



**Executive**  
12th March 2007

**Joint Report from the  
Director of Environment & Culture  
and the Director of Policy &  
Regeneration**

For Action

Wards Affected:  
ALL

**Future provision of Reassurance and Town Centre Warden  
Services in the Borough**

Forward Plan Ref: E&C-06/07-041

**1.0 Summary**

- 1.1 This report is intended to give further consideration to a proposal put before the Council as part of the Council's Revenue Budget for 2007/08. The proposal is to replace the Borough's existing 17 posts in the Town Centre Warden Service (1 x Town Centre Warden Manager; 4 x Team Leaders; and 12 x Town Centre Wardens) with 16 Police Community Support Officer (PCSO) posts that will be in addition to the existing Safer Neighbourhood Teams established by the Mayor of London.

**2.0 Recommendations**

- 2.1 That the Executive notes the responses to the consultation with the current Town Centre Warden Service employees and trade unions (Appendix A etc to this Report).
- 2.2 That the Executive considers the arguments for and against the proposal to replace the Town Centre Warden Service with additional Police Community Support Officers, as set out in section 4 of this Report.
- 2.3 That the Executive approves the officer recommendation to proceed with the proposal to end Town Centre Warden provision and fund the equivalent number of PCSOs under an agreement with the Metropolitan Police Service (MPS), thus deploying an additional 16 PCSO posts.

## **3.0 Background**

### **TOWN CENTRE WARDENS**

- 3.1 The Town Centre Warden (TCW) Service was originally set up in Brent in March 2003 with Grant from the Office of the Deputy Prime Minister (ODPM), and provided services to Wembley and Willesden Town Centres.
- 3.2 Subsequently, Neighbourhood Renewal Funding (NRF) provided a service to Harlesden and the Council funded a similar service to Neasden.
- 3.3 When the ODPM funding came to an end in March 2006 (the original two year deal was extended for a third year), the Council replaced the ODPM funding with base Council revenue budget funding. Unfortunately, the ODPM funding covered employee expenses only (i.e. no allowance for uniforms, telephones, accommodation costs, Town Centre Warden Manager funding [initially 50% funded by the MPS]), and when the TCW Service was reviewed in 2006 the staff establishment was reduced in numbers to allow the total costs of the TCW Service to be fully funded. This reorganisation was implemented with no staff redundancies.
- 3.4 A number of recent developments and evaluations have raised questions about the number and variety of reassurance services in the Borough. By reassurance services we mean those which involve the deployment of a uniformed presence patrolling in public areas and whose main purpose is to respond to and deal with minor nuisances, problems, anti-social behaviour and to reassure the public. In Brent such services are provided by police Safer Neighbourhood Teams, Town Centre and park wardens and Brent Housing Partnership estate wardens. The key issue is whether these services are so similar that they are inter-changeable and whether they should be rationalised.
- 3.5 An evaluation of all the Boroughs reassurance services in July 2004 found that there were a number of similarities in the aims and objectives of each service. Each initiative was targeting crime and the fear of crime and seeking to re-assure the public. Each service was also seeking to improve (either directly or through working with other agencies) the physical appearance of the local areas and local quality of life. Lastly, each service aimed to develop strong links with the local community.
- 3.6 There was consistent support from residents for all the warden and reassurance services in the Borough, particularly from elderly residents. In relation to the street wardens the benefits were seen as being a consistent and regular presence in the community, an effective responses to environmental issues and being able to sort out or problem solve small nuisance matters promptly.

- 3.7 These results are consistent with the BVPI survey that shows that crime is the number one issue for local people when considering what makes a place good or bad to live. The Borough also responded to this in the Corporate Strategy and the Local Area Agreement as detailed below.

#### 3.7.1 Corporate Strategy

The new Corporate Strategy agreed at Full Council on 27 November 2006 recognises the importance of crime for the local community. The Strategy has made “increasing the effectiveness of the warden services, widening their role to improve their contribution to active management of the environment and public reassurance” a priority.

#### 3.7.2 Local Area Agreement

The Local Area Agreement signed by the Council in March 2006 includes a reassurance project based on integrating the various warden services more fully and strengthening partnership arrangements and links between the Police Safer Neighbourhood Teams (SNT), the Council wardens, StreetCare Officers, and CCTV operations.

#### 3.7.3 Offer from the Police

The recent offer made by the MPS to all London Boroughs giving each Council (including Brent) the opportunity to purchase additional PCSOs for the next two years for £20k per PCSO per annum has brought the debate about the variety of reassurance services back to the fore. The current full economic cost of a PCSO is in the region of £36k. This offer cannot currently be extended beyond 2 years, but the Council has expressed interest in the package to the MPS, proposed to fund it via the deletion of the town centre warden service and indicated its commitment to continuing this funding through future years' budget growth.

