



# OVERVIEW AND SCRUTINY COMMITTEE

**Thursday, 5th March, 2015**

**7.00 pm**

**Town Hall, Watford**

Publication date: 25 February 2015

## **CONTACT**

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Sandra Hancock in Democracy and Governance on 01923 278377 or by email to [legalanddemocratic@watford.gov.uk](mailto:legalanddemocratic@watford.gov.uk) .

Welcome to this meeting. We hope you find these notes useful.

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# COMMITTEE MEMBERSHIP

Councillor K Collett (Chair)

Councillor J Dhindsa (Vice-Chair)

Councillors J Aron, N Bell, S Greenslade, K Hastrick, A Joynes, R Martins and D Walford

## AGENDA

### PART A - OPEN TO THE PUBLIC

**1. APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP**

**2. DISCLOSURE OF INTERESTS (IF ANY)**

**3. MINUTES**

The minutes of the meeting held on 22 January 2015 to be submitted and signed.

Copies of the minutes of this meeting are usually available seven working days following the meeting.

*(All minutes are available on the Council's [website](#).)*

**4. CALL-IN**

To consider any Executive decisions which have been called in by the requisite number of Members.

**5. REPORT OUTLINING FLY TIPPING TRENDS AND SERVICES PROVISION**  
(Pages 1 - 40)

Report of the Head of Community and Customer Services

The report provides an overview into the role of the environmental crime team, the functions that the environmental crime officers regulate and enforce and how compliance is achieved. It focuses in detail on the response and regulation of fly tipping, the challenges and common issues faced and the performance in relation to numbers of fly tips and enforcement.

**6. WBC HOUSING SERVICES MOVING FORWARD (To Follow)**

An update from the Head of Community and Customer Services

**7. OUTSTANDING ACTIONS AND QUESTIONS** (Pages 41 - 50)

The Scrutiny Committee is asked to review the outstanding actions and questions from previous meetings.

**8. UPDATE ON THE COUNCIL'S PERFORMANCE INDICATORS AND MEASURES (IN-HOUSE SERVICES) - QUARTER 3: (OCTOBER - DECEMBER) 2014/15** (Pages 51 - 58)

The report presents an update on the council's performance indicators at quarter 3 (October - December) 2014/15 for non-outsourced services.

**9. EXECUTIVE DECISION PROGRESS REPORT** (Pages 59 - 70)

The Scrutiny Committee is asked to review the latest edition of the Executive Decision Progress Report and consider whether any further information is required.

**10. HERTFORDSHIRE COUNTY COUNCIL'S HEALTH SCRUTINY COMMITTEE**

The next meeting of the Hertfordshire County Council Health Scrutiny Committee is due to be held after 5 March 2015.

Further information about the Scrutiny Committee is available on the County Council's [website](#).

**Scrutiny Panels and Task Groups**

**11. SCRUTINY PROPOSAL - VOLUNTARY SECTOR COMMISSIONING FRAMEWORK (COMMUNITY CENTRES)** (Pages 71 - 82)

This report provides the Scrutiny Committee with details of a suggestion for a Scrutiny Task Group.

**12. BUDGET PANEL**

Since the last Overview and Scrutiny Committee, Budget Panel has met on the following occasion –

- 24 February 2015

The minutes are available on the Council's website – [www.watford.gov.uk/budgetscrutiny](http://www.watford.gov.uk/budgetscrutiny)

The Chair of Budget Panel to provide an update to the Scrutiny Committee.

### **13. OUTSOURCED SERVICES SCRUTINY PANEL**

Since the last Overview and Scrutiny Committee, Outsourced Services Scrutiny Panel met on the following occasion –

- 12 February 2015

The minutes are available on the Council's website -

<http://watford.moderngov.co.uk/ieListMeetings.aspx?Committeeld=223>

The Chair of Outsourced Services Scrutiny Panel to provide an update to the Scrutiny Committee.

### **14. COMMUNITY SAFETY PARTNERSHIP TASK GROUP**

Since the last Overview and Scrutiny Committee, the Community Safety Task Group has met on the following occasion –

- 23 January 2015

The minutes are available on the Council's website -

<http://watford.moderngov.co.uk/ieListMeetings.aspx?Committeeld=209>

The Chair of the Community Safety Partnership Task Group to provide an update to the Scrutiny Committee.

### **15. PROPERTY TASK GROUP**

The Chair of the Property Task Group to provide an update.

### **16. CONTROLLED PARKING ZONES (CPZ) POLICIES TASK GROUP UPDATE**

The Chair of the CPZ Task Group to provide an update.

### **17. DATE OF NEXT MEETING**

- Thursday 26 March 2015 (For call-in only)

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## PART A

**Report to:** Overview and Scrutiny  
**Date of meeting:** 05 March 2015  
**Report of:** Head of Community and Customer Services  
**Title:** Report outlining fly tipping trends and services provision

### 1.0 **SUMMARY**

- 1.1 The object of this report is to provide an overview into the role of the environmental crime team, the functions that the environmental crime officers regulate and enforce and how compliance is achieved. The report focuses in detail on the response and regulation of fly tipping, the challenges and common issues faced and the performance in relation to numbers of fly tips and enforcement.
- 1.2 The differences between fly tips on private and public land are explored. Importantly, it is explained that the procedure for investigation is exactly the same regardless of the land ownership. The differences arise in relation to arranging clearance. All fly tips on public land are cleared by Veolia as part of the outsourced contract. Fly tips on private land are the responsibility of the land owner to clear; this presents challenges for officers especially where land has multiple owners such as service roads and alleys.
- 1.3 The report outlines the approach taken to the investigation of incidents, and case studies are used to illustrate how the principles of the enforcement policy are applied. In all cases the reason behind the offence is sought and solutions that are sustainable and prevent recurring fly tips are explored. In essence, officers are seeking to change behaviour of fly tippers. This may be by intervention with them personally, or by changing the environment to prevent it being attractive for fly tipping.
- 1.4 Data show that the number of fly tipping incidents within Watford have decreased each year between 2010 and now. Analysis of the data shows that performance in relation to fly tips and enforcement has improved from “not effective” in 11/12 to “very effective” in 13/14. This assessment is made using the National Indicator calculation monitored by the Environment Agency and is based on the ratio of amount of fly tipping relative to the number and type of enforcement action.
- 1.5 The report concludes that fly tipping is acknowledged as a serious environmental and social problem. However, officers are confident that the continued improvement in processes and performance are enabling the service to evolve to an increasingly proactive approach. The environmental crime team will continue to work in partnership with Veolia to ensure that reports of fly tipping are investigated and cleared, to proactively target hotspots, to encourage land owners to implement long term solutions and

continue to strive for “very effective” performance again in 14/15.

## 2.0 RECOMMENDATIONS

That the Committee note the report.

### **Contact Officer:**

For further information on this report please contact:: Kerrie Barrett  
Telephone extension: 8325  
Email: kerrie.barrett@watford.gov.uk

**Report approved by:** Alan Gough, Head of Community and Customer Services

## 3.0 DETAILED PROPOSAL

### **Overarching aims, objectives and approach**

- 3.1 Flytipping is dealt with by the Environmental Crime team who are based in the Environmental Health and Licensing Section of Community and Customer Services. A critical partner to the team is Veolia who are responsible for the street cleansing and waste collection. Working together with our local communities the team aims to achieve clean and safe streets, open spaces and gardens.
- 3.2 Team Structure  
Watford Borough Council employs two full time Environmental Crime Officers and one full time Town Enforcement Officer within the Environmental Health and Licensing section. The team predominantly deal with the issues of fly tipping, litter and land accumulations as well as other environmental crimes in the borough.
- 3.3 Whilst this report focuses on fly tipping, it is of equal importance to highlight the other functions that the Environmental Crime officers regulate and enforce.
- Abandoned vehicles
  - Dog fouling
  - Litter
  - Land accumulations (Public and private)
  - Overgrown gardens
  - Trade waste compliance
  - Commercial bonfires
  - Scrap metal dealer and collector compliance
- 3.4 In general, the amount of time spent on fly tipping equates to approximately 40% of the Environmental Crime officer time, leaving the remaining 60% of officer time to regulate and enforce the other functions of environmental crime, whilst also undertaking proactive projects with other agencies.



### 3.5 Environmental Crime Teams vision and objectives

Environmental Health, Licensing and Community Safety team's vision:

We will improve the health, quality, safety and economic prosperity of our town through a high performing efficient team delivering outcome and customer focussed excellent services.

All of the section's work delivers against the Councils Key Corporate outcomes. Whilst it is acknowledged that as a team providing many statutory functions we are sometimes constrained by some of these requirements, we are committed to streamlining our processes, challenging our functions and being innovative in our delivery to maximise the potential for achievements of the Corporate outcomes and minimizing unnecessary burdens both on the team and our customers.

### 3.6 The objectives of the Environmental Crime Teams approach:

- Protect individuals, the community and environment from harm
- Change the behaviour of perpetrators
- Eliminate any financial gain or benefit from non compliance
- Protect those affected by non compliance
- Be responsive and consider what is appropriate in the particular circumstances
- Be proportionate to the nature of the offence and harm caused
- Deter future non compliance

### 3.7 How do we achieve compliance?

The Enforcement Policy attached at Appendix 1 sets out in detail the approach taken to achieving compliance across our work areas. The latest review of this policy was approved at Licensing Committee in August 2014. The policy takes account of the Regulator's Charter adopted across Hertfordshire, and the requirements of the Regulators Code issued by Central Government. All officers are required to have regard to this Policy in making decisions and monthly case reviews with Managers, seek to ensure consistency and support for Officers.

3.8 Where possible the officers work proactively to protect, improve and maintain standards in health, safety, welfare and the environment. Formal enforcement may become necessary as a result of this proactive work or reactively responding to complaints and incidents.

3.9 To reiterate the culture and approach promoted, the officers aims are to achieve the vision and corporate objectives. On occasions this means working to resolve issues that are not regulated, working to achieve outcomes above what the legal requirements are, to provide sustainable long term solutions to ongoing problems, whilst working to support businesses and landowners to be successful. As set out in the enforcement policy, enforcement in its generally understood meaning i.e. the use of formal means to achieve compliance; is just one of the tools used to achieve our aims and in the vast majority of cases is the last resort.

### 3.10 Procedure for investigation

#### The fly tip procedure

The procedure to investigate a fly tip follows a graduated enforcement process and where

possible the officers will adopt a policy of informal resolution which gives the opportunity for the offence to be remedied.

In summary, the environmental crime officers will;

- Attend the report of fly tip within 48 hours ( generally 24 hours ) of the report
- Investigate the nature of the waste looking for evidence as to it's source
- If a **Domestic waste issue** - Refer to Veolia for information/education
- If **evidence for an alleged offender** – continue to follow fly tipping procedure
- Evidence is secured, photos taken and records made – these are all stored and logged in the office.
- If on **public land**, it will be referred to Veolia for clearance within 24 hours of visiting.
- If on **private land** officers will carry out a land registry check before writing to the owner and requesting them to clear the waste.
- Further investigation will then take place to understand the exact nature of the offence. This can include verification of name and address and or making further enquiries with other agencies and departments (i.e council tax, police, housing associations, landlords, other government agencies, probation, mental health teams, doctors) as well as wider investigation to trace individuals such as tracking delivery references, checking registered keeper details etc.
- Contact the alleged offender to discuss the matter, this may be as a recorded interview under caution.
- Following completion of the investigation a decision as to the proposed outcome will be made such as prosecution, informal warning, fixed penalty notice etc.

3.11 The environmental crime team consider each case individually and holistically and the time spent on each case can vary dramatically. It is not unusual for it to take many months to get a case to court.

3.12 When considering the appropriate enforcement action, the team will take account of different factors including actual or potential harm or loss to any individual; risks to public health, public safety or the environment ; the perpetrators attitude towards compliance; evidence of premeditation; obstruction of officers; national and local enforcement priorities; statutory guidance and codes of practice; legal advice; and any commercial benefit accrued because of non-compliance.

3.13 Consideration of the above factors leaves the officers with a range of options:

- No further action - taking informal action, giving advice, providing a long term solution
- Issue a warning
- Offering a simple caution
- Bringing a prosecution
- Issuing statutory notices
- Seizure of vehicles
- Issuing a fixed penalty notice (FPN)
- Application for confiscation of assets

### 3.14 Case Examples

Please refer to Appendix 2 for some of the environmental crime teams case examples, including the factors taken into consideration by the case officer and the outcome of each case.

3.15 When looking at the attached case examples you will notice that they have been split into private and public land accumulations. The reason for this is because a different approach has to be taken by officers with regards to clearance of fly tipped items on private land as the responsibility for clearance is that of the land owner, whereas public land is the responsibility of the Council.

