

**IMPROVING PLACES SELECT COMMISSION
Thursday, 5th March, 2020**

Present:- Councillor Mallinder (in the Chair); Councillors Atkin, Birch, Buckley, Elliot, Jepson, Jones, Khan, McNeely, Reeder, Rushforth, Sansome, Sheppard and Wyatt.

Apologies for absence were received from Councillors B. Cutts, Jacques, Taylor and Whysall.

The webcast of the Council Meeting can be viewed at:-
<https://rotherham.public-i.tv/core/portal/home>

54. MINUTES OF THE PREVIOUS MEETING HELD ON 6 FEBRUARY 2020

Resolved:-

That the minutes of the previous meeting held on 6 February 2020 be approved as a true and correct record of the proceedings.

55. COMMUNICATIONS

The Chair made the following communications to Members of the Commission:-

- Members planning to attend the visit to Gulliver's were requested to speak to the Governance Advisor immediately following the meeting to receive information about travel arrangements.
- Members' planned visit to Herringthorpe Cemetery would be rescheduled for another date

Through the Chair, Councillor Wyatt briefed the Commission regarding a meeting that took place in accordance with the recent recommendation to discuss with the Assistant Director of Community Safety and Streetscene some further ways in which the review of the Major Incident Plan might usefully inform future flooding response by the Council.

56. DECLARATIONS OF INTEREST

There were no declarations of interest.

57. EXCLUSION OF THE PRESS AND PUBLIC

There were no items of business for which it was concluded that the press or public needed to be excluded.

58. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from the public or press.

59. IMMOBILISATION / REMOVAL OF PERSISTENT EVADERS' VEHICLES

Consideration was given to a report providing an update following a Cabinet decision taken in December 2018 to adopt a policy to facilitate the immobilisation of vehicles. Approval of the proposals allowed vehicles that were the subject of multiple unpaid parking penalty charge notices (PCNs) to be immobilised (clamped).

Improving Places Select Commission had previously recommended that the number of outstanding PCNs for a vehicle to qualify for persistent evader status, be reduced from 6 to 4. Subsequently, in April 2019, the Assistant Director for Community Safety and Streetscene took a delegated decision to reduce the number of outstanding penalty charge notices (PCNs) for a vehicle to qualify for persistent evader status, from 6 to 4. The Commission had requested an update on the situation following a reasonable period of time, during which the procedures had become embedded.

It was reported that the rationale for reducing the number was that most offenders pay their fines after three citations. Explanation was provided as to how the Council safely impounded vehicles and the process for retrieving vehicles. It was further noted that many clamping instances are resolved on site.

In discussion, Members sought to understand the processes that were employed in respect of untaxed vehicles. In response, officers gave an undertaking to provide Members with a detailed written response after the meeting.

Members sought assurances in respect of the procedures in place and were advised that officers were confident that these were robust, particularly with regard to any vehicle displaying a blue badge, which should not be clamped.

Furthermore, Members also sought to understand where the details of costs and income cleared from the process and those monies ended up. With regard to costs, it was explained that these related to contractors impounding vehicle and any income after the scrapping of a vehicle would also be retained by a contractor. The Council was able to recover damage witnessed as it occurs, such as where a grass verge had been badly damaged and it had been witnessed, then costs could be pursued.

Clarification was sought as to timescales and traveling distances for the clamping and removals process. In response, it was explained that the company that the Council currently used for removals was located next to Maltby police station. However, Members were further advised that such contractors could work anywhere in the Borough on a day to day basis. Once the persistent evader's vehicle was clamped, it was not going to go anywhere, so that part of the process was complete.

The Chair thanked officers for attending the meeting and it was

Resolved:-

1. That the report and accompanying statistics be noted
2. That the continuation of the immobilisation procedures be endorsed.

60. REVIEW OF RE-DEPLOYABLE CCTV

Consideration was given to a report which provided an update on the purchase and deployment of CCTV units as a result of additional funding of £60,000 made available in 2018. All the units other than one, which was awaiting the identification of an appropriate location, had been deployed, however it was reported that two currently had faults and were awaiting repair.

