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Joint Chief Executive
Rob Barlow

26 October 2020

TO MEMBERS OF THE ENVIRONMENT AND PERFORMANCE COMMITTEE

**NOTICE OF MEETING OF THE
OVERVIEW & SCRUTINY - ENVIRONMENT & PERFORMANCE COMMITTEE**

Dear Councillor

You are invited to attend a virtual meeting of the
Overview & Scrutiny - Environment & Performance Committee on
Tuesday, 3rd November, 2020 at 6.30 pm

This will be a meeting held in line with The Local Authorities & Police & Crime Panels
(Coronavirus) (Flexibility of Local Authority & Police & Crime Panel Meetings) England &
Wales) Regulations 2020.

This meeting will be held virtually via Zoom and streamed live via the following link:
www.myboston.com/youtube.

ROB BARLOW
Joint Chief Executive

Chairman: Councillor Judith Skinner
Vice Chairman: Councillor Judith Welbourn

Councillors: Tom Ashton, Alison Austin, Peter Bedford, David Brown, Anton
Dani, Deborah Evans, Paul Goodale, Neill Hastie and Chelcie
Trafford.

A G E N D A

PART 1 - PRELIMINARIES

A. APOLOGIES

To receive apologies for absence.

B. MINUTES

(Pages 1 - 6)

To sign and confirm the minutes of the previous meeting.

C. DECLARATION OF INTERESTS

To receive declarations of interests in respect of any item on the agenda.

D. PUBLIC QUESTIONS

To answer any written questions received from members of the public no later than 5 p.m. two clear working days prior to the meeting – for this meeting the deadline is 5 p.m. on Thursday 29 October 2020.

PART II - AGENDA ITEMS

1 WORK PROGRAMME
AND QUARTER 1 PERFORMANCE MONITORING **(Pages 7 - 28)**

(For Members to note/discuss the Committee's current work programme and to receive the Quarter 1 Performance report)

2 TASK AND FINISH GROUP REVIEW.
REGULATING AND SAFEGUARDING BOSTONS ECOMONY **(Pages 29 - 96)**

A report by the Assistant Director – Assets.

3 ANNUAL SCRUTINY REPORT **(Pages 97 - 116)**

Tabled by the Chairman Councillor Judith Skinner

Notes:

The person to contact about the agenda and documents for this meeting is Karen Rist, Democratic Services Officer, Municipal Buildings, Boston, Telephone Number 01205 314226. email: karen.rist@boston.gov.uk

Council Members who are not able to attend the meeting should notify as soon as possible giving the name of the Council Member (if any) who will be attending the meeting as their substitute.

Alternative Versions

Should you wish to have the agenda or report in an alternative format such as larger text, Braille or a specific language, please contact Democratic Services on direct dial (01205) 314226

OVERVIEW & SCRUTINY - ENVIRONMENT & PERFORMANCE COMMITTEE

8 September 2020

Present: Councillor Judith Skinner (Chairman), (Vice-Chairman), Councillors George Cornah, Anton Dani, Deborah Evans, Paul Goodale, Neill Hastie, Peter Watson, Judith Welbourn and Stephen Woodliffe

In attendance:

Officers –
Assistant Director - Regulatory, Assistant Director - Planning and Senior Democratic Services Officer

59 APOLOGIES

Apologies for absence were tabled for Councillor Peter Bedford. It is noted Councillor Bedford attended this meeting for the initial presentation of the item but left thereafter taking no part in any deliberation. Councillor Stephen Woodliffe was in attendance for Councillor Bedford.

60 MINUTES

With the agreement of the committee the Chairman signed the minutes of the previous meeting held on the 14 July 2020.

61 DECLARATION OF INTERESTS

No declarations of interest were tabled for the meeting.

62 PUBLIC QUESTIONS

No public questions.

63 BOSTON ALTERNATIVE ENERGY FACILITY (BAEF) PHASE 4 CONSULTATION SUBMISSION

The Council had provided feedback on previous phases of public consultation, which had been warmly welcomed by the agents acting on behalf of the applicant. Many of the amendments to the revised scheme before Members today had been incorporated into the development proposals as a direct result of feedback provided by this Council. Significant changes included reductions in shipping movements, reduction in road transport movements, site layout and noise mitigation, siting of concrete batching facilities, addition of a public footbridge and a proposed visitors' centre, both on site and in the town centre.

Phase 4 consultation enabled the Council, as a consultee, to make further comment and seek clarity on outstanding issues to continue to influence the final proposal in a positive way for the benefit of the residents of Boston and the Borough as a whole.

Madam Chairman invited Gary Bower, Development Consent Order Project Manager for the applicant's agent, to address the Committee.

Mr Bower gave a PowerPoint presentation setting out the details of the BAEF proposal as they stood for Phase 4 consultation, and highlighted the differences between the Phase 3 proposal and the Phase 4 proposal.

The facility remained an Energy from Waste (EfW) facility, although the technology used to convert waste to energy had switched from gasification to traditional EfW thermal technology. The changes were anticipated to have only minor and net positive effects, resulting in an overall reduction in potential negative impacts from the development.

[A copy of the PowerPoint presentation to be e-mailed to Members upon request.]

The Portfolio Holder for Environmental Services expressed concern regarding emissions from the site, in particular, the release of CO₂ into the atmosphere, and the importance of using the facility for Lincolnshire's waste, particularly Boston's, rather than transport it anywhere else by road.

In response to these issues and other questions raised by the Portfolio Holder, Mr Bower explained the following.

The site would have three lines of thermal plant and there would be additional plant on site capable of capturing CO₂ from the exhaust gas connected to two of the three lines. Each CO₂ plant would capture 12% of the CO₂ emitted by the line it was connected to; however, there would be no CO₂ capture from the third line, which would release 100% into the atmosphere.

At the current time of submitting the Development Consent Order (DCO) application, it would not be possible to connect a CO₂ plant to all three lines. This was because the amount of CO₂ that would be produced by the facility was dictated by market demand and it would not be appropriate to create more CO₂ than there was a defined market for it. The facility would still be compliant with emission limits without capturing any CO₂; therefore, capturing any amount of CO₂ was beneficial.

The household waste currently bulked at Boston's Slippery Gowt transfer station was taken to the North Hykeham Energy from Waste facility. The Applicant and the County Council (as Waste Disposal Authority) had both expressed an interest in taking the Boston waste into the BAEF site, although this could not be guaranteed because it was subject to current procurement rules. Dialogue would continue with the County Council on the matter.

The Port of Boston did not dredge at the point of the proposed berthing pocket for the BAEF. The Applicant proposed to dredge and excavate the land in front of the flood defence line to create the berthing pocket for the wharf. The wharf would form the new flood defence line at a height agreed with the Environment Agency in line with Boston's Flood Defence Strategy. The Applicant would then have to keep this clear and the sediment would be used as the binding agent in the facility's aggregation process.

Committee Members raised similar concerns to the Portfolio Holder. However, there were some positive comments regarding the effect of planned shrub planting on CO₂ emissions and creation of the berthing pocket on water flow making the level more stable between the Haven and the Witham leaving less mud visible.

In answer to further questions, Mr Bower explained there was more evidence available regarding the environmental impact of energy from waste schemes than from gasification schemes and it was not possible to make a direct comparison of emissions. Each facility was unique because there were variants in waste streams. The actual level of emissions would not be known until the facility was operating, which was the reason requirements were in place that would have to be met. These requirements were European Union Commission-level standards.

The estimate of actual CO₂ emissions was all part of the Environmental Impact Assessment, which included impact assessments of the level of CO₂ and air quality. The applicant and agent recognised the significant importance of Boston as an agricultural area and the need to meet requirements with respect to emissions.

Two assessments overlapped in terms of identifying the approach for visual screening, one identifying biodiversity and another the use of landscaping; this was all part of the assessment work. The sediment process, water flow and water quality were all important parts of the assessment work.

A Member then voiced particular objection to the proposals in terms of the location, deeming its proximity to residents inappropriate, and concern regarding the chimneys' plume dispersal. The chimneys would be high, at 70m, and it was considered that the prevailing wind would spread gas emissions quite widely, affecting two wards, reducing house prices and tourism. Furthermore, the site would emit not only CO₂ but also other, more toxic, chemicals.

Mr Bower responded by pointing out that the location was an industrial estate identified in the local plan for energy from waste development for facilities of this type. The air quality assessment would cover the plume dynamics. The recommended modelling approach, the national ADMS dispersal modelling (a planning standard) would be used. It would model the three stacks omitting exhaust at certain velocities and how they interacted with each other under the standard and worst-case perspective. They used five years set of wind data and took into account the height, shape of roofs etc. Contaminants would be emitted, as they were from all combustion engines, including vehicles, and would have to comply with standards in the same way. For example, dioxins were measured by extremely stringent standards set by scientists to EU Commission-level in respect of the impact on human health and the environment. It was not possible to have zero emissions. The facility would be designed so that it would not cause an unacceptable risk; it would be within acceptable limits.

Still concerned, the Member remarked that the emissions would not be known until the facility was operating and it would be burning feedstock without knowing what was in it. Mr Bower explained that was exactly why they would be continuously monitoring exhaust gases to ensure it was demonstrating that it was working at the best operational limits.

Another Member agreed that the location was too close to schools, amenities, and villages, particularly as the proposed site was significant in size with a high chimney and they did not know what emissions it would produce or its effect on the town. Globally, there had been explosions at such facilities in the past. Although supporting the project in principle and the jobs it would create, the Member had reservations, including concern about waste being stored for 4-5 days and the odour it could cause.

Mr Bower advised Members that there was potential to create over 120 jobs plus 300 during construction. They would attract engineering skill sets and they were looking to engage with Boston College in relation to apprenticeships.

They had increased the capture of CO₂ for no other reason than that there was space for doing so on the site and there was a market for it. The health and environmental impact assessments were ongoing and it was hoped that the outcomes would be known by the end of September. The findings would be shared with Members before the application was submitted.

With respect to safety, allowing the developer and regulators to implement technology and requirements that were more stringent would mean there would be much tighter control on the build and operation and so reduce the chances of such things happening.

With respect to odour, negative pressure in the shredding building and bunker meant that air would flow into these buildings when a door was opened and, furthermore, the odorous air would be diverted to the thermal treatment plant to be destroyed in the EfW. For the bales stored outside, they would be tightly wrapped in plastic and only stored for a minimum period and would be monitored. They would go from the ship to the sealed bunker system and storage would be minimised. To comply with the environmental permit the operator of the facility would have to demonstrate there would be no odour outside the site boundary.

A non-Committee Member pointed out that Lincolnshire's waste did stay within Lincolnshire and considered the location of the site satisfactory, as it had been identified in policy and within the local plan. In addition, the prevailing wind was actually in a direction away from the town. The Member reported that Marsh Lane residents were satisfied there would be fewer vehicle movements and added that the response of the RSPB was disappointing, as it was unduly negative.

The Member asked how the system would compare with gasification scheme emissions, how it would compare with the unit at North Hykeham, and if the PEIR document had been updated or whether it was considered acceptable as it was.

Mr Bower confirmed that there was one proposed CO₂ unit with gasification. The volume of exhaust emissions without capture on either was approximately similar because there was similar power output. The comparison was the capture of 12% from 2 out of 3 lines compared to 12% with one on the previous gasification proposal. Mr Bower did not know the facility at North Hykeham in terms of its elements of abatement and capture, but assumed the composition of the exhaust gases would be similar and that the Boston site would capture more CO₂ because North Hykeham did not capture CO₂.

Mr Bower reiterated that the prevailing wind had been taken into account and modelled for accordingly in the air quality assessment. The PEIR had been submitted and formal consultation had been carried out. It had been updated and every aspect would appear within the environmental statement with the application. Again, all the information on all these topics that the assessment would cover would be shared with Members.

There had been two strands of negotiation with wider stakeholders and they had been working with the RSPB site manager at Frampton Marsh and the RSPB at policy level. There had been a change of policy contact and the letter copied to Members had been sent after a meeting with all parties. The writer had missed the first part of the meeting when compilation of bird data was reported. They had contacted all parties regarding the birds and marine life and had subsequently informed the applicant who was dedicated to provide adequate habitat compensation where there was unavoidable significant impact. They had not started consultation with the Wash local group, as it was not a statutory consultee, but they could still do so, and they were more than willing to attend meetings with colleagues and professionals working with the scheme.

A Committee Member voiced support for the scheme, having visited other such systems and finding them impressive. They had to be mindful of emissions for the sake of residents and the food producing nature of the area, but this would probably be no worse than sprays used in farming. It was understood that if the site's emissions went anywhere near the limit the plant would shut down and the scientists had to be trusted with respect to what they considered safe levels. It had to be borne in mind what the environmental impact would be if the facility was not built, particularly as landfill was harmful. They needed to be open to industry, with safeguards in place, and demonstrate that Boston was open and receptive to business, new industry and initiatives. A large private investor with a scheme that would provide a number of jobs could not be dismissed. The changes were welcomed with respect to vehicle movements, and the work put in by the applicant and the agent were commendable. It was reassuring that the agent and the applicant were organisations worth dealing with and it was hoped the Council would support the proposals.

The Portfolio Holder for Economic Development commented that it had been a long process to get to this stage and he looked forward to the application's approval. Boston was definitely open for business. It had started as a port and had deteriorated; this would bring in more boats and increase jobs. There were no negatives; waste had to go somewhere. It would kick-start business positivity, attract more and improve the national profile of the town.

Madam Chairman was supportive the scheme and its location having received confirmation that notification would be sent to residents regarding piling and that the facility would be used for UK waste only for the lifespan of the facility. The site would reach its end of life after 25 years at which point the company was responsible for reinstating the site. It was especially timely, as the site at North Hykeham would soon reach capacity. All Committee Members would have sight of the results of the assessments.

Mr Bower added that he had held discussions with Boston Barrier's company liaison officer regarding notification of local residents with respect to piling and were intending to learn from their good experience. In terms of the use of the site for UK waste only, they had insisted on this at an early stage and it would be written into the Development

Consent Order, which was legislation. In terms of decommissioning, they were obliged to put this in place. It was usually a 25 five-year lifespan, or earlier if the technical environmental assessment changed and the facility could no longer demonstrate it met requirements. The site would be left in the condition it was found. The wharf would remain because it would be part of the new flood defence scheme.

The recommendation was then read out and it was clearly carried, with one Member voting against.

RESOLVED: To delegate authority to the Assistant Director Regulation, in consultation with the Leader of the Council and the Portfolio Holder for Economic Development, Planning and Environment to finalise the Council's submission in response to the Phase 4 consultation.

The Meeting Closed at 7.50 pm



B O S T O N B O R O U G H C O U N C I L

REPORT TO:	ENVIRONMENT AND PERFORMANCE COMMITTEE
DATE:	3 NOVEMBER 2020
SUBJECT:	WORK PROGRAMME Inc. Q1 PERFORMANCE
PORTFOLIO HOLDER:	N/A
REPORT AUTHOR:	ASSISTANT DIRECTOR - REGULATORY
EXEMPT REPORT?	No

SUMMARY

The work programme is a standing item at all meetings and as agreed by committee the performance monitoring would be provided each quarter to support committee's consideration of possible future reporting.

As the Committee is fully aware, one of its core functions is scrutinising the Council's performance in relation to Corporate Priority 1 – Prosperity and Corporate Priority 3 – Place.

Quarter 1 performance information is now available for these two priorities and is set out at appendix 1 of this report and will be presented by the IT and Transformation Manager.

Following committees questioning in respect of the performance reporting, consideration should then be given to the work programme at appendix 2 of the report, with a view to scheduling reports for forthcoming meetings.

RECOMMENDATIONS

The Committee is asked to review the performance data attached at Appendix 1 and consider if any future scrutiny is necessary on any subject identified.

REASONS FOR RECOMMENDATIONS

Given that the remit of this Committee is the scrutiny of Corporate Priorities **CP1 - Prosperity** and **CP3 - Place**, regularly reviewing performance in these areas and deciding whether it leads to the need for further scrutiny demonstrates robust and proper governance.

ALTERNATIVES CONSIDERED

Not to consider the performance reporting. Not to schedule reporting onto the work programme.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this scrutiny report.

LEGAL IMPLICATIONS

There are no legal implications associated with this scrutiny report.

ANY OTHER IMPLICATIONS

No other implications associated with this scrutiny report have been identified.

CONSULTATION

Corporate Management Team

APPENDICES

Appendices are listed below and attached to the back of the report: -

APPENDIX 1	2020/21 Quarter 1 Performance Data for Corporate Priorities CP1 - Prosperity and CP3 – Place.
APPENDIX 2	Work Programme
APPENDIX C	Forward Plan

BACKGROUND PAPERS

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report

CHRONOLOGICAL HISTORY OF THIS REPORT

No other Council Committee has yet considered the performance information appended to this report.

Performance Q1 2020/21 – Environment & Performance Summary

Performance measures: directly within the Council’s control; used to monitor how our services are performing against set targets

Trend measures: provide context and not directly within the Council’s control; used to inform decision making and policy.

Key to abbreviations:

Performance: ★: Performance better than target; ●: Performance on target; ▲: Performance worse than target

CMT lead: AF: Andy Fisher; CA: Christian Allen; MS: Michelle Sacks; PD: Phil Drury; PJ: Paul Julian; PP: Phil Perry

Portfolio: DB: David Brown, Tourism, Arts & Culture; JN: Jonathan Noble, Finance & Commercial; MG: Martin Griggs, Housing and Communities; NW: Nigel Welton, Deputy Leader – Economic Development and Planning; PS: Paul Skinner, Leader; RA: Richard Austin, Heritage; TA: Tracey Abbott, Town Centre; YS: Yvonne Stevens, Environmental Services

Corporate Priority 1: Prosperity

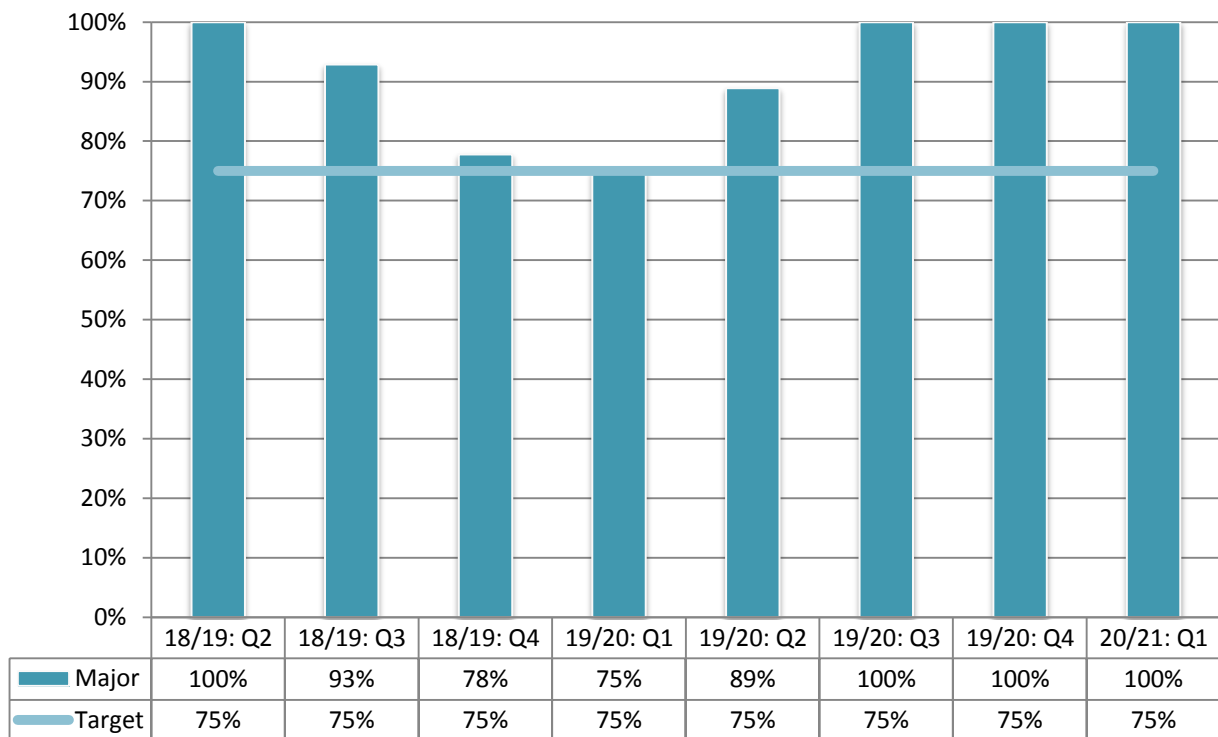
Performance measures	CMT lead	Portfolio	Corporate Priority	Scrutiny	2019/20 (full year)			2020/21 (Q1)		
					Actual	Target	Performance	Actual	Target	Performance
% of major planning applications determined on time	MS	NW	1	EP	91%	75%	★	92%	75%	★
Comment: The Government tracks planning performance over a cumulative 2-year period. Boston’s performance as at Q1 is a cumulative total from July 2018 to June 2020. The Government’s minimum standard for majors is 60% and for minors and others is 70%. The graphs over the page show performance quarter by quarter.										
% minor planning applications determined on time	MS	NW	1	EP	83%	65%	★	82%	65%	★
% of all other applications determined on time	MS	NW	1	EP	89%	80%	★	87%	80%	★
% of major appeals allowed against the number of major applications determined by the authority within the previous 2 years	MS	NW	1	EP	2.78%	10%	★	0%	10%	★
% of minor and other appeals allowed against the number of minor and other applications determined by the authority within the previous 2 years	MS	NW	1	EP	1.32%	10%	★	1.22%	20%	★
Number of businesses visited to	MS	NW	1	EP	79	50	★	8	12	▲

* ‘On time’ – within statutory target determination period or such extended period as agreed in writing with the applicant/agent

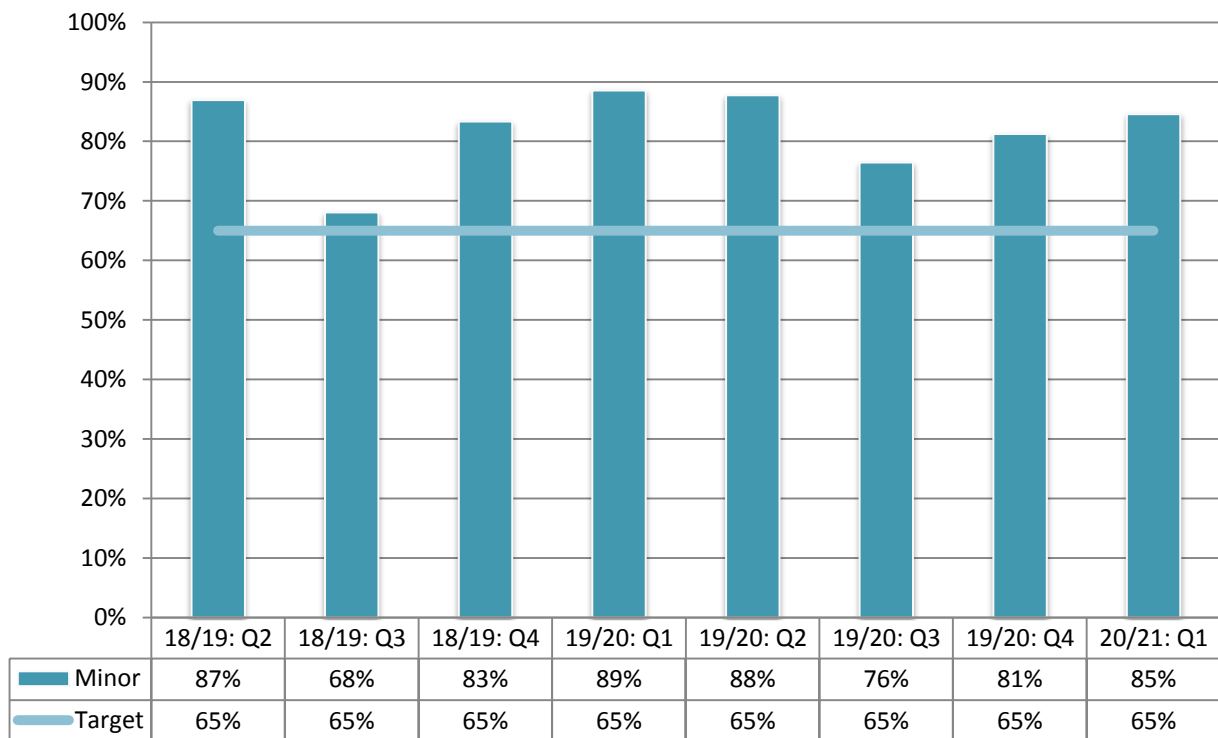
Performance measures	CMT lead	Portfolio	Corporate Priority	Scrutiny	2019/20 (full year)			2020/21 (Q1)		
					Actual	Target	Performance	Actual	Target	Performance
support business growth										
Comment: Due to the pandemic these visits either took place via "Teams/Zoom" or over the phone										
Number of initiatives to support skills, in partnership with the business community	MS	NW	1	EP	11	10	●	0	2	▲
Number of business events attended to promote the Borough	MS	NW	1	EP	8	4	★	0	1	▲

