

## ENFORCEMENT CO-ORDINATION PANEL

25 October 2017

**Commenced:** 10.30 am

**Terminated:** 11.25 am

**Present:** Councillors S Quinn (Chair), Bowerman, D Lane, Taylor and Ward

**In Attendance:**

Peter McCaughley	Principal Solicitor General Law
Sharon Smith	Head of Environmental Services (Public Protection)
Tracy Gallimore	Environmental Services Manager
Kevin Garside	Integrated Neighbourhood Services Manager, North Tameside
John Gregory	Licensing Manager - Environmental Services (Public Protection)
Mark Hobson	Senior Enforcement Officer (Planning)
Mike Pavasovic	Marketing and Communications Officer

**Apologies for Absence:** Councillors Robinson and Sweeton

### 8. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 9. MINUTES

The Minutes of the previous meeting of the Enforcement Co-ordination Panel held on 26 July 2017 were approved as a correct record.

### 10. ENFORCEMENT ACTIVITY

#### a) Planning and Building Control

The Assistant Director of Environmental Services submitted a report, which provided an update on planning enforcement activity for the period July to September 2017.

The Senior Enforcement Officer (Planning) reported that during the second quarter there had been 77 complaints received alleging a breach of planning and building control, of which 53 were found to be proven breaches. This represented a level of crime of 68.8% meaning that more than two thirds of the complaints received required further investigation and possibly further action. The level of crime had decreased slightly from the first quarter of the year, which was at 74.1% and the number of complaints received had increased by 23.

During the reporting period, four formal notices were issued, three Planning Contravention Notices and one Section 215 Untidy Land Notice. Enforcement action carried out at a vacant residential property in Dukinfield was outlined and it was confirmed that the contactors costs had been recharged to the owner.

Reference was made to Appendix 1 containing details of the current enforcement activity and where formal notice had been served and cases recently concluded.

## **RESOLVED**

**That the content of the report be noted.**

### **b) Environmental Services**

The Assistant Director of Environmental Services submitted a report summarising the key enforcement activities undertaken by the Environmental Enforcement team during the period 1 July to 30 September 2017.

The Head of Environmental Services (Public Protection) began by giving a statistical summary of the business compliant unit over the quarter. 248 inspections had been carried out, 178 food hygiene assessments and 19 re-visits. One Food Hygiene Improvement Notice had been served and 20 enforcement notices had been issued around noise, receptacles, pest / vermin and boarding premises.

Members were notified that Officers had taken part in a number of Joint Enforcement Team operations resulting in one arrest and a large amount of illicit cigarettes and tobacco, nitrous oxide canisters and canister holders were seized from an off licence. A review of the premises licence was considered at a meeting of the Speakers Panel (Liquor Licensing) where it was determined that the licence be revoked.

It was reported that Environmental Services Officers had worked as part of a multi-agency team on a Modern Day Slavery week of action. Businesses were visited and inspected for issues surrounding modern day slavery and they discovered that parts of an industrial estate had been converted into residential accommodation, which was occupied by a family of five and a man was living in the boiler room. In addition, car wash establishments were visited across the borough and it was discovered that illegal immigrants were working there, some living in poor, squalid conditions on site.

It was further reported that Officers had dealt with complaints from concerned relatives of elderly people who had been targeted by rogue doorstep traders and a cockroach infestation at a convenience store. Officers had worked with a local food company to recall a product due to incorrect allergen labels and had dealt with an Animal Welfare breach under the Animal Welfare Act 2006.

With regard to environmental protection issues, two separate complaints had been received about dogs barking and noise monitoring equipment was installed in both properties to gather evidence resulting in noise abatement notices being served on the owners of the dogs. A vacant property had been secured following information provided by Greater Manchester Police and Neighbourhood Services and two abatement notices had been served for loud music at a residential property and a public house.

In relation to Licensing matters, Greater Manchester Police had submitted a review application of a Premises Licence following a series of violent incidents at a public house, which was scheduled for 31 October 2017. A convenience store had its premises licence revoked and there had been three immediate revocations of private hire and hackney carriage drivers licences.

## **RESOLVED**

**That the content of the report be noted.**

### **c) Engineering Services**

The Assistant Director of Environmental Services submitted a report, which provided information on

enforcement activities relating to abandoned vehicles, skips, scaffolding, pay and display car parks, on-street parking, bus lane enforcement, utility works and banners.

The Head of Environmental Services (Public Protection) informed the Panel that despite communication messages the number of abandoned vehicles continued to increase, with 283 vehicles reported during the quarter. This was mainly due to tax discs no longer having to be displayed in vehicles. The number of scaffolding and skip permits continued to be high with 84 scaffolding permits issued and 364 skip permits issued. The continued rise was attributed to revised processes and monitoring and an increase in enforcement action around illegal scaffolding and skips.

Statistical information was given with regard to Penalty Charge Notices issued in Pay and Display Car Parks and On-Street Car Parking, both of which had remained constant in all areas. Members were informed that the number of vehicles driving in bus lanes continued to decrease.

With regard to new roads and street works activities, it was reported that the number of utility openings had decreased to 903, compared to 1424 in the previous quarter. There were 35 defects and 6 overstays during the quarter. There had been a decrease in the number of banner permits issued and an increase in the number of illegal banners.

## **RESOLVED**

**That the content of the report be noted.**

### **d) Neighbourhood Services**

The Assistant Director of Environmental Services submitted a report, which provided an overview of the activities of Neighbourhood Services throughout the period 1 July to 30 September 2017.

