

Waste Crime Update 2020

Final Decision-Maker	Communities, Housing and Environment Committee
Lead Head of Service	William Cornall, Director of Regeneration and Place
Lead Officer and Report Author	Jamie Duffy, Waste Crime Manager Jennifer Shepherd, Head of Environment and Public Realm
Classification	Public
Wards affected	All Wards

Executive Summary

The Waste Crime Team was created in 2017, enforcing against fly tipping, littering and other waste related offences. With the Council's zero tolerance approach to such environmental offences, the team take a proactive approach with the use of covert CCTV, dash-cams, vehicle seizures and regular joint operations with the Police's Rural Taskforce.

This report provides an update on performance, achievements and challenges faced over the past 12 months. The report also sets out the plans for the team in the coming months to focus on the areas which have greatest impact on our environment and communities.

Purpose of Report

Discussion and Noting

This report makes the following recommendations to this Committee:

1. That the update is noted.

Timetable

Meeting	Date
Communities, Housing and Environment Committee	Tuesday 30 June 2020

Waste Crime Update 2020

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> • <i>Embracing Growth and Enabling Infrastructure</i> • <i>Safe, Clean and Green</i> • <i>Homes and Communities</i> • <i>A Thriving Place</i> <p>Whilst this report is for noting only, the role of the Waste Crime Team supports the objective for a Safe, Clean and Green Borough.</p>	Head of Environment and Public Realm
Cross Cutting Objectives	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> • <i>Heritage is Respected</i> • <i>Health Inequalities are Addressed and Reduced</i> • <i>Deprivation and Social Mobility is Improved</i> • <i>Biodiversity and Environmental Sustainability is respected</i> <p>The Waste Crime Team tackle littering, fly tipping, abandoned vehicles and other environmental crimes. Therefore this update demonstrates how the team are supporting the cross cutting objective of "environmental sustainability".</p>	Head of Environment and Public Realm
Risk Management	<p>This report is for noting only, however the risks associated with the work of the team are included in the Risk Section</p>	Head of Environment and Public Realm
Financial	<p>The information set out in this update is within already approved budgetary headings and so need no new funding for implementation.</p>	[Section 151 Officer & Finance Team]

Staffing	The report highlights challenges with staff recruitment and retention and the impact this has had on performance. The report also outlines the service's plan for the next 12 weeks based on the current staffing level and how this will support staff retention and development.	Head of Environment and Public Realm
Legal	The report is for noting only	Head of Environment and Public Realm
Privacy and Data Protection	The report is for noting only.	Policy and Information Team
Equalities	The report is for noting only.	Head of Environment and Public Realm
Public Health	The report is for noting only. Tackling waste crime, reducing litter and improving the appearance of the Borough, will have an indirect impact on improving public health, as it will encourage residents to actively enjoy their environment.	Head of Environment and Public Realm
Crime and Disorder	Tackling waste crime has a positive impact on disrupting organised crime.	Head of Environment and Public Realm
Procurement	The report is for noting only	Head of Environment and Public Realm

2. INTRODUCTION AND BACKGROUND

- 1.1 In February 2019, a report was presented to the Communities, Housing and Environment Committee to provide an update on the waste crime service which had been created in 2017. This report is to update the Committee on progress and challenges over the past 12 months.
- 1.2 Prior to 2017, waste crime offences were dealt with by the Environmental Enforcement Team along with statutory nuisance such as noise complaints. However, the team was split to create the Community Protection Team based within Housing and Communities, and the Waste Crime Team part of Environmental Services and located at the Depot.

- 1.3 The Waste Crime Team originally consisted of a Senior Waste Crime Officer and a Waste Crime Officer, focusing predominately on investigating fly tipping and waste carrier offences. Littering enforcement was initially carried out by a private contractor, however this contract ended in August 2017.
- 1.4 The Communities, Housing and Environment Committee took the decision in late 2017 to bring the litter enforcement back in-house with the recruitment of two Street Scene Enforcement Officers. The results presented to the Committee in 2019 showed how the new team had issued Fixed Penalty Notices totalling over £60k for offences including fly tipping, littering, duty of care offences and dog fouling.



Diagram 1. Current Waste Crime Team Structure (grey shows litter enforcement roles)

Service Challenges

- 1.5 Whilst the original team structure was to have a Waste Crime Manager, an officer and two street scene enforcement officers on patrol for littering, staff recruitment and retention issues have created challenges over the past 12 months.
- 1.6 It was recognised when the litter enforcement service was brought in-house that key to success would be the recruitment of professional and reliable staff. This had previously been a challenge to the private contractor and resulted in a number of complaints relating to behaviour, which impacted the Council's reputation.
- 1.7 For the majority of the past 12 months, only one enforcement officer post could be filled. This had a significant impact on the level of litter enforcement that could be carried out, with 364 FPNs issued during this time, compared with 450 in the first year of operation.
- 1.8 The confrontational nature of the role is not appealing or suitable to many and therefore recruitment has been difficult with the posts having to be repeatedly re-advertised.