This offer is contingent on the Council supporting the MPS view that TUPE (the Transfer of Undertakings [Protection of Employment] regulations do not apply to this proposal.

### **POLICE COMMUNITY SUPPORT OFFICERS (PCSO)**

- 3.8 PCSOs are uniformed staff whose role is to support the work of police officers and work within their local community. Their role is to assist the police in areas that need a certain level of police presence, but not necessarily the expertise of a trained police officer. They free up some of the time police officers might spend on routine tasks or low-level crime issues, and provide a valuable service to the community.
- 3.9 There does not seem to be a set job description for PCSOs but the key responsibilities include similar duties to the Street Wardens in terms of dealing with situations and incidents, meeting with community groups and fostering civic pride.

They can help with such issues as:

- providing a visible and reassuring presence within communities;
- attending incidents of disorder, nuisance and anti-social behaviour;
- dealing with community issues such as littering and dog fouling;
- checking out abandoned vehicles;
- gathering evidence through observation;
- helping with missing persons enquiries;
- speaking with young people who might be drunk and causing problems, confiscating alcohol and tobacco, if necessary;
- crowd control and directing traffic at public events;
- helping direct traffic at road blocks or scenes of accidents;
- assisting police with recording names and addresses or door-to-door enquiries.

3.10 PCSOs spend most of their time out on patrol. They do not have the same powers of arrest as police officers, although they do have the right to detain suspected offenders for up to thirty minutes until a police officer arrives. PCSOs are part of the Safer Neighbourhood Teams and tasked directly by the Police Sergeant within the team. PCSOs responsibilities were expanded as part of the Serious Organised Crime and Police Act 2005.

#### 4.0 The Options:

4.1 There are two principal Options for consideration, thus:

4.1.1 To end Town Centre Warden provision but make a growth bid to fund the equivalent number of PCSOs under an agreement with the Metropolitan Police Service (MPS) to deploy an additional 16 PCSO posts.

4.1.2 To continue the Town Centre Warden Service as currently configured and funded.

#### **OPTIONS**

**Option 1: To end Town Centre Warden provision but make a growth bid to fund the equivalent number of PCSOs under an agreement with the Metropolitan Police Service (MPS) to deploy an additional 16 PCSO posts**

MAIN ARGUMENTS FOR:	MAIN ARGUMENTS AGAINST:
The Borough would have a single reassurance service in the town centre areas under one management and one agency control (i.e. the MPS). (The BHP wardens and the park wardens services are not affected by this proposal).	Benefits of a mixed economy of reassurance services lost in the town centres (e.g. engagement with communities who do not trust the police or who are generally averse to the police).
The design of the new waste contract will create a greater opportunity for the	This is only part of the work the wardens cover in their list of duties.

StreetCare Ward officers to spend more time dealing with local envirocrime issues.	
The Council has an input to tasking and location to the PCSOs.	Linkages to the Council will not be as strong, and the last say in deciding how to deploy PCSO resources would inevitably remain with the Police.
The Council's funding of PCSOs is identified in some way.	PCSOs will be dressed as police personnel - and hence the Council's role and visibility will be diminished.

<b>MAIN ARGUMENTS FOR:</b>	<b>MAIN ARGUMENTS AGAINST:</b>
<p>PCSOs have powers to detain suspects for up to 30 minutes.</p> <p>PCSOs will have the authority to issue local authority Fixed Penalty Notices for dog fouling, littering, graffiti and offences under the Dog Control Order.</p>	<p>PCSOs will be dressed as police personnel and hence been seen as part of the Police Service rather than the lower key and 'friendlier face' of the Council.</p>
Achieves savings of £85k in 2007-08.	<p>Would require future growth of £80k in 2008-09.</p> <p>There is no absolute guarantee of the future beyond the 2 years of the deal.</p> <p>This could mean further growth is required in 2009/10 to continue the same level of provision or there will be a reduction in numbers of PCSOs that the Council can purchase.</p>

**Option 2: To continue the Town Centre Warden Service as currently configured and funded.**

<b>MAIN ARGUMENTS FOR:</b>	<b>MAIN ARGUMENTS AGAINST:</b>
Meets Corporate Strategy and LAA priorities and targets. Avoids redundancy costs and damage to reputation associated with deletion of a popular service addressing priority issues.	<p>Budget savings lost.</p> <p>Opportunity lost to have greater Council influence on police tasking of PCSOs.</p>
Wardens can act as a bridge between the community and police in areas where police are not trusted.	Wardens are seen as not having the same back up as PCSOs and are thus not considered seriously.
A warden presence gives the Council a stronger sense of identity and visibility in the provision of reassurance services.	
	Maintains the existing situation whereby separate

