



10 April 2017

Dear Sir/Madam

A meeting of the Community Safety Committee will be held on Thursday 20 April 2017 in the New Council Chamber, Town Hall, Beeston commencing at 7.00pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors: D Bagshaw	J Goad (Chair)
M Brown (Vice Chair)	M R Kee
B C Carr	S Kerry
T A Cullen	J M Owen
G Harvey	J C Patrick

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

PAGES 1 - 2

The Committee is asked to confirm as a correct record the minutes of the meeting held on 2 March 2017.

4. PRESENTATION BY VICTIM CARE PAGE 3
To inform Members, by way of a presentation, about the work of Victim Care.
5. NOTTINGHAMSHIRE HYGIENE ACCREDITATION SCHEME PAGES 4 - 21
To advise members of the Nottinghamshire Hygiene Accreditation Scheme and request that it is adopted and implemented within Broxtowe from 1 May 2017.
6. FOOD HYGIENE STAFFING PAGES 22 - 23
To request approval for the funding of temporary agency staff to deal with outstanding food hygiene inspections.
7. CORPORATE ENFORCEMENT POLICY PAGES 24 - 29
To advise the Committee of a proposed corporate enforcement policy. A copy of the policy is circulated separately with the agenda.
8. EASTWOOD SOUTH ACTION PLAN PAGES 30 - 46
To advise the Committee of an action plan to deal with crime and the fear of crime in Eastwood South.
9. EASTWOOD TOWN CENTRE PUBLIC SPACES PROTECTION ORDER PAGES 47 - 50
To update Members on the results of consultation and to seek approval to amend the existing Designated Public Place Orders in Eastwood to create a Public Spaces Protection Order, in order to continue helping to control issues around public consumption of alcohol.
10. STAPLEFORD PUBLIC SPACES PROTECTION ORDER PAGES 51 - 54
To update Members on the results of consultation and to seek approval to introduce a Public Spaces Protection Order, in order to continue helping to control issues around public consumption of alcohol.
11. WORK PROGRAMME PAGE 55
To consider items for inclusion in the Work Programme for future meetings.

COMMUNITY SAFETY COMMITTEE

2 MARCH 2017

Present: Councillor J Goold, Chair

Councillors: M Brown
S J Carr (substitute)
T A Cullen
D Elliott (substitute)
G Harvey
E Kerry (substitute)
S Kerry
J M Owen
J C Patrick

Apologies for absence were received from Councillors B C Carr and M R Kee.

47. DECLARATIONS OF INTEREST

There were no declarations of interest.

48. MINUTES

The minutes of the meeting which took place on 19 January 2017 were confirmed and signed.

49. PUBLIC SPACES PROTECTION ORDER

The Committee noted that the legislation governing Designated Public Place Orders (DPPO) had changed, replacing them with Public Space Protection Orders (PSPO). The existing DPPOs in Beeston Town Centre, Beeston North, Toton and Kimberley would be transferred to PSPOs without consultation. The orders are in place to give the Police extra powers over people who are caught drinking in the street and other public spaces, such as car parks.

RESOLVED that in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014 the Designated Public Space Protection Orders in Beeston Town Centre, Beeston North, Toton and Kimberley be converted to Public Space Protection Orders as detailed in appendix 3 with effect from 28 April 2017.

50. PERFORMANCE MANAGEMENT – REVIEW OF BUSINESS PLAN PROGRESS – ENVIRONMENT AND COMMUNITY SAFETY

The Committee noted the progress against outcome targets identified in the Community Safety Business Plan. The Head of Public Protection gave a verbal update on some of the figures in the business plan.

There was a discussion about the aim to extend smoke free areas through the Tobacco Control Declaration Action Plan. It was noted that any extension of smoke free areas would have to be implemented after consultation with the unions. Arguments centred on balancing the need for personal choice regarding smoking, with protecting non-smokers from the effects of second hand smoke.

There was concern that the Domestic Violence Coordinator had not been replaced. It was noted that the Domestic Violence Coordinator had never had a caseload and their role had been to write policy and give training. The Committee was assured that work to prevent domestic violence was still a priority and although the Council would not be applying for White Ribbon accreditation, much of the rest of the work of the Domestic Violence Coordinator would be absorbed by the Community Safety Team. It was agreed that a report on Domestic Violence would be brought to the Committee on 29 June.

There was a request from the Committee for more information about Child Poverty. It was agreed that a report on Child Poverty would be brought to the Committee on 29 June.

51. WORK PROGRAMME

The Committee agreed that reports on child poverty, domestic violence, an update on local policing, 'Change, Grow, Live' substance abuse action and victim care should be added to the Work Programme for the meeting on 29 June 2017.

RESOLVED that the Work Programme, as amended, be approved.

Report of the Chief Executive

PRESENTATION BY VICTIM CARE1. Purpose of report

To inform Members, by way of a presentation, about the work of Victim Care.

2. Detail

Commissioned by Nottinghamshire Police and Crime Commissioner (PCC), Victim Care is a free and confidential service available to all victims of crime and anti-social behaviour across Nottinghamshire. The service supports victims and survivors to be resilient. In doing so, the aim is to make them less likely to be re-victimised and to be empowered to cope and recover from crime and anti-social behaviour by timely and effective victim-centred support from local services, families and communities.

Victims do not have to report a crime to access the service. Victims of both recorded and self-reported crime are tracked at all points in their journey and given access to information, practical support and advice, and where appropriate, referral to 'cope, recover and empower' support services in their local communities.

Victim Care ensures that the support will be victim-centred and outcome focussed. It will ensure that the needs of the victim are considered and supported at every stage of the criminal justice process.

The service is provided by a team of experienced professional case workers, giving one to one support to victims of crime and anti-social behaviour. The team is supported by a committed and highly trained team of volunteers. The aim is to improve victims' experience with the criminal justice system and associated support services.

Recommendation

Committee is asked to NOTE the report.

Background papers

Nil

Report of the Chief Executive

NOTTINGHAMSHIRE HYGIENE ACCREDITATION SCHEME1. Purpose of report

To advise members of the Nottinghamshire Hygiene Accreditation Scheme (also known as the Tattoo Hygiene Rating Scheme) and request that it is adopted and implemented within Broxtowe from 1 May 2017.

2. Background

Under the Local Government (Miscellaneous Provisions) Act 1982 any business wishing to carry out the activity of tattooing, cosmetic piercing or semi-permanent skin piercing is required to be registered with the local authority. The registration of the business and practitioners is a one off requirement and means some premises and practitioners are not regularly inspected to assess on-going compliance with registered conditions. A countywide Rating Scheme intends to improve standards within these premises, standardise procedures in all premises carrying out skin piercing activities within the county and to allow for the regular inspections of these activities with greater resource focussed on premises posing the greatest risk to consumers.

In order to make the scheme sustainable it is intended to charge:

- Inspection and rating £119
- Initial 20% discount for the first four weeks of the scheme £96
- Revisit and re-rating £58.

Fees will be reviewed annually in accordance with the annual review of fees and charges.

The scheme is optional and consultation with existing skin piercing providers has taken place. All Nottinghamshire Authorities intend to adopt and implement the scheme as soon as practicable after 1 April 2017. The scheme will be implemented under the provisions of the Localism Act 2011. Adoption of the scheme will result in a slight increase in financial income.

The scheme accords with the Health and Business Growth priorities within the Corporate Plan. Full details of the scheme are attached at the appendix.

Recommendation

Committee is asked to RESOLVE that:

- 1. The adoption of the Nottinghamshire Hygiene Accreditation Scheme within Broxtowe be approved.**
- 2. The fees and framework for the scheme's implementation be approved.**

Background papers

Nil

Nottinghamshire's Hygiene Accreditation Scheme

[Introduction](#)

[Application Process](#)

[Inspection and Rating](#)

[Inspection Frequency and Fee](#)

[Re-rating](#)

[Withdrawal](#)

[Scheme Review](#)

Appendices

1. [Rating Schedules](#)
2. [Application Form](#)
3. [Re-Rating Application Form](#)

Introduction

1. Nottinghamshire's Hygiene Accreditation Scheme (HAS) is a scheme set up to improve and maintain hygiene standards primarily within the tattooing and cosmetic piercing industry.
2. The scheme aims to:
 - a. Improve and maintain hygiene standards within the industry;
 - b. provide members of the public with information, to enable them to make an informed choice about where to have their treatments;
 - c. minimise the risk of infection and infectious disease arising from treatments associated with the industry;
 - d. enable businesses within the industry to design their work processes to prosper and promote their business;
3. The scheme has been designed by Environmental Health Practitioners from local authorities within Nottinghamshire, following consultation with tattooing and cosmetic piercing practitioners in the county.
4. Businesses offering the following treatments can apply to join the scheme:
 - a. Tattooing;**
 - b. Semi-permanent make up and;**
 - c. Cosmetic body piercing.**
5. The scheme assesses the hygiene performance of the participating premises against criteria (known as the 'Rating Schedule') based around good practice. The rating schedule has been devised using nationally recognised guidance including the Tattoo and Body Piercing Toolkit produced by the Chartered Institute of Environmental Health (CIEH). The Rating Schedule for the scheme is available at Appendix 1.
6. Persons carrying on the business of the above treatments must be registered with the Local Authority under the Local Government (Miscellaneous Provisions)

Act 1982. The premises at which this business is carried on must also be registered. Registration in accordance with the above act is a condition of entry to participate in the scheme.

7. Participation in this scheme is voluntary. An application to be included within the scheme constitutes acceptance of the scheme rules, as contained within this document. Participants in the 'Hygiene Accreditation Scheme' may withdraw from the scheme at any time (see 'withdrawal').
8. This scheme is to be adopted and implemented by Local Authorities.

Application Process

9. Where businesses wish to participate in the scheme, they shall apply using the scheme application form (see Appendix 2).

The scheme shall only apply to the premises registered for the treatments included within the scope of the scheme and not to individual proprietors or operators at these premises.

10. The application form shall be completed in full by the *proprietor* to the best of their knowledge and submitted to the Local Authority with the appropriate fee (see 'Fee'). The *proprietor* means a person registered under sections 14(1) or 15(1) of the Act and in overall control of the business.
11. Completed postal applications shall be sent to:

Broxtowe Borough Council
Public Protection
Council Offices
Foster Avenue
Beeston
Nottingham
NG9 1AB

Applications can also be completed through Broxtowe Borough Council's website at www.broxtowe.gov.uk

Inspection, Rating, and Participation in the Scheme

12. Upon receipt of the application, the Local Authority shall arrange to visit the premises to determine compliance with the requirements of the scheme as defined within the rating schedule. The inspecting officer reserves the right to undertake an unannounced inspection for this purpose.
13. Proprietors have the opportunity to request assistance from the Local Authority before the initial inspection to facilitate compliance with the requirements schedule. Proprietors are encouraged to seek assistance from Local Authorities and implement practices required by the schedules in advance of the initial inspection.

For this reason, proprietors should allow sufficient time before submitting the application to the Local Authority. The Local Authority will endeavour to visit the premises within one month from receipt of the application form.

14. All areas used for and ancillary to the provision of treatments within the premises shall be inspected during the initial inspection.
15. The inspecting officer from the Local Authority shall ascertain information during the inspection to determine an appropriate rating. The officer shall be one authorised to inspect such premises under the provisions of the Local Government (Miscellaneous Provisions) Act 1982
16. The Local Authority reserves the right to request information from participants at any time to enable them to review the rating applied to that premises.
17. The ratings available range between “0” (Urgent Improvement Required) and “5” (Very good). All criteria set for the rating band must be met to achieve that rating band i.e. to achieve a “5” rating; all clauses within bands “1” to “5” must be achieved. The rating bands are as follows:
 - “0” – “Urgent Improvement Required”
 - “1” – “Major Improvement Required”
 - “2” – “Improvement Required”
 - “3” – “Satisfactory”
 - “4” – “Very Good”
 - “5” – “Excellent”
18. Once the rating has been determined, the Local Authority shall provide the inspection findings and confirmation of the rating to the proprietor of the business in writing.
19. In addition to the inspection findings, the Local Authority shall provide the proprietor of the business a certificate and window sticker confirming the date of the inspection and the rating achieved. A “new” certificate and window sticker will be issued to the proprietor following an inspection to assess compliance with the schedule.
20. The certificate and window sticker will state the following information:
 - a. Name and address of the business;
 - b. The rating level achieved during the most recent inspection;
 - c. The name of the Local Authority issuing the rating;
 - d. The date on which the inspection was carried out;
 - e. The proposed re-inspection date – this shall be written as the month and year
21. The proprietor may display the certificate and window sticker within the premises to which the rating relates and cite this rating within any advertising material.
22. The certificate and window sticker remain the property of the Local Authority and must be returned upon demand.

