

EXECUTIVE RESPONSE TO RECOMMENDATIONS OF SCRUTINY REVIEW

Title of Review:	Review of Review of Enforcement action undertaken by Bolsover District Council to improve the quality of the environment across the District		
Timescale of Review:	July 2018	Post-Monitoring Period:	12 months commencing October 2018. Interim report due April 2019.
Date agreed by Scrutiny:	July 2018	Date agreed by Executive:	September 2018

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
HSCGC17/18 1.1 Ref. pp24-25	That the emerging Corporate Enforcement Policy is presented to Committee as part of the 2018/19 Work Programme, for approval and referral to Strategic Alliance Joint Committee (if required) and Executive for full adoption.	That Council ensures effective policy is in place and adhered to.	September 2018.	Team Manager (Solicitor) Contentious.	Staff time.	The draft Corporate Enforcement Policy is close to completion. We are awaiting confirmation from Strategic Alliance Management Team as to whether this will be a joint policy with North East Derbyshire District Council (NEDDC), or a standalone Bolsover District Council (BDC) policy. The draft policy is programmed to be put before the committee for consideration in September 2018. This is to be an overarching policy which covers the whole of the Council's enforcement	Agreed.

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						activities. The policy will ensure we act in a consistent manner with regards to regulatory enforcement. Individual service areas will require specific enforcement policies and procedures which reflect the principles set out in the corporate policy.	
HSCGC17/18 1.2 Ref. pp24-25	That all subsequent departmental enforcement policies, as and when reviewed, are brought to the relevant Scrutiny Committee.	That Council ensures effective policy is in place and adhered to.	January 2019.	Team Manager (Solicitor) Contentious.	Staff time.	The Corporate Enforcement Policy (CEP) is an overarching policy that applies to all the Council's services. Specific service areas may have additional and more tailored policies or procedures for enforcement and these should be	Agreed.

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						<p>read in conjunction with the CEP. It is intended that a list of the current policies will be uploaded to the Council website and a link contained within the CEP. This webpage will be reviewed annually</p> <p>Any new polices, or reviews to the existing polices will be brought to the relevant Scrutiny Committee.</p> <p>The revised Anti-Social Behaviour Policy is one such policy and is scheduled for scrutiny review in September 2018.</p>	
<p>HSCGC17/18 1.3</p> <p>Ref. pp32-33</p>	<p>That greater use of environmental enforcement powers is implemented by both Bolsover</p>	<p>To ensure effective use of training and staffing resources, to deliver</p>	<p>March 2019.</p>	<p>Joint Head of Housing & Community Safety.</p>	<p>Staff time.</p>	<p>Agreed. A review of legislative powers has been completed, resulting in additional provisions to be</p>	<p>Agreed.</p>

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	CAN Rangers and the wider team of Environmental Health Officers, to ensure full use of the Authority's enforcement capacity.	environmental improvements				<p>utilised by the Environmental Enforcement Team. However, appropriate powers are being utilised by the wider teams.</p> <p>The delegated powers of officers are kept under constant review (2-3 times per year) and updated on a regular basis, especially in response to changes in law, case law and changes to the structure. This will continue.</p>	
HSCGC17/18 1.4 Ref. pp24-25	That Executive/Strategic Alliance Management Team consider the current staffing resource and training within the legal team to	Sufficient legal staffing resource in place to deliver required enforcement activity.	January 2019	Joint Head of Corporate Governance & Monitoring Officer	Existing staffing budget, with review if required.	Legal – Legal currently has a temporary lawyer in post, who has considerable expertise as a former Crown Prosecution Service lawyer which they	Agreed.

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	ensure existing expertise is maintained, thereby enabling the Authority to have sufficient capacity to move forward with its approach to enforcement.					are passing on. They are also an experienced trainer, which we are making use of. Legal (and Environmental Health) wish to keep and exploit this expertise. It is also the situation that the number of cases the Contentious Team is dealing with has increased substantially and the additional resource is needed. To make this happen, a report has to be agreed with the Head of Paid Service and sent to Executive to authorise the additional spending. A recruitment exercise may be needed.	