Members were asked to note that CCTV alone was not the solution in many cases. The installation of CCTV was therefore often accompanied by a range of activities, including increased patrols, intelligence gathering, identification of offenders and the issuing of warnings or further sanctions as appropriate. Resolutions to issues would also explore wider problem-solving opportunities, such as designing out crime, engaging with youth provision or working with schools in the area.

All but one of the cameras have now been deployed. These are re-deployable units. They are on a seven-day loop. In the main, they are overt cameras, providing a deterrent in the areas in which they have been deployed.

In discussion, Members wished to have more information about whether consideration has been given to funding the sustainment of the camera units through repair and maintenance plans. Officers provided clarification that the capital investment was for the procurement of new systems rather than a revenue stream to provide for the servicing and maintenance of the systems. Revenue funding would be required to provide for a service agreement in the longer term. Officers provided assurance that the suggestion was noted and will be explored during the upcoming full review of the CCTV use in the Borough.

Members enquired about the investment in covert cameras which have been effective to help deter fly-tipping and prosecute fly-tippers. The response from Officers provided assurance that covert camera use will be covered in the upcoming review of fixed, redeployable, overt, and covert CCTV systems.

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Members also sought clarification about the court awards. Officers provided details around the reasons for varied costs for offences that the Council carried through to court prosecution. Occasionally for a repeat offender or a serious offense, it is sometimes determined best to prosecute in court rather than with a typical Fixed Penalty Notice. Officers noted that the costs for a court prosecution are often under-representative of the amount of effort that is expended. The Cabinet member elaborated that some fines have been disappointingly low—a number have actually amounted to less than a Fixed Penalty Notice. While some court awards have been very small, on the opposite end of the spectrum, and unusually, prison sentences have been seen for this kind of crime.

Members posed further inquiries about the limits of the deterrent effect of cameras. In response, officers emphasized the importance of generating results and of publishing those results.

Members also sought clarification on how irresponsible disposal can encourage profiteering. Officers encouraged citizens to be wary of individuals who advertise waste disposal and to use the government website to obtain information about registered waste carriers. Officers encouraged citizens to do checks to ensure that their waste is disposed of in a responsible manner. We see on a number of occasions the responsibility for fly-tipping on private land, and we are keen to pursue ways to deter all offences, whether on private or public land.

Members inquired about ways of ensuring that all the CCTV units are active and operational. Officers tour the Borough each week. It is resource intensive, but it mitigates the instances in which a unit might not be working and we might not know about that system failure. Now each week, an officer has to go and sit under the camera unit in order to do all the necessary checks. In order to mitigate that, we ensure all those units are regularly checked. We want to make identifying offences, dealing with offences, and identifying faults as efficient as possible using modern technology to help us leverage all of those assets and get them working together efficiently. Officers noted that an allocation that has been made to allow us to move forward with providing that platform.

Members inquired as to the number of overt and covert cameras and the quality of the images produced by the systems. Officers responded that covert CCTV has greater effectiveness than overt CCTV at helping us catch fly-tippers and that the quality and capability of the cameras is set by law.

Based on this information, Members suggested the incorporation of more CCTV use in the Borough. The Cabinet member noted that recent years have seen more money allocated for CCTV because we see it working.

Resolved:-

1. That the report be noted.

2. That the results of the full-system review of CCTV, planned to commence in April 2020, be submitted to the Commission when completed.
3. That consideration be given to the review addressing provision for maintenance and repairs.
4. That consideration be given to expanding coordinated overt and covert camera use, on the grounds that results had been positive.

61. 'TIME FOR ACTION' REVIEW

Consideration was given to a report which provided an updated position in respect of service delivery and performance in respect of the 'Time for Action' Initiative, which provided for a mechanism to deliver enhanced enforcement around enviro-crime, particularly littering offences, and parking offences.

It was reported that joint arrangements with Doncaster Council had been operational since mobilisation in September 2018 and had delivered enhanced enforcement across a range of locations in Rotherham. Members noted that the Council had achieved its annual target relating to FPNs for 2019/20, which had been set at 2,000. The current number of Fixed Penalty Notices (FPNs) issued was 2,513 (as of the end of January 2020). The report indicated that performance had improved by 18% since the commencement of the partnership.

