

REPORT TO: Place Scrutiny Committee and Executive Committee
Date of Meeting: 12 June and 11 July 2017
Report of: Service Manager Community Safety & Enforcement
Title: Environmental Enforcement Options

Is this a Key Decision? *

Yes

**One that affects finances over £1m or significantly affects two or more wards. If this is a key decision then the item must be on the appropriate forward plan of key decisions.*

Is this an Executive or Council Function?

Executive.

1. What is the report about?

Identifying options available to provide additional environmental enforcement to support the Clean Streets Strategy.

2. Recommendations:

Place Scrutiny Committee support and recommend approval by Executive of the following :-

- 2.1 to undertake a 12 month pilot scheme using a specialist private contractor in order to test the impact of higher visibility enforcement on littering and dog fouling;
- 2.2 to ensure a sensitive and balanced approach to environmental enforcement through an appropriate operational pre-agreement with the provider; and
- 2.3 to precede such a scheme with a focused campaign via all relevant media in order to educate and engage residents and visitors on the issues of littering and dog fouling.

3. Reasons for the recommendations:

- 3.1 To provide a low financial risk opportunity to test the merits of investment in additional permanent environmental enforcement resource.

4. What are the resource implications including non financial resources.

Specialist environmental enforcement providers offer a range of options and such pilot schemes are provided at nil cost to a Council with the provider funding their costs from any Fixed Penalty income and sharing any surplus with the Council.

5. Section 151 Officer comments:

There appear to be no financial implications contained in the report. The section 151 Officer would expect a detailed business case to be developed prior to any procurement exercise to ensure that all aspects of service delivery are explored.

6. What are the legal aspects?

Councils have the power to issue Fixed Penalties under the Environmental Protection Act 1990.

7. Monitoring Officer's comments:

In the event that the Executive agrees to Pilot such a scheme, the Council must follow a procurement process to select the contractor. The contractual obligations must be in writing in order to comply with the Council's Standing Orders.

In the event the Executive prefers to trial a part-fund in-house resource, then the Monitoring Officer suggests that a more detailed business case is required. This should include the option to employ staff on a fixed term basis whilst the pilot is tested.

8. Report Details:

- 8.1 Since June 2014 a small team of five officers have been providing enforcement for the Council.
- 8.2 This has focused on statutory and business critical areas of enforcement such as collecting stray dogs, parking enforcement and removal of tents from Council land.
- 8.3 Work to combat littering and dog fouling has only extended to low level education and engagement such as street stencils. No Fixed Penalties have been issued by the team during this period for these offences.
- 8.4 High visibility enforcement patrols to deter dog fouling have been successful but often only for as long as officers have been within clear sight. Behaviour is only modified for as long as the offender believes he/she may be observed and fined. Behavioural change will only be successful by sustained education and enforcement activity.
- 8.5 Education and engagement is far more effective if it can be backed up with fair and proportionate enforcement.
- 8.6 Performance standards and baseline data around 'place' are already collected by cleansing managers as part of the Clean Streets Strategy. This can be used to gauge whether an increase in environmental enforcement during a pilot scheme does have a positive, negative or zero impact on how the city looks.
- 8.7 A suitable selection process would be required before contracting a provider.

What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

A reduction in littering and dog fouling has a positive environmental impact. An increased number of uniformed officers representing the Council on the streets would enhance community safety.

9. Are there any other options?

- 9.1 Maintain the status quo and undertake high profile patrols in areas where problems are identified and reported by residents or Members. This is unlikely to improve compliance or drive behavioural change.
- 9.2 Directly employ additional in-house Enforcement Officers to enable greater focus on environmental issues. This is likely to improve compliance but requires investment in salary, training, protective clothing, uniform etc of approx. £25K per officer per annum.
- 9.3 In 2010/11 a total of 619 Fixed Penalties at £75 were issued (total £46,425). There is potential for income to at least part-fund additional in-house resource.

Steve Carnell
Service Manager Community Safety & Enforcement

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

Contact for enquires:

Democratic Services (Committees)
Room 2.3
01392 265275