

**Form A**

JOB DESCRIPTION

**JOB TITLE:** Highway Enforcement Officer

**REPORTS TO:** Highway Regulation Manager

**DEPARTMENT:** Environment, Economy and Culture

**SECTION:** Transport

**POST NO:**

**PURPOSE OF JOB**

To ensure that the public highway is maintained as safe and accessible by effective and efficient operation of the council’s highway enforcement activities; including all aspects of highway licensing schemes (skips, scaffolds, hoardings, building materials, tables & chairs, A-boards, shop displays), enforcement against highway obstructions and abandoned vehicles.

**PRINCIPAL ACCOUNTABILITIES**

1. To conduct inspections of the public highway and assess reports in order to improve safe and controlled usage of the public highway. This may include immediate on-site emergency action for safety reasons. (9%)
2. To evaluate, carry out on-site risk assessments and select appropriate action upon offences against the Highways Act 1980, the Environmental Protection Act 1990, the Refuse Disposal (Amenity) Act 1978, the Clean Neighbourhood Act 2005. To similarly apply any other powers under any other legislation and byelaws where such appropriate authority has been formally and lawfully delegated. (10%)
3. To examine all sites where licensing is requested upon the public highway and evaluate, negotiate and authorise or reject the placement of skips, scaffolds, hoardings, materials and other licensable activities on the highway and to stipulate any special conditions to be met by the applicant, taking into account Disability Discrimination Act requirements and Highway Act legislation (Highway Act 1980). (17%)
4. To examine all sites where licensing is requested upon the public highway and evaluate, negotiate and authorise or reject the placement of tables and chairs, A-boards, displays and other controlled obstructions on the highway and to stipulate any special conditions to be met by the applicant, taking into account Disability Discrimination Act requirements and Highway Act Legislation. (Section 115, Highway Act 1980. (15%)
5. To negotiate with traders, businesses, residents, other council sections and public services in order to identify and prepare a balanced policy. To act with and/or on behalf of other sections about enforcement on the highway. (7%)
6. To investigate and process all reports of potentially abandoned and/or hazardous vehicles and bicycles and ensure appropriate action is taken within set time limits. (10%)
7. To carry out enforcement action relevant to any of the above including gathering and compiling evidence for court proceedings and to present this evidence in court. To represent the council in any legal action to ensure health, safety, access and legal requirements are adhered to. (10%)
8. To work with the police, fire services, DVLA and other agencies to minimise the hazards and disruption caused by nuisance vehicles and other environmental abuses. To attend court on behalf of and with these agencies to prosecute for highway offences. (2%)
9. To answer telephone and written enquiries from external and internal customers and provide necessary information. (4%)
10. To liaise closely with other members of the team, report any action required in another officer’s area and take such action in the officer’s absence at the appropriate level. (6%)
11. To liaise with other council officers and public services such as police and fire service analysing problems and formulating a co-ordinated plan of action to resolve issues relating to the public highway. (3%)
12. To represent the council at internal enquiries and committees, community meetings, traders’ associations, multi-agency meetings and at national conferences relevant to the post. (1%)
13. To take such action as may be required in the event of an emergency on the highway. (1%)
14. To be responsible for the implementation of, and compliance with, the provisions of legislation relating to health and safety and for complying with legislation relating to such works and contracts as are within your direct responsibility. (2%)
15. To assist and participate in training and job development programmes. (1%)
16. To work within and actively promote the council’s equalities policy and employment practices. (2%)

The list of duties in the job description should not be regarded as exclusive or exhaustive. There will be other duties and requirements associated with your job and, in addition, as a term of your employment you may be required to undertake various other duties as may reasonably be required.

Your duties will be as set out in the above job description but please note that the Council reserves the right to update your job description, from time to time, to reflect changes in, or to, your job.

This job description sets out the duties of the post at the present time.

