

**North East Derbyshire District Council**

**Cabinet**

**8 June 2016**

**Environmental Despoilment Scrutiny Review**

**Report of Councillor T Reader - Chair of the Communities Scrutiny Committee**

This report is public

**Purpose of the Report**

- To ask Cabinet to approve the recommendations of the Communities Scrutiny Committee's Review of Environmental Despoilment

**1 Report Details**

1.1 North East Derbyshire District Council agreed to undertake a review of Environmental Despoilment as part of its work programme for 2015/16. It was felt timely to review this area as the new joint service had been in operation for a couple of years and they wished to consider how well it was performing. The Committee is also the Statutory Committee for the review of the work of the Community Safety Partnership.

1.2 The review aimed to:

- Review the current arrangements undertaken by Street Scene Services and Environmental Health to reduce or prevent Environmental Despoilment;
- Understand what Environmental Despoilment involves (fly tipping, littering and dog fouling) and enforcement powers available to the Council;
- Understand the interaction between education and enforcement measures to support and reduce the occurrence and frequency of despoilment;
- Review the current situation of Environmental Despoilment and any associated issues at key areas such as play areas within the District;
- Identify any best practice and areas for improvement

1.3 The Review Panel met on five occasions and considered a variety of information to gain an understanding of the subject area. The Review Panel interviewed a range of officers and the portfolio holder with responsibility for Community Safety and Health and the portfolio holder for the Environment. The full report attached at **Appendix 1** sets out in more detail the evidence gathered and synopsis of the views expressed.

1.4 The recommendations are:

- (1) That dog wardens consider participating in the member walkabouts undertaken in the communities if able to be there.
- (2) That the Environmental Team considers, jointly with the Street Scene Service, undertaking more educational activities at schools within the District.
- (3) That the Council considers how it can be more proactive in the enforcement of fly tipping and also provide better feedback to all parties involved on the outcomes of incidents.
- (4) That the Council considers how it can take a more forceful approach on littering at supermarkets and businesses, including consistent contact with the organisations.
- (5) That the Council considers how it can make the publicity of Environmental Despoilment more targeted and consistent, including producing a rolling programme of events, news articles and initiatives.

## **2 Conclusions and Reasons for Recommendation**

2.1 To assist the Council in maximising the opportunities to prevent Environmental Despoilment within its area.

## **3 Consultation and Equality Impact**

3.1 As detailed in the full report.

## **4 Alternative Options and Reasons for Rejection**

4.1 Not applicable

## **5 Implications**

### **5.1 Finance and Risk Implications**

5.1.1 This will be determined if Cabinet decide to accept the Scrutiny Review recommendations as part of the Lead Officer response.

### **5.2 Legal Implications including Data Protection**

5.2.1 This will be determined if Cabinet decide to accept the Scrutiny Review recommendations as part of the Lead Officer response.

### **5.3 Human Resources Implications**

5.3.1 This will be determined if Cabinet decide to accept the Scrutiny Review recommendations as part of the Lead Officer response.

## 6 Recommendations

6.1 As detailed in paragraph 1.4 of this report.

## 7 Decision Information

|  |  |
|--|--|
| <b>Is the decision a Key Decision?</b><br>(A Key Decision is an executive decision which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards) | This is not a key decision at this stage prior to the decision of this matter by Cabinet |
| <b>District Wards Affected</b>   |  |
| <b>Links to Corporate Plan priorities or Policy Framework</b>  |  |

## 8 Document Information

| Appendix No  | Title                     |
|--|---------------------------|
| 1  | Environmental Despoilment |
| <b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) |                           |
|  |                           |
| Report Author  | Contact Number            |
| Sue Veerman<br>Overview & Scrutiny Manager   | (01246) 217060            |

**NORTH EAST DERBYSHIRE  
DISTRICT COUNCIL**

**OVERVIEW AND SCRUTINY  
ENVIRONMENTAL DESPOILMENT**

**APRIL 2016**

## Contents

|   | Page |
|---|------|
| Chair's Foreword                          | 1    |
| 1. Recommendations                        | 2    |
| 2. Introduction                           | 2    |
| 3. Scope of Review                        | 2-3  |
| 4. Method of Review                       | 3    |
| 5. Evidence and Research                  | 3    |
| 6. Key Findings                           | 3-7  |
| 7. Conclusions                            | 7    |
| 8. Stakeholders engaged during the Review | 8    |

## **Chairs Foreword**

I am pleased to present this report on behalf of the Scrutiny Review Panel of the Communities Scrutiny Committee. It details the findings, conclusions and recommendations of the panel from its review into Environment Despoilment.