Despite the improving picture, it was reported that the target within the SLA (5,000) would not be achieved and the number at the end of the year was expected to be closer to 3,500 FPNs issued. In order to achieve the target within the SLA the quarterly number needed to be around 1,250, which would represent a further increase in excess of 50% on the previous and best performing quarter, where 859 FPNs were issued.

The report acknowledged that improvements had yet to be made in relation to the sharing of information with ward Councillors, both in relation to patrols and fines issued. A review was underway of partnership data that supported processes, such as tasking and the Community Action Partnerships (CAPs), which were Ward-based meetings between officers and Ward Councillors. The service would aim to provide regular updates through the CAPs process to capture such information. These would also provide a forum to ensure that councillors could raise areas of concern in order to target enforcement patrols.

In discussion, Members requested more precise information, as has been available in the past, for example, a map displaying the location of every citation issued within the ward. Members recommended that information be made available to people at regular CAP meetings, so that they might be as useful as possible.

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In response, the Cabinet Member noted that the complaints around CAPs meetings have been passed on to the police, happy to take that as a recommendation to provide the information at the CAP meetings. Officers elaborated that there are some data limitations because of the service-level agreement with Doncaster. Time limitations also come into play in translating the monthly data officers receive into something that would be useable at a ward level—even though officers recognise the importance of doing so. Officers are aware of the CAP process and the challenges involved, although some are working really well. A report is due back to the Safer Rotherham Partnership which will include a light-touch review of CAP processes. Officers further stated the data would be refreshed and made available to Members.

Members sought further information as to availability of individual officers or patrols in various areas of the Borough. The response averred that shift information can be shared with Members as well as information about where patrols have taken place.

Members also showed interest in leveraging how Parish Councils might help inform our targeted patrols. The response noted that information to target patrols, councillors and citizens are in regular contact with services and officers so that patrols can be targeted. Parish Councils might handle as to ward-level information differently but officers would be pleased to accept intelligence from any source and would take direction.

Members also requested clarification around when and how Members would be informed of the outcomes of the scheduled improvement plan effort. Officers provided assurance that they will be working with Members to keep them informed of the forthcoming improvements. Although a set date has not been scheduled, officers are looking into the next financial year, working towards April to finalise the plan.

Members also wished to know more about strategies for reporting witnessed events so that, as we foster public awareness, we might explain more clearly the system we have in place. The officer response asserted that, with regards to parishes, information has been distributed and to Parish Councillors as well. Discussions have been held around reporting hotspots to the point person, because with the local information, under the enforcement contracts, the local authority could deploy the enforcement resource that is already there. It is the choice of Parish Councils, but we have had these conversations.

Members wished to establish more clearly how outcomes desired by residents may not always involve repressive enforcement actions that produce fines. In response, the officer affirmed the priority of raising a variety of interventions that work together to prevent the undesirable behaviours. Whilst the enforcement numbers are very low, what those numbers represent are a higher number of patrols in those areas. Generally, when people are in sight of other individuals, they are less likely to do those behaviours, but when they perceive that no one is watching, they are more likely.

The Cabinet Member expounded on the point that in regard to the issue of dog fouling, officers have considered a number of solutions, but none offer a more sophisticated solution than the current practice, which requires enforcers personally to witness a dog owner not clean up after their dog. And, unfortunately, enforcement officers' presence in the area is only a deterrent while the officers are physically there.

A point of clarification was also requested around a chart depicting an apparent spikes and dips in the number of issued tickets. Members were informed that the spike reflects the availability of staff during those times.

Resolved:-

1. That the report be noted.
2. That statistics be brought to the CAP meetings on a regular basis and delineated by ward if possible.
3. That a clear improvement plan be submitted to the Improving Places Select Commission for pre-decision scrutiny.

