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OVERVIEW & SCRUTINY BOARD AGENDA

8.00 pm

Tuesday 28 May 2019

Havering Town Hall, Main Road, Romford

Members 16: Quorum 6

COUNCILLORS:

Conservative Group (8)

Ray Best Judith Holt Nisha Patel Bob Perry Christine Smith John Mylod Robby Misir Maggie Themistocli (Vice-Chairman)

Residents' Group (2)

Ray Morgon Barry Mugglestone **Upminster & Cranham** Residents' Group(2)

Linda Hawthorn **Christopher Wilkins**

Independent Residents'

Group

Natasha Summers Graham Williamson

(2)

Labour Group (1)

North Havering Residents Group(1)

Keith Darvill

Darren Wise (Chairman)

For information about the meeting please contact: **Richard Cursons 01708 432430** richard.cursons@oneSource.co.uk

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

OVERVIEW AND SCRUTINY BOARD

Under the Localism Act 2011 (s. 9F) each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements.

The Overview and Scrutiny Board acts as a vehicle by which the effectiveness of scrutiny is monitored and where work undertaken by themed sub-committees can be coordinated to avoid duplication and to ensure that areas of priority are being reviewed. The Board also scrutinises general management matters relating to the Council and further details are given in the terms of reference below. The Overview and Scrutiny Board has oversight of performance information submitted to the Council's executive and also leads on scrutiny of the Council budget and associated information. All requisitions or 'call-ins' of executive decisions are dealt with by the Board.

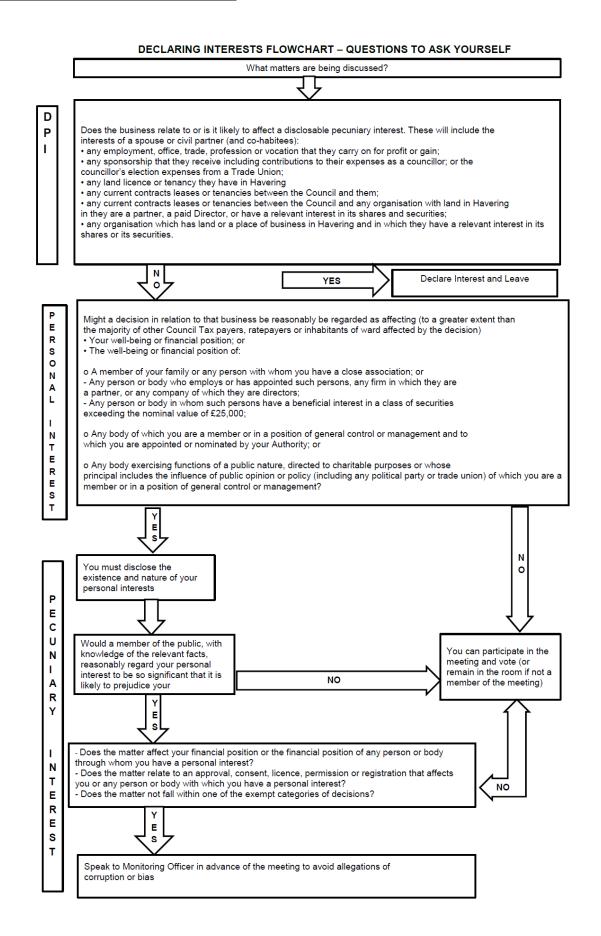
The Board is politically balanced and includes among its membership the Chairmen of the six themed Overview and Scrutiny Sub-Committees.

Terms of Reference:

The areas scrutinised by the Board are:

- Strategy and commissioning
- Partnerships with Business
- Customer access
- E-government and ICT
- Finance (although each committee is responsible for budget processes that affect its area of oversight)
- Human resources
- Asset Management
- · Property resources
- Facilities Management
- Communications
- Democratic Services
- Social inclusion
- Councillor Call for Action

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AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

4 CALL-IN OF A CABINET DECISION RELATING TO MOPAC PARTNERSHIP PLUS SCHEME FOR S92 POLICE OFFICERS (Pages 1 - 20)

Reports attached.

