

CENTRAL COUNCIL

Specification of Requirements for Environmental Enforcement

1. Brief Summary of the Service

The Central, Dearne, North, North East and South Area Councils have reaffirmed 'the environment' as one of the key issues that they wish to prioritise during 2016/17. Within the context of this priority, an enhanced enforcement service is seen as vital to prevent environmental problems escalating and to ensure that the positive work undertaken to maintain the environment is not undone by an anti-social minority.

Public feedback consistently identifies environmental blight through littering, dog fouling and illegal parking as a significant cause of local concern and highlights where the people who live and work in the area want to see action being taken.

This proposed intervention will strengthen the ability to demonstrate a strong stance on enforcement issues through this extra provision and will be marketed through a No Tolerance approach in the 5 Area Council areas identified above.

Background information about Barnsley Council's Communities and Area Governance Service and the associated Area Council structure can be found at Appendix A.

2. Background and Context

The Area Councils will purchase bespoke services to tackle the areas of concern most affecting our communities. The aims of procuring bespoke environmental enforcement services are to respond to locally identified priorities, encourage the public to take pride in their local environment and facilitate a change in behaviours and attitudes towards looking after the environment. The majority of residents take pride in where they live and treat their local environment and fellow residents with respect. More robust enforcement will help the Area Councils to isolate the small minority that disrespect their environment and fellow residents and take robust action against them to change the way they behave and make them contribute towards the costs of improving the environment in which we live.

The Area Councils will seek to maximise the impact of resources being earmarked to address environmental crime by procuring high quality proven services and to operationally align those services to the Council's Safer Communities Service and Parking Services (the existing core services). This arrangement is designed to achieve the best possible value for residents by purchasing the necessary skills and expertise at an affordable price. By subsequently aligning these bespoke additional services to the existing core services provided by the Council, the Area Councils will ensure that any service is delivered within the parameters of the Council's policies,

with the integrity and authority it requires and within the existing operational infrastructure of the Council.

Each of the Area Councils will be identified individually by lots (see Appendix B) and these will be procured collectively across Area Council boundaries to maximise the potential for achieving best value for money. All services will be delivered bespoke to the value of the local commission and according to the needs of each individual Area Council. One service provider will be appointed for all lots.

A key purpose of Area Council's is to grow community capacity by commissioning local services and encouraging volunteering. The aims of Area Governance are to:

- Ensure people of all ages have a much greater involvement in designing services and actively participating in improving their lives.
- Support the many benefits of volunteering and foster the many and diverse opportunities for residents to gain new skills and experiences through volunteering.
- Ensure customer services and the citizen experience of access is improved.
- Engage local communities in helping to shape the decisions and services in their neighbourhood.
- Ensure the Council operates fairly and demonstrates total commitment to equalities in policy and practice.
- Establish new models of delivering services guided by local choice and need.

3.Strategic Vision, Values, Aims and Priorities

3a. Barnsley Council's Vision and Values

Barnsley MBC's Vision is to '***Work together for a brighter future, a better Barnsley***'

Our Values include:

Working Together

- We work as "One Council" to do the best that we can for our customers
- We build partnerships and work with others to achieve the best for Barnsley
- We are understanding and supportive of others, respecting and valuing differences
- We are open and honest about what we are able to achieve, the decisions we make and how well we are doing
- We are true to our word, reliable and fair
- We are responsible and accountable for our actions

Excellence

- We are committed to quality and value for money
- We learn from our successes and mistakes
- We are flexible, adaptable and respond positively to change

Pride

- We are proud of the work we do and services we deliver
- We are proud to support our communities to make Barnsley a better place
- We are proud of our achievements
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3b. BMBC Corporate Priorities and Outcome Statements

In developing and delivering this service, the provider should ensure that it is contributing to the Council's Corporate priorities and outcome statements as outlined below.

Improving people’s potential and achievement	<p>Inspire the local community to ‘Love Where They Live’</p> <p>Increase employment, skills and work experience at local level</p>
Growing the economy	<p>Improve the local environment (make the area more attractive to shoppers and new businesses)</p> <p>Keep the Wards clean, well maintained and attractive</p> <p>Increase employment, skills and work experience at local level</p>
Changing the relationship between the Council and the Community	<p>Increase the number of people engaged in voluntary activities in the community</p> <p>Young people involved in reparation activities</p>

4. Specific Aims and Objectives of the Service, Including Social Value Objectives

The overarching aims and objectives of the service for the Central, Dearne, North, North-East and South areas are:

- Services designed to operate locally and address the priorities and hot spots

of each of the Area Councils listed above.