23. Where a rating is no longer considered valid or is, in the opinion of the Local Authority misused or misrepresented, the Local authority may at its discretion either re-rate the premises and issue a new certificate and window sticker or, if it deems it appropriate, remove the premises from further participation in the scheme. This is in addition to any enforcement action which the Local Authority may feel appropriate to take under any other legislation.
24. The Local Authority shall display the rating achieved by the business and the date at which this rating was achieved within their webpages. Only premises within the Local Authority boundary who have applied to participate in the scheme shall be displayed on the Local Authority website.
25. Where enforcement action has been taken against a business the Local Authority may, at its discretion prohibit the business from further participation in the Scheme

Inspection Frequency and Fee

26. The following inspection frequency will apply for the respective bands determined following the initial inspection:

Rating	Inspection Frequency
0 & 1	<6 months
2 & 3	12 months
4 & 5	18 months

27. The following fees shall apply:

Intervention	Fee
Application and initial inspection	£120 plus VAT
Request for re-inspection and re-rating	£60 plus VAT
Renewal fee	£120 plus VAT

28. The fees required to register under the Local Government (Miscellaneous Provisions) Act 1982 are mandatory and do not qualify you to membership to the Hygiene Accreditation Scheme (HAS).

Re-rating

29. Where the proprietor considers the achieved rating no longer applies, the proprietor may apply to the Local Authority to be re-rated using the re-rating application form (Appendix 3).
30. Upon receipt of the re-rating application form, the Local Authority shall confirm receipt of the form by telephone or email directly with the applicant/proprietor within 14 days.

31. The Local Authority shall process the application for a re-rating and arrange to inspect the premises to determine the most appropriate rating for the premises. Following the inspection, the inspection findings and rating shall be communicated to the proprietor in writing.
32. This rating shall apply until the next inspection is due as determined by the inspection frequency for that rating band. Only one application for a re-rating shall be accepted within any 12 month period.
33. Where the Local Authority is unable to carry out a re-rating inspection within a reasonable time for any reason, this shall be communicated to the applicant/proprietor.

Withdrawal

34. Where a business no longer wishes to participate in the scheme, the proprietor shall write to the Local Authority informing them of their wish to withdraw from the scheme enclosing the certificate and window sticker issued by the Authority.
35. The Business shall ensure that any advertising material identifying rating and membership of the scheme is amended or withdrawn from the date that it notifies the Authority of its withdrawal from the Scheme.

Scheme Review

36. The scheme shall be reviewed by the Local Authority on a periodic basis to ensure the aims of the scheme are fulfilled and the scheme is fit for purpose.

If you require advice regarding the scheme or application process, please contact the Environmental Health Team on 0115 9177777 or

Email: health@broxtowe.gov.uk

Appendix 1 – Rating Schedules**Definitions**

For the purpose of this rating schedule, the following definitions shall apply:

“The Act”	means the Local Government (Miscellaneous Provisions) Act 1982;
“client”	means any person undergoing treatment;
“hygienic piercing instrument”	means an instrument such that any part of the instrument that touches a client is made for use in respect of a single client, is sterile, disposable and is fitted with piercing jewellery supplied in packaging that indicates the part of the body for which it is intended, and that is designed to pierce the bodies of clients;
“operator”	means any person giving treatment, including a proprietor;
“premises”	means any premises registered under section 15(2) of the Act;
“proprietor”	means any person registered under section 15(1) of the Act and the person in overall control of the treatments undertaken at the premises;
“treatment”	means any operation of tattooing, semi-permanent skin colouring or cosmetic piercing;
“the treatment area”	means any part of the premises where treatment is given to clients;

Rating Level “0” – “URGENT IMPROVEMENT REQUIRED”

Any premises not achieving all of the requirements of Rating Level 1 shall be rated as Level 0.

Rating Level “1” – “MAJOR IMPROVEMENT REQUIRED”

To achieve a rating of Level 1, the premises must achieve **all** of the following requirements:

Cleanliness of Premises and Fittings

1. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that:-
 - (a) any internal wall, door, window, partition, floor, floor covering or ceiling is kept clean and in such good repair as to enable it to be cleaned effectively;
 - (b) any waste material, or other litter arising from treatment is handled and disposed of in accordance with relevant legislation and guidance as advised by the local authority;
 - (c) any needle used in treatment is single-use and disposable, as far as is practicable, or otherwise is sterilized for each treatment, is suitably stored after treatment and is disposed of in accordance with relevant legislation and guidance as advised by the local authority;
 - (d) any furniture or fitting in premises is kept clean and in such good repair as to enable it to be cleaned effectively;
 - (e) any table, couch or seat used by a client in the treatment area which may become contaminated with blood or other body fluids, and any surface on which a needle, instrument or equipment is placed immediately prior to treatment has a smooth impervious surface which is disinfected—
 - I. immediately after use; and
 - II. at the beginning of each working day.
 - (f) Where any table, couch, or other item of furniture used in treatment is not capable of being cleaned effectively, it shall be covered by a disposable paper sheet or other suitable disposable material which is changed for each client;
 - (g) no eating, drinking, or smoking is permitted in the treatment area and a notice or notices reading “No Smoking”, and “No Eating or Drinking” is prominently displayed there.
2. The proprietor shall ensure that treatment is given in an area(s) used solely for giving treatment.
3. The proprietor shall ensure that the floor of the treatment area is provided with a smooth impervious surface.

Cleansing and so far as is appropriate, the sterilization of needles, instruments, jewellery, materials and equipment

4. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, jewellery, materials and equipment used in connection with the treatment, an operator shall ensure that—
 - (a) any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in treatment—
 - a. is clean and in good repair and, so far as is appropriate, is sterile;
 - b. has not previously been used in connection with another client unless it consists of a material which can be and has been adequately cleansed and, so far as is appropriate, sterilized.
 - (b) any needle, metal instrument, or other instrument or equipment used in treatment or for handling such needle, instrument or equipment and any part of a hygienic piercing instrument that touches a client is sterile;
 - (c) any jewellery used for cosmetic piercing by means of a hygienic piercing instrument is sterile;
 - (d) any dye used for tattooing or semi-permanent skin-colouring is sterile and inert at first use and used within the shelf life of the product;
 - (e) any container used to hold dye for tattooing or semi-permanent skin-colouring is either disposed of at the end of each treatment or is cleaned and sterilized before re-use.
5. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment, a proprietor shall provide—
 - (a) adequate facilities and equipment for—
 - a. cleansing; and
 - b. sterilization unless only pre-sterilized, disposable items are used.
 - (b) sufficient and safe gas points and electrical socket outlets;
 - (c) an adequate and constant supply of clean hot and cold water on the premises;
 - (d) clean and suitable storage which avoids contamination of the articles, needles, instruments and equipment.

Cleanliness, Personal Hygiene and Safety of Operators

6. For the purposes of securing the cleanliness of operators, the proprietor shall ensure that an operator—
 - (a) keeps his hands and nails clean and his nails short;
 - (b) keeps any open lesion on an exposed part of the body effectively covered by an impermeable dressing;
 - (c) wears well fitting, powder free disposable gloves that have not previously been used with another client;
 - (d) wears a gown, wrap or protective clothing that is clean and washable, or a disposable covering that has not previously been used in connection with another client;
 - (e) cover or tie back hair that naturally falls across the face.

7. For the purposes of securing the cleanliness of operators, the proprietor shall provide—
 - (a) suitable and sufficient washing facilities appropriately located for the sole use of operators, including an adequate and constant supply of clean hot and cold water, soap or detergent; and
 - (b) suitable and sufficient sanitary accommodation for operators.
8. The proprietor shall draft and maintain a register of all operators working at the premises which shall include a photograph of the operator and their date of birth.

Rating Level “2” – “IMPROVEMENT REQUIRED”

To achieve a rating of Level 2, the premises must achieve **all** of the requirements within Rating Level 1 and all of the following requirements:

Cleanliness of Premises and Fittings

9. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that:-
 - (a) Animals are prohibited from the treatment area except for assistance animals.

Cleansing and so far as is appropriate, the sterilization of needles, instruments, jewellery, materials and equipment

10. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, jewellery, materials and equipment used in connection with the treatment, an operator shall ensure that—
 - (a) Petroleum jelly, creams or similar products which are applied to the clients skin are applied from single-use sachets, or are dispensed in a manner which will prevent contamination;
 - (b) Single use razors are used;
 - (c) The client’s skin is prepared using a 70% alcohol impregnated single use swab;
 - (d) Tattoo machines/motors and clip cords are covered with plastic which is renewed between clients and is disposed of appropriately;
 - (e) Elastic bands or needle runners are changed between clients and are disposed of appropriately;
 - (f) Tattoo stencils and marker pens are single-use and are appropriately disposed of after use;
 - (g) Plastic film wrap used to cover tattoos is clean and used straight from the pack and is secured by hypo allergenic tape.

Cleanliness, Personal Hygiene and Safety of Operators

11. For the purposes of securing the cleanliness of operators, the proprietor shall ensure:-
 - (a) All operators do not wear wrist watches, stoned rings or other wrist jewellery whilst undertaking treatments;
 - (b) Non-hand operated lidded bins shall be utilised as waste receptacles in treatment areas;
 - (c) Paper towel is accessible from a wall mounted dispenser adjacent to the wash hand basin(s);
 - (d) All wash hand basins are fitted with a waterproof splashback.
 - (e) A system is implemented to prevent cross contamination by cleaning equipment such as mops and cloths;

12. The proprietor shall ensure that:-
 - (a) Operators wear disposable, well fitting, powder free gloves that conform to EN374-1:2003 or EN374-2 which display a 'CE Mark';
 - (b) Operatives have access to one or more alternative glove where Natural Rubber Latex (NRL) is used;
 - (c) Operators do not wear Natural Rubber Latex (NRL) gloves for tattooing or procedures involving petroleum based lubricants;

13. The proprietor shall ensure that waste receptacles for sharps, conforming to UN3291 and BS7320 are available for use at all times by all operators.

Documentation

14. The proprietor shall ensure that all clients having treatments sign a consent form which shall include:-
 - (a) The full name, date of birth and address of the person having treatment;
 - (b) An assessment of medical history of the person having treatment;
 - (c) The name and signature of the operator carrying out the treatment;
 - (d) A description of the treatment given including area of the body

which shall be retained by the proprietor and be made available to the local authority upon request.

Equipment Safety

15. Where used, the proprietor shall ensure that all sterilization and cleaning equipment such as autoclaves and ultrasonic cleaners are operated in accordance with the manufacturer's instructions.

16. Where sterilization and cleaning equipment is used, the proprietor shall ensure:-

- (a) All sterilisation equipment is serviced in accordance with manufacturer's instructions and maintained at manufacturer specified intervals and periodically tested by the operator to ensure its efficient operation;
- (b) A valid certificate of insurance for all steam sterilisers as required by the Pressure Systems Safety Regulations 2000 shall be available upon request by the local authority;
- (c) The manufacturer's instructions for all sterilisation and cleaning equipment shall be on site at all times and available to the local authority upon request.

