

REGENERATION AND LIVEABILITY PORTFOLIO

DECISION SCHEDULE



HARTLEPOOL
BOROUGH COUNCIL

Friday 18th November, 2005

at 10.00 am

in Committee Room "A"

The Mayor Stuart Drummond responsible for Regeneration and Liveability will consider the following items.

Also invited: Councillor Hargreaves, in the absence of Councillor James - Chair of Scrutiny Co-ordinating Committee

1. **KEY DECISIONS**

1.1 None

2. **OTHER ITEMS REQUIRING DECISION**

2.1 Installation of Automatic Numberplate Recognition (ANPR) Readers – *The Head of Community Safety and Prevention*

2.2 Minor Works Proposals – *Head of Environmental Management*

2.3 Pride in Hartlepool Proposals – *Head of Environmental Management*

3. **ITEMS FOR INFORMATION**

3.1 Clean Neighbourhoods and Environment Act 2005 – *Head of Environmental Management*

4. **ITEMS FOR DISCUSSION**

4.1 None

5. **REPORTS FROM OVERVIEW OF SCRUTINY FORUMS**

5.1 Final Report – Additional Powers for Community Wardens - *Scrutiny Coordinating Committee* - To be presented by Councillor Hargreaves in the absence of Councillor James, Chair of Scrutiny Co-ordinating Committee

EXEMPT ITEMS

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985

6. **KEY DECISION**

6.1 None

7. **OTHER ITEMS REQUIRING DECISION**

7.1 None

REGENERATION & LIVEABILITY PORTFOLIO

Report To Portfolio Holder

18th November 2005



Report of: The Head of Community Safety and Prevention

Subject: INSTALLATION OF AUTOMATIC NUMBER
PLATE RECOGNITION (ANPR) READERS

SUMMARY

1. PURPOSE OF REPORT

To seek approval to install ANPR equipment in Hartlepool at various sites and relay ANPR signals to the CCTV monitoring centre.

2. SUMMARY OF CONTENTS

Background to ANPR introduction in Cleveland, including results from a pilot project in 2004. Outline of proposals for ANPR in Hartlepool Capital and revenue costs.

3. RELEVANCE TO PORTFOLIO MEMBER

Community Safety Issues.

4. TYPE OF DECISION

Non-key.

5. DECISION MAKING ROUTE

Regeneration and Liveability Portfolio.

6. DECISION(S) REQUIRED

Approval to install ANPR and use of CCTV monitoring centre to identify vehicles associated with crime.

Report of: The Head of Community Safety and Prevention

Subject: AUTOMATIC NUMBER PLATE RECOGNITION (ANPR)
READERS

1. PURPOSE OF REPORT

- 1.1 To seek approval to install ANPR equipment in Hartlepool at various sites and relay ANPR signals to the CCTV monitoring centre.

2. BACKGROUND

- 2.1 Although ANPR technology has been around for several years, it has previously been used in the main by the Police, in the area of anti terrorist operations. However on 30th September 2002, phase one of 'Project Laser' commenced. This was a Home Office pilot involving 9 Police forces (Cleveland was not included) that made intensive use of ANPR together with intercept teams. This pilot proved the effectiveness of ANPR and showed that officers using the technology arrested 10 times the number of persons compared to normal patrolling officers.
- 2.2 This pilot was considered to be very successful and so on the 1st June 2003 a further expanded pilot was commenced. This was phase two of 'Project Laser' and involved 23 forces including Cleveland. This pilot again involved making intensive use of ANPR with Intercept teams whose main thrust was targeting volume crime with the aim of denying criminals the use of the roads.
- 2.3 Cleveland Police was provided with vehicles and equipment to enable it to take part in the initiative and it was allowed to hypothecate the funds of fixed penalty notices issued by its ANPR team. Cleveland set up a team which consisted of 1 Sergeant, 6 constables, 1 Police staff data reader and 3 Police staff investigators.
- 2.4 ANPR continues within Cleveland but the actual pilot phase was concluded on the 30th June 2004. At the conclusion of the pilot Cleveland Police had performed extremely well and was regarded as one of the most successful teams. The arrest record was the seventh highest and the number of fixed penalty tickets issued was the fourth highest out of 23 forces.

3. EXPANSION OF THE ANPR PILOT IN CLEVELAND

- 3.1 At the beginning of 2005 the government announced that it was putting an additional £15million into ANPR across the country. £3 million of this has been used to set up a central data warehouse, where all the reads from the various ANPR readers across the country will be stored. These will be available for all forces and will be vital in major crime enquiries.
- 3.2 The remaining £12 million was distributed across the country and Cleveland received £200,000. A number of local authorities around the country have already funded fixed site ANPR readers and it was decided that a similar system would be established in Cleveland.
- 3.3 Work has been ongoing since then to establish the system. The intention is to put a small network of new dedicated ANPR readers in each major town in Cleveland at strategic points around these towns. The ANPR readers will be reading number plates of all vehicles that use the roads 24 hours per day.
- 3.4 There are some obvious benefits for the council apart from just tackling crime. The system can be used to track vehicle movements and can for example produce figures for how long vehicles are visiting the town centre shopping areas. The system can also be used to target other offenders such as parking fine defaulters or suspected fly tippers.

4. PROPOSALS FOR HARTLEPOOL

- 4.1 Hartlepool was due to receive 6 ANPR readers, as its share of the £200,000 allocated to Cleveland Police earlier this year.
- 4.2 However, discussions between Hartlepool Police district and Council officers have identified the reward grant from the successful Local Public Service Agreement Round 1 (LPSA1) project targeting domestic burglary as a source of funding for further 6 ANPR readers. Previously the Council has agreed this reward grant will be paid to Hartlepool Police district and Senior Police Officers have agreed the reward grant will be allocated to projects which contribute to achieving the objectives to reduce crime & disorder contained in Safer Hartlepool Partnership's strategy.
- 4.3 ANPR signals will be relayed via the Police control room to the CCTV monitoring centre in Hartlepool. This will not increase the staff workload, as the Police ANPR team will provide a team member to work in the monitoring centre and direct the vehicle intercept team.
- 4.4 Installation of ANPR readers will be completed in 2005/06.

5. BUDGET IMPLICATIONS

- 5.1 The LPSA reward grant for each successful target must be split into 50% capital and 50% revenue, will total £213,238 and will be paid in 2 instalments to the Council in 2005/06 and 2006/07. There is scope to defer some spend until future years.
- 5.2 Project management for the ANPR project is provided by Cleveland Police and all capital costs will be funded from the Home Office ANPR budget and Hartlepool Police district LPSA1 reward grant.
- 5.3 The on-going revenue costs comprise line rental and electricity totalling £700 per site. As there will be 12 sites in Hartlepool, the total revenue cost is anticipated to be approximately £8,400 per annum. It is proposed that this be funded from a combination of LPSA1 revenue and potential hypothecation of fixed penalty notices issued by the ANPR team. Therefore, there are no direct revenue implications for Hartlepool Borough Council in 2005/06 or 2006/07.
- 5.4 During the first 2 years of operation, a review of the effectiveness of ANPR will be undertaken by the Police and Council jointly. Future revenue funding will be considered during this review.

6. CONCLUSIONS

- 6.1 The ANPR system will assist to reduce crime and disorder in Hartlepool.
- 6.2 The ANPR signals will be relayed to Hartlepool CCTV monitoring centre, but the Police ANPR team will be available to receive the signals which identify vehicles associated with crime and direct their vehicle intercept team.
- 6.3 There are no capital or revenue financial implications for Hartlepool Borough Council during at least the first 2 years of operation.

7. RECOMMENDATIONS

- 7.1 The Portfolio holder is recommended to:
 - a) approve the installation of ANPR readers in Hartlepool at 12 sites agreed with Cleveland Police
 - b) approve the use of the CCTV monitoring centre to receive the ANPR signals which identify vehicles associated with crime.

Contact officer: Alison Mawson
Head of Community Safety & Prevention

Background Papers

Various papers received from Cleveland Police on ANPR.

REGENERATION AND LIVEABILITY

Report to Portfolio Holder
18 November 2005



Report of: Head of Environmental Management

Subject: MINOR WORKS PROPOSALS

SUMMARY

1. PURPOSE OF REPORT

To consider recommendations of Neighbourhood Consultative Forums in respect of minor grant works.

2. SUMMARY OF CONTENTS

List of minor works proposals.

3. RELEVANCE TO PORTFOLIO MEMBER

Recommendations of spend on Minor Works projects to be confirmed by the Portfolio Holder for Regeneration and Liveability.

4. TYPE OF DECISION

Non key decision.

5. DECISION MAKING ROUTE

Recommendations of Neighbourhood Consultative Forums to Regeneration and Liveability.

6. DECISION(S) REQUIRED

To agree the recommendations of the Neighbourhood Consultative Forums in respect of Minor Works proposals.

Report of: Head of Environmental Management

Subject: MINOR WORKS PROPOSALS

1. PURPOSE OF REPORT

- 1.1 To consider recommendations of Neighbourhood Consultative Forums in respect of minor grant works.

2. BACKGROUND

- 2.1 The last cycle of consultative forums recommended the following for approval:

Central Neighbourhood Consultative Forum

Stockton Street – Landscaping

Funding of £1814 to complete the revamping of the landscaped area outside the College of Further Education.

Belle Vue Way – Landscaping

Completion of the revamping of the landscaped areas running along the length of Belle Vue Way at its junction with Tesco's, at a cost of £3390.

Newhaven Court and Hucklehoven Way

Removal of large shrub-bed outside the College of Further Education on the bend of Hucklehoven Way to replant with an avenue of trees to match those already planted. The cost of the scheme is £3615.

Naisberry Park

The creation of environmental improvements involving the introduction of some new steel lanterns and replacing some existing ones, together with the removal of shrubs overhanging the boundary fences, and the removal of shrubs at the various access points to the walkways running through Naisberry Park from Tarnston Road to Cairnston Road. The total cost of this scheme is £10,500.

Burns Avenue

The removal of grass verges in Burns Avenue to be replaced by tarmac at a cost of £9,500.

Colwyn Road

Installation of five bollards along grassed open space in Colwyn Road to prevent cars parking, at a cost of £750.

South Neighbourhood Consultative Forum

Spalding Green

The provision of six dropped crossings on the area known locally as Spalding Green at a total cost of £1650.

Grass Verge Removal

The removal of the following grass verges to be replaced with tarmac:

Greenock Road (29-33)
Fordyce Road (54-junction with Forfar Road)
Motherwell Road (full length)

The total cost of this work is £10,700 and the minor works budget was asked to contribute £5,350, with the remainder coming from the Owton NAP.

Station Lane – Zebra Crossing

A contribution of 50% towards the £10,000 cost to provide a Zebra Crossing across Station Lane between Glentower Grove and Gilpark Grove.

Greatham Play Area

A contribution of £10,000 towards the total cost of £40,000 to renew the play equipment at Greatham.

3. FINANCIAL IMPLICATIONS

- 3.1 All of the above works can be carried out using existing Minor Works budgets.

4. RECOMMENDATION

- 4.1 That the recommendations of the Neighbourhood Consultative Forums be approved.

REGENERATION AND LIVEABILITY

Report to Portfolio Holder
18 November 2005



Report of: Head of Environmental Management

Subject: PRIDE IN HARTLEPOOL PROPOSALS

SUMMARY

1. PURPOSE OF REPORT

To consider recommendations of the Pride in Hartlepool Steering Group in respect of proposals for community projects and inform the Portfolio Holder of nominations for the 'Pride in Your Neighbourhood awards.'