3.16 If a fly tip is on public land, the officers will aim to investigate the waste for evidence before referring it to Veolia for clearance. If, however, the fly tip is on private land, the officers will still investigate the waste in exactly the same way, but will then need to establish land ownership and speak with the landowner to agree how the waste is to be cleared. The only exception to this is where the waste presents an unacceptable risk to the public or environment in which case the team would seek to get the private land cleared and then possibly recharge the costs to the owner.

3.17 This process can sometimes be time consuming and cause anger from land owners but as part of the process officers try to support land owners to take preventative measures to avoid future fly tipping on their land. In addition, if formal action is taken, or the alleged offender found officers will also encourage them to have to pay/arrange/payback the costs for clearance.

3.18 Where landowners are not cooperative and don't agree to clear the waste officers will consider if formal notices can be served to require the waste to be cleared and if they are not complied with the council can carry out works in default and recharge the land owner. This requirement again is a matter of judgement. If a fly tip consists of inert material that will not attract vermin and it is in a rear yard not visible to the public it is unlikely the council could require clearance. In most other cases however, there are powers to require clearance.

### 3.19 Challenges

Service-roads and alleyways are notoriously difficult to deal with and as they are private land it is the responsibility of the land owners to deal with any clearances of fly tips or accumulations. In the case of alley ways this is invariably the local residents, and in the case of service roads these are sometimes off shore property holding companies and again multiple owners. To gain a general consensus from all the residents/owners to take responsibility is difficult and time consuming but is needed in any strategy to deal with repeated and long term problem locations.

3.20 Service-roads and alleys can look uncared for, and abandoned, through unkempt overgrowth, and storage of various unwanted items by residents to the rear of their properties. They are often isolated, unlit and insecure and so can become targets for fly tipping. Where possible the environmental crime team works with active residents associations or voluntary community clear up groups, to arrange for clearance of items and encourage long term solutions to deter further fly tipping. Refer to Appendix 3 for case examples.

- 3.21 Often lighting and security of the site could improve the situation but would be impractical and costly in many alley way cases. Improving the site visually (broken window theory) is within the capability of the residents. An annual contribution by the residents to a fund could deal with any clearance issues encountered at the site. But none of this is possible without the residents joining together to take responsibility and care of their service-roads and alleys. Councillors play a key role in enabling this.
- 3.22 In relation to service roads such as those in the inner ring road, the team are currently proactively tackling these areas to ascertain ownership and establish action plans for each area in an attempt to bring about long term improvements for business and residential users in relation to their entire condition. The introduction of new legislation to tackle anti social behaviour may be useful in requiring landowners to proactively maintain areas such as these with public access and high visibility.
- 3.23 A further challenge faced by the environmental crime team is when land is unregistered or they are unable to trace the land owner to arrange for clearance. Unregistered land in Watford most commonly consists of alleyways and service roads, which are usually out of view of the public and therefore reduces the risk of anyone being caught in the act, thus making it quite appealing to fly tippers.
- 3.24 Whilst the environmental crime team can still pursue the investigation on such land, they are unable to approach any responsible persons to clear the waste. They therefore have to make a decision, based on the risks and impact as to whether the Council clears the waste. This would definitely happen if there was any potential public health risk or the waste could attract or harbour vermin.

### 3.25 Fly tipping figures

<b>NATIONAL – Fly tipping total by category</b>				
<b>FINANCIAL YEAR</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>
<b>FLYTIPS</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>
<b>CATEGORY</b>				
animal carcass	8501	8235	8085	7349
green	37876	36844	33931	38241
vehicle parts	8837	7004	6649	6594
white goods	31413	18817	14747	35852
other electrical	26797	19400	18163	17810
tyres	22274	18959	15744	15611
asbestos	4761	3953	4446	3481
clinical	1764	2231	1395	1382
construction/demo./excavation	55175	49241	44944	52967
black bags commercial	28213	24479	20183	38493
black bags household	205013	184091	162648	169261
Chemical drums oil/fuel	3605	3212	2868	3063
other household waste	358675	347330	353644	427688
other (unidentified)	42448	27799	22761	29884
<b>FLYTIP TOTAL</b>	<b>896661</b>	<b>812839</b>	<b>765960</b>	<b>903113</b>
<b>PERCENTAGE CHANGE + / -</b>	<b>-</b>	<b>- 9.3%</b>	<b>- 5.8%</b>	<b>+17.9%</b>

<b>WATFORD – Fly tipping total by category</b>				
<b>FINANCIAL YEAR</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>
<b>FLYTIPS</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>
<b>CATEGORY</b>				
animal carcass	57	20	1	2
green	25	20	30	9
vehicle parts	11	6	4	2
white goods	22	4	4	12
other electrical	94	65	30	3
tyres	10	11	7	1
asbestos	1	3	4	4
clinical	54	1	0	0
construction/demo./excavation	55	37	22	56
black bags commercial	16	227	37	26
black bags household	1260	898	416	309
Chemical drums oil/fuel	10	6	5	2
other household waste	742	758	537	496
other (unidentified)	61	42	24	46
<b>FLYTIP TOTAL</b>	<b>2507</b>	<b>2119</b>	<b>1127</b>	<b>977</b>
<b>PERCENTAGE CHANGE + / -</b>	<b>-</b>	<b>- 15.5%</b>	<b>- 46.8%</b>	<b>- 13.3%</b>

### 3.26 Fly tipping trends

Watford Borough Council figures show a significant year on year decrease in the total amount of fly tips between 2010 to date. These figures correlate with the national figures,

although the amount of fly tips recorded nationally increased between 2013-2014. In addition, between 2011 and 2012 Environmental Services, which incorporated the services now provided by Veolia, and the Environmental Crime team invested their time amending and improving the accuracy of the processes for reporting and recording fly tipping. Examples include preventing the recording of road kill on the highway ( animal carcasses reduced from 57 in 2010/11 to 1 in 12/13 ) and ceasing to record domestic waste presented in addition to a wheelie bin from the figures ( 1260 in 2010/2011 to 416 in 2012/13 ).

- 3.27 A number of local authorities including Watford Borough Council have reported a significant increase in the amount of fly tipped white goods between 2013-to date, following a year on year decrease ( 4 in 2012/13 to 12 in 13/14).
- 3.28 Scrap metal collection and fly tipping are closely connected. Unlicensed scrap metal collectors will often cold call at a property and offer to take the residents waste for a small fee, they will then fly tip the items of no value and weigh in the remaining scrap metal for cash. In order to reduce this issue new legislation was introduced in 2013 requiring dealers and collectors to be licensed. Following joint operations by the team, Licensing and the Police to target illegal collectors, we now see fewer collections of white goods placed outside homes and a resultant increase in recorded fly tipped white goods.
- 3.29 The team intends to do a publicity campaign shortly to advise residents of the legal and safe ways to dispose of scrap metal and other waste, and to warn of the dangers of using unlicensed waste collectors or those that seem to be offering a deal that is too good to be true. This will incorporate information from the recent prosecution case of a scrap dealer explained in Appendix 2.
- 3.30 In addition, working with Veolia, the team made further improvements to the processes to improve efficiency and the speed that items fly tipped on public land were cleared in 2013. For instance a report of a fly tipped bulky item without a witness would no longer be sent to environmental crime to investigate' this would automatically be referred straight to Veolia for clearance. It is still recorded as a fly tip but there is no point in a delay in clearance that impacts on the locality and a waste in officer resources in visiting the fly tip when we know there is highly unlikely to be any evidence.
- 3.31 The year on year reduction in fly tips within Watford, combined with the improvement in internal processes has enabled officers to move from a reactive to a proactive approach. This enables projects to target hotspots like the service roads to be undertaken and more information and education preventative work to be delivered as shown in Appendix 2 and 3.

### 3.32 Team performance

<b>ENFORCEMENT ACTIONS</b>	<b>11/12</b>	<b>12/13</b>	<b>13/14</b>
<b>investigation:</b>	326	193	201
<b>warning letter:</b>	28	10	9
<b>statutory notice:</b>	28	11	16
<b>fixed penalty notice:</b>	58	41	34
<b>duty of care inspection:</b>	131	83	78
<b>stop and search:</b>	0	0	3
<b>vehicles seized:</b>	0	0	0
<b>formal caution:</b>	1	0	2
<b>prosecution</b>	0	11	4
<b>TOTAL</b>	<b>572</b>	<b>349</b>	<b>347</b>
<b>PERCENTAGE</b>	<b>27%</b>	<b>31%</b>	<b>36%</b>
<b>FLYCAPTURE EFFECTIVENESS GRADING</b>	<b>Not Effective</b>	<b>Effective</b>	<b>Very Effective</b>

3.33 The teams performance is calculated through data submitted to the Environment Agency by all Waste Collection authorities. This formed the basis of a previous National Indicator NI196.

The data consists of all fly tips including details of the amount, size, waste type and location. Data is also submitted detailing the enforcement actions and outcomes undertaken and achieved. The performance 'score' is then determined by comparing present levels of fly-tipping and enforcement activity with that of the previous year. The effectiveness of each local authority is then graded as poor, not effective, effective or very effective based on the number of incidents of fly tipping (decrease, same, increase) and the number of enforcement actions (increasing, same level, increase).

3.34 Since 2011 Watford Borough Council has steadily improved our performance from not effective to very effective in 13/14. This means in 2013-2014 there was a decrease in the amount of fly tipping incidents relative to the number of enforcement actions. We are aiming for very effective again in 14/15. In addition, during the coming year it is planned to introduce a new performance measure to monitor the time taken to restore land back to it's original quality. This will be implemented once upgrading the case management system has been completed so as to enable effective and accurate reporting.

3.35 In conclusion, it is encouraging that Watford Borough Council's fly tipping figures generally show a downward trend, however, it is clear that 802 incidents of fly tipping in Watford between 2013-2014 remains a serious environmental and social problem. The environmental crime team will continue to work in partnership with Veolia to ensure that reactive reports of fly tipping are investigated and cleared within the set timescales. They will also work with Veolia to identify fly tipping hot spots and proactively target these areas, advising and encouraging land owners to implement long term solutions, making them less accessible to fly tippers. Key to effective service delivery however, is the effort taken to assess the nature of each offence, to tackle the reasons behind it where appropriate, and to support and require long term improvements to areas to reduce fly tipping opportunity. This approach enables behaviour change in individuals and/or changes the physical environment to reduce the likelihood of dumping thereby producing

sustainable reductions in offences.

#### 4.0 **IMPLICATIONS**

##### 4.1 **Financial**

The Shared Director of Finance states that there are no financial implications in reporting performance of this service.

##### 4.2 **Legal Issues** (Monitoring Officer)

The legal implications are dealt with in the enforcement policy.

#### Appendices

Appendix 1 – The Enforcement Policy

Appendix 2 – Environmental Crime case examples

Appendix 3 – Long term solutions - Example of targeting a fly tipping hot spot

#### Background Papers

The following background papers and internet sources were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

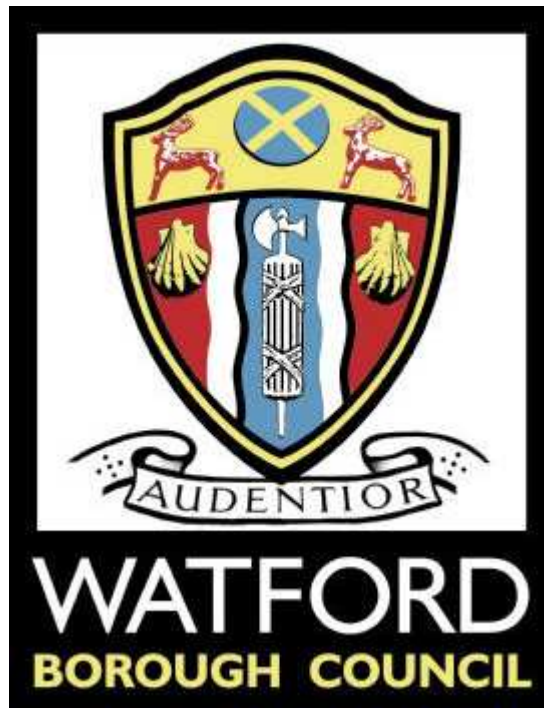
Background papers;  
The Enforcement Policy

Internet sources;  
[www.flycaptureenvironmentagency.gov.uk](http://www.flycaptureenvironmentagency.gov.uk)  
[www.legislation.gov.uk/ukpga/2013/10/enacted](http://www.legislation.gov.uk/ukpga/2013/10/enacted)

#### File Reference

None





**COMMUNITY AND CUSTOMER SERVICES**  
**Environmental Health and Licensing Service**

**ENFORCEMENT POLICY 2014 – 2019**

Comments are invited on this policy to:

Head of Community and Customer Services  
Watford Borough Council  
Town Hall  
Watford  
Herts  
WD17 3EX  
[Env.health@watford.gov.uk](mailto:Env.health@watford.gov.uk)

## 1. Introduction

1.1 This document sets out what members of the public and businesses can expect from enforcement officers in the Environmental Health and Licensing team of Community and Customer Services at Watford Borough Council.

