

Report for: Overview and Scrutiny Committee

Item number: 13

Title: Update on the Scrutiny Review of Strategic Enforcement

Report

authorised by : Stephen McDonnell - AD Environmental Services & Community Safety

Lead Officer: Eubert Malcolm Head of Community Safety & Regulatory Services
- 020 8489 5520

Ward(s) affected: All

Report for Key/

Non Key Decision: Non Key

1. Describe the issue under consideration

1.1 In 2013, the Environment and Housing Scrutiny Panel agreed to examine the strategic enforcement functions of the Council and its partners. The following provides an update and progress on the recommendations to the Strategic Enforcement scrutiny.

2. Cabinet Member Introduction

N/A

3. Recommendations

3.1 That the Overview and Scrutiny Committee notes the contents of this report and the progress made in relation to the recommendations contained in appendix 1.

4. Reasons for decision

4.1 Progress has been made in relation to the recommendations made by Overview and Scrutiny

5. Alternative options considered

5.1 The updates contained in this report, is in reponse to the recommendations made Overview and Scrutiny Committee, no other options have been considered.

6. Background information

6.1 Between November 2013 and March 2014 eight evidence gathering sessions where held by the panel, with enforcement services and its partners.

6.2 The Environmental and Housing Panel made 27 recommendations that can be summarised into the following areas, namely;

6.3 Enforcement Culture – The Enforcement Strategy and Enforcement Policy is assessed and updated.

A draft Enforcement Policy has been developed which will incorporate and reflect the strategic aims and Corporate priorities. Further development work is required in relation to the Enforcement Strategy, it is envisaged that this will take place in conjunction with the proposals for joined up enforcement.

6.4 Information Systems – That the existing enforcement information systems are linked to a core database.

All teams within Community Safety and Regulatory services and Community Housing have full access to the current M3 database system. Further development of a fully integrated system is complex and any new procurement and/or development will need to be subject to a business case with investment identified.

6.5 Collaborative top 10/20 enforcement priorities – That the Council develops a Top 10 system where enforcement and regulatory services meet/communicate regularly.

Enforcement priorities and the top 10/20 problem premises are a standard item on the joint partnership tasking meetings that take place monthly and are co-chaired by the Head of Community Safety and Regulatory Services and a Detective Superintendent

6.6 Training and Development – The Council should develop the pool of Proceeds of Crime Act (POCA) trained staff.

Development of POCA trained staff has not taken place, although experience from test cases will be used to improve potential work in this area, including the sharing of resources with neighbouring authorities.

6.7 Selective Licensing – The Council adopt Selective Licensing in a pilot area and if successful roll out more widely across the borough.

Council systems data are currently being worked upon, in preparation for a report in October. The report will be on the potential for a scheme and a decision to proceed, once supported by the data. Following changes in April 2014 the government has indicated that they do not expect whole borough schemes. Cabinet can make a decision on schemes that only included up to 20% of the geographical area or of the private rented stock.

6.8 Communications – Consideration to be given to how the enforcement services communicate with and engage with residents, the way intelligence is gained

from local residents and the frequency, profile and substance of how successful enforcement outcomes communicated.

Following successful enforcement actions communications are publicised. Further resident engagement is being developed as part of the Noel Park pilot and work in the priority wards.

- 6.9 Regeneration and enforcement – In response to the new development planned for the borough, further assessment and modelling is undertaken to assess the demand for enforcement services in the future.

Modelling forms part of the Strategic Assessment undertaken by community safety and part of a recent Haringey Stat on Social inclusion, discussions are continuing with Regeneration in relation to the findings that may impact on the future enforcement demands.

- 6.10 Member involvement – To further use the extensive knowledge of members in the understanding of local areas and issues.

Members knowledge of local areas and issues is invaluable in resolving localised problems. The neighbourhood action team regularly communicates with ward members on local enforcement matters.

- 6.11 Lobbying for change – That the Cabinet member writes to the relevant Minister and local MPs to seek clarification in which multiple units are designed as such by the Valuation office.

Further work here to take place, by the appropriate service, with the relevant Cabinet member.

7. Contribution to strategic outcomes

- Priority 3 of the Corporate Plan - A clean, well maintained and safe borough
Where people are proud to live and work.

- 7.1 Objective 1 - Strengthening Communities and partnerships to improve our environment and reduce crime, enabling residents and traders to feel safe and proud of where they live. This will be delivered by effectively working with community networks, such as traders and residents associations and working in partnership with police colleagues.

Objective 2 – To make our streets, parks and estates, clean, well maintained and safe.

Objective 4- To prevent and reduce violence against women and girls. This will be delivered by raising awareness with the boroughs licence holders of the issues and scale of VAWG.

Objective 5 – To work with partners to prevent and reduce more serious crime, in particular youth crime and gang activity. This will be delivered by working in partnership with police colleagues, schools and residents and businesses.

- 7.2 The above Priorities and objectives are underpinned by a number of cross – cutting principles, namely;
- Prevention and early intervention – preventing poor outcomes for young people and intervening early when help and support is needed.
 - A fair and equal borough – tackling the barriers facing the most disadvantaged and enabling them to reach their potential;
 - Working together with our communities – building resilient communities where people are able to help themselves and support each other.
 - Value for Money – achieving the best outcome from the investment made;
 - Customer focus – placing our customers needs at the centre of what we do;
 - Working in partnership – delivering with and through others.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

8.1 Finance and Procurement

8.2 There are no additional financial implications arising from the updated responses. In respect of the recommendation for a core enforcement database the updated response re-emphasises the need for any new procurement to be subject to a business case and identifiable investment.

8.3 Legal

8.4 These proposals are in the main operational and as such no comments are necessary save as below.

The introduction of a selective licensing scheme will have to be preceded by effective consultation with local stakeholders including tenants and landlords. Consultation will need to be carried out with local stakeholders. The stakeholders may include private tenants and landlords who do not necessarily have local links. The consultation process must be appropriate to the population targeted, and stakeholders must have an opportunity to respond and occur at a time when proposals are still at a formative stage.

There must be sufficient reasons for any proposal to permit an intelligent consideration and response and adequate time has to be given for consideration and response. The result of consultation has to be taken into account in finalising any statutory proposal or reaching a decision.

The process of consultation has to be effective and fair and might require consultation not only upon the preferred option, but also upon discarded options. The Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the decision maker in the light of administrative law principles, Human Rights law and the relevant statutory powers.

8.4 Equality

8.5 A number of the original Scrutiny recommendations have identifiable Equalities implications. For the Communications recommendations, Scrutiny might wish to

consider whether all groups in Haringey are equally able to contribute intelligence, shape priorities and stay informed about enforcement action and success. For the Regeneration recommendations, Scrutiny might wish to consider what the data on social exclusion means for how the Council should target enforcement to improve the lives of particularly deprived groups and areas. And for the Selective Licensing recommendations, Scrutiny might wish to consider what the equalities risks and opportunities are around a selective licensing pilot i.e. is there a risk that certain groups are unfairly subjected to enforcement, or is there an opportunity to improve conditions for certain groups? The Equalities implications for the recommendations around information systems, enforcement priorities, training and development, member involvement and lobbying for change, are less apparent, but Scrutiny may wish to reflect on these areas too.

9. Use of Appendices

9.1 Appendix 1 – Updated table in response to The Environment and Housing Scrutiny Panel Strategic Enforcement recommendations

10. Local Government (Access to Information) Act 1985

10.1 Overview & Scrutiny Strategic Enforcement – Final Report