

MAYOR AND CABINET			
Report Title	Community Services Response to Safer Stronger Communities Select Committee In-depth review; Community Wardens Service		
Key Decision	No		Item No.6
Ward	Borough-wide		
Contributors	Executive Director for Community Services. Head of Crime Reduction and Supporting People.		
Class	Open	Date: 29 October 2008	

1. Purpose of the Report

- 1.1 This report outlines the responses by Community Services in relation to the review of Lewisham Wardens Service carried out in 2007/08 by the Safer Stronger Select Committee.

2. Executive Summary

- 2.1 The report outlines a number of recommendations and responses to these.

3. Recommendations

- To agree the actions proposed in line with the recommendations made and that this response be submitted to the Safer & Stronger Communities Select Committee
- To agree an updated report to be tabled for the Safer Stronger Select Committee early in 2009, following the service review.

4. Background

- 4.1 The final report completed in July 2008 commented on a number of improvements in the Service and noted “ the committee was reassured that the recent restructure gives the Wardens Service an excellent opportunity to prove itself and its worth”. It also outlined a number of recommendations which will be detailed below.

Recommendations and Responses:

	<u>Recommendation</u>	<u>Response</u>
1	We noted that in addition to carrying out their day-to-day duties, Wardens are also involved in a wide range of community projects. This is commendable and we recommend that Wardens' community engagement activities should be extended by ensuring that Wardens work closely with the new Local Assembly structures.	Wardens will attend all Local Assemblies and will ensure that they are linked into this work.
2	Our Committee should monitor future developments with regard to the Wardens Service.	An update report will be tabled for the Select Committee early in 2009, following the Service review
3	We therefore recommend that particular attention is paid to this issue of making the best use of the Mobile Wardens team, in both policy and operational terms.	The mobile team are being used to tackle issues both as a reactive service but also by ensuring that they are present in these areas for a minimum period of 3 months to ensure that there are longer term resolutions of issues. This will be reviewed by the Service manager periodically.
4	We would like reassurances that staff have now been permanently recruited to all the agency-filled Warden posts	Recruitment was completed over the summer. All posts have been filled. We are still awaiting some HR clearances for some successful applicants, but it is envisaged all vacant posts will be filled within the next few weeks.

5	<p>We welcome the fact that there is a wide range of courses that Wardens undertake, all of which are externally delivered and certificated, and that the management team will be looking to identify a range of other relevant training in order to develop a course that provides an accredited qualification.</p>	<p>This is being progressed.</p>
6	<p>We recommend that Wardens should be trained in issuing fixed penalty notices in relation to dog fouling, litter and fly tipping, and propose that this should be taken into consideration in the development of the 3 year strategy for the Wardens Service, currently under development.</p>	<p>The bike team will be trained initially in relation to issuing Fixed Penalty Notices. Upon review of this, it may be rolled out to include all wardens if deemed appropriate</p>
7	<p>We therefore recommend that the Mayor should conduct further research into the popularity of the Wardens Service, across the borough, comparing those areas that do and do not have a dedicated Wardens Service, and test the popularity of the Wardens Service against other options such as more police, PCSOs, youth workers and other services that might impact on the problems that the Wardens Service is intended to address..</p>	<p>A piece of research of the Service will be undertaken in December 2008 and this will include consideration of the recommendations outlined here</p>
8	<p>We further recommended that the Mayor consider future options for the service, whether this be expanding the service across the borough; adopting some of the future options for the service set out for us by the Head of Crime Reduction, such as linking into</p>	<p>The Wardens use the Love Lewisham scheme as part of normal activity and this is measured through their services Key Performance indicators. The Wardens are jointly tasked in relation to activities/ visible presence by the partnership Joint Action Group,</p>

	<p>the 'Love Lewisham' environmental scheme and becoming an integral part of the community mediation provision; providing the service in a more clearly articulated partnership with others such as the Metropolitan Police; or even deciding that much of what the Wardens do can be absorbed within existing services.</p>	<p>which includes Police, crime reduction services, environmental services, youth service and other relevant bodies as required. This activity will also form part of the annual review due in December 2008</p>
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5. Financial Implications

- 5.1 Funding for the service review (recommendations 7 and 8) and for the training for Fixed Penalty Notices (recommendation 6) will be identified from within the current Wardens Service Budget. The income from the Fixed Penalty Notices should offset the training costs in the long term. There are no other specific financial implications for the local authority contained within this report unless expansion of the service is considered.

