



NOTICE OF MEETING

CABINET MEMBER FOR COMMUNITY SAFETY

TUESDAY, 28 JANUARY 2020 AT 4PM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Jane Di Dino 023 9283 4060
Email: jane.didino@portsmouthcc.gov.uk

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Membership

Councillor Lee Hunt (Cabinet Member)

Councillor Cal Corkery

Councillor Gemma New

(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

AGENDA

- 1 Apologies for absence.**
- 2 Declarations of members' interests.**

3 Retention of additional community wardens (Pages 5 - 28)

Purpose.

To propose the retention of additional community wardens until 31 March 2021.

RECOMMENDED that the Cabinet Member for Community Safety approve the proposal to retain the 8 additional Community Warden posts for a further extended period until 31 March 2021.

4 Health & safety service plan 2019/ 2022 (Pages 29 - 62)

Purpose

1. This report is an expression of the Portsmouth City Council's (the Council) commitment to its health and safety (H&S) role and responsibilities to develop a H&S operating plan.
2. The attached business plan sets out the manner in which H&S inspections, initiatives and activities have been designed to broadly meet the requirements of the National Local Authority Enforcement Code issued by the H&S Executive (HSE) under Section 18 of the H&S at Work etc. Act 1974 (HSW Act).
3. The HSE requires a H&S operating plan to be submitted annually for Member approval to ensure local transparency and accountability, however, in September 2017 the Council took to a view to review and publish a new plan at least every third year.
4. The 2019 - 2022 H&S operating plan (the plan) sets out the overall aim of the service:
"To work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly."
5. The plan is based upon the following key priority aligned with the HSE 2019 Priority:
"The prevention of death, injury and ill health to those at work and those affected by work activities."
6. Upon approval, the plan will be effective for a period of approximately 3 years.

RECOMMENDED that the Cabinet Member for Community Safety approves the manner in which Regulatory Services purposes to deliver its H&S responsibilities for the period 2019 - 2022 as set out in Appendix 1.

5 Scams - three year action plan 2019/ 2022 (Pages 63 - 80)

Purpose.

This report seeks to:

- Identify what is meant by the term 'Scam' or *mass marketing fraud (MMF)*, describe the nature and level of harm caused by scams and explain why certain residents are susceptible to falling victim to scams, and

- Why Regulatory Services (RS) should devote resources to this area of work, how RS, along with its partner agencies, intends to mitigate the financial and societal harm caused by scams.
1. **RECOMMENDED that the Cabinet Member for Community Safety approves the manner in which Regulatory Services delivers its scams prevention work, and**
 2. **agrees that Portsmouth City Council becomes a 'Friends Against Scams' Local Authority.**

6 Financial investigations & asset recovery (Pages 81 - 98)

Purpose of the report

This report seeks to inform the Cabinet Member for Community Safety of:

- The benefits of financial investigation and asset recovery; utilising the powers available to accredited officers (AFIs) under the Proceeds of Crime Act 2002 (POCA).
- How associated legislation contributes to the investigative functions of Regulatory Services, particularly the Trading Standards service, but also wider departments within Portsmouth City Council, and
- The successes of this work stream since the last report to cabinet which was published in March 2010 and our intentions to grow this work over the next three years.

RECOMMENDED that the Cabinet Member for Community Safety:

- **Acknowledges the powers available to AFIs employed within Regulatory Services and authorises their inclusion within the council's enforcement policy.**
- **Acknowledges the benefits this work has yielded since its implementation, and approves the manner in which Regulatory Services seeks to deliver its financial investigation & asset recovery plan going forward.**
- **Approves the retention of the reserve account so recovered monies can be reinvested in keeping with the Home Office policy.**

7 The importance of shellfish production areas & sampling. (Pages 99 - 116)

Purpose.

The purpose of this report is to advise the Cabinet Member for Community Safety of the responsibilities placed upon Regulatory Services (RS) in respect to live bivalve molluscs (shellfish) and of the importance of shellfish more generally.

RECOMMENDED that the Cabinet Member for Community Safety:

1. **Acknowledges the responsibilities of RS in respect to shellfish.**
2. **Recognises the importance of shellfish to the local fishing industry and to the 'health' of our harbours.**
3. **Approves the manner in which shellfish sampling is to be undertaken for the next 12 months.**

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Whilst every effort will be made to webcast this meeting, should technical or other difficulties occur, the meeting will continue without being webcast via the council's website.

This meeting is webcast (videoed), viewable via the council's livestream account at <https://livestream.com/accounts/14063785>

Date Not Specified



Title of meeting:	Community Safety decision meeting
Date of meeting:	28 th January 2020
Subject:	Retention of additional Community Wardens
Report by:	Director of Housing, Neighbourhoods and Building Services
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1. To propose the retention of additional community wardens until 31 March 2021

2. Recommendations

- 2.1. That the Cabinet:

Approves the proposal to retain the 8 additional Community Warden posts for a further extended period until 31 March 2021.

3. Background

- 3.1. The administration' priorities included a commitment to providing additional community wardens.
- 3.2. The council employs a team of 8 permanent Community Wardens.
- 3.3. Since January 2019 the council has also employed a team of a further 8 community wardens who are funded until 31 March 2020.
- 3.4. The teams work to 'help keep the City safe, clean and tidy and to provide support and advice when needed'.
- 3.5. The additional team costs approx. £320,000 per annum and is funded from the Housing Revenue Account (HRA), Community Safety (CS) reserves, and the Flexible Supported Housing Grant (FSHG). This funding is committed until 31 March 2020.
- 3.6. The team operate across two shift patterns and the service provides cover from 8am until 2am Mon- Fri and from 10am - 2am at the weekends.
- 3.7. The team carry out their duties across the City and also patrol the Local Authority Housing blocks.

- 3.8. In April 2018 a team of 4 High Street Wardens were employed to assist with homeless issues linked to High Streets and other areas of the city. This was further expanded at the beginning of 2019 and a new team of 8 community wardens (consuming the 4 High Street roles) was put in place with the additional responsibility of managing anti-social behaviour concerns in Portsmouth City Council Housing blocks in the evenings. That is the current team in place that this report is requesting an extension of their roles until the 31st March 2021.

4. Impact of the additional resources

- 4.1. Demands for the service (whether placed on the service by members of the public or identified by the team when they are out working) have increased since additional community wardens were employed. (see appendix 1)
- 4.2. The team are able to provide visibility and reassurance with more proactive patrols able to be carried out in identified hotspots.
- 4.3. There has been a significant increase in the number of jobs that the team are able to carry out (see appendix 1).

5. Proposal for retention of additional community wardens

- 5.1. The proposal is to retain the additional community warden team (8ftes) for a further period - until 31 March 2021 in order to continue to carry out this work - across the City and in the Local Authority Housing Areas.
- 5.2. This means we can maintain the cover currently provided for every day of the year (except Christmas day, Boxing Day and New Years' day)
- 5.3. The team will continue to work to the purpose - 'to help keep the City safe, clean and tidy and provide help and advice when needed.'

6. Costs of retaining the additional team

- 6.1. The cost of retaining the additional community warden posts is £320,000 per annum.
- 6.2. This will be funded from the Housing Revenue Account, Environment and Community Safety Reserve, and the Flexible Homeless Support Grant. The funds from the Reserve are only provided until 31 March 2021 (see 9.2 for funding table).
- 6.3. Re-evaluation of the team will be undertaken with a further report on the future of the team brought back to cabinet in October 2020.

7. Reasons for recommendations

- 7.1. The community warden team of 16 is able to provide cover from 8am to 2am which was not possible with the smaller team of 8 staff.
- 7.2. The Community Warden team has made progress to resolve and reduce issues impacting on residents, the community, and businesses.
- 7.3. The team of 16 Community Wardens has increased the amount of actionable work they are able to do as well as carrying out additional patrols providing visibility and reassurance to residents and businesses.

8. Integrated impact assessment

- 8.1. An integrated impact assessment has been completed and it is attached at Appendix 2.
- 8.2. The assessment identifies no negative impacts associated with the options outlined in this report.
- 8.3. The data available indicates that some people in Portsmouth with protected characteristics are more likely to benefit from the addition of community wardens.

9. Legal implications

- 9.1. The report speaks for itself and there are limited legal implications beyond those that arise as between the Authority and the individual staff member within the employer/employee construct. There will be potential costs associated with staff if the Service is discontinued in the future (notice and potential redundancies etc).

10. Director of Finance's comments

- 10.1 The report seeks to further extend the increased Community Wardens service for another year until 31st March 2021, funded as set out in table 1 below.

- 10.2 Table 1 - Funding for Redesigned Community Wardens Service

	HRA (56%) £	GF (22%) £	FHSG (22%) £	Total Cost £
April 2019 to March 2020	164,100	64,500	64,500	293,100
April 2020 to March 2021	179,200	70,400	70,400	320,000

- 10.3 The table above sets out the funding model for 2020/21 for the Community Wardens service. As you will see the Housing Revenue account will fund just over half of the Service during this trial period.
- 10.4 A further 22% (£70,400) is funded from the Environment and Community Safety Portfolio reserve; this cannot be relied upon as an ongoing funding source due to calls on the reserve to meet other obligations.
- 10.5 The Council does not currently have surety that the Flexible Homeless Support Grant will continue past March 2020, the grant is likely to continue but the Council will not know the amount until an announcement is made late 2019/20. If the Council fail to receive FHSG past March 2020 then the Council will need to identify a further £70,400 from portfolio reserves. An amount has been earmarked in the reserve if no FHSG is received.
- 10.6 Given the above funding model the Council can only commit to this redesigned trial until the 31st March 2021, officers will need to ensure that when the Service is mobilised that it does not enter into commitments that would obligate it past 31st March 2021.
- 10.7 The report that will be brought back to Cabinet in October 2020 will need to identify where the additional £140,800 will be funded from if the trial is a success and the Council wishes it to continue indefinitely.

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Signed by:
Director of Housing, Neighbourhood and Building Services

- Appendices:**
Appendix 1 - Community Warden demands
Appendix 2 - Integrated Impact Assessment

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
None	

The recommendation(s) set out above were approved/ approved as amended/ deferred/rejected by

..... on

Signed by: Councillor Lee Hunt, Cabinet Member for Community Safety.

March - September (6 months)

Year	No. of Community Wardens	Placed demand	Patrol demand	Total Demand captured	Area Clear	Total demand where CW had demand to action	Area Clears resulting from patrol	Actionable demand per community warden (per half year)
2017	8	3568	546	4114	390	3724	30	466
2018	12	3802	1962	5764	627	5137	160	428
2019	16	3776	7297	11073	3755	7318	3105	457

- NB.
1. Area clear increased in 2018 due to High Street patrols (proactive rather than reported demand)
 2. Area clear increased in 2019 when Local Authority Housing block checks began (April 2019 onwards)
- Patrols provide reassurance and team working to understand what frequency of checks different blocks require

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Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

www.portsmouth.gov.uk

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
 - Communities and safety
 - Regeneration and culture
 - Environment and public space
 - Equality & - Diversity - This can be found in Section A5

Directorate:

Housing, Neighbourhood and Building Services

Service, function:

Clean City Team

Title of policy, service, function, project or strategy (new or old) :

Community Warden Team

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

What is the aim of your policy, service, function, project or strategy?

To deliver the purpose of ' to help keep the City safe, clean and tidy and provide advice and support when needed.' To increase the number of community wardens by 8 ftes.

This will benefit residents and visitors to the City by improving our response to issues which impact on

the safety and cleanliness of the City.

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

No consultations were undertaken for this proposal.

A - Communities and safety	Yes	No
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Is your policy/proposal relevant to the following questions?

A1-Crime - Will it make our city safer?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact Lisa.Wills@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

This proposal increase the number of staff able to deliver the service. There will be an increased ability to respond to demands in local area housing areas outside of normal office hours which should provide support and reassurance to residents living in these areas. The overall hours of the service will extend from 10am-10pm. 7 days per week to 8am-2am Mon-Fri and 10am-2am at weekends.

The community wardens currently tackle anti-social behaviour as part of their role so this will double the current team and increase their hours of work to enhance its response to those issues. The team with with other partners to contribute to preventing the misuse of substances and support young people at risk of harms. These partners include the police, children's services and health colleagues.

How will you measure/check the impact of your proposal?

The officers will contribute towards tackling these issues and the Safer Portsmouth Partnership manage performance indicators towards identifying if targets are being met.

A - Communities and safety	Yes	No
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Is your policy/proposal relevant to the following questions?

A2-Housing - Will it provide good quality homes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

A - Communities and safety	Yes	No
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Is your policy/proposal relevant to the following questions?

A3-Health - Will this help promote healthy, safe and independent living?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact Dominique.Letouze@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Part of the role of these officers is to assist with support and advice for those that are homeless. The advice includes support for health issues and housing support.

How are you going to measure/check the impact of your proposal?

