Date: 8 December 2010

To: Members of the Executive

Mr. S.L. Bray (Chairman)  Mr. K.W.P. Lynch
Mr. D.C. Bill  Ms. W.A. Moore
Mr. D.S. Cope  Mr. D.O. Wright
Mr. W.J. Crooks

Copy to all other Members of the Council  
(other recipients for information)

Dear Councillor

There will be a meeting of the EXECUTIVE in the Council Chamber, Council Offices, Hinckley on Thursday 16 December 2010 at 5.00 p.m. and your attendance is required.

The agenda for the meeting is set out overleaf.

PLEASE NOTE DAY AND TIME OF MEETING

Yours sincerely

Pat Pitt
Corporate Governance Officer
1. APOLOGIES  

RESOLVED

2. MINUTES

To confirm the minutes of the meetings held on 1 December 2010 attached marked EXEC30.

3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting.

4. DECLARATIONS OF INTEREST

To receive verbally from Members any disclosures which they are required to make in accordance with the Council’s code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.

5. QUESTIONS

To hear any questions in accordance with Council Procedure Rule 10.

6. ITEMS FOR DECISION UNLESS THE EXECUTIVE DETERMINES OTHERWISE

RESOLVED

(a) Neighbourhood Wardens Enforcement Policy  
Report of Chief Officer, Business Contract and Street Scene Services attached marked Exec 31 (pages 1 – 31).

RESOLVED

(b) Tenant Participation – Tenant Services Authority  
Report of Chief Officer, Housing, Community Safety and Partnerships attached marked EXEC 32 (pages 32 - 62).

7. ISSUES ARISING FROM OVERVIEW AND SCRUTINY

(If any)

8. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

9. MATTER FROM WHICH THE PUBLIC MAY BE EXCLUDED

To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned item of business on the ground that it involves the likely
RESOLVED  

(a) Community Safety and Neighbourhood Management Arrangements  

Report of Deputy Chief Executive (Community Direction) attached marked EXEC 33 (pages 63 - 66).

To: All Members of the Executive with a copy to all other Members of the Council.
HINCKLEY & BOSWORTH BOROUGH COUNCIL
EXECUTIVE MEETING

1 DECEMBER 2010 AT 7.00 PM

PRESENT:  Mr S L Bray - Chairman

Mr D C Bill, Mr D S Cope, Mr. W J Crooks, Mr K W P Lynch, and Mr D O Wright

Officers in attendance:  Mr S J Atkinson, Mr S Kohli, Mrs P I Pitt and Mr S Wood.

327 APOLOGY

An apology for absence was submitted on behalf of Ms W A Moore.

328 MINUTES (EXEC 26)

It was moved by Mr Crooks, seconded by Mr Wright and

RESOLVED – The minutes of the meeting held on 27 October 2010 be confirmed and signed by the Chairman.

329 DECLARATIONS OF INTEREST

No interests were declared at this stage.

330 REVIEW OF FEES AND CHARGES 2011/2012 (EXEC28)

Members having been circulated with a revised covering report by the Deputy Chief Executive (Corporate Direction) consideration was given to the above. The Leader of the Council indicated his support for the revised report and particularly the intention, in the current financial climate, not to increase charges for market traders and car parking fees.

The Executive Member for Finance reminded Members of the increase in VAT in January next year and outlined the reasons for the Council generally increasing charges by CPI inflation of 3%.

On the motion of Mr Lynch, seconded by Mr Bray it was

RESOLVED – the 2011/12 Fees and Charges (Appendix 1 to the report of the Deputy Chief Executive (Corporate Direction)) be approved.

331 OFFICER COMMENTS ON THE DRAFT THIRD LOCAL TRANSPORT (LTP3) FOR LEICESTERSHIRE (EXEC 27)

In acknowledging the importance of this document the Leader of the Council briefly referred to the more detailed issues of the Plan. So far as this Council’s response to the document was concerned the Head of Planning assured Members
that positive comments making significant key points would be forwarded to the County Council.

It was moved by Mr Bray, seconded by Mr Wright and

RESOLVED –

(i) the third draft LTP3 for Leicestershire be acknowledged; and

(ii) the submission of Planning Officers’ positive views on the document be approved.

332 LOCAL DEVELOPMENT FRAMEWORK: EARL SHILTON AND BARWELL AREA
ACTION PLAN PREFERRED OPTIONS – CONSULTATION (EXEC29)

Following endorsement by Planning Committee on 30 November and prior to approval by Council on 7 December 2010 Members were advised of the consultation procedures involved in the development of this Area Action Plan. The Leader of the Council referred to this valuable opportunity to develop two mixed use sustainable urban extensions in Earl Shilton and Barwell.

On the motion of Mr Bray, seconded by Mr Wright

RESOLVED – endorsement be given to the Preferred Option document for the Earl Shilton and Barwell Area Action Plan Development Plan Document and Sustainability Appraisal in order to allow for a 6-week period of consultation between 7 January and 18 February 2011 inclusive.

333 ISSUES ARISING FROM OVERVIEW OF SCRUTINY

There were no issues arising.

(the meeting closed at 7.12 pm)
1. **PURPOSE OF REPORT**

To request Executive adopt the new enforcement policy and procedures for the Neighbourhood Wardens.

2. **RECOMMENDATION**

That Executive agree:

(i) Adoption of the Environmental Enforcement policy and procedures.

(ii) Delegation of authority to the Public Space Manager and Chief Officer: Business, Contract and Street Scene Services to make amendments as necessary to the enforcement procedures to keep up to date with best practice and deal with emerging environmental crimes in a timely manner.

3. **BACKGROUND TO THE REPORT**

3.1 Since the introduction of the Clean Neighbourhoods and Environment Act, and the creation of the Neighbourhood Wardens in 2005, there have been many changes in best practice for tackling environmental crime. This policy and procedures sets out a consistent and up to date approach which reflects public opinion on environmental crime.

3.2 To develop the policy and procedures, a Borough wide consultation was undertaken to determine residents opinions on levels of fine, approaches which should be taken and levels of fixed penalties which should be applied. The results from this, along with current best practice from Keep Britain Tidy Group have been used to develop these documents.

3.3 The policy also includes a section on equalities which determines how offenders from different sections of our community will be treated should they commit an offence.

3.4 Significant changes in procedures include:-

- The use of intelligence to identify and target hot spots for environmental crime.
- The use of incident notices issued as a warning for environmental crime.
- The use of Street Litter Control notices to target premises which generate litter.
• The use of littering FPN’s for small scale fly tips.
• The use of Duty of care inspections to reduce fly tipping incidents.
• The use of devolved powers from the DVLA to remove untaxed vehicles from the highway.
• The introduction of a robust approach to contamination of green waste bins, and for refuse bins left out on the highway.
• Cross department working with planning enforcement on land of detriment to the amenity of an area.

3.5 The Enforcement policy will be reviewed after 2 years. The procedures will be updated as necessary to ensure our enforcement activity remains effective.

4. **FINANCIAL IMPLICATIONS**

None other than contained in the body of the report.

5. **LEGAL IMPLICATIONS**

None other than contained within the body of the Report

6. **CORPORATE PLAN IMPLICATIONS**

This policy and procedure will improve our delivery of the cleaner, greener neighbourhoods priority within the Corporate Plan.

7. **CONSULTATION**

291 residents responded to a Borough wide consultation and the results were used to develop this policy. This included previous users of the service, parish councils, people from different equalities groups e.g. people with disabilities, older people and ethnic minorities. In addition, relevant officers within HBBC have been consulted including environmental health officers, legal and planning enforcement.

This consultation established acceptable levels of fines to the public, and the responses the public considered appropriate for the Council to undertake when different crimes are undertaken. The consultation results are referred to throughout the enforcement procedures. Following the drafting of the policy and procedures, these were again put back out to consultation by members of the public before being finalised for adoption.

By basing the policy and procedures around public opinion, the Neighbourhood Wardens will now be operating in line with public opinion.

8. **RISK IMPLICATIONS**

It is the Council’s policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

No significant risks were identified from this assessment:

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

Hot spotting for environmental crimes will ensure Neighbourhood Wardens resources are targeted to the areas with the greatest incidence of environmental crime. They will also focus resources to the priorities set by the public.

An equalities impact assessment has been developed for this policy, and an equalities section included to ensure the needs of vulnerable people are fully considered when enforcement action is taken.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:
- Community Safety implications – Neighbourhood wardens will work with community safety officers where relevant on enforcement issues.
- Environmental implications – this will provide a robust and consistent approach to reducing environmental crime
- ICT implications - none
- Asset Management implications - none
- Human Resources implications - none
- Planning Implications - joint working on section 215 issues
- Voluntary Sector - work will continue with voluntary groups to tackle environmental crime

Background papers: Neighbourhood Wardens Environmental Enforcement Policy
Neighbourhood Wardens Environmental Enforcement Procedures

Contact Officer: Caroline Roffey, Public Spaces Manager x5782

Executive Member: Cllr David Bill
Neighbourhood Wardens

ENVIRONMENTAL ENFORCEMENT PROCEDURES

December 2010
The Neighbourhood Wardens contribute to the Council's Corporate objective of “Clean Neighbourhoods for everyone”. To do this they employ 2 main strategies:

1. To act directly to clean up the streets
2. To change the behaviour of offenders to prevent incidents which detract from the amenity or public health of neighbourhoods.

Where necessary they also carry out enforcement to support the delivery of other council objectives e.g. contamination of recycling bins.

Consultation for the development of these procedures has revealed the public supports the use of different types of approach for different offences.

However, enforcement is one of the tools available to the neighbourhood wardens to reduce incidents of environmental crime and improve the street scene within the Borough. It is also essential to have public support for the measures undertaken by the council to improve the street scene environment. Therefore, this policy has been developed with public consultation, and to utilize the many non enforcement tools available to the Neighbourhood wardens and the Council to achieve cleaner streets.

The standard responses set out below will be regularly reviewed and updated by the Neighbourhood Wardens team to ensure they reflect current best practice and what has the greatest effect for delivering our corporate aims within our Borough.

1. Priority

The public consultation has established clear priorities for tackling environmental crime and the Neighbourhood wardens will allocate their resources according to the publics priorities as follows:

1. Dog fouling
2. Litter
3. Fly tipping
4. Graffiti
5. Abandoned vehicles
6. Fly posting
7. Leaflets given out on the street
8. Wheelie bin offences

I.e. those which are a higher priority will be afforded greater resource to resolve.

2. Education

Consultation revealed 97% of residents in favour of the neighbourhood wardens working with local residents and schools to raise awareness.

The Neighbourhood Wardens, and other Borough Council enforcement
officers will therefore organise the following:-

- A minimum of 2 campaigns a year to maximise awareness of how people should behave to protect the environment. Where possible these will be planned to coincide with national campaigns from the Keep Britain Tidy Group.
- Regular press releases and articles in the Borough Bulletin raising awareness of environmental crime and individuals and businesses responsibilities in this respect.
- Maximise use of signage to deter littering, dog fouling etc
- Maximise publicity from enforcement activity to raise awareness of the penalties associated with such conduct
- Visits to schools in hot spot areas to educate children about acceptable behaviour
- Joint work with community safety team to increase awareness of environmental crime in schools
- Where evidence suggests offences are being committed by particular groups, a particular area or a particular premise then education will be targeted to these areas.
- Maximise publicity of successful prosecutions to ensure public are aware of their responsibilities and the penalties of non compliance.

a. Capacity
The neighbourhood wardens will actively seek partnerships with other partners to increase our capacity to undertake enforcement activity and other activities to meet the Councils corporate aim of clean streets.

