

**Committee Name and Date of Committee Meeting**

Improving Places Select Commission – 03 March 2020

**Report Title**

Time for Action Review

**Is this a Key Decision and has it been included on the Forward Plan?**

No

**Strategic Director Approving Submission of the Report**

Paul Woodcock, Strategic Director of Regeneration and Environment

**Report Author(s)**

Sam Barstow

Head of Community Safety and Regulatory Services

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**Ward(s) Affected**

Borough-Wide

**Report Summary**

The 'Time for Action' initiative provided for a mechanism to deliver enhanced enforcement around enviro-crime, particularly littering offences, and parking offences. Joint arrangements with Doncaster Council have been operational since mobilisation in September 2018 and have delivered enhanced enforcement across a range of locations in Rotherham. This report provides an updated position in relation to the service delivery and performance, which has continuously improved.

**Recommendations**

1. That Improving Places Select Commission Note and comment on this report.

**List of Appendices Included**

None

**Background Papers**

[Previous Report and Update – Improving Places July 2019 – Item 14](#)

**Council Approval Required**

No

**Exempt from the Press and Public**

No

**Time for Action Review**

## 1. Background

1.1 The Time for Action initiative has been in place since September 2018. This report provides an update on current performance and is written further to the previous update provided to the Improving Places Select Commission in July 2019 which resolved the following:

(1) That the update be noted.

(2) That the levels of performance be noted, and the importance of enhanced enforcement and visibility agreed.

(3) That a further update be submitted in 6 months.

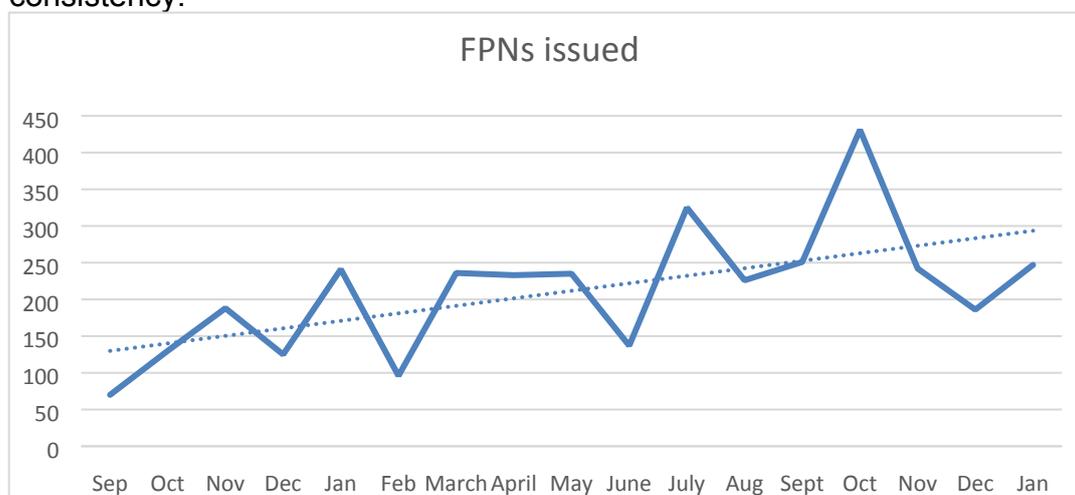
This report focusses on environmental enforcement.

1.2 Time for Action refers to the Councils partnership with Doncaster Metropolitan Borough Council (DMBC) in order to deliver enhanced enforcement primarily to address environmental crime. Additional activity is however also undertaken to support parking enforcement, though this is subject to different terms. In order to manage the partnership, the Council has a Service Level Agreement (SLA) in place with DMBC. A summary of the key detail of this agreement can be found attached at appendix A. The agreement provides for a uniformed presence as directed across the Borough.

## 2. Key Issues

### 2.1 Performance

As a result of this initiative, the Council has achieved its annual target relating to FPNs for 2019/20, which is set at 2,000. The current number of Fixed Penalty Notices (FPNs) issued is 2,513 (as of the end of January 2020). As can be noted from the chart below, performance has steadily improved through the lifespan of the partnership to date, through robust joint management arrangements. A monthly performance meeting takes place and various interventions are delivered through this, such as improvements in staffing resources and consistency.