6. Legal and Human Rights Implications

- 6.1 The Local Government Act 1999 places a duty on the local authorities to secure continuous improvement in the way its functions are exercised having regard to the combination of economy, efficiency and effectiveness.
- 6.2 Section 2 of the Local Government Act 2000 empowers the local authority to do anything which it considers likely to achieve the promotion or improvement of the economic, social or environmental well-being of all or any persons within the local authority's area.
- 6.3 The Council is under a number of statutory obligations to reduce crime and anti-social behaviour. The Crime and Disorder Act 1998 requires the Council to formulate and implement a strategy for the reduction of crime and disorder; the Anti Social Behaviour 2003 requires the Council as a local housing authority to have policies and procedures for dealing with anti-social behaviour. The Race Relations (Amendment) Act 2000 places the Council under a duty to have, when carrying out its functions, due regard to the need to eliminate unlawful discrimination and promote good relations between persons of different racial groups.
- 6.4 These statutory duties amongst others feed into the Council's Community Safety Strategy.
- 6.5 The Human Rights Act 1998, which came into force on 2nd October, 2000, incorporates the European Convention on Human Rights into UK law. The Council, as a public authority, is under a duty, by virtue of section 6 of the 1998 Act, to act compatibly with Convention rights in the exercise of their functions.
- 6.6 The rights that are of particular significance here are those contained in Article 6, the right to a fair trial, Article 7, no punishment without law, Article 8, right to respect for private and family life and Article 1 of The First Protocol, namely the protection of property.
- 6.7 Article 7 is an "Absolute Right" and thus cannot be balanced with any general public interest. Article 6 provides certain limited rights

including the right to have any allegations against a defendant explained to that defendant, the right for a defendant to make representations to defend any such allegations and to have any relevant tribunal hearing held within a reasonable period of time. Article 8 is a qualified right and thereby enables the general public interest to be taken into account.

- 6.8 Article 1 of the First Protocol, namely the protection of property is another qualified right. In determining the level of permissible interference in the enjoyment of possessions, the Courts have held that any interference must achieve a fair balance between the general interests of the community and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to any affected persons is relevant in assessing whether a fair balance has been struck. The Protocol protects the rights of businesses other organisations as well as those of individuals.

7. Equalities Implications

- 7.1 Community Wardens along with partnership working enhances the general safety of all vulnerable members of the community and helps to reduce crime and the fear of crime.
- 7.2 Developing safe and secure communities is central to the work of the Council as a whole and in particular to the Community Services directorate. Reducing and preventing crime, reducing fear of crime and supporting vulnerable communities is critical to the well-being of all our citizens, but especially so for the most vulnerable members of our community.

8. Crime and Disorder Implications

- 8.1 The Community Wardens are a key resource which makes a significant contribution to the Safer Lewisham Partnership. Through the successful restructure of the Community Wardens it is intended that local communities will have renewed confidence in their neighbourhood and in the services working to promote community safety.
- 8.2 This objective will be achieved by enabling residents and service providers to work together to develop a more coherent and relevant response to the needs of the community and ensure that key agencies co-ordinate their programmes to maximise their effect.

9. Environmental Implications

9.1 There are significant benefits to be gained by working with the community and partners on awareness raising and prevention as well as targeting environmental crime.

10. Conclusion

10.1 It is requested that Mayor and Cabinet agree to the proposed actions in relation to the recommendations, and that an update report is taken to the Safer Stronger Select Committee early in 2009, following the review.

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