

**BARNSELY METROPOLITAN BOROUGH COUNCIL**

**Dearne Area Council Meeting:  
10 April 2014**

**Agenda Item: 3**

**Report of Dearne Area Council  
Manager**

**Commissioning against the Dearne Area Council  
Environmental Priority**

**1. Background**

- 1.1 At the Dearne Area Council Meeting held on 31 March 2014 it was agreed that in response to local intelligence from residents and Members highlighting issues with litter and fly tipping in the area and the severity of the problem being raised by local and national press the 'Environment' needed to be added as a priority for the Dearne Area Plan.
- 1.2 In addition Members considered a report from the Area Manager outlining the costs of two additional enforcement officers for the area, a Generic Environmental Enforcement Officer and Private Sector Housing and Environment Officer Post. Members considered the report and instructed the Area Manager to prepare the relevant specification and service level agreement paperwork for consideration at an additional Dearne Area Council Meeting to be held on 10 April 2014.
- 1.5 It can be noted that the specification and Service Level Agreement are in line with BMBC Corporate priorities:
  - Growing the economy
  - Changing the relationship between the council and the community
  - Improving people's potential and achievement

**2. Key Considerations**

- 2.1 Following Members instructions at the Dearne Area Council held on 31 March 2014 it is proposed that the specification for the Generic Environmental Enforcement Officer should go out to public tender in line with other Area Councils who are commissioning similar services, (Appendix 1 Specification of Requirements).
- 2.2 With regard to the Private Sector Housing and Environment Officer post it is proposed that the officer is procured through a Service Level Agreement arrangement with BMBC Community Safety and Enforcement Service (Appendix 2 Service Level Agreement with BMBC Community Safety and Enforcement Service).

### 3. Recommendation

- 3.1 That the Dearne Area Council approves the specification to go out to the market for 1 Generic Environmental Enforcement Officer at an estimated cost of £25,000.
- 3.2 That due to timescales, that the final approval of the Procurement Strategy with an agreed Price/Quality split is delegated to the Assistant Director Neighbourhoods, Access and Support, following consultation with members, including the Area Chair.
- 3.3 That in addition the Dearne Area Council approves the attached Service Level Agreement with BMBC Community Safety and Enforcement Service for the provision of a Private Sector Housing and Environment Officer at a cost of £25,000 and an additional cost of £10,000 to include equipment, administration and sundry items.
- 3.4 That the Dearne Area Council also approve a Service Level Agreement with Community Safety and Enforcement Service for the provision of Equipment, administration and sundry items. (Appendix 3)
- 3.4 That the Dearne Area Council approves the total spend of £70,000 to secure the provision of the above two additional Environmental Enforcement Officers for the Dearne Area.

**Officer Contact:**

**Tel. No:**

**Date:**

Elaine Slater

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April 3<sup>rd</sup> 2014.

#### **Appendices**

Appendix 1 - Specification of requirements for Environmental Enforcement

Appendix 2 - Service Level Agreement arrangement with BMBC Community Safety and Enforcement Service for a Private Sector Housing and Environment Officer

Appendix 3 - Details of the Service Level Agreement with the Community Safety and Enforcement Service for the provision of equipment, administration and sundry items.

# DEARNE AREA COUNCIL SPECIFICATION

## Dearne Area Council Environmental Enforcement

### PROJECT OVERVIEW AND SCOPE OF SERVICE

#### 1. INTRODUCTION

A key purpose of the Area Councils 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.

Litter and dog fouling as well as housing issues and antisocial behaviour from gangs/drug use were highlighted by local people in the Dearne area during

the Turning Point Research exercise during 2012/13. The problems are particularly intensified in Goldthorpe especially around areas where there is a high concentration of private rental accommodation. The problems have also been highlighted on local and national news networks giving a negative image to the Dearne area. The Dearne Area Council adopted the Environment as an Area Priority at the Area Council Meeting held on 31 March 2014.

Within this context an enhanced enforcement capacity is seen as vital to prevent problems escalating further and so 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 the causes for 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 Zero Tolerance approach in the two Wards that make up the Dearne Area Council.

## **2. BACKGROUND AND CONTEXT**

- 2.1 The Dearne Area Council 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 Dearne Area Council 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 Dearne Area Council 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 Community Safety and Enforcement Service. 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 Dearne Area Council 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.

As a number of Area Councils are considering also procuring bespoke environmental enforcement services, and where similarities apply in those requirements, these may be procured collectively across Area Council boundaries to maximise the potential for achieving best value for money. However all services will be delivered bespoke to the value of the local commission and according to the needs of the individual Area Council.

### **3. STRATEGIC VISION AND VALUES**

- 3.1 Barnsley Council'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.