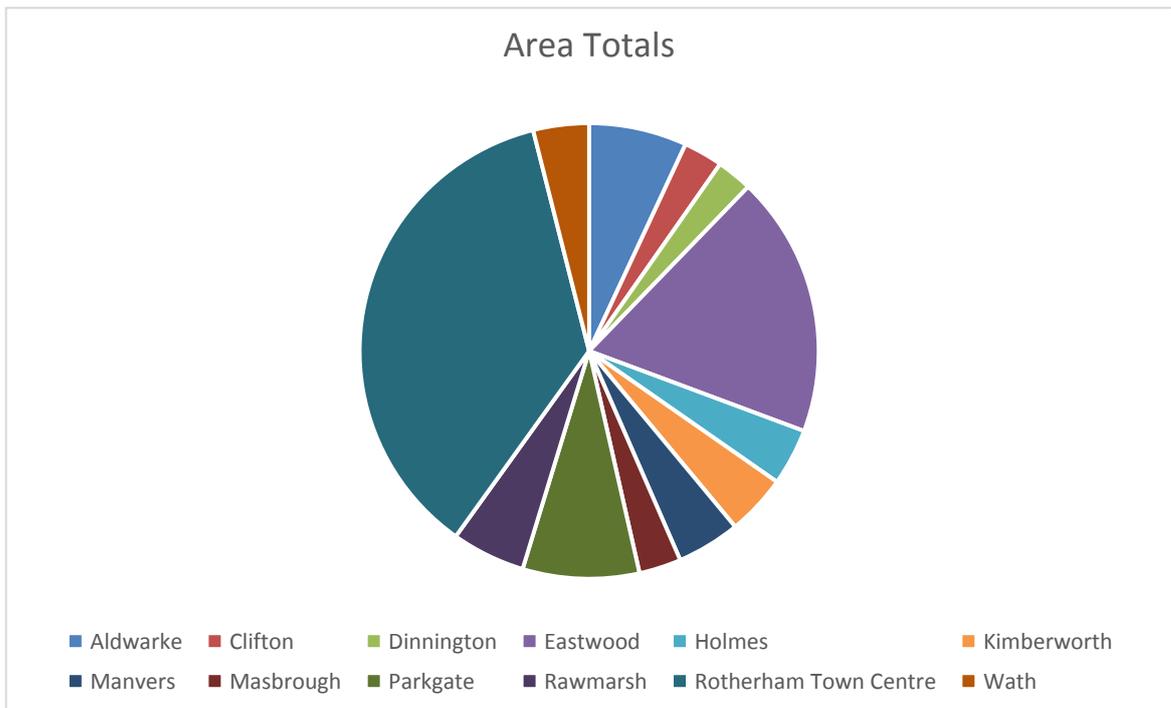


2.2 When examined on a quarterly basis, performance has improved quarter on quarter by an average of 18% since the partnership began.

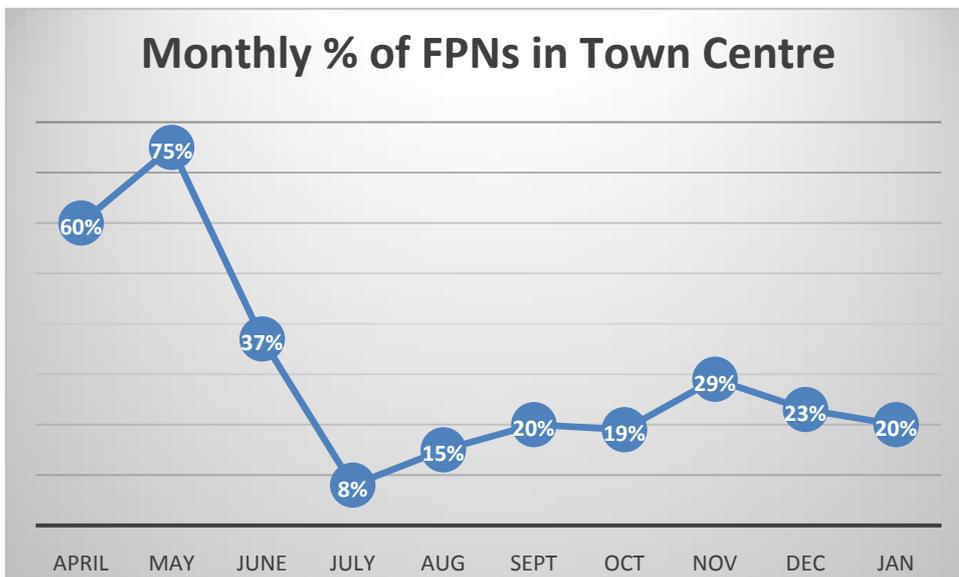


2.3 Despite the improving picture, the target within the SLA (5,000) will not be achieved and the number at the end of the year is likely to be closer to 3,500 FPNs issued. In order to achieve the target within the SLA the quarterly number needs to be around 1,250, which represents a further increase in excess of 50% on the previous and best performing quarter, where 859 FPNs were issued.

