

JOINT CRIME AND DISORDER AND PLANNING AND HOUSING OVERVIEW &
SCRUTINY PANEL

THURSDAY, 20 SEPTEMBER 2018

PRESENT: Councillors Malcolm Beer, Hashim Bhatti, Dr Lilly Evans, Richard Kellaway, Eileen Quick, Hari Sharma, Julian Sharpe, Derek Sharp, John Story, Leo Walters and Simon Werner

Also in attendance: Councillors D Wilson and McWilliams

Officers: David Scott, Russell O'Keefe and Nabihah Hassan-Farooq

ELECTION OF THE CHAIR

It was proposed by Cllr D Sharp and seconded by Cllr Quick that Councillor Kellaway be nominated as the Chair for the duration of the meeting.

RESOLVED UNANIMOUSLY: That Councillor Kellaway be nominated and appointed Chair for the duration of the meeting.

APOLOGIES

Apologies of absence were received by Councillors, Mills, Hunt, Clark and L. Evans.

DECLARATIONS OF INTEREST

None.

SUPPORT BEFORE ENFORCEMENT- A STRATEGIC APPROACH TO SUPPORTING VULNERABLE PEOPLE

The Head of Communities, Enforcement and Partnerships outlined the Cabinet report regarding the proposed adoption of a strategic approach to issues arising in its town's streets and open spaces, including the needs of vulnerable individuals.

The Panel were informed that the Cabinet report had been influenced by the Royal Borough's commitment to support vulnerable individuals who were most in need of assistance to secure positive outcomes. The report outlined mechanisms by which Community Wardens could problem solve issues that arise in Windsor and Maidenhead town centres and wider areas to support vulnerable individuals and wider users.

Panel Members were informed that there was a strong emphasis on "support before enforcement" and that enforcement was always considered a last option, thereby ensuring that if there were wider support needs that these were considered first. The report also outlined that Community Wardens would be equipped with the relevant tools needed to adopt the support first approach and where enforcement in dealing with anti-social behaviour was a measure only to be taken once all other options had been exhausted. Members were informed that individual packages of support had already been delivered to individuals with specific support needs.

The report highlighted that there had been 75 reports of anti-social behaviour in Windsor in 2018 which included; street drinking, passive and aggressive begging, graffiti, public urination, drug use in public spaces, and cycling in pedestrianised areas. It was noted that complaints

continued to be received by local businesses in relation to anti-social behaviour in the town centres.

Members were reminded that Cabinet had approved the new Community Warden team in March 2018 and this had supported the need to address increased levels of anti-social behaviour across the borough. The new team had operated in a problem solving capacity and had begun work on targeted operations to tackle emerging issues. The Panel were informed that recruitment for the remaining vacancies within the team would be concluded at the end of September with the inclusion of a MEAM (Making Every Adult Matter) Coordinator who would specifically focus on the requirements of vulnerable individuals such as those who may be rough sleeping in the town centres.

Councillor McWilliams, Principal Member for Housing, addressed the Panel and highlighted that as part of a group of measures an "Alternative Giving" mechanism was being looked at. This would work in conjunction with key stakeholders to help understand and develop ways in which donations from the public could be channelled appropriately to deliver support services to the most vulnerable individuals with substance misuse or chaotic lifestyles.

Panel members were told that following the successful completion of the Community Safety Accreditation Scheme (CSAS) training by the existing Community Warden cohort that authorisation was now being sought from Thames Valley Police for the Royal Borough to utilise the appropriate police powers to tackle lower level ASB such as cycling on pavements and powers to request details of those believed to be committing an offence. This would work alongside specific legislative powers to tackle littering from vehicles and other forms of anti-social behaviour. It was highlighted that there was no single power that would provide a simple solution to tackle the outlined issues as per the report, however, the report aimed to align the appropriate enforcement mechanisms with the relevant support available. Members were told that the most recommended route for this approach would be the implementation of Community Protection Notices (CPN) and that this tool would be individual focussed for the majority of cases and was an approach that had been successfully used over the last twelve months. It was noted that the issuing of a CPN was focussed upon defined circumstances and behaviours which would then set out positive steps an individual should take to access support. It was highlighted that where this was not adhered too or cases where there had been non engagement that a fixed penalty notice (FPN) or prosecution could be considered as a final option. It was stated that there would be a standardised FPN issued for breaches to any Public Space Protection Order (PSPO).

Councillor Kellaway asked how many known rough sleepers had been accounted for in Windsor and it was stated that there were approximately 16-20 known rough sleepers counted throughout the week in Windsor with approximately 6-10 in Maidenhead. It was noted that there was now a better understanding of individuals regarding their circumstances and that more work had been done around the treatment of individuals physical disabilities and mental health issues, drugs and alcohol. It was also highlighted that there were some cases that were known to have accommodation but may have no fixed abode on a temporary basis. Positive work had been done in returning bus stops to their primary use and there had been close co-ordination with Thames Valley Police, PCSO's to negate this from reoccurring.

RECOMMENDED ACTION- Para 2.4 to be amended by the responsible report authors to reflect the following wording, "...ensure donations are not used to support chaotic lifestyles and substance abuse habits."

