

OVERVIEW & SCRUTINY - ENVIRONMENT & PERFORMANCE COMMITTEE

7 September 2021

Present: Councillor Judith Skinner (Chairman), Councillor Judy Welbourn (Vice-Chairman), Councillors Katie Chalmers, Anton Dani, Paul Goodale, Neill Hastie, Yvonne Stevens and Stephen Woodliffe

In attendance:

Guests: Inspector Fran Harrod – Lincolnshire Police.

Officers:

Section 151 Officer, Anti-Social Behaviour Officer, CCTV Manager, Improvement Development Service Manager, Democratic Services Officer and Democratic Services Apprentice.

8 APOLOGIES

Apologies for absence tabled by Councillor Peter Bedford, Councillor Stephen Woodliffe substituting. Further apologies from Councillors Tom Ashton and Alison Austin. No substitute members.

9 MINUTES

Committee agreed the minutes of the previous meeting held on the 22 June 2021.

10 DECLARATION OF INTERESTS

No declarations of interest tabled.

11 PUBLIC QUESTIONS

No public questions.

Prior to moving into part one of the meeting the Chairman welcomed Inspector Fran Harrod of Lincolnshire Police and thanked her for her attendance in support of the first two items on the agenda.

12 ANNUAL CCTV REPORT

The CCTV Manager presented the annual report advising committee that Boston Borough Council's public realm CCTV system consisted of digital high definition CCTV cameras and CCTV control room equipment that covered Boston town centre, Kirton and other areas including Boston College, Pilgrim Hospital, Redstone Industrial Estate and Pescod Square.

The Council further monitored cameras on behalf of NKDC, SHDC and ELDC, although detailed incident data for those council areas had not been included in the report.

Performance data at appendix A noted that during the period 01 April 2020 to 31st March 2021 the service had logged 15,652 daily entries and completed 2863 incident reports. Boston Borough Council had further received 445 out of hours' service calls with the CCTV operators having received a combined total of 1192 calls for Boston Borough Council and East Lindsey District Council.

The CCTV Operators had directly contributed to 122 arrests within the Boston Borough area and 287 arrests for the total coverage area. They had also produced 123 pieces of evidence for Lincolnshire Police and Court use with a total number of 296 pieces of evidence produced.

The CCTV Manager referred members to appendix A of the report and invited them to question the full statistical data therein.

Member comment and questioning followed which included:

Members questioned the staffing level of the service and need for any increase in operators, whilst referencing the volume of log entries and agreeing it was an impressive amount of work that the operators were undertaking. Furthermore, a Member questioned the volume of evidence provided, querying management of evidence cases aside from viewing the monitors.

In response, the CCTV Manager confirmed that in general there were two operatives per shift, with overlapping at some points. At certain times of the day when the town was quiet, in particular in the early morning hours, only one operator was on site. There was capacity in the service to put more operators on when large events occurred, but the maximum number of staff at any one time was three for the operating equipment available. Evidence gathering took place at the workstation used for viewing the monitors and was mostly produced in quieter times during a shift, often by the night staff who had capacity with less activity on the monitors.

Further questioning sought advice on who paid for the operators; were all the cameras in operation as there had been ongoing issues of ASB in the town and concern at single officer working through the night that a member felt could be dangerous. A Member also asked why the Police asked businesses to provide CCTV coverage when incidents arose in the town.

The CCTV Manager confirmed the Council paid for the operators as they were employees, but monies received for the service by third parties included a percentage for the operators. Referencing the cameras, he advised that although he did not have the maintenance log with him, to the best of his knowledge all cameras were working. He advised that regular maintenance was undertaken and the Assistant Director – Regulation confirmed that the revenue budget enabled funding all year round for maintenance and repair with a local provider on call who would respond swiftly to any breakdown. Referencing single working the Portfolio Holder advised that the Council had a Lone Working Policy in place. Inspector Harrod advised that when a serious incident arose it was the policy of the Police to source as much supporting evidence as possible, and that did include sourcing any additional CCTV footage that may be available within the vicinity of the incident.

Referencing the funding provided by BTAC a Member asked if the appointment for the new CCTV operative filled having seen advertisements for such operators and further asked if there was any feedback on the coverage in the park and evidence of any effect of the installation of the camera. The CCTV Manager advised that an existing part time operator had taken up the new post funded by BTAC but that no data was available in respect of the impact of the additional service in the park, as there had been little time since the implementation to collate any detailed information.