**4. COUNCIL PRIORITIES AND OUTCOME STATEMENTS**

4.1 In developing and delivering this bespoke environmental enforcement service, the Service Provider should ensure that it is contributing to the Council's corporate priorities and outcome statements as outlined below:

Growing the Economy	Making the Wards of Dearne North and Dearne South a more inviting place to live and work. This in turn will make the area more attractive as a place to shop locally, and may attract new businesses to the area
Improving People's potential and achievement	Encouraging people who live and work in the four Wards of the Dearne Area Council to 'Love Where You Live' and take a pride in their local community
Changing the relationship between the Council and the Community	Facilitating opportunities for reparation activities for young people. A number of community representatives involved in making financial decisions which contribute to local Ward priorities.

## **5. SPECIFIC AIMS AND OBJECTIVES OF THE SERVICE, INCLUDING SOCIAL VALUE OBJECTIVES**

### **5.1**

- Commissioned enforcement services will be designed to operate locally and according to the priorities of the Area Council.
- Close working relationship with the Council's Community Safety and Enforcement Service to fully complement the existing 'core' environmental enforcement service provision provided by the Council's Community Safety and Enforcement Service
- Link with other Central Area Council procured services, to support the over-arching aims of area governance shown above.
- Be based locally in suitable, easily accessible facilities.
- Neighbourhoods are engaged and encouraged to identify disrespect for their local environment.
- Increase the opportunities for volunteers and volunteering.
- Improve physical health and emotional well-being in the Area.

Under this contract, the successful service provider will also be required to actively contribute to the achievement of specific social value objectives.

These include:

- The provision of local skills development, work experience placements and apprentice opportunities.
- Employment and training opportunities within the locality.
- Development of strong community networks, community self-help and resilience.
- Use local labour/ supply chain.

### **The Service and Activities to be Delivered:**

- To provide the Dearne Area Council with 1 Environmental Enforcement Officer working 37 hours per week dedicated to environmental enforcement activity over an initial 12 month period (not withstanding annual leave).

- The Service will cover the two wards of Dearne North and Dearne South.
- 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, before 8am or after 5pm.
- There will be no abstractions of the dedicated Dearne Environmental Enforcement Officers from the Dearne area.
- 100% coverage of any sickness or none leave related absence will be provided by the Service Provider to maintain service delivery.
- It is expected that the Environmental Enforcement Officer provided by the Service Provider will proactively issues tickets for littering, parking and dog fouling offences.
- Appropriate mobile devices for employees.

**Duties of The Service Provider's Environmental Enforcement Officer:**

- To target problems of littering, dog fouling and parking enforcement within the Dearne Area. This will include proactive patrolling based on intelligence profiles provided by the members of the Area Council, the Area Team and the Council's Community Safety Enforcement Service. The Tasking Officer will deploy, and review the work of, the Enforcement Officer based on this intelligence.
- The officer will patrol priority areas and robustly enforce against any offences witnessed by issuing a fixed penalty notice.
- Fixed Penalty Notices or Penalty Charge Notice 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 Community Safety and Enforcement 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 Dearne Area Council regarding emerging problem areas or trends.
- At least 85% of contracted time to be spent out of the office either patrolling or on targeted operations linked to litter, dog fouling and parking enforcement.
- BMBC enforcement uniforms with relevant authorities and insignias to be worn, unless plain clothes operations are being undertaken.
- 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 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 Operation.
  - Number and Locations of Dog Fouling Operations.
  - Number and Locations of Parking Operations.
  - Number locations and type of other activity.
  - Number of Littering FPNs.
  - Number of Dog Fouling FPNs.
  - Number of Parking PCNs.
  - Other activity.

**Other Contract Details**

**Partnership Working:**

- The 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 provider will ensure good liaison with other services operating in the Dearne Area and the Area Team. This will be coordinated via the Council's Community Safety and Enforcement Service. The Environmental Enforcement Officers will work alongside other partners and commissioned services on joint operations.
- The Service Provider and the Council's Community Safety and Enforcement Service will work with the Area Team to identify opportunities for reparation work to be undertaken in the Dearne Area so that justice can be seen to be done locally.

**BMBC roles and responsibilities:**

The Council's Community Safety and Enforcement Service will provide the following equipment and services. 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 Area

The detail below describes the arrangements which will enable the Environmental Enforcement Service to be bespoke and matched to the needs of the Dearne Area Council whilst enabling operational effectiveness and legitimacy within the corporate requirements of BMBC. Accordingly, and for the avoidance of doubt, tenderers **will not** be required to include for costs

associated with the Equipment and Support listed within their tender bids because these items will be provided by the Council:

**Equipment:**

- Body Cameras (1 per officer).
- Appropriately branded vehicles at a ratio of 1 per 2 officers to provide transport for the Service Provider's enforcement officers across the Central Area Council /Ward area. Vehicles will carry the insignia of the Area Council and BMBC Community Safety and Enforcement Services.
- Community Safety and Enforcement uniforms with clear designation of authorities carried and the Area Council from which the officers are functioning.
- Pocket Books.
- Office accommodation within the local area.

**Support :**

- Processing and Monitoring Officer support to process fines and PCNs issued and ensure income is recycled to the Dearne Area Council.
- Support providers to promote the initiative to local residents and the wider community.

