

Southend-on-Sea Borough Council

Report of Executive Director
(Neighbourhood & Environment)

To

Cabinet

On

14th January 2021

Report prepared by: Carl Robinson
Director of Public Protection

Agenda
Item No.

Enforcement Review Update & SBC Environment & Regulatory Enforcement Policy

Cabinet Member: Councillor M Terry

1. Purpose of Report

To update Councillor on the progress of the Enforcement Review being undertaken to provide a more collaborative and coordinated approach to our front line enforcement services and also to consider the proposal for an Environment & Regulatory Enforcement Policy that includes universally shared principles that all enforcement services will adhere to, taking account of national guidance on the principles of good enforcement.

2. Recommendations

2.1 That Cabinet notes the progress with the enforcement review.

2.2 That Cabinet approves the SBC Environment & Regulatory Enforcement Policy attached at Appendix 1

3. Background

3.1 The Council has a number of front line enforcement services operating in different teams, and while some good examples of collaborative and joint working exist between teams, it was felt that a review of these front line enforcement services could provide for a more effective service for the Council.

3.2 The review will support the Southend 2050 Outcomes, in particular around Safe & Well and Clean & Green, providing for more effective enforcement leading to people in all parts of the borough feel safe and secure at all times, and a focus on environmental enforcement to improve the local environment for those that live, visit and work in the borough.

- 3.3 Developing the Southend 2050 Outcomes has identified that residents and local businesses want to feel safe from anti-social behaviour and other crime and disorder as well as wanting to enjoy an improved quality of life, including improvements in the environment
- 3.4 The scope of the review therefore reflects the Southend 2050 Outcomes and has included enforcement services from Highways / Community Safety / Waste & Environmental Care Team / Regulatory Services / Parks / Pier and Foreshore, and was started in early 2020.
- 3.5 The review has been undertaken in conjunction with the council's Service Design Team, adopting the agile double diamond approach to Discovery, Define, Develop, Deliver and has involved working with officers from each of the services to ensure a co-produced solution. This approach enables a fair, proportionate, consistent and transparent process of review.
- 3.6 The review has focussed on four recommendations:

3.5.1 Recommendation 1. Policies - By defining a clear vision and outcomes; data, standards, policy and practice can all be aligned to ensure progression and achievement can be measured.

Currently, each service area has its own enforcement policy. While each policy deals with the specific remit within service areas, there is no unified and consistent approach to enforcement standards and the principles of how enforcement will be undertaken.

Progress: A new overarching SBC Environment & Regulatory Enforcement Policy has been drafted collaboratively and is attached at Appendix 1. The policy has identified the universally shared principles that all enforcement services will adhere to whilst also making clear the unified objective of enforcement across the Borough and underpinned by the principles of good enforcement included in national guidance.

The draft policy demonstrates a proportionate approach to enforcement, similar to policies deployed by other enforcement agencies, including the Police, with their 4 E's approach, where (with some exceptions) **E**nforce is a last resort, with **E**ngage, **E**xplain, **E**ncourage being the proportionate approach to achieving compliance by consent.

This policy will be supplemented by existing and more detailed service specific policies, some of which are already in review to complement this review work, including the Highways Enforcement policy.

3.5.2 Recommendation 2: Digital Solutions - Through the development and design of a more comprehensive and accessible digital solution, staff will be able to communicate and collaborate more effectively, record and report issues more effectively, whilst also making efficiencies in process and time.

Progress: Through a series of engagement exercises, ICT Business Partners, Product Developers and Service Design have scoped the needs and

requirements of a new digital solution. Frontline staff and managers alike have contributed to the developing specification.

The design specification principles include:

- Integration
- Global view and sharing of information
- Accessibility
- Evidence gathering ability
- Intelligence and data
- Customer friendly access / platform
- Compliant and safe

The size and scope of the specification is being considered by the ICT leadership team for consideration and agreement of next steps; taking a strategic view of other work and priorities across the organisation.

3.5.3 Recommendation 3: Training - By establishing a universal training and support package for Enforcement staff, culture and behaviour will align whilst also promoting new standards of practice. Enforcement will increase across the area and help promote improved collaboration.

Progress: Workforce Development will be brought into the design early next year to help identify a clear learning pathway for Enforcement staff to compliment any adopted enforcement model.

