

REPORT



REPORT OF	MEETING	DATE	ITEM NO
CUSTOMER & OPERATIONAL SERVICES	COMMUNITY FOCUS SCRUTINY COMMITTEE	APRIL 14 TH 2011	5

WASTE ENFORCEMENT

Public item

This item is for consideration in the public part of the meeting.

Summary

The report provides details of the approach to waste enforcement, the current activity and the planned future changes designed to ensure that waste enforcement supports a cleaner and greener Fylde. Waste enforcement covers dog related, litter and refuse related enforcement.

Recommendations

1. That the Committee scrutinise the details provided in the report and make any proposed recommendations or suggestions to the Portfolio Holders and officers responsible for delivering the services.
2. That the Committee support the allocation of resources to enforcement and the change in focus of the dog service away from welfare and education.
3. That the Committee agree to a performance report on the impact of the new measures in respect of dog fouling enforcement when they have had the opportunity to be fully implemented (8 to 12 months).
4. That Committee members champion the reporting of waste enforcement offences in their local community to support the limited resources available to address a borough wide issue.

Portfolio Holder

The Cabinet Portfolio Holder for Customer & Operational Services is Councillor Albert Pounder.

Continued....

Report

1. This report has been produced at the request of the Committee for an update on the waste enforcement services and resources.
2. The waste enforcement responsibilities in the Customer & Operational Services Directorate include dog fouling, litter and refuse related offences. The team provide support and work closely with the Environmental Enforcement officers in the Community Services Directorate that is responsible for fly tipping, rubbish accumulations, fly-posting and littering.
3. The Waste Enforcement Team was established in 2009 as part of a restructure in Operational Services. No additional resources were available to set up the team but the roles and responsibilities of several existing post holders were changed to create a team that is focused on enforcement as part of a waste prevention and minimisation strategy.
4. The dog warden responsibilities remained unchanged at this time and the posts are still designated as Dog Welfare Officers with a strong focus on welfare and education as part of a preventative approach. This had been developed some years earlier in response to a series of recommendations made by an Overview and Scrutiny task and finish group.
5. In September 2010 evidence suggested that the Dog Welfare approach was not having an impact on the minority of irresponsible dog owners that allow a significant amount of dog fouling to occur across the borough. Complaints and feedback from residents and elected members was increasing and there was little or no evidence of enforcement. In October 2010 the Cabinet instructed the Customer and Operational Services Director to reallocate all dog welfare service resources and any other support resources to enforcement and away from welfare and education. Support for this approach was reiterated by the Overview and Scrutiny committee in the recommendations made as a result of the budget preparation work in January 2011.
6. The changes needed to establish a service that can meet the current demand required updated job descriptions and person specifications as well as significant changes to the operational terms and conditions of the existing Dog Welfare posts. These changes included working outside of office opening hours and weekends as well as the need for a flexible and responsive approach to the enforcement role in order to target areas or offenders based on intelligence. The service delivery changes proposed will not require any additional budget.
7. In order to make these changes it was necessary to undertake the required consultation period along with a selection process to the new posts of Dog Enforcement Warden. This process has recently been completed and the new arrangements will be in place from April 18th 2011. Appendix 1 includes a copy of the final report published after consultation.
8. Other changes are being made to ensure that the maximum impact will be achieved from the enforcement resources available to address the dog fouling issues across the borough. These changes include the co-ordination of all the

