



Havering

L O N D O N B O R O U G H

CRIME & DISORDER SUB- COMMITTEE AGENDA

7.00 pm	Tuesday 1 March 2016	Committee Room 3A - Town Hall
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Members 6: Quorum 3

COUNCILLORS:

Ian de Wulverton (Chairman)
David Durant (Vice-Chair)
Garry Pain

Ray Best
John Mylod
Linda Van den Hende

**For information about the meeting please contact:
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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.

What is Overview & Scrutiny?

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements. Each overview and scrutiny sub-committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

The sub-committees have a number of key roles:

1. Providing a critical friend challenge to policy and decision makers.
2. Driving improvement in public services.
3. Holding key local partners to account.
4. Enabling the voice and concerns to the public.

The sub-committees consider issues by receiving information from, and questioning, Cabinet Members, officers and external partners to develop an understanding of proposals, policy and practices. They can then develop recommendations that they believe will improve performance, or as a response to public consultations. These are considered by the Overview and Scrutiny Board and if approved, submitted for a response to Council, Cabinet and other relevant bodies.

Sub-Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert witnesses, conducting research or undertaking site visits. Once the topic group has finished its work it will send a report to the Sub-Committee that created it and will often suggest recommendations for the Overview and Scrutiny Board pass to the Council's Executive.

Terms of Reference

The areas scrutinised by the Committee are in exercise of the functions conferred by the Police and Justice Act 2006, Section 19-22 and Schedules 8 & 9.

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 interests in any of the items on the agenda at this point of the meeting.

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

4 MINUTES OF THE MEETING (Pages 1 - 8)

To approve as correct the minutes of the meetings held on 19 January 2016 and authorise the Chairman to sign them.

5 UPDATE FROM LONDON COMMUNITY REHABILITATION COMPANY

6 ANTI-SOCIAL BEHAVIOUR - PARKING ACROSS RESIDENTIAL DRIVEWAYS (Pages 9 - 14)

7 REVIEW OF YOUTH OFFENDING SERVICE – To Receive an oral report

8 STRATEGIC ASSESSMENT – Officer update

9 CRIME STATISTICS AND METROPOLITAN POLICE UPDATE

10 TOPIC GROUP UPDATE - HOW THE CRIMINAL JUSTICE SYSTEM DEALS WITH OFFENDERS WITH MENTAL HEALTH ISSUES.

11 URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specific in the minutes that the item should be considered at the meeting as a matter of urgency.

Andrew Beesley
Committee Administration
Manager

**MINUTES OF A MEETING OF THE
CRIME & DISORDER SUB- COMMITTEE
Committee Room 3A - Town Hall
19 January 2016 (7.00 - 9.15 pm)**

Present:

Councillors Ian de Wulverton (Chairman), David Durant (Vice-Chair), Ray Best, John Mylod, Garry Pain and Linda Van den Hende

15 MINUTES OF THE MEETING

The minutes of the meeting held on 24 September 2015 were agreed as a correct record and signed by the Chairman.

16 CORPORATE PERFORMANCE REPORT: - QUARTER 2 (2015/16)

The Sub-Committee had received the Corporate Performance Report for Quarter two. Five Corporate Performance Indicators fall under the remit of the Crime & Disorder Sub-Committee. These all related to the SAFE goal. Three of the indicators were green and two either amber or red.

The first of the indicators, reduce violence with injury had been in the red and would not be met. The target of 20% over a four year period had been based on the old method of recording, which was no longer comparable to what was now recorded and counted as violence with injury. Violence remained a key priority for Havering, with 3 key types of violence being managed through the (Multi Agency Risk Assessment Conference) MARAC (Domestic Violence), Safe and Sound (Night Time Economy Violence) and Serious Group Violence panels.

