



Borough of Telford and Wrekin

Cabinet

Tuesday 16 March 2023

Building Safer & Stronger Neighbourhoods through the Appropriate use of our Enforcement Powers

Cabinet Member:	Cllr Richard Overton - Deputy Leader and Cabinet Member: Housing, Enforcement and Transport
Lead Director:	Dean Sargeant - Director: Neighbourhood & Enforcement Services
Service Area:	Neighbourhood & Enforcement Services
Report Author:	Paul Fenn - Neighbourhood Enforcement Manager Anita Hunt - Public Protection Group Manager
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Wards Affected:	All Wards
Key Decision:	Key Decision
Forward Plan:	Yes - 15 November 2022
Report considered by:	SMT - 14 February 2023 Business Briefing - 2 March 2023 Cabinet - 16 March 2023

1.0 Recommendations for decision/noting:

It is recommended that Cabinet:

- 1.1 Note enforcement activity undertaken by Public Protection and Neighbourhood Enforcement teams during 2022 to keep residents, businesses and visitors safe.

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- 1.2 Note the Strong Leader Decision made on 24 January 2023 approving the reduction to the early payment discount for Fixed Penalty Notices relating to fly tipping from £200 to £350 if the penalty is paid within 10 days of the notice being issued.
- 1.3 Delegate approval to the Director of Neighbourhood & Enforcement Services in consultation with the Deputy Leader and Cabinet Member: Housing, Enforcement and Transport to review and implement changes where required to the Fixed Penalty Fines as set out in the Environmental Enforcement Fixed Penalty Notice Policy as adopted in 2017.
- 1.4 Approve the priority areas of focus for the year ahead as outlined in this report.

2.0 Purpose of Report

- 2.1 As a council that is on the side of residents, the Council fulfils a variety of enforcement duties spanning a number of services. This report focuses on activity undertaken by the Neighbourhood Enforcement and Public Protection teams who work to protect and support our residents, businesses and those who visit the borough. Cabinet will receive specific updates on Housing and Planning enforcement as part of future reports.
- 2.2 This report clearly demonstrates that Enforcement is a key priority for the Council, but that there is a focus on consistency, education and lastly enforcement. There is a strong emphasis on partnership working that utilises available enforcement tools and powers to keep our neighbourhoods clean, safe and green.
- 2.3 This report also provides an update on the Strong Leader decision made on 24 January 2023 approving the reduction to the early payment discount for Fixed Penalty Notices relating to fly tipping from £200 to £350 if the penalty is paid within 10 days of the notice being issued.
- 2.4 In addition, this report seeks approval to delegate authority to the Director of Neighbourhood & Enforcement Services in consultation with the Deputy Leader and Cabinet Member: Housing, Enforcement and Transport to review and where necessary implement changes to the Environmental Enforcement Fixed Penalty Notice Policy.

3.0 Background

- 3.1 As part of our work to Protect, Care and Invest to create a better borough, enforcement duties have played a key part in complementing the £2.5m Building Safer and Stronger Communities programme while the borough wide CCTV network continues to provide support and reassurance. The councils approach to all enforcement activities follow key principles to ensure our actions are proportionate, necessary and in the public interest. Partnership working has secured approximately £3.5m of funding from Safer Streets programme as well as the Police & Crime Commissioner, Community Safety Partnership and Town/Parish Councils. The council will continue to explore funding opportunities