9. Further measures already in place include closer working through PACT groups and their representatives. The co-ordination and sharing of reports, complaints and feedback through the Senior Waste Prevention and Enforcement Officer will deliver greater impact. Presentations have been held at PACT meetings to outline the new approach but also to outline the role that members of the community take to help address the problem of irresponsible owners. This includes reporting every incident so an in depth and accurate picture of the current challenges is always available and where willing provide sufficient detail to allow retrospective warning letters and if possible penalty notices to be issued.
10. It is too early to properly assess the impact that these changes will have on the dog fouling issues currently evident across the borough. The regular monitoring of incidents and the valuable feedback from PACT meetings and PCSO's as well as data from employee activity will determine the impact of these measures. A commitment will be made to come back to the Committee when the new arrangements have been implemented and had the opportunity to take effect. The arrangements will be subject to ongoing review as part of the best practice approach when introducing any change measures.
11. Further developments in respect of the dog warden service will be investigated in the coming months including the issue of enforcement as part of the previously proposed update of the existing bye-laws, covering dogs being allowed to run off their leash in designate locations. This is an issue that members have previously looked at as an option and has recently been the subject of feedback and enquiry through the PACT meetings and customer service team. This is one example of how the service will be flexible and responsive to changing demands.
12. The other aspect of waste management enforcement in the Customer & Operational Services Directorate has been around refuse and litter. The restructure in 2009 created from existing resources two Enforcement Officer posts in the waste prevention team. The officers have authorised powers to issue penalty notices for illegally deposited waste, littering and failure to produce documentation for commercial waste arrangements.
13. Since the team was established in October 2009 they have been involved in a number of projects in specific locations to tackle refuse and litter related problems including the illegal dumping of waste (sacks of waste), leaving bins out at all times and littering offences. Areas worked in to date include Kirkham, (Kirkham North and Kirkham South ward), Lytham (St John's and Clifton ward), St Annes (Central

14. The team work on known 'hot spot' and problem areas based on ongoing reports and feedback from a wide range of sources, they work closely with community groups and PACT teams as well the Environmental Enforcement officers. This approach supports the maximum use of the resources available and is the same principle that will be applied to the dog fouling enforcement arrangements from April 2011.

15. To date the team has issued over 2,000 warnings to offenders and 13 penalty notices that have generated £300 (£1, 600 pending) income. More importantly the outcomes have benefitted hundreds of residents and supported the clean up several problem areas contributing significantly to a cleaner borough. Appendix 2 includes some examples of the before and after evidence of waste enforcement initiatives.

IMPLICATIONS	
Finance	There are no direct financial implications arising from the report.
Legal	There are no direct legal implications arising from the report.
Community Safety	There are no direct community safety implications.
Human Rights and Equalities	There are no direct human rights and equalities implications arising from the report.
Sustainability	There are no direct sustainability implications arising from this report.
Health & Safety and Risk Management	There are no direct health and safety or risk management implications arising from the report.

Report Author	Tel	Date	Doc ID
ALLAN OLDFIELD	(01253) 658576	MARCH 30TH 2011	

List of Background Papers		
Name of document	Date	Where available for inspection

List of appendices

Appendix 1: The Dog Control Enforcement Service Proposals – Final Report

Appendix 2: Waste Enforcement Projects: Example Bins on Rear Streets Action

Our Ref: DGEFP0211

Your Ref:

Please ask for: Jamie Dixon

E-mail: jamied@fylde.gov.uk

Date: 4th April 2011

Dear Colleague,

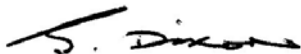
FINAL REPORT - DOG CONTROL ENFORCEMENT SERVICE

Please find enclosed a copy of a final report and supporting documents that outline changes to the dog control service at Fylde Borough Council to be implemented from 4th April 2011.

It is the Council's policy to avoid compulsory redundancies whenever possible, and it is our intention to follow the ring fence procedure to fill new posts that are created as part of the new structure from internal candidates wherever possible. Details of the selection process including ring fenced posts are included in the report.

Service changes can cause concern and anxiety for some employees and this is recognised by the management who will offer all the support and advice necessary to ensure that everyone is treated fairly and equally. Employees are encouraged to raise any concerns at the earliest opportunity and discuss them with their line manager or a HR representative.

Yours sincerely,



JAMIE DIXON
ASSISTANT DIRECTOR OF OPERATIONAL SERVICES

jamied@fylde.gov.uk

01253 658632

DOG CONTROL ENFORCEMENT SERVICE

1. PURPOSE OF THE REPORT

The purpose of this report is to outline proposed changes to the dog control service that are required to provide greater enforcement activity and address one of the major anti social behaviour issues in the Borough.

The key drivers for the service changes proposed is a clear remit from elected members and feedback from residents to see more enforcement in the local community. This has to be achieved within existing resources because the current financial position of the Council means there are no additional resources.

The report provides details of the proposed changes to the service that include a reduction in the responsibilities of the existing posts of Dog Welfare Officers with the changes being made to service delivery to ensure that the resources can be dedicated to enforcement.