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						EH – We strongly support this recommendation and already feel the benefits of training that staff have been given recently. Due to current resourcing we can now progress cases quickly.	
HSCGC17/18 1.5 Ref. pp24-25	That a full assessment is carried out to establish if there is sufficient evidence to establish a Bolsover District-wide Public Space Protection Order (PSPO) for dog fouling and dog control.	Effective dog control enforcement in place District-wide.	June 2019.	Team Manager (Solicitor) Contentious.	Staff time.	Legal – A small working group will be established by legal and environmental health to collate and review this matter to see if there is sufficient evidence in support of a Public Space Protection Order for dog fouling and dog control. We can only seek to use a Public Space Protection Order where the	Agreed.

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						evidential test is met. EH – As a joint service any assessment and subsequent new Order agreed, would need to be replicated across both Districts.	
HSCGC17/18 1.6 Ref. p29-31	That Indicators SS 03 and SS 04 are kept under review to ensure that performance levels improve over the next 12 months.	Improved delivery against service performance targets for street cleanliness.	June 2019.	Joint Head of Streetscene.	Existing staffing/service resources. Should the service deem additional resource is required a further report should be brought to Executive.	Streetscene undertake regular performance monitoring of SS03 and SS04 by way of Local Environmental Quality Survey of England (LEQSE) carried out monthly and reported quarterly to ensure pre-determined targets are met and actions put in place to address low performance. This is reported at quarterly Directorate	Agreed.

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						<p>Performance Meetings.</p> <p>Arising from housing growth pressures on operational resource, Streetscene have recently increased frontline Street Cleansing resource levels by 2FTE (approx.) equating to 3,800 (approx.) hours of staff time on the ground in order to maintain cleansing performance/standards.</p>	
<p>HSCGC17/18 1.7</p> <p>Ref. p29-31</p>	<p>That the commentary for cleanliness indicators (both Corporate Plan and service level) in PERFORM includes details of areas surveyed and a clear list of</p>	<p>Greater clarity for Members as to areas surveyed, hot spots identified and intervention planned.</p>	<p>October 2018 onwards.</p>	<p>Joint Head of Streetscene.</p>	<p>Staff time.</p>	<p>LEQSE surveys (streets) change annually and represent a proportionate sample of the district. The quarterly inspection\survey file may be provided</p>	<p>Agreed.</p>

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	areas not achieving Grade B, including planned intervention.					to illustrate how overall % site cleanliness is assessed; however, Members should be aware that cleanliness ratings A, B, C & D may be affected by environmental (i.e. wind\rain) conditions and timings between cleansing frequency occurrences and inspections taking place.	
HSCGC17/18 1.8 Ref. pp29-31; pp40-41; pp41-44; pp44-45; pp46-49	That a programme of regular publicity is in place on how to contact the Council and log incidents in relation to street cleanliness and fly-tipping, using a range of communication channels including InTouch and social media.	Improved local awareness of both how to contact the Authority and increased knowledge of action taken by the Authority.	Programme in place by December 2018.	Joint Head of Streetscene/ Environmental Health Manager/ Communications, Marketing and Design Manager.	Staff time; printing internal/external literature; distribution costs; website/social media coverage	EH – Existing programme in place will now include ‘How to contact the Council’ and reporting of incidents. Streetscene – Streetscene currently place articles in ‘InTouch’ and utilise the Council’s website	Agreed.

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						<p>and social media streams to relay educational messages to residents. These may also be influenced by national campaigns (i.e. Keep Britain Tidy Group) and/or working with other partners (i.e. Environmental Health/County Council) or attending events (i.e. Bolsover Food Fayre).</p> <p>Comms – Regular updates/information is required for any publicity to be undertaken. This could be included in InTouch, District/Parish Gazettes, website, Twitter and specific marketing</p>	

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						campaigns in target areas.	
<p>HSCGC17/18 1.9</p> <p>Ref. pp32-33; pp40-41; pp41-44; pp44-45; pp46-49</p>	<p>That a standard process is adopted to ensure maximum publicity of environmental enforcement activity taking place across the District.</p>	<p>Regular and consistent publicity of our enforcement activity across all service areas covered via the Corporate Enforcement Group.</p>	<p>Process agreed by December 2018.</p>	<p>Solicitor (Corporate Enforcement Group Lead)/ Communications, Marketing and Design Manager.</p>	<p>Staff time; printing internal/external literature; distribution costs; website/social media coverage.</p>	<p>EH – Process now established.</p> <p>Legal – Now that the Environmental Enforcement team is fully staffed, more robust processes are in place with the Communications team to identify the most appropriate methods of publicity for the action that has been taken. Comments from the Portfolio Holder and Legal are incorporated in to the publicity.</p> <p>Enforcing departments (most notably Housing/Community Safety) have different requirements, so a standard procedure</p>	<p>Agreed.</p>