CP1: trend measures

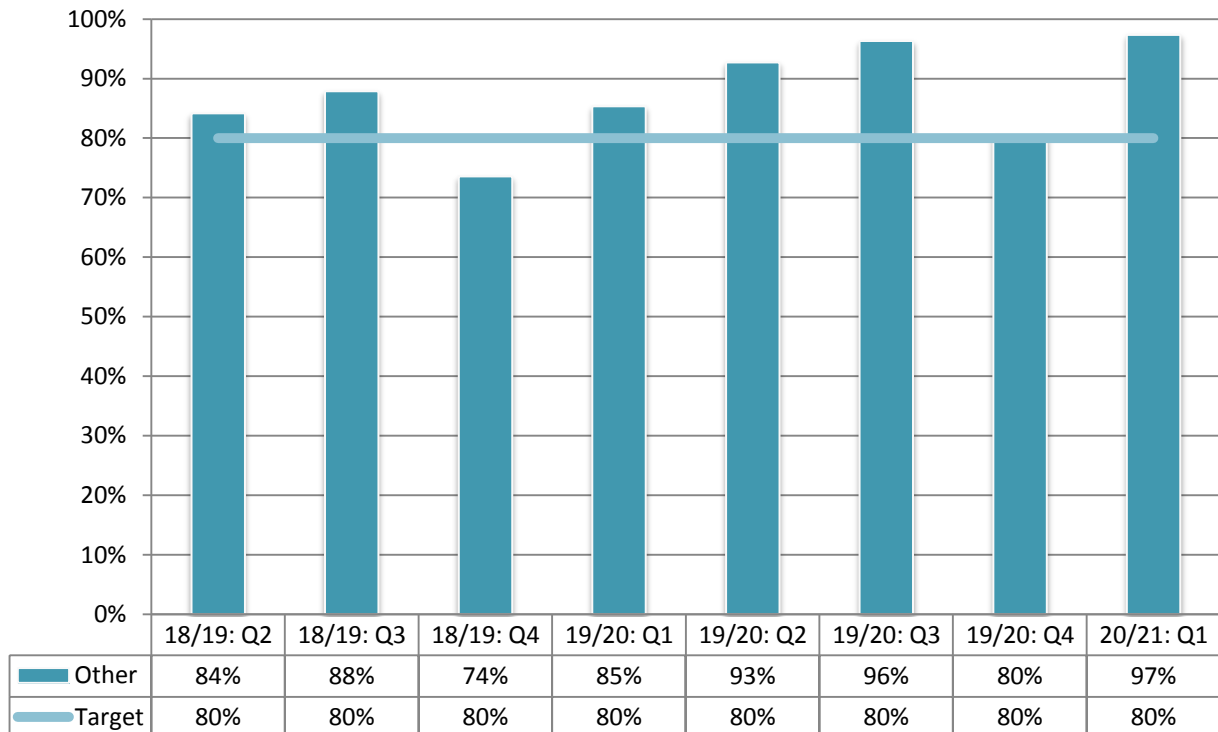
Major planning applications determined on time



Minor planning applications determined on time



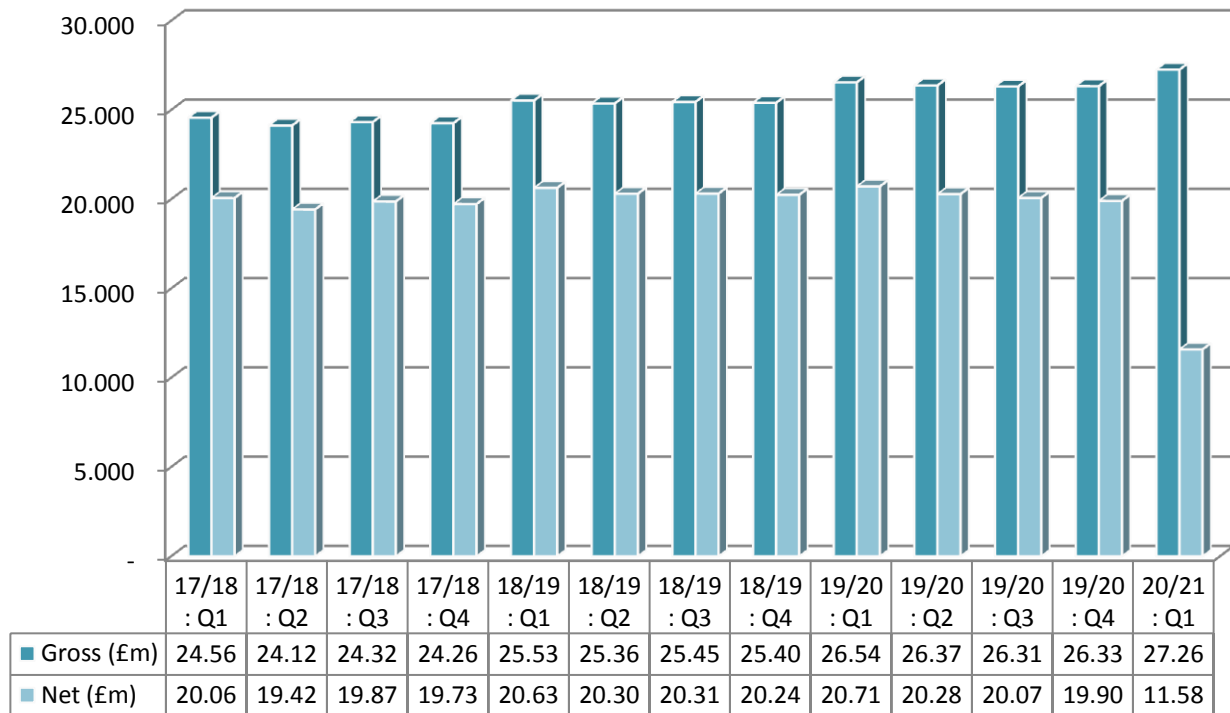
Other planning applications determined on time



Income from planning applications in Q1 was £85,725. Income in April and May was marginally down, June was substantially down. This is likely to be linked to Covid-19 lockdown.

34 planning applications were determined with time extensions in Q1 (41% of applications determined in the quarter).

Collectable business rates



Every non-domestic property has a rateable value (RV) which is determined by the Valuation Office Agency (VOA). The RV is broadly representative of the amount for which the premises could be let per annum.

The council multiplies the RV of an individual property, by a 'multiplier' (the national non-domestic multiplier) set by central government. It is set for the whole of England and is effective from the 1 April each year.

This gives the **gross rates payable** for each property before any entitlement to reliefs, exemptions or discounts are applied.

Depending on the individual circumstances of the ratepayer, there are a range of reliefs, discounts and exemptions that they may be entitled to in order to lower the amount of business rates payable. After these reliefs have been applied to a business rates account, the amount payable is referred to as the **net rates payable**.

Both the amount of gross and net rates payable fluctuate on a daily basis. Some examples that are likely to change the amount of gross and/or net rates payable are shown below: -

- Increases and decreases to the RV of a property
- New properties entering the rating list
- Properties being deleted from the rating list
- Changes to the structure of a property (merges/splits)
- Entitlement to discounts, reliefs and exemptions being applied to accounts
- Entitlement to discounts, reliefs and exemptions being removed from accounts

More detailed information can be found on our website

<https://www.mybostonuk.com/wp-content/uploads/2020/02/Business-rates-2020-21.pdf>

Corporate Priority 3: Place

Performance measures	CMT lead	Portfolio	Corporate Priority	Scrutiny	2019/20 (full year)			2020/21 (Q1)		
					Actual	Target	Performance	Actual	Target	Performance
Household waste reused, recycled, composted	CA	YS	3	EP	41.01%	41.52%	●	44.31%	47.19%	▲
Residual household waste per household	CA	YS	3	EP	569kg	553kg	▲	151kg	137kg	▲
% of fly tip reports responded to within 2 working days	CA	YS	3	EP	69.30%	88%	▲	98.89%	88%	★
Comment: The lock down at HMP North Sea Camp meant the withdrawal of voluntary support normally available to the service. Instead, the service was delivered by staff re-deployed from their substantive role to fly tipping clearances. Since 1st April SHDC and SH Housing withdrew from the partnership and hence the service is now focused and dedicated to the Boston area										

Car parking income:

Free parking was implemented from 27 March to 15 June due to Covid 19 lockdown (this included permit holders), and re-introduced again for 2.5 hour slots from 29 June 2020 to encourage shopping in the town.

Market income:

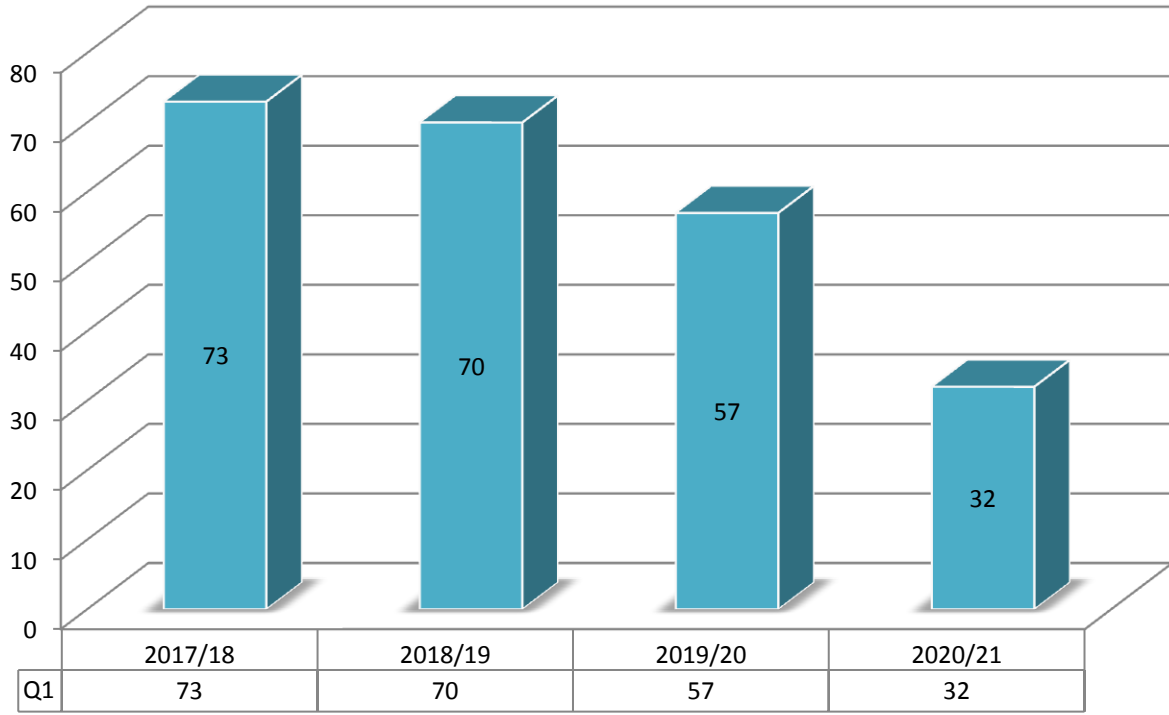
Significant reduction in income as a result of COVID-19. There was only essential food related market stalls during Quarter 1.

CP3: trend measures

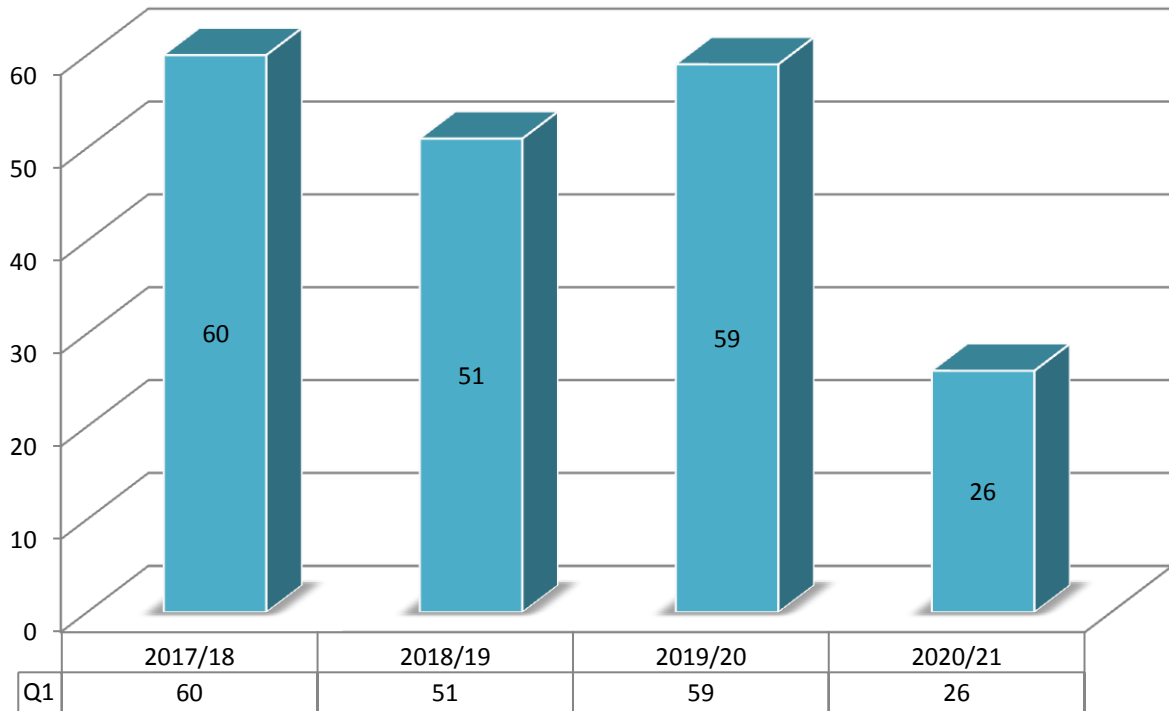
Trend measures	2017/18				2018/19				2019/20				2020/21
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
Number of Stage 1 Antisocial Behaviour (ASB) letters	14	11	21	26	19	15	22	25	13	9	31	8	1
Number of Stage 2 Antisocial Behaviour (ASB) letters	7	7	5	7	3	6	1	6	5	5	23	47	2
Number of Acceptable Behaviour Agreements (ABAs)	1	5	6	0	1	0	0	0	6	0	7	3	0
Number of Civil Injunctions secured	0	1	1	1	3	0	0	0	0	6	2	0	0
Number of Community Protection Notice Warnings issued	0	0	0	0	0	5	1	2	0	0	0	2	0
Number of Community Protection Notices (CPNs)	1	0	0	0	0	1	0	0	2	0	0	0	0
Number of Criminal Behaviour Orders issued	New measure								2	0	0	0	0

Trend measures	2017/18				2018/19				2019/20				2020/21
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
(CBOs)													

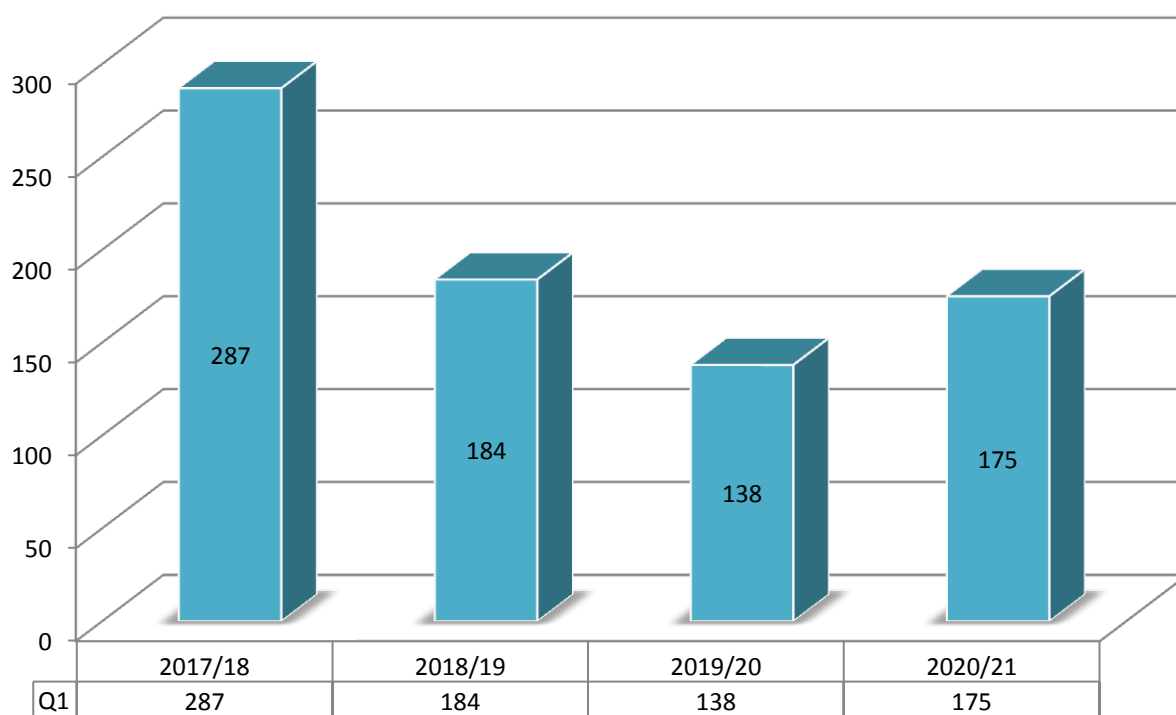
Number of CCTV directed/assisted arrests



Number of CCTV evidential packages



Number of CCTV incidents recorded



Guildhall Door Count

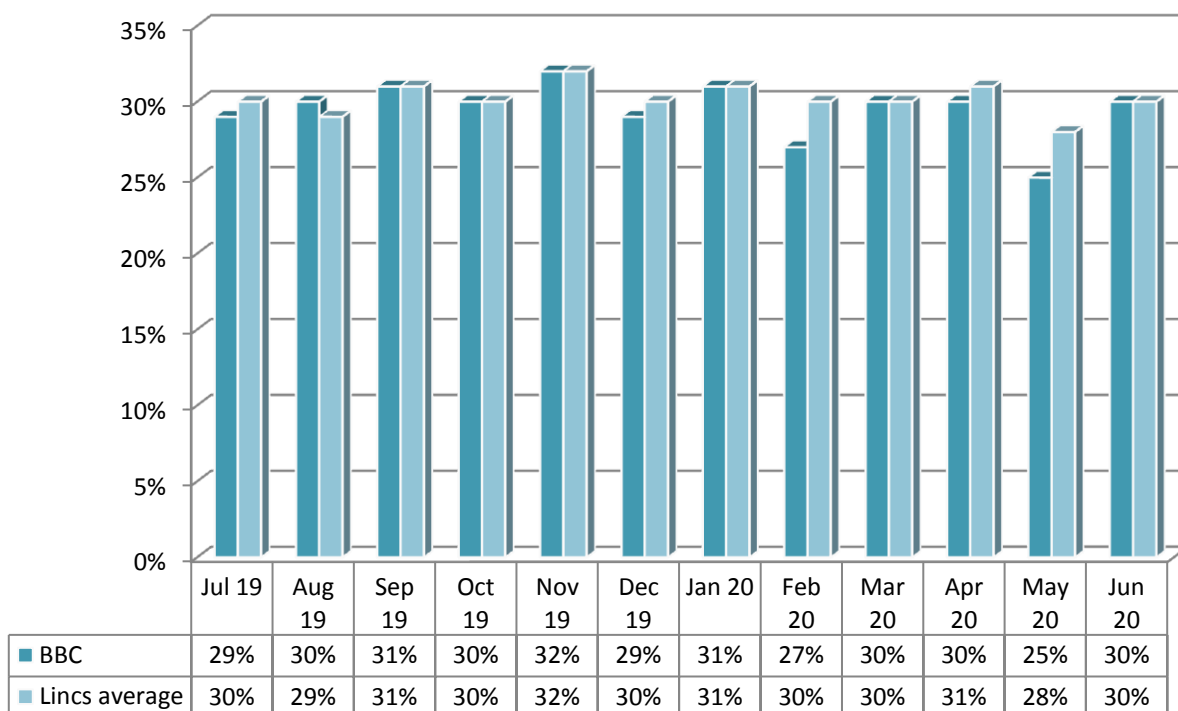
Due to Covid-19 the Guildhall has remained closed throughout the duration of Quarter 1.

Commercial waste:

Trend measures	2020/21
% growth in income in commercial waste service compared to previous year	-15%
Comment: Covid19 saw the forced closure of many businesses and hence the service dealt with a large number of requests seeking a suspension of their commercial waste collection service. Customers were not charged for the period of suspended service and hence income is reduced for the quarter. As businesses re-open, income is expected to recover quickly.	
% growth in number of commercial waste customers compared to previous year	+19%
Comment: Whilst many private commercial waste operators closed down and furloughed their staff during the pandemic, the Council's commercial waste service continued to operate an uninterrupted service and as a result picked up a significant number of new customers.	

Contamination:

Contamination in Domestic Recycling

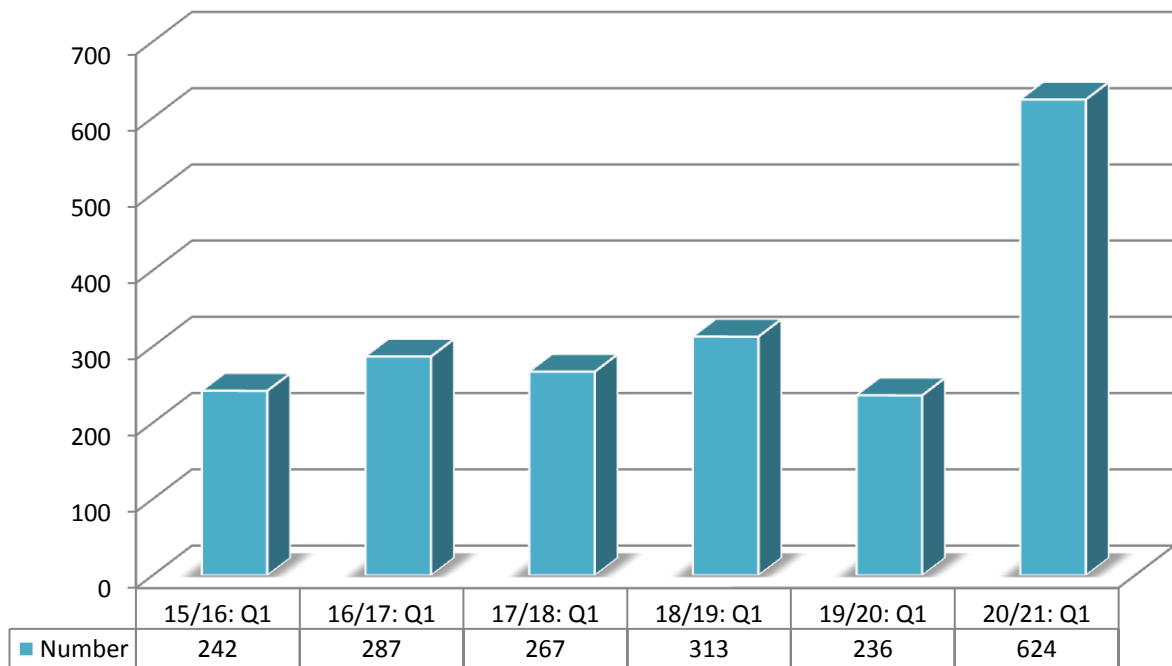


Fly tipping:

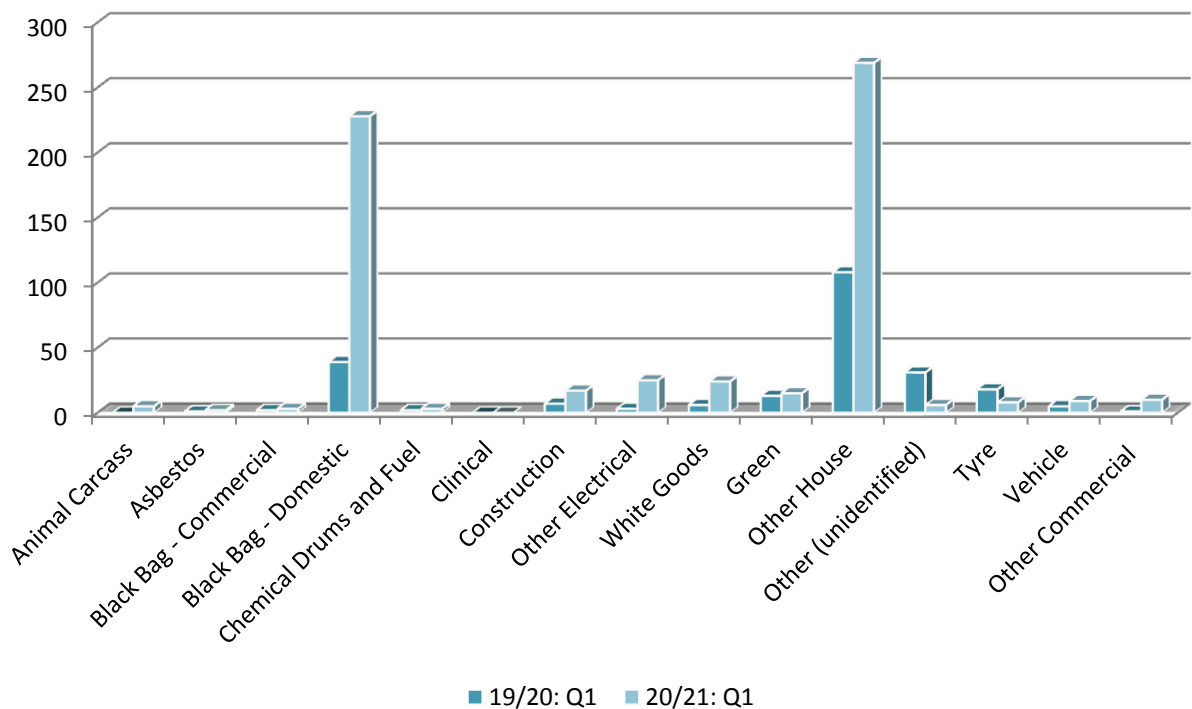
Actions that are currently underway to tackle the increase evident in fly tipping are;

- Overt surveillance contractor engaged to commence surveillance of fly tipping hotspots from August.
- LAS Enforcement capability focused on fly tipping offences since return from Furlough in July
- Social media messaging, using the SCRAP Flytipping campaign tools, coordinated across the county by comms colleagues
- Lincolnshire Waste Partnership have commissioned activity to analyse fly tipping data and have agreed establishment of a countywide, multi-disciplinary partnership group to develop multi agency interventions such as Operation Clean Sweep – days of action.
- Boston BC Scrutiny Committee to engage with LCC Head of Waste and Councillor Eddy Poll, Chair of the LWP, to investigate the impact of post pandemic HWRC policy on local fly tipping.