2. SUMMARY OF CONTENTS

List of Pride in Hartlepool proposals and list of nomination categories for the 'Pride in Your Neighbourhood awards.'

3. RELEVANCE TO PORTFOLIO MEMBER

Recommendations of spend on Pride in Hartlepool projects to be confirmed by the Portfolio Holder for Regeneration and Liveability.

4. TYPE OF DECISION

Non key decision.

5. DECISION MAKING ROUTE

Recommendations of Pride in Hartlepool Steering Group to Regeneration and Liveability.

6. DECISION(S) REQUIRED

To agree the recommendations of the Pride in Hartlepool Steering Group in respect of proposals for community projects.

Report of: Head of Environmental Management

Subject: PRIDE IN HARTLEPOOL PROPOSALS

1. PURPOSE OF REPORT

- 1.1 To consider recommendations of the Pride in Hartlepool Steering Group in respect of proposals for community projects and inform the Portfolio Holder of nominations for the 'Pride in Your Neighbourhood awards.'

2. BACKGROUND

- 2.1 The Pride in Hartlepool Steering Group met on 3rd November 2005 and recommended the following for approval:
- 2.2 Greatham Primary School requested support to create a willow tunnel and four wooden benches for the school grounds. The total funding requested was £940
- 2.3 Manor West Youth Project requested £3,490 to remove and replace five dead trees and to remove and replant a further five trees. All of the trees have suffered due to the poor soil conditions and the new/replanted trees will be professionally planted by HBC with new soil and support systems implemented to give the trees the best chance of survival. The total funding above will also include the creation of two paved footpaths across an area of grass that is unable to grow at present due to the amount of people walking over it.
- 2.4 Nominations for the 'Pride in your Neighbourhood Awards' were considered. The categories for 2005 are:
- Environmentally Active Individual
 - Environmentally Active Community Group
 - Environmentally Active Group of Young People
 - Environmentally Active Business
 - Environmentally Active School
 - Best New Environmental Project
 - Best School Grounds
 - Most Improved Plot (last 12 months)
 - Adopt a Beach
 - Special Achievement
- 2.5 Although a decision was made on the winning nomination for each category, this needs to remain undisclosed until the awards evening.

3. FINANCIAL IMPLICATIONS

- 3.1 The funding for the above projects is available within the Pride in Hartlepool budget.

4. RECOMMENDATION

- 4.1 That the recommendations of the Pride in Hartlepool Steering Group be approved.

REGENERATION AND LIVEABILITY

Report to Portfolio Holder

18 November 2005



Report of: Head of Environmental Management

Subject: THE CLEAN NEIGHBOURHOODS &
ENVIRONMENT ACT 2005

SUMMARY

1. PURPOSE OF REPORT

- 1.1 To brief the Portfolio Holder on the relevant content of the new Clean Neighbourhoods & Environment Act 2005.
- 1.2 To provide an overview of the potential for providing a safe and clean environment for the people of Hartlepool.
- 1.3 To highlight the likely impact on current resources.

2. SUMMARY OF CONTENTS

- 2.1 The report provides concise details of the new Clean Neighbourhoods and Environment Act 2005 and gives an overview of its potential for providing a safer and cleaner environment for the people of Hartlepool; it also highlights the likely impact on current resources.

3. RELEVANCE TO PORTFOLIO MEMBER

- 3.1 The Clean Neighbourhoods and Environment Act 2005 will provide an effective means of addressing key environmental issues such as litter, fly tipping and abandoned vehicles which contribute to the social decline of our communities. Addressing these very serious issues falls within the remit of the Liveability (Safe, Clean and Green) Portfolio.

4. TYPE OF DECISION

- 4.1 Non-key decision.

5. DECISION MAKING ROUTE

- 5.1 Portfolio Holder meeting on 18th November 2005.

6. DECISION(S) REQUIRED

6.1 For information.

Report of: Head of Environmental Management

Subject: THE CLEAN NEIGHBOURHOODS &
ENVIRONMENT ACT 2005

1. PURPOSE OF REPORT

- 1.1 To brief the Portfolio Holder on the relevant content of the new Clean Neighbourhoods & Environment Act 2005.
- 1.2 To provide an overview of the potential for providing a safe and clean environment for the people of Hartlepool.
- 1.3 To highlight the likely impact on current resources.

2. BACKGROUND

- 2.1 The Clean Neighbourhoods and Environment Act 2005 received Royal Assent on 7th April 2005 and effectively gives local authorities greater powers to tackle the growing number of environmental issues within our communities.
- 2.2 Until now, local authorities have essentially been reliant upon the Environmental Protection Act 1990 as a means of bringing to justice those who commit environmental crimes. However, this alone has not been sufficient to combat the many issues, which now blight our communities.
- 2.3 The new Act provides a means of addressing these issues by introducing new powers and amending those already available through the Environmental Protection Act.
- 2.4 A phased introduction of the new powers will see the Clean Neighbourhoods and Environment Act fully implemented by April 2006.

3. KEY PROVISIONS

- 3.1 The key provisions of the Act are summarised at Appendix A, which is not conclusive.

4 GENERAL

4.1 Power to require Name & Address

The Clean Neighbourhoods & Environment Act 2005 gives provision for authorised officers to issue Fixed Penalty Notices to offenders as a means of discharging any liability for conviction.

- 4.2 If an authorised officer proposes to give a person a notice under any relevant section, the officer may require that person to give him his/her name and address.
- 4.3 In any such event, a person commits an offence if:
(a) He/she fails to give his/her name & address when required to do so, or
(b) He/she gives a false or inaccurate name or address
- 4.4 A person guilty of the above offence is liable on summary conviction of a fine not exceeding Level 3 on the standard scale (£1,000)

4.5 Setting Levels of Fines

Where the Council is able to give the offender the option of discharging liability for conviction through payment of a fixed penalty notice, the Council may set the level of this fine as it considers appropriate.

- 4.6 If no amount is set by the Council, the default amount as specified in the Act will apply.

4.7 Early Payment of Fixed Penalty Notices

The Council can make provision for treating a Fixed Penalty Notice as having been paid off if a lesser amount is paid before the end of a specified period.

4.8 Use of Fixed Penalty Receipts

The Act enables the Council to use fixed penalty receipts for functions relating to the enforcement of appropriate sections or for investment in related services.

5. Summary

- 5.1 The Clean Neighbourhoods and Environment Act 2005 is a welcomed new addition to the powers available to the Council as it endeavours to provide a safe and clean environment for the people of Hartlepool; however, enforcing the new legislation will inevitably bring additional costs for the respective service divisions.
- 5.2 The ability to enter land to carry out remedial works maybe optional, but it will also be a necessity where it is in the interest of public safety. In taking radical action such as this, it may not always be possible for the Council to recover the full cost of doing so.
- 5.3 The Act takes responsibility for dealing with stray dogs away from the Police and the Council will therefore need to provide suitable kennelling facilities around the clock in order for members of the public to bring in strays. The logistics of providing this service is not without its problems and it is therefore essential that adequate funding is secured prior to the transfer of responsibility.

- 5.4 It is vitally important that enforcement campaigns are run in parallel with education and awareness initiatives. If the purpose of enforcement systems is to help prevent wrongdoing and improve quality of life, then education must be an integral part of such systems. Proactive community information and education campaigns should not only tell the public what the law is, but why and how it is being used to promote improvements in the public domain.
- 5.5 Much of the new Act amends existing legislation, which has been effectively enforced over the past two years by the Neighbourhood Action Team. Indeed, an assertive campaign to rid the town of nuisance vehicles has resulted in a significant downturn in vehicle crime and vehicle arson. Similar success has been achieved in dealing with litter louts and irresponsible dog owners, with the number of people receiving fixed penalty fines increasing somewhat over the past year. Fly tippers have also been the target of specific operations.
- 5.6 Despite this success, the work of the Neighbourhood Action Team has often been constrained by dated legislation, which has not provided a means to address the growing number of environmental issues that exist in our communities.
- 5.7 Clearly, the new amendments and legislation go some way to correct that shortfall and with anti-social behaviour high on the public agenda, the new Act has resounding benefits for the town as a whole. However, whilst monies generated from the various fixed penalty options are able assist in applying the new legislation, a sustainable funding source is required to ensure its long-term effectiveness.

6. RECOMMENDATION

- 4.1 That the Portfolio Holder notes the benefits of the new Act in providing a safe and clean environment and considers the need to channel adequate resources towards ensuring its effective, long term implementation.

KEY PROVISIONS

1. Vehicles

1.1 Selling vehicles on the road

A Person is guilty of an offence if at anytime he leaves two or more vehicles parked within 500 metres of each other on a road or roads where they are exposed or advertised for sale and are parked merely in order to be sold in the course of a business.

1.2 Repairing vehicles on a road

A person is guilty of an offence if he repairs, services, maintains, improves or dismantles a motor vehicle, or any part or accessory thereof, during the course of a business or for gain or reward.

1.3 Penalty

A person guilty of an offence under sections 1.1 and 1.2 above is liable on summary conviction to a fine not exceeding level 4 on the standard scale (£2,500).

1.4 Fixed Penalty Notice

A person believed to have committed an offence under sections 1.1 and 1.2 above maybe discharged of liability to conviction by payment of a fixed penalty to the Council of £100.

1.5 Nuisance and Abandoned Vehicles

It is no longer necessary for the Council to fix a notice to a vehicle which meets the following conditions before removing it:

- (a) has no registered keeper
- (b) is abandoned
- (c) is not displaying a current tax disc
- (d) is causing a nuisance or is detrimental to the amenity of an area

1.6 Relevant Land

The provisions in section 1.5 above apply to vehicles:-

- (a) on the highway
- (b) on land to which the public has access
- (c) on other land without the permission of the occupier

1.7 Penalty

A person guilty of an offence order section 1.5 above is liable on summary conviction to a fine not exceeding level 4 on the standard scale (£2,500)

1.8 Fixed Penalty Notices

A person believed to have committed an offence under section 1.5 above may be discharged of liability to conviction by payment of a fixed penalty to the Council of £200.

1.9 Disposal

A vehicle removed which, in the opinion of the Council, is in such a condition that it ought to be destroyed or it does not display a licence (whether current or otherwise), or does not display any registration mark, may be destroyed at any time after its removal.

2. Litter and Refuse

2.1 Litter

It is now an offence to drop or deposit litter in any place which is open to the air and to which the public has access.

2.2 The meaning of litter is confirmed by specifically including cigarettes, cigars and like products and also discarded chewing gum.

2.3 These were already considered to fall within the definition of litter but it is the stated intention to provide clarity for practitioners.

2.4 This will also overcome a reluctance to take effective enforcement action.

2.5 The offence is extended to include bodies of water, such as rivers or lakes and beaches.

2.6 Fixed Penalty Notices

A person believed to have committed an offence under section 2.1 above may be discharged of liability to conviction by payment of a fixed penalty to the Council of £75.

2.7 Litter Clearing Notices

Powers for the Council to designate 'Litter Control Areas' has been repealed.

2.8 The Council now has powers to issue 'Litter Clearing Notices' on the occupier or owner if not occupied, of land open to the air where defacement caused by litter/refuse is detrimental to the amenity of the area.

2.9 Failure to Comply with Litter Clearing Notice

The person is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale (£2,500).

