

BARNSELY METROPOLITAN BOROUGH COUNCIL

**Central Area Council Meeting:
27th September 2018**

Report of Central Area Council Manager

Central Council Environmental Enforcement Update Report

1. Purpose of Report

- 1.1 This report provides a draft service specification and associated procurement process to identify a Provider to deliver a Central Area Council Environmental Enforcement Service.

2. Recommendations

It is recommended that:

- 2.1 Members delegate responsibility to the Executive Director, Communities, for approval of the service specification and associated procurement process for the procurement of an Environmental Enforcement service at a cost of £45,000/annum for an initial 1 year period (1st April 2019- 31st March 2020), with an option to extend for a further 1 year period (1st April 2020-31st March 2021) + a further 1 year period (1st April 2021-31st March 2022).**
- 2.2 Members also delegate responsibility to the Executive Director, Communities, for the approval of the Service Level Agreement with BMBC's Safer Neighbourhoods Service to deliver an Environmental Enforcement support service, as outlined in Section 4 of this report at a cost of £5,000/ annum.**

3. Background

- 3.1 Following the Clean and Green Review workshop that was carried out on Monday 30th July 2018, a consensus could not be reached regarding any future Central Area Council Environmental Enforcement Service.
- 3.2 At the Central Area Council meeting on Monday 3rd September 2018 members discussed the service, noting that many of the fines had been for cigarette ends which had not impacted greatly on the visibility of litter in the area. Also noted was the prevalence of dog fouling and the difficulties in prosecuting offenders. However, Members also noted the relatively small net cost of providing the service and the deterrent effect of the service. Taking everything into account Members were minded to recommission a revised enforcement service, with more flexibility within the service.

4. Proposed Environmental Enforcement (Dog fouling and littering) Service and Procurement Process.

- 4.1 Based on the current level of service, but reflecting the changes requested by members at the last Central Area Council meeting, a document outlining the revised Central Area Council service and activities to be delivered is attached at Appendix 1. This will form the basis of the Tender Specification for the procurement of a Provider to deliver the service at a cost of £45,000/annum.
- 4.2 2 other Area Councils, North-East and South, also wish to procure an Environmental Enforcement service and are working to the same timescales as Central.
- 4.3 In order to attract Providers, and to enable a bespoke service to be delivered for each of the 3 Area Councils, the proposed procurement of a Provider to deliver the service will be advertised as one event but will consist of 3 individual lots with separate specifications for each Area. The same Provider will be appointed to each of the 3 lots.
- 4.4 Due to the combined value of the proposed procurement, the method of procurement for this service will therefore be the open procedure route with a contract notice submitted to the Official Journal of the European Union.
- 4.5 If the proposal is approved by Central Area Council at today's meeting, the following table outlines the key actions to be undertaken with indicative timescales:

Activity	Date
Draft documents and finalise with legal	22 nd August – 30 th Sept
Obtain sign off from Area Councils	By 30 th September
Complete Equality Impact Assessment	By 30 th September
Notify Kingdom and obtain TUPE information	w/c 10 th of September
Issue OJEU notice	1 st October
Issue Tender	3 rd October
Deadline for clarifications	29 th October 2018
Tender Closing Date	5 th November 2018
Quality responses to evaluation panel to review	5 th November
Evaluation moderation panel meeting, presentations (If included) and verbal confirmation of award rec	w/c 12 th November
Complete recommendation to award report	w/c 19 th of November
Issue Intent to award Letters (Start of Standstill)	26 th November
Contract Award Issued	7 th December
Mobilisation period	7 th December – 31 st March 2018
Contract Commencement Date	1 st April 2019

- 4.6 To ensure that the proposed Environmental Enforcement Service being procured operates as part of the Council's broader approach, complements the

Council's "core offer", operates within the same degree of integrity, benefits from existing local infrastructure, and can legitimately act on behalf of the Council as the primary enforcement agent in the Central Council Area, the Service Level Agreement with BMBC's Safer Neighbourhoods Service is currently being revised. The cost for delivery of the SLA will be approximately £5,000/annum.

Appendices

Appendix 1 :Central Area Council Environmental Enforcement Service:Service and activities to be delivered.

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Date:
18th September 2018

CENTRAL AREA COUNCIL – ENVIRONMENTAL ENFORCEMENT SERVICE

THE SERVICE AND 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.

The Environmental Enforcement Officers provided by the Service Provider must be able to proactively issue tickets for littering and dog fouling.

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

LOT SPECIFIC – Central Area Council

To provide the Central Area Council with 1.5 Environmental Enforcement Officers working 37 hours per week, 52 weeks per year dedicated to Environmental Enforcement littering (focused on litter other than cigarette ends), and dog fouling 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 Council area with equal amounts of Officer time spent patrolling in each Ward: Central, Dodworth, Kingstone, Stairfoot and Worsbrough.

A daily record of patrolling locations should be kept and submitted to the Central Area Council Manager on a monthly basis.

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

DUTIES OF THE SERVICE PROVIDER’S ENVIRONMENTAL ENFORCEMENT OFFICERS

To target problems of littering and dog fouling within the Central Council area, with a focus on litter other than cigarette ends.

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 Managers and the Council's Safer Neighbourhoods Service. The Safer Neighbourhoods Service will provide intelligence to the Provider to enable suitable deployment of staff and resources.

The Service Provider's Enforcement Officers will patrol priority areas and robustly enforce against any littering or dog fouling 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 Neighbourhoods Service, along with a witness statement to allow for the serving of a Fixed Penalty Notice.

The Service Provider will provide verbal and written 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 littering other than cigarette ends, and dog fouling.

BMBC enforcement uniforms (to be provided free of charge) with relevant authorities and insignias must be worn.

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, as appropriate to the individual lot specifications:

- Overall patrolling hours by Ward
- Daily patrolling locations by street
- Number and locations of litter specific Operations
- Number and locations of dog fouling Operations
- Number, locations and type of other activity
- Number of Littering FPNs, broken down to Ward level, and by type of littering
- Number of Dog Fouling FPNs, broken down to Ward level
- Any other activity undertaken