



**Safer and Stronger Communities  
Overview and Scrutiny  
Committee**

**Overview and Scrutiny Review of  
Neighbourhood Wardens**

**2014**

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## Foreword

From tackling fly tipping to addressing anti-social behaviour and undertaking litter campaigns to enforcement action with dog fouling, these are just a few of the services provided by Council's neighbourhood wardens to communities within County Durham.



The Council's neighbourhood wardens provide a service to improve the quality of life for residents and reduce the fear of crime. In undertaking their duties, wardens work closely with a number of partner agencies and within this context members of my committee have undertaken this review to look at the impact of partnership activity and raise the profile of the service.

The review has gathered a wide range of evidence and Members have undertaken field study observations of partnership operations provided by the Council and partner agencies to see first hand what we and our partners are doing. The report concludes with a number of recommendations for consideration by the Council's Cabinet.

I would like to take this opportunity to thank members of the committee and representatives from Durham County Council and partner organisations for their valuable time in giving evidence and supporting the work of the review.

**Councillor Dr David Boyes**  
**Chairman**  
**Safer and Stronger Communities Overview and Scrutiny Committee**

# Executive Summary

- 1 Neighbourhood wardens are an accredited community safety service provided by Durham County Council to cover all communities within the County and aim to improve the quality of life for residents by reducing the level of anti-social behaviour and the fear of crime. The service was inherited from four of the seven former district councils in 2009 as part of Local Government Reorganisation, it was expanded countywide in 2009 and undertook further harmonisation in 2012 to include responsibility for stray dogs and introduce a seven day week shift pattern and in 2013 took on responsibility for stray and tethered horses.
- 2 Legislation allows for a variety of different neighbourhood warden service models to be adopted. A number of national evaluations and research into councils both within and outside the region highlight there is no best practice or ideal model. Each local authority has developed its own approach to suit its local circumstances.
- 3 The review identified that the approach in Durham is delivered through education, engagement and enforcement. Education initiatives include working with sessions with school children, producing displays to provide information on littering and responsible dog ownership. Engagement initiatives have included assisting communities with Community Payback Schemes, volunteer clean ups and organised litter picks. Enforcement is a tool that Wardens can use with regard to environmental issues and to confiscate alcohol, cigarettes and tobacco products from persons under 18yrs, request the name and address of a person acting in an anti-social manner, require the removal of vehicles causing a danger or obstruction. Other councils have adopted differing approaches that focus on either education and engagement or enforcement.
- 4 The report focuses on their role in addressing community concerns of dog fouling, litter and waste and fly tipping and performance information highlights an increase of demand for service provision and a significant increase in the use of action taken through enforcement or issue of warning notices. A key theme within the report is the warden's contribution together with partners to improve confidence and raise the profile of their work and awareness of their role through exploring the development of locality confidence plans, feedback with residents and increased use of social media.
- 5 Wardens have a wide range of tools and powers that focus on environmental issues and share a number of powers with Police

Community Safety Officers which are complementary, provide greater coverage and equally important to their own distinct areas of responsibility. Performance data shows an increase in the level of enforcement activity undertaken by neighbourhood wardens during the current year with the volume of some types of notices issued more than doubling. The report also illustrates the potential impact of adopting restorative approaches as a tool to tackle problems, looks at an approach to contribute to community concerns of car parking and the potential impact of the Anti-Social Behaviour and Crime Bill.

- 6 From tackling fly tipping to providing education to dog owners, partnership working with external agencies is an essential aspect and a key component of the duties undertaken by the Council's neighbourhood wardens. The report provides evidence from a housing provider and Durham Constabulary on the value of partnership working and examples to identify the impact of environmental campaigns and joint police operations. Members of the Committee also undertook field study exercises with wardens and partners that provided an insight to the role of neighbourhood wardens, the diverse range of their work, partnership activity and the potential conflict situations that can occur within the role.

From its findings the review has identified the following recommendations:

1. That Cabinet note the valuable role Neighbourhood Wardens provide to communities in line with Council priorities and their contribution to partnership working with a wide range of partner organisations.
2. That consideration be given for all Neighbourhood Wardens to undertake training to use restorative approaches as a tool to tackle problems within their role.
3. That the Neighbourhood Warden Service should look to raise its profile through exploring mechanisms to circulate the monthly newsletter to residents groups, partners agencies and neighbourhood watch. In addition, consideration be given to explore the use of social media as a tool to improve confidence and gather intelligence with the Council's Corporate Communications Team.
4. That the Neighbourhood Wardens explore development of locality based confidence plans in line with local priorities and also contribute to area based confidence plans produced by Durham Constabulary.
5. That the Neighbourhood Warden Service in addition to offering feedback to improve confidence explore implementing a system where if action needed is outside their responsibility and they have referred to

another service or agency, inform the resident of action they have taken and contact details for the relevant service or agency.

6. That attendance at community meetings is a very important format to engage and communicate with residents, but if there are capacity issues to attend community meetings that the Neighbourhood Protection Manager liaise with the local Neighbourhood Police Chief Inspector and/or Inspector and County Council members to identify the most appropriate meetings for the wardens to be attending.
7. That the Neighbourhood Warden Service prepare for implications from the Anti-Social Behaviour, Crime & Policing Bill to become an Act and review tools and powers to ensure that appropriate training is undertaken for staff and changes are communicated to residents, businesses and communities.
8. That Neighbourhood Wardens have the contact details for the Parking Enforcement Team to report any issues relating to car parking raised as a community concern and following concerns raised at PACT meetings these are also shared with the parking services team.
9. Cabinet are asked to consider the recommendations contained in the report as part of the approach through systematic review and provide a progress update on recommendations in six months time.

# Section 1 Background and Methodology for the Review

## Background

- 7 At its meeting on 18th June 2013, members of the committee agreed to undertake a review on the Council's Neighbourhood Warden Service. The service is provided by the Council's Neighbourhoods Service Grouping and following harmonisation in 2012, employs 45 neighbourhood wardens who provide a wide range of services including tackling anti-social behaviour and environmental crimes to communities within County Durham.
- 8 The starting point for the review is an overview of the Neighbourhood Warden Service to provide Members with information on the history of the service, services provided and how they link with other council services and partnership activity. This will also highlight their approach through education and enforcement powers.
- 9 Neighbourhood wardens have a wide range of responsibilities and to deliver this requires a significant amount of partnership activity at both a countywide and local level with a number of partner agencies. The aim of this review was to report on the contribution of neighbourhood wardens to partnership activity and the impact this achieves. The review set out to identify the key partners/partnerships the service is involved with and look at what the service brings to the partnership, the added value of this service, the difference this makes and if we can improve on our contribution.
- 10 In addition, the review sought to look at powers that are available to the service and methods of communication, Members have also taken the opportunity to spend time with neighbourhood wardens to gain an insight to their work. The outcomes of the review would seek to identify the service's contribution to key Council Plan themes of the Altogether Safer objectives of 'Increase public confidence' and 'Reduce incidence of anti-social behaviour and low level crime'.

## Purpose of the Review

- 11 To evaluate the impact of partnership activity undertaken by the Council's Neighbourhood Warden Service and raise the profile of the service's contribution to community safety.

## Objectives

- To gain an understanding of the roles and responsibilities of the Council's neighbourhood wardens.
- To receive information in order to gain an understanding of community safety partnership activity undertaken by neighbourhood wardens.

- To explore with key partners namely the police, housing associations, community partnerships and other Council services the evidence of partnership activity undertaken by the service, the impact of this work, contribution to tackling problems and building confidence within communities and look at opportunities to improve existing partnership arrangements.
- To explore the range of powers available to neighbourhood wardens and how these are applied across the county.
- To look at the profile and methods of communicating activity, promoting community safety messages and providing reassurance by the neighbourhood warden teams.
- To undertake research to identify any examples of best practice to include within the review's findings.
- To undertake field study activity to gain an insight into the work of the Neighbourhood Warden Service.

#### **Timescale**

- 12 Review Group meetings and visits took place between September to November 2013 with a report scheduled to be presented to the Committee and Cabinet thereafter.