The second indicator Repeat Domestic Violence cases going to the MARAC had been set locally. The target was to be in line with the national average (24.5%). A second target had been to increase the number of cases referred to the MARAC, which had formed part of a funding bid to the Mayor's Office for Policing and Crime (with funding being dependent on successfully meeting the target.) Quarter 2 performance had shown that the Council would not meet the target although it had improved in comparison to quarter 1.

Officers had advised that reports of Domestic Violence continued to increase nationally, and with more than 1,000 additional reports received in Havering during 2014/15, the Council expected to see an increase in referrals. The target for MARAC referrals was 216; there had been 190 to the end of quarter 3 so it was likely that this target would be exceeded as demand grew.

The Sub-Committee had been informed that the third target Number of Burglaries reported had been lower than target and had reduced compared to the same period the previous year. The Police were confident that MOPAC's target of a 20% reduction over 4 years would be achieved.

The targets for Anti-Social Behaviour incidents and robbery were being achieved. There had been some concern at an increase in robbery compared to the same period last year, although the 4 year target would be achieved. The Havering Community Safety Partnership through the work of the Serious Youth Violence panel had been working to tackle this issue and quarter 3 had shown an improvement.

The Sub-Committee noted the report.

17 REDUCING RE-OFFENDING STRATEGY

The Sub-Committee had received a presentation from officers on how effective the Reducing Re-offending strategy had been to date.

Officers had advised that:

- The total socio-economic cost of crime in havering in the last 12 months had been £100,171,414;
- There had been 15,845 recorded crimes in that same time period;
- Of those 15,845 crimes just 20.3% had been detected by the police; and
- Out of those 3,141 offences which had been detected only 2,544 individuals had been accused.

The Sub-Committee had concurred with the concept that there must be consequences for breaking the law and supported the reforms pointed out in the 'Breaking the Cycle' proposal that had insisted there must be a better deal for victims.

The Sub-Committee had been informed that the following proposals had been implemented:

- Introduction of 'working prisons' where prisoners were obliged to work a full working week;
- Greater use of tough curfews and electronic tagging;
- Making Community Payback increasingly intensive and immediate; and
- Sentencers were making compensation orders in cases where there was a direct victim.

The question for the Sub-Committee was what was being done to tackle the problem. Nationally they had been looking to:

- An integrated approach to managing offenders;
- Introducing drug recovery wings in prisons;
- Getting offenders onto the Work Programme; and
- Liaison and Diversion services for mentally ill offenders.

Within Havering 819 adults whom had been accused in 2014 had been assessed by either the National Probation Service or Community Rehabilitation Company. Going forward numbers were expected to increase dramatically. In Havering with effect from April 2015 offenders who had been sentenced to over two days custody would receive a one year probation sentence. Previously only those who had received a custodial sentence of over 12 months had been subject to probation.

From December 2015 MTCnovo who had won the right to provide probation services in London through the London Community Rehabilitation Company had introduced a new Cohort Model which had been devised to deliver tailored services to different offender groups.

These cohorts were:

- 18 to 25 year old males;
- 26 to 49 year old males;
- 50+ year old males;
- Women (All ages from 18+);
- Offenders with a chronic illness, mental illness or intellectual disabilities; and
- Community Payback.

Officers had undertaken an assessment of the Adult Offenders which had revealed:

- 85.1% of offenders were male. However, Havering had the highest proportion of female offenders in London;
- 63.9% of offenders were aged between 26 - 49;
- Havering had the second highest proportion of 21-25 year old offenders in London (Havering 18.6%, average 16.3%);
- Violence against the person was the most frequent offence (29.7%) and accounted for half of the 2014 socio-economic costs £55,460,640;
- Almost 1/5th of known offenders who had committed crime in Havering had been from Barking and Dagenham; and
- Havering had the highest percentage of burglars of all London Boroughs testing positive for cocaine, more than one and a half times the regional average (27.3% compared to 15.3%).

The Havering Community Safety partnership had created a Reducing Reoffending Board which was supported by three Panels: Integrated Offender Management, Serious Youth Violence and Drug Intervention Project.

