

# City Management and Public Protection Policy and Scrutiny Committee

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**Report of:** Councillor Ian Adams

**Portfolio:** Cabinet Member for Public Protection and Licensing

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## 1. Organisational Restructure of Public Protection & Licensing

- 1.1 The restructure of our public protection services into neighbourhood area teams went live from 3 September. There were inevitably some changes in staffing as part of this restructure. However, there were no compulsory redundancies, and the restructure provided for the promotion or development for 27 members of internal staff. This restructure will also deliver £900k in savings.
- 1.2 There are still 11 outstanding City Inspector Vacancies but we expect to fill these by early December. The BIDs, HOLBA and NVEC have also funded two and four City Inspectors respectively.
- 1.3 These changes have facilitated additional coverage at evenings and weekends in the North and South and enabled an increased focus on priority issues such as fly tipping and shisha compliance. We have also implemented changes to our service delivery model for noise complaints, which will allow for a more joined up approach to these issues.
- 1.4 Throughout this process we have engaged with ward members and stakeholders. I recognise there have been some initial issues with establishing consistent contacts for members in some wards but am confident after the initially bedding-in period has passed and we have recruited to all vacancies

this issue will improve. All members have now been offered an opportunity to meet their local teams and we are organising a feedback session on these changes for early December.

## **2. Street Entertainment**

2.1 At the committee meeting held on 20 September 2018, my proposal for a Street Entertainment Pilot scheme in Oxford Street, Leicester Square and Trafalgar Square was discussed in detail along with a number of expert witnesses. Following this meeting I asked that officers undergo thorough engagement with a wide number of relevant stakeholders to ensure that they had an opportunity to help develop and shape the policy. This engagement has included three workshops, which were widely advertised, that brought together the street performers, residents and businesses, to provide a space where collaborative and sustainable solutions could be designed.

2.2 Engagement is still ongoing, however some of the current options for improved management being considered include licensing (from light touch to more prescriptive conditions), Street Performers Associations, regular stakeholder forums, nudge techniques, increased enforcement, and Community Protection Orders. An overview of the discussions held in the engagement workshops will be made publicly available.

2.3 I will ensure that officers, in liaison with Members, take a balanced approach to the draft policy design to secure a better environment for everyone. In addition, through the engagement process it has become clear that different localities have slightly different requirements; this may mean that different approaches may be trialled in different areas during the pilot phase.

2.4 The engagement process has also highlighted that some of Westminster's street entertainment performers require additional social support and so we are exploring ways to build this additional support into the scheme.

## **3. Rough Sleeping: Street Count and Service update**

## **September 2018 Street Count**

- 3.1 On the night of September 27 I joined the team of officers undertaking our latest street count. 340 people were met on that night and the following morning. This represents a 12% increase over the previous quarter (299); it being the highest night count since November 2015. This is largely due to an increase in non-UK nationals rough sleeping.
- 3.2 However, the count also included a significant number of UK nationals (134), many of whom were either new to the street or newly returned to the street. People from the European Economic Area (EEA) who are unable to access benefits in the UK continue to sleep on our streets in large numbers (132). This represents a more than three fold increase since we lost the ability to work with the Home Office due to a High Court Judgement in December 2017.
- 3.3. The increase of UK Nationals has no single cause, with the upswing in numbers replicated across London. However, we believe that unprecedented warm weather, team changes within enforcement and rough sleeping as well as complex legislation for tackling tents and anti-social behaviour (ASB), have all played their part.
- 3.4 The rough sleeping team have developed a coordinated response from both our commissioned and charitable partners to ensure a robust and joined-up strategy to reverse this trend. We have also expanded our night centre & hostel move-on provision, whilst revisiting our service delivery models and pathway and are investigating the possibility of bespoke solutions for specific cohorts. We continue to work closely with partners such as the GLA and more recently the MHCLG since the release of their strategy to halve rough sleeping by 2022 and end rough sleeping entirely by 2027.

## **Preparation for Winter - Severe Weather Emergency Provision (SWEP)**

- 3.5 Westminster's rough sleeping team are preparing for winter. Working in partnership with the GLA, they have agreed this year to activate 'stage one' of our emergency provision once the temperature reaches 0 degrees anywhere within central London. In addition, our commissioned services have committed to provide more 'stage one' provision than ever before.
- 3.6 Using the learning from our 2017/18 review the team are also ensuring that our response in the case of 'stage 2' (exceptional weather events) SWEPP will improve on our unprecedented success last year and again open safe overnight shelter for upwards of 200 additional placements.