Measures of homeless engagement is recorded and reviewed as to outcomes

A - Communities and safety	Yes	No
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Is your policy/proposal relevant to the following questions?

A4-Income deprivation and poverty -Will it consider income deprivation and reduce poverty?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact Mark.Sage@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>
<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

A - Communities and safety	Yes	No
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Is your policy/proposal relevant to the following questions?

A5-Equality & diversity - Will it have any positive/negative impacts on the protected characteristics?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact gina.perryman@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

This should be read in conjunction with the existing Equality Impact Assessment that identifies that this will not have a negative effect on any of the protected characteristics but potential for a positive impact. It provides an additional and extended service for some of those who are currently vulnerable.

How are you going to measure/check the impact of your proposal?
We can measure the demand placed on the service and monitor any complaints in relation to equality matters

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B1-Carbon emissions - Will it reduce carbon emissions?

In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B2-Energy use - Will it reduce energy use?

In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact Triston.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B3 - Climate change mitigation and flooding-Will it proactively mitigate against a changing climate and flooding?

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B4-Natural environment-Will it ensure public spaces are greener, more sustainable and well-maintained?

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The community warden roles will tackle waste issues on green spaces including dog fouling issues.

How are you going to measure/check the impact of your proposal?

There are measures that will identify demand on green spaces in relation to waste and dog fouling issues.

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B5-Air quality - Will it improve air quality?

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact Hayley.Trower@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B6-Transport - Will it improve road safety and transport for the whole community?

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact Pam.Turton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

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B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B7-Waste management - Will it increase recycling and reduce the production of waste?



In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact Steven.Russell@portsmouthcc.gov.uk or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

This proposal includes officers responding to environmental issues such as litter, waste and fly tipping, providing support and advice.

How are you going to measure/check the impact of your proposal?

The waste management team retains measures and the community wardens will contribute towards these figures.

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C1-Culture and heritage - Will it promote, protect and enhance our culture and heritage?



In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact Claire.Looney@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

By contributing to keeping the City safe, clean and tidy it should encourage/support tourism and make Portsmouth an attractive place to live in.

How are you going to measure/check the impact of your proposal?
Community Waren demands are recorded and measures are used to identify trends and repeated demands

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C2-Employment and opportunities - Will it promote the development of a skilled workforce?



In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

C3 - Economy - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?



In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

This proposal funds 8 full time posts and the officers are all local with 17 liveingin the city and 1 in Leigh Park. Support and advice is given to the homeless and other vulnerable individuals in relation to obtaining support in relation to health, housing and economic support that they could receive.

How are you going to measure/check the impact of your proposal?
Ensure vacant posts are advertised locally. Measures can provide details of advice and support given to the homeless and other vulnerable individuals.

Q8 - Who was involved in the Integrated impact assessment?

Roy Goulding

This IIA has been approved by: Colette Hill

Contact number: 4872

Date: 08 January 2020

Title of meeting:	Cabinet Member for Community Safety
Date of meeting:	28 th January 2020
Subject:	Health & Safety Service Plan 2019 - 2022
Report by:	Director of Culture, Leisure & Regulatory Services
Wards affected:	All
Key decision:	No

1. Purpose of report

1.1 This report is an expression of Portsmouth City Council's (the Council) commitment to its health and safety (H&S) role and responsibilities to develop a H&S operating plan.

1.2 The attached business plan sets out the manner in which H&S inspections, initiatives and activities have been designed to broadly meet the requirements of the National Local Authority Enforcement Code issued by the H&S Executive (HSE) under Section 18 of the H&S at Work etc. Act 1974 (HSW Act).

1.3 The HSE requires a H&S operating plan to be submitted annually for Member approval to ensure local transparency and accountability, however, in September 2017 the Council took a view to review and publish a new plan at least every third year.

1.4 The 2019 - 2022 H&S operating plan (the plan) sets out the overall aim of the service:

“To work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly.”

1.5 The plan is based upon the following key priority aligned with the HSE 2019 Priority:

"The prevention of death, injury and ill health to those at work and those affected by work activities."

1.6 Upon approval, the plan will be effective for a period of approximately 3 years.

2. Recommendation

2.1 **RECOMMENDATION that the Cabinet Member for Community Safety approves the manner in which Regulatory Services proposes to deliver its H&S responsibilities for the period 2019 - 2022 as set out in Appendix 1.**

3. Statement of purpose

- 3.1 Our common and primary purpose in meeting all our objectives is to benefit the City of Portsmouth.
- 3.2 Regulatory Services recognises that many of the priorities within the plan materially reflect those published in the 2017 - 2020 plan. The service continues to recognise that H&S is often incorrectly used as somewhat of a "convenient excuse" to stop what are essentially sensible activities going ahead. The service therefore continues to make it clear that H&S is about managing real risks properly, not being risk averse and stopping people getting on with their lives. Together with the HSE, the Council aims at dispelling the myths concerning actions taken by businesses in the name of H&S and changing attitudes and cultures towards H&S.

4. The necessity to adopt the 2019 - 2022 plan

- 4.1 The primary objectives of the Council in publishing this plan are to:

- confirm its commitment and interest in the enforcement H&S law
- increase transparency
- deliver improved regulatory outcomes
- reduce unnecessary burdens on business
- maintain a common approach to enforcement policies
- build safer, healthier and stronger local communities
- achieve consistency in advice and enforcement

5. Statutory functions and governmental guidance

- 5.1 Section 18 of the HSW Act places a duty on the HSE and the Council to make adequate arrangements for H&S enforcement.
- 5.2 In his report *"Reclaiming health & safety for all: An independent review of H&S legislation"* Professor Ragnar Löfstedt recommended that HSE be given a stronger role in directing local authority (LA) H&S inspection and enforcement activity.
- 5.3 The H&S strategy, "Helping Great Britain Work Well" was published in February 2016 and sets out the strategic themes for the whole of the national H&S LA workplace regulators to follow.
- 5.4 The National Local Authority Enforcement Code (the Code) has been developed as an outcome of the Red Tape Challenge on H&S. It is designed to ensure that LA H&S regulators take a more consistent and proportionate approach to enforcement. In order to assess how LAs are meeting the requirements of the Code, the HSE continue to monitor local authority data returns. Where there is a lack of information or where the information prompts questions HSE will work with the Council in question to assist their implementation and compliance with the Code. In addition, via the inter

authority peer review processes, LA's will support each other in implementing and complying with the code and providing assurance that they have done so.

6 Background

- 6.1 The premises and subjects which Regulatory Services has statutory responsibilities for are set out in the H&S Enforcing Authority Regulations 1998¹.
- 6.2 Whilst the primary responsibility for managing H&S risks lies with the business that create the risk, the Council has an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to a wider public health agenda.
- 6.3 Regulatory Services have a small resource of competent professionals who have delegated authority to deliver proportionate and targeted enforcement. The service takes the view that the council must retain sufficient regulatory capacity to target specific risks and meet its statutory duties.

7 Key Service Drivers

- 7.1 Key service drivers include:
- Ensuring that all premises where people work, visit or are entertained are safe for the purpose and without risk to health.
 - Improving the overall health and safety management standards within regulated businesses by providing a suitable risk based intervention strategy, which targets resource at higher risk activities, or where there is a history of poor compliance.
 - Responding to and investigate accidents, dangerous occurrences and diseases reported to the Council.
 - Investigating complaints in line with the HSE and the Councils' procedure on complaints about workplaces, taking appropriate action as necessary.

8. Service delivery - H&S Operating Plan 2019 - 2022

- 8.1 As in the previous plan, Regulatory Services service will:
- continue to record details of interventions in all premises recorded on the Council's database.
 - decide on an appropriate risk based intervention for the business and update the risk rating of the premises accordingly.
 - continue to promote the proper management of asbestos within any premises where an issue has been identified.

¹ <https://www.hse.gov.uk/foi/internalops/og/og-00073-appendix1.htm>

- continue with visits to check compliance with the Portsmouth Byelaws on tattooing, acupuncture, electrolysis and cosmetic piercing of registered premises.
- continue with the development of the policy on how the Council regulates H&S in the workplace by implementing the findings of the Lofstedt review and guidance issued by the HSE to LAs.
- continue to carry out proactive inspections in accordance with the Code only at those premises with higher risk activities are justified, and at premises where there is intelligence showing that the risks are not being effectively managed.
- focus on specific safety concerns in catering premises in accordance with the Code, namely carbon monoxide poisoning and the risk of gas explosion due to lack of suitable ventilation, unsafe and poorly maintained appliances and poor work procedures.
- recognise its responsibilities with Licensing and Events in regard to safety issues associated with events. The service will liaise with colleagues and advise where appropriate on any events held on Council land. The service cannot certify that a document, construction or practice meets legal requirements, unless it is specifically in a position to do so. If a conflict of interest is identified, the service will refer the matter immediately to the HSE.
- continue to carry out intervention visits to premises where accidents have occurred as a result of the provision of poorly maintained facilities such as steps and flooring and where other interventions have highlighted risks in these premises.
- continue to maintain the Portsmouth Tattooing Hygiene Rating Scheme. This scheme involves all registered tattooing premises in Portsmouth. The scheme is voluntary. Visits are made to all those who wish to participate to assess them and give them an appropriate grading.
- visit or carry out other interventions at premises where a risk from legionella has been identified.
- continue to respond to all enquiries and complaints as directed through to it.

8.2 Table 1 below details service demands and interventions from consumers and businesses:

Table 1

Intervention		2016 / 2017	2017 / 2018	2018 / 2019
Proactive inspections		15	35	30
Non-inspection interventions	Visits	6	7	3
	RIDDORS processed	166	140	112
Reactive visits	Visits in relation to incidents	6	7	5
	Visits in relation to complaints	4	7	4
	Visits following requests from businesses	0	0	0
Revisit following earlier interventions		3	30	32

8.3 Compliance with H&S law remains high. Much like previous years, warning letters requiring improvement works have been sent to a number of businesses

visited, however no formal improvement notices have been served and no Immediate Prohibition Notices were issued, or prosecutions taken.

9. Regulators code and Enforcement Policy

9.1 The Regulators' Code came into statutory effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006, replacing the Regulators' Compliance Code. It provides a clear, flexible and principle-based framework for how regulators should engage with those they regulate. Regulatory Services take into account the principles of good enforcement set out in the Code. The Council's general enforcement policies are compliant with the Compliance Code.

10. Integrated Impact Assessment

10.1 An Integrated Impact Assessment is attached. The proposal has an association with the categories of 'Crime', 'Housing', 'health', 'Income Deprivation and poverty', 'Culture and heritage', 'Employment and opportunities' and 'Economy'.

11. City Solicitor's comments

11.1 Legal Services have confirmed that it is within the Cabinet Member's powers to approve adoption of the Health & Safety Intervention Plan 2019 - 2022 as contained within this report.

12. Head of Finance's comments

12.1 The activities proposed within the Health and Safety Intervention Plan 2019 - 2022 and summarised in this report, will be funded from existing service budgets, as approved by Full Council.

13. Directors Comments

13.1 The need for competent appropriate H&S regulation is paramount. Incidents that are reported to Regulatory Services are frequently 'reportable adverse events', as defined in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) and often relate to major injuries or ill health. 418 of these events were reported to the Council during the period 2016 - 2019.

13.2 Adverse events have many causes. Only after analyses can the chain of failures and errors that lead almost inevitably to the adverse event occurring be determined. Our officers will examine all the facts, determining what happened and why. The role of the investigator is then to understand what has failed to ensure it can't happen again and to ensure that similar risks do not occur elsewhere. Where failures have occurred our investigators can instigate legal actions to stop processes until corrective measures are introduced and where necessary to do so, prosecute those responsible for failing to comply with the H&S law.

13.3 The levels of resource available to Regulatory Services to perform this important function equate to 0.6 FTE.

.....
Signed by: Stephen Baily, Director of Culture, Leisure & Regulatory Services

Appendices:

Appendix 1: Health & Safety Operating Plan 2019 - 2022

Appendix 2: Integrated Impact Assessment

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document and location of document
Links contained with business plan - see Appendix 1

The recommendation set out in 2.1 above were approved/ approved as amended / deferred / rejected by the Cabinet Member for Community Safety on the 28th January 2020.

.....
Signed by: Councillor Lee Hunt, Cabinet Member for Community Safety

Health and Safety

Operating Plan 2019 - 2022

Regulatory Services

Published 28th January 2020

Portsmouth City Council

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1. Introduction

- 1.1 This operating plan has been developed to outline the key proposed work streams of Portsmouth City Council's (the Council) Regulatory Services (RS) with regard to Health and Safety for the period of 1 April 2019 to 31 March 2022.
- 1.2 Regulatory Services reports to the Director of Culture, Leisure and Regulatory Services and the responsible Cabinet Member for Community Safety.
- 1.3 The Service is currently staffed by four Environmental Health officers (1 x 0.2 and 3 x 0.1 FTE) and 1 x Environmental Health Practitioner (1 x 0.1 FTE).
Total: 0.6 FTE

2. Overall Aim of the Service:

“To work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly.”

