



30 May 2018

Dear Sir/Madam

A meeting of the Community Safety Committee will be held on Thursday, 7 June 2018 in the New Council Chamber, Town Hall, Foster Avenue, Beeston NG9 1AB, commencing at 7.00 pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors: D Bagshaw
M Brown
B C Carr
E Cubley (Vice-Chair)
T A Cullen

J C Goold (Chair)
G Harvey
S Kerry
J W McGrath
J M Owen

A G E N D A

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

PAGES 1 - 4

The Committee is asked to confirm as a correct record the minutes of the Community Safety Committee meeting held on 22 March 2018.

4. PRESENTATION FROM REDTHREAD CHARITY

The Committee will receive a presentation from the youth worker charity, Redthread, which is running a three year pilot of its pioneering hospital based youth violence intervention programme at Queen's Medical Centre.

5. FOOD STANDARDS AGENCY AUDIT

PAGES 5 - 6

To advise the Committee of the updated action plan following the Food Standards Agency audit of the Council's food hygiene function.

6. BASIL RUSSELL PLAYING FIELDS PUBLIC SPACES PROTECTION ORDER

PAGES 7 - 20

To update members on the results of consultation on the creation of a Public Spaces Protection Order to assist with controlling issues arising from dogs at Basil Russell Playing Fields, Nuthall.

7. LITTERING FROM VEHICLES

PAGES 21 - 22

To advise members of regulations which have recently come into force allowing local authorities to give a penalty notice to a person who is the keeper of a vehicle where the Authority has reason to believe that a littering offence has been committed in respect of the vehicle.

8. TOBACCO CONTROL ACTION PLAN

PAGES 23 - 26

To request that the Committee approve the latest Tobacco Action Plan.

9. PERFORMANCE MANAGEMENT REVIEW OF BUSINESS PLAN - ENVIRONMENT AND COMMUNITY SAFETY - OUTTURN REPORT

PAGES 27 - 34

To report progress against outcome targets identified in the Community Safety Business Plan and parts of the Health Business Plan linked to Corporate Plan priorities and objectives, and to provide the outturn position relating to key performance indicators for Community Safety and Health.

10. WORK PROGRAMME

PAGES 35 - 36

To consider items for inclusion in the Work Programme for future meetings.

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COMMUNITY SAFETY COMMITTEE

7 JUNE 2018

Present: Councillor J C Goold, Chair

Councillors: D Bagshaw
M Brown
B C Carr
E Cubley
T A Cullen
D A Elliott (substitute)
G Harvey
S Kerry
R I Jackson
J W McGrath
J M Owen

An apology for absence was received from Councillor M Radulovic MBE.

1. DECLARATIONS OF INTEREST

Councillor J M Owen declared a non – pecuniary interest in item number 6 due to her membership of Nuthall Parish Council, minute number 6 refers.

2. MINUTES

The minutes of the meeting on 22 March 2018 were confirmed and signed as a correct record.

3. PRESENTATION FROM REDTHREAD CHARITY

The Committee was due to receive a presentation from Redthread, but this was postponed as their representative was unable to attend.

4. FOOD STANDARDS AGENCY AUDIT

The Committee was advised of the latest position with respect to the Food Standards Agency's audit of the Council's food hygiene function. The Committee noted that of the 480 outstanding inspections identified at the start of the audit, 471 had been completed, in addition to all of the scheduled inspections for 2017/18.

Discussion centred on the level of resource that had been made available to conduct food hygiene inspections and the strong intention that the situation should not be allowed to deteriorate again. A request was made that the full action plan be brought before the Committee when the audit was considered next.

5. BASIL RUSSELL PLAYING FIELDS PUBLIC SPACES PROTECTION ORDER

Members were updated on the results of a consultation on the creation of a Public Spaces Protection Order (PSPO) at Basil Russell Playing Fields to assist with controlling dogs.

Councillor J M Owen made the following statement:

First of all I object to the complainant's name being withheld which I know is normal but my name is published; this is unfair, particularly as this was sent to me in an email and I have in fact answered it as it wasn't accurate, and so, if I wished I could now give out the name of the person, I will read you my reply sent from me as Chairman of Nuthall Parish Council.

"I don't know the breed of dog which has frightened children as you will know there are many varieties of dog which use the park. We had two types of complaints, one being comments to the Staff, Clerk and Councillors and the other being more formal complaints which are logged by the Clerk.

The Public Space Protection Order was obtained two years ago in response to numerous complaints received by the Council concerning dogs that were out of control and harassing other park users. In addition there were reports of dogs attacking other dogs and I believe at least one such incident was reported to the Police. All of these incidents were documented at the time by the Parish Council Staff and were submitted as part of the original application for the Public Space Protection Order. This was agreed by all Councillors."

RESOLVED:

1. **That a PSPO be made, in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014, as detailed in appendix 2.**
2. **The Chief Executive be authorised to enter into a delegation agreement with Nuthall Parish Council under Section 101 of the Local Government Act 1972 and all other enabling powers to enable the administration and enforcement of the Basil Russell PSPO and all matters ancillary there to including, but not limited to, the service of Fixed Penalty Notices and enforcement where these are not complied with.**

6. LITTERING FROM VEHICLES

The Committee was informed of regulations which had recently come in to force allowing local authorities to give a penalty notice to a person who is the keeper of a vehicle where the Authority has reason to believe that a littering offence has been committed in respect of the vehicle. There was an exemption for licenced taxi vehicles.

There was concern that this legislation would not apply to vehicles littering on private property and it was agreed that further clarity on this would be provided. It was noted that any revenue created from the fixed penalty notices would be received by the Council.