The Integrated Offender management Panel meet on a Monthly basis and includes representatives from the Police, probation Services, Community Safety, Housing Youth offending Service and non-statutory agencies. Offenders in the cohort are risk classified. It was expected that by the end of April the Cohort would number 100.

The Sub-Committee decided to invite the London CRC to attend the next meeting .

Havering borough was currently the third largest importer of gang members identified by the Metropolitan Police Trident Gang Crime Command matrix. In November 2014 the borough had been recognised by the Home Office as an Emerging Gang Youth Violence borough. The Serious Youth Violence Panel was currently regularly monitoring 60 nominals.

In comparison to the rest of London in 2014/15:

- Havering had the 4th highest increase in Serious Youth Violence;
- Havering had the 10th highest volume of Firearms discharged; and
- Havering had the 5th largest increase in knife crimes resulting in injury.

Details of the various projects being run were provided.

The Sub-Committee had noted the presentation.

18 REVIEW OF ANNUAL PREVENT PLAN

Officers had delivered a presentation on how well the borough were progressing with delivery of the Prevent Plan.

Under section 26 of the Counter-Terrorism and Security Act 2015 Havering Council had a duty to have due regard to the need to prevent people from being drawn into terrorism. CONTEST is the Government's Counter Terrorism Strategy. This was encapsulated in four words: Prepare, Pursue, Protect and Prevent.

Prevent is about raising awareness and it is this duty which had been placed on the Council.

Council Officers were now Workshop Raising Around Prevent (WRAP) Trained. About 250 staff had already been trained and there was a clear referral process in place.

A quarterly working group with other agencies (Education, Police, Probation, Health) had been established.

Officers had advised the Sub-Committee that although the Council had a duty, no additional funding had been made available.

The Sub-Committee noted the report.

19 VIOLENCE AGAINST WOMEN AND GIRLS STRATEGY

The Sub-Committee had received a presentation on the work of the Violence Against Women and Girls.

Officers had informed the Sub-Committee that there had been a 12.4% rise in reported and recorded incidents in 2015/16. This had included 306 additional domestic incidents and 231 domestic crimes being reported to and recorded by the Metropolitan Police in Havering.

As of quarter 3 there had been 190 referrals to the MARAC, a rise from 177 to 190 compared to the same period in the previous year, with the repeat rate rising to 28.9%. There had been a significant increase in the volume of children in the households referred. When the Police attend a domestic incident if children were in the household a MERLIN was completed which would lead to a referral to social services. These cases would be dealt with at the MASH to determine the level of intervention required.

Whilst Havering's arrest rate was one of the worst in London their successful prosecution rate was the highest (80% compared to an average of 65%). Additional resources had been made available with additional Independent Domestic Violence Advocates available to provide advice and support to victims.

In response to questions from the Sub-Committee officers had indicated that Female Genital Mutilation was not an issue in the borough. NELFT had recently introduced a new policy and maternity services were in the front line of identifying any potential cases. Female children of mothers who had already been mutilated were seen as at the greatest risk.

A conference had been held in November which had been well attended and the father of Clare had attended.

The Metropolitan Police were launching operation Dauntless which was targeting prolific offenders to act as a deterrent.

The sub-committee noted the report.

20 ANTI-SOCIAL BEHAVIOUR - PARKING ACROSS RESIDENTIAL DRIVEWAYS

Consideration of this item had been deferred until the next meeting.

21 CRIME OVER CHRISTMAS AND NEW YEAR - UPDATE

The Deputy Borough Commander, Superintendent Cheryl Burden had attended the meeting to provide an update on crime over the Christmas and New Year period. She had informed the Sub-Committee that in the period 6 December to 7 January they police had recorded 67 less burglaries than the same period in 2014/15.