2. RECOMMENDATIONS

- a) To delete from the establishment the post of Dog Welfare Officer.
- b) To create the post of Dog Enforcement Warden focused on statutory duties (dangerous dogs and stray dogs) and enforcement.
- c) To implement new service delivery and working arrangements which meet the requirements of the service including extended and annualised hours.
- d) To implement the selection and recruitment process for the Dog Enforcement Warden post.
- e) To have all changes implemented and appointments made for 2nd May 2011.

3. BACKGROUND

Dog fouling has been highlighted as a significant anti-social behaviour problem in the borough through PACT meetings, elected members and residents with the demand for enforcement action has escalated. In some local communities it is claimed to be the number one anti social behaviour problem they have. In response to this the Cabinet and the Overview & Scrutiny Committee has recommended, and provided clear instruction, that the service should be solely focused on enforcement and statutory duties.

4. RATIONALE FOR CHANGE

All services are continually under review and changes are made when the need is identified and a commitment has also been made to the Council as part of the Modernisation Strategy that the services will be efficient and demonstrate value for money. The need to focus the dog warden service on enforcement and the statutory responsibility to deal with dangerous dogs has been clearly evidenced by recent feedback from stakeholders, this is the key driver for the service delivery

and working arrangement changes proposed in this report. The service must be flexible and responsive to changing needs.

The Dog Welfare Service currently operates with 1.3 FTE resources (48.5 hours per week) and has previously been focused on welfare, education and enforcement. The emphasis has been primarily on welfare and as such the posts are currently designated Dog Welfare Officers.

A clear remit has been provided by the elected members, through Cabinet and the Overview and Scrutiny committee, based on feedback from the local community, that the service must focus on enforcement as the top priority. To achieve this within existing resources and maximise the enforcement capacity all welfare and education responsibilities including micro chipping dogs will be ceased and the service dedicated to statutory duties (dangerous and stray dogs) and enforcement activity.

There will also need to be changes proposed to service delivery and working arrangements for the new role of Dog Enforcement Warden in order to deliver a service that can meet the expectations and needs of elected members and the local community.

The removal of the education, welfare and micro chipping responsibilities removes a significant number of the existing duties and responsibilities from the current Dog Welfare Officers post. A new job description will be worked to that excludes responsibilities around education and welfare and the title of the post will reflect the remaining duties focused on enforcement. A copy of the new job description is included in Appendix 1 to this report along with an updated person specification that places greater emphasis on enforcement skill and experience.

The working patterns and arrangements for the Dog Welfare Officers is inconsistent with those required for a service focused on enforcement where it is necessary to have a presence outside of normal working hours. To retain Dog Welfare Officers that only operate during normal working hours is an inefficient use of resources and fails to meet the needs of the service. A number of different arrangements will be applicable to the Dog Enforcement Warden post including:

- Availability Monday to Sunday with working arrangements often based upon identified problem areas and the enforcement requirements of the service
- The post holder will be required to be predominantly 'out in the community' providing the enforcement role
- The post will operate to annualised hours through-out the year, with the requirement to work at least two early mornings (from 7am) or late evenings (until 7pm) per week during the peak months between 1st March – 31st October inclusive
- The post holder(s) will be required to work at least one weekend per month when necessary
- The ability to be flexible and to change working patterns in response to identified service needs will be essential
- To maximise service delivery the resource will be spread across the week as much as possible

- Administrative responsibilities will be reduced to a minimum based on enforcement, stray dogs and dealing with dangerous dogs
- The post will not operate to the flexible working hours scheme

In order to further maximise the enforcement capacity across the Council the Senior Waste Prevention and Enforcement Officer will be responsible for co-ordinating service activity and resources based on demand. This will require close co-ordination and regular briefing with a number of other employees that have the designated authority to issue enforcement notices in respect of dog fouling. Records show that enforcement has been carried out by these employees based in the local community and they will work closely with the Dog Enforcement Warden.

5. RESOURCE IMPLICATIONS

5.1 Financial Implications

There will be no additional cost to the service as a consequence of these changes but there remains an ongoing requirement across all service areas to continuously improve value for money and achieve efficiency savings. Establishing a dedicated enforcement service that meets the identified needs of the service will deliver improved value for money.