62. REVIEW OF THE FITZWILLIAM ROAD AND TOWN CENTRE PUBLIC SPACE PROTECTION ORDERS

Consideration was given to a report which provided an overview of the Public Space Protection Orders (PSPOs) within the Rotherham Borough and reviewed enforcement activity. Whilst the report provided a basic level of information, it was noted that a more detailed analysis of the Town Centre PSPO would take place in the summer of 2020, to comply with statutory requirements. The report set out the method by which such a review would be conducted. Furthermore, the report also provided a brief overview of enforcement against the new PSPO within the Fitzwilliam Road area, which was introduced at the end of 2019.

Members sought to understand if the data suggested an identified cause of the infractions, and would the occurrence of offenses perhaps be lower if more public toilets were provided in the Town Centre. The Cabinet member responded that the Town Centre public toilets are and have been operational. Officers elaborated that without regard to the provision of toilets, the behaviours are unacceptable and have to be discouraged.

Members also asked for further explanation around the discrepancy between the number of tickets issued in the first four months. There is a higher enforcement presence to match the higher level of The PSPO is not the only means of enforcement in that area because of its residential and selective licensing Members wished to know the rationale for selecting the Fitzwilliam Road area for a PSPO.

Clarification was sought around the interactions between the PSPO and selective licensing. The response emphasised that PSPO covered infractions that happen outside of building spaces, while selective licensing covered activities inside properties. By having both, even if an event happened on the street just outside, that is where the PSPO would take effect to give the Council some power to address the behaviour.

The data had shown that in regard to individuals who perpetrated persistent breaches, officers were able to identify individuals who were causing problems repeatedly. That had allowed enforcement to make those individuals the focus of stronger attention in order to control the problems.

A point of clarification was sought around which authority issued the numbers of tickets. Officers offered to refresh the data with numbers for each issuer.

Members requested further detail about the relative prevalence of the offences that represented a small percentage of the total figure. In response, officers clarified why percentages were employed to visualise the data, emphasising that in the case of urinating in public, eight offences was still considered to be too many and the number of tickets issued represented a small number of the total number of offences. Some of the offences were covered by a number of enforcement efforts in addition to PSPOs and FPNs.

Members requested assurance that the enforcement of the PSPOs would not penalise citizens who may have an illness or a disability that created extenuating circumstances. In response, officers provided assurance that these protection orders were designed not to penalise citizens with disabilities or illness that was responsible for an apparent infraction.

Finally, Members offered thanks for the enforcement efforts in the Fitzwilliam Road area because, anecdotally, those efforts were working for the residents in the relevant ward.

Resolved:-

1. That the report be noted.

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2. That the results of the upcoming analysis in summer 2020 be submitted to Improving Places Select Commission for scrutiny with the goal of making recommendations about a possible further order in the Town Centre.

63. TOWN CENTRE UPDATE

The Commission received a slide presentation by the Strategic Director of Regeneration and Environment, providing information around the progressing developments in the Town Centre area. The Cabinet Member for Jobs and the Local Economy also provided an overview of the redevelopment of the public realm, which was critical to securing improvements to the town centre.

Members welcomed the proposed developments, recognising that Rotherham would be well set for the 21st century as a place to live and to spend leisure time. It was noted that Ward Members had been heavily involved and consulted throughout the development of the proposals for the town centre.

Concerns were expressed in respect of fire damaged premises on Corporation Street and assurances were sought in respect of the future plans as they would be critical to the perception of the town centre. In response, the Cabinet Member for Jobs and the Local Economy referred to a previous decision of the Cabinet to use compulsory purchase powers, however the owner of the properties had been granted planning permission for a hotel to be built on site. Officers would continue to keep a close eye on the site, as the Planning Board had placed a condition for building work to be concluded by August 2020.

Resolved:-

1. That the update in respect of Rotherham Town Centre be welcomed and noted.

64. URGENT BUSINESS

There were no items of business which in the opinion of the Chair needed to be considered as a matter of urgency.

65. DATE AND TIME OF THE NEXT MEETING

Resolved:-

That, subject to any membership changes agreed at the Annual Meeting of the Council, the next meeting of the Improving Places Select Commission be held on Tuesday 9 June 2020, commencing at 1.30 p.m.