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						<p>isn't necessarily appropriate across all service areas.</p> <p>Comms – Regular updates/information is required for any publicity to be undertaken. This could be included in InTouch, District/Parish Gazettes, website, Twitter and specific marketing campaigns in target areas.</p>	
HSCGC17/18 1.10 Ref. pp32-33	That the regular use of CCTV (mobile where available) is continued and measures are taken to ensure staff absence does not impact the ongoing use of the equipment, which is vital for enforcement.	<p>Maximum use of all resources available to ensure effective enforcement levels, regardless of staffing resource.</p> <p>A clear monitoring report which evidences usage of camera equipment to</p>	<p>Continued regular use from July 2018 onwards.</p> <p>Monitoring report of usage by September 2019.</p>	Environmental Health Manager.	Staff time; Existing camera resources.	EH – Agreed. We acknowledge that use of the system has been impacted by staff absence previously. Use of CCTV is a proactive enforcement measure which is overseen by the Information Commissioner to protect human rights and ensure	Agreed.

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		demonstrate both value for money and if required the need for additional resource.				<p>data protection. Only specific EH staff have been trained in privacy impact assessments and are experienced in the deployment of CCTV in order to minimise risks to the Council.</p> <p>Housing & Community Safety Service are also in the process of procuring Body Worn Video. There will be 10 cameras available for use across EH teams when out on patch. A number are also being purchased for Officers in Housing and Community Safety. A Privacy Impact Assessment is complete and roll-out of the</p>	

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						equipment is imminent. Streetscene – Streetscene Team support enforcement arrangements by deployment of mobile CCTV equipment to aid detection of fly-tipping and wider environmental despoilment.	
HSCGC17/18 1.11 Ref. pp34-35; pp44-45	That a formal programme of educational initiatives is maintained as a combined approach by Streetscene and Environmental Enforcement, with greater consideration given to coverage across the whole of Bolsover District.	Improved local knowledge and greater awareness of environmental responsibility. Inclusion in Corporate/ Service Plans beyond March 2019. Programme is enhanced further to cover whole	April 2019.	Joint Streetscene & Waste Services Manager/ Environmental Health Manager.	Staff time; printing external literature and distribution costs where required; website/social media coverage.	EH – This is ongoing as part of mainstream delivery. The development of this proactive measure will be considered at the Environmental Enforcement Cleansing and Education group and via engagement with the Youth Council. Specific work is	Agreed.

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	The programme should be adapted to be age specific to suit the school/group as required and cover primary/secondary and community events.	District, with increased number of events/initiatives.				<p>underway looking at environmental education in secondary schools to ensure the programme content is appropriate.</p> <p>Streetscene Team have established schools education arrangements with an environmental despoilment and waste recycling focus. This is jointly delivered with Environmental Health and is open to Primary and Secondary schools and is subject to them requesting the programme within their curriculum activity.</p> <p>Streetscene\ Environmental Health attend\participate in community events</p>	

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						<p>to deliver these programs (i.e. Bolsover Food Fayre).</p> <p>Public events are chosen based on the size of the event and potential footfall/audience. Streetscene approach all schools but take up by the schools is voluntary. The response from those who have taken up the programme is very positive, with a number of requests for return visits by staff.</p>	
<p>HSCGC17/18 1.12 Ref. pp35-39</p>	<p>That additional staff training take place to ensure there is adequate staffing resource with the ability to support access to the DVLA system</p>	<p>Improved service resilience and effective delivery of service whilst operating 'mobile' across the Districts.</p>	<p>December 2019.</p>	<p>Environmental Health Manager.</p>	<p>Existing staff training budgets; staff time.</p>	<p>We appreciate that this was an issue raised during the course of the review. This is in progress. Another user has now been trained to ensure</p>	<p>Agreed.</p>

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	and create resilience within the team.					<p>flexibility, with a further additional Officer in the team identified to receive the training.</p> <p>The abandoned vehicle process is under review with input from Internal Audit. This should ensure that the correct checks and balances are in place for access to the DVLA system so as to meet compliance with the DVLA Guidance.</p>	
HSCGC17/18 1.13 Ref. pp41-42	That subsequent to the benchmarking exercise undertaken by Members (Appendix 3), further analysis is completed by the Head of Housing and Community Safety in to	Adequate staffing resource is available to manage the level of service demand.	September 2019.	Joint Head of Housing & Community Safety.	Staff time; any additional staffing resource identified would require a further report to Executive.	It is my intention to carry out a wider review of Environmental Health staffing not restricted to the one team.	Agreed.

