

**MINUTES OF A MEETING OF THE
OVERVIEW & SCRUTINY BOARD**
Havering Town Hall, Main Road, Romford
12 January 2016 (6.00 - 7.00 pm)

Present:

COUNCILLORS

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| Conservative Group | +Joshua Chapman, John Crowder, *Steven Kelly, Viddy Persaud, Carol Smith, +Frederick Thompson and Linda Trew |
| Residents' Group | Barbara Matthews, +Ray Morgan and Julie Wilkes |
| East Havering Residents' Group' | Gillian Ford (Chairman) and Linda Hawthorn |
| UKIP Group | |
| Independent Residents' Group | David Durant |

Apologies were received for the absence of Councillors Robby Misir, Dilip Patel, Nic Dodin, June Alexander and Graham Williamson.

+Substitute members: Councillor Thompson (for Robby Misir), Councillor Joshua Chapman (for Dilip Patel), Councillor Julie Wilkes (for Nic Dodin) and Councillor Ray Morgan (for June Alexander).

*Present for part of the meeting.

Councillor Melvin Wallace was also present as the Cabinet Member for Culture and Community Engagement.

All decisions were taken with no votes against.

The Chairman reminded Members of the action to be taken in an emergency.

34 CALL-IN OF CABINET DECISION OF ATTESTATION OF PARKS PROTECTION OFFICERS

Councillors Ray Morgan and Keith Darvill addressed the Board and gave the reasons for the call-in of the Cabinet decision.

Overview & Scrutiny Board, 12 January
2016

Councillor Morgan commented that the Cabinet report had not given enough detail and that he wanted re-assurances regarding the practical details of the proposals.

Councillor Darvill re-iterated the points raised by Councillor Morgan.

The Council's Head of Cultural and Leisure Services advised that currently the Parks Protection Service was operating with no specific powers at their disposal. The service operated under delegated authority from the Council and this had been the case since the service was established in 2010.

At present the service used "any person" powers to arrest anyone who was in the act of committing an indictable offence, or anyone whom the officers had reasonable grounds for suspecting to be committing an indictable offence.

It was a requirement for the service to enforce the byelaws in parks and the majority of offences that occurred were breaches of the byelaws however, the use of the "any person" method of arrest could not be used for breaches of byelaws.

At present there was no legal requirement for a member of the public who had committed a byelaw offence to give the Parks Protection Service their name and address which was required to be able to deal effectively with many offences.

The introduction of attestation powers would enable officers to arrest individuals for failure to supply a name and address or where the name provided was in doubt.

In response to a question regarding how many times the use of the new powers would be of benefit to the service, officers advised that it was difficult to assess the exact numbers of incidents that would occur in the future where having attestation powers would result in incidents being dealt with more effectively. However, Cabinet had agreed to receive a progress report once the attestation powers had been in place for a 12 month period.

Officers confirmed that the new powers would be seen more as a deterrent than something that was used on a regular basis.

It was also noted that although crime figures generally in the borough reducing that there had been an increase in more violent crimes.

At present drugs offences were not covered by byelaws and officers could not obtain details of offenders without attestation powers which sometimes left officers in exposed circumstances often having to "bluff" their way through situations.

Under the attestation powers offenders could be de-arrested once the information given to officers had been gathered.

**Overview & Scrutiny Board, 12 January
2016**

In response to a question regarding the jurisdiction of the attestation powers officers confirmed that the powers would only be applicable within the confines of the park grounds and officers could not arrest outside the park gates.

Officers advised that some other London borough's parks were managed by the Metropolitan Police such as City of London and the Royal Parks and other boroughs had introduced attestation powers to existing Parks Protection Services.

Members were advised that at present the police did not respond to non-criminal offences and that by giving officers attestation powers this would enable all bases to be covered whether it be a byelaw or

Officers advised that all standard procedures that were carried out by the Parks Protection Service were risk assessed. Training was provided to officers in detaining of suspects, use of handcuffs, dealing with aggressive people, driving in parks and dog controls. All of the current Parks Protection Service officers were ex Metropolitan Police officers who currently used the Airwaves radio system and wore body-cams to help with evidence gathering. Another benefit of giving officers attestation powers was that the Council would be able to negotiate more effectively with the police regarding the continued use of the Airwaves system.

In response to a question relating to the amount of successful prosecutions officers advised that the service had successfully taken 21 cases to court with a further 3 cases pending prosecution.

Members queried whether the attestation powers would tie up officer's workloads by dealing with more complex offences, officers advised that if the officers felt that they could not deal with a particular situation then they would phone the police who would ideally take the prisoner off of the site.

Officers advised that there had been instances in the past where the Parks Protection Service may have acted differently if the police had been available to attend when requiring an offender's name and address. However due to the limited availability of police resources they were often unable to respond at peak times of demand for what may have appeared to be a lower category byelaw related matter, compared to other street based community safety priorities, requiring an immediate response.

Officers advised that there was no current formal partnership arrangement with the police over and above the increased support which any uniformed member of the local authority could expect, carrying out their duties as part of the "policing family". However, there were a number of joint working practices and tasking meetings. Meetings had also taken place between the Borough Commander and the Director of Communities and Resources. The police were supportive of the PPS being given attestation powers.

**Overview & Scrutiny Board, 12 January
2016**

In reply to a questioned regarding public liability insurance Members were advised that the Council's current insurance cover would continue to be sufficient if officers were given attestation powers.

If the new powers were granted then officers would be required to wear a new uniform that would designate them as Constables and show a Crown. An offset to any additional costs would be a saving from non-payment of Vehicle Excise Duty on the PPS vehicles as they would be exempt from paying the duty.

In response to a question regarding temporary agency staff, officers advised that only permanent members of staff would be given attestation powers.

At this point the Cabinet Member for Culture and Community Engagement left the room whilst the Board voted on the decision as to uphold or dismiss the call-in of the Cabinet decision taken on 16 December 2015.

The vote for the decision as to whether to uphold or dismiss the call-in was carried 10 votes to 0 with 2 abstentions.

Councillors Ford, Chapman, Crowder, Persaud, Smith, Thompson, Trew, Hawthorn, Wilkes, Durant voted to dismiss the call-in.

Councillors Matthews and Morgan abstained from voting.

It was **RESOLVED** that the call-in of the Cabinet decision taken on 16 December 2015 be dismissed and reported to Council as previously agreed.

Chairman

Overview & Scrutiny Board, 12 January
2016