3. Foreword

- 3.1 The RS team together with colleagues, from all the services provided by local authorities, clearly recognises that the current challenges faced by the public sector are very demanding and challenging.
- 3.2 Our common and primary purpose in meeting all our planned objectives is to benefit the City of Portsmouth. This primarily involves providing long term benefits to the businesses and consumers for which RS is empowered by a wide range of statutory legislation.
- 3.3 RS will continue to adapt any strategies and related policies it implements around various key documents as developed by Central Government. These policy documents include:
 - *Decentralisation and the Localism Bill: an essential guide*
 - *Open Public Services White Paper*
- 3.4 The Business Support team will continue to adapt any strategies and related policies it implements around key documents as developed by national bodies and organisations. These policy documents include:
 - *Priority Regulatory Outcomes: A New Approach to Refreshing the National Enforcement Priorities for Local Authority Regulatory Services*

- *No Stone Unturned. In Pursuit of Growth*
- *Open for Business: A Shared Vision for Regulation*
- *Reclaiming health and safety for all: An independent review of health and safety legislation*
- *Regulators Code*
- *Helping Great Britain Work Well*
- *Health and Safety Executive Business Service Plan 2019-2020*
- *Cutting Red Tape*

3.5 RS will continue to further adapt any strategies and related policies it implements around various key documents as developed by the Council. These policy documents include:

- *The Portsmouth Plan*
- *Regeneration Strategy - Shaping Portsmouth*

3.6 Additionally, RS remains committed to adapt its role accordingly to new developments and respond appropriately to these new challenges, as and when they may arise and from whichever direction they may come from.

4. Statutory functions

4.1 Section 18 of the Health and Safety at Work etc. Act 1974 (HSW Act) (17) places a duty on the Health and Safety Executive (HSE) and the Council to make adequate arrangements for Health and Safety Enforcement.

4.2 In his report "*Reclaiming health & safety for all: An independent review of health and safety legislation*" Professor Ragnar Löfstedt recommended that HSE be given a stronger role in directing local authority (LA) health and safety inspection and enforcement activity.

4.3 The Health and Safety strategy, "*Helping Great Britain Work Well*" was published on 29 February 2016. This sets out 6 strategic themes for the whole of the national health and safety system. LA workplace health and safety regulators are a key part of that system, to play their role in:

- Encouraging and recognising improvements, being increasingly joined up to deliver improved outcomes and minimise unnecessary burdens on businesses
- Continuing to promote the risk-based, goal-setting regulatory regime that has served health and safety in Great Britain so well.
- Working with partners in the system to make workplaces safer and healthier, providing a level playing field for responsible employers with regulators and co-

- regulators, by advising, promoting, and where necessary, enforcing good standards of risk control.
- Using proportionate, risk-based regulation to support better outcomes, innovation and the safe use of new technologies.
 - Developing services and products that contribute to improved management and control of risks, sharing our knowledge, and
 - Continue a dialogue and conversation with stakeholders to make the system better, always looking to provide simple, pragmatic advice and support.
- 4.4 The National LA Enforcement Code (the Code) has been developed as an outcome of the Red Tape Challenge on Health and Safety. It is designed to ensure that local authority health and safety regulators take a more consistent and proportionate approach to enforcement.
- 4.5 Whilst the primary responsibility for managing health and safety risks lies with the business who creates the risk, local authority health and safety regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to a wider public health agenda.
- 4.6 LA regulators are competent professionals granted powers and duties to deliver proportionate and targeted enforcement. RS takes the view that remains vital that regulatory resource is used consistently and to best effect by targeting specific risks or focussing on specific outcomes. The service will continue to use the full range of regulatory interventions available to influence behaviours and the management of risk with proactive inspection utilised only for premises with higher risks or where intelligence suggests that risks are not being effectively managed.
- 4.7 Notified accidents and complaints will be dealt with according to the incident selection criteria issued by HSE and LA Code number 22/13 (rev 1). The Code provides direction to all local authorities on meeting these requirements, and reporting on compliance.
- 4.8 The Code is given legal effect as HSE guidance to local authorities under Section 18(4) (b) of the Health and Safety at Work etc. Act 1974 (HSWA) (17).
- 4.9 It is perceived by Government that implementing and complying with the requirements of the Code will deliver the central Government expectation that business operating in comparatively lower risk premises should not be subject to proactive, unannounced inspections, unless there is reason to suspect poor performance.

- 4.10 In order to assess how local authorities are meeting the requirements of the Code, HSE will monitor local authority data returns. Where there is a lack of information or where the information prompts questions HSE will work with the local authority in question to assist their implementation and compliance with the Code. In addition, it is expected that via the inter authority peer review process that local authorities will support each other in implementing and complying with the code and providing assurance that they have done so.
- 4.11 HSE will annually publish a report detailing how local authorities are complying with this Code to provide transparency on regulatory activity carried out.
- 4.12 Where business considers that they operate in a lower risk sector and have been unreasonably subject to a proactive health and safety inspection by a local authority they can complain to the Independent Regulatory Challenge Panel whose members have the competence and experience to assess regulatory matters. They will look into the complaint and the outcome of their deliberations will be made publically available on the HSE website.
- 4.13 Where a complaint is upheld by the Panel HSE will work with the local authority to provide advice and assistance to improve and enable their implementation and compliance with the Code.
- 4.14 The focus of LAs is often broader than specific health and safety outcomes as they can also have an impact on wider public health outcomes / health inequalities. RS will use the list of national priorities for proactive inspection as well as local information and advice provided by Primary Authorities so that we can determine the key risks of serious workplace accidents, injuries and ill-health and will develop local intervention plans for poorly performing businesses. RS will then target resources more effectively using the whole range of available interventions to influence behaviours and improve the management of health and safety risks.

5. Key Service Drivers

5.1 Key service drivers are to:

- ensure that all premises where people work, visit or are entertained are safe for the purpose and without risk to health.
- improve the overall health and safety management standards within regulated businesses by providing a comprehensive risk based intervention strategy that targets resource at higher risk activities or where there is a history of poor compliance.

- provide a comprehensive health and safety enforcement and advisory service to business and other stakeholders.
- work in partnership with the HSE, other LAs and interested bodies to promote a positive health and safety culture.
- respond to and investigate accidents, dangerous occurrences and diseases reported to the City Council in accordance with the criteria in HELA Circular LA Code 22/13.
- investigate complaints in line with the HSE and the Councils' procedure on complaints about workplaces, taking appropriate action as necessary.
- act as Primary Authority for The Southern Co-operative.
- react to 100% of all notifications made under the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER).
- react to 100% asbestos ASB5 notifications.
- register premises and practitioners and enforce laws relating to tattooing, electrolysis, acupuncture, cosmetic piercing and semi-permanent skin colouring.
- maintain registers required by law.

6. Objectives

6.1 RS will continue to conduct its affairs in adherence with the principles of better regulation and the various legislative requirements relating thereto. In particular:

- Transparency
- Accountability
- Consistency
- Proportionality
- Utilising Intelligence led targeting

6.2 In pursuit of these principles the primary objectives of RS are:

- Delivering improved regulatory outcomes
- Reducing unnecessary burdens on business
- To maintain a common approach to enforcement policies
- Build safer, healthier and stronger local communities
- Achieve Consistency in advice and enforcement

7. The National Enforcement Priorities

7.1 The priorities of RS have been determined in line with and paying all due regard to the National Enforcement Priorities. These Priorities are as set out in the document published in November 2011 by the Local Better Regulation Office of "Priority Regulatory Outcomes: *A New Approach to Refreshing the National Enforcement Priorities for LA Regulatory Services*"

7.2 The Services priorities have been primarily focussed around following two out of the five key national priority areas:

- National Priority One: *Support Economic Growth, especially in Small Businesses by Ensuring a Fair, Responsible and Competitive Trading Environment*
- National Priority Four: *Help People to Live Healthier Lives by Preventing ill Health and Harm and promoting Public Health*

7.3 The RS continues to clearly recognise that as an enforcement body, it plays a key role in the delivery of key aspects of the Public Health Agenda. One of the key documents that outlines the role of LA services within the delivery of the Public Health agenda is the Public Health Strategic Plan 2016-2020.

7.4 RS intends to continue to strive to deliver effective support for legitimate business and consumers alike. The service clearly recognises that our key role is particularly important during the particular difficult economic period that is affecting the whole global economy.

7.5 Falls from height – work on/adjacent to fragile roofs/materials

Fragile roofs / skylights etc. can be found at many premises that fall to RS for enforcement. Where they are identified during visits we will discuss the associated risks to ensure that prospective clients for repair and maintenance work (owner or building user) are aware of their duties under the Construction (Design and Management) Regulations 2015 (24) and the precautions needed, referring them to the appropriate guidance

7.6 On occasions, RS may come across work on a fragile roof that is underway at the premises being visited (typically, small-scale repairs/maintenance such as gutter cleaning). The risks may give rise to a matter of evident concern (MEC), in which case, poor standards should be addressed with all duty holders - client, designers and contractors, and any enforcement action taken in accordance with the Health and Safety (Enforcing Authority) Regulations 1998 and in collaboration with HSE where appropriate and using normal channels.

7.7 Duty to manage asbestos

In premises likely to contain asbestos (i.e. built before 2000) RS will draw duty holders' attention to their duty to manage and the relevant HSE guidance / webpages. On occasions, failure to manage the risks from asbestos (e.g. failure to maintain in a safe condition or minor construction work that breaches the fabric of the building without proper surveys, controls or planning) may need to be dealt

with immediately as a MEC. Where management of asbestos risks arises as a MEC and standards are particularly poor, we should take appropriate enforcement action, collaborating with HSE where necessary and using normal channels.

7.8 Visitor attractions to prevent or control ill health arising from animal contact.

Show events in the city feature animals likely to spread bacteria via human contact RS will liaise with the Council's events team and work with the organisers to ensure that suitable precautions are in place to prevent an incident or outbreak arising from the lack of such measures.

8. Local priorities

8.1 Local information will also be used by RS to determine the key risks of serious workplace accidents, injuries and ill-health to identify their priorities.

8.2 Matters of Evident Concern (MECs) are defined as those that create a risk of serious personal injury or ill-health and which are observed (i.e. self-evident) or brought to the inspector's attention. Matters of Potential Major Concern (MPMCs) are those which have a realistic potential to cause either multiple fatalities or multiple cases of acute or chronic ill-health.

8.3 We will monitor MECs or MPMC's dealt with during advisory or other regulatory visits as well as complaints and incidents to identify any matters that may present a potential significant local issue.

9. Intervention Programme

9.1 RS will:

- continue to record details of interventions in all premises recorded on the Council's database. The service will decide on an appropriate risk based intervention for the business and will update the risk rating of the premises accordingly.
- continue to promote the proper management of asbestos within any premises where an issue has been identified. A stepped intervention approach will be taken and where advice has been previously given and the duty holder has failed to act, enforcement action will be taken. This intervention is based on evidence that asbestos is one of the greatest causes of workplace latent morbidity.

- continue with visits to check compliance with the Portsmouth Byelaws in respect to tattooing, acupuncture, electrolysis and cosmetic piercing of registered premises.
 - continue to review and update the detail and content held on the Council's website related to Health and Safety.
 - continue with the development of the policy on how the Council regulates Health and Safety in the workplace by implementing the findings of the Lofstedt review and guidance issued by the HSE to LA.
 - continue to recognise that "Health and Safety" is often incorrectly used as somewhat of a "convenient excuse" to stop what are essentially sensible activities going ahead. The service continues to make it clear that "health and safety" is about managing real risks properly, not being risk averse and stopping people getting on with their lives. Together with the HSE, the Council aims at dispelling the myths behind tabloid headlines concerning actions taken by businesses in the name of Health and Safety, thus changing attitudes and cultures towards health and safety.
 - carry out proactive inspections in accordance with the relevant Codes only at those premises with higher risk activities and at premises where there is intelligence showing that the risks are not being effectively managed.
 - will focus on specific safety concerns in catering premises in accordance with the Codes, namely carbon monoxide poisoning and the risk of gas explosion due to lack of suitable ventilation, unsafe and poorly maintained appliances and poor work procedures.
 - recognise its responsibilities with the Council's Licensing and Events services with respect to the safety issues associated with events. The Service will liaise with colleagues and advise where appropriate on any events held on the Council's land. The service cannot certify that a document, construction or practice meets legal requirements, unless it is specifically in a position to do so. If a conflict of interest is identified, the service will refer the matter immediately to the HSE.
 - continue to carry out intervention visits to premises where accidents have occurred as a result of the provision of poorly maintained facilities such as steps and flooring and where other interventions have highlighted risks in these premises.
 - focus on the prevention and the reduction in the number of falls from height in specific industry sectors such as tyre fitters and motor vehicle repairs (as part of car sales), theatres and large auditorium / places of entertainment, warehousing and steel stockholders. This may involve proactive inspections where risks are identified in the high risk sectors carrying out high risk activities or other interventions.
- continue to maintain the Portsmouth Tattooing Hygiene Rating Scheme. This is a new scheme and involves all registered tattooing premises in Portsmouth. The scheme is voluntary. Visits will then be made to all those who wish to participate

to assess them and give them a grading as shown in **Table 1** below. Successful applicants will then be provided with a window sticker reflecting their award and a dedicated website area will be set up for all the public to view.