It was pleasing to see that our Street Scene department and Environmental department on the whole are working well. We now hope that we can continue to link these departments in a better joined up style of working to ensure we continue to keep up the high quality of work we have heard about.

I would like to take this opportunity to thank all Council Staff along with the Rykneld Homes team involved in the review for their advice, support and cooperation throughout the review process.

Can I also thank all of my scrutiny colleagues for taking part in the review and making the review enjoyable and enlightening.

In conclusion I would like to take time to thank our Scrutiny Officer Sue Veerman whose work in co-ordinating the evidence gathering made this review possible.

Kindest regards

Cllr Tracy Reader

## **Review Panel**

The review panel comprised the following members:

|                        |                               |
|------------------------|-------------------------------|
| Councillor T Reader    | (Labour) – Review Panel Chair |
| Councillor W Armitage  | (Conservative)                |
| Councillor B Barnes    | (Labour)                      |
| Councillor L Blanshard | (Conservative)                |
| Councillor M Foster    | (Conservative)                |
| Councillor J Hill      | (Labour)                      |
| Councillor C Hunt      | (Labour)                      |
| Councillor J Lilley    | (Labour)                      |
| Councillor C Tite      | (Labour)                      |

## **1. Recommendations**

- 1.1 That dog wardens participating in the member walkabouts undertaken in the communities if able to be there.
- 1.2 That the Environmental Team considers, jointly with the Street Scene Service, undertaking more educational activities at schools within the District.
- 1.3 That the Council considers how it can be more proactive in the enforcement of fly tipping and also provide better feedback to all parties involved on the outcomes of incidents.
- 1.4 That the Council considers how it can take a more forceful approach on littering at supermarkets and businesses, including consistent contact with the organisations.
- 1.5 That the Council considers how it can make the publicity of Environmental Despoilment more targeted and consistent, including producing a rolling programme of events, news articles and initiatives.

## **2. Introduction**

- 2.1 At its meeting on 12<sup>th</sup> June, 2015 the Communities Scrutiny Committee agreed to undertake a review of Environmental Despoilment.
- 2.2 The Committee thought it timely to review this area as the new joint environmental health service had been in operation for a couple of years and they wished to consider how well it was performing.

## **3. Scope of Review**

- 3.1 The review aimed to:
  - Review the current arrangements undertaken by Street Scene Services and Environmental Health to reduce or prevent Environmental Despoilment
  - Understand what Environmental Despoilment involves (fly tipping, littering and dog fouling) and enforcement powers available to the Council
  - Understand the interaction between education and enforcement measures to support and reduce the occurrence and frequency of despoilment
  - Review the current situation of Environmental Despoilment and any associated issues at key areas such as play areas within the District
  - Identify any best practice and areas for improvement
  - Advise and guide in developing joint education and enforcement policies delivered by the Joint Street Scene and Joint Environmental Health Teams

## **4. Method of Review**

- 4.1 The review panel met on five occasions to consider the scope of the review, key issues they wanted to discuss and key people they wished to interview.
- 4.2 Evidence was gathered in a variety of ways including written sources and interviews with a range of officers. The portfolio holders with responsibility for Community Safety and Health and for the Environment were also interviewed.

## **5. Evidence and Research**

- 5.1 A number of documents were provided to the review panel for consideration. Details are provided below:
  - Briefing document on arrangements undertaken by Street Scene Services and Environmental Health to achieve good standards of environmental cleanliness throughout the District - Sharon Gillott – Environmental Health Manager
  - Environmental Enforcement Cleansing and Education Group Terms of Reference
  - Schedule of education and enforcement initiatives for 2015/16
  - Performance Management information on key performance indicators Ho8, H09, H10
  - Examples of educational leaflets and press releases, including following prosecutions
  - Lead officer presentation on Street Scene Services – Steve Brunt – Assistant Director Streetscene
  - Interviews with stakeholders

## **6. Key Findings**

### **6.1 Comments/Observations**

- 6.1.1 The Committee wished to establish what powers the Council had available to ensure people keep streets and public places clean and tidy. They also sought the views of the various stakeholders on how effective they thought the fixed penalties available were. All stakeholders made reference to the powers they could use in their respective areas including the Environmental Protection Act, the Clean Neighbourhoods Act, the Dogs (Fouling of Land) Act, the Anti Social Behaviour (Crime and Policing) Act 2014, the use of fixed penalty notices for fly tipping, litter and dog fouling. Reference was also made to new tools available under the 2014 Act which included Community Protection Notices and Public Space Protection Orders.