#### **Evidence**

- 13 The review has gathered evidence through:

##### ***Officer presentations:***

- *Ian Hoult, Neighbourhood Protection Manager, Durham County Council*
- *Oliver Sherratt, Head of Direct Services, Durham County Council*
- *Mark Farren, Education & Enforcement Manager, Durham County Council*
- *Pauline Walker, Senior Civic Pride Officer, Durham County Council*
- *Sergeant Dave Clark, Durham Constabulary*
- *Acting Inspector Paul Footes, Durham Constabulary*
- *Amanda Fulcher, Senior Enforcement Officer, East Durham Homes*
- *Stuart Wood, Senior Estates & Regeneration Officer, East Durham Homes*

##### ***Field Study observations to:***

- *StaySafe Operation, Consett 19<sup>th</sup> September 2013*
- *Stop & Search Operation, East Durham area, 4th October 2013*
- *Staysafe Operation, Consett 18<sup>th</sup> October 2013*

- *Stop & Search Operation, Consett and Stanley area, 4<sup>th</sup> November 2013*
- *Neighbourhood Walkabout, Taylor Road, Bishop Auckland, 25<sup>th</sup> November 2013*

**Reference material:**

- *Neighbourhood Warden Schemes: An Overview, Home Office, 1999*
- *Bringing Britain Together: National Strategy for Neighbourhood Renewal Cabinet Office, 2001*
- *Neighbourhood Wardens Scheme Evaluation, Office for Deputy Prime Minister, 2004*
- *New Deal for Communities – National Evaluation Neighbourhood Wardens: More than the ‘Eyes and Ears’ of Communities? Research report, Sheffield Hallam University Office for Deputy Prime Minister 2004*
- *Neighbourhood Warden Harmonisation, Cabinet report, Durham County Council, November 2009*
- *Durham County Council, Neighbourhood Protection Team, Countywide Newsletter, October 2013*
- *Confidence, report to Durham Police and Crime Panel, October 2013*
- *Durham Constabulary website, PACT priorities, October 2013*
- *Benchmarking request from Association of Public Service Excellence*
- *Safe Durham Partnership Integrated Restorative Practice Strategy, report to Safer and Stronger Communities OSC, December 2013*
- *Restorative Approaches Session, Durham Constabulary, November 2013*
- *Anti-Social Behaviour, Crime and Policing Bill, Research Paper 13/34, House of Commons Library June 2013*
- *Information response on use of Social media from Durham Constabulary and County Durham & Darlington Fire and Rescue Service*

## **14 Membership of Review Group**

Members of the Review Group were:

Councillor D Boyes (Chair), Councillor T Nearney (Vice-Chair)  
 Councillors J Armstrong, J Charlton, P Conway, J Cordon, S Forster, J Gray, D Hall, C Hampson, B Harrison, M Hodgson, G Holland, J Maitland, N Martin, J Measor, K Shaw, W Stelling, P Stradling, J Turnbull and C Wilson

Co-opted Members: Mr A J Cooke, Mr B Knevitt, Mr M Iveson, Ms E Roebuck and Mr T Thompson

Co-opted Employees/Officers: Chief Superintendent G Hall, Mrs H Raine and Mr J Hewitt

## Section 2 – Supporting Information

### Background to Neighbourhood Wardens

#### 15 National/Regional Context

Neighbourhood warden schemes were one element proposed within the 1998 publication 'Bringing Britain Together: National Strategy for Neighbourhood Renewal'. The then Minister of State, Home Office, Charles Clark MP stated in the publication 'National Strategy for Neighbourhood Renewal: Policy Action Team Audit' "Neighbourhood wardens offer a promising approach to promoting community safety and improving the quality of life in our most deprived neighbourhoods". This was also reinforced by the Crime and Disorder Act 1998, which specified that the police, local authorities and other responsible agencies should together produce local audits of crime and disorder and strategies for tackling these.

16 The Neighbourhood Wardens Programme was launched as a joint Department of the Environment, Transport and the Regions and Home Office initiative in 2000 with funding for initial schemes provided until March 2004 and from this date responsibility for wardens' funding now lies with schemes themselves.

17 A research report '*Neighbourhood Wardens Scheme Evaluation*' published by the then Office for Deputy Prime Minister (ODPM) in 2004 reported that from 84 schemes '*Wardens have a unique role to play in neighbourhood renewal. They are a new generation of officials who know the problems, face the people and take the action. Wardens' success lies in their accessibility and ability to link people and agencies together*'. The report also highlighted that there is no typical warden scheme. Schemes vary in the problems they aim to tackle, their objectives and the way in which they are managed and operate. Most, however, have reduction of crime, fear of crime and anti-social behaviour (ASB) and environmental improvements as core objectives. This view was also identified within the conclusions of the ODPM report '*Neighbourhood Wardens: More than the 'Eyes and Ears' of Communities?*' that '*found that there is no single model of neighbourhood wardens: they are tailored to meet the needs of local residents, work with different agencies and complement a multitude of other services and activities.*' This view has reflected experiences when researching evidence from other authorities to identify best practice for the committee's review.

18 The Police Reform Act 2002 included the Community Service Accreditation Scheme to which chief constables can choose to accredit employed people already working in roles which contribute to maintaining and improving community safety with limited but targeted powers. These powers can enable neighbourhood wardens to become more effective in their role of providing public reassurance, and in the prevention of crime, disorder and anti-social behaviour.

- 19 Currently many local authorities have a neighbourhood warden service but as identified responsibilities can vary. For example in Northampton, neighbourhood wardens are accredited officers and have powers of enforcement including fixed penalty notices for dog fouling and littering and in West Berkshire, neighbourhood wardens employed by the Council are located within Neighbourhood Police Teams and are not enforcement officers but focus on community engagement and raising awareness of these areas. Enforcement action is undertaken by a Police Officer, PCSO or the Council's Civil Enforcement Officers.
- 20 There are different approaches within the North East, where currently neighbourhood wardens in South Tyneside focus on anti-social behaviour and have powers for issuing fixed penalty notices for dog control and litter but in Stockton their Neighbourhood Enforcement Team is an accredited service and uses a range of legislation including Local Authority, selected Police and DVLA Agency devolved powers which enable the council to impact on and deter flytipping, waste carrier offences, litter dropping, dog fouling, untaxed and abandoned vehicles, graffiti and noise nuisances.

### **Local Context**

- 21 Neighbourhood wardens are a service provided by Durham County Council to cover all communities within the County. In summary, the Council has 45 neighbourhood wardens and the aim of their role is work to improve the quality of life for residents by reducing the level of anti-social behaviour and the fear of crime.
- 22 The concept of neighbourhood wardens in County Durham was first introduced as the "Community Force" in the former Sedgfield Borough Council in 1994, this was initiated in response to comments from electors residents during a local election about fear of crime. This operated as a 24 hour service, and its objectives included providing a community patrol to increase public safety and reassure the public and consult with local police teams regarding crime trends and problems.
- 23 Moving ahead to the point of local government reorganisation in 2009, the County Council inherited Neighbourhood Warden Services from four of the seven former District Councils. A challenge for the Council was that the focus of each of the warden schemes was developed based on local priorities and objectives meaning that the roles and responsibilities of the wardens differed greatly across the County. For example in Easington, street wardens tackled a full range of environmental crime, anti-social behaviour and engagement activity whilst wardens in Durham City focused in the main on environmental improvements and environmental crime.

- 24 Following a report to Cabinet in November 2009, the Council moved quickly to extend the service countywide, in areas such as Derwentside, Teesdale and Chester-le Street. Furthermore, on the basis of consultation and feedback from Members, the priorities of the service were established relating to enforcement on envirocrime and antisocial behaviour, with the necessary powers being adopted by the Council and relevant training for staff. An education first approach was adopted, and the wardens support environmental campaigns, such as responsible dog ownership.
- 25 Further harmonisation was undertaken in 2012, with the merger with dog wardens and introduction of a shift system to provide a seven day week service and evening work, thereby aiming to improve the effectiveness of response to issues such as anti-social behaviour. The neighbourhood wardens work closely with a wide range of partners including the police and Environment Agency and with Stanley Town Council supporting an enhanced service in their area. The role of wardens has continued to adapt to meet the Council's needs for instance taking on new responsibilities relating to tackling stray horses, and undertaking welfare visits to vulnerable residents during the worst of the winter weather.
- 26 With regard to the Council's strategic vision the work of the neighbourhood wardens contribute to all of the Altogether priorities.

### **Roles & Responsibilities**

- 27 Neighbourhood wardens are part of the Neighbourhood Protection Team within the Council's Neighbourhood Services Service Grouping. The Neighbourhood Protection Team also includes anti-social behaviour officers, bereavement services, pest control, civic pride, stray and tethered horses and allotments. Neighbourhood Protection is a highly visible Council service that fulfils a range of statutory duties including:
- Collection/receiving stray dogs - The Environmental Protection Act 1990
  - Provision of allotments in accordance with demand - The Small Holdings and Allotments Act 1908
  - Keeping the district free from rats and mice where practicable - Prevention of Damage by Pests Act 1949
- 28 There are also a number of other areas where Neighbourhood Protection contribute to the fulfilment of statutory duties including:
- Tackling Crime and Disorder including antisocial behaviour - The Crime and Disorder Act 1998
  - Educating and enforcing environmental crime contributes to Street cleansing (local authorities have a statutory duty under the Environmental Protection Act 1990 to ensure public spaces

and highways are kept free from litter and refuse as far as is reasonably practicable)

- Handling of stray and tethered horses in order to make the highways safe - Highways Act 1980
- Early intervention with neighbourhood nuisance – Environmental Protection Act 1990

- 29 Neighbourhood wardens are an accredited Community Safety Service and have powers designated to them by the Chief Constable under the Police Reform Act 2002. These powers enable wardens to utilise limited but targeted powers to become more effective in their role of providing public reassurance, and in the prevention of crime, disorder and anti-social behaviour.
- 30 A list of neighbourhood warden powers is attached in Appendix 1 and specific legislative powers are outlined within the following section but principally warden duties are to deal with issues relating to dog fouling, litter, fly-tipping, under age street drinking, low level anti-social behaviour, illegal storage and transport of waste, collection of stray dogs and abandoned vehicles. Whilst the review was being undertaken a restructure in the Children and Adult Services resulted in a transfer of the Gypsy, Roma and Traveller Service to the Neighbourhood Protection Team for unauthorised encampments and Regeneration and Economic Development for fixed sites. Neighbourhood wardens within the course of their duties have also dealt with unpredicted situations including an open mine shaft, removal of a snake and assisting partners following the recent fires at Stanley Town Centre.
- 31 Their approach is delivered through education, engagement and enforcement. Education initiatives include “Tidy Ted” sessions with school children, displays to provide information on dropping cigarettes and information to dog owners on their responsibilities. Engagement initiatives have included assisting communities with Community Payback Schemes, volunteer clean ups and organised litter picks. Enforcement is a tool that Wardens can use with regard to environmental issues and to confiscate alcohol, cigarettes and tobacco products from persons under 18yrs, request the name and address of a person acting in an anti-social manner, require the removal of vehicles causing a danger or obstruction and Council delegated powers.