A discussion was had as to whether a councillor was a member of the public and an amendment to the recommendation was proposed by Councillor R I Jackson to make it read "That evidence for the service of a fixed penalty notice be a written statement from a councillor or an officer of the Council, or a minimum of two corroborating statements from members of the public." On being put to the meeting the amendment was carried.

RESOLVED that:

- 1. The provisions of The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 be adopted.**
- 2. The Head of Public Protection be given delegated authority to serve penalty notices and to authorise officers to serve penalty notices.**
- 3. That the penalty amounts be set at the same level of those set by the Authority for littering in the street (currently £75 or £50 if paid within 14 days).**
- 4. That evidence for the service of a fixed penalty notice be a written statement from a councillor or an officer of the Council, or a minimum of two corroborating statements from members of the public.**

7. TOBACCO CONTROL ACTION PLAN

The Tobacco Control Action Plan 2018-19 was considered with particular reference to the new action plan which detailed efforts to cut the harm caused by smoking to those who live or work in the borough.

The Committee discussed how employees of the Council smoking on the curtilage of Council property could be perceived by members of the public. It was noted that this was covered by the Smoke Free Policy.

RESOLVED that the Tobacco Action Plan 2018/19 be approved.

8. PERFORMANCE MANAGEMENT REVIEW OF BUSINESS PLAN - ENVIRONMENT AND COMMUNITY SAFETY - OUTTURN REPORT

The Committee noted the performance of indicators for Community Safety and Health with particular reference to the exploration of commercial opportunities for the Mediation Service. There was also a discussion regarding anti-social behaviour and how it was reported.

There was a discussion about how safe residents felt in their local areas. It was noted that during the day people felt safer, but they felt less safe at night. It was considered that this reflected a national trend whereby people felt less safe after dark.

9. WORK PROGRAMME

There was a discussion about the question and answer session that was to take place with the Nottinghamshire Police Crime Commissioner at the next meeting of the Committee.

RESOLVED that the work programme, as amended, be approved.

Report of the Chief Executive

FOOD STANDARDS AGENCY AUDIT

1. Purpose of report

To advise Committee of the latest position with respect to the Food Standards Agency audit of the Council's food hygiene function.

2. Detail

In 2017, the Council's food hygiene service was audited by the Food Standards Agency (FSA). The final report and associated action plan, along with progress against that plan, have all been reported to this Committee.

The FSA has been monitoring our progress and they have recently written to advise that: *"the lead auditor has reviewed the information provided and notes that the Updated Action Plan has now been fully implemented. The completed Plan will be placed on the Agency's website shortly and our files for the audit of your food service will be closed."*

In terms of qualitative data, of the 480 outstanding inspections identified at the start of the audit, 471 have been completed. In 2017-18, 100% of scheduled food hygiene inspections were undertaken.

Recommendation

Committee is asked to NOTE the progress made in respect of the food hygiene service and the closure of the audit by the Food Standards Agency.

Background papers

Nil

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Report of the Chief Executive

BASIL RUSSELL PLAYING FIELDS PUBLIC SPACES PROTECTION ORDER

1. Purpose of report

To update members on the results of consultation on the creation of a Public Spaces Protection Order (PSPO) to assist with controlling issues arising from dogs at Basil Russell Playing Fields, Nuthall.

2. Background

At its meeting on 22 March 2018, the Community Safety Committee resolved that in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014 appropriate consultation should be carried out for a potential Public Spaces Protection Order in respect of Basil Russell Playing Fields, Nuthall.

Consultation has been undertaken and the results are attached at appendix 2.

A copy of the proposed PSPO is included at appendix 1.

3. Financial implications

Should the making of a PSPO be approved, the Parish Council has indicated it will cover the cost of signage.

Recommendations

1) The Committee is asked to consider the responses to the consultation on the making of a PSPO in respect of Basil Russell Playing Fields, and RESOLVE whether or not to make a PSPO, in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014, as detailed in appendix 2.

2) If Committee resolves to make the PSPO, AUTHORISE the Chief Executive to enter into a delegation agreement with Nuthall Parish Council under Section 101 of the Local Government Act 1972 and all other enabling powers to enable the administration and enforcement of the Basil Russell PSPO and all matters ancillary there to including, but not limited to, the service of Fixed Penalty Notices and enforcement where these are not complied with.

Background papers

Nil

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BROXTOWE BOROUGH COUNCIL

BASIL RUSSELL PLAYING FIELDS PUBLIC SPACES PROTECTION ORDER 2018

NOTICE IS HEREBY GIVEN that Broxtowe Borough Council, using powers contained within the Anti-social Behaviour, Crime and Policing Act 2014 makes the following Order:

Basil Russell Playing Fields Public Spaces Protection Order 2018

The Order (comprising this document and Schedules 1 and 2) shall come into operation on 15th June 2018 and shall have effect for a period of three years thereafter, unless extended by further Orders made under Broxtowe Borough Council's statutory powers.

The Order relates to the public spaces in the area shown delineated on the attached plan at Schedule 1 (the "Restricted Area").

The effect of the Order is to impose the following prohibitions and/or requirements in the restricted area at all times, unless the exemptions in Schedule 2 apply:

1. Dog fouling

If a dog defecates at any time in the Restricted Area and the person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:

- (a) that person has a reasonable excuse for failing to do so; or
- (b) the owner/occupier or other person or authority having control of the land has consented (generally or specifically) to that person failing to do so.

2. Dogs on leads

A person in charge of a dog in the Restricted Area shall be guilty of an offence if that person fails to keep the dog on a lead, unless:

- (a) they have a reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so.

3. Exclusion of dogs

A person in charge of a dog shall be guilty of an offence if, at any time, they take the dog onto, or permit the dog to enter, or to remain on, any land comprising the children's play area within the Restricted Area and shown hatched on the plan at Schedule 1 below unless:-

- (a) they have reasonable excuse for doing so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their doing so.