	“reassurance services” patrol the Borough, under separate management and without fully consistent priorities, i.e. a fragmented approach.
<b>MAIN ARGUMENTS FOR:</b>	<b>MAIN ARGUMENTS AGAINST:</b>
The Council has full control of its own service, i.e. the Council can redeploy wardens at will, as with the recent tornado, and future major incidents, thus increasing public assurance and resident satisfaction with the Council.	Council wardens do not enjoy the same status with some residents as police personnel and have less impact on fear of crime.
Wardens play a very active role in reporting environmental crime and ensuring speedier resolution to problems.	

## 5.0 Financial Implications

5.1 Current funding for 2006/07 is £467,100 (net) broken down thus:

Direct Employees	-	£529,900
Indirect Employee Expenses	-	£14,300
Transport Expenses	-	£8,200
Supplies & Services	-	£19,700
Support Services	-	£25,000
NRF Income	-	(£130,000)

5.2 There are two Options discussed in this Report. A summary of the financial implications are shown here:

### **Option 1:**

Year 1	-	£85k saving (including £25k part costs for Manager)
Year 2	-	£80k growth (due to loss of NRF funding)
Year 3	-	£320k growth <i>(nb. This is only potential growth at moment and is based on the worse case scenario that the MPS will go to asking for the full economic costs of 16 PCSOs after 2 years. The £320k is made up from potential loss of MPS funding less NRF funding)</i>

### **Option 2:**

Year 1	-	£NIL change
Year 2	-	£80k growth (due to loss of NRF funding)
Year 3	-	£NIL change

5.3 In the worst case (i.e. that all existing Town Centre Warden postholders are made redundant, the total cost of redundancies is estimated at around

£16,500. These costs will be met from the Environment & Culture Revenue Budget for 2007-08.

- 5.4 None of the existing staff are 50 years of age or older and thus if they are made redundant none of them will be entitled to an immediate pension under the Local Government Pension Scheme.

## **6.0 Staffing/Accommodation Implications**

- 6.1 Under Option 1, 17 posts will be deleted, and existing postholders will be made redundant. The maximum number of potential redundancies, after taking account of vacancies, is currently 15. Both E&C Officers and the Police believe that TUPE will not apply.

- 6.2 Under Option 1, accommodation will be released at Challenge House, Harlesden and Quality House, Willesden.

- 6.3 Both Challenge House (which was acquired with Government grant and may therefore be the subject of claw-back dependent upon future use) and Quality House are held freehold by the Council and are occupied by a number of services. In accordance with the Property Manual any space vacated by a service remains the financial responsibility of that service until such time as the property is disposed of, or the vacant space re-let to another Council service or third party. The proposal to vacate space within these buildings by this service will be taken into account as part of the Council's revision to the existing office accommodation strategy. It may be noted that demand for the Challenge House accommodation could change pending the review of the One Stop Shop service that is currently underway.

- 6.4 Under Option 2, there will be no change to the existing establishment, no redundancies, and accommodation currently used by the TCW Service will continue to be utilised.

## **7.0 Consultation**

- 7.1 A Consultation Paper was issued to all staff in the Town Centre Warden Service on 7 February 2007 with a deadline for responses set for 22 February 2007.

- 7.2 The same Consultation Paper was also sent to two trade unions – GMB and UNISON.

- 7.3 Appendix A shows the Consultation Paper referred to above.

- 7.4 Appendix B sets out the responses received to the above consultation. In addition a petition has been received signed by 666 people. The petition states "*Please sign this petition to demonstrate your support for the Continuation of Brent Council's Town Centre Warden Service*".