5.2 Human Resource Implications

Job Descriptions

The revised job description and the updated person specification for the Dog Enforcement Warden are included in Appendix 1.

The Dog Enforcement Warden job description is a reduction of the Dog Welfare Officer post with the welfare, education (school / community visits) and micro chipping responsibilities removed.

Although the *range* of responsibilities and duties has been reduced the *level* of responsibility remains unchanged and as such the remuneration for the post will remain at the existing level scale 3. The person specification has been updated to reflect the competencies required for working in a modern organisation and the skill and experience focused on enforcement.

The Dog Welfare Officer post will be deleted from the establishment and the Dog Enforcement Warden post created. There will be no reduction in the total resource of 48.5 hours. A recruitment and selection procedure will be put in place for the new posts of Dog Enforcement Warden because of the significant change in the service delivery and working arrangements required for the post and the updated competencies applicable to the post.

The two staff currently employed as Dog Welfare Officers will be ring fenced and invited to apply for the new post of Dog Enforcement Warden. The selection procedure will involve a formal interview and a short assessment to test ability and understanding of the enforcement role. The selection process will be an opportunity to fully articulate and understand the service delivery and working arrangements. The current employees will not be required to complete an application form or personal profile but will be required to formally express their interest in the new post by notifying their line manager (Sarah Wilson, Senior Waste Prevention and Enforcement Officer).

Staff Consultation

All employees affected by the proposed service delivery changes have been consulted in accordance with the agreed procedures in place at Fylde. Consultation opportunities specifically include one to one and group briefings at the employee's request. The changes to the service delivery are required to meet the changing needs of the service every effort will be made to introduce the changes in partnership with the employees concerned.

Establishment Changes

The following post will be deleted

- Dog Welfare Officer x 1.3 FTE

The following post will be created

- Dog Enforcement Warden x 1.3 FTE

6. REDUNDANCY & REDEPLOYMENT

The redundancy and redeployment policies adopted by Fylde Borough Council will be used in the event that any redundancy situation arises as a result of the proposed changes. Copies of the policies and procedures for redundancy and redeployment are posted on the Council's intranet.

7. CONTACT DETAILS

Employees can, and are encouraged to, arrange to have one to one or group meetings to discuss the proposed changes or submit questions at any time. Employees have the right to be accompanied by a trade union representative or a work colleague of their choice at any meetings held as part of the consultation procedure.

All initial contact should be made through the Assistant Director of Operational Services (contact details are included below).

Jamie Dixon: Assistant Director of Operational Services **01253 658632**
jamied@fylde.gov.uk

The primary HR Team contact dealing with the restructure is Vanessa Machen who can be contacted on **01253 477200** or vanessa.machen@blackpool.gov.uk

List of Appendices

Appendix 1 – Dog Enforcement Warden Job Description and Person Specification

Appendix 2 – Time Table for Implementing the Service Changes

APPENDIX 1- Dog Enforcement Warden Job Description & Person Specification

 FYLDE BOROUGH COUNCIL JOB DESCRIPTION	
Post title:	Dog Enforcement Warden
Section:	Waste Prevention & Enforcement Team
Department:	Customer & Operational Services Directorate
Responsible to:	Senior Waste Prevention and Enforcement Officer
Responsible for:	N/A
Grade:	Scale 3
Hours of Work:	At least two early mornings (from 7am) or late evenings (until 7pm) per week during the peak months between 1 st March – 31 st October inclusive. At least one weekend (Saturday / Sunday) per month when necessary.
Car User Status:	Van provided (during working hours only)
Other Payments:	None

PURPOSE OF THE JOB

- To undertake the statutory dog control functions of the Council including strays, dangerous dogs and enforcement.
- To undertake the investigation and enforcement of issues which may give rise to dog fouling of community areas or facilities.

MAIN DUTIES AND RESPONSIBILITIES

- To act as enforcement warden in respect of all relevant dog control legislation in operation in the Borough including the collection of evidence (e.g. removal, identification and preservation of faeces and witness statements for court exhibits, the administration of fixed penalty schemes and appearances at court)
- To identify, seize and ensure the proper impounding of stray dogs and to respond to complaints of stray dogs.
- To monitor the condition of dogs during impoundment and to assist members of the public in identifying seized dogs.
- To support the police, town and parish councils and other relevant organisations on dog control issues.
- To carry out routine patrols throughout the Borough and deal with breaches of relevant legislation.
- To report associated problems relating to environmental quality (e.g. littering and fly tipping).