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	staffing levels of the Environmental Enforcement Team to assess if resources adequately meet service demand, with a report back to Committee on the findings.						
HSCGC17/18 1.14 Ref. pp41-42	That the 'Report It' system on the website is fully reviewed, with 'user' testing, alongside the wider recommendation to improve publicity on communication channels and how to report incidents.	An improved, simple, user-friendly online system to aide prompt reporting of service requests/ incidents to the Authority.	December 2018.	Environmental Health Manager/ Customer Service Manager.	Staff time; Customer/ Member input for testing of system.	EH – This is in progress. Comms – The corporate website is due to be completely revamped during the latter stages of 2018 to make it more user and mobile friendly. Customer Services – Passed to Team Innovate to review script and set up a user testing meeting with an Elected Member, Customer Service Manager,	Agreed.

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						Team Innovate, Customer Information System (CIS) developer and Environmental Enforcement Team Leader.	
HSCGC17/18 1.15 Ref. pp37-39	That all Environmental Enforcement Technical Officers (EETOs) have access to mobile technology to ensure they can work off site/make calls etc. while travelling around both Districts.	Better communications provision for mobile staff, with particular emphasis on hands-free equipment.	March 2019.	Joint Head of Housing & Community Safety/ Environmental Health Manager.	IT/service budgets for equipment i.e. mobile phones/iPads/ mobile equipment.	Complete. While we are aware of issues raised during the course of the review, all EETOs and Dog Wardens have mobile smart phones and laptops to enable new work to be allocated whilst out on the District.	Agreed.
HSCGC17/18 1.16 Ref. pp37-39	That as per the staffing provision prior to merger via the Strategic Alliance, each District should have a designated Dog Warden and Environmental Enforcement Technical Officer (EETO), to reduce	Greater consistency in staff cover within the District. Improved resilience in Team when covering both Districts due to rotation of staff.	November 2018.	Joint Head of Housing & Community Safety/ Environmental Health Manager.	Staff time.	HoS – As per 1.13 a wider review of staff is planned. EH – This is already in place. The design of the joint service means that staff operate across designated patch areas already. Patches are	Agreed.

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	time spent travelling across both Districts. These designated staff should rotate on a bi-monthly basis to maintain local knowledge of both Districts.					designed based on service demand and ensuring maximum efficiency. A bi-monthly rotation would not be practical. Technical Support also assign work based on officer presence in the area at the time. There is also cover for staff leave. The current approach used leads to flexibility and resilience in the team.	
HSCGC17/18 1.17 Ref. pp46-49	That a combination of regular Member Briefings (District and Parish) and additional detail within quarterly performance reports is provided, outlining the level of enforcement taking place.	Improved understanding of Council activity, current trends and how Members can engage with officers where issues arise within their Wards. A programme of briefings in place	September 2018.	Environmental Health Manager.	Staff time; potential contribution from Communications Team and option of Member Development Sessions.	EH – Our intention is to work with the Communications team to develop further detailed quarterly updates. We will consider this at Environmental Enforcement, Cleansing and Education Group.	Agreed.

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		either weekly or monthly to clarify activity taking place/ enforcement in progress.				Comms – We are producing more publications now and detail such as this can be included in the District/Parish Gazettes, InTouch and website.	
HSCGC17/18 1.18 Ref. pp46-49	That the trial Members' Surgery meetings be evaluated for usage/effectiveness and made permanent if demand is proven.	Improved/ additional options for Member/Officer dialogue to identify Ward issues and 'hot spots'.	September 2018.	Environmental Health Manager.	Staff time.	Agreed, this can be delivered with a report back on the outcome.	Agreed.
HSCGC17/18 1.19	That Executive receive an update on progress following the initial six-month monitoring report.	That Executive remain informed as to the progress in implementing the Review's recommendation	May 2019	Scrutiny & Elections Officer	Officer time	An update will be produced as	Agreed.