Number of fly tip incidents



Fly tip incidents by type

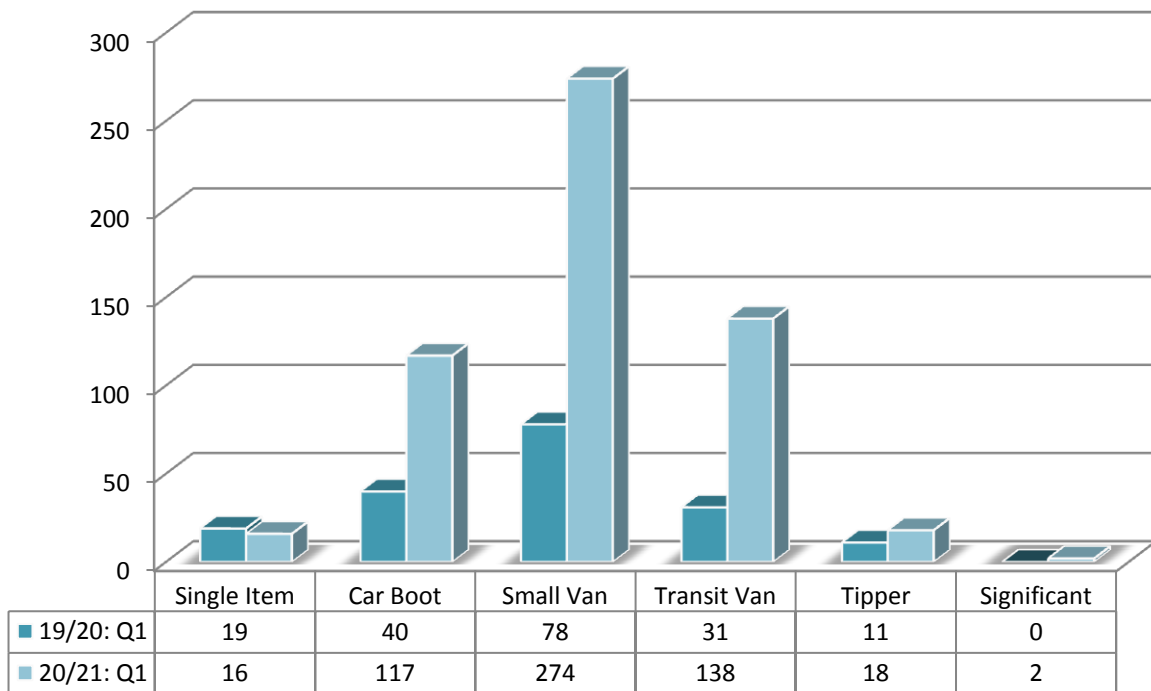


Breakdown of 'other household' items:

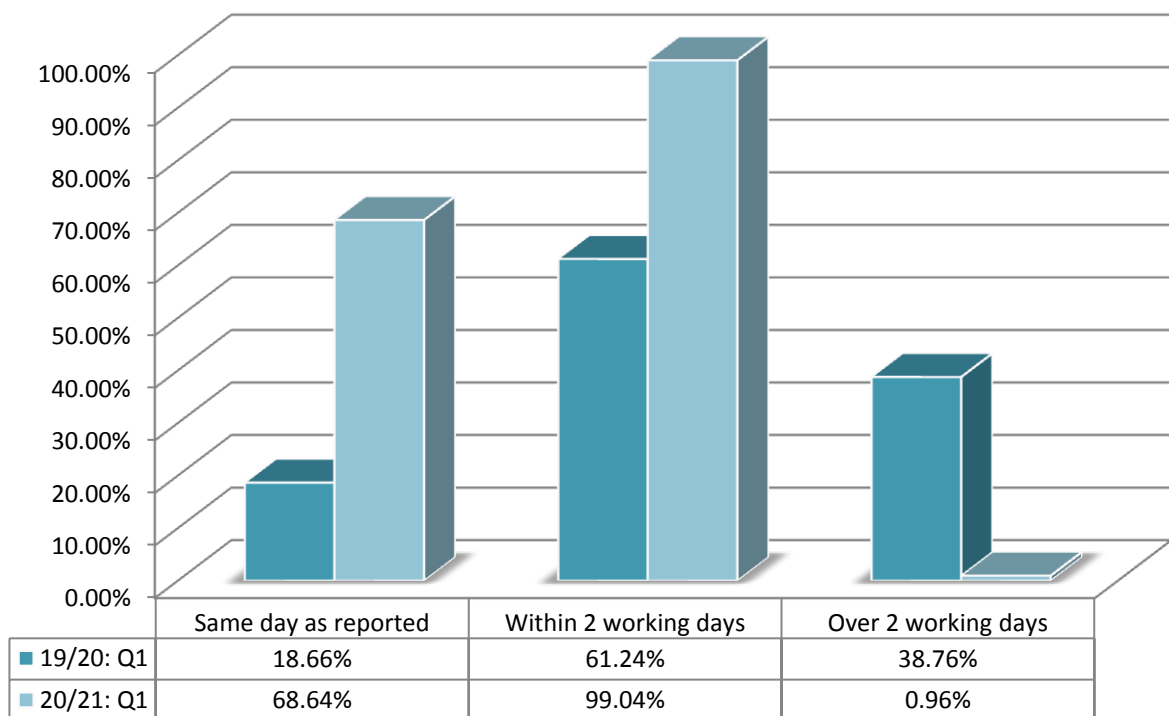
- Furniture: 172
- Textiles: 110
- Wood: 106
- Garden: 57
- Toys: 108
- Mattresses: 69

This does not correspond exactly to the number of 'other household' items overall because there may be multiple types of items in one 'other household' incident.

Fly tip incidents by volume



Collection of fly tips



Environment and Performance Committee Work Programme 2019/20/21

THIS COMMITTEE'S REMIT IS ALIGNED TO CORPORATE PRIORITIES: CP1 PROSPERITY and CP3 PLACE

DATE	REPORT	REPORTING	PORTFOLIO	CABINET
18.06.19	1. Work Programme / Annual Scrutiny Report	Chairman and Lead Officer	-	17.07.19
30.07.19	1. Climate Change 2. CCTV Policy Review and Annual Performance Update 3. Crime & Disorder Annual Review /ASB/PSPO) 4. Boston Alternative Energy Facility (BAEF) Consultation Phase 3	Chief Executive CCTV Manager Anti-Social Behaviour Officer Deputy Chief Executive	Cllr P Skinner " " Cllr N Welton	11.09.19
24.09.19	1. BAEF – Update by Representatives 2. Pilgrims 2020 – Update 3. Climate Change Working Group - Update 4. Replacement Bin Charges 5. Night time Economy	Deputy Chief Executive Head of Place and Space Group Chairman Cllr A Dorrian Head of Env. Operations	Cllr N Welton Cllr P Skinner Cllr A Arundell " Cllr Y Stevens	23.10.19
05.11.19	1. Climate Change Working Group - Update 2. Night-Time Economy Inquiry Evening - Update 3. New Statutory Guidance on Overview and Scrutiny in Combined Authorities 4. Work Programme	Group Chairman Cllr A Dorrian Head of Environmental Ops. Head of Environmental Ops. Standing Item	Cllr P Skinner Cllr P Skinner	04.12.19
07.01.20	1. Climate Change Working Group – Update 2. Air Quality Plan 3. T&F Review Markets – update on recommendations. 4. PSPO Dog Fouling 5. Work Programme - Q2 Performance and Internal Audit Scrutiny Report.	Group Chairman Cllr A Dorrian Head of Regulatory Services Head of Place and Space Head of Environmental Ops. Standing Item.	Cllr P Skinner Cllr Y Stevens Cllr C Sharman Cllr Y Stevens	22.01.20

03.03.20	1. The Pilgrims 2020 & Allied Opportunities (update) 2. Work Programme <i>(Note: This meeting will be held at Boston's Guildhall to accommodate an on-site tour supporting the 2020 report.)</i>	Head of Place and Space Standing Item	Cllr D Brown	19.02.19
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28.04.20	<i>Meeting Cancelled.</i>			
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Environment and Performance Committee Work Programme 2019–20

14.07.20	1. Annual CCTV update 2. Annual ASB update 3. Work Programme and Quarter 4 Performance. <i>(Followed by an update by the Chairman on the Task and Finish Group review)</i>	Head of Regulatory Services Head of Regulatory Services Standing Item	Cllr P Skinner Cllr P Skinner	
03.09.20	1. BAEF Consultation	Presentation by Mr Bower	Cllr Y Stevens	09.09.2020
03.11.20	1. Quarter 1 Performance / Work Programme 2. Task and Finish Group Report 3. Draft Annual Scrutiny Report	Standing Item. Assistant Director – Assets Lead Officer to present	Cllr P Skinner	02.12.2020
05.01.21	1. Quarter 2 Performance / Work Programme 2. Car Parking – Outcome of Free Trial 3. Progress report on the 9 Climate Change recommendations approved by Full Council in January 2020 and scrutiny of a draft Environment Policy.	Standing Item. Town Centre Services Manager Assistant Director - Assets	Cllr J Noble Cllr P Skinner	20.01.2021

23.02.21				24.02.2021
27.04.21	1. Quarter 3 Performance			12.05.2021

OPTIONS FOR SCRUTINY WORKING - current at issue of agenda.

Task and Finish Group Review	Final report tabled at meeting 3 November 2020
Member Working Group	<i>None scheduled at issue of agenda.</i>
Inquiry Session	<i>None scheduled at issue of agenda.</i>
All Member Briefings	<i>Dates to be agreed:</i> Kerbside Twin Stream Recycling initiative

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BOSTON BOROUGH COUNCIL

FORWARD PLAN OF KEY DECISIONS

1 OCTOBER 2020 to 31 JANUARY 2021

During the period 1 October 2020 to 31 January 2021 Boston Borough Council intends to take 'Key Decisions' on the issues set out in the following pages. Key decisions relate to those decisions which are likely to:

- Result in the authority incurring expenditure which is, or involves the making of savings which are significant having regard to the authority's budget for the service or function to which the decision relates; or
- Be significant in terms of its effect on communities living or working in an area comprising two or more wards of the Borough.

The Forward Plan is an outline of the proposed decisions and it will be updated on a monthly basis. Those items identified for decision more than one month in advance will be carried over to the following months plan. Each new plan supersedes the previous plan.

The Council invites members of the public to attend any of the meetings at which decisions will be discussed and the papers listed on the Plan can be viewed free of charge at the Customer Services Desk, Municipal Building, West Street, Boston, or on the Council's website, www.boston.gov.uk

If you wish to make comments or representations regarding the 'key decisions' outlined in the Plan, please submit them in writing to the contact officer identified against each key decision in the Plan, at least 2 working days before the date of the meeting at which the decision is to be taken.

Boston Borough Council Forward Plan
1 October 2020 to 31 January 2021

Subject	Decision Maker	Date Decision to be taken	Comments to: <ul style="list-style-type: none"> • Name • Telephone • E-mail 	Documents submitted to decision maker and where they are available from	Portfolio Holder(s)	Is decision to be taken in private meeting (exempt information)?
Council Tax Support Scheme - 2020-21	Cabinet	21 Oct 2020	Gemma Creasey Council Tax and Benefits Manager Tel: 01205 314300 gemma.creasey@boston.gov.uk	Report to Cabinet. Public report will be available five clear days before the meeting from Democratic Services and on the website www.boston.gov.uk	Councillor Jonathan Noble	Open
Workforce Development Strategy	Cabinet	21 Oct 2020	James Gilbert Assistant Director – Organisation and Corporate Services Tel: 07799 473035 james.gilbert@e-lindsey.gov.uk	Report to Cabinet. Public report will be available five clear days before the meeting from Democratic Services and on the website www.boston.gov.uk	Councillor Paul Skinner	Open
Corporate Strategy / Priorities	Cabinet	21 Oct 2020	James Gilbert Assistant Director – Organisation and Corporate Services Tel: 07799 473035 james.gilbert@e-lindsey.gov.uk	Report to Cabinet. Public report will be available five clear days before the meeting from Democratic Services and on the website www.boston.gov.uk	Councillor Nigel Welton	Open

Boston Borough council Forward Plan
1 October to 31 January 2021

Subject	Decision Maker	Date Decision to be taken	Comments to: <ul style="list-style-type: none"> • Name • Telephone • E-mail 	Documents submitted to decision maker and where they are available from	Portfolio Holder(s)	Is decision to be taken in private meeting (exempt information)?
Town Deal Investment Plan	Cabinet Full Council	21 Oct 2020 26 Oct 2020	Michelle Sacks Deputy Chief Executive (Place) & Monitoring Officer Tel: 01205 314292 michelle.sacks@boston.gov.uk	Reports to Cabinet and Full Council. Public reports will be available five clear working days before the meetings from Democratic Services and on the website www.bosotn.gov.uk	Councillor Paul Skinner	Open
PE21 Follow Up Report	Cabinet	21 Oct 2020	Tim Leader Deputy Chief Executive (Strategy) Tel: 07919 166049 tim.leader@e-lindsey.gov.uk	Report to Cabinet. Public report will be available five clear days before the meeting from Democratic Services and on the website www.boston.gov.uk	Councillor Nigel Welton	Open
Air Quality Action Plan - Update	Cabinet	2 Dec 2020	Nick Davis Principal Environmental Health Officer Tel: 01205 314234 nick.davis@boston.gov.uk	Report to Cabinet. Public report will be available five clear days before the meeting from Democratic Services and on the website www.boston.gov.uk	Councillor Yvonne Stevens	Open

Boston Borough council Forward Plan
1 October to 31 January 2021

Subject	Decision Maker	Date Decision to be taken	Comments to: <ul style="list-style-type: none"> • Name • Telephone • E-mail 	Documents submitted to decision maker and where they are available from	Portfolio Holder(s)	Is decision to be taken in private meeting (exempt information)?
CCTV Policy	Cabinet	2 Dec 2020	Peter Hunn Community Safety Manager Tel: 01205 314245 peter.hunn@boston.gov.uk	Report to Cabinet. Public report will be available five clear days before the meeting from Democratic Services and on the website www.boston.gov.uk	Councillor Paul Skinner	Open
Public Space Protection Order (PSPO) Review - Alcohol	Cabinet	2 Dec 2020	Peter Hunn Community Safety Manager Tel: 01205 314245 peter.hunn@boston.gov.uk	Report to Cabinet. Public report will be available five clear days before the meeting from Democratic Services and on the website www.boston.gov.uk	Councillor Paul Skinner	Open
Task and Finish Group Report.	Cabinet	2 Dec 2020	Andy Fisher Assistant Director – Assets Tel: 01205 314554 andy.fisher@boston.gov.uk	Report to Cabinet. Public report will be available five clear days before the meeting from Democratic Services and on the website. www.boston.gov.uk	Councillor Paul Skinner	Open

Boston Borough council Forward Plan
1 October to 31 January 2021

Subject	Decision Maker	Date Decision to be taken	Comments to: <ul style="list-style-type: none"> • Name • Telephone • E-mail 	Documents submitted to decision maker and where they are available from	Portfolio Holder(s)	Is decision to be taken in private meeting (exempt information)?
Draft Budget Setting Report and Medium Term Financial Strategy 2021/22 - 2025/26 (for consultation)	Cabinet	20 Jan 2021	Adrian Sibley Section 151 Officer Tel: 07393 146721 adrian.sibley@e-lindsey.gov.uk	Report to Cabinet. Public report will be available five clear days before the meeting from Democratic Services and on the website www.boston.gov.uk	Councillor Jonathan Noble	Open
Draft Budget Setting Report and Medium Term Financial Strategy 2021/22 - 2025/26	Cabinet Full Council	24 Feb 2021 1 Mar 2021	Adrian Sibley Section 151 Officer Tel: 07393 146721 adrian.sibley@e-lindsey.gov.uk	Reports to Cabinet and Full Council. Public reports will be available five clear working days before the meetings from Democratic Services and on the website www.boston.gov.uk	Councillor Jonathan Noble Councillor Jonathan Noble	Open
Public Space Protection Order (PSPO) Review - Gating Order, Hatter Lane	Cabinet	31 Mar 2021	Peter Hunn Community Safety Manager Tel: 01205 314245 peter.hunn@boston.gov.uk	Report to Cabinet. Public report will be available five clear days before the meeting from Democratic Services and on the website www.boston.gov.uk	Councillor Paul Skinner	Open

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B O S T O N B O R O U G H C O U N C I L

REPORT TO:	ENVIRONMENT AND PERFORMANCE COMMITTEE
DATE:	3 NOVEMBER 2020
SUBJECT:	TASK AND FINISH GROUP REPORT. REGULATING AND SAFEGUARDING BOSTON'S ECONOMY.
PORTFOLIO HOLDER:	COUNCILLOR PAUL SKINNER
REPORT AUTHOR:	ASSISTANT DIRECTOR ASSETS
EXEMPT REPORT?	NO

SUMMARY

At a meeting of the Environment and Performance Scrutiny Committee in June 2019 it was agreed that due to ongoing public complaints in respect of anti-social behaviour activity within the Borough and concerns relating to alcohol licensing, a review be carried out.

An initial pre scrutiny Inquiry Evening was held to assist in scoping the review, thereafter the Task and Finish Group review was convened to address the public concerns.

The final report clearly demonstrates the level of review undertaken with evidence gathering from the public and in-depth consultation with partners to allow recommendations to be agreed. Notes of the meetings are contained within the attached main report.

RECOMMENDATIONS

1. That the Environment and Performance Committee agree the recommendations 1 through to and including 13 within appendix F of the attached report
2. That the Environment and Performance Committee agree to forward recommendations 12 and 13 within appendix F of the attached report to the Boston Town Area Committee for their consideration.
3. That the Environment and Performance Committee recommend to Cabinet that it agree the recommendations 1 through to and including 11 within appendix F of the attached report and implement the recommendations as

necessary.

4. That the Environment and Performance Committee charge Cabinet to give a mandate to local Member for Parliament to take forward recommendations requiring Government consideration and champion the recommendations on behalf of Boston.

REASONS FOR RECOMMENDATIONS

To address the concerns highlighted within this report and to strengthen the Councils power when considering applications and review of premises licences and to support Lincolnshire Police in their enforcement in addressing crime within the borough.

ALTERNATIVES CONSIDERED

Not to agree the recommendations of the report.

FINANCIAL IMPLICATIONS

LEGAL & EQUALITY IMPLICATIONS

ANY OTHER IMPLICATIONS

CONSULTATION

Portfolio Holder

APPENDICES

Appendices are listed below and attached to the back of the report: -

Appendix A	Task and Finish Group Report
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BACKGROUND PAPERS

Background papers used in the production of this report are listed below: -

CHRONOLOGICAL HISTORY OF THIS REPORT

A report on this item has not been previously considered by a Council body

FINANCE PROFORMA

BOSTON BOROUGH COUNCIL

**PROFORMA FOR EXECUTIVE APPROVAL OF THE RELEASE OF RESOURCES
(CAPITAL AND REVENUE BUDGETS)**

FROM:

THIS PROFORMA PROVIDES THE FINANCIAL IMPLICATIONS
IN RESPECT OF THE ATTACHED

REPORT:
REPORT DATE:

OPTION 1	£ Year 1 2017/18	£ Year 2 2018/19	£ Year 3 2019/20	£ Year 4 2020/21	£ Year 5 2021/22
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Revenue

**Total Revenue
Cost**

--

Funding required:

Total capital cost £

Revenue cost £

Considered by:

Enter committee here

Enter Council or
Cabinet here

Date:

Financial Services Comments

Risk

Procurement

Value for Money Efficiency

This FP is valid for 3 months from FP date	If this FP is no longer required please advise Finance	If there are changes to the original report it may invalidate this document, it must be reviewed by Finance.

Boston Borough Council - Scrutiny

TASK AND FINISH GROUP REVIEW

Subject:

Regulating and Safeguarding Boston's Economy

November 2020.



INDEX:

Origination of Review and Inquiry Evening

Notes of initial meeting held 12 December 2019

Scoping Paper

Appendices *(page no. bottom right hand side)*

A. Survey Results	11
B. Outcomes of Consultation Paper	15
C. Notes of meeting 21 January 2020	19
D. Notes of meeting 26 February 2020	27
E. Notes of meeting 23 September 2020. (Data report at page 37)	33
F. Conclusion and recommendations	59

Acronyms used within the notes attached to the following report:

ASB	Anti Social Behaviour
ASBRAC	Anti Social Behaviour Risk Assessment Conference
BAP	Boston Alcohol Partnership
BBC	Boston Borough Council
BTAC	Boston Town Area Committee
CCTV	Closed-circuit Television
FPN	Fixed Penalty Notice
LCC	Lincolnshire County Council
Q and A	Questions and Answer session.

Origination of Review:

The Environment and Performance Scrutiny Committee at Boston Borough Council receives as part of its support reporting to its work programme, quarterly performance monitoring data across the services areas of the Council, aligned to the corporate priorities of the committee. The committee also receives annual update reporting in respect of anti-social behaviour activity and CCTV activity across the borough.

At their meeting held on the 24 September 2019, members of the committee voiced concern at the number of on-going complaints raised by members of the public in respect of anti-social behaviour within the borough. The complaints included a wide range of activity, coupled with ongoing public criticism of incidents at licensed premises, in relation to illegal alcohol allegedly sold within the borough. Officers suggested that due to the potential magnitude of the review, preliminary scrutiny could assist in identifying how to move a task and finish group forward. Committee agreed an Inquiry evening with the Police and Council officers ahead of its' next scheduled meeting, and dependant on the outcome of the Inquiry Evening, then agree or not, convention of a full Task and Finish Group review.

Inquiry Evening:

Following on from the Inquiry Evening, members identified the following outcomes to take forward and assist in the scope of a Task and Finish Group review and the committee agreed convention of the review at its meeting held on the 5 November 2019.

- Alcohol and premises licensing and associated enforcement
- Trading Standards and HMRC powers, policies, procedures and enforcement options / outcomes for dealing with counterfeit and non-duty paid goods.
- Home Office and Police powers, powers, policies and procedures for dealing with those with no recourse to public funds and those not exercising their treaty right.
- Housing and Homelessness duties, options and support models.
- Boston Borough Council Public Space Protection Orders and other BBC enforcement
- Tasking the local MP to air all relevant legal and resource limitations returned from the Task and Finish process that is wishes to be raised directly with the Government.

This via final reporting to the Cabinet.

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NOTES:

Task and Finish Group 12 December 2019

The following members volunteered to facilitate the review group:

Councillor Tracey Abbott	Independent aligned to Conservative
Councillor Paul Goodale	Labour
Councillor Neill Hastie	Bostonian Independent
Councillor Judith Skinner	Conservative
Councillor Judith Welbourn	independent
Councillor Stephen Woodliffe	Independent

Councillor Judith Skinner elected as Chairman.

Councillor Paul Goodale elected as Vice Chairman.

In support of the group:

Portfolio Holder Paul Skinner

Lead Officer: Andy Fisher Head of Regulatory Services (*at time of convention*)

Clerk: Karen Rist Democratic Services Officer.

The group agreed its scope initially but left the scope open and subject to amendment as the review progressed.

Questions for the public consultation paper together with a time line for responding were agreed to allow feedback to representatives ahead of the meeting in respect of Licensing issues and the meeting in respect of Anti-Social Behaviour activity

Members of the group agreed a list of meetings to allow the group to move forward and invitations issued to representatives of various support services within the town, Lincolnshire Police and Council Officers as follows:

- 21 January 2020. Members of various support services within the town.
- 26 February 2020. Lincolnshire Police and the Council's Licensing and Land Charges Manager.
(due to Covid-19 the review was suspended at this point with the following meeting cancelled and re scheduled)
- 27 March 2020. Lincolnshire Police and the Council's Community Safety Manager
- 23 September 2020. Lincolnshire Police and the Council's Community Safety Manager

For information: notes only are taken within the group meetings, not full minutes.

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SCOPING PAPER To undertake an impartial review

Note: This is a working document subject to updating.

Title of review:	Regulating and Safeguarding Boston's Economy
Date convened:	2 December 2019
Parent Committee:	Environment and Performance Committee
Duration of review:	6 months

Membership		
Chairman:	Councillor Judith Skinner	
Vice Chairman:	Councillor Paul Goodale	
Councillors:	Councillor Tracey Abbott Councillor Neill Hastie Councillor Judith Welbourn Councillor Stephen Woodliffe	
Portfolio	Councillor Paul Skinner	Community Safety / Licensing
Lead Officer:	Andy Fisher	Head of Regulatory Services (<i>at time</i>)
Clerk:	Karen Rist	Democratic Services Officer
Supporting Officers:	<p>No other full time supporting officers would attend the full programme of meetings of the group.</p> <p>Council Officers would be required in one-off attendance at future meetings to include:</p> <p>The Licencing and Land Charges Manager</p> <p>The Community Safety Manager</p>	
Co-optees:	<p>No Co-optees agreed at first meeting</p> <p>Police representation would be required:</p>	The group reserve the right to co-opt as the review progresses

Witnesses:

The group identified a number of witnesses from support services within the borough to provide information in relation to day and night time activity:

Witnesses to be invited to make representation:

St. Botolph's Church.
The Centenary Church
The Salvation Army
Boston Street Pastors
Hackney Carriage Association
Neighbourhood Residents Groups
Pescod Square
Representation from Landlords (public house).

Public Consultation:

The group agreed that a full public consultation exercise was paramount to provide the group with as much feedback as possible prior to meeting with invitees and the Police.

The consultation document needed to be straightforward in its format to encourage public participation and that promotion of the consultation be made available across the borough via all social media streams; in hard copy from the Council's reception and through Parish Councils to promote rural participation.

TERMS OF REFERENCE

Rationale for review:

This review was convened following concerns being raised by Councillors as noted below following the Inquiry Evening.

- Public perception of increases in anti-social behaviour across the town both during the day time and throughout the night with decreasing numbers of people using the town centre due to a perceived threat of intimidation or violence. A lack of confidence by the public in reporting anti-social behaviour via the 101 service and worries about a lack of any daily police presence.
- Public concerns at the ongoing increase in the number of liquor licences granted in an already oversubscribed trade in the town centre. Alongside this concerns of serious health issues relating to on-going trading of counterfeit liquor and tobacco with a lack of funding to support enforcement of such activity.
- Furthermore, complaints by the public were raised at the lack of impact of the Council's own enforcement in respect of anti-social activity and the lack of weight of the PSPO.
- Homelessness issues within the borough and particular the town centre and uncertainty on what support models were in place and the duty of care by the Council and other partners.

Exclusions:	NONE
Outcomes:	<p>By challenging the issues, the review looks to provide a clearer understanding of the powers and policies available to the Council and other partners, in their enforcement of anti-social behaviour and other licensing matters.</p> <p>By their evidence gathering, the group looks to allow a greater understanding of the issues, to identify what direct action it can take to dispel unfounded fears and to encourage and attract people back into the town both during the daytime and throughout the evenings.</p> <p>To make recommendations and to challenge to Local Member of Parliament to support and take forward any recommendations.</p>
How does the review reference any current corporate priority?	<p>The review aligns with 3 of the current corporate policies:</p> <p>Policy 1. Prosperity in that a safe town encourages business and customers</p> <p>Policy 2. People in that the Council has a responsibility to protect the public.</p> <p>Policy 3. Place in that the Council must maintain community safety by tackling anti-social behaviour.</p>

TIMESCALE: to agree a practicable and realistic timescale

The group agreed that a timescale of 6 months would be sufficient to allow representation to be received and final recommendations agreed, subject to any findings arising during resulting in a need for further consultation with any other parties.