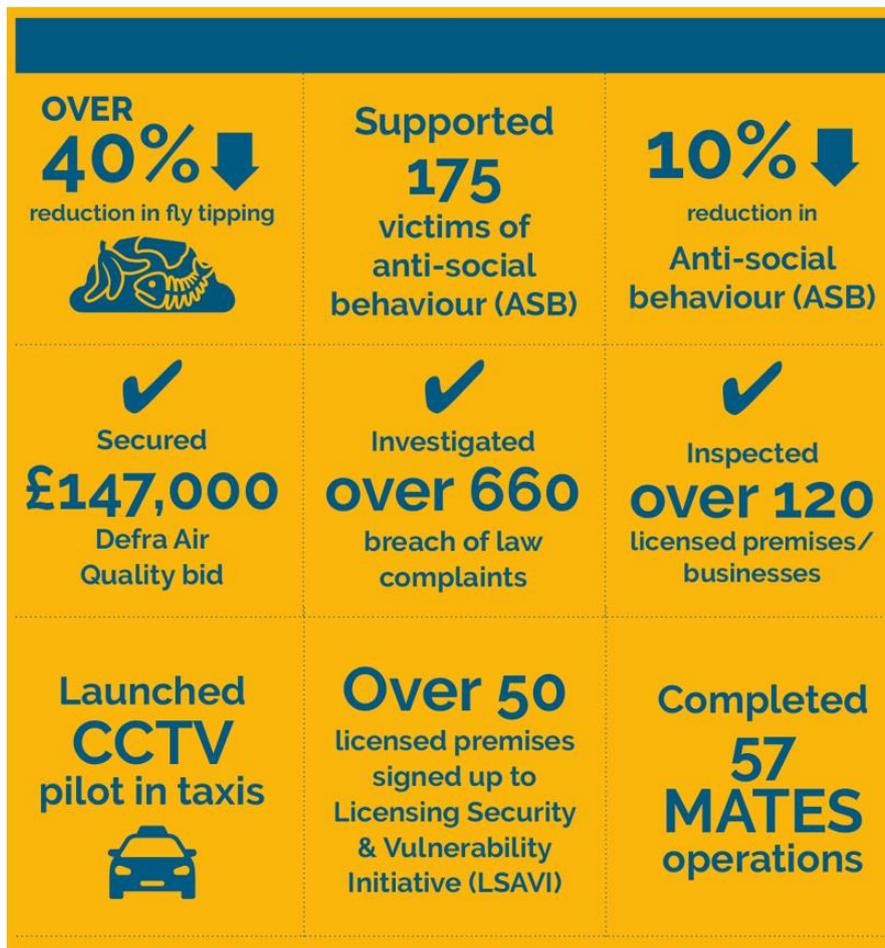
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that enables the development and continuation of enforcement activity that supports residents, businesses and visitors.

3.2 The council continues to support and actively engage in 'Multi Agency Targeted Enforcement' activity (MATES) across a wide variety of settings, including serious and organised crime. During 2022 the team completed 57 exercises covering:

- Licensed Premises
- Anti-social behaviour
- Use of quad bikes and scramblers
- County lines
- illicit Tobacco & Vapes
- Age restricted products
- Taxi, Private Hire & scrap metal vehicles
- Illegally handling of waste
- Accumulation of waste
- Begging & Shoplifting

3.3 The graphic below provides a summary of the impact of the enforcement activity undertaken by the Public Protection and Neighbourhood Enforcement teams during 2022.



Neighbourhood Enforcement

- 3.4 The Neighbourhood Enforcement team have a number of key priorities, tackling problem parking through civil parking enforcement as well as tackling environmental crimes such as littering, fly tipping, dog fouling and abandoned vehicles. Since January 2022, the team have investigated 5,784 fly tips and issued 138 fixed penalty notices with over 270 warning letters issued for fly tipping. This focus and partnership working with Town and Parish Councils, via the Community Action Teams, as well as the Building Safer & Stronger Communities programme, has seen an overall reduction of over 40% in fly tipping since April 2021.
- 3.5 The approach to parking enforcement has continued to evolve and adopt best practice since transfer of the function from West Mercia Police to the council in 2020. During 2022, the teams approach to civil parking enforcement has seen over 8,800 more parking visits undertaken to ensure safe and considerate parking; in many areas this has been complemented by an increase in patrols outside schools, with over 1,500 being completed in 2022. There has been over 1,000 more patrols undertaken in 2022 to tackle litter and dog fouling which complements the Public Spaces Protection Order introduced in July 2022.



- 3.6 Cabinet will recall the launch of the £2.6m Community Action Teams (CAT) with partnering Town and Parish Council's in April 2021. 13 Town and Parish Councils signed up to this jointly funded service which has been highly successful. Days of action via the CAT teams have continued during 2022 with at least one being delivered per month. These multi-agency days have support from service areas from across the council, West Mercia Police, Wrekin Housing Group, Veolia and Ward Members. This has resulted in FPN's for fly tipping being issued as well as positive engagement with the community.
- 3.7 Neighbourhood enforcement and community engagement will shortly be enhanced through deployment of the Mobile Enforcement Hub, this hub will be used by

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service areas from across the council to engage with communities on a range of concerns in their local area.