Andrew Beesley Head of Democratic Services



Overview & Scrutiny Board 28 May 2019

REPORT

Subject Heading:

SLT Lead:

Report Author and contact details:

Policy context:

Financial summary:

Call-in of a Cabinet Decision – MOPAC Partnership Plus Scheme for s92 Police Officers.

Anne Brown – Deputy Director of Legal & Governance

Richard Cursons – Democratic Services Officer

richard.cursons@onesource.co.uk

Supports the priorities under the Crime and Disorder Act 1998 and the Safer Havering Partnership Plan 2017-2020 approved by Full Council July 2017.

Funding for this scheme has been identified corporately.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[]
Connections making Havering	[]

SUMMARY

In accordance with paragraph 17 of the Overview & Scrutiny Committee Rules, a requisition signed by two Members representing more than one Group (Councillors Ray Morgon and Keith Darvill) have called-in the Cabinet Decision dated 8 May 2019.

RECOMMENDATION

That the Board considers the requisition of the call-in of the Cabinet Decision and determines whether to uphold it.

REPORT DETAIL

As per Appendices

Appendix A – Grounds for requisition and response by Council officers

Appendix B – Cabinet decision

Appendix C – Cabinet report

Grounds of Requisition by Councillors Morgon and Darvill

Please accept this notice to requisition the above decision made at Cabinet on 8th May 2019 (Agenda item 12) on the following grounds:-

- 1. There is a lack of clarity on how these police officers will be deployed, on what, together with how this will be decided and by whom.
- 2. There is a lack of clarity as to who employees and is accountable for these police officers.
- 3. There is a lack of confirmation that officers will not be abstracted elsewhere, in the same way as they do for DWO's.
- 4. There is a lack of confirmation on whether any funding has been obtained from any other local partners.
- 5. There is a lack of information on what are the Terms and Conditions of employing these officers, how will their work be measured from the rest of the enforcement team to show their effectiveness.
- 6. There is a lack of clarity on when the council's Enforcement Team restructure will be completed and where precisely the police officers will sit within it.
- 7. There is a lack of confirmation on how the results and performance of the Enforcement Team will be shown to members?
- 8. There is no copy of the proposed Letter of Intention included in the report.

Response by Officers to Requisition Grounds

Overview and Scrutiny Call-in for MOPAC Partnership Plus Scheme for s92 Police Officers on 28th May 2019.

1. There is a lack of clarity on how these police officers will be deployed, on what, together with how this will be decided and by whom.

As detailed within the report should the Council make a commitment to the arrangements for the additional police officers the intention would be to colocate them within the Enforcement Group. The introduction of a one Council approach to enforcement will ensure consistency and the effective use of resources to tackle crime and disorder issues for Havering. The deployment of these funded police officers (4 PCs and a sergeant in total) will determined by the Safer Havering Partnership priorities and Havering's Tactical Enforcement Group (TEG) which is a multi-agency group focused on tasking priorities on local anti-social behaviour and crime. This should also reflect and address the local safer neighbourhood issues including feedback from local residents and ward councillors.

2. There is a lack of clarity as to who employees and is accountable for these police officers.

The proposed s92 Police officers are employed by the Metropolitan Police Service on police terms and conditions. The accountability in terms of deployment of the resource is highlighted in the response above.

3. There is a lack of confirmation that officers will not be abstracted elsewhere, in the same way as they do for DWO's.

There are approximately 10 Public Order High Demand Days per annum, when these police officers will be required elsewhere. The costs have made provision for these expected abstractions and are incorporated within the rates. Should these officers be abstracted further than the agreement arrangements will be made to the refund the Council for these days/hours in accordance with the terms of the agreement.

4. There is a lack of confirmation on whether any funding has been obtained from any other local partners.

Opportunity to discuss this further with partners locally including the two Business Improvement Districts will be considered.