## PERSON SPECIFICATION

**POST TITLE:** Highway Enforcement Officer

**GRADE:** Scale 6

**DIRECTORATE:** Environment, economy and Culture

**SECTION:** Transport

|  |  |
| --- | --- |
| ESSENTIAL CRITERIA |  |
| **Job Related Education and Qualifications and Knowledge** | * Good knowledge and understanding of relevant legislation e.g. Highway Act 1980, Environmental Protection Act 1990, Refuse Disposal (Amenity) Act 1978, Clean Neighbourhoods and Environment Act 2005, Disability Discrimination Act
* Knowledge of health and safety requirements on site
* Transferable and relevant enforcement skills from previous experience
* City & Guilds Removal of Abandoned Vehicles (Legislation & Procedures) and Scaffold Safety training
 |
| **Experience** | * Up to date and extensive experience of working in an enforcement role including on-site and outdoors.
* Experience of working using own initiative remote from supervision and to tight deadlines
* Experience of working within a team
* Experience of diffusing difficult situations and making reasoned decisions
* Experience of on-site risk assessments
* Experience of taking witness statements and appearing in court
* Experience of lone working, including health & safety practices.
 |
| **Skills/Abilities** | * Good written and verbal communication skills
* Good numerical skills
* Proven influencing and negotiating skills
* Excellent team player
* Computer literate
* Ability to deal with difficult situations in a calm and assertive manner
 |
| **Equalities**  | * To be able to demonstrate a commitment to the principles of Equalities and to be able to carry out duties in accordance with the Council’s Equalities Policy.
 |
| **Other Requirements** | * Mobile and able to inspect large areas of the city without a car
* Able to work outdoors for long periods in all weathers, and cope with stairs and rough terrain
* Full current driving licence preferable
* Able and willing to work outside of normal office hours when required, including weekends and Bank Holidays
 |



Additional Information

**1. ORGANISATION CHART**

See attachment at end of document.

**2. HARDEST PART OF THE JOB**

The job requires the postholders to be out for most of the working day in all seasons and involves dealing with service users from varying backgrounds and viewpoints, often in confrontational and highly charged situations.

The postholders are responsible for assessing each licence application by appraising each site and evaluating potential risks and/or benefits to users of the public highway and determining necessary restrictions to ensure public safety. The approval or rejection of each site is ascertained by an analysis of the applicant’s needs balanced against legal requirements and any safeguards specified by the postholder to be implemented by the applicant. This requires an ability to negotiate with traders, businesses, disability organisations, other council services and public services such as police and fire services to develop a standardised structure which is balanced, reasonable and consistent with the policy requirements of the council whilst tailored to the individual needs of each applicant.

The postholders have a statutory duty to respond to all complaints of alleged illegal obstructions of the public highway. This is done by appraising the issue on site and evaluating whether an offence has been committed and, if so, implementing a course of action to address the problem including any legal action required by gathering evidence, witness statements and photographs to present in court where necessary. The postholder will decide whether a verbal warning is sufficient, the issuing of formal notice is required, instructing remedial work to be taken by the licensee, or the authorisation to remove the offending obstruction be given. This may involve overgrown hedges, trees etc. which obstruct free and safe movement on the highway and cause risk of injury to pedestrians and/or drivers. It may also involve instructing removal of an unlicensed or unsafe skip or scaffold from the highway, or authorising immediate removal where safety is compromised.

The postholders are also responsible for identifying, assessing and decision-making about abandoned vehicles.

The postholders need to have an excellent knowledge of relevant legislation, and to apply this fairly in daily situations – e.g. the Highway Act 1980 for licensing and illegal obstructions, the Clean Neighbourhood Act for cars being repaired on the road, the Refuse Disposal (Amenity) Act for abandoned vehicles, the Disability Discrimination Act, Equality Act and the Environmental Protection Act for access issues.

