

EXECUTIVE COMMITTEE

23rd August 2011

JOINT ENVIRONMENTAL ENFORCEMENT STRATEGY REVISED FIXED PENALTY NOTICE SUMS AND WASTE & STREET SCENE PUBLICITY PLAN 2011 - 2013

Relevant Portfolio Holder	Councillor Brandon Clayton, Portfolio Holder - Housing, Local Environment & Health
Portfolio Holder Consulted	Yes
Relevant Head of Service	Guy Revans, Head of Environmental Services
Wards Affected	All Wards
Key Decision	

1. SUMMARY OF PROPOSALS

The report seeks approval for the Joint Environmental Enforcement Strategy and amendments to Fixed Penalty Notice amounts which both support the move to a shared environmental enforcement service. The report also contains details of the planned waste and street scene publicity and campaign work from 2011 - 2013.

2. RECOMMENDATIONS

The Committee is asked to **RECOMMEND** that

- 1) **Members approve and adopt the Joint Environmental Enforcement Strategy, as attached to the report at Appendix 1; and**

to **RESOLVE** that
- 2) **Members approve and adopt the recommended levels for Fixed Penalty Notices as set out in Appendix 2 to the report, on the basis that these amounts will form part of the Council's fees and charges and will be subject to future adjustment by Executive as part of the annual review of fees and charges; and**
- 3) **Members approve the three-year Waste and Street Scene Publicity Plan 2011 – 2013 as set out in Appendix 3 to the report.**

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3. KEY ISSUES

Financial Implications

- 3.1 The changes to the amounts levied through Fixed Penalty Notices will not have any significant financial effect as the number of notices issued per annum is low.
- 3.2 The costs of delivering the Waste & Street Scene Publicity Plan will be met through existing budgets.

Legal Implications

- 3.3 Under the Environmental Protection Act (EPA) 1990, the Council has a duty to keep streets and public spaces clean and clear of litter and refuse. A range of powers for local authorities came into effect under the Clean Neighbourhoods and Environment Act (CNEA) 2005. The CNEA has extended local authority powers to deal with issues that are considered environmental crime.

Service/Operational Implications

- 3.4 Redditch Borough Council has undertaken enforcement action in relation to environmental offences like littering, fly-tipping and dog fouling since 2006 and employs two environmental enforcement officers.
- 3.5 In June 2011 Bromsgrove District Council approved the Joint Environmental Enforcement Strategy (Appendix 1) and the appointment of an Environmental Enforcement Officer. As part of the on-going shared services programme, environmental enforcement will be delivered as a shared service and it is recommended that Fixed Penalty Notice amounts are standardised across the two Councils. Appendix 2 details the Fixed Penalty Notice amounts that are recommended.
- 3.6 Publicity and campaign work in relation to waste and street scene services has been carried out in the Borough for a number of years. Raising awareness is an important part of these services and has always been encouraged and supported by Members. Awareness raising is also seen as an essential part of the Council's Environmental Enforcement Strategy.
- 3.7 The Joint Environmental Enforcement Strategy reflects our existing work and supports methods that have proven to be successful.

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A graduated 5 stage approach continues to be a fundamental principle in applying enforcement activity ranging from Stage 1 for less serious offences, through to Stage 5 as detailed below;

Stage 1	Advice given
Stage 2	Verbal warning
Stage 3	Written warning
Stage 4	Fixed penalty notice
Stage 5	Court proceedings.

- 3.8 Appendix 2 outlines suggested levels of Fixed Penalty Notice charges. Whilst the amounts for some offences increase slightly, offenders can pay the reduced rate which is currently already set in the Borough, if they pay within 10 days. Environmental Enforcement Officers will continue to use their discretion regarding the level of action which is taken and the issuing of Fixed Penalty Notices.
- 3.9 The following are examples of publicity and awareness raising campaigns that have been carried out in recent years:
- a) 'Rikki Says' campaign to promote anti litter, dog fouling and recycling messages;
 - b) Information about/promotion of recycling services prior to alternate weekly collection service (AWC);
 - c) Anti-fly-tipping, litter and dog fouling through the 'Worth it' campaign;
 - d) Information and promotion of alternate weekly collection service (2006/07);
 - e) Additional materials to recycle – EnviroSort campaign (2009);
 - f) Trial garden waste collection service (2010);
 - g) Dog fouling awareness (2010).
- 3.10 The Waste & Street Scene Publicity Plan 2011 – 2013 (Appendix 3) focuses on 7 key objectives which are outlined in the Environmental Service Business Plan 2011-12 or the Joint Municipal Waste Management Strategy for Herefordshire & Worcestershire. All objective are waste or street scene related issues that are of a concern to residents of both authorities and the authorities themselves:
- a) To understand the requirements of our customers for street scene & waste services;

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- b) To decrease tonnage of food waste in grey bins;
 - c) To decrease incidents of dog fouling on pavements and open spaces;
 - d) To decrease incidents of fly tipping;
 - e) To decrease incidents of littering;
 - f) To increase reuse tonnage from household waste;
 - g) To increase tonnage of recyclables collected from household waste;
 - h) To decrease tonnage of compostable materials collected in grey bins.
- 3.11 The plan details a number of targeted campaigns covering street scene and waste issues for both authorities and a mix of communication approaches will be utilised in promoting services messages. The 3 year plan is structured around 5 key themes of food waste, dog fouling, recycling, fly-tipping and litter.
- 3.12 Whilst the Enforcement Officer can use discretion in carrying out environmental enforcement, based on the five stage approach it is recommended that the Council adopt a 'zero tolerance' approach during campaign periods. This will mean that whilst the Enforcement Officers can still use discretion in dealing with dog fouling and littering offences, we will:
- a) promote the 'zero tolerance' message in our publicity materials by saying that residents themselves have a zero tolerance of these crimes; and;
 - b) escalate the action we take to a higher level – i.e. issue more fixed penalty notices during campaign periods when awareness levels are raised through press releases, posters, leaflets engagement with residents and patrols of target areas.
- 3.13 There are a number of different messages to convey at different points in the year and often to different audiences, therefore a range of diverse communication tools are required to help us to do this and more importantly to engage with our customers. These include Redditch Matters, social networking sites, Council Website, direct emails, livery on waste collection vehicles and the electric vehicle, attending events, working with the local media.

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Customer / Equalities and Diversity Implications

- 3.14 As outlined above, the plan recognises that different audiences require different communication methods and a range of methods will be used as indicated in Appendix 3.

4. RISK MANAGEMENT

- 4.1 The main risks associated with the details included in this report are:

- a) Increasing Environmental Crime;
- b) Unsafe communities (real and perceived);
- c) Negative Impact on street cleanliness and associated performance indicators.

- 4.2 Currently the risks identified are not addressed by any risk register and will be added to the Environmental Services risk register in due course.

5. APPENDICES

Appendix 1 – Joint Environmental Enforcement Strategy.

Appendix 2 – Fixed Penalty Notice Amounts.

Appendix 3 – Waste & Street Scene Publicity Plan 2011 - 2014.

6. BACKGROUND PAPERS

There are no specific background papers.

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