Table 1

Level	Explanation
1. Satisfactory	Meets a number of criteria relating to hygiene and good practice
2. Good	Meets all of the criteria under Level 1, plus specified other criteria
3. Very good	Meets all of the criteria listed under Levels 1 and 2, plus specified other criteria

9.2 The Service will visit or carry out other interventions at premises where a risk from legionella has been identified.

9.3 Duties under the Health and Safety at Work etc. Act 1974 (HSWA) extend to risks from legionella bacteria, which may arise from work activities. The Management of Health and Safety at Work Regulations 1999 (MHSWR) provide a broad framework for controlling health and safety at work and more specifically the Control of Substances Hazardous to Health Regulations 2002 (COSHH) provide a framework of duties designed to assess, prevent or control the risk from bacteria like Legionella and take suitable precautions.

10. Service Analysis 2016 / 2019

10.1 RS will continue to respond to all enquiries and complaints as directed through to it. These enquiries and complaints typically come from a number of sources including the post, the services mailbox and from the HSE. **Table 2** details service interventions following contacts from consumers and businesses during the last 3 years.

Table 2

Intervention		2016 / 2017	2017 / 2018	2018 / 2019
Proactive inspections		15	35	30
Non-inspection interventions	Visits	6	7	3
	RIDDORS processed	166	140	112
Reactive visits	Visits in relation to incidents	6	7	5
	Visits in relation to complaints	4	7	4

	Visits following requests from businesses	0	0	0
Revisit following earlier interventions		3	30	32

10.2 Enforcement Action 2018 / 2019

Compliance with health and safety law remains consistently high. Whilst warning letters requiring improvement works have been sent to a number of businesses visited no formal actions have been necessary as business are working within their responsibilities for health and safety.

11. Government Response

11.1 It is the Government's overall intention to develop "*a different and more mature relationship with business*". Furthermore RS notes the Government's intention to address / implement the following:

- review all regulators.
- presume that co-regulation can be introduced.
- seeing existing regulatory regimes make much more use of "earned recognition".
- working with businesses and local authorities through Local Enterprise Partnerships to promote better local regulation.
- establishing a presumption that regulators should help businesses comply with the law.
- clarifying that no business should face a sanction for simply asking a regulator for advice.
- placing a new partnership between Government, regulators and businesses at the heart of the new regulatory system, bringing the expertise of the Better Regulation Delivery Office into Government.
- extending the Primary Authority scheme to improve the coherence, accountability and transparency of local regulation.
- strengthening inspection plans to deliver earned recognition for business.
- permitting more organisations to participate, within the Primary Authority scheme, benefiting small business.
- specifying policy areas, which are currently out of scope, within the Primary Authority scheme.
- retaining the Regulator's Code, giving it a higher profile, placing it at the heart of the reviews of regulators and ensuring that it is understood by customers.

12. Primary Authority

- 12.1 The primary authority regime is a statutory scheme, established by the Regulatory Enforcement and Sanctions Act 2008, that offers businesses operating across council boundaries the opportunity to be regulated in a new way. It was introduced by the government in 2009 to address concerns raised by businesses about how they are regulated by LA in areas such as environmental health, licensing and trading standards legislation. Business concerns included contradictory advice, unfocussed activity, duplicated efforts, and the lack of effective dispute resolution when councils disagree.
- 12.2 The Primary Authority enables a business to form a legally recognised partnership with a single local authority, which is called its "primary authority". The primary authority can provide the business with robust and reliable regulatory advice which other local authorities must take into account in their dealings with the business. In this way, Primary Authority promotes consistency and fairness in the way that local councils enforce regulations. A primary authority is also able to guide the way that other local authorities carry out checks such as inspections, by developing an inspection plan. The government is committed to developing primary authority and sees the scheme as playing a key role in its work to improve the way that regulations are enforced.
- 12.3 The Council currently has one primary authority partnership relating to Health and Safety, with the Southern Co-operative.
- 12.4 The chief impacts of participating in the scheme for our partners include:
- reducing the costs of complying with regulations
 - improving your confidence in the measures you are taking to comply and
 - reducing the costs associated with compliance failures.
- 12.5 The table as set out in [HSE LAC 67-2 Rev 4.1](#) identifies the list of activities / sectors that may be subject to proactive inspections by RS.

13. Regulators Code

- 13.1 The Health and Safety Service carefully notes the publication of the "Regulators Code" by BRDO on the 23 July 2013. The Regulators' Code came into statutory effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006, replacing the Regulators' Compliance Code. It provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate.

13.2 Officers within RS take into account the principles of good enforcement set out in the Code. The Council's general enforcement policies are compliant with the Compliance Code.

14. Better Regulation

14.1 In July 2018 Government published a paper setting out its determination to demonstrate continuing discipline in the way it regulates, ensuring that the UK economy remains strong and competitive "*as we leave the EU*". The Government's published aspirations are to oversee a regulatory system that is increasingly proportionate, optimised for UK conditions, innovation friendly and easier for businesses to deal with. Government's ambition to support businesses through the development of an agile approach to regulation that promotes and supports innovation, growth of new sectors and the requirements of innovative market entrants – while ensuring effective protections for citizens and the environment.

15. Communications

15.1 RS through delivering its key priorities recognises the importance of continuing to develop its role in the communication to businesses and consumers of the work it becomes involved with. This communication strategy will involve the continuing development of the following:

- The continuing development and updating of information on the web-pages assigned the Health and Safety Service
- The use of the media, including the local press, radio and television and the Council's social media sites to continue to promote the work of the RS, as well as conveying important safety messages.

16. Working with Local Authority Partners

16.1 RS is represented on the South East Health and Safety Advisory Group (HESAG) comprising 17 local authorities. The panel shares knowledge and good practice across the region. The Service is also represented on the Hampshire and Isle of Wight Environmental Health Chief Officers Group where the above is undertaken at a strategic level.

17. Staff Training

17.1 RS in delivering its key priorities has, and continues to view the provision of training as fundamental to adding value to existing professional training and retaining competency levels for all officers against the background of change.

- 17.2 The need for all LAs to continue to fund training provision for officers to obtain qualifications in order to ensure the continued delivery of the statutory service.
- 17.3 The need for all local authorities to continue to fund training provision for existing qualified officers to renew their individual competency levels around all aspects of work that these officers engage in.
- 17.4 Therefore, as a direct consequence, the service will continue to ensure every opportunity that presents itself will be taken to address identified skills gaps subject to resources and capacity.
- 17.5 With our partners we will continue to attempt to provide any suitable training in partnership with others, as and when those particular opportunities emerge.

18. Concluding Summary

- 18.1 The Council's RS team remains committed to the protection and well-being of the public whilst supporting the growth of business.
- 18.2 The Service will continue to deliver its work plan in partnership with Central Government departments; key agencies; and organisations within the consumer landscape, together with legitimate businesses.
- 18.3 Local Government continues to undergo far reaching changes and the Service recognises and continues to adapt to the challenges presented by the new and evolving regulatory landscape of the future.
- 18.4 The resources currently available to RS to deliver its health and safety responsibilities are considered to be below those necessary to deliver the full range of functions and tasks as set out within this operating plan.

Annex 1

References

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[Regulatory Enforcement and Sanctions Act 2008.](#)

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Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

www.portsmouth.gov.uk

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
 - Communities and safety
 - Regeneration and culture
 - Environment and public space
 - Equality & - Diversity - This can be found in Section A5

Directorate:

Culture, Leisure and Regulatory Services

Service, function:

Regulatory Services

Title of policy, service, function, project or strategy (new or old) :

Health and Safety Plan 2019-2022

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

What is the aim of your policy, service, function, project or strategy?

The plan is an expression of the Council's commitment to its health and safety role and responsibilities to develop a Health and Safety Delivery Team. It sets out the manner in which health & safety inspections, initiatives and activities have been Page 45 meet the requirements of the National

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A1-Crime - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact Lisa.Wills@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The plan is designed to protect individuals, employees and businesses health and safety by ensuring that risks in the changing workplace are managed properly. The impact is predominately positive.

How will you measure/check the impact of your proposal?

Statistics are sent to the the Health and Safety Executive on an annual basis who collate the information and report on compliance nationally.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A2-Housing - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Health and Safety is the cornerstone of the workplace especially in higher risk workplaces such as the construction industry where houses are being built and maintained. The impact is predominantly positive

How are you going to measure/check the impact of your proposal?

Statistics are sent to the the Health and Safety Executive on an annual basis who collate the information and report on compliance nationally.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A3-Health - Will this help promote healthy, safe and independent living?



In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact Dominique.Letouze@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Health and Safety promotes the health of the workplace and the employee. A good Health and Safety Policy promotes good mental and physical health and promotes workplaces which are free from risk and harm.

How are you going to measure/check the impact of your proposal?

Statistics are sent to the the Health and Safety Executive on an annual basis who collate the information and report on compliance nationally.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A4-Income deprivation and poverty-Will it consider income deprivation and reduce poverty?



In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact Mark.Sage@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>
<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?		
The policy does not specifically consider low income and vulnerable members of the community, it does indirectly support them by creating a level playing field of health and safety complinace in the work place for all embers of the community regardless of income and status.		
How are you going to measure/check the impact of your proposal? Statistics are sent to the the Health and Safety Executive on an annual basis who collate the information and report on compliance nationally.		
A - Communities and safety	Yes	No

Is your policy/proposal relevant to the following questions?

A5-Equality & diversity - Will it have any positive/negative impacts on the protected characteristics?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	-------------------------------------

In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact gina.perryman@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy will not have any specific positive or negative impacts on the characteristics highlighted under the Equality Act 2010. However the policy is designed for the benefit of all members of the community.		
How are you going to measure/check the impact of your proposal? Statistics are sent to the the Health and Safety Executive on an annual basis who collate the information and report on compliance nationally.		

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B1-Carbon emissions - Will it reduce carbon emissions?

In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy does not specifically address carbon emissions.

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B2-Energy use - Will it reduce energy use?

In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact Triston.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy does not specifically address energy use.

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B3 - Climate change mitigation and flooding-Will it proactively mitigate against a changing climate and flooding?

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy does not specifically address climate change and flooding

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B4-Natural environment-Will it ensure public spaces are greener, more sustainable and well-maintained?

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy does not specifically address greener/sustainable public spaces.

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B5-Air quality - Will it improve air quality?

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact Hayley.Trower@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy does not specifically address the improvement of air quality.

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B6-Transport - Will it improve road safety and transport for the whole community?

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact Pam.Turton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy does not specifically address road safety and transport for the community.

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

B7-Waste management - Will it increase recycling and reduce the production of waste?

In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact Steven.Russell@portsmouthcc.gov.uk or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy does not specifically adress recycling and reduction of waste production.

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C1-Culture and heritage - Will it promote, protect and enhance our culture and heritage?



In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact Claire.Looney@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy will encourage good health and safety practice at all events; buildings and attractions in the city , which will in turn attract visitors to the city as a safe place to work and live.

How are you going to measure/check the impact of your proposal?
Statistics are sent to the the Health and Safety Executive on an annual basis who collate the information and report on compliance nationally.

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C2-Employment and opportunities - Will it promote the development of a skilled workforce?



In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Good Health and Safety policy is part of all employee development which promotes a skilled work force.

How are you going to measure/check the impact of your proposal?
Statistics are sent to the the Health and Safety Executive on an annual basis who collate the information and report on compliance nationally.

Is your policy/proposal relevant to the following questions?

C3 - Economy - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?



In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

All successful businesses have a good health and safety policy at their heart. Successful local business will promote the local economy and encourage growth.

How are you going to measure/check the impact of your proposal?
Statistics are sent to the the Health and Safety Executive on an annual basis who collate the information and report on compliance nationally.

Q8 - Who was involved in the Integrated impact assessment?

Steve Bell

This IIA has been approved by: Richard Lee

Contact number: 023 92834857

Date: 09/01/2020

Title of meeting:	Community Safety Portfolio Decision Meeting
Date of meeting:	28 th January 2020
Subject:	Scams - A plan of action 2019 / 2022
Report by:	Director of Culture, Leisure and Regulatory Services
Wards affected:	All
Key decision:	No

1 Purpose of report:

1.1 This report seeks to:

- identify what is meant by the term '*Scam*' or *mass marketing fraud (MMF)*, describe the nature and level of harm caused by scams and explain why certain residents are susceptible to falling victim to scams, and
- why Regulatory Services (RS) should devote resources to this area of work, how RS, along with its partner agencies, intends to mitigate the financial and societal harm caused by scams.

