

Community Safety and Environment Policy and Accountability Committee Minutes

Monday 19 July 2021

NOTE: This meeting was held remotely. A recording of the meeting can be found at:
<https://youtu.be/mbfVOeTcJws>

PRESENT

Committee members: Councillors Bora Kwon (Chair), Iain Cassidy, Fiona Smith, Ann Rosenberg and Victoria Brocklebank-Fowler

Other Councillors: Councillors Sue Fennimore (Deputy Leader) and Wesley Harcourt (Cabinet Member for the Environment), Sharon Holder (Cabinet Member for Strategy)

Officers: Sharon Lea (Strategic Director of Environment), Matthew Hooper (Chief Officer - Safer Neighbourhood), Ed Shaylor (Private Sector Housing Manager), Adrian Overton (Licensing Policy and Enforcement Manager)

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

Councillor Fiona Smith declared that she was appointed as the Vice-Chair for the Licensing Sub-Committee for this municipal year.

3. MINUTES

The minutes of the meeting held on the 16th March 2021 were noted. As this was an informal meeting, minutes will be formally agreed at the next meeting.

4. PUBLIC PARTICIPATION

There were no questions received from the public.

5. LAW ENFORCEMENT TEAM UPDATE

Matt Hooper (Chief Officer - Safer Neighbourhoods & Regulatory Services), gave a presentation on the role of the Law Enforcement Team (LET) and provided a summary of the following key points.

- The Council approved the creation of the LET on the 7th December 2020.
- This was the largest community safety investment in the history of Hammersmith and Fulham.
- The reasons why the Team was put in place were outlined.
- The objectives and core duties of the Team were summarised.
- The Team carried out high visibility patrols and provide 24-hour coverage Wednesday – Sunday.
- The Team had legislative tools and powers to undertake their duties.
- The Team would provide long term solutions to local issues and would work with all Council services to find lasting resolution.
- An overview was provided of the Team's early successes and performance to date.
- An extensive training programme would be offered to all staff (new and existing).
- Training would be ongoing to ensure that the Council had the most professional and well qualified officers in London.

The Chair queried whether the LET replaced Parks Police and Estate Wardens. In response Matt Hooper (Chief Officer - Safer Neighbourhood & Regulatory Services), explained that the functions of these Teams had been combined into the LET. In total 14 existing members of staff were transferred to the LET.

Councillor Victoria Brocklebank-Fowler asked for clarification to be provided on the types of powers that were available to the Team. Matt Hooper (Chief Officer - Safer Neighbourhoods & Regulatory Services), explained that the Team had powers under the Environmental Protection Act 1990. This included powers to issue fines and fixed penalty notices for fly tipping, littering, abandoned vehicles and highway obstruction. They also had powers under the ASB, Crime & Policing Act 2014 to issue community protection notices and warnings. It was noted that a full list would be emailed to Councillor Victoria Brocklebank-Fowler following the meeting.

Action: Matthew Hooper

Councillor Victoria Brocklebank-Fowler noted that some residents felt that the uniform of the LET was intimidating and made officers appear less approachable. In response Matt Hooper (Chief Officer - Safer Neighbourhoods & Regulatory Services), noted that the Council explored uniform trends across other Local Authorities and discussed the colour

scheme in great detail. Currently staff were wearing a temporary uniform and by the end of July all staff members would be provided with their new corporate uniform.

Councillor Victoria Brocklebank-Fowler queried if other boroughs in London had combined all their community safety services, similar to the LET. In response Matt Hooper (Chief Officer - Safer Neighbourhoods & Regulatory Services), explained that the London Borough of Newham and Croydon had taken very similar approaches to .

Councillor Ann Rosenberg queried how quickly was the LET able to respond once an incident was reported. Matt Hooper (Chief Officer - Safer Neighbourhoods & Regulatory Services), explained that the Team was not designed to be a response service. However, the Team had the ability and resources to respond to issues immediately.