**Operational activities to be undertaken by BMBC Community Safety and Enforcement Service:**

- Authorisation of the provider to act on behalf of the Council including endorsement of individual competencies to discharge certain powers.

- Provision of weekly tasking requirements according to local hot spot areas and areas identified for priority intervention.
- Direct telephone and e-mail access for Elected Members and other co-opted Area Council Members will be enabled through Tasking Officers to contribute to local intelligence and inform service priorities.
- Provision of quarterly reports from the Tasking Officer to be submitted to the Area Council by the Area Manager to inform the development of tactical enforcement priorities.
- Process all fines for payment.
- All prosecutions or court warrants for non-payment will be secured by the Community Safety and Enforcement Service (Service Solicitor and Head of Service).
- All fine payments will be recycled by the Community Safety and Enforcement Service to the Dearne Area Council where issued by the Service Provider.

#### **Operational activities to be undertaken by Service Provider**

- Provide enforcement officers as outlined within this document.
- Issue fines (FPNs and PCNs) correctly upon witnessing an offences occurring.
- Routinely share intelligence gleaned by the Service provider with the Local Safer Neighbourhood Team.

The above describes arrangements which will enable environmental enforcement services to be bespoke and matched to the needs of the Dearne Area Council whilst enabling operational effectiveness and legitimacy within the corporate requirements of BMBC.

**6. TARGET GROUPS AND/OR AREAS**

- 6.1 The service will target people who live or work in the Wards of Dearne North and Dearne South.

**7. EQUALITY IMPACTS**

- 7.1 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, culture, lifestyle 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.

**8. PERFORMANCE MEASURES AND OUTPUTS**

- 8.1 Service Outcomes and Measures: Table 1 below details the outcomes or results that the service provider is required to achieve as a consequence of the service being delivered. A list of possible outcome measures is also provided. This is indicative only and tenderers are required, as part of their tender return, to propose their own list of outcome measures, along with realistic targets, baselines and methodology for gathering the data/measuring. Final measures and targets will be agreed prior to contract commencement. .

8.2 Table 1:

<b>Performance Measures:</b>	
<b>Outcome</b>	<b>Indicative Outcome Measures</b>
<p>Making the Wards of Dearne North and Dearne South a more inviting place to live and work. This in turn will make the area more attractive as a place to shop locally, and may attract new businesses to the area</p>	<p>A Zero Tolerance enforcement approach to environmental crime locally</p> <p>Reduction in the perception and volume of anti-social behaviour at local level</p> <p>Improvements to the local environment</p>
<p>Encouraging people who live and work in the Wards of the Dearne North and South to 'Love Where You Live' and take a pride in their local community</p>	<p>A Zero Tolerance enforcement approach to environmental crime locally</p> <p>Keeping the Wards clean and litter free</p>

**9. PERFORMANCE MEASURES AND OUTPUTS (Cont'd)**

9.1 Service Interventions/Activities: Table 2 below details examples of possible interventions/activities that the service provider may propose to achieve the outcomes/required results. This list is indicative only and tenderers are required, as part of their tender return, to describe their proposed method of delivery and proposed interventions, along with the rationale supporting these.

9.2 Table 2:

<b>Performance Measures</b>		
<b>Outputs (collectables)</b>		
<i>Output</i>	<i>Target Number</i>	<i>Supporting Evidence</i>
Number of valid/enforceable Fixed Penalty Notices for Littering	It is not legal, or morally, appropriate to set targets associated with the issuing of Fixed Penalty Notices, nor should it be seen as an opportunity to generate income. However, it is anticipated that there will be a substantial increase in Fixed Penalty Notices issued relevant to the enhanced service being procured.	Community Safety and Enforcement management records
Number of valid/enforceable Fixed Penalty Notices for Dog Fouling		Community Safety and Enforcement management records
Number of valid/enforceable Fixed Penalty Notices for Parking Offences		Community Safety and Enforcement management records
Value of Fixed Penalty Notices <b>paid</b> and returned to the Dearne Area Council	Difficult to determine - dependent upon type of offence, age of offender and payment being made	Community Safety and Enforcement Financial Information
Number of positive news stories generated	12 (one per month) per Area Council	Press articles, news stories, radio etc.
Time spent out on active patrol or targeted operations	85% of individual officer time	Community Safety and Enforcement Management records
Number of young people opting to take part in local reparation activities	Cannot set target – dependent upon personal choice of offenders	Community Safety and Enforcement Management records

**10. PROCUREMENT PROGRAMME**

Indicative Programme:	
Tender Return	End April 2014
Tender Evaluation	Mid May 2014
Tender Report and Approval to Award	Mid May 2014
Standstill Period and Feedback	End May 2014
Agreement of Outcome Measures and Activities/Interventions	End May 2014
Award Contract	Early June 2014
Contract Commencement	Early June 2014

**11. CONTRACT VALUE AND CONTRACT DURATION**

- 11.1 The contract duration is 1 year, with a break option after 6 months (please refer to Clause XX of the Contract, contained in Section 4). The estimated total value of this procurement is £25,000 over that 1 year period, subject to funding and the Service Provider's achievement/delivery of outcomes, outcome measures and interventions and outputs.