SCHEDULE OF MEETINGS (subject to change if required):

Date:	Meeting for:
02.12.2019	Administration meeting. Election of Chairman / Vice Chairman and final scoping of review.
21.01.2020	<p>Local Support Services Representation:</p> <p>To receive evidence from representatives in their respective roles within the town including neighbourhood action groups; Hackney Carriage Association, the Salvation Army, Street Pastors together with representatives of small businesses and shopping area. St. Botolph's Church and the Centenary Church. (see appendix C)</p>

26.02.2020	<p>Licensing & Regulatory:</p> <p>The Licensing and Land Charges Manager Boston Borough Council Sgt. K Enderby Lincolnshire Police PC. G McConville Lincolnshire Police</p> <p>To address the outcomes from the consultation streams and from the January meeting. Both to be collated and the above representatives made aware of any outcomes related to Licensing and Regulatory issues in advance of the meeting.</p> <p><i>(see appendix D)</i></p>
17.03.2020	<p>Administration meeting:</p> <p>The group acknowledged that a meeting mid-way through this review would enable the members to consider all the feedback from the January and February and identify if it may require additional representation from other external bodies and as such, invitations to representatives need to allow a respectful time line for them to attend.</p> <p><i>This meeting cancelled due to lockdown.</i></p>
21.04.20	<p>Safeguarding:</p> <p>The Community Safety Manager Boston Borough Council Insp. F Harrod Lincolnshire Police</p> <p>Outcomes from the consultation streams, along with the January meeting to be collated and the above representatives made aware of any outcome related to safeguarding issues in advance of the meeting.</p> <p>Note: <i>This meeting suspended due to lockdown.</i></p>
19.09.20	<p>Safeguarding:</p> <p>The Community Safety Manager Boston Borough Council Insp. F Harrod Lincolnshire Police</p> <p>Outcomes from the consultation streams, along with the January meeting to be collated and the above representatives made aware of any outcome related to safeguarding issues in advance of the meeting.</p> <p><i>(see appendix E)</i></p>

Lead in for final reporting:

- 9 June 2020 **(Postponed)**
- 3 November 2020 Environment and Performance Committee (parent committee)
- 2 December 2020 Cabinet
- 16 December 2020 BTAC (submission of two recommendations)

PUBLIC CONSULTATION SURVEY

Regulating Day and Night Time Economy – Results

Introduction

Boston Borough Council is undertaking a review looking into regulating and safeguarding the day and night-time economy.

The outcomes of the survey will identify any Legal and Resource Limitations, which are impacting directly on the economy of the town and strengthen the final resolution of the review which will be passed directly to the MP charging them to raise it directly with Government. All feedback in respect of regulatory issues will be collated and reported direct to the relevant authority (police, trading standards and the council's own services)

Methodology

A survey was available to fill out on line xx to xx. It was predominantly an online survey promoted on social media and in the council bulletin. A paper copy could be requested from the Municipal Buildings.

150 completed surveys were received.

Headline Results

- 53% of respondents said that they went out about the same as they did five years ago during the day time
- 75% of respondents said they went out less in the evenings then they did 5 years ago
- 93% of respondents said they went out less at nighttime than they did 5 years ago
- Over 51% of respondents commented that they did not feel safe in the town

QUESTION RESULTS:

Q1) Do you go out more or less than you did five years ago

	Day Time	Early Evening	Night Time
More	9%	3%	2%
Less	38%	75%	93%
The same	53%	21%	5%

Q2) Please tell us why you have given this answer? For example, is there now more or less of what you used to go out for in Boston, do you find it more or less expensive to go out in Boston or are you put off going out for any reason?

147 comments were received, a number of themes can be found in the comments, with 51% of comments stating that they “do not feel safe in the town”. – a breakdown is below.

- Do not feel safe in town - 76
- Street drinking – 31
- Groups/gangs of people hanging around - 31
- Lots of non-english speakers – 27
- Lack of street lights – 25
- Lack of shops – 20
- Anti-social behavior – 16
- Less to do – 10
- Streets are dirty – 9
- Lack of transport - 9
- Expensive car parking – 8
- Too expensive – 8
- High crime rate - 7
- Seen people urinating – 5
- Homelessness – 4
- Miscellaneous - 3

Q3) Please give us one suggestion about how you would better regulate and safeguard the overall economy of the town. Please provide ONE suggestion

148 comments were received, the main suggestion given was provide more Police, with 32% of comments relating to increasing Police presence.

- More Police - 53
- Improved street lighting – 19
- Improved legislation and policies – 18
- Less shops, licensed to see alcohol – 16
- Stop Street drinking – 15
- Ensure shops are occupied - 11
- Reduce parking prices – 10
- Reduce Business rates - 9
- Reduce the amount of European shops - 8
- Improved CCTV – 6
- Cleaner streets – 5
- Do not sell alcohol late at night - 4
- Improved public transport – 3
- More advertising – 2
- More councilors involvement – 2
- Miscellaneous - 2
- Improve traffic - 1

Q4) Should you wish to make any further comments in respect of regulating and safeguarding this town, please note below

80 comments were received; the majority of comments received were about enforcing current laws and increase policing.

- Enforcement of the law – 35
- More Police/CCTV – 23
- Shops selling alcohol – 16
- Miscellaneous – 14
- Street lighting – 8
- Clean streets - 7
- Car Parking – 5
- Homelessness – 4
- Reduce Business Rates - 4
- Urinating in public – 2
- Council involvement – 1
- Better advertising – 1
- Unclear – 1

Social Media Post Comments

A number of comments were received over social media recorded below: -

- Web page not available ☹️
- Share the hell out of this and let them know how we feel
- Yes done mine over to the rest of you
- This survey is very limited. There needs to be more space to write a comprehensive answer.
- Survey doesn't really cover enough to allow answers on the above mentioned items. And insufficient space to make concerns known.
 - The survey character count has now been extended for the ability to expand on responses. (BBC)
- Is this survey for real or a hoax hate to think the council paid for this
- Are you taking the XXXX it's the bbc that are giving all these foreign shops licenses when there such a big prob in Boston with drinking in streets XXXXing and XXXXing in the streets and shop door ways no one goes up town anymore cus of they don't feel safe and being intimidated by groups of XXXXed up people you are asking our views we have told you time and time again your making our town a dump and it's dying but you don't listen
- I had a phone call today from someone supposedly from Boston and South Holland Councils conducting a shopping survey. Odd thing is, it wasn't number withheld
 - That isn't something that Boston Borough Council would do. Please report these kind of suspicious call to your service provider.
- Do as our new Mayor suggests Boston councillors, get off your XXX and actually put some effort and meaningful input into sorting out the several problems which are a plague on our once proud, historic town. Don't let it go on and become an untreatable terminal sore. Be brave and if necessary pass local laws to extinguish this scourge on Boston society. I realise that many of the events attributed to our foreign incomers aren't, in fact, Foreigner's. They are English idiots who are out of control. We see it in the town every day. Weve had enough. For goodness sake sort it out for the good of every one. (Hidden)
- 12th feb... why does everything with the council take so long
- Because they are slack ba*#@%ds

SNAPSHOT OF PUBLIC RESPONSE/COMMENT

(Part 1: are comments noted from the consultation responses)

(Part 2: in Licensing specific data)

(Part 3: is a summary of questions requiring official responses for tabling within the final report)

PART 1. Public consultation responses. Comments.

APPENDIX B

1	Stop letting European shops open when there are already so many in close proximity. They are a hot spot of drunken idiots and last weekend I saw a man sitting outside the new one on Eastwood Road openly drinking a bottle of vodka. You often see people a 6 in the morning walking away from Eastwood Road with bottles in their hands and drinking the stuff. There were two licensed shops right by the new one and there was no need for it. School children use the co-op every morning and there has never been drunks outside that shop.
2	One thing the town needs to help it improve is less liquor shops. Apparently the Council cannot refuse a license if it ticks the boxes so more and more shops could be allowed to open. What can be done to refuse an application, do the rules need to change?
3	Reduce the number of shops selling alcohol and the hours they can sell it until. This would stop a lot of problems around the areas of the shops.
4.	Why don't the Council only licence one premise over a certain area such as one in every two square mile or something like that.
5.	The License is supposed to be for alcohol only but it is well known in the town that the shops sell illegal alcohol and tobacco and drugs. The shops don't sell food it is just a front.
6.	Allow only one alcohol licence per two mile radius with a closure of 11PM
7.	There should be more on control of alcohol sales and shops should be checked regularly as there are well known shops (Red Lion Street) where they never seem to shut and yet nothing is done.
8.	How often are shops checked for illegal goods? Do the powers who do this have sufficient resources?
9	We need to reduce the amount of alcohol selling shops and there needs to be a greater presence by the Police at these shops especially in the evening.
10.	When a shop holder is caught selling illegal goods they should be fined and lose their licence for ever. There are people in Boston who move about having lost their licences and then get a new one back and open a different shop. How does this happen?
11	Why are the licences granted until such a late hour? It causes problems with many of them having gangs of men drinking outside them making noise and causing disturbances. This is visible on regular basis late at night both in the town centre around Red Lion Street especially and also on High Street and Carlton Road. Why when there is clear evidence of this taking place cant the licence be reduced to 7pm? The areas' outside some shops are very aggressive with lots of loud drunken men.
12	The amount of foreign shops opening is ridiculous and they are all licenced. They are obviously the hub of a lot of the problems in the town and they appear to be un-policed. The shops don't sell food as their income is alcohol based and everyone knows that despite having a history for selling illegal alcohol and other illegal stuff, these licenses are granted by the Council who appear to be powerless to refuse. It seems that it is only when a licence is granted and then a problem arises, that the Council can look at it and maybe take action.
13	I know that Boston Borough Council had not done enough by a long way to combat problems of illegal alcohol and the dangers it causes, due to them fearing being labelled racist. They know what it going on, but don't even condemn it in public and they continue to hand out licenses to anyone who applies. Does the law need changing? Is there a lack of policing of all the shops? Is the Council scared?
14	We need to stop foreign shops openly selling dodgy goods. If we have to buy goods the right way then so should they. Why do they get away without paying import taxes? If it is proved they sold illegal goods, do they get charged for the unpaid taxes?

15	There a 6 licensed shops in the vicinity of Red Lion Street area and there were 7 but one was closed down. How is there enough business in the small area of Boston for 6 shops to trade? How are they making enough money?
16	Does customs and excise check the shops on a regular basis? Can they close a shop down immediately if they find it is selling fake goods? How often are the shops checked on what hours they are open? Does the Council have any power to change what hours the shop can open.
17	There is noise and trouble most nights on Red Lion Street with men going to the toilet in the street and shouting due to being drunk with them buying drink until very late from the foreign shops on the road. Why have so many shops got licenses in such a small area of the town as the drinkers all meet on the road causing problems with the traffic and frighten people? Gangs of men hang around drinking outside the shops which should not be allowed. Do the Council have power to stop them drinking around the doorways and outside the shops blocking the pavements
18	What would need to be done to stop so many shops getting alcohol licences? Why is there no limit on the number of shops selling alcohol in an area? If there is facts of problems from the number of shops can something be done.

PART 2. Comments relating to alcohol and licensing by the Council noted a number of ongoing issues emanating from certain licensed premises within the town:

Red Lion Street was subject to a large number of premises selling alcohol at all hours of the day and night. The impacts on residents was clearly evident both at The Centenary Church which faced many forms of anti-social behaviour within its' grounds, certainly acting as an outdoor toilet resulting from over indulgence, and noise disturbance with groups / gangs of men drinking on the pavements outside the shops, often over-spilling onto the road. Many of the problems resulted directly from the shops selling alcohol and other substances, all of which appeared to be open for as long as they wished without reprisal or compliance with the law. *Many of the people who used the Church were alcohol reliant and the ease of access to cheap strong alcohol and long opening hours exacerbated their dependency.*

Red Lion Street is a well know pinch point area for trouble in the evening and was well-known as being a no go area throughout the night and in the early hours. However, nothing is ever done about it with the shops continuing to open at all hours with no enforcement of their licence nor customers who cause trouble. A major concern was that two of the shops continued to change the alcohol licence and they continued to trade: the licence holder changed and simply took over the business and continued to trade in the same way, with neither the police nor the Council seeming to be able to do anything.

Greater enforcement and spot checks on known shops selling illicit alcohol was required with greater powers on closing them down. Better powers were needed to stop such shops simply moving the alcohol licences from one person to another: it was known that certain members of the public / members of the same families, held different licences at different shops and continually evaded any form of prosecution. CCTV coverage should be compulsory outside every shop selling alcohol to stop the gangs congregating and causing disturbance. Many of the shops openly sold before / after their permitted hours as they knew they would not be caught. Further comments included concern on the increased street drinking outside the main market place and down footpaths and alleyways on the outskirts of town. Incidents of violence and noise disturbance were fuelled by cheap strong alcohol sold in single cans, by shops that were continually granted alcohol licences.

The licensing system was a joke...when the police finally realised illegal trading was taking place, the alcohol licence was simply moved to another person and the shop re-opened. Foreign shops in residential areas along High Street and Carlton Road openly sold strong alcohol in single cans very early in the morning and into the early hours of the following day: they were subjected to large groups of men gathering outside them and causing disturbances late into the night, frightening long term residents in the area who had no confidence in the police nor council in doing anything to stop it. The foreign shops selling alcohol were unaccountable: despite the Council saying they put conditions on the licences, they were not checked and despite there being an adequate number of established businesses in an area selling alcohol, the Council continued to grant more and more licences in areas already clearly served by many. The Licensing laws should allow the Council to reduce the hours of trading and not just let them grant whatever an

applicant asked for: shops in residential areas should not be open into the early hours impacting on the lives of residents. Lack of any policing outside the market place during the evening contributed to the residents fears. The ease of buying very strong alcohol at very cheap prices also fuelled issues of dependency from the homeless and vulnerable people in the town

PART 3. The following is a collation of questions tabled from the consultation exercise forwarded to the Police and Council representatives (*see notes of meetings for answers*).

1	Why did the Council allow so many licenced premises in and around the town when obviously a lot of the anti-social incidents that took place, were due to too much drinking. Public urinating and vomiting all over the town, littering cans and bottles, vandalism and violence could all be attributed at times to alcohol. When making their decision on a licence did the Council take this 'knock-on' effect into consideration?
2	Do the council evidence a need for the licence before granting it? Was there a requirement in law to take into consideration the need for the shop and what it was selling and if there was a proven number of the type of shop, could the Council refuse for that reason?
3	Why were so many licences granted on West Street when so many incidents of violence have been recorded in the area as a result of too much alcohol?
4	What checks are undertaken once a licence is granted to see if the holder is compliant with the conditions on the licence and who checks it, is it the Council or the Police? If they are not checked regularly then why not?
5	Why did the Council allow such long hours for all licences , was there a need to open so early in the morning for alcohol?
6	Extended hours allowed the more vulnerable people in the community (homelessness people / alcohol dependant people) greater access to cheap alcohol at all times of the day and night , exacerbating their problems and encouraging their drinking. Did the Council consider this effect when making its decisions? If they did not consider this, then why not as it clearly did impact on vulnerable people in the town and it was the volunteer support teams
7	Did the Council consider the impact on residents in residential areas, when granting alcohol licences? If not then why not, as residents wellbeing and safety was significantly affected by increased noise and ASB activity around the foreign shop and in their neighbouring gardens: it seemed that the residents had no choice but to tolerate it as they were frightened of any confrontation with large groups of men drinking late into the evening?
8	Did the Council have the power to restrict selling of very strong alcohol both in tins and bottles and also in selling single cans of the extremely strong lager which were littered across the town? If not, then what needed to happen to give them that power.?
9	Did Customs and Excise 'spot check' businesses in respect of illegal alcohol and if so how often were checks carried out? If they did not carry out such checks, then why not and what is the law in respect of Customs and Excise visiting, did the Council / Police liaise with them? Whose responsibility was it to 'spot check', visit and monitor shops known to be selling illegal alcohol, cigarettes and drugs?
10	Is there a site at the Council where concerns about premises can be sent to which is safe? Many residents were afraid of reporting trouble as there seemed to be groups of foreigners controlling lots of the shops in the town and there were well known incidents of reprisals when the shops had been reported?
11	What is the law on a shop that has continually broken the law, the license holder is changed and the law continues to be broken, and yet the license keeps being granted. It seems the Council cannot actually shut the shop down, despite repeated law breaking? How many licence holders can there be and is there anyway the shop itself can be closed down?
12	Can the Council put a condition on all licenses requiring CCTV coverage of the whole area immediately outside the shop to evidence group drinking and noise disturbance along with other ASB activity? It would also evidence the opening time of the shop and show any out of hours selling which occurs at most shops.
13	How can people report incident securely?

14	What else can the licensing committee do to make sure the licences granted are to responsible license holders?
15	Can the Council lock the Park at night like it used to. Residents nearby are subject to continued noise and acts of anti-social behaviour and the police never attend

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Task and Finish Group 21 January 2020.

In attendance:

Chairman: Councillor Judith Skinner
Vice Chairman: Councillor Paul Goodale
Councillors: Tracey Abbott
Neill Hastie
Judith Welbourn
Stephen Woodliffe

Lead Officer: Head of Regulatory Services
Clerk: Democratic Services Officer

Portfolio Holder: Councillor Paul Skinner

Apologies were tabled by Ms. Pierce of the Federation of Small Businesses who advised she would table written representation for consideration by the group. Apologies were further tabled by Ms. Dawson of Pescod Square.

Representation was received from the following guests with a summary of their representation noted below:

Mr and Mrs Lloyd on behalf of Boston Central Neighbour Action Group.

Concerns noted the continued impact of drinking within the town, particularly street drinking. Whilst Mr Lloyd acknowledged that town centre drinking may have decreased, issues on the outskirts of the town, around the railway station and down footpaths / pedestrian footways had increased and was a very real daily problem. Poorly lit areas around the town were not well policed like the actual town centre and groups of drinkers were intimidating and very un-nerving for older people who had lived in the areas around the town all their lives.

The body language of certain groups who were drinking was thought by some to be threatening and especially when there was a large group. The results of the continued drinking in those areas was increased littering of cans and bottle; issues of anti-social behaviour including urination, defecation and vomiting – cigarette ends and drugs paraphernalia. The group were advised that all of the fore-mentioned could be viewed around the pathways and alleyways of town, plus directly outside and around the railway station and continually at Gassy Pad near Sluice Pad.

Additional issues from the knock on effect of street drinking / drinking of cheap liquor, were noise disturbance; violence and graffiti. It was also known and illicit stills had been in operation around the town brewing alcohol with certain areas well known and obvious trading taking place in sheds and alleyways. Prostitution was also evident and well known again in certain areas away from the town centre, which was linked to street drinking.

Many of the areas on the outskirts where the various forms of activity were on-going were areas which had large numbers of HMO's (many of which were poorly maintained) and where it was evident from the volume of rubbish and littering around them that such anti-social activity was taking place. However a lack of policing of these areas led to confidence of the residents to drink and litter the areas.

The group were asked to question the Licensing Laws which had resulted in the vast number of premises in Boston being granted alcohol licences and the evidenced drinking and anti-social behaviour activity taking place around many of them, which could not be denied. Concern at the monitoring of the licences and spot checking on the quality of the goods and legality of the liquor was further questioned and members were asked to recognise that certain shops which were fined for selling illicit alcohol simply changed licensees and then carried on trading.

Many residents had genuinely lost faith and pride in the town, and the lack of action being taken in the out skirt areas, down London road and along the riverbanks, was clearly evident and very frustrating. The issues needed to be recognised and confronted all over the town, and not just in the town centre itself. People were being punished for living in areas they had lived all their lives which had been subjected to significant change with HMO's: many were frightened to go out locally (not into the town even, but simply in their own locality) after dark for fear of violence or being subjected to seeing the wide ranging anti-social activity. Many people still felt it wrong to see people openly urinating / defecating and being aggressive in front of them and it should not be classed as being normal. The problems were escalating outside of the town centre and if the Council took time to look at these areas they would see it. There was clear evidence of outside drug use; street drinking and its knock-on effects in respect of littering and urination, all around the out-skirts of the town if you looked. It had been said that Boston was reducing in its crime and that people saw a threat where there wasn't one: the significant changes around the out skirts of the town and the actual threat felt by many were both very real. Telling people they were imagining a threat was very demeaning to them: if they felt threatened in an area they had lived all the lives, the chances were they did indeed feel very threatened.

Mr Ron Smedley on behalf of the Hackney Carriage Association (Boston)

Recognising that the police presence in the actual market place was very good, the group were advised that Taxi Drivers were still subject to various forms of anti-social behaviour with pinch-points outside of the market place being on West Street outside the Chinese restaurant in the old job centre; on Bridge Street and on Red Lion Street.

The two late night shops that sold alcohol on Red Lion Street continually had groups of drinkers outside them, many of whom were drunk and not only carried out anti-social acts but also stumbled / fell into the road and in front of cars. The area was well known as being a no go area throughout the night and in the early hours yet nothing was done about it and the perpetrators continued to drink, smoke and violate the area without any policing taking place. Incidents of drunks falling onto cars; being aggressive towards drivers and also vomiting in doorways and shouting and making a nuisance was well known. Both of the shops had been subjected to licence reviews and yet they continued to trade, with new licence holders simply taking over allowing the selling of the strong alcohol into the early hours to continue.

Questioning the powers available to address the issues Mr Smedley asked why the CCTV cameras' were not used on a more regular basis and why, when everyone knew where the problem areas if CCTV was not in that area, it be positioned to allow monitoring. Also addressing the PSPO presence, Mr Smedley voiced concern at the actual lack of power of it to stop street drinking, saying it was a voluntary action by the drinker to hand over the alcohol. The group were asked to agree that it was clear for anyone to see that street drinking still took place throughout the day, not only in the market place but across the town, without any enforcement action being taken. Indeed the morning shift taxi drivers on the rank regularly saw drinkers under the five lamps as early as 8 am. Nothing was done.

Late night problems within the town centre were usually as a result of drunk people. One key problem arose when the Street Pastors asked a taxi driver to take a drunken person home, who then proceeded to either vomit in the car thus resulting in it being taken off the rank for the rest of the night to clean it and the driver losing a full nights income, or, on getting to their destination the person being unable to pay the fare. The added problem was that such passengers could also become violent exposing the drivers to danger.

Mr Smedley suggested that the Street Pastors should have a policy (*or it be in the Taxi policy*) that proof of payment by the passenger and their full details, were known prior to the Street Pastors putting them into a taxi, so that they were traceable in the event of any such activity taking place.

Greater enforcement and spot checks on known shops selling illicit alcohol was required with greater powers on closing them down. Better powers to stop such shops moving licences from one person to another should be granted and better enforcement outside the market place in the known pinch point areas of the town, which were not policed.

Mr Michael Jessop on behalf of Boston Street Pastors:

Addressing the issues raised by Mr Smedley, Mr Jessop stressed that the Street Pastors never put pressure on any of the taxi drivers to take an intoxicated person home. Most people nowadays had a mobile phone and when a taxi driver refused to take a fare, then the phones would be checked for a parent or family member to be contacted. The taxi driver had the right to refuse the fare and the Street Pastors fully agreed their position in respect of both the loss of income should a vehicle need to be taken off the road and the potential of violence arising.

The group were advised that safety in Boston overall had improved significantly over the last ten years and that it was now a safe place. However, that said there were obvious problem areas including Red Lion Street and areas including Wormgate and Chaple Street with issues relating to HMO's. Mr Jessop stated he felt there was a perception of fear by people who looked at groups of people and thought 'what if'. He encouraged greater interaction with the groups who did congregate, many of which were made up of foreign residents. Mr Jessop referenced a large group of people drinking in the Red Lion Street area who he spoke with who were very friendly. Mr Jessop further welcomed the opening of the park through the night but did agree that young people did congregate in the dark.

Noting the town centre and its lack of violence in the evening, Mr Jessop confirmed that the two nights clubs supplied the street pastors with the bottles of water they handed out, and that the door staff at each establishment were very astute in monitoring their customers. The group were advised that the two night clubs their own customers: traditionally Browns was used by the native people of the town with the foreign residents who mixed very well together using the Piranha night club. Furthermore the pubs within the town centre policed themselves and Mr Jessop stated he felt that that town centre was as safe during the night as it was in the daytime, if not safer.

Referencing the street drinking the group were asked to consider if it was really a problem as many foreigners were used to drinking during the daytime and Mr Jessop stated he felt there needed to be more tolerance and respect from the native residents for the other cultures and the native population should not be so uptight.

Mr Jessop thanked Boston Borough Council for providing shelter for the Street Pastors within their CCTV suite.

Major G Nicoll – Boston Salvation Army

Major Nicoll advised that in his experience alcohol affected people in two ways: the first being youngster who acquired a taste and made a general nuisance of themselves, the second way was adults who having drunk for so long had progressed to the strongest and hardest alcohol and were drinking throughout the day.

However, the group were advised that the Boston Citadel's main problem was one of drugs, and recently in particular the drug Spice which rendered the user incapable of anything and unable to move or speak. Major Nicoll said that the current drug problem was a far bigger cause of concern to the Salvation Army than alcohol and that its impact on the health service and emergency services was considerable.

The food programme had been closed down due to people attending having taken drugs which had made them volatile, putting volunteers in a dangerous. The final incident of a knife being thrown had resulted in the closure of the programme as it could not be safely policed. The drop-in session had carried on but were easier to monitor from a safety aspect with no more than 6 / 7 in attendance at any one time.

Rev. Dr Val Ogden on behalf of the Centenary Church.

The group were advised that Rev. Ogden along with ten other church leaders, had objected to a local newspaper in June 2019 in respect of how it recorded the offending persons as 'pair of beggars who plagued the town streets'. The concern was it degraded the two offenders in using such wording.

Confirming that she was the minister in charge of Centenary Methodist Church in Red Lion St and Hospital Bridge Chapel in Norfolk Street since November 2019, Rev. Ogden said she was learning every day and loving Boston. She was grateful for the good collegueship of other Churches in town, the Council, emergency services, agencies working at the cutting edge with all the issues.

The group were advised that the Centenary Church faced many forms of anti-social behaviour. Its' grounds and car park in Red Lion St were a popular meeting place, drinking place, a place to exchange certain substances and certainly an outdoor toilet, especially when public ones are locked or require an entrance fee. The activity did offend the Church as it was a Methodist Church and passionate about being alcohol-free space, however, people struggling with the drink were safe in Methodist Churches. The grounds were home to numerous beer cans found stuffed behind walls and trees; unwanted food abandoned, vomit and faeces were kindly left; discarded plastic bag and bedding which had been stacked for safekeeping in various porches was stolen.

An occasional tent would put up and overexcited students on the way to or from school cycled like maniacs at high speed across the car park sometimes texting simultaneously. Others scaled the ancient brick walls and fell off; noise levels rose quite a lot with many an animated and vociferous squabble being held in multiple languages in the Church doorways at all hours of the day and night.