Such partnerships could include other Borough Councils and HBBC services, the Civil Enforcement Officers, PCSO’s, neighbourhood watch groups, Parish Councils and other community groups.

b. Communication
The Neighbourhood Wardens will seek to maximise public awareness about their role and the actions they undertake. Full use will be made of the local media and the council’s website to raise awareness of current priorities and how residents can report offenders.

c. Standard procedures
The following procedures / strategies will be employed to tackle these issues. These will be updated on a regular bass to ensure we are up to date with best practice and to tie into national campaigns and guidance:-

**Dog fouling**
Consultation results for the development of this policy showed most residents in favour of using FPN’s for dog fouling offences, setting the FPN at £80, and using CCTV to catch offenders. Therefore the following approach will typically be used:-

1. Hot spots for dog fouling will be identified through complaints received feedback from street cleansing and grounds maintenance staff and parish council staff, and NI195 (street cleanliness) inspections.
2. Pavement stencils and signage will be installed to warn of penalties for
dog fouling.
3. Where appropriate letters will be sent to local residents asking for their co-operation in bringing about a reduction in dog fouling. This will include collection of intelligence from local residents to identify perpetrators.
4. Where necessary the installation of additional dog bins will be considered or the utilisation of litter bins for dog waste (subject to budget restrictions for HBBC land and for referral to land owners if not Borough Council land).
5. Neighbourhood wardens and other enforcement staff will visit the site every day for the next 3 working days to try to catch offenders. Where offenders are caught a FPN will be issued immediately.
6. Neighbourhood wardens will monitor the site for a further 2 weeks to establish if there has been a reduction in dog fouling.
7. If no reduction after 2 weeks, the use of CCTV will be considered to catch offenders. More prolonged and sustained monitoring of the site will also be deployed.
8. FPN’s will be issued from the evidence of witnesses where the evidence is robust and a conviction would be likely should prosecution prove necessary.
9. When an incident of dog fouling is observed in the course of normal duties then an FPN will be issued on every occasion.
10. A dog control order for the borough will be introduced to give wider powers to tackle this problem.
11. Litter clearance notices will be used where complaints are received about animal fouling on private land / property.

Litter
Consultation results for the development of this policy showed residents are more in favour of educating and giving offenders a chance for their first offence. However opinion is divided with 44% supporting an on the spot fine. The highest priority from residents as part of the 2009 consultation was to provide clean neighbourhoods for everyone and this included prosecuting people who drop litter etc. The use of CCTV to catch offenders was supported but at a lower level than for other offences. The following approach will therefore be applied:-
1. Hot spots for littering will be identified through complaints received, feedback from street cleansing and grounds maintenance staff and parish council staff, and NI195 (street cleanliness) inspections.
2. Neighbourhood wardens will visit site initially to advise residents of potential fines for littering.
3. Signage stating litter being monitored will be installed.
4. On subsequent visits, FPNs will be issued where an offence is committed.
5. Monitoring and enforcement will continue at least once every 2 days for 2 weeks or until the problem abates.
6. If no reduction after 2 weeks the use of CCTV will be considered to catch offenders.
7. If appropriate local schools and other organisations will be targeted with information to try to reduce the problem. This may include press
releases, posters, litter picks by children etc.
8. Where litter is identified to be from a particular source, evidence will be initially gathered, then a warning letter sent, then a Street Litter Control Notice will be issued. The notice is to work in partnership to reduce litter in the area. Where this is not complied with an FPN will be issued.
9. Where a littering offence is observed in the course of normal duties then an incident notice will be issued for first offences. FPPN's will be issued for subsequent offences.
10. Offenders who litter from vehicles often do so in a neighbourhood which is not their own. Therefore an FPN will be issued in every case. Registration details will be taken and FPN’s issued where it is not possible to speak to the offender.

Fly tipping
Consultation revealed the public strongly support the use of CCTV to catch fly tipping offenders.

Therefore the following approach will be followed
1. Fly tipping incidents will be monitored. Neighbourhood Wardens will seek to establish hot spots and patterns in fly tipping behaviour in order to target offenders.
2. All fly tips will be investigated to try to establish the source. Where any evidence is found, it will be fully investigated and where appropriate the offender will be prosecuted.
3. FPN’s for littering will be issued for minor fly tips (single items or up to an equivalent of 6 black bags of domestic rubbish). All more serious offences, and repeat offenders will be prosecuted
4. Where evidence identifies an individual who claim not to be responsible, they will be requested to give a witness statement identifying who is responsible. Failure to do this will result in an FPN for littering being issued or prosecution.
5. Signs will be placed at hot spots to inform residents / visitors that offenders will be prosecuted and CCTV may be in operation.
6. Where hot spots are identified, CCTV will be deployed to catch offenders.
7. Duty of care inspections will be made by appropriate enforcement officers to establish premises have correct procedures for dealing with trade waste.
8. Where a particular type of waste is fly tipped then appropriate premises will be visited for duty of care inspections for trade waste. For example if tree cuttings are found repeatedly, then local tree surgeons and landscape gardeners will be targeted, tyre fitters would be visited if tyres were found etc. Waste transfer notes will be requested and FPN’s issued if records are not accurate or businesses have failed to take responsibility for the correct disposal of their trade waste.
9. Where appropriate the Neighbourhood wardens will join with other appropriate agencies such as the environment agency to target high priority premises. This could include stop and search measures, vehicle seizures etc by the appropriate authority.
10. Site waste management plans will be requested from larger
construction sites where fly tipping has occurred in the vicinity. Where this is not provided a FPN will be issued in line with the site waste management plan regulations 2008. The level of this FPN will be £300

Graffiti
Consultation established that the public support on the spot fines and prosecution for this type of offence. As such incidents of graffiti will be dealt with as follows:-
1. Hot spots for graffiti will be identified through site visits by the Neighbourhood Wardens, complaints for the public, reports form staff, and results from NI195 (street cleansing) inspections.
2. Offensive graffiti will be removed within 24 hours regardless of its location i.e. private property or public land. Property owners will be charged for this removal.
3. All other graffiti will be removed within 5 working days if on HBBC land or property.
4. Where graffiti is on private land or property, 28 days notice to remove graffiti will be issued to the person responsible for the property. This notice is given under the Anti Social Behaviour Act 2003.
5. Graffiti will be photographed and frequently seen tags will be referred to the community safety team who will work with local schools and the police to identify offenders.
6. FPN’s will be issued for all offences.
7. Alternative measures will be used in particular hot spots e.g. graffiti walls (subject to funding being available).
8. As an incentive to deter further incidents of graffiti and to assist the owners of private property which is repeatedly targeted, the Borough Council will develop a service where graffiti on private property will be removed free of charge for 1 incident providing the area is immediately treated with anti graffiti paint to ensure ease of removal by the property owner in the future. The Borough Council will offer a service to apply this anti graffiti paint which will be provided on a cost basis.

Abandoned vehicles
1. Reports of abandoned vehicles will be investigated within 24 hours (1 working day).
2. Officers will determine if the vehicle is abandoned through DVLA registration checks, locality of keeper relative to vehicle, state of vehicle, length of time in place etc.
3. Burnt out and dangerous vehicles will be removed within 24 hours.
4. If the vehicle appears to be abandoned, a notice of the councils intention to remove is attached to each vehicle. This notice will require removal within 7 days if on public land, 15 on private land. Failure to remove the vehicle will result in the Council removing and scrapping the vehicle.
5. Vehicles will be removed within 24 hours of the end of the notice period.
6. Where a registered keeper is known and has failed to remove their vehicle they will be charged a removal cost which is within the fees and charges.
7. To develop a more effective service the Neighbourhood Wardens have been authorised by the DVLA to remove untaxed vehicles from the highway. The DLVA wheel clamping and removal powers instructions will be followed.

Fly posting
Consultation revealed 48% of the public thought the council should educate offenders and 42% thought we should issue on the spot fines to offenders. Therefore the following approach will be used in relation to reducing incidents of fly posting.
1. All fly posters will be removed immediately they are seen or within 5 working days of being reported.
2. All fly posters will be investigated and warning letters issued where possible advising offenders of further action which will be taken.
3. Where repeated incidents occur, a FPN will be issued for each individual poster removed. NB this is not per event but per fly poster.
4. Where signs are permanently fixed, the person responsible for erecting the signs will be given notice to remove their signs. If after 28 days these are not removed then the council will remove these signs and make a charge for each sign removed. The charge will be published in the council's annual scale of fees and charges.
5. Where signs are fixed to private property the owner will be consulted. If required the Neighbourhood wardens will take appropriate enforcement action against the fly poster. Removal costs remain the responsibility of the property owner. If required Town and Country planning (control of advertisement) regulations1992 and defacement removal notices will be used to fore land owners to remove fly posting.

Unauthorised distribution of printed matter
1. FPN’s will be issued for all offences witnessed.
2. Warning letters will be sent where an offence has been committed but not witnessed.
3. Where printed matter continues to be distributed an FPN will be issued even if the distribution has not been witnessed.

Offences in relation to waste receptacles
Consultation established that the public support (74%) for issuing on the spot fines for all incidents where bins had been left out on the streets causing an obstruction.

Therefore the general approach shall be:-
1. The Neighbourhood Wardens will respond to complaints from residents. These complaints will be assessed by the contact centre staff to establish if an offence has occurred e.g. a bin stored within a residents front garden does not constitute an offence, or if the resident requires assistance with their bin (assisted collection service).
2. Where a complaint needs further action, initially a letter shall be sent to properties in the vicinity of the complaint advising of the obstruction being caused and requesting their cooperation in resolving this issue.
3. 2 further letters will be sent in response to complaints advising the
Neighbourhood Wardens will issue FPN’s if bins are not stored correctly
4. If residents have failed to respond, at the time the 3rd letter is issued, Neighbourhood Wardens will visit the street 1 day after bin collections and determine the extent of the problem. They will seek to speak to all residents concerned and advise them that action will be taken if they do not store their bin within their property. Help and advice will be given at this time if appropriate. Surplus bins will be removed at this time if they are identified
5. The Neighbourhood Wardens will visit this street for the following 2 weeks and issue FPN’s for any bins left out after the collection day
6. If residents still persist in leaving their bins out then bins will be removed.

In addition the Council incurs penalties where green waste is contaminated by non compostable waste. In an effort to maintain and improve our recycling rate the Neighbourhood Wardens will take the following action where a contaminated bin is found:

1. If contamination is identified at the point of collection then the bin will not be emptied and a warning sticker attached to the bin by the refuse crews. A letter will also be sent to the property giving details of future enforcement action.
2. If contamination is discovered at the composting site then the contaminated items will be examined and where it can be traced a warning letter will be sent to that property outlining the problem
3. Bins at previously contaminating properties will be checked by refuse crews prior to emptying. No collection will be made if contamination is detected. A section 46 notice (EPA 1990) will be served.
4. If a third incident of contamination occurs then a FPN will be issued.
5. If a fourth incident occurs then bins will be removed.
6. Bins will not normally be returned but this decision is at the discretion of the Refuse and Recycling Service Managers.

NB Bins known to be contaminated will not be emptied.

In relation to residents failing to use waste receptacles appropriately, causing accumulations of rubbish on the property these will be referred to the Refuse or Environmental Health Service who will use Section 46 EPA, and Section 4 Prevention of damage by pests act 1949 to instruct residents on how to deal with their household waste. Section 47 EPA will be used for cases of trade waste.