**12. CONTRACT TERMS AND CONDITIONS**

- 12.1 See Section 4 – Form of Contract.

**Contract Management:**

The Dearne Area Council has developed a detailed specification outlining specific requirements of an environmental enforcement service for the area. The Dearne Area Council will be responsible for commissioning these services from the most appropriate provider following a transparent and robust tendering exercise. Once a provider is commissioned the Dearne Area Council will oversee the delivery of the contract in line with the agreed specification and receive regular progress reports from the Dearne Area



Council Team. Within the specification the relationship between the successful service provider and Barnsley Council's Community Safety and Enforcement Service is clear and this should be unequivocally demonstrated and only providers recognising this relationship will be considered for award of this contract.

The successful service provider post contract award will be required to continually demonstrate and evidence the effectiveness of the service in terms of delivering the required outcomes, outcome measures and interventions. There 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.
- 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 meetings with the Dearne Area Council Manager, in their capacity as Contract Manager, to discuss contract performance and management issues and any Ward or Area Council report requirements, and request any additional information and provide clarification, if required.
- Submit an end of year performance report.
- A 'lessons learned' meeting will be convened 3 months before the contract end date and an end of project report submitted before the contract end date.
- The Area Council Manager will review performance and may reasonably ask for additional information at any time.

**Monthly Reporting Requirements**

The Tasking Officer will collate reports based upon information gathered and provided by the Service Provider will provide monthly written reports to the Contract Management meetings detailing the following:

- Overall patrolling hours by ward.
- Number and Locations of Litter Specific Operation.
- Number and Locations of Dog Fouling Operations.
- Number and Locations of Parking Operations.
- Number locations and type of other activity.
- Number of Littering FPNs.
- Number of Dog Fouling FPNs.
- Number of Parking PCNs.
- Other activity.

**Quarterly Reporting Requirements**

The Area Managers will ensure ( in partnership with BMBC Tasking Officer) that the Dearne Area Council receive a full quarterly report which provides a holistic local area based picture of the full breadth of the bespoke environmental enforcement activity. This report will outline overall performance and activity for the previous quarter and establish tactical and strategic priorities for the coming quarter, as agreed with the Council's Community Safety and Enforcement Service. Elected Members, and other members of the Area Council, will be able to inform the Tasking Officer of specific issues of concern.

The general public can raise issues of concern through existing Council channels as outlined in Appendix B. Other issues of concern may also be picked up through Police channels, and both types of intelligence will be incorporated into the Enforcement Officers workload through the Tasking Officer.

### 13. QUALITY STANDARDS

13.1 The provider of this service has a legal obligation to adhere to all equality legislation. The service provider must produce their 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 Area Manager.

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

In order for the Service Provider's service to align to the Community Safety and Enforcement Service the following requirements must be met:

a) The Service provider will operate completely within the Policies of BMBC (see Appendix C) with regards 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 Community Safety and Enforcement Service, and must incorporate these tasks into their day-to-day workload.

c) That staff employed by the service provider meet the required competency levels of the Council to act as an enforcing agent on their behalf. This will include

- To understand how to correctly interview a suspect and record the interview
- To understand what constitutes a littering & a dog fouling offence.
- To be able to illicit the necessary information required to pursue such an offence.
- To be able to process the information to issue a fixed penalty notice

- To be able to offer an alternative to fixed penalty notice payment for juveniles.
  - To understand what happens if a fixed penalty notice is not paid.
- d) The Service provider enforcement staff wear the enforcement uniform of the Council.
- e) That provider enforcement staff must seek to meet the required integrity thresholds of South Yorkshire Police and BMBC. (see Appendix D)
- f) That provider enforcement staff will operate from the same working bases as the local Safer Neighbourhood Teams aligned to Area Council boundaries.
- g) That the provider will share all local information intelligence and data established during the course of their activity and that this is shared with the Council's Community Safety and Enforcement 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 Section 4 – Form of Contract.

## **14. HEALTH AND SAFETY**

- 14.1 The Community Safety and Enforcement Service will, at all times, adhere to the requirements of the Health and Safety at Work Act 1974 and any other relevant guidance and directives in force or subsequently issued.

Dearne Area  
Council  
Environmental Enforcement Services

**DRAFT**  
**Service Level Agreement**

With Barnsley MBC Community  
Safety and Enforcement Service



**BARNLSLEY**  
Metropolitan Borough Council

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## **1. Purpose of the Agreement**

This document sets out the Service Level Agreement (SLA) between the Dearne Area Council and Barnsley Council's Community Safety and Enforcement Service for the delivery of services as outlined in this Service Level Agreement.

This document sets out the agreed arrangements to enable service delivery. It defines the responsibilities of both parties and sets out the price/s agreed for the services provided through this agreement.

## **2. Area Councils**

A key purpose of Area Councils 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.

