

Report for: ACTION



Contains Confidential or Exempt Information	NO - Part I
Title	Night Time Economy Enforcement Services
Responsible Officer(s)	Simon Fletcher, Strategic Director of Operations and Customer Services
Contact officer, job title and phone number	Craig Miller, Head of Community Protection & Enforcement
Member reporting	Councillor Carwyn Cox, Lead Member for Environmental Services
For Consideration By	Cabinet
Date to be Considered	25 February 2016
Implementation Date if Not Called In	Immediately
Affected Wards	All

REPORT SUMMARY

1. The purpose of this report is to consider the results of the six month Night Time Economy Enforcement pilot that concluded on 31 December 2015 and determine whether the service is continued as a permanent arrangement.
2. Performance data and reports have been analysed to inform a recommendation to continue the service as a permanent arrangement using the same configuration as the pilot (Friday & Saturday 19.00 to 03.00).
3. The report also suggests that a service review is undertaken after a further 12 months (February 2017) to ensure the service configuration continues to offer value for money and is in line with residents' needs and concerns.
4. The service has been continued on an interim basis since 31 December 2015 and can therefore be made permanent with immediate effect should members be minded to approve the recommended option.
5. The annual cost of operating this service is £7,000 (revenue) and £2,000(capital).

If recommendations are adopted, how will residents benefit?	
Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. Greater accessibility to enforcement services that can respond to issues at the time and point of need.	Immediately

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- i. Approves Option 1 as detailed in point 2.9 below;**
- ii. Delegates authority to the Strategic Director of Operations in conjunction with the Lead Member for Environmental Services to undertake a service review in 12 months and submit a report to Cabinet should any significant changes to the service configuration be considered necessary;**
- iii. Approves the exploration of options for managing the night time economy with relevant night time economy stakeholders and Thames Valley Police to assist with successful egress from night time economy locations;**
- ii. Delegates authority to the Strategic Director of Operations in conjunction with the Lead Member for Environmental Services to prepare a media statement to communicate and promote the continuation of the Night Time Economy service as a permanent arrangement.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 Members will recall that Cabinet, at its meeting of 26 November 2015, requested a report to determine whether the Night Time Economy (NTE) Service should be continued as a permanent arrangement following the conclusion of a pilot service implemented from 1 July 2015 to 31 December 2015.
- 2.2 The NTE pilot has been monitored through a number of performance measures which provide a statistical overview of service impact and value. Appendix 1 sets out the performance data for the complete pilot. This information shows a number of positive outputs e.g. just fewer than 700 licensing checks have been undertaken and 301 environmental protection investigations undertaken.
- 2.3 The NTE team has, over the course of the pilot, also gathered evidence and reported 143 issues through to the councils licensing function for further investigation and possible formal enforcement. Interestingly, only three requests for service have been received directly from members of the public or Thames Valley Police and there have only been three occasions where incidents on the street have been reported to the RBWM control room for review. The latter point is an encouraging indication of self compliance potentially connected to the work of the NTE service. The former point could, in part relate to limited awareness and understanding of the NTE service as it imbeds. The council saw a similar pattern when it introduced its out of hours service. Demand was low initially but grew steadily as more people became aware of the service. There is, therefore, a recommendation to better promote service through the communications team.
- 2.4 Feedback from the service areas that have tasked the NTE resource indicates that this is a valuable addition to the council's enforcement arrangements and, as

aforementioned, assists in encouraging self compliance but also provides the ability to actively investigate incidents of non compliance e.g. where licensed premises do not close at the times specified on their licence or do not operate in accordance with parameters set out by our environmental protection team. Anonymised examples of actions taken as a result of evidence gathered or investigations undertaken by the NTE service are detailed in table 1 below

** Public House – loud amplified music complaints	DPS & Premises licence holder of public house interviewed as a result of evidence gathered and noise management plan implemented.
** Public House – loud amplified music complaints	Premises licence holders interviewed as a result of evidence gathered. DPS removed from premises and replaced with new management. No further issues reported.
** Public House – loud amplified music complaints	Premises licence holder and DPS interviewed – ongoing observations being undertaken during NTE hours.
Late night refreshment establishment – allegation of trading past permitted hours.	Specific late night refreshment compliance programme scheduled for NTE hours.

