

MEETING	DECISION SESSION - CABINET MEMBER FOR CRIME AND COMMUNITY SAFETY
DATE	5 JULY 2011
PRESENT	COUNCILLOR FRASER (CABINET MEMBER)

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## **1. DECLARATIONS OF INTEREST**

At this point in the meeting the Cabinet Member was invited to declare any personal or prejudicial interests he might have in the business on the agenda. No interests were declared.

## **2. PUBLIC PARTICIPATION - DECISION SESSION**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

## **3. THE SCOPE FOR THE REVIEW OF COMMUNITY BASED ROLES**

Consideration was given to a report, which defined the scope for the review of community based roles within the council. These roles had been defined as roles which required community liaison, monitoring or investigation of community based issues and the enforcement of legislation.

The report also set out the approach, which would be adopted to carry out the review, and described the desired outcome following implementation giving savings in excess of £67k. Details of the community based and enforcement roles under consideration were set out at Annex A to the report.

The Cabinet Member confirmed that he supported the elimination of overlap in activities carried out by officers and the move towards a more flexible workforce. He supported this cost effective approach which would also improve the enforcement function.

RESOLVED: That the Cabinet Member agrees the proposed scope and approach of the review of community based roles as detailed in the report.<sup>1</sup>.

REASON: To deliver a new organisational structure to deliver street based and enforcement functions.

Action Required

1. On the basis of the agreed approach and scope, proceed with the review.

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#### **4. ILLEGAL MONEY LENDING TEAM - AUTHORISATIONS**

The Cabinet Member considered a report, which sought approval for City of York Council to authorise Birmingham City Council to investigate and institute proceedings against illegal moneylenders operating within the City of York Council area.

An Illegal Money Lending Team had been established within Birmingham Trading Standards as a pilot project in England to provide a high level of specialist resource to provide this function. Details of the objectives of the project together with the protocol for investigations were set out in the report.

The Cabinet Member confirmed that it was important that action was taken against such individuals as they targeted the most vulnerable members of the community.

The Cabinet Member then went onto consider the following options:

Option 1: The council should authorise the enforcement of Part III of the Consumer Credit Act 1974 by Birmingham City Council (pursuant to Section 101 of the Local Government Act 1972, Regulation 7 of the Local Authority (Arrangements for Discharge of Functions) (England) Regulations 2000, and Section 13 and 19 of the Local Government Act 2000).

That the attached "Protocol for Illegal Money Lending Team Investigations" be agreed and authority be delegated to the Head of Trading Standards and Environmental Health to enter

into the agreement on behalf of the City of York Council and approve minor alterations if required.

Option 2: There are no other viable options as the funding is provided on the basis of expanding the Birmingham team; enforcement would be carried out by officers of the City of York trading standards.

RESOLVED: That the Cabinet Member agrees to Option 1 to authorise the delegation of functions and give approval to the protocol for investigations as set out in paragraphs 33 and 34 of the report.<sup>1</sup>

REASON: To allow the Birmingham City Council Money Lending Team to undertake lawful investigations in the City of York Council area.

#### Action Required

1. Proceed with the delegation of functions to Birmingham City Council.

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## **5. PUBLIC PROTECTION LEGAL ACTIONS**

Consideration was given to a report which had been prepared to enable the Cabinet Member to review the results of legal action, prosecutions, cautions and fixed penalties undertaken by Environmental Health, Trading Standards and Licensing Services in the Communities and Neighbourhoods Directorate for the period 1 January 2011 to 31 March 2011.

Details of the individual cases were set out at Annex A of the report and Officers confirmed that, in accordance with the policy each case had been considered on its merits before legal proceedings were instituted.

RESOLVED: That the Cabinet Member approves the report and the continuation of the current enforcement policy.

REASON: So that the Cabinet Member reviews formal enforcement activity undertaken by

Environmental Health, Trading Standards and  
Licensing Services.

CLLR S FRASER, Chair

[The meeting started at 4.30 pm and finished at 4.45 pm].