### **Service Coverage**

- 32 Following harmonisation in 2012 the service is now countywide and resources are directed through three geographical areas utilising intelligence from levels of anti-social behaviour and number of households. There are eight warden zones within the county, which have two teams who operate a range of shift patterns within the times identified in the following table that is based on service demand to provide cover for seven days of the week. Wardens do also work outside these times when undertaking targeted campaigns or joint operations with partner organisations.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
0900-2000	0700-2000	0900 – 2000	0900 -2000	0700 – 2200	1645 – 2200	1645-2200

*Neighbourhood Warden Shift patterns*

### Performance Measures

33 There are a range of performance measures that the service contributes to within its roles and responsibilities. The Council's performance management framework includes the following indicators:

Indicator	Latest Data	Previous Data
Perceptions that the police and local council are dealing with concerns of ASB and crime	<b>59.5%</b> (Apr 2012 - Mar 2013)	<b>58.9%</b> (Apr 2011- Mar 2012)
Perceptions of anti-social Behaviour (Percentage of public perceiving that there is a high level of ASB in their area)	43.7% (Apr -Jun 2013)	37.7% (Oct 12- Mar 13)

34 In addition, the following table shows year to date figures (April – October) of action taken by neighbourhood wardens together with previous year's figures for the same period of time shown for comparison:

Action Taken (April – October each year)	2012/13	2013-14	% difference (whole number)
Fixed Penalty Notices issued for Littering	280	583	108% increase
Fixed Penalty Notice issued for dog fouling	87	93	7% increase
Fixed Penalty Notice issued for failure to comply with Litter Clearance Notice	115	137	19% increase
Litter Clearing Advisory Notices Issued	994	1061	7% increase
Litter Clearing Notices Issued	220	405	84% increase
Alcohol Seizures	167	320	92% increase
Number of stray dogs removed	1314	1078	18% decrease
Fly-tipping reports	3907	4810	23% increase
Airwaves Response Jobs	1544	1936	25% increase

35 These figures highlight an increase in all areas with exception of the removal of stray dogs which has decreased by 18% compared to the previous year. In addition, Appendix 2 of this report contains information on enforcement activity and reports for requests of service in relation to the above areas from 11 locality areas. In summary, enforcement action and responses to services are being undertaken across the whole county.

36 Not tackling the above issues can lead to a detrimental effect on people and places within the county and contributing to improving public confidence and reducing the fear of crime are an important area for neighbourhood wardens. Improving confidence is an area which Durham Constabulary are focused upon and is proactively working with Durham University. A report highlighting confidence plans for locality areas was presented by the Police and Crime Commissioner, Mr Hogg to a meeting of the Police and Crime Panel in October 2013. The report illustrated activity with Durham University to understand what drives confidence in policing delivery and with guidance from the Constabulary's Strategic Development Department setting the following three overarching themes to focus on in the effort to improve public confidence:

- Reduce Crime and Anti-Social Behaviour;
- Improve awareness of local Police and Communities Together (PACT) meetings
- Feeling informed – recognise the need to promote good work.

37 Actions identified within locality confidence plans are linked to work that is also undertaken by or in partnership with neighbourhood wardens. In contributing to improving confidence, it may be worth consideration for the Neighbourhood Warden Service or/and Area teams to develop confidence plans in line with those of the Constabulary and actions that they can aim to deliver.

## Section 3 Tools and Powers

- 38 Appropriate tools and powers are essential to enable neighbourhood wardens to fulfil their responsibilities. The previous section reported increases in the number of Fixed Penalty Notices issued for dog fouling, littering and failure to comply with litter clearance. These are the key issues that have the greatest effect upon communities and are raised at PACT meetings and other community meetings. Appendix 1 includes powers in relation to dogs, litter and waste, people and property, environmental and vehicles but information gathered by the Review Group focused on tools available to address issues relating to dogs, litter and flytipping.
- 39 Members acknowledge the range of powers available to wardens and note that detecting and enforcing action relating to these issues can be challenging.

### Dogs

- 40 Dog fouling is a key concern raised at PACT meetings from communities within the county and neighbourhood wardens lead on enforcement but Police Community Support Officers (PCSOs) also have the power to enforce. Enforcement is taken through the 'Dog Control Order under the Cleaner Neighbourhood and Environment Act 2005'. Officers can issue a Fixed Penalty Notice with no warning to an adult who fails to clear up after their dog. Neighbourhood wardens and PCSOs do undertake patrols within communities and target areas raised at PACT meetings and for the period April – October 2013 there has been a seven percent increase in the number of fixed penalty notices issued for dog fouling compared to the same period in 2012.
- 41 Following harmonisation in 2012, Neighbourhood Wardens took on responsibility for stray dogs under section 49 of the Environmental Protection Act 1990 and this has enabled greater coverage across the County. Dogs are collected and returned to their owner where possible or taken to a kennelling provider and can be reclaimed by owners within the first seven days provided costs are paid. The Working Group was informed that all attempts are made for uncollected dogs to be rehomed.
- 42 Whilst dog fouling and stray dogs fall under the remit of the Neighbourhood Warden Service, dangerous dogs is an issue for the police under the Dangerous Dogs Act, albeit neighbourhood wardens may assist the police if there is a need to capture or transport a dangerous dog.

### Litter and Waste

- 43 With regard to dropping litter from a car or throwing it to the ground in an open space, neighbourhood wardens and PCSOs both have powers to deal with this via a fixed penalty notice with no prior warning through

section 87 and 88 of the Environmental Protection Act 1990. The performance table in section one highlighted that for the period April – October 2013 there has been a 108% increase in the number of fixed penalty notices issued for littering compared to the same period in 2012.

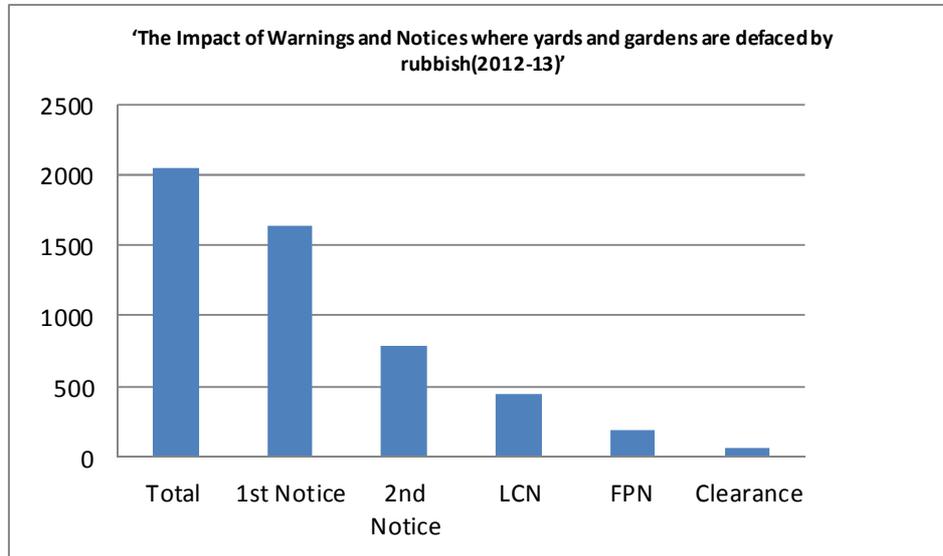
- 44 Unkempt yards and gardens through litter or storage of waste can be dealt with by neighbourhood wardens but not in all cases. Wardens have powers under the Environmental Protection Act 1990 to deal with general waste but if the waste is putrescible waste, the Environment Health and Consumer Protection service would deal with this under the Public Health Act 1936 and in the case of overgrown gardens planning enforcement would be undertaken through the Town and County Planning Act 1990.
- 45 Whilst responsibilities for tackling these issues may fall with other services or agencies, communities may not make the distinction between the various enforcement responsibilities. Neighbourhood wardens are generally the first point of call for unkempt yards and gardens and where they have no powers this can create potential for confusion and situations where no action has been taken. Communities can feel let down by the Neighbourhood Warden Service if it was initially reported to them and they have limited control on actions of other council services.

#### **Business waste**

- 46 Neighbourhood Wardens have powers through section 93 Environment Act 1990 to deal with business waste and street litter issues linked to the activities of a specific business, section 47 of the act for the duty of care and storage of waste generated by the business and section 1 of the Control of Pollution amendment Act 1989 for the proper transportation of business waste.
- 47 The approach to tackling street litter linked to businesses is to try to resolve the issue through negotiation but where there is no cooperation, Wardens can serve a notice requiring certain measures to be put in place and failure to comply with that notice would result in a Fixed Penalty Notice being issued.
- 48 Businesses have a duty of care around storage and transfer of their waste. In situations where this is not being correctly undertaken, neighbourhood wardens can deal with this through serving notices to remove the waste and issuing warnings requiring improvements or change. Failure to act could result in the business being prosecuted under the Environmental Protection Act.
- 49 People transporting waste for profit must be registered with a valid Waste Carrier's License from the Environment Agency. Neighbourhood wardens have the power to issue Fixed Penalty Notices and the collector is also risking prosecution if not correctly registered.