Section 215 notices
1. Sites for action will be prioritised within the council’s current priority neighbourhoods, where complaints have been received from the public and where they are in a prominent location and detrimental to larger numbers of residents.
2. A joint working group of Neighbourhood Wardens, Planning Enforcement Officers, housing and legal officers will meet every 6 week to assess sites and agree actions
3. This working group will determine best practice guidance based on its
Nuisance Parking matters
FPN's can be issued where 2 or more vehicles are parked within 500m of each other by the same seller, merely in order to be sold.

1. At the initial visit, owners will be verbally requested to remove vehicles.
2. If after 48 hours this request has not been complied with then a FPN will be issued. NB once a verbal request has been issued to an owner this will apply to all vehicles owned by that individual / company.
3. Where necessary the Neighbourhood Wardens will work with LCC highways and trading standards department to ensure nuisance vehicles are removed.

When applying these procedures the Neighbourhood Wardens will have due regard to the enforcement policy.
Where offences are observed by partners who are not HBBC employees and therefore not authorised to issue FPN’s on the full array of environmental offences, Incident notices will be issued. A decision will then be made by the Neighbourhood Warden if a FPN should be issued.
Neighbourhood Wardens

ENFORCEMENT POLICY

December 2010
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Neighbourhood Wardens Enforcement Policy

(1) Memorandum of understanding between Leicestershire District Councils to deal with environmental crime

(2) Scope of Document

(3) General Neighbourhood Wardens Enforcement Policy Statement
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(9) Relevant Documents
Introduction

The condition of our street has an enormous effect on the local community and how we feel about our environment. An area which is littered, covered in dog fouling and daubed with graffiti and fly posters can appear run down and at worst unsafe to be in. This can have a detrimental effect on residents and visitors to the areas, local businesses and community cohesion.

Hinckley and Bosworth Borough Council is committed to improving the street scene environment through a series of measures including
- High quality street cleansing services
- Education of residents and communities through signage, advice and campaigns
- The efficient and effective use of enforcement powers where required.

This document sets out what residents, business and others within this Borough can expect from Hinckley & Bosworth Borough Council's enforcement officers in relation to environmental crime. It commits the Council to good enforcement policies and procedures. It lays down the generalised policy of the Council based on the principles of good enforcement in the Statutory Code of Practice for Regulators (Regulators Compliance Code April 2008) produced by the Department for Business Enterprise & Regulatory Reform and supplemented by additional statements of enforcement policy of service units within the Council.

The Council takes into account advice contained in the Code for Crown Prosecutors, and endeavours to ensure that it supplements the advice outlined in specific enforcement guidance from other sources, including the Keep Britain Tidy group.

The primary function of central and local government enforcement work is to protect the public, the environment and groups such as consumers and workers. At the same time, carrying out enforcement functions in an equitable, practical and consistent manner helps to promote a thriving national and local economy. Hinckley & Bosworth Borough Council is committed to these aims and to maintaining a fair and safe trading environment.

The effectiveness of legislation in protecting residents, consumers or sectors in society depends crucially on the compliance by those regulated. We recognise that most residents and businesses want to comply with the law. We will, therefore, take care to help residents and businesses and others meet their legal obligations without unnecessary expense, while only intervening where there is a clear case for protection. All citizens will reap the benefits of this policy through better information, choice and safety.

There are many instances where the enforcement responsibilities of the authority are shared by, or complementary to, those of other agencies. Where these shared responsibilities exist, we will endeavour to set up, or join, liaison groups or working parties to ensure cost effective and efficient service delivery. Where situations occur in which shared enforcement with other agencies is appropriate, then a full exchange of information between those agencies will be implemented.
Hinckley & Bosworth Borough Council has therefore adopted the central and local government Concordat on Good Enforcement. Included in the term ‘enforcement’ are advisory visits and assisting with compliance as well as formal enforcement action. By adopting the Concordat we commit ourselves to policies and procedures which contribute to best value, and will provide information to show that we are observing them.

General Enforcement Policy

Introduction

Where enforcement action is necessary, officers of the Council will take appropriate action dependent upon the seriousness of the breach of the law. Decisions on the course of action to be undertaken will take into account the principles of good enforcement as set out in the Enforcement Concordat namely:

Standards

The Council will consult with businesses, residents and other interested parties on the development of clear standards which set out levels of service and performance those residents, businesses and visitors to the Borough can expect to receive.

Openness

The Council will provide information and advice in plain language on the rules that we apply. We will disseminate it as widely as possible. We will be open about how we set about our work including any charges we set, consulting with businesses, voluntary sectors, other organisations and residents of the Borough. We will discuss general issues, specific compliance factors or problems with anyone experiencing difficulties.

Helpfulness

The Council believes that prevention is better than cure and that our role therefore involves actively working with residents, visitors and businesses to advise on and assist with compliance.

The Council will provide a courteous and efficient service. Our staff will identify themselves by name. We will provide a contact point and telephone number for future dealings with the Council. We will encourage all those who have dealings with us to ask us for advice and information.

Complaints about Service

The Council will provide well publicised, effective and timely complaints procedures which are easily accessible to all who have dealings with us. If disputes cannot be resolved we will explain rights of complaint or appeal giving details of the process and timescale involved.
Proportionality

The Council will make compliance as straightforward as possible by ensuring that any action we require is proportionate to the risks. As far as the law allows we will take account of the circumstances of the case and the attitude of the individual when considering action.

We will take particular care to work with small business, community and voluntary groups and individual residents so that they can meet their legal obligations without unnecessary expense where applicable.

Consistency

The Council will carry out its duties in a fair, equitable and consistent manner.

Officers are expected to exercise judgment in individual cases, but we will have arrangements in place to promote consistency, including effective liaison with other authorities locally, countywide and nationally.

In regard to the Regulators Compliance Code, the Council will take account of:

Economic Progress
• The Council will consider the impact regulatory interventions may have on economic progress. We will only adopt a particular approach if the benefits justify the costs.
• The Council will make reasonable attempts to ensure that the burdens of our interventions fall fairly and proportionately on small businesses by giving consideration to their size.
• This Council will allow for reasonable variations to standards to meet local priorities.

Risk Assessment
• The Council will ensure that the allocation of our regulatory efforts and resources are targeted where they would be most effective.
• Risk assessment will inform all aspects of our approach to regulatory activity and be based on all available relevant and good quality data. This will include street cleansing reports, the results of inspections and patrols by Council staff and parish councils, previous enforcement activity.

Advice and Guidance
• The Council will ensure all regulatory requirements as well as changes to those requirements are promptly communicated to residents and relevant businesses.
• The Council will provide general information, signage, advice and guidance to make it easier for residents and businesses to understand and meet their regulatory obligations.
• The Council will provide targeted and practical advice that meets the needs of residents and businesses.
- When offering compliance advice the Council will distinguish between statutory requirements and advice and guidance aimed at improvements above the minimum standards.
- The Council will provide appropriate means to ensure that businesses can reasonably seek advice from us without triggering enforcement action.
- When providing information the Council will use plain language and if required provide information in a format to meet local need e.g. other language / format.
- Communications will always include contact details for further advice and clarification.

Inspection and Other Visits
- Inspections should only take place in line with risk assessment or where we are acting on other intelligence. In general these will not be random in nature although they may be linked to a targeted campaign.
- The Council will focus our greatest inspection effort where risk assessment shows that both:
  - a compliance breach would pose a serious risk to a regulatory outcome, and
  - there is a high likelihood of non-compliance.
  - there is a high likelihood of detriment to the local environment and quality of life of local residents
- The Council will give positive feedback to encourage and reinforce good practice. The Council will share information about good practice amongst other businesses and other regulators.
- The Council will make arrangements with other regulators for collaboration to minimise the burdens on business through data sharing and wherever possible joint or co-ordinated inspections.

Information Requirements
- When asking for data from businesses the Council will have consideration of the costs and the benefits to the business.
- The Council will ensure information requests are kept to a minimum and only data which is absolutely required is requested.

Compliance and Enforcement actions
- When considering taking enforcement action the Council will discuss the circumstances with those suspected of the breach and take these into consideration when deciding the best approach. This does not apply where immediate action is required.
- The Council will give clear reasons for any formal enforcement action to the person or entity against whom the action is being taken at the time the action is taken. These reasons should be confirmed in writing. Procedures for appeals and complaints should also be provided at the time of enforcement action.
- The Council will ensure that we interpret and apply legal requirements and our enforcement policy consistently and fairly. The council will monitor enforcement activity to ensure staff act consistently and fairly in applying enforcement sanctions.
Accountability

• The Council will create effective consultation with residents to ensure our policy reflects public concern for environmental crime
• The Council will provide courteous and efficient services to businesses
• The council will ensure all its enforcement staff are properly trained and have the necessary skills to undertake their duties professionally
• The council will publicise its complaints procedure.

Neighbourhood Wardens Enforcement Policy

(1) Agreement on co-operation between District councils in Leicestershire

A memorandum of understanding was signed by all the Leicestershire District Councils in July 2009. This memorandum acknowledges that environmental crime, particularly fly tipping, does not recognise administrative boundaries and that for authorities to deal with it effectively inter authority co-operation is necessary. It sets out the principle of mutual assistance and the exchange and sharing of information necessary to tackle environmental crime.

(2) Scope of the document

This document applies to the Business, Contract and Street Scene Services enforcement functions which are primarily delivered by the Neighbourhood Wardens Service.

(3) Hinckley & Bosworth Borough Council - General Neighbourhood Wardens Enforcement Policy

This policy builds upon the principles of good enforcement set out in the Council's General Enforcement Policy Statement in relation to environmental and street scene crime.

General Neighbourhood Wardens Enforcement Policy Statement

This Council is committed to improving the street scene environment to create a "Borough to be proud of" through education, training and enforcement. Ideally education through effective and targeted campaigns will lead to a reduction in environmental crime. However where legislative breaches occur the council will apply appropriate legal sanctions.

The effectiveness of enforcement activity will be monitored through indicators such as NI 195, NI196, number of fixed penalty notices (FPN’s) issued and paid, number of complaints / incidents, number of campaigns and residents satisfaction with our services. Where a geographical area is targeted then the quality of the environment will be monitored.

This enforcement policy deals with the various enforcement tools available to tackle the following environmental crimes:-
Litter
Graffiti
Dog fouling and related dog offences
Waste receptacle offences
Unauthorised distribution of printed matter (Leaflet distribution)
Removal of unauthorised signs on the highway (fly posting)
Waste transfer / licensing offences
Abandoned vehicles
Fly tipping
Unsightly premises and land
Removal of untaxed vehicles

Only suitably trained officers will be employed by the Council on environmental enforcement activities. Suitably trained officers employed through partnership arrangements may be authorised to undertake enforcement on behalf of the Borough Council. Examples could include Civil Enforcement Officers, Parish Council Clerks and staff, PCSO’s etc.

Officers will be fully familiar with, and abide by, the policy when making enforcement decisions. Any departure from the policy will be exceptional, capable of justification and be fully considered by senior managers within the Business, Contract and Street Scene Services before the decision is taken, unless it is considered there is significant risk to the public in delaying the decision.

The policy shall be reviewed regularly or in the light of new legislation or guidance with any developments incorporated.

Complaints Policy

We are committed to providing ready access to those wishing to appeal or complain about enforcement action, in accordance with the Council's corporate complaints procedure. However, areas where there is a formal right of appeal or a legal remedy must be resolved through the legal process.