- 3.8 Telford & Wrekin Watch has continued to engage with the community on tackling fly tipping. There have been a number of appeals for information relating to fly tipping incidents undertaken as well as activity to increase awareness on successful prosecutions. Almost 300 residents are signed up to receive regular updates. Although primarily focusing on fly tipping, during 2022 Telford & Wrekin Watch will expand to cover other areas such as anti-social behaviour, graffiti, littering, doorstep crime and illegal scrap metal collectors and will continue to develop in 2023.

Anti-Social Behaviour

- 3.9 Tackling anti-social behaviour continues to be a priority for the council; during the last 12 months, there have been many positive interventions delivered through Safer Streets 2 in Sutton Hill and recently launched Safer Streets 4 in Wellington as well as the Building Safer and Stronger Communities investment. This has supported the deployment of additional CCTV as well as an increased presence from West Mercia Police and enforcement officers. The continued use of available tools and powers has led to an increase in Community Protection Notices compared with 2021.



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Borough Wide CCTV

- 3.10 The use of CCTV continues to be a key component supporting the detection and prevention of crime and disorder. The council has continued to see inward investment into the system, with over 700 cameras now installed and live monitoring across the Borough, some of which include solar powered units.
- 3.11 The council's investment, supported by successful Safer Streets bids as well as the Building Safer and Stronger Communities investment, ensures that the council has a fit for purpose system that promotes public confidence, provides reassurance and supports West Mercia Police with ongoing investigations.
- 3.12 The CCTV infrastructure has been recently bolstered by a Mobile CCTV Unit. The mobile unit will be deployed across the borough providing further reassurance to local communities while giving opportunity to engage with the community to work with the council in keeping our neighbourhoods clean, safe and green.



Mobile CCTV Unit



Significant CCTV investment into Southwater One.

Environmental Protection

- 3.13 The council's Environmental Protection Team focus on statutory functions including air quality monitoring while investigating complaints regarding smoke, drainage and waste accumulations. Unlike many areas across the country, there

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is no air quality management area (AQMA) in the borough with air quality monitoring demonstrating compliance with national thresholds.

- 3.14 In September 2022, the council submitted a £147,000, bid to the Department for Environment, Food & Rural Affairs (Defra) to deliver initiatives that will raise awareness on sources of air pollution and ways in which we can all have a positive impact on reducing air quality. The deliverables as outlined in the bid will be delivered during 2023.

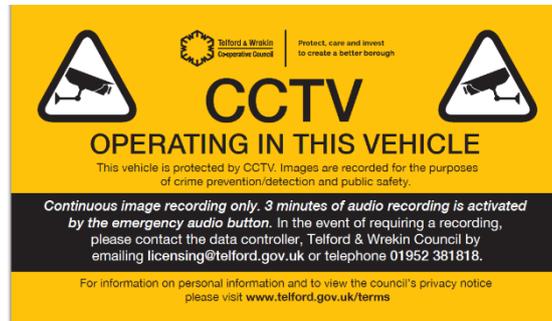
Licensing

- 3.15 The council's licensing team continue to support the administration and compliance monitoring for a variety of licences, including taxis, alcohol, street trading, scrap metal, animal establishments, gambling and park homes. During 2022 over 120 compliance inspections have been undertaken across a variety of licensed businesses including:
- Pubs, clubs, off licences and late night takeaways;
 - Dog breeders, kennels and day boarding, riding schools and zoo's
 - Betting shops;
 - Park homes;
 - Taxi operators;
 - Street traders and events;
- 3.16 Over 70% of businesses inspected were complaint with officers working with those where standards fell short. This has been followed up with revisits to ensure necessary controls are in place and licencing conditions are being adhered to.
- 3.17 Management and monitoring of both hackney and private hire taxis are a priority for the council with the number of licenses increasing compared with 2021.
- 3.18 Regular spot checks take place across the borough including at night and during weekends. During 2022, over 175 vehicles were checked with 65% being compliant with licensing conditions. All non-complaint vehicles were issued with a time limited notice detailing the work required; this was followed up to ensure actions were complete.