1.2 It sets out our approach on how we regulate and enforce a range of legislation in the public interest:

- abandoned vehicles
- alcohol, entertainment and late-night refreshment
- animal welfare
- anti-social behaviour
- charity collections
- dog fouling
- drainage
- environmental protection and pollution
- filthy and verminous premises
- food hygiene
- gambling
- health and safety at work
- houses in multiple occupation
- housing standards
- infectious diseases
- littering, fly-tipping and other environmental crimes
- pest control
- smoke-free legislation
- statutory nuisances such as noise, odours, vibration and light
- street trading
- taxis and private hire vehicles

1.3 We enforce a range of legislation in the public interest and to support the Council's corporate aims between 2014 and 2018 of creating a town to be proud of, where people will always choose to live, work and visit by

- making Watford a better place to live in
- to provide the strategic lead for Watford's sustainable economic growth
- promoting an active, cohesive and well-informed town
- operating the council effectively and efficiently

1.4 In developing this policy we have had regard to:

- the Human Rights Act 1988
- the statutory Regulators' Code issued under the Regulatory and Effective Sanctions Act 2008 and
- the Code for Crown Prosecutors (see section 6)
- the Equalities Act 2010

1.5 All enforcement decisions will be fair, independent and objective. They will not be influenced by age, ethnicity, national origin, gender, religious or political belief, disabilities or sexual orientation. Due regard will be taken when dealing with juveniles or other vulnerable people. Decisions will not be affected by improper or undue pressure from any source, including councillors.

- 1.6 We are committed to accountable and proportionate practices with clear policies supported by effective procedures. We will ensure enforcement officers are competent, apply enforcement measures consistently and proportionately through training, suitable qualifications, and experience. Officers will consolidate their knowledge and experience through continuing professional education

## **2 Approval, review and exercise of powers**

- 2.1 We consulted businesses and residents on this policy between 27 June 2011 and 8 August 2011. It was adopted by the Licensing Committee on 15 June 2011,. It was reviewed by the Licensing Committee in July 2014 and the revisions contained in this version come into effect from 14 August 2014.
- 2.2 All enforcement powers are delegated to the Head of Community and Customer Services. The Environmental Health and Licensing Section Head and team managers may authorise the issue of a simple caution. They, in consultation with the Legal Services Head Section, may authorise a prosecution. In cases of doubt as to a particular course of action the Head of Community and Customer Services shall make the final decision.
- 2.3 We will review our policies and procedures on a regular basis and in the light of changes in legislation, case-law or best practice.

## **3 Policy objectives**

- 3.1 Our policies are intended to:
- protect individuals, the community and the environment from harm
  - change the behaviour of perpetrators
  - eliminate any financial gain or benefit from non-compliance
  - protect those affected by non-compliance
  - be responsive and consider what is appropriate in the particular circumstances
  - be proportionate to the nature of the offence and the harm caused
  - deter future non-compliance.

## **4 Key principles**

- 4.1 Wherever possible our officers will adopt a policy of informal resolution. This will involve clearly identifying the nature of any actual or potential legislative breach and giving the perpetrator the opportunity to remedy it. We recognise that this is not always possible in some one-off circumstances in which it may be difficult to identify repeated breaches. These may include for example (but not be limited to) offences such as dog-fouling, littering, or plying for hire where it is necessary, reasonable and proportionate.
- 4.2 Although each case shall be considered on its own facts and on its own merits, there are general principles set out in section 7 that apply to the way in which we approach every case.

### **4.4 Standards**

We will always make clear when there is a legal requirement to be followed, and under

which legislation it is required. We will always make clear the difference between legal requirements and recommended best practice.

- 4.4.1 All investigations will follow best professional practice and legal requirements. As part of the investigation process, perpetrators will wherever possible be formally interviewed under the Police and Criminal Evidence Act 1984, be given the opportunity to establish a statutory defence, and have the opportunity to give an explanation or make any additional comments about the allegations. Evidence will be gathered and used in accordance with the Criminal Procedure and Investigations Act 1996 and not kept for longer than required under the Act's code of practise.

#### 4.5 ***Openness***

We recognise the need to maintain public confidence in our ability to protect and to regulate. This is achieved by promoting consistency, proportionality and accountability. We will also aim to work in order of priority and direct our work accordingly, using national risk assessment schemes, local intelligence and the priorities of the Council and its partners. We will clearly explain to those affected by breaches of legislation the action we take or why we are unable to take action. We will also make clear the difference between statutory requirements or advice, or guidance about what is desirable or good practice but not compulsory

- 4.5.1 Where enforcement action is required, it will be clearly explained as far as reasonably practicable in writing and verbally why the action is necessary and when it must be carried out by. We will discuss what is needed before taking formal action, apart from when urgent action is required to protect public health, public safety or the environment, or evidence to support enforcement action would be otherwise lost.
- 4.5.2 We will publicise the results of prosecutions and simple cautions when it helpful to do so, although we will not publicise an individual's personal details when a simple caution has been accepted. If we receive information that may lead to formal enforcement action we will notify the source of that complaint as soon as is practicable of any intended enforcement action, unless this could impede an investigation or pose a safety risk.
- 4.5.3 All parties concerned will be kept informed of progress during our investigations and any enforcement action. Confidentiality will be maintained and personal information only released in accordance with legal requirements or in accordance with the Data Protection Act 1998.

#### 4.6 ***Helpfulness***

We believe that prevention is better than cure. We will offer information and advice to those whom we regulate and seek to secure co-operation without bureaucracy and excessive cost. We will encourage individuals and businesses to put community, public health, public safety and the environment first. We will ensure that, wherever practicable, our enforcement services are effectively co-ordinated to minimise unnecessary overlaps and time delays.

- 4.6.1 When a breach has been identified that does not present an immediate risk to health, safety or the environment, we may arrange follow-up visits to allow the perpetrator time to comply with their legal obligations. Where immediate action is not needed, we will consider agreeing a time-scale within which compliance, or steps towards compliance, should be met.

#### 4.7 **Complaints**

Written explanation of any rights of appeal against formal enforcement will be given at the time action is taken, where we are required to do so. We cannot advise on the merits or details of any appeal. Please see section 9 below about how to complain about the service we provide.

#### 4.8 **Proportionality**

We will balance enforcement action against risks and costs. Actions to achieve compliance will be proportionate to any risks to public health and safety, and the seriousness of any breach. Therefore, an informal warning is unlikely to be a suitable disposal for a significant infringement leading to serious injury just as a prosecution is generally unsuitable for a minor administrative or technical oversight. Proportionate action also involves judging the extent to which perpetrators have gone to in order to comply with the law.

#### 4.9 **Consistency**

Our officers will endeavour to take a similar approach in similar circumstances to achieve similar ends; consistency does not mean taking exactly the same approach concerning each breach. We will endeavour to be consistent in the advice we give, whether over time to the same business, or to different businesses.

4.9.1 We will participate in county-wide and regional enforcement arrangements to share consistency amongst other regulators and enforcers. Where an investigation reveals facts of an offence enforced by other agencies, we will cooperate and coordinate with any relevant body to maximise the effectiveness of any enforcement.

4.9.2 We participate in the Primary Authority scheme as part of the Regulatory Enforcement and Sanctions Act 2008, and follow any inspection plans issued by Primary Authorities as part of those arrangements. We will give notice of proposed enforcement action to relevant Primary Authorities before action is taken against organisations registered under the scheme, apart from specific urgent cases where this is not required.

### 5 **Compliance techniques**

We use a range of techniques to secure compliance with legal obligations, including:

- informal advisory visits and meetings
- mediation
- education, awareness-raising and advice
- formal training
- risk-based inspections
- proactive and reactive visits
- direct observation
- test baiting of vermin
- test purchasing
- sampling
- auditing

## 6 Bringing enforcement action

We will take account of different factors when considering the appropriate enforcement response, including:

- any actual or potential harm or loss to an individual
- the risk that non-compliance poses to public health, public safety or the environment
- the perpetrator's attitude to compliance, such as failing to follow previous advice or comply with statutory notices
- evidence of pre-meditation
- obstruction of officers
- national and local priorities for enforcement, including where the offence is widespread throughout the Borough but is not itself serious
- statutory guidance and codes of practise
- legal advice
- any commercial benefit accrued because of the non-compliance.

6.1 The following actions are available to us in the event of any contravention:

### 6.2 ***No further action, taking informal action or giving advice***

This may apply where an investigation reveals no offence has occurred or where the offending party makes a ready admission of the breach, takes immediate steps to remedy it presenting no risks to public safety, public health or the environment. No further action will be appropriate where the evidence is inadequate or where formal enforcement is inappropriate because the contravener is elderly, frail, has poor mental or serious ill health, and to pursue the case would be detrimental to their wellbeing. All persons involved will be advised as to why no further action is being taken

6.2.1 We may give verbal or written advice where we have a high degree of confidence the breach will be properly remedied or not repeated. We will clearly identify any contraventions of the law and give advice on how to correct them, including a reasonable deadline (agreed where possible) for when this should be completed. This will take into account the seriousness of the contravention and the implications for non-compliance.

### 6.3 ***Issuing warnings***

We may give verbal or written warnings. The fact that a verbal warning has been given may be recorded in a case file for future reference. Written warnings are normally final, and failure to comply or repeated breaches of the same or a similar contravention are likely to result in an escalation to the next stage of enforcement action.

### 6.4 ***Offering a simple caution***

Cautions will be considered in line with the Home Office guidance in circular 16/2008 with the perpetrators' consent and where a prosecution would otherwise be justified. Although an admission of guilt, a caution is not a sentence or a criminal conviction.

6.4.1 Before offering a simple caution, we must be satisfied that:

- there is sufficient evidence to prove the case before a court
- there has been a free and voluntary admission of guilt

- it must be in the public interest to use a simple caution to dispose of the offence
- the perpetrator must be over the age of 18.

6.4.5 We will also take into account whether the perpetrator has received a simple caution within the previous two years. We will also take account of previous simple cautions received within the previous two years when considering any other enforcement action in the following two years, during which period it may also be cited in court during any prosecution.

6.4.6 The refusal of a perpetrator to be cautioned, despite admitting their guilt, does not preclude a summons being issued for prosecution although a prosecution cannot be brought once a simple caution has been accepted for that offence. A failure to accept a caution may be material consideration when deciding whether to institute a prosecution.

## **6.5 *Bringing a prosecution***

Where circumstances warrant it, we will prosecute without any prior warning. Prosecutions will be considered where:

- it is appropriate in the circumstances as a way to draw general attention to the need for compliance with legal duties
- there is a risk to community health and safety or of environmental damage as a consequence of the breach
- the breach was as a result of a deliberate, reckless or negligent act
- the perpetrator's approach through repeated breaches, persistent poor standards or ignoring formal advice and warnings warrants it

6.5.1 Prosecutions will always be considered where:

- there has been a blatant disregard for the law
- there is a refusal to achieve minimum legal requirements
- the offence involves a risk to public health, safety or wellbeing, harm to the environment or where an unacceptable business advantage is gained
- the perpetrator has failed to correct potential risks after being given a reasonable opportunity to do so.
- the offence involves failure to comply with a statutory notice
- evidence suggests the offence was premeditated
- there is a history of similar offences
- an officer was intentionally obstructed or deceived in the course of their duties
- any of the factors set out in paragraph 6 apply.

6.5.2 The decision to prosecute will take account of the evidential and public interest tests in the Code for Crown Prosecutors issued under the Prosecution of Offences Act 1985 by the Director of Public Prosecutions. These include:

- the seriousness of the offence. A prosecution is more likely to be required where an offence is more serious
- the level of culpability by the perpetrator, such as their level of involvement; whether the offence was premeditated or planned; or if they have previous convictions or cautions;
- the age and state of mental or physical health of the perpetrator
- the likelihood of the offence being continued, repeated or escalated;

- any remedial action taken by the alleged perpetrator, (although an offer to pay compensation to a victim or take similar action will never by itself preclude a prosecution)
- whether a prosecution is a proportionate response to the likely outcome, including the likely costs of pursuing a prosecution.

6.5.3 We will not prosecute unless we are satisfied there is credible, admissible and reliable evidence that the offence has been committed by the perpetrator and there is a realistic prospect of conviction.

6.5.4 Prosecutions will only be commenced if it is in the public interest to do so. Factors which may be taken into account in deciding whether a prosecution is in the public interest are those in paragraph set out in paragraph 6.5.2.

6.5.5 The courts often have a large discretion in the penalties they can impose, and many offences benefit from a statutory defence. We will not be generally deterred from bringing a prosecution when it is right to do so solely because the courts are likely to issue a nominal penalty following a conviction, or solely because the perpetrator appears to have established a statutory defence as it is for the perpetrator to demonstrate to the court why they should benefit from that defence.