Violence with Injury was also down compared to last year. Over New Year there had been only one incident in Romford Town Centre. There had been no major peaks in Theft Person over the same period.

Violence with Injury tended to be youth on youth, but non domestic abuse violence had been down over Christmas but Violence in Domestic abuse cases had been up.

One of the contributors to reducing Violence with Injury in Romford Town Centre had been the use of Section 35 notices. 180 had been issued in October, November and December. Under these orders a person can be instructed to remove themselves from the area for 24 hours.

The Sub-Committee had asked for a breakdown of the ethnicity of those in receipt of the orders, including post codes. The Superintendent agreed to provide this information.

Breaches of the orders had led to 23 arrests.

The Superintendent advised the Sub-Committee that there had been a blip in burglary from non-domestic premises in October/November with 50 in the Hacton area. Police had since arrested the perpetrators.

The Sub-Committee thanked the Superintendent for her report.

22 DELIVERING INTEGRATED MENTAL HEALTH CARE IN THE CRIMINAL JUSTICE SYSTEM

The Chairman had provided a brief report on the conference he had attended on 10 November 2015. The content of the Conference programme matched the work of the Topic Group and the Sub-Committee had agreed that the Chairman give a full feedback to the next meeting of the Topic Group to be held sometime in March.

23 UPDATE ON THE WORK OF THE TOPIC GROUP LOOKING AT HOW THE CRIMINAL JUSTICE SYSTEM DEALS WITH OFFENDERS WITH MENTAL HEALTH ISSUES.

Officers had provided a brief feedback on the work of the Topic Group to date and confirmed that the next meeting would be held on Thursday, 25 February 2016. Officers had been asked to invite the South Essex Partnership to attend the March meeting of the Topic Group.

Chairman

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Crime & Disorder Sub-Committee 1 st March 2016:	
Briefing Paper	
Anti-Social Parking Behaviour “Issues, Impacts & Solutions”	
Presented by	Supported by
David Pritchard Group Manager Traffic & Parking Control david.pritchard@haverling.gov.uk	Gary Smith Project Manager Traffic & Parking Control gary.smith@haverling.gov.uk
<p>1. Introduction</p> <p>1.1. In many instances illegal parking is an unbridled act of anti-social behaviour and the tools conventionally used to manage such situations are to be found across a range of traffic and parking control legislation, with primacy resting with the Traffic Management Act 2004. (TMA 2004). However, in the last year that legislation has been amended and it is now more difficult and time consuming to deal with some common type of illegal parking. Those difficulties come to the fore at traffic pressure points, such as outside schools during the school run, and bring with them dangers to children, parents and carers, and other pedestrians who are likely to be residents who also tolerate great inconvenience and frustration at having their off street parking access obstructed by those on the school run, or even as has been witnessed on a number of occasions, motorists on the school run actually parking on a residents’ off street parking place.</p> <p>1.2. The situation has become such that Traffic & Parking Control officers consider existing civil parking enforcement regulations not specific enough to manage down the problems of school run anti-social parking behaviours witnessed, and their underlying causes. Accordingly officers have examined alternative approaches and consider that the use of Public Space Protection Orders, in combination with other controls and activities, may have a beneficial impact locally in areas where the school run is problematic and a danger.</p> <p>1.3. This briefing paper sets out how many illegal parking acts are traits of anti-social behaviour, and how officers consider that current traditional civil parking enforcement legislation could be augmented with powers available within the Anti-social Behaviour Crime and Policing Act 2014, viz Public Space Protection Orders (PSPOs), to minimise anti-social parking behaviours, and in turn reduce obstructive parking often encountered by local residents, and most importantly, reduce the anti-social parking behaviour that impacts so negatively upon the safety of children, their parents, carers, other pedestrians and legitimate road users during the school run outside many of the boroughs schools.</p> <p>1.4. Officers are planning to present a report to Cabinet in the near future entitled, “Improving the Safety of Our Schools and across the wider Borough” and that report will detail a full analysis of the school run problem and proposals to reduce the same via PSPOs and complementary measures and activities.</p>	