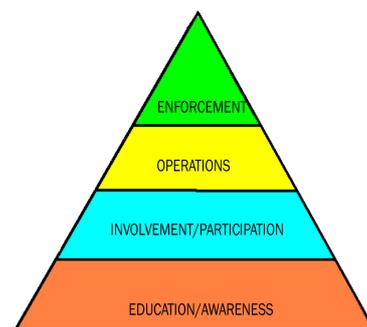
## Approach to Using Powers

50 The performance table in Section one highlighted an increase to many areas of the warden's services including enforcement. However, the following chart highlights the impact of warnings, issuing notices and Litter Clearance Notices (LCN) in 2012/13 as opposed to direct enforcement when dealing with yards and gardens defaced by rubbish.



51 The effectiveness of education from pre-enforcement notices is quite clear from these results as the graph shows the majority of cases are resolved without issuing a fixed penalty notice. Adopting this approach leads to less confrontation with residents, fewer 'criminalised' residents, lower legal costs and fewer referral of cases to other departments. In addition, this approach also takes less time, tackles the problem and contributes to improving confidence of the service within the area.

52 Wardens prioritise education and engagement alongside enforcement, in order to have the widest possible influence on behaviour as identified within the Civic Pride triangle. This has been achieved through the power of persuasion in face to face contact, providing offenders with a notice requiring them to do something to prevent enforcement being taken or giving them a warning to make them aware they have committed an offence and to make it clear that any further offence will result in enforcement action. As identified there are a few exceptions where the offence is so well known residents can be expected to know they were doing wrong (e.g. dog fouling, littering and fly-tipping).



Civic Pride Triangle

### Police Community Support Officers

53 The partnership work of neighbourhood wardens with police officers and PCSOs is detailed in the following section, but the Working Group noted the powers that both PCSOs and neighbourhood wardens have and utilise to deliver their responsibilities. Being part of an accredited Community Safety Scheme enables wardens with the following powers:

- Issue fixed penalty notices for offences relating to dog fouling, littering, graffiti and fly-posting
- Request name and address details for fixed penalty notices and offences that cause injury, alarm, distress or damage or loss to another
- Request name and address details of a person acting in an anti-social manner
- Confiscate alcohol from persons under 18
- Confiscate cigarettes or tobacco from persons under 16
- Removal of vehicle causing danger or obstruction

54 The tools and powers available to neighbourhood wardens and PCSOs are overlapping but equally important to their own distinct areas of responsibility. In summary, neighbourhood wardens have more powers in connection to environmental issues and PCSOs having more in relation to highways and traffic. Wardens and PCSOs both have powers in connection with seizure of alcohol, a professional witness for anti-social behaviour, dog fouling and littering and this is beneficial in terms of partnership working and enabling increased coverage within a period of budget challenges. The following table is a summary of these powers.

Power/Tool	Wardens	PCSOs
Dog Fouling (FPN)	YES	YES
Stray Dogs (Seize)	YES	
Dangerous Dogs		YES
Littering - FPN/Prosecution	YES	YES
Litter Clearing - dirty yards and gardens - requirement & FPN/Prosecution	YES	
Household Waste - Duty of Care, bins, contamination	YES	
Grffiti - FPN/prosecution	YES	YES
Fly-posting - FPN/ prosecution	YES	YES
Abandoned Vehicles - remove	YES	
Flytipping - Provision of Information	YES	
Flytipping Prosecution	YES	
Flytipping - Seizure of Vehicles - via court	YES	
Flytipping - Forfeiture of Vehicles - via court	YES	
Commercial Waste Storage - requirements & FPN/Prosecution	YES	
Waste Transportation (waste carriers) - FPN/Prosecution	YES	
Require Name and Address (various offences)	YES	YES
Powers of Entry (various reasons)	YES	YES
Insecure Properties/Land (Board up in emergency situations)	YES	

Obstruction Highways		YES
Antisocial Behaviour - professional witness	YES	YES
Power to require persons drinking in designated places to surrender alcohol		YES
Power to require persons under 18 to surrender alcohol	YES	YES
Power to seize tobacco from a person aged under 16	YES	YES
Power to disperse groups and remove persons under 16 to their place of residence		YES
Power to issue fixed penalty notices for cycling on a footpath		YES
Motor Cycle Nuisance - Warning for inappropriate use (prior to seizure)		YES
Motor Cycle Nuisance - Seizure		YES
Direct Traffic		YES
Fireworks offences		YES
Power of persuasion	YES	YES

55 Neighbourhood wardens use the police “Airwaves” system and have a joint communications agreement with the police enabling neighbourhood wardens to respond to environmental issues, low-level ASB and stray dogs. Neighbourhood wardens would not respond to 999 calls, carry out crime scene preservation or dealing with known conflict situations, and road traffic accidents (RTAs).

56. The importance of the Airwaves system enables neighbourhood wardens to be in contact with Police directly and maximises joined up appropriate use of deployed resource and also provides an added level of safety and confidence in carrying out their activities. In addition, all neighbourhood wardens have body cameras to enable recording of activity and discussion as potential sources of evidence.

### Alcohol Seizures

57 PCSOs and neighbourhood wardens have the powers to seize alcohol found in possession of a young person under 18 or an adult in company with an under 18. Partnership operations through “Staysafe” are detailed in the next section of the report but section one of the report highlighted that for the period April – October 2013 there has been a 92% increase in the number of alcohol seizures compared to the same period in 2012.

### Car Parking Enforcement

58 Enforcement for car parking in County Durham is carried out by civil enforcement officers under a contract with NSL who are authorised by the Traffic Management Act 2004. The process of taking enforcement action through issuing a fine is very prescriptive within the requirements of that Act and can only be issued by a civil enforcement officer whose uniform is clearly marked with appropriate badging. The procedure to issue enforcement tickets is also required to follow strict protocol and civil enforcement officers within the county have specialist equipment that ensure correct procedures have been followed i.e. wait time at vehicle, exact time of ticket issued and photographs to ensure appropriate, lawful penalty charges are issued.

- 59 Community concerns of inappropriate car parking have been identified at PACT meetings and was also raised by Members during the review with the suggestion of neighbourhood wardens to having enforcement powers to support civil enforcement officers with regard to areas that have time limit parking within the county. Information provided following a request from the Service to the Association of Public Service Excellence indicated a local authority had trialled wardens undertaking this function through wearing different badges for their duties but reverted back to separate functions. That said findings highlighted some councils do have civil enforcement officers who have powers to enforce for environmental crimes.
- 60 Within the context and requirements of the Act, this would not be an area for neighbourhood wardens to undertake within their role but, when issues of car parking are raised through PACT or community meetings or where cars are parked for longer than their required time, they are to contact the Parking Services Team.

### **Restorative Approaches**

- 61 Restorative approaches focus on the harm that has been caused between people and how it can be repaired. It brings those harmed and those responsible for the harm into communication, enabling everyone affected by a particular incident to play a part in repairing the harm caused and finding a positive way forward. In summary, it is there to give victims a choice and a voice.
- 62 There is a vision for County Durham to be a restorative county and information has been presented to both the Council's Safer and Stronger Communities Overview and Scrutiny Committee and the Durham Police and Crime Panel. Members of both the Committee and the Panel have also undertaken a bespoke awareness session with Durham Constabulary on how this can be applied to tackle and resolve problems.
- 63 A report to the Safer and Stronger Communities OSC in December 2013, highlighted that to date this approach has been adopted by Durham Constabulary, Durham County Council Children & Adult Services, Integrated Offender Management Team and HMP Durham. Information from Neighbourhood Services also reported that some neighbourhood wardens had undertaken Level 1 training and were piloting restorative approaches with partners.
- 64 Findings from information presented to the Committee and the awareness session with Durham Constabulary clearly demonstrate that restorative approaches when applied correctly have a positive impact, reduce service costs, resolve the problem and provide answers to questions for the victim. Within this context the Working Group request that an evaluation of the pilot of wardens using restorative approaches

is undertaken with a view to expanding roll out of restorative approaches across the Neighbourhood Warden Service.

- 65 The Senior Civic Pride Officer explained that planned activities included alternatives to Fixed Penalty Notices, with a pilot scheme for January 2014 where young people caught dropping litter would be given the option to attend a 90 minute course instead of being issued with a Fixed Penalty Notice. It was added that any effect on reoffending rates from such actions would be looked at.

**New Legislation – Anti-Social Behaviour, Crime and Policing Bill 2013-14**

- 66 The Anti-Social Behaviour, Crime & Policing Bill is currently at the 'report stage' with the House of Lords on its passage through the parliamentary process. In summary the bill proposes rationalisation of nineteen powers into six and this will have implications for neighbourhood wardens with regard to anti-social behaviour and environmental crime.

- 67 Although it will not prevent wardens dealing with any of their current issues, the specific 'tool' used to tackle a number of problems may change. Implementation of the Bill is likely to require amendments to authorisations, policies, procedures and documentation. This will require training for staff on the new powers and most importantly raising awareness within communities.