6.5.6 We will always seek to recover our costs in investigating and prosecuting offences.

6.5.7 People should be able to rely on decisions taken by us. Normally, if we tell a defendant that there will not be a prosecution, or that the prosecution has been stopped, the case will not start again. Occasionally there are reasons why we will overturn a decision not to prosecute or to deal with the case by way of an out-of-court disposal or when it will restart the prosecution, particularly if the case is serious.

6.5.8 These reasons include:

- cases where a new look at the original decision shows that it was wrong and, in order to maintain confidence in the criminal justice system, a prosecution should be brought despite the earlier decision;
- cases which are stopped so that more evidence (which is likely to become available in the fairly near future) can be collected and prepared. In these cases, we will tell the defendant that the prosecution may well start again;
- cases which are stopped because of a lack of evidence but where more significant evidence is discovered later.

## **6.6 *Civil law remedies***

Where perpetrators have been found guilty on more than two occasions, or where it is considered to be more appropriate to restrain further breaches of the law, we will consider applying for an injunction.

6.6.1 We will also use our powers where appropriate to apply for orders under the Anti-Social Behaviour Act 2013 and similar legislation with our statutory partners in order to protect the community.

6.2 The following actions are only available to us in relation to certain specific contraventions:



## **6.7 Seizure of goods or equipment**

Goods, equipment and documents may be seized under certain legislation relating to unsafe food, or sound equipment being used for statutory noise nuisance. We may also use powers under the Police and Criminal Evidence Act 1984 relating to the voluntary surrender of items in the course of an investigation.

## **6.8 Issuing statutory notices**

We may serve notices under various legislation requiring specific actions to be taken or certain activities to cease. Notices may require activities to cease immediately where there is an imminent or immediate threat to health, safety, environmental damage or nuisance. In other circumstances notices will be issued with a reasonable time for compliance, agreed wherever possible with the recipient of the notice, taking into account the seriousness of the contravention, setting out the remedial actions need to comply with the notice, the implications of non-compliance and the appeal period for that notice. Notices will generally be issued if previous warnings or advice has been ignored.

6.8.1 All notices will be expressed in plain language, make clear the consequences of failing to comply, and include details of any applicable appeals procedure. All notices will be signed and served by appropriately authorised officers.

6.8.2 Failure to comply with certain notices will enable the Council to do the work instead, commonly referred to as “works in default”. We may issue these notices when all other attempts to secure compliance have been exhausted, and will give warning of our intention to issue a notice except where this is impractical in order to protect public health and safety or the environment. We will then charge the recipient of the notice for any costs incurred in carrying out the work, and this may lead to a charge being applied against the future sale of the property. The Council may still prosecute for not complying with the original statutory notice as well as carrying out the works.

## **6.9 Issuing a fixed penalty notice (FPN)**

Fixed penalty notices are available as an alternative to prosecution for some low-level environmental offences. A recipient of an FPN does not accept criminal liability by paying the associated fine, which brings an end to the matter. Where the law allows FPNs to be issued, we may choose to administer those on a first occasion without issuing a warning. However, a failure to pay an FPN will result in an escalation of enforcement action including prosecution for the original offence to preserve the integrity of the regulatory regime.

6.9.1 Failure to pay a FPN will be a material consideration in considering whether to institute a criminal prosecution.

## **6.10 Licensing decisions**

Many of the licences and permissions we issue contain powers to revoke, refuse, vary or review them in the event of non-compliance with obligations in those authorisations, or following a conviction for certain offences.

6.10.1 As a general rule, we will take licensing decisions when all other enforcement powers short of cautions or prosecutions have been exhausted. This can include suspending licences in the event of a breach, or refusing a licence when activities have been carried on without the requisite licence being in place. Whether we take a licensing decision before, after or as an alternative to a prosecution or caution will depend on the legal powers available to us. How we exercise our professional discretion in such cases will generally be guided by:

- whether the perpetrator's actions are so serious they ought to face trial in court
- the impact that a licensing decision will have in correcting any breach
- the impact that a licensing decision may have on the perpetrators' ability to continue operating their licensable activity
- in some cases, licensing decisions and prosecutions serve different purposes – licensing decisions about hackney carriage drivers for example concern their fitness and propriety to hold a licence, whilst a prosecution serves the objectives outlined in section 6.5 above. Similarly, reviews under the Licensing Act 2003 and Gambling Act 2005 are designed to be more corrective than punitive in nature, which should be a matter reserved for the courts.

6.10.2 We have a specific policy in relation to hackney carriage and private hire vehicle drivers:

- our investigation into complaints will look for evidence to either prove or disprove alleged offences – this will always include a discussion with the driver
- we will not take account of a driver's previous history during the investigation process
- If there is no evidence, or insufficient evidence, to prove the complaint no further action shall be taken
- we will notify drivers of all complaints received against them whether proven or not so that they can be discussed
- if an offence is proven, the offence shall be considered and action taken in accordance with the principles in this enforcement policy
- all proven complaints will be considered in future enforcement or licensing decisions

6.10.3 For all proven offences drivers will at least be informed of the offence and we will explain how to prevent further offences. Generally, where a proven offence is as a result of a complaint drivers can expect to receive at least a formal written warning.

6.10.4 Proven serious offences by drivers concerning

- dishonesty
- breach of trust
- violence
- aggression
- putting a member of the public in danger, or
- putting a member of the public in an unsafe position

may result in the suspension of the driver's licence for a maximum of two days, or in prosecution. The driver's previous history will be taken into account when making this decision along with other factors such as the attitude of the driver, the impact of the offence etc.

6.10.5 Except in exceptional circumstances on the grounds of public safety, no suspension of a drivers licence will take effect until at least 21 days after the suspension notice has been served. During this time, the driver has the right to appeal against the suspension notice by applying to the magistrates' court.

- 6.10.6 Drivers who receive repeated written warnings or show a history of similar offences will be invited to attend a Case Review. This is a meeting with the Section Head for Environmental Health and Licensing to discuss their conduct.
- 6.10.7 Any driver who re-offends after suspension or a successful prosecution, or commits a very serious first offence, will be referred to the Head of Community and Customer Services. A Case Review can also recommend that a driver be considered by the Head of Community and Customer Services (after consultation with the Chair of the Licensing Committee) who will consider if the driver is still fit and proper to hold a licence, and if their licence should be revoked or (as the case may be) not renewed.
- 6.10.8 Appeals against revocation or the refusal to renew a licence are made to the magistrates' court within 21 days of being notified of our decision.

### 6.11 **Confiscation of Assets**

We believe that people should not profit from their criminal behaviour. When people have been convicted of offences and it can be shown that they have made money from their criminal lifestyle, we may seek Confiscation Orders under the Proceeds of Crime Act 2002.

## 7 **Other policies**

We are required to have enforcement policies setting out how we enforce food safety legislation, and the Health and Safety at Work etc Act 1974. Our statutory policy under the Licensing Act 2003 lays out our approach to enforcement action when licences under that legislation are reviewed. Our statutory policy under the Gambling Act 2005 sets out our approach to compliance and enforcement within gambling premises.

- 7.1 We have published minimum standards for tackling anti-social behaviour in conjunction with our partners.
- 7.2 We have signed the Hertfordshire Licensing Enforcement Protocol with other statutory authorities concerning the Licensing Act 2003, and a Partnership Agreement with Hertfordshire Fire & Rescue Service. Copies of these documents are available on request.
- 7.3 This policy should be read in conjunction with those documents, and will take precedence in the event of any conflict.

## 8 **Other enforcement partners**

Some investigations will reveal offences that are solely or jointly enforced by other agencies. These can include other local authorities, the police, fire service, trading standards, Gambling Commission, HM Revenues & Customs, UK Border Agency, Health & Safety Executive or the Environment Agency.

- 8.1 Where two offences arise out of the same set of facts but are enforced by two agencies, we will agree on a case-by-case basis the most appropriate enforcement action as each agency may decide a different disposal is justified.
- 8.2 We will share information with our enforcement agencies where legislation permits, in accordance with agreed protocols and in accordance with the Data Protection Act 1988.

## **9 Customer standards and Complaints (inc ombudsman)**

For details of our customer standards about how you can expect us to treat you, please visit <http://www.watford.gov.uk/ccm/content/strategic-services/customer-standards---putting-our-customers-first.en> or ask one of our officers for a copy.



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## Appendix 2

### Environmental Crime Case Examples

#### Private land;

- **Prosecution for fly tip;** Lee Taylor was prosecuted for 11 offences of fly tipping on land belonging to Watford Borough Council, Watford Community Housing Trust and private land owners. Lee Taylor was sentenced to a total of 13 months imprisonment and disqualified from driving for 12 months. (Digital image attached).

Based on the facts and findings the officer in this case made the decision to prosecute, as this individual was a registered waste carrier who over a substantial period of time went out looking for waste and flagrantly and deliberately fly-tipped it, he failed to engage with the environmental crime team when requested and failed to heed previous warnings, these acts were too serious to consider anything other than prosecution.

- **Prosecution for domestic duty of care;** Jatin Patel was prosecuted for passing a large accumulation of building waste produced from works at his property to an unlicensed waste carrier. This waste was later fly tipped on private land belonging to another. Mr Patel was later sentenced to pay £420 fine, £598 costs and £42 victim surcharge. (Digital image attached).

The officer in this case made the decision to prosecute on the basis that this Individual knowingly gave permission for his waste to be passed to an unlicensed waste carrier as it was cheaper than hiring a skip or using a licensed waste carrier who would dispose of his waste legally. The individual showed no remorse to the victim who had to pay a large sum to dispose of his waste from their private land legally. The individual failed to comply with parts of the investigation, causing the officer to invest further time in this case.

- **Restorative justice - fly tipper and victim;** Young male from Watford found to be fly tipping waste at local community centre.

Whilst this case involved an individual who admitted to fly tipping, the officer in this case made an executive decision not to prosecute. The reason for this was further investigation and multi agency working with relevant bodies revealed that the young male had been fly tipping his mothers domestic/household waste and black bags of recyclable alcohol bottles produced as a result of his mothers alcohol addiction. The officer worked closely to build a trusting relationship with the mother and son to understand the reasons behind the reoccurring fly tipping. The son later confided in the officer explaining that his mother had been set a deadline by their housing association to clear the house of all accumulations, before losing their property. Further enquiries revealed that the young male was a full time carer for his mother who suffered from alcoholism and mental health issues and was struggling to maintain the upkeep of the house. The officer advised that they would not be pursuing a prosecution in this instance, due to the circumstances.

The community centre were extremely understandable and asked if they could provide the young male and his mother with a Christmas food hamper

as a sign of forgiveness. Environmental crime worked with the young male to clear the remaining waste and arranged for adequate bin and recycling storage to help dispose of the larger amount than average household recycling. The young male later agreed with the officer to meet with the manager of the community centre who had to arrange for his fly tipped waste to be removed from their private property. Consequently, the young male agreed to undertake some voluntary work at the community centre to show his sincere apologies, which later led to him pursuing his dream career as a care assistant and additional help was sought for his mother.

### **Public Land;**

- **Prosecution for flytip;** Tammy Moseley was prosecuted for fly tipping over 30 black bags of cardboard, plastic packaging, household and garden waste in the woodland area belonging to North Watford Cemetery. Ms Moseley was sentenced to a three month curfew order preventing her from leaving her property between the hours of 8.00pm and 7.00am. She was also given a conditional discharge for 12 months and ordered to pay £600 towards the prosecution's costs. (Digital image attached).

After an extremely thorough and time consuming investigation the officer in this case made the decision to prosecute the offender. The reason for this was because the offender knowingly threw a large proportion of waste over her rear garden fence and into North Watford Cemetery woodland area, which she denied from the beginning of the investigation. She failed to comply with parts of the investigation and began ignoring all contact from the officer. The situation of the fly tip showed complete ignorance and lack of respect for the feelings of residents and visitors of Watford who visit the Cemetery to pay their respects to loved ones. The flytip was detrimental to the visual amenity of North Watford Cemetery, and posed a potential health risk. The presence of the waste has caused upset for local Watford residents within the vicinity. The cost of removing this waste was at the expense of the local purse. As previously mentioned, no remorse was shown as the offender pleaded not guilty to this offence until her final hearing at the crown court.

- **Long term solution – flytip;** Series of fly tips in the shrubbery area on Coates Way, Watford.

The officer in this case investigated three different fly tips over the period two weeks. Further enquiries led the officer to a flat based in an accommodation for independent living for people suffering from mental health issues and or learning disabilities. There the officer visited a mother and daughter who she evidence to suggest that they were responsible for the fly tipping incidents. Unfortunately, the mother and daughter were in the property but would not answer the door. The officer followed the failed visit up with a letter and over time managed to build a relationship with the mother and daughter who later agreed to meet. During the meeting the mother and daughter admitted to the officer that they were responsible and wanted to be brought to justice or pay a fine. The officer worked with them to establish the reason behind the regular dumping of their waste. It was later unravelled that they were afraid of their shared bin shed due to it constantly being dark with no of lighting and automatic shutting doors which frightened them. The officer made the decision not to prosecute in such circumstance and instead worked with the



housing provider to adapt the bin shed and erect adequate lighting. The mother and daughter were extremely appreciative of the changes and now use the adapted bin shed.