Although the Dearne Area Council did not initially identify 'the environment' as one of the key issues that they wish to prioritise during 2014/15, it has become clear that this was an oversight and needed to be included, based upon concerns from members, identification as a top priority the Area's Ward Alliances, and the full reflection of this was highlighted during extensive community consultation by Turning Point during 2012/13. The issues are particularly intensified in Goldthorpe where there is a high concentration of rental accommodation. Within this context, an enhanced enforcement capacity is seen as vital to prevent problems escalating and so that the positive work undertaken to maintain the environment is not undone by an anti-social minority. The Dearne Area Council therefore adopted 'the environment' as a priority for the year 2014/15 at the Area Council Meeting held on 31 March 2014.

Public feedback consistently identifies environmental blight through littering, dog fouling and fly tipping as the causes for 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 Zero Tolerance approach.

### **3. Responsibility of Area Councils**

The Area Council will:

- Meet monthly with representatives of Barnsley Council's Community Safety and Enforcement Service to monitor the contract and delivery against planned performance and this SLA.
- Proactively observe activity and monitor performance through local Councillors having the option to join the Environmental Enforcement Officers on patrol.
- Regularly monitor the service performance through the Tasking Officer providing feedback to local structures/meetings
- Work together with Barnsley Council's Community Safety and Enforcement Service to discuss and jointly implement any system and service improvements.
- Provide a Contact Officer for any problems relating to this SLA. The officer will be Elaine Slater, Dearne Area Council Manager.
- Provide notification of any event, which could affect the normal workload of Barnsley Council's Community Safety and Enforcement Service under this SLA.
- Provide cost codes as necessary.
- Complaints and enquiries will be raised by the Area Council Contact Officer via email and recorded at the bi-monthly Contract Management meetings.

### **4. Barnsley Council's Community Safety and Enforcement Service**

The Service will focus on Zero Tolerance with regard to Environmental Crime with particular reference to Environmental Crime and Anti- Social Behaviour.

The Service will specifically contribute to minimize the impact of AntiSocial Behaviour and Environmental Crime. It will be an enhanced Community Safety and Enforcement Service over and above the published 'core' service standards provided by the existing Barnsley MBC Community Safety and Enforcement Service for the period 2014/15. These are available in the Community Safety and Enforcement Service publication 'Future Service Delivery Model'.



## 5. Service Specification

### General:

- Provide the Dearne Area Council with 1 Private Sector Housing and Environment Officer for Goldthorpe, working 37 hours per week each, dedicated to environmental enforcement activity over an initial 12 month period (not withstanding annual leave).
- The Service will operate in Goldthorpe.
- The Service is 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 over the weekend, before 8.00 am or after 5.00 pm.
- An office base is to be provided by the Community Safety and Enforcement Service within the geographical boundaries of the Area Council.
- Barnsley Council Enforcement Officers will wear the Community Safety and Enforcement uniform of the Council with clear designation of authorities carried and the Area Council from which the officers are functioning.
- Management, supervision, training, uniforms, personal protective equipment, body cameras, office accommodation, suitable vehicle for enforcement officer travel within the designated area (refer to paragraph below), administration of 'Fixed Penalty Notices' and all other equipment and provision is to be contained within the annual price agreed with Barnsley Council's Community Safety and Enforcement Services. There will be no additional costs during the year to the Area Council, which includes any areas of service improvement jointly agreed through the course of the year.
- Any vehicle provided in connection with this service will be no more than 2 years old and in good working condition and regularly maintained in accordance with manufacturers recommendations. The running costs, including fuel, tax, insurance, maintenance, livery and storage will be provided by Barnsley Council's Community Safety & Enforcement Service. The vehicle will include the Barnsley MBC logo and the words 'Love where You Live' and logo. Exact details for the sign writing will be provided prior to formal commencement of services under this SLA.
- Day-to-day management and supervision to be provided by the local Tasking Officer, and the Tasking Officer will provide input to locally agreed structures.
- There will be no diminution of Core Services provided by Barnsley MBC's Community Safety and Enforcement Services.
- There will be no abstractions of the dedicated resources to deal with problems that occur in other areas of Barnsley.
- 100% cover for any sickness or other Environmental Enforcement Officer absence will be provided by the Barnsley MBC Community Safety and Enforcement core service.
- All income generated through fixed penalty or penalty charge notices will be recycled into the Area Council. It is not legal or morally appropriate to set targets associated with the issuing of fixed penalty notices nor should it be seen as an opportunity to generate income, however, it is anticipated that there will be a

substantial increase in fixed penalty notices issued relevant to the enhanced service being procured.

- The Community Safety and Enforcement Service is expected to support the Area Council/s to promote the initiative to local residents and the wider community.