## Section 4 Partnership Working and Campaigns

- 68 From tackling flytipping to providing education to dog owners, together with other council services partnership working with external agencies is an essential aspect and a key component of the duties undertaken by the Council's neighbourhood wardens. Appendix two details information on activity undertaken with each partner and this section of the report provides information on work with the Council's Clean and Green team and partnership activity relating to community issues with evidence from a housing provider and Durham Constabulary on how partnership activity is undertaken. In addition to evidence gathered, members have also undertaken field study activity with wardens.

### Community Issues

- 69 In addressing community issues of dogs, litter and waste, the Council's neighbourhood wardens work closely with the Civic Pride Team. The Civic Pride Team is a small countywide team, working alongside the neighbourhood wardens. Adopting the civic pride approach aims to address attitudes and behaviours, through undertaking various campaigns organised by the Civic Pride Team.
- 70 Campaigns consist of two elements, education and enforcement with the former looking to achieve long term behavioural change and the latter to take actions where appropriate. Undertaking education via campaigns and visits to schools create opportunities to demonstrate the negative environmental impact and dangers of issues such as litter and waste. Aiming to change cultures may save more money in the long term in terms of street cleansing and enforcement action.
- 71 In addressing community issues, neighbourhood wardens have also provided support to the Community Action Team that consists of members of the Environmental Health and Consumer Protection team who will work alongside Planning and Housing Officers and multiagency partners and at identified locations within County Durham to tackle local housing and environmental issues and promote healthier lifestyles.

### Dogs

- 72 The Neighbourhood wardens' role includes dealing with dog fouling and stray dogs. To undertake this role and aim for more positive outcomes, the wardens work in partnership with communities, schools, the Dogs Trust, Stray Aid, Durham Constabulary, Area Action Partnerships and Town and Parish Councils. Working in partnership, the Council's Clean and Green team launched the Responsible Dog Ownership Campaign that includes the Green Dog Walkers scheme, which is a best practice initiative from Falkirk Council that has also been adopted by other Councils.

- 73 The Scheme aims to raise the awareness of reporting dog fouling and encourage responsible dog ownership. Green Dog Walkers have taken a pledge to always clean up after their dog, carry extra dog bags for other dog walkers and are recognisable by the Green Dog Walkers logo worn in the form of a badge. At present there are over 900 volunteers signed up to the scheme including Durham Constabulary Police Dog Handlers and all the police dog vans have promotional stickers on them.
- 74 The partnership campaign in February 2013 included microchip sessions to increase the number of dogs that are micro-chipped and led to 706 dogs being micro-chipped and 361 residents signed up to the Green Dog Walkers scheme. Again demonstrating a positive campaign and positive partnership working can lead to greater outcomes for both schemes.
- 75 As part of the Campaign, the Clean and Green Team and Neighbourhood wardens visited 22 schools within the county and have also awarded “golden tickets” for a prize draw to 460 responsible dog owners as an acknowledgement for them picking up after their dog.
- 76 Further responsible dog ownership campaigns are scheduled for February 2014, with 15 new areas chosen from intelligence gathered from the Council’s Customer Relationship Management system, PACT meetings and local residents. This campaign will focus on playing pitches and include dog fouling patrols by neighbourhood wardens and PCSOs.

### **Litter & Waste**

- 77 A number of campaigns have been undertaken in respect of street litter, led by the Civic Pride team. Neighbourhood wardens have undertaken activities in partnership with Durham Constabulary, communities, the Council’s litter mascot Tidy Ted encouraging children to be responsible in respect of litter and initiatives with Business Improvement Durham. Partnership activity has also included volunteers within the Big Spring Clean 2013 that provided the equivalent hours of a full-time litter picker for one year.
- 78 Members were provided with evidence following a successful campaign on litter thrown from cars. The aim of the campaign was to raise awareness of the problem that car thrown litter causes, encourage more people to dispose of litter from their vehicles responsibly and to reduce the amount of car thrown litter in identified “hotspot” areas. During the campaign, 37 awareness raising events were held with over 1,700 residents from which 368 residents displayed anti-litter stickers on their vehicles. In addition, three large mobile signage units were located in six areas to promote the campaign and 588 residents had accepted a free car litter bag and the Clean and Green teams had no reports of those bags being found as litter itself.

- 79 The car litter campaign included work in partnership with the Council's Public Health Team: there were 186 "stubbie" pouches issued, with 20 people then in turn contacting public health to enquire as regards information on stopping smoking. Outcomes of the campaign led to enforcement outcomes of 52 advisory letters and 177 FPNs being issued. The campaign also led to 15 press articles and over 450 views of the Council's webpage promoting the campaign and a facebook entry was also created for the campaign.
- 80 Tackling issues of waste on public land, neighbourhood wardens have worked with the Clean and Green and Revenue and Benefits teams within the Council and many external partners such as the Vehicle and Operator Services Agency (VOSA), the Driver and Vehicle Licensing Agency, Durham Constabulary, Fire Service and the Environment Agency. In dealing with waste on privately owned land, Neighbourhood Wardens use litter clearing notices as identified within the previous section. However, many issues are also tackled in conjunction with the Environmental Health and Consumer Protection, Planning, the Probation Service with Community Payback schemes and housing organisations including Arms-Length Management Organisations and Registered Social Landlords
- 81 An example of a recent partnership approach to tackle issues of litter and fly-tipping was at Denemouth in Blackhall. This approach included Neighbourhood Wardens, Civic Pride, Clean and Green team, the Environment Agency, Police, Coastal Watch, the Heritage Coast, Natural England and many volunteers committing about five hours of their time. The results from the exercise led to an increase in Police patrols undertaking stop and search exercises of suspected vehicles, community engagement in relation to the reporting of fly-tipping and removal of seven tons of rubbish, 80 tyres, seven needles and asbestos material. In addition surveillance cameras were deployed in the area and discussions were taking place regarding the installation of a barrier as a preventative measure.
- 82 The 2013 "Big Spring Clean" campaign also included partnership with Litter Free Durham and Darlington Borough Council and carried out 85 litter picking sessions with 1,086 bags of rubbish collected. In total, 1,397 people took part in the campaign equating to 2,106 hours of volunteers time. The 2014 Big Spring Clean is scheduled to take place in April/May.

### **Social Housing Provider**

- 83 Neighbourhood wardens work in partnership with a number of Social and Registered landlords and providers within the county. To provide an insight to the contribution of neighbourhood wardens, East Durham Homes provided evidence on how the work of wardens was linked to tackling issues of anti-social behaviour, untidy gardens and graffiti within their estates.

- 84 East Durham Homes identified tackling anti-social behaviour as a priority for residents with a comprehensive case management system in place and a harm-centred approach to victims and witnesses. Adopting a multi-agency approach and engaging with residents had led to a low number of evictions, with evictions and enforcement being held as a last resort.
- 85 East Durham Homes value the role of the Council's neighbourhood wardens and following referrals to the Service, wardens have carried out patrols in areas where there is an increase of anti-social behaviour or noise nuisance in order to gather evidence. Wardens have carried out joint estate walkabouts with East Durham Homes that aim to increase confidence, improve the visual appearance of neighbourhoods and communities, support residents to encourage reporting of issues of anti-social behaviour and environmental crime and where necessary take appropriate action.
- 86 Undertaking walkabouts have led to taking action on untidy gardens, graffiti, removing used needles and fly tipping. In addition neighbourhood wardens and East Durham Homes Officers also worked together with tenants to gather intelligence to undertake "Weeks in Action and Not in My Neighbourhood" and attend East Durham Homes Service Review Panels. Examples of this activity were provided in the form of two cases. The first in Trimdon was following a referral from Neighbourhood Wardens regarding anti-social behaviour and safety concerns by residents following a window being smashed, East Durham Homes provided a physical barrier through erecting a fence and residents felt safer. The second case involved a referral from the Warden Service regarding anti-social behaviour and concerns of suspected drug activity in a 'cut' in Seaham, this had been curtailed through the installation of a lockable metal gate and the trimming back of a hedge.
- 87 To provide an insight to estate walkabouts, the Overview and Scrutiny Officer and Co-opted Committee Member, Mr T Thompson attended an estate walkabout at Bishop Auckland with the Overview and Scrutiny Officer, a neighbourhood warden, an officer from Dale and Valley Homes and a local resident. Feedback from the walkabout was that whilst positive the walkabout was relatively quiet in terms of follow up issues, the dedication of the neighbourhood warden and officer from Dale and Valley Homes was excellent and greatly valued by the local resident.
- 88 The working group note the positive impact of a multi-agency approach and the role of the neighbourhood wardens contribute to undertaking estate walkabouts with housing providers. However, it is noted that these did not appear in all private estates and suggest within the context of available resources that these are also undertaken with appropriate partners including ward Members in any areas where

intelligence indicates there is low confidence and community issues relating to anti-social behaviour and environmental crime issues.