### **Duty of Care offences**

- **Prosecution for trade waste duty of care;** Dean Smith prosecuted for failing in his duty of care in relation to his business waste, which was found fly tipped in Whippendell Woods. He was later sentenced to pay £850 fine, £2346.10 costs and £15 victim surcharge. (Digital image attached).

Based on the facts and findings the officer in this case made the decision to prosecute on the basis that this was a business knowingly passing his controlled trade waste to a waste carrier. He fail to check if the waste carrier was licensed nor did he obtain a waste transfer note, which he is legally required to keep for two years. This fly tip polluted a very sensitive public area of ancient woodland, a site of special scientific interest, enjoyed by a large proportion of Watford local residents. This fly tip was cleared at the expense of the local purse.

- **Working with our local businesses;** Environmental crime recorded an increase in complaints with regards to local businesses illegally storing Basco Bakers baskets to the front of their shop frontages to display their fruit and vegetables.

In order to work with the local businesses the team took this as an opportunity to work with the business owner and ensure compliance with their duty of care. This gave the team a chance to build positive relationships with the business owners whilst ensuring they were fully compliant with the law. The team arranged a joint operation with the Basco Bakers enforcement team to visit the businesses, discuss whether or not they had adequate bin storage for their trade waste and if not provided them with information and education as well as scheduling a revisit to check compliance. Basco Bakers retrieved the illegally stored bread baskets from the businesses, no formal action was taken in this case and advice and education was provided to business owners.

This gave the business owners the opportunity to improve their shop frontages and therefore increase business. Secondly, the businesses appreciated the face to face contact with the environmental crime team to help ensure compliance with the law. The businesses were initially spectacle of the operation, however thanked the team on their second visit stating it had improved the visual appearance of the shop. These changes were also acknowledged by local residents and passers by, who appreciated the targeted approach to an issue that was becoming a widespread problem in Watford. Approximately 1000 Basco Bakers were retrieved by Basco, costing £7 per unit.

### **Student littering hot spots**

- **Fixed Penalty Notice issued;** Environmental crime recorded an increase in littering from students identified from Westfield Secondary school. Repeat complaints identified sixth form students congregating behind the Holywell

parade of shops and doctors surgery. Complainants stated that the students were intimidating and were littering the area with cigarette butts and general litter during break times everyday.

The officer raised this issue with the sixth form head of year and arranged a joint meeting with the schools police officer. Following the meeting the officer presented a PowerPoint presentation to the sixth form students with the schools police officer. The officer outlined the offence and Watford Zero tolerance policy for littering. The schools police officer then explained the impact of having a criminal offence on their record when applying for a job, if they were to receive an FPN for littering that they failed to pay. A discussion was held with the students and the officer arranged for further litter bins to be installed as requested. The officer provided the sixth form department with the anti littering campaign posters and explained to the students that the team would be targeting this area during break times. The team has seen a positive improvement to the area. As a result of the targeted enforcement only one student was issued with an FPN for purposefully depositing litter on the floor in front of the officer, before laughing and running back to the school. The sixth form head identified the individual who later paid an FPN for littering. The school were happy with the officer's decision to issue an FPN in this case as the students had been warned and they felt it would send out a message to the remaining pupils.

- **Schools information and education;** Following the secondary school littering education work the team took the opportunity to visit local primary schools and target students from a young age surrounding the effects of littering. The team arranged a joint project with the recycling officer and the sustainability officer and prepared a presentation and activity for the students, spreading the message of the impact of litter, the importance of recycling and energy efficiency at schools across the town. One of the teachers in the press release commented "Our children really enjoyed and responded well to the interactive sessions. They particularly liked the litter picking and recycling activity at the end". These workshops were extremely positive and engaging, as well as aiding the schools towards becoming an Eco-school.

**Fly tip case example digital images**

**Lee Taylor Fly tip**



April 2013



November 2013



November 2013



December 13



January 2014



March 14



March 14



April 14

**Jatin Patel fly tip**



**Tammy Moseley fly tip**



**Prosecution for trade waste duty of care**



**Basco bakers bread basket operation examples**

**Before**



**After**



Before



After





# NEWS RELEASE

**Angela Farrance - Communications Officer**

Tel: 01923 278252 email: [angela.farrance@watford.gov.uk](mailto:angela.farrance@watford.gov.uk)



For immediate release

17 December 2012



## **Spreading the message about litter, recycling and energy.**

Watford Borough Council staff are spreading the message of the impact of litter, the importance of recycling and energy efficiency at schools across the town.

Kerrie Barrett - Environmental Crime Officer, and Hayley Page - Recycling Officer have been giving environmental workshops in a number of primary schools in Watford, talking about the negative effects of litter, litter enforcement, street cleansing and how rubbish can be recycled. Each session ended with a litter picking and recycling activity, to put what the pupils had learnt into practice.

Councillor Derek Scudder, Cabinet member with responsibility for environmental issues, said: "We hope that good habits learned in schools are followed through into homes and communities. We recycle over 40% of our waste in Watford, which is great, but we can always strive for more"

The picture shows pupils from Holy Rood Catholic Primary School, who are working towards becoming part of the Eco-Schools programme. This is an international programme which aims to bring about behaviour change in young people and those connected to them.

Rhona Valvano, Eco Coordinator at Holy Rood, said: "Our children really enjoyed and responded well to the interactive sessions. They particularly liked the litter picking and recycling activity at the end"

The school's work towards becoming an Eco-School saw them combining the anti-littering and recycling workshop with an energy efficiency workshop given by the council's Sustainability Officer, Naheeda Khan, for years 5 and 6. The children learnt about different forms of energy, where they come from, their uses, carbon emissions and sustainability, ending with an experiment looking at the effects of insulation.

For more information on litter and recycling please visit: [www.watford.gov.uk/recycling](http://www.watford.gov.uk/recycling) and for more information on innovative energy efficiency measures, please visit [www.watford.gov.uk/greendeal](http://www.watford.gov.uk/greendeal)

*Ends...*

**Appendix 3**  
**Long term solutions - Targeting fly tipping hot spots**

Environmental Crime Officers have taken a holistic approach to combating fly-tipping, working closely with land owners to implement long term solutions to fly-tipping hot spots in Watford.

Brixton Road Car park



St Albans Road (Service Road rear of Carphone Warehouse)



Loates Lane



St Albans Road (alleyway)



Tolpits Lane



**Hazel Tree Service Road**

Part One



Part Two



Part Three



Part Four



Part Five



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## Overview and Scrutiny Committee - Outstanding Actions and questions

Action to be carried out	Responsibility	Committee Date	Deadline	Comments/officer	
<b>Outstanding Actions and Questions</b>					
OA 9	Have the recent letters sent to those people on the housing list had an impact on the number of visitors to CSC?	Committee and Scrutiny Officer	22 January 2015	23 February 2015	The recent communication to housing customers has had no noticeable impact on the number of visitors to the CSC.
OA 10	Average waiting times in CSC for Revenues and Benefits to be added to the information given to OSSP.	Committee and Scrutiny Officer	22 January 2015	23 February 2015	Average wait time for Revenues - 10.81 minutes Average wait times for Benefits - 34.2 minutes Further information included in Appendix 1) Now included in report and will be reported in future reports.
OA 11	The Head of Democracy and Governance to be asked to set up a Constitution Working Party to enable it to consider the terms of reference for OSSP and Overview and Scrutiny Committee, particularly with regard to performance stats.	Committee and Scrutiny Officer	22 January 2015	23 February 2015	The Committee and Scrutiny Officer informed the Head of Democracy and Governance of the request for a review of the responsibilities for Outsourced Services Scrutiny Panel and Overview and Scrutiny Committee. Constitution Working Party has been scheduled to take place on Monday 30 March 2015.

Action to be carried out	Responsibility	Committee Date	Deadline	Comments/officer	
<b>Performance Report</b>					
PI 39	<p><u>CCS12 – Complaints resolved at Stage 1 and CCS13 – complaints resolved within 10 days</u></p> <p>The Scrutiny Committee to be provided with details of the 15 unresolved complaints, including which services they related to.</p> <p>Detailed response to be circulated as soon as the information can be downloaded.</p> <p>(For 2014/15 these are now indicators CS13 and CS14 respectively)</p> <p>Provide Members with details of the reasons for the most recent unresolved complaints at stage 1.</p>	Partnerships and Performance Section Head	<p>6 March 2014</p> <p>25 June 2014</p> <p>17 September 2014</p>	<p>June 2014</p> <p>As soon as available</p> <p>As soon as available</p>	<p>Of the 15 unresolved 14 were Revenues and Benefits and 1 was Planning.</p>    <p>Still not available. (February 2015)</p>
PI 40	<p><u>CCS2 – Improved street and environmental cleanliness</u></p> <p>Forward the Annual indicator as soon as it is available.</p> <p>(For 2014/15 this indicator is CS2)</p>	Partnerships and Performance Section Head	25 June 2014	31 July 2014	<p>Still waiting for the information; delay due to technical difficulties.</p> <p>Result now reported as ‘very effective’. (February 2015)</p>



Action to be carried out		Responsibility	Committee Date	Deadline	Comments/officer
PI 41	<u>CCS2 – Improved street and environmental cleanliness</u>	Committee and Scrutiny Officer	25 June 2014	1 September 2014	The Environmental Health and Licensing Section Head to present a report at Overview and Scrutiny's March meeting on fly-tipping and enforcement.
	Add to work programme for a report on this indicator.  Raise issue of abandoned bags of rubbish with officers	Overview and Scrutiny Committee and Outsourced Services Scrutiny Panel	20 November 2014	26 March 2015 and 26 November 2014 respectively	For discussion at the relevant meetings.  A report is included on this agenda.
PI 43	<u>CCS7 – HomeLet</u>	Committee and Scrutiny Officer / Housing Section Head	25 June 2014	1 September 2014	Officers will be meeting on 11 September to discuss the interim findings. An update will be provided once it is available.
	Scrutiny Committee to be provided with a copy of the results of the current survey.  (For 2014/15 this indicator is CS4)  The Portfolio Holder and Housing Officers to be invited to attend a future scrutiny committee to discuss the HomeLet scheme.		17 September 2014	26 March 2015	An item is included on this agenda.

Action to be carried out		Responsibility	Committee Date	Deadline	Comments/officer
PI 45	<p>Housing Section to be asked to ensure a member of the team to be present in CSC during opening hours.</p> <p>Revenues and Benefits to be asked to provide an additional member of staff from the Benefits Team to the CSC.</p>	Committee and Scrutiny Officer	20 November 2014	2 February 2015	The responses are attached as Appendix 2.
PI 47	Future reports to include a review of the Council's Corporate Plan.	Partnerships and Performance Section Head / Committee and Scrutiny Officer	17 September 2014	31 October 2014	<p>The Chair Of Overview and Scrutiny, the Partnerships and Performance Section Head and the Committee and Scrutiny Officer have met to discuss the Corporate Plan. Several areas have been identified for possible future reviews. The Committee and Scrutiny Officer will review the suggestions and will add items to the work programme as appropriate.</p> <p>The work programme to be discussed at the first meeting of the new Municipal Year.</p> <p>Draft Corporate Plan now available. Will be at Council for approval in March.</p>

Action to be carried out		Responsibility	Committee Date	Deadline	Comments/officer
<b>Executive Decision Progress Report</b>					
ED 6	Officers to be asked if they monitored the cumulative effect of agreed schemes on Watford.	Committee and Scrutiny Officer	17 September 2014	31 October 2014	The Managing Director and Head of Regeneration and Development have been contacted regarding this enquiry.
<b>Community Safety Partnership Task Group Update</b>					
CSP 6	Update to be circulated to OSC	Committee and Scrutiny Officer	22 January 2015	2 February 2015	Circulated to the Scrutiny Committee on 27 January 2015.
<b>Controlled Parking Zone Policies Task Group</b>					
CPZ 1	Task Group's final report to be circulated to OSC.	Committee and Scrutiny Officer	22 January 2015	9 February 2015	The Task Group's final report was presented to Cabinet on 16 March 2015, when it was deferred to a future meeting. Cabinet's response will be provided to Overview and Scrutiny Committee at a future meeting.
<b>Work Programme</b>					
WP 20	Work programme to be discussed at the first meeting of the Municipal Year.	Committee and Scrutiny Officer	22 January 2015	5 June 2015	Work programme updated.