For the purpose of this Order –

A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land.

Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

PENALTY

Any person who fails without reasonable excuse to comply with any of the requirements or prohibitions in this Order shall be liable on summary conviction to a fine not exceeding level 3 (currently £1000) on the standard scale.

FIXED PENALTY

A constable or person authorised by the Council may issue a fixed penalty notice to anyone he or she believes has committed an offence. The fixed penalty is £75 (reduced to £50 if paid within 14 days). Non-payment of a fixed penalty notice may result in prosecution.

This Order shall take effect on 15th June 2018 for a period of three years.

THE COMMON SEAL of BROXTOWE BOROUGH COUNCIL

was hereunto affixed in the presence of :-

Mayor

Duly Authorised Officer

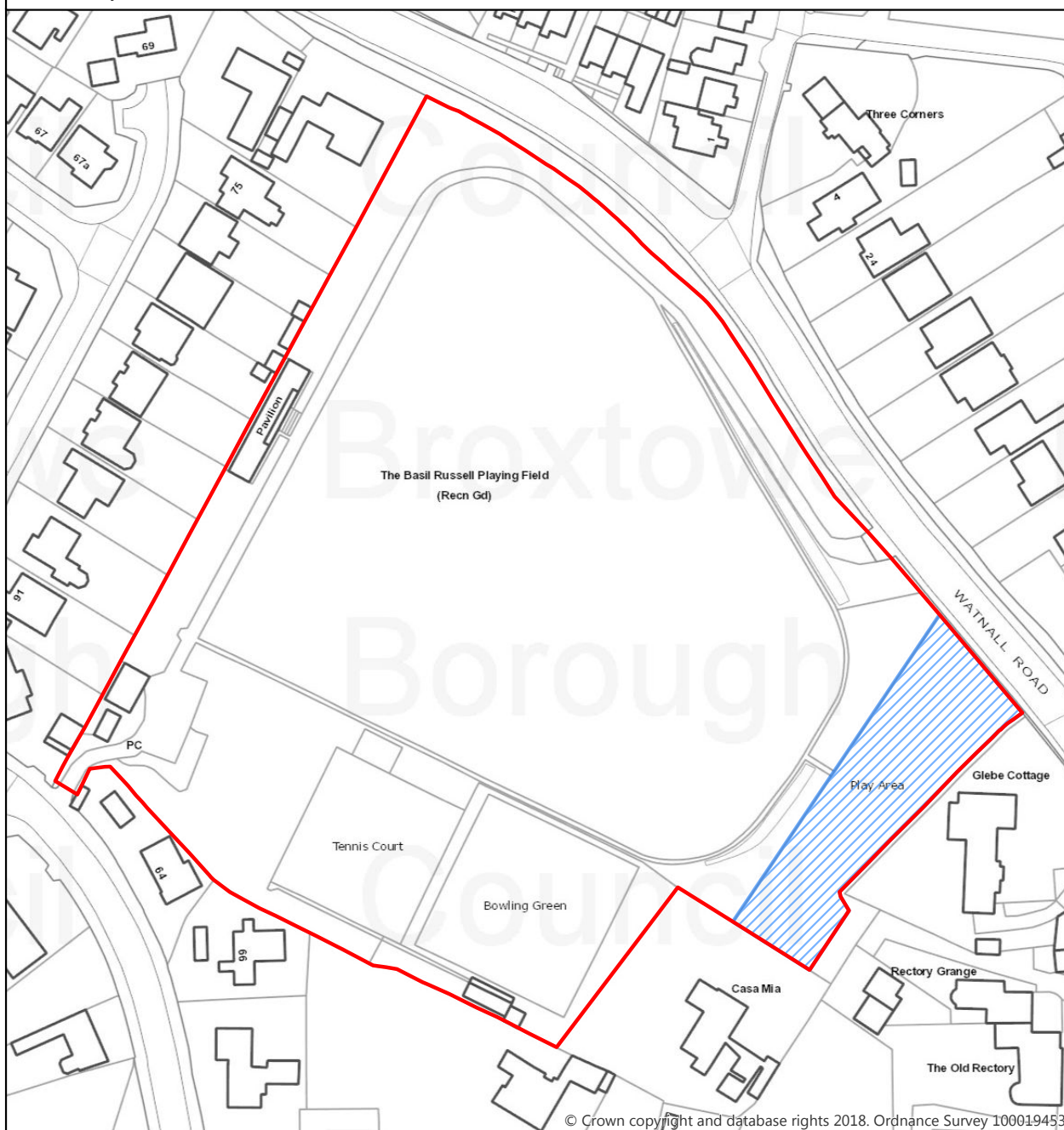


28 February 2018

Basil Russell Playing Fields
Public Spaces Protection Order 2018
Schedule 1



Broxtowe
Borough
COUNCIL



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NOTES AND INFORMATION

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**BASIL RUSSELL PLAYING FIELDS
PUBLIC SPACES PROTECTION ORDER 2018**

Schedule 2

(a) Nothing in this Order shall apply to a person who:

i. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or

ii. is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or

iii. who has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day to day activities including affecting his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects in respect of a dog trained by a prescribed charity or such other charity/approved body as is considered appropriate by the Council and upon which he relies for assistance; or

iv. is training an assistance dog for one of the prescribed charities or such other charity/approved body as is considered appropriate by the Council; or

v. is not a person falling within the criteria mentioned in paragraphs i to iv above but who the Council considers should be exempt due to the impairment of that particular person.

(b) Nothing in the Order shall apply to the normal activities of a working dog whilst the dog is working. This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of HM Armed Forces.