2.4 Whilst the highest number of recorded FPNs are still issued within the Town Centre area, enforcement and deployments have continued to be varied across the Borough in order to meet the target within the SLA, which requires 60% of tickets to be achieved outside the Town Centre area. The pie chart below shows the locations where more than 50 FPNs have been issued. Parkgate is referenced in the chart below however it should be noted that enforcement of this nature on private land is no longer conducted through this SLA. Approaches have been made to assess the potential to offer a charged service to private landowners, however so far there has been no interest.



2.5 The chart below shows the percentage of FPNs issued in the Town Centre area and it is pleasing to note that the target has been achieved and, in many cases, over-achieved (no more than 40%). Balance does need to be maintained, particularly as the Council seeks to promote and enhance the Town Centre area.



2.6 Between February 2019 and January 2020, 376 cases of non-payments of fines have been progressed to Court, which represents 13% of all tickets.

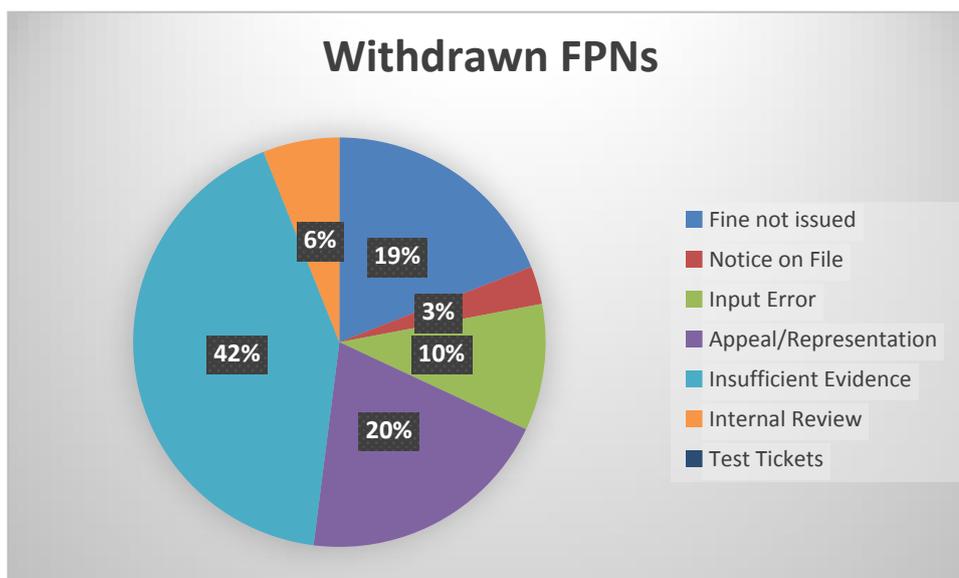
2.7 Whilst the data presents an improving picture, both in terms of tickets issued and the percentage outside of the town centre area, further actions need to be taken to achieve the targets within the SLA. A clear improvement plan will be agreed between the Council and DMBC.

2.8 It is acknowledged by the service that improvements are yet to be made in relation to sharing information with ward Councillors, both in relation to patrols and fines issued. A review is underway of partnership data that supports processes such as tasking and the Community Action Partnerships (CAPs), which are Ward-based meetings between officers and Ward Councillors. The service will aim to provide regular updates through the CAPs process to capture the above information. These would also provide a forum to ensure that Councillors can raise areas of concerns in order to target enforcement patrols, though Councillors can and regularly do contact the service directly which officers continue to encourage.

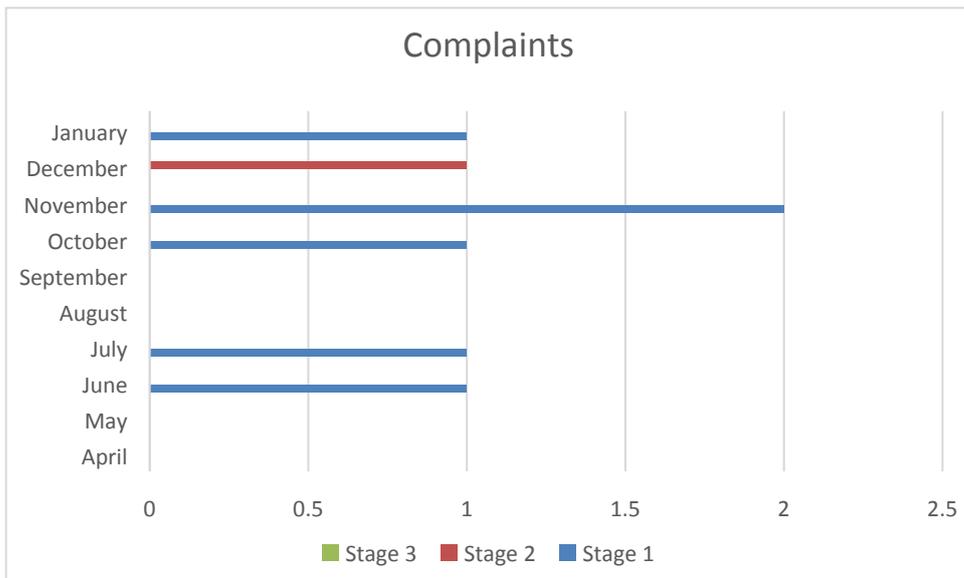
## 2.9 Complaints/Withdrawals

2.10 The number of complaints and FPNs withdrawn after issue are identified performance measures within the SLA, though no targets are set. Since the start of the current financial year 100 FPNs have been withdrawn, this represents just under 4% of all tickets issued.