Competence of Operators

17. All operators shall be able to demonstrate their competence in their undertakings, namely:
- (a) Hand washing procedures;
 - (b) Decontamination procedures;
 - (c) Management of waste and sharps;
 - (d) Use of personal protective equipment (PPE);
 - (e) Procedures in the event of a needle stick injury;
 - (f) Procedures in the event of a blood or bodily fluid spillage.

Rating Level "3" – "SATISFACTORY"

To achieve a rating of Level 3, the premises must achieve **all** of the requirements within Rating Levels 1 and 2, and all of the following requirements:

Cleanliness, Personal Hygiene and Safety of Operators

18. The proprietor shall ensure that arrangements are in place to ensure the collection and safe disposal of hazardous and offensive waste (where applicable) from the premises by a licenced waste contractor in accordance with relevant legislation.

Documentation

19. For the purposes of controlling the spread of infection, a proprietor shall maintain a record of all clients treated in the premises in accordance with current data protection legislation, which shall record:-
- (a) Name of the client
 - (b) Address of the client
 - (c) Date of birth of the client
 - (d) Nature of treatment (consultation, tattoo initial appointment, follow up appointment etc)
 - (e) Relevant medical history, health related questions and assessment including contraindications to treatment
 - (f) Name of the operator giving the treatment

and be made available to the local authority upon request.

20. The proprietor shall ensure that all clients are provided with verbal and written aftercare advice that can be taken with them following the treatment. The written aftercare shall be in accordance with the sample aftercare forms within the CIEH toolkit.

Equipment Safety

21. For the purpose of ensuring the safety of operators, the proprietor shall ensure:-
- (a) Material safety data sheets for all inks used on site shall be retained by the proprietor, be accessible to all operators and be available to the enforcement authority upon request;
 - (b) Batch numbers and/or invoice information of inks used on site shall be retained by the proprietor, be accessible to all operators and be available to the enforcement authority upon request;
 - (c) Batch numbers and/or invoice information of all needles used on site shall be retained by the proprietor, be accessible to all operators and be available to the enforcement authority upon request.
22. The proprietor shall ensure that any records of maintenance, servicing, testing and operating cycles must be retained at the premises until the date falling six months after the equipment is destroyed or disposed of.
23. The proprietor shall ensure that all jewellery used is compliant with the current EU Nickel Directive.

Rating Level “4” – “VERY GOOD”

To achieve a rating of Level 4, the premises must achieve **all** of the requirements within Rating Level 1, Level 2, Level 3 and all of the following requirements

Cleanliness of Premises and Fittings

24. For the purpose of securing the cleanliness of premises and fittings, the proprietor shall ensure that a documented cleaning schedule is implemented, maintained and regularly reviewed where there is more than one operator.

Cleanliness, Personal Hygiene and Safety of Operators

25. The proprietor shall ensure that non-hand operated taps are installed at all hand wash basins.
26. The proprietor shall ensure disposable aprons and face/eye protection is available for use by operators which is kept clean and maintained in a good state of repair.

Documentation

27. The proprietor shall ensure that all operators utilise a client record, compliant with the requirements of Level 2 and 3 respectively which also includes the following:-
- (a) A record of the brand and batch number of all inks used in the treatment;
 - (b) A record of the brand and batch number of any needle, instruments, jewellery, materials or equipment which are required to be sterile before contact with the client's skin.
28. The proprietor shall ensure that all operators verify the date of birth for all clients having a tattoo or body piercing on any genital area including nipples, using an approved identity document e.g. photo card drivers licence, passport or proof of age card bearing the PASS hologram. A copy of the approved identity document shall be attached to the client consent form.

Rating Level "5" – "EXCELLENT"

To achieve a rating of Level 5, the premises must achieve **all** of the requirements within Rating Level 1, Level 2, Level 3, Level 4 and all of the following requirements

Immunisation

29. All operators shall undergo a full course of Hepatitis B vaccine unless the operator has refused. Where the operator has refused, the proprietor shall prepare and require the signature on a disclaimer/waiver form.
30. The proprietor shall ensure that a record of the vaccination status of every operator is retained and available upon request by the local authority.

Management System

31. The proprietor shall produce written procedures, proportionate to the size of their undertaking, which include:
- (a) Hand washing procedure;
 - (b) Cleaning policy and rota;
 - (c) Decontamination procedures;
 - (d) Management of waste and sharps;
 - (e) Management of blood and bodily fluid spillages including the provision of spill kits;
 - (f) Emergency Operating procedures for clients undergoing treatment including the provision of first aid;
 - (g) Use of personal protective equipment (PPE);
 - (h) Needle stick injury procedures;
 - (i) Immunisation of all operators
32. The proprietor shall ensure that evidence to demonstrate that all operators and any other persons involved in the maintenance of hygiene and safety standards associated with the treatment process have been suitably trained in the written procedures required by requirement 31. This shall be retained on site and be available upon request by the Local Authority.

Insurance

33. The proprietor shall maintain a form of Public Liability Insurance.

Audit

34. The proprietor shall have procedures in place to audit and review practices and the implementation of their policies and procedures on an annual basis. Evidence of an audit and any resulting actions plans shall be retained and made available to the local authority upon request.

Appendix 2 – Application Form

**HYGIENE ACCREDITATION SCHEME
APPLICATION TO PARTICIPATE IN THE SCHEME
PREMISES DETAILS**

Name of Premises:	3T
Address:	3T
Postcode:	3T
Telephone Number:	3T
Email:	3T
Activities:	Tattooing <input type="checkbox"/> Semi-Permanent Make-up <input type="checkbox"/> Cosmetic Piercing <input type="checkbox"/>

PROPRIETOR/APPLICANT DETAILS

Name of Proprietor:	<u>3T</u>
Position in the business:	<u>3T</u>

I confirm that the information contained within this application is true and complete.

I agree to be bound by the rules of the scheme and the rating will be displayed on the council website.

I agree that if I wish to leave the scheme, I must make application to the Local Authority in writing (please see rules for address).

I also understand that any application to leave the scheme will be dealt with within 28 days, during which time my rating may still be made available to the public.

I consent to the Council retaining my application and details on its database(s).

SIGNED: 3T

DATE: 3T

Please return this form along with the relevant fee to:

Broxtowe Borough Council, Public Protection, Council Offices, Foster Avenue,
Beeston, Nottingham NG9 1AB.

Appendix 3 – Application to Request a Re-rating

HYGIENE ACCREDITATION SCHEME
APPLICATION TO REQUEST A RE-RATING

PREMISES DETAILS

Name of Premises:	3T
Address:	3T
Postcode:	3T
Telephone Number:	3T
Email:	3T
Activities: (Please tick all appropriate boxes)	Tattooing <input type="checkbox"/> Semi-Permanent Make-up <input type="checkbox"/> Cosmetic Piercing <input type="checkbox"/>

PROPRIETOR/APPLICANT DETAILS

Name of Proprietor:	<u>3T</u>
Position in the business:	<u>3T</u>

Please provide details of the action and/or measures taken to justify a re-score:
(Please refer to findings of previous inspections where necessary)

3T

I confirm that the information contained within this application is true and complete.

I agree to be bound by the rules of the scheme, any assessment of the business is undertaken in accordance with the rating schedules and the rating will be displayed on the council website.

I agree that if I wish to leave the scheme, I must make an application to the Local Authority in writing.

I also understand that any application to leave the scheme will be dealt with within 28 days, during which time my rating may still be made available to the public.

I consent to the Council retaining my application and details on its database(s).

SIGNED: 3T

DATE: 3T

Please return this form along with the relevant fee to:

Broxtowe Borough Council, Public Protection, Council Offices, Foster Avenue,
Beeston, Nottingham NG9 1AB.

Report of the Chief Executive

FOOD HYGIENE STAFFING1. Purpose of report

To request approval for the funding of temporary agency staff to deal with outstanding food hygiene inspections.

2. Detail

The Council's food hygiene service was audited by the Food Standards Agency (FSA) on 9 March 2017. Although the final report has yet to be received (and will be brought to a future meeting of this committee), the initial feedback from the FSA indicated that while the inspection rates of the "high risk" premises (designated A, B, C) were in accordance with recommended timescales, there was concern about a backlog of some 260 outstanding inspections of the low risk premises (designated D and E).

There are a number of factors that have resulted in this backlog. Broxtowe has one of the highest number of food businesses in the county yet has the smallest number of full time equivalent officers dealing with food hygiene. This results in the highest ratio of premises per officer in the county as shown in the appendix. In addition, periods of staff secondment and a flexible retirement have contributed to low risk inspection targets not being met.

Unfortunately, the backlog is now increasing year on year and cannot be cleared with existing resources. The FSA has identified this as an issue which needs immediate attention.

It is considered that if the backlog can be cleared, the required frequency for inspection of low risk premises can be maintained going forward due to reallocation of duties and hours within existing posts.

3. Financial implications

Preliminary estimates for the cost of clearing the backlog have been sought and are in the region of £15,000. Including employers on costs, this would be equivalent to employing a Food Hygiene Officer on Grade 10 (£29,879 to £31,636) for approximately five months. A supplementary budget estimate for £15,000 would be required with a corresponding adjustment to the 2017/18 employee savings target.

Recommendation

The Committee is asked to RECOMMEND to Finance and Resources Committee the expenditure for the appointment of contractors to complete the backlog of outstanding food hygiene inspections be approved.

Background papers

Nil

APPENDIX

Information on food premises and officer numbers in Nottinghamshire

(Source: Food Standards Agency Enforcement Data 2015/16)

Local Authority	No. of food premises	No. of full time equivalent (FTE) food hygiene officers	No. of food premises per FTE food hygiene officer
Ashfield	941	3.2	294
Bassetlaw	1070	2.6	411
Broxtowe	1064	1.7	626
Gedling	764	3.0	255
Mansfield	878	2.85	308
Newark & Sherwood	1129	4.0	282
Nottingham City	3083	8.9	346
Rushcliffe	723	3.0	241

Report of the Chief Executive

CORPORATE ENFORCEMENT POLICY1. Purpose of report

To advise the Committee of a proposed Corporate Enforcement Policy. A copy of the Policy is circulated separately with this agenda.

2. Detail

The main purpose of local government enforcement work is to protect the public, the environment, consumers and legitimate businesses by ensuring that legal requirements are met and that everyone acts/operates within the law. It does not just mean taking formal action, such as prosecution, but includes a wide range of actions and measures, including giving help or advice to make sure that things are as they should be. Broxtowe Borough Council generally endeavours to support both businesses and individuals to meet their legal obligations before considering any kind of enforcement action.

The intention of the Policy is to ensure that any enforcement action is compliant with the relevant legislation, codes of practice and government guidance. Also that any such action is transparent and accountable, proportionate, targeted, consistent in approach, and appropriate.

The proposed Policy starts from the premise that most businesses and individuals want to comply with the law. Help and support will be provided to enable them to meet their legal obligations without unnecessary expense, while more formal action will be considered against those who flout the law or act irresponsibly. It seeks to assist officers in the decision making process, and to ensure a consistent approach when using the range of enforcement tools available to them. It will ensure that there is a transparently fair process adopted with regard to decision making and to the selection and application of enforcement options, as well as to the consideration of circumstances relevant to those options. An Equalities Impact Assessment is included at the appendix.

3. Financial implications

There are no direct financial implications arising from this report.

Recommendation

The Committee is asked to RESOLVE that the Policy be approved.

Background papers

Nil

APPENDIX

Equality Impact Assessment

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

Public bodies are required in it to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations between people who share a protected characteristic and people who do not share it.

The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation.

