gardens, all dogs leaved no issues.
- Gator beach patrol – Put both sides far 2 x barriers back and locked, washed the gator and locked, the near side barriers Chris S will put back and lock later

Tuesday 28<sup>th</sup> June 2022

- Town Hall Team Meeting & team brief and catch up.
- Drop traffic cones at Henry St. Lytham for taxi rank during Festival.

- Vehicle patrol Grannies Bay/Church Scar – dogs all good & no issues seen i.e., buskers.
- Foot patrol Dunes behind AKS - empty.
- Foot patrol Clifton St, Lytham & put out traffic cones at taxi rank on Henry St.
- Vehicle patrol Wrea Green, fair set up on main Green for their club day.
- Foot patrol Kirkham town centre, Memorial Gardens & People's Park – all good.
- Vehicle patrol Clifton St, Lytham, busy but ok.
- Vehicle patrol all dog fields/parks – all clear due to the wet weather.
- Fairhaven lake with Tracey to pick up the litter picking station and brought to office
- Attended the site for travellers parked in private car park boundary Road opposite to Mc Donald's – Plus there was report that the bus station shelter was vandalised also BMW car was also mashed parked next to bus station. The damage to the bus station shelter was reported to Lancashire County Council. The travellers were served the notice by bailiff to move from the property. Travellers later moved to the triangle which was earlier used for Fun Fair as site not secured.
- Gator beach patrol – put the barriers back and locked, gator washed and locked, all clear no issues.

Wednesday 29<sup>th</sup> June 2022

- Foot patrol Exclusion Zone and Promenade, all clear as early on no issues.
- Foot patrol St Anne's Square, no begging or busking, all good.
- Foot patrol Ashton Gardens, 1 x dog off lead, asked the owner to put on and they did.
- Foot patrol Frobisher Drive, all clear no issues.
- Foot patrol Blackpool Rd North, 2 x fouls bagged and binned otherwise no problems.
- Foot patrol Ramsgate Rd, no issues.
- Foot patrol Hope Street, 1 x foul bagged and binned otherwise no problems.
- Foot patrol Waddington Rd, all clear.
- Foot patrol The Triangle field near Church Scar – travellers now on field.
- Foot patrol The Triangle to move a wild camper on – did so – this was an isolated incident, not involved with the travellers.
- Foot patrol Lytham Centre & put traffic cones out on taxi rank at Henry Street.
- Foot patrol Grannies Bay/Church Scar – all good.
- Bring barriers in from the Dog Exclusion Zone.
- Vehicle patrol The Triangle – monitor travellers – still only 2 caravans there.
- Foot patrol St Anne's Square, Crescent & surrounding roads – clear – no signs of any beggars /rough sleepers.

Thursday 30<sup>th</sup> June 2022

- Gator Patrol Amenity Beach – x 1 dog owner asked to leave, did.
- Gator Patrol – Starr Gate – clear & dogs ok.
- Gator cleaned at depot.
- Foot patrol Ashton Gardens – swan ok, all dogs seen leaded, no issues.
- Vehicle patrol St Anne's Square/Crescent – no beggars or buskers seen, dogs ok.
- Foot patrol Wrea Green – all clear, fun fair still on main Green.
- Foot patrol Bush Lane, Freckleton, all clear – football practice was happening.
- Foot patrol Lytham centre, checking that Olive Tree were selling take out drinks in plastic glasses/cups which they were.
- Amenity Beach bring barriers in. Exclusion Zone clear of dogs.
- Vehicle patrol St Anne's Square/Crescent – very quiet – no signs of any beggars.
- Gator beach patrol – putt he barriers out – 2 x dog fouling on Exclusion zone beach
- Starr gate beach patrol, all clear.
- Farewell Lunch to team member Billy – (With Heavy Heart).
- Foot patrol Frobisher Drive - 3 x dog fouling, no other issues.
- Foot patrol Blackpool Road North – 3 x dog fouling, no other issues.
- Van patrol Waddington Road, all clear no fouling.