5. There is a lack of information on what are the Terms and Conditions of employing these officers, how will their work be measured from the rest of the enforcement team to show their effectiveness.

As stated before the terms and conditions of employing these S92 police officers is as per the MOPAC proposed agreement as per Appendix 1 is a letter to the Council explaining the proposed scheme. As already highlighted the work of the team will be determined by the priorities of the Safer Havering Partnership and Havering's Tactical Enforcement Group (TEG) which is a multiagency group focused on tasking priorities on local anti-social behaviour and crime. Performance measure will be established to ensure the effectiveness of both enforcement of these wider enforcement group and these S92 Police officers, reported to Havering Community Safety Partnership periodically. The East BCU Commander will be involved in determining the effectiveness of these officers.

6. There is a lack of clarity on when the council's Enforcement Team restructure will be completed and where precisely the police officers will sit within it.

The Councils enforcement restructure is currently being consulted upon with the intention of the new model in place from July/August 2019. The report highlights that the proposed S92 police officers will be located within the tactical team.

7. There is a lack of confirmation on how the results and performance of the Enforcement Team will be shown to members?

The Enforcement Group is a newly formed team and therefore as highlighted above the performance and outcomes of the effectiveness of the team is still to be finalised which will be shared with members through existing arrangements Crime and disorder Scrutiny Board the Environment Scrutiny Board.

8. There is no copy of the proposed Letter Of Intention included in the report.

Attached for information



To MOPAC
[date] SUBJECT TO CONTRACT
Dear,
Metropolitan Police Service PartnershipPlus Scheme - Letter of Intent
Please accept this letter as our intention that the London Borough of { } wishes to enter into a three year agreement under Section 92 of the Police Act 1996 (Grant by Local Authority) with the Mayor's Office for Policing and Crime under the PartnershipPlus Scheme . However the London Borough of { } accepts that, as a result of this intention, the Mayor's Office for Policing and Crime is not obliged to accept this offer of a grant, nor is it obliged to provide all or some of the police resources requested.
The London Borough of { } agrees to provide the Mayor's Office for Policing and Crime with a Grant sufficient for the provision of {Number} funded police officers.
It is the belief of the London Borough of { } that the TUPE Regulations do not apply to transfer the employment contracts of any individual employed by the London Borough or any sub-contractor or agent engaged by the London Borough or any other individual to the Mayor's Office for Policing and Crime on the Start Date or at any time thereafter.
Yours sincerely
[Title] On behalf of the London Borough of { }



- 1. TITLE: S92 Metropolitan Police Officers
- 2. **DECISION MADE BY:** Cabinet
- 3. **DECISION**:

Cabinet:

Approved the MOPAC Partnership Plus scheme for additional Police officers within Havering and the funding requirements to support the scheme for three years from 2019/20.

4. REASON FOR DECISION

The proposal supports the Safer Havering Partnership strategic priorities and will enable the Council to deploy dedicated Police resource to address local antisocial behaviour incidents and targeted enforcement activity as required.

If the Met Partnership Plus was not supported, the ability to secure additional Police resource for activity locally would be subject to East BCU priorities.

- 5. **ALTERNATIVE OPTIONS CONSIDERED**
- 6. **DOCUMENT CONSIDERED:** FINAL Cabinet report MET s92 Police FINAL Appendix 1 DM Redacted Document Appendix 2 Enforcement model





CABINET

Subject Heading: **MOPAC Partnership Plus Scheme for s92 Police Officers** Cabinet Member: Cllr Persaud SLT Lead: Caroline Bruce Director of Neighbourhoods Dipti Patel Assistant Director Environment Report Author and contact details: 01708 432403 dipti.patel@havering.gov.uk **Policy context:** Supports the priorities under the Crime and Disorder Act 1998 and the Safer Havering Partnership Plan 2017-2020 approved by Full Council July 2017. Funding for this scheme has been Financial summary: identified corporately Is this a Key Decision? Significant effect on two or more Wards When should this matter be reviewed? June 2020 **Reviewing OSC:** Crime and Disorder Committee.