However, feedback information would be produced to allow reporting to BTAC to enable it to monitor the outcomes of its' funding, which would be supported by reporting by the Police in respect of ASB activity.

Members questioned the type and amount of cameras currently used within the town. One member questioned buying more cameras' to address the volume of crime taking place, although one member questioned the figures raised stating that Boston was not as bad as Members felt it to be and stated he felt the service worked well and Members needed to remember they were spending ratepayers money. Ratepayers in BTAC would be subject to precept up by 5% just to fund the one operator for Central Park. Furthermore, the Member questioned expanding the staff levels to provide a greater service for the public and businesses of the town.

The CCTV Manager advised that the current cameras in use were PTZ zoned which allowed them to cover differing areas within their location but not one specific location continually. He stated it would be possible to look at static cameras which provided a 360 view on one area all the time in areas subject to high crime rates, a further option was to use mobile cameras in similar areas. The Portfolio Holder stated that the cameras had been replaced two years previously and the Council had an open source system with many differing types of cameras being available. He further underlined the fact that Government was very clear in respect of the siting of cameras and any siting of mobile units would require permission from the owners of premises on which to site them. Furthermore, evidence of the need for any additional cameras would be required to all consideration of expanding the existing service.

Responding to the requests for increasing the staffing levels of the services, the Assistant Director – Regulation stated it would be wrong to say the service was under-staffed. The level of service aligned to the budget that provided so many operators per week/year, it was not under-resourced.

Staff turnover was the nature of the service with recruitment being an on-going process. Any increase in the staffing level would need to be evidence based and any such increase would have an impact on services elsewhere within the Council.

A Member questioned the possibility of an apprentice scheme in the service to allow the Council to recruit from within once trained. The suggestion was warmly received and supported by the Committee with agreement Cabinet be charged with looking at the staffing level and introducing an apprenticeship opening into the service.

In response to a question that sought advice on the opportunities available for sourcing grants and funding for the service the CCTV Manager confirmed that no current schemes were available but officers always looked for options.

The Assistant Director – Regulation confirmed that the Council had applied for funding through Police Crime Lincolnshire but unfortunately the funding had been over-subscribed.

A Member asked what the third party receivers paid for the service and what the breakdown of the costs charged included. The Assistant Director – Regulation confirmed he would provide the information after the meeting.

Further comments and advice provided included concern by a Member in respect of a lack of signage when approaching the town advising that CCTV operated throughout the town, and confirmation that the third party receivers of the service were responsible for paying for their own cameras and their installation within their areas.

RECOMMENDATION:

That The Environment and Performance Committee request that Cabinet consider the introduction of an apprenticeship scheme for the CCTV service to enable the Council to train future operatives.

TO DO:

1. To provide a breakdown of the accounts for the third party service.
2. To look at increased signage on the approach to the town and within the town, confirming CCTV coverage was in operation.

13 ANNUAL CRIME AND DISORDER REVIEW - ASB - PSPO (ALCOHOL) STATISTICS 2021 - 22.

The Anti-Social Behaviour Officer presented the report confirming that the Council's Community Safety Team used National Legislation and County-Wide Policies and Procedures when dealing with Anti-Social Behaviour (ASB). The team worked alongside numerous partner agencies, particularly the Neighbourhood Policing Team based at Boston Police Station.

The Council's only ASB Officer widely utilised the powers contained within the Anti-Social Behaviour, Crime & Policing Act 2014, guided by the Safer Lincolnshire Partnership Strategy's 'Intervention and Incremental Approach Policy and Procedure 2015' when dealing with ASB and other non-criminal offences. The approach normally had 4 stages with statistics throughout the report for each stage for ASB enforcement and PSPO enforcement

Appendix 1 of the report provided ASB enforcement statistics for the period 1st April 2020 – 31st March 2021 in comparison to the previous year, 1st April 2019 – 31st March 2020. Appendix B provided PSPO for alcohol statistics.