Councillor Walters queried when a CPN notice would be used and it was stated that CPNs were used as a means to promote positive behaviour changes and to encourage compliance to access relevant support. It was reiterated that a FPN could be issues where there had been failure to comply with an issued CPN or a Community Behaviour Order could be given in order with evidence by the Police.

Councillor McWilliams, informed the Panel Members that there would be a Homeless Strategy Update in February/March 2019 and that partners and stakeholders would be consulted with and their feedback would form part of the update. It was also highlighted that members of the public would also be consulted with as part of the update. Members were reminded that the PSPO had not been recommended in the report but that this had been noted as a final option if all other options such as a CPN had not been followed. There had been highlighted improvements within the Housing Team and an Improvement Plan was in implementation.

Councillor Quick queried whether the existing and new cohort of Community Wardens had received the RBWM training and Complex needs training. It was confirmed that the existing team and new problem solving team had both received adequate and thorough training. It was noted that the existing team had acquired geographical expertise and that this knowledge had been retained. Members were informed that the first interview rounds had been carried out and that CSAS training, personal safety and safeguarding training had been carried out in conjunction with specialised training.

Councillor Werner stated that he felt there was a lack of evidence presented within the report to justify the support and enforcement mechanisms. He stated that there had been limited consultation and felt that refusal of services through a CPN could be attributed to mental health concerns and that this had not been investigated. Councillor Werner suggested that the report be re-written with a focus on support as opposed to enforcement. Some Members were in disagreement with this and felt that the report was a good continuation of the planned delivery of support services which were scoped out earlier in the year. Councillor McWilliams acknowledged Councillor Werner's concerns and informed the Panel that these concerns would be fed into the Homeless Strategy and more specific to the needs of vulnerable individuals and that it would be more appropriate to separate issues surrounding homeless and rough sleepers and anti-social behaviour matters.

Councillor Sharp sought further clarification on the "alternative giving" mechanism and it was highlighted that this would encourage partnership working with local charities and negate physical cash being handed to the most vulnerable individuals. It was highlighted that this mechanism would provide intensive and tailored support services and would be a co-production with the Windsor and Maidenhead Homeless Projects, Churches and local charities. Councillor McWilliams stated that he had seen a virtual donation wall and that this could act as a dual approach and feed into long term solutions for RBWM's most entrenched rough sleepers, however this would be subject to public consultation.

It was also asked whether Community Wardens would have the CSAS accreditation removed if they no longer were employed for the borough and it was confirmed that the accreditation would be removed. A supplementary question was posed which highlighted whether Community Wardens had any specific powers for abusive behaviours and it was stated that all Community Wardens had body worn cameras which would produce images for evidential use and that this would be linked to any available CCTV imagery within the town centre areas. It was highlighted that there was a 6 month roll out programme for CCTV upgrades and that this was due for completion in March 2019.

Councillor Quick queried whether there had been any joint working with local Housing Associations to help support individuals who were known to have tenancies yet had actively continued to aggressively beg in the locality. It was confirmed that work had been carried out to ensure tenancy sustainment was in place and that there were support services working with individuals surrounding meaningful use of time.

Councillor Sharpe stated that this was a good piece of work but that the tone of the report did not reflect this. Councillor Sharma asked how many residents and individuals had provided feedback and it was noted that there had been a wide range of contact received via email, telephone and letters which had been directly received by the borough. Councillor Kellaway queried whether any restrictions had been made to the Severe Weather Emergency Protocol (SWEPP) and it was noted that there was no threshold for temperature and that the provision would be in place across the winter period and that the use of temporary accommodation in

Ealing Inn had ceased. It was highlighted that all temporary accommodation providers used by the borough had been inspected.

Councillor Beer highlighted that he felt the number of rough sleepers had increased and that he commended officers for the introduction of fines for fly tipping and that the £400 fine should be increased to reflect the seriousness, cost of disposal and impact of the criminal offence. He stated that the report should be separated to look at social issues and criminal behaviour individually and that they should not be linked. Councillor Bhatti queried whether the two stage approach to enforcement was at the disposal of the Community Warden or whether this would need to be reported and assessed by another party. It was confirmed that this decision would be made by the present Community Warden and that the issuing of a notice would be a last resort and not used as a blanket measure.

At the conclusion of the discussion, Members were in agreement that the report should be separated into:

- Criminal behaviours (including anti-social behaviours such as fly tipping, littering from vehicles and cycling in pedestrianised areas) and support mechanisms
- Social issues including homelessness to be incorporated into the Homeless Strategy

Resolved: That the joint meeting of the Planning and Housing and Crime and Disorder O&S Panels considered the Cabinet report and felt that the report should be split into two separate reports:

- **Criminal behaviours (including anti-social behaviours such as fly tipping, littering from vehicles and cycling in pedestrianised areas) and support mechanisms**
- **Social issues including homelessness to be incorporated into the Homeless Strategy**

That the report addressing social issues as part of the Homeless Strategy be considered by the relevant overview and scrutiny panel at a future meeting. The Head of Communities, Enforcement and Partnerships explained to the Panel that due to Cabinet being held next Thursday, the report had already been published as it was.

The meeting, which began at 7.00 pm, finished at 8.08 pm

CHAIRMAN.....

DATE.....