



REPORT TO:	Environment & Performance Committee
DATE:	27 <sup>th</sup> April 2021
SUBJECT:	Regulating and Safeguarding Boston's Economy Task and Finish Group – Update on agreed Recommendations
KEY DECISION:	No
PORTFOLIO HOLDER:	Councillor Paul Skinner
REPORT AUTHOR:	Christian Allen, Assistant Director Regulation
WARD(S) AFFECTED:	All
EXEMPT REPORT?	No

### **SUMMARY**

The Task and Finish Group, established under the auspices of the Environment and Performance Committee, were requested to undertake a review called: Regulating and Safeguarding Boston's Economy. The Task and Finish Group arrived at 13 Recommendations which were referred by the parent committee to Cabinet on 2<sup>nd</sup> December 2020 where they were subsequently approved in their entirety for implementation.

Members have requested regular updates on progress towards implementing each of the 13 recommendations and this is the first of those reports.

### **RECOMMENDATIONS**

That members receive this update, noting completion of the Task and Finish Group: Regulating and Safeguarding Boston's Economy, recommendations 1 to 11; and agree to a further update being brought before this Committee when a response to recommendation 12 and 13 has been determined by Boston Town Area Committee (BTAC).

### **REASONS FOR RECOMMENDATIONS**

To keep members apprised of progress made to date in implementing the agreed recommendations.

<b>OTHER OPTIONS CONSIDERED</b>
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None
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## REPORT

### 1. Background of Review

- 1.1. The Environment and Performance Overview and Scrutiny Committee at Boston Borough Council receives quarterly performance monitoring data, aligned to the corporate priorities of the committee, as part of their annual work programme. The committee also receives a statutory annual update report in respect of anti-social behaviour (ASB) and CCTV functions performed by the Council.
- 1.2. At the Environment and Performance Overview and Scrutiny Committee meeting held on the 24 September 2019, members voiced concern at the number of complaints raised by the public in respect of ASB in the borough. The complaints covered a broad range of ASB together with incidents at licensed premises in relation to alleged sale of illegal alcohol in the borough. The Committee agreed to investigate the matters further, initially holding an Inquiry Evening hosted by Council Officers and the Police, at which it was determined to establish a Task and Finish Group to consider and explore matters in more depth.

### 2. Inquiry Evening

- 2.1. The Inquiry Evening sought to shape the scope and depth of the Task and Finish Group work and the output was ratified by the Committee on 5<sup>th</sup> November 2019. The areas members agreed the Task and Finish would look into were as follows:
  - 2.1.1. Alcohol and premises licensing and associated enforcement.
  - 2.1.2. Trading Standards and HMRC powers, polices, procedures and enforcement options / outcomes for dealing with counterfeit and non-duty paid goods.
  - 2.1.3. Home Office and Police powers, policies and procedures for dealing with those with no recourse to public funds and those not exercising their treaty right.
  - 2.1.4. Housing and Homelessness duties, options and support models.
  - 2.1.5. Boston Borough Council Public Space Protection Orders and other Boston Borough Council enforcement.
  - 2.1.6. Tasking the local MP to lobby Government with the outputs from the Task and Finish Group where a change in the law was deemed to be needed.

### 3. Cabinet

- 3.1. The output, notes from meetings, statements and supporting documentation generated by the Task and Finish Group have been reported through previous meetings of this Committee and are matter of public record. Councillor Judith Skinner, Madam Chairman of both Environment and Performance Committee and Task and Finish Group, presented a final report to Cabinet on 2<sup>nd</sup> December 2020, where 13 recommendations agreed following the Task and Finish Group review, were accepted by Cabinet. It was also agreed that regular updates on the progress with implementing the 13 recommendations would be provided to the Environment and Performance Overview and Scrutiny Committee until such point that all the recommendations had been concluded.

### 4. Progress to date of each Recommendation

- 4.1. Each of the 13 recommendations are reproduced in full below, followed by a summary of the actions taken, whether the action is concluded or if not, when it is anticipated the action will be concluded.
- 4.2. **Recommendation 1** – That a call for a change in the legislation to 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.