The Anti-Social Behaviour Officer concluded his presentation with a summary of the statistics as noted below:

Enforcement:

Stage:	2020-2021	2019 – 2020
1. ASB Advice Letter	70 issued	61 issued
2. ASB Warning Letter	31 issued	80 Issued
3. Acceptable Behaviour Agreement	3 issued	17 issued
4. Civil Injunctions (granted by Court)	0 issued	9 issued
<i>For over 18's</i>		
5. Stage 3 Community Protection Notice Warnings.	0 issued	2 issued
6. Stage 3 Community Protection Notice	0 issued	0 issued

PSPO – Alcohol:

Stage:	2020-2021	2019 – 2020
1. PSPO Advice Letter	99 issued	57 Issued
2. PSPO Warning Letter	15 issued	7 issued
3. Community Protection Notice Warning.	8 issued	1 issued
4. Community Protection Notice	0 issued	0 issued

Breach of PSPO (refused a request by an authorised officer to desist from drinking alcohol within the designated area or leave the area):

Fixed Penalty Notice (FPN)	0 issued	0 issued
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Providing information on the procedure of the staged approach the Anti-Social Behaviour Officer advised that the Council or Police produced the 1st stage letter and the PCSO who dealt with the original incident delivered it to the person at their home address. The letter stayed on file for six month and if the person re offended within that period a stage 2 warning letter was issued, which would be delivered to the home address by the Community Safety Officer and a Police Officer. The information would also be relayed to other services including Futures4Me which supported a number of youth services under its' own umbrella. The family of the offender would also receive an offer of support but uptake was purely voluntary. When the offender further offended within the six months, they received a Community Protection Notice followed by an invitation to agree an acceptable behaviour contract that would include a set of conditions. Compliance of the conditions would be voluntary, however normally they undertook the conditions and the majority of offenders at this stage very rarely proceeded to offend further. When they did re-offend, the Council applied for a civil injunction through the Court. Older people who did offend and received a community protection notice very rarely offended further.

Member comment and questioning followed which included:

Addressing the value and strength of the PSPO a Member asked if the Council had to the right to extend its' power to enable more offenders with increased repercussions' for its misuse. The Anti-Social Behaviour Officer advised that the PSPO was under National Legislation and used across the Country. He reminded Members that it was not unlawful to drink in the street. However, if a person was seen drinking by an Officer, they would be asked to dispose of it. Police dealt with drunk and disorderly incidents, the PSPO was only one option of dealing with street drinking as the Police had other powers that superseded the PSPO. The only way to change the legislation would be via lobbying the local MP.

Referencing an incident they had observed within the town whereby a person had been under the influence of alcohol at 0830hours in the town centre and had become violent, the Chairman advised she had called 101 and received a prompt response with 2 officers attending in a short space of time to ensure the safety of the person. Inspector Harrod advised that the person concerned had arrived in the town in a transit fashion. They had been offered help on a number of occasions but had continually refused it and the Police had made it clear that such behaviour would not be tolerated and the person had since left the town. The Portfolio Holder confirmed that other legislation was available for persistent offenders, to allow the Council the right to exclude them from the town. Boston had excellent services to support such people but they had to engage and if they chose not to and continued to cause problems, then they were subject to exclusion.

A Member questioned the increase in certain areas attributed to Covid and asked what had happened since the situation had relaxed as the population came out of Covid restrictions and would the figures next year reflect a change.

The Anti-Social Behaviour Officer advised that the figures within the report from March 2020 to July 2020 had been much lower because of Covid19. Adults who had abused staff at the vaccination centres received stage 2 letters and the school holiday period usually resulted in a dip in incidents. However, the late autumn and winter months often had a spike in incidents due to the darker nights. Members were reassured that if an incident was report it would be dealt with. The staged approach worked but a small minority would always continue to offend.

Referencing cycling in and around the town a number of Members agreed that it was very dangerous and all residents were at risk of injury, especially the elderly and infirm. The lanes around the town proved exceptionally dangerous and the speed of the cyclists left no room to move out of the way. They stopped buses on occasion, scared people and the cyclists themselves had no thought of pedestrians. Suggestions to slow down the cyclists or to identify them included possible fences across the lanes providing a chicane, although concern noted the effect of mobility scooters.