(c) Each of the following is a “prescribed charity”:-

i) Dogs for the Disabled (registered charity number 700454);

ii) Support Dogs (registered charity number 1088281);

iii) Canine Partners for Independence (registered charity number 803680)

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Consultation Data – PSPO Basil Russell Playing Fields Nuthall

| Response | Number | Area | Comments |
|----------|--------|--------------|---|
| Yes | 19 | Nuthall x 10 | The park is for everyone and all should be allowed to enjoy the park. Young children should not have to be worried about dogs and waste. Great idea. |
| | | | Should also do something about antisocial behaviour from teenagers in the park. |
| | | | Overdue, it's been a problem for years particularly for those with young children. Thanks. |
| | | | Fed up with clearing dog poo from in front of my property. |
| | | | I would support this; and also in Nuthall generally. Dog mess is an on-going problem on the streets. Instead of having my head up looking at the blossoms and Spring flowers, I have to have my eyes down, constantly looking at where I am treading. |
| | | | Lot dog foul on Oak Drive no body is clean it up. |
| | | | I have grandchildren who use the park and I am fully in favour of these measures. Some dogs are not fully under control when on a lead- they bound up to the child, and the owner always says it won't hurt her. |
| | | | No Comment |
| | | | No Comment |
| | | | The Parish Council considered the matter at their meeting yesterday and would respond as follows; The official name of the area is Basil Russell Playing Fields The exclusion of dogs is not just in the play area but also in the buildings (Workshop Pavilion) etc on the site. <i>The Council writes in support of the order being renewed on the same terms as the original PSPO.</i> The Council reviewed the problems that had led to the original order being requested and granted and considered that the order had all but stopped the problems that were occurring which involved harassment by dogs and their owners to other dogs/owners, members of the public including children. It also noted that the park had been the site of children being bitten and adults being "jumped on" and the order had ensured that dogs were now in close proximity to their owner where |

| Response | Number | Area | Comments |
|----------|--------|------|--|
| | | | <p>they could be controlled.</p> <p>It was reported that it had resulted in a significant reduction in dog fouling to the extent that the sports teams and staff did not have to maintain the written log of poop picked up.</p> <p>The Council has received many positive comments from people who started to visit the park as a direct result of knowing that they could walk (with or without) their dogs and families in safety. The park keepers employed by the Parish Council felt that they could use the order to politely ask owners to put their dogs onto a lead and the majority of the time these were visitors to the park either as new residents or spectators at the many sports that take place and the breach was accidental.</p> <p>The number of dogs being turned away at Family events (at which previously we had suffered dogs in the food tent, and defecating on the children's toys that were out) decreased significantly (from 30+ to 5) to the extent that security has been halved.</p> <p>Whilst the Council accepts that some members of the public have chosen to walk their dogs "off lead" elsewhere it feels that this has been easily accommodated by the many footpaths and fields that are in the immediate area and therefore this need has been adequately serviced.</p> <p>The park remains a dog friendly zone - indeed the Council have replaced a vandalised dog tap in preparation for the summer and has left a bowl in the public toilet area at all times so that dogs were able to have a drink and their owners feel that they are a valued part of the community.</p> <p>There have been no reports of any serious dog incidents; however following the lapsing of the order which has stopped our park keepers from being able to point out the order to owners, the Police were contacted by a visitor who reported two dogs out of control and causing concern. The Council feels that, had this happened whilst the order was in force it would have had the authority to deal with the incident in a calm and helpful manner to all concerned.</p> <p>The number of penalties issued is nil and we believe that this is a credit to the responsible dog walkers, staff and members of the public who feel confident that the order is doing what it set out to do - to make the Basil Russell Playing Fields an inclusive area that everyone can enjoy.</p> |
| | | | <p>Any public area where children play should be supported in the same way. Watnall has the same issues. I take my grandson to the park and have to be careful both on the paths and the grass, even though there are plenty of bins for people to use.</p> |

| Response | Number | Area | Comments |
|----------|--------|---------------|--|
| | | Watnall x 4 | Long overdue. |
| | | | I enjoy taking the children in Nuthall park after school. The amount of dog mess is disgraceful. Anything that can be done to overcome this would be hugely appreciated, it's very difficult to keep an eye out for it! And I have lost count of the amount of times I've had them step in it- it's awful. |
| | | | No Comment |
| | | Kimberley x 3 | I walk my dog regularly on this park as it is safe with no dogs off the lead. It is the cleanest park anywhere with plenty of bins and I have never seen dog mess left on the park. I have even recommended this park as it is so clean... not sure the order is needed. |
| | | | You should make every park like it in the borough. |
| | | Newthorpe x 1 | Please extend this to Kimberley. In particular the footpath between Knowle Hill and Sainsbury's. |
| | | | No Comment |
| | | Brinsley x 1 | The wardens need to be more proactive. To be seen on the parks and streets. More people need to be prosecuted. |
| | | | |
| No | 7 | Nuthall x 4 | Why can the park not be an open space that can accommodate ALL of our community, including the 4 legged ones? The park could allow dogs to be off leads for the first hour it is open, and the last hour before closing. The likelihood of young children being in the park at this time is small, yet the likelihood of people wanting to walk their dogs is high. I'm fed up of there always being the assumption that all dog owners are irresponsible. Broxtowe district is fast becoming an area with limited spaces to exercise dogs off the lead, with housing estates being built and green spaces being reduced. I'm not saying dogs should rule the world, but it's really not fair to expect them never to be off their leads and receive no form of true exercise. |
| | | | This consultation came about originally because of one isolated incident and it has been blown out of all proportion. The article in the news is ridiculous, wild dogs? Never heard such stupid comments. I have used this park for the past 54 years and it should not have come to this, it has had exactly the opposite effect in driving people away from a community area where once ALL could enjoy. Absolutely absurd and I am so angry about it. |