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how

they design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they considered the aims of the Equality Duty. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Chief Executive's	Lead officer responsible for EIA	David Gell
Name of the policy or function to be assessed:		Enforcement Policy	
Names of the officers undertaking the assessment:		David Gell	
Is this a new or an existing policy or function?		New	
<p>1. What are the aims and objectives of the policy or function?</p> <p>The Policy's aim is that the Council will endeavour to carry out its enforcement functions in an equitable, effective, efficient, practical and consistent manner.</p> <p>The Policy will contribute to all five of the Council's corporate priorities (Business Growth, Community Safety, Environment, Health, and Housing) as well as according with the Council's stated value of "integrity and professional competence".</p>			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>That any enforcement action undertaken by the Council is compliant with the relevant legislation, codes of practice and government guidance. Also that any such action is transparent and accountable, proportionate, targeted, consistent in approach, and appropriate.</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>Residents and businesses in the borough</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <p>Residents of the borough; businesses in the borough; Broxtowe Borough Council staff; local courts, other relevant partner agencies.</p>			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <p>None</p>			
<p>6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?</p> <p>Should enforcement action be considered against someone who is vulnerable, elderly, frail, or a person having a disability the provisions of the Enforcement Policy provide for safeguards, risk assessments and consideration of the Attorney General's guidelines to protect such individuals who may have protected characteristics.</p>			
<p>7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?</p> <p>Undertaken internally and on the website. Introduction of a corporate policy which applies to all departments within the Council is expected to have a positive impact.</p>			
<p>8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways?</p>			

<p>In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:</p> <p>The policy does not adversely affect any particular group.</p> <ul style="list-style-type: none"> • Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified? <p>No</p>
<ul style="list-style-type: none"> • Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified? <p>Yes</p>
<ul style="list-style-type: none"> • Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function? <p>Yes. Those affected by local authority enforcement who do not have English as a first language. However, where this is the case, arrangements can be put in place to ensure translation and interpreter facilities are made available.</p>
<ul style="list-style-type: none"> • Could the policy or function promote or contribute to equality and good relations between different groups? If so, how? <p>Open, transparent and consistent enforcement will be beneficial in demonstrating fair and equitable treatment to all groups.</p>
<ul style="list-style-type: none"> • What further evidence is needed to understand the impact on equality? <p>None</p>

<p>9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?</p>
<p>Age: No further action required</p>
<p>Disability: No further action required</p>
<p>Gender: No further action required</p>
<p>Gender Reassignment: No further action required</p>
<p>Marriage and Civil Partnership: No further action required</p>
<p>Pregnancy and Maternity: No further action required</p>
<p>Race: No further action required</p>
<p>Religion and Belief: No further action required</p>
<p>Sexual Orientation: No further action required</p>

Head of Service:

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

Signature of Head of Service:

D. Gell

Report of the Chief Executive

EASTWOOD SOUTH ACTION PLAN1. Purpose of report

To advise the Committee of an action plan to deal with crime and the fear of crime in Eastwood South.

2. Detail

There are 15 areas in Nottinghamshire which since 2010 have been identified as contributing a disproportionately high level of crime and anti-social behaviour. The Police and Crime Commissioner has designated these areas as Partnership Plus Areas and the police and partners in those areas are committed to working together to deliver improvements for the people living there. The former ward of Eastwood South was one of the 15 areas and although the area covered by that ward has now been replaced by the wards of Eastwood Hilltop and Eastwood St.Mary's, the name has been retained for the purposes of the partnership plus area.

Each Partnership Plus Area is required to have a comprehensive multi-agency plan which is submitted annually to the Office of the Police and Crime Commissioner (OPCC) showing the actions which partners in the area have committed to. The plan is split into mainstream actions which partners will be undertaking using their own resources, and funded actions for which a small grant is provided by the OPCC and also from Nottinghamshire County Council. In 2016/17, Eastwood South received £16,625 from the OPCC and £8,166 from the County Council. Plans have to be submitted to the OPCC for approval to ensure they comply with the strict guidelines for receiving funding, including addressing current priorities. In Eastwood South, the action plan was prepared following a planning meeting of the Eastwood South Focus Group in late January involving agencies from all sectors and because of the tight timescales imposed, the plan has now been submitted to the OPCC for approval.

South Notts Community Safety Partnership (made up of Broxtowe, Gedling and Rushcliffe), has been advised that its OPCC funding has been set at £47,381 for 2017/18. The South Notts Community Safety Partnership has yet to decide how the funding will be divided among the three boroughs, and notification of grant from the County Council has not yet been received. The Action Plan has been prepared on the expectation of a similar level of funding to that received in 2016/17. A copy of the Action Plan is attached at the appendix.

Recommendation

The Committee is asked to NOTE the report.

Background papers

Nil



Partnership Locality Working Plan	Community Safety Partnership
<i>Area: Eastwood South, Broxtowe (Comprised of Eastwood Hilltop and Eastwood St Mary's)</i>	<i>South Notts Community Safety Partnership (SNCSPP)</i>

Approach

This delivery plan is designed to reduce the impact of crime and disorder on our communities now and in the future. It consists of a series of specific targeted actions in identified priority places. These actions will in the first instance look to reduce offending through robust partnership working, along with a series of preventative measures that will seek longer term changes to tackle the underlying causes of crime and disorder. This dual approach includes early intervention, prevention and rehabilitation work, with a wide range of partners, addressing the complexities inherent within our communities.

Eastwood South

Eastwood South has been consistently identified as a Partnership Plus area through the Countywide Strategic Assessment in 2010, 2011, 2012 and 2013. It was identified as one of the top 15 wards within the county for crime and disorder issues.

During 2014-15, 2015-16, 2016-17 and again for 2017-18 Eastwood South has been identified as a Partnership Plus area and as such will receive funding from the Office of the Police and Crime Commissioner (OPCC) in order to improve community safety and contribute towards crime reduction. Eastwood South, now made up of Eastwood Hilltop and Eastwood St Mary's, is one of the top ward areas within South Nottinghamshire for crime and disorder and has much higher levels of multiple deprivation when compared to other areas within the same borough

The Eastwood South Action Plan for April 2017 - March 2018 will have access to OPCC funding, and aims to reduce crime and improve the quality of life for local people.

As part of the action planning process consideration has been given to the Safer Notts Board (SNB) priorities identified in the OPCC Police and Crime Plan 2016-18 (Refreshed April 2016) Section 5.2

The SNB priorities are to tackle:

- Vulnerable localities
- Vulnerable people (the two are strongly correlated)
- Hate crime (including work around preventing violent extremism)
- Domestic and sexual abuse
- Serious and/or organised crime (including some work around Child Sexual Exploitation)
- Substance misuse

In addition, a crime report was presented by Local Area Inspector S Wragg at the 25th January 2017 action planning meeting. The major crime issues identified in the area are dwelling house burglary, theft (specifically shop theft), violence (domestic and non-domestic), and drugs. Within Eastwood offences are generally committed by local people in their local area.

In addition to costed actions, the Eastwood South Focus Group has also included mainstream funded actions within the Action Plan. The criteria applied to Partnership Plus area funding means these actions cannot be funded by the OPPC. However, the Eastwood South Focus Group considers these actions to be an important part of the partnership's work towards improved community safety and crime reduction.

Corporate Priorities

This delivery plan contributes to the Council's Community Safety corporate priority *"Broxtowe will be a place where people feel safe and secure in their communities."*

Commitment of partners

Partners are committed to:

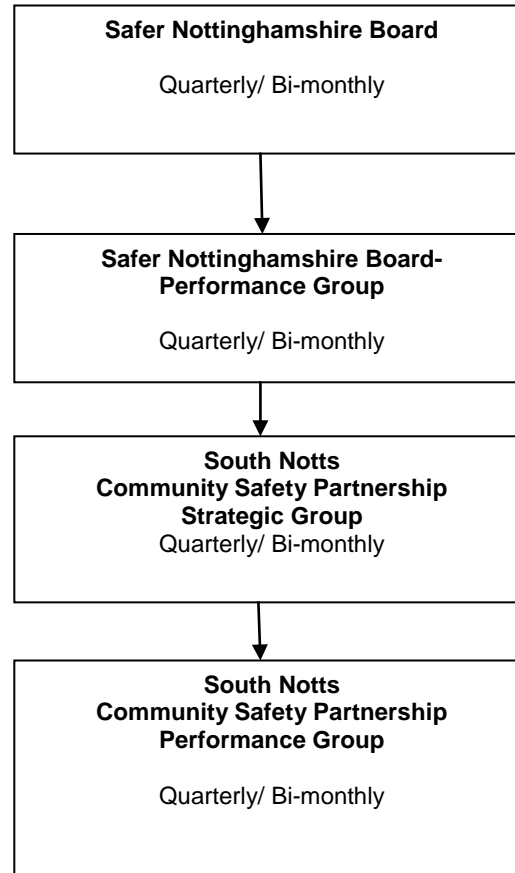
- Working together across all agencies to solve problems
- Early intervention to prevent problems before they arise
- Community engagement and empowerment
- Integrated enforcement linked to problem solving
- Developing an understanding and insights of our communities by sharing our data and intelligence
- Aligning budgets and resources for locally based responsive services

Outcomes

- Improved community safety
- Reduced crime and fear of crime
- Increased trust, confidence and satisfaction
- Increased efficiency and effectiveness resulting in a reduction in cost and resourcing.

- Reduced threat, harm and risk

South Notts Community Safety Partnership Governance Structures- High Level



Eastwood South Action Plan

Actions to deliver target					
Action	Owner	Due Date	Comments	Updates	
OFFICE OF THE POLICE AND CRIME COMMISSIONER & NOTTINGHAMSHIRE COUNTY COUNCIL FUNDED ACTIONS					
Anti-social Behaviour and Crime - Costed Actions					
1.1	Target Harden vulnerable premises £2620.00	Notts Police Insp S Wragg	31 March 2018	<ul style="list-style-type: none"> Identify most vulnerable locations, including council and private addresses Clarify most effective resource Clarify and arrange installation 	
1.2	Vehicle theft initiative £3000.00	Notts Police Insp S Wragg	31 March 2018	Hire of equipment / facilities in respect of this initiative	
1.3	Crime Reduction Initiatives - <i>(Proposal is to allocate the remaining balance to this action once amount of funding being offered and cost for Action 1.6 is known)</i>	Notts Police Insp Wragg/ BBC M Hawley	31 March 2018	Real time responsive actions to threats and crime types identified by Local Inspector and Chief Public Protection Officer in Eastwood and across the borough to reduce numbers of incidents	
1.4	Community Safety drop-ins £100.00	BBC J Balchin	31 March 2018	Provision of community safety drop-ins in Eastwood Library <ul style="list-style-type: none"> weekly monthly themed 	02.02.17 Commenced work on 2017-18 schedule

Actions to deliver target		Action Owner	Due Date	Comments	Updates
1.5	Community Safety event – Eastwood Town Centre £250.00	BBC J Balchin /J Fletcher	31 March 2018	Deliver a town centre Community Safety Partnership event	02.02.17 Planning process commenced
1.6	Seasonal Crime Campaigns (Cost to be provided by South Notts Community Safety Partnership once available)	CSP – D Wakelin	31 March 2018	Design, produce and distribute partnership Seasonal Crime campaign materials	Cost of seasonal crime campaign materials to be shared between the Community Safety Partnership and to be taken from Partnership Plus area funding
Debt/Poverty/Education/Employment – Costed Actions					

Actions to deliver target		Action Owner	Due Date	Comments	Updates
2.1	Debt/Poverty project £610.00	CAB Sally Bestwick/ Transform Training Sophie Forbes- Taylor	31 March 2018	<p>Develop and deliver a debt/poverty project Aim – to prevent young people being in an emergency financial situation and reduce the risk involvement in crime. Target age 14-25 yrs</p> <p>CAB/Transform Training (TT) will work in partnership to deliver financial capability sessions to TTs Employability workshop group.</p> <p>Sessions to include – benefits advice, budgeting skills delivered by Specialist Money Advisers regulated by the FCA</p> <p>Resources – to include workbooks, budgeting leaflets Room Hire</p>	Resources – to include workbooks, budgeting leaflets, room hire. Five sessions.