- Van patrol Hope Street, all clear no fouling.
- Van patrol Ramsgate Road, all clear nobody on.
- Van patrol Heeley Road, all clear.

#### Friday 1<sup>st</sup> July 2022

- Foot patrol on way to work Crescent/Square – asked individual known to us to move from Tesco Express as begging & also bin the 2 empty beer bottles at their side. Dogs seen were all leaved.
- Foot patrol The Triangle & picked up rubbish left by vacated travellers.
- Foot patrol Lytham Promenade from RNLI to festival stage with Steve Benson re; complaint made about promenade access by locals.
- Triangle rubbish taken to depot.
- Vehicle patrol Clifton St & Square, Lytham – busy but no begging or buskers seen.
- Vehicle patrol Wrea Green – all good.
- Foot patrol Kirkham town centre, People’s Park, Memorial Gardens – all good.
- Foot patrol Drop down field/ clear & no signs of travellers from the Triangle.
- Vehicle patrol Weeton Village Hall – all clear, no sign of travellers.
- Vehicle patrol Staining Village Hall – clear – no dogs & no sign of travellers.
- Foot patrol all dog fields – in between put of traffic cones on taxi rank at Henry St, Lytham.
- Foot patrol St Anne’s Square & surrounding roads – all clear – no beggars seen.

#### Saturday 2<sup>nd</sup> July 2022

- Travellers moved from the triangle area to the St Paul’s car park next to Fairhaven Lake
- Foot patrol Lytham Centre – busker playing music in town, talked for the one hour play and then move to some other place.
- Foot patrol Frobisher – 1 x dog fouling.
- Foot patrol Blackpool Road North, no issues.
- Foot patrol Waddington Road – 3 x dog fouling, no other problems.
- Attend the North promenade car park dunes for the report of camper by the Ranger team member – The camper already left when reached there.
- Beach patrol – Family with dog in E zone, asked to leave and explained the E zone boundary and where they can go on beach with dog.
- Foot patrol Fairhaven Lake – two children collide the bikes, children were not hurt. helped with bike chain along with one passing by person stopped to help.
- Foot patrol Hope Street, all clear.
- Van patrol Heeley Road – empty, no dogs
- Van patrol Ramsgate Road, all clear.
- Van Patrol Lytham Centre – Put the no parking cones for the taxi rank.
- Stopped at St Paul’s car park for travellers – Travellers doing BBQ – Approached them and advised that BBQ is not allowed and record on body cam (They made excuse that they need to feed children)
- Beach patrol – put the barriers back to lock.
- Foot patrol Ashton gardens – all clear.
- Foot patrol St Anne’s Square – all clear.

#### Sunday 3<sup>rd</sup> July 2022

- Van patrol St Paul’s car park – Travellers still there, updated team.
- Van Patrol Lytham Centre – Henry Street – Man walking with dog off lead, asked to put lead on and he did, no other problems seen.
- Foot patrol Mornington Park, 2 x fouls picked up and disposed of.
- Foot patrol Kirkham Memorial gardens, all clear dogs under control no fouling.
- Foot patrol Bush Lane, all clear.
- Foot patrol Bridges playing fields, all clear.

- Foot patrol Fairhaven Lake, no issues all dogs seen leaded and no fouling.
- Foot patrol St Anne's square, no begging or buskers seen.
- Foot patrol Ashton Gardens, all dogs leaded no issues.
- Van patrol Heeley Road, no issues.
- Van patrol Frobisher Drive, no issues.
- Van patrol Blackpool Road North, 1 x foul bagged and disposed of, all other dogs kept under control.
- Van patrol Ramsgate Road, all clear.
- Van patrol Hope Street, 2 x fouls bagged and binned just by the entrance.
- Van patrol Waddington Road, all clear.
- Van patrol St Paul's car park – Travellers still there, one of traveller female driving Passat and beeping a lot
- Barriers brought in from Exclusion Zone, all clear nobody on the beach.

\*Additional weeks activity can be made available if required