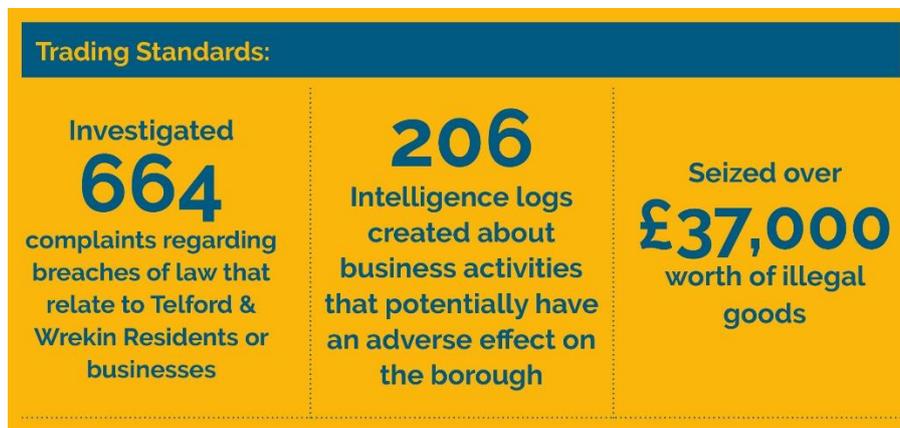
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- 3.19 Securing funding via the Community Safety Partnership, the council is trialling CCTV in taxis licensed by Telford & Wrekin Council. The pilot was launched in December 2022 and 20 vehicles have had CCTV fitted. In maximising this pilot to inform next steps, a passenger and driver survey is being undertaken to explore possible benefits of installing CCTV in taxis on a larger scale. Taxi's that have CCTV are supplied with the graphic as outlined below.



Trading Standards

- 3.20 The Trading Standards team ensure that consumer protection standards in the borough continue to be maintained. The team's work continues to be based on intelligence, reacting to complaints and dealing with businesses that pose a risk to consumers through the distribution of unsafe or illegal products or activities that are fraudulent and cause financial detriment to residents.



- 3.21 In 2022, the team, working with partners, seized 25,000 cigarettes and over 5kg of illicit and counterfeit tobacco products from premises, with a retail value of £17,000. This work has resulted in a review of a licence and issue of cautions.
- 3.22 2022 has seen an increase in the availability of illegal nicotine inhaling devices (vapes) across the country. The illegal products contain more nicotine than permitted and typically can appeal to those under 18. The team have taken targeted action to remove such goods from sale across the borough to protect our residents as well as legitimate traders. During 2022, the council has seized approximately 2000 illegal vapes valued at an estimated £20,000.

Night Time Economy

- 3.23 The council has continued to undertake various roles that support our night time economy. During 2022 the night time economy team undertook 37 operations focussing on licensed premises, noise/nuisance and taxi compliance. The team have completed over 80 inspections of licensed businesses covering pubs, clubs, nightclubs, off licences and late night takeaways.



- 3.24 Furthermore, the team have continued to carry out regular compliance inspections on taxi's and private hire vehicles with neighbouring licensing authorities to ensure compliance and reduce plying for hire. A taxi marshal service has also been provided during 2022 and will continue into 2023; taxi marshals support the night time economy to ensure everyone gets home safely.
- 3.25 In December 2022, the council successfully launched the Licensing Safety and Vulnerability initiative (LSAVI) as part of our continued focus on tackling Violence against Women and Girls. Over 80 licensees attended the launch event with over 50 signed up to complete self-assessment tool that explores how licensed premises provide a safe and secure environment for staff, customers and the local community.

4.0 Summary of main proposals

- 4.1 The Council fulfils a variety of enforcement duties across a number of services including:
- Neighbourhood Enforcement;
 - Environmental Protection;
 - Anti-Social Behaviour;
 - CCTV Monitoring & Deployment;
 - Civil Parking Enforcement;
 - Event management and Security;
 - Trading standards & Consumer Protection;
 - Licensing & Night- time Economy;
- 4.2 Appropriate use of enforcement powers and partnership working is demonstrated through the successful delivery of the Safer Streets programme, which to date

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has seen £1,470,000 invested across Brookside, Sutton Hill, College and Arlestone wards through the Home Office supported Safer Streets programme.

- 4.3 As a council who is on the side of residents, this report summarises the significant action has been undertaken during the last 12 months to ensure our neighbourhoods are a great place to live, work and visit.

5 Alternative Options

- 5.1 There are several statutory functions that the council is required to effectively deliver; this is monitored through performance reporting to national government bodies.
- 5.2 The approach taken to enforcement is to engage, educate and where necessary enforce. This ensures a fair and consistent approach is provided to support residents and complaint traders.
- 5.3 A review of the 2017 Environmental Enforcement Fixed Penalty Notice Policy will ensure penalty charges are in line with current policy and relative to the notice being enforced.