- 2.10 The Council may enter the land to which the notice relates and clear it of litter and refuse.
- 2.11 Where the Council exercises its power under section 2.10 above, it may require the person on whom the notice was served to pay a reasonable charge in respect of the exercise of power.
- 2.12 A person believed to have committed an offence under sections 2.9 above maybe discharged of liability to conviction by payment of a fixed penalty to the Council of £100.
- 2.13 Street Litter Control Notices
The new Act extends the application of Street Litter Control Notices to cover vehicles, stalls and other moveable structures used for street vending.
- 2.14 Mobile vendors can now be required to take steps to minimise and clear up litter/refuse on any street or open land adjacent to it that originates from their commercial retail activities.
- 2.15 Failure to Comply with Street Litter Control Notice
It is now an immediate offence not to comply with the requirement of a Street Litter Control Notice, dispensing with the requirement on the Council to first seek an order from the Magistrates court ordering compliance.
- 2.16 A person guilty of an offence under Section 2.15 above is liable on summary conviction to a fine not exceeding level 4 on the standard scale (£2,500).
- 2.17 Fixed Penalty Notices
A person believed to have committed an offence under section 2.15 above maybe discharged of liability to conviction by payment of a fixed penalty to the Council of £75.
- 2.18 Free Distribution of Printed Matter
The Council may by order, designate any land on which it becomes an offence to distribute free printed matter without its consent.
- 2.19 A person commits an offence if he distributes any free printed matter without the consent of the Council on any land which has been designated by the council.
- 2.20 Penalty
A person guilty of an offence under section 2.19 above is liable to a summary conviction of level 4 on the standard scale (£2,500).

- 2.21 Fixed Penalty Notice
A person believed to have committed an offence under sections 2.19 above maybe discharged of liability to conviction by payment of a fixed penalty to the Council of £75.
- 2.22 Graffiti and Fly posting
A person is guilty of an offence if he commits these acts on any relevant land or structure.
- 2.23 Fixed Penalty Notice
A person believed to have committed an offence under section 2.22 above maybe discharged of liability to conviction by payment of a fixed penalty to the Council of £75.
- 2.24 Defacement Removal Notice
Where graffiti or any illegal poster or flyer defaces a relevant surface to a degree that it is detrimental to the amenity of an area or that is offensive, the Council may issue a Defacement Removal Notice on any person who is responsible for the surface to remove, clear or remedy the defacement.
- 2.25 Failure to Comply with a Defacement Removal Notice
Where a person has failed to comply with a Defacement Removal Notice within the specified time then the Council may enter occupied and unoccupied land in order to clear the defacement and in doing so, may also recover any reasonable costs.

Wastes

- 2.26 Transport of Wastes
An offence is committed if a person transporting controlled waste is not a registered carrier.
- 2.27 The new act removes the defence of 'acting under employers instructions'.
- 2.28 An authorised officer of the Council accompanied with a constable, may stop, search and seize a vehicle where he reasonably believes controlled waste is about to be transported without the carrier being registered or is being transported or has been transported.
- 2.29 An authorised Officer has new powers of entry to any premises for the purpose of searching and seizing any such vehicle.
- 2.30 Penalties
Failure to assist an authorised officer or constable without reasonable excuse carries a fine not exceeding level 5 on the standard scale (£5,000).

- 2.31 Knowingly or recklessly providing false or misleading information in a material way carries a fine not exceeding level 5 on the standard scale (£5,000).
- 2.32 Fixed Penalty Notices
A person believed to have committed an offence under section 2.26 above maybe discharged of liability to conviction by payment of a fixed penalty to the Council of £300.
- 2.33 Deposit and Disposal of Waste
A person commits an offence if he deposits controlled waste on any and open to the public.
- 2.34 The new Act removes the defence of 'acting on employers instructions'.
- 2.35 A person committing an offence under 2.33 above is liable on summary conviction to a fine of up to £50,000 and/or 12 months imprisonment. A court may order offenders to pay the Council, and owner/occupier costs incurred to remove waste.
- 2.37 Power to Require Owner of Land to Remove Waste
The Council may serve notice on the owner or occupier of any land to remove any unlawfully deposited waste.
- 2.38 Waste Receptacle Offences
Under the new Act the Council is able to specify the waste collection arrangements for household, commercial and industrial waste.
- 2.39 A formal notice may specify the type of waste receptacle to be used, the number of collections required and the times in which receptacles are to be presented by the householder or business.
- 2.40 A person who does not comply with the requirements of the Notice is guilty of an offence.
- 2.41 Penalty
A person believed to have committed an offence under section 2.40 above maybe discharged of liability to conviction by payment of a fixed penalty to the Council of £100.

3. Dogs

- 3.1 The Dogs (Fouling of Land) Act 1996
The Dogs (Fouling of Land) Act 1996 has now been repealed.
- 3.2 Control of Dogs Order
The Council may in accordance with the new Act make an order for an offence or offences relating to the control of dogs in respect of any land in its area.

- 3.3 An offence relates to the control of dogs if it relates to one of the following matters:
- (a) fouling of land by dogs and the removal of dog faeces
 - (b) the keeping of dogs on leads
 - (c) the exclusion of dogs from land
 - (d) the number of dogs which a person may take on to any land
- 3.4 Fixed Penalty Notices
A person believed to have committed an offence under section 3.3 above maybe discharged of liability to conviction by payment of a fixed penalty to the Council of £75.
- 3.5 Stray Dogs
Under the new Act, the Police will no longer have responsibilities for dealing with stray dogs, except that the powers of the police to seize and detain dogs under the Dogs (Protection of Livestock) Act 1953 continues.
- 3.6 Stray dogs found by members of the public can only be taken in by the Council who must provide suitable kennelling facilities around the clock
- 3.7 This section of the new Act will not commence until agreement on funding has been reached.
- 3.8 The powers of the Police to seize and detain dogs under the Dogs (Protection of Livestock) Act 1953, continues.

REGENERATION & LIVEABILITY PORTFOLIO MEETING

18 November 2005



Report of: Scrutiny Co-ordinating Committee

Subject: FINAL REPORT – ADDITIONAL POWERS FOR
COMMUNITY WARDENS

1. PURPOSE OF REPORT

- 1.1 To present the findings of the Scrutiny Co-ordinating Committee following its extensive enquiry into the additional powers available to Community Wardens under the Accreditation Scheme.

2. BACKGROUND INFORMATION

- 2.1 At a meeting of the Regeneration and Liveability Portfolio held on 28 August 2003, the Mayor supported Cleveland Police's proposal to establish an Accreditation Scheme for Community Wardens. In addition to this, the Mayor requested that the issue of whether to confer enforcement powers on Community Wardens was referred to the Scrutiny Co-ordinating Committee, to be considered in conjunction with their Anti-Social Behaviour Enquiry (Minute 14 refers).
- 2.2 Due to a congested Overview and Scrutiny Work Programme for 2003/04 and 2004/05, overlong delays deferred the consideration of this item. However, at a meeting of the Scrutiny Co-ordinating Committee held on 23 November 2004, further consideration was given to the referral and it was subsequently agreed to undertake a consultation exercise with the public in relation to the range of powers available to Community Wardens under the Accreditation Scheme, prior to reaching a decision.
- 2.3 As such, this report details the findings of the public consultation exercise together with this Committee's conclusions and subsequent recommendations to the Mayor's Regeneration and Liveability Portfolio.

3. SETTING THE SCENE

- 3.1 In 2001 the Government's White Paper 'Policing A New Century: A Blueprint for Reform' set out plans for reforming the police and building a civil society. The White Paper made the Government's vision clear:

'The Government wants to harness the commitment of those already involved in crime reduction activities e.g. traffic wardens, neighbourhood and street wardens and security staff, through an extended police family. In the extended police family the police will accredit relevant organisations and individuals – suitably trained for the role they were taking on. Local schemes co-ordinated by the police will address anti-social behaviour and will support the police in other ways.'

- 3.2 The White Paper went on to state that, where the Chief Constable and the person's employer thought it appropriate, the accredited community safety professional could be given limited, but targeted, powers to deal with anti-social behaviour, disorder and nuisance.
- 3.3 The Police Reform Act 2002 now enables a Chief Constable, after consultation with the Police Authority and relevant local authorities, to establish a system of accreditation for the purpose of contributing to community safety and security.
- 3.4 Accreditation can cover schemes other than those operated by local authorities, for example, door-supervisors' schemes, private security guards and stewards at sports stadia, but accreditation is not compulsory. However, it should be noted that Accreditation does not give staff the power to detain individuals.
- 3.5 There are many advantages to accreditation:
- (a) Accredited staff can be given a range of limited, but targeted powers to deal with specific nuisances as outlined below:-
- (i) Issue of Fixed Penalty Notices for dog fouling, littering and riding a bicycle on a footpath;
 - (ii) Power to request a name and address for Fixed Penalty Offences and offences that cause injury alarm and distress to another person or damage or loss of another's property;
 - (iii) Power to request the name and address of a person acting in an anti-social manner;
 - (iv) Power to confiscate alcohol from young persons;

- (v) Power to confiscate cigarettes and tobacco products from young people;
- (vi) Power to regulate traffic for the purpose of escorting abnormal loads;
- (vii) Power to require the removal of abandoned vehicles; and
- (viii) Power to stop a vehicle for emissions testing.

(b) Staff across Cleveland Police area would wear a local uniform with a national badge, which identifies them as a member of the accredited scheme. This should enhance public reassurance;

(c) Employers of accredited staff would benefit from public confidence that they and their employees had reached acceptable standards; and

(d) Police back-up would be available more quickly.

3.6 In March 2003 the Government published its White Paper on anti-social behaviour (Respect and Responsibility – taking a stand against anti-social behaviour) which made clear that accreditation could be a key part of a community's response to incivility and disorder, subsequently introduced as the Anti-Social Behaviour Bill on 27 March 2003.

3.7 The current Community Warden Scheme focuses on public reassurance rather than enforcement. Wardens are seen as the community's friend, acting as their 'eyes and ears', gathering information and intelligence with no enforcement powers.

3.8 A Community Warden Scheme can become an accredited scheme, but does not have to accept the powers available. Hartlepool is therefore required to decide whether it wishes to change the focus of its Community Warden Scheme, in light of the Accreditation Scheme.

4. MEMBERSHIP OF THE SCRUTINY CO-ORDINATING COMMITTEE

4.1 The membership of the Committee were as detailed below:-

Councillors Cambridge, Clouth, Cook, Cranney, Flintoff, Hall, Hargreaves, James, Kaiser, Lilley, A Marshall, J Marshall, Preece, Richardson, Shaw and Wright.

Resident Representative: Evelyn Leck.

5. THE CONSULTATION PROCESS

- 5.1 Following discussions of the powers available under the Accreditation Scheme, Members of this Committee considered that the public should be consulted about these powers prior to the Committee reaching a decision.
- 5.2 As a result of Members' requests for consultation, the following consultation mechanisms were used, as outlined below:-
- (a) Viewpoint Survey – June 2005;
 - (b) Neighbourhood Forums (Discussions in the Forums and questionnaires);
 - (c) Community Wardens Questionnaire; and
 - (d) Consultation with young people through B76.
- 5.3 **Appendix A**, attached this report provides an overview of the consultation results and is divided into three sub-sections for ease as follows:
- (a) Powers to issue Fixed Penalty Notices (FPNs);
 - (b) Additional Powers available to Community Wardens; and
 - (c) General comments received during the consultation process.
- 5.4 It should be noted that these sub-sections are, in turn, divided into the results obtained from the separate consultation exercises.