2 Recommendations:

RECOMMENDED that the Cabinet Member for Community Safety:

- 2.1 Approves the manner in which Regulatory Services delivers its scams prevention work, and
- 2.2 Agrees that the council becomes a '*Friends Against Scams*' Local Authority.

3 Background:

- 3.1 Scams and MMF cause victims to part with their money and personal details by intimidating them or promising cash, prizes, services and fictitious high returns on investments. Essentially Scams are fraud and therefore a crime.
- 3.2 A mass marketing scam is a misleading or deceptive business practice where the person receives an unsolicited or uninvited contact (e.g. by letter, email, phone or advertisement) and false promises are made to con the victim out of money. A doorstep scam is where victims are cold called at their homes and persuaded to part with money as a result of rogue trading activity.
- 3.3 Each year scams and fraud cause approximately between £5 and £10 billion worth of detriment to UK consumers¹. Scams and fraud also have a substantial

¹ <https://www.local.gov.uk/about/news/two-scams-day-reported-councils-fighting-fraudsters>

impact on economies and markets by undermining consumer trust and confidence in legitimate businesses.

- 3.4 Criminals use persuasive language to induce people to respond and, having responded, victims are reluctant to seek help from their peers. Research carried out in May 2009 by the University of Exeter's School of Psychology for the Office of Fair Trading (OFT), found it significant that some victims kept their decision to respond to scams and fraud private and avoided speaking about it with family members and friends. This accounts for the low level of reporting as people feel ashamed².
- 3.5 The OFT also reported that more than half of UK scams victims admitted to having changed their purchasing and payment behaviour, generally becoming more cautious or suspicious of any contact that could potentially be another scam. The psychological impact of scams and fraud can seriously damage an individual consumer's trust in markets. Scams and fraud are often targeted specifically at consumers in vulnerable situations or disadvantaged consumers. These consumers can suffer disproportionate levels of harm as a result of scams and fraud. Age UK identified that fraudsters are scamming one in 12 elderly people³.
- 3.6 Furthermore, scams and fraud continue to increase as technology allows greater pinpointing of potential victims. Many 'chronic' victims are elderly, socially isolated and vulnerable to repeat victimisation by criminals through the abuse of the postal system and other communications channels. Often their plight only comes to the attention of the authorities when they die, have exhausted their life savings, or their relatives become aware of the problem.
- 3.7 The National Trading Standards (NTS) Scams Team is funded by NTS and is hosted by Surrey County Council. The team was founded in 2012 to tackle the problem of postal, telephone and doorstep scams and related crimes. The team works across England and Wales with trading standards and partner agencies to investigate scams and identify and support those who fall victim to them.
- 3.8 The NTS Scams Team receives information from a range of partner agencies who identify potential victims of scams. The team then contacts the local trading standards service of those silent victims and enters into partnership agreements with them. These partnership agreements include a variety of ways in which local authorities can work together to intervene and support their identified victims. Information is gathered about victims and best practice which enables the team to inform local authorities and partner agencies of the most effective ways to work with and support scam victims.
- 3.9 Other evidence and statistics relating to the impact of scams are:

² <https://ore.exeter.ac.uk/repository/handle/10871/20958>

³ https://www.ageuk.org.uk/globalassets/age-uk/documents/reports-and-publications/reports-and-briefings/safe-at-home/rb_april15_only_the_tip_of_the_iceberg.pdf

- The NTS Scams Team average age of a scam victim is 74⁴
- Age UK reported that 53% of people aged 65 plus have been targeted by scams⁵
- Only five per cent of victims report the crime¹
- More than 5 million people a year in the UK are victims of scams and fraud, and one in ten people have fallen victim to financial scams and fraud losing hundreds or even thousands of pounds³
- Eight per cent of the adult population would admit to having been a victim of scams/fraud at some time⁶
- Around a third of victims fall prey to another scam/fraud within 12 months⁷
- At least 27 scams and fraud victims in various countries considered, attempted, or committed suicide since 2006 as a result of their losses⁸.

4 Statutory Functions

4.1 ***The Consumer Protection from Unfair Trading Regulations 2008 (CPRs)***⁹

prohibit deceptive and misleading commercial or business practices. As mentioned above the mechanics of many scams are caught by these regulations, which are more easily identified as fraud. The trading standards service, a team within RS has a **statutory duty** to enforce the CPRs.

4.2 Section 42 of the ***Care Act 2014***¹⁰ sets out a **statutory duty** on the Local Authority to protect residents from financial abuse, the definition of which is analogous with scams or MMF. The statutory guidance that accompanies the Care Act 2014 recognises that trading standards have a valuable contribution to make in ensuring adults are safeguarded:

In all cases this is financial abuse and the adult at risk can be persuaded to part with large sums of money and in some cases their life savings. These instances should always be reported to the local police service and local authority trading standards services for investigation. The Safeguarding Adults Board will need to consider how to involve local trading standards in its work. These scams and crimes can seriously affect the health, including mental health, of an adult at risk. Agencies working together can better protect adults at risk. Failure to do so can result in an increased cost to the state, especially if the adult at risk loses their income and independence

⁴ <https://www.tradingstandards.uk/media/documents/policy/research/stand-against-scams-final-9.pdf>

⁵ <https://www.ageuk.org.uk/latest-news/archive/over-half-of-people-aged-65-targeted-by-fraudsters/>

⁶ https://lra.le.ac.uk/bitstream/2381/10288/4/Whitty_The%20online%20romance%20scam_survey_CBSN.pdf

⁷ <https://www.ageuk.org.uk/latest-news/articles/2019/july/older-person-becomes-fraud-victim-every-40-seconds/>

⁸ <https://www.ice.gov/doclib/cornerstone/pdf/immfta.pdf>

⁹ <https://www.which.co.uk/consumer-rights/regulation/consumer-protection-from-unfair-trading-regulations-2008>

¹⁰ <http://www.legislation.gov.uk/ukpga/2014/23/part/1/crossheading/safeguarding-adults-at-risk-of-abuse-or-neglect/enacted>

5 Portsmouth Data and context:

- 5.1 Portsmouth signed up to take referrals from the NTS Scams Team in January 2019. 682 potential victims of scams and fraud live in the Portsmouth area, of which, some are multiple victims of different scams and fraud, have been identified by the NTS Scams Team. 92 of these have been supported and 52 have been confirmed as victims via interventions from the Trading Standards team.
- 5.2 Portsmouth population in 2018 equaled 215,773 therefore it is estimated that 14.1% (30,452 people) of Portsmouth residents are over 65. By 2030 the statistics are predicted to increase to 227,460, therefore 17.0% (38,685 people) of Portsmouth residents will be over 65¹¹
- 5.3 Taking the Age UK figure that states 53% of over 65's have been targeted by scams and fraud. This means **20,503 Portsmouth residents could be targeted by scams and fraud by 2030.**
- 5.4 Whilst we can support the victims that are referred to us from the NTS Scams Team, further work needs to be done to educate raise awareness and build community resilience so that people can prevent themselves from becoming victims of scams and fraud. Prevention being far cheaper than cure.
- 5.5 Isolation and lack of communication with family and friends or lack of reporting channels can make older people more vulnerable to scams and fraud. A lack of physical mobility and other disabilities can also increase vulnerability. If scams and fraud are not reduced, the council could see a huge burden being placed on the local authority to support these victims of scams/fraud and financial abuse. There are intrinsic links with Adult Social Care in this field. Financial losses do not fully reflect all of the costs that scams and fraud victims often bear. For some victims the risks extend well beyond loss of personal savings to include physical risks, loss of their homes, depression, and even contemplated, attempted, or actual suicide.
- 5.6 This work supports Portsmouth City Council's shared aim to: Make Portsmouth a place that is fairer for everyone: a city where the council works together with thriving communities to put people at the heart of everything we do. More specifically it also supports **Portsmouth City Council's Ageing Population Strategy 2010 – 2020**¹² particularly the stronger support and protection section, but we need to do more.

6 Intervention plan overview

- 6.1 RS will continue to take monthly referrals from NTS Scams team which identifies likely scam victims based in Portsmouth.

¹¹ [population-mid-year-estimates-and-projections-for-portsmouth-ons.xls](#)

¹² <https://www.portsmouth.gov.uk/ext/your-council/policies-and-strategies/ageing-population-strategy-2010-2020>

- 6.2 The service will work with partners including: Adult social care safeguarding team, Multi-Agency Safeguarding Hub (MASH), police and wardens to make contact with these individuals, confirm whether or not they have been, or indeed are at risk of becoming a victim of a scam, and take the appropriate action whether that be education or other support to protect them going forward.
- 6.3 Where information on perpetrators of such scams become available this information will be shared with the appropriate agency.
- 6.4 Report on the impact (in £ savings) of interventions to both NTS scams team and Safeguarding Adults Board.
- 6.5 Promote 'Friends against Scams' training both within the council and via the appropriate external channels.

7 Fighting scammers will deliver savings

- 7.1 RS is at the front-line of work with scams victims and shares the responsibility of safeguarding those at risk with Adult Social Care (ASC), the police, housing and financial sectors¹³.
- 7.2 Based on Portsmouth's data, and the thus far 54 confirmed victims, it can be calculated the future saving to ASC based on the Home Office cost of crime methodology. In broad terms it is established that scam victims are 2.5 times more likely to go into fulltime care, the average weekly cost is £716 per week. It can therefore be estimated (based on 25% of the 54 confirmed victims) that the TS interventions to date has resulted in £502,632 per year savings to ASC.
- 7.3 Obviously this is based on a relatively small number of referrals over a short period of time. It is estimated that this figure will increase significantly as time goes on.
- 7.4 NTS Scams team has calculated that every 'friend' that is recruited results in £59 direct financial and other savings include insurance administration savings, defensive expenditure saving, health related quality of life savings, lost output savings, healthcare savings, police and other Criminal Justice Service costs avoided. At the time of writing a total of 279,566 friends have been recruited nationally.

8 What more can Portsmouth City Council do locally?

- 8.1 Portsmouth City Council is dealing with its identified victims however more proactive training can be done with all council staff. The recommendation is that Portsmouth City Council becomes a **Friends Against Scams**¹⁴ Local Authority.

¹³ <https://www.tradingstandards.uk/media/documents/news--policy/research/financial-scamming-key-findings.pdf>

¹⁴ <https://www.friendsagainstscams.org.uk/>

- 8.2 The NTS Scams Team launched the initiative *Friends Against Scams* in 2016, aiming to get people talking about scams and fraud and in turn preventing people becoming victims. The initiative is based around training which is either face to face or on-line via the website. The initiative is designed to inspire action in partners, highlight the scale of the problem, change the perceptions of why people fall for scams and make scams and fraud a community, regional and national topic. Further information can be found at www.friendsagainstscams.org.uk. The Team want everyone to learn about scams and fraud and turn that knowledge into action. The Team has an inspirational target of One Million Friends by 2022.
- 8.3 As a Friends Local Authority Portsmouth City Council will pledge to encourage all staff, local businesses and residents to take action in helping to protect people in the city from scams and fraud, by becoming a Friend.
- 8.4 Local organisations and groups can be encouraged to sign up to become a Friends partner and help deliver initiatives to “take a stand against scams”. The problem is immense and it needs a multi-agency approach to tackle it, and to protect our communities, specifically consumers who are made vulnerable by their circumstances.
- 8.5 Portsmouth City Council would become one of the flagship “*Friends Against Scams*” local authorities. As part of this we would invite senior officials / members to become a **SCAMBassador**¹⁵ as part of the *Friends Against Scams* network. Training would be provided by Portsmouth Trading Standards Service and a positive media opportunity would be available.
- 8.6 By signing up to 'Friends' this would become part of the overall Council strategy to tackle fraud and scams which would help to fulfil its statutory obligations as stated above in the *Care Act 2014*.

9 Integrated impact assessment

- 9.1 An Integrated Impact Assessment is attached. The proposal has an association with the categories of 'Crime', 'Health', 'Income deprivation and poverty' and 'Equality and diversity'.

10 City Solicitor's comments

- 10.1 Legal Services have confirmed that it is within the Cabinet Members powers to approve the recommendations as set out within this report.

11 Head of Finance's comments

- 11.1 The activities proposed within this report, will be funded from existing service budgets, as approved by Full Council.

¹⁵ <https://www.friendsagainstscams.org.uk/scambassador>

12 Director's comments

- 12.1 The recommendations and activity proposed within this report will culture greater collaboration with both internal and external partners to help promote a better quality of life for some of the most vulnerable residents in Portsmouth.
- 12.2 The devastating financial and emotional impact of scams is evidenced. We know of some residents of Portsmouth sadly losing their entire life savings, although the loss of relatively small amounts can still have overwhelming consequences. Scams can impact a person's physical and mental health and can lead to victims being more likely to require social care services they didn't previously need.
- 12.3 Whilst Trading Standards will aim to prioritise their fight against scams, for this proposal to be effective agencies need to work together. The resources available to Portsmouth Regulatory Service Trading Standards are not capable of making a huge impact in isolation as raising awareness and in particular bringing the perpetrators of scams to task is a huge task. Additional funding is therefore necessary in terms of staffing resources if the Council is serious in making a real difference in this area.

