

FOI number: **HBC_FOI_20200240**
Date FOI Received: **20/03/2020**
Department: **Environmental Health**
Title: **Notices (CPN), Fines(PSPO), vaping, smoking, staff policy and renting open spaces**
Description: **From November 2018 to October 2019 the number of Notices (CPN), Fines(PSPO); vaping, smoking, staff policy; and renting of open spaces**

Request: (As Redacted sent by requestor)

1. Please state the number of Community Protection Notices (CPNs) issued in the year November 2018-October 2019. Please provide the text or subject matter of these CPNs.
2. Please state the number of fines issued for the violation of Public Spaces Protection Orders (PSPOs) in the calendar year 2019 (Jan-Dec 2019).
 - 2b. Please provide details of the offences for which these PSPO fines were issued.
 - 2c. Please state if these fines for PSPO violation were issued by a private company.
 - 2d. If your PSPO provides for dispersal powers, please state the number of orders to disperse issued by council officers.
3. Please state the income raised in 2019 from the renting out of outdoor public spaces (for example, public streets or squares).
4. Please state if your council has a policy of banning smoking and/or vaping in any outdoor public spaces - such as parks, beaches, play areas, town squares, outdoor markets, or car parks. Please give details of any restrictions, and if any penalties apply.
- 5. Please state if your council bans council employees from smoking and/or vaping during work hours. If so, could you please send me a copy of the policy.

I would appreciate it if you could provide this information in Word/excel formats.

Response: (Response as Redacted sent by service)

1. Please state the number of Community Protection Notices (CPNs) issued in the year November 2018-October 2019. Please provide the text or subject matter of these CPNs. - **Nil**
2. Please state the number of fines issued for the violation of Public Spaces Protection Orders (PSPOs) in the calendar year 2019 (Jan-Dec 2019). - **Nil**
 - 2b. Please provide details of the offences for which these PSPO fines were issued. – **N/A**
 - 2c. Please state if these fines for PSPO violation were issued by a private company. – **N/A**
 - 2d. If your PSPO provides for dispersal powers, please state the number of orders to disperse issued by council officers. – **N/A no dispersal powers in the PSPO's**

Parks Department response:

3. Park events are organised and run by an outside provider (Inspire All) so now income (fun fairs) was received directly by the council in 2019. During 2019 we did receive £1227

from filming which you could include, although my personal view is that this isn't 'renting out' a public open space as it does remain open to other members of the public.

4. Smoking is banned in all of our play areas.

Human Resources response:

Question 5 – please see attached policy.

If you have any queries about the processing of your request then please do not hesitate to contact me. Further information explaining the Council's process for responding to information requests together with a complaints/appeals procedure is available in our reception or via our website at:

<https://www.hertsmere.gov.uk/Your-Council/Official-Publications--Guides--Policies/Access-to-Information.aspx>

The Information Commissioner oversees the application of the Freedom of Information Act.

You may contact the Information Commissioner at:

Information Commissioners Office

Wycliffe House, Water Lane

Wilmslow

Cheshire SK9 5AF

Telephone: 01625 545700 Website: www.informationcommissioner.gov.uk

Please include the above reference number on all correspondence related to this request.

Thank you for your request.

Kind regards

Information Services

Hertsmere Borough Council

SMOKING POLICY



Date Reviewed: December 2016

Date of Review: December 2019

Summary

This covers Hertsmere Borough Council's policy on smoking within the Council buildings and vehicles owned and operated by the Council. The policy has been agreed with the Trade Union and approved by the Council.

Smoking Policy

This policy is intended to comply fully with the provisions of The Health Act 2006. This legislation required that all workplaces, including vehicles, shall be smoke free. Under the Act, a workplace is defined as a place used as a place of work by more than 1 person. All premises, if open to the public, must be smoke free even if the public are not present. These places must be smoke free at all times. This policy replaces that previously agreed.

Civic Offices Borehamwood

Smoking is not permitted in the building at any time. Smoking will only be permitted in the designated smoking areas outside, (by the benches to the front of the offices. Please note smoking under the canopy of the building and by the front entrance will be in breach of the Health Act, as well as this policy).

Cigarette waste should be disposed of properly and considerately in a safe manner.

Smokers will refrain from smoking at the assembly points during an emergency evacuation.

The smoking policy also applies to the use of electronic cigarettes (also known as vaping). The use of the electronic cigarettes is prohibited wherever smoking is prohibited. This is on the basis that these products do not provide recognised health benefits while undermining the enforcement of the smoking policy.

Staff must clock off on the flexible working hours scheme to have a cigarette and this must be outside of 'core' time which is 10am to 12 noon and 2.30pm to 4pm. Staff not on the flexi scheme should make a deduction from their time sheets. No smoking is permitted during 'core hours'.

Other Council Buildings

No smoking will be permitted at any time inside any Council owned or operated building. An area outside may be set aside for smokers where practical.

Roof Garden

No smoking will be permitted at any time on the roof garden.

Council Vehicles

Smoking will not be permitted at any time in any vehicle owned or operated by the Council. The smoke-free (Exemptions & Vehicles) Regulations 2007.

Implementation

Appropriate signs are posted at all entrances and throughout the workplace.

A copy of this policy is available to present and prospective employees.

There should be no discrimination against anyone exercising the rights afforded by this policy. Services to help employees who want to stop smoking will be provided. <http://www.care-first.co.uk/> or [Smoking and Your Heart - bhf.org.uk](http://www.bhf.org.uk)

For information or clarification regarding this policy, please contact the Human Resources Unit.