2. Background

- 2.1. The TMA 2004 defines civil parking enforcement and regulates the penalties and the process for undertaking that enforcement, from enforcement officers uniforms, personal ID that needs to be worn, equipment that can or cannot be used to monitor and enforce (CCTV), the certification of electronic equipment used, the cost of a penalty, observation times, grace periods and the type and level of discretion that must be applied to all cases upon challenge. Further, it dictates how challenge and enforcement sections of the Council must be separate units, and describes the composition of an independent appeals service, and how arising parking debts should be progressed through the County Court service, and on to a recovery process thereafter. So, civil parking enforcement is complex and of course a topic that attracts much scrutiny from the public, media and others.
- 2.2. The TMA 2004 has performed well since its introduction and allowed many Council's, such as Havering, with a relatively small team of enforcement officers, and historically being in the lowest three "Penalty Charge Notice issuing" Council's in London, to deliver its enforcement responsibilities more efficiently without effectively increasing the size of its enforcement team, through the use of CCTV for specific and more serious types of illegal parking, such as those occurring on double yellow lines, footways, across residential and other dropped kerbs, outside of schools on zig zags, bus stops and others which were previously defined as the more serious type of illegal parking.
- 2.3. Unfortunately, the media and others very vocally considered the use of CCTV and its positive effect on enforcement efficiency as a negative and dubbed it "the war on motorists". That and other considerations combined to see the government launch a consultation in 2014 into how CCTV was being used as an enforcement tool, and some other peripheral enforcement issues.
- 2.4. The outcome of the consultation was legislated by the government in April 2015 through its Deregulation Act 2015. That act significantly curtails and so limits the use of CCTV to monitor and enforce illegal parking, the net effect being its use limited to only school keep clear areas and bus stops. (CCTV can continue to be used as before to enforce bus lanes and Moving Traffic Contraventions (MTCs) such as banned turns. Havering commenced MTC enforcement in September 2015).
- 2.5. All other acts of illegal parking now need to be monitored and enforced conventionally by a Civil Enforcement Officer (CEO) observing from the kerbside and manually processing a PCN on site. That process requires an observation period and time taken to physically process and then legally issue a PCN, which comes near the end of the process and not at the moment details of a contravention are observed, evidenced and recorded. Therefore, there exists a window of opportunity to illegally park of up to ten minutes whilst the aforementioned is completed, whereas that was previously close to zero when using CCTV.

- 2.6. In addition to that already described above, the Deregulation Act 2015 also introduced a mandatory ten minute grace period before enforcement could take place against vehicles parked in most permitted parking spaces such as a disabled bay, resident bay or other parking bay, both on and off street. This grace period is permitted in addition to the observation time already required. Therefore, by adding the two periods together one can see how the opportunity to enforce can be considerably restricted in some circumstances according to the type of illegal parking act. The circumstances today are that a vehicle can, in a majority of circumstances, come to an illegal stop, drop off, or collect, or even wait a few minutes, before the legal point of “illegal parking” is reached, observed and evidenced; a situation that is detrimental across a number of factors, including but not limited to, traffic congestion and pedestrian safety.

3. The School Run & Obstructive Parking

- 3.1. As part of an initiative entitled “Improving the Safety of Our Schools and across the wider Borough” officers have examined the potential to PSPOs as a complementary measure to minimise the volume of vehicles entering a specific area to stop, and then drop and collect children during what is colloquially referred to as the “School Run”.
- 3.2. The most serious issue arising from the chaos witnessed at the majority of locations during the school run is the direct danger posed to children due to irresponsible and selfish parking and vehicle manoeuvring. Those core issues then easily translate into what we consider to be anti-social behaviour. That view is further compounded when considering the level of obstructive parking that also takes place during the school run with many residents justifiably complaining that they cannot drive on or off their off street parking places as a vehicle has parked across the associated dropped kerb thus preventing access.
- 3.3. The ability of conventional civil parking enforcement regulations to deal with the situations arising from the school run are limited and described elsewhere in this paper.