Actions to deliver target		Action Owner	Due Date	Comments	Updates
2.2	Eastwood South Job Club £1110.00	Direct Help and Advice (DHA) Karla Cook/ Maureen Davison CAB - Val BBC – J Balchin/ J Fletcher	31 March 2018	Support the provision of a local Job Club to help local people into jobs and/or training by improving employability skills and providing occupational courses (room hire/resources) <ul style="list-style-type: none"> • Explore possibility of providing Job Club in Eastwood South • Identify venue • Prepare promotional literature/resources • Launch Project 	Initial meeting held. Agreed venue – Eastwood Volunteer Bureau Cost to fund room/refreshments/ laptop provision/internet access, promotional literature/resources

Actions to deliver target		Action Owner	Due Date	Comments	Updates
Violence/Domestic Abuse/Drugs and Alcohol/Health – Costed Actions					
3.1	Provide free legal advice surgery for victims of Domestic Abuse £700.00	BWP Sujata Mahay	31 March 2018	Support the provision of a local monthly legal advisory surgery for victims of DA (room hire/resources).	12 sessions to be provided, approx 7 attendees per session so approx 84 women will obtain free legal advice/support
3.2	Freedom Forever Programme £1520.00	BWP Sujata Mahay	31 March 2018	Deliver Freedom Forever Programme to build resilience in approx 25 victims of Domestic Abuse	

Actions to deliver target					
Actions to deliver target	Action Owner	Due Date	Comments	Updates	
3.3	Drug/Alcohol Project £1540.00	Hettys – Emma- Jane Graham	31 March 2018	<p>Support families through a family members Drug/Alcohol use</p> <p>Deliver 1-2-1 sessions with family members/substance users – working using a range of tools including: Risk Assessments Recovery Action Plans Psycho-social interventions Safeguarding Harm Reduction Advice and Guidance</p> <p>Provide monthly You Understand Me Too (YUM2) sessions for substance users and family members. Using restorative practices aiming to increase the motivation to change substance use and offending behaviour</p> <p>Provide end of project report, feedback and evaluation</p>	

Actions to deliver target					
Actions to deliver target	Action Owner	Due Date	Comments	Updates	
3.4	Increase public and partnership awareness of New Directions drug and alcohol service provided by Change Grow Live £1000.00	Change Grow Live J Graham	31 March 2018	CGL currently support approx. 100 individuals within the Eastwood area. CGL recognise there is a need to further raise awareness in the Eastwood Community of the drug and alcohol treatment and recovery support services available. With the view to increase referrals and reduce the harm of substance misuse. This money will be spent on developing Eastwood specific promotional literature which will be distributed across Eastwood in a number of outlets these being; GP surgeries, Community Centres, Libraries, Public Houses and through partnership agencies.	
<p>TOTAL PROJECTED SPEND = £12,450.00 Total Projected Spend does not include costs for - Action 1.3 Crime Reduction Initiatives and Action 1.6 Seasonal Crime Campaign – see explanation against each action</p>					

Actions to deliver target	Action Owner	Due Date	Comments	Updates	
MAINSTREAM FUNDED ACTIONS					
Anti-social Behaviour and Crime					
	Enforcement against mobile crime	Notts Police Insp S Wragg	31 March 2018	Provision of Automatic Number Plate Recognition (ANPR) cameras in Eastwood South Acquire cameras Arrange installation	
	Increase awareness of dog control legislation	BBC M Hawley	31 March 2018	Provide front line housing officers with an update on dog control legislation	
	Prison Me No Way (PMNW)	BBC J Balchin	31 March 2018	Look into alternative funding sources to enable provision of PMNW in Hall Park Academy due to difficulty in gaining approval as "costed" scheme Cost £2600.00	
Debt/Poverty/Education/Employment					
	Deliver a four week course for young adults aged 19 plus to enable them to become job-ready	Transform Training Sophie Forbes-Taylor	31 March 2018		Funded by other source

Actions to deliver target		Action Owner	Due Date	Comments	Updates
	Investigate the progress of a funding application to the Big Lottery to set up a job club in Eastwood in the long term	CAB EVB BBC J Fletcher	31 March 2018		
	Liaise with Notts Police with regard to the opening of their new police facility on Nottm Road and the possibility of providing an information hub/ workspace/ hot desk facilities for organisations to deliver work to local residents	BBC J Balchin J Fletcher And Notts Police	31 March 2018		
	Investigate the possibility of a community led social eating project which addresses healthy eating building skills and family poverty	BBC J Fletcher	31 March 2018		
	Plan and deliver a Healthy Choices event at Hall Park Academy (market place info event aimed at providing information and guidance to young people on health issues)	BBC J Fletcher J Balchin and all partners	31 March 2018		15.03.17 Initial planning meeting.
	Plan and deliver First Aid courses to local families utilising the cohort of families attending Eastwood Children's Centre (SureStart)	BBC J Fletcher Eastwood CC Deb Perkins	31 March 2018		

Actions to deliver target		Action Owner	Due Date	Comments	Updates
	Investigate the possibility of local retailers in Eastwood offering work experience/training to young people who are Not in Education, Employment or Training (NEETs)	BBC M Batterham	31 March 2018		W/C 30.01.17 J Fletcher made initial enquiry with M Batterham
	Investigate the possibility of BBC providing work experience to young people co-ordinated by school settings	BBC J Fletcher	31 March 2018		
	Support the EnergyFest event to promote energy saving initiatives/projects. This work includes attending flu clinics promoting energy efficiency in the home and keeping warm in winter	BBC A APooley CAB SBestwick	31 March 2018		
Violence/Domestic Abuse/Drugs and Alcohol/Health					
	Freedom Programme	BWP Suj	31 March 2018	Support delivery of a Freedom Programme to build resilience in victims of Domestic Abuse	Funded by other source
	Introduce Public Spaces Protection Order for the consumption of alcohol	BBC MHawley	31 March 2018		Committee approval to extend area. Out to consultation
	Increase awareness at PubWatch meetings of New Directions drug and alcohol service provided by Change Grow Live	CGL J Graham / James Bunning BBC A McLeish	31 March 2018		

Actions to deliver target					
	Action	Owner	Due Date	Comments	Updates
	Targeted engagement with General Practice surgeries about New Directions Drug and Alcohol service provided by Change Grow Live	Clinical Commissioning Group (CCG) T Lindley CGL J Graham /J Bunning BBC A McLeish	31 March 2018		
	Link to vulnerable adults eg dementia/food banks/reduce fire risk	NFRS M Fitzpatrick	31 March 2018		
	Funded training for licensees to include responsible retailing, drug awareness and licensing knowledge	BBC J Miley	31 March 2018		
	Transport children and young people to NFRS Safety Zone project providing education to children and young people on community safety and the role of the emergency services Await clarification from Andy Oxnard/Suzie Plackett re which Eastwood South schools taking part and therefore what funding required	NFRS M Fitzpatrick	31 March 2018	<ul style="list-style-type: none"> Identify which Eastwood South schools will take part Arrange transport to and from Safety Day 	<p>Safety Zone South will take place at Holme Pierrepont between 18.09.17 – 29.09.17</p> <p>Funded by other source</p>

It is intended that the information contained within this document is under constant review. You will have seen from the content above that community and resident involvement is crucial in enabling partners address the underlying problems. If you wish to contact those involved or have a desire to become involved in helping deliver your local plan, you can make contact using the details outlined below.

Leads Details (Name & Designation) and contact details - This for costed actions only

Name	Designation & Organisation	Contact information
David Gell	Head of Public Protection, Broxtowe Borough Council	david.gell@broxtowe.gov.uk
Joy Balchin	Communities Officer, Broxtowe Borough Council	joy.balchin@broxtowe.gov.uk
Marice Hawley	Chief Public Protection Officer Broxtowe Borough Council	marice.hawley@broxtowe.gov.uk
Insp Steve Wragg	Nottinghamshire Police	steven.wragg@nottinghamshire.pnn.police.uk
Dave Wakelin	Director of Health and Community Wellbeing, Gedling Borough Council	david.wakelin@gedling.gov.uk
Emma-Jane Graham	Funding Manager, Hettys	emma-jane.knights@hettys.org.uk
Sujata Mahay	Broxtowe Womens Project	sujata@broxtowewp.org
Karla Cook	Head of Training and Communities, Direct Help and Advice	karla.cook@dhadvice.org
Sophie Forbes Taylor	Deputy Chief Executive Officer, Transform Training	sophie.t@transformtraining.org.uk
Sally Bestwick	Chief Executive, Citizens Advice Broxtowe	sally.bestwick@broxtowe.cab.org.uk

List of engagement events

The identified are some of the areas that you can get involved:

Name	Location	Relevant Actions
Volunteer Training	Transform Training, Sophie Forbes-Taylor, sophie.t@transformtraining.org.uk	
Eastwood Volunteer Bureau	Food Bank, Furniture Scheme, Befriending Service and Volunteering Opportunities –for more information contact manager@evbvols.org.uk	
Broxtowe Borough Council - Community Safety drop-ins	Weekly at BBC Eastwood Library, Wellington Place, Eastwood – current schedule can be viewed on BBC website www.broxtowe.gov.uk	

Notts Police – Eastwood South	To find out about your local policing team go to www.nottinghamshire.police.uk and go to Your Area, Eastwood South To influence policing in your area go to www.nottinghamshire.police.uk/priority-survey Find out about policing in your area via Facebook	
Neighbourhood Alert	Crime alerts for the area in which you live and crime advice can be found at www.broxtowecommunity.co.uk	
Neighbourhood Watch	www.eastwoodneighbourhoodwatch.co.uk	

Report of the Chief Executive

EASTWOOD TOWN CENTRE PUBLIC SPACES PROTECTION ORDER1. Purpose of report

To update Members on the results of consultation and to seek approval to amend the existing Designated Public Place Orders (DPPO) in Eastwood to create a Public Spaces Protection Order (PSPO), in order to continue helping to control issues around public consumption of alcohol.

2. Background

At its meeting on 19 January 2017, the Community Safety Committee resolved that in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014 appropriate consultation should be carried out in respect of the making of a PSPO in Eastwood to control alcohol consumption in public places (Minute No.40 refers). This was in order to extend the area covered by the existing DPPO.

Consultation has been undertaken and the results are attached at appendix 1. In terms of these, it is not considered appropriate to change the proposed PSPO since to apply it to the whole of Eastwood would be disproportionate, and there have been no cases of alcohol related anti-social behaviour reported to the police in the specific area suggested.

A copy of the PSPO is included at appendix 2.

3. Financial implications

It is anticipated that the costs of consultation and signage can be contained within existing budgets.

Recommendation

Committee is asked to RESOLVE that in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014 the Designated Public Space Orders in Eastwood Town Centre be converted to a Public Spaces Protection Order with an extended area as detailed in appendix 2.