**Duties of The Enforcement and Investigation Officer:**

- To work effectively alongside members of the Anti Social Behaviour Response and Dearne Valley Teams, including the Private Sector Housing and Environment Officer (Goldthorpe)
- The officer will provide specialist support, guidance, advice to the Private Sector Housing and Environment Officer (Goldthorpe), Safer Neighbourhood Teams and Generic Enforcement Officers, with regard to legislation, conducting thorough investigations, proportionality and timeliness.
- To gather evidence and appropriate information regarding current and emerging legislation and initiatives including, but not limited to, Selective Licensing Scheme and Empty Dwelling Management Orders, to enable the Dearne Valley Team to develop and implement the future of Goldthorpe.
- Where littering is observed from vehicles, registration numbers will be taken and passed to the relevant Tasking Officer along with a witness statement to allow for the serving of a Fixed Penalty Notice.
- Relevant Tasking Officers will provide verbal updates to emerging problem areas or trends.
- At least 85% of contracted time per individual Environmental Enforcement Officer is to be spent out of the office either patrolling within the designated Area Council or on targeted operations.
- Barnsley MBC enforcement uniforms with relevant authorities and insignias to be worn at all times other than when plain clothes operations are planned by the relevant Tasking Officer.
- Environmental Enforcement Officers will maintain a pocket notebook which will be kept up to date and checked weekly by the relevant Tasking Officer.
- At the end of each working week, Environmental Enforcement Officers will be required to complete a weekly report sheet detailing activity and outputs for the week (see Appendix 1).

**Other Specification Requirements:**

- Close work is required with active local resident groups to build intelligence networks and to improve personal levels of responsibility.
- Effective liaison is required with other Barnsley Council or Area Council procured services operating in the Dearne Area. This will be co-ordinated via the relevant Tasking Officer and locally agreed structures/meetings
- The Environmental Enforcement and Investigation Officer will work alongside other partners and commissioned services on joint operations.
- The Community Safety and Enforcement Service will perform the service to a standard reasonably to be expected of a competent provider and in line with professional standards and codes of conduct where applicable.
- The Community Safety and Enforcement Service will procure sub-contract services in accordance with the Council's Contract Procedure Rules.

**The Community Safety and Enforcement Service's commitment to the Dearne Area Council:**

In the first instance, all issues by either party relating to service performance or quality in relation to agreed service activities should be discussed at the bi-monthly Contract Management Meeting and, where appropriate, resolved at the lowest referral point. In the event such issues cannot be resolved in this way, an escalation process can be instigated by either party.

This process will consist of a special resolution meeting between the Assistant Director Culture and Regulation, Development, Environment and Culture, and the Assistant Executive Director Neighbourhoods, Access and Support, Adults and Communities.

## **6. Service Delivery**

### **6.1 Resource Position**

It is the responsibility of the Community Safety and Enforcement Service to adequately resource the requirements of this SLA. Where the Community Safety and Enforcement Service has insufficient internal resource at any time to deliver the service required under this SLA, then it may engage other suitably qualified and experienced sub-contractors/providers to complete the work on their behalf.

In such circumstances, the Community Safety and Enforcement Service will be responsible for:

- The engagement, control, supervision and dismissal of sub-contractors/providers.
- The checking of sub-contractors/providers' health and safety policies, working practices and insurances including professional indemnity insurances.
- The engagement of sub-contractors/providers on suitable agreements or contracts and the completion and signing of such documents.
- The payment of all sub-contractors/providers from within the SLA agreed price.
- The general checking of sub-contractors/providers' work to ensure that it is of a satisfactory standard.

Work carried out by sub-contractors/providers engaged by the Community Safety and Enforcement Service will be deemed as work carried out by the Community Safety and Enforcement service in relation to this agreement.

### **6.2 Management and Supervision**

The Community Safety and Enforcement Service will supervise its employees and sub-contractors/providers at all times to adhere to the standards set out in this document.

In the event of problems arising in the provision of the service, the Community Safety and Enforcement Service will take responsibility for investigating the issue, until resolution is achieved and appropriate corrective action agreed with the relevant Area Council/Tasking Officer. The responsible Community Safety and Enforcement Service Manager is Paul Brannan, Head of Community Safety and Enforcement.

### **6.3 Health and Safety**

The Community Safety and Enforcement Service will, at all times, adhere to the requirements of the Health and Safety at Work Act 1974 and any other relevant guidance and directives in force or subsequently issued.

### **6.4 Equality and Diversity**

The Area Council/s is seeking excellence in Equality and Diversity, both in recruiting and retaining staff from the most diverse pool available, reflecting the communities we serve and providing a service which recognises the equal value of all individuals, and that they may have very differing needs in terms of accessing our service. To make sure this is carried out, we expect the Community Safety and Enforcement Service to:

- Be committed to diversity in service provision.
- Demonstrate good practice equality and diversity procurement policies.
- Be aware of and comply with the Authority's Equality and Diversity policy.
- Ensure that any sub-contractors/providers are equally aware of the above.

### **6.5 Complaints Handling**

The Community Safety and Enforcement Service will have appropriate systems in place for recording and dealing with any complaints about the service provided.

## **7. Period of the Agreement**

The agreement will commence on appointment of two Environmental Enforcement Officers for a period not initially exceeding one year. This may be extended, subject to available funding and following a review of performance under the agreement in January 2015.