Should anyone wish to complain, initially contact should be made with the Head of Service. This may be by person, telephone, writing or e-mail. If not satisfied with the response at this stage, a written complaint should be made to the head of Business, Contract and Street scene Services who will carry out a further investigation. If still unhappy at this stage, the Chief Executive should be asked to arrange for an independent review of the case.

At this point all the stages of the Council’s Complaints Procedure will have been initiated and will have resolved the problem satisfactorily. If still dissatisfied the complainant can approach the Local Government Ombudsman for adjudication.

(4) Authorisation

Purpose
The purpose of this section is to state the Council's constitutional framework with respect to:-


(b) Identifying the limits of powers delegated to Neighbourhood Wardens and other environmental enforcement officers.

(c) Identifying the competencies necessary for Neighbourhood wardens and Environmental Enforcement Officers to be authorised to undertake enforcement action.

Authorisations

Authorisation to prosecute in individual cases will be in accordance with the Council's current Constitution.

Enforcement action under the Cleaner Neighbourhoods and Environment Act (2005), or related legislation will be initiated by qualified, experienced and competent Enforcement Officers without further reference to Elected Members.

The Delegation Framework

(a) Where, through upholding the principles outlined in the policy document, a prosecution is necessary, the following officers may authorise such action:-

Head of Service – Chief Officer, Business, Street Scene and Contract Services, after consultation with the Chief Officer Corporate Services.

(b) The following designated Officers will also be consulted as part of the prosecution decision making process:-

Public Space Manager,

Other officers may be consulted in addition to external advisors / experts where appropriate.

(c) The designated Officers who are responsible for authorising a prosecution will be aware of the limits of their delegated powers by reference to the Councils Constitution, Statutory Codes of Practice and any other forms of guidance, including the principles set out in this policy.
(d) Only officers who have been authorised by the Council to issue fixed penalty notices and incident notices will do so. This may be based on the evidence of another officer who the council considers to be competent to convey the facts in relation to the incident honestly, accurately and competently.

(e) The Council may authorise persons who are not direct employees of the Council to issue fixed penalty notices on behalf of the Council, where they are considered responsible and competent and have been suitably trained. This could include contract staff, civil enforcement officers, parish council employees and those employed by other public bodies.

Training

The Council will provide appropriate initial and updated training to Neighbourhood wardens and others authorised to undertake environmental enforcement as is deemed necessary to enable them to carry out their duties efficiently and effectively. This will include the following:

(a) Minimum update training of 5 hours per year for continual professional training.

(b) Minimum of 10 hours revision training for authorised officers returning to environmental enforcement.

(c) Minimum of three months monitoring of newly qualified or appointed Officers or Officers returning to environmental enforcement duties after an absence of more than 3 years.

In most instances, action other than fixed penalty notices will be instigated by Neighbourhood Wardens and other managers within Business, Contract and Street Scene Services. Action under section 215 of the Town and Country Planning act 1990 will be instigated by Planning Enforcement Officers.

In addition all officers must remain fully conversant with this policy and the standard responses for different types of environmental crimes.

(5) Enforcement Options

Purpose

The purpose of this section is to state the authority's policy with respect to:

(a) Achieving and maintaining consistency of approach in deciding on enforcement action concerning environmental crime.

(b) Ensuring commitment to an approach in all enforcement decisions that is fair and balanced and based on common standards to protect the public.
(c) Ensuring enforcement actions have the support of residents in the Borough and reflect what they deem to be fair and proportionate.

**Enforcement Options**

Enforcement options available, after consideration of all relevant information and evidence are:-

(a) Take no action

(b) Take informal action

(c) Issue fixed penalty notices and incident notices, litter control notices, section 215 notices etc.

(d) Prosecution

**The Policy**

Authorised officers will, wherever possible seek to remedy non-compliance by a graduated approach to enforcement. When necessary, the option to issue FPN’s should be considered. Authorised officers should consider these options before commencing any other enforcement action.

The policy of this Council is as follows:-

(a) **No Action**

Where an intervention or investigation reveals full compliance with the relevant Legislation / Codes of Practice, no further action is required. The results of the investigation will be recorded in the premises file.

(b) **Informal Action**

Informal action to secure compliance with legislation may be given in the form of:-

(i) Verbal Advice

(ii) Written advice

(iii) Written warnings

In deciding to take informal enforcement action many criteria will be considered, including:-

(i) Whether the act or omission is serious enough to warrant
formal action.

(ii) Whether past history indicates that informal action can be expected to achieve full compliance.

(iii) Whether officers' confidence in the management of the issue is high.

(i) Whether the consequences of non-compliance will pose a significant risk to public health or safety or to the environment.

(v) Whether, even when some of the above criteria are not met, there may be circumstances in which informal action will be more effective than a formal approach.

(vi) The availability of a due diligence defence (acting with reasonable care).

Following an inspection / incident the Enforcement Officer will discuss the matter with the resident / business / offender. If necessary this discussion will be confirmed in writing. The matters discussed and any verbal advice given typically will:

(i) Outline the regulations being contravened.

(ii) Contain all the information necessary to understand what work (if any) is required and why it is necessary.

(iii) Clearly indicate measures which are recommendations of good practice and which are legal requirements.

(iv) Indicate the time allowed for meeting any legal requirements.

Revisits to premises following an investigation will be made where significant contraventions regulations and/or poor practices are found.

(c) Formal action

(i) Fixed Penalty Notice

Fixed penalty notices (FPN’s), where legislation allow them, provide a simple and effective method of dealing with low level crimes for both the Council and the offender. They will normally be offered initially as an opportunity to discharge offences that would otherwise be taken to court.

FPN’s will not be issued unless the Council has sufficient evidence available to pursue the offence through the courts and where the offender fails to pay the FPN fine the Council will normally take the offender to court for the original offence or for
non payment of the FPN. Consultation for this policy revealed 89% of residents were supportive of the council taking people to court that do not pay their FPN’s.

FPN’s for certain offences can only be issued by officers working for the Borough Council. In these instances, others authorised to act on behalf of the Council will need to issue an incident notice. These will then be passed to the Neighbourhood Wardens who will determine whether to proceed with issuing a fixed penalty notice of prosecution in line with this policy.

Levels of payment for FPN’s will be set through the Councils fees and charges annually. A reduced fee will apply if early payment is made to encourage prompt payment by offenders.

Exceptions to the use of FPN’s will apply for more serious offences such as fly tipping and in relation to repeat offenders where the payment of earlier FPN’s has not deterred them from reoffending. In these cases prosecution will normally occur.

(ii) Incident notices
Incident notices are now recommended by Keep Britain Tidy Group as an effective method of highlighting minor breaches of the Clean Neighbourhoods and Environment Act 2005 with the general public. These can be issued by Officers not employed by the Borough Council and followed up by suitably authorised enforcement officers who will determine if it is appropriate to issue and FPN.

These are an effective method of highlighting inappropriate behaviour, tracking offenders where they are initially given a caution for a first offence, and increasing the number of people able to deliver enforcement on the street. Such notices could for example be used by an enforcement officer not employed by the Borough Council to alert residents to inappropriate behaviour.

(iii) Section 215 (Town and Country Planning Act 1990) Improvement Notices
The use of Section 215 Notices will, in general, be related to unsightly premises and land. They will only be used where land is to the detriment of the amenity of the area. Planning Enforcement Officers will lead on the issuing of such notices with supporting evidence and direct contact with the offenders being provided by the Neighbourhood Wardens. Where there is a risk to public health or safety the matter will be referred to Building Control or Environmental Health officers who will follow
their relevant enforcement codes.

The authorised officer must have reason to believe that an informal approach will not be successful before proceeding with Section 215 notices.

The authorised Officer will also discuss with the premises owner what has to be done and will consider all the options available.

Consideration for an extension of time to comply with a section 215 Notice will be viewed favourably if the premises owner has a genuine reason for requesting one. When deciding on a request for an extension the following will be taken into account:-

(i) The risk to public health associated with the fault if an extension was granted;

(ii) The reason for the request;

(iii) The remedy involved;

(iv) The past record of co-operation of the premises owner;

(v) Any temporary action which the premises owner proposes to take to remedy the defect.

The premises owner will be advised at the time of service of the section 215 notice that any request for an extension of the time limit should be made in writing before the expiry date of the notice.

Once the request for an extension of time has been considered the premises owner will be advised, in writing, as to whether the request was adjudged reasonable or otherwise. The reasons for that decision will be explained and any new time limits reconfirmed.

Failure to comply with a Section 215 notice will, in general, result in legal proceedings being instigated.

We will notify other appropriate bodies of any Section 215 Notice served and its outcome where necessary. This will include any other appropriate enforcement authorities.

(iv) Other remedial notices
Where necessary the Council will make full use of other notices such as Refuse Disposal Act 1978 notices for abandoned vehicles and refuse; notice to remove graffiti, notice to remove
fly posting, litter clearance notices etc. These will be directed at sites / properties where other measures are inappropriate or have previously failed to bring about an improvement.

(e) Prosecution
This will be used where necessary when other means of enforcement are not appropriate or have proved ineffective.

(6) Prosecution Criteria

Purpose

This section details the Council's criteria on which a decision is made whether to prosecute.

Prosecutions

The Council always has the discretion of whether or not to prosecute for an offence. The decision to prosecute is a very significant one and is not taken lightly and is based on the circumstances of each case laid out in the policy below.

The Policy

A breach of law will not automatically result in legal proceedings. The circumstances which are likely to warrant prosecution may be characterised by one or more of the following criteria:-

(a) There is a flagrant breach of law such that public health, safety or well being is put at risk, there is a risk of negative environmental impact, or there is a serious offence under clean neighbourhood’s legislation.

(b) A failure by the offender to correct an identified offence having been given a reasonable opportunity to do so.

(c) A failure to comply in full or part with a section 215 Notice

(d) There is a history of similar offences

(e) A fixed penalty notice has previously been issued for a similar offence, or payment of a FPN has not been made.

Before a prosecution proceeds, the enforcement officer will need to be satisfied that the case is in the public interest and is supported by sufficient relevant evidence which is:-

(a) Admissible

(b) Substantial
The guidance contained in Section 40 and the Code for Crown Prosecutors will be followed and all the following factors taken into account:-

(a) The seriousness of the alleged offence.
(b) The previous history of the party concerned.
(c) The likelihood that a defence of due diligence (acting with reasonable care) can be established.
(d) Whether important witnesses are willing and able to co-operate.
(e) Willingness of the party to prevent the problem recurring.
(f) Whether prosecution would be of public benefit.
(g) Whether a Simple Caution, FPN or other notice might be more appropriate.
(h) Any explanation offered by the party concerned.

In addition to the above criteria authorised Officers will have regard to the Statutory Code of Practice for Regulators.

Investigation and decision making will not be unduly prolonged or delayed. It will be in accordance with principles laid out in the:

(i) Human Rights Act 1998
(ii) Police and Criminal Evidence Act 1984

We will keep witnesses, complainants or other parties informed as to the progress of the case.

Once we have decided to prosecute, we will refer the matter to the Chief Officer Corporate Services who is authorised to appoint Solicitors to institute legal proceedings on the Council's behalf. Case reports will be submitted.

The Officer principally involved in the case will attend court in person even when a guilty plea has been lodged, so they can give further evidence, should the court require it and note any mitigating evidence submitted.