6. CONCLUSIONS

- 6.1 That since receiving this scrutiny referral from the Mayor' Regeneration and Liveability Portfolio together with extensive delay in the undertaking and delivery of the findings of this enquiry, the Scrutiny Co-ordinating Committee concluded:-
- (a) That the current role and number of Police Community Support Officers was currently being examined with proposed changes arising from the Neighbourhood Policing pilot scheme being implemented from April 2006 which may have an impact on the focus of the Community Wardens' role under the Accreditation Scheme;
 - (b) That the funding for Community Wardens expires on 31 March 2006. Both NDC and NRF funding streams were currently reviewing future funding beyond March 2006, in light of possible changes outlined at (a) above. However, Members were of the view that funding for a further six months (ie to September 2006) would give continuity to the community if changes were to be made;

- (c) That whilst the findings of the consultation exercise (Appendix A refers) proved useful to this Committee to gauge which additional powers should be given to Community Wardens under the Accreditation Scheme, Members agreed that given the small number of responses received, it was difficult to make meaningful comparison between the preferred range of additional powers available under the Accreditation Scheme. However, in light of the small number of responses, those powers which received the most support from the consultation exercises were namely issuing Fixed Penalty Notices for:
- (i) Dog fouling;
 - (ii) Littering;
 - (iii) Graffiti;
 - (iv) Throwing fireworks; and
 - (v) Behaviour likely to cause harassment, alarm or distress.
- (d) That given there was no direct correlation between the preferred range of additional powers, Members concluded that the findings of the consultation exercise (Appendix A refers) should be forwarded onto the Mayor's Regeneration and Liveability Portfolio, to assist the Mayor in the overall determination of additional powers under the Accreditation Scheme in light of paragraphs 6.1 (a), (b) and (c) as outlined earlier within this report.

7. RECOMMENDATIONS

- 7.1 Members of the Scrutiny Co-ordinating Committee recommends to the Mayor's Regeneration and Liveability Portfolio:-
- (a) That the findings of the consultation exercise (Appendix A refers) be used to assist in the determination of additional powers for Community Wardens under the Accreditation Scheme in conjunction with those powers which received the most support (paragraph 6.1 (c) refers), the future funding pressures of Community Wardens and proposed changes arising from the Neighbourhood Policing pilot scheme, and
 - (b) That the future funding arrangements of Community Wardens be considered as an area worthy of further scrutiny review during the compilation of the Authority's Overview and Scrutiny Work Programme for the 2006/07 Municipal Year.

8. ACKNOWLEDGEMENTS

8.1 The Committee is grateful to all those who have presented evidence during the course of this enquiry. We would like to place on record our appreciation, in particular of the willingness and co-operation we have received from the below named:-

Former Director of Community Services;

Head of Community Safety and Prevention; and

Head of Environmental Management.

COUNCILLOR MARJORIE JAMES CHAIR OF SCRUTINY CO-ORDINATING COMMITTEE

October 2005

Contact:-

Charlotte Burnham – Scrutiny Manager
Jonathan Wistow – Scrutiny Support Officer
Chief Executive's Department - Corporate Strategy
Hartlepool Borough Council

Tel: 01429 523 087 / 523 647

Email addresses: charlotte.burnham@hartlepool.gov.uk /
jonathan.wistow@hartlepool.gov.uk

BACKGROUND PAPERS

The following background papers were consulted or referred to in the preparation of this report:-

- (i) Report of the former Director of Community Services entitled 'Accreditation of Community Warden Scheme' presented to the Mayor's Portfolio Meeting held on 28 August 2003.
- (ii) Minutes of the Mayor's Regeneration and Liveability Portfolio Meeting held on 28 August 2003.
- (iii) Report of the former Scrutiny Manager entitled 'Additional Powers for Neighbourhood Wardens' presented to the Scrutiny Co-ordinating Committee held on 23 November 2004.

- (iv) Report of the Scrutiny Support Officer entitled 'Additional Powers for Community Wardens – Consultation' presented to the Scrutiny Co-ordinating Committee held on 1 February 2005.
- (v) Report of the former Director of Community Services entitled 'Community Wardens and Accreditation' presented to the Scrutiny Co-ordinating Committee held on 18 February 2005.
- (vi) Report of the Scrutiny Support Officer entitled 'Additional Powers for Community Wardens – Consultation Process' presented to the Scrutiny Co-ordinating Committee held on 18 February 2005.
- (vii) Report of the Scrutiny Support Officer entitled 'Additional Powers for Community Wardens – Consultation Results' presented to the Scrutiny Co-ordinating Committee held on 7 October 2005.
- (viii) Minutes of the Scrutiny Co-ordinating Committee held on 23 November 2004, 1 February 2005, 18 February 2005 and 7 October 2005.

CONSULTATION SECTION ONE - POWERS TO ISSUE FIXED PENALTY NOTICES (FPN's)1.1 **Viewpoint Survey Results****Table 1 Which actions should the Community Wardens be able to issue Fixed Penalty Notices for?**

	%	(No.)
Dog fouling	82	(986)
Behaviour likely to cause harassment, alarm or distress	81	(975)
Littering	81	(966)
Throwing fireworks in a thoroughfare	79	(952)
Drinking alcohol in a designated 'no alcohol' public place	77	(927)
Graffiti	76	(907)
Knowingly giving a false alarm to the fire brigade	74	(893)
Buying/attempting to buy alcohol on a licensed premises when under 18	68	(810)
Using public phone system to send messages known to be false to annoy people	60	(715)
To parents whose children are involved in truancy	50	(597)
Riding a bike on the footpath	41	(486)
No answer	2	(23)
(N = 1200)		

- 1.2 Through the Viewpoint Survey participants were also asked to prioritise which three actions they would most like to see Community Wardens issue an FPN for. The results of which are provided in **Table 2** below.

Table 2 Prioritisation of actions listed in the table 1.

	%	(No.)
Behaviour likely to cause harassment, alarm or distress	50	(601)
Dog fouling	44	(533)
Littering	35	(420)
Drinking alcohol in a designated 'no alcohol' public place	27	(323)
Knowingly giving a false alarm to the fire brigade	22	(260)
Buying/attempting to buy alcohol on a licensed premises when under 18	22	(260)
Graffiti	20	(245)
Throwing fireworks in a thoroughfare	18	(220)
To parents whose children are involved in truancy	14	(169)
No answer	11	(127)
Riding a bike on the footpath	8	(94)
Using public phone system to send messages known to be false to annoy people	6	(660)
(N = 1200)		

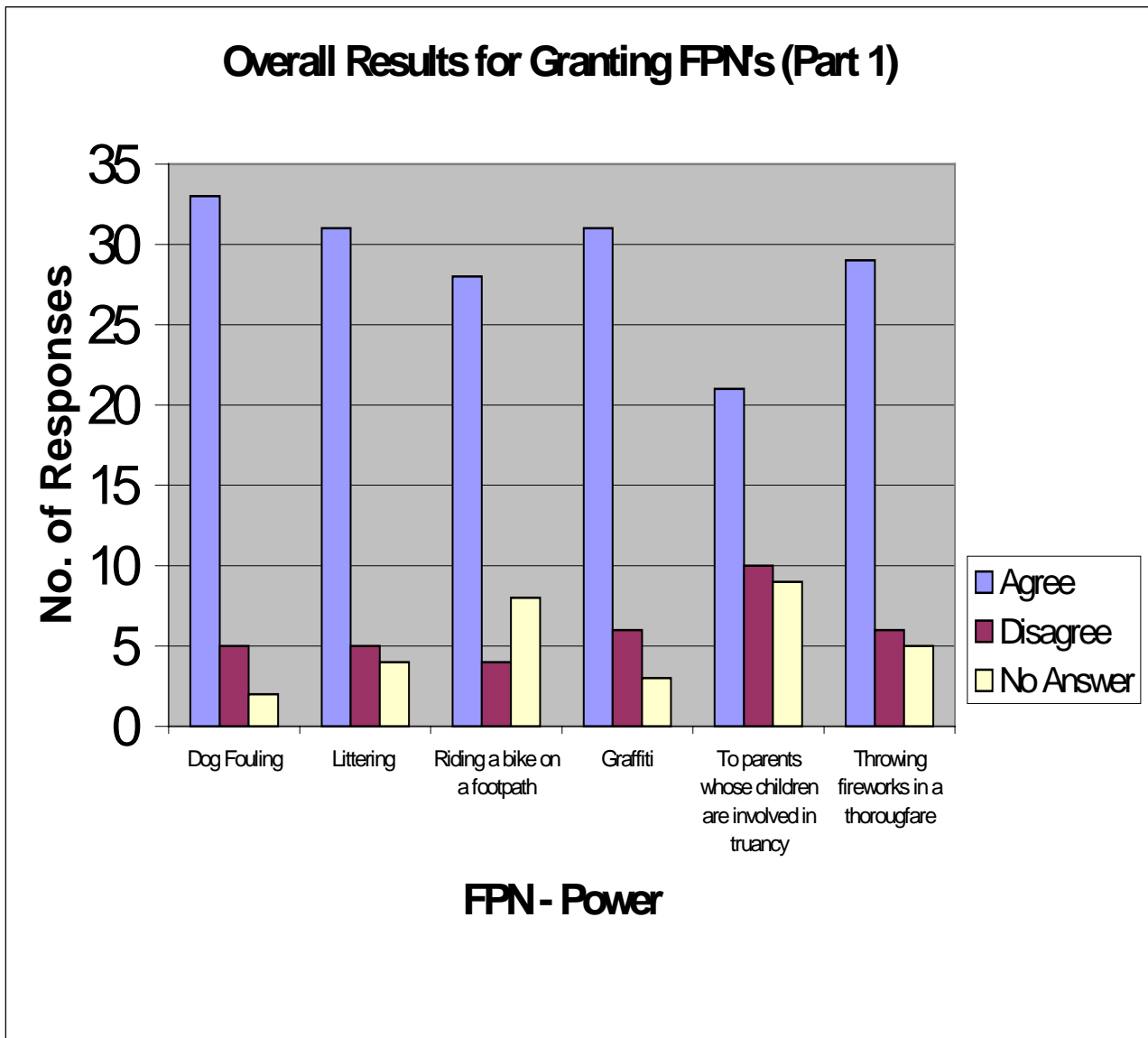
Neighbourhood Forums

- 1.3 Following consultation with the Neighbourhood Forums the results have been divided into a table (representing the overall results), and a series graphs which provide a break-down of the results into those living in warden areas and those who do not.