The subject matter of this report deals with the following Council Objectives

Communities making Havering [x]
Places making Havering [x]
Opportunities making Havering []
Connections making Havering []

SUMMARY

This report details a proposal from the Mayor's Office for Policing and Crime (MOPAC) on the Partnership Plus scheme for S92 Police Officers for Havering for a decision by Cabinet.

RECOMMENDATIONS

The Cabinet approve the MOPAC Partnership Plus scheme for additional Police officers within Havering and the funding requirements to support the scheme for three years from 2019/20.

REPORT DETAIL

1. Background.

- 1.1. The Metropolitan Police has launched a new PartnershipPlus Scheme in February 2019 in order to support safer neighbourhoods within London Boroughs. The MOPAC PartnershipPlus Scheme for the London Boroughs must be discussed and considered with the Borough Commander as was previously required, and has already been discussed with the East Borough Command Unit (BCU) Commander who is completely supportive of the proposed scheme for Havering.
- 1.2. However, the proposed new scheme is different than the previous scheme (i.e. buy-one-get-one-free basis) in that it now requires the funding of all Police posts involved.
- 1.3. The new scheme will allow local authorities to purchase police officers at a reduced rate of £57,000 per police constable, £70,500 per sergeant and £86,000 per inspector. It represents a discount of over 21% of the full cost of a police constable. There are approximately 10 Public Order High Demand Days per annum, when these police officers will be required elsewhere. The above costs have made provision for these expected abstractions and are incorporated within the rates.
- 1.4. The minimum term for PartnershipPlus Scheme agreement is three years, albeit either party may terminate the agreement with six months' notice for any reason within the term. The process for securing these posts is similar to the previous arrangements with a receipt of a Letter of Intent from the London Borough, confirmation of availability of the additional officers and Deputy Assistant Commissioner's approval. Discussions with both the Borough Commander and MOPAC lead should Havering wish to precede this will be undertaken. Attached at Appendix 1 is a letter to the Council explaining the proposed scheme.
- 1.5. There is the opportunity to explore additional funding to support the scheme locally engaging with other partners including the Business Improvement Districts within Havering.

2. Further information

- 2.1. The most frequent questions from the Metropolitan Police Service on the Partnership Plus Scheme are detailed below:
 - The PartnershipPlus Scheme is an MPS Scheme that is supported by MOPAC and provides officers at a reduced rate with the MPS absorbing pension and support costs.
 - The PartnershipPlus Scheme is restricted by legislation to Local Authorities only and is formalised pursuant to Section 92 of the Police Act 1996 (Grants

- by local authorities). This may be extended to Business Improvement Districts, Arm's Length Management Organisations, mainstream schools and NHS Trusts where the Local Authority is prepared to work in partnership and act as the primary contact for contractual and payment purposes.
- Local Authorities that raise additional revenue through either Section 106 of the Town and Country Planning Act 1990 or Late Night Levy may use the funds to purchase additional officers through the PartnershipPlus Scheme.
- Officers purchased under the PartnershipPlus Scheme will be additional to the BCU Establishment. PartnershipPlus officers will be available for approximately 10 High Demand Days annually for which a discount has been applied to the annual rates.

3. Havering Enforcement Model

3.1. The Council proposed approach to enforcement is currently underway. Should the Council commit to the arrangements for the additional police officers the intention would be to co-locate them within the Enforcement Group. The introduction of a one Council approach to enforcement will ensure consistency and the effective use of resources to tackle crime and disorder issues for Havering. The enforcement model proposes the creation a generic area based enforcement team; a tactical enforcement team and a strategic intelligence/ policy hub. The outline Enforcement Model structure is attached at **Appendix 2**, including the proposal of S92 Police officers located within the tactical enforcement team.