3.5.4 Recommendation 4: Multi-disciplinary Service – A multi-disciplinary approach to resourcing enforcement alongside the unification of its image will increase public confidence and increase the amount of enforcement taking place. Having a clear and simple hub of information on the council website will complement this approach.

Progress: A frontline staff working group comprising officers from each service area has been established and is undertaking collaboration exercises including:

- Multi-agency patrols to understand more about enforcement remits across service areas.
- Matrix building to highlight common practice and key differences in respect of enforcement and related powers.

A full staffing list from each service area has been put together with support from Finance, to identify all the existing front line roles within scope of the design project, and to provide a rough estimation of current enforcement costs across those services (estimated at around £2m).

Early modelling ideas have begun to explore how a multi-disciplinary service structure might look. HR have been brought in to advise on risks and consultation and a pilot project is being designed that would seek to prove/disprove some of the modelling ideas and is expected to take place over the course of 8 weeks, anticipated to start in January 2021.

The objectives of developing a new enforcement model are:

1. That officers record and report issues across a wider service remit
2. To enable officers to undertake enforcement across a wider service remit

3. To embed the issuing of FPN's as business as usual activity
4. To provide enforcement resource effectively and flexibly across the borough
5. To target specific issues/areas with a multi-disciplined team i.e. littering in parks, cyclists on pavements etc. or geographic hot-spots for crime.
6. To increase visibility and unification of services across the borough, increasing public confidence and perceived sense of safety

4. Other Options

- 4.1 SBC Environment & Regulatory Enforcement Policy: the option would be to continue with individual enforcement policies in each service area, which can lead to inconsistency of approach on enforcement.

5. Reasons for Recommendations

- 5.1 SBC Environment & Regulatory Enforcement Policy: to provide an overarching enforcement policy, identifying the universally shared principles that all enforcement services will adhere to whilst also making clear the unified objective of enforcement across the Borough. We don't currently have such a policy.

6. Corporate Implications

- 6.1 Contribution to the Southend 2050 Road Map: Safe and Well Outcome – people in all parts of the borough feel safe and secure at all times and Clean & Green Outcome - to improve the local environment for those that live, visit and work in the borough.

6.2 Financial Implications

SBC Environment & Regulatory Enforcement Policy: None.

Enforcement Review: Existing enforcement costs for the enforcement services included in the scope of the review are approx. £2m. The review is aimed at providing better value for money in terms of enforcement services and may provide some additional financial efficiencies, yet to be calculated.

6.3 Legal Implications

None.

6.4 People Implications

Enforcement Review: Any new enforcement model adopted may result in restructured services and impact on existing enforcement officers.

6.5 Property Implications

None.

6.6 Consultation

As part of the service design approach, managers and officers from all service areas included in the scope of the review have been involved in the review. HR have also been consulted. Member views on enforcement service have also been taken into account as the review has developed.

6.7 Equalities and Diversity Implications

Yet to be undertaken.

6.8 Risk Assessment

Enforcement Review: As any new enforcement model develops, a Risk assessment will be developed alongside that.

6.9 Value for Money

Enforcement Review: Enforcement costs for the enforcement services included in the scope of the review are approx. £2m. The review will provide for better value for money in terms of the cost of enforcement and may provide some additional financial efficiencies, yet to be calculated.

6.10 Community Safety Implications

The objectives of the review will provide for more effective enforcement across a wide range of front line services including those related to Community Safety, and will contribute to the Southend 2050 Safe & Well Outcome 1 - people in all parts of the borough feel safe and secure at all times

6.11 Environmental Impact

The objectives of the review will provide for more effective enforcement across a wide range of front line services including those dealing environmental issues, and will contribute to the Southend 2050 Safe & Well Outcome - to improve the local environment for those that live, visit and work in the borough

7. Background Papers

7.1 The Regulators-Code (www.gov.uk/government/publications/regulators-code) and the Enforcement Concordant (Central and Local Government Enforcement Concordat, March 1998)

7.2 The Legislative and Regulatory Reform Act 2006 (enforcement is proportionate, targeted, transparent consistent and accountable)

8. Appendices

Appendix 1 – Draft SBC Environment & Regulatory Enforcement Policy.