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**Additional information**

There have been ongoing issues with how we have dealt with the customer service side of revenues and benefits. The reasons people telephone or come in is because they are chasing their claim, don't understand the letters they have received or need help and advice. My priority has been to fix the structural and deep rooted problems with the back office, whilst battling with the IT. The interim arrangements we did put into the CSC included

- Having a dedicated assessment officer within the CSC to help with enquiries
- Fast tracking new claims and getting them assessed with 48 hours
- Reviewing the forms and leaflets
- Reviewed and updated every council tax, business rate and benefit letters
- Putting the queue position on the telephone lines
- Opened the phones on Wednesday afternoons where previously we were closed

**Where we are now**

During quarter 1 and 2 our workloads were stable and at a level we were comfortable with and we had a clear plan of action to take the service to the next level. The period from the end of August right through to Christmas was very difficult. Our workloads which had been reducing rose to 2700 documents (combined WBS and TRDC) outstanding by Christmas due to the on-going IT issues. Since the New Year we have had a more stable service and no unplanned downtime. As of the 25/2/15 we have just over 600 pieces of work outstanding on benefits (lowest ever and even pre-shared services days) – about 4 days work. For revenues we have just over 600 documents – again the lowest ever.

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### Responses to 2 outstanding questions

#### Benefits support in CSC

This is a really complex issue and I wish that just putting an extra member of staff in the CSC was the solution. The reality is I don't have a spare member of staff – if I move a member of the back office staff downstairs, it will impact on processing of claims, which would generate more phone calls and visits. Additionally, there is no capacity in the CSC for us to have another desk – something which I have been discussing with Dani Negrello and Alan Gough and would need a remodelling of the whole area.

In relation to the average waiting time quoted of 40 minutes – this varies by the day and by the hour. There are times when we have no-one waiting at all but we have to manage the peaks and troughs. Originally we had 1 benefit officer on the counter but I increased that to two about a year ago. I also have another benefit officer located in the back office within the CSC to help out. Additionally some of the customers may have been seen by my team but then need to see housing.

The average wait time has been 27 minutes this week and last – which are traditionally busy after the Xmas break so I would expect that to reduce over the coming weeks. In addition, the waiting time includes people who choose to wait for their documents to be copied/scanned rather than having them posted back to them – i.e. they have been seen but are told that there will be a delay in photocopying if we are busy.

Whilst we are trying to proactively channel shift people from face to face for new claims we are encouraging them to come in so that we can check their claim and if right process it on the same day. Some customers are opting to wait to see what their entitlement is, thereby skewing the figures.

Whilst I fully appreciate the observations made by members of the committee, during my time here I have not had any formal complaints from customers visiting us – which was not previously the case. My experience as an ex-head of customer services is that benefit customers are prepared to wait if they know their query is dealt with. As a result, the time spent with customers has increased so that we can process changes with them there and then – i.e. a true one stop experience, as opposed to being a “message taking service”.

We have spent a lot of time before Xmas updating and simplifying benefit and assessment letters as they were complicated and difficult to understand. Many of our enquiries were because people didn't understand them. I am hoping that the work we have done on the letters may reduce the footfall

Head of Revenues and Benefits  
15 January 2015

## Housing staff in CSC

As per the WBC website (<http://www.watford.gov.uk/ccm/navigation/housing/>) the drop-in sessions for Housing advice are as follows:

“If you do want to come in, a housing advisor will be available Monday, Tuesday, Thursday and Friday - 9am until 12.30pm, and Wednesdays - 1pm until 4.30pm.

If you come to the Town Hall when the advisor is not on duty, you will be offered the option of telephoning for advice at the following times: Monday, Tuesday and Thursday - 1pm until 4.30pm, and Friday - 1 pm until 4.15pm.”

Please note that for the drop-in sessions the duty Housing Advisors now sits in the CSC back office (along with the duty Environmental Health Officer, duty Planner and duty Benefits Officer) so is readily available for meetings with customers during these drop-in times.

Head of Community and Customer Services  
19 January 2015



## \*PART A

**Report to:** Overview and Scrutiny Committee  
**Date of meeting:** 5 March 2015  
**Report of:** Partnerships and Performance Section Head  
**Title:** Update on the council's performance indicators and measures (in-house services) – quarter 3: (October - December) 2014/15

### 1.0 **SUMMARY**

- 1.1 Watford BC's Corporate Plan 2014-18 sets out the council's priority areas for delivery over the next four years. These are supported by a suite of performance measures that help identify where performance is meeting or exceeding targets or where it is below target. In these latter cases, consideration needs to be given to the reasons for under-performance and to steps that might support improvement.
- 1.2 Over recent years, a number of the council's services have been outsourced and are now delivered by external providers. In light of this, an Outsourced Services Scrutiny Panel has been established to provide scrutiny of those services that are no longer directly delivered by the council. This includes monitoring of relevant performance information. For Overview and Scrutiny Committee this has meant a significant reduction in the performance measures it is required to scrutinise on a quarterly basis.
- 1.3 This report, therefore, presents an update on the council's performance indicators at quarter 3 (October - December) 2014/15 for non-outsourced services.

### 2.0 **RECOMMENDATIONS**

- 2.1 To note and comment on the performance of the council's performance measures for those areas where the council directly delivers the service / area of work at the end of quarter 3 2014/15

#### **Contact Officer:**

For further information on this report please contact:  
Kathryn Robson, Partnerships and Performance Section Head  
telephone extension: 8077 email: [kathryn.robson@watford.gov.uk](mailto:kathryn.robson@watford.gov.uk)

### 3.0 **Background**

Watford Borough Council's Corporate Plan 2014-18 sets out a medium term delivery plan of the council's work and areas for development. These are then translated into projects and areas of work for services to deliver and are reflected in individual service plans. These are regularly monitored for progress and achievement.

To support the delivery of these projects and areas of work, the council also identifies a number of performance measures or indicators, which provide regular information on progress against agreed targets.

Over recent years, the council has outsourced a range of services, which are now provided for the authority by external providers. Performance measures for outsourced services are scrutinised by Outsourced Services Scrutiny Panel. Overview and Scrutiny, therefore, retain responsibility for the scrutiny of those services delivered directly by the council or for areas of work for which it is directly responsible (i.e. not outsourced to another organisation or company).

### 3.1 **Performance of 'retained' service performance measures as of Quarter 3 2024-15**

3.1.1 Set out in Appendix A is an update on performance to the end of Quarter 3 2014-15 of performance measures for those services still delivered directly by the council.

3.1.2 Those performance measures that are not performing against target are indicated either by a 😞 (under-performing by up to 10%) or by a ! (under-performing by over 10%). Where a measure is performing well (on or above target) it is highlighted with a 😊 even if this is over 10%.

3.1.3 In addition, the report provides trend information. Where possible current performance has been compared with the performance for the same quarter last year (Q3 2013/14) and with last quarter (Q2 2014/15). This information can help provide context on the relative performance of an indicator and help assess whether there are any trends emerging. Trend analysis shows whether performance has:

- Improved since the previous period – shown by a '↑' and with the relevant previous period result as an indication of the extent of improvement
- Declined since the previous period – shown by a '↓' and with the relevant previous period result as an indication of the extent of decline.
- Stayed the same since the previous period – show by a '↔'

3.1.4 Within Appendix A, there are three main areas of council activity:

- Housing
- Planning
- Customer Services

3.1.5 Housing performance has been impacted by both demand and supply issues - the latter relating to the end of a number of private sector tenancies. Housing service is exploring all possible avenues to improve supply in order to help alleviate current demand.

Planning performance remains strong although there has been a slight decline in major applications performance but the small number of applications received in this category means that the impact of one application is very noticeable.

Lagan issues continue to impact reporting on Customer Services' related indicators, although individual services retain their own records and, overall, they are being dealt with within time (10 days on receipt of initial complaint). However, a new indicator for this quarter has been included (wait times in the Customer Service Centre for Revenues and Benefits customers) and will be captured in future reports. Those indicators where results are not available are 'greyed out'.

#### 4.0 **IMPLICATIONS.**

##### 4.1 **Financial**

4.1.1 The Head of Finance) comments that there are no financial implications within this report.

##### 4.2 **Legal Issues** (Monitoring Officer)

4.2.1 The Head of Democracy and Governance comments that there are no legal implications within this report.

#### Appendices




Appendix A – Watford BC - Measures of Performance – Progress report as of end of quarter 3 2014/15 (in-house services)

Background papers: Corporate Plan 2014-18








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**WATFORD BOROUGH COUNCIL – MEASURES OF PERFORMANCE (in-house services)**







**October - December 2014 (Quarter 3) 2014/15**

Ref	Indicator	Target for year	Profile for period (Q3)	Results for period (Q3)	Cumulative result (Q3)	  % variance	Trend since last year (Q3 2013/14)	Trend since last period (Q2 2014/15)	Comment
<b>COMMUNITY AND CUSTOMER SERVICES</b>									
<b>CS1</b>	Per capita reduction in CO <sub>2</sub> emissions from local authority operations (over 5 yr period) <b>(Annual indicator)</b>	-	-	-	-	-	-	-	Annual indicator – not reported this quarter.  Target to be confirmed following discussions with Local Air LACM Board
<b>CS2</b>	Improved street and environmental cleanliness (levels of fly tipping)	Effective [Result for 2013/14 = very effective]	-	-	-	-	-	-	Evaluation of last year now possible. The service achieved very effective.
<b>CS3</b>	Affordable homes on identified sites <b>(Biannual indicator)</b>	68 [Revised from 76]  (Original target included 8 intermediate rent, which is outside of WBC noms)	51	<b>71</b>	71	 [100%]	↓ [82] [Q3:13/14]	↑ [68] [Q2: 14/15]	Affordable homes completed April – December 2014:  Sites are: Benskin House St Albans Road, Upton Road, Aldenham Road. There are no further Affordable Housing units due to be delivered this financial year.

Appendix A - Watford BC - Measures Of Performance (in-house services) – Progress report as of quarter 3 – 2014/15

Ref	Indicator	Target for year	Profile for period (Q3)	Results for period (Q3)	Cumulative result (Q3)	 % variance	Trend since last year (Q3 2013/14)	Trend since last period (Q2 2014/15)	Comment
CS4	Number of households living in temporary accommodation	120 (3.1 per 1,000 households)	115	<b>176 households</b>	N/A	 [57%]	↓ [110] [Q3:13/14]	↓ [146] [Q2:14/15]	Increase for the quarter was expected due to possessions in the private rented sector.
CS5	Number of private sector units secured for use under HomeLet	48 plus 11 renewals	12 plus 3 renewals	<b>4 plus 10 renewals</b>	12 plus 10 renewals	 [53.0%]	↓ [15] [Q3:13/14] <i>For new units secured</i>	↑ [7] [Q2:14/15] <i>For new units secured</i>	Homelet scheme is under review in order to increase the potential of procurement prior to housing policy changes from April 2014.
						 [9.1%]			
CS6	The number of households in bed and breakfast accommodation and nightly lets who are pregnant/with dependent children	25 nightly let 10 B&B B	25 nightly let 10 B&B	<b>Nightly let 22</b>	Nightly let 41	 [120.0%]	<b>Nightly let</b> ↓ [16] Q3:13/14	<b>Nightly let</b> ↓ [0] [Q2:14/15]	
				<b>B&amp;B 9</b>	B&B 22	 [64.0%]			
CS7	The number of people sleeping rough on a single night within the area of the local authority	15	15	<b>22</b>	N/A	 [46.7%]	↓ [15] [Q3:13/14]	-	This indicator is reported in Q3. Not reported in previous quarter so comparison not available. New Hope undertaking an analysis of those identified through the audit.

Appendix A - Watford BC - Measures Of Performance (in-house services) – Progress report as of quarter 3 – 2014/15

Ref	Indicator	Target for year	Profile for period (Q3)	Results for period (Q3)	Cumulative result (Q3)	   % variance	Trend since last year (Q3 2013/14)	Trend since last period (Q2 2014/15)	Comment
CS8	CSC service levels 80% calls answered in 20 secs	80%	80%	84%	N/A	 [5.0%]	↑ [82.0%] [Q3:13/14]	↑ [78.0%] [Q3:13/14]	
CS9	Long Waits' for calls received to CSC	CSC 6% or less	CSC 6% or less	4%	N/A	 [33.3%]	N/A	↑ [9.0%] [Q3:13/14]	
	Long wait = calls not answered within 2 minutes	Benefits No Target	Benefits No Target	68%	N/A		↑ [75.0%] [Q3:13/14]		
CS10	CSC service levels 95% all calls answered	95%	95%	98%	N/A	 [3.2%]	↑ [95.0%] [Q3:13/14]	↑ [97%] [Q3:13/14]	
CS11	Calls resolved at first point of contact	80%	80%						Still waiting on resolution for Lagan eforms.
CS12	Average waiting times in the CSC for Revenues and Benefits enquiries	-	=	Revenues 10.81 minutes	-	=	-		New indicator this quarter. This is at 18 Feb 2015 rather than Quarter 3.
				Benefits 34.2 minutes					
CS13	Complaints resolved at stage one	80%							Still waiting on resolution for Lagan eforms.