3.2. The Proposed Enforcement and Safety Model will:

- i. prioritise and allocate resources to tackle issues that need an immediate response, gather intelligence on offenders and take positive, relevant action, be agile and responsive to emerging issues, seeking compliance/resolution and then move on whilst monitoring to prevent reoccurrence.
- ii. Improve the quality of the competency base for the officers to ensure the right legislative 'tools' are used proportionately to promote acceptable behaviour in public realm areas whilst tackling the minority who have no respect for their local environment.
- iii. Enable 'upskilling' of staff to raise the competency level and standardise the enforcement response without losing the balance between education/encouragement and robust enforcement action where needed.
- iv. Maximise the availability/ flexibility of officers within the available budget and deliver services when and where they are needed.

- v. Ensure a 'level playing field' for residents and business to enable compliance with relevant legislation, providing support, advice and education to minimise the need for enforcement.
- vi. Establish strong cross service working with other key stakeholders, in particular Public Protection and Community Safety to ensure efficiency is maximised. I.e. tasks are completed by appropriately graded staff, supporting, assisting and sharing intelligence and information to reduce borough visits and maximising the hours of service provision.
- 3.3. There will be a need to rationalise the enforcement activities undertaken by the team and priority will be given to issues that affect the quality of people's lives and the environment in which they live, work or do business. A balance will need to be made on what is achievable and deliverable in light of the resources available and with the proposed additional resource of s92 officers will both enhance and provide essential warranted policing support on priority issues within Havering. Such arrangements will enable 'cross-fertilisation' of skills, experience and knowledge amongst the wider Enforcement Group and enable flexibility to meet changing demands and emerging priorities.
- 3.4. The proposed council funded Met PartnershipPlus s92 officers will be deployed to police and support both the Safer Havering Partnership priorities and Havering Tactical Enforcement Group (TEG) tasking priorities.

REASONS AND OPTIONS

Reasons for the decision:

The proposal supports the Safer Havering Partnership strategic priorities and will enable the Council to deploy dedicated Police resource to address local antisocial behaviour incidents and targeted enforcement activity as required.

If the Met PartnershipPlus was not supported the ability to secure additional Police resource for activity locally would be subject to East BCU priorities.

IMPLICATIONS AND RISKS

4 Financial implications and risks

4.1 Proposed costs annually

Annual Rates	2019/20
Police Constable (PC)	£57,000
Police Sargent (PS)	£70,500
Police Inspector (PI)	£86,000

Recommended Havering	number	of	officers	in	
PC					4 (£228,000)
PS					1 (£70,500)
PI					0
TOTAL					£298,500 p.a.

- 4.2 The terms and conditions issued are standard and consistent with those supplied to all London Boroughs under the PartnershipPlus Scheme and unlikely to be varied. As already highlighted input will be required by the London Borough, in consultation with the Borough Commander, which has already commenced at the time of drafting the report in order, to agree the number/rank of officers supplied, start/end dates and objectives within the schedules.
- 4.3 Provision for police overtime can be made within the agreement; this will be required particularly where there is an expectation for the officers to work on bank holidays. Additional resources to support the officers, such as vehicles, may be funded by the London Borough. These arrangements may either be included as part of the scheme Agreement or formalised within a separate agreement, subject to consideration of the requirement, funding available and the term of the funding.
- 4.4 £300,000 per annum funding for this scheme has been identified corporately from the Corporate Risk Budget for three years 2019/20, 2020/21 and 2021/22.

5 Legal implications and risks:

5.1 Section 92 (2) of The Police Act 1996 provides that the Council of a London Borough, County, or District which falls wholly or partly within the Metropolitan Police district may make grants for the police purposes to the Receiver for the Metropolitan Police District. This includes the Mayor's Office. Grants can be made as a gift or there is an arrangement for contract of services. Section 92 (3) of the 1996 Act provides Grants under this section may be made unconditionally, or with the agreement of the chief officer of the police for the police area concerned subject to conditions. It is noted the grant will be made subject to an agreement as set out in the body of the report. The performance of officers will have to be managed in accordance with the terms of the agreement. Once the scheme has been implemented the Council must ensure that no part of the funds represents a 'profit' to any of the recipients in order to avoid any indication of a procurement activity.

