

MIDDLESBROUGH COUNCIL

Report of:	Director of Environment & Community Services
Relevant Executive Member:	Executive Member for Neighbourhood Safety
Submitted to:	Single Member Executive
Date:	28 August 2024
Title:	Proposals to withdraw Neighbourhood Warden Police Accreditation Powers
Report for:	Decision
Status:	Public
Council Plan priority:	Safe and resilient communities
Key decision:	No
Why:	Decision does not reach the threshold to be a key decision
Subject to call in?:	Yes
Why:	Non-urgent report

Proposed decision(s)

That the Executive Member approves the withdrawal of Neighbourhood Warden Police Accreditation Powers

Executive summary

This report is to consider the removal of the Community Safety Accreditation Scheme that was designated to Neighbourhood Safety Wardens by Cleveland Police in 2019 and approved at full council on 8th October 2019 as part of the wider IGF proposals.

1. Purpose

A decision needs to be made on whether to remove the powers as the current process is having a detrimental impact upon the recruitment process and community safety budget.

2. Recommendations

That the Executive Member for Community Safety

Approves the withdrawal of Neighbourhood Warden Police Accreditation Powers.

3. Rationale for the recommended decision(s)

In order to comply with Cleveland Police, having accreditation powers, requires our Neighbourhood Wardens to be vetted at a higher level (NPPV2). In the last 12 months, Cleveland Police have advised Middlesbrough Council that they no longer have the capacity to do this. We are therefore having to apply to another police force in Warwickshire to complete these requests as part of the recruitment process.

We are experiencing significant delays, often waiting months for a response, which is having a detrimental impact on our ability to backfill vacant posts. Some candidates are failing the vetting process, despite passing their enhanced DBS, which is still an essential criteria as part of the recruitment process. Three recent applications that passed the enhanced DBS stage have all been failed/not cleared for NPPV L2 vetting, as a result of a relative whom the applicant had little or no association with.

Each police vetting application also costs the Local Authority £180 per request. Removing the delegated powers would help us to achieve savings within the community safety budget.

In addition, it will allow management to backfill current vacancies a lot more quickly, which in turn will allow wardens to be deployed across other areas of the town without any significant loss of warden powers.

4. Background and relevant information

The Police Reform Act 2002 enables the Chief Officer of any police force to establish and maintain a scheme to be known as a Community Safety Accreditation Scheme. This created an opportunity for organisations with responsibility for tackling community safety to apply for accreditation.

On 8th October 2019 Executive approved proposals to develop a new community enforcement service as part of a wider approach to tackle town centre enforcement. This was funded as part of the Council's Indigenous Growth Fund via the Tees Valley Combined Authority which will end in March 2024.

A range of measures to increase the Council's enforcement activities were approved, including the introduction of a Public Space Protection Order in TS1 and an enhanced approach to enforcement within the town centre, both of which will continue.

Delegated additional powers by the Chief Constable of Cleveland Police were also agreed, allowing Neighbourhood Wardens to carry out the following;

- Issue Fixed Penalty Notices for dog fouling
- Issue Fixed Penalty Notices for littering
- Power to issue Fixed Penalty Notices in respect of offences under dog control orders
- Issue Fixed Penalty Notices for graffiti and fly-posting
- Require giving of name and address
- Require name and address for antisocial behaviour
- Require persons drinking in designated places to surrender alcohol
- Require persons aged under 18 to surrender alcohol
- Seize tobacco from a person aged under 16

The Local Authority already have a wide range of legislative tools and powers via ASB and Environmental legislation. Since the introduction of the amalgamated enforcement team, use of these powers have increased such as; fixed penalty notices, community protection notices and the PSPO. All of these powers can be utilised without Police Accreditation (see table attached).

5. Other potential alternative(s) and why these have not been recommended

There are no other potential alternatives.

6. Impact(s) of the recommended decision(s)

The Local Authority already have a wide range of legislative tools and powers which will remain unchanged.

7. Financial (including procurement and Social Value)

The cost of each application is £180. On average, the Council has submitted 30 applications per annum. These costs are currently funded by grant from Tees Valley Combined Authority and the Police and Crime Commissioner. This resource can now be used to cover other eligible expenditure.

8. Legal

There are no direct legal implications as a result of this report and there are a wide range of enforcement powers under anti-social behaviour and environmental legislation.

9. Risk

There are no risks associated with these recommendations as Neighbourhood Wardens can still utilise alternative legislation to tackle anti-social behaviour.

10. Human Rights, Public Sector Equality Duty and Community Cohesion

Not applicable

11. Climate Change / Environmental

Not applicable

12. Children and Young People Cared for by the Authority and Care Leavers

Not applicable

13. Data Protection

The proposal does not involve the collation and use of personal data.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Discussion with Cleveland Police	Marion Walker	30.09.2024

Appendices

1	Table demonstrating current tools & powers
2	
3	

Background papers

Body	Report title	Date
Executive report	Community Enforcement: A New Approach Supporting town centre investment and strengthening town wide enforcement.	8/10/19

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