



REPORT TO:	BOSTON TOWN AREA COMMITTEE
DATE:	20TH MAY 2021
SUBJECT:	REGULATING AND SAFEGUARDING BOSTON'S ECONOMY TASK AND FINISH GROUP RECOMMENDATIONS IN RELATION TO CENTRAL PARK SECURITY
KEY DECISION:	NO
REPORT AUTHOR:	ASSISTANT DIRECTOR – REGULATION, MR CHRISTIAN ALLEN
WARD(S) AFFECTED:	WITHAM WARD
EXEMPT REPORT?	NO

SUMMARY

Under the auspices of the Environment and Performance Overview and Scrutiny Committee, Regulating and Safeguarding Boston's Economy Task and Finish Group conducted a review and developed 13 Recommendations. The recommendations were accepted by the parent committee and referred to Cabinet on 2nd December 2020. Cabinet agreed to accept all 13 recommendations but determined that the two relating to Central Park be delegated to Boston Town Area Committee for consideration.

At the Boston Town Area Committee meeting held on 3rd February 2021, members agreed to accept the two recommendations concerning Central Park, and delegated by Cabinet, and instructed officers to produce an options report including costings and Officer opinions.

This report sets out the options as requested together with indicative costings and Officer opinion for members of BTAC to consider.

RECOMMENDATIONS

That BTAC consider the options set out in this report and delegate the Assistant Director Regulation, in consultation with the Chairman of BTAC, Leader Portfolio Holder and Section 151 Officer, authority to implement the option selected.

REASONS FOR RECOMMENDATIONS

To implement the two recommendations (12 and 13) as approved by Cabinet and delegated to BTAC.

To provide an effective and funded arrangement for effectively addressing anti-social behaviour in Central Park

OTHER OPTIONS CONSIDERED

Options as set out in the report plus do nothing.

REPORT

1. Background of Task & Finish Review

- 1.1. The Environment and Performance Overview and Scrutiny Committee receives as part of its work programme, quarterly performance monitoring reports. These reports are used to inform future topics for scrutiny aligned to the corporate priorities of the committee. The Committee also receives statutory annual update reports in respect of anti-social behaviour and CCTV activity across the borough.
- 1.2. At the Environment and Performance Overview and Scrutiny Committee meeting held on the 24 September 2019, members voiced concern at the number of on-going complaints raised by members of the public in respect of anti-social behaviour within the borough. The complaints included a wide range of anti-social activity, coupled with ongoing public criticism of incidents at licensed premises in relation to illegal alcohol sales. Officers suggested that due to the potential range of the review, preliminary scrutiny could assist in scoping the task and determining how to move a more detailed review forward. Members held an Inquiry Evening on 5th November 2020, with Police and Council Officers in attendance, and determined that a Task and Finish Group would be established.
- 1.3. The Inquiry Evening determined that the scope of the Task and Finish Group would be as follows:
 - Alcohol and premises licensing and associated enforcement.
 - Trading Standards and HMRC powers, policies, procedures and enforcement options / outcomes for dealing with counterfeit and non-duty paid goods.
 - Home Office and Police powers, policies and procedures for dealing with those with no recourse to public funds and those not exercising their treaty rights.
 - Housing and Homelessness duties, options and support models.
 - Public Space Protection Orders and other Council enforcement arrangements.
 - Tasking the local MP to raise any relevant issues with Government.

- 1.4. At various meetings during 2020, the Task and Finish Group heard from Council Officers, Partner Agencies, Local Business members, Charity and Volunteer Groups, as well as conducting public consultation to inform the final recommendations of the review.

2. Cabinet – 2 December 2020

- 2.1. Councillor Judith Skinner, Madam Chairman of both Environment and Performance Committee and Task and Finish Group took a report to Cabinet on 2nd December 2020, where 13 group recommendations were presented. Cabinet approved all 13 recommendations and agreed to delegate two relating to Central Park to BTAC. It was also agreed that an update be provided to Environment and Performance Committee, on implementation of the recommendations, at the appropriate time agreed with Madam Chairman.

