

REPORT FROM: ASSISTANT DIRECTOR OPERATIONAL SERVICES

TO: EXECUTIVE

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**PROVISION OF ENFORCEMENT SERVICES FOR PSPO OFFENCES,
LITTERING, FAILURE TO CLEAR DOG FOULING AND LITTERING FROM
VEHICLES**

PURPOSE OF REPORT:

To advise the Executive on District Enforcement's withdrawal from the agreement to deliver enforcement and behavioral change services for Pendle Borough Council and to advise Members on the current internal review of enforcement activities.

RECOMMENDATION











- (1) That the report be noted
- (2) That an update be provided to a future meeting on completion of the internal review of enforcement activities.

REASONS FOR RECOMMENDATIONS

- (1) To support delivery of the Council's Corporate plan and in particular its priority to create proud and connected communities and places.
- (2) To support the Council in delivering services that remain a priority for local people. Clean streets.

1. The Council tendered the service for the provision of enforcement services to tackle litter, dog fouling and public space protection contraventions across the Borough in May 2022.
2. Three companies submitted tenders these being:
 - District Enforcement Limited
 - Waste Investigations support and Enforcement Limited (WISE)
 - National Enforcement Solutions Limited

3. Following evaluation of the submissions we reported to the Policy and Resources Committee in May 2022 that District Enforcement Limited was the overall highest scorer and in accordance with Contract Procedure Rules their tender had been accepted and the contract was awarded.
4. The new agreement commenced on Monday 4th July 2022 and was expected to run for a period of 3 years with an option to extend the agreement for a 12 month period at the end of the 3 years.
5. From the outset of the agreement District Enforcement Limited struggled to recruit and retain enforcement Officers resulting in Pendle not being provided with the level of resources required to carry out the number of patrols and behavioural change activities we expected.
6. The performance of the service provider was discussed during monitoring meetings and requests for remedial actions were raised. Unfortunately performance did not improve.

...	Code & Title	Gauge	Value	Target
●	ES 2a Number of Environmental Crime FPN's issued for littering		710	1,350
●	ES 2b Number of Environmental Crime FPN's issued for failure to clear fouling		8	11
✓	ES 3 Number of Environmental Crime FPN's issued for allowing dogs to be off leads ...		36	22
●	ES 6 Satisfaction of services provided to Town and Parish Councils to be monitored		54.50%	100.00%
●	ES 7 Percentage of users who rated the Council's overall sports facilities as at least ...		36.30%	75.00%
●	ES 8a Number of informal warnings issued to support future behavioural changes (Li...		15	75
●	ES 8b Number of informal warnings issued to support future behavioural changes (F...		2	3
●	ES 8c Number of informal warnings issued to support future behavioural changes (D...		0	39
●	ES 8d Number of informal warnings issued to support future behavioural changes (D...		0	3
●	ES 8e Number of informal warnings issued to support future behavioural changes (F...		0	3

7. Council Officers met with District Enforcement representatives on 16th January 2023 and were advised that the company were reviewing all enforcement contracts.
8. On Thursday 3rd February following the conclusion of the review we were verbally advised that District Enforcement Limited would be withdrawing from contracts with Pendle Borough Council, Rossendale Borough Council and Wyre Borough Council.
9. District Enforcement Limited will continue to deliver services to Blackburn and Darwen Borough Council.
10. Environmental Services as was received formal notification that District Enforcement would be withdrawing their services from 31st March 2023.
11. District Enforcements decision to terminate the agreement impacts on Operational Services ability to support the Council in delivering priorities within the corporate plan.
12. The recent community engagement programme identified that 3 in 5 Pendle residents are satisfied with their local area as a place to live and residents feel countryside and clean streets make somewhere a good place to live. We further learnt that clean streets are also the area residents feel are most in need of improvement and some residents feel the community should take more pride in their areas.

13. Priority 1 within the corporate plan states that we will develop behaviour change campaigns to encourage responsibility and pride in local communities including picking up litter and taking care of our parks.
14. In an attempt to improve the local environment the Council has recently renewed Public Space Protection Orders following public consultation in January 2022. The orders were created in response to growing concerns regarding anti-social behaviour within our parks, cemeteries and sports pitches.
15. Operational Services employ a small team of enforcement Officers whose duties include dealing with PSPO offences, detaining stray dogs and investigation of flytipping offences. The team is not big enough to take on the patrols District enforcement would have made without significant impact being made to behaviour change projects and investigations into higher level environmental offences.
16. Should the Members wish to continue with proactive enforcement and education activities at the level prior to the COVID pandemic additional resources will be required. Options to deliver such a level of service could include increasing internal resources, re-tendering of the service or seeking funding from Town and Parish Council's to support creation of new environmental wardens. Such options would need considering at a later date.
17. We are advised that a formal tendering exercise would need to be completed should any decision be taken to re-tender the service.
18. On a positive as the tendering exercise has only recently been delivered, we are in a position to quickly advertise for a service provider via a formal tendering exercise.
19. The Council is currently reviewing the delivery of enforcement activities. A further report will be provided to Members should any recommendations requiring their approval come from the review.

IMPLICATIONS

- Policy:** The withdrawal of enforcement services impacted on the Council's policies and in particular monitoring of PSPO's across the Borough
- Financial:** The current contract was expected to create an annual income of £62,000 based on pre pandemic levels of activity.
- Legal:** None arising from the report.
- Risk Management:** Current resource levels will not be sufficient to patrol, educate and enforce against alleged offenders without impacting on higher level offences or behaviour change projects.
- Health and Safety:** None arising from the report.
- Sustainability:** Current resource levels will not be sufficient to patrol, educate and enforce against alleged offenders without impacting on higher level offences or behaviour change projects
- Community Safety:** Without proactive patrols being carried out we may see an increase in low level environmental offences such as littering, failure to clear fouling and dogs being allowed off lead in restricted areas occurring.

Equality and Diversity: None arising from the report.