6.0 Key Risks

- 6.1 There is always the risk of challenge and right to appeal by those who are issued with notices or penalty charges. However, such appeal and challenge is mitigated through robust process and compliance with necessary legislation to ensure those who do not comply are tackled.

7.0 Council Priorities

- 7.1 The report supports the following Council priorities
- Every child, young person and adult lives well in their community
 - Everyone benefits from a thriving economy
 - All neighbourhoods are a great place to live
 - Our natural environment is protected, and the Council is taking a leading role in tackling the climate emergency
 - A community-focussed, innovative council providing efficient, effective and quality services.

8.0 Financial Implications

- 8.1 The costs of the enforcement activity outlined in this report have been met by a number different funding sources including the Council's base budget, earmarked reserves and PCC grants. Income is also received from the issuing of fixed penalty notices, fines from civil parking enforcement and licensing fees/charges.
- 8.2 The Community Action Teams are jointly funded by the Council and Town and Parish Councils who signed up to the partnership deal. Funding under the current partnership deal runs to the end of 2023/24.

9.0 Legal and HR Implications

- 9.1 The Council has multiple enforcement powers contained within legislation which relate to functions and duties across a number of services areas. In many areas the legislation is supplemented by policy. The Council use these enforcement powers to investigate, gather intelligence and take appropriate action to protect residents and businesses in the Borough.
- 9.2 Powers contained within legislation relating to environmental, anti-social behaviour, consumer protection and licensing offences have been delegated to Enforcement Officers. This is in addition to civil enforcement powers which enables officers to carry out investigations, issue fixed penalty or other statutory notices, or to refer offences for prosecution where appropriate.
- 9.3 The proposals contained in this report can be delivered using existing resources.

10.0 Ward Implications

- 10.1 This report covers all wards and enforcement activity is borough wide.

11.0 Health, Social and Economic Implications

- 11.1 A firm and transparent approach to enforcement activity supports compliance, reduces crime and tackles anti-social behaviour – all of which is welcomed by residents and businesses across the Borough.
- 11.2 Poor air quality is the largest environmental risk to public health in the UK as it can cause chronic conditions such as cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy. Regular monitoring and compliance check ensures the air quality in the borough is compliant with national thresholds.
- 11.3 Trading Standards impacts on the health and wellbeing of our residents. A priority focus of tackling illegal and counterfeit tobacco and ensures that our young people do not access restricted products, such as vapes, cigarettes and alcohol and contributes to the council's public health and wellbeing strategy.
- 11.4 Doorstep crime and rogue trading activity has a significant impact on our resident's health and financial situation. If left unregulated it can cause significant long term effects on resident's confidence and independence, resulting in more pressure on adult social care services. This work also contributes to protecting the economic interests of our legitimate businesses.

12.0 Equality and Diversity Implications

- 12.1 Enforcement activity is compliant with legislation and a fair and consistent approach is adopted.

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12.2 Doorstep crime and scams has an impact on the lives of those effected; social isolation, health and mobility issues increase in some cases can increase likelihood of vulnerable individuals becoming repeat victims of crime. Trading Standards work to gather intelligence and disrupt such activity while supporting residents through offering real time advice to ensure vulnerable residents are supported.

13.0 Climate Change and Environmental Implications

13.1 Tackling fly tipping, dog fouling and littering all have a positive impact on the quality of the environment. A sustained focus on fly tipping alongside development of Telford & Wrekin Watch has seen a reduction in fly tipping of over 40% across the borough since April 2021. While this is positive, there is more that can be done to tackle this issue.

13.2 Compliance and licensing checks ensure that taxis licensed by Telford & Wrekin Council comply with the vehicle licensing standards with any non-compliance requiring swift resolution. Where issues are discovered in taxis licensed by neighbouring authorities, this information is passed over to them for action and respond.

13.3 Air quality monitoring ensures compliance with national thresholds and this reported to Defra on an annual basis. Delivery of the Air Quality Bid will develop initiatives to improve awareness and engagement on air quality while tackling issues such as idling engines outside schools.

14.0 Background Papers

14.1 None

15.0 Appendices

15.1 None

16.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Director	10/02/23	10/02/23	DS
Legal	21/03/23	21/03/23	SH
Finance	20/02/23	21/02/23	MLB