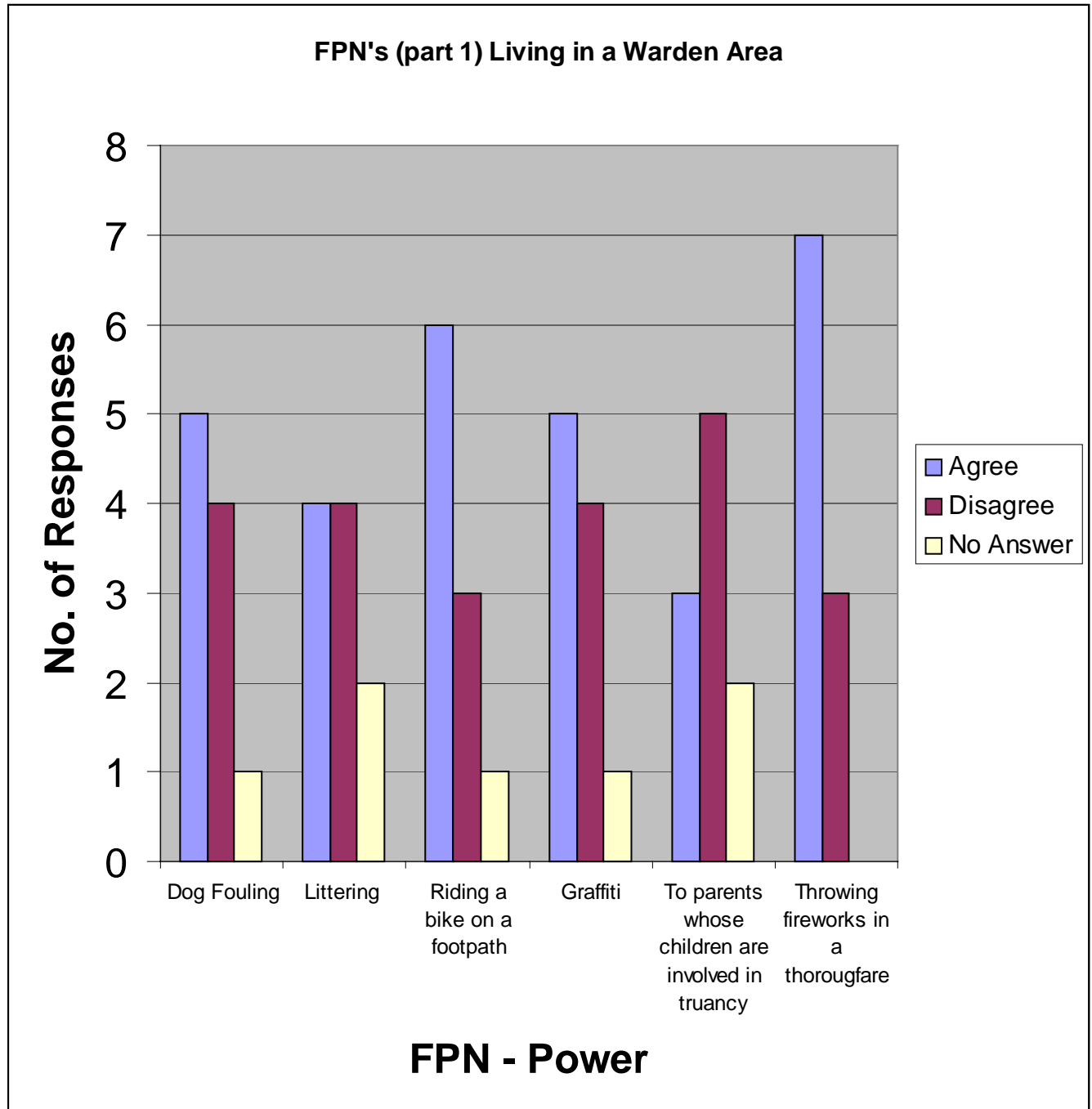
Table 3 Neighbourhood Forum questionnaire responses to which actions Community Wardens should be able to issue FPN's for.

	Agree	Disagree	No Answer
Dog Fouling	33	5	2
Behaviour likely to cause harassment, alarm or distress	32	7	1
Littering	31	5	4
Graffiti	31	6	3
Throwing fireworks in a thoroughfare	29	6	5
Riding a bike on the footpath	28	4	8
Drinking alcohol in a designated 'no alcohol' public place	28	7	5
Knowingly giving a false alarm to the fire brigade	27	10	3
Buying/attempting to buy alcohol on a licensed premises when under 18	24	10	6
Using public phone system to send messages known to be false to annoy people	23	10	7
To parents whose children are involved in truancy	21	10	9

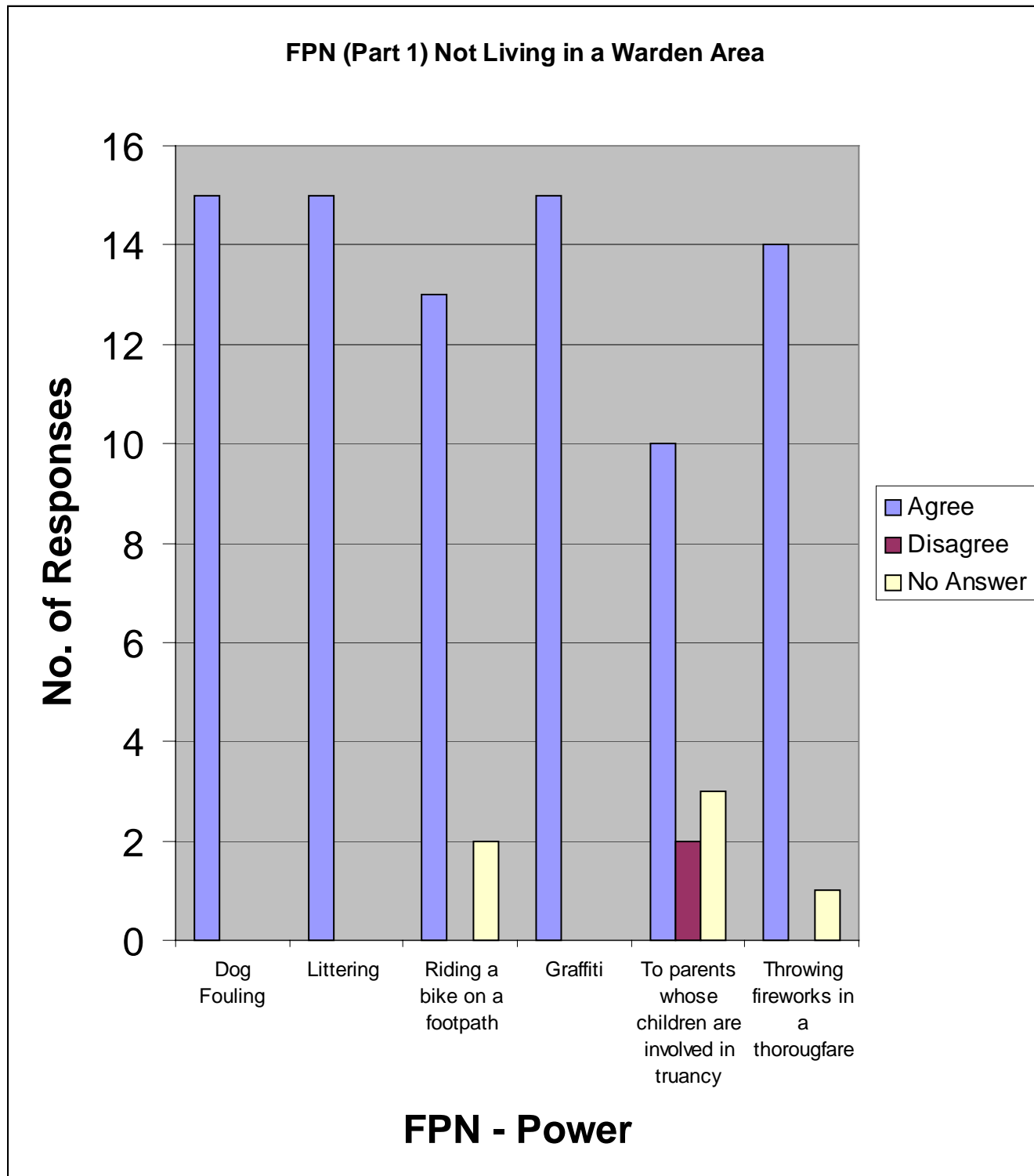
Graph1 Overall results from Neighbourhood Forum consultation – Granting FPN's (Part 1)



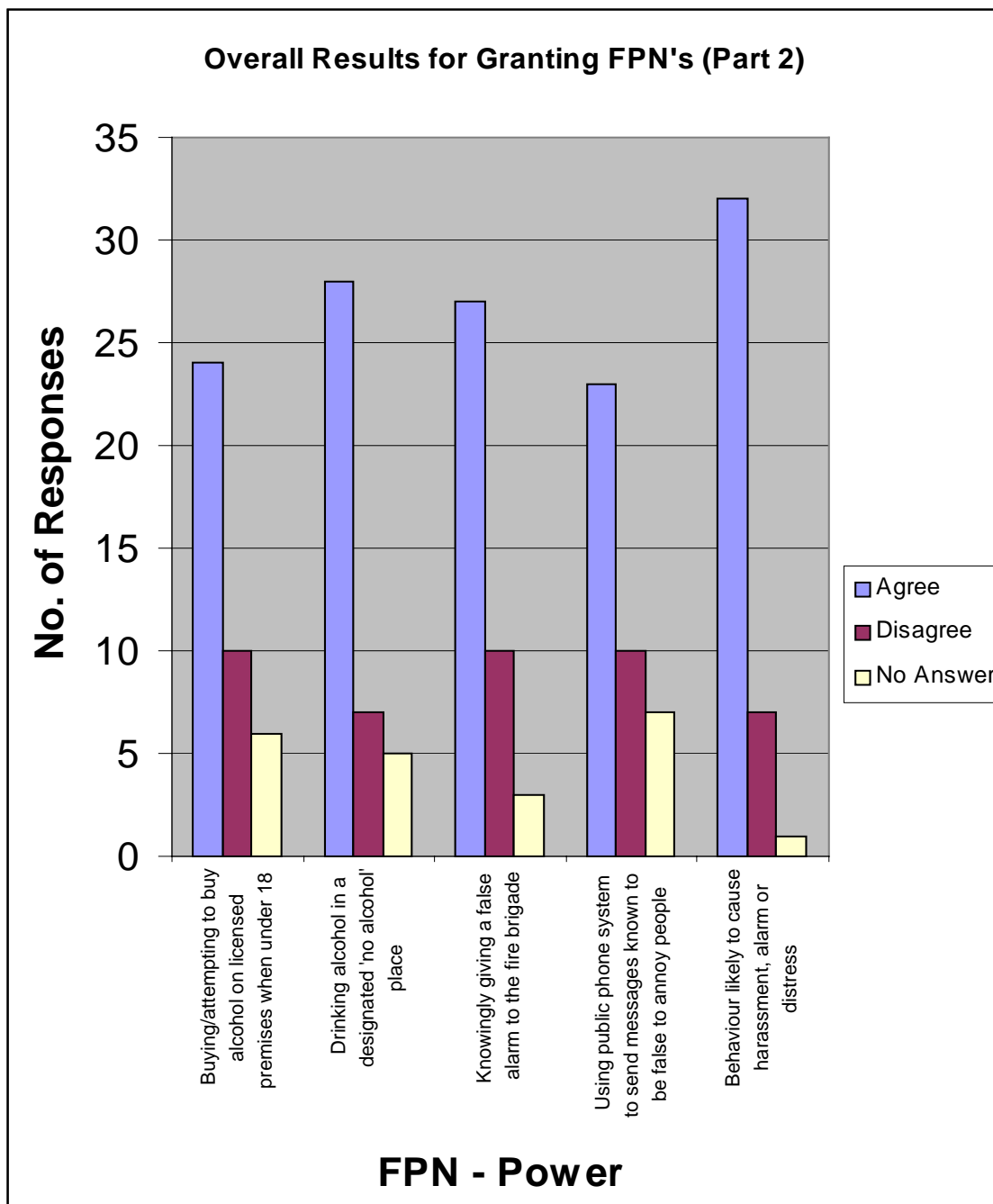
Graph 2 Responses to Neighbourhood Forum consultation – FPN’s (Part 1) – from those Living in Warden Area