| Response | Number | Area | Comments |
|----------|--------|------|---|
| | | | <p>There are already powers available to address any problems-why are they not being used? I expect a small fortune will be spent on even more useless signage which the perpetrators will ignore. Perhaps this money could be spent on targeting general littering in the parish which is reaching epidemic proportions.</p> <p>Before contacting the Kimberley and Eastwood Advertiser and making comment to them, I would like to put some questions to Nuthall Parish Council about the article published last week.</p> <p>I would like to ask - without naming names obviously - what type of dogs have been seen "racing about and running wild on the park and jumping up and frightening young children" and what was done about it at the time. When were the "couple of occasions where large dogs (again what breed) have attacked and frightened small dogs etc." There seem to be very few large dogs walked on the park now and those that are, appear to be well behaved and certainly not 'running wild' as the headline implies.</p> <p>I have to ask if this is the same Basil Russell playing fields that I walk across and / or around virtually every day at varying times between 8.00 am and 8.00 pm. I can honestly say that I NEVER see dogs (of any size) off lead and those dogs on lead are under the close control of their responsible owners who automatically pick up any 'mess' deposited by their pet. I have never seen either football or cricket matches interrupted by a dog nor have I seen dogs on the play area or that 'ghost area' known as the skateboard park.</p> <p>Counc. Jill Owen states that the park is for all users not just people with dogs but surely that should be for all users without the inclusion of 'not just people with dogs'. One evening last week there was a football game in progress. The car park was unbelievably overcrowded with several cars parked on the footpath and grass area, the paved area in front of the changing rooms was virtually impossible to walk along due to parents and supporters, very young children were playing on the fitness equipment and of course a further third of the park was "out of bounds" due to the actual match but I did not hear one complaint from the dog walkers who were walking round the footpath. (IE those of us who use the park <u>regularly</u> carried on as usual and let the other users enjoy their evening).</p> <p>Having spoken to one of the Council employees this past week I understood there was far less of a problem with dog mess on the park and at the weekend I was talking to one of the councillors (again no name needs to be mentioned) who said they knew nothing about the 'problems' highlighted in the article.</p> |

| Response | Number | Area | Comments |
|----------|--------|--------------|--|
| | | | Presumably C. Owen has the facts to back up the claims and I would be interested in hearing both the comments of Nuthall Parish Council and receiving answers to the questions I have asked. |
| | | Eastwood x 1 | These should be separated out as they address different issues which are already being covered by law and regulation in particular dog fouling. Including dogs being on leads within this is not a fair representation and would be consolidated within the overall ruling outcome which shouldn't be allowed. Dogs are already excluded from areas of Basil Russell, kids play park, bowling green and tennis courts. The owner has a responsibility but putting in place an order to enjoy the open field is out of order and unfair! |
| | | Beeston x 1 | I support changes 1 and 3. I do not support dogs on a lead at all times. It is impossible to give some dogs adequate exercise such as chasing and retrieving a ball if confined to being on the lead. People can be responsible dog owners and clean up mess even if a dog is off the lead |

Complaints Received by Broxtowe Borough Council

| 2015 | 1 | Dog Attack (dog on dog) |
|------|---|-------------------------|
| 2016 | 0 | |
| 2017 | 0 | |
| 2018 | 0 | |

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LITTERING FROM VEHICLES

1. Purpose of report

To advise members of, and to seek a resolution to adopt, regulations which have recently come into force allowing local authorities to give a penalty notice to a person who is the keeper of a vehicle where the Authority has reason to believe that a littering offence has been committed in respect of the vehicle.

2. Background

The Littering from Vehicles outside London (Keepers: Civil Penalties) Regulations 2018 (the Regulations) came into force on 1 April 2018. They give local authorities the power to give a penalty notice to a person who is the keeper of a vehicle where the Authority has reason to believe that a littering offence has been committed in respect of the vehicle. Effectively, this removes the need to prove which occupier of the vehicle deposited litter before a case can be taken, which was the situation previously.

The regulations give local authorities the power to serve penalty notices on the registered keeper of a vehicle where they believe a littering offence has been committed from the vehicle. The amount of the fixed penalty can be set from a minimum of £50 (from 1 April 2019 this will rise to £65) to a maximum of £150. The default, if no amount is specified by a local authority, is £100. An authority can also specify a reduced amount (minimum £50) if the penalty is paid within 14 days. If a fixed penalty is not paid in full within the payment period, the amount of the fixed penalty increases by 100%. Any unpaid amount of a fixed penalty can be recovered as a civil debt.

Direct costs for cleaning up litter and enforcing the law are borne by the principal litter authorities. In England, these are district councils and the highways agency. It is difficult to quantify the actual cost of sweeping up litter as costs usually include emptying of bins. However, in Broxtowe, approximately ten full time equivalent officers are involved in street sweeping.

3. Financial implications

Sums received by the Authority under these regulations can only be used for very specific purposes related to litter and graffiti.

Recommendation

Committee is asked to RESOLVE that:

- 1) The provisions of The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 be adopted.**
- 2) The Head of Public Protection be given delegated authority to serve penalty notices and to authorise officers to serve penalty notices**
- 3) That the penalty amounts be set at the same level of those set by the Authority for littering in the street (currently £75 or £50 if paid within 14 days).**
- 4) That evidence for the service of a fixed penalty notice be a written statement from an officer of the Council, or a minimum of two corroborating statements from members of the public.**

Background papers: Nil

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Report of the Chief Executive

TOBACCO CONTROL ACTION PLAN

1. Purpose of report

To request that the Committee approve the latest Tobacco Action Plan.

2. Detail

According to the National Health Service, smoking is one of the biggest causes of death and illness in the UK. Every year, around 100,000 people in the UK die from smoking, with many more living with debilitating smoking-related illnesses. Smoking increases the risk of developing more than 50 serious health conditions. Some may be fatal and others can cause irreversible long-term damage to health.

