

# Neighbourhood Services & Community Involvement Scrutiny Commission Report

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**City Warden Service**

Assistant City Mayor, Councillor Sarah Russell

Lead Director: Adrian Russell

20th August 2013

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**City Mayor**

## Useful information

- Ward(s) affected: All
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### 1. Summary

This report, which will be supplemented by a presentation to the Commission, summarises changes to the City Warden Service following a review recently undertaken by the Director of Environmental & Enforcement Services.

### 2. Recommendations

The views of the Commission are sought on the future working arrangements and priorities for the City Warden Service.

### 3. Report:

A review of services within the Environmental & Enforcement Services Division was undertaken with the following objectives:

1. To deliver previously agreed budget savings (£870,000 in 2013/14, rising to £955,000 in 2014/15) through management rationalisation.
2. To adapt the divisional organisational structure to accommodate incoming services (Leicester Anti-social Behaviour Unit, the Community Safety Team, highways enforcement functions, the parking enforcement service and the PCN & Permit Team).
3. To introduce a new management and organisational structure and new ways of working that can improve efficiency, service quality and in particular, to ensure better joined-up working between the wide range of regulatory and enforcement services within the Division.
4. To provide a more flexible structure that is better able to respond to strategic priorities and future budget pressures.
5. To ensure that all regulatory and enforcement services can better link into the new neighbourhood working arrangements.
6. To provide improved support to local businesses (especially new start-up SMEs) and thereby improve regulatory compliance.
7. To take advantage of the opportunities arising from co-locating all of these services to a new office base.

As an outcome of the review a new model for the council's regulatory and enforcement Services is in the process of being implemented, recognising two distinct but complementary types of regulatory/enforcement services:

- Patrolling Services
- Specialist Teams

### **Patrolling Services: The City Warden Service**

This service was established with the aim of improving the quality of the local environment through education, community engagement and enforcement. In particular, City Wardens were empowered to issue fixed penalty notices (FPNs) for littering and other new environmental/ASB offences under the Clean Neighbourhoods & Environment Act. They were also charged with local problem-solving, which often involved working collaboratively with other enforcement services across the council, the Police and other agencies.

The service has been broadly successful in working with local communities to securing improvements to the local environment and establishing itself as an effective and very productive front-line, uniformed, "on the street" enforcement service. Having a fairly open remit, this has enabled them to be responsive and capable of being flexibly deployed, for example to enforce byelaws relating to spitting, to rapidly respond to local issues of concern (e.g. a spate of bin/rubbish fires in a small area of the city) or to provide support to other services, e.g. Trading Standards undertaking a major raid. The same principle applies to non-enforcement work, e.g. the valuable work they undertook in 2012 on the day of the EDL march and during the Olympic Torch relay, as a uniformed presence able to advise and assist members of the public.

However, some of their achievements were limited by their specific remit and role. This is perhaps best illustrated by their work within the city centre, where they were empowered to tackle littering and other waste-related offences. However, other key city centre problems remained the enforcement responsibility of other services, e.g. noise from buskers & preachers, street trading, A-boards, oil spillages on the granite paving, etc. In these instances, City Wardens could only refer these matters to the other relevant service, even though these were often fairly straightforward enforcement processes, requiring only limited specialist knowledge.

Linked to this was one of the common sources of frustration of City Wardens, where a problem was reported to another service within the council, but that service failed to respond, for whatever reason; the more distant the other service was within the organisational structure of the City Council, the more difficult it tended to be to overcome such problems.