### **Focus on Hotspots**

- 3.7 Areas where rough sleepers are refusing their routes away from the street (RAFTS) and also impacting on local residents and businesses through ASB are currently being focussed on in partnership with the Integrated Street Engagement Unit team.
- 3.8 Rough Sleepers in these locations are often resistant to change and trapped in a cycle of substance misuse; with this in mind the targeted activity on these sites are support-led with a focus on encouragement to access their accommodation, shelter, substance misuse support and reconnection offers.

## **6. Night Safe Project**

- 6.1 The Night Safe project was established in the Leaders #MyWestminster fund to deliver a volunteer on street harm reduction and support network and associated safe space. The concept of a safe space or 'hub' for people to go to when they may be vulnerable due to alcohol consumption or other impacts of the evening and night time economy has been shown to deliver positive effects for individuals and the public realm – in cities from Manchester to Sydney.
- 6.2 The Council are currently developing a partnership with the LGBT Foundation to deliver this project. The project will be based in Soho, an area with a strong

historical association with the LGBT+ Community, as this area has been identified as an area which has a higher demand for this type of support.

- 6.3 The project will run a pilot of the project operating 10pm to 5am on Friday 30 November and then on each Friday night until 21 December.
- 6.4 In January there will be an internal evaluation of the pilot. That evaluation will enable the council to make any adjustments to training, the operational procedures and its communication strategy. It is intended that the full operation of this project on each Friday and Saturday night will commence from February 2019.
- 6.5 We are currently recruiting volunteers and have received a positive response from the first recruitment event. The volunteers who have committed themselves to supporting this project come from a varied array of backgrounds, including police officers, barristers, paramedics, teachers, actors, retail staff, those in retirees and students. The vast majority are Londoners and some live or work in Westminster. The volunteers also have some excellent skills that will be invaluable to supporting visitors and tourists to our global City. The volunteers speak 10 different languages between them, including Cantonese, Mandarin, Spanish, Romanian, French, Italian, Portuguese, Arabic and German. There has also been a good uptake from council staff who have volunteered to work on this project. Officers are continuing to recruit volunteers over the coming months for both the pilot and the full operation of the project in the New Year.

## **7. Gambling Policy**

- 7.1 We have a City for All commitment to consult on a new gambling policy, leading the way nationally on setting the standards for industry and protecting the most vulnerable in our neighbourhoods.
- 7.2 Our Gambling Policy must be reviewed every 3 years under the Gambling Act 2005. The current version of the Council's policy will expire on the 30 January

2019. Unfortunately, it was not possible to undertake the work required to transform our gambling policy prior to this statutory deadline for publishing a reviewed version of our policy.

7.3 Therefore we have developed a two-stage process to meeting our City for All commitment to build a leading gambling policy for our city.

7.4 The first stage was to ensure our current policy was reviewed and kept up-to-date to meet our statutory obligations. The second stage will be a substantive piece of work – to develop and consult on a new policy to meet our City for All commitment.

7.5 The first phase has been completed. A minor revision of the current policy was consulted upon in September. Very few comments were received during this consultation period. The policy was then formally agreed by the Cabinet Member for Public Protection and Licensing on October and was formally presented to Full Council for adoption on the 7 November.

7.6 Officers are now currently developing the consultation documentation and approach to meet the City for All commitment. The principal approach to the consultation is how we regulate and manage licensed gambling premises, such as casinos, betting shops, bingo and arcades, etc. However, this consultation will also seek views and evidence from our residents, businesses and stakeholders on wider aspects of gambling, such as smartphone apps and advertising, to inform our conversations with national government on these issues.

## **8. Hate Crime**

8.1 National Hate Crime Awareness Week was held on 13 to 20 October 2018. To mark this event for Westminster I ran a social media campaign that made a strong public statement that Hate Crime has no place here, and that we are striving for a city that is accepting of everyone. I also attended, alongside Westminster Officers and the Metropolitan Police, the launch of Hate Crime

Awareness in Leicester Square to ensure we visibly cement the council's dedication to tackling this heinous crime and to begin to build trust between our victimised communities and the authorities that are here to provide help and support.