In 2016, the proportion of current smokers in the UK was 15.8%, which equates to around 7.6 million in the population, a statistically significant decline of more than 4 percentage points, and the lowest prevalence, since 2010.

Data from Public Health England indicates that in 2016 (the latest year for which data is currently available) 16.5% of the population of Broxtowe were smokers, compared with a figure of 15.5% for the United Kingdom as a whole.

In December 2014, Broxtowe Borough Council signed up to the Nottinghamshire County and Nottingham City Declaration on Tobacco Control. Part of the Local Government Declaration on Tobacco Control, this has a number of key aims, including developing plans with partners and local communities to address the causes and impacts of tobacco use.

As part of the Council's on-going commitment to reducing the health impacts of tobacco use, a Tobacco Control Action Plan has been produced and is shown at appendix 1.

Recommendation

Committee is asked to RESOLVE the Tobacco Control Action Plan 2018-19 be approved.

Background papers

Nil

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APPENDIX

BROXTOWE BOROUGH COUNCIL – TOBACCO CONTROL ACTION PLAN 2018-19

| ACTION | ACTIVITY | COMPLETION / REVIEW DATE | LEAD RESPONSIBILITY | COMMENTS |
|---|---|--------------------------------|--|--|
| Identify a high level champion to be advocate for tobacco control | Identify elected member and member of the senior management team | March 2018 | Communities | Cllr Halimah Khaled and Head of Public Protection identified. |
| Deliver smoking cessation sessions to Broxtowe BC staff | Smokefreelife Nottinghamshire to deliver drop-in sessions | Dec 2018 | Communities | Staff “Stop smoking clinics” started January 2018 at Beeston and Kimberley. |
| Create a stop smoking clinic at Beeston Council Offices | Clinic every Tuesday 9am - 12 for residents of Broxtowe to make a “quit smoking” attempt | 6th March – 18th December 2018 | Communities Smokefreelife Nottinghamshire | Agreed at Broxtowe Partnership Board 7th February 2018. |
| Explore opportunities to reduce smoking in play areas | Liaise with Parks Section. Involve local primary schools in a poster competition for play parks | July 2018 | Communities | Use of Fixed Penalty Notice fines to pay for signage. |
| Explore opportunities to extend voluntary smoke free areas | Hemlock Happening and other events | Dec 2018 | Communities | Event & Arts Team are aware of and promote smoke free events where possible. |

| ACTION | ACTIVITY | COMPLETION / REVIEW DATE | LEAD RESPONSIBILITY | COMMENTS |
|--|--|---|-------------------------------|---|
| Reduce smoking prevalence in our communities by raising awareness and signposting to stop smoking services | No Smoking Day | March 2018 | Communities | No Smoking Day promoted |
| | Broxtowe Community Celebration Group event | June 2018 | Smokefreelife Nottinghamshire | |
| | Stoptober | October 2018 | Communities | |
| Enforce display of "No Smoking" Signage (Health Act 2006) | Ensure premises comply with requirements for smoke free signage by undertaking twice a year spot checks. Strong visual reminder. | On-going June 2018 and November 2018 | Communities | Spot checks in main town high streets Attend Pubwatch meetings |
| Enforce smokefree legislation (Health Act 2006) | Ensure businesses comply with smoke free premises and vehicles | On-going | Communities | Reactively investigate complaints |
| Increase disincentives for smoking (staff) | Consider putting "vaping" on same footing as tobacco use outside council offices, works vehicles and buildings. | May 2018 | Human Resources | Vaping - to be reviewed at LJCC Working Group in May 2018 |

Report of the Chief Executive

PERFORMANCE MANAGEMENT REVIEW OF BUSINESS PLAN – ENVIRONMENT AND COMMUNITY SAFETY – OUTTURN REPORT

1. Purpose of report

To report progress against outcome targets identified in the Community Safety Business Plan and parts of the Health Business Plan linked to Corporate Plan priorities and objectives, and to provide the outturn position relating to key performance indicators for Community Safety and Health.

2. Background

The Corporate Plan 2016-2020 was approved by Cabinet on 9 February 2016. Business Plans linked to the five corporate priority areas of Housing, Business Growth, Environment, Health and Community Safety were approved by the Overview and Scrutiny Committee on 1 and 3 February 2016.

3. Performance management

As part of the Council's performance management framework, each Committee receives regular reports during the year which review progress against their respective Business Plans. This will include a detailed annual report where performance management and financial outturns are considered together following the year-end.

This quarterly report is intended to provide this Committee with an overview of progress towards Corporate Plan priorities from the perspective of the Community Safety and Health Business Plans. It provides a summary of the progress made to date on key tasks and priorities for improvement in 2017/18 and the latest data relating to Key Performance Indicators (KPI). This summary is detailed in appendix 1.

Recommendation

The Committee is asked to NOTE the progress made in achieving the Business Plan for Community Safety and parts of the Health Business Plan and the outturn Key Performance Indicators for 2017/18.

Background papers

Nil

APPENDIX 1

PERFORMANCE MANAGEMENT

1. Background - Corporate Plan

The Corporate Plan for 2016-2020 was approved by Cabinet on 9 February 2016. It has been developed by setting out the Council's priorities to achieve its vision to make "Broxtowe a great place where people enjoy living, working and spending leisure time." Over the period, the Council will focus on the priorities of Housing, Business Growth, Community Safety, Health and Environment.

The Corporate Plan prioritises local community needs and resources are directed toward the things they think are most important. These needs are aligned with other local, regional and national plans to ensure the ambitions set out in the Corporate Plan are realistic and achievable.

