

SURREY POLICE AND CRIME PANEL**JOINT ENFORCEMENT TEAMS****28 November 2018****INTRODUCTION**

This paper provides an update on the county's Joint Enforcement Teams (JETs), providing some background, an overview of the powers available and progress reports on the county's current JETs.

BACKGROUND

In 2013 the then PCC instigated a pilot project based on a model of operation that had been working for some time in the London Borough of Newham (LBN) where Local Authority staff are uniformed, have designated powers and patrol the streets alongside colleagues from the Metropolitan Police. Their remit was to tackle any instances of anti-social behaviour and law breaking that are encountered. As a result of this new way of working, LBN had seen a marked increase in confidence, satisfaction and quality of life for their residents. The overall aim was to bring together a number of enforcement powers and target those that are responsible for ASB whether that be littering, graffiti, fly tipping or other nuisance behaviour. They also had a policy to follow up every non-payment of fine for every intervention issued and are uncompromising in this regard.

The lead agency for this activity was the Local Authority with dedicated and readily accessible support from a team of police officers; they were not the Safer Neighbourhood Team (SNT), but were in addition to the SNT.

Joint and lone patrols were undertaken dependent on the task and there was a dedicated control room which was staffed and in radio contact with enforcement officers on the ground. A live-time mapping system allowed the controllers to see where staff were at any given time and planned tasking areas are overlaid onto this map to ensure that resources are being used in line with priorities in the most effective way.

The intention of the pilot sites within Surrey was to develop and test the LBN approach in Surrey, taking the ethos and best elements from the LBN model and developing a local model that worked for the communities and partners of Surrey.

Two sites were chosen, Reigate and Banstead Borough Council (RBBC), which launched in June 2014 and Spelthorne which launched in December 2014.

To this end, RBBC identified a small internal team who received CSAS training and accreditation in order that they were designated a set of powers to enable them to fulfil their role as Law Enforcement Officers. In Spelthorne they followed an alternative pilot model and created a bespoke new team who also received Community Safety Accreditation Scheme (CSAS) training and accreditation.

Following a successful year of operation and the publication of an independent report on the two JETs it was agreed in 2015 that two JETs would be incorporated into their respective council's five year plans, thus becoming business as usual. At this point the

PCC invited other District and Borough Councils to explore in establishment of a JET and offered to fund each area up to £50,000 as start-up costs.

Upon David Munro's election in 2016 he agreed to continue to support the County's Joint Enforcement Teams. At that time there were two substantial teams in Reigate and Banstead and Spelthorne. Elmbridge also had a smaller JET team with limited powers. We currently have added to those original teams with dedicated enforcement teams in Guildford and Waverley and two further teams in Mole Valley and Epsom and Ewell due to join in 2019 having been awarded funding from the PCC's office. The PCC considers JETs a valuable asset to the County and a team that can tackle some of those chronic and long term issues that affect local communities.

COMMUNITY SAFETY ACCREDITATION SCHEME (CSAS)

A significant part of the Joint Enforcement project was offering Local Authorities the chance to enhance their enforcement powers by adopting some police powers. This was possible by Community Safety Accreditation Scheme or CSAS. CSASs were introduced by the Police Reform Act 2002 and aimed to serve two purposes;

- To contribute to community safety
- To combat crime and disorder, public nuisance and other forms of anti-social behaviour in cooperation with the police

These overarching CSAS aims fit succinctly with the JET brief of providing a visible presence able to tackle ASB and provide reassurance to our communities. CSAS is a voluntary scheme under which the chief constable can choose to accredit employed people already working in roles that contribute to maintaining and improving community safety with limited but targeted powers.

Accredited Persons are not employed by the police. They remain under the full control of their employer. In Surrey the police and the Local Authorities have developed local protocols which strengthen the response. However, the police have no power to direct the deployment of accredited persons.

Under Section 42(2) of the Police Reform Act, accredited persons may only exercise the powers conferred on them in a uniform that has been approved by the force chief officer and wearing a badge as specified by the Secretary of State. The Surrey uniform is similar to those worn by parking attendants and bears the logos below:



The Police Reform Act sets out a number of requirements on force chief officers before they can make an accreditation. They must be satisfied of the following:

1. The employing organisation must have a satisfactory complaints procedure (PRA 2002 40[9]).
2. The employing organisation must be fit and proper person to supervise the work of an accredited person (PRA 2002 41[4a]).
3. The employee is suitable to exercise the powers that are to be conferred upon him (PRA 2002 41[4b]).
4. The employee is capable of effectively carrying out the functions for the purpose of which these powers are being conferred upon him (PRA 2002 41[4c]).
5. The employee has received adequate training for the exercise of these powers (PRA 2002 41[4d]).