- Inspire people who live and work in the areas to 'Love Where they Live'
- Maintain and improve Environmental Standards
- Keep the Wards clean and well maintained
- Link with other Area Council procured services, to support the over-arching aims of area governance shown above
- Close working relationship with the Council's Safer Communities Service and Parking Services
- A service that fully complements existing 'core' environmental enforcement service provision provided by the Council's Safer Communities Service and Parking Services.

Under this contract, the successful Service Provider will be required to actively contribute to the achievement of specific **Social Value Objectives**. These reflect the vision and corporate priorities of the Council outlined in Sections 3 and 4 and include:

- Develop strong community networks, community self-help and resilience
- Improve physical health and emotional well-being in the area
- Improve the local environment
- Increase the number of people engaged in voluntary activities in the community
- Increase skills and work experience at local level
- Promote employment and training opportunities within the locality

5. The Service/Activities to be Delivered

GENERAL

The Service to be provided flexibly according to need and to include evenings and weekends with a minimum of 10 hours per week per officer spent working either weekends, or week days before 8am or after 5pm.

100% coverage in the event of annual leave, sickness or other leave related absence will be provided by the Service Provider to maintain service delivery.

It is expected that each Environmental Enforcement Officer provided by the Service Provider will proactively issues tickets for littering, parking and dog fouling offences.

Environmental Enforcement Officers must be provided with appropriate mobile communication devices.

6.2 LOT SPECIFIC

LOT 1 - CENTRAL AREA

To provide the Central Area Council with 1.5 FTE Environmental Enforcement Officers working 37 hours per week, 52 weeks per year dedicated to environmental enforcement activity over a 12 month period with options to extend for 2 further periods each of 12 months.

The Service will cover the five Wards of the Central Area Council (Central, Dodworth, Kingstone, Worsbrough and Stairfoot)

There will be no abstractions of the dedicated Central Enforcement Officers from the Central area.

LOT 2 – DEARNE AREA

LOT 3 – NORTH AREA

LOT 4 - NORTH EAST AREA

LOT 5 – SOUTH AREA

Duties of the Service Provider's Environmental Enforcement Officers

To target problems of littering, dog fouling and parking enforcement within all Lot Areas. This will include proactive patrolling based on intelligence profiles provided from information gathered from the Environmental Hotline number, also from members of Area Councils, Area Manager's and the Council's Safer Communities Service. The Tasking Officer (from the Council's Safer Communities Service) will deploy and review the work of the Service Provider's Enforcement Officers based on this intelligence.

The Service Provider's Enforcement Officers will patrol priority areas and robustly enforce against any offences witnessed by issuing a fixed penalty notice.

Fixed Penalty Notices or Penalty Charge Notices will be issued in all circumstances where an offence has been witnessed or established.

Where littering is observed from vehicles, registration numbers will be taken and passed to the Council's Safer Communities Service, along with a witness statement

to allow for the serving of a Fixed Penalty Notice.

The Tasking Officer, on behalf of the Service Provider, will provide verbal updates to the Area Managers regarding emerging problem areas or trends.

At least 85% of contracted time is to be spent out of the office either patrolling or on targeted operations linked to litter, dog fouling and parking enforcement.

BMBC enforcement uniforms (to be provided free of charge) with relevant authorities and insignias must be worn, unless plain clothes operations are being undertaken.

The Service Provider's Enforcement Officers will maintain a pocket notebook which will be kept up to date and will be the subject of periodic checking by the Tasking Officer.

For 1 hour at the end of each working week, the Service Provider's Enforcement Officers will be required to complete a weekly report sheet detailing activity and outputs for the week. This will include reference to:

- Overall patrolling hours by Ward
- Number and Locations of Litter Specific Operations
- Number and Locations of Dog Fouling Operations
- Number and Locations of Parking Operations
- Number locations and type of other activity
- Number of Littering FPNs, broken down to Ward level
- Number of Dog Fouling FPNs, broken down to Ward level
- Number of Parking PCNs, broken down to Ward level
- Other Activity

Other Contract Details: Partnership Working

The Service Provider should establish and maintain close working relationships with active local resident groups to build intelligence networks and to improve personal levels of responsibility.