2. Business Plans

The current Business Plans are linked to the five corporate priority areas, including Housing, and were approved by the respective Committees at meetings held in January and February 2017.

The Council's priority for Community Safety is that 'Broxtowe will be a place where people feel safe and secure in their communities'. Its objectives are to:

- Reduce the amount of anti-social behaviour in Broxtowe (CS1)
- Reduce domestic violence in Broxtowe (CS2)

The Council's priorities and objectives for Health is that 'People in Broxtowe enjoy longer, active and healthy lives'. Its objectives are to:

- Increase the number of people who have active lifestyles (He1)
- Work with partners to improve the health of the local population (He2)
- Reduce alcohol related harm in Broxtowe (He3)






The Business Plans detail the projects and activities undertaken in support of the Corporate Plan 2016-2020 for each priority area. These cover a three-year period but will be revised and updated annually. Detailed monitoring of progress against key tasks and outcome measures in the Business Plans is undertaken regularly by the relevant Committee. This will include a detailed annual report where performance management and financial outturns are considered together following the year-end as part of the Council's commitment to closely align financial and performance management.









3. Performance Management

As part of the Council's performance management framework, the Community Safety Committee receives regular reports of progress against the respective Business Plans. This report provides a summary of the progress made to date on key tasks and priorities for improvement in 2017/18 (as extracted from the Pentana performance management system). It also provides the latest data relating to Key Performance Indicators (KPI).

The Council monitors its performance using the Pentana performance management system. Members have been provided with access to the system via a generic user name and password, enabling them to interrogate the system on a 'view only' basis. Members will be aware of the red, amber and green traffic light symbols that are utilised to provide an indication of performance at a particular point in time.









The key to the symbols used in the Pentana performance reports is as follows:


| Action Status Key | | |
|---|-------------|---|
|  | Completed | The action/task has been completed |
|  | In Progress | The action/task is in progress and is currently expected to meet the due date |
|  | Warning | The action/task is approaching its due date (and/or one or more milestones is approaching or has passed its due date) |
|  | Overdue | The action/task has passed its due date |
|  | Cancelled | This action/task has been cancelled or postponed |

| Key Performance Indicator and Trends Key | | | |
|---|--------------|---|---------------|
|  | Alert |  | Improving |
|  | Warning |  | No Change |
|  | Satisfactory |  | Getting Worse |
|  | Unknown |  | Data Only |















Community Safety Key Tasks and Priorities for Improvement 2017/18










| Icon | Action Code | Action Title | Action Description | Progress Bar | Due Date | Comments |
|------|-------------|--|---|--------------|-------------|---|
| ✓ | COMS1620_05 | Develop and deliver a domestic violence and abuse action plan (align with the 2016-18 Nottinghamshire Domestic and Sexual Abuse Strategic Framework) | Develop and deliver a domestic violence and abuse action plan (align with the 2016-18 Nottinghamshire Domestic and Sexual Abuse Strategic Framework) | 100% | 09-Nov-2017 | White Ribbon Action Plan approved by Community Safety Committee on 9 November 2017. |
| ✓ | COMS1620_09 | Write and produce a Members guide on domestic violence and abuse | Increased understanding and knowledge, including appropriate signposting and referral pathways to assist Members if approached for help and support by a Member of their constituency | 100% | 30-Apr-2017 | Members guide published October 2017. |
| ✓ | COMS1620_11 | Develop and deliver 2017 Neighbourhood Action Plan for Eastwood South | Develop and deliver a Neighbourhood Action Plan for Eastwood South | 100% | 31-Mar-2018 | Completed. |
| ✓ | COMS1620_12 | Develop Information @work for safe storage of Communities information and data | Develop Information @work for safe storage of Communities information and data | 100% | 30-Apr-2017 | Project completed during 2017/18. |
| ✓ | COMS1620_13 | Review control provisions for control of dogs, drinking in public, etc. | Review control provisions for control of dogs, drinking in public, etc. | 100% | 31-May-2017 | New and revised Public Safety Protection Orders completed by September 2017. |
| ✓ | COMS1620_16 | Develop and deliver 2017 Action Plans for Broxtowe Strategic Partnership | Develop and deliver Action Plans for Broxtowe Strategic Partnership | 100% | 31-Oct-2017 | |
| ▶ | COMS1620_19 | Review Alcohol Licensing Policy | Review Alcohol Licensing Policy | 25% | 31-Mar-2019 | Review process commenced in March 2018 by a countywide group. |

| Icon | Action Code | Action Title | Action Description | Progress Bar | Due Date | Comments |
|---|-------------|---|---|----------------------------|-------------|---|
|  | COMS1620_20 | Explore commercial opportunities for Mediation Service | Explore commercial opportunities for Mediation Service | <div><div>25%</div></div> | 30-Apr-2019 | Income of approximately £2,000 received in 2017/18. Income will not be monitored in future following restructure of service. |
|  | COMS1620_23 | Review Contaminated Land Strategy | Review Contaminated Land Strategy | <div><div>100%</div></div> | 31-Dec-2017 | Approved by Leisure and Environment Committee on 28 March 2018. |
|  | COMS1620_25 | Create a new Corporate Enforcement Protocol | Create a new Corporate Enforcement Protocol covering Environmental health, food safety and health and safety, taxi licensing, licensed premises, private sector housing, car parking and planning enforcement | <div><div>100%</div></div> | 31-May-2017 | Approved by Community Safety Committee on 20 April 2017. |
|  | COMS1720_01 | ECINs case management for ASB cases | Implement the ECINs case management and data sharing system for all anti-social behaviour cases referred to Council departments. | <div><div>100%</div></div> | 30-Sep-2017 | ECINS in use by Community Safety from 8 January 2018. |
|  | COMS1720_02 | Review Taxi Licensing Policy | Review Taxi Licensing Policy | <div><div>100%</div></div> | 30-Sep-2017 | Approved by Licensing and Appeals Committee on 13 June 2017. |
|  | COMS1720_03 | Sex Establishment Policy | Sex Establishment Policy | <div><div>0%</div></div> | 31-Mar-2019 | Policy is being reviewed. Draft amendments expected Autumn 2018. |
|  | COMS1720_04 | Anti-social Behaviour Action Plan | Create and deliver the cross Departmental ASB Action Plan | <div><div>100%</div></div> | 31-Mar-2018 | Progress of this plan will be reported to Committee as appropriate. |
|  | COMS1720_05 | Health Action Plan to incorporate Dementia and Alcohol Action Plans | Embed Dementia Action Plan and Alcohol Action Plan within the Health Action Plan | <div><div>100%</div></div> | 31-Mar-2018 | Progress will be reported on delivery of this action plan as appropriate. |