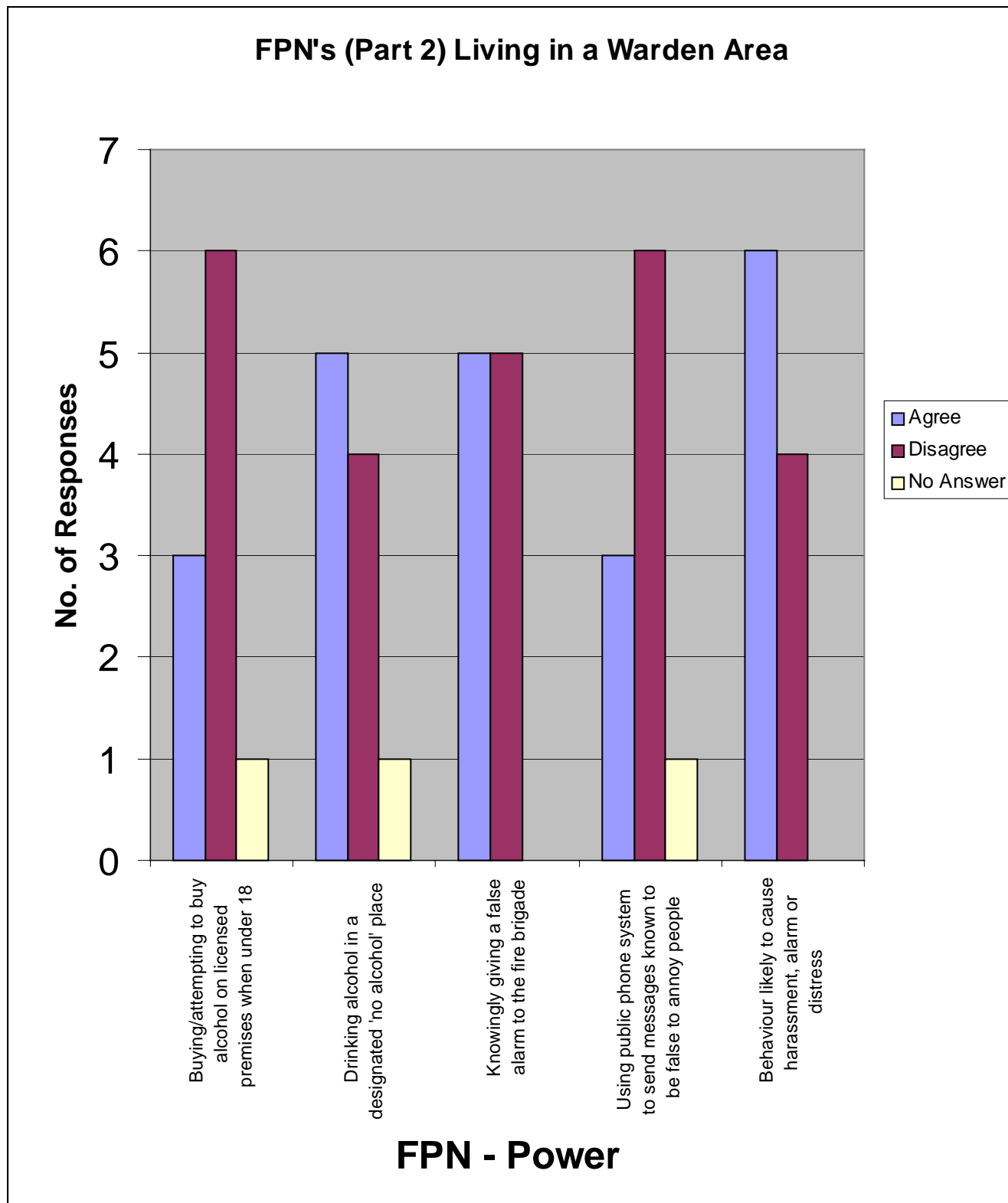
Graph 3 Responses to Neighbourhood Forum consultation – FPN’s (Part 1) – from those Not Living in Warden Area



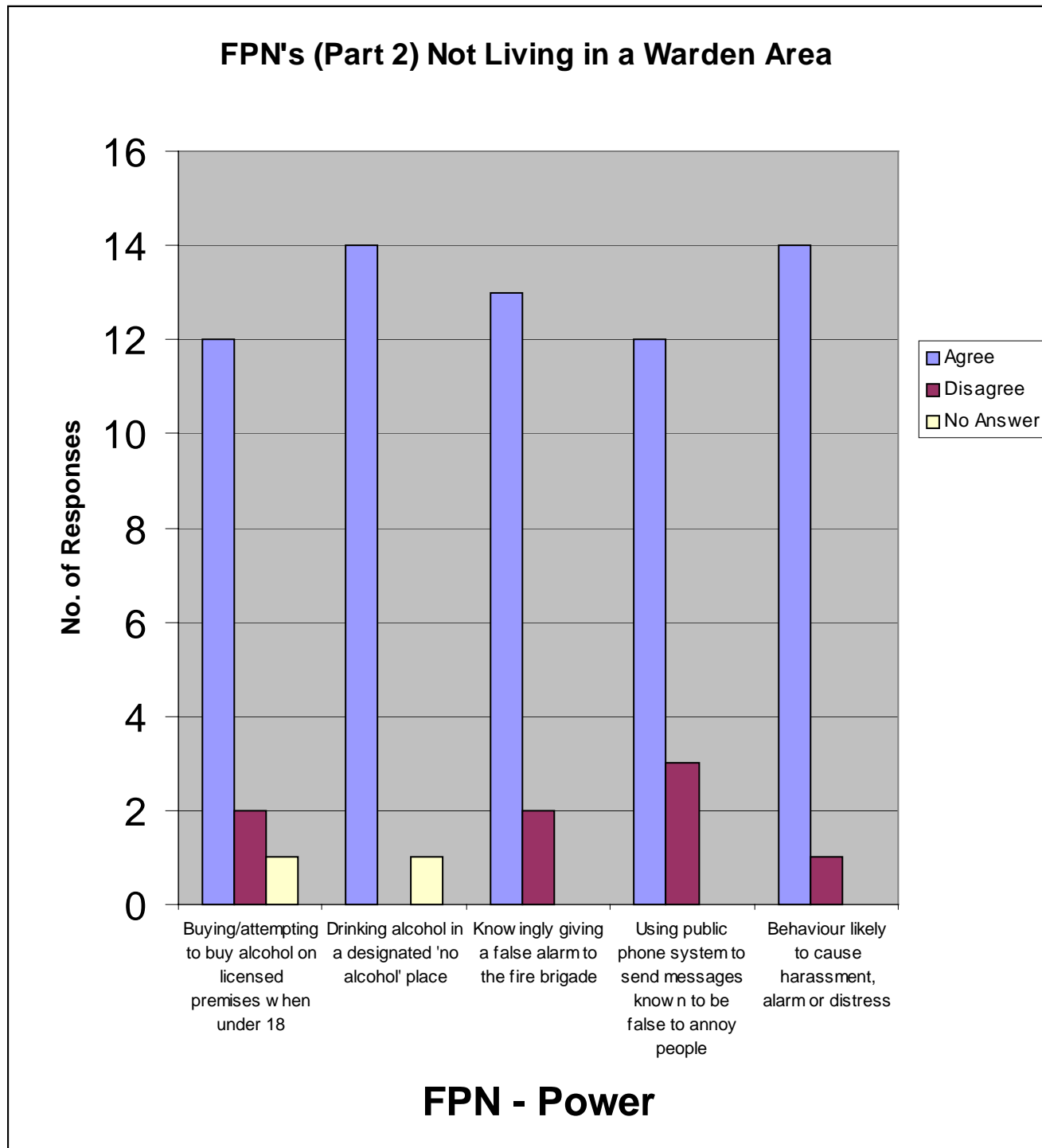
Graph 4 Overall results from Neighbourhood Forum consultation – Granting FPN's (Part 2)



Graph 5 Responses to Neighbourhood Forum consultation – FPN’s (Part 2) – from those Living in Warden area



Graph 6 Responses to Neighbourhood Forum consultation – FPN’s (Part 2) – from those Not Living in Warden area



1.4 **Community Wardens Consultation**

Seven Community Wardens responded to the consultation exercise out of a total of twenty-four wardens. The results of their responses are included in the table below.

Table 4 Community Wardens response to which actions they should be able to issue FPN's for.

	Agree	Disagree	No Answer
Dog Fouling	3	4	0
Littering	0	7	0
Riding a bike on the footpath	1	6	0
Graffiti	3	4	0
To parents whose children are involved in truancy	2	5	0
Throwing fireworks in a thoroughfare	2	5	0
Buying/attempting to buy alcohol on a licensed premises when under 18	3	4	0
Drinking alcohol in a designated 'no alcohol' public place	1	6	0
Knowingly giving a false alarm to the fire brigade	1	6	0
Using public phone system to send messages known to be false to annoy people	2	5	0
Behaviour likely to cause harassment, alarm or distress	1	6	0

Consultation with Young People

1.5 At the request of the Committee B76 were approached with a view to finding out young people's views in relation to granting additional powers to Community Wardens. The Scrutiny Support Officer met with six young people to discuss their views on this matter. Their responses to the questionnaire are included in **table 5** and **table 9** below.

Table 5 Young People's responses to which actions Community Wardens should be able to issue FPN's for.

	Agree	Disagree	No Answer
Dog Fouling	1	4	1
Littering	1	5	0
Riding a bike on the footpath	0	6	0
Graffiti	5	1	0
To parents whose children are involved in truancy	3	2	1
Throwing fireworks in a thoroughfare	6	0	0
Buying/attempting to buy alcohol on a licensed premises when under 18	3	3	0
Drinking alcohol in a designated 'no alcohol' public place	2	4	0
Knowingly giving a false alarm to the fire brigade	3	2	1
Using public phone system to send messages known to be false to annoy people	3	3	0
Behaviour likely to cause harassment, alarm or distress	4	2	0

CONSULTATION SECTION TWO – ADDITIONAL POWERS AVAILABLE TO COMMUNITY WARDENS

1.6 **Viewpoint Survey Results**

Table 6 Which powers should Community Wardens have access to?

	%	(no.)
Power to request name/address of person who causes injury, alarm or distress to another person or damages someone else's property	88	(1056)
Power to request name/address of a person acting in an anti-social manner	87	(1046)
Power to confiscate alcohol from a young person	85	(1018)
Power to stop/confiscate/dispose of alcohol being consumed in a public 'no alcohol' place	78	(936)
Power to require the removal of an abandoned vehicle	62	(737)
Power to confiscate cigarettes/tobacco products from young people	58	(699)
Power to require the removal of an untaxed vehicle	56	(671)
No answer	5	(63)
(N = 1200)		

- 1.7 Through the Viewpoint Survey participants were also asked to prioritise which three powers they would most like to see Community Wardens have. The results of which are provided in **Table 7** below.