Councillor Iain Cassidy asked for further clarification to be provided on the timescales for clearing abandoned bicycles from places where they were stored across the borough. He also asked how the Team would proactively manage and tackle this issue going forward. In response Matt Hooper (Chief Officer - Safer Neighbourhoods & Regulatory Services), noted that the Council was currently working on putting together a detailed response to these types of issues. Officers were working towards resolving these issues within 48 hours after a call was received. Officers were also trained and equipped to remove the bicycles and act early on if any bicycles clearly looked in an unusable state as part of their day to day duties.

The Chair asked if a communications plan would be executed for the launch of the LET so that residents were able to identify officers within the Borough. In response Matt Hooper (Chief Officer - Safer Neighbourhood), noted that a communications plan had already been written on the identity, role and the legislative powers of the Team. The official launch would take place once the Team was provided with their full uniform by the end of the month.

Councillor Ann Rosenberg asked how the Council anticipated to communicate this with the residents of the Borough. Matt Hooper (Chief Officer - Safer Neighbourhoods & Regulatory Services), explained that the communications plan would be delivered via the channels available to the Council, including social media. Staff would also approach local residents and provide face to face engagement, whilst on duty. Over time the staff would also attend residents' meetings. In addition, the LET's roles and responsibilities would be clearly set out on the Council's website, emphasising that this was a separate service to the Metropolitan Police.

Councillor Victoria Brocklebank-Fowler asked if residents in the Borough were given priority to joining the LET during the recruitment process. In response Matt Hooper (Chief Officer - Safer Neighbourhoods & Regulatory Services), explained that the Council attempted to recruit local residents. The total number of residents that applied during the recruitment process was lower than anticipated. However, this was something that would be addressed by the Council over time.

Members noted this report.

6. IMPROVING PRIVATE SECTOR HOUSING THROUGH DISCRETIONARY PROPERTY LICENSING

Ed Shaylor (Private Sector Housing Manager), presented the report and noted that the private rented sector in Hammersmith and Fulham was the sixth highest in London and eight highest in the country and accounts for 30% of all households in the Borough according to the 2011 census.

To help improve the private rented sector, the Council had two discretionary property licensing schemes which expired in June 2022. These schemes required landlords of privately rented houses and flats which meet the criteria to apply to the Council for a licence for each property.

The proposal was from June 2022 to June 2027 to:

- continue additional Licensing for Houses and Flats in Multiple Occupation (HMOs) for all HMOs not covered by mandatory HMO Licensing, and
- substantially reduce the number of streets in the Selective Licensing scheme from 128 to 23, to focus on busy roads, flats above shops, and roads with a significant private rented sector. The proposed 23 streets were in a range of the borough's districts so would provide wide coverage of the rental sector – 4 streets were in W6; 4 in W14; 9 in W12; 5 in SW6; and 1 in NW10.

HMO licensing being Borough wide would also ensure that all areas of the Borough were properly supported by the private sector housing team. There was also a proposal to prohibit multiple occupation use of leasehold flats where the Council was the freeholder, due to pressure on block infrastructure and nuisance to neighbours.

Councillor Victoria Brocklebank-Fowler asked for further clarification to be provided on the policy for HMO's in leasehold flats. In response Ed Shaylor (Private Sector Housing Manager), noted that where there was a leasehold agreement prohibiting use of a flat for multiple occupation, a policy had been implemented to limit the duration of the licence to two years during which time the licence holder was expected to either cease using the flat as an HMO when the tenants moved out or obtain a waiver from the freeholder. The same approach had been adopted where the Council was the freeholder, as the Council had a policy not to allow its leasehold flats to be used as HMOs.

Councillor Iain Cassidy commented that a very small number of private tenants had responded to the public consultation and asked what measures had been put into place by the Council to expand the engagement strategy with the public. Ed Shaylor (Private Sector Housing Manager), noted it was apparent at the beginning of the consultation that Officers were receiving a higher number of replies from landlords in comparison to the tenants. Officers were working closely with tenant representative organisations and the Council's Environmental Health Officers also reached out to tenants to encourage participation in the consultation. In addition, 13000 leaflets were

delivered within the Selective Licensing streets to the occupiers as part of the consultation.