In Surrey the current list of powers are available to JET Officers is as follows:

- Power to issue penalty notices for disorder
- Power to issue fixed penalty notices for cycling on a footpath
- Power to issue fixed penalty notices for graffiti and fly-posting
- Power to issue fixed penalty notices for littering
- Power to require giving of name and address
- Power to deal with begging
- Power to require name and address for anti-social behaviour
- Power to require name and address for road traffic offences
- Power to require persons drinking in designated places to surrender alcohol
- Power to require persons aged under 18 to surrender alcohol
- Power to seize tobacco from a person aged under 16
- Power to remove abandoned vehicles
- Power to stop vehicles for testing
- Power to stop cycles
- Power to control traffic for purposes other than escorting a load of exceptional dimensions
- Power to direct traffic for the purposes of escorting abnormal loads to stop.
- Power to photograph persons away from a police station
- Power to issue PND for breach of fireworks curfew.
- Power to issue PND for possession of category 4 firework.
- Power to issue PND for possession by a person under 18 of an adult firework.
- Power to issue PND for throwing fireworks.
- Power to issue PND for selling or attempting to sell alcohol to a person who is drunk.
- Power to issue PND for supply of alcohol by or on behalf of a club to a person aged under 18.
- Power to issue PND for sale of alcohol anywhere to person under 18.
- Power to issue PND to person who buys or attempts to buy alcohol on behalf of a person under 18.
- Power to issue PND to person for delivery of alcohol to person under 18 or who allows such delivery.
- Power to issue PND for allowing consumption of alcohol by a person under 18 on relevant premises.
- Power to issue PND for buying or attempting to buy alcohol by person under 18.
- Power to issue PND for using public electronic communications network to cause annoyance, inconvenience or needless anxiety to another.
- Power to issue PND for behaviour likely to cause harassment, alarm or distress

PARKING POWERS

Over recent months it has been asked, given the JETs' success and visible presence, whether they can be accredited any other community safety powers, particularly parking enforcement. This is a complex situation as parking powers are vested within both the police and local authorities.

The PCC requested that Surrey Police seek legal confirmation on the options relating to parking enforcement that rest with the police. With regards to parking, the Police Service has two highways powers which might have been appropriate;

- Wilful Obstruction of the Highway
- Section 137 Highways Act 1980
 - Fine Level 3
 - Fixed Penalty Summary Offence.

- Unnecessary Obstruction
- Section 42 Road Traffic Act 1988
 - Fine Level 3
 - Fixed Penalty Summary Offence.

The following is an overview of legal advice the Force received;

It has been confirmed by the Force solicitor that the obstruction powers under Regulation 103 of the Road Vehicles (Construction and Use) Regulations 1986 Unnecessary Obstruction and Section 137 of the Highways Act 1980 Wilfully Obstruct the Highway **cannot** be designated by the Chief Constable to JET officers. JET officers can only be designated CSAS powers.

Under CSAS JET officers have the designated power to remove abandoned vehicles under section 99 of the Road Traffic Regulation Act 1984.

Removing a vehicle that has broken down or been left on a road in such a condition or in such a position that it causes an obstruction to other road users or is likely to cause a danger to other road users.

The power allows for removal of the vehicle, however case law states that the power of removal can only be used for urgent or semi urgent obstructions i.e. to clear the road as a matter of urgency rather than because an offence of unreasonable obstruction has been committed.

Local Authorities have their own powers relating to parking through Traffic Regulation Orders which are made under the Traffic Regulation Act 1984. A Traffic Regulation Order (TRO) is a legal order, which allows the highway authority (Surrey County Council) to regulate the speed, movement and parking of vehicles. The act governing Traffic Orders is the Road Traffic Regulation Act 1984 and is enforceable by law.

In Surrey, on street parking restrictions are enforced by the District and Borough Councils as delegated by Surrey County Council. Civil enforcement officers can be appointed by the local authority for the enforcement of road traffic contraventions. They can enforce contraventions in a civil enforcement area but also other traffic contraventions including parking contraventions which are set out in Schedule 7.