3. Task and Finish Group Recommendations which reference Central Park

- 3.1. The following recommendations are those agreed by Cabinet for delegation to BTAC;
- 3.2. **Recommendation 12** – That the council consider locking the Central Park gates overnight to address on-going issues of ASB within the park. That if required a trial period of four months be agreed to allow monitoring of incidents during that time to either support or not, the closing of the gates permanently overnight. That agreement is reached as to who fund the cost of who will close the gates and that a request be made to the BTAC committee for such funding for the trial, or if agreed on a permanent basis.
- 3.3. **Recommendation 13** – That BTAC be requested to consider the funding of a service for Central Park to address ongoing anti-social behaviour in the park.
- 3.4. **Central Park - historical context:** Prior to the decision for the Central Park gates to remain unlocked 24/7, a member of council staff physically locked the gates and rang a hand bell to let park users know the gates were being locked. The decision was made to stop doing this due to the risk exposed to the council staff member when trying to ask people to leave and the need to manage out of hours calls from users that had been locked in the park. Vandalism was also a regular occurrence with fencing rails removed from the perimeter fence when persons wished to gain access to or egress from the park when locked. Each rail cost in the region of £100 to replace. Officers also found that rough sleeping and associated anti-social behaviour was prevalent during the night when the park was locked. Officers would advise against council employees being tasked to revert to locking of the park due to the inherent health and safety risk. Clearing the park prior to locking the gates will also be more difficult now due to the enhanced facilities provided such as the skate park and MUGA. The risk of injury from members of the public removing rails or trying to climb over rails to access the Park would also leave the Council liable to claims as owners of the park. It should be noted that no rails have been replaced in the fence to the park since the park has remained open at night. A return to locking of the park at night is likely to see a return to the vandalism of the fence and an increase in repair costs

4. OPTIONS

4.1 To implement the recommendations delegated to BTAC, should members support a return to locking Central Park, Officers have developed four options for consideration:

4.2 **Option 1 - Employ a security firm** – Security personnel with the appropriate competency and training would patrol the Park and open and lock the park on a daily basis.

4.3 A quote has been obtained to provide an opening and locking service only at £16,500 per annum, with an additional fee if locking takes longer than two hours on any given day if the Park is particularly busy. This does not include patrolling the Park.

4.4 A second quote has been received to provide opening and locking the Park on a daily basis including onsite security patrolling presence at a cost of £103,017 per annum, based on a two security officer model.

4.5 **Option 2 – Use of BTAC Operatives** - Officers considered the option of using BTAC Operatives to deliver these services and Matt Fisher, Boston Borough Council's Operations Service Manager has provided the following advice;

“Providing a locking service or a security patrolling service for the Park, would require employees who have specific core competencies and have experience in providing security or enforcement services. It is not recommended that current employees are retrained to do this work as this would have a significant effect on those employees and their ability to deliver wider key continued improvements in the BTAC area”.

4.6 Officers suggest the use of the BTAC Operatives is **not** recommended for further development or scoping.

4.7 **Option 3 - install maglock gates** – this is an electronic access control system that would automatically lock and unlock the gates at predetermined times and would enable those locked in, to get out. The option would require power to be made available at each gate, of which there are five in total. The cost of groundwork would be £10,000 to £15,000, plus the additional cost of adapting the gates and installing the hardware etc. This also does not take away the risk of the maglocks failing and users being locked in the Park. There is also the risk that this encourages members of the public to climb over the fence and open the gate from the inside to gain access for a group.

4.8 Nigel Hall, Boston Borough Council's Property Services Officer has given the following update with regard to his views on the option to install maglock gates:

“Having considered the proposal further I consider that installing an electronic access control system that locks and unlocks the gates automatically is impractical and will be ineffective. The main issues are:-

- *Adapting gates and pillars to receive locking mechanisms*
- *Cost of providing power to each gate*
- *Probably having to provide a data connection to each gate so timings of locking / unlocking could be controlled.*
- *Emergency exits would have to be provided (if the gates were locked automatically people would inevitably be locked in the park) however anyone could then climb the fence undo the gate and leave / prop it open.*
- *A method to “self- close” the gate would be required otherwise the gate could not be locked if it was in the open position which they are during the*

day, due to the weight / design of the existing gates I don't think this would be possible. The gates would inevitably have to be replaced.

- *An increase in railings being removed would be inevitable, removal of railings has been less of an issue since the park has been unlocked, there are however several missing currently that will be replaced in due course.*
- *Any electronic lock could be vandalised rendering the system inoperative, any repair would be time consuming (no guarantee of repairs being carried out immediately) expensive and the sourcing of parts especially long term would be an issue. Whilst padlocks and chains can be cut, replacements are immediately available.*

In summary, the installation and ongoing maintenance costs would be prohibitive to provide an electronic access control system that in effect would not work successfully in practice.”

4.9 Therefore Officers would suggest to members that a maglock gate system is **not** recommended for further development or scoping.

