

WELWYN HATFIELD BOROUGH COUNCIL
ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE – MARCH 2019
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE)

OPERATION REPRISE AND BALSAM NOISE CALL OUT SERVICES UPDATE

1 Executive Summary

- 1.1 Operation Reprise provides an immediate noise response service every Friday and Saturday night throughout the year between the hours 22:00 and 03:00.
- 1.2 Operation Balsam provides an immediate noise response service working as part of a larger police operation targeted to coincide with the start and end of the University of Hertfordshire academic year over a two to three week period.

2 Recommendation(s)

- 2.1 For members to note the work undertaken and support the continued service provided by the Public Health and Protection and the Street Warden team taking part in Operation Reprise and Operation Balsam.

3 Explanation

3.1 Operation Reprise

- 3.2 Operation Reprise has been providing the residents of Welwyn Hatfield Borough with a weekend night noise response service since 2008.
- 3.3 The service provides two Council officers, in a vehicle patrolling the borough and responding to complaints of noise from residents across the Borough. The Reprise team give an immediate response to noise complaints on Friday and Saturday nights between the hours of 22:00 and 03:00. The response is provided to deal with any type of noise disturbance that affects someone in their home, such as from loud parties, barking dogs, pubs and clubs, factories, warehouses etc.
- 3.4 The team comprises of an officer from the Environmental Health team (authorised officer) and a street warden. All officers are registered and trained under the Herts Community Safety Accreditation Scheme which then allows access to safetynet and the PNC for certain information. Environmental Health officers are able to access the Public Health and Protection case management system via a tablet while out on district and on PC while based in the office. This level of vetting allows the team to access a large amount of information to make informed decisions regarding their own safety and level of remedial action taken.

The street warden acts as a driver and support for the authorised officer. The authorised officer handles calls from the police and Council control room and residents. The team visit both the complainant and alleged perpetrator. The authorised officer leads each visit and makes decisions as to the most appropriate course of action. The authorised officer would lead any discussion with the

residents and alleged perpetrators. The second officer would be responsible for collecting corroborative evidence and for use of the Bodycam. The use of the Bodycam is invaluable when dealing with aggressive or vulnerable people.

Operation Balsam

- 3.5 The Council and Police have worked in direct partnership with the University of Hertfordshire to provide an extended out of hours noise service at the start and end of the academic year since 2009. In 2013 this particular project was re branded as Operation Balsam. The Police officer who is dedicated to working with the university works directly with Environmental Health to co-ordinate each Balsam period.
- 3.6 Police and Environmental Health (EH) Officers work together during Balsam based at Hatfield police station and patrolling throughout these hours in a police marked vehicle. The police provide a specific shift pattern to deliver resources for a late turn during these operations, patrols have a remit to deal with burglaries, often against students, and other crimes as well as working with an authorised officer to deal with noise and antisocial behaviour issues.
- 3.7 The Balsam team will respond to any complaints of noise in any part of the Borough every night over the hours 22:00 to 03:00 but prioritises those complaints by or about student properties.
- 3.8 The dates and length of the operation is determined by the police and the University dependant on term and exam dates.
- 3.9 One key aspect of the operation is to impart a message of personal safety to the students and part of the Operational Order states that “Officers will engage with students at every opportunity, to educate students on the standards of behaviour expected during the coming year. In addition and where appropriate advice relating to housing, personal safety and security will be given.”
- 3.10 Each night the police send in logs of all incidents and actions which are collated by the support team. The logs are assessed and where necessary follow up work is implemented. EH will assist the University when undertaking disciplinary action, by taking part and providing direct evidence.
- 3.11 Therefore, Operation Balsam, both ensures that appropriate actions are taken to deal with antisocial behaviour and noise nuisance and additionally provides a positive message to young people that enforcement agencies are also there to provide support and advice.
- 3.12 A debrief is carried out by EH, the University and the Police after each Operation with feedback given by all those involved to identify what works well and what can be improved.
- 3.13 For both services the risk assessment is reviewed annually in consultation with all authorised officers and the Health and Safety officer. All staff are provided with the appropriate Personal Protective Equipment including stab vests. There are staff review sessions. This will include reminding staff to report abusive behaviour displayed towards them.