.....
Signed by: Stephen Baily, Director of Leisure, Culture and Regulatory Services

Appendices:

Appendix 1: Integrated Impact Assessment

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document and location of document
See footnotes

The recommendation set out in 2.1 and 2.2 above were approved / approved as amended / deferred / rejected by the Cabinet Member for Community Safety on 28th January 2020.

.....
Signed by: Councillor Lee Hunt, Cabinet Member for Community Safety

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Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

www.portsmouth.gov.uk

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
 - Communities and safety
 - Regeneration and culture
 - Environment and public space
 - Equality & - Diversity - This can be found in Section A5

Directorate:

Communities and Safety

Service, function:

Regulatory Services

Title of policy, service, function, project or strategy (new or old) :

Scams- A Plan of Action 2019-2022

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

What is the aim of your policy, service, function, project or strategy?

To conduct Scam or 'Mass Marketing Fraud' prevention work as referred to PCC Trading Standards team by National Trading Standards Scams Team, and

promote the key prevention initiatives as developed by National Trading Standards Scams Team such as 'Friends Against Scams'

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

No

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A1-Crime - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact Lisa.Wills@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy will inform all residents about, and make them more resilient to financial abuse. The greatest benefit will be felt by vulnerable residents and those who may have already been targeted.

How will you measure/check the impact of your proposal?

we record the number of interventions we make based on the referral we receive. we can also record the number of friends recruited. NTS Scams team have a credible model to calculate the monetary value of both interventions and friends recruited.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A2-Housing - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A3-Health - Will this help promote healthy, safe and independent living?



In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact Dominique.Letouze@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

It has been proven that vulnerable or elderly people who are exposed to financial abuse are nearly 3 times more likely to go into full time care. Therefore any prevention or education and or intervention by us has the potential to significantly impact on the ability of those residents to remain physically and mentally healthy and in turn live independently.

How are you going to measure/check the impact of your proposal?

We record the number and effectiveness of our interventions, plus in conjunction with NTS scams team record the number of friends recruited.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A4-Income deprivation and poverty-Will it consider income deprivation and reduce poverty?



In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact Mark.Sage@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>
<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy directly addresses and seeks to mitigate Portsmouth residents being financially exploited by criminals via mass marketing fraud (aka scams)

How are you going to measure/check the impact of your proposal?

We record the number and effectiveness of our interventions, plus in conjunction with NTS scams team record the number of friends recruited.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A5-Equality & diversity - Will it have any positive/negative impacts on the protected characteristics?



In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact gina.perryman@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The vast majority of scam victims are either elderly or have a disability, e.g cognitive decline. therefore the vast majority of referral received by Regulatory services will result in us intervening, ans supporting such individuals to prevent further abuse.

How are you going to measure/check the impact of your proposal?

We record the number and effectiveness of our interventions, plus in conjunction with NTS scams team record the number of friends recruited.

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B1-Carbon emissions - Will it reduce carbon emissions?

In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B2-Energy use - Will it reduce energy use?

In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact Triston.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B3 - Climate change mitigation and flooding-Will it proactively mitigate against a changing climate and flooding?

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B4-Natural environment-Will it ensure public spaces are greener, more sustainable and well-maintained?

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B5-Air quality - Will it improve air quality?

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact Hayley.Trower@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B6-Transport - Will it improve road safety and transport for the whole community?

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact Pam.Turton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable;e

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

B7-Waste management - Will it increase recycling and reduce the production of waste?

In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact Steven.Russell@portsmouthcc.gov.uk or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable
How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C1-Culture and heritage - Will it promote, protect and enhance our culture and heritage?

In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact Claire.Looney@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C2-Employment and opportunities - Will it promote the development of a skilled workforce?

In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

C3 - Economy - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?

In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

Q8 - Who was involved in the Integrated impact assessment?

Edward Skinner

This IIA has been approved by: Richard Lee

Contact number: 023 92834857

Date: 20/01/2020

Title of meeting:	Community Safety Portfolio Decision Meeting
Date of meeting:	28 th January 2020
Subject:	Financial Investigations & Asset Recovery 'Taking the Cash out of Crime' 2019-2022
Report by:	Director of Culture, Leisure and Regulatory Services
Wards affected:	All
Key decision:	No

1. Purpose of the report

1.1 This report seeks to inform the cabinet member for Community Safety of:

- the benefits of financial investigation and asset recovery; utilising the powers available to accredited officers (AFIs) under the Proceeds of Crime Act 2002 (POCA)
- how associated legislation contributes to the investigative functions of Regulatory Services, particularly the Trading Standards service, but also wider departments within Portsmouth City Council, and
- the successes of this work stream since the last report to cabinet which was published in March 2010 and our intentions to grow this work over the next three years.

2. Recommendations:

2.1 **RECOMMENDED** that the Cabinet Member for Community Safety

- acknowledges the powers available to AFIs employed within Regulatory Services and authorises their inclusion within the council's enforcement policy
- acknowledges the benefits this work has yielded since its implementation, and approves the manner in which Regulatory Services seeks to deliver its financial investigation & asset recovery plan going forward
- approves the retention of the reserve account so recovered monies can be reinvested in keeping with the Home Office policy: Asset Recovery Incentivisation Scheme (ARIS).

3. Background

- 3.1 Whether it be a simple theft from a shop till by an employee, the production of counterfeit goods, the flagrant planning infringements or a sophisticated fraud committed by an organised crime group, the vast majority of criminal acts have a financial motive at their heart. This makes the ability to investigate a suspect's finances an important weapon in the law enforcement armoury. It has long been the government's policy that attacking criminal's finances is as important, if not more so than the loss of liberty when it comes to deterring prospective offenders and repeat offenders. Maintaining and recovering the proceeds of crime; compensating victims and or reinvesting these funds back into the communities from which they were taken serves to improve and maintain societies' confidence in law enforcement, and the justice system as a whole.
- 3.2 The Proceeds of Crime Act 2002 came into force on 24th March 2003, succeeding the Drugs Trafficking Act 1994 and Criminal Justice Act 1988. The Act created a far more robust law enforcement mechanism, designed to prevent criminals from enjoying the proceeds of their criminal lifestyles.
- 3.3 One such example of how it was designed to achieve this was the creation of 'Money Laundering offences' which focused on the criminal property generated by the predicate criminality and in doing so strengthens the state's ability to identify, freeze and confiscate their ill-gotten assets.
- 3.4 POCA provides for a number of investigative powers for officers that have been appropriately trained and accredited by the National Crime Agency (NCA). These powers include search and seizure powers, and powers to apply for production orders and disclosure orders, and allows for the 'restraint' or 'freezing' of assets to prevent dissipation of assets prior to a confiscation order being made.

4. Confiscation

- 4.1 Following the conviction of an acquisitive crime the AFI embarks on an investigation to determine the value of the criminality, 'the benefit', and also demonstrates the means by which the defendant can pay. A confiscation order does not provide for the confiscation of particular property, but rather orders the defendant to pay a set amount out of whatever resources are available to him or her. The defendant is given a set time to pay the order after which he or she is liable for interest and may be subject to a default sentence for failing to pay.

5. Restraint

- 5.1 Restraint orders prevent a person subject to a criminal investigation or criminal proceedings from dealing with any realisable property to prevent the dissipation of assets that may be subject to a confiscation order. These powers also allow for the appointment of a receiver to manage restrained assets or to enforce a confiscation order.

6. Civil Recovery, including cash seizure

- 6.1 POCA provides a scheme to reclaim the proceeds of crime through civil proceedings. It permits the recovery of criminal assets where no conviction has been possible, for example because individuals avoided conviction by remaining remote from the commission of the crimes from which they benefited or because they have fled abroad. Civil recovery applications are made in the High Court (cash seizure / forfeitures are made in the Magistrates court) against property that is or represents property obtained through unlawful conduct. The relevant enforcement authority (that is, the Director of Public Prosecutions, the Director of the Serious Fraud Office and the Director of the NCA) may make an application for a property freezing order to prohibit any person from dealing with the property.

7. Money Laundering

- 7.1 POCA provides for various money laundering offences. A person commits an offence if he or she:
- conceals, disguises, converts or transfers criminal property or removes it from England and Wales, Scotland or Northern Ireland.
 - enters in to or becomes concerned in an arrangement which he or she knows or suspects facilitates the acquisition, retention, use or control of criminal property.
 - acquires, uses or has possession of criminal property.
- 7.2 POCA requires financial institutions and businesses in the regulated sector to report to the UK Financial Intelligence Unit, which is part of the NCA, any suspicions about criminal property or money laundering. Even if a person is not in the regulated sector they must report any suspicions if they come across any suspicious activity through their trade, business or profession.

8. Investigations

- 8.1 POCA provides for an extensive suite of investigative powers to conduct investigations. Only specified officers may make applications for these investigative tools to a court.

9. Local Authorities join the fight against Financial Crime

- 9.1 Since 1st April 2006, POCA has made it possible for other public bodies (other than just traditionally Police and Customs) to make use of the new powers, allowing for the provision of AFIs to create a network of 20 plus law enforcement agencies, including Local Authority Trading Standards.
- 9.2 To encourage other agencies to get involved in this specialist area of law enforcement, the Home Office introduced the 'Incentivisation Scheme' (ARIS), designed to reward institutions for their success and remunerate their investments in terms of the costs of training / employing staff and incorporating the necessary

infrastructure i.e. secure computer networks, work spaces and secure storage areas.

- 9.3 In 2006 the then 'Local Authority Co-ordination of Regulatory Services' (LACORS) published a document entitled 'Proceeds of Crime: A Vision For Local Authority Trading Standards'¹. This document identified the benefits to Local Authorities of developing this capability and supporting the national asset recovery agenda including:
- contribution to local crime and disorder strategies and other corporate priorities.
 - the need to consider post-conviction orders as part of the prosecution process.
 - its role in tackling 'lifestyle criminals' such as counterfeiters, persistent rogue traders and loan-sharks.
 - raising the profile of local trading standards services.
 - ensuring that crime doesn't pay and is seen not to pay.
 - helping to meet the expectations of legitimate businesses and consumers and
 - enabling local authorities to reinvest confiscated funds back into services.
- 9.4 Since 2006 most local authority trading standards services have trained or appointed their own AFIs, with many examples of some authorities having two or even three AFIs such is the demand for their services. At the time of writing in the south east region of 19 local authorities there are currently 24 accredited officers all of which are embedded in their respective Trading Standards services.
- 9.5 Since their inclusion as a 'relevant agency' the courts have seen numerous cases brought before them where POCA has featured either in terms of money laundering offences or asset recovery. This has led to significant growth to the number of regulatory areas such as consumer protection, product safety, and planning whereby POCA is being applied, challenged and endorsed by the appeal courts.
- 9.6 This endorsement that regulatory offences are just as relevant as traditional crime is best summed up by Lord Justice Leveson judgement in the appeal case of **R V Delbasso & Goodwin [2010] EWCA Crim 1119** who echoed the final remarks by His Honour Justice Baker QC in the lower court that:

'The law, however, is plain. Those who choose to run operations in disregard of planning enforcement requirements are at risk of having the gross receipts of their illegal businesses confiscated. This may greatly exceed their personal profits. In this respect they are in the same position as thieves, fraudsters and drug dealers.'

10. Home Office Asset Recovery Scheme

- 10.1 The Home Office ARIS was launched in 2006. The objective of the Scheme is to provide operational partners with incentives to pursue asset recovery as a contribution to the overall aims of cutting crime and delivering justice. It divides net

¹ <https://www.ihsti.com/lacors/NewsArticleDetails.aspx?id=14586&authCode=->

receipts from asset recovery between the Home Office and operational partners. ARIS funds are allocated to operational partners based on their relative contribution to delivering receipts into ARIS².

- 10.2 For cash seizures, where a single agency can seize, detain and apply for forfeiture of the cash, that agency retains the 50% operational share in its entirety. In the case of confiscation receipts, 18.75% is allocated to each of the investigating (for example, the police or National Crime Agency) and prosecuting (usually the Crown Prosecution Service (CPS)) agencies, with the remaining 12.5% allocated to HM Courts and Tribunals Service (HMCTS) as the enforcement authority.
- 10.3 In civil recovery cases, funds are shared between the referring agency and the enforcement authority.
- 10.4 The Home Office expects incentivisation payments be used to 'further drive up performance on asset recovery and, where appropriate, to fund local crime fighting priorities for the benefit of the community'. It is important to stress however that the decision to investigate and subsequently to prosecute, is never based on possible financial investigations opportunities.
- 10.5 In the current year 2019-20, Home office statistics suggests that Local Authorities contribution to overall statistics circa 10% of the total UK asset recovery figures.