### **Durham Constabulary**

- 89 Neighbourhood Wardens undertake a very strong partnership with Durham Constabulary which includes tackling issues relating to anti-social behaviour, providing reassurance, environmental crime and joint operations on stop and search and staysafe operations.
- 90 The working group received evidence from two presentations from Durham Constabulary highlighting the working relationship between the Police, PCSOs and Neighbourhood Wardens. In line with budget reductions within public sector organisations this had led to fewer police staff and dictated that the approach to policing had to be more strategically planned and as such the combination of neighbourhood policing, partnership working and involving local communities, all helped to reduce the direct demand on the police. Factors such as social media and PACT meetings had generated a greater demand on police time as they were now more accessible to the public than ever before.
- 91 PACT meetings are an excellent source of local intelligence, a method of listening to what issues are important to a community, and a way by which actions and successes can be fed back to residents. However it was highlighted that through PACT meetings, communities were not generally raising concern about serious crime but issues which impact upon communities including dog fouling, anti-social behaviour, speeding and litter. Nevertheless these areas require action from Wardens and Police to both improve issues within the community and build confidence in agencies tackling problems. In addition, no action may lead to a risk where communities could be reluctant to report vital intelligence in relation to more serious crimes within their communities.
- 92 In addition to direct communication through the daily briefing meetings with police, neighbourhood wardens and other council officers were vital in maintaining operational efficiency, providing both the opportunity for information sharing and feedback. Wardens and the police both undertake alcohol seizures and early intervention was important in dissuading further instances of anti-social behaviour.
- 93 Partnership activity and interventions are intelligence led to ensure issues are tackled as early as possible. The focus of joint working was on problem solving through joint patrols and walkabouts and maintaining organisational links. Regular intelligence led joint operations and activities are carried out and include "StaySafe" to protect young people who may become vulnerable through the harm of alcohol, "Stop and Search" on vehicles carrying waste to look for suspected flytipping or stolen metal, "Not in My Neighbourhood" campaigns to improve environmental issues within a community and "Snow Angels" that aimed to help vulnerable people in poor weather

conditions. In addition both the police and neighbourhood wardens have assisted the fire service through the Bonfire Campaign to reduce incidents of anti-social behaviour against fire crews and arrange for the removal of illegal bonfires.

- 94 Other examples of assistance were provided when neighbourhood wardens following communication from the Airwaves system assisted in the case of a missing child and also undertaking educational work in schools on topics such as the dangers of fireworks.
- 95 It is noted that while police officers, PCSOs and neighbourhood wardens worked together there were distinct areas of responsibility, they all worked in a complementary way to achieve better outcomes with the police dealing with criminal behaviour and neighbourhood wardens dealing with environmental issues. Durham Constabulary also work with the Council's Environment, Health and Consumer Protection Service on issues such as scrap metal licensing, doorstep crime and sale of underage products. All organisations, wherever possible will use a multi-agency approach to tackle crime and disorder.
- 96 Experiences shared with the Group explained that working in collaboration with neighbourhood wardens had contributed to positive outcomes and improved levels of public confidence and satisfaction.
- 97 To gain an insight to nature of work undertaken by the Police that included partnership working with Neighbourhood Wardens, Members of the Committee were invited to attend Staysafe and Stop and Search operations.

### **Staysafe**

- 98 Councillors T Nearney and P Conway and the Council's Corporate Improvement Manager attended a Staysafe operation in the Consett area in September 2013 with Police Officers, PCSOs and Neighbourhood Wardens. The intelligence led partnership operation focused hotspot drinking areas with the aim of protecting young people through prevention and education through referrals to the "4Real" young persons drug and alcohol service for County Durham.
- 99 Councillors noted that officers worked together to speak to young people and where appropriate take them to a designated "safe place" which was Consett Fire Station and then to explain the potential dangers they could face. Throughout the evening a number of young people were taken to the fire station and Members acknowledge the professional and sensitive approach that was adopted by officers from Durham Constabulary and the Council's neighbourhood wardens. In addition, feedback was provided that spot checks for underage sales would be carried out by the Council's Consumer Protection Team in partnership with Durham Constabulary's Alcohol Harm Reduction Unit based upon information obtained.

100 Councillor C Hampson attended a Staysafe in October 2013 also in the Consett area. Feedback from the observation reported the positive approach by partners during the operation especially when they received information of a party at an empty property with several young people drinking. Police and wardens seized alcohol from the property and several young people were instructed to go home and explain to their parents that they would receive a follow up call from Durham Constabulary in due course. In addition to observing the challenges faced by Officers, the greatest impact from the night was the effect on the young people with them fully aware of the potential consequences of their actions.

### **Stop & Search**

101 Councillor D Boyes and the Overview and Scrutiny Officer observed a neighbourhood warden and officer from Durham Constabulary's Road Policing Unit undertake a stop and search operation in the East Durham area focusing on scrap metal collectors and vehicles suspected of carrying waste.

102 During the operation a number of vehicles were stopped and checked for a waste carrier's licence, appropriate documentation and that vehicles are in a correct order and insured. Following each stop, both officers provided feedback relating to any matters/issues with the vehicle. This observation provided a first-hand insight to the role and responsibilities of neighbourhood wardens in relation to waste carrier licences and both the requirement and added value of partnership working with Durham Constabulary to potentially achieve greater results, sharing of information and knowledge to ensure that those carrying waste are correctly doing so in a law abiding manner.

103 In a separate operation in the North Durham area, Cllr T Nearney and the Overview and Scrutiny Officer observed neighbourhood wardens undertake a stop and search operation with the Council's Fraud Investigation Officer and Durham Police. Travelling with the neighbourhood warden and fraud investigation officer a number of vehicles were stopped by the police and gained first-hand experience of activities undertaken by all parties and together the combination of powers they had including how wardens used their body cameras to record discussions as sources of evidence.

104 The vehicles stopped were either scrap collectors or builders and one vehicle from a house clearance. Most noticeable was that many of these vehicles were from outside County Durham. Actions from the operation led to five Fixed Penalty Notices being issued for various issues. In addition to the benefit of partnership activity, the observation illustrated a wide range of attitudes and compliance of those who had been stopped.

## Section 5 –Communication and Profile

### Communication with Residents

- 105 From the outset of the review, Members identified the importance of publicising the good work being carried out by the neighbourhood wardens. As a front-line uniformed highly visible service, neighbourhood wardens work directly with customers through face-to-face communication with individuals attending PACT and residents' meetings, producing proactive communication to increase awareness through the Council's website, leaflets and newsletters and responsive communication through campaigns, social media and following partnership activity.
- 106 Excluding proactive communication, in 2012/13 neighbourhood wardens received 6,651 service requests, and at the point of gathering evidence in October 2013 there had been 4,894 service requests for 2013/14. The majority of service requests come direct through the Council and Police and it is important to have robust information to act upon. To support this need call scripts are used by the Councils Customer Services staff to enable the requisite information to be gathered as efficiently as possible. In addition, wardens had received 2,582 referrals via police airwaves system in 2012/13, and 1,696 so far in 2013/14.
- 107 Neighbourhood wardens attend many PACT, Town and Parish Council, Community and Resident Group meetings per month. It was noted that not only could information be gathered at these meetings, but communities could be reassured regarding work being carried out and they are also an opportunity to raise awareness of services provided by neighbourhood wardens. However whilst attendance at meetings has many benefits it is very challenging in terms of having availability of resources at a meeting and providing a service on the streets within communities. Within this context, capacity issues are to be acknowledged and if there are challenges the Service may wish to assess those meetings on an area by area basis in conjunction with the local Police Chief Inspector/Neighbourhood Inspector and County Council Members and identify which would be the priority meetings.
- 108 A number of referrals from neighbourhood wardens are for other departments including Environment Health and Consumer Protection, Planning and partner agencies. A challenging area for the Service is to provide feedback to residents on action taken, this can be undertaken when Wardens are responsible for taking action but they are often the first Council employees to receive information on issues outside their responsibilities.
- 109 Although the Service can liaise with departments and partner organisations regarding progress on those issues it can be difficult to have control if no action has been carried out and could lead to

confidence issues with the Neighbourhood Warden Service as they were the first contact. To overcome this challenge, the Service in addition to offering feedback to improve confidence in action taken could look to adopt a system where if it is not their responsibility and referred to the relevant service or agency, inform the resident of action they have taken and contact details for the relevant service or agency.

### **Newsletters & Leaflets**

- 110 The Neighbourhood Protection Team produce monthly newsletters at countywide and 11 locality levels that include information on services provided, tasks and action taken by Neighbourhood Wardens, Anti-Social Behaviour and Civic Pride teams. The newsletter is available from the Council's website and is also shared via email with all Local Multi Agency Problem Solving Groups, Town and Parish Councils, Area Action Partnerships, PACT Meetings and over 150 community buildings. In addition, all County Councillors, Senior Management, the Police and Crime Commissioner and Senior Police Officers also receive a copy.
- 111 The Committee feel the newsletter at both a countywide and locality level highlights excellent work undertaken by the service and it is vital that this is shared both with partners but more importantly with communities. At the time of the review, the newsletter was shared with only six residents' groups and this was identified as an area to be strengthened by the service. The County has over 55,000 households covered by the Neighbourhood Watch Scheme with a network of co-ordinators and this may also be an area to explore regarding circulation of the newsletter within localities. In addition, neighbourhood wardens work in partnership with social housing providers and this information within the newsletter may be of interest to them as organisation and their tenants.
- 112 Neighbourhood wardens also have leaflets that set out the help and assistance that they can provide communities and wardens have had many opportunities to speak at carousel events, give talks in schools and at housing association meetings.

### **Website and Media**

- 113 The Council's website includes a page for the Neighbourhood Warden Service that provides contact details, information about their responsibilities and a link to their monthly newsletter. Within the past year, the page has received 4,600 views with many views of connected Neighbourhood Protection web-pages on issues such as dog fouling; fly-tipping; litter; civic pride and street cleansing.
- 114 There has been in excess of 50 press releases produced on activity from neighbourhood wardens, these have included activity from campaigns and joint operations, prosecutions in relation to environmental crimes and information on events. In addition, the service has also responded and provided comment to press enquiries

from the local media. Whilst press releases are issued Members note that the printed press in the county and region were area based, with different circulations at county and local levels and therefore there was a need to identify where an issue should be reported, either county wide or more locally. The Committee would encourage the Service to maximise all media opportunities to promote campaigns and work undertaken.