The group were advised that whilst it seemed to be an appalling place to be where anti-social behaviour abounded, it wasn't quite like that. Some people were genuinely embarrassed when they were caught out carrying out an anti-social activity and some sought forgiveness, trying to regain some dignity. Others thanked the staff and were grateful for the simple help offered in both prayer and practical help. Some people offered sincere apologies with their truthfulness replacing lies. There was an immense amount of love and laughter at both the soup kitchen and at the community lunches.

All were welcomed inside the Church at night when the temperatures went down and the emergency night shelter's was on. Those who did so, slept cleanly and in peace as they had both washroom facilities to use and the knowledge of a safe and uninterrupted nights' sleep. The Church was always humbled and honoured to welcome anybody in need whatever their circumstance: they never judged a person as a sinner nor indeed considered the Church as a saint, but simply tried to help a person to turn their life around and make it better.

Mr Adam Kelk – Head Verger St. Botolph's

Stating that it was easy to spot the consequences of anti-social behaviour and not the actual reasons for it in the first instance, Mr Kelk advised that the homeless breakfasts programme was active in Boston, along with a number of businesses supporting the free warm drink programme in providing free hot water for homeless people who had been provided with tea bags or ready mixed soup sachets. Ongoing issues in respect of the horrendous problems with Universal Credit continued, with increased usage of food banks over the past year, together with the need for the Church to have introduced free lunches for children during the school holidays alongside breakfast / luncheon clubs. Mr Kelk stressed that Boston overall was a very generous community in its provision of bedding / foodstuffs etc.

Noting the issues for anti-social behaviour and homelessness in Boston, Mr Kelk stressed he felt that the main issue was one of mental health problems which was reaching crisis point. With no direct support provision in Boston, when an incident arose which was deemed dangerous, the police were automatically called and when they stepped in, things got a little better for the person concerned who would then be discharged back onto the streets without any long term rehabilitation in place. Furthermore issues of Mamba and Spice were rising in Boston resulting in a knock on effect to the emergency services due to the effect of both which renders the user unconscious and as such, the ambulance call is classified as a priority.

Mr Kelk voiced concern at photographs taken of homeless people and posted on various social media sites which not only reflected badly on the town, but more importantly did not guarantee the person being photographed instant access to a hostel: the procedure was to be placed on a waiting list first. Furthermore significant negativity on social media did not reflect Boston's actual safe position: visitor numbers to St. Botolph's having risen year on year over the past four years from 66k to 1250k visitors. The negative reviews in respect of anti-social activity within the town were exaggerated and gave a damaging view of the town centre which was in reality, very safe to visit.

Summary comments

NEGATIVE ISSUES:

- Evidence of all types of ASB could be found around the **out skirts** of the town centre, by the railway station giving a very bad first impression of the town, and continually at, Gassy Pad, near Sluice Bridge and down London Road, along with residential areas around Lister Way and along Carlton Road. Evidence included broken glass; drug paraphernalia; littering of empty cans and cigarette ends, along with human faeces and vomit.
- Groups of street drinkers did continue to congregate and did genuinely scare some members of the public and there was a very real fear by some people: it was not all perception.
- Long residing residents were scared to go out in the evenings many of whom had lived in the same area for years and seen a decline in the living standards on the local streets.
- There was a clear lack of policing on the outskirts of the town with daily ASB activity taking place and no obvious policing of the areas.
- The group were welcome to walk around the areas and view the evidence themselves, particularly in the evening when the groups did gather.

- Concerns on licensing laws were tabled and issues of ongoing outcomes from street drinking within the vicinity of premises that sold alcohol (*Red Lion Street being referenced by both the Hackney Carriage Assoc. along with the Centenary Church – which was subjected to multiple incidents of a wide variety of anti-social activity, due to its location opposite the shops*)
- Guests questioned monitoring of premises licences. Police and Council resources were questioned along with clarification on the licensing law in respect of granting so many licences: the system allowed so many to be granted, then they were reviewed and maybe appealed, costing so much money.
- It was evidenced that some well-known shops which continually changed hands, sold out of hours.
- Greater enforcement power was required to close the shops down.
- Changes in licence holders did not address issues and repeat offences by known individuals still allowed them to re-apply for licences.
- Local residents had lost seating along the riverside due to the benches being used by groups for drinking then leaving rubbish along with human waste. They had never been replaced leaving many people especially the elderly or infirm without rest stops around the town
- Drinking was obvious both in the town centre and certainly around the outskirts of the town at all hours of the day and night. What was the point of the PSPO.
- Negative media in particular by Facebook and Instagram in respect of both homelessness and ASB activity continued to portray Boston in a harmful way: it fed the perception of fear in local people and was detrimental to people experiencing very difficult personal problems.
- Media coverage of ASB and criminal activity in the local press could be degrading to people who were living very difficult lives.
- Mental health problems were a large contributory factor in incidents of ASB with little support for the offenders who were taken away by the Police and then released directly back into the community without any support help.
- Issues of alcohol and drug abuse could also be attributed in part to mental health problems with very restricted support services in place with offenders released back into the same environment.
- Why was CCTV not used in the well-known areas of repetitive acts of ASB.
- The Salvation Army had to close its food programme due to incidents of violence which could not be policed and put the helpers and attendees in danger.
- Universal Credit continued to be a problem for many families in the town with increased needs for food banks and for free meals.

POSITIVE COMMENTS:

- Crime and ASB in the actual town centre had reduced.
- The town centre was a very safe place to be in the evening
- Safety overall had improved significantly over the last ten years
- The fear of crime was only 'perception of fear' and people should interact with the groups of drinkers around the town who were friendly and happy to talk.
- Local people needed to consider if street drinking really was a problem
- The two main nightclubs in the town centre were well policed by their own door staff and they supported the Street Pastors and donated water to be handed out.
- Acts of violence in the town had reduced.
- Leaving central park open overnight had been a positive move by the Council
- The Centenary Church and St. Botolph's Church continued to be a support to the homelessness people of the town with meals being provided; shelter – accommodation in the bad weather and both as sites as places of safety.
- Visitor numbers to Boston Stump (and by de-default into the town) had increased year on year with ongoing feedback being positive about the town centre and its attractions.

Conclusions:

1. The Market Place and Wide Bargate were both safe areas during the daytime and in the evening. This was due to increased policing of those areas, supported by both the street pastors, and the public houses and night clubs who policed their own premises. There had been a significant drop in ASB in those specific areas over the last few years and any 'fear' by residents of visiting was probably 'perception' of fear, based mainly on negative press about the town itself. Increases in visitor numbers to the market place area supported these comments made.
2. Many identifiable areas on the outskirts of the town and neighbouring the Market Place, were still subject to ongoing acts of ASB including directly outside the Railway Station; along London Road, around Carlton Road and near Sluice Bridge together with many pathways and alleyways abutting the named areas. Clear evidence could be found within these areas of various types of ongoing ASB with broken glass; drug paraphernalia; litter and bodily fluids. Residents within these areas had a very real fear of leaving their homes in the evening, due to the continued ASB activity taking place within their own neighbourhood.
3. There was noted concern at the on-going issuing of alcohol licenses by the Council, in particular in respect of applicants who had held licences at other premises which had been subjected to appeals. Further information was required on the regularity of checking the conditions on licences; on the number of spot-checks carried out by customs and excise and on the resources for all parties involved in monitoring the premises and carrying out surveillance, when repeat offences were being identified including serving out of hours and also supplying illicit alcohol.

The Chairman concluded the meeting by thanking all guests for their attendance assuring them that their concerns would be taken through the review at the relevant points and addressed by both the Police and the Councils own Officers.

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Task and Finish Group 26 February 2020

In attendance:

Chairman:	Councillor Judith Skinner	Lead Officer:	Head of Regulatory Services
Vice Chairman:	Councillor Paul Goodale	Clerk:	Democratic Services Officer
Councillors:	Tracey Abbott		
	Neill Hastie		
	Judith Welbourn		
	Stephen Woodliffe		

Observing: Councillor Paul Skinner

Guests presenting: Sgt. K Enderby. Lincolnshire Police
 PC. G McConville. Lincolnshire Police
 Licensing and Land Charges Manager – Boston Borough Council

Apologies were tabled by Councillor Yvonne Stevens in her role as Portfolio Holder for Licensing and Land Charges.

Prior to addressing the questions which were tabled within part 3 of the outcomes of the consultations, within the agenda, the Licensing and Land Charges Manager sought the Chairman's permission to circulate a paper they had produced, which provided a summary of all the licence applications for 'off-licenses' and all the reviews held on 'off-licences' since 1 January 2019. Members were advised that the applications were specific only to 'off-licence' premises and they did not include public houses/restaurants or supermarkets.

The Licensing and Land Charges Manager further advised as a point of information, based on the consultation feedback, that whilst there appeared to be a perception that all of the shops within the immediate area of West Street held alcohol licences. 11 shops that may appear from their frontage to sell alcohol, did not. The area covered was West Street; High Street, George Street and Bridge Street.

1	<p>Why did the Council allow so many licenced premises in and around the town when obviously a lot of the anti-social incidents that took place, were due to too much drinking. Public urinating and vomiting all over the town, littering cans and bottles, vandalism and violence could all be attributed at times to alcohol? When making their decision on a licence did the Council take this 'knock-on' effect into consideration.</p> <p><i>Response:</i></p> <p>When an alcohol licence application was submitted, if no objections had been raised against it, the application by law must be granted. Formal objections from members of the public or any responsible authorities would cause the application to be considered in greater detail by the licensing sub-committee and the objections could result in an application being refused.</p> <p>Knock-on effects were taken into consideration and could result in a refusal.</p>
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2	<p>Do the council evidence a need for the licence before granting it? Was there a requirement in law to take into consideration the need for the shop and what it was selling and if there was a proven number of the type of shop, could the Council refuse for that reason?</p> <p><i>Response:</i></p> <p>Need was currently not a licensing objective and as such the Licensing sub-committee could not take it into account when making their deliberations. Statutory Government guidance when referring to ‘need’ stated “this is not a matter for a Licensing authority in discharging its functions or for its statement of licensing policy”</p>
3	<p>Why were so many licences granted on West Street when so many incidents of violence have been recorded in the area as a result of too much alcohol?</p> <p><i>Response:</i></p> <p>Referencing their initial advice of the actual number of licences premises in the vicinity of West Street, the Licensing and Land Charges Manager reiterated their comments that the frontage of some premises led people to believe that they were licensed and selling alcohol when they were not.</p> <p>Sgt. Enderby advised that it was hard to prove the potential of violence when it was not existing. When the committee were considering an application it was difficult for the Police to build a case and an argument for refusal, when an applicant stated they would be compliant with conditions and objectives. If the violence / criminality was proven after granting of the licence then there was the ability of review of the licence. The current legislation was fundamentally flawed and aired on the side of the applicant.</p>
4	<p>What checks are undertaken once a licence is granted to see if the holder is compliant with the conditions on the licence and who checks it, is it the Council or the Police? If they are not checked regularly then why not?</p> <p><i>Response:</i></p> <p>The Licensing and Land Charges Manager proposed that within 2 – 4 months of an alcohol licence having been granted, a compliance test could be carried out with a stepped approach being taken. Whilst a search could not be carried out, checks could be made on the CCTV operation and an audit of the premises to give it a health check to ensure any conditions were being adhered to.</p> <p>Sgt. Enderby confirmed that the Police worked hard as a facilitator in the licence application process, offering suggested conditions for applicants and he noted it was always preferable when robust conditions on a licence were agreed by the applicant. It displayed an understanding by the applicant. Not all applicants were as competent in their understanding and current legislation did not allow the Police to be as robust as they would prefer. The Police undertook compliance testing with 4 officers across the County and clearly could not visit all premises: testing was intelligence driven with evidence of ASB / underage purchasing and illegal opening and when a threat or high risk was identified, then action was taken.</p> <p>However, all licence holders had a responsibility to police themselves. Sgt. Enderby stressed the importance of the public submitting intelligence, no matter how small the</p>

	intelligence was: he advised every single piece helped to build a case, no matter how small it may be.
5	<p>Why did the Council allow such long hours for all licences, was there a need to open so early in the morning for alcohol?</p> <p>The Licensing and Land Charges Manager confirmed that the only grounds to change the hours applied for would be if the application had been objected, evidencing why the applied for hours would not comply with the licensing objectives. The same rules applied as with question 1 in that public objection(s) or objections from responsible authorities were always required.</p> <p>An example was provided in respect of a licence application on Eastwood Road in Boston, where due to the substantial amount of public objections, the hours requested were reduced. Public objection was taken very seriously.</p> <p>Sgt. Enderby confirmed that the Police were always happy to go and meet the public and explain how to submit representation/objections. He recognised that it was something that was not generally known and many members of the public were probably unfamiliar with the process which deterred them from coming forward and making objections.</p>
6	<p>Extended hours allowed the more vulnerable people in the community (homelessness people / alcohol dependant people) greater access to cheap alcohol at all times of the day and night, exacerbating their problems and encouraging their drinking. Did the Council consider this effect when making its decisions? If they did not consider this, then why not as it clearly did impact on vulnerable people in the town and it was the volunteer support teams</p> <p>The Licensing and Land Charges Manager confirmed that the current Licensing Objectives did not include the consideration of vulnerable people, yet the Gambling Act 2005 did include consideration of children and vulnerable people. Public Health was also not a licensing objective.</p> <p>Sgt. Enderby stressed the need for all eleven partners to become more involved in support and consideration of licensing applications: whilst the Police and Environmental Health were constant in their support, others including the Fire Brigade needed to become further involved. Public intelligence was also vital in highlighting areas of vulnerability and although CCTV acted as an eye in the sky the public needed to be encouraged to report all their concerns when they identified situations of vulnerability. All reports were checked and when clusters of reports about an ongoing issue were received, it evidenced the need for checking.</p>
7	<p>Did the Council consider the impact on residents in residential areas, when granting alcohol licensing? If not, they why not as the residents' wellbeing and safety were significantly affected by increased noise and ASB activity around the foreign shops and the neighbouring gardens. If seemed that the residents had no choice but to tolerate it as they were frightened of any confrontation with large groups of men drinking late into the evening?</p> <p>The Licensing and Land Charges Manager confirmed that the licencing panel may only consider the objections that had been received and it was down to the members of the</p>

	<p>public are encouraged to report all incidents to the Licensing team or via the 101 service. All Councillors received a list of all Licensing Act 2013 applications and had the opportunity to comment and voice any concerns they had in respect of a specific application.</p> <p>It was recognised that not everyone was familiar with the process of submitting evidence or concerns in respect of applications, and the Licensing team would always offer assistance and guide anybody wishing to report any issues. Any issue of disturbance, noise or impact of ASB by a licensed premise on its neighbouring vicinity would be taken very seriously and looked into thoroughly.</p>
8	<p>Did the Council have the power to restrict selling of very strong alcohol both in tins and bottles and also in selling single cans of the extremely strong lager which were littered across the town? If not, then what needed to happen to give them that power to implement such conditions?</p> <p>The Licensing and Land Charges Manager advised that the Council could put conditions on the licences and that normally an agent / applicant would be happy to agree to such conditioning. However, it was not known how effective it was and it needed to be considered if a more holistic approach was maybe needed.</p>
9	<p>Did Customs and Excise ‘spot-check’ businesses in respect of illegal alcohol and if so how often and were checks carried out?</p> <p>If they did not carry out such checks, then why not and what is the law in respect of Customs and Excise visiting, did the Council / Police liaise with them?</p> <p>Customs and Excise did carry out checks regularly and the Police had the same powers and could seize illegal goods. However, they could not randomly search a premise looking for illegal goods. If a shop had no alcohol licence then the Police had no power whatsoever to enter the business and had to contact Trading Standards.</p> <p>The area covered was massive working out from Nottingham / Norfolk / Northampton/ Lincolnshire and Derbyshire.⁶</p> <p>Issues arose in respect of the duty paid/payable on cans and it was hard to prove what a shop had bought and where from.</p>
10.	<p>Is there a site at the Council where concerns about premises can be sent to which is safe? Many residents were afraid of reporting trouble as there seemed to be groups of foreigners controlling lots of the shops in the town and there were well known incidents of reprisals when the shops had been reported?</p> <p><i>Update following the meeting:</i></p> <p>The Licensing and Land Charges Manager confirmed that a customer report form would be placed on the website which when submitted would be automatically emailed to a secure email address.</p> <p>It was noted that increased myth busting was required to dispel current perceptions in respect of not being able to do anything about concerns being raised.</p>

11	<p>What is the law on a shop that has continually broken the law, the licence holder is changed and the law continues to be broken, and yet the license keeps being granted. It seems that Council cannot actually shut the shop down, despite repeated law breaking. How many licence holders can there be and is there anyway the shop itself can be closed down?</p> <p>The Licensing and Land Changes Manager confirmed that the Council had no power to close a shop. When considering repeat licensing of a premise, the Police worked very hard to ensure there was no known connection to the previous applicant: when non had been found the application was considered as a new application. A significant amount of work was undertaken by the Police before an application was taken through to the hearing for determination.</p>
12	<p>Can the Council put a condition on all licences requiring CCTV coverage of the whole area immediately outside the shop to evidence group drinking and noise disturbance along with the ASB activity? It would also evidence the opening time of the shop and show any out of hours selling, which occurred at most shops.</p> <p>Sgt. Enderby confirmed that no such condition could be attributed as it would contravene Data protection and result in collateral intrusion. The CCTV inside provided identification of customers, shopping and those who opened cans walking outside and also times of trading.</p>
13	<p>What else can the licensing committee do to make sure the licences granted are to responsible licence holders?</p> <p>The Licensing and Land Charges Manager suggested that in-depth probing by asking as many questions as possible and importantly asking the 'right' questions, were key when determining if an applicant would be a responsible licensee</p> <p>Sgt. Enderby noted that the power of a committee could stall a licence. He agreed that the applicants' answers and their proven knowledge of the Licensing objectives; of the area their business was in and of the people in that area, identified his genuine intent to want to trade.</p> <p>An applicants' willingness to accept conditions and understand them, along with them having provided risk assessments, all attributed to their overall commitment to the business.</p>

On completion of answering the questions identified within the agenda pack, the Chairman asked the guests to identify and table any recommendations that felt would help them moving forward with comments noted as follows:

- Clear concerns were noted that current legislation permitted a business which had appealed a decision to continue trading whilst awaiting the outcome of the appeal. When a decision to revoke was made, based on proven evidence of contravention of conditions or illegal activity, the Licence Holder was in effect granted a further number of months to trade. Immediate cessation of trading in alcohol should be mandatory whilst pending the outcome of the appeal.

- Licensing of the sale of tobacco should be legal and subject to the same requisite rules of the sale alcohol enabling greater monitoring of conditions and allowing compliance testing. The licensing of tobacco would allow proof of age requirement for purchase and ensure a control measure in the sale of illicit tobacco.
- The Police should have power to close a business immediately if it was found to have breached its conditions thus stopping illegal trading and impacting instantly on the licence holder.
- The Police be empowered to serve Fixed Penalty Notices for any breach of licence.
- The 11 responsible authorities, subject to consultation in respect of the applications, needed to be encouraged to participate more from their respective areas and have greater input in their consultation roles.
- Licensing fees had not increased since the act came in in 2005 and Parliament should be lobbied for an increase: the additional income would enable the Licensing team to carry out greater visits and compliance checks along with increased time in promoting the public's awareness of how to object to applications.
- It was clear the public's knowledge of how to object to a licence application was very limited. Far greater education of how to submit objections along with greater reassurance of how important public objection was, was required and guidance needed to be openly available. One stream of issuing the advice would be via the Parish Councils.
- Success over recent months in respect of applications refused / appeals upheld and revocations, needed to be promoted widely across the borough to increase public confidence in the Council and to dispel the misconceptions identified from the consultations.

Thanking the representative for this clear and detailed responses, members agreed that they would help in explaining the addressing some of the public concerns in respect of how Licensing laws worked and the compliance required by the Licensing committee. On requesting how the review group could help in making recommendations to improve and support the Licensing process, the following comments were made:

- A change in legislation to prevent the sale of alcohol during and appear period.
- That Government take into consideration the significant loss of revenue due to illicit tobacco.
- Closure of a premises in breach of its conditions be immediate
- Police and Senior Council Officers be empowered to serve FPNs for breach of licence
- The 11 responsible authorities be encouraged to give greater consideration to applications
- Parliament be asked to increase fees
- Greater education be provided for members of the public as to how to appeal decisions
- Boston CAP promote its success more on social media.

For full detailed recommendations, please see final review recommendations at Appendix F.

Task and Finish Group 23 September 2020

In attendance:

Chairman:	Councillor Judith Skinner	Lead Officer:	Head of Regulatory Services
Vice Chairman:	Councillor Paul Goodale	Clerk:	Democratic Services Officer
Councillors:	Neill Hastie		
	Judith Welbourn		
	Stephen Woodliffe		

Guests presenting:	Sgt. F Harrod.	Lincolnshire Police
	Community Safety Manager	Boston Borough Council

Apologies tabled by Councillor Paul Skinner in his role as Portfolio Holder for Regulatory services.

A point of order confirmed that Councillor Tracey Abbott had moved to the Executive and as such left the group.

Prior to representation members confirmed they had received and read the additional report (*attached to the end of these notes*) which provided the comparative analysis of anti-social behaviour activity / enforcement and crime.

The Community Safety Manager addressed the group and acknowledged the public response to the consultation paper that had provided very open views. He further referred to the headline results noting the decline of 75% of responses stating they went out less than they had 5 years previously and that 51% of responses stated they did not feel safe within the town.

Stating he was pleased that the public comments were unsanitised the Community Safety Manager noted the clear repetitive concerns within the consultation responses, including ongoing ASB activity within the town, around the bus and train stations and along West Street, together with concerns of residents on the outskirts of town repeating the same issues. Drug taking, large groups of males loitering around off licences causing nuisance to neighbours and worries about violence being further repeated comments. All of which had resulted in the public having a genuine fear of going out. Further issues included no public faith in the PSPO in respect of ongoing street drinking and the genuine frustration of the public at the continued lack of respect by some European Nationals, who continued to commit certain unsociable acts of ASB without being accountable for their actions. Residents felt that Boston had no-go areas / ghettos within the town that were unpoliced, and there appeared an overall lack of confidence in the Police and Council.

Suggestions included the reinstatement of the Town Rangers and increased CCTV coverage across the town.

Addressing the additional report (attached) members were advised that the figures for Skegness and Horncastle had been combined for ASB activity.

Areas highlighted included clarification that the 43 stage 2 letters issued in Boston in February had been for a single event in the town which had been very quickly addressed with the support of CCTV and 43 culprits identified.

The survey highlighted ongoing mis-understanding in respect of the PSPO for Alcohol, with the perception being it was both an offence to drink alcohol outdoors across the town. It was not, it only allowed Police Officers, PCSO's or other authorised persons to remove drink and if refused then enforcement proceedings began. The figures for the PSPO only related to Boston as East Lindsey District Council had no PSPO within any area of their district.

Addressing the public perception of crime, the Community Safety Manager advised that the outcomes of the consultation mirrored surveys elsewhere. The recent Police and Crime survey showed 46% of people in Boston had given a score of 5 as to how safe they feel out of a scale of 1 – 10, with 58% of people in Boston believing that the community was becoming less safe. Public perception did need to be addressed and would require a future piece of work to look at how it would be possible to dispel public concerns. *The group should it be minded could consider a recommendation along those lines.*

Inspector Fran Harrod of Lincolnshire Police thanked members of the public for feedback, which she noted was extremely important. The data provided by the Police within the additional report had been broken down and was comparative in timelines with the information presented by the Community Safety Officer. The data provided had been analysed by a professional statistician to provide full transparency of the facts. The data provided she hoped, would address a number of concerns from the survey including issues of enforcement and the activity of the Police

At the onset of the pandemic to ensure the safety of vulnerable officers within the Councils CCTV suite, and in order to maintain continued coverage of CCTV, a decision was made that the Councils CCTV operatives would undertake police reviews, eliminating the risk of numerous Police going in and out the CCTV suite. During lockdown there had been a huge decrease in people on the streets with the vast majority of residents complying and keeping safe, making it easier for CCTV Officers to identify ASB activity and PSPO breaches. The stop and search incidents had escalated with in excess of 110 tickets issued for breaches of Covid regulations. Officer numbers had been strong throughout lockdown with officers cancelling holidays; outing mandatory training into abeyance and closure of the courts had freed up officers.

Whilst the data provided aligned to the feedback, it did not include other demands on Police time. They included the Police often being the last point of call for mental health incidents, which rightly required officer time, alongside incidents of missing people and suicides, which like the mental health incidents had risen during the pandemic.

Addressing the ongoing public perception of crime and other issues including a lack of Policing. Inspector Harrod advised that recognising the need for improved public communication of Police activity, an East Division Press Officer had joined the team to get as much information out publicly, Historically various neighbourhood policing panels had provided a platform for direct contact to allow residents the opportunity to question the Police in a public forum. There was regular reporting to BTAC and that was a possible stage, however further consideration was required as any session needed to be unrestricted in time. Another option was joint public meetings between the Police and Council. *Inspector Harrod suggested it could be a recommendation for the group to consider.*

In conclusion. Inspector Harrod asked that members note the level of partnership working within t Boston so often overlooked. Over recent years strong relationships, with the Council in particular, had allowed a continued improving level of policing and enforcement service across the town and borough. The data within the report supported the levels and would she hoped, reassure the public.

Members collectively thanked the Community Safety Officer for the high quality of the report produced which had addressed many of the concerns tabled through the consultation process: it was clear in its information and easy to read.

Concluding comment by the group:

The town was no worse or better than any other town. One issue appeared to be that long-term residents compared the current town to that of 30 / 40 years ago and it was not the same. It had grown like all other towns in the Country, and like other towns it had problems but nowhere near as many as some had.

The perception of crime was on ongoing and the negativity of many residents needed to be addressed. A suggestion noted the possibility of producing monthly / quarterly data, to provide to the public, akin to that within the report to demonstrate to the public how active the Police were.

The group agreed the idea be taken forward as a recommendation but that it be produced within a frame of reference with data being figurative and per capita.

Furthermore following on from Inspector Harrods suggestion, the group agreed that some form of open forum for public questioning be considered between the Police and Council and negotiations take place to provide such a platform.