3.14 **Specific Updates for 2018-19**

- 3.15 The statistics for Reprise and Balsam are attached as Appendix 1.
- 3.16 Since last the last report the potentially violent person protocol has now been produced and in use.
- 3.17 Street wardens now wear bodycams routinely and record at any time there appears to be the potential for conflict. All people present are informed at the time. These are proving to be an effective personal safety and corroboration tool.
- 3.18 Business continuity plans in place mean the weather is monitored and agencies informed if the service cannot go ahead due to inclement weather. There have been a couple of occasions where the service has been cancelled due to staff sickness. The EH team has continued to fill all shifts despite having two staff vacancies for the last four months.
- 3.19 The service also provides the ability to carry out checks for compliance while working during unsociable working hours on behalf of other service areas. The team are able to provide compliance checks if requested for planning, environment services, anti-social behaviour and licensing teams.
- 3.20 All callers and alleged perpetrators receive a follow up letter that explains what action was taken on the night and what next steps they can take. This means that either side have a clear record of what took place and the means to discuss it further with the case officer if needed.
- 3.21 These Operations provide effective and swift action to resolve complaints on the night. The evidence gathered is far more effective and vital than from log sheets and noise recordings as it is direct evidence. For example sufficient evidence has been gathered on a number of shifts to justify instructions for prosecution regarding a particularly troublesome commercial premises as a direct result of this service.
- 3.22 The out of hours noise service was used as a case study as part of the Council's Peer Review.

Implications

4 Legal Implication(s)

- 4.1 There are legal implications if complaints of noise are not investigated. The Council has a statutory duty to investigate all complaints of noise and provide authorised officers to do so. Failure to do will be investigated by the Local Authority Ombudsman. In addition, unsatisfied residents are likely to seek redress through their MP or ward Councillor or invoke the formal complaint process.
- 4.2 There are specific legal procedures governing the investigation of statutory nuisances. These includes provisions for prosecution and/or work in default which can result in the seizure of noise making equipment. Authorised officers have to achieve a sufficient level of competency in the technical and legal aspects of noise and acoustics before they can carry out such investigations and instigate legal proceedings.
- 4.3 The council has legal obligations to employees to protect their health, safety and welfare.

5 Financial Implication(s)

- 5.1 The funding for Operation Reprise including all staff and equipment is met by existing budgets.
- 5.2 Funding for Operation Balsam is entirely provided by the University of Hertfordshire.

6 Risk Management Implications

- 6.1 There are public health risks to persons who suffer noise nuisance; this can include increased stress levels and exacerbating existing heart conditions, high blood pressure etc.
- 6.2 There are risks to staff safety in carrying out this work. These can be minimised by appropriate control measures and staff training.
- 6.3 There is a resource implication providing authorised officers to work night shifts for a two week period. There is a small impact on the ongoing routine work of the department. However, this can be accounted for by forward planning of workloads.
- 6.4 There are risks by misunderstanding of what the service can provide. It is made clear throughout the request for service process of types of noise we can and cannot deal with.

7 Security and Terrorism Implication(s)

- 7.1 In complying with the Prevent duty Local Authorities need to ensure that publicly owned resources do not provide a platform for extremists and are not used to disseminate extremist views.

8 Procurement Implication(s)

- 8.1 None associated with this report

9 Climate Change Implication(s)

- 9.1 None specifically although when experience hot weather there is generally an increase in noise complaints

10 Human Resources Implication(s)

- 10.1 None associated with this report

11 Health and Wellbeing Implication(s)

- 11.1 There are implications, people who are experiencing ongoing noise disturbance are affected by stress, lack of sleep and sometimes cases result in aggression and physical assault. People who have mental health problems find dealing with noise disturbance difficult as they are often more sensitive and already suffering other forms of emotional or physical imbalance.

12 Communication and Engagement Implication(s)

- 12.1 There is a need for an effective communications strategy to include engagement with the Police and University to ensure the service is promoted and accessible to all residents.

13 Link to Corporate Priorities

- 13.1 The subject of this report is linked to the Council's Corporate Priority "maintain a safe and healthy community" and "engage with our communities and provide values for money and specifically is linked to a statutory requirement, under Part 3, of The Environmental Protection Act 1990

14 Equality and Diversity

- 14.1 An EqIA was not completed because this report does not propose changes to existing service-related policies or the development of new service-related policies.

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Date	<i>22 February 2019</i>

Appendices to be listed:

Statistics for 2018 to 2019