## **8.0 Legal Implications**

- 8.1 Under the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") staff will transfer from one employer to another on their existing terms and conditions of employment if either there is a "service provision change" or if there is a transfer of an economic entity which retains its identity. Whether there is a TUPE transfer is a question of fact that in the event of dispute has to be decided by an Employment Tribunal.
- 8.2 It is unlikely that the adoption of Option 1 in this report would constitute a "service provision change". Such a change can occur where "activities cease to be carried out by a person on his own behalf ('a client') and are carried out instead by another person on the client's behalf ('a contractor')". Given the police will retain control over how to deploy PCSOs it is unlikely an Employment Tribunal would find the police will be deploying PCSOs in the Council's town centres on the Council's behalf.
- 8.3 Whether there is a transfer of an economic entity which retains its identity involves looking at all the circumstances. However where the "economic entity" is a labour-intensive operation as is the case with the Town Centre Warden service a critical factor will be whether the majority of current staff are taken on by the MPS to act as PCSOs in the Council's town centres and if they are not taken on, why not? Case-law indicates that if an employer does not take on a member of staff to avoid TUPE applying then for the purpose of deciding whether there was a TUPE transfer it is assumed the individual was taken on. At the moment it is impossible to say with any certainty whether the majority of current staff would be taken on because this will depend on whether they apply to the MPS to become PCSOs and if they do whether their applications are successful. From indications given to management so far at a meeting held with the current staff on 5 February 2007 it appears that the majority of staff will not be applying to the MPS to become PCSOs. If this remains the case then it is unlikely that TUPE will apply.

## **9.0 Diversity Implications**

- 9.1 Officers have screened the proposals set out in this Report and consider that there are no significant diversity implications.
- 9.2 The proposals set out in this Report are essentially about replacing one form of "Reassurance Service" to residents in the Borough with another, and as such there should be no significant diversity implications in terms of service delivery.
- 9.3 The current Town Centre Warden Service employees are considered to be broadly representative of the communities they serve, and the Police proposal to "fast track" applications from existing Town Centre Wardens for Police Community Support Officers is welcomed, as it provides for a continuation of this.



9.4 The following points arose from the screening referred to above:

- a. The aims of the PCSO based reassurances are consistent with the Council's Equalities policies and objectives.
- b. There should be no adverse impact around race, gender, disability, faith, sexual orientation, age, health etc.
- c. Consultation has been conducted internally with all staff affected and the recognised trade unions. The responses to this consultation are shown in this Report at Appendix B.
- d. There has been minimal public reaction to these proposals, and where there has been comment, this has been concerned with the popularity of the warden service rather than any suggestion that the proposed change is discriminatory.
- e. A Service Level Agreement will be drawn up and agreed with the MPS. This will seek to encourage, amongst other things, the reporting of environmental crime to the relevant Council service continues to be a key part of the PCSO role.

### **Background Papers**

- (i) Consultation Paper - Proposed switch of resources from Town Centre Warden Service to Metropolitan Police Service to fund additional Police Community Support Officers (7 February 2007)
- (ii) Report by ECOTEC Ltd– Evaluation of Community Safety Initiatives
- (iii) Petition supporting the continuation of the Town Centre Warden Service”.

### **Contact Officer:**

Any person wishing to inspect any background papers should contact Keith Balmer  
Director of StreetCare, 1<sup>st</sup> Floor (West), Brent House, 349-357 High Road, Wembley, Middlesex, HA9 6BZ. Telephone 020 8937 5066.

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ENVIRONMENT & CULTURE DEPARTMENT

STREETCARE UNIT

**CONSULTATION PAPER**

**PROPOSED SWITCH OF RESOURCES FROM TOWN CENTRE WARDEN SERVICE TO METROPOLITAN POLICE SERVICE TO FUND ADDITIONAL POLICE COMMUNITY SUPPORT OFFICERS**

1. Purpose of this Paper

- 1.1 The purpose of this consultation paper is to seek views on the Council's proposal to switch resources that currently fund the Town Centre Warden (TCW) Service away from that service and redirect some of that funding to the Metropolitan Police Service (MPS) for the provision of additional Police Community Support Officers (PCSO), whilst taking any reduction in the current funding as a budget saving.
- 1.2 The consequence of this proposal will be to cease the provision of a TCW Service in Brent, whilst introducing an equal number of PCSOs based in Borough Town Centres.

2. Background Information

- 2.1 The Council Administration has undertaken a review of a number of services and activities during its initial period in office after the May 2006 Local Elections. Included in this process was a review of Warden Services, and officers were asked to provide certain information about the services, including details of the funding streams, areas covered, numbers of staff, costs, and an overview of roles and responsibilities.
- 2.2 During the time that this review was taking place, the MPS invited all London Boroughs to take up a "two for one" offer for two years if they wished to purchase additional PCSOs, i.e. over and above the establishment of PCSOs that form part of each Ward's Safer Neighbourhoods Team. The "two for one" offer essentially means that Boroughs and the PMS would each contribute 50% towards the cost of a PCSO.
- 2.3 This prompted a question for Members - "Given the importance of fear of crime and uniformed reassurance to Brent residents, does the Council wish to disinvest in its Town Centre Warden Service, or does it wish to continue to play an active role? If the latter what is the nature of that role? i.e. is it wardens? PCSOs? or both?"
- 2.4 As part of its budget making process, Members have considered how they wish to proceed, and this proposal is the outcome of those deliberations.