The aim of the review changes are to build upon the successes of the City

Warden Service and develop the service within a new enforcement model, the key principles of which will be that City Wardens:

1. Will be the council's primary front-line, "on the street", uniformed, enforcement service.
2. Their remit will be extended, to enable them to tackle as many straightforward, "on the street" matters and routine neighbourhood complaints as possible.
3. Will continue to be ward-based, with ward councillors, local communities and other agencies always have a named warden as their local point of contact. They would attend ward community meetings as a matter of routine and would act as the key point of contact for all of the Division's enforcement services at these meetings
4. They will have a direct link into all other specialist enforcement services and will be provided with sufficient training to have a sound understanding of the role, remit and priorities of those services.
5. They will actively refer matters to the Council's specialist enforcement services, where appropriate, acting as the "eyes & ears" of other services, including the Police, where appropriate.
6. They will also be responsible for identifying new business premises as soon as they open, thereby enabling business regulation and support services to engage with new businesses at the earliest opportunity.
7. They will be regularly briefed by the specialist enforcement services and will be capable of being tasked by those services.
8. A number of highways enforcement duties are being transferred to the service, including skip & scaffolding permits (as with pavement café licences, the issuing of these permits will be administered by the Licensing Team, but would be enforced by City Wardens). Fees have been introduced for such permits, so as to generate an income stream that can fund this enforcement work through the provision of additional City Wardens.
9. They will be given a wider remit within the city centre, managing street activities (buskers, preachers, street traders, etc.) and ensuring that a dedicated telephone contact number is available during core trading hours. As previously agreed sufficient funding for one additional City Warden has been transferred from Noise & Licensing budgets to fund this work.
10. Tackling rubbish-related problems in local communities will remain a key responsibility of City Wardens. As previously has been the case, they will liaise closely with Cleansing Area Service Managers in relation to rubbish on public land, but responsibility for rubbish on private land (approx. 1,000 complaints p.a.) will transfer to the City Warden Service, supported by "back office" support staff, who will establish land ownership and serve the necessary statutory notices and arrange for default works where needed (in a far more expedient & efficient manner).
11. Efforts will be made to maximise the use of Cleansing Services' Rapid Response Team for works in default (i.e. works rechargeable to land owners/occupiers) so as to help provide an on-going income stream to support that team, which is currently funded on a short-term basis only.
12. City Wardens (and their support team) will also deal with low-level

“eyesores” more proactively using powers under Section 215 of the Town and Country Planning Act 1990 to tackle land and buildings that adversely affect the amenity of the area. They may also be able to undertake some of the low-level planning enforcement work, thereby freeing-up the Planning Enforcement Team for more complex enforcement work.

13. On a phased basis over the next 12 months, City Wardens will begin to undertake some low-level, community safety work in liaison with the Community Safety Team, which has been reduced in size as a consequence of previous budget decisions.
14. There is also scope for extending the remit of City Wardens to deal with problems on parks. Recent joint working involving Parks Officers and City Wardens proved very effective in tackling geese feeding problems on Watermead Park. More recently a dedicated Parks-based City Warden has recently been recruited to pilot a new approach to managing behaviour-related problems on Bede Park. Depending on evaluation of this pilot project, there may be scope for retaining and/or recruiting additional Parks-based City Warden posts.
15. Consideration is also being given to providing a number of mopeds or (electric?) bicycles to City Wardens when working in outer wards, so as to improve their productivity and responsiveness.

The Enviro-crime Team is also being embedded within the City Warden Service, with this small team effectively becoming a “special investigations” resource that can support all other enforcement services (e.g. Trading Standards (door-step crime, anti-counterfeiting, etc.) and LASBU (where evidence of ASB is often hard to obtain). However, in view of the fact that flytipping and other enviro-crime will inevitably remain their primary focus, it was logical for this service to be incorporated into the City Warden Service.

Whilst an extended remit for City Wardens, with the service operating within a more joined-up enforcement framework, has many advantages, it has to be recognised that the level of resourcing (i.e. the number of wardens) will be a critical factor; the more resources that can be re-directed into the City Warden service, the more the service is likely to be able to deliver.

The existing base budget funding provided for a Manager, 2 Senior Wardens and 9 City Wardens. As a consequence of the review, funding for additional wardens has been secured as follows:

- One Warden funded from the Noise/Licensing budget transfer
- Two Wardens funded from Waste Management budgets
- One Warden from the transfer from AEH of rubbish on private land work
- Two Wardens funded from highways licensing income

This provides an increased budget for the City Warden service, sufficient to provide a Manager, 2 Senior Wardens and 15 City Wardens. Bearing in mind the enhanced role and significant additional workloads proposed, it will be challenging for the service to deliver all of these expectations with a team of this size; three additional posts over-and-above this would probably better enable the service to meet the anticipated workloads and service demands.

