


Non-Executive Report of the:  <b>Grants Determination Sub Committee</b>	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Beverley Greenidge, Interim Director of Neighbourhoods / Ann Corbett, Director, Community Safety	<b>Classification:</b> Unrestricted
<b>Council Estates Policing Team - Future Section 92 Agreement</b>	

<b>Originating Officer(s)</b>	Nick Spenceley
<b>Wards affected</b>	All Wards

### Executive Summary

With Tower Hamlets Homes (THH) returning in-house to the Council, different options for the future service delivery for the management of Anti-Social Behaviour (ASB) on council managed housing estates are being reviewed. Ensuring continuity of service for our residents, both up until the transfer and thereafter is a key consideration of this.

Under Section 92 of the Police Act 1996 THH as an Arm's Length Management Organisation (ALMO) of the Council were able to enter into a Section 92 Agreement with the London Mayors Office for Police and Crime (MOPAC) for a police team consisting of 14 officers (2 sergeants and 12 constables). The current agreement has an end date of 30<sup>th</sup> September 2023 and this paper outlines the rationale for entering into a new Section 92 Agreement for police patrols on council estates post September.

### Recommendations:

The Grants Determination Sub Committee is recommended to:

1. Give approval for THH via LBTH to enter into a new Section 92 Agreement with MOPAC for 14 officers (2 sergeants and 12 constables) to ensure continuity of service and resource for council residents as THH returns in-house to LBTH.

### 1. REASONS FOR THE DECISION

- 1.1 Agreeing to enter into a new three year Section 92 Agreement will ensure the protection of the current levels of resources and continuity of service,

whilst the future Community Safety/THH ASB service operating model is developed.

## **2. ALTERNATIVE OPTIONS**

- 2.1 An option would be to not continue with the police teams for council estates post September 2023 when the agreement comes to an end. This would impact directly on residents in terms of many of their ASB complaints, predominantly of a criminal nature, becoming more challenging for THH and LBTH to investigate. This could lead to a disruption in service continuity and potential reputational damage for THH/LBTH.
- 2.2 Another option would be to wait until the new operating model for the delivery of ASB in the borough has been finalised. There is a risk that this piece of work is unlikely to be concluded by September 2023 and the officers working on the current Section 92 Agreement would move to alternative roles within the police post September. There is no guarantee that the police will be able to provide new officers for a future agreement due to their own resourcing issues. If approval is given to continue with the police teams, any future operating model would be able to make use of this resource, or six months' notice to end the agreement can be given if it is determined there is no longer a need for it.

## **3. DETAILS OF THE REPORT**

- 3.1 Combating Anti-Social Behaviour stands amongst the highest priorities for THH, and tackling crime and ASB was a key manifesto pledge of the new Council administration, with the subsequent 2022-26 Strategic Plan having a priority of Empowering Communities and fighting crime. Previously, additional Council funding of £2.5 million was approved for THH over a three year period from 2017/18 to help tackle ASB on our estates via a Section 92 Agreement with MOPAC. As an ALMO THH were able to access this agreement via LBTH. This was for a match funded police team made up of 2 sergeants and 12 constables and procuring Parkguard Ltd to provide a Neighbourhood Patrol Service.
- 3.2 Following the success of these services, in June 2020 the Cabinet agreed for the Council to enter into a new S92 Agreement with MOPAC to continue providing additional services on the Council's estates. In making this decision the continued priority placed by residents on tackling ASB and the impact of the additional policing services in tackling ASB since their introduction in 2017 was noted.

- 3.3 The Cabinet agreed that, following resident consultation, Council tenants would be recharged for the service through an increased rent service charge element. The services are also recharged via leasehold service charges.
- 3.4 While we work in close partnership with LBTH and the police amongst other stakeholders to tackle ASB, including supporting operations boroughwide, as our residents are recharged for the police team, these services are tasked directly to our estates so residents receive the direct benefit of the patrols.
- 3.5 The initial Section 92 Agreement with MOPAC ended in September 2020 with the new three year agreement running from 1<sup>st</sup> October 2020 to 30<sup>th</sup> September 2023. The agreement value for 2022/23 was £855,500 however extraction days where the officers are called away from the borough to support policing elsewhere e.g. helping police events following the Queen's passing, are not charged for.
- 3.6 Working alongside the THH Police team the THH ASB team have contributed to a significant increase in targeted actions on THH estates, focussing in particular on actions to disrupt drug dealing and abuse on estates and providing a visible reassurance to residents and to encourage further reporting. We have taken a deliberate approach to evidence based tasking as this allows us to make the most efficient use of the limited resources and have run a number of highly successful operations to combat drug use on our estates.
- 3.7 While levels of ASB remain high in the borough and it continues to be a key concern for residents there is a need to continue with these patrols beyond September 2023. This is to ensure the protection of the current levels of resources and continuity of service, whilst the future Community Safety/THH ASB service operating model is developed, potentially with the estate focussed policing team becoming absorbed into a wider LBTH police team.
- 3.8 MOPAC advise that their agreements are for a three year period, however this can be terminated by either party giving six months' notice.
- 3.9 THH has budget allocation of £937,920 for 2023/24 for the provision of this service. Currently these costs are funded via the HRA and recharged to residents so are technically self-funding. However if a future operating model determines that these services are to be funded from the General Fund so that the resource could be used borough wide rather than just specifically on council estates, this would be possible. Due to the impact of this on service charges and rent settings it is recommended that this would be coincided with the start of a financial year rather than mid-year. Consideration of whether there would be any resident recharge for services funded by the General Fund would be reviewed as part of the work developing the future service model.
- 3.10 The current Section 92 Agreement outlines that it is to provide an additional visible uniformed presence on Tower Hamlets Homes housing estates to target Anti-Social Behaviour with a particular focus on drug dealing and drug misuse impacting on THH residents, so the new agreement would need to reference

the potential for the resource to be used borough wide should funding be provided from the General Fund in the future.

- 3.11 Entering in to a new Section 92 Agreement with MOPAC was discussed at Housing Management Joint Steering Group, as well as the Mayor's Advisory Board in June 2023. It was agreed that approach to entering into a new Section 92 Agreement would ensure service continuity for tenants and leaseholders while the new operating model is being developed.

#### **4. EQUALITIES IMPLICATIONS**

- 4.1 Equality implications are being reviewed as part of future Community Safety/THH ASB service operating model project. A Equalities Impact analysis will be undertaken to assess any impacts once the final operating model has been developed.

#### **5. OTHER STATUTORY IMPLICATIONS**

##### **5.1 Crime Reduction**

This report is seeking approval to enter into a new 3 year Section 92 Agreement with MOPAC for 14 officers which will deter and disrupt anti-social behaviour, crime and disorder within Tower Hamlets as well as providing re-assurance to the Council's residents.

##### **5.2 Safeguarding**

There will be a requirement for the officers to carry out welfare checks where there is concern for a person's safety and take appropriate action. The service will work in full partnership with LBTH/THH.

#### **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 Currently this scheme operates on our THH estates and is contained within the HRA budget. Costs are recharged to residents via the rent and leaseholder service charges. The current budget is £938K for 23/24, but if this scheme were to be widened to cover other areas of the borough outside the HRA it will result in a pressure on the General Fund. The extent of this pressure and the impact of any mitigating factors have not yet been quantified.

#### **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The Council is able to take the action proposed pursuant to the Police Act 1996 s.92.
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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- NONE

### **Appendices**

- NONE

### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- NONE

**Officer contact details for documents: N/A**