11. Portsmouth's Trading Standards

- 11.1 This service has seen over 60% reductions in budget since 2010, which has limited the development of this work stream. Despite that the resource has been developed and deployed on a vast range of investigations borne both within the trading standards service, but also for other agencies.
- 11.2 It is estimated that the Portsmouth AFI has secured confiscation orders totalling £1.9million resulting in significant asset recovery and compensation for victims in those matters. It should be noted that many of these relate to external cases.
- 11.3 Since 2011/ 2012 incentivisation funds and other cost recovery (for provision of service) for the service are circa £270k which has been secured in the dedicated reserve and used to offset the costs of the function / service.
- 11.4 Over the next 3 years Regulatory services plan to, where possible, expand and grow the capability within the existing team by training additional AFIs. This will serve to increase the number of opportunities whereby the financial investigation and asset recovery work stream can positively impact on investigations, deprive perpetrators and compensate victims.

² http://data.parliament.uk/DepositedPapers/Files/DEP2015-0223/ARIS_Review_Report_unmarked.pdf

12. Statutory Function

- 12.1 Whilst not a statutory function, it is fair to say that AFI skills and disciplines are now so fundamental to the investigative process that, in all but the most simplest of matters, their omission would significantly harm or limit the success of the investigation.

13. Integrated impact assessment

- 13.1 A Integrated Impact Assessment is attached. The proposal has an association with the categories of 'Crime', 'Health', 'Income deprivation and poverty' and 'equality and diversity'.

14. City Solicitor's comments

- 14.1 Legal Services have confirmed that it is within the Cabinet Members powers to approve the recommendations as set out within this report.

15. Head of Finance's comments

- 15.1 The activities proposed within this report, will be funded from existing service budgets, as approved by Full Council.

16. Director's comments

- 16.1 The contribution that financial investigation makes to tackling organised crime goes beyond simply a mechanism to recover assets. As demonstrated within this report this investigative approach has the potential to be successfully applied across the full extent of criminal investigations. In particular, it should be viewed as a tool that yields most value when it is used in collaboration with other investigative methods, rather than an approach that is used in isolation.
- 16.2 A confiscation order set at a realistic and achievable amount has been proved to have a marked effect on criminals and their activities, above and beyond any other type of sentence. This includes cases where defendants have accepted substantial prison sentences rather than confiscation orders, which they have fought as they found this a more severe and restricting punishment.
- 16.3 A significant amount of crime is committed simply to make money, and in every case there is a victim. For those who commit crime, traditionally the punishment was either a community sentence or a term of imprisonment. Despite this, criminals could still often profit from their criminal actions while victims were left feeling let down by the criminal justice system. POCA deals with the movement and use of criminal property.
- 16.4 POCA is not just for attacking high value International drug traffickers and fraudsters, but is equally as effective at disrupting and deterring those committing low value, high volume crime. The effective use of financial investigation and the

POCA sends a strong message to both criminals and the community that “crime will not pay”.

.....
Signed by: Stephen Baily, Director of Leisure, Culture and Regulatory Services

Appendices:
Appendix 1: Integrated Impact Assessment

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document and location of document
See footnotes

The recommendation set out in 2.1 above were approved / approved as amended / deferred / rejected by the Cabinet Member for Community Safety on 28th January 2020.

.....
Signed by: Councillor Lee Hunt, Cabinet Member Community Safety

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Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

www.portsmouth.gov.uk

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
 - Communities and safety
 - Regeneration and culture
 - Environment and public space
 - Equality & - Diversity - This can be found in Section A5

Directorate:

Communities and Safety

Service, function:

Regulatory Services

Title of policy, service, function, project or strategy (new or old) :

Financial Investigations & Asset Recovery 'Taking the Cash out of Crime' 2019-2022

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

What is the aim of your policy, service, function, project or strategy?

Renew and reaffirm Regulatory Service's intention to utilise powers conferred under the Proceeds of Crime Act 2002.

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

No

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A1-Crime - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact Lisa.Wills@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Targeting criminal finances has been shown to be highly effective at deterring would be offenders. Also by taking back monies and assets earned from crime gives the public confidence that we live in a just and safe society and that crime does not pay.

How will you measure/check the impact of your proposal?

The success of this policy can be measured by the contribution that financial investigation makes to core investigations, and prosecutions, and the number and values of confiscation/asset recovery orders secured in the courts.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A2-Housing - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A3-Health - Will this help promote healthy, safe and independent living?



In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact Dominique.Letouze@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

This policy is designed to have a positive impact on crime. Such an effect has the capacity to improve the quality of life of residents in our city.

How are you going to measure/check the impact of your proposal?

The success of this policy can be measured by the contribution that financial investigation makes to core investigations, and prosecutions, and the number and values of confiscation/asset recovery orders secured in the courts.

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A4-Income deprivation and poverty-Will it consider income deprivation and reduce poverty?



In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact Mark.Sage@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>
<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Criminals will exploit opportunities for financial gain. The opportunities often arise from low income or vulnerable groups. My mitigating this threat the policy has the capacity to positively effect these groups

How are you going to measure/check the impact of your proposal?

The success of this policy can be measured by the contribution that financial investigation makes to core investigations, and prosecutions, and the number and values of confiscation/asset recovery orders secured in the

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A5-Equality & diversity - Will it have any positive/negative impacts on the protected characteristics?



In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact gina.perryman@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

as referred to above, criminals often prey on the vulnerable so inevitably the work associated with this policy, will seek to protect these groups.

How are you going to measure/check the impact of your proposal?

We record the number and effectiveness of our interventions, plus in conjunction with NTS scams team record the number of friends recruited.

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B1-Carbon emissions - Will it reduce carbon emissions?

In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B2-Energy use - Will it reduce energy use?

In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact Triston.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B3 - Climate change mitigation and flooding-Will it proactively mitigate against a changing climate and flooding?

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B4-Natural environment-Will it ensure public spaces are greener, more sustainable and well-maintained?

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B5-Air quality - Will it improve air quality?

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact Hayley.Trower@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B6-Transport - Will it improve road safety and transport for the whole community?

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact Pam.Turton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

B7-Waste management - Will it increase recycling and reduce the production of waste?



In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact Steven.Russell@portsmouthcc.gov.uk or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable
How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C1-Culture and heritage - Will it promote, protect and enhance our culture and heritage?

In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact Claire.Looney@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C2-Employment and opportunities - Will it promote the development of a skilled workforce?

In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

C3 - Economy - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?

In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Not applicable

How are you going to measure/check the impact of your proposal?

Q8 - Who was involved in the Integrated impact assessment?

Edward Skinner

This IIA has been approved by: Richard Lee

Contact number: 023 9283 4857

Date: 20/01/2020

Title of meeting: Community Safety Portfolio Decision Meeting

Date of meeting: 28th January 2020

Subject: The Importance of Shellfish Production Areas & Sampling

Report by: Director of Culture, Leisure and Regulatory Services

Wards affected: ALL

Key decision: No

1. Purpose of report

1.1 The purpose of this report is to advise the Cabinet Member for Community Safety of the responsibilities placed upon Regulatory Services (RS) in respect to live bivalve molluscs (shellfish) and of the importance of shellfish more generally.

2 **RECOMMENDATION** that the Cabinet Member for Community Safety:

- **acknowledges the responsibilities of RS in respect to shellfish**
- **recognises the importance of shellfish to the local fishing industry and to the 'health' of our harbours**
- **approves the manner in which shellfish sampling is to be undertaken for the next 12 months**

3. An introduction to RS responsibilities for shellfish

3.1 RS is also the Portsmouth Port Health Authority (PPHA or '*competent authority for official controls*'). Part of the varied responsibilities of the PPHA is to carry out monthly bacteriological sampling of approved shellfish production areas in both Portsmouth and Langstone harbours.

3.2 The results obtained by the PPHA are used by the Food Standards Agency (FSA) to classify the production areas according to the *E.coli* levels in the shellfish flesh to ensure they meet the health standards laid down in EC Regulation 853/2004.

3.3 The classification protocol laid out in EC Regulation 854/2004 determines the areas where shellfish can be collected from and how the shellfish have to be treated after harvesting to ensure that they are safe to eat.

3.4 This assessment results in the classification of shellfish ('A', 'B', 'Long Term B' and 'C') which determines the level of treatment (e.g. purification, relaying, cooking) required before safe human consumption of the fish. Harvesters of live shellfish are required to complete Movement Documents, issued by PPHA, when shellfish are

taken from the production areas to ensure that purchasers can determine the quality of the shellfish.

- 3.5 EC Regulation 854/2004 also requires a monitoring programme of classified shellfish production areas to be established, as part of PPHA official controls, to check for the possible presence of marine biotoxins in the shellfish flesh.
- 3.6 Marine biotoxins which are produced by certain types of phytoplankton (marine algae) can accumulate in the tissues of filter feeding shellfish. The consumption of shellfish which are contaminated with these biotoxins can lead to illness, ranging from sickness and diarrhoea to more serious conditions which could require hospital treatment. Certain concentrations of toxins (depending on the specific biotoxin) can be lethal. Relaying and cooking shellfish does not reduce the toxin levels and so consumption of toxic shellfish during an algal bloom has to be avoided.
- 3.7 The PPHA is additionally responsible for implementing procedures in the event that contamination levels in shellfish beds exceed certain levels. The actions taken vary from further investigation of potential causes to the closure of the shellfish production areas depending on contamination levels.
- 3.8 As a result of the increased number of beds and species classified in recent years and as a consequence of the complexity of the results and reporting procedures, in 2014 the PPHA set up a Local Action Group (LAG). The LAG was supported by a Shellfish Local Action Plan (SLAP) which set out how sampling results, intelligence, pollution incidents and closures should be communicated to the wider fishing community. The SLAP was not proposed to be prescriptive, allowing flexibility and for the experience of RS officers in relation to fluctuating results and the reasons for such to be taken into account. In the last 5 years the SLAP has therefore evolved however it remains the template for communicating shellfish related information.
- 3.9 Whilst the economic value of the current classified areas is difficult to calculate the local shellfish industry was last reported (2014) to be worth in excess of £500,000 annually, with approximately 50 locally registered vessels operating within the PPHA area. Shellfish stocks levels are recorded by various agencies including the PPHA and whilst some of the classified areas have declined in respect to suitable stock numbers others remain of commercial value.

4. The impact of pollution upon shellfish

- 4.1 Sanitary Surveys¹ are required under EC Regulation 854/2004 relating to official controls on shellfish intended for human consumption. The surveys are intended to provide a thorough assessment of microbiological pollution sources in the harbours. Once the sources are located they enable the development of the most representative sampling plan, identify appropriate production area boundaries and the most representative monitoring points² (RMP) [i.e. where the PPHA are required to sample] for all shellfish production areas.
- 4.2 Sanitary Surveys undertaken by Centre for the Environment, Fisheries and Aquaculture Science (CEFAS) in 2013 reported the potential sources of pollution

impacting upon our harbours. These sources include the potential for releases from the sewage management and treatment processes controlled by Southern Water. Whilst the impact of any one pollution source upon the health and microbiological quality of shellfish is impossible to quantify, the quality of the shellfish in terms of *E.coli* contamination has deteriorated in 2019 resulting in a downgrading of the classification grading in 3 production areas.

- 4.3 The current classifications have been made by the FSA under Part III of Schedule 3 of the Food Standards Act 1999 from their review of the compliance data provided by the PPHA monthly sampling of the beds during this period. Compliance data for all production areas is assessed on a rolling basis throughout the review period as official control sample results become available. Further classification changes therefore, including upgrades and downgrades, may be made as appropriate as we continue with our sampling and will be notified to us via in-year interim updates.
- 4.4 The end product microbiological criteria specified in EU Regulation 2073/2005 must be met. The production area will be classified as A, B or C, with A as the least and C as the most contaminated. The level of treatment required to remove contamination from the shellfish after harvesting depends on this classification. If contamination levels are consistently so high that a class C cannot be achieved then harvesting from the area may be prohibited. The standards that must be achieved and the level of treatment required for each classification are:
- **Class A** - Shellfish can be harvested for direct human consumption if the end product standard requirements are met.
 - **Class B** - Shellfish can be supplied for human consumption after one of three processes. The options are:
 - purification in an approved establishment
 - relaying for at least one month in a classified Class A relaying area
 - an EC approved heat treatment process.
 - **Class C** - Shellfish can only be sold for human consumption after completing one of three possible processes. These processes are:
 - relaying for at least two months in an approved class B relaying area followed by treatment in an approved purification centre
 - relaying for at least two months in an approved class A relaying area
 - after an EC approved heat treatment process.
 - **Prohibited areas** - Shellfish from areas with consistently prohibited level results must not be subject to production or be harvested.
- 4.5 Whilst there has been a marked improvement in classifications generally across the county this past year compared to the previous year, which is great news for the shellfish industry [31% less prohibited beds, considerably more Class A beds, 42% more and an increase in the number of Long Term B classifications], the results for

our production beds is however not so positive. The downgraded beds are identified in red in Table 1.