The Integrated Neighbourhood Services Manager reported that during the quarter the CCTV control room had monitored 494 incidents. The report set out the type and number of incidents with the highest categories being incidents of violence, anti-social behaviour, driving offences and missing from home. Examples of collaborative work between the CCTV unit and Greater Manchester Police were provided, which had resulted in two offenders being apprehended. In addition, CCTV operators had assisted with protecting vulnerable residents with 53 missing from home incidents and 12 reports of suicidal people.

Members were provided with details of incidents of anti-social behaviour. There had been 54 reported incidents during the quarter, which was not representative of the true picture due to a lack of official reporting by residents. A recent campaign outlining the importance of reporting incidents had recently been undertaken. A table showing the number of anti-social behaviour incidents by Ward was detailed in the report.

There had been a recent rise in the number of anti-social behaviour incidents occurring in Tameside's town centres. In response, a partnership operation to deter anti-social behaviour had recently commenced and staff numbers working in the CCTV control room had been doubled on Friday and Saturday evenings. Members were invited to visit the CCTV control room to observe the work undertaken by the team.

With regards to loan sharking, Neighbourhood Services Officers had been successful in securing two bids of £5,000, which had been used to raise awareness in vulnerable communities of unlicensed money lenders. This had taken the form of two artwork projects, education to an over 55s group and the commission of a film involving year 9 pupils from Copley Academy. Officers also made residents aware of how to access secure loans through recognised organisations.

## **RESOLVED**

**That the content of the report be noted.**

## **e) Waste Services**

The Assistant Director of Environmental Services submitted a report, which provided an update on the implementation of the Council's new Waste Policy and Enforcement Strategy.

It was reported that the second Waste App was under development, which would allow the subjects of high level contact, i.e. fly tipping, littering and dog fouling etc., from service users, to be reported using the app on a smart phone. The Digital by Design team were looking at delivering the 'Tell Tameside' App by the end of 2017. The in-cab app was fully operational and proving to be very effective.

Members were informed that the number of complaints continued to decrease with a graph detailing the downtrend since November 2016 shown in the report. Based on 1 million collections per month, the percentage of complaints to service contact was extremely low (0.0021%).

With regard to fly-tipping, the new waste enforcement vehicle, which had been in operation since October 2016, had resulted in the issuing of 728 fixed penalty notices. During the quarter, July – September 2017, 89 fixed penalty notices had been issued for littering offences and the team had responded to over 300 fly-tipping issues.

It was reported that CCTV cameras had been located at hotspot sites around the borough and would be rotated over the next 12 months. Larger capacity memory cards had been purchased that had enabled the cameras to stay longer in each location to catch fly-tippers.

Members were notified that a revised Days of Action calendar had been produced for 2017/18, detailing all days that had been held during the year to cover the full range of enforcement activities (littering, dog fouling, fly-tipping, blue badges, parking, smoking and taxi licensing). This work involved staff from across various service areas and a number of partners. The team were currently finalising a Day of Action for duty of care visits at businesses across Tameside to ensure that business waste was being correctly disposed.

In relation to bin collections, a graph detailing the increase in blue bin tonnage since a two weekly collection was introduced was shown and explained to the Panel. To date, there had been a 4.44% increase in paper and cardboard recycling compared to 2015/16 data. The overall recycling rate for September was 59% and it was anticipated that recycling rates would be 60% for 2017-18, making Tameside one of the top recyclers in Greater Manchester. Waste Services had promoted Recycling Week at Ashton Market on 24 October 2017.

### **RESOLVED**

**That the content of the report be noted.**

## **11. 2017 REVIEW OF THE RIPA POLICY AND PROCEDURE**

The Head of Legal Services submitted a report explaining that the Council was required to review its policy in relation to surveillance and ensure all officers engaged in investigatory work understood the requirements of the Regulation of Investigatory Powers Act 2000 (RIPA).

It was reported that the Office of Surveillance Commissioners had carried out their three yearly inspection in November 2015 where the Council's performance was rated as 'good'. They had made one recommendation as follows:-

*'The Council Policy document should contain more practical advice for applicants and authorising officers and advice regarding the use of social networking sites and the internet by Council employees for Council business to fully explain how such use might meet the criteria for authorisation as a covert human intelligence source or as directed surveillance.'*

The Council's policy had been amended following the inspection and the revised document was appended to the report and considered by the Panel.

The need for ongoing training on the practical application of RIPA was highlighted by the inspection in addition to the Council's policy and guidance regime being of a good standard and also appropriate. Of significant importance was training and vigilance around social networking sites and the internet and Officers were keeping under review how investigations were carried out and that they complied with the requirements around surveillance.

It was reported that Legal Services were currently engaged in specific training for social workers, scheduled to take place on 27 November 2017. It was noted that there had been no requests for authorisation to use powers under RIPA since 2013.

#### **RESOLVED**

- (i) That the agreed Policy attached at Appendix 1 be noted; and**
- (ii) That a corporate programme of refresher training in relation to the Regulation of Investigatory Powers legislation and guidance led by the Director of Governance and Pensions continues.**

#### **12. DATES OF FUTURE MEETINGS**

##### **RESOLVED:**

**That the dates of future meetings of the Enforcement Co-ordination Panel be held as follows, commencing at 10.30am:-**

**24 January 2018**

**28 March 2018**

#### **13. URGENT ITEMS**

There were no urgent items.