**3. DIMENSIONS**

1. Number of enquiries per week (most via contact centre):
	* Approx. 150.
2. Items processed:
* Number of licences issued per year:
* 7000 skip, scaffold, hoarding and builders’ material licences.
* 800 tables, chairs, A-boards, display licences.
* Number of inspections per year:
* 75% of skips, scaffolds, hoardings.
* 100% of tables, chairs, A-boards and display sites.
* 100% of all complaints relating to highway obstructions.
* Number of vehicles reported abandoned per year:
* 100% of abandoned vehicle and bicycle reports investigated.
* Approx. 2000 reports investigated - 150 removed.
* 1500 bicycles investigated – 500 removed.
1. Enforcement Action
* Legal action resulting in court appearances per year = approx. 3
* Enforcement action on illegal obstructions per year = approx. 150
1. Budgetary amounts
* Responsible for collection of income under licensing scheme = £500,000 per year.
* Responsible for recharge policy on removal of highway obstructions (e.g. A-boards, overgrown vegetation) = approx. £1,000 per year.

**4. SCOPE FOR IMPACT**

The role of the Highway Enforcement Officer has a huge impact on the quality of life for local and wider communities, particularly in terms of health & safety. The failure to carry out duties correctly could result in fatalities – for example, an abandoned vehicle can cause a fire hazard and is prone to arson attacks, whilst a badly-placed skip can cause danger to pedestrians and drivers.

This generic job has been through many changes during the last few years and although originally requiring no formal qualifications, the job now requires a high degree of knowledge and training both internal and external on complex highway legislation, safety issues, e.g., being able to identify unsafe scaffold construction, and on correct enforcement procedures in line with the Enforcement Concordat.

The postholders are responsible to assessing each skip, scaffold, hoarding and materials licence in the city, authorising or rejecting placements, issuing special conditions and the legal enforcement of all sites during the entire period of placement on the public highway. They are also responsible for the same service regarding all business placements such as tables and chairs, A-Boards and displays. This includes delaying scaffold/hoarding work to prevent highway obstruction by two sites on opposite or adjoining locations in a road. This may also include rejecting placements of tables and chairs and A-Boards where they would hinder the safe and free passage of the highway pavements by pedestrians especially disabled and visually impaired users. The jobholder is instrumental in keeping the highway clutter-free and improving the aesthetic appearance of the city. This is achieved whilst promoting and motivating traders and businesses to contribute to the safe and improved growth of the city for all residents and visitors alike. This is a highly sensitive area of work under intense public and political scrutiny about the balance between the city’s economy and its accessibility particularly for people with disabilities.

The officers also ensure that assessment and removal of abandoned vehicles is prompt and efficient. This requires in-depth knowledge and experience and ability to make correct decisions that will not give rise to claims from vehicle owners. Their operations have helped reduce vehicle arson in the city by two-thirds increasing public safety by dealing with environmental problems. The postholders are also responsible for the removal of abandoned bicycles, thus freeing up limited space for genuine cycle users or getting rid of unsightly obstructions on lampposts and railings. This contributes to the anti-clutter initiatives. The task again requires careful application of legislation and thorough checks to ensure that bicycles are not removed if still owned and used.

The postholders are the backbone of highway enforcement action for City Transport and have a constant presence on the streets of Brighton & Hove, including outlying residential areas. Their local knowledge is invaluable in progressing strategies for the city and their enforcement work supports and is on behalf of other teams within the Brighton and Hove City Council.

**5. JOB CONTEXT**

The Highway Enforcement team is part of Traffic Management within the City Transport division.

The postholders are responsible for ensuring that the licensing scheme is applied fairly and consistently to all the conflicting priorities and demands in the city. Alongside the other operational teams, this requires a very customer-focused approach, including consultation and negotiation with individuals and groups. The postholders need to work on their own initiative, including dealing with confrontational situations, and making on-the-spot decisions where highway safety or access is concerned.

The team’s tasks require them to be out and about in all weathers - i.e. cold and hot, dry and wet, every day all year round – and can include early starts and weekends to ensure consistent enforcement during peak times. The job can be physically challenging, requiring searches in woods and fields for abandoned vehicles, dealing with hazardous material (e.g. from burnt out vehicles), working on noisy scaffold sites and removing highway obstructions such as illegal A-boards.

****