The 101 service continued to cause frustration. The protocol of call handlers was the handler took a number of details to allow them to make an assessment if the incident was a threat, harm or risk. Investigative questions allowed the handler to any existing information on police records and any increased level of risk/ hot spots and vulnerable people. A complaints mechanism was in place. The public's perception of updating on incidents was an area of concern when the level of service did not match expectation. For on ongoing case a community trigger activated ASBRAC who would look at the overall situation.

Options to circumnavigate the 101 service on non-urgent incidents were available such incidents emailed direct to the Police or Inspector Harrod. The group agreed a further recommendation that full details on the contact email address for the Police be signposted on the Councils website with a caveat that it was only for non-urgent incidents.

Residents around central park continued to be subject to nuisance, who over time felt disillusioned and let down by the Council and Police at the lack of response and lack of enforcement, against perpetual offenders who continued to abuse the park. Drinking, drug taking, large groups playing loud music after dark and personal acts of ASB left the public feeling intimidated to access the park, both in the day and in the evening. Inspector Harrod advised there had been Police surveillance in the park and that complaint calls continued to rise, however, it was impossible for the Police to sustain a full time presence. Inspector Harrod stated that the simple answer was to close the park at night, as had been the practice historically.

In response to a suggestion to re-install a park keeper, concern at such a persons' safety was as raised with recognition that the publics' level of respect of authority was not what it had been when park keepers had previously been in charge. A further suggestion noted installation of floodlights. Councillor Paul Goodale Chairman of the BTAC committee stated he was happy to work with the Police and Officers to look at options to improve security and address the ongoing ASB activity.

On questioning the compliment of Police within the Borough, Inspector Harrod advised that a system of preferred level of staffing was used and always under review. Five units were on blue lights with back up responses also available by CID and the ASB team amongst others. Demand in an area was always established and when required overtime was always paid, to ensure a preferred level.

Concluding the meeting the Chairman thanked Inspector Harrod and the Community Safety Manager for providing the detailed information and input which would allow the group to consider final recommendation.

On seeking a steer on any further representation required prior to looking at final reporting, a member suggested inviting the homeless care sector. On consideration of the scope of the review it was agreed that a specific piece of work via the Corporate and Community committee would be the route for such a detailed piece of work. Councillor Stephen Woodliffe, Chairman of that committee agreed to take the suggestion forward.

It was agreed to schedule a final meeting of the group to allow all members to consider and comment on the final draft report and agree / table more, recommendations, prior to taking the agreed final report through the committee system.

Please see Community Safety Officers report that follows these notes.



B O S T O N

B O R O U G H C O U N C I L

REPORT TO:	Task and Finish Group Review
DATE:	23 rd September 2020
SUBJECT:	Regulating and Safeguarding Boston's Economy
REPORT AUTHOR:	Peter Hunn / Inspector Fran Harrod
EXEMPT REPORT?	No

SUMMARY

This report provides data in relation to the enforcement of Anti-Social Behaviour (ASB) and Public Spaces Protection Order (PSPO) by Boston Borough Council officers and the police between 1st January 2020 and 31st August 2020. It also includes details of CCTV data in relation to arrests, incidents and out of hours calls for the same period. The data is broken down into three time periods: pre-Covid19 (1st January 2020 to 31st March 2020), during lockdown (1st April 2020 to 30th June 2020) and post-Covid19 (1st July 2020 to 31st August 2020). It also includes comparable data from East Lindsey District Council for comparison purposes.

The Council's ASB Officers utilise the powers contained within the Anti-Social Behaviour, Crime & Policing Act 2014, along with the countywide Safer Lincolnshire Partnership Anti-Social Behaviour Strategy.

The report also shows ASB and Crime statistics reported to Lincolnshire Police for the same time periods in relation to the Boston Borough Council area and an update, which can be found at Section 5 of the report and Appendix 3, from Sector Police Inspector Fran Harrod.

RECOMMENDATIONS

That members review, comment, and challenge the information presented within the report and its appendices. That the Task and Finish group makes any recommendations that it feels appropriate.

REASONS FOR RECOMMENDATIONS

To enable members to review, comment, and challenge the information presented.

REPORT

1. Anti-Social Behaviour Enforcement Data

1.1 Table 1 shows the number and type of enforcement action taken by ASB Officers during the three specified time periods in Boston compared to Skegness & Horncastle (combined) in East Lindsey. **Appendix 1** includes additional tables showing a breakdown of the Boston data broken down by Town Centre and Out of Town.

Table 1: ASB Enforcement Action taken between 1st January 20 and 31st August 20

	Pre-Covid19		During Lockdown		Post-Covid19	
	Boston Borough	Skegness & Horncastle	Boston Borough	Skegness & Horncastle	Boston Borough	Skegness & Horncastle
Stage 1 Advice	6	3	1	4	15	1
Stage 2 Warning	51*	0	2	3	4	2
Acceptable Behaviour Agreement (ABA)	3	0	0	0	0	0
Community Protection Notice Warning (CPMW)	2	0	0	0	0	0
Community Protection Notice (CPN)	0	0	0	0	0	0
Civil Injunction	0	1	0		0	0
Total	62	4	3	7	19	3

*Please note that 43 of these letters relate to a group of young people causing the same issues during February half term.

1.2 The data shows that there was a significantly higher number of enforcement actions taken in Boston both Pre-Covid19 and Post-Covid19 than in Skegness and Horncastle combined (even if the Stage 2 anomaly is accounted for). The number of enforcement actions during lockdown was slightly higher in Skegness/Horncastle than Boston. It is important to note that the majority of ASB dealt with by officers was youth-related.

2. Public Spaces Protection Order (PSPO) Enforcement Data

- 2.1 Boston Borough Council's Public Spaces Protection Order (in relation to alcohol) commenced on Monday 12th January 2015 and has been extended until 11th January 2021. The effect of the Order is to prohibit the consumption of alcohol within the PSPO area and to require specified things to be done by person/s consuming alcohol in that area.
- 2.2 The Order applies to all persons within the area, whether resident or otherwise, at all times. Pursuant to section 63 of the Act, where a Police Officer, Community Support Officer or other Authorised Person requires that a person desists from consuming alcohol (or the item reasonably believed to be alcohol), or surrender the alcohol (or item which is reasonably believed to be alcohol) and the person fails to do so, that person shall be committing an offence.
- 2.3 The process of enforcing the PSPO is very similar to the incremental approach used when dealing with other forms of ASB:
- Stage 1 is a PSPO Advice letter, triggered by the Police and posted to the perpetrator by the Council's ASB Officer. This is usually issued to first time PSPO perpetrators.
 - Stage 2 is a PSPO Warning Letter, again this is triggered by the Police. This is given to second time PSPO offenders within a 6 month period. This is normally delivered by the Police to the perpetrators home address.
 - Stage 3 is a Community Protection Warning Letter (CPW). The CPW is generated by the Council following a report from the Police that determines a perpetrator has been asked to surrender alcohol for a third time. The CPW is served by a Council ASB officer and signed by the perpetrator.
 - Stage 4 is a Community Protection Notice (CPN). The CPN is generated by the Council following a report from the Police that determines a perpetrator has been asked to surrender alcohol for a fourth time and is in breach of their CPW. The CPN is served by a Council ASB officer and signed by the perpetrator.
 - A Fixed Penalty Notice may be issued when a perpetrator refuses or desists from drinking alcohol, or any liquid considered to be alcohol, fails to hand over alcohol, or any liquid considered to be alcohol when instructed to by an authorised officer, or fails leave the designated zone when requested to do so by an authorised officer. The FPN is hand served by a Council ASB Officer.

2.4 Table 2 shows the number and type of enforcement action taken by ASB Officer's in relation to the PSPO in Boston. There is not a similar PSPO in East Lindsey so no comparison data is provided.

Table 2 PSPO Enforcement Action taken between 1st January 20 and 31st August 20

Enforcement Type	Pre-Covid19	During Lockdown	Post-Covid-19
PSPO Advice	2	35	36
PSPO Warning	1	2	5
CPNW	0	0	2
CPN	0	0	0
FPN	0	0	0
Total	3	37	43

2.5 Table 2 shows that pre-Covid19 there were very few individuals dealt with in relation to the PSPO. However, the numbers during lockdown and post-Covid19 are similar, with a slightly higher number post-Covid19. Winter – low is normal

3. CCTV Update

3.1 The following provides an examination of data collected by the CCTV department of Boston Borough Council.

Arrests / Incidents

3.2 Table 3 below shows a monthly breakdown during each of the time periods (pre-Covid, during lockdown & post-Covid). This chart shows the numbers of arrests where CCTV witnessed or contributed; the number of evidential CCTV packages seized by Police; the number of CCTV incidents logged; and also the number of incidents logged in regards to the Council's Out of Hours service. This data is the combination of all CCTV areas that are monitored from Boston CCTV Control Room (Boston, East Lindsey, South Holland and North Kesteven).

Table 3 CCTV data by Arrests, Incidents and Out of Hours compared to 2019

Total CCTV Performance Data 2020						
Month	Arrests		Incidents		Out of Hours	
January	40	-13%	155	44%	68	-25%
February	38	36%	127	48%	88	-14%
March	41	5%	95	-3%	97	-15%
April	21	-34%	129	7%	117	-17%
May	27	-45%	123	-5%	147	7%
June	11	-56%	54	-33%	95	-37%
July	24	-17%	113	10%	84	-49%
August	40	3%	103	-31%	157	5%
Year Total	242	-16%	899	3%	853	-19%

3.3 Table 3 shows the increase or decrease of incidents / arrests in comparison to 2019. In April / May / June we can see a decrease in arrest figures, likely influenced by the closure of pubs, clubs and shops. Recorded 'Incidents' are still at relatively normal levels due to extra Covid-related duties filling the gap left by shoplifting and pub/club related incidents.

CCTV Area Breakdown

3.4 Table 4 is taken from the data above, but shows the results for the individual areas of Boston, Skegness and Horncastle. We can see from this table that the reduction in arrests is mostly centred on the area of Skegness, which would normally be showing an increase around this time, with the influx of holidaymakers to the town.

Table 4 CCTV data Arrests & Incidents in Boston, Skegness and Horncastle

CCTV Area Performance Data 2020						
	Boston		Skegness		Horncastle	
Month	Arrests	Incidents	Arrests	Incidents	Arrests	Incidents
January	19	65	2	34	1	5
February	18	55	7	31	5	4
March	19	44	14	24	2	1
April	12	75	1	25	1	4
May	15	78	5	26	0	1
June	5	22	1	20	0	1
July	6	28	11	49	0	2
August	12	27	12	35	1	1
Year Total	106	394	53	244	10	19

Incident Types

3.5 Table 5 shows the incident categories and the data for each area and time period. We can see how Shoplifting incidents are reduced due to closures. Anti-social behaviour also showing a significant drop (according to CCTV incidents). It is worth noting that CCTV duties increased during Lockdown and beyond, including the reviewing of CCTV footage for Police officers. This may also have had an effect upon incidents spotted / logged during this time.

Table 5 CCTV Incident Categories in Boston, Skegness and Horncastle

Incident Category	Pre Covid			Lockdown			Post Covid		
	Boston	Skegness	Horncastle	Boston	Skegness	Horncastle	Boston	Skegness	Horncastle
Alarm Activation	4	3	0	0	0	0	2	0	0
Alcohol	6	7	0	1	3	0	0	2	0
Anti-Social Behaviour	26	8	0	3	1	1	7	6	0
Bicycle Theft	1	0	0	2	0	0	0	0	0
Breach of Conditions or Ban	0	0	0	0	0	0	0	1	0
Burglary	4	3	1	0	2	0	0	1	0
Covid-19 Related	8	0	0	96	12	0	0	1	0
Criminal Damage & Arson	4	0	0	3	1	2	2	0	0
Domestic Abuse	0	5	1	2	0	0	0	1	0
Drugs	12	6	0	4	5	0	2	0	0
Emergencies	0	1	0	0	1	0	0	0	0
Environmental Crime	2	0	0	1	0	0	1	0	0
Events	1	0	0	0	1	0	0	0	0
Fire / Ambulance / Sudden Death	1	3	1	0	0	0	0	2	0
Fraud	0	0	0	1	0	0	0	0	0
Licensing	0	0	0	0	0	0	0	0	0
Other Crime	3	2	0	1	0	0	3	3	0
Other Theft	0	0	0	0	1	0	0	1	0
Public Order	9	13	0	12	11	0	4	11	0
Robbery	1	1	0	1	1	0	0	4	0
Search for Person	12	12	0	15	6	3	7	14	1
Shoplifting	24	1	0	8	1	0	5	0	0
Suspicious Behaviour	11	5	0	5	2	0	6	2	0
Theft from the Person	0	0	0	0	0	0	0	0	0
Traffic Offence	14	12	2	16	5	0	4	11	1
Vehicle Crime	1	0	1	1	1	0	0	0	1
Violence and Sexual	11	3	1	2	0	0	3	12	0
Weapons	6	2	1	0	2	0	6	4	0

4. Perceptions of Crime & ASB

- 4.1 Feedback gathered from the consultation process mirrors findings from elsewhere in terms of perceptions and fear of crime and ASB. The most recent Police and Crime Commissioner's survey (2019-20) showed that 46% of residents in Boston gave a score of 5 or less in relation to how safe they feel – the largest proportion in Lincolnshire (on a scale of 1-10 with 1 being extremely unsafe and 10 being extremely safe). Similarly, the majority of residents in Boston (58%) believe that their community is becoming less safe.
- 4.2 Source: <https://lincolnshire-pcc.gov.uk/transparency/pcc-annual-survey-results/>
- 4.3 Perceptions and fear of crime are difficult to address by the policing and enforcement of incidents alone. It would take dedicated time and effort by a number of agencies within Boston to work together to begin to address these negative and largely inaccurate perceptions that are portrayed within the media/social media.

5. Lincolnshire Police Update - INSP FRAN HARROD

- 5.1 It is safe to say that 2020 has thus been an unprecedented time for UK policing.
- 5.2 I have provided two tables of statistics for this report. These can be found at **Appendix 3**. One table shows ASB reported directly to Lincolnshire Police for the area of Boston Borough and the other table shows crime, again for the same area. These tables mirror the period covered by statistics generated and provided by the Council for this report.
- 5.3 In relation to the Council statistics provided under Table 1 of this report, it is noted that 51 young people were shown as being issued Stage 2 ASB warnings pre-COVID – 43 of these came from one incident of violence in Central Park which spilled out into Red Lion Street. My thanks goes to CCTV control for assisting us to identify most of this group; since taking the unusual but robust step to issue them all immediate stage 2 warnings, there has been no resumption of such behaviour.
- 5.4 In relation to the CCTV suite, it was quickly identified at the start of lockdown that it would be necessary to enact new working practices, in order to keep all staff as safe and secure as possible. Thus, prior to lockdown police officers would enter the suite to review and request their own footage in relation to the matter they were investigating. Consultation saw this change, with agreement from all parties, so that Boston Borough Council employees within the suite could be kept in a bubble without risk of contamination; conducting officers reviews for them. This worked well, ensured that provision of an effective service was maintained throughout and still continues now.

- 5.5 During lockdown, due to the hugely decreased numbers of public on the streets, it became far harder for perpetrators to hide ASB, PSPO breaches or crimes in a public place, particularly drug dealing. There were also over 100 tickets issued to those breaching COVID regulations, once our initial force wide tactic of engage / explain / encourage to a given individual was not heeded.
- 5.6 Since lockdown finished, we have maintained the momentum with a similar amount of referrals in for breach of PSPO. As you can see from the relatively low amount of street drinking calls made by the public, a good amount of these are self-generated finds from officers on patrol in the PSPO area.
- 5.7 You will note that during lockdown there was a large increase in “ASB – inconsiderate behaviour” **Please note this was the classification code given to any matter where a breach of COVID rules was reported.** Thus it is an exception that is not truly “ASB” merely that it was the code picked to place alleged breaches under. Post lockdown the numbers also remain higher, as people continue to report concerns.
- 5.8 You will also note, that aside from this, classification types of most ASB and crime types remained relatively steady in reported numbers. The force statistician confirms that they are all within expected ranges, with no spikes or trends indicating anything unexpected has/is happening outside of normal reporting range.
- 5.9 It is crucial to point out therefore that crime did not cease during lockdown. When one sees how many ASB / COVID incidents were also reported at the same time, it becomes clear what a huge challenge policing this additional demand on top of the “day job” became. Officer numbers were strong throughout lockdown, with court/training/holidays, etc. cancelled. We therefore paraded more officers than usual due to the amount of abstractions being far less.
- 5.10 These statistics do not show hugely increased levels of reported mental health issues and suicides, which we are required to deal with on a daily basis and are rarely incidents which are resolved swiftly, or by only one officer, this is also true of those reported as missing from home.
- 5.11 In relation to violence with and without injury, be aware that these figures include domestic violence within the home, both between adults and siblings fighting each other etc. Whilst I do not have the precise breakdown in this data set, a considerable amount of this violence will happen within 4 walls, rather than on the street.
- 5.12 Thus far, due to the vast reduction in licenced premises opening to take customers in the night time economy, there have been fewer problems that one would typically see with drunken pub/club goers. Those incidents that do occur are simultaneously being addressed by way of COVID and licensing intervention where they exist.

- 5.13 Layered on top of this for your Neighbourhood Policing Team was key partnership work, such as assisting in getting 100% of the towns homeless community into emergency housing provision and supporting them as one of a number of agencies engaged once accommodated.
- 5.14 In a post lockdown world, overall calls for service have increased; it is unlikely that this demand is going to lessen anytime soon. It remains to be seen where COVID will take us next.
- 5.15 In the interest of transparency I would also point out that this information includes ALL ASB and crime types and has not been edited or sanitised, as it is important to me that this committee gets to see the full picture of the work undertaken by Boston officers during unprecedented times.
- 5.16 We can only achieve what we do in partnership, and I would also like to take this opportunity to thank our colleagues at Boston Borough Council, and at many other partner agencies throughout the district, without whom we would all be far poorer.

CONCLUSION

The scope of the Task and Finish review, including the public consultation which forms part of this review commenced before COVID. The landscape for this review may have now changed, but it is important that members still have an opportunity to read and question officers on the outcome of the public consultation and receive a briefing on the last 9 months to be able to review and make further recommendations that is feels appropriate to make.

FINANCIAL IMPLICATIONS

None

LEGAL IMPLICATIONS

None

CLIMATE CHANGE IMPLICATIONS

None

EQUALITY AND SAFEGUARDING IMPLICATIONS

None

OTHER IMPLICATIONS

None

CONSULTATION

Lincolnshire Police, namely Inspector Fran Harrod has been consulted throughout the writing of this committee report and has produced her own report on behalf of Lincolnshire Police, which can be found at Appendix 3 and from Section 5 of the report.

APPENDICES

(If none then insert the word 'None' and delete the below text/boxes).

Appendices are listed below and attached to the back of the report: -

<i>APPENDIX 1</i>	<i>Additional breakdown of ASB Enforcement data in Boston Borough by month and location</i>
<i>APPENDIX 2</i>	<i>Additional breakdown of ASB Enforcement data for the whole of East Lindsey by month and location</i>
<i>APPENDIX 3</i>	<i>Lincolnshire Police ASB / Crime Stats</i>

BACKGROUND PAPERS

'No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.'

Document title	Where the document can be viewed

CHRONOLOGICAL HISTORY OF THIS REPORT

<i>(If none then insert the wording 'A report on this item has not been previously considered by a Council body'. Also delete the below text/boxes.)</i>
--

Name of body	Date

FINANCE PROFORMA

BOSTON BOROUGH COUNCIL

PROFORMA FOR EXECUTIVE APPROVAL OF THE RELEASE OF RESOURCES (CAPITAL AND REVENUE BUDGETS)

FROM:

THIS PROFORMA PROVIDES THE FINANCIAL IMPLICATIONS
IN RESPECT OF THE ATTACHED

REPORT:

REPORT DATE:

OPTION 1	£ Year 1 2017/18	£ Year 2 2018/19	£ Year 3 2019/20	£ Year 4 2020/21	£ Year 5 2021/22
-----------------	-----------------------------	-----------------------------	-----------------------------	-----------------------------	-----------------------------

Revenue

Total Revenue

Cost

Funding required:

Total capital cost £

Revenue cost £

Considered by:

Enter committee here

Enter Council or
Cabinet here

Date:

Financial Services Comments

Risk

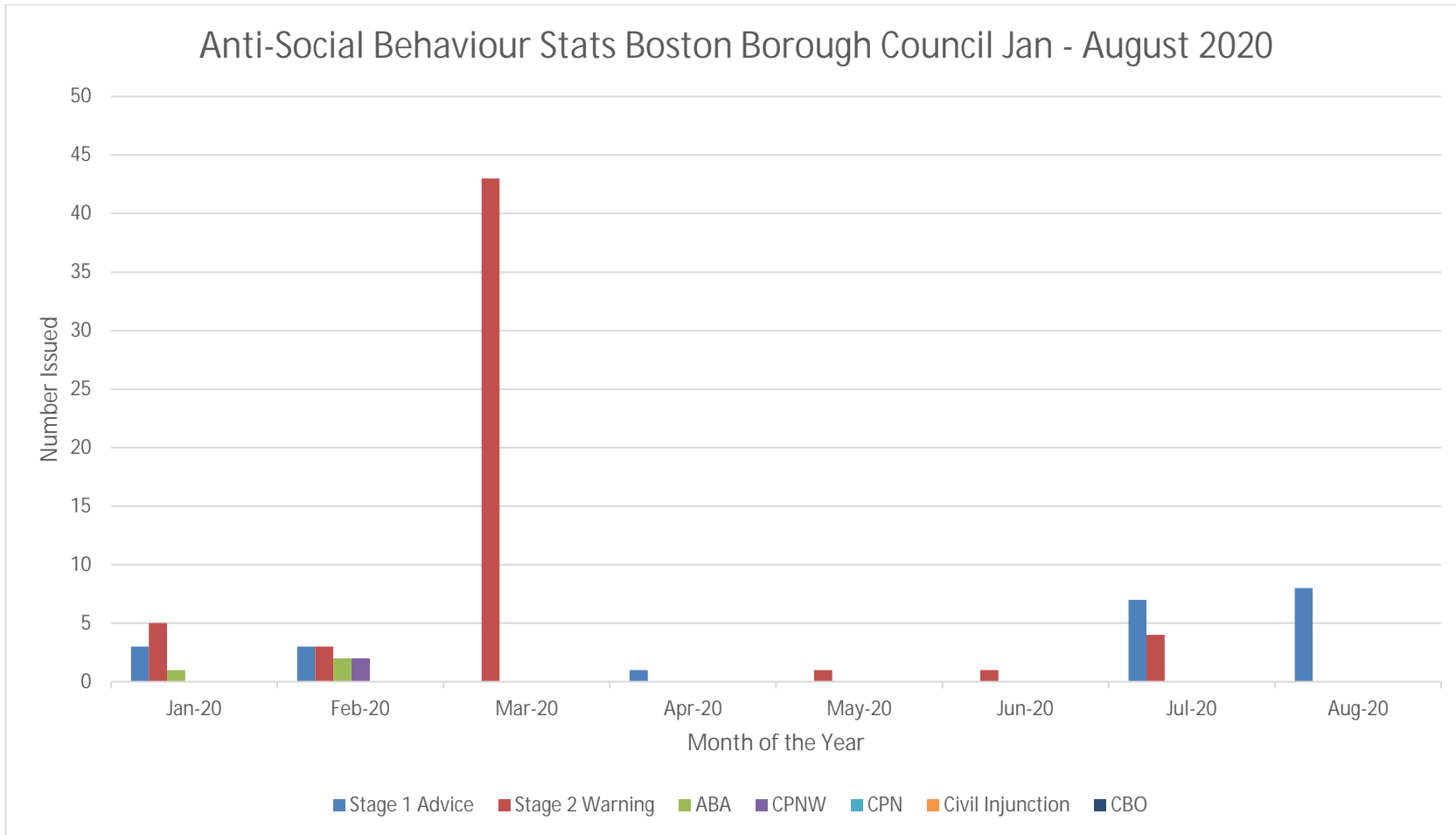
Procurement

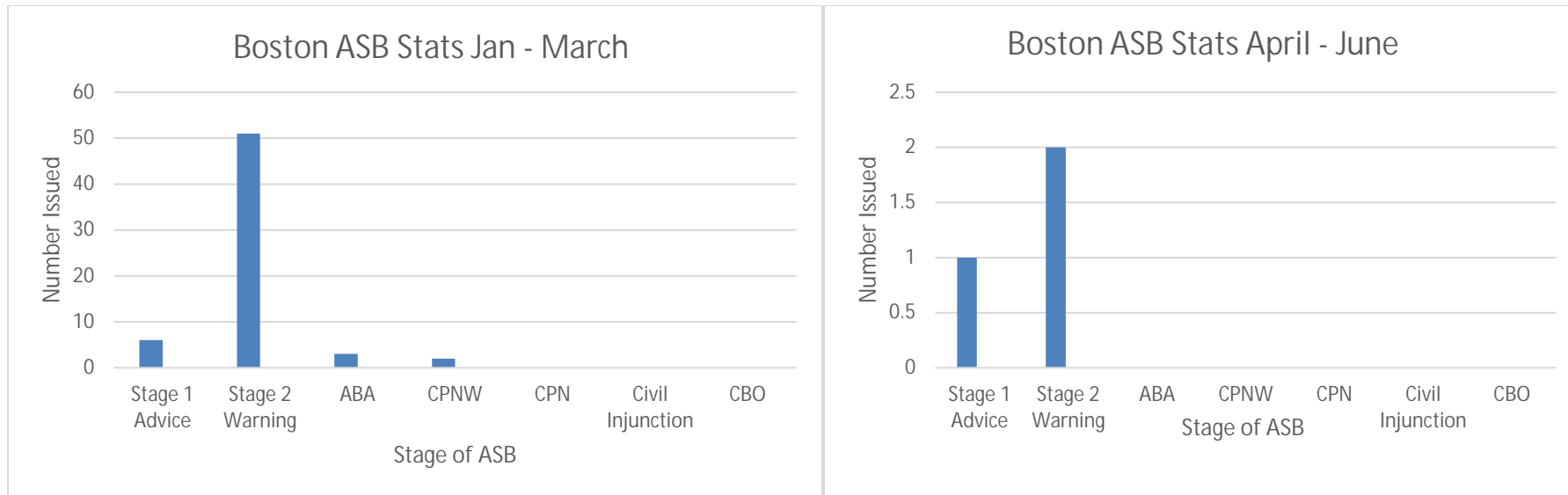
Value for Money Efficiency

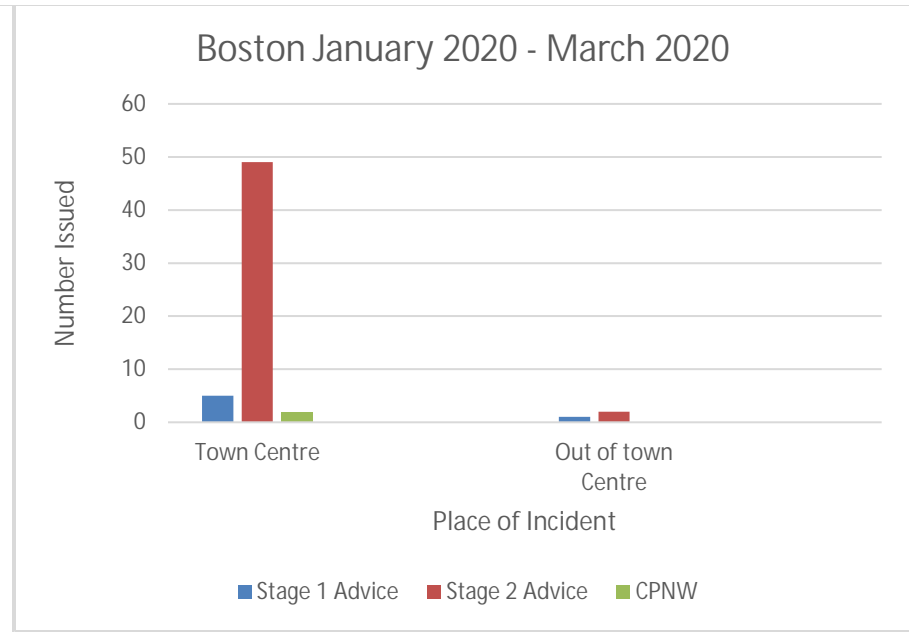
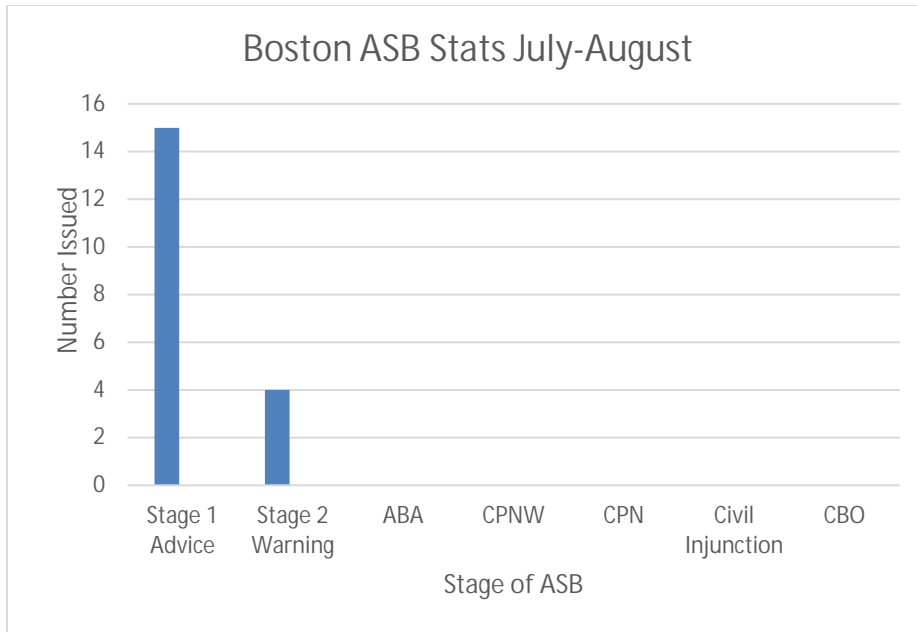
This FP is valid for 3 months from FP date	If this FP is no longer required please advise Finance	If there are changes to the original report it may invalidate this document, it must be reviewed by Finance.