Post Prosecution

Following a successful prosecution, the Council will:-
(a) Notify any relevant authority of the conviction in sufficient detail for other authorities to make use of the intelligence.

(b) Notify other appropriate enforcement authorities.

(c) With respect to complaints, notify the complainant of the outcome of the case.

7. **Equalities**

The Borough Council is committed to achieving equality for all by removing direct and indirect discrimination on the grounds of:

- Age
- Gender or transgender identity
- Race, colour, nationality, national or ethnic origin, being a traveller or Gypsy
- Disability, including people with a hearing impairment, people with a visual impairment, people with learning disability, people with a mental illness, and people living with HIV and AIDS
- Religious belief or non-belief, or other beliefs
- Marital status, family circumstances, or caring responsibilities
- Sexual orientation
- Income, employment status or housing circumstances
- Membership or non-membership of trade unions, or involvement in trade union activity
- Offending Status
- Any other ground that cannot be shown to be justified

Therefore when determining what enforcement action (if any) should be undertaken, Officers will assess if there are any circumstances which may affect the individual or business concerned from complying with the legislation. If such issues are identified then options for enforcement will be assessed to ensure the Council is not discriminating against any individual. All necessary measures to ensure people are treated equally will be introduced where necessary e.g. use of language translation, sign language interpretation, support for people with learning difficulties etc.

An equalities impact assessment has been completed for this policy during its development to ensure equalities issues have been considered.

Specific legislation exempts guide dogs from dog fouling enforcement. If such a case were identified officers would work with the dog owner to try to address the problems.

In line with current DEFRA guidance FPN’s will not be issued to anyone under 16 years of age for a first offence. Instead, an incident notice will be issued and advice and guidance will be provided by the Neighbourhood Wardens. For second and subsequent offences, an incident notice will be issued and dependent upon the circumstances a FPN may be issued if it is felt that this is the best way to change the offenders behaviour. This decision will be made...
after consultation with the offenders family. If necessary an Antisocial Behaviour Contract will be developed in conjunction with Community Safety Officers.

Where a disabled person has committed an offence, if it is reasonable to establish a link between the disability and the offending behaviour, the decision to issue a FPN will be reviewed.

(8) **Relevant Documents**

1) Criminal Damage Act 1971  
2) Refuse Disposal (Amenity) Act 1978  
3) Control of Pollution (Amendment) Act 1989  
4) Environment protection Act 1990  
5) Town and Country Planning Act 1990  
6) The Dogs (fouling of land) Act 1996  
7) Anti Social Behaviour Act 2003  
8) Cleaner Neighbourhoods and Environment Act 2005
EXECUTIVE - 16 DECEMBER 2010

REPORT OF CHIEF OFFICER, HOUSING, COMMUNITY SAFETY AND PARTNERSHIPS
RE: TENANT PARTICIPATION – TENANT SERVICES AUTHORITY

1.0 PURPOSE OF REPORT

1.1 To inform members of the progress of the work of the Resident Involvement Team, consulting with and engaging tenants as required by the Tenant Services Authority.

2.0 RECOMMENDATION

2.1 That members note the contents of this report and the attached Tenant Newsletter (Appendix A) and the Tenant’s Annual Report 2010 (Appendix B).

3.0 BACKGROUND

3.1 The Housing and Regeneration Act 2008 established the Tenant Services Authority (TSA) as the new regulator for social housing. The TSA became responsible for local authority housing on 1st April 2010.

3.2 The end of the TSA was announced, as part of wider Government reforms of public bodies, in October 2010.

3.3 Until further information and guidance is provided by central Government, the requirements for consulting with tenants and measuring performance against the Standards will remain. Early indications are that the TSA will remain in place until April 2012.

3.4 The Council is assessed by the TSA as to how they meet the following five standards:

- Tenant involvement & empowerment
- Home e.g. repairs and quality of accommodation
- Tenancy e.g. rents and service charges
- Neighbourhood & community e.g. estate management and anti-social
- Value for money

4.0 ANNUAL REPORT TO TENANTS

4.1 Our consultation with tenants highlighted the variation of information desired by tenants in their annual report; active tenants require a higher level of detail and information, which may deter other tenants from reading the document. The TSA understand the variation of information required
by tenants and are keen for any correspondence with tenants to be tenant led.

4.2 Tenants decided that a newsletter, a summarised version of the annual report, would be a more appropriate way of communicating with tenants, which would be followed by a full report, available for download or by request.

4.3 To ensure that the council meets the TSA standard to promote tenant inclusion, formulation of the tenant’s newsletter has been tenant led, from the format and style to the content and amendments. This has been facilitated through weekly project group meetings with members of the Tenants Advisory Panel.

4.4 The newsletter and full report has promoted opportunities for tenants to get involved in shaping service delivery.

4.5 The inclusion of a feedback form with the annual newsletter aims to engage an increased number of tenants to contact the Resident Involvement Team.

4.6 The deadline set by the TSA for the annual report was 1st October 2010. The newsletter was sent to the TSA on October 1st 2010 and has been delivered to tenants. The full report is now available for download or paper copy on request.

4.7 The newsletter replaces the Tenant’s Calendar that has previously been issued to tenants on an annual basis. Consultation with tenants has found that the calendars are under-utilised. Actions were taken to ensure that the new annual report and newsletter format did not exclude tenants from the information previously included in the calendar.

5.0 **CONSULTATION ON LOCAL OFFERS**

5.1 Local offers, the standards set by tenants, are required to be in place and be monitored from April 2011 onwards. They will be based around the five key standards detailed in 3.4.

5.2 These local offers will evidence that the council, as a social landlord, has responded to tenant consultation and agreed service standards on information gathered from tenants.

5.3 These service standards can then be monitored and regularly re-addressed to ensure that they provide optimum performance and service satisfaction. This monitoring can be tenant led through the introduction of scrutiny panels; providing tenants with the opportunity to challenge service delivery directly.

5.4 Local offers aim to ensure that the right services are provided in the right locations, for the right tenants at the right cost.
5.5 Consultation with tenants to enable us to formulate ‘local offers’ will commence with the distribution of a paper survey to all tenants in January 2011.

5.6 Tenants will be given other opportunities to give their views during January and February 2011. A full timetable of consultation will be available by December 15th 2010.

6.0 ASSET MANAGEMENT IMPLICATIONS

6.1 No implications have been identified

7.0 FINANCIAL IMPLICATIONS (DB)

7.1 This process is expected to cost £5,000 which can be met from the existing budgetary provision.

8.0 LEGAL IMPLICATIONS (AB)

8.1 The Housing and Regeneration Act 2008 established the Tenant Services Authority (TSA) as the new regulator for social housing. The TSA became responsible for local authority housing on 1st April 2010.

9.0 CORPORATE PLAN IMPLICATIONS

9.1 No implications have been identified.

10.0 CONSULTATION

10.1 Tenants have been consulted throughout. The development of the newsletter and annual report has been tenant led.

11.0 RISK IMPLICATIONS

11.1 There is a reputational risk to the Council if we do not prepare and respond to the new regulations and requirements.

12.0 KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

12.1 No implications have been identified.

13.0 CORPORATE IMPLICATIONS

13.1 No implications have been identified.

Contact Officer: Rachel Burgess Ext. 5798

Lead Executive Member: Cllr David Cope
Let us know your quotes and questions for next year
The role of the housing officer

There are three Neighbourhood Housing Officers covering the Borough. They are responsible for enforcing the council’s Tenancy Agreement.

The main duties of a Neighbourhood Housing Officer are:
- Responding to complaints of anti-social behaviour within one working day.
- Issuing diary sheets to monitor anti-social behaviour.
- Taking enforcement action against council tenants who are acting in an anti-social manner or breaking any of their conditions of tenancy. This can include legal action such as eviction proceedings.
- Completing regular walks around neighbourhoods to identify issues and tenant concerns.
- Taking action to encourage and maintain tidy gardens.
- Tackling illegally parked cars and managing council owned garage sites.
- Working in partnership with the Police, Social Services and other agencies to improve neighbourhoods.

Please note that Neighbourhood Housing Officers are not responsible for taking action against non-council tenants who are acting in an anti-social manner.

If you are being affected by anti-social behaviour by someone in your community, who is not a council tenant please contact the Community Safety Unit on 01455 250746.

If you are not sure if a person acting anti-socially is a council tenant, you can contact your Neighbourhood Housing Officer or the Community Safety Unit and they will be able to refer you to the right officer.

The Neighbourhood Housing Officers cover the following areas:

- **Vikki Monteith**
  - Hitchin
  - Newbold Verdon
  - Stone Golding & Daventry
  - Stoughton & Market Bosworth
  - Sibson & Teverscros
  - Ferry Drayton & Whittlesby
  - Coningsby & Stowton
  - Ratcliffe Clee & Highnam on the Hill
  - Sutton Cheney & Sheep Edingth

- **Claire Preston**
  - Bewdley
  - Desford
  - Groby
  - Marktfit
  - Ratby
  - Stenton under Bardon
  - Thornton
  - Bagworth
  - Nanton

- **Sue Brown**
  - Broughte
  - Goscote
  - Nalstone
  - Barton in the Beans
  - Barfestoine
  - Oakseaton
  - Kirby Maltby
  - Pockleton
  - Earl Shilton

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Tenant Services Authority (TSA):

The TSA monitors how social landlords, such as the council, delivers its services. Their main aim is to make sure landlords identify what matters most to tenants.

- The council has to show the TSA how it meets the following five standards:
  - **Tenant Involvement:** The council must give you the opportunity to be involved.
  - **Home:** The council must provide high quality homes.
  - **Tenancy:** Tenancies must be allocated and managed fairly.
  - **Neighbourhood:** Your community should be clean and safe.
  - **Value for Money:** The council should make best use of money.

The council will be working with the Tenants Advisory Panel to make sure they meet the TSA standards.

Your views are important so please take the opportunity to complete the enclosed feedback form. All of your comments will be taken on board.

By the end of 2010 you will be given the chance to give your views about how you would like the housing services to be delivered and what your priorities are.

These views will form ‘Local Offers’ which will be proposals by the council stating how it is going to deliver its services in the future. These offers will have been proposed to tenants and agreed by April 2011.

WE NEED YOU!
SO PLEASE TAKE THE OPPORTUNITY TO COMPLETE THE FEEDBACK FORM.

If you would like to be involved, please contact Ann Harris, Chair of the Tenants Advisory Panel, on 01455 635717.
The role of the warden

Each sheltered housing scheme is covered by a Warden working Monday to Friday. When the Warden is off duty the Control Centre has responsibility for completing the duties detailed below.

Warden responsibilities include:

- Providing introductions for all new tenants
- Producing a support plan for tenant and review it regularly
- Carrying out the agreed actions with each tenants support plan
- Completing annual health and safety inspections
- Testing communal pull cords and emergency points weekly
- Providing the opportunity for tenants to give feedback on services through regular meetings and/or surveys
- Making welfare calls to all tenants as often as requested by individual tenants; i.e. daily or weekly
- Testing pendants, speech module and pull cords every six months to check they are working properly. Tenants can also test their alarms at any point
- Promoting independence
- Signposting tenants to other services, that can help support tenants in general day-to-day activities, as needed.

There are some activities that the warden is not allowed to do:

- They cannot provide day-to-day care. They can only contact relatives or other agencies on your behalf
- They cannot pay rent or bills for you.
- They cannot get involved in your financial or personal circumstances.
- The warden cannot take you anywhere in their car.
- The warden cannot help you with any medication. This includes collecting or delivering prescriptions.