**Update** – The Council Leader wrote to the Rt. Hon. Priti Patel Home Secretary on 13<sup>th</sup> January 2021 and put to her recommendations 1 to 6 as set out in this report. The letter was also copied to Mr Matt Warman MP. The letter sent by The Leader is attached at appendix A and the subsequent reply from the Home Office, dated 16<sup>th</sup> February, is attached at appendix B, and has already been circulated to Members of the Task and Finish Group. **Completed.**

- 4.3. **Recommendation 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.

**Update** – see 4.2 above. **Completed.**

- 4.4. **Recommendation 3** – That closure of a business found to be in breach of its alcohol licence conditions to be immediate until an official Licensing hearing determined its future.

**Update** – see 4.2 above. **Completed.**

- 4.5. **Recommendation 4** – That the Police and Senior Council Officers be empowered to serve FPNs for breach of licence conditions.

**Update** – see 4.2 above. **Completed.**

- 4.6. Recommendation 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.

**Update** – see 4.2 above. The Leader of the Council wrote to each of the 11 responsible authorities listed in the Licencing Act on 13<sup>th</sup> January 2021. A copy of the letter is attached at appendix C. No replies have been received from any of the Responsible Authorities written to. **Completed.**

- 4.7. Recommendation 6** – That Parliament be asked for an increase in Alcohol Licensing fees.

**Update** – see 4.2 above. **Completed.**

- 4.8. Recommendation 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.

**Update** – see 4.2 above. The Leader of the Council wrote to the Chair of each of the Parish Councils in the Borough of Boston on 13<sup>th</sup> January 2021. A copy of the letter is attached at appendix D. No replies have been received from any of the parish councils. **Completed.**

- 4.9. Recommendation 8** – That Boston Community Alcohol Partnership (CAP) be requested to promote its success to date and popularise itself in the media/social media particularly.

**Update** – The paragraph below has been provided by Inspector Fran Harrod Coordinator of Boston CAP;

*On 31<sup>st</sup> March 2021 Boston CAP won the national award for ‘CAP of the Year’, presented by our MP Matt Warman, a great honour for the CAP and the town and highlighting the resilience and determination to tackle alcohol harm among young people, improve their health and wellbeing and enhance their communities during a challenging time. Numerous partners sit on the CAP, including Police, Boston Borough Council, Health and Wellbeing Services, National and Independent retailers, education, faith groups and charities.*

*The CAP has achieved some notable successes since its launch in 2016, with big reductions in alcohol sales to under-18s, in the number of residents reporting young people being drunk and rowdy in public places and the incidence of alcohol related litter in the town. The percentage of 13, 14, 15 and 16 year old students saying that they drink alcohol on a weekly basis has reduced from 13% to 7%. And the proportion of licensees selling to people who appear under age without checking for identification has reduced from 77.8 per cent in 2017 to zero in 2020.*

*The CAP is proud of the way it involves young people in its work. It engages with local schools and colleges and provides work experience to learners on Boston College Uniformed Public Services course, inviting them along on Challenge 25 and refusals checks and involving them in residents and licensing surveys.*

*CAP has helped us with gaps in our strategy, such as ensuring challenge 25 and other key messages have been translated into different languages for display, so that all communities can benefit from the CAPs work.*

*During lockdown the CAP came up with some innovative ways to get its messages out to the community about the risks of underage drinking, including circulating alcohol awareness videos to schools and young people's centres and placing eye catching bollard covers around the town. A police display vehicle made frequent rounds, using its large screen on the side of the vehicle to show messages and videos, while the RoadHoG Christian Outreach Bus has supported the wellbeing messages of CAP as and when it has been possible for it to operate.*

*Going forward we have plans for a variety of in person events in the town, and resuming our activities with young people from schools and the college, at a time where the wellbeing of our young people has never been more important.*

- 4.10. Recommendation 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 Council's website for ease of access by the public and also an item be produced within the Council's newsletter advising of the new reporting facility and the link to access it.

**Update** – An ASB activity performance report has been prepared and published on the council's website. This is linked to the Community Safety pages and the Council's newsletter for the first time in January 2021. A cycle of quarterly reports has now been set up to maintain this reporting mechanism for the future. **Completed.**

- 4.11. Recommendation 10** – That a notice be included on the Council's website providing the general police contact link for reporting of non-urgent crime. The notice to include a caveat stressing the link is only for non-urgent crime.