1.9 However, the service now has one Street Scene Enforcement Officer in post, although littering enforcement has been disrupted by the pandemic lockdown.

1.10 The Committee had also previously highlighted the need to enforce against littering from vehicles. The Government agreed legislation in 2019 to enable local authorities to issue fines similar to Parking Charge Notices (PCNs) to the owners of vehicles from which litter originated. However, this is a very complicated and onerous process, including informal and formal appeals and independent adjudication. Following discussions with the Parking Services Team it was clear that a combined process for parking enforcement and littering from vehicle enforcement was not possible.

1.11 The team have explored the options for enforcing against littering from vehicles and have found the most successful option to be using dash-cam footage from the Waste Crime patrol vehicle. This removes the requirement for appeals or independent adjudication and enables FPNs to be issued using the current littering enforcement process. Over the past 12 months the team have issued 364 FPNs, of which approximately 75% were for littering from vehicles.

2019/20 Performance

1.12 Over the past 12 months, the team have delivered the following enforcement actions:

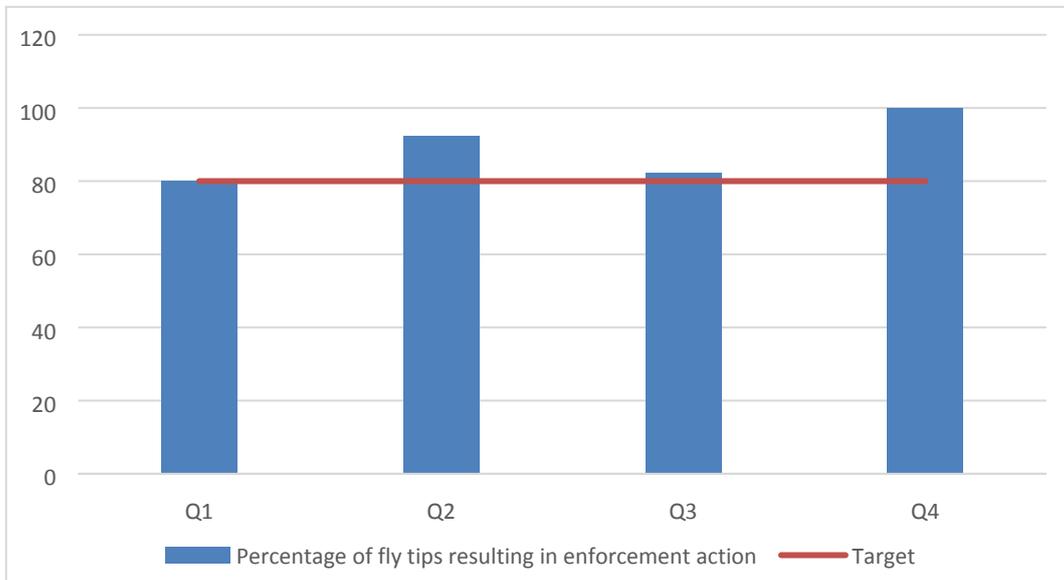
Enforcement Action	Quantity
Littering FPNs	364
Dog Fouling FPNs	3
Waste offence FPNs inc. Duty of Care	27
Vehicles seized	25
Fly tipping Prosecutions	2

1.13 Despite the issues with staff retention and with a very small team of three for most of the year, the performance has been comparable with the initial 12 months of operation. The plans highlighted in the *Next Steps* section demonstrate how the team propose to build upon this success and focus resources at the most high-profile offences and where the impact is greatest both on the environment and local community.

1.14 Although the past 3 months have not been representative, over the whole year the littering levels have not increased due to a reduced foot patrol presence. However continuing a more concerted effort to tackle littering from vehicles across the Borough including rural areas where this form of littering often has the greatest impact on the visual appearance of the area, will start to demonstrate positive results.

1.15 Although there have only been 2 prosecutions for fly tipping in the past 12 months, there are a number of other cases pending which are currently being investigated by the team. These are directly because of covert CCTV footage from known hotspots and include individuals responsible for multiple offences.

1.16 The table below shows the services KPI for Percentage of fly tips with evidential value resulting in enforcement action. The target was increased from 60% in 2018 to 80% in 2019 and was achieved in all four quarters.



1.17 Two major successes of the year have been the regular joint operations with the Police and the seizure of vehicles linked with fly tipping. Joint operations have been carried out monthly, resulting in a FPNs being issued for Duty of Care and Waste Carrier Offences as well as seizure of vehicles and arrests for fly tipping.