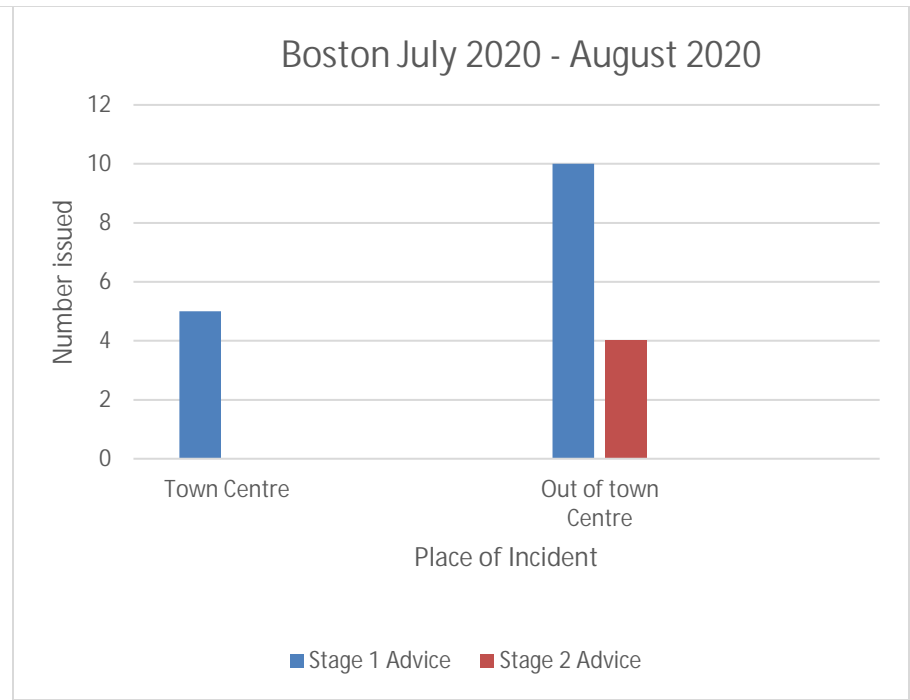
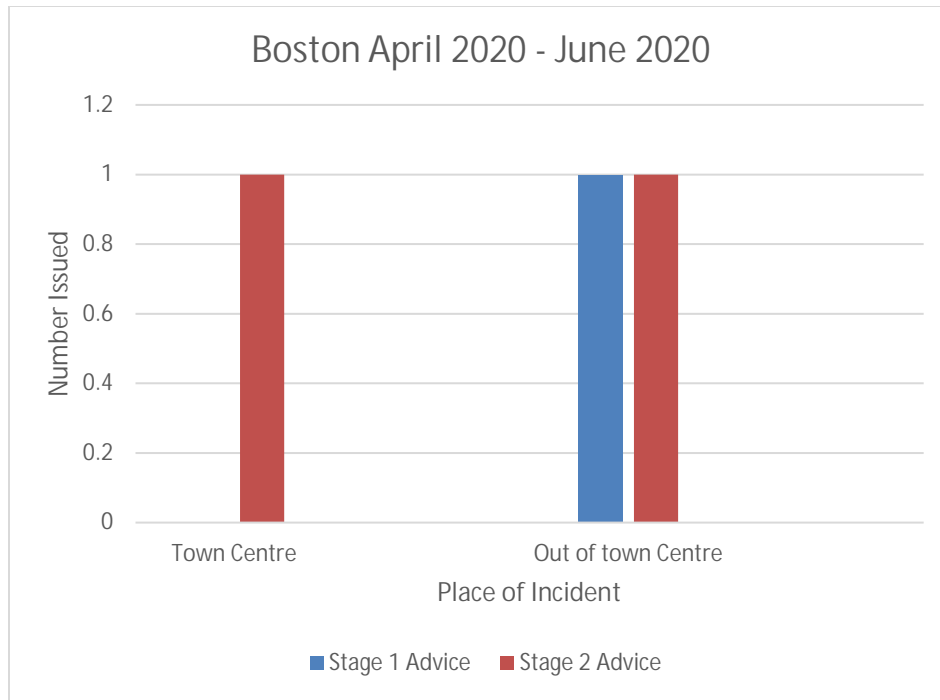
Appendices

Appendix 1 – Additional breakdown of ASB Enforcement data in Boston Borough by month and location

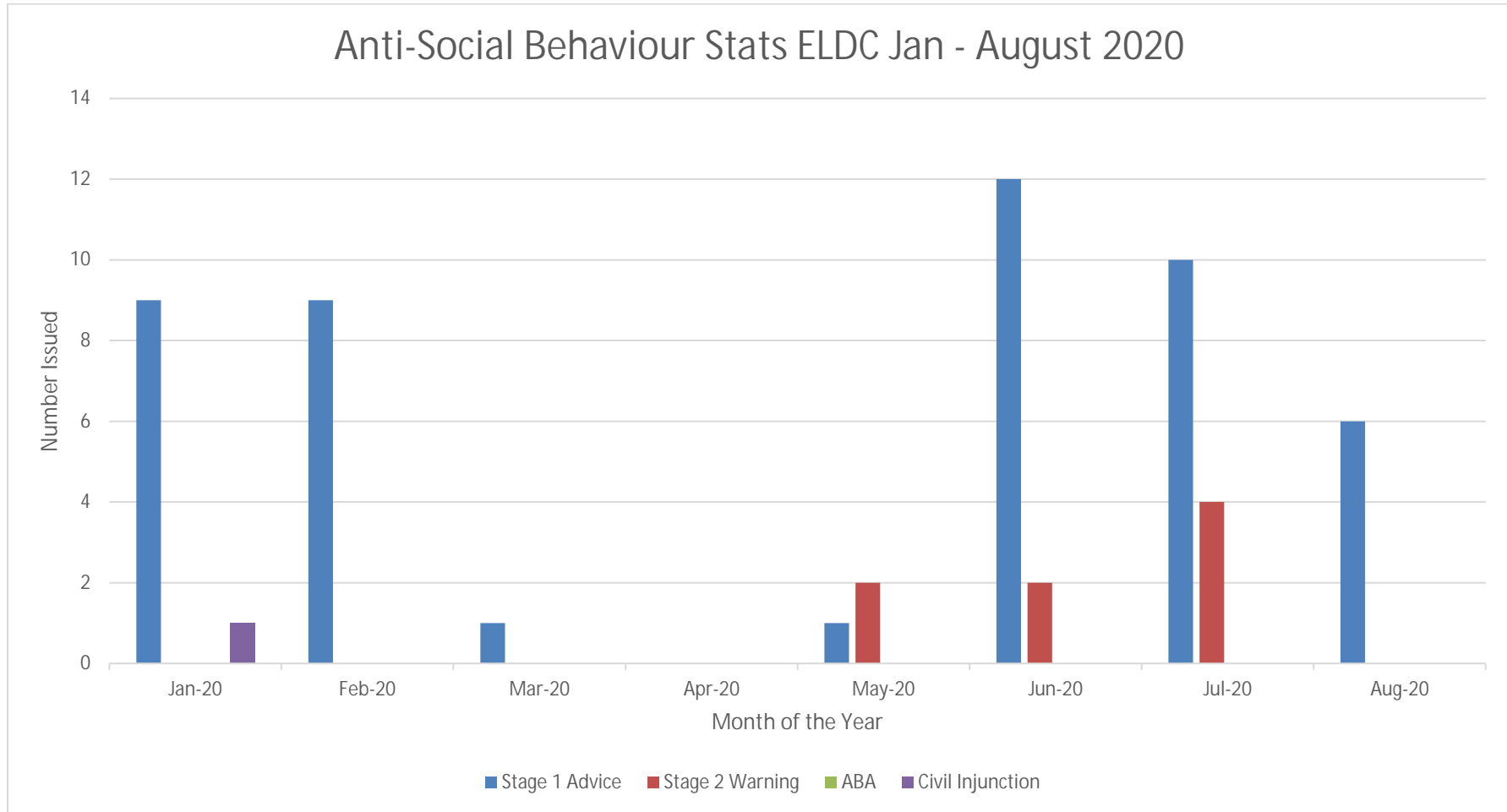


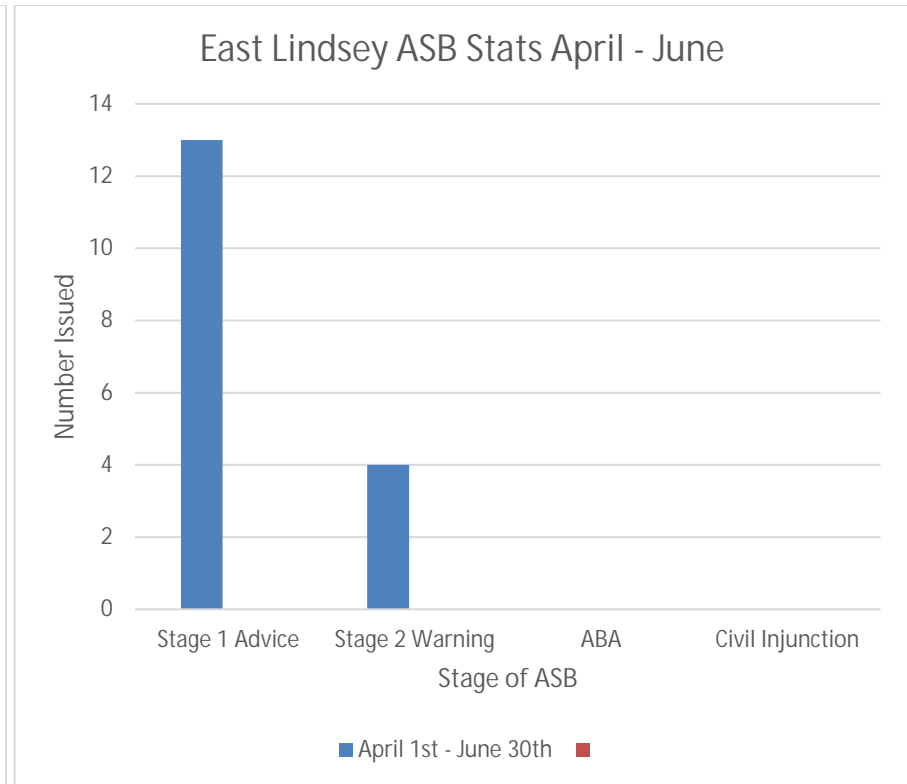
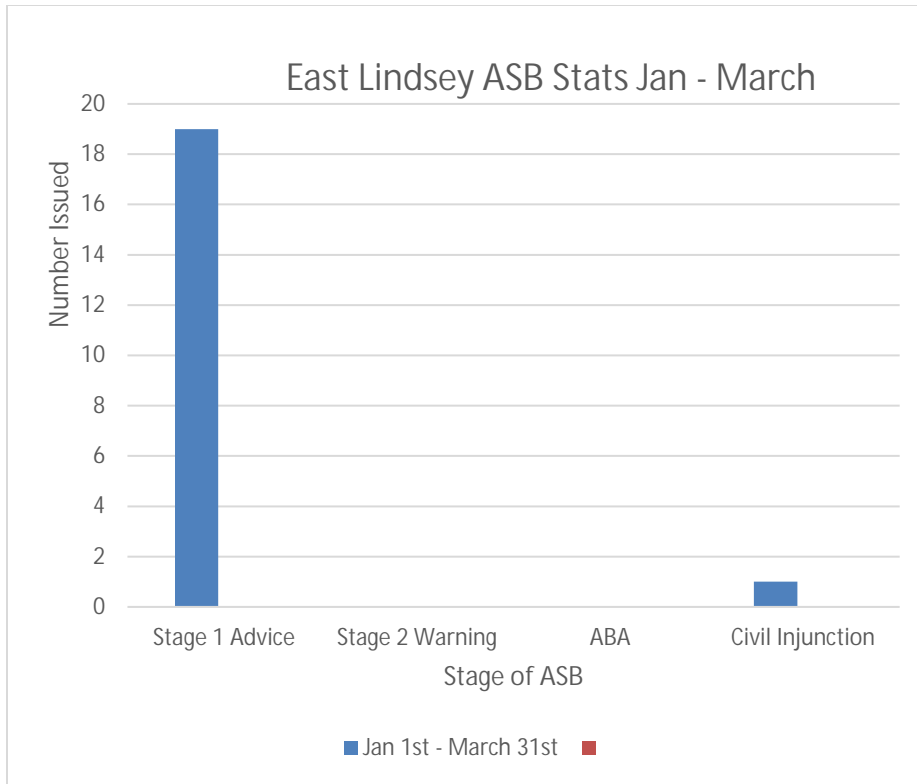


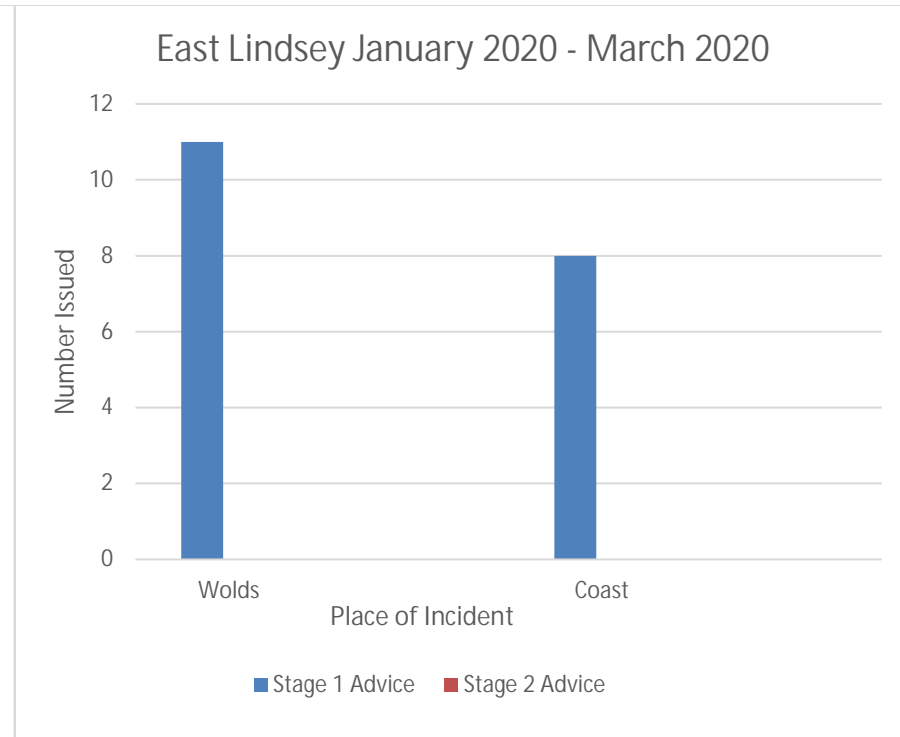
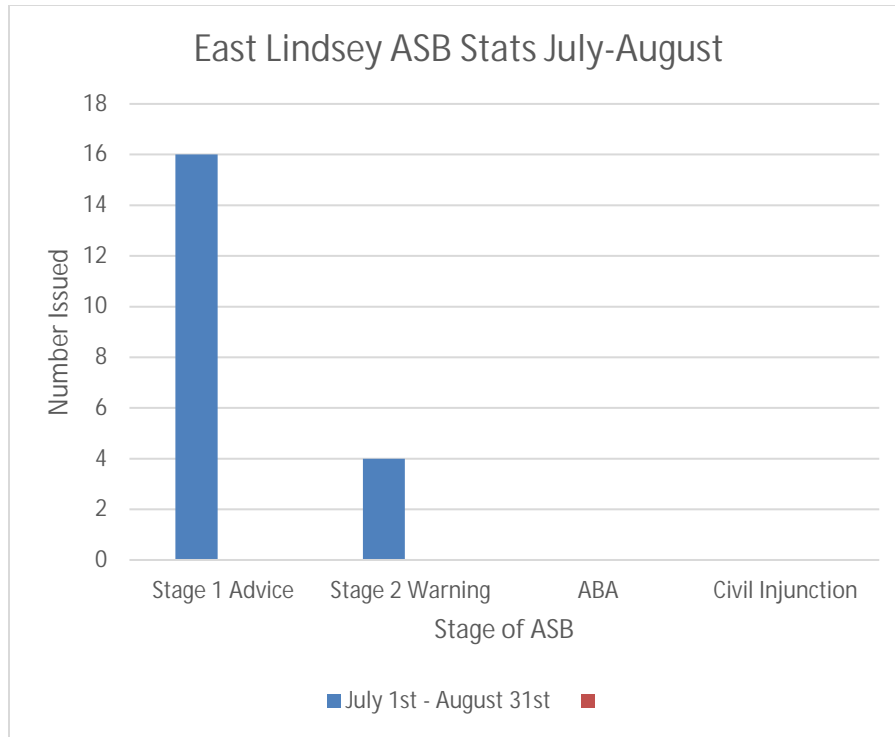


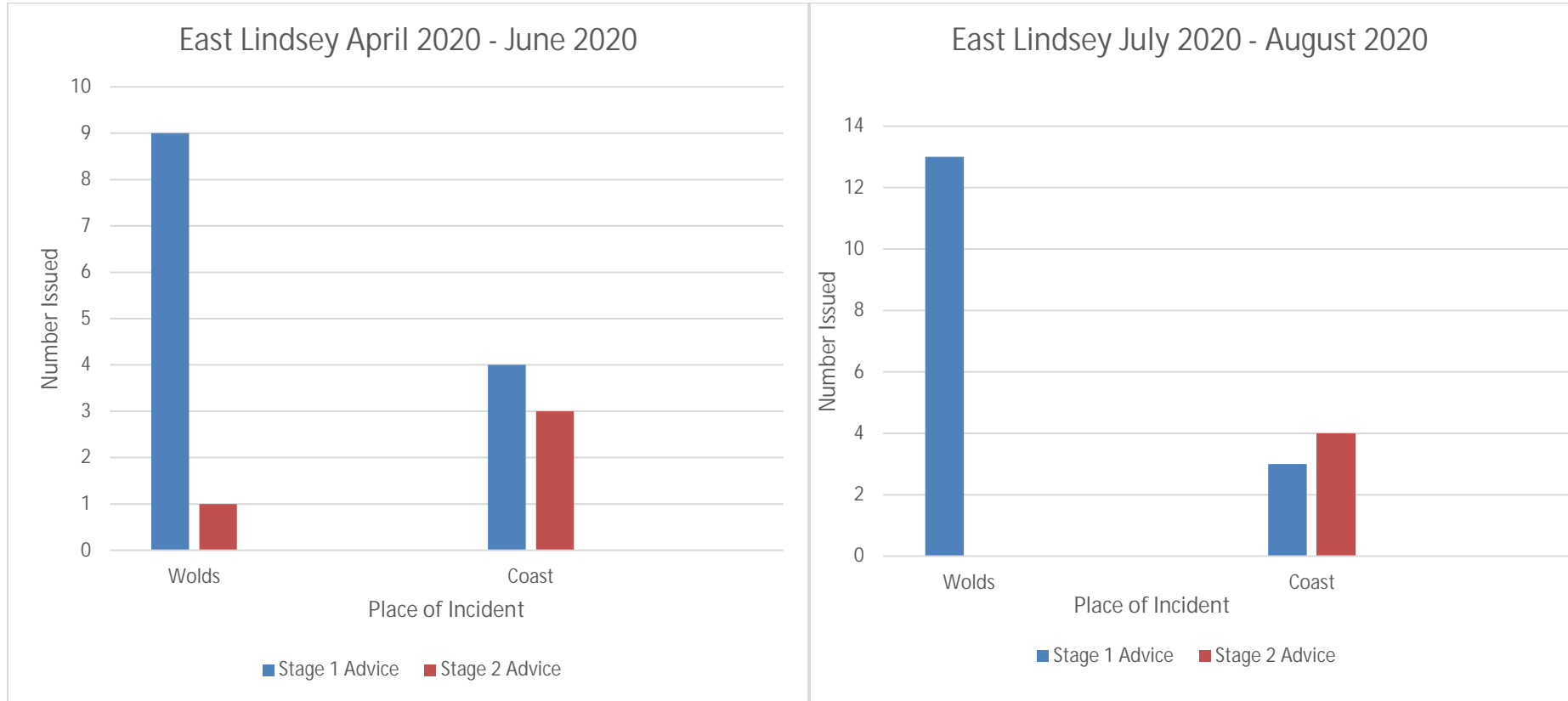


Appendix 2 – Additional breakdown of ASB Enforcement data for the whole of East Lindsey by month and location









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CONCLUSION AND RECOMMENDATIONS:

The starting point of this review was to carry out a public consultation exercise which returned in excess of 150 responses. The feedback provided a very clear insight into the key concerns held by the public and their perceived fears and frustration in respect of licensing activity and Police enforcement within Boston.

Representation by the various support services within the town all agreed certain areas identified within the consultation including ease of access to strong alcohol, and ongoing pharmaceutical misuse drive fears. However, they also confirmed reductions of ASB and aspects of such, within the town centre. They further identified key partnership working taking place to support homelessness and vulnerable people in the community alongside strong and effective relationships with the majority of publicans.

The Police along with Council's Licensing and Land Charges Manager addressed the numerous questions relating to alcohol licensing from the public consultation. Dispelling some myths in respect of the amount of licensed premises, they importantly highlighted the stringent legislation currently in place that they had to adhere to. Significant recommendations to take forward to Parliament were agreed.

A detailed meeting with the Police and the Council's Community Safety Officer provided a wide depth of information and comparative data over all streams of anti-social behaviour against Skegness and Horncastle. The number of enforcement actions taking place were evidenced alongside details of policing manpower numbers, key areas of concern and also areas of improvement.

Summary by the Chairman Councillor Judith Skinner:

This review has through no fault of anyone, been undertaken at a difficult time due to Covid-19 resulting in its suspension until August 2020. Furthermore, both the day and evening economy along with the overall social scene has changed dramatically.

However, the healthy response from the consultation provided an invaluable document on which the group based meetings. In-depth meetings with partners allowed questions to be raised / concerns stated and mis-understandings to be addressed.

Significant evidence gathering by the Council's officers has enabled many areas to be challenged and explained from the consultation exercise.

The recommendations that have been agreed are strong and reasonable in light of the outcomes of the review and will be monitored overtime with an update on all being brought back to the parent committee in 2021 to update everyone involved.

My gratitude goes to all those support services representatives for attending our meeting in January and furthermore to the Police and our own Council Managers, for their professional advice and information which I trust will allow a clearer understanding of the constraints within which we all operate.

Councillor Judith Skinner

Chairman Task and Finish Group Review.

RECOMMENDATIONS:

1. That the Environment and Performance Committee agree the recommendations set out below (1 to 13).
2. That the Environment and Performance Committee be requested to refer recommendations 12 and 13 to the Boston Town Area Committee for consideration.
3. That the Environment and Performance Committee recommend to Cabinet that recommendations 1 through to and including 11 be taken forward for implementation.
4. That the Environment and Performance Committee request Cabinet to mandate the local Member of Parliament to take forward these recommendations which require Government consideration and champion those issues on behalf of the community.