4. Proposed Use of Public Space Protection Orders (PSPOs)

- 4.1. Using a PSPO to limit the accessing of, and stopping of any vehicle in an area during a prescribed time would address the school drop off and pick up issues and improve safety around schools and derive peripheral benefits for local residents. It is considered that the introduction of PSPO's will result in the behavioural change required to improve safety via a reduction in the illegal, unsafe and anti-social parking behaviours that cause significant dangers to pedestrians and much inconvenience to local residents and other stakeholders.
- 4.2. The proposal includes a facility, managed by a simple virtual permit system, to retain full unhindered access to an area for local residents, their visitors and other legitimate visitors and entities during the times of an active PSPO.

- 4.3. The geographical range of a PSPO will vary according to the actual target location and will be monitored via demountable CCTV cameras and automatic number plate recognition software. That software will support the identification of those in the area so prevent the erroneous issuing of a Fixed Penalty Notice (FPN) to those entitled to be present within the PSPO area at the time.
- 4.4. PSPO have at their core the authority for a Fixed Penalty Notice (FPN) to be issued. An FPN is classified as a minor criminal device and once issued the recipient is able to settle the FPN within 14 days, without there being any criminal record established. Alternatively, if no payment is made, or if the recipient so opts to do so, then the FPN can be dealt with by a Magistrate in a local Court as a criminal proceeding. The Council also reserves the authority to instigate Magistrate proceedings instead of discharging the evidenced offence via a FPN in situations of repeat offences by the same individual.
- 4.5. Existing civil parking enforcement PCNs are classified as a civil misdemeanour and non-payment constitutes a civil debt. Additionally, it is subject to a multi-layered appeal system that encompasses a significantly wide interpretation and application of discretion at all stages of the process. Accordingly, the process can be lengthy and lack the level of gravitas that the issues it seeks to manage deserve. Also, as a civil matter the deterrence factor is low.
- 4.6. The focus of a PSPO FPN being a criminal proceeding compared to a civil parking enforcement PCN being a civil proceeding will provide appropriate gravitas to the situation and act as a suitable deterrence in support of a PSPO and its aims and objectives.
- 4.7. It is important to stress that the placing of a PSPO will be accompanied, where appropriate, with other traffic and parking control measures and activities. This could see new parking controls being placed in support of a PSPO, or in rare instances, changes to junction layouts and or footways. However, if complementary measures are not necessary or appropriate then a PSPO could be a lone controlling device. Also, it is certain that not all locations will be suitable for a PSPO and where so, other conventional control measures will be assessed.
- 4.8. The aim of PSPO deployment is to improve the safety of children and others around our schools during the school run, and to minimise the opportunity there currently exists for residents to suffer obstructive and anti-social parking behaviours that limit their ability to access their off street parking places.

5. Project Management

- 5.1. A Project Management Team has been established and it's currently working within a significant project brief. That brief is very substantive and includes the gathering of evidence necessary to support the use of PSPOs, consultations with schools, including head teachers and governors where applicable, parents (Carers), local residents and businesses, the general public, the Police and other stakeholders. Most importantly, the project team have engaged directly,

and continue to do so as the scope of the project develops, with local members. Member engagement is essential and it's intended to invite members to meetings with schools and other stakeholders as the project progresses. The project team will also be emailing weekly a project update to all members informing them of progress and up and coming events. Members are without doubt central to the success of the project.

David Pritchard
Group Manager
Traffic & Parking Control
18th February 2016

6. Project Team Contacts

Gary Smith – Project Manager gary.smith@haverling.gov.uk

Peter Matthews - Project Coordinator peter.matthews@haverling.gov.uk

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