Background papers

Nil

PSPO Consultation Results**Eastwood****Website Responses**

Total Responses - 1

Supported - 1

Opposed - 0

Email Responses

Total Responses - 0

Supported - 0

Opposed - 0

Consultation Form Responses

Total Responses - 1

Supported - 0

Opposed – 1 (but with comment that it should be across all areas not just a specified area of Eastwood)

Agency Responses

Police – Support

Comments;

- Should be across all areas, not just a specified section of Eastwood
- I would have included Three Tuns Road and the playing fields near the pavilion down Mansfield Road

Eastwood		
	Support	Oppose
Website	1	0
Email	0	0
Consultation Form	1	1 as area not considered large enough
Agency	1	
TOTAL	3	1

BROXTOWE BOROUGH COUNCIL

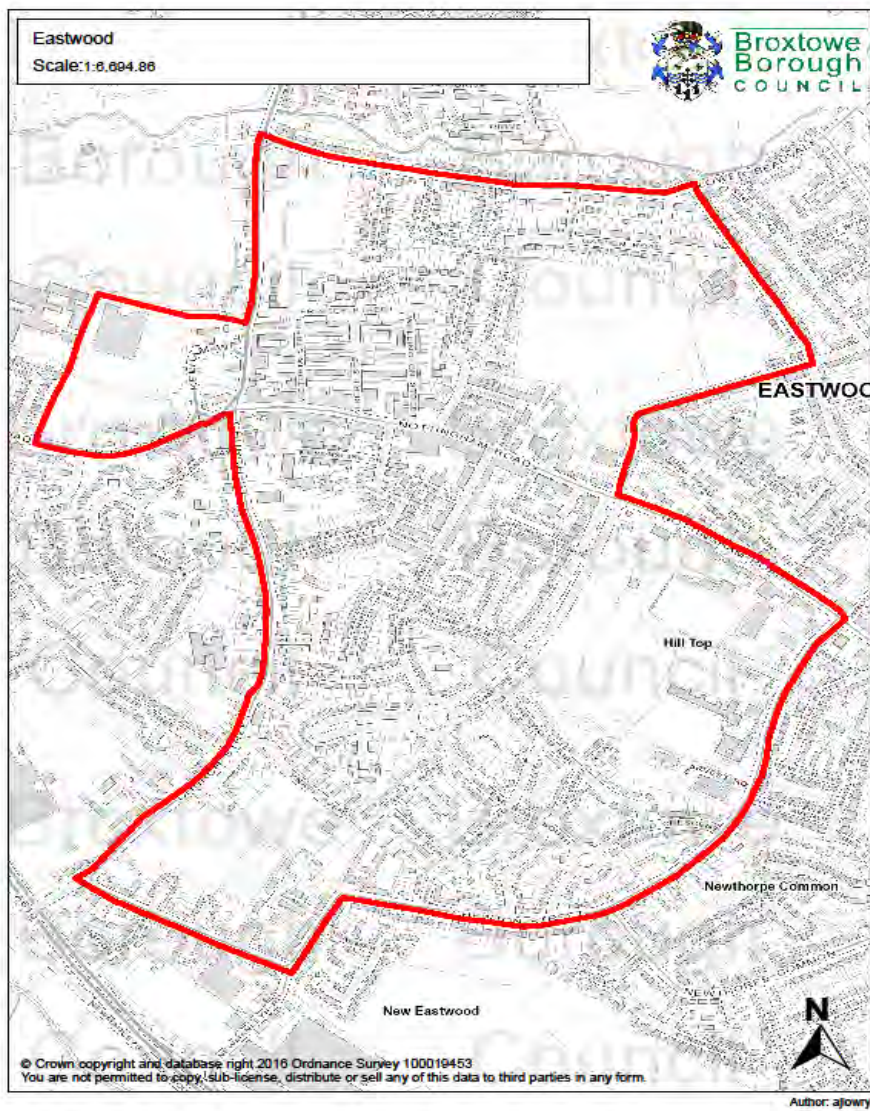
ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

EASTWOOD TOWN CENTRE PUBLIC SPACES PROTECTION ORDER 2017

Broxtowe Borough Council ("the Council"), in accordance with its powers under the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") makes the following Order, Eastwood Town Centre Public Spaces Protection Order 2017, ("the Order") which comes into effect on the 1st May 2017 identifying places detailed in the schedule below as a Restricted Area pursuant to the Act.

2. The Order seeks to prohibit alcohol fuelled anti-social behaviour and applies to all persons, at all times of the day and night within the Restricted Area.
3. The Order allows a police officer and other authorised persons under powers contained within section 63 of the Act to require a person, in the Restricted Area not to drink alcohol in that place if the officer reasonably believes that a person has consumed or intends to do so, and to surrender the alcohol and any opened or sealed containers in the person's possession. Any person who fails without reasonable excuse to comply with a police officer or other authorised persons request under this provision commits an offence and may be liable to prosecution. A person guilty of such an offence is liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale.
4. The Order does not apply to premises or beer gardens that is licensed for the supply of alcohol
5. Any premises temporarily licensed under a Temporary Event Notice, such as a special event, or where the premises licence is held by the Council, or is occupied by or managed on its behalf and covered by a premises licence held by a third party, are only excluded from this Order during the hours stipulated in their licence for a period of 30 minutes thereafter.

SCHEDULE



This order shall take effect on 1st May 2017 for a period of three years.

THE COMMON SEAL of
BROXTOWE BOROUGH COUNCIL

was hereunto affixed in

the presence of :-

Mayor

Duly Authorised Officer

Report of the Chief Executive

STAPLEFORD PUBLIC SPACES PROTECTION ORDER

1. Purpose of report

To update Members on the results of consultation and to seek approval to introduce a Public Spaces Protection Order (PSPO), in order to continue helping to control issues around public consumption of alcohol.

2. Background

At its meeting on 19 January 2017, the Community Safety Committee resolved that in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014 appropriate consultation should be carried out in respect of the making of a PSPO in Stapleford to control alcohol consumption in public places (Minute No.41 refers).

Consultation has been undertaken and the results are attached at appendix 1. A copy of the PSPO is included at appendix 2.

Financial implications

It is anticipated that the costs of consultation and signage can be contained within existing budgets.

Recommendation

Committee is asked to RESOLVE that in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014 a Designated Public Space Order be created in Stapleford as detailed in appendix 2.

Background papers

Nil

APPENDIX 1

PSPO Consultation ResultsStapleford**Website Responses**

Total Responses - 1

Supported - 1

Opposed - 0

Email Responses

Total Responses - 1

Supported - 1

Opposed - 0

Consultation Form Responses

Total Responses - 0

Supported - 0

Opposed - 0

Agency Responses

Police – Support

Comments;

- None

Stapleford		
	Support	Oppose
Website	1	0
Email	1	0
Consultation Form	0	0
Agency	1	
TOTAL	3	0



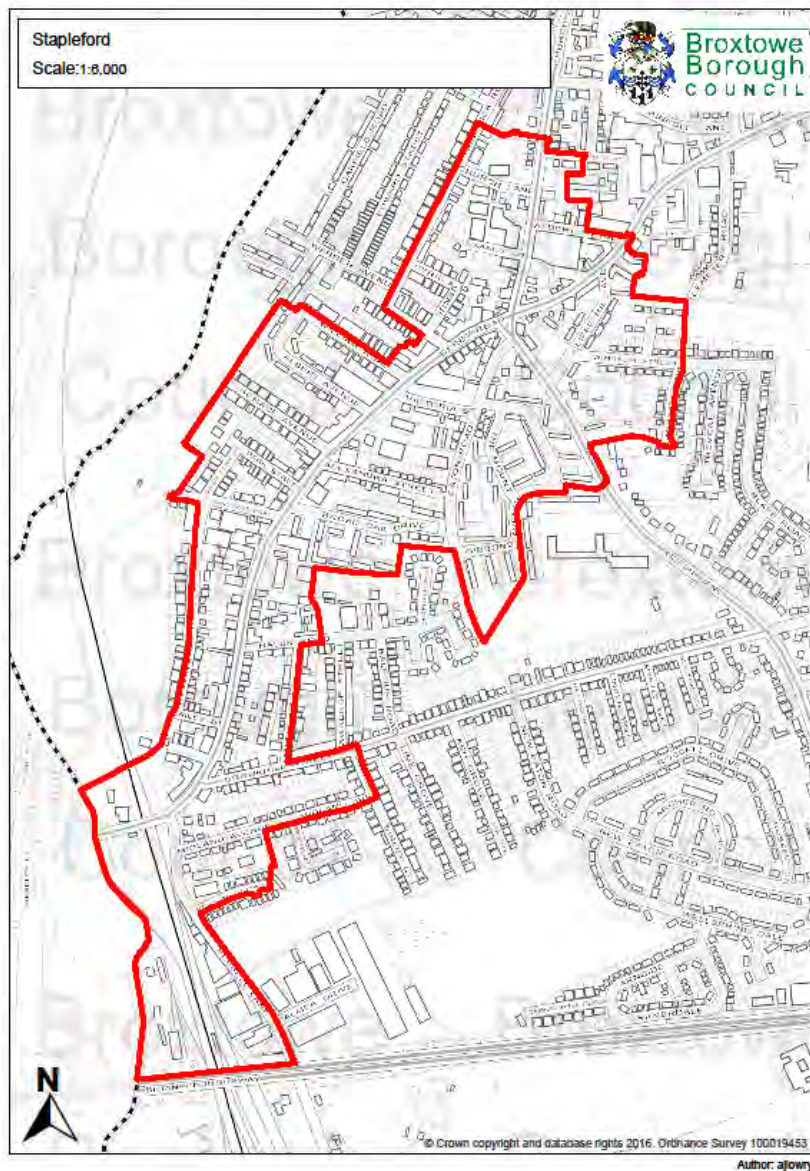
BROXTOWE BOROUGH COUNCIL

STAPLEFORD PUBLIC SPACES PROTECTION ORDER 2017

NOTICE IS HEREBY GIVEN that Broxtowe Borough Council, using powers contained within the Anti-social Behaviour, Crime and Policing Act 2014 proposes to make the following Order:

Stapleford Public Spaces Protection Order 2017

1. Broxtowe Borough Council (“the Council”), in accordance with its powers under the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) makes the following Order, Stapleford Public Spaces Protection Order 2017, (“the Order”) which comes into effect on the 1st May 2017 identifying places detailed in the schedule below as a Restricted Area pursuant to the Act.
2. The Order seeks to prohibit alcohol fuelled anti-social behaviour and applies to all persons, at all times of the day and night within the Restricted Area, shown delineated on the map.
3. The Order allows a police officer and other authorised persons under powers contained within section 63 of the Act to require a person, in the Restricted Area not to drink alcohol in that place if the officer reasonably believes that a person has consumed or intends to do so, and to surrender the alcohol and any opened or sealed containers in the person’s possession. Any person who fails without reasonable excuse to comply with a police officer or other authorised persons request under this provision commits an offence and may be liable to prosecution. A person guilty of such an offence is liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale.
4. The Order does not apply to premises or beer gardens that is licensed for the supply of alcohol
5. Any premises temporarily licensed under a Temporary Event Notice, such as a special event, or where the premises licence is held by the Council, or is occupied by or managed on its behalf and covered by a premises licence held by a third party, are only excluded from this Order during the hours stipulated in their licence for a period of 30 minutes thereafter.



This order shall take effect on 1st May 2017 for a period of three years.

THE COMMON SEAL of
BROXTOWE BOROUGH COUNCIL

was hereunto affixed in

the presence of :-

Mayor

Duly Authorised Officer

Report of the Director of Legal and Planning Services

WORK PROGRAMME1. Purpose of report

To consider items for inclusion in the Work Programme for future meetings.

2. Background

Items which have already been suggested for inclusion in the Work Programme of future meetings are given below. Members are asked to consider any additional items that they may wish to see in the Programme.

3. Work Programme

29 June 2017	<ul style="list-style-type: none"> • Food Standards Agency Audit • Child Poverty • Change, Grow, Live substance abuse • Domestic Violence • Update on local policing • Consultation feedback on blue badge parking space removal • Off-street car parking order
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4. Dates of future meetings

The following additional dates for future meetings have been agreed:

- 21 September 2017
- 28 November 2017
- 20 February 2018

(All meetings to start at 7.00pm)

Recommendation

The Committee is asked to consider the Work Programme and RESOLVE accordingly.

Background papers

Nil



Broxtowe
Borough
COUNCIL

Enforcement Policy

Community Safety Committee 20th April 2017

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1.0 Introduction

The main purpose of local government enforcement work is to protect the public, the environment, consumers and legitimate businesses by making sure that legal requirements are met and that everyone acts/operates within the law. It does not just mean taking formal action, such as prosecution, but includes a wide range of actions and measures, including giving help or advice to make sure that things are as they should be. Broxtowe Borough Council (the Council) will generally endeavour to support both businesses and individuals to meet their legal obligations before considering any kind of enforcement action.

The Legislative and Regulatory Reform Act 2006 (2006 Act) requires local authorities to have regard to the Principles of Good Regulation when exercising a specified regulatory function.

A new Regulators' Code (Department for Business Innovation and Skills – April 2014), came into force in April 2014 and regulators must have regard to the Code when developing policies and operational procedures that guide their regulatory activities.