4.10 **Option 4 – Employ three additional ASB Officers to patrol the park** - Security / ASB personnel employed directly by the Council or BTAC, managed by the Community Safety Manager, with the appropriate competency and training would patrol the park on a daily basis (including weekends). Based on the salary grade point of the existing Council's ASB Officers (including all on costs) the costs per annum for three officers would be £127,200, based on the 2021/22 budget rates.

5.0 Consultation with Boston Sector Police Inspector Francesca Harrod on behalf of Lincolnshire Police

5.1 Officers have requested that the Lincolnshire Police Sector Inspector who covers Boston provide their view on Central Park Security and the recommendations being put to BTAC members for this committee report. Police Inspector Andrew Morrice provided his view, on behalf of Lincolnshire Police, for the BTAC Committee Report heard on 27 February 2019, which members can find a link to the full report under the Background Papers Section of this report, and Police Inspector Francesca Harrod, who is the current Lincolnshire Police Sector Inspector who covers Boston, has been consulted with fully during the Task and Finish Review and again on the recommendations made in this committee report.

5.2 Police have expressed concerns that demand generated by behaviour in Central Park requires a problem solving approach, including but not limited to the closure at night, and/or attention during the day.

5.3 Since figures and opinion were offered to the Council upon the decision to keep the park unlocked for the BTAC Committee Report heard on 27 February 2019, the latest statistics and opinion of Lincolnshire Police have now been revisited.

5.4 From 25 April 2019 to 25 April 2020 there were 101 different incidents reported, 34 being within the hours of 09:00 to 17:00, 67 being outside of office hours. Only 23 of them were graded by the force control room as non-attendance, the others were graded for attendance by officers as urgent (20), priority (50) and routine (8).

- 5.5 During this time the park was briefly locked at the request of Police working in partnership with Boston Borough Council as part of the initial response to Lockdown 1 at the beginning of the Coronavirus Pandemic. It is notable that whilst the park was locked, no police incidents at all were reported between 24 March 2020 and 19 April 2020. The park was then reopened, in line with Government guidance that recreational spaces should reopen to enable daily exercise.
- 5.6 From 26 April 2020 to 26 April 2021 there were 144 different reported incidents reported, 45 being within the hours of 09:00 to 17:00, 99 being outside of office hours. 39 were graded as non-attendance, 17 as urgent, 85 as priority and 3 as routine.
- 5.7 It is notable that all of the noise nuisance incidents (24 of the total) were reported by a variety of people, long after the park would traditionally have been closed. Noise nuisance incidents are not routinely attended by the Police, but in COVID times if there is an element of suspected rule breaking, they will have been.
- 5.8 So concerned were the Boston Neighbourhood Policing team about the sheer volume of incidents being called in with the park as the location (compared to previous years), officers were deployed in plain clothes on several occasions to observe for themselves conduct of those using the park, both in the early evening and into the night. They confirmed having to engage and break up groups as late as midnight, playing loud music and being rowdy.
- 5.9 In one particular spate of incidents, one of the Community Beat Managers having moved on such a group pulled all the gates of the park shut behind him, giving the impression that the park was closed (it was not – a simple push would have allowed access or egress). There were no further incidents reported in that night, having been hourly prior to his actions.
- 5.10 The park comes up as an area of repeated anti-social behaviour. As such, Police and partners are obliged to work together to problem solve issues that are causing the ASB. In this case, there is a consensus that short of a full-time uniformed presence in the park, 24/7, there is little more that can be suggested than overnight closure easing unacceptable behaviour after dark.
- 5.11 Those legitimately using available facilities, especially the new and improved offering for young people have not been the sources of concern, indeed legitimate users of the park introduce an element of societal self-policing. It is important to point this out as we can be quick to blame young people. In this case, their legitimate presence is a benefit, during normal opening hours.
- 5.12 The inevitable question is to ask why there are now more incidents in the park than when the decision was initially made to keep it open 24/7. Whilst absolutely not the only cause, the pandemic and the inability for considerable amounts of the year to socialise, meet or gather indoors have undoubtedly lead to it becoming a busier space, and Police having to attend more in order to deal both with traditional crime and ASB, but also potential breaches of COVID regulations.

5.13 It is not realistic to expect the need to Police the park to dwindle to zero, however it is my belief that reintroducing the locking of the gates will assist out of hours in managing at least part of the behaviour that causes ourselves and residents concern. Boston Neighbourhood Policing Team are quite happy to provide resilience to assist this effort, at least initially, as those who do not remember night time park closure become educated to its potential return.

5.14 I would add that in addition to the recorded incidents called in by the public, our teams routinely patrol Central park daily, and of course intervene in issues they find whilst there, which may not be recorded elsewhere. This will of course continue as part of our daily business: we are committed to proactivity rather than being purely reactive. I believe it is appreciated however, that my team pay adequate attention to as much of the Borough as it can, rather than spending disproportionate amounts of time considering only one issue.