1.18 Since 2019, 25 vehicles have been seized. Since this initiative was introduced 38 vehicles have been seized with four being crushed and nine sold at auction. This has also resulted in a number of successful social media posts, with the most recent reaching over 88k people and over 5.5k comments, shares or reactions.

Next Steps

1.19 From reviewing the performance and challenges of the past year, it is clear that the original structure of the service has limitations and repeated recruitment can be time consuming. However, the current team is working very well with a single Street Scene Enforcement Officer in post.

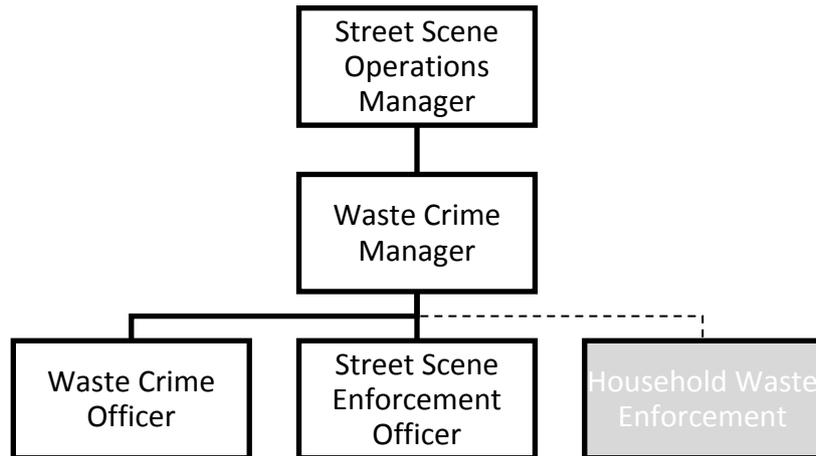


Diagram 2. Proposed future structure of Waste Crime Team with greater links to enforcement of household waste

- 1.20 The intention is for the focus of litter enforcement to be on vehicles rather than foot patrols. This can be delivered with one enforcement officer and will enable them to have capacity to support with the deployment of CCTV cameras and smaller fly tip enforcement. This has the additional benefit of creating a more variable and interesting role, which will improve staff retention and development.
- 1.21 However, this does not prevent foot patrols being deployed when required in littering or dog fouling hot spots in Town, residential and village locations. The team will continue to work with local councillors and parish councils to determine where foot patrols and vehicle presence are required to reduce littering.
- 1.22 This is also not a reason to reconsider outsourcing the litter enforcement service. The in-house service has still delivered a steady flow of enforcement activity, which enabling a more flexible approach to target littering from vehicles, abandoned vehicles and support the deployment of cameras to target fly tipping. The service has also only incurred 2 official complaints and following the review of the body-worn CCTV footage, conduct was found to be acceptable and both FPNs were subsequently paid.
- 1.23 In addition, the household waste team currently carry out enforcement activity in the form of Section 46 Notices, Community Protection Warnings and Notices predominately for managing agents where communal collections are not managed appropriately. There is an opportunity for this work to transfer to the Waste Crime Team given the experience they have, and the Waste Crime Manager currently has to sign these off.
- 1.24 Improvements to the abandoned vehicle process will also enable this to be transferred to the street scene team and increase capacity within the waste crime team to tackle fly tipping and duty of care offences.
- 1.25 The team will also continue to foster the good working relationship with the Police's Rural Taskforce to deliver regular joint operations particularly targeted at criminal fly tippers and those running illegal waste carrier businesses.

3. AVAILABLE OPTIONS

- 3.1 This report is for noting only.
- 3.2 However, the Committee could decide that a further report is required to consider other ways of delivering the service in the future or alternative performance objectives for the service.

4. RISK

- 4.1 The key risk associated with this service is not tackling waste crime issues effectively resulting in increases in fly tipping and littering and the resultant cleansing costs.
- 4.2 This report highlights the achievements of the past 12 months and acknowledges the challenges which affect performance. The next steps demonstrate how the service is adapting and responding to these challenges and continues to strive to deliver the zero-tolerance approach to waste crimes.
- 4.3 The greatest risk to the Council is if it decides to no longer support this function and waste crime levels increase. This report seeks to provide reassurance to the Committee that the service continues to perform well.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The Committee has previously supported the work of the Waste Crime Team and particularly sought greater impact in disrupting fly tipping. The Committee requested a focus on fly tipping and littering from vehicles and agreed to the investment of two street scene enforcement officers to develop the team and its ability to actively enforce.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 It is proposed that an annual update will continue to be provided to the Committee to ensure that it is actively engaged in the work being undertaken. This will also provide more context to the quarterly performance reports presented to the Committee which include key performance indicators for waste crime and street cleansing.

7. REPORT APPENDICES

None

8. BACKGROUND PAPERS

None