Table 1 - Classification of PPHA Shellfish Production Zones

Production Area	Classification Zone	Species	Classification 2018 / 2019	Classification 2019 / 2020
Langstone Harbour	South East Langstone Harbour	Hard Clam	B	B-LT
	Langstone Channel	Native or Flat Oyster	B	C
		Pacific Oyster	B	C
Portsmouth Harbour	East Harbour	Hard Clam	B-LT	B-LT
		Native or Flat Oyster	B-LT	B-LT
		Pacific Oyster	B-LT	B-LT
	Fareham Lake	Hard Clam	B	C
	Fareham Lake Middle	Native or Flat Oyster	C	C
		Pacific Oyster	C	C
	Paulsgrove & Portchester	Common Edible Cockle	C	C
		Manila Clam	C	C
	West Harbour	Hard Clam	B-LT	B-LT
		Native or Flat Oyster	B-LT	B-LT
		Pacific Oyster	B-LT	B-LT

- 4.6 The classification lists of production areas, classification maps and zones can be found within the additional information provided at the end of this report³.
- 4.7 It should be noted that Southern Inshore Fishery Conservation Authority (SIFCA) has byelaws created under the IFCA in exercise of its powers under sections 155 and 156 of the Marine and Coastal Access Act 2009 restricting the harvesting of the PPHA classified beds⁴.

5. The impact of shellfish upon nitrate pollution

- 5.1 Research⁵ suggests that shellfish can help reduce nitrate levels in coastal waters following bed restoration. Some theories demonstrate that the presence of nitrates increases the growth of oysters. If accurate, the correlation of high nitrogen to faster growth is important because it shows that it may be possible to use shellfish to reverse the impacts of nitrates causing algae growth.
- 5.2 Bespoke studies demonstrate how shellfish filter-feed on the harmful algae and remove the nitrogen from the water by storing it in their shells and tissues, and also

through their faeces which gets broken down by microbes. Therefore it is possible to demonstrate a probable correlation between the benefits of shellfish farming in particular in our harbours and the reduction of nitrogen from wastewater treatment plants, farm fertilizers and other human sources can be decreased.

- 5.3 Successful bed restoration is however dependent on a range of environmental conditions. Research carried out by the Marine Management Organisation (MMO)⁶ into sites which might be *"suitable for marine habitat restoration or creation"*. In summary their review, which included our harbours, has shown that with the exception of a few habitats, notably saltmarsh, the development of an effective range of measures to ameliorate the negative environmental impacts of development, or achieve biodiversity net gain, in the marine environment, is still in its infancy. They state that for many habitats, considerable uncertainties remain about the likely efficacy of possible marine habitat creation / restoration measures. They state that further trials, research and consistent monitoring are required to improve the evidence base and improve confidence in restoration / creation feasibility.
- 5.4 In respect to importance of saltmarsh sites in shellfish restoration the Langstone Harbour Board published *'that between 1956 and 2001 72% of saltmarsh is reported to have been lost from Langstone Harbour'*. Other documents such as the North Solent Shoreline Management Plan⁷ report that in the inter-tidal areas *'saltmarshes have reduced in extent by 84% in Portsmouth Harbour and 83% in Langstone Harbour since 1946.'* Saltmarsh areas currently mapped via Natural England's 'Magic Map'⁸. The extent of current saltmarsh is not considered to be high.
- 5.5 With the above statements in mind, increasing the numbers of shellfish within our harbours and maintaining viable commercial harvesting whilst assisting with nitrate reduction is considered, at this point in time, to be by no means certain.

6. Future shellfish sampling plans

- 6.1 The PPHA will continue to secure the necessary means to sample species of shellfish from both Langstone and Portsmouth harbours to maintain the classification of the production areas.
- 6.2 Sampling will, where possible, be undertaken on as random a basis as possible with respect to likely influencing environmental factors so as to avoid introducing any bias to the results. In practical terms, planning sampling dates weeks in advance and sticking to those dates regardless of the weather conditions (where safety permits) should be adequate for 'randomising' most factors.
- 6.3 Our production areas are limited to particular tidal states due to access or safety reasons, however, we will endeavour to maintain sampling on a monthly basis. Where particular problems occur, such as unexplained increases in the extent of contamination, then the sampling frequency may need to be increased for a period of time, as identified by FSA. In any event PPHA will aim to maintain an absolute minimum of 10 individual shellfish arriving live at the laboratory and containing at

least 50g of flesh for testing so to meet the prescriptive classification purposes.

- 6.4 PPHA will continue to monitor and appraise shellfish levels and consider these in respect to production areas and their long-term commercial viability.

7. Integrated impact assessment

- 7.1 An Integrated Impact Assessment is attached. The proposal has an association with the assessment categories of 'Natural environment' and 'Economy'.

8. Head of Legal Services' comments

- 8.1 The FSA is required to verify that official controls of the harvesting of shellfish are organised and carried out in accordance with the relevant provisions of EC Regulation 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules.
- 8.2 PPHA is required to develop a documented procedure relating to their shellfish sampling responsibilities. As part of these responsibilities, it is appropriate to create a SLAP on the sampling and harvesting of shellfish for the purpose of official control monitoring of classified shellfish production areas under EC Regulation 854/2004.
- 8.3 Much mention has been made within this paper to EU shellfish regulations and standards. These were introduced to establish a common regulatory framework and to develop common standards either through mutual recognition or harmonisation.
- 8.4 EU regulations with an important bearing on the seafood industry include the common organisation of the markets in fishery and aquaculture products, consumer information, food traceability and food safety. The EU has a direct bearing on UK seafood operators as all UK businesses must comply with all applicable EU Regulation and guidance whether trading inside or outside the EU single market. It is unlikely therefore that our relationship with the EU will have any material bearing upon the regulations mentioned within this report.

9. Head of Finance comments

- 9.1 The activities proposed within this report, will be funded from existing service budgets, as approved by Full Council.

10. Directors comments

- 10.1 Undoubtedly, the sensitive marine environments of the two harbours under the control of the PPHA are subject to a variety of interlinked impacts including national, commercial and non-commercial activities, water pollution, invasive species, disease, habitat loss and fishing.

- 10.2 In 2018 / 2019 the activities of the PPHA has enabled a scientific analysis of the shellfish which has demonstrated that the quality of the production areas has reduced in three locations. The resultant downgrading in classification is however expected to result in the numbers harvested being reduced.
- 10.3 Shellfish are known to contribute to improved water quality issues through the filtration capacity and their ability to filter and clean large volumes of water and therefore the downgraded classification may be beneficial. However, the restoration of shellfish beds is complicated and the availability of their preferred habitats is likely to further impact upon the space available for resettlement.
- 10.4 Our harbours are considered to be eutrophic or at risk of eutrophication which we know can cause algal blooms in the water which disrupt normal ecosystem function and promote the growth of benthic algae which can smother seabed habitats. The recovery of the beds is dependent on improved larval recruitment, yet recruitment tends to be sporadic and dependent on local environmental conditions including summer sea water temperature, predation intensity and hydrographic conditions.
- 10.5 What is evident from this report is that shellfish are important both on an ecological and economic level but are difficult to encourage / manage / retain. The PPHA plays a significant role in monitoring the numbers and quality of shellfish in our harbours and in protecting public health from polluted species reaching the commercial market. It is therefore imperative that the resources and finances provided to RS continue to ensure this essential work endures.

.....
Signed by: Stephen Baily, Director of Culture, Leisure and Regulatory Services

Appendix A: Background list of documents: The following list of documents discloses facts or matters, which have been relied upon to a material extent by the author in preparing this report:



Location and Title	
2	https://www.cefasc.co.uk/cefasc-data-hub/food-safety/sanitary-surveys/
3	https://www.cefasc.co.uk/cefasc-data-hub/food-safety/classification-and-microbiological-monitoring/england-and-wales-classification-and-monitoring/
3	https://www.cefasc.co.uk/cefasc-data-hub/food-safety/classification-and-microbiological-monitoring/england-and-wales-classification-and-monitoring/classification-zone-maps/
4	https://www.cefasc.co.uk/cefasc-data-hub/food-safety/classification-and-microbiological-monitoring/england-and-wales-classification-and-monitoring/shellfish-monitoring-results/
5	http://www.southern-ifca.gov.uk/byelaws
6	http://shellfish.ifas.ufl.edu/environmental-benefits/
7	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/798829/20190430_MMO1135_Identifying_sites_for_habitat_creation_datalayers_Report_a.pdf
8	http://www.northsolentsmp.co.uk/CHttpHandler.ashx?id=15858&p=0
	https://magic.defra.gov.uk/MagicMap.aspx?srs=WGS84&chosenLayers=bapcfgmarshIndex,spaIndex,marinespa,spamudPIndex,spamudIndex,spasandPIndex,spasandIndex,spareefPIndex,spareefIndex,spasaltmPIndex,spasaltmIndex,backdropDIndex,backdropIndex,europelIndex,vmIBWIndex,25kBWIndex,50kBWIndex,250kBWIndex,miniscaleBWIndex&box=-1.21508020899995:50.761143056:-1.03871916899995:50.875143973&useDefaultbackgroundMapping=false

The recommendations set out in 2 above were approved by the Cabinet Member for Environment & Community Safety on the 28th January 2020.

.....
Signed by: Councillor Lee Hunt, Cabinet Member for Community Safety



Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

www.portsmouth.gov.uk

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
 - Communities and safety
 - Regeneration and culture
 - Environment and public space
 - Equality & - Diversity - This can be found in Section A5

Directorate:

Culture, Leisure and Regulatory Services

Service, function:

Regulatory Services (RS)

Title of policy, service, function, project or strategy (new or old) :

The Importance of Shellfish Production Areas & Sampling

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

What is the aim of your policy, service, function, project or strategy?

To:

- acknowledge the responsibilities of RS in respect to shellfish
- recognise the importance of shellfish to the local fishing industry and to the 'health' of our harbours

- set out the manner in which shellfish sampling is to be undertaken for the next 12 months

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

No

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A1-Crime - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact Lisa.Wills@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The policy is not relevant to crime

How will you measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A2-Housing - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is not directly relevant to the quality of housing

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A3-Health - Will this help promote healthy, safe and independent living?

In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact Dominique.Letouze@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is not linked to healthy, safe and independent living

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A4-Income deprivation and poverty-Will it consider income deprivation and reduce poverty?

In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact Mark.Sage@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>
<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is not connected to income deprivation and poverty

How are you going to measure/check the impact of your proposal?

A - Communities and safety

Yes

No

Is your policy/proposal relevant to the following questions?

A5-Equality & diversity - Will it have any positive/negative impacts on the protected characteristics?



In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact gina.perryman@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal will have no impact upon any protected characteristics

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B1-Carbon emissions - Will it reduce carbon emissions?

In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal will have no impact upon carbon emissions

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B2-Energy use - Will it reduce energy use?

In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact Triston.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal will not impact upon energy use

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B3 - Climate change mitigation and flooding-Will it proactively mitigate against a changing climate and flooding?

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact Tristan.thorn@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposals will have no impact upon climate change or flooding

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B4-Natural environment-Will it ensure public spaces are greener, more sustainable and well-maintained?

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact Daniel.Young@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Whilst not directly linked to the protection of protected habits the report does highlight the importance of shellfish in respect to the health of our harbours and the reduction of nitrate levels

How are you going to measure/check the impact of your proposal?

In respect to the assessing the impact of shellfish we will continue to monitor the numbers of shellfish present within our two harbours

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B5-Air quality - Will it improve air quality?

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact Hayley.Trower@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal will have no impact upon air quality

How are you going to measure/check the impact of your proposal?

B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

B6-Transport - Will it improve road safety and transport for the whole community?

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact Pam.Turton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal will no impact upon transport

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

B7-Waste management - Will it increase recycling and reduce the production of waste?



In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact Steven.Russell@portsmouthcc.gov.uk or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is not linked to waste management
How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C1-Culture and heritage - Will it promote, protect and enhance our culture and heritage?

In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact Claire.Looney@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is not linked to culture or heritage

How are you going to measure/check the impact of your proposal?

C - Regeneration of our city

Yes

No

Is your policy/proposal relevant to the following questions?

C2-Employment and opportunities - Will it promote the development of a skilled workforce?

In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The proposal is not linked to employment or opportunities in respect to such

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

C3 - Economy - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?



In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact Mark.Pembleton@portsmouthcc.gov.uk or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The classification of shellfish beds enables the local fishing industry to, as permitted, harvest shellfish for commercial purposes.

How are you going to measure/check the impact of your proposal?

Q8 - Who was involved in the Integrated impact assessment?

Steve Bell

This IIA has been approved by: Richard Lee

Contact number: 02392 834857

Date: 17/01/2020