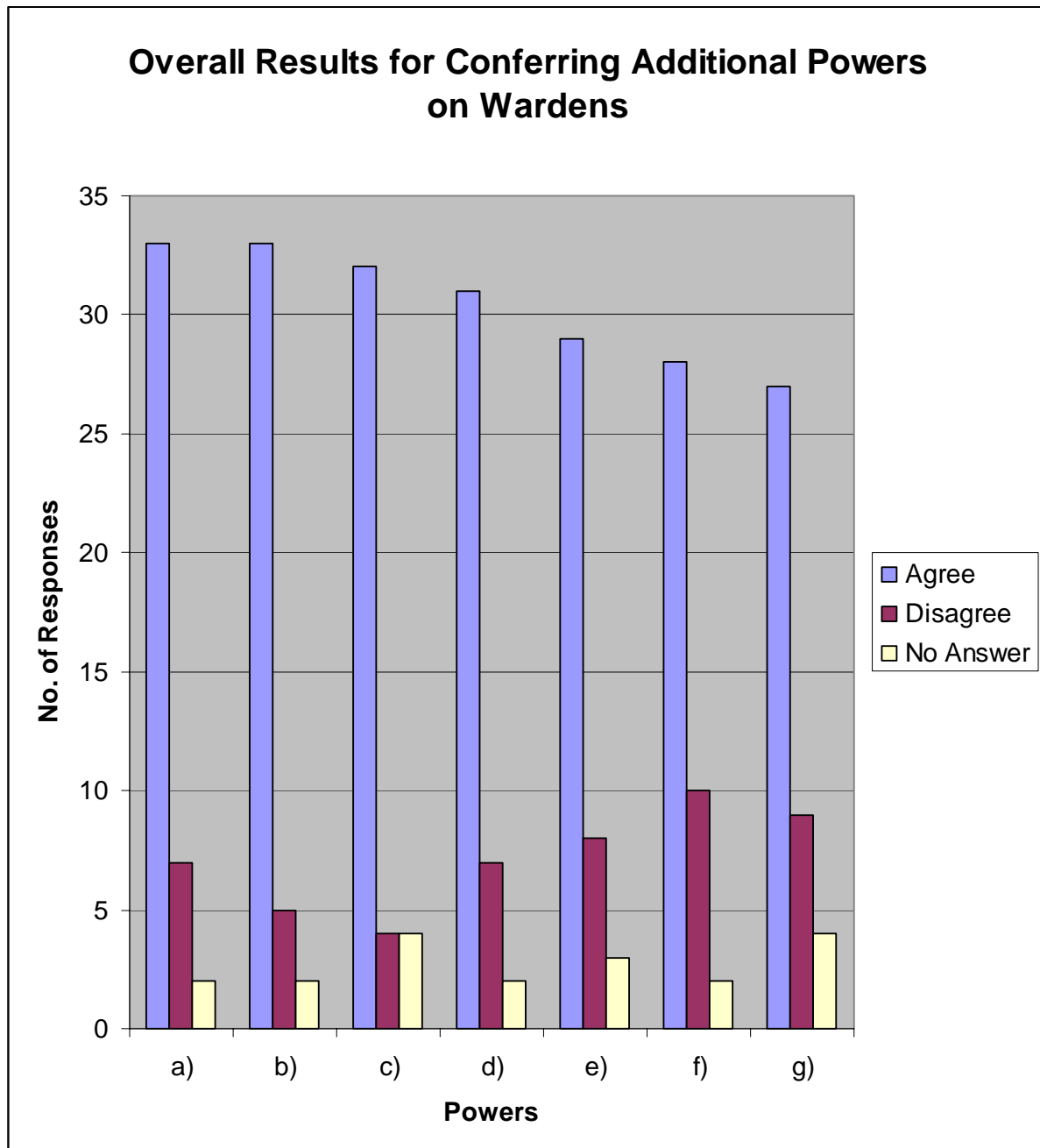
Table 7 **Prioritisation of Powers listed in Table 4.**

	%	(No.)
Power to request name/address of person who causes injury, alarm or distress to another person or damages someone else's property	76	(912)
Power to request name/address of a person acting in an anti-social manner	68	(818)
Power to confiscate alcohol from a young person	52	(629)
Power to stop/confiscate/dispose of alcohol being consumed in a public 'no alcohol' place	31	(367)
Power to require the removal of an untaxed vehicle	14	(163)
Power to require the removal of an abandoned vehicle	13	(156)
Power to confiscate cigarettes/tobacco products from young people	12	(143)
No answer	10	(115)
(N = 1200)		

1.8 **Neighbourhood Forums****Table 8** Neighbourhood Forum questionnaire responses to which powers Community Wardens should have.

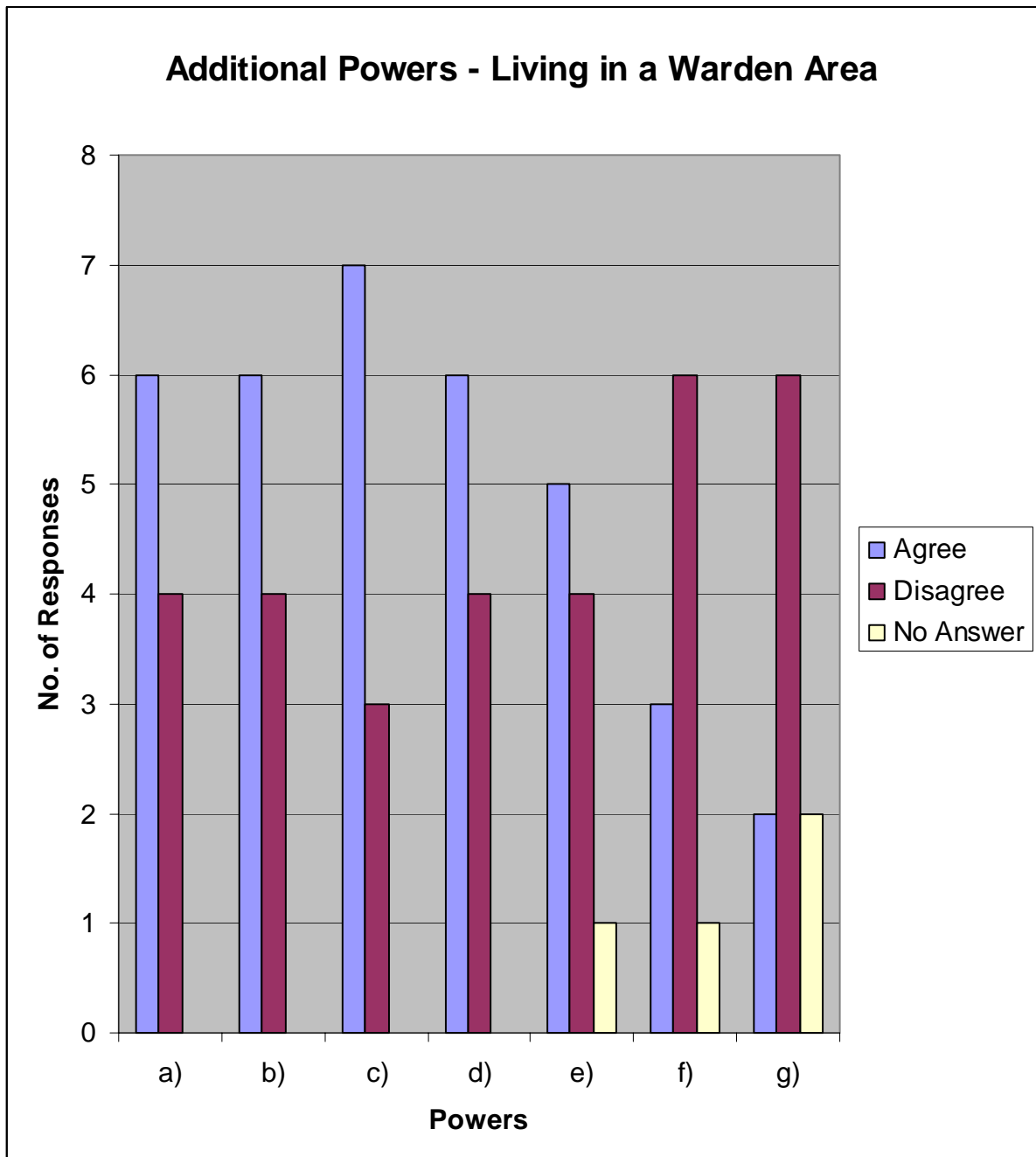
	Agree	Disagree	No Answer
a) Power to request the name and address of a person acting in an anti-social manner	33	5	2
b) Power to confiscate alcohol from a young person	33	6	1
c) Power to stop/confiscate/dispose of alcohol being consumed in a public 'no alcohol' place	32	4	4
d) Power to request the name/address of a person who causes injury, alarm or distress to another person or damages someone else's property	31	7	2
e) Power to require the removal of an abandoned vehicle	29	8	3
f) Power to require the removal of an untaxed vehicle	28	10	2
g) Power to confiscate cigarettes/tobacco products from young people	27	9	4

**Graph 7 Overall results from Neighbourhood Forum consultation –
Conferring Additional Powers on Wardens**



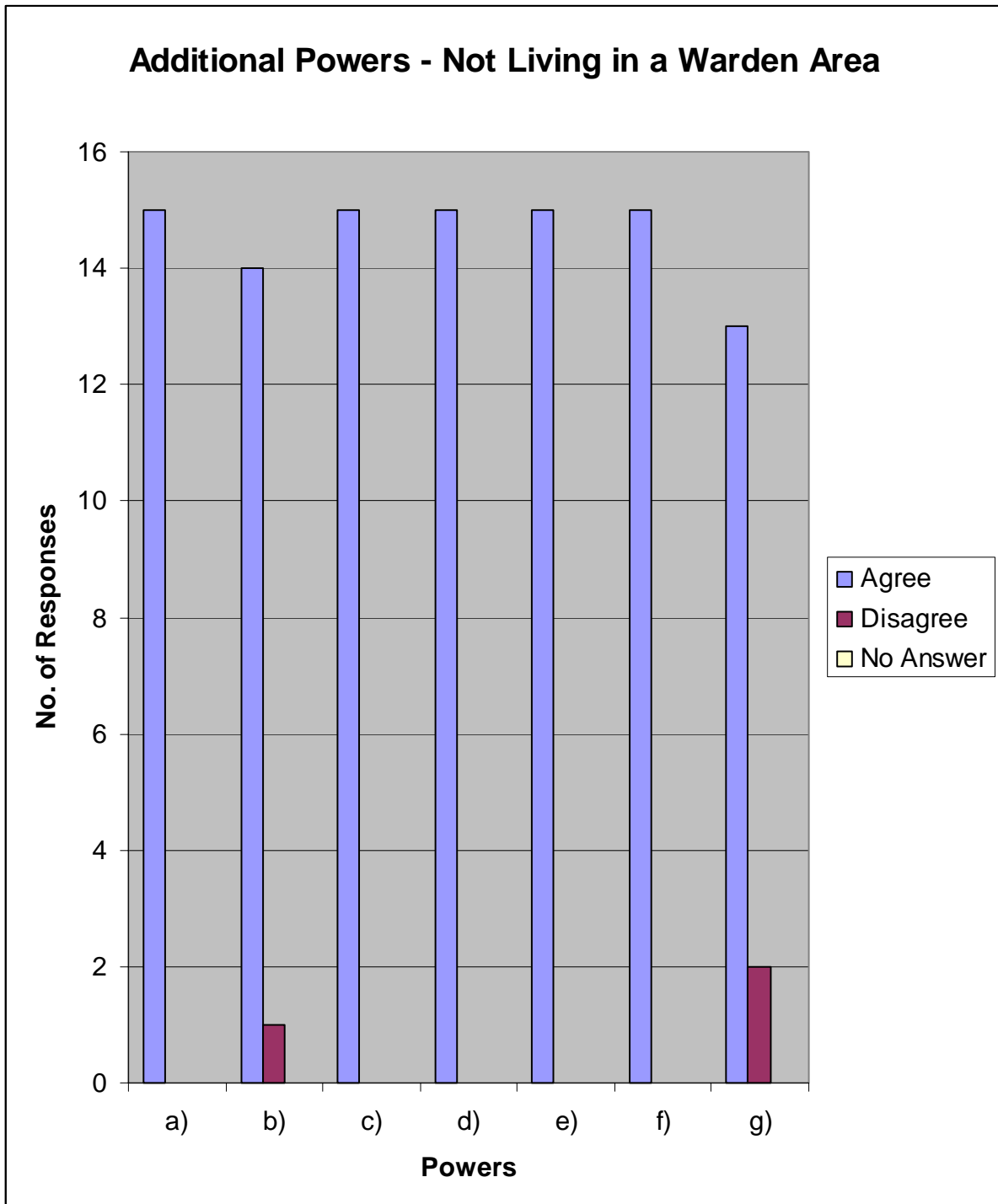
n.b. See Table 7 above for the key for the powers.