2.5 Table 2 below sets out the key implications that were agreed for the NTE pilot by Cabinet. Members will see that two of the three outcomes have been significantly exceeded. The outcome relating to taxi complaints has not been met. The number of complaints received during the pilot period was one less than the number received in the same period in the previous year. The complaint numbers for this parameter are relatively small, 30 complaints in 2015/16 against 31 in 2014/15. Specific enforcement patrols and activity are being scheduled for this work stream within the NTE hours to mitigate this position.

2.6 As reported previously, it is acknowledged that the exceeded outcomes cannot be solely attributed to the introduction of this pilot. Other variables will also have influenced this e.g. two of the biggest night time venues in Windsor were closed during the pilot and complaints and ASB incidents have generally been lower in 2015/16 than the previous year. The NTE service has, however, provided residents with greater accessibility and opportunity to contact council services should they require them during the NTE hours.

Outcome	Measure of Success				Performance 01 Jul – 31 Dec 15
	Unmet	Met	Exceeded	Significantly Exceeded	
Reduce NTE noise & nuisance complaints by:	<10%	10-15%	16-20%	21-25%	26% reduction - 14 less complaints than in '14/15
Reduce NTE ASB complaints by:	<10%	10-15%	16-20%	21-25%	38% reduction - 89 less complaints than in '14/15

Outcome	Measure of Success				Performance 01 Jul – 31 Dec 15
	Unmet	Met	Exceeded	Significantly Exceeded	
Reduce taxi-related NTE complaints by:	<10%	10-15%	16-20%	21-25%	3% reduction - 1 less complaint than in '14/15

- 2.7 Officers have reviewed the workload demand by time for this service to help understand what the optimum hours of operation are. Members will recall that officers staffing this service had reported a reduction in demand, post midnight. Appendix 2 details the workload breakdown on a time base. Members will see that overall 35% of all issues dealt with by the NTE function occur after midnight. Analysis of specific work strands highlights that 68% of all Environmental Protection issues, and 57% of all Streetcare issues, have been actioned between midnight and 3.00am. This data suggests that there is a demand after midnight, albeit that some of these functions are compliance monitoring activities. It is important to note that these could also become reactive situations if the need should arise.
- 2.8 The council is aware that colleagues from Thames Valley Police are dealing with a significant number of issues associated with the NTE between 3.00am and 4.00am, particularly in Windsor. This information has been considered alongside the time based review of workload for the NTE service to determine whether the council should extend the operating hours of the service in view of this. It is understood that the type of issues experienced would not ordinarily fall within the council's jurisdiction.
- 2.9 Officers do, however, believe that an opportunity exists to work with Police colleagues to engage NTE stakeholders. The objective of this would be to determine whether there are any viable options for NTE businesses and organisations to assist with the management of the NTE during these later hours including helping with egress from the areas around the NTE locations. Officers are aware of a model used in the Business Improvement District (BID) at Reading that uses trained Security Industry Authority staff to help manage effective egress from the NTE locations. Council officers and Thames Valley Police could coordinate and facilitate a working group with the NTE stakeholders to explore this area further.

Option	Comments
1) Continue the NTE service as a permanent arrangement with the same service configuration and operating hours as the pilot unless reviewed. This is the recommended option	This option is recommended on the basis of the information and data contained within this report. This option is in line with the council's commitment to deliver appropriate services on a 24/7 basis or when need dictates.
2) Continue the NTE service as a permanent arrangement with reduced hours of operation.	This option would not reflect the need or workflow data that the pilot has highlighted and as such is not recommended.