The Service Provider will ensure good liaison with other services operating in all five areas. This will be co-ordinated via each Area Manager and the Council's Safer Communities Service and Parking Services.

The Service Provider's Environmental Enforcement Officers will work to complement

the 'core' service offer of BMBC services, working flexibly alongside core services deployment protocols in order to avoid duplication and ensure added value.

The Service Provider's Environmental Enforcement Officers will work alongside other partners and commissioned services on joint operations. The Service Provider and the Council's Safer Communities Service will work with each Area Team to identify opportunities for reparation work to be undertaken in all five areas so that justice can be seen to be done locally.

BMBC roles and responsibilities

The Council's Safer Communities Service will provide the following equipment and services free of charge. This is to ensure that the Service Provider's enforcement services:

- Operate as part of the broader approach to community safety and enforcement;
- Operate with the same degree of integrity;
- Benefit from existing local infrastructure;
- Do not duplicate core Council enforcement activity;
- Can legitimately act on behalf of the Council as the primary enforcement agent in the Central, Dearne, North, North East and South areas.

The detail below describes the arrangements, which will enable the Service Provider's Environmental Enforcement Service to be bespoke and matched to the needs of each of the five Area Councils, whilst enabling operational effectiveness and legitimacy within the corporate requirements of Barnsley MBC. Accordingly, and for the avoidance of doubt, tenderers will not be required to include within their tender bids for costs associated with the 'Equipment' and 'Support' detailed below because these items will be provided free of charge by the Council:

Support

- Officer support to process fines and PCNs issued by the provider and ensure income is recycled to the five areas Councils.
- Support providers to promote the initiative to local residents and the wider community.

Operational Activities to be undertaken by Barnsley MBC Safer Communities Service

The Council's Safer Communities Service will:

- Authorise the Service Provider to act on behalf of the Council, including endorsement of individual officer competencies to discharge certain powers.
- Provide weekly tasking requirements according to local hot spot areas and areas identified for priority intervention.
- Deal with all direct telephone and e-mail enquiries from Elected Members (Tasking Officer responsibility) to contribute to local intelligence and inform service priorities.
- Process all dog fouling and littering fines for payment.
- All prosecutions or court warrants for non-payment will be secured by the Safer Communities Service (Service Solicitor and Head of Service).
- All fine payments will be recycled by the Safer Communities Service to the relevant Area Council where issued by the Service Provider.

The role of the BMBC Parking Enforcement Services is currently under review. This review will be completed before the appointment of the provider. As a result, the relationship between the provider and BMBC Parking Enforcement Services will be clarified following the appointment of the provider. This will include arrangements for the processing of PCNs.

Operational Activities to be undertaken by Service Provider

The Service Provider will:

- Provide Environmental Enforcement Officers as outlined within this document.
- Issue fines (FPNs and PCNs) correctly upon witnessing an offence occurring.
- Routinely share intelligence gleaned by the Service Provider with the Local Safer Neighbourhood Team & Parking Services.

The above describes arrangements which will enable environmental enforcement services to be bespoke and matched to the needs of each of the five area Councils, whilst enabling operational effectiveness and legitimacy within the corporate requirements of Barnsley MBC.

6.Target Groups and / or Areas

TARGET GROUPS AND/OR AREAS

The service will target the streets, neighbourhoods and people who live or work in the wards making up each of the 5 Area Council areas:

Lot 1 - Central Council - Wards of Dodworth, Central, Kingstone, Worsbrough & Stairfoot

Lot 2 - Dearne Council - Wards of Dearne North and Dearne South.
 Lot 3 – North Council - Wards of Darton East, Darton West, Old Town and St Helens.
 Lot 4 – North East Council - Wards of Cudworth, Monk Bretton, North East and Royston.
 Lot 5 – South Council - Wards of Hoyland Milton, Rockingham, Darfield and Wombwell.