- To maintain a good working knowledge of appropriate legislation within the remit of the Dog Enforcement service.
- To prepare and issue correspondence as necessary.
- To maintain appropriate records in relation to the Dog Enforcement Service.
- To ensure that vehicles and equipment are maintained in good working order and clean condition.
- To undertake training appropriate to the duties of the post.
- To carry out the process for dealing with dangerous Dogs under the Dangerous Dogs Act 1991.
- Scanning animal carcasses. (Dogs and cats).
- Upkeep and remuneration of the Council's Kennelling fees.
- Removal and Disposal of contaminated animal waste from vehicles.
- To report dog control signage & dog bins throughout the Borough that are damaged.
- To undertake any other duties as may be commensurate with the level of the post.

April 2011

This is a description of the job, as it is constituted at the date shown. It is the practice of this Authority to periodically review employee job descriptions and to update them to ensure that they relate to the job as then performed, or to incorporate whatever reasonable changes are being proposed. Each manager in consultation with those working to him/her jointly conducts such reviews and you will be expected to participate fully in such discussions.

PERSON SPECIFICATION

Post title:	Dog Enforcement Warden
Section:	Waste Prevention & Enforcement Team
Department:	Customer & Operational Services Directorate
Grade:	Scale 3

Essential Competences

1. Decision Making

Ability to make appropriate operational decisions with confidence and in accordance with laid down procedures and regulation.

2. Performance Monitoring

Ability to achieve targets and deadlines for service delivery.

3. Communication & Relationships

Ability to hold open and frank discussion, show respect and maintain positive and productive working relationships.

4. Pride & Integrity

Demonstrates behaviours that promote a positive reputation for the authority and adopt a professional and respectful approach at all times towards colleagues, customers and partners.

5. Customer Focus

Demonstrates exceptional customer care to internal and external customers to meet their expectations from service delivery.

6. Teamwork

Ability to build working relationships based on trust, respect, sharing, co-operation and mutual support.

7. Health & Safety

Demonstrates an understanding and compliance with all prevailing health and safety requirements.

8. Equality & Diversity

Demonstrates an operational understanding of the equalities agenda and actively promotes and supports equal opportunity and dignity for all.

Essential Skills, Knowledge & Experience

- The ability to deal tactfully and firmly with members of the public
- Ability to use computers and use common software packages including Microsoft Office

- Knowledge of dog control enforcement systems and approaches
- The ability to maintain records and generate correspondence
- The ability to organise and plan fluctuating workloads
- Relevant dog handling experience
- Possession of a current driving license
- Able to work outside normal office hours as part of the role

Desirable Skills, Knowledge & Experience

- Previous experience of enforcement related work
- Knowledge of relevant legislation

Final Report

APPENDIX 2 - TIMETABLE FOR IMPLEMENTATION

The timetable below is a provisional proposal and may be revised and updated in response to feedback during the consultation period although every effort will be made to ensure that timetables are adhered to. Any subsequent changes to the timetable will be communicated to all the employees involved in the process.

DATE	ACTION
4 th April 2011	<ul style="list-style-type: none">◆ Final service delivery changes published after consultation feedback
8 th April 2011	<ul style="list-style-type: none">◆ Current employees to formally express their interest in the new post by notifying their line manager (Sarah Wilson, Senior Waste Prevention & Enforcement Officer) in writing stating the hours per week they can work
W/C 11 th April 2011	<ul style="list-style-type: none">◆ Selection interviews and assessments held◆ Appointments to Dog Enforcement Warden posts
2 nd May 2011	<ul style="list-style-type: none">◆ New service delivery arrangements start
4 th April 2011 to End Date of Notice Period	<ul style="list-style-type: none">◆ Appeals process◆ Redeployment options considered◆ Retraining & support needs defined
End date of individual notice periods	<ul style="list-style-type: none">◆ Employees nominated for redundancy are provided with final confirmation of termination of employment and redundancy payment