Human Resources implications and risks:

6.1 There are no HR implications or risks arising directly that impact on the Councils workforce. Whilst the intention is to co-locate the Met PartnershipPlus

Cabinet, 8 May 2019

s92 officers with the Councils Enforcement Service, the officers will be employed by the Metropolitan Police Service on police terms and conditions.

7 Equalities implications and risks

- 7.1 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:
 - (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
 - (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

7.2 The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

Appendices

Appendix 1 Letter from MOPAC regarding PartnershipPlus Scheme

Appendix 2 Enforcement Model

BACKGROUND PAPERS

None



Policing
7th Floor New Scotland Yard
Victoria Embankment
London
SW1A 2JL

Email:

www.met.police.uk

22 February 2019

Dear Council Leaders,

For many years the Metropolitan Police has worked in partnership with other agencies and organisations both within the public and private sectors to provide additional policing presence. Our officers can be seen daily at Heathrow and London City working in partnership with the airport operators; policing the bus and red route road network in partnership with Transport for London; patrolling through many of the Capital's major shopping centres funded by the Management Companies.

The MPS and Local Authorities have successfully worked together in partnership for over 10-years through the provision of police officers at subsidised rates. The last iteration of the Scheme, MetPatrolPlus, has operated since 2014 and has been regarded as hugely successful and beneficial to all parties in providing additional policing to address local priorities.

Whilst the MPS is committed to continue working in partnership with Local Authorities, the sustained budget reductions over the last few years are now impacting on both officer numbers and the Commissioner's ability to deploy according to risk and harm. The rates offered in the current MetPatrolPlus Scheme are now no longer sustainable and we have had to consider a more cost effective Scheme for the MPS but one that still offers reduced and preferential rates for Local Authorities.

In April 2019 the MPS seeks to launch the new 'PartnershipPlus' Scheme. The new Scheme will allow Local Authorities to purchase police officers on a three-year agreement at a reduced rate of £57,000 per constable, £70,500 per sergeant and £86,000 per inspector; this represents a discount of over 21% of the full cost of a police constable.

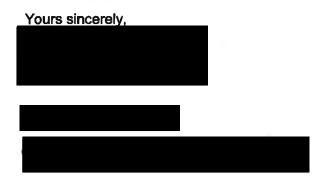
Any purchased officers will be additional to the local BCU workforce target and will be ring fenced from normal AID provision or other local abstraction; but would be required to perform MPS duties in the case of an emergency or on days that are deemed to be High Demand Days for the purposes of public order. These High Demand Days are expected to be typically no more than 10-days per year, which equates to circa. 5% of working days. The above costs have made provision for these expected abstractions and are incorporated within the rates.

Current and New Agreements

- Those Local Authorities that have existing MetPatrolPlus agreements in place with an expiry date beyond the 1 April 2019 will be honoured until their natural expiry date.
- Those agreements that expire on 31 March 2019, the MPS will, upon receipt of a
 letter of intention for continuation (see Appendix A), leave existing officers in place
 for a grace period of up to 3-months at the new MetPatrolPlus rates1 to allow Local
 Authorities time to decide whether they wish to invest in the new PartnershipPlus
 Scheme.
- Requests for new agreements from Local Authorities will be considered on a caseby-case basis and should be commenced with the submission of a letter of intent (see Appendix B).

If you are interested in purchasing additional officers under the new Scheme, I would ask that, in the first instance, you discuss your requirements with your local BCU Commander.

I have included for your information a set of 'frequently asked questions' which will provide you with additional information and will hopefully answer any questions you may have. Should you have any further questions, that are not answered in the attached, please contact either Tony Horsley (<u>Tony.Horsley@met.police.uk</u> or 020 7161 0716) or Donna Burgess (<u>Donna.Burgess@met.police.uk</u> or 020 7161 1737).



¹ New MetPatrolPlus rates for 2019, based on a 'buy-one-get-one-free' basis, are £72,500 per constable, £86,750 per sergeant, £105,000 per inspector; all provided with a constable at no additional charge.