If you have any queries about the role of the warden please contact Lesley Howes, Warden Services Supervisor on 01455 251137.

Tenant Services Authority (TSA):

The TSA monitors how social landlords, such as the council, delivers its services. Their main aim is to make sure landlords identify what matters most to tenants.

The council has to show the TSA how it meets the following five standards:

Tenant Involvement: The council must give you the opportunity to be involved. Home: The council must provide good quality homes. Tenancy: Tenancies must be allocated and managed fairly. Neighbourhood: Your community should be clean and safe. Value for Money: The council should make best use of money.

The council will be working with the Tenants Advisory Panel to make sure they meet the TSA standards.

Your views are important so please take the opportunity to complete the enclosed feedback form. All of your comments will be taken on board.

By the end of 2010 you will be given the chance to give your views about how you would like the housing services to be delivered and what your priorities are.

These views will form ‘Local Offers’ which will be proposals by the council stating how it is going to deliver its services in the future. These offers will have been proposed to tenants and agreed by April 2011.

WE NEED YOU!

SO PLEASE TAKE THE OPPORTUNITY TO COMPLETE THE FEEDBACK FORM.

If you would like to be involved, please contact Ann Harris, Chair of the Tenants Advisory Panel, on 01455 635717.
Annual Report to Tenants
2010

"Our News and Views"
Contents

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Dear Tenant,

Welcome to your new annual report to tenants. Following the introduction of the Tenant Services Authority we have taken a new approach to delivering our annual report. Hinckley & Bosworth Borough Council has worked with tenants on the Tenants Advisory Panel to make sure that this annual report gives tenants the information that they want to know about.

During 2010 we have continued to provide a high quality housing service. A survey carried out by the Department for Communities and Local Government found that 92% of our tenants found staff helpful, 87% of our tenants were satisfied with the overall service and 85% of our tenants were satisfied with the condition of their property.

We would like to thank all the tenants who have made a huge contribution to our successes by getting involved and having a say. We will continue to put tenants at the heart of everything we do and over the next year we will provide you with even more ways to get involved and help shape the way we deliver our services.

Ann Harris – Tenants Advisory Panel

Councillor David Cope- Hinckley & Bosworth Borough Council
What is the Tenants Services Authority?

The Housing and Regeneration Act 2008 established the Tenant Services Authority (TSA). As of the 1st April 2010 the TSA became the new housing regulator for social housing, resulting in the Council, as a landlord, being accountable to them. The TSA is an organisation that is financed by the Government but is not managed or controlled by them.

What do the TSA require us to do?

The Council needs to show the TSA that they are addressing the following five standards:

1. Tenant involvement & empowerment
   ✓ Providing choice and communication for tenants.
   ✓ Ensuring appropriate services to meet the diverse needs of tenants.
   ✓ Informing tenants of how they can access services and information; including providing the opportunity for tenants to give their views and influence service delivery.

2. Home
   ✓ Achieving the Decent Homes Standard.
   ✓ Ensuring that all stock meets the required Health and Safety standards.
   ✓ Providing a value for money and cost effective repairs and maintenance service, evidencing a balance of planned and responsive repairs.

3. Tenancy
   ✓ Making sure that properties are let through a fair, transparent and efficient process; providing choice and making the best use of the stock.
   ✓ Ensuring rents are set in line with regulatory guidance.
   ✓ Providing tenancy support to prevent unnecessary evictions.

4. Neighbourhood & community
   ✓ Promoting social, economic and environmental wellbeing.
   ✓ Ensuring that areas of ownership are clean and safe.
   ✓ Preventing and tackling anti-social behaviour through multi-agency working.

5. Value for money
   ✓ Demonstrating how expenditure has been prioritised and how we can ensure value for money.
   ✓ Providing a comprehensive approach to money management
   ✓ Demonstrating plans and priorities for further value for money improvements.

This report aims to inform you of the Council’s current performance against each of the five standards above.

The TSA have stated that all social landlords must submit an annual report to them by 1st October 2010, evidencing how they are performing in relation to the five standards. It was also important that landlords provided evidence that they had consulted with tenants about what they would like included in the annual report as it would also be issued to all tenants. The TSA are
looking to see how organisations have worked with tenants and given them a say in the way the service is provided. This is an important aspect of the TSA regulations that Hinckley & Bosworth Borough Council will be continuing to develop and improve. The more input we can get from you, the more likely we are to ensure that services meet your needs. We would like to take this opportunity to encourage everyone to take the time to complete the feedback form issued with the October 2010 Newsletter and to participate in future consultation opportunities which will be arranged around the borough.

By April 2011 all social housing organisations have to submit agreed local offers to tenants and the TSA. Local offers are service agreements which show that the landlord has responded to tenant consultation and agreed service standards based on the information gathered. These service standards can then be monitored and regularly re-addressed to ensure that they are satisfactory. This monitoring can be tenant led through the introduction of scrutiny panels; providing you with the opportunity to challenge service delivery directly.

Examples of things that could be considered local offers are:

- Tenants agreeing with their landlords target response times for routine repairs.
- The right to choose a convenient time to have work done.
- Priorities for neighbourhood improvements.

Over the next few months we will be providing lots of opportunities for you to let the Council know your views about current services we provide to you as a landlord, as well as identifying your priority services so that we can make sure our local offers address your hopes and opinions.

Local offers should make sure that the right services are provided in the right locations, for the right tenants and at the right cost.

We hope that:

- A high number of tenants will get involved in setting and monitoring the local offers
- You will see the difference that local offers make to the things that matter to you
- Local offers lead to increased tenant satisfaction and value for money
- Reliable systems to check the success of our local offers are in place
- Local offers don’t stand still—we will strive to continually improve.

The Future of the TSA:

As you may be aware the new Government has been re-evaluating some of the existing organisations that it finances. It was announced in October 2010 that the TSA will be abolished. You may ask why we are giving you all the information about the TSA if they are no longer going to regulate us, as a landlord. There are two main reasons:

1. Some of the work completed by the TSA will still exist but may be managed by a different organisation
2. As a landlord we still want to get tenants involved in the delivery of our services as much as possible.

The full details of how and when the new changes will be introduced have yet to be announced. In the meantime social landlords still need to address the TSA standards currently in place. The work that we are doing to improve our performance in relation to these standards will improve our service delivery and better meet your needs. Therefore the work is extremely worthwhile.
Tenant Involvement - The story so far...

1. Members of the Tenant Advisory Panel were informed of the TSA’s instruction to landlords to produce an annual report to all tenants by October 2010. A project group was formed to work towards completing the report. TAP completed practical exercises and lead discussions about what they thought needed to be included in the annual report.

2. Tenants who attend Local Tenant and Resident Associations were given the opportunity to complete practical exercises regarding what they would like to see included in the annual report. Feedback suggested that many tenants did not want to receive a long and complicated document with lots of text and information. However others wanted to have access to more detailed information. It was agreed that a general, eye catching newsletter would be sent to all tenants with an advertised opportunity to request or download a full report.

3. The Tenant Advisory Panel then began to design the general newsletter. They decided on content, design and distribution method. It was all tenant led. Representatives of the Council did not make any decisions regarding the content of the newsletter, they only arranged its production.

4. A feedback form was discussed and produced through the project group meetings. A feedback form would enable us to gather more opinions about what other tenants would like to see in their newsletter/report. We will use the feedback information to develop next year’s annual report. The feedback form also aimed to encourage tenants to contact the Resident Involvement Team.

5. All tenants were delivered a copy of the newsletter, including feedback form and instructions about how they can access a copy of this full report. The full report was produced with tenant support. The Tenant Advisory Panel decided on the information they wanted to see included in the full report. Council officers gathered the relevant information and produced the report.

6. We will now be arranging an opportunity for all tenants to give their opinions and views about the housing services Hinckley & Bosworth Borough Council provide, as a landlord. This will enable us to identify priority service areas and re-evaluate our services to better meet your needs. This will be produced through the formulation of local offers.
Involvement and Empowerment Standard

This standard relates to the following Housing Service areas:
1. Tenant Involvement
2. Tenant Profiling
3. Property Adaptations

1. Tenant Involvement

- **Tenants Advisory Panel (TAP)**

<table>
<thead>
<tr>
<th>What is the Tenant Advisory Panel (TAP)?</th>
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<tbody>
<tr>
<td>The TAP is a group of tenants from across the borough who work closely with the council on tenants concerns and to raise questions about housing services. TAP are keen to welcome new members and support other tenants of the borough.</td>
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<tr>
<th>What else does TAP do?</th>
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<tr>
<td>TAP members provide representation for the tenants of Hinckley &amp; Bosworth Council across the county and regionally, attending the Leicestershire &amp; Rutland Tenants Participation Forum and the East Midlands Tenant Participation Forum. TAP members also represent tenants of the borough at service area workshops and focus groups.</td>
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<tr>
<th>When does TAP meet?</th>
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<tr>
<td>Currently Tap meets every other month for approximately 2 hours.</td>
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- **Tenants Services Authority (TSA) Project Group**

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<th>TSA Project Group</th>
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<tr>
<td>The TSA Project Group was formed in response to the introduction of the TSA’s standards and deadlines. This group includes members of TAP, other tenants and the Resident Involvement Team. Tenants have been involved in several consultation exercises to find out their views and opinions regarding the newsletter and how to consult with tenants. This has provided them with the opportunity to help design the annual newsletter and full report.</td>
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<tr>
<th>What does the TSA Project Group do?</th>
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<tr>
<td>This group will provide a flexible forum, as the Council continues to develop local offers and introduce scrutiny panels. They will help to engage other tenants and decide on the consultation methods that will be introduced to develop our Local Offers. The Local Offers will also be passed through the TSA project Group for approval and attendees will have the opportunity to become involved in scrutiny. Relevant training will be provided when required.</td>
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<tr>
<th>When does the TSA Project Group meet?</th>
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<tr>
<td>The TSA project group meets regularly, as required. Members can attend to suit their other commitments and personal interests.</td>
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</table>
**We Need You!**

As you will see from the information above there are **lots of opportunities to get involved** in your community and to work with the Council to try and **improve services, improving the tenant experience.**

We are hoping to **extend** the tenant and resident **involvement opportunities** and this will be supported throughout the development of Local Offers and the introduction of scrutiny panels.

Maybe you have a relevant skill or hobby that you could contribute to tenant involvement in the community.

**There are many ways to get involved……**

- **Online forums**
  These could be set up for tenants to discuss certain topics and give their views and opinions.

- **Mystery shopping**
  This involves helping the council to monitor its services and standards.

- **Community Events**
  These could be helping or supporting events such as the carnival float, open/ fun days.

- **Telephone Surveys**
  Helping the council with consultation and monitoring standards.

- **Attending Focus Groups**
  Groups of tenants focus upon a particular topics or issues.

- **Proof Reading**
  Proof reading documents for the council such as policies, reports, newsletters.
2. Tenant Profiling

As a Council we are keen to understand the needs of our tenants and to ensure that the information held is correct and up to date. If we can better understand your needs, we can use the information to review the way we plan and deliver our services.

Therefore, over the next twelve months we will be providing several opportunities for you to ensure the information we have is correct and up to date.

3. Property Adaptations

Property Adaptations are alterations to a property that can help to ensure that tenants with disabilities or those with care needs can fully utilise their property and have access to all essential facilities for living.