However, in view of the financial pressure facing the City Council it is felt prudent not to further increase the size of the service at present, or at least until the impact of these service changes has been assessed. Resourcing levels will be monitored carefully by senior managers, reviewing the demarcation lines between City Wardens and specialist enforcement teams, and adjusting the respective levels of resourcing where necessary.

Consideration is also being given to establishing an Education Officer post, funded from FPN income. This would recognise the fact this type of work requires a high level of communication skills and would free-up more City Warden time for enforcement duties.

### **Patrolling Services: Parking Enforcement**

The parking enforcement service was brought in-house on 1st February 2013. One of the main reasons for this decision was to enable the service to be integrated more with other council enforcement services and the council's City Warden service in particular

Prior to this transfer, it had already been decided that the parking enforcement service would deal with littering and dog fouling problems as encountered in the course of their patrols, issuing Fixed Penalty Notices (FPNs) and delivering the increased income agreed in the last budget strategy (£25K in 2013/14, rising to £50K in 2014/15). This should significantly increase the level of litter and dog fouling enforcement undertaken, reducing the need for City Wardens to undertake routine litter patrols in areas patrolled by the parking enforcement service. However, many areas of the city, including littering hot-spots such as the pedestrianized areas of the city centre, are not subject to parking controls and hence would not be covered by their patrols.

It was also decided to transfer the Parking & Permit Team (effectively the parking enforcement back-office team) to the Environmental & Enforcement Services Division, so as to allow for much closer working relationships between the on-street and back office teams.

In the short-term (i.e. for the first 6-9months after the transfer of these teams), the immediate priority is to manage the transition of these services to the Division and ensure good working arrangements between the two services, whilst during the same period, the City Warden service adjusts to its new, expanded remit and working arrangements, and both services develop an understanding of their respective roles and responsibilities.

Notwithstanding this integration, it is felt necessary to review the existing job descriptions of those employees that transferred under TUPE from Vinci Park Services. The current JDs were determined by the needs of the contract and do not allow for the flexibility now required. In addition, recent changes in the operational approach have highlighted the need for additional Civil Enforcement Officers to ensure the correct level of service delivery. The City

Council is keen to avoid operating a two-tier workforce and a common job description therefore becomes a necessity.

In the longer term, the two services could be merged and/or jointly managed within area-based teams, with staff working in a two-tier structure, with Parking Enforcement Officers dealing with relatively straightforward street enforcement matters (i.e. parking enforcement and FPNs for littering & dog fouling), with City Wardens dealing with more complex enforcement work and acting as the link to local communities. Alternatively, they could work as two stand-alone patrolling services that work in close liaison with each other. It is proposed that a review of options in this respect is undertaken in late 2013 or early 2014.

### **Specialist Teams**

The proposals recognise the need for specialist teams to undertake specialist, often technically complex, regulatory and enforcement work, each led by a team manager who is effectively the Council's lead expert in that particular discipline. These comprise:

- Food Safety Team
- Health & Safety Team
- Trading Standards Team
- Business Support Team (a newly formed team)
- Building Regulations Team
- Building Safety & Protection Team
- Private Sector Housing Team
- Pest Control & Dog Warden Team
- Two Licensing Teams
- Vehicle Testing Station Team
- Pollution Control Team
- Anti-Social Behaviour Team
- Noise Control Team
- Community Safety Team

Some of the above teams have had their remit & responsibilities changed as a result of the review and the level of resourcing within teams will be managed more flexibly in the future, so as to be more responsive to changing service demands.

All of these regulatory and enforcement teams will be managed jointly by a senior (Head of Service) management team, so as help ensure better joined-up working within a single over-arching regulatory & enforcement service.