The Anti-Social Behaviour Officer agreed the sentiments and concerns of the members and assured them that action to identify the culprits via CCTV and is taken, and the PCSO who worked alongside the schools and did go into the schools to confront the perpetrators. Inspector Harrod further advised that the town team had prioritised the issue with tickets having been issued and PCSO's having stood at the end of the lanes. However, whilst signage was in place, it was ignored, and along with other activities, the action itself was quick.

Committee noted the report and agreed their appreciation of the work undertaken.

14 PUBLIC CONVENIENCE PROVISION BOSTON.

The Deputy Chief Executive addressed the meeting and advised that he sought a steer from Committee on taking the report forward, having tabled a similar report to the BTAC. The BTAC report had confirmed allocation of a national funding stream of £30mil for the provision of toilet facilities for adults with severe additional needs. The facilities would be 3m x 4m with bids for £40k per unit available with a certain level of match funding. BTAC had agreed that bids for funding such facilities be taken forward. BTAC had further agreed a request for £20k to fund a thorough overview of the existing toilet provision within the town that would include charges, a review of each site and future maintenance for each site. BTAC would receive a report on the review on completion.

Members were reassured that their original rationale for the report, including information on the provision of private facilities for public use, along with the costs for the provision of consumables at the private sites would be considered under the review and the overall findings presented within the final report which would come to Scrutiny as well as to BTAC. The deadline for bids for funding had been the end of September 2021 with a report expected within 4 – 6 weeks thereafter. The Council would submit bids for all its sites however the likelihood of all being successful was doubtful and the two most probable sites would be those at the Assembly Rooms and at St. Botolph's Church. Of the two sites' the most preferable would be that at St. Botolph's Church. The Deputy Chief Executive advised he had been attempting to make contact with both sites.

Member comment and questioning followed which included:

Noting that Oldrids department store had opened under another name, a Member advised that the toilet facility therein would be re-opened. The Member further advised of new facilities at the Blenkin Memorial Hall, which would include a toilet provision for use by the public.

The Chairman noted she felt uncomfortable at putting public money into private facilities' as the Council would have no control over the facility funded including the opening hours of the site, which would not align with the facilities provided by the Council. Furthermore, the Chairman stressed concern over the current quality of the Assembly Room facility, knowing that at the time it changed hands to the new owner, it required investment in respect of new drainage / plumbing issues along with other significant repairs and upgrading. The facility remained closed since the sale of the building and it would still require repairing and the level of condition would have deteriorated further. The Council should not be expected to use public funds to make the site operable and nor should any funding received for installation of the new model facility, be used for repair works to a private building.

The Deputy Chief Executive noted that the Portfolio Holder had voiced similar concerns and he would seek the potential of extended opening hours during negotiations: the Church and the Assembly Rooms were central to the market place and their location made them ideal sites for access. The Deputy Chief Executive further advised he had considered other facilities within the town including Wide Bargate, the Bus Station and Central Park, although it appeared that Central Park was not suitable for such an extension. The review to be undertaken would include negotiation with other third party providers including Boston College and the Train Station.

Referencing the lack of existing toilets within the market place a Member voiced concern for the market traders and also for local businesses who did allow the public to use the facilities and the costs they incurred in respect of consumables, electricity and cleaning. Another member noted that the Waterfall Plaza and the Bus Station Café had put in place a key deposit system whereby 50p was required for the key, with a refund of the deposit only after the owner/manager checked the facility after use.

The Chairman concluded by thanking the Deputy Chief Executive for the update report and agreed the tabling of the final review report, in respect of the future provision of public conveniences, onto the programme of meetings.

15 SOCIAL MEDIA ACCEPTABLE USE POLICY

The Organisation Improvement and Development Manager presented an overview of the rationale for the draft policy and sought Members comment and feedback to shape the policy to allow it to be agreed and taken forward for implementation throughout the Alliance.

Social Media was a key mechanism to allow the Councils to communicate with their communities. Facebook, LinkedIn, Instagram and Twitter provided information and allowed engagement by the public who fed back to the Council. However, at times, the feedback was inappropriate and the policy would provide the Council with a governance framework to pro-actively manage the accounts and deal with inappropriate comments.

Member comment and questioning followed which included:

Addressing inappropriate commenting/posting by members of the public a Member suggested making the streams more restrictive to prohibit posting, whilst another Member suggested the Council implement a three-strike rule against people who continually abused and harassed officers. The Member also questioned the inappropriate and vexatious commenting by some Councillors on the social media streams and questioned if the Council treated the Councillors' in the same way as Members of the public.