The Council fully supports the principles set out in the 2006 Act and the Regulators' Code and has set out within this Enforcement Policy the procedures to be adopted by all services and officers exercising any enforcement functions. The Council is committed to services which are courteous and helpful and seeks to work with individuals and businesses, wherever possible, to help them comply with the law.

The Council, nevertheless, acknowledges the need for firm action against those who flout the law and put consumers and others at risk. The Council expects all officers taking enforcement decisions to take this policy as a guide when making their decision. Every case must be decided on its own individual facts. Officers must ensure that if they depart from the policy when they make their decision, they can provide reasons for doing so.

This document represents the Council's Enforcement Policy, and supersedes any previous corporate policy statements on enforcement. It may be supplemented in some cases, by more specific and detailed service policies.

2.0 Objective

The Council will endeavour to carry out its enforcement functions in an equitable, effective, efficient, practical and consistent manner.

3.0 Link to Corporate Plan

The policy will contribute to all five of the Council's corporate priorities (Business Growth, Community Safety, Environment, Health, and Housing) as well as according with the Council's stated value of "integrity and professional competence".

4.0 Areas covered

The relevant legislation and guidance specifies areas of enforcement to which the provisions apply. This does not include all the services provided by the Council. However, the Council will adopt the provisions of this policy in all its enforcement activity. Although not an exhaustive list, the service areas falling within the scope of this policy include:

- Environmental health and private sector housing
- Licensing
- Planning
- Waste and recycling services
- Revenues and benefits
- Tenancy services
- Communities

5.0 Principles of enforcement

5.1 Overview

The Council believes in the principles of good enforcement, as set out in the 2006 Act. Those principles are that regulatory activities should be carried out in a way which is:

- transparent
- accountable
- proportionate
- consistent
- targeted

The Council will observe any requirements of national bodies and, where practicable, national good practice guidance.

Where appropriate, services will provide enforcement advice and information in accessible formats.

The Council will seek to employ the provisions of the Regulators' Code, the main principles of which are detailed in sections 5.2 to 5.7 below.

5.2 Regulators should carry out their activities in a way that supports those they regulate to comply and grow

Effective and well-targeted regulation is essential in promoting fairness and protection from harm. The Council will ensure that enforcement is proportionate and flexible enough to allow and encourage economic progress, and provide help and encouragement to businesses in order that they can meet regulatory requirements more easily.

5.3 Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views

The Council will endeavour to create effective consultation and feedback opportunities to enable continuing cooperative relationships with businesses and

other interested parties. The aim will be to ensure that employees provide a courteous and efficient service to businesses and seek the comments and views of regulated businesses. The Council has established and published a comprehensive complaint procedure which is available to any aggrieved party. This can be accessed on the website at www.broxtowe.gov.uk

In response to non-compliance that is identified, officers will clearly explain what the non – compliant item or activity is, the advice being given and the action required or decision taken, and the reasons for these. Opportunity will be provided to discuss any such actions that need to be taken and any appeal process available.

5.4 Regulators should base their regulatory activities on risk

Risk assessment will underpin our approach to planned regulatory activity (comprising inspections, data collection, advice and support, and enforcement and sanctions). Efforts and resources will be targeted where they will be most effective and risks will be rated to regulatory outcomes. Risk assessment will be based on relevant available data and consider the combined effect of:

- the potential impact of non-compliance on regulatory outcomes; and
- the likelihood of non-compliance (where we will take into account past compliance and potential future risks and willingness to comply).

Due regard will be taken when dealing with juveniles or other vulnerable people. Each case will be determined on its own merits taking into consideration the requirements of the governing legislation, and relevant sources of evidence. In the case of a person suspected of being vulnerable, the Risk Assessment Matrix (available on the intranet and in the Council's Safeguarding Adults Policy) should be completed. If a score of over 20 results, then a referral to the Adults at Risk Panel should be made and the case discussed with a senior manager to determine the appropriate action.

5.5 Regulators should share information about compliance and risk

To help target resources and activities and minimise duplication, information will be shared with other enforcement agencies wherever possible.

5.6 Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply

The aim will be to ensure that businesses are provided with, or signposted to, clear and accessible information on legal requirements relating to their operations. Targeted and practical information will be provided through a variety of means including on-site visits, telephone advice and online guidance (both national and local guidance). Officers will endeavour to distinguish between legal requirements and advice or guidance which seeks to improve the basic level of practice. The response to a request for advice will normally be to provide such advice and to help secure compliance rather than directly triggering enforcement action.

5.7 Regulators should ensure that their approach to their regulatory activities is transparent

Standards of performance within individual service areas will be reported on regularly. The choice of enforcement action will be justified to relevant interested parties, and enforcement action will be undertaken in a transparent, fair and consistent manner.

6.0 Enforcement options

The Council recognises the importance of achieving and maintaining consistency in its approach to enforcement. For many areas of its enforcement activity, government guidance already exists in the form of Codes of Practice, Planning Policy Guidance, and Government Circulars etc. There may also be local or regional Codes of Practice which have been produced to promote consistency in enforcement activity. When making enforcement decisions, officers must have regard to any relevant national or local guidance as well as the provisions of the Human Rights Act 1998, Equalities Act 2010, and this Enforcement Policy.

When considering what action should be taken, the Council will look to:

- Be proportionate to the nature of the offence and the harm caused
- Change the behaviour of the offender
- Eliminate any financial gain or benefit from non-compliance
- Address the harm caused by regulatory non-compliance, where appropriate
- Deter future non-compliance, and
- Be responsive and consider what is appropriate for the particular offender and regulatory issue.

6.1 Prevention

The Council believes that the first step in enforcement is to promote good practice, ensure policy compliance and prevent contravention of the law by raising awareness and promoting good practice. Methods of achieving this include training courses, seminars, special promotions, the issuing of press releases, newsletters, the Council's web site, the production of leaflets and other forms of written guidance and opportunities presented by day to day contact with businesses and other customers. This approach will be applied when officers are unaware of any specific contraventions of the law.

6.2 Informal action and advice

For minor breaches of the law, verbal or written advice may be given. In such cases any contraventions of the law will be clearly identified and advice on how to put them right given. This advice will include a timeframe for compliance. Offenders will also be advised of any relevant 'good practice'. Where good practice advice is issued, any actions required to remedy any breach of law and what is advice only will be clearly defined. Offenders will be made aware that failure to comply with any information, action or advice given could result in an escalation of enforcement action.

Informal action will be considered when;

- the act or omission is not serious enough to warrant formal action
- from the individual's or business's past history we can reasonably expect that informal action will achieve compliance
- the officer has high confidence in an individual or business proprietor
- the consequences of non-compliance will not pose a significant risk to public health, public safety or the environment.

6.3 No action

There are circumstances where contraventions of the law may not warrant any action being taken. Consideration will be given to whether the resultant cost of action would outweigh the detrimental impact of the contravention. A decision of no action may also be taken where formal enforcement is inappropriate in the circumstances, such as where a trader has ceased to trade, or on medical grounds or if the offender is frail and formal action would seriously damage their well-being. In such cases the offender and any complainant will be advised of the reasons for taking no action.

6.4 Formal action

Circumstances where formal action will be considered include (but are not restricted to) situations where:

- There is a significant contravention of legislation
- The wording of legislation requires the Council to take a specified action
- An informal approach has failed
- There is a history of non-compliance with informal action
- There is a lack of confidence in the successful outcome of an informal approach
- Standards are generally poor, suggesting a low level of awareness of, and compliance with, statutory responsibilities
- The consequences of non-compliance, for health, safety, the environment, or other Council priorities, are unacceptable and/or immediate
- Effective action needs to be taken quickly in order to remedy conditions which are deteriorating
- Formal action is expected to achieve the desired outcome without incurring expense or inconvenience that is disproportionate to the risks
- Legal requirements, relevant formal guidance, or other Council policies or strategies require formal action to be taken
- A charge applied by a Fixed Penalty Notice has not been paid

Formal action can take any form that the Council is empowered by legislation to take. The following list details some formal action used but is not exclusive.

6.4.1 Statutory notices

Certain legislation that the Council enforces provide for the service of 'statutory notices' on individuals, businesses and other organisations requiring them to meet specific legal obligations. Where a 'statutory notice' is served, the method of appealing against the notice and the timescale for doing so will be provided in writing at the same time. A contact name at the Council will also be given. The notice will explain what is wrong, what is required to put things right and what the likely consequences are if the notice is not complied with. In some cases a 'statutory notice' can be served to prevent the occurrence or recurrence of a problem e.g. a noise nuisance. In most cases, failure to comply with a 'statutory notice' will result in more severe formal action being taken. In some cases there will be a charge made as a result of serving the notice.

6.4.2 Prohibition / stop notices and injunctions

Prohibition Notices, Planning Enforcement Notices, Closing Orders, Stop Notices or Injunctions, can be issued in some circumstances, including where:

- there is an imminent risk of injury to health or safety
- there is serious hazard to residential premises
- there is an imminent risk of serious environmental pollution
- the consequences of not taking immediate and decisive action, to protect the public, would be unacceptable
- an unauthorised development is unacceptable and is causing serious harm to public amenity near to the site, or where there has been breach of a condition notice
- unauthorised development is unacceptable, and continuing work is or may cause irreversible damage, and remedial action is not a satisfactory option
- the guidance criteria on when prohibition may be appropriate are met
- the Council has no confidence in the integrity of an unprompted offer by a proprietor to close premises voluntarily, or stop using any equipment, process or treatment associated with the imminent risk
- a proprietor is unwilling to confirm in writing his/her unprompted offer of a voluntary prohibition
- it would be the most effective remedy available.

Offenders will be made aware of any right of appeal they may have against any action taken. The act of serving a prohibition/stop notice or injunction does not prevent the Council from deciding to prosecute depending on the seriousness of the circumstances that led to the serving of that notice.

6.4.3 Work In default

In general, it is the responsibility of others to achieve compliance with the law.

In certain cases the Council may undertake work to achieve compliance on behalf of others, and may seek a warrant to gain entry to land or premises to do so. This may occur if the responsible person fails to comply, cannot comply by virtue of genuine hardship, or is unable to comply by virtue of being absent. In these cases the Council's costs will be recovered from the responsible person. If the costs cannot be recovered, they will usually be placed as a charge against the property, if the relevant legislation allows, to be recovered at a later date.

This kind of formal action will be considered (but is not restricted to) occasions where:

- A 'statutory notice' requiring work to be undertaken has not been complied with
- Immediate work is required and it is not practicable to contact the responsible person, or they are not willing to respond immediately
- There is no responsible person e.g. burial or cremation of a deceased person with no next-of-kin

6.4.4 Fixed penalty notices

These are notices that apply a fixed penalty for specific offences, such as littering. The notice will describe the method of payment and the options and timescales for doing so. Failure to make a payment will result in prosecution for the original offence, unless there are exceptional circumstances.

6.4.5 Simple caution

A simple caution (previously known as a formal caution) may be issued as an alternative to a prosecution and will be considered during any decision to prosecute. Cautions will be issued to:

- deal quickly and simply with less serious offences
- divert less serious offences away from the courts, or
- reduce the chances of repeat offences.

To safeguard the suspected offender's interests, the following conditions will be fulfilled before a caution is administered:

- there must be evidence of the suspected offender's guilt sufficient to give a realistic prospect of conviction, and
- the suspected offender must admit the offence, and
- the suspected offender must understand the significance of a caution and give an informed consent to being cautioned.

A caution is a serious matter which will influence any future decision should the company or individual offend again. It can be referred to in any subsequent court proceedings, but this will not apply if the caution was issued more than three years before. Where the offer of a caution is refused, a prosecution will generally be pursued.

No pressure will be applied to a person to accept a caution.

The Council maintains a central register of cautions administered.

