

# Portfolio Holder decision record sheet

<b>Name of decision makers:</b>	<b>Cllr Julie Banks</b>
<b>Portfolios:</b>	Community and Regulatory Services
<b>Date of Portfolio Holder decision:</b>	XX October 2020

<b>Title of decision:</b>	<b>Littering and PSPO Enforcement</b>
<b>Part II:</b>	<b>No</b>
<b>Part II reason:</b>	

## Decision made and reasons:

To formally approve the decision to use a private contractor to strengthen the Council's enforcement of Littering and various Public Space Protection Orders (Town Centre and Dog Control, Alcohol DPPPO's) across the borough.

## Background

Increasingly local authorities nationwide are turning to this model of enforcement to manage their PSPO's. For example, Bedford Council has been operating this model for several years, and over that period has seen the number of Fixed Penalty Notices (FPNs) issued increase from 450 to 4,000 pa, split 70:30 between littering and PSPO breaches.

The Bedford contractor provides four officers and one team leader exclusively for their PSPO and littering enforcement. Their financial model is based on income share rather than a contractual payment from the Council. The financial risk sits with the contractor who, as a result of their due diligence, must be confident that there is sufficient income share to be gained from FPNs to cover their requirements before submitting a bid.

Currently the Council assigns four high profile enforcement events per year for the enforcement of PSPOs' in the town centre. The other areas are targeted in response to complaints. The proposed model is a more proactive approach to enforcement, intended to bring about sustainable behavioural change across the borough.

The overarching aim is to deliver a service to the council, become a partner to DBC, educate the community to deter environmental crime with daily intelligence led patrols and show a reduction in PSPO, littering, dog fouling and other related complaints.

Initial discussions between officers and potential service providers suggests that the service could generate an annual revenue of £216,330.00 and cost a contractor £187,202.41 to deliver the service, which is a significant investment. The contractor will collect all FPN income using internet, automated telephone, cash (Post Office and PayZone) and manual payment via their operational support team.

The contractor would retain 95% of the generated income and guarantee DBC a service which will be a zero cost to the council and a predicted annual revenue to DBC of £10,816.00. The contractor anticipates a total of 3,848 Fixed Penalty Notices (FPNs) will be issued over the course of the year.

The contract would also offer/facilitate a number of value-added extra benefits, which could compliment the work carried out by the Environmental Enforcement Team.

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In summary DBC will be provided with the following;

1. Environmental Awareness in Schools and Colleges
2. Poster Competitions
3. School Litter Champions
4. Supporting Community Projects
5. Litter picking days in the community (NES Team)
6. Educational Leaflets
7. Bin it to win it Campaign
8. Stubbi Pouches and Bio-Degradable Dog Bags
9. Participation in neighbourhood action and parish council meetings

## Next steps

The next step would be to put together a tender for the contract initially for the period of one year. We can then use the data from the first year to review the Public Space Protection Orders in July 2022.

## Reports considered:

## Officers/Councillors/Ward Councillors/Stakeholders consulted:

Portfolio Holder (Community & Regulatory Services)  
Portfolio Holder / Chief Officer Group  
Corporate Director (Finance and Operations)  
Assistant Director (Corporate and Contracted Services)  
Assistant Director (Neighbourhood Delivery)  
Group Manager (Environmental & Community Protection)  
Group Manager (Legal Services)  
Team Leader (Procurement Team Leader)

## Monitoring Officer comments:

**Deputy Chief Finance Officer  
comments:**

## Financial Implications:

The contract is likely to make a modest income for the Council around £10K per annum.

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**Risk:** There is no financial risk to the Council as these contracts are operated on an income share basis. There is the potential depending on the non-payment of FPN's for there to be an increase in the workload of the ECP Officers and Legal Services Officers to pursue non-payment.

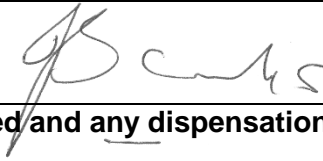
**Value for money:** There is no net cost to the Council to introduce the proposed scheme.

**Options considered and reasons for rejection:**

Continue with the enforcement model as it is. This takes time away from officers dealing with more complex cases and organised crime such as Fly-tipping.

**Portfolio Holders signatures:**

**Date:** 20<sup>th</sup> October 2020



**Details of any interests declared and any dispensations given by the Standards Committee:**

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Date decision record sheet received from portfolio holder:

Date decision published:

Decision no:

Date of expiry of call-in period:

Date any call-in received or decision implemented:

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