2.11 The main reason for withdrawal of a ticket is due to insufficient evidence (42% of cases) with 20% withdrawn due to an appeal or representation being made. The following pie chart illustrates the breakdown of withdrawals:



2.12 During this current financial year, 7 complaints have been received. 6 complaints were stage one complaints, which under the SLA are dealt with by DMBC. One complaint was made at stage two, which was dealt with by officers from Rotherham Borough Council. There were no complaints escalated to stage 3. The chart below shows a breakdown of complaints by month.



### **3. Options considered and recommended proposal**

3.1 This report does not propose any decision and therefore alternative proposals not considered.

### **4. Timetable and Accountability for Implementing this Decision**

4.1 As noted above, this report does not propose a decision.

### **5. Financial and Procurement Advice and Implications**

5.1 There are no additional financial implications arising as a result of this report.

### **6. Legal Advice and Implications**

6.1 There are no additional legal implications arising as a result of this report.

### **7. Human Resources Advice and Implications**

7.1 There are no additional HR implications arising as a result of this report.

### **8. Equalities and Human Rights Advice and Implications**

8.1 There are no additional Equalities and Human Rights implications as a result of this report.

### **9. Risks and Mitigation**

9.1 As above, this report does not propose a decision.

### **10. Accountable Officer(s)**

Sam Barstow, Head of Community Safety and Regulatory Services

This report is published on the Council's [website](#).

## Appendix A

### Service Delivery

Contract management arrangements are different for the delivery of enviro-crime and parking enforcement:

- For littering and dog fouling, the contract is wholly managed by DMBC, including the processing of all enviro-crime fines and reminders, debt recovery and prosecution. In addition, DMBC undertake the review of all representations or appeals against fines and responses to formal stage one complaints relating to process or conduct. Delivery includes clear and consistent processes and information throughout, from the initial issue of the fine, through to reminder letters, debt recovery and prosecution.
- For parking enforcement additional resources are provided through the contract, however the processing of Parking Penalty Charge Notices (PCNs) and payments is managed within Rotherham Metropolitan Borough Council's (RMBC's) existing provisions.

The Service Level Agreement details both the performance targets and reporting mechanisms, along with the financial arrangements for revenue distribution, which is driven through:

- Automated and bespoke monthly reports
- Relaying of hotspot and intelligence to inform contract delivery
- Monthly performance meetings with DMBC and the contractor

Key elements of the implementation of the joint arrangements, included:

- A joint communications plan between RMBC, DMBC and the contractor.
- Information provided to ward members through a Member's briefing
- All staff working within the contract received formal training (across several areas, including legislation, tools and powers, expected standards of conduct, safeguarding and operational procedures and protocols.
- Structured standards check by supervisors and administrative control at Doncaster to ensure consistency and appropriate conduct.
- Clearly identifiable branding, with uniforms in keeping with those of the RMBC Wardens and badged jointly with RMBC and contractor logos

### Delivery Targets

The Service Level Agreement contained several specific performance measures, including:

- Number of fixed penalty notices issued, by type (including type of litter, for example cigarette, food wrapper etc.), date and location in the past three months
- Number, location, date and duration of littering and dog fouling patrols by hot spot/post code area
- Number of prosecutions put forward for Court and those heard in Court  Number of Parking PCNs issued, broken down to higher (£70) and lower levels (£50)
- Location and number of Parking PCNs issued by ward
- Number of cancelled and written off fines together with reasons

- Number of complaints including stage 1, stage 2 and stage 3, by issue and finding
- Revenue analysis including payments to the Service Provider, money retained by Doncaster and fees provided to Rotherham in accordance with the Financial Allocation Mechanism in Schedule 4; and
- Gender and age relating to FPNs issued

The Service Level Agreement also contains several important targets and principles, including:

- The issue of 5,000 to 10,000 fines, excluding Parking PCNs, each year
- The issue of up to 1,000 Parking PCNs each year
- The issue of 60% of fines outside of Rotherham town centre
- DMBC will investigate formal complaints up to and including stage 1
- The level of fees payable to Rotherham through a financial allocation mechanism