This schedule is very detailed and will require further review and discussion between Surrey County Council and District and Borough Councils. It may be possible for JET

officers as council employees acting under CSAS to be appointed as civil enforcements officers by the district councils.

If the council employees are designated traffic officers pursuant to Section 9 of the Traffic Management Act 2004 they will have the same powers of removal as under the CSAS scheme – i.e. abandoned vehicles or those causing an obstruction or danger.

Council employees have additional civil powers of enforcement of parking contraventions under the Traffic Management Act 2004. JET officers could be accredited these because they are Council employees or existing Council Civil Enforcement officers will be able to use these powers. There may also be powers available under local byelaws.

In conclusion, is not possible to provide Council JET employees with highway powers under CSAS or any other piece of police legislation. However, there may be some way through the Traffic Management Act, but this would require a conversation between the District and Boroughs and Surrey County Council. The PCC is still pursuing the issue of parking powers and looking into what can be done.

BENEFITS AND RISKS

There are many benefits of deploying a JET. The most common are:

- a) Greater information sharing and an increased amount of Community Intelligence owing to the level of vetting for JETs and closer working practices.
- b) A reduction in Anti-Social and nuisance behaviour within the borough/district area due to the use of this intelligence within problem solving and the more proactive role taken by the JET in support of the Safer Neighbourhood Team.
- c) Problems will be dealt with more quickly and effectively leading to increased levels of public satisfaction.
- d) An increased uniformed presence should lead to an increase in the level of public reassurance and confidence. There is also a strong likelihood that crime will reduce in key areas owing to the presence of uniformed capable guardians taking enforcement action.
- e) The presence of the JET provides the community safety partnership with a local resource to work with and draw upon to tackle neighbourhood concerns.

At the outset the risks of establishing JETs was assessed and it was agreed that while entering into a partnership with another organisation has the potential for risk, the legislation and national standard of training, vetting and practice that is behind the Community Safety Accreditation Scheme, means there is limited risk to the reputation of the force and partners if these standards are adhered to. The District and Boroughs are established as partner agencies within the community safety arena and as such have worked closely as a primary partner with Surrey Police for many years. Over the pilot period and the subsequent two years there have been no instances for concern.

JOINT ENFORCEMENT TEAM OVERVIEWS

Reigate & Banstead

The team is CSAS accredited following a refresher of their vetting, training and have completed their CSAS assessment. As part of this re-accreditation process the current role of the JET was reviewed. The team of 5 are proficient in dealing with abandoned vehicles, fly tipping and unauthorised encampments however very few Fixed Penalty

Notices (FPNs) were being issued.

In order to refocus the activities of the JET, their tasks have been aligned with the current borough priorities. Reigate and Banstead Borough Council is part of the East Surrey Community Safety Partnership. The current priorities for the East Surrey area are Anti-Social Behaviour (ASB), Child Sexual Exploitation (CSE) and Prevent. JET have a clear role to play in dealing with ASB issues however they are also in a good position to help with intelligence gathering and disruption of Serious Organised Crime, CSE and Prevent.

Further focus was also required towards more enforcement action and to improve communication between SNT and JET. As a result the following actions have been implemented:

- a) Weekly e-mail between SNT and JET supervisors including the teams' duties so all are aware of who is working.
- b) Unescorted access to Reigate Police Station has been arranged.
- c) A monthly Joint Action Group (JAG) where JET are tasked with specific actions and the results fed back at the next meeting. Performance figures for JET are reviewed with areas like the number of FPNs issued, the number of fly tipping and unauthorised encampments that have been dealt with being measured.
- d) Once a month two weeks after JAG there is a JET tasking meeting which is attended by JET and SNT as well as other council departments such as parking, environmental health, planning and green spaces. The taskings from the JAG are discussed as well as any other issues or taskings that are not at a level to be discussed at JAG.
- e) Joint briefings between SNT and JET are arranged as required.
- f) A joint agreement that the JET will focus 75% of their time on enforcement and 25% on street scene.
- g) An agreement that the JET will be given targeted patrol plans and within these there is an expectation to engage with all communities and gather intelligence for CSE and SOC.
- h) A centralised tasking system is being created in order to track and monitor performance.
- i) The JET role now targets low level ASB to prevent escalation, assist tackling chronic ASB cases as well as dealing with Unauthorised Encampments, fly tipping and abandoned vehicles.
- j) Taskings for JET will be raised through Tactical Tasking Coordination Group (TTCG) and tasked out via SafetyNet, a system for sharing information with partner agencies. TTCG is a fortnightly police lead meeting that prioritises pre-planned policing activities.
- k) Joint patrols where there is an identified need.