| Icon | Action Code | Action Title | Action Description | Progress Bar | Due Date | Comments |
|---|-----------------|--|---|--------------------------|-------------|---|
|  | COMS1720_EN V01 | Deliver on relevant aspects of litter/Fly Tipping/Graffiti/Dog Fouling Action Plan | Improvement in Environmental standards across the borough | <div><div>0%</div></div> | 31-Mar-2018 | The tasks agreed within this plan are business as usual and will not be reported. |

Community Safety Key Performance Indicators 2017/18

| Status Icon | PI Code & Short Name | 2016/17 Outturn | 2017/18 Outturn | Current Target | Short Term Trend | Long Term Trend | Notes |
|---|--|-----------------|-----------------|----------------|---|---|---|
|  Page 32 | ComS_048 Food Inspections: High Risk | 88% | 100% | 100% |  |  | One category C carried forward from previous year still overdue due to intermittency of operation.. |
| | ComS_053 Health and Safety: Respond to specific complaints/accident notifications/requests in accordance with timescales | 97% | 94% | 100% |  |  | 4 cases out of 63 not dealt with in target times. |
|  | ComS_012a Anti-social Behaviour cases received by Environmental Health closed in less than 3 months | 71% | 72% | 60% |  |  | 407 cases closed within 3 months of receipt. 564 cases received in 2017/18. |
|  | ComS_013a Anti-social behaviour cases received by Housing closed in less than 3 months | 67% | 80% | 60% |  |  | 122 cases closed within 3 months of receipt. 152 cases received in 2017/18. |
|  | ComS_014a Anti-social Behaviour cases received by Community Services closed in less than 3 months | 54% | 91% | 60% |  |  | 29 cases closed within 3 months of receipt. 32 cases received in 2017/18. |

| Status Icon | PI Code & Short Name | 2016/17 Outturn | 2017/18 Outturn | Current Target | Short Term Trend | Long Term Trend | Notes |
|--|--|-----------------|-----------------|----------------|---|---|--|
|  | ComS_032 Residents Surveyed who feel safe outside in the local area during the day | 98% | 100% | - |  |  | Local survey data no longer collected through Town Centre Survey. Figures shown taken from Nottinghamshire County Council Satisfaction Survey. |
|  | ComS_033 Residents Surveyed who feel safe outside in the local area after dark (%) | 57% | 50% | - |  |  | Local survey data no longer collected through Town Centre Survey. Figures shown taken from Nottinghamshire County Council Satisfaction Survey. Reduction reflects a general overall trend across the county. |
|  | ComS_034 Individuals/Families surveyed who feel safer as a result of sanctuary adaptations to their properties (%) | - | - | - |  |  | Positive feedback received from residents for adaptations. Following review this indicator will record baseline service data from April 2018. Customer satisfaction survey to be updated by scheme partners in 2018. |

Health Key Tasks and Priorities for Improvement 2017/18

| Status Icon | Pentana Code | Action Title | Action Description | Progress Bar | Due Date | Comments |
|--|--------------|--|---|----------------------------|-------------|---|
|  | HE1620_EE02 | Extending smoke-free areas through the Tobacco Control Declaration Action Plan | Annual Review | <div><div>80%</div></div> | 31-Mar-2020 | Presentation on Smoke-Free Areas to Children and Young People's Task Group on 9 May 2018. Report on Tobacco Action Plan to be made to Community Safety Committee on 7 June 2018. |
|  | HE1620_EE03 | Create Child Poverty Action Plan 2016 - 19 | Create Child Poverty Action Plan 2016-19 | <div><div>100%</div></div> | 31-Mar-2017 | The Child Poverty Plan was submitted to Community Safety Committee on 18 January 2018. |
|  | HE1620_EE05 | Reduce Alcohol Related Harm | Carry out actions identified in the Broxtowe Health Action Plan | <div><div>100%</div></div> | 31-Mar-2020 | Actions to reduce alcohol related harm in the Broxtowe Health Action Plan have been completed. Update provided to the Local Strategic Partnership Board on 7 February 2018. |

Report of the Interim Strategic Director

WORK PROGRAMME

1. Purpose of report

To consider items for inclusion in the Work Programme for future meetings.

2. Background

Items which have already been suggested for inclusion in the Work Programme of future meetings are given below. Members are asked to consider any additional items that they may wish to see in the Programme.

3. Work Programme

| | |
|-------------------|--|
| 20 September 2018 | <ul style="list-style-type: none"> • Report from the Police and Crime Commissioner • Food Service Plan |
| 15 November 2018 | <ul style="list-style-type: none"> • Dog Control • Report from the Police and Crime Panel |
| 24 January 2019 | <ul style="list-style-type: none"> • Child Poverty • CCTV Shared Service Annual Report |

Recommendation

The Committee is asked to consider the Work Programme and RESOLVE accordingly.

Background papers

Nil

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