**Graph 8 Responses to Neighbourhood Forum consultation –
Conferring Additional Powers on Wardens – from those
Living in a Warden Area**



n.b. See Table 7 above for the key for the powers.

**Graph 9 Responses to Neighbourhood Forum consultation –
Conferring Additional Powers on Wardens – from those Not
Living in a Warden Area**



n.b. See Table 7 above for the key for the powers.

1.9 **Community Wardens Consultation****Table 9 Community Wardens response to which Additional Powers they wish to be granted.**

	Agree	Disagree	No Answer
a) Power to request the name/address of a person who causes injury, alarm or distress to another person or damages someone else's property	6	1	0
b) Power to request the name and address of a person acting in an anti-social manner	6	1	0
c) Power to confiscate alcohol from a young person	5	2	0
d) Power to stop/confiscate/dispose of alcohol being consumed in a public 'no alcohol' place	4	3	0
e) Power to confiscate cigarettes/tobacco products from young people	5	2	0
f) Power to require the removal of an abandoned vehicle	6	1	0
g) Power to require the removal of an untaxed vehicle	6	1	0

1.10 **Consultation with Young People****Table 10 Young People's response to which powers Community Wardens should be granted.**

	Agree	Disagree	No Answer
a) Power to request the name/address of a person who causes injury, alarm or distress to another person or damages someone else's property	6	0	0
b) Power to request the name and address of a person acting in an anti-social manner	5	1	0
c) Power to confiscate alcohol from a young person	3	3	0
d) Power to stop/confiscate/dispose of alcohol being consumed in a public 'no alcohol' place	2	4	0
e) Power to confiscate cigarettes/tobacco products from young people	0	5	1
f) Power to require the removal of an abandoned vehicle	4	2	0
g) Power to require the removal of an untaxed vehicle	0	5	1

**CONSULTATION SECTION THREE – GENERAL COMMENTS RECEIVED
DURING THE CONSULTATION PROCESS**

Neighbourhood Forums

1.11 During consultation with the Neighbourhood Forums a number of general comments were made whilst the notion of conferring additional powers on Wardens was discussed. These included:

- *The wardens are never there when you need them.*
- *Young people have no respect for them (the Wardens) because they have no powers. However, other residents who were present questioned whether anyone in authority was respected. Another view was that there are a lot of young people who are respectful, whilst adults are not.*
- *In terms of litter powers, it was felt that businesses needed to accept some responsibility for this as well.*
- *There were concerns about the safety of Wardens if they are granted additional powers.*
- *New Deal for Communities (NDC) has conducted a thorough evaluation of the Warden scheme, and one of the recommendations of the report was that Wardens should not be conferred additional powers.*
- *Wardens do a very good job now, they have the confidence of residents. Further powers would mean they are taking the jobs of the police.*
- *There needs to be very definite proof that offences such as using telecommunications systems to cause annoyance, and behaviour likely to cause harassment, alarm or distress has taken place – therefore I would not support Wardens having powers for these kinds of issues.*
- *Wardens must be thoroughly trained to do the job.*
- *There was some concern about granting further powers to Wardens and how this would link with areas without wardens.*
- *Co-ordination between the Warden schemes and the Environmental Task Force is a key issue.*
- *If the Warden scheme has been successful then other areas of the town should have them.*
- *Wardens need the new powers to protect themselves.*
- *Would like to see the Wardens have more responsibilities but they need to be more aware about the community and their surroundings.*

Community Wardens

1.12 As part of the consultation with Community Wardens they were given the opportunity to provide additional comments as well as completing the questionnaire. The following comments were made:

- *Requesting someone's name and address may be difficult because they don't see us as policemen.*
- *I do not think that there are enough wardens employed at this time with the integrity or strength of character to carry out the powers consistently or fairly.*
- *Wardens would need a significant pay rise to carry out these powers.*
- *A lot more training, and the same equipment as PCSO's would be required, as a Warden's safety would now be of greater concern as we have a lot more direct conflict with the perpetrators of crimes. Items required would include stab vests and much better deterrent sprays.*
- *Accreditation would mean a change in role and we would no longer be a community link but an enforcement officer.*

Consultation with Young People

1.13 During consultation with young people about conferring additional powers on Community Wardens the following comments were made:

- *They are useless because they don't have many powers.*
- *We use false names with them already – don't see how they can get us to reveal our real names.*
- *They don't do anything, should get rid of them – they are a waste of money.*
- *No one likes them.*
- *They should have powers to restrain people – people who are fighting.*
- *They should do litter picking and gardening – care for the community.*
- *You can try and have a conversation with them.*
- *Some of them have a sense of humour.*
- *There should be more police instead of wardens.*
- *There was trouble in one street then the wardens passed it onto the police and it got sorted out.*
- *They don't help us (young people) – they don't stop robberies but get us for what we're doing wrong.*
- *Why doesn't the Council pay the police more to make them go on the streets more instead of the wardens.*
- *Never see them in my area – what's the point in them?*
- *They already use some of the powers – they always take drink off you (even though they are not supposed to).*
- *They can be very rude to young people.*

2. ANALYSIS OF FINDINGS

2.1 Given the large number of findings across the various consultation mechanisms Members may find this brief (and by no means exhaustive) analysis of the consultation results useful.

Analysis of Powers to Issue FPN's

- 2.2 The results of the Viewpoint Survey demonstrate that most people thought that powers to issue FPN's for: *dog fouling; behaviour likely to cause harassment, alarm or distress; and littering* should be granted to Wardens (see **Table 1**). When asked to prioritise three of the FPN powers the same three powers emerged as the highest priority, but in a different order: *behaviour likely to cause harassment, alarm or distress; dog fouling; and littering* (see **Table 2**).
- 2.3 The overall responses from the Neighbourhood Forums produced similar results to those of the Viewpoint Survey. Most people thought that powers to issue FPN's should be granted for: *dog fouling; behaviour likely to cause harassment, alarm or distress; littering; and graffiti* (see **Table 3** and **Graphs 1-6**).
- 2.4 Graphs 2 and 3, and, 5 and 6 show a breakdown of the consultation results, from the Neighbourhood Forums, into those living in warden areas and those not living in warden areas. There is a significant difference in the opinion between these. The general response of those who don't live in a warden area (see **Tables 3** and **6**) was generally one of overwhelming support for granting all available FPN powers to wardens. However, for those respondents living in warden areas (see **Graphs 2** and **5**) the findings represent a much more equal balance of views amongst residents in favour of, and opposed to conferring additional powers on Community Wardens. For six of the FPN powers residents wanted additional powers but by a much smaller margin than was evident amongst people not living in a warden area. Furthermore, there were a number of responses amongst residents living in warden areas that were opposed to granting FPN's for the following issues: *to parents whose children are involved in truancy; buying/attempting to buy alcohol on licensed premises when under 18; and behaviour likely to cause harassment, alarm or distress*¹.
- 2.5 The Community Wardens were generally not in favour of being granted additional powers to issue FPN's (see **Table 4**). None of the powers to issue FPN's were supported by a majority of the Wardens. The powers to issue FPN's for: *dog fouling; graffiti; and buying/attempting to buy alcohol in a designated no alcohol place*, were met with 3 out of 7 Wardens agreeing that they would like these powers. For the remainder of the FPN powers the Wardens were more opposed to being granted these powers.
- 2.6 Through the consultation with young people (see **Table 5**) there was a relatively even split between agreeing/disagreeing the powers for which Wardens should be able to issue FPN's for. Most notably the young people consulted were entirely in favour of granting wardens the power to issue FPN's for *throwing fireworks in a thoroughfare*, and totally opposed to the power to issue FPN's for *riding a bike on the footpath*.

¹ This is a notable exception to the Viewpoint Survey where this was regarded as one of the highest priorities amongst FPN powers.

- 2.7 In summary the overall results from the Viewpoint and Neighbourhood Forum consultations were in favour of granting Community Wardens the ability to issue FPN's for most/all available powers. However for those people living in Warden areas and young people there was a relatively even split between conferring these additional powers on wardens. The general view emerging from the Community Wardens themselves was that they are not in favour of being granted powers to issue FPN's.

Analysis of Additional Powers available to Community Wardens

- 2.8 Of the seven available additional powers for Community Wardens the Viewpoint Survey results display a majority of people in favour of each of the powers being granted. The: *power to request the name/address of a person who causes injury, alarm or distress to another person or damages someone else's property; power to request the name and address of a person acting in an anti-social manner; and power to confiscate alcohol from a young person*, were the three powers most people wanted to see adopted (see **table 6**). When Viewpoint respondents were asked to prioritise amongst these powers they chose the same three powers as those identified above (see **table 7**).
- 2.9 The responses to the Neighbourhood Forum consultation was similar to that of the Viewpoint Survey with the overall results representing support for the each of the powers available (see **table 8**). When dividing the results into those living in the warden areas and those who do not, there was a significant difference in opinion between the respondents. However, this was not as marked as it was for the powers to issue FPN's, with only the: *Power to require the removal of an untaxed vehicle, and the Power to confiscate cigarettes/tobacco products from young people* representing a majority of residents living in warden areas not wanting these two additional powers. Nevertheless, the views of residents living in warden areas was considerably more evenly split for the remainder of the powers than was the case for those who don't live in warden areas – who again demonstrated near total agreement that every available power should be issued to the Community Wardens.
- 2.10 The consultation with Community Wardens around the additional powers produced markedly different results from the Wardens' responses to issuing FPN's. The Wardens were in favour of being granted each of these additional powers, as outlined in **table 9**. The power that met with the lowest level of support from the Wardens was the *power to stop/confiscate/dispose of alcohol being consumed in a public 'no alcohol' place*.
- 2.11 The consultation with young people produced a high divergence of opinion across the various powers. A majority of respondents were in favour of granting three of the powers, and opposed to granting a further three (see **table 10**). This even split amongst the available powers demonstrates a similar split in view amongst young people for the additional powers as for the powers to issue FPN's.

2.12 In summary the overall responses to the consultation processes were more in favour of granting additional powers to Wardens than granting the ability to issue FPN's. The general responses to the Viewpoint Survey and Neighbourhood Forums were, again, in favour of all available powers to be issued to Wardens. There was again a split between those respondents living in Warden areas and those who don't, with those living in these areas being more likely to oppose powers being issued to Wardens. However, the difference between the two was less marked and reflected the overall trend for residents to be more in favour of additional powers to be granted to Wardens than for them to have the ability to issue FPN's. Again the young people consulted were relatively evenly split in their approach to which powers should be granted. However, the Wardens themselves were much more positive about being granted additional powers than they were for issuing FPN's.