3. The Proposal

3.1 The Proposal that this consultation paper is seeking views on is as follows:

**To switch the 16 Town Centre Wardens in 4 Town Centres (Wembley, Harlesden, Willesden and Neasden) to Police Community Support Officers. Twelve to be funded from the General Fund and four from the Neighbourhood Renewal Fund (NRF). This is subject to a report to a future meeting of the Executive.**

4. Financial Implications

4.1 The implications for the Council's budget in 2007-08 will be to deliver a saving of £85k with a further sum of £320k and Neighbourhood Renewal Funding of around £80k used to fund the additional PCSO posts.

4.2 As stated previously, the MPS's two for one offer is for two years until March 2009. The NRF funding comes to an end in March 2008, i.e. one year from now.

4.3 In order to provide longer term sustainability for any new proposals, the Council has identified the need for additional Council funding through budget growth of £80k in 2008-09 and £320k in 2009-10. These sums are contained in the Council's 2007-08 Budget and Council Tax Report being considered by the Council's Executive at its meeting on 12 February 2007.

4.4 If these Proposals are approved, further costs will be incurred in respect of salaries for the Employment Contract Notice Period and redundancy payments.

5. Who is directly affected?

5.1 The Proposal directly affects all staff currently employed by the Town Centre Warden Service.

5.2 In order to allow existing staff to maximise redeployment and other alternative employment opportunities, it is intended to extend the existing fixed-term employment contracts from 31 March 2007 to 31 May 2007. This will not be to the detriment of permanent staff and will provide some benefit to those on fixed-term contracts.

6. Likelihood of Redundancies and options

6.1 In order to assist the Council in fast-tracking any applications from TCWs for PCSO posts, the MPS have indicated that, subject to an application being made for a post of PCSO, they are prepared to consider Brent's existing TCWs for the posts of PCSO in the Borough.

6.2 In the event that an existing TCW does not wish to apply for a PCSO post, once Notice of Termination of Employment is given the TCW concerned will be asked to complete an Employee Profile and a process will begin to identify suitable redeployment opportunities to vacant posts within the Council's service. This process will be managed by the Council's new People Centre, in conjunction with the Director of StreetCare and Environment & Culture HR.

- 6.3 If a TCW is unsuccessful in an application for a PCSO post or does not wish to apply, and redeployment is also not successful, then the TCW will be made redundant.
- 6.4 Redundancy payments will be payable, subject to the employee concerned meeting the criteria for redundancy payments and in accordance with the Council's Policy on Managing Organisational Change.

7. Decision making process

- 7.1 The Council's 2007-08 Budget and Council Tax Report being considered by the Council's Executive at its meeting on 12 February 2007, confirms that the decision on the future funding of warden and reassurance services will be subject to a report to a future meeting of the Executive.
- 7.2 A report will be prepared for consideration by the Executive at its meeting on 12 March 2007.
- 7.3 Responses to employee and Trade Union consultation will also be put before the Executive, as an Appendix to the Officer report.
- 7.4 The decision will be notified to all staff directly affected and Trade Unions the following day. In the event that the Executive proceeds to divert the funding from Wardens to PCSOs, then the further processes described in this consultation paper will follow.

8. Timetable

- 8.1 The important dates for this proposal and process are as follows:

STAGE	DATE
Initial meeting with staff	5 February 2007
Consultation Paper issued to staff and Trade Unions	7 February 2007
Deadline for Consultation responses	22 February 2007 (NOON)
Executive Report available	5 March 2007
Executive considers Report	12 March 2007
Executive decision notified to staff and Trade Unions	13 March 2007
Subject to Executive decision, Notice of Termination of Employment given	14 March 2007
Subject to Executive decision, TCW Service last day of operation	31 May 2007

9. How to respond to this consultation

- 9.1 The deadline for responses to this consultation paper is **22 February 2007 (noon)**.
- 9.2 All responses must be in writing and sent to Keith Balmer, Director of StreetCare, via eMail ([keith.balmer@brent.gov.uk](mailto:keith.balmer@brent.gov.uk)) or hard copy with accompanying electronic copy.
- 9.3 Electronic copies of all responses can be attached easily to the Executive Report, and will allow the earliest possible consideration by Members of the consultation responses.

**Keith Balmer**  
**7 February 2007**

Executive  
 12th March 2007

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