## **8. Variations**

Variations to this SLA will be agreed between the Community Safety and Enforcement Service and the South Area Council as a result of changes in circumstances, processes or through an analysis of performance and volume data identified within performance reports. All changes will be agreed and implemented following consultation and agreement with both the Community Safety and Enforcement service and the Area Council. All variations must be agreed in writing.

## **9. Compliance with General and Legislative Policies**

The Community Safety and Enforcement Service will aspire to the highest level of confidentiality in dealing with individual personal data and service information in accordance with established policies and procedures. The Community Safety and Enforcement Service will ensure compliance with relevant legislation including (but not exclusively) Equality and Diversity, Freedom of Information Act, Data Protection Act, Human Rights Legislation.

## **10. Insurances**

The Community Safety and Enforcement Service (and its sub-contractors/providers) will maintain adequate levels of insurance in respect of:

- Employer's Liability Insurance.
- Public Liability Insurance.

## **11. Statutory Requirements**

The Community Safety and Enforcement Service will carry out its work under this SLA within the laws relating to Environmental Enforcement.

## **12. Cost of the Service**

The agreed price for the services defined under this SLA is £35,000 in 2014/2015.

## **13. Method of Payment**

The Community Safety and Enforcement Service will charge monthly in arrears for its Services and those of any sub-contractors/providers. Monthly claims will equate to one twelfth of the agreed annual cost of service.

A statement of monthly charge will be provided to the relevant Tasking Officer five working days before the monthly contract management meeting.

The statement will include the following information:

- The charge for that month, along with income for the month from Fixed Penalty Notices.
- A running total of all monthly charges to date, including total income from Fixed Penalty Notices.

The information will be discussed at the monthly Contract Management Meeting and

payment will be by SAP transfer following agreement.

#### 14. Performance

The Community Safety and Enforcement Service undertakes to meet the performance targets set out in Appendix 1 and attends monthly Contract Management Meetings with Area Council. Monitoring reports will be provided monthly by the Community Safety and Enforcement Service against the targets set in Appendix 1. Where the targets are not being met, an explanation and action plan to meet targets will be provided at the Contract Management Meeting. A period of two months will be provided for the Community Safety and Enforcement Service to bring performance levels back within target. Failure to rectify performance within this timeframe may lead to termination of this SLA.

#### 15. Dispute Resolution

The parties shall use their best efforts to negotiate in good faith and settle amicably at the lowest level possible any dispute that may arise out of or relating to this agreement or breach thereof. If appropriate representatives of the Area Council and the Community Safety and Enforcement Service cannot settle such dispute amicably through these negotiations, the dispute will be referred to the Council’s Chief Executive, who will attempt to resolve the dispute.

#### 16. Notice to terminate

Either party may terminate this agreement, or part of this agreement, on giving six months’ notice.

#### 17. Contacts

**Service Provider: Barnsley MBC Community Safety and Enforcement Service:**

Name	Position	Phone	Email
Paul Brannan	Head of Community Safety and Enforcement	01226774950	paulbrannan@barnsley.gov.uk

**Area Council/s:**

Name	Position	Phone	E Mail
Elaine Slater	Dearne Area	01226787559	elaineslater@barnsley.gov.uuk
Jo Micheli	Lead Locality Officer	01226774953	joemicheli@barnsley.gov.uk

## 18. Signatures

<b>Signatures:</b>
Signature:
Designation:
On Behalf of the Dearne Area Council

<b>Signatures:</b>
Signature:
Designation:
On Behalf of Service Provider: Barnsley MBC Community Safety and Enforcement Service, Beevor Court 2, Barnsley.

**APPENDIX 1**

**Performance Measures/Targets**

<b>Performance Measures</b>		
<b>Appendix 1a. Outcomes</b>		
Community and Place Outcomes	Improve the local environment of Goldthorpe	
Citizens Outcomes and Experience	Reduction in perception and volume of anti-social behaviour at local level.	
<b>Appendix 1b. Outputs (collectables)</b>		
<i>(Output)</i>	<i>(Target Number)</i>	<i>(Supporting Evidence)</i>
Number of valid/enforceable Fixed Penalty Notices for Littering	It is not legal or morally appropriate to set targets associated with the issuing of fixed penalty notices nor should it be seen as an opportunity to generate income, however, it is anticipated that there will be a substantial increase in fixed penalty notices issued relevant to the enhanced service being procured.	Community Safety and Enforcement Management records
Number of valid/enforceable Fixed Penalty Notices for Dog Fouling		Community Safety and Enforcement Management records
Number of valid/enforceable Fixed Penalty Notices for Parking Offences		Community Safety and Enforcement Management records
Value of Fixed Penalty Notices paid and returned to Area Council	Difficult to determine - dependent upon type of offence, age of offender and payment being made	Community Safety and Enforcement Financial Information
Number of positive news stories generated	Minimum 4 (one per quarter) per Area Council	Press articles, news stories, radio etc
Time spent out on active patrol or targeted operations	85% of individual officer time	Community Safety and Enforcement Management records



## Appendix 3

## BARNSELY METROPOLITAN BOROUGH COUNCIL

<p><b>Dearne Area Council Meeting: 10 April 2014</b></p>
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**Report of Dearne Area Council  
Manager**

**1. Purpose of Report**

- 1.1 To agree a Service Level Agreement with the Community Safety and Enforcement Service for the provision of equipment, transport, administration assistance and the provision of appropriate training at an indicative cost of £10,000. This will ensure that the proposed service provider's enforcement services can operate as part of the broader approach to community safety and enforcement.