7. Equality Impacts

The successful Service Provider will be required to ensure that the service is free from bias and acknowledges and respects gender, sexual orientation, age, race, religion and culture, lifestyles and values. If any needs are required as per the Equalities Act, such as language or disability, these needs will be provided for during the term of the contract.

Please also refer to Part 4 – Form of Contract.

8. Performance Measures

8a. Outcomes

The following are the outcomes that the provider is expected to achieve as a result of the service being delivered.

Specific outcome measures, targets and methodology for measuring to be proposed by provider .

Targets will be agreed prior to commencement of contract.

<i>Outcomes</i>	INDICATIVE Outcome Indicators	<i>(Evaluation Methodology)</i>
Inspire the local community to 'Love Where They Live'	Number of positive news stories generated	Evidenced by quarterly contract management reports, to include 2 positive case studies per quarter
Increase employment, skills and work experience at local level	Number of local people recruited onto this project/and trained	Evidenced by quarterly contract management reports
Improve the local environment (make the area more attractive)	Number of positive news stories generated at 2 per	Evidenced by quarterly contract

<p>to shoppers and new businesses)</p> <p>Keep the Wards clean, well maintained and attractive</p>	<p>quarter</p> <p>Number of patrolling hours completed by ward – must equate to minimum of 85% of officer time</p> <p>Number of FPNs and PCNs issued per ward, broken down by dog fouling, littering and parking</p> <p>Number of targeted operations at 2 per ward per quarter</p> <p>Number of restorative justice referrals made or placements provided</p> <p>Promotion of Love Where You Live & other environmental projects</p>	<p>management reports</p> <p>Evidenced by quarterly contract management reports</p> <p>Evidenced by quarterly contract management reports</p> <p>Evidenced by quarterly contract management reports, including case studies</p> <p>Evidenced by quarterly contract management reports, including case studies</p>
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8b. Outputs.
Easy to measure actions, units, events that tell us how much, how many or how often.
Exact measurements and targets to be determined when the final interventions are agreed

8c. Milestones

<i>(Activity/Action)</i>	<i>(When)</i>	
Tender Return	5 January 2016	

Tender Evaluation	5-22 January (Interviews w/c 18 January 2015)	
Tender Report and Approval to Award	27 January 2016	
Standstill Period and Feedback	Ends 8 th February 2016	
Issue of Letter Intent and Contract	9 th February 2016	
Contracts Commence	1 st April 2016	

9. Location/Availability/Accessibility of the Service

Service to be delivered within the boundaries of the Central Council area.

10. Contract Value

The contract(s) will commence on the 1st April 2016

It is anticipated that the contract will be for 12 months, with an option to extend by 12 months and then a further 12 months (1 year +1+1). However, a 6 month break point exists when performance and achievement of outcomes will be reviewed and, on the basis of findings, decisions will be taken to either continue to full term or cease the contract.

There are no guarantees after the first initial 12 months that each individual Area Council will have the funding available to extend the contract or will decide it has a continuing need either the same level of service or for the service as a whole. Each Area Council has their own budget and this may result in individual Lots coming to an end.

The annual contract value is £350,000 with the Central Area Council element equating to £42,000 per annum with a maximum Central Area contract value of £126,000.

11. Contract Terms and Conditions

Please see contract.

12. Monitoring and Recording Arrangements

The Five Area Councils have developed a detailed specification outlining specific requirements of an environmental enforcement service for the areas. The Five Area Councils will be responsible for commissioning these services from the most appropriate Service Provider, following a transparent and robust tendering exercise. Once a Service Provider is commissioned, the Five Area Councils will oversee the delivery of the contract in line with the agreed Specification. Each lot will be individually contract monitored and managed by each Area Council Manager. Within the Specification, the relationship between the successful Service Provider and Barnsley Council's Safer Communities Service and Parking Services is clear and this should be unequivocally demonstrated and only Providers recognising this relationship will be considered for award of this contract.

The appointed Service Provider will need to continually demonstrate and evidence the effectiveness of the service in terms of delivering the required outcomes/achieving the agreed targets for each Lot. It is a key requirement of the Service Provider to:

Collect, collate and report on a range of agreed measures on a quarterly basis as part of a quarterly reporting regime for each Lot. This will include the provision of data at ward level. It will also include providing a minimum of 2 case studies per quarter..