6.0 CONCLUSION

6.1 Members are requested to consider the decision to return to locking of Central Park at night, and if agreeing to do so, agree which of the 4 options they wish Officers to implement and approve the funding to do so.

FINANCIAL IMPLICATIONS

To allocate appropriate capital and/or revenue funds and if procuring services, to do so in accordance with Contract Procedure rules.

BTAC's estimated usable reserves in 21/22 is £118,767

LEGAL IMPLICATIONS

The Council is required to meet requirements of the EU Procurement Directive and its own Contract Procurement and Procedure Rules - Part 4 (H) of the Constitution.

Local Council Powers and Duties to provide public space include; Open Spaces Act 1906; Local Government (Miscellaneous Provisions) Act 1976; Public Health Act 1906; Local Government Act 1972

The Occupiers Liability Act 1957 section (2) (1) requires an occupier of premises to owe the same duty, 'the common duty of care', to all his visitors, except in so far as he is free to and does extend, restrict, modify or exclude his duty to any visitor or visitors by agreement or otherwise.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None

EQUALITY AND SAFEGUARDING IMPLICATIONS

The Council is required to comply with the Public Sector Equality Duty. A full equality impact analysis will be undertaken at the appropriate time to ensure new equipment will consider the needs of all individuals.

OTHER IMPLICATIONS

None

CONSULTATION

Consultation on the development of this report has been undertaken with Officers in Finance, Operations and Assets as well as Councillor Paul Skinner, Leader Portfolio Holder, and Councillors Paul Goodale and Stephen Woodliffe, Chair and Vice Chair of BTAC respectively.

APPENDICES

None.

BACKGROUND PAPERS

Background papers used in the production of this report are listed below: -

Document title	Where the document can be viewed
Cabinet Papers and minutes 2 Dec 2020	https://moderngov.boston.gov.uk/ieListDocuments.aspx?CId=130&MId=1706&Ver=4
Boston Town Area Committee – Central Park Security – Update Report 27 Feb 2019	https://moderngov.boston.gov.uk/documents/s6261/BTAC%20Central%20Park%20Security%20-%20Update%20Report.pdf

CHRONOLOGICAL HISTORY OF THIS REPORT

A report on this item has not been previously considered by a Council body.

REPORT APPROVAL

Report author:	Christian Allen, Assistant Director - Regulation
Signed off by:	Councillor Paul Skinner, Leader Portfolio Holder
Approved for publication:	Councillor Paul Goodale, Chairman of BTAC

FINANCE PROFORMA

BOSTON BOROUGH COUNCIL

PROFORMA FOR APPROVAL OF THE RELEASE OF RESOURCES

(CAPITAL AND REVENUE BUDGETS)

FROM: Rachel Chatterton

THIS PROFORMA PROVIDES THE FINANCIAL IMPLICATIONS
IN RESPECT OF THE ATTACHED

REPORT: Boston Town Area Committee

REPORT DATE: 20th May 2021

OPTION 1	£ Year 1	£ Year 2	£ Year 3	£ Year 4	£ Year 5
	2021/22	2022/23	2023/24	2024/25	2025/26
Revenue					
Daily locking	16,500	16,830	17,166	17,510	17,860
Locking and patrolling service	103,017	105,077	107,178	109,322	111,509

Funding required: See below

Considered by: BTAC
Date: 20th May 2021

Total capital cost 0

Revenue cost Estimated
£85,866/
£536,103

Financial Services Comments

The table above sets out the estimated ongoing costs of the service/s assuming a 2% increase per annum from the security firm.

It is estimated that BTAC has usable reserves of £118,767 for 21.22. In the latest MTFP 21/22 to 25/26 the committee has some surplus funds each year in the budget, this is detailed in the table below.

2021/22	2022/23	2023/24	2024/25	2025/26
71,879	88,126	99,807	110,966	122,791

Note that these funds are for all additional activities the committee undertakes.

Risk

An increase in Council Tax for residents of the town.

A risk that the committee does not have surplus funds for events, play areas and other such priority projects in the coming years.

Procurement

The council's procurement rules should be taken into consideration when awarding any such contracts.

Value for Money Efficiency

This FP is valid for 3 months from FP date	If this FP is no longer required please advise Finance	If there are changes to the original report it may invalidate this document, it must be reviewed by Finance.