Group Recommendations:

1. That a call for a change in the legislation be tabled to prevent the sale of alcohol during an appeal period and that the Member of Parliament for Boston be asked to champion such a change regardless of the government's apparent lack of appetite to do so.
2. That Government, take into consideration the significant loss of revenue to the U.K from increasing sales of illicit tobacco, implement Licensing of the sale of tobacco.
3. That closure of a business found to be in breach of its alcohol licence conditions be immediate until an official Licensing hearing determined its future.
4. That the Police and Senior Council Officers be empowered to serve FPNs for breach of licence conditions
5. That all 11 responsible authorities be required to give consideration to all licence applications / reviews of licences and be encouraged to take greater involvement by providing clear, concise feedback.

6. That Parliament be asked for an increase in Alcohol Licensing fees.
7. That the Council provide greater education of the public and of parish councils in their rights to respond to Licensing applications and that guidance be readily available and circulated where possible.
8. That Boston Community Alcohol Partnership (CAP) be requested to promote its success to date and popularise itself in the media/social media particularly.
9. That reporting of ASB activity be produced and issued quarterly for members of the public.
That the reporting provided be comparative to incidents within Horncastle and Skegness over the same period.
That the report be within a frame of reference, identifying the activity both per capita and numeric.
That the reporting be issued on the Councils website for ease of access by the public and also an item be produced within the Councils newsletter advising of the new reporting facility and the link to access it.
10. That a notice be included on the Council's website providing the general police contact email for reporting of non-urgent crime. The notice to include a caveat stressing the link is only for non-urgent crime.
11. That discussions' are held between the Council and the Police to agree a way forward in facilitating regular public meetings, to allow questions by public in respect of policing matters.
One option being to provide a quarterly or monthly Q and A session meeting to allow all members of the public across the borough to participate.

12. That the Council consider locking the Central Park gates overnight to address on-going issues of ASB within the park.
That if required a trial period of four months be agreed to allow monitoring of incidents during that time to either support or not, the closing of the gates permanently overnight.
That agreement is reached as to who will fund the cost of who will close the gates and that a request be made to the BTAC committee for such funding for the trial period, or if agreed on a permanent basis.

13. That BTAC be requested to consider the funding of a service for Central Park to address ongoing ASB in the park.

End of recommendations.

Councillor Judith Skinner Chairman of the group records her appreciation of the contribution of the following participants in facilitating this review:

Guests:

Mr. and Mrs. Lloyd	Boston Central Neighbourhood Action Group
Mr. R Smedley	Hackney Carriage Association (Boston)
Mr. M Jessop	Boston Street Preachers
Major. G Nicholl	Boston Salvation Army
Rev. Dr. V Ogden	Centenary Church
Mr. Adam Kelp	St. Botolph's Church Boston

Lincolnshire Police:

Inspector F Harrod
Sgt. K Enderby
PC G McConville

Group Members:

Councillor Tracey Abbott
Councillor Paul Goodale
Councillor Neill Hastie
Councillor Judith Welbourn
Councillor Stephen Woodliffe

Portfolio Holder:

Councillor Paul Skinner.

Council Officers:

Andy Fisher	Head of Regulatory Services <i>(at time of onset of review)</i> <i>Now Assistant Director – Assets</i>
Fiona White	Licensing and Land Charges Manager
Pete Hunn	Community Safety Manager
Karen Rist	Democratic Services Officer

Duration of Review 12 months – subject to four month suspension due to Covid-19.

Report to:

Environment and Performance	03.11.20
Cabinet:	02.12.20
BTAC (recommendations)	16.12.20

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B O S T O N B O R O U G H C O U N C I L

REPORT TO:	ENVIRONMENT AND PERFORMANCE COMMITTEE
DATE:	3 NOVEMBER 2020
SUBJECT:	DRAFT ANNUAL SCRUTINY REPORT 2019 - 2020
PORTFOLIO HOLDER:	N/A
REPORT AUTHOR:	DEMOCRATIC SERVICES MANAGER
EXEMPT REPORT?	NO

SUMMARY

It is common practice for local authorities to develop an annual report on the overview and scrutiny activity it has undertaken throughout the previous municipal year.

A draft Overview and Scrutiny Annual Report for 2019/20 has therefore been produced for Boston Borough Council and is attached at Appendix A of this report for consideration.

RECOMMENDATIONS

That it be recommended to full Council that the Overview and Scrutiny Annual Report for 2019/20 be approved for publication.

REASONS FOR RECOMMENDATIONS

To promote and highlight the success of the work undertaken by the overview and scrutiny committees in 2019/20.

ALTERNATIVES CONSIDERED

To amend the content or format of the current draft Overview and Scrutiny Annual Report.

Not to produce an Overview and Scrutiny Annual Report.

REPORT

1. Background

- 1.1 The production of an Overview and Scrutiny Annual Report provides Boston Borough Council with an ideal opportunity to showcase and highlight the important scrutiny work that has taken place throughout the previous municipal year.
- 1.2 A draft Overview and Scrutiny Annual Report for 2019/20 has been produced to evidence the volume of scrutiny activity undertaken during the year, identify outcomes achieved and public participation in large scale reviews.
- 1.3 The draft report is attached as Appendix A to this report, and provides information on the following: -
 - The Council's overview and scrutiny function;
 - Work programmes for the Council's Overview and Scrutiny Committees;
 - Review work undertaken by Task & Finish Groups;
 - Call In function
- 1.4 2019/20 was a particularly productive year with Scrutiny members addressing a number of important issues via Inquiry evenings, Member briefings, Working Group and Task and Finish Group reviews and a Call-In of a Cabinet decision.
- 1.5 The draft Annual Report has already been considered by the Corporate and Community committee at its meeting on the Environment and Performance Committee on 15th October 2020 at which it agreed the recommendation that Full Council approve the report for publication.
- 1.6 If approved by Full Council, the Annual Report will be published on Boston Borough Council's website.

2. Conclusion

- 2.1 The draft Overview and Scrutiny Annual Report for 2019/20 is attached to this report for consideration by the Corporate and Community Committee.
- 2.2 The purpose of the report is to promote the overview and scrutiny process and highlight the valuable contributions that Non-Executive Councillors were able to make in 2019/20, particularly in their capacity as members of the Council's Overview and Scrutiny Committees.

FINANCIAL IMPLICATIONS

None.

LEGAL IMPLICATIONS

None.

CLIMATE CHANGE IMPLICATIONS

None.

EQUALITY AND SAFEGUARDING IMPLICATIONS

None.

OTHER IMPLICATIONS

None.

CONSULTATION

Councillor Judith Skinner - Chairman Environment and Performance Committee
Councillor Stephen Woodliffe – Chairman of the Corporate and Community Committee
Assistant Director – Organisation and Corporate Services

APPENDICES

Appendices are listed below and attached to the back of the report: -

APPENDIX A	Annual Scrutiny Report 2019 – 2020
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BACKGROUND PAPERS

None.

CHRONOLOGICAL HISTORY OF THIS REPORT

None.

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BOSTON BOROUGH COUNCIL

ANNUAL OVERVIEW AND SCRUTINY REPORT

2019 / 2020

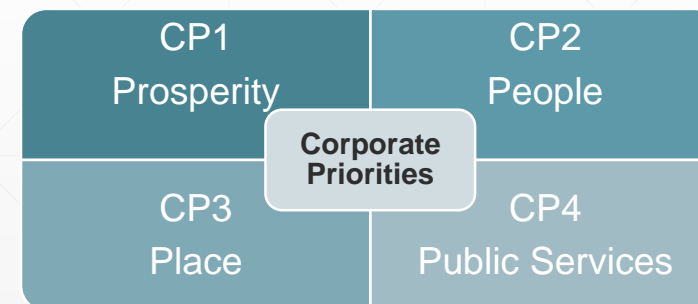
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This report is reduced in content due to suspension of the committee meetings in line with Government guidance due to the Covid-19 pandemic.



Contents:

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Introduction to Scrutiny	4	Alternative Ways of Working	12
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Corporate and Community Committee (aligned to corporate priorities CP 2 and CP4):	7	- Member working group	
- Snapshot of reporting		- Task and Finish Review	
- Key recommendations		Public Involvement	15
Environment and Performance Committee (aligned to corporate priorities: CP 1 and CP3):	8	Public Suggestion Form	16
- Snapshot of reporting			
- Key recommendations			
Scrutiny Recommendation (outcomes)	9		



Forward



Councillor Judith Skinner

Conservative

Ward: Fishtoft

Chairman
**Environment and
Performance**

It has been an honour to chair the E&P Committee again this year. The members of this committee always engage fully in scrutiny with debates that are lively & detailed. We have been able to put forward our views on the consultation on the Energy from waste proposal. The paper and card trial has been keenly monitored as well. The Councils performance is diligently scrutinised. The path ahead will present some challenges, in these times, though I am sure that together we will rise to them.

My thanks go to all involved with the T&F Regulating & Safeguarding Review We have consulted extensively with the public and public bodies to gain their views and experiences on these matters. This is part of good scrutiny.

Councillor Judith Skinner



**Councillor Stephen
Woodliffe**

Independent

Ward: West

Chairman
Corporate and Community

Both Scrutiny Committees work closely with the Executive and all Elected Members to act as a focus for constructive challenge in order to maintain the drive to improve public services, reflect public concerns, and enable improvements to be made to policies and their implementation.

Councillor Stephen Woodliffe

Introduction to Scrutiny

by definition: 'Critical Observation or Examination'.

On the implementation of the Local Government Act 2000, a new political system was introduced which allowed Councils to have a separate 'executive' rather than just the committee system: a Cabinet model which is similar to central Government.

To balance the Cabinet and monitor its decision-making, the function of Overview and Scrutiny was introduced requiring all Councils to have at least one Scrutiny Committee. The committee(s) would be similar to a select committee with back benchers acting as critical friends

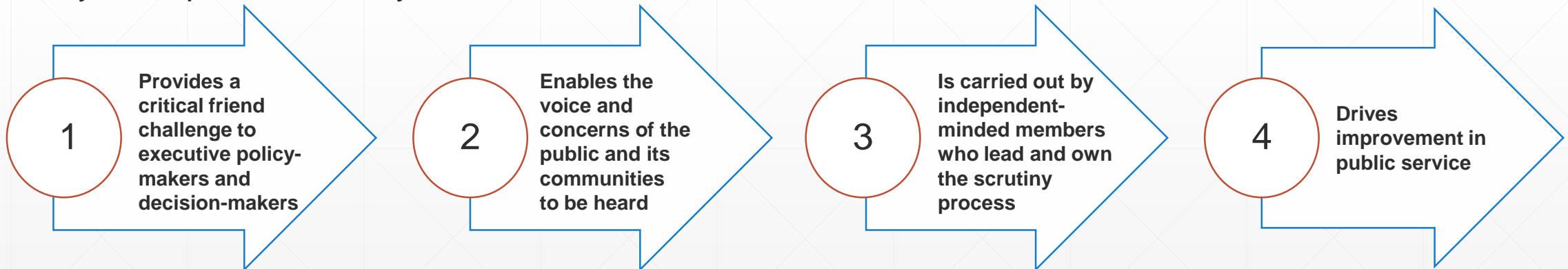
Scrutiny can look at:

Decisions by the Cabinet
External Partners
Public Services
Performance
Budget
Health

Scrutiny cannot look at:

Any legal proceedings
Individual complaints
Licensing decisions
Planning decisions
Ombudsman

Key Principles of Scrutiny:

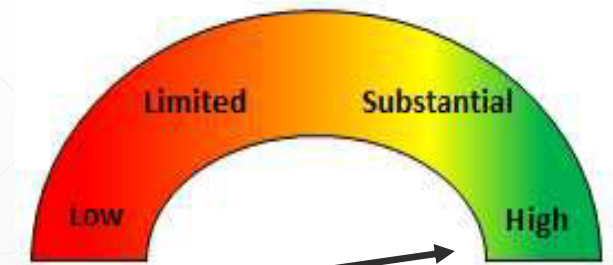


Scrutiny Working:

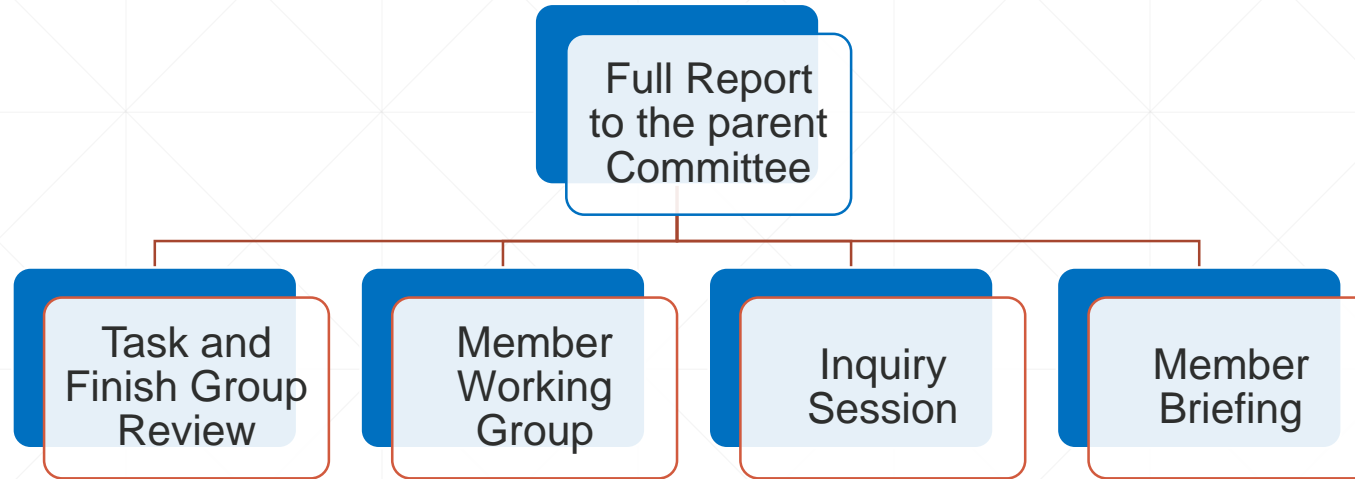
New statutory guidance introduced in 2019 proposed 10 principles to develop a supportive culture for scrutiny:

- Recognising scrutiny's legal and democratic legitimacy
- Identifying a clear role and focus
- Ensuring earlier and more regular engagement between the Cabinet and scrutiny
- Managing disagreements with Cabinet via an executive-scrutiny protocol
- Necessary support with access to resources and senior officers
- Ensuring impartial advice is always provided by officers
- Communicating scrutiny's role and purpose to the wider authority
- Maintaining the interest of Full Council in the work of the scrutiny committees with ensuring a link between full council proceedings and overview and scrutiny
- Communicating the role of Scrutiny to the public
- Ensuring scrutiny members are supported in having an independent mind set.

Following on from the new guidance, Boston Borough Council's scrutiny function was audited and received a High Assurance Rating which recognised that the Council maintained a high level of confidence in its service delivery arrangements; its management of risks; and the operation of its controls and performance



OPTIONS OF WORKING



A scrutiny committee may wish to pursue a subject matter in greater depth or require more information on items presented in the quarterly performance report which are often tabled in isolation of contributory factors.

If a detailed review requiring significant evidence gathering, support of officers and attendance by a number of outside representatives is requested a Task and Finish Group review may be convened.

If a short period review is required on a subject which members may wish to deliberate without officer assistance then a Member Working Group may be convened which is facilitated by those members.

When a subject requires a very open and robust debate by Councillors an Inquiry Session may be called which allows members to thoroughly question the officer(s) presenting and to receive concentrated information in an informal forum.

If a subject matter is deemed to be of interest to all members of the Council then a Member Briefing is scheduled.

CORPORATE AND COMMUNITY COMMITTEE:

Reports received for recommendations to Cabinet or Full Council:

Overview of Housing Benefit.

Recommend to Cabinet that data for claims and caseload figures be included in future performance reporting.

Homeless Assistance Policy.

Recommend adoption by Cabinet.

Transformation Programme

Recommend Cabinet to recommend to Full Council fees of £45 for the 1st garden waste bin and £20 for all additional bins.

Council Tax Support Scheme

Recommend Cabinet to recommend to Full Council

New Statutory Guidance for Overview and Scrutiny

Recommend draft protocol to Cabinet

Draft Safeguarding Policy and Protocol

Recommend Cabinet to recommend to Full Council

Quarterly performance monitoring was tabled in support of the committee's work programme.

An update report in respect of Council Tax Arrears resulted in a member briefing being convened for greater scrutiny.

Corporate Priorities

CP2. People

CP4. Public Services

ENVIRONMENT AND PERFORMANCE COMMITTEE:

Reports received for recommendations to Cabinet or Full Council:

- ❑ **The Climate Change member working group tabled regular updates to committee**
Agreed final report recommendations to Full Council.
- ❑ **The Annual CCTV report and CCTV Policy**
Recommended adoption of the CCTV Policy by Cabinet
- ❑ **Replacement Domestic Wheel Bins**
Recommended Cabinet to withdraw charges contrary to report recommendation. (see Call-In)
- ❑ **New Overview and Scrutiny Statutory Guidance**
Recommended draft protocol to Cabinet for adoption
- ❑ **Air Quality Action Plan**
Agreed the draft plan and recommended to Cabinet

Consultation exercise:

- ❑ **Committee consulted on the proposed consultation for Boston Alternative Energy Facility**
A number of additional recommendations for the proposed consultation process were agreed.

Public community meeting:

- ❑ **The Pilgrim Allied Opportunities events**
The meeting held at Boston Guildhall with a tour of the exhibits included in the meeting.

Support reporting for the work programme

- ❑ Annual ASB report
- ❑ Quarter performance monitoring
- ❑ Update markets report

Corporate Priorities

CP1. Prosperity

CP3. Place

SCRUTINY RECOMMENDATION OUTCOMES

Recommended to and agreed by Cabinet or recommended to and by agreed by Full Council:

- Air Quality Policy
- CCTV Policy
- Homeless Assistance Policy
- Safeguarding Policy
- Peer Challenge Action Plan
- Council Tax Support Scheme
- Overview and Statutory Guidance

Consultation recommendations:

Following consultation by Boston Alternative Energy Facility (BAEF) a number of the recommendations tabled by the committee were taken forward and implemented within BAEF's final consultation process with residents of the Borough.

Member Working Group:

On conclusion of the working group the final report was tabled to Full Council in January 2020 with all recommendations being agreed.

COUNCILLOR CALL- IN

Non-Cabinet members are able to 'Call-In' a decision made by the Cabinet should they feel the decision requires further consideration. The protocol requires four non-Cabinet members to sign the official call-in form, citing their reasons for doing so.

A meeting of the Environment and Performance Committee was convened for the 14 November 2019 to consider a decision made by Cabinet in respect of charges for replacement domestic wheeled bin charges.

History of report:

1. At the Environment and Performance Committee on the 24 September consideration was given to a report which recommended increasing charges for replacement domestic wheeled bins. The Committee agreed a recommendation to Cabinet that all charges for replacement domestic wheeled bins should be withdrawn.
2. At the meeting of Cabinet held on the 23 October 2019 it was agreed to not accept the recommendation.
3. Three days after the meeting of Cabinet a 'Call-In' form was received by the Chief Executive.

The meeting was duly held with three options available for the committee:

1. To determine that the decision should not have been called-in in which event the decision of Cabinet would stand
2. To refer the matter back to Cabinet for further reconsideration setting out the nature of their concerns
3. To refer the matter on to Full Council for debate (Council is not able to overturn the Cabinet decision).

COUNCILLOR CALL-IN continued

The decision of the call-in meeting on the 14 November 2019 was to refer the matter on to Full Council for debate, noting that Full Council could not overturn a Cabinet decision.

It was agreed at the subsequent meeting of Full Council held on 16 December 2019, to refer the Cabinet decision back to the next meeting of the Cabinet for further consideration taking into account the comments of Full Council that charges should only be raised in circumstances where deliberate damage had been caused to the bins.

Cabinet met on 22 January 2020 and reviewed its original decision. It was agreed not to charge for replacement bins where one was required through no fault of the resident.

ALTERNATIVE WAYS OF WORKING

MEMBER BRIEFING.

The following briefings were held in informal session to allow members to receive update information and table questions. The request for the briefings being made by one of the committees or, when relevant, suggested by the reporting officer as a preferred way forward to present information.

- 18 June 2019. LGA Peer Challenge
- 15 July 2019 Climate Change
- 14 August 2019. Transformation Programme
- 19 August 2019. Waste Trial
- 20 November 2019 Peer Review
- 9 December 2019 Towns Fund
- 10 February 2020 Paper and Cardboard Trial

INQUIRY SESSION.

The following Inquiry Sessions were held when it was considered that an open and robust discussion was required on the subject matter to allow for greater scrutiny.

- 7 August 2019. Planning Process
- 14 October 2019. PSPO Area
- 9 March 2020. Car Parks
- 16 March 2020 Fly Tipping

MEMBER WORKING GROUP:

One member working group was convened to look at issues relating to Climate Change over a four month period, reporting back through the Environment and Performance Committee and onto Full Council in December 2019 with the outcomes of the working group.

ALTERNATIVE WAYS OF WORKING continued...

TASK AND FINISH GROUP REVIEW:

A review was convened in 2019 to look at Regulating and Safeguarding Boston's Day and Night Time Economy. It arose from the Environment and Performance Committee in response to ongoing reporting and member concerns in respect of a range of anti social behavior issues and the public's perception of alcohol licensing and general enforcement.

An initial consultation exercise was carried out which returned significant feedback to help support the scope of the review and identify consultees and research required. The agreed timeline of the review was 6 months.

The first meeting on January 21st 2020 welcomed a number of voluntary and support services from within Boston including representatives from the Salvation Army, St Botolph's Church, The Centenary Church, The Street Pastors and the Hackney Carriage Association on behalf of local taxi drivers.

All representatives provided the group with relative and evidence based information in respect of their own experiences. Areas of concern included the impact of alcohol and substance addiction resulting in homelessness, violence and often isolation of individuals suffering from addiction. The Street Pastors confirmed their ongoing support of people in need of assistance due to intoxication in the early hours of the morning, with reassurance to the Hackney Carriage Association of their practice of ensuring a safe passage home to such individuals.

ALTERNATIVE WAYS OF WORKING Task and Finish Group continued...

The second meeting on 26 February 2020 welcomed the Council's Licensing and Land Charges Manager and representatives of Lincolnshire Police, to address the issues and feedback relating to the incidents arising from alcohol licensing. Evidence and information to address public mis-conception from the consultation feedback included, confirmation of the number of licensed premises within the town; the amount of licence reviews undertaken; and most importantly, the regulations to which the Police and Licensing Manager had to comply and the options available to review panels when considering an application or a review. The detailed information enabled the group to agree significant recommendations for the final report including lobbying the local Member of Parliament to seek changes to Licensing Laws.

The review was suspended in March 2020 due to the Covid-19 pandemic and the meeting scheduled with the Police to address anti social behavior was postponed.

A meeting was held with Lincolnshire Police and the Council's Anti-Social Behavior Manager on 23 September 2020 to address significant feedback from the consultation process. Detailed comparative reporting with the towns of Skegness and Horncastle was provided for pre Covid-19 lockdown; during lockdown and the period coming out of lockdown, identifying all categories of crime. Recommendations included greater public liaison by the Police to allay fear of crime and suggested closure over night of Central Park within the town center to try and address the large volume of acts of ASB ongoing within the Park. The Police stated they could not justify having a full-time presence as deployment was based on a priority basis.

The final report to be submitted to the parent committee Environment and Performance on 3 November 2020

PUBLIC INVOLVEMENT

The Council's Scrutiny meetings are held in public and the Council welcomes suggestions from members of the public who may have ideas for the committee to scrutinise.

This applies to all members of the public across the borough, within both the town centre wards and the rural wards. All Parish Council clerks have information about the Scrutiny process.

If you have a suggestion for one of the committees to consider then please complete the form overleaf or use the contact details below:

Corporate and Community Committee:

Chairman Councillor Stephen Woodliffe
Clerk Janette Collier

Stephen.Woodliffe@boston.gov.uk

Janette.collier@boston.gov.uk

Telephone: 01205 314227

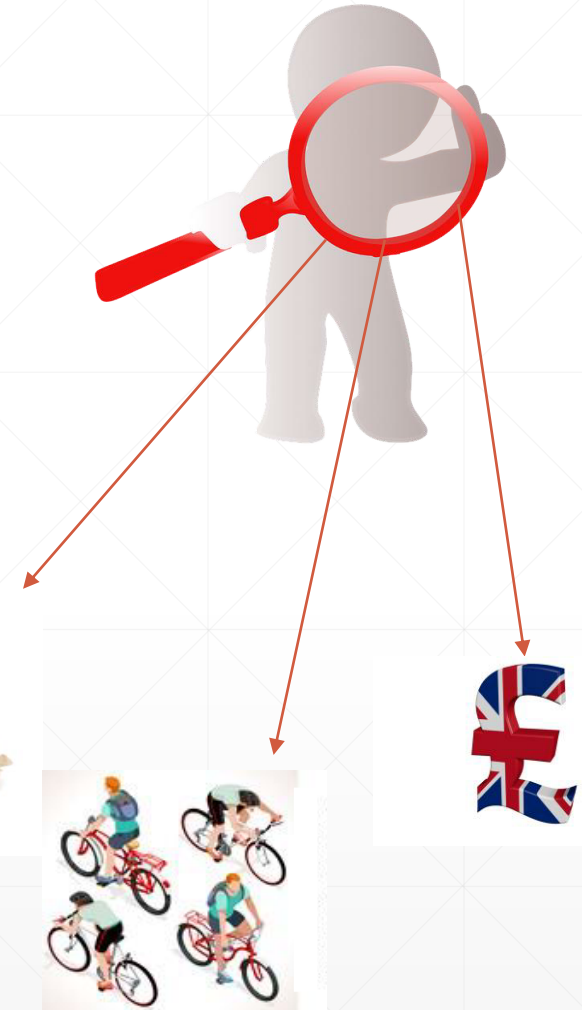
Environment and Performance Committee:

Chairman Councillor Judith Skinner
Clerk Karen Rist

Judith.Skinner@boston.gov.uk

Karen.rist@boston.gov.uk

Telephone: 01205 314226.



SUGGESTION / REQUEST FOR SCRUTINY:

Name:	
e-mail:	
Telephone:	
Suggestion:	
Reason:	