**2. Recommendation**

- 2.1 That the Dearne Area Council approves the Service Level Agreement and indicative costs of £10,000, towards enabling the procurement process to commence.

**3. Service Level Agreement**

- 3.1 To ensure the proposed 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 and can legitimately act on behalf of the Council as the primary enforcement agent in the Dearne Area, the Council's Community Safety and Enforcement Service will provide the following equipment and services.

- |   |                |
|---|----------------|
| • Equipment<br>(to include 1 body camera @ £500)<br>Uniforms @ £400 per Officer + Sundries) | £1,000         |
| • Contribution to administration costs  | £5,000         |
| • Training @ £2,000 per Officer   | £4,000         |
| • <b>Total Indicative Costs</b>   | <b>£10,000</b> |

**Officer Contact:**

**Elaine Slater**

**Tel. No:**

**01226 787559**

**Date:**

**April 3rd 2014.**

# AREA COUNCIL'S ENHANCED ENVIRONMENTAL ENFORCEMENT SERVICES

## SERVICE LEVEL AGREEMENT with BMBC COMMUNITY SAFETY & ENFORCEMENT SERVICE

### 1. Purpose of the Agreement

This document sets out the Service Level Agreement between the Area Councils that have chosen to commission an enhanced environmental enforcement service and BMBC's Community Safety and Enforcement Service for their role in the commissioning arrangements.

### 2. Community Safety and Enforcement Service Roles and Responsibilities

The Council's Community Safety and Enforcement Service will provide the following equipment, services and activities. 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 Council Area

The detail below describes the arrangements which will enable the Environmental Enforcement Service to be bespoke and matched to the needs of the relevant Area Council's whilst enabling operational effectiveness and legitimacy within the corporate requirements of BMBC. Accordingly, and for the avoidance of doubt, tenderers will not be required to include for costs associated with the equipment and support listed within their tender bids because these items will be provided by the Council:

#### 2.1 Equipment

- Body Cameras (1 per officer).
- Appropriately branded vehicles at a ratio of 1 per 2 officers to provide transport for the Service Provider's enforcement officers across the relevant Area Council area. Vehicles will carry the insignia of the relevant Area Council and BMBC Community Safety and Enforcement Services.
- Community Safety and Enforcement uniforms with clear designation of authorities carried and the Area Council from which the officers are functioning.
- Pocket Books.
- Office accommodation within the local area.

## 2.2 Support

- Processing and Monitoring Officer support to process fixed penalty notices and penalty charge notices issued and ensure income is recycled to the relevant Area Councils.
- Support providers and the relevant Area Council to promote the initiative to local residents and the wider community.

## 2.3 Operational Activities

- Authorisation of the provider to act on behalf of the Council including endorsement of individual competencies to discharge certain powers.
- Provision of weekly tasking requirements according to local hot spot areas and areas identified for priority intervention.
- Direct telephone and e-mail access for Elected Members of the relevant Area Councils will be enabled through Tasking Officers to contribute to local intelligence and inform service priorities.
- Provision of quarterly reports from the Tasking Officer to be submitted to the Area Council by the Area Manager to inform the development of tactical enforcement priorities.
- Process all fines for payment.
- All prosecutions or court warrants for non payment will be secured by the Community Safety and Enforcement Service (Service Solicitor and Head of Service).
- All fine payments will be recycled by the Community Safety and Enforcement Service to the relevant Area Council where issued by the Service Provider.

## 3. Performance Standards

- **xx%** of penalty notices/charges issued result in a payment, reparation or court action.
- Weekly hot spot tasking documents produced.
- Quarterly performance reports are produced.
- Area Councils are supported to conduct quarterly contract management with the provider(s).

**4. Approval**

On behalf of the Central Area Council:

Sign: ..... Date: .....  
Councillor Donna Green, Chairperson

On behalf of the Dearne Area Council:

Sign: ..... Date: .....  
Councillor May Noble, Chairperson

On behalf of the North Area Council:

Sign: ..... Date: .....  
Councillor Linda Burgess, Chairperson

On behalf of the North-East Area Council:

Sign: ..... Date: .....  
Councillor Joe Hayward, Chairperson

On behalf of the South Area Council:

Sign: ..... Date: .....  
Councillor Mick Stowe, Chairperson

On behalf of the Community Safety and Enforcement Service:

Sign: ..... Date: .....  
Paul Brannan, Head of Service