8.2 I have also, through social media and a number of public speaking events, been promoting my commitment to leading the UK's first Local Authority Hate Crime Commission. Myself and officers are currently scoping potential candidates for the commission, and are beginning to draft a programme of work. I intend to launch a fully recruited Commission in the New Year.

8.3 I have also requested that the Council recruit a dedicated Hate Crime Lead Officer by the end of this year. This post will support the requirements of the Commission, drive forward our Hate Crime agenda and Strategy as it develops, and provide that key missing engagement link for our community, Council Officers, and Members.

## **9. Shisha**

9.1 Those who live in the close vicinity of shisha premises can be impacted through significant health, amenity and quality of life concerns. For example the use of dangerous equipment risks carbon monoxide poisoning; enclosures, tables and chairs/seating or equipment such as charcoal burners block the highway; excessive noise and smells, which are very pervasive particularly late at night when impacts are exacerbated as residents are at home relaxing or wishing to sleep.

9.2 I have witnessed these issues myself having spent an evening with council officers inspecting some shisha premises, and have asked that officers increase the work they do to enforce compliance on those that perpetrate the worst conditions. However, it is notable that the efforts of our council officers are hindered by the lack of legislation regulating shisha premises.

- 9.3 We know that other premises such as pubs, restaurants and cafés can also cause smells, noise and disturbance, and increased late night activity. However, these premises can be regulated through the licensing regime, which imposes conditions in relation to the operation and management of the premises, and importantly the council can review licences in light of complaints.
- 9.4 Unlike these types of premises, those offering shisha smoking are not required to have a licence, and cannot be regulated in the same way. It was surprising to find out this anomaly exists - that a café selling coffee beyond midnight requires a licence, yet none is required for selling shisha. This is why I, along with my colleague Councillor Acton in Public Health, will continue to lobby for shisha smoking and sales to be an activity that is licensed.

## **10. BCU and Policing Numbers**

- 10.1 The merger of Basic Command Units (BCU) which will combine the command units of Westminster with Kensington and Chelsea and Hammersmith and Fulham is something which this Council has always opposed.
- 10.2 We have recently received the proposed policing numbers associated with this merger and are extremely concerned that it appears that police numbers in Westminster will be significantly reduced. It is especially worrying that the West End and St James's ward will under the current proposals lose a high proportion of their community police. The Leader and I will continue to make the case for the policing Westminster needs and particularly the importance of community policing in our city. I would encourage the Committee to continue to monitor the impact of these changes.

## **11. Prevent Peer Review**

- 11.1 As part of their work to improve Prevent delivery nationally, the Home Office are undertaking a series of peer reviews of local authorities. Peer reviews are a tried and tested sector-led improvement process, which has been used across the public sector for many years to improve delivery. These reviews are not an



inspection of the Council or our partners and instead are offered from a supportive viewpoint with the aim of addressing challenges and assisting with practical improvements in delivery.

- 11.2 The Prevent Team hosted a six-member Peer Review team for three days in early October and during this period I was interviewed to provide my own insights. The Review Team were made up of representatives from different authorities and agencies nationally as well as the Home Office.
- 11.3 The Review Team have presented their initial findings, with a full report to follow in November. The Review was positive, with the Review Team commending the honest and constructive approach taken to the self-assessment and the review process as a whole.
- 11.3 The Prevent team were commended for being knowledgeable, energetic and positive as well as being well respected across the partnership. The strong ethos of partnership working, with examples of excellent relationships between agencies, was also highlighted as a key strength.
- 11.4 We have now received the interim findings from the review which were largely positive but did include some recommendations on governance and processes in particular.
- 11.6 Work is already underway to consider and implement the recommendations, others will be considered more fully once the full Review report is received.

## **12. Fly Tipping**

- 12.1 We are prioritising our enforcement resources to focus on fly tipping, with City Inspectors working with the Street Waste Action Team to coordinate weekend working and 'days of actions'. We are also exploring intelligence-led methods for preventing this issue such as the use of mobile CCTV cameras and new signage around fly tipping hotspots.

- 12.2 We have also submitted a bid for to the LGA to test innovative preventative approaches to tackling this problem - such as 'nudge' measures around the design of bins and corresponding signage.
- 12.3 As this issue has aspects which fall under both me and my colleague, Cllr Mitchell's, the Cabinet Member for Environment and City Management, portfolios, we will be explore ways to work more closely to better coordinate all of the Council's activity on this matter.