Following the review it is planned that the lessons learned will be shared with other JETs and a similar process/protocol adopted.

Spelthorne:

In its current form, the JET is a team of 5 staff and a supervisor with all members of the team having current vetting and CSAS accreditation. Due to no longer being co-located with the police, joint briefings with the SNT do not take place on a regular basis, but the relationship between the SNT and JET team remains positive with the teams working on shared priorities.

The JET priorities are set on a two-weekly basis in a formal JET Tasking and Co-Ordination Group with additional ad-hoc briefing and tasking from the SNT Sergeants as issues arise within the borough requiring action before the next JET TCG. Additionally, the teams work together on a number of Partnership Action Days and in recent weeks

have assisted with Operation Sceptre on knife sweeps at key locations in the borough and have completed joint patrols as part of Hate Crime week and have worked together on the Junior Citizen programme.

The JET team have also been the primary resource deployed by Spelthorne Borough Council in response to Unauthorised Encampments during 2018, acting as agents of the landowner in conducting welfare assessments and issuing S.77 CJPOA 1994 notices to occupants. On the whole there has been effective joint working with the Spelthorne SNT and APT during encampments, with future focus required on ensuring expectations of each other's role in the response is consistent.

Elmbridge

Following the successful pilot programmes, Elmbridge Borough Council set up a JET team in 2015 primarily focused on licensing and environmental offences such as littering, fly tipping and noise. The team was based on existing council staff and the leadership decided not to pursue CSAS accreditation, designated powers or vetting required.

The JET resources are tasked through a 6 weekly JAG process with ad-hoc tasking taking place outside of JAG through the SNT supervisors. The relationship between the team is good, however joint briefings do not regularly take place and the JET is primarily a council enforcement function that is provided as part of the core functions, differing from the Spelthorne model which has a clear focus on ASB and low level criminality as well as environmental offences. The new local police inspector is looking at how to improve tasking and increase JET activity.

Waverley

The Waverley JET was set up in 2016 after the borough felt that a more effective and sustainable approach to improve coordination and partnership working on enforcement would transform the culture of the organisation in relation to enforcement and to encourage these individual groups to evolve into a more cohesive and effective enforcement group and improve their working with Surrey Police teams and other enforcement agencies. It was recognised that this ambitious approach would be challenging and would of necessity be evolutionary rather than revolutionary.

A comprehensive Learning and Development Programme was implemented and an Enforcement Group established to promote consistency of interpretation and approach to enforcement across council services and more effective partnership working with Surrey Police. Training was also delivered on the use of Fixed Penalty Notices and Community Protection Notices, witness statements and preparing case files for court. Staff were also trained in how to cope with anti-social behaviour and problem solving.

Since the bid for funding was approved in December 2016, considerable advances have been made in embedding a partnership working and enforcement culture across a wide range of council services and links with the Police have strengthened with more effective working on joint initiatives and coordinated activity around unauthorised encampments, Serious Organised Crime, Modern Slavery, Immigration, Dog Controls and Anti-Social Behaviour.

Waverley has incorporated the JET into a wider Joint Enforcement Initiative (JEI). In proposing the tasking process for Waverley those authorities already operating a JET project were consulted (Elmbridge, Spelthorne & Reigate and Banstead). As a result the following was agreed:

- a) An A-Z directory of key environmental enforcement and Anti-social behaviour issues and the service departments that deal with them was developed and shared

- with all services and agencies. This included contact details of lead officers in each of those service areas and their email addresses and contact details.
- b) The JAG will continue to meet every 6 weeks. Joint enforcement action is a standing item on the agenda, with membership of the JAG extended to include Planning Enforcement, Emergency Planning, Communications, and Licensing to enable enforcement issues to be discussed.
 - c) The data collected from enforcement actions will also be reported to the WBC Management Board on an agreed timescale. Officers will be also asked to highlight in the report any successful interventions or campaigns so that publicity opportunities can be maximised.
 - d) There is a web page for members of the public to report environmental crime and anti-social behaviour issues www.waverley.gov.uk/report-it . This web page will be publicised for public complaints and displayed on the JEI and other Borough Council vehicles. The web page automatically redirects the report to the appropriate department.
 - e) For the core JEI team Community Safety Accreditation Training was delivered to ensure officers could deal effectively and have the relevant powers to deal with nuisance and anti-social behaviour. This training was also extended to other colleagues including our Countryside Rangers. In total 15 enforcement staff, in the Environmental Enforcement and Ranger Services, have attained CSAS accreditation.

