

Compliance and Enforcement Board

Notes of a Virtual Meeting of the Compliance and Enforcement Board held on Microsoft Teams on the **25th April 2023**.

Present:

Cllr. Feacey (Chairman);

Cllrs. Buchanan, Forest, Shorter.

Apologies:

Cllrs. Bartlett, Bell, Spain.

Solicitor to the Council and Monitoring Officer.

Also in attendance:

Cllr. Ledger.

Community Safety and Resilience Team Leader, Team Leader Planning Enforcement, Senior Planning Lawyer, Member Services and Ombudsman Complaints Officer, Member Services Officer.

1. Notes of the Meeting of 25th October 2022

- 1.1 Regarding e-scooters, a Member asked for it to be noted that although e-scooters continued to be popular, their use in public areas was not legal or acceptable. The Board agreed that there should be zero tolerance to the use of e-scooters.
- 1.2 The Member also noted that there had been an indication at the previous meeting that additional ward officers would be provided by the Police. There was no further information at this stage, and he asked that the Board continued to monitor this issue. The Community Safety and Resilience Team Leader agreed to follow up on this point with the Police.

2. Environmental Crime Enforcement in Ashford

- 2.1 The Community Safety and Resilience Team Leader introduced this item. She explained that the Environmental Enforcement team had now moved into the Community Safety and Resilience unit. Two Fixed Term Contracts were due to end in June and August and a paper had been put to directors requesting an extension of the contracts. Directors had turned down the request to renew the Team Leader post within the team but the Officer had been approved with an extension until April 2024. The Community Safety and Resilience Team Leader wished to thank the officer for their hard work and achievements in post, and she said it would be sad to see the officer leave the Council. The Team Leader Environmental Enforcement had agreed to appear as a key witness in any forthcoming court proceedings relating to enforcement

cases. There would be a review of the Crime Enforcement function, to include fly-tipping, dog fouling and littering as part of the wider Enforcement review for the council. In the meantime it would be necessary to prioritise cases and manage with the officer in place.

2.2 The Chairman opened up the item for discussion and the following points were made:

- Members expressed concern over a decision that appeared to have been taken without the involvement of Members, and questioned the degree to which the Portfolio Holder had been consulted and involved. They were unhappy with the decision not to extend the Fixed Term Contract and considered that at the very least this decision should have been put before Cabinet. Members considered that there was a reputational risk to the Council as a result of losing key posts. There would also be knock on costs in other areas as a result of reducing the fly-tipping service, so the anticipated saving would not necessarily be forthcoming. The Board voted unanimously to reject the directors' decision not to extend the contracts and requested that this decision be put before Cabinet or CBM at the very least. Members wished for an explanation on what arrangements would be put in place to meet the demands of the service.
- A Member pointed out that this was a cost-saving decision. It had previously been agreed that any new additional cost savings, not included in the Budget consideration, would be agreed by the new administration. This cost-saving decision had not been considered by Cabinet or Council as part of the Budget decision-making.
- The Community Safety and Resilience Team Leader went on to introduce the report and drew Members' attention to the key points. The Chairman said that the report highlighted the importance of the work of the team as part of wider Council services.

Recommendations/Actions:

- (i) That the decision whether to renew the Fixed Term Contracts be referred to CBM so Members can consider what alternatives will be offered to maintain the public trust in the enforcement service.**
- (ii) That the report be received and noted.**

3. Anti-Social Behaviour in Ashford - Update

3.1 The Community Safety and Resilience Team Leader introduced this item and highlighted the key points within the report.

3.2 The Chairman opened up the item for discussion and the following points were made:

- A Member cited recent anti-social behaviour problems in a certain area in the Borough, which had upset residents considerably. He wished to record his thanks to the multi-agency team, including Aspire, for their efforts to resolve the situation effectively.
- A Member noted that data on e-scooters was absent from the report. The Community Safety and Resilience Team Leader replied that e-scooters would normally be reported under nuisance vehicles but as reports were usually made to the Police rather than the Council, the statistics were held by the Police. She would discuss this issue further with the Police to see if more detailed information could be provided in future.
- A Member commented that there was a 48% decrease in anti-social behavior, according to the report. However, this seemed to be contrary to Police comments, and he questioned whether the data mechanism was working correctly.
- A Member mentioned the Town Centre reset, and requested that as part of the work on this project the role of the guard at the barrier in Bank Street should be retained as it provided an important service to the community.
- It was noted that residents were still reluctant to report issues as they did not trust that action would follow. A Member suggested that it would be useful to repeat an exercise to encourage the public to report all incidents. It was important to explain to the public that although action might not be taken on individual reports, all reports would help to build a picture so that effective action could be taken in due course.
- The Community Safety and Resilience Team Leader confirmed that all reporting platforms were working, but she emphasized that it was important for residents to report incidents directly to the Council, rather than via Members. She said that reports via Members only provided hearsay evidence and that more concrete details were necessary. She agreed that public expectations needed to be managed, so that people understood when they reported that they were contributing to a bigger picture and that action may not be immediately forthcoming on their individual report.
- The Community Safety and Resilience Team Leader advised that there was currently a review of the Anti-Social Behaviour policy and new proposals would be submitted to Cabinet in June, with internal procedure documents to follow.

Recommendations/Actions:

That the update report be received and noted.

4. Planning Enforcement Update

- 4.1 The Team Leader Planning Enforcement introduced this item and drew Members' attention to the key points.
- 4.2 The Chairman opened up the item for discussion and the following points were made:
- A Member commented that the figure for live enforcement investigations was still elevated, although it had dropped from the last reporting period. He noted that the team was still not fully resourced, which he considered was significant as there was a reputational impact on the Council. He questioned whether the Portfolio Holder was engaged and pursuing the filling of vacant posts. The Team Leader Planning Enforcement replied that the Portfolio Holder had been invited to have discussions with the Assistant Director Planning, and she would follow up on the outcome of the discussions. The Member stressed that all decisions must include the Portfolio Holder and that there needed to be clear communication between him and the Assistant Director. The Team Leader Planning Enforcement said that she would feed this back to the Assistant Director.

Recommendations/Actions:

That the update report be received and noted.

5. Date of Next Meetings

- 5.1 25th July 2023 at 10am
24th October 2023 at 10am

Councillor Feacey (Vice-Chairman in the Chair)
Compliance and Enforcement Board

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