Establish compatible systems to ensure effective management and performance management of the service. Information systems must comply with the requirement of the Data Protection Act.

Attend monthly/quarterly meetings with the Central, Dearne, North, North East and South Area Council Manager's, in their capacity as Contract Managers, to discuss contract performance and management issues and any Ward or Area Council report requirements, and request any additional information/provide clarification on pertinent issues, as required.

Submit a 12 month break/review performance report and provide any other information required to inform that review.

Subject to satisfactory 12 month review outcome, attend a 'lessons learned' meeting to be convened one month before the one year contract end date and submit an end of project performance report prior to this end date, fully and properly evidencing achievement of outcomes.

Each of the Area Council Manager's for each lot will be involved in all performance reviews and may reasonably request additional information at any time.

13. Quality Standards

Robust policies and procedures are to be put in place to ensure safeguarding of all adults and children and, in particular, adequate measures/systems to ensure robust data protection and information governance.

The Service Provider has a legal obligation to adhere to all equality legislation. The Service Provider must produce its policy relating to race, gender, disability religion or belief, sexual orientation and age. This policy should include the reporting mechanism for any adverse events which would constitute a deviation. Any and all adverse events should be reported to the relevant Area Council Manager.

In order for the Service Provider's service to align to the Safer Communities Service the following requirements must be met:

(a) The Service Provider will operate completely within the Policies of Barnsley MBC (see Appendix D) with regard to enforcing against littering, dog fouling, parking and any other specified enforcement activity.

(b) The Service Provider will be tasked according to the local intelligence provided by the Members of the Area Council, the Area Matrix Teams and the Council's Safer Communities Service and must incorporate these tasks into their day-to-day workload.

(c) Staff employed by the Service Provider must meet the required competency levels of the Council to act as an enforcing agent on their behalf. This will include:

- Understanding how to correctly interview a suspect and record the interview.
- Understanding what constitutes a littering and a dog fouling offence.
- Ability to illicit the necessary information required to pursue such an offence.
- Ability to process the information to issue a fixed penalty notice.
- Ability to offer an alternative to fixed penalty notice payment for juveniles.
- Understanding what happens if a fixed penalty notice is not paid.

(d) The Service Provider's Enforcement Staff must wear the enforcement uniform of the Council.

(e) The Service Provider's Enforcement Staff must seek to meet the required

integrity thresholds of South Yorkshire Police and Barnsley MBC. (see Appendix E).

(f) The Service Provider's Enforcement Staff will operate from the same working bases as the local Safer Neighbourhood Teams aligned to Area Council boundaries.

(g) The Service Provider will share all local information intelligence and data established during the course of their activity with the Council's Safer Communities Service.

Additionally:

- The Service Provider will have a robust system for monitoring complaints and suggestions; feedback from service users will inform service delivery.
- The Service Provider will submit reports summarising any complaints, investigations and remedial actions.

Please also refer to Part 4 – Form of Contract

14. TUPE

TUPE

The Council considers that in the event of this contract being awarded other than to the present service providers then the terms of the European Acquired Rights Directive (Number 2001/23) and/or the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may apply.

In the event that TUPE does apply, upon which the tenderers must reach their own view, tenderers should take into account the following requirements which would then arise:

You are advised to seek independent professional advice as to the application and the effects of the Directive and/or the Regulations on your organisation should you be in the position of being a successful tenderer.

(i) The need to consult with recognised trade unions or other professional associations.

(ii) The need to maintain existing rates of pay and conditions of employment of employees; and

(iii) The need for a successful tenderer to accept liability in respect of claims for redundancy payments, unfair dismissal and all other claims related to previous employees.

The Council will provide to tenderers such employment details of the workforce presently employed in connection with the services as may be provided by the present Service Provider only on completion and return of the Confidentiality Agreement which can be found in Appendix 4 in Part 3 document and that such information will be treated as strictly confidential and will be used for no other purpose than in connections with the submission of a tender for the services. The completed Confidentiality Agreement should be returned through the discussions area of the YORtender system

15. Commissioning/Procurement Officer Details

Carol Brady – Central Council Manager

carolbrady@barnsley.gov.uk

Tel: 01226 775707