Referring to Appendix 5 (Survey of privately renting tenants December 2020 to February 2021), Councillor Iain Cassidy raised concerns in relation to the safety responses. He highlighted there were a significant number of tenants which had not been issued with mandatory gas safety certificates. He asked whether there was any data on the number of private landlords which were unaware of their duty of care under current legislation and regulations. In response, Ed Shaylor (Private Sector Housing Manager), explained that in his experience, landlords came in many guises, with differing levels of compliance. The Committee noted that of all the properties that had been licenced under the current scheme (approximately 6000), a very substantial number of landlords were unaware of minimum safety requirements. Ed Shaylor explained the advantages of the licensing scheme, which would provide landlords with clear information and guidance on their obligations and responsibilities, and in turn, improve the overall standards within the Private Rented Sector. The Council also offered advice to landlords via the Council's website and telephone.

The Chair felt that the criteria applied for the selection of the proposed streets for the licensing scheme was reasonable and clear. She queried whether the commercial properties that had been converted into residential flats and properties that were not on the Council's radar would also benefit from being included as part of the Selective Licensing scheme. Ed Shaylor (Private Sector Housing Manager), outlined the reasons why the Council had opted for the selected streets and noted that it would also be useful to consider defining the type of property rather than the street or location as long as the Council was clear on what was included in the scheme.

Members noted this report.

7. LICENSING POLICY CONSULTATIONS

Removal of Cumulative Impact Policies in Fulham and Shepherd's Bush

Adrian Overton (Licensing Policy and Enforcement Manager) gave a presentation on the future of the Cumulative Impact Policies (CIP's) and noted the following key points:

- The Council currently had two CIP's in Fulham and Shepherd's Bush.
- The supporting evidence for both of these policies had expired.
- The Licensing Authority must carry out a public consultation on the removal of the policies from the Statement of Licensing Policy.
- The steps required to implement a CIP area were outlined.
- The evidence gathering process for both of the policies showed different types of problems in both areas.
- Both policies were last reviewed in 2015 and data from the police, ambulance service and noise complaints were assessed.
- Any evidence gathering exercise to support any new CIP's would now be carried out in the summer of 2021 or 2022.

- A consultation was now live with residents and other stakeholder online via the Council's Space system.

Councillor Victoria Brocklebank-Fowler commented that she was the Chair of the Licensing Committee between 2008-2012 when these two CIP zones came into place. She felt that it was essential for the Borough to continue to include both Fulham and Shepherds Bush Town Centres under the CIPs, noting that she was in favour of renewing the existing policies. She asked for further clarification to be provided on the Council's intention of the public consultation. In response Councillor Wesley Harcourt (Cabinet Member for the Environment) noted that the policies had expired, therefore a public consultation on the removal of the policies must be carried out. The Council needed to gather new evidence and would support the outcome of the consultation. The responses received from residents would be taken into consideration to help minimise any significant adverse impact on their enjoyment of their homes and local amenities

Review of the Statement of Gambling Policy

Adrian Overton (Licensing Policy and Enforcement Manager) gave a presentation on the review of the statement of Gambling Policy and noted the following key points:

- It was now time for the Council to review its Statement of Gambling Policy (SGP) and undergo a public consultation exercise.
- The latest version would be agreed by Full Council in October 2021 and published in January 2022.
- A SGP may last for a maximum of three years and can be reviewed and revised by the authority at any time during that period.
- The review process for the SGP was outlined in detail.
- A proposal had also been made to support the removal of the Council's long standing 'No Casino' resolution from the policy.
- The consultation began on the 12th July 2021 and would close on the 19th September 2021.

Councillor Victoria Brocklebank-Fowler commented that she was supportive of a 'No Casino' resolution as she felt it was not suitable for this borough.

The Chair requested that details of the consultation be circulated to Committee Members and gambling charities within the borough.

Action: Adrian Overton

Members noted this report.

8. DATE OF NEXT MEETING

The next meeting will be held on 8 November 2021.

Meeting started: 18:30pm
Meeting ended: 20:15pm

Chair

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