Option	Comments
Not recommended	
3) Cease the NTE service Not recommended	The performance data from the NTE pilot demonstrates value and demand for this service. This option is not recommended as a result.
4) Continue the NTE service as a permanent arrangement with extended operating hours. Not recommended	This option is not recommended. Whilst intelligence has been received about issues experienced in the NTE beyond the current hours of this service, these do not necessarily fall within the council's jurisdiction. Work to explore alternative options, along with partners (TVP) and NTE stakeholders, will assist in alleviating these issues

3 KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Reduce NTE noise & nuisance complaints by:	<10%	10-15%	16-20%	>20%	31/03/2017
Reduce NTE ASB complaints by:	<10%	10-15%	16-20%	>20%	31/03/2017
Reduce taxi-related NTE complaints by:	<10%	10-15%	16-20%	>20%	31/03/2017

4. FINANCIAL DETAILS

Financial impact on the budget

- 4.1 An additional £7k per annum is requested to be added to the existing Community Warden revenue budget for enhanced staffing costs associated with the NTE hours.
- 4.2 A new capital budget of £2k is requested to provide equipment and wet weather apparel in 2016/17. A further £2k capital budget is sought for 2017/18 to account for NTE equipment provision as the Community Warden numbers increase in line with the administration's manifesto commitment.

	2015/16	2016/17	2017/18
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	£0	£7	£0
Reduction	£0	£0	£0

	2015/16	2016/17	2017/18
	Capital £'000	Capital £'000	Capital £'000
Addition	£0	£2	£2
Reduction	£0	£0	£0

5. LEGAL IMPLICATIONS

- 5.1 The NTE function is implemented in accordance with the enforcement powers detailed in the scheme of delegations within the council's constitution.

6. VALUE FOR MONEY

- 6.1 The NTE service encourages self compliance, keeping costly enforcement interventions down whilst offering residents a convenient and accessible way to raise their NTW concerns. Alternative models have been considered previously for the delivery of this type of function e.g. third party providers. The current arrangement, however, offers the most cost effective solution.
- 6.2 Officers will continue to monitor the cost of operating this service and have calculated the cost per incident based on the workload experienced during the pilot. This will of course reduce as the service is used more widely. It is difficult to provide benchmark data as very few authorities outside of London or major cities/NTE locations operate this type of service.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 None

8. RISK MANAGEMENT

Risks	Uncontrolled Risk	Controls	Controlled Risk
Risks to staff safety whilst patrolling NTE.	HIGH	An extensive risk assessment was completed and staff were fully consulted about both the risks and mitigating action that was required	MEDIUM
Increased number of complaints regarding taxi related issues.	High	Specific compliance/enforcement patrols and activities scheduled within NTE hours.	Medium

9. LINKS TO STRATEGIC OBJECTIVES

9.1 Residents First

Improve the Environment, Economy and Transport
Work for safer and stronger communities

Value for Money

Deliver Economic Services

Delivering Together

Enhanced Customer Services
Deliver Effective Services

Equipping Ourselves for the Future

Equipping our Workforce

Developing our systems and Structures

Changing our Culture

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

10.1 None.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

11.1 Feedback has been sought from officers who have staffed the NTE function throughout and on completion of the pilot. This has been monitored and analysed in conjunction with the NTE performance and monitoring data to ensure the service remained viable and achieved good value for money for RBWM residents. This soft and hard intelligence will continue to inform the configuration of the service moving forward, if approved.

11.2 Officers are paid an enhanced rate in line with the council's remuneration policy, in recognition of the unsociable hours that this function entails.

11.3 An important point to note is that the number of shifts officers will be expected to perform will reduce as the council increases the number of Community Wardens. An officer will be expected to undertake just three shifts per annum when the warden numbers are increased to the anticipated 36.

12. PROPERTY AND ASSETS

12.1 The Tinkers Lane depot is the operational base for this resource.

13. ANY OTHER IMPLICATIONS

13.1 None

14. CONSULTATION

14.1 This report is scheduled to be considered by the Crime & Disorder Overview & Scrutiny Panel at its meeting of 4 February 2016 and the Highways, Transport & Environment Overview & Scrutiny Panel at its meeting of 24 February 2016. The Panels comments will be made available to Cabinet when this report is considered on 28 February.

14.2 The report will also be shared with the Local Police Authority Commander for their input and comments in relation to working with NTE stakeholders on the management of the later NTE hours. These comments will also be made available to Cabinet.