6.4.6 Compulsory purchase

The Housing Act 1985 allows the local authority to acquire under-used or ineffectively used property for residential purposes if there is a general housing need in the area. In addition, the Town and Country Planning Act 1990 (as amended) allows Local Authorities to acquire land or buildings if acquisition will allow improvements or redevelopment to take place.

Compulsory purchase may be used as the enforcement route for returning empty homes to use.

6.4.7 Management orders

In certain circumstances, the Council has the power to take over the management of residential properties.

6.4.8 Demand for payment

The Council will ensure early contact is made to minimise large debts accumulating and ensure the debtor does not suffer from unnecessary hardship. However, the Council will consider the use of Enforcement Agents where demands for payment are outstanding.

6.4.9 Licensing and registration – breach of conditions

The Council issues licences and approvals for a variety of activities including hackney carriages, caravan sites, food premises, selling alcohol and providing entertainment, horse riding, animal boarding kennels, catteries, and houses in multiple occupation. There are usually specific conditions which control how facilities at the premises are managed and provided, or how the business is operated.

The Council will work with applicants to help them to understand what is required to gain approval through pre-application advice, published guidelines, and post-application discussion. Applications may be approved as they are submitted, varied by agreement and then approved, approved subject to conditions, or rejected. Applicants, or their agents, will always be notified, in writing, of the outcome of their application, including the reasons if rejected. Details of any rights of appeal will be provided at the time the decision is notified.

After issue of a licence, permission, or registration, if there has been a relatively minor incident where conditions have not been met and the duty holder is willing to take the necessary action to put things right, a verbal or written warning will usually be issued first. If there are serious failures to meet the conditions or if the informal approach failed to make the necessary improvements, consideration will be given as to whether or not a licence will be renewed, withdrawn, suspended, or revoked. The duty holder will be entitled to make a statement to support their case.

If there is a serious incident where licensing or registration conditions have not been met, the Council will consider the matter in line with the conditions relating to prosecutions and if appropriate, start legal proceedings. In some cases, there may be a need to suspend a licence or approval until the relevant Committee or panel can consider the matter.

There are a number of separate policies relating to licensing, for example, Gambling Act Statement of Principles, Hackney Carriage and Private Hire Licensing Policy, etc.

6.4.10 Imposition of an administrative penalty

Where an allegation of benefit fraud has been investigated and officers are satisfied an offence has been committed but the offender does not admit to committing an offence it may, dependent upon the severity of the offence and other factors of the case, be considered appropriate to offer the offender the opportunity to pay an Administrative Penalty rather than prosecute. The Council will pursue full repayment of any benefit overpaid and recoverable in addition to any administrative penalty.

6.4.11

Seizure and forfeiture proceedings

Certain legislation enables authorised officers to seize goods, equipment or documents, where they may be required as evidence for possible future court proceedings or to prevent further offences from being committed. When items are seized an appropriate receipt will be given to the person from whom the items are taken. The decision to seize items will be at the discretion of the investigating officer, subject to the requirements of the legislation.

In certain circumstances officers will make an application to the Magistrates' Courts for forfeiture of the goods. Forfeiture may be used in conjunction with seizure and /

or prosecution, where there is a need to dispose of the goods, vehicles or equipment to prevent them being used to cause a further problem or to prevent them re-entering the market place.

6.4.12 Proceeds of crime applications

Applications may be made under the Proceeds of Crime Act 2002 for confiscation of assets in appropriate cases. Their purpose is to recover the financial benefit that the offender has obtained from his criminal conduct. Proceedings are conducted according to the civil standard of proof. The Council will seek to recover proceeds of crime in appropriate circumstances.

6.4.13 Enforced sale

In certain circumstances, following a charge put on a property for works in default or for Council Tax arrears, the local authority can exercise a statutory power of sale to recover the money it is owed. This power may be considered in certain circumstances, for example bringing empty homes back into use.

6.4.14 Prosecution

The Council recognises that the decision to prosecute is significant and would be a last resort and could have far reaching consequences on the offender.

The decision to undertake a prosecution will normally be taken by the relevant Director/Head of Service in consultation with the Council's Solicitor.

All relevant evidence and information will be considered before deciding upon a prosecution in order to enable a consistent, fair and objective decision to be made. The Council will have regard to the Attorney General's Code for Crown Prosecutors, which means that the following criteria will be considered:

- Whether the standard of evidence is sufficient for there to be a realistic prospect of conviction
- Whether the prosecution is in the public interest

The public interest test will be considered in each case where there is enough evidence to provide a realistic prospect of conviction. The Council will consider whether there are public interest factors tending against prosecution which clearly outweigh those tending in favour, or it appears more appropriate in all the circumstances to divert the person from prosecution.

To determine the public interest test the following questions should be considered:

a) How serious is the offence committed?

The more serious the offence, the more likely it is that a prosecution is required.

When deciding the level of seriousness the Council will include amongst the factors for consideration the suspect's culpability and the harm to the victim.

b) What is the level of culpability of the suspect?

The greater the suspect's level of culpability, the more likely it is that a prosecution is required. Culpability is likely to be determined by the suspect's level of involvement; the extent to which the offending was planned and whether there are previous convictions.

c) What are the circumstances of and the harm caused to the victim?

The greater the vulnerability of the victim the more likely it is that a prosecution is required. A prosecution is also more likely if the offence has been committed against a victim who was a person serving the public. The Council will take into account the views of the victim and the impact it would have on the victim and families.

d) Was the suspect under the age of 18 at the time of the offence?

The best interests and welfare of the child or young person must be considered including whether a prosecution is likely to have an adverse impact on his or her future prospects that is disproportionate to the seriousness of the offending.

e) What is the impact on the community?

The greater the impact of the offending on the community the more likely it is that a prosecution is required. In considering this question, prosecutors should have regard to how "community" is an inclusive term and is not restricted to communities defined by location

f) Is prosecution a proportionate response?

Consideration will be given as to whether prosecution is proportionate to the likely outcome, and in doing so the following may be relevant to the case:

- The cost to the Council, especially where it could be regarded as excessive when weighed against any likely penalty
- Cases should be capable of being prosecuted in a way that is consistent with principles of effective case management

g) Do sources of information require protecting?

In cases where public interest immunity does not apply, special care should be taken when proceeding with a prosecution where details may need to be made public that could harm sources of information. It is essential that such cases are kept under review.

In deciding on the public interest the Council will make an overall assessment based on the circumstances of each case.

Where there has been a breach of the law leading to a work-related death, the Council will liaise with the police, Coroner and the Crown Prosecution Service (CPS) and, if there is evidence of manslaughter, will pass the case to the police or, where appropriate, to the CPS and /or the Health and Safety Executive (HSE)

6.4.15 Other considerations in respect of formal action

The Council will consider the desirability of using formal enforcement in the case of a person who is elderly or is, or was at the relevant time, suffering from significant mental or physical ill health. It will balance this with the need to safeguard others, taking into account the public interest.

The Council is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults. As such, consideration will be given to the Safeguarding Children Policy and Safeguarding Adults Policy when considering what enforcement action to take.

The Council will have regard to the Crown Prosecution Service Public Policy Statements on dealing with cases which involve victims and witnesses who have a learning disability and victims and witnesses who have mental health issues.

The Council's approach to the collection of Local Taxes (Council Tax and Business Rates) and in the recovery of overpaid Housing and Council Tax Support is one which seeks to strike a balance between the need to maximise income to the Council and the desire not to cause further hardship to the poorest within the community.

Regard will be had to relevant protocols and policies, such as the pre-eviction protocol and the rent collection policy and procedures when taking enforcement action to enforce debt.

7.0 Delegation of authority

The Council's Scheme of Delegation specifies the extent to which enforcement powers are delegated to officers. Whilst delegation is mainly to officers, in some specific circumstances the decision to take enforcement action lies with the relevant Council Committee.

8.0 Officers' powers of entry and obstruction

Enforcement officers have a wide variety of duties and have to act as investigators. This is supported by strong powers of entry, seizure and inspection contained in various statutes. If individuals or businesses obstruct officers or refuse to provide information, they could be subject to criminal sanctions. Officers use these powers at their discretion with the support of the Council who will uphold them. Officers will use their powers of entry only when necessary, but usually to carry out an inspection of premises or in the process of an investigation. The Council will always support officers who act in good faith. This includes consideration of prosecuting those individuals who obstruct or assault officers during investigations or inspections.

If the legislation allows, officers may examine premises and articles, remove articles, label samples, request information, issue enforcement notices and may, in some instances, be accompanied by other persons. In appropriate cases a warrant from a Magistrate may be obtained to obtain entry to premises.

9.0 Training and appointment of officers

All officers undertaking enforcement duties will be suitably trained and qualified so as to ensure that they are fully competent to undertake their enforcement activities. The Council supports the principle of continuing professional development and will ensure that all officers are given relevant additional in-post training to maintain up to date knowledge and skills. This will be highlighted through their learning and

development plan as part of their performance review. Officers will carry an identity card and their authorisation with them at all times.

10.0 Shared regulatory roles

Where the Council has a complementary regulatory role or is required to inform an outside regulatory agency of an incident or occurrence it will do so.

Such external agencies include (but are not restricted to):

- Police
- Fire Authority
- Health and Safety Executive
- Environment Agency
- County Council services
- Other Council services
- Utility providers
- Other councils

Officers will attempt to co-ordinate visits and actions with other agencies to achieve the most efficient and effective outcomes and to minimise inconvenience for those who are being visited, inspected, or subject to other enforcement action.

Wherever possible, in situations where there is a shared enforcement role, the most appropriate authority will, by mutual agreement, carry out the enforcement. Other agencies may also be authorised to act on behalf of the Council in some cases.

Exchange of information with other enforcement teams within the Council will take place wherever applicable. Liaison will also take place between relevant services and Members within the Council to avoid potential conflicts of interest.

11.0 Responsibilities

Effective implementation of this policy is the responsibility of the relevant Head of Service.

Team managers will be responsible for its implementation on a day to day basis. Each officer within these teams will be responsible for applying it in relation to specific cases.

12.0 Complaints

Any person dissatisfied with the service they have received should let the Council know.

The Council is committed to providing quality services and any suggestions and criticism about any aspect of the service will assist in the process of continuous improvement. Most problems can be resolved in the first instance with the Council employee who has been dealing with the matter, or their supervisor.

Confidentiality will be respected subject to any requirement to disclose information (for example if it is necessary to do so in order to investigate the complaint, or to provide information to the Local Government Ombudsman). However, the Council will not normally investigate anonymous service complaints. If this fails to resolve the situation, a formal complaint can be made using the Council's Complaints Procedure. This can be done by phone, fax, letter, e-mail or in person. Once a formal complaint is received, the Council will acknowledge receipt, in writing within three working days. A manager will investigate the complaint and will normally reply to in writing, within 15 working days, either giving a full answer or an indication of the likely time scale for the provision of a full answer. Advice of what further action can be taken if the complainant remains dissatisfied will also be included. The Complaints Procedure can be viewed on the Council's web site at: www.broxtowe.gov.uk

13.0 Contacting the Council

By telephone

A contact telephone number is given on any correspondence sent out. Alternatively, telephone 0115 917 7777.

In person

At the Council Offices, Foster Avenue, Beeston, Nottingham NG9 1AB

In writing

Write to the following address: Broxtowe Borough Council, Council Offices, Foster Avenue, Beeston, Nottingham NG9 1AB

By e-mail

Environmental health and private sector housing	health@broxtowe.gov.uk
Licensing	licensing@broxtowe.gov.uk
Legal and Planning	legalmail@broxtowe.gov.uk
Waste and recycling services	Refuse@broxtowe.gov.uk
Council tax	Billing@broxtowe.gov.uk
Benefits	benefits@broxtowe.gov.uk
Communities	spc@broxtowe.gov.uk
Tenancy services	hyps@broxtowe.gov.uk

14.0 Review of policy

This policy document will be reviewed every three years or sooner should legislation or guidance change. Minor changes will be approved by the Head of Public Protection in consultation with the Chairman of the Community Safety Committee. More substantial changes will require committee approval.