Adaptations could include:

<table>
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<tr>
<th>Minor Adaptations</th>
<th>or</th>
<th>Major Adaptations</th>
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<tr>
<td>Such as:</td>
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<td>Such as:</td>
</tr>
<tr>
<td>Hand rails</td>
<td></td>
<td>Stair lifts</td>
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<tr>
<td>Grab rails</td>
<td></td>
<td>Level access showers</td>
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<tr>
<td>Key safes</td>
<td></td>
<td>Access Ramps</td>
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In the financial year 2008/09 the waiting list for major adaptations was 11-12 months. Over the last year we have managed to reduce this waiting time to no more than 3 months.

So how have we done this?

At the end of the financial year 2009/10 there was an under spend on the responsive repairs budget and £110,000 was invested into completing an increased number of major property adaptations, in order to reduce waiting times.
This standard relates to the following Housing Service areas:

- Decent Homes Standard
- Void Management – empty property management
- Responsive Repairs Service – general repairs
- Planned Maintenance Service – larger repairs/improvements

During the last year, as many of you will be aware, the partnership contractors providing the responsive repairs service for Hinckley and Bosworth Borough Council have changed their name from Inspace to Willmott Dixon Partnerships.

**Decent Homes Standard:**

Decent Homes Standard is a minimum standard that all social housing in England should achieve by 2010. A decent home is ‘wind and weather tight, warm and has modern facilities’.

As of 27th October 2010, of the 3,334 properties Hinckley and Bosworth Borough Council own only 3 are classified as non-decent.

99.99% of our properties meet the Decent Homes Standard.

**Void Management:**

Void is a term used to describe an empty council property when a council tenant moves out. The property is a void from when the last tenant moves out until the new tenant moves in.

Number of Voids completed between April 2009 and March 2010 = 299

The average cost of completing the repairs needed on a void property, to make sure it is ready to be re-let was £1094.74.

80% of voids were completed within the target time frame of less than 20 days.

Customer satisfaction feedback from new tenants about the work that had been completed whilst their property was void showed a rate of 92% Satisfaction.

To improve the standard of empty properties the council has increased the amount of new kitchens that are being fitted to empty properties to achieve a decent home. Decoration vouchers are also available for tenants who move into an empty property.
Responsive Repairs:

Responsive Repairs are general, everyday re-active repairs to properties.

Number of responsive repairs completed during the last financial year = 8314

During the last financial year the customer satisfaction for responsive repairs was 93%.

89% of the repairs were completed during the first visit to the property and 97% of all repairs were completed on time.

The Responsive Repairs Team are keen to hear your views about the services they provide. They want to ensure that they are providing the best and most efficient service they can….so please take the opportunities you get to comment and air your views about the repairs services, starting with a satisfaction survey you receive after repairs have been completed.

Between April 2009 and March 2010 the Responsive Repairs team also arranged for the fitting of:

- 78 New Kitchens
- 89 New Bathrooms
Planned Maintenance Repairs:

Planned Maintenance Repairs refers to larger improvements to properties which are often more expensive. They are usually introduced through organised cycles of works or waiting lists. Examples of planned maintenance include new kitchens, windows or bathrooms.

During the 09/10 financial year the Planned Maintenance Section have:

- Serviced the Central Heating equipment in all 3,435 council properties
- Responded to and repaired 2,472 breakdowns of central heating systems
- Installed 102 new central heating systems/boilers
- Painted and repaired the outside of 585 properties
- Painted and repaired the outside of 3 sheltered accommodation complexes which included 83 residential properties.
- Replaced the uPVC windows on 35 Properties
- Completed electrical repair works on 138 properties, including the installation of smoke detectors
- Re-roofed 8 properties
- Completion of the Peggs Close major refurbishment project which has seen improvements to over 20 flats and the introduction of a Community House.

For more information about the Repairs service you can look on the Council's Website. Please search the service finder list under ‘H’ and then ‘Housing Repairs’.

Energy Performance Certificates:

Since 1st October 2008, Hinckley & Bosworth Borough Council have had to ensure that an Energy Performance Certificate is available for any property that is let to a new tenant. This certificate details how energy efficient the property is and has to be available to the new tenant free of charge.

An Energy Performance Certificate is not required for properties where the occupier has been the tenant since before 1st October 2008.

Energy Performance Certificate’s are valid for 10 years and can be reused as many times as required within that period.

So far we have had Energy Performance Certificates produced for 343 of our properties.

The EPC Rating system is from A to G with the national average rating for council dwellings being band E.

The energy rating of our properties with a certificate is currently within bands C/D which is above the national average. This evidences the excellent work that we have been doing to ensure that our properties are energy efficient.
This standard relates to the following Housing service areas:

- Rents
- Tenancy Support
- Allocations

Rents:

The **average rent** for 2009/10 was **£55.00** per week.

From April 09 to March 2010 the total rent amount due from tenants was:

\[
\begin{align*}
9,951,309 	ext{ from dwellings*} & \quad + \quad 59,173 	ext{ from garages and parking plots*} \\
\hline
& \quad = \quad 10,206,999* \\
\end{align*}
\]

* Figures include former rent arrears of current tenants.

The contribution to rent payments from **Housing benefit** was **£5,556,342.00**.

The value of **rent arrears** that accumulated between April 2009 and March 2010 is **£143,599.00** (excluding Housing Benefit claims waiting processing). This value of rent arrears accounts for less than 1.6% of the rental amount due throughout the year.

**Former tenant arrears currently stand at £16,199.00.** Former tenant arrears represent rent that is still owed by tenants who have ended their Council tenancy.

**Two tenants were evicted** between April 2009 and March 2010 for rent arrears.

**Make sure you pay your rent regularly and on time.**

Clockwise Credit Union Information - **Your local savings and loans co-operative**

To **support tenants experiencing financial difficulty** Hinckley & Bosworth Borough Council have supported the **introduction of Clockwise Credit Union** facility. This service offers **savings opportunities** and **small affordable loans**. There is also the opportunity to invest in a **child trust fund** and Clockwise offers a **competitive interest rate** for this. If you are a UK tax payer and looking to invest a lump sum for a medium or long term, then a cash ISA is safe and ethical whilst paying a competitive rate of interest.

Clockwise Credit Union
Head Office: 20 Pocklingtons Walk
Leicester
LE1 6BU
Telephone: 0116 247 1740

Hinckley Information Point:
Earl Shilton Community House
Tuesdays 10.00am- 12:30pm
Thursdays 5:30pm-7:30pm
Email: Hinckley@clockwise-cu.co.uk
Mobile: 07554 245575
The introduction of a **Tenancy Support Officer**, working alongside the Neighbourhood Housing Officers has **helped to prevent some tenants from having action taking against their tenancy**.

The Tenancy Support officer is **Karen Hague** and she can be contacted on **01455 255711**.

The role of the Tenancy Support Officer is to:

- support tenants who are struggling to keep to all of their conditions of tenancy due to vulnerabilities.
- signpost tenants to specialist services who may be able to provide the most appropriate support to meet their needs.
- work alongside other specialist services to provide a successful tenancy support service.

If you are in breach of your tenancy conditions your Neighbourhood Housing Officer or another agency such as Social Services may refer you to the Tenancy Support Officer. It is **important** that **tenants** working with the Tenancy Support Officer **co-operate** so that action against their tenancy can be prevented.

**Karen is there to help.**
**Allocations:**

The **main responsibilities** of the allocations team are:

- Issuing and registering council applications;
- Managing the housing waiting list;
- Making housing nominations to housing associations;
- Re-letting empty properties;
- Managing terminations of existing tenancies and;
- Amendment of tenancies.

As of April 2010 Hinckley & Bosworth Borough Council had 1361 applicants on the Housing Register.

Between April 2009 and March 2010 the team **re-let** the following number of properties:

\[
\begin{align*}
219 & \quad \text{General needs housing} \\
44 & \quad \text{Sheltered Housing} \\
\text{Total} & \quad 263
\end{align*}
\]

Of these 263 re-lets **65** were for **transfer applications** for existing tenants.

Additionally, **158 nominations** for housing were made to **Housing Associations**; resulting in the successful provision of housing association accommodation.

The overall average **re-let time** was **26 days**.

The re-let figure takes into account the average **re-let figures** for both general needs and sheltered accommodation. These individual re-let times are shown below:

- **General needs**: Average re-let time = 20 days
- **Sheltered accommodation**: Average re-let time = 55 days
Choice Based Lettings:

From winter 2010/11 Hinckley & Bosworth Borough Council will be introducing a new Allocation Policy and changing the way we let our properties.

Currently you are given points according to your housing need. We will be changing to a simpler way of assessing your housing circumstances, by using a banding system instead. Under the new system, your application will be assessed and then placed into one of four housing need bands - low, medium, high and priority. This banding will then tell us how urgently you need a new property. People whose application falls into the priority band will be offered a property first.

After we have assessed your application you will be informed of your housing need band and registration date.

Every two weeks, vacant properties will be openly advertised on a website and in the council offices. You will be able to bid for properties on the website, by telephone or by text message. An offer will be made to the person in the highest housing need band with the earliest registration date first, providing they meet the criteria for the property.

We are working with the other Leicestershire District Councils to improve choice and make it easier for people who want to move to other areas within the region. To do this we will advertise some vacant properties in all the Leicestershire districts and all home seekers across the region will be able to bid for them.

It is anticipated that Housing Association properties will also be advertised using the same website to give you the widest possible choice of properties.
This standard relates to the following Housing service areas:

- Tackling Anti-Social Behaviour
- Community Houses
- Neighbourhood Management

**ANTI-SOCIAL BEHAVIOUR (ASB)**

The council has a priority commitment to reduce the fear of, and actual, crime and disorder in the Borough.

Anti-social behaviour (ASB) is 'behaviour likely to cause alarm, harassment or distress to people not living in the same household'.

This type of behaviour can include:

- Nuisance neighbours
- Noise disturbance
- Hate crime and harassment
- Intimidating groups taking over public spaces
- Vandalism, graffiti and fly posting/tipping
- People dealing and buying drugs
- Abandoned vehicles

**Question:** How do I make a complaint about ASB?

**Answer:** If the person behaving in an anti-social manner is a Council tenant you should contact your Neighbourhood Housing Officer.

If they are not a Council Tenant please contact the Community Safety Unit.

If you do not know if the person is a Council Tenant or not, please contact your Neighbourhood Housing Officer and they will be able to advise you accordingly.

Both Teams can be contacted on 01455 238141 (direct contact numbers can be found on the back of the newsletter).

If you are concerned about people finding out that you have made a complaint about them please ring and discuss the matter with your Neighbourhood Housing Officer as there are options available to complainants who wish to remain anonymous. Please don’t remain silent......if we are not aware of the problem we cannot resolve it.
What happens once I have made a complaint?

You will receive a response to your complaint about anti-social behaviour within 1 working day. The officer will then take appropriate action, depending on the severity and type of behaviour. You may be asked to keep diary sheets, recording the time, date and details of all incidents. The officer may visit the perpetrator and/or issue them with verbal or written warnings. If the matter cannot be resolved through informal methods Acceptable Behaviour Contracts (ABCs) can also be used prior to the officer considering legal action such as Anti-Social Behaviour Injunctions and eviction proceedings.

Neighbourhood Housing Officers often work with other partner agencies such as the Police, Social Services, Probation and Youth Offending to ensure that incidents of anti-social behaviour can be addressed and appropriate action taken to resolve the problem.