**Update** – An update of the Community Safety pages on the Council's Website was undertaken in January 2021 and a link is now included for reporting non-urgent crime to the Police. **Completed.**

- 4.12. Recommendation 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 quarterly or monthly Q and A session meeting to allow all members of the public across the borough to participate.

**Update** – Lincolnshire Police Inspector Fran Harrod, supported by the Council’s Community Safety Manager Peter Hunn, have started conducting public Facebook Live events. The public attending on-line are provided with updates on policing and anti-social behaviour work before being invited to help set policing priorities for the next quarter. During Facebook Live events, public questions are answered by Officers in attendance. These events will repeat every six weeks throughout 2021, hosted by the Police and Council Officers, incorporating Q and A from the public attending and shaping policing priorities for the quarter ahead. **Completed.**

- 4.13. Recommendation 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 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, or if agreed on a permanent basis.

**Update** – Cabinet agreed to delegate this recommendation to BTAC at their meeting on 2<sup>nd</sup> December 2021. BTAC agreed to accept the recommendation on 3<sup>rd</sup> February 2021 where Officers were requested to present a report of options and their respective costs of providing a service to open and lock Central Park gates. This report is being prepared for the BTAC meeting in May 2021.

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

**Update** – Cabinet agreed to delegate this recommendation to BTAC at their meeting on 2<sup>nd</sup> December 2021. BTAC agreed to accept the recommendation on 3<sup>rd</sup> February 2021 where Officers were requested to present a report of options and their respective costs of providing security / high visibility patrols in Central Park. This report is being prepared for the BTAC meeting in May 2021.

## 5. CONCLUSION

- 5.1.** The purpose of this committee report is to show progress and status against each of the 13 recommendations put forward by the Task and Finish Group. Members can see that with the exception of recommendation 12 and 13, which are being progressed by BTAC, all remaining recommendations have been completed as agreed.

### FINANCIAL IMPLICATIONS

None

### LEGAL IMPLICATIONS

None

**CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

None

**EQUALITY AND SAFEGUARDING IMPLICATIONS**

None

**OTHER IMPLICATIONS**

None

**CONSULTATION**

Consultation has been undertaken with Madam Chairman of the Environment and Performance Overview and Scrutiny Committee Councillor Judith Skinner and the Leader Portfolio Holder Councillor Paul Skinner

**APPENDICES**

**Appendix A:** Letter from the Leader of the Council to the Right Honourable Priti Patel Home Secretary dated 13<sup>th</sup> January 2021.

**Appendix B:** Letter of reply from the Home Office to the Leader of the Council dated 16<sup>th</sup> February 2021

**Appendix C:** Letter from The Leader of the Council to the 11 Responsible Authorities as recognised in the Licensing Act, dated 13<sup>th</sup> January 2021.

**Appendix D:** Letter from the Leader of the Council to the Parish Council Chairs of Boston Borough Council, dated 13<sup>th</sup> January 2021.

**BACKGROUND PAPERS**

*(If none then insert the working 'No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.' Also delete the below text/boxes.)* Background papers used in the production of this report are listed below: -

<b>Document title</b>	<b>Where the document can be viewed</b>
<i>Cabinet papers and minutes 2 December 2020</i>	<a href="https://modern.gov.boston.gov.uk/ieListDocuments.aspx?CId=130&amp;MId=1706&amp;Ver=4">https://modern.gov.boston.gov.uk/ieListDocuments.aspx?CId=130&amp;MId=1706&amp;Ver=4</a>

**CHRONOLOGICAL HISTORY OF THIS REPORT**

*(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.)*

<b>Name of body</b>	<b>Date</b>
<i>Environment and Performance Overview and Scrutiny Committee</i>	<i>24<sup>th</sup> September 2020</i>
<i>Cabinet</i>	<i>2<sup>nd</sup> December 2020</i>
<i>Boston Town Area Committee (recommendations 12 and 13 only)</i>	<i>3<sup>rd</sup> February 2021</i>

**REPORT APPROVAL**

Report author:	Christian Allen Assistant Director Regulation
Signed off by:	Christian Allen Assistant Director Regulation
Approved for publication:	Councillor Paul Skinner, Leader and Portfolio Holder