Guildford

Guildford JET was formed in 2017 and employs 3 officers however they are currently not vetted to allow access to Guildford police station or access to police systems. The Borough Commander has met with the JET managers and the OPCC to apply to the Chief Constable for CSAS powers and accreditation.

The Guildford JET are tasked through JAG in order to screen and prioritise requests. An email address has also been created to allow contact and regarding issues or requests. Regular briefings are not held however good relationships have been developed and direct contact can be made with the JET and vice versa with Police. The JAG meetings have a regular updates from the JET manager feeding back activities.

It is anticipated that the CSAS powers will be granted in the New Year and that this will co-ordinate with the implementation of the new Public Space Protection Order in Guildford town centre. A meeting is scheduled to discuss information sharing between police and the JET for the first week in November.

Epsom & Ewell

As part of the wider adoption of the JET initiative Epsom and Ewell have now formally adopted Enforcement and Community Safety as one of its top 5 priorities for the council. To further develop co-working the Epsom & Ewell Borough Commander sits on the newly formed Enforcement and Community Safety board chaired by the Chief Operating Officer.

A JET team is being developed in Epsom and Ewell with an aim of being operational by April 2019. The Borough Commander is working with the chief operating officer on the selection of the team, agreeing the process of briefing and taskings, considering the lessons learnt from Reigate & Banstead. This meeting has representation from but not limited to Environmental Health, Street Enforcement, Licensing, Parking, Planning and Countryside Rangers. The joint agreement, formally approved by their Strategy and Resources Committee, is that the Borough Council will adjust its working strategy to put a much greater emphasis on 'enforcement.'

The team's direction will include working more collaboratively with police and partners on joint operations and in the sharing of intelligence, but also by working better independently through greater visibility and in the utilisation of the range of powers available. The Borough Council is currently advertising a brand new post of Community Safety and Enforcement Officer to help further progress this approach and it is hoped that the post will be filled early in the next year. The Council has also just concluded an internal restructure which will bring together the street based enforcement activities together under a single Head of Service.

It has been agreed that the JET will be tasked and coordinated through the JAG and CSAS accreditation is something the Borough Council are considering but nothing is confirmed as yet.

Mole Valley

Mole Valley District Council (MVDC) are in the very early stages of reviewing their current capacity and capability. MVDC has assigned an officer from the community safety team to oversee this process.

A JET team has been agreed for Mole Valley, with an aim of being operational by April 2019. MVDC has successfully secured funding over two financial years to support the Mole Valley JET. MVDC are currently in the process of applying internally for further funding to support the team. They plan to use 2-4 new enforcement officers in addition to their current strength of officers currently in Licencing, Parking Environmental health and other enforcement roles.

MVDC has seen an increase in direct reporting of anti-social behaviour and have identified a need to be able to enforce their PSPOs and see the JET as the solution to this as initial review considered the use of existing enforcement would compromise existing functions such as parking.

The Borough Commander and MVDC are meeting in November to review and discuss the process with a view to implement the new team in the new financial year. This meeting will include an offer of police involvement in the selection process for candidates and the use of the JAG in relation to tasking.

NEXT STEPS

As the established teams mature and the newer teams are established it is considered to be essential to ensure there is a consistent approach to tasking and method to track performance. It is therefore proposed that Surrey Police with the OPCC reach out to all JETs to establish a countywide JET Advisory Group and a standard performance tracking product.

The PCC will continue to take forward the issue of parking powers and finding appropriate local solutions.

RECOMMENDATION

That the Police and Crime Panel note the update on Joint Enforcement Teams.

LEAD/ CONTACT OFFICER: Sarah Haywood

OFFICIAL

TELEPHONE NUMBER:
E-MAIL:

01483 630200
SurreyPCC@surrey.pnn.police.uk