The Organisation Improvement and Development Manager advised of recent action taken in respect of inappropriate posting which resulted in turning off the comment facility. The Council would contact prolific posters and if they persisted in inappropriate posting, the Council blocked their facility to post to the Council sites. Councillors who posted inappropriate posts are subject to the same restrictions as members of the public.

Questioning the monitoring of the sites during working hours between 9 / 5 Monday to Friday a member voiced concern that the sites were unmonitored in the evenings and over the weekend allowing inappropriate comments on view for a long period. Members further questioned the lack of translation of certain languages on the social media streams hosted by the Council, with reference to a recent survey receiving very few feedbacks due to the lack of translation.

The Organisation Improvement and Development Manager advised that officers were able to pre schedule work on the Council's own website to give some control on what it posted over the weekend period. However, it had no such control on the other media streams.

The Portfolio Holder reinforced his support of the ongoing work by the communications team and stressed that community leader meetings took place regularly allowing messages to go out into the various communities within the town. He further stated that nobody, including Officers and Members, should be harassed or bullied.

The Chairman questioned the Councils' control in respect of sharing and copying of its posts.

The Organisation Improvement and Development Manager advised the Council was limited in what it could do. Individuals could copy but if the nature of the copy and subsequent comments related to hate crime or similar, the Monitoring Officer would be contacted and action taken.

RECOMMENDED:

That the Environment and Performance Committee recommend that Cabinet be recommended to agree that consultation of the Social Media Acceptable Use Policy proceed.

16 UPDATE ON FLY TIPPING - MEMBER WORKING GROUP

Reporting on the groups meeting held on the 27 July 2021 Councillor Welbourn advised that the key items discussed included:

- Ongoing contact in respect of overt CCTV surveillance, which resulted in FPN's. The group agreed that company kept the majority of income.
- The group agreed that the Council retain income from abandoned vehicles and dog-fouling FPN's.
- The group agreed to increase and support the schools in their education of fly tipping with their students. The group believed students would spread their own education on the subject outside of school.
- Options of a 3 – 5 year contract with another provider. Tenders would be invited and reporting on any such change would come back to the working groups' parent committee.
- Possible change of operation with an in-house service following the mammoth amount of cancelled FPN's from supermarket sites.
- Suggestion that in-house would allow the Council to train its own enforcement team and eventually have a joined up system.
- The situation in respect of out of town fly tipping was concerning as it was not reported not monitored. The Environment Agency did not fine if the amount of the tip was not substantial.
- The group considered taking away the secondary bins from households continuing to contaminate their primary bin.

The Chairman asked when the next meeting of the group would be scheduled and Councillor Welbourn confirmed that future meetings would be scheduled on an ad-hoc basis as / of required. The Portfolio Holder was very active in providing feedback on all waste related matters and therefore the future of the group was unknown

17 WORK PROGRAMME

The Assistant Director – Regulation (Lead Officer for the committee) confirmed that Members had received the outstanding feedback from the previous meeting. One item not updated was the request that members training attendance be recorded against their profiles on the website.

A recent group leaders meeting agreed the request with recording of training attendance now published on the website.

Moving forward, the next meeting on the 26 October 2021 had a busy agenda with reporting on the Climate Change Strategy along with an update on the Climate Change Assembly. The agenda also included a report on inequalities within HMO's along with the Q1 performance monitoring which could enable committee to identify future reporting. A stakeholder meeting scheduled on the 17th September 2021 would allow Members to shape the Carbon Reduction Plan for Boston with a report to committee in December.

Q2 would also be reporting in December to allow committee to plan its programme for the remainder of the year.

Committee comment and suggestions for the work plan followed:

A Member asked if it would be possible to look at the Councils' Code of Conduct. The Chairman confirmed that the Audit and Governance Committee would receive that report.

Referencing the increase in electric cars in and around the town a Member asked if it would be possible to put charging points on Fish Hill in the town. The Assistant Director – Regulation advised that such suggestions were for discussion at the stakeholder meeting on the 17th September.

There being no further business, the Chairman thanked everybody for attending and closed the meeting.

The Meeting Closed at 8.50 pm