FINANCE PROFORMA

BOSTON BOROUGH COUNCIL

PROFORMA FOR EXECUTIVE APPROVAL OF THE RELEASE OF RESOURCES

(CAPITAL AND REVENUE BUDGETS)

FROM: Rachel Chatterton

THIS PROFORMA PROVIDES THE FINANCIAL IMPLICATIONS
IN RESPECT OF THE ATTACHED

REPORT: Boston Town Area Committee

REPORT DATE: 20th May 2021

OPTION 2	£ Year 1 2021/22	£ Year 2 2022/23	£ Year 3 2023/24	£ Year 4 2024/25	£ Year 5 2025/26
-----------------	---------------------	---------------------	---------------------	---------------------	---------------------

Revenue

Total Revenue Cost

Funding required:

Considered by:
BTAC

Date: 20th
May 2021

Total capital cost

Revenue cost

Enter Council or Cabinet
here

Financial Services Comments

The report does not suggest additional costs but there could be costs for training, protective equipment, out of hour's payments to staff. There are 3 BTAC operatives in post.

Risk

Any additional costs as mentioned above shouldn't significantly impact on the surplus and reserve funds held by the committee.

Procurement

Value for Money Efficiency

This FP is valid for 3 months from FP date	If this FP is no longer required please advise Finance	If there are changes to the original report it may invalidate this document, it must be reviewed by Finance.

FINANCE PROFORMA

BOSTON BOROUGH COUNCIL

PROFORMA FOR EXECUTIVE APPROVAL OF THE RELEASE OF RESOURCES

(CAPITAL AND REVENUE BUDGETS)

FROM: Rachel Chatterton

THIS PROFORMA PROVIDES THE FINANCIAL IMPLICATIONS IN RESPECT OF THE ATTACHED

REPORT: Boston Town Area Committee

REPORT DATE: 20th May 2021

OPTION 3	£ Year 1	£ Year 2	£ Year 3	£ Year 4	£ Year 5
	2021/22	2022/23	2023/24	2024/25	2025/26

Revenue

Total Revenue Cost

Funding required:

Considered by:

Date: 20th

BTAC

May 2021

Total capital cost

Revenue cost

Enter Council or Cabinet
here

Financial Services Comments

Although we don't have the full capital costs for the installation of the Maglocks on all 5 gates, we would see a significant cost in year one with ongoing maintenance costs that the committee should take into consideration.

Risk

Significant installation costs and maintenance

Procurement

The council's procurement rules should be adhered to.

Value for Money Efficiency

This FP is valid for 3 months from FP date	If this FP is no longer required please advise Finance	If there are changes to the original report it may invalidate this document, it must be reviewed by Finance.

FINANCE PROFORMA

BOSTON BOROUGH COUNCIL

PROFORMA FOR EXECUTIVE APPROVAL OF THE RELEASE OF RESOURCES

(CAPITAL AND REVENUE BUDGETS)

FROM: Rachel Chatterton

THIS PROFORMA PROVIDES THE FINANCIAL IMPLICATIONS
IN RESPECT OF THE ATTACHED

REPORT: Boston Town Area Committee

REPORT DATE: 20th May 2021

OPTION 4	£ Year 1 2021/22	£ Year 2 2022/23	£ Year 3 2023/24	£ Year 4 2024/25	£ Year 5 2025/26
-----------------	---------------------	---------------------	---------------------	---------------------	---------------------

Revenue

3 additional ASB Officers	127,200	128,700	130,880	134,450	138,100
---------------------------	---------	---------	---------	---------	---------

Total Revenue Cost	127,200	128,700	130,880	134,450	138,100
---------------------------	----------------	----------------	----------------	----------------	----------------

Funding required: £658,690

Considered by:
BTAC

Date: 20th
May 2021

Total capital cost

Revenue cost £658,690

Enter Council or Cabinet
here

Financial Services Comments

The table above sets out the 5 year cost of employing 3 additional ASB officers (including on costs) this does not include training and support costs.

It is estimated that BTAC has usable reserves of £118,767 for 21.22. In the latest MTFP 21/22 to 25/26 the committee has some surplus funds each year in the budget, this is detailed in the table below.

2021/22	2022/23	2023/24	2024/25	2025/26
71,879	88,126	99,807	110,966	122,791

Note that these funds are for all additional activities the committee undertakes.

Risk

An increase in Council Tax for residents of the town.

A risk that the committee does not have surplus funds for events, play areas and other such priority projects in the coming years.

Procurement

Value for Money Efficiency

This FP is valid for 3 months from FP date	If this FP is no longer required please advise Finance	If there are changes to the original report it may invalidate this document, it must be reviewed by Finance.