During the year we have introduced minimum service standards for ASB so that you know what to expect when making a complaint. We have also improved the way in which we record and manage any complaints so that we can improve the way in which your query is dealt with. Improved record keeping will also enable us to better monitor our performance.

Between April 2009 and March 2010 Hinckley & Bosworth Borough Council’s Housing Department issued 5 ABCs and 5 Notice Seeking Possessions (NoSPs).

Note: NoSP’s are legal notices stating that the Council is intending to start eviction proceedings against a tenant.

Neighbourhood Management

Each Neighbourhood Housing Officer manages a geographical area and they are also responsible for managing the housing land areas owned by the Council; such as garage sites and some green spaces.

Throughout the year they do regular patch-walks around their areas to monitor the appearance and standard of housing land and to talk to residents living in the area. This provides the opportunity for the Neighbourhood Housing Officers to highlight areas and issues of concern.

These patch-walks usually involve representatives from other partnership agencies ensuring that all relevant services become aware of issues and can work together to effectively improve the areas you live in.

If you see your Neighbourhood Housing Officer completing a patch-walk in your area or if they knock on your door, please take the time to raise any questions or concerns that you have. We can only tackle problems if we become aware of them and for that WE NEED YOU!

Additionally you can contact your Neighbourhood Housing Officer directly to raise concerns or issues relating to housing land areas. If you are not sure if an area concerning you is our responsibility, as your landlord, please contact your Neighbourhood Housing officer and they will be able to let you know.
Value for Money Standard

This standard relates to the following Housing service areas:

- Where the money in our budget comes from.
- How we spend the money in the budget.
- How we are promoting and developing value for money.

Where the money in our budgets comes from:

The main income that makes up our budget is the rent you pay.

The amount of rent available to spend in our budget is not exactly the same as the total rent due figure that is documented in the tenancy standard section of this report. This is because the only rent available to spend is that actually received. The diagram below should help to explain this:

\[
\begin{align*}
\text{Total Rent} & \quad \text{Rent for Empty Properties} & \quad \text{Rent Arrears for Current Tenants} & \quad \text{Rent Available to Spend} \\
£10,206,999 & \quad \_ & \quad \_ & \quad \_ \\
\end{align*}
\]

The total rent that was available to spend for the 2009/10 financial year was:

\[£10,061,000\]

Note that, as can be seen in the diagram at the bottom of the page, £3,512,000 of the above is paid back to the Government.

How we spend the money in our budgets:

The diagram below shows the breakdown of what your rent is spent on, for every £1 you pay. The total figures for each expenditure are stated in the key at the side of the pie chart.
How we are promoting and developing value for money:

Hinckley & Bosworth Borough Council are committed to achieving the best value for money across the housing services that we deliver. If services can be delivered at a cheaper cost, without reducing quality then the money in the budget will stretch further. Making service delivery more efficient can reduce staff time, allowing staff to complete more work in the same time frame, which improves value for money.

The two case studies explained below, show how we ensure value for money and how we are developing service procedures to make them more efficient.

**Case Study 1: Forming partnerships with contractors through a tendering process:**

When we require an external contractor to complete some work on the properties we let potential companies know so that they can put in a bid for how they would complete the work and how much it would cost them. The bids are then considered and a contractor chosen based on the information they have provided. This allows us to ensure that we contract work out to the company that can provide the best value for money, i.e. the company that can provide the required quality of service for the most competitive price. This process is called tendering.

For the financial year 09/10 the Planned Maintenance Team needed to find a contractor to complete Painting and Joinery Repairs on the outside of some of our properties. Contractors were able to respond to the Council with a bid. The bids received were then considered in relation to value for money. It was decided that Seddon Property Services Limited were competitive and they had committed to delivering a high level of service. Therefore they were awarded the contract.

The company had 30 weeks to complete the work required. They managed to finish 3 weeks early, which was very impressive. At the end of each job Seddon Property Services Limited left the tenant with a satisfaction survey to complete. At the end of the contract the satisfaction rate was 96%. This showed the high quality of work they had completed.

One tenant even won a £100 gift voucher from the prize draw of all of the satisfaction surveys returned.

This case study shows that tendering helps to secure competitive prices whilst still providing a high quality service which tenants are happy with. It helps to find the best people for the job.

**Case Study 2: Re-evaluating how we process housing applications**

Earlier this year a group of Council employees was formed to evaluate current service procedures to try and identify better ways of working that would be more efficient for both staff and customers. One of the first things we looked at was how we process housing applications.

The process was looked at from the moment the application is received to when it goes live on the system. Therefore this included the checking of forms and the gathering of all the required proof documents. The evaluation highlighted a number of areas that could be improved and in response to these findings the following changes were introduced:

- Customer Services were given new information that they could give to applicants so that they could deal with a higher number of enquiries, reducing the need for the caller to be passed from one officer to another.
- A new receipting scheme was introduced for Customer Services so that they can record the receipt of documents and the information be available to the Allocations staff almost immediately.
- Telephone requests for proof documents and further information were introduced.

Before these changes were made the average time it took to successfully register a housing application so that it was live on the waiting list was 38 days.

Now, following the introduction of the new processes the average process time for a housing application is 16 days. This shows a big improvement and had enabled a more efficient service which in turn improves the value for money of the process. We hope the customer experience has improved too.
Housing Benefit:

Rent Rebate is the form of housing benefit that is provided for Council Tenants who are on a low income. The money provided through Rent Rebate will contribute towards your rent. The maximum that can be claimed is the full rental cost and the minimum is £0.50 per week. The amount applicants qualify for depends on their income.

If you are on a low income or receive any benefits from the state, then you should apply for Housing benefit. Please contact the Housing Benefit Team on 01455 238141 or at benefits@hinckley-bosworth.gov.uk if you wish to apply or request further information.

If you are already in receipt of housing benefit, it is important that you notify the housing benefit team about any changes to your income to ensure that you are receiving the correct amount of benefit. Action will be taken against any applicant who does not provide the correct and most up to date information: your benefit could be stopped and you would be asked to re-pay any housing benefit that has been paid to you when you weren’t actually entitled to it.

Hinckley & Bosworth Borough Council take benefit fraud seriously and have a dedicated Fraud Investigation Team who has a proven track-record of successfully prosecuting those committing benefit fraud.

It is not worth the risk. Please ensure you are only claiming housing benefit that you are entitled to.
Noise Nuisance:

Tackling noise nuisance is not the responsibility of your Neighbourhood Housing Officer (although they may work alongside Officers from the Environmental service to take action against the tenancy agreement for tenants who are found to be causing a noise nuisance).

If you are being disturbed by loud music, banging or dogs barking we would advise you to work through the following steps:

1. TRY TALKING TO THE PERSON(S) CAUSING THE NUISANCE:
   Some people are unaware of the effect their actions are having on others. Often a polite and simple conversation can resolve the problem.

If you find it difficult or impossible to speak to the person causing the problem or the first stage hasn’t worked move on to Step 2:

2. MAKE A FORMAL COMPLAINT TO THE POLLUTION SECTION:
   The Pollution Section are part of the Environmental Health Service and can be contacted on 01455 238141 or esadmin@hinckley-bosworth.gov.uk. An officer will investigate your complaint. They may ask you to keep a log of the nuisance. They will try to take informal actions, such as sending warning letters and visiting the person causing the problem.

If the informal action does not resolve the problem, the Officer will want to continue to gather evidence to allow formal enforcement action to be taken. Now we would advise complainants to continue through Step 3:

3. CONTINUE TO WORK WITH THE POLLUTION SECTION OFFICER FOLLOWING THEIR ADVICE AND PROVIDING ASSISTANCE WHERE POSSIBLE.
   The officer may want to temporarily install recording equipment into your property to gather evidence. The evidence would then be analysed to see if it would justify legal action such as serving a notice to stop the nuisance happening again. If nuisance continues then prosecutions could follow and occasionally it can result in officers seizing all the equipment that makes a noise from the person. This can include TVs, music players, CDs and DVD’s.

Please note that Pollution Section Officers have no powers to deal with noise from the street (i.e. noise from traffic, aircrafts or trains).
**Pest Control:**

Hinckley & Bosworth Borough Council offer services to treat pest animal’s that may appear in or around your property. The price details are stated below: (please note the reduced charge for customers receiving eligible benefits).

<table>
<thead>
<tr>
<th>Service</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rats:</td>
<td>No Charge</td>
</tr>
<tr>
<td>Mice:</td>
<td>£52.00</td>
</tr>
<tr>
<td>Insects per treatment</td>
<td>£42.00</td>
</tr>
<tr>
<td>Insects per call-out where treatment not necessary</td>
<td>£18.00</td>
</tr>
<tr>
<td>Treatment of mice &amp; insects for persons in receipt of eligible benefit</td>
<td>£18.00</td>
</tr>
<tr>
<td>Failed visit due to customer</td>
<td>£18.00</td>
</tr>
</tbody>
</table>

For further information or to request any of these services please ring 01455 238141.

Please note that the pest control charges will be increasing from January 2011 due to VAT changes.

**Other Nuisances:**

The Pollution Section is also able to investigate problems from light nuisance such as security lights, rubbish accumulations in gardens and smoke nuisances from bonfires etc.

**Neighbourhood Wardens and Street Cleansing Service**

The Neighbourhood Wardens and Street Cleansing Service are responsible for tackling the following community problems:

- Removing reported dog fouling within one working day
- Removing reported offensive graffiti within one working day
- Removing reported non-offensive graffiti within two to five working days
- Removing reported fly tips within two to five working days
- Removing reported abandoned vehicles within five working days

They will also assist with a wide variety of community projects and national campaigns such as ‘The Big Tidy Up’.

The wardens maintain a highly visible presence on the streets and you will easily see them in their distinctive navy and light blue uniforms and high-visibility jackets.

If you are experiencing any of the problems mentioned above in your community please contact the Neighbourhood Wardens on 01455 255977.
Refuse and Recycling

Recycling and refuse is collected from the kerbside on a fortnightly basis. All collections start at 7am. Please ensure your recycling/refuse is available by this time. The Council will be introducing new and improved recycling services from 17th January 2011. Please look out for your new recycling and refuse calendar which will provide further details.

The diagram below highlights which containers you should be putting your waste in from 17th January 2011:

Please clean the items before recycling them. Contaminated containers cannot be emptied. Thank you for your co-operation.

Items not on the above list, such as polystyrene, bubble wrap and wrapping paper are unsuitable. If in doubt, then phone us and find out.

For every tonne of recyclable materials collected £1 will be donated to charity.

For all other services such as recycling banks, composting at home, large items/ house clearance, recycling and household waste sites please contact:

Street Scene Services
Email: streetscene@hinckley-bosworth.gov.uk
Help line: 01455 238141        Fax: 01455 891428
Website: www.hinckley-bosworth.gov.uk/waste
We hope you have enjoyed reading our annual report.

The Resident Involvement Team would like to hear your opinions about the changes that have been made to the annual report this year.

Why not give them a call on 01455 255693 or email them at emily.clewes@hinckley-bosworth.gov.uk or sara.matharu@hinckley-bosworth.gov.uk

Available to download alongside this report is a picture library of all housing staff.

In January 2011 you will receive a consultation questionnaire. Please take the time to complete the survey as we will use the results to shape our services for you and to shape the local offers discussed in this report. It is your chance to ‘have a say’.

To ensure that services provided by Hinckley and Bosworth Borough Council are accessible to all, information is available in a variety of formats. If you require this report in another language, Braille, large print or any other format please contact one of the resident involvement officers on the contact details given above.