15. TIMETABLE FOR IMPLEMENTATION

Date	Details
25 February 2016	Cabinet agree continuation of NTE services as a permanent arrangement.

Date	Details
03 March 2016	End of call in period
04 March 2016	NTE services continued permanently unless reviewed

16. APPENDICES

Appendix 1- Night Time Economy Pilot Performance Data

Appendix 2 - Night Time Economy Pilot – Incidents reported by Wardens by time

17. BACKGROUND INFORMATION

Cabinet report – 26 Nov 2015 – Night Time Economy Enforcement Pilot – Interim Review & Report

Cabinet report – 26 February 2015 – Night Time Economy Enforcement

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader of the Council	27/01/16	28/01/16	
Cllr Cox	Lead Member	22/01/16	25/01/16	
Alison Alexander	Managing Director	27/01/16		
Simon Fletcher	Strategic Director	22/01/16	25/01/16	
Michaela Rizou	Cabinet Policy Assistant	22/01/16	25/01/16	
Mark Lampard	Finance Partner	22/01/16	27/01/16	
Michelle Dear	HR Business Partner	22/01/16	23/01/16	
Terry Baldwin	Head of HR	22/01/16	25/01/16	
Brian Martin	Community Safety Manager	22/01/16	23/01/16	
External				
Supt. B. Rai	LPA Commander TVP	29/01/16		

REPORT HISTORY

Decision type:	Urgency item?
Key Decision	No

Full name of report author	Job title	Full contact no:
Craig Miller	Head of Community Protection & Enforcement	01628 683598

Appendix 1 – Night Time Economy Pilot Performance Data

Hours Spent	Jul	Aug	Sept	Oct	Nov	Dec	Total
Number of times visited							
- Windsor	23	28	28	31	28	28	166
- Maidenhead	11	23	16	25	20	24	119
- Ascot	14	20	12	15	14	15	90
Eton & Eton Wick	18	17	6	9	8	8	66
Number of following performed							
- Taxi checks	118	134	126	68	124	126	696
- Environmental Protection Checks	33	60	42	67	50	49	301
- Environmental / Streetcare issues reported	10	10	4	5	19	22	70
- No Trading standards issues reported	0	0	0	0	0	0	0
- Potential trouble making groups called through to the control room	0	0	0	2	0	1	3
- Unplanned requests from the police / members of the public	1	1	1	0	0	0	3
- Other incidents of note	6	3	2	1	1	0	13

Appendix 2 Night Time Economy Pilot – Incidents reported by Wardens by time

Taxi Licensing (taxi licence numbers reported to Licensing)								
Time Slot	Jul	Aug	Sep	Oct	Nov	Dec	Total	%age incidents by time
1900 - 2200	11	12	25	41	36	51	176	63%
2200 - 2400	14	1	10	10	3	3	41	15%
2400 - 0300	14	10	1	1	5	30	61	22%
Sub-total	39	23	36	52	44	84	278	
Environmental Protection (Noise / EP issues reported)								
1900 - 2200	2	1	0	0	0	0	3	10%
2200 - 2400	0	4	1	1	1	0	7	23%
2400 - 0300	3	3	6	4	2	3	21	68%
Sub-total	5	8	7	5	3	3	31	
Streetcare (mainly waste left out by businesses)								
1900 - 2200	4	3	4	2	11	3	27	26%
2200 - 2400	2	0	0	5	4	6	17	17%
2400 - 0300	2	3	11	9	20	13	58	57%
Sub-total	8	6	15	16	35	22	102	
Other								
1900 - 2200	0	0	3	1	3	4	11	44%
2200 - 2400	1	1	0	1	0	0	3	12%
2400 - 0300	1	0	3	2	0	5	11	44%
Sub-total	2	1	6	4	3	9	25	
GRAND TOTAL								
Time Slot	Jul	Aug	Sep	Oct	Nov	Dec	Total	%age incidents by time
1900 - 2200	17	16	32	44	50	58	217	50%
2200 - 2400	17	6	11	17	8	9	68	16%
2400 - 0300	20	16	21	16	27	51	151	35%
Total	54	38	64	77	85	118	436	