- 115 Neighbourhood wardens have also utilised social media sites, such as the Council's Facebook and Twitter pages. Information provided highlighted examples where this had been used from providing updates ranging from tethered horses and alcohol seizures to dog micro-chipping and car littering campaigns. It was reported that feedback from social media had varied with many responses giving very positive reviews, however, some issues such as dog fouling could attract critical comments such as "why aren't you operating in my area". In addition, work of the neighbourhood warden service had been included on Neighbourhood Police Team's facebook and twitter pages.
- 116 The Council has over 5,500 likes on its facebook page and over 9,000 followers on twitter. At present, the Service is required to promote its activity through the Council's corporate pages for social media and therefore whilst information is sent to those following the social media sites it may not be of interest to all. With regards to promoting community safety evidence on best practice was gathered on the use of social media by Durham Constabulary and County Durham and Darlington Fire and Rescue Service.
- 117 Durham Constabulary currently uses social media networks Facebook and Twitter for over a period of approximately three years and have over 25,000 'likes' on the force Facebook page and over 14,000 followers on their twitter feed. In addition to these official 'force accounts' there are a number of other Facebook pages set up and administered by local neighbourhood policing teams. These concentrate on purely local issues, promoting and responding to PACT priorities, initiatives and projects and have a much smaller number of likes (typically 1,000-2,000).
- 118 There are also several dozen Twitter accounts operated by officers identifying themselves as members of Durham Constabulary and tweeting about work issues, response teams, neighbourhood teams or specialist units. These typically have a following of less than 500, although the road policing unit feed and the dog section has gathered several thousand followers.
- 119 Social media has been a positive development for the Constabulary and is playing a major part in making it easier for members of the community to interact with Durham Constabulary and stay informed and positive in terms of public confidence.

- 120 County Durham & Darlington Fire Rescue Service also uses Twitter, and Facebook. The service has over 3,500 followers on Twitter and over 900 'likes' on their Facebook page. The Service is currently running a trial where their fire control team in line with a policy is reporting incidents via Twitter. This has been running for over six months and initial feedback is that this has been positive in raising the profile of the service, nature of incidents they attend and promoting community safety messages.
- 121 The Fire Service's Facebook page is limited in that it is used more as bulletin board to publicise information and that no responses can be posted on the page. In addition, both the fire service and police both have their latest twitter feeds on the home pages of their websites.
- 122 At its initial meeting, Members suggested that neighbourhood wardens utilising social media as a Service may be a useful mechanism of raising the profile of their work, informing communities of the work and increasing public confidence. In addition, social media could also be a mechanism to seek information or gather intelligence. It is acknowledged that social media can attract negative comments, but within this context and evidence received, the Service may wish to explore further with the Council's Corporate Communications team further utilising social media either as a Countywide Service or for the Corporate Communications team to explore a locality area based approach.

## Section 6 – Conclusions and Recommendations

- 123 Neighbourhood wardens provide residents of County Durham with a community safety service and the Committee praise the wardens for the work they undertake to these communities. Whilst this is a non-statutory function they do provide and contribute to the fulfilment of a number of statutory duties including tackling stray dogs and tackling anti-social behaviour.
- 124 Undertaking field study exercises provided a great insight into the role of neighbourhood wardens, the diverse range of their work, partnership activity and the potential conflict situations that can occur within the role. Members would like to record that their experiences demonstrated the professionalism of wardens and partners to tackle problems that contribute to a safer environment and communities and protect the public purse.
- 125 Following local government review in 2009, the Council has built upon the foundations of previous district councils and further harmonisation in 2012 has continued to expand the service to provide a countywide service within the context with the priorities of the Council and budget pressures. Community issues of dog fouling, fly-tipping and littering are key issues within most communities in County Durham and Members acknowledge best practice campaigns have been adopted and request that these areas remain a focus for neighbourhood wardens.
- 126 The review has highlighted many positive pieces work undertaken by or involving neighbourhood wardens and the Service should actively share best practice amongst the area teams and continuously seek best practice from other local authorities.
- 127 Evidence throughout the review highlights the value to partnership working from wardens with partner agencies and vice versa, demonstrating that within existing financial pressures partnership working utilising available resources generates greater results and has greater impact for all organisations and ultimately communities within County Durham.
- 128 Wardens have a wide range of tools and powers to excise and the Committee note the knowledge that is required by wardens to undertake their role and the increase in enforcement action. Neighbourhood wardens and PCSOs share a number of powers and utilising these powers is essential within the context of partnership working and budget reductions within respective organisations. Whilst not an enforcement power, the working group strongly request that consideration is given to wardens undertaking restorative approaches training with a view to implement county wide. In addition, to contribute

tackling issues of car parking raised at PACT or community meetings or where cars are parked for longer than their required time Wardens are to contact the Council's parking services team.

- 129 In anticipation of implications from the Anti-Social Behaviour, Crime and Policing Bill, the Neighbourhood Warden Service should be prepared to accommodate any changes to service provision, identify appropriate training for staff and raise awareness with communities.
- 130 An important theme throughout the review has been to raise the profile of the Neighbourhood Warden Service and the contribution to improving confidence of the Council and partner agencies tackling anti-social behaviour and crime. Members acknowledge the challenges and risk to confidence where wardens have responded and referred actions outside their responsibilities and no action has been undertaken. Within this context it is suggested that the service explore a system where the warden informs the resident of action they have taken and contact details for the relevant service or agency.
- 131 The service has received many positive press articles in relation to both campaigns and enforcement activity and Members encourage the Service to maximise media opportunities to promote work undertaken. However, the monthly newsletter contains important information on many positive areas of work by the Neighbourhood Protection team and to improve the profile and raise awareness to communities this should be promoted and circulated more widely with both partner agencies and communities. The website contains useful information on the service but the Committee also feel that social media can have many benefits to improving knowledge of warden activity within local communities, raise the profile of their work, gather intelligence and contribute to improving confidence.

## **Recommendations**

1. That Cabinet note the valuable role Neighbourhood Wardens provide to communities in line with Council priorities and their contribution to partnership working with a wide range of partner organisations.
2. That consideration be given for all Neighbourhood Wardens to undertake training to use restorative approaches as a tool to tackle problems within their role.
3. That the Neighbourhood Warden Service should look to raise its profile through exploring mechanisms to circulate the monthly newsletter to residents groups, partners agencies and neighbourhood watch. In addition, consideration be given to explore the use of social media as tool to improve confidence and gather intelligence with the Council's Corporate Communications Team.

4. That the Neighbourhood Wardens explore development of locality based confidence plans in line with local priorities and also contribute to area based confidence plans produced by Durham Constabulary.
5. That the Neighbourhood Warden Service in addition to offering feedback to improve confidence explore implementing a system where if action needed is outside their responsibility and they have referred to another service or agency, inform the resident of action they have taken and contact details for the relevant service or agency.
6. That attendance at community meetings is a very important format to engage and communicate with residents, but if there are capacity issues to attend community meetings that the Neighbourhood Protection Manager liaise with the local Neighbourhood Police Chief Inspector and/or Inspector and County Council members to identify the most appropriate meetings for the wardens to be attending.
7. That the Neighbourhood Warden Service prepare for implications from the Anti-Social Behaviour, Crime & Policing Bill to become an Act and review tools and powers to ensure that appropriate training is undertaken for staff and changes are communicated to residents, businesses and communities.
8. That Neighbourhood Wardens have the contact details for the Parking Enforcement Team to report any issues relating to car parking raised as a community concern and following concerns raised at PACT meetings these are also shared with the parking services team.
9. Cabinet are asked to consider the recommendations contained in the report as part of the approach through systematic review and provide a progress update on recommendations in six months time.