**Appendix A - Watford BC - Measures Of Performance (in-house services) – Progress report as of quarter 3 – 2014/15**

Ref	Indicator	Target for year	Profile for period (Q3)	Results for period (Q3)	Cumulative result (Q3)	% variance	Trend since last year (Q3 2013/14)	Trend since last period (Q2 2014/15)	Comment
CS14	% of stage 1 complaints resolved within 10 days	80%							Still waiting on resolution for Lagan eforms.

REGENERATION AND DEVELOPMENT									
Ref	Indicator	Target for year	Profile for period (Q3)	Results for period (Q3)	Cumulative result (Q3)	% variance	Trend since last year (Q3 2013/14)	Trend since last period (Q2 2014/15)	Comment
RD1	Processing of planning applications as measured against targets for 'major' applications (% determined within 13 weeks)	85%	85%	66.67%	92.86%	 [21.6%]	↓ [70.0%] [Q3:13/14]	↓ [100.00%] [Q2:14/15]	3 applications in Q3 14 applications cumulatively
RD2	Processing of planning applications as measured against targets for 'minor' applications (% determined within 8 weeks)	90%	90%	100.00%	99.80%	 [10.9%]	↑ [97.48%] [Q3:13/14]	↑ [97.0%] [Q2:14/15]	168 applications in Q3 495 applications cumulatively
RD3	Processing of planning applications as measured against targets for 'other' applications (% determined within 8 weeks)	90%	90%	100.00%	99.80%	 [11.1%]	↑ [99.46%] [Q3:13/14]	↔ [100.0%] [Q2:14/15]	

- on target/in budget or above target
- not on target/ over budget but there is no cause for concern at this stage.
- ! not on target/ more than 10% variance or £50k over budget and is a cause for concern.



# Watford Borough Council

## Executive Decision Progress Report

### May 2014 – May 2015

Contact Officer: Sandra Hancock  
Committee and Scrutiny Officer

Telephone: 01923 278377

Email: [legalanddemocratic@watford.gov.uk](mailto:legalanddemocratic@watford.gov.uk)

All officer decisions are available on the Council's website – <http://watford.moderngov.co.uk/mgDelegatedDecisions.aspx?bcr=1> or from 6 August 2014 all Officer decisions are available on - <http://watford.moderngov.co.uk/mgListOfficerDecisions.aspx?bcr=1&BAM=0>. Only Officer key decisions are shown below.

<b>Decision</b>	<b>Department</b>	<b>Decision maker</b>	<b>Date Key Decision to be taken (as shown on the Notice of Executive Decisions)</b>	<b>Status</b>
Amendment to the Council's Housing Nomination Policy (Armed Forces related regulations)	Community and Customer Services	Head of Community and Customer Services	May 2014	Key decision Approved by the Head of Community and Customer Services on 1 May 2014 Not called in
Award a 4-year hawk flying contract as part of the WBC pigeon control strategy for the Town Centre	Community and Customer Services	Head of Community and Customer Services	May 2014	Key decision The Chair of Overview and Scrutiny Committee agreed that the decision could be dealt with in accordance with Access to Information Procedure Rule 16 of the Constitution, "Special Urgency". Approved by the Head of Community and Customer Services on 29 May 2014 Call-in not applicable
Provision of a temporary ice rink in Watford Town Centre	Community and Customer Services	Elected Mayor	June 2014	Key decision Approved by Mayor Thornhill on 4 June 2014 Not called in

<b>Decision</b>	<b>Department</b>	<b>Decision maker</b>	<b>Date Key Decision to be taken (as shown on the Notice of Executive Decisions)</b>	<b>Status</b>
Decision to "opt to tax" for VAT on a parcel of land on which the new market is to be built	Regeneration and Development	Portfolio Holder	July 2014	Key decision This decision is covered by Paragraph 3, Schedule 12A of the Access to Information Act; it refers to information relating to the financial or business affairs of the Council. Agreed by the Portfolio Holder on 14 July 2014 Not called in
Herts Waste Partnership Agreement Deed of Variation	Corporate Strategy and Client Services	Portfolio Holder	N/A	Non-key decision Agreed by the Portfolio Holder on 18 July 2014
Approval of the Residential Design Guide	Regeneration and Development	Cabinet	July 2014	Key decision Agreed by Cabinet on 23 July 2014 Not called in
To note the progress on the Allotments Investment Programme and Farm Terrace Update	Corporate Strategy and Client Services	Cabinet	July 2014	Key decision Previously proposed to be taken in November 2013, then January 2014 and then February 2014 Agreed by Cabinet on 23 July 2014 Not called in

<b>Decision</b>	<b>Department</b>	<b>Decision maker</b>	<b>Date Key Decision to be taken (as shown on the Notice of Executive Decisions)</b>	<b>Status</b>
Increase in budget to fund ICT Roadmap expenditure	Shared Director of Finance	Cabinet	July 2014	Key decision Agreed by Cabinet on 23 July 2014 and then Council on 30 July 2014 Call-in not applicable
To approve the continued development of the BIG events programme and the use of reserves to help fund this over the next 3 years	Head of Community and Customer Services	Cabinet	July 2014	Key decision Agreed by Cabinet on 23 July 2014 Not called in
Charter Place redevelopment by INTU	Democracy and Governance	Cabinet	July 2014	Key decision Agreed by Cabinet on 23 July 2014 Not called in
St Albans Road Parking Study: results of the stage 2 consultation and recommendations for further work	Regeneration and Development	Cabinet	July 2014	Key decision Agreed by Cabinet on 23 July 2014 Not called in
Approval to enter Section 106 Agreement for Watford Health Campus	Regeneration and Development	Cabinet	N/A	Non-key decision Agreed by Cabinet on 23 July 2014 Not called in

<b>Decision</b>	<b>Department</b>	<b>Decision maker</b>	<b>Date Key Decision to be taken (as shown on the Notice of Executive Decisions)</b>	<b>Status</b>
Grand Union Canal Towpath refurbishment Phase 3, contract rules exemption	Regeneration and Development	Cabinet	N/A	Non-key decision Agreed by Cabinet on 23 July 2014 Not called in
Asbestos Removal Works Under: HSE Control of Asbestos Regulations 2012	Democracy and Governance	Cabinet	N/A	Non-key decision Agreed by Cabinet on 23 July 2014 Not called in
Building Control	Regeneration and Development	Cabinet	N/A	Non-key decision Agreed by Cabinet on 23 July 2014 Not called in
Financial Outturn for the Authority 2013/14	Director of Finance	Cabinet	July 2014	Key decision In accordance with the Access to Information Procedure Rule 15 the Chair of Overview and Scrutiny Committee was notified that the decision was to be taken by Cabinet in July. Agreed by Cabinet on 23 July 2014 Not called in
Municipal Bonds Agency	Director of Finance	Cabinet and Council	N/A	Non-key decision Agreed by Cabinet on 23 July 2014 and then Council on 30 July 2014 Call-in not applicable

<b>Decision</b>	<b>Department</b>	<b>Decision maker</b>	<b>Date Key Decision to be taken (as shown on the Notice of Executive Decisions)</b>	<b>Status</b>
Award of contract for provision of a Homelessness Review Service (Part B)	Community and Customer Services	Cabinet	July 2014	Key decision This decision was taken in private due to the content of the report. It is covered by Paragraph 3, Schedule 12A, as it included commercially sensitive information regarding the awarding of a contract. Agreed by Cabinet on 23 July 2014 Not called in
Procurement of a footfall counting solution for Watford Town Centre	Regeneration and Development	Economic Development Officer	August 2014	Key decision Agreed by Economic Development Officer and Team on 15 August 2014 Not called in
Completion of Stage 1 of Watford Business Park Strategic Masterplan and Regeneration Initiative	Regeneration and Development	Cabinet	September 2014	Key decision Considered by Cabinet on 1 September Not called in
Approval to consult on draft Sports Facilities strategy	Corporate Strategy and Client Services	Cabinet	September 2014	Key decision Considered by Cabinet on 1 September Not called in

<b>Decision</b>	<b>Department</b>	<b>Decision maker</b>	<b>Date Key Decision to be taken (as shown on the Notice of Executive Decisions)</b>	<b>Status</b>
Watford Business Park Strategic Masterplan	Regeneration and Development	Cabinet	September 2014	Key decision Considered by Cabinet on 1 September Not called in
Application to BID Loan Fund	Regeneration and Development	Cabinet	September 2014	Non-key decision Considered by Cabinet on 1 September Not called in
Cassiobury Park Restoration – Acceptance of terms of grant	Corporate Strategy and Client Services	Head of Corporate Strategy and Client Services		Non-key decision Approved by Head of Corporate Strategy and Client Services on 22 September 2014 Call-in not applicable
Revised Housing Nomination Policy	Community and Customer Services	Cabinet	October 2014	Key decision Originally the decision was due to be considered in September. Considered by Cabinet on 13 October 2014 Not called in

Decision	Department	Decision maker	Date Key Decision to be taken (as shown on the Notice of Executive Decisions)	Status
Lease for Temporary Accommodation	Community and Customer Services	Property Manager and Housing Section Head		<p>Non-Key decision</p> <p>The Chair of Overview and Scrutiny Committee agreed that the decision could be dealt with in accordance with Access to Information Procedure Rule 16 of the Constitution, "Special Urgency".</p> <p>The report is covered by Paragraph 3, Schedule 12A, as it included commercially sensitive information regarding the awarding of a contract.</p> <p>Approved by the Property Manager and Housing Section Head on 16 October 2014.</p> <p>Call-in not applicable</p>
WBC Housing Strategy	Community and Customer Services	Cabinet	December 2014	<p>Key decision</p> <p>Considered by Cabinet on 1 December 2014</p> <p>Not called in</p>
Town Centre Multi Storey Car Parks	Regeneration and Development	Cabinet	December 2014	<p>Key decision</p> <p>Considered by Cabinet on 1 December 2014</p> <p>Not called in</p>
Termination of the Housing Regeneration Initiative (HARI) agreement	Community and Customer Services	Cabinet	December 2014	<p>Key decision</p> <p>Considered by Cabinet on 1 December 2014</p> <p>Not called in</p>



<b>Decision</b>	<b>Department</b>	<b>Decision maker</b>	<b>Date Key Decision to be taken (as shown on the Notice of Executive Decisions)</b>	<b>Status</b>
Local Plan Part 2 – progression to consultation	Regeneration and Development	Cabinet	December 2014	Key decision Considered by Cabinet on 1 December 2014 Not called in
Town Centre Partnerships proposal to ballot for a Business Improvement District (BID)	Regeneration and Development	Cabinet	December 2014	Key decision Considered by Cabinet on 1 December 2014 Not called in
Economic Development Strategy Refresh (2015-2020)	Regeneration and Development	Cabinet	December 2014	Non-key decision Considered by Cabinet on 1 December 2014 Not called in
Wifi connectivity report	Regeneration and Development	Cabinet	December 2014	Non-key decision Considered by Cabinet on 1 December 2014 Not called in
Adoption of the Watford Sports Facilities Strategy	Corporate Strategy and Client Services	Cabinet	January 2015	<b>Amended</b> Key Decision Originally due to be taken in December 2014 Considered by Cabinet on 19 January 2015 Not called in

<b>Decision</b>	<b>Department</b>	<b>Decision maker</b>	<b>Date Key Decision to be taken (as shown on the Notice of Executive Decisions)</b>	<b>Status</b>
Private Rented Sector Discharge Policy	Community and Customer Services	Cabinet	January 2015	<b>Amended</b> Key decision Considered by Cabinet on 19 January 2015 Not called in
Draft Revenue and Capital Estimates 2015/2018	Finance	Cabinet	January 2015	<b>Amended</b> Key decision Considered by Cabinet on 19 January 2015 Not called in
Housing Storage Policy	Community and Customer Services	Cabinet	January 2015	<b>Amended</b> Key decision Considered by Cabinet on 19 January 2015 Not called in
Wifi connectivity project – delegation of authority to Portfolio Holder	Regeneration and Development	Cabinet	January 2015	<b>Amended</b> Non-key decision Considered by Cabinet on 19 January 2015 Not called in

<b>Decision</b>	<b>Department</b>	<b>Decision maker</b>	<b>Date Key Decision to be taken (as shown on the Notice of Executive Decisions)</b>	<b>Status</b>
Amendment and revocation of the Council's Air Quality Management Areas	Community and Customer Services	Portfolio Holder for Community and Customer Services	January 2015	<b>Amended</b> Key decision Agreed by the Portfolio Holder on 7 January 2015 Not called in
Reviewed and updated Corporate Plan 2015-19	Managing Director	Cabinet Council	February 2015 March 2015	<b>New</b> Key decision Considered by Cabinet on 16 February 2015 and due to be considered by Council on 18 March 2015
CPZ Policies Task Group recommendations	Democracy and Governance	Cabinet	February 2015	<b>New</b> Non-key decision Considered by Cabinet on 16 February 2015 deferred to a further meeting, date to be confirmed.
Watford's Monitoring Report 2014	Regeneration and Development	Cabinet	February 2015	<b>New</b> Non-key decision Considered by Cabinet on 16 February 2015 Not called in

Decision	Department	Decision maker	Date Key Decision to be taken (as shown on the Notice of Executive Decisions)	Status
Watford Health Campus – Appropriation of Oxhey Park Open Space	Regeneration and Development	Cabinet	February 2015	<b>New</b> Non-key decision Considered by Cabinet on 16 February 2015 Not called in
Establishment of a Property Investment Board and agree the direction of travel in respect of actions arising from the Property Review	Regeneration and Development	Cabinet	March 2015	<b>New</b> Key decision Due to be considered by Cabinet on 9 March 2015
Authorisation for the back scanning of planning application files from 2009 - 2013	Regeneration and Development	Cabinet	March 2015	<b>New</b> Key decision Due to be considered by Cabinet on 9 March 2015

## PART A

**Report to:** Overview and Scrutiny Committee

**Date of meeting:** 5 March 2015

**Report of:** Committee and Scrutiny Officer

**Title:** Scrutiny Proposal – Voluntary Sector Commissioning Framework (Community Centres)

### 1.0 SUMMARY

1.1 This report provides the Scrutiny Committee with details of a suggestion for a Scrutiny Task Group.

### 2.0 RECOMMENDATION

2.1 That Overview and Scrutiny Committee considers the scrutiny proposal, submitted by the Corporate, Leisure and Community Section Head, attached at Appendix 1 and establishes a Task Group.