## Relevant powers delegated to Neighbourhood Protection Team

Description		Power
<b>Dogs</b>	Order to clear up after dog	Dog Control Order under CNEA 2005 (Dog Control)
	Seizure power for stray dogs	s.49 Environmental Protection Act 1990
	Order to limit maximum number of dogs on a lead	s.55 Clean Neighbourhoods and Environment Act 2005
	Order to require dogs on a lead	s.55 Clean Neighbourhoods and Environment Act 2005
	Order to require dogs on a lead by direction of authorised officer	s.55 Clean Neighbourhoods and Environment Act 2005
	Order to exclude dogs	s.55 Clean Neighbourhoods and Environment Act 2005
Description		Power
<b>Litter and Waste</b>	Littering	S. 87/88 Environmental Protection Act 1990
	Power to remove things intentionally abandoned on land in open air	S. 6 Refuse Disposal Amenity Act 1978
	Power to require removal of litter/refuse causing detriment - Litter Clearance	S.92A Environmental Protection Act 1990
	Power to remove abandoned vehicles	S. 3 Refuse Disposal Amenity Act 1987
	Flytipping	S. 33 Environmental Protection Act 1990
	Household Occupiers Duty of Care	S. 34(2A) Environmental Protection Act 1990
	Duty of Care Offence - Non Domestic	S. 34 (1) Environmental Protection Act 1990
	Offence of transporting controlled waste without a licence	S. 1 Control of Pollution Amendment Act 1989
	Investigatory Powers	S. 108 Environment Act 1995
	Power to require removal of flytipped waste.	s.59 Environmental Protection Act 1990
	Power to specify how household waste is stored and placed for collection	s.46 Environmental Protection Act 1990
	Power to specify how commercial waste is stored and placed for collection	s.47 Environmental Protection Act 1990
	Power to require specified businesses to clear up waste in vicinity of the premises - Street Litter Control Notice	s.93 Environmental Protection Act 1990
	Seizure of Vehicles	s.6 CoP(A) Act 1989 & S.34c EPA 1990
	Forfeiture of Vehicles	s.33b EPA 1990 & s.44 CNEA 2005 (if convicted)

	Search and Seize	s.33 & 34. EPA 1990 (Search & Seize for s33 & s34)(S.46 CNEA 2005)
	Power to require abatement of detriment to amenity of the area caused by land / premises	s.215 Town & Country Planning Act 1990
	Power to require abatement of nuisance prejudicial to health	s. 80 Environmental Protection Act 1990
	Power to require removal of matter likely to attract / give harbourage to rodents/ preventative works	S.4 Prevention of damage by Pests Act 1949
	Notice to remove Noxious / putrescible waste	s. 79 Public Health Act 1936
	Provision of Information	s. 16 LG(MP) A 1976
	Power to clear land serving two or more properties and recharge	s. 78 Public Health Act 1936
	Power to require fencing of land adjoining street causing nuisance or used for immoral purposes	s.31 Public Health Acts Amendment Act 1907
	Notice Intention to Remove Rubbish	s.34 PHA 1961
<b>Description</b>		<b>Power</b>
<b>People &amp; Property</b>	Power to require persons under 18 to surrender alcohol	Para 6 of Schedule 4 to the Police & Reform Act
	Power to seize tobacco from a person aged under 16	Para 7 of Schedule 4 to the Police & Reform Act
	Insecure Properties - Out of Hours Only	s.29 LG (MP)A 1982
	Power to require person drinking alcohol in a designated place to surrender alcohol	para 5 of Schedule 4 to the Police & Reform Act
	Power to disperse groups and remove persons under 16 to their place of residence	Para 4A to the Police & Reform Act (inserted by Section 33 of the ASB Act 2003)
<b>Description</b>		<b>Power</b>
<b>Other Environmental</b>	Noise	s.80a EPA 1990
	Graffiti and Flyposting FPN	S.43 ASB Act 2003
	Shopping Trolleys	s.99 EPA 1990 / CNEA
	Power to require removal of flyposting or graffiti	s.48 Anti- Social Behaviour Act 2003
	Affixing picture, letter or sign on the highway or highway furniture without reasonable excuse, consent or authority	S. 132 Highways Act 1980
	Obliterating a traffic sign without reasonable cause	S. 131 Highways Act 1980
	Displaying an advertisement in contravention of advertising regulations - trailers	S. 224 Town and Country Planning Act
	Power to remove or obliterate unlawful placards and posters.	S. 225 Town and Country Planning Act
<b>Description</b>		<b>Power</b>
<b>Vehicle Related</b>	Vehicles for Sale - Nuisance Parking	s.3 CNEA 2005 (s.6 CNEA 2005 FPN)
	Repairing vehicles on the road - Nuisance Parking	s.4 CNEA 2005 (s.6 CNEA 2005 FPN)

	This section provides for the offence of wilful obstruction of free passage along a highway. This includes anything that impedes free flow along the highway	s. 137 Highways Act 1980
	Power of the Court to order removal of obstruction of highway. This power may only be exercised by the Court on conviction for a 137 Highways Act 1980 if such an obstruction exists the Highway Authority would have powers to remove it by way of section 149 of the Act	s. 137ZA Highways Act 1980
	Gives the authority the power to order the removal of things deposited, this can be immediate if it is believed there is a danger. Also allows the council to recover costs.	s.149 Highways Act 1980
	Proceedings to prevent abuse of highway, particularly injunctive proceedings concerning abuses effectively amounting to public nuisance.	s. 130 & s. 333 Highways Act 1980

**Activity Neighbourhood Wardens  
Enforcement Action through Litter and Dog Fouling Fixed Penalty Notices and issuing  
Litter Clearance Notices (April – October 13)**

Area	Litter	Dog	Litter Clearance Notice
Teesdale & Weardale	1	2	2
Bishop Auckland	34	14	36
Chester le Street	82	5	4
Consett	56	8	7
Crook	10	3	13
Durham	143	11	1
Newton Aycliffe	27	4	25
Peterlee	86	22	16
Seaham	70	11	5
Spennymoor	34	7	25
Stanley	22	9	26

**Number of reports of Dog Fouling, Litter, fly-tipping, ASB and collection of Stray Dogs  
(October 2013)**

Area	Dog Fouling	Stray Dogs	Litter	Fly tipping	ASB (Police)
Teesdale & Weardale	4	4	0	21	0
Bishop Auckland	13	16	1	96	2 (23)
Chester le Street	8	13	4	37	10 (13)
Consett	9	14	3	64	5 (28)
Crook	8	5	0	115	2 (7)
Durham	10	13	9	83	7 (39)
Newton Aycliffe	7	13	1	45	8 (17)
Peterlee	9	15	6	78	23 (46)
Seaham	9	14	2	60	4 (20)
Spennymoor	5	15	0	63	1 (20)
Stanley	8	25	7	50	4 (24)

## Neighbourhood Wardens – Activity with Council Services and Partnership Arrangements with external Agencies

### Council Services

<b>COUNCIL SERVICES</b>	<b>WHAT WE DO</b>	<b>WHAT WE DEAL WITH</b>
<b>ASB Team</b>	Joint working Information sharing	Targeted patrols Leaflet/letter drops Home visits Investigations  Distribute and collect diary sheets
<b>Pride Team</b>	Joint Working  Green Flag Multi Agency Walkabouts Campaigns Green Dog Walkers	Weeks in Action  Community liaison and involvement School visits Litter picks Leaflet drops Dog microchipping
<b>Clean &amp; Green</b>	Joint Working Flood Watch Bonfire Watch Green Flag	Pro-active patrols for Fly-tipping Graffiti Littering Dog Fouling Fly-posting Investigate reports of abandoned vehicles Snow clearance Removal of sharps and drug related paraphernalia Removal of stray dogs Untidy yards and gardens  Community liaison and involvement
<b>Refuse &amp; Recycling</b>	Joint working	Contamination procedure Leaflet drops Waste related issues Bins left out (section 46) Duty of Care inspections to business premises  Remove obstructions (vehicles)
<b>Environment, Health and Consumer Protection</b>	Joint working Data sharing Surveillance support	Neighbour nuisance complaints Anti social behaviour Scrap metal dealers (share intelligence) Accumulations of waste Open to access properties Community Action Team
<b>Travellers Liaison</b>	Joint Working Site monitoring	Waste issues Horse issues

	Issue Enforcement Notices	Fly-Tipping
<b>Bereavement Services</b>	Joint working	Patrol cemeteries to deal with ASB
	Green Flag	Community liaison and involvement
<b>Benefits Team</b>	Intelligence Sharing	Report suspected benefits fraud
<b>Planning</b>	Joint working Information sharing	Parking issues Businesses run from home Overgrown gardens Fly-posting Dangerous Structures Identifying misuse of land Investigation of unauthorised building work Vehicles for sale
<b>Highways</b>	Joint working	Pro-active patrols for Damaged street furniture Parking issues Fly-posting Remove abandoned and nuisance vehicles Unauthorised skips  Potholes and uneven pavements Street lighting Untaxed vehicles Vehicles for sale Damage to bus shelters  Identify overhanging hedges and trees  Missing/damaged drain or gully covers

<b>EXTERNAL PARTNERS</b>	<b>WHAT WE DO</b>	<b>WHAT WE DEAL WITH</b>
<b>Police</b>	Joint Working Multi Agency Operations Farm Watch Community Action Partnership (CAP) LMAPS  Operation Hansell (scrap metal) Stay Safe  Speed Watch Data sharing Intelligence sharing	Low level ASB (Airwaves) Alcohol seizures Stop and Search  Bus station patrols Weeks in Action  Off road motorbikes Joint high visibility patrols Dog control (assist with dangerous dogs) Steward Duty (crowd control) Professional witness  Dealing with horses on the road
<b>Environment Agency</b>	Joint working Data sharing  Intelligence sharing	Large scale fly-tipping investigations Illegal land fill investigations  Illegal tyre storage and dumping Waste Carriers Checks
<b>Fire Brigade</b>	Joint working  Fire Watch Bonfire Watch	Bonfires  Accumulations next to buildings
<b>DVLA</b>	Information sharing	Report untaxed vehicles
<b>Housing Providers</b>	Joint working Information sharing Estate walkabouts	Accumulations next to properties Untidy yards or gardens ASB/Problem tenants Identify repairs Noise Issues
<b>Community/Resident Groups</b>	Joint working Site visits Walkabouts	Attend meetings Identify and report issues
<b>Town &amp; Parish Councils</b>	Joint working Information sharing	Locality based environmental issues
<b>Dogs Trust/ Kennels</b>	Education	Micro chipping Responsible Dog Ownership
<b>AAP's</b>	Joint working Information sharing	Locality based environmental issues