2.2 That, if the scrutiny suggestion is agreed, Overview and Scrutiny Committee appoints Councillors to the Task Group.

#### **Contact Officer:**

For further information on this report please contact: Sandra Hancock, Committee and Scrutiny Officer  
telephone extension: 8377 email: [legalanddemocratic@watford.gov.uk](mailto:legalanddemocratic@watford.gov.uk)

**Report approved by:** Carol Chen, Head of Democracy and Governance

### 3.0 DETAILED PROPOSAL

3.1 In January 2015, the Committee and Scrutiny Officer met the Corporate, Leisure and Community Section Head to discuss a potential scrutiny subject for a Task Group.

3.2 The Corporate, Leisure and Community Section Head was forwarded the scrutiny proposal form and asked to return it enabling Overview and Scrutiny Committee to consider it at its meeting on 5 March 2015. The completed scrutiny proposal form is attached at Appendix 1. The suggestion is to review community centres, which will be fed into the overall review of the Voluntary and Community Sector Commissioning Framework.

3.3 At its meeting on 7 March 2012 Overview and Scrutiny Committee agreed to establish a Task Group to review the draft Voluntary and Community Sector Commissioning Framework prior to the consultation stage in June 2012. The Task Group's final report is available on the [Council's website](#).

- 3.4 The new Task Group is being asked to focus on one specific area of the Framework, namely community centres. Its work will be carried out after the elections on 7 May 2015. It is anticipated that two meetings will be required; one will probably take place in May and the second in June.
- 3.5 The Corporate, Leisure and Community Section Head has advised that officers intend to present the draft Framework to Cabinet in June 2015. If approved the consultation will take place during July and August 2015 with the final report being presented to Cabinet in October 2015. The Task Group's work must therefore be completed prior to the Cabinet meeting on 22 June 2015.
- 3.6 The Scrutiny Committee is asked to consider the attached proposal.
- 3.7 If the Scrutiny Committee agrees to establish a Task Group, Members are asked to agree the membership. The Task Group should comprise a minimum of three Councillors and preferably no more than five; officers have found that five is the optimum number.
- 3.8 The Committee and Scrutiny Officer has emailed all non-Executive Councillors advising them of the proposed Task Group and asking them to inform her if they are interested in taking part. The Committee and Scrutiny Officer will update the Scrutiny Committee of the names of those Councillors who have contacted her expressing an interest in participating in the Task Group.
- 4.0 **IMPLICATIONS**
- 4.1 **Financial**
- 4.1.1 The Shared Director of Finance states that there are no financial implications contained in the attached proposals at this stage.
- 4.2 **Legal Issues** (Monitoring Officer)
- 4.2.1 The Head of Democracy and Governance comments that there are no legal implications in this report.

#### Appendix

Appendix 1 – Scrutiny Proposal from the Corporate, Leisure and Community Section Head – Review of community centres as part of the overall review of the Voluntary Sector Commissioning Framework (Sections 1 and 2)

#### Background Papers

Voluntary and Community Sector Commissioning Framework Task Group

#### File Reference

None

## **Selection of topics and issues for scrutiny by councillors, officers or members of the public**

Anyone wishing to suggest a topic for scrutiny must complete Section 1 of this form.

### 1. Sources

The following are sources of ideas for the work programme:

- Performance indicators, both national and internal.
- Views of Cabinet and Leadership Team especially in relation to policy subjects.
- The Council's surveys, such as the annual residents' survey.
- The Complaints Report which is compiled annually by the Customer Service Centre.
- Service complaints more widely; although individual cases will not be taken up if a large volume of complaints is received about a single issue then it may be appropriate to pursue the topic.
- Reports of external inspections of services.
- The views of the Council's partners.
- Issues picked up by ward councillors in their locality.
- The Council's Forward Plan

### 2. Outcomes

Success indicators could include:

- Having identified local needs;
- Having evaluated alternative ways of working/how a service could improve and making recommendations to the Executive or the Council's partners;
- Having developed an awareness of any contractual, economic, legal or structural constraints on Council's or its partners approach.

### 3. Criteria

To qualify for consideration the topic must meet the following criteria:

- Affect a group or community of people. Scrutiny will not normally look at individual service complaints.
- Relate to a service, event or issue in which Watford Borough Council has a significant stake.
- Not be an issue that Scrutiny has covered during the last year.
- Not be a planning or licensing issue, or any other matter dealt with by another council committee.
- To match one or more of the Council's current priorities.
- To be feasible and able to be completed within the timescale projected for the work.
- There must be availability within the relevant department/service to support the review.
- Be a topic that members wish to scrutinise.

On completion please return to Sandra Hancock, Committee and Scrutiny Officer

By email – [sandra.hancock@watford.gov.uk](mailto:sandra.hancock@watford.gov.uk)

By post – Democracy and Governance, Watford Borough Council, Town Hall, Watford, WD17 3EX



## Suggestions for topics to be scrutinised – evaluation table

A Member, Officer or member of the public suggesting a topic for scrutiny must complete Section 1 as fully as possible. Completed tables will be presented to Overview & Scrutiny for consideration.

<b>Section 1 – Scrutiny Suggestion</b>	
<b>Proposer: Prema Mani – Corporate, Leisure &amp; Community Section Head</b>	
<p><b>Topic recommended for scrutiny:</b></p> <p><i>Please include as much detail as is available about the specific such as;</i></p> <ul style="list-style-type: none"> <li>• <i>areas which should be <u>included</u> in the review.</i></li> <li>• <i>areas which should be <u>excluded</u> from the review.</i></li> <li>• <i>Whether the focus should be on past performance, future policy or both.</i></li> </ul>	<p>To review community centres as part of the overall review of the Voluntary Sector Commissioning Framework and in preparation for the next framework from April 2016 – March 2019.</p> <p>A briefing will be presented to the task group providing information relating to:</p> <ul style="list-style-type: none"> <li>- the outsourcing arrangements for the five community centres previously managed by the council</li> <li>- details of the funding arrangements with the five community centres and the inclusion of a sixth centre</li> <li>- a performance assessment of the current funded community centres</li> <li>- details of other community centres in Watford</li> <li>- an options analysis</li> </ul> <p><u>Areas excluded from the review</u></p> <p>The areas which will be excluded from the review are the other current priorities delivered under the Commissioning Framework 2013-16. These are:</p> <ul style="list-style-type: none"> <li>- infrastructure support to the voluntary sector</li> <li>- arts and culture</li> <li>- advice services</li> <li>- service to enable people with a physical mobility problem to access the town centre</li> </ul>

	<ul style="list-style-type: none"> <li>- sport</li> <li>- Small Grants Fund</li> </ul> <p>The Task Group are asked to consider particular issues relating to community centres including:</p> <p>Property issues – All six funded community centres are council owned and this generates significant costs to the council for the upkeep of current structural maintenance and future asset management.</p> <p>Additionally there are a number of community centres that are council owned and leased out to voluntary sector organisations which do not receive council grant funding.</p> <p>Income generation and future sustainability – It has been evident that some of the community centres have faced challenges in generating income to become more financially sustainable due to a number of limiting factors including size of the centre, location and level of community engagement.</p> <p>The outcome of the Property Review and identification of development issues.</p>
<p><b>Why have you recommended this topic for scrutiny?</b></p>	<p>The current Commissioning Framework comes to an end in March 2016. All the priorities are being reviewed, however it was considered that the priority for community centres funding is a particularly complex area and therefore would benefit from being treated as a separate workstream.</p> <p>The Portfolio Holders and Heads of Service meeting on 2<sup>nd</sup> February 2015 has approved the submission of a cross party task group to look at this area of the Commissioning Framework review.</p>
<p><b>What are the specific outcomes you wish to see from the review?</b></p>	<p>The task group are asked to consider the evidence presented to form a view on this priority to inform the overall review of the Commissioning Framework.</p>

<b>Does the proposed item meet the following criteria?</b>	
It must affect a group or community of people	Yes a number of voluntary sector organisations and their service users
It must relate to a service, event or issue in which the council has a significant stake	A significant amount of the Council's budget is deployed to enable the voluntary sector to provide services to the community including community centres.
It must not have been a topic of scrutiny within the last 12 months <i>There will be exceptions to this arising from notified changing circumstances. Scrutiny will also maintain an interest in the progress of recommendations and issues arising from past reports.</i>	This has not been a topic of scrutiny within the last 12 months
It must not be an issue, such as planning or licensing, which is dealt with by another council committee	This is not an issue being dealt with by another council committee.

<p><b>Does the topic meet the council's priorities?</b></p>	<ol style="list-style-type: none"> <li><b>1. Making Watford a better place to live in</b></li> <li>2. To provide the lead for Watford's sustainable economic growth</li> <li><b>3. Promoting an active, cohesive and well informed Town</b></li> <li><b>4. To operate the Council efficiently and effectively</b></li> </ol> <p style="text-align: center;"><i>1, 3 and 4</i></p>
<p><b>Are you aware of any limitations of time, other constraints or risks which need to be taken into account?</b></p>	<p>The review needs to be carried out prior to the draft Voluntary Sector Commissioning Framework being prepared for consultation in July/August 2015.</p>
<p><b>Does the topic involve a Council partner or other outside body?</b></p>	<p>The topic is of relevance to organisations currently in receipt of a management fee or grant payment and of interest to the wider voluntary sector community.</p>

<p><b>Are there likely to be any Equality implications which will need to be considered?</b></p> <p><i>Protected characteristics under the Equality Act 2010 are:</i></p> <ul style="list-style-type: none"> <li>• Age</li> <li>• Disability</li> <li>• Gender reassignment</li> <li>• Pregnancy or maternity</li> <li>• Race</li> <li>• Religion or belief</li> <li>• Sex</li> <li>• Sexual orientation</li> <li>• Marriage or civil partnership (only in respect of the requirement to have due regard to the need to eliminate discrimination)</li> </ul>	<p>There are likely to be Equality implications and an Equality Impact Analysis will be undertaken as part of the overall review of the current commissioning priorities including community centres.</p>
<p><b>Sign off</b> (It is expected that any Councillor proposing a topic agreed by Overview and Scrutiny Committee will participate in the Task Group)</p>	
<p><b>Officer: Prema Mani</b></p>	<p><b>Date</b> <b>16 February 2015</b></p>

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**The following sections to be completed by Democratic Services in consultation with the relevant Head of Service and Overview and Scrutiny Committee as necessary**

<b>Section 2</b>	
<b>Consultation with relevant Heads of Service</b>	
<i>It is important to ensure that the relevant service can support a review by providing the necessary documents and attending meetings as necessary. The Head of Service's comments should be obtained before the request to hold a review is put to the Overview and Scrutiny Committee.</i>	
Has the relevant Head of Service been consulted?	Yes
Is there any current or proposed review of service which would affect this suggestion?	This task group will support the review of Community Centres and the development of the Commissioning Framework
Is this a topic which the service department(s) is able to support	Yes this is part of the Corporate Strategy and Client Services Service Plan priorities
When was the last time this service was the subject of a scrutiny review?	2012 as part of the development of the current Commissioning Framework 2013-16

<p>Is the issue something which will be of significant interest to the public and if so, how should this be managed?</p>	<p>A consultation plan is being developed as part of the Commissioning Framework review</p>
<p>Head of Service consulted and when</p>	<p>The Head of Service is the project sponsor and has been involved from the outset</p>