Comments were made that the new powers would make the job easier and are increasingly being used to deal with environmental despoilment. A joint Fly Tipping Policy was also being developed by Environmental Health in conjunction with Street Scene.

- 6.1.2 However, responses to the effectiveness of enforcement measures were varied. Whilst all identified that there was a mechanism in place to prosecute, concerns were raised that this was reliant on evidence being available. This sometimes presented difficulties in that it was not always available and a number of stakeholders raised the various ways in which they tried to support provision of good evidence. Activities included contacting the complainant to see if they would give evidence and the use of CCTV, although this was in a limited way. The Environment Team also talked about acting proactively in hot spot areas and patrolling the District. The policy supported co-operation with the public and stakeholders said they would try to engage with the public rather than prosecute to get a positive outcome. However, where this was not successful then prosecution would be considered. There was also an Environmental Enforcement, Cleansing and Education Group that met to coordinate the Council's actions against the incidence of dog fouling, littering and fly tipping by the use of the statutory enforcement powers, cleansing, educational initiatives and publicity.
- 6.1.3 Reference was also made by the Portfolio Member for Community Safety and Health to problems that some Parishes were experiencing with horse manure on roads and footpaths. Horse manure was covered under the Litter and Animal Dropping Order 1991. Street Scene would clear up manure but riders had a responsibility to clear up after their horses. This was often not happening. Suggested ideas to improve the situation included contacting the local stables to vary their routes, more publicity and the seeking of any remedial actions available, including possible legal actions, due to the fouling being classified as "litter".
- 6.1.4 The Committee heard evidence that Environmental Health and Street Scene were working well together. Officers commented that links had improved between the two services and bi monthly liaison meetings were now held. The meetings aimed to coordinate the work of the service, share information and intelligence on complaints and service requests and to foster good quality joint working internally, externally and across the two authorities. Evidence provided in support of the teams working co-operatively included Street Scene supporting Environmental Health in the deployment of cameras in the District. Street Scene was also considered proactive by Environmental Health in identifying where hotspots are in the District. Environmental officers said they would also pick up litter if it was smaller quantities rather than refer the issue to Street Scene which would save them time. Following the joining up of the services, a number of comments were made regarding how this had worked operationally. One stakeholder felt that the service was now on the right footing and another said they felt it was heading in the right direction but there was still work to be done. Other comments included merging the two services had been a learning curve and having a dedicated enforcement team, whose prime role was clear, so they were not distracted by other environmental duties, was an advantage. The difficulties caused by funding cuts was raised and the need to find ways to deliver more with less resource.

- 6.1.5 The Committee wanted to consider how the Council was working with partners such as schools and businesses to tackle issues like litter. Evidence was provided of the work that was being carried out with schools and businesses. With regard to schools, officers had attended school assemblies to raise awareness and the profile of littering and dog fouling. Sharley Park School supported this work by designing posters which the Council have displayed. Talks on safety had also been provided to help educate young people on this issue and hopefully encourage responsibility. Schools have been encouraged to take part in litter picking. Funding had recently been an issue but it was hoped to start these activities again. It was also hoped to undertake a talk on this issue at every senior school in North East Derbyshire District next year.
- 6.1.6 Work was undertaken with businesses to explain what their responsibilities are. This included visiting companies to discuss the problems that waste can cause including health risks. Where problems have been identified with fast food customers' parking up and throwing litter out of their cars, the service have sited cameras to gather evidence and issued fixed penalty notices. Clean ups have also been held at Business Parks to get businesses involved.
- 6.1.7 The Committee asked stakeholders how much publicity we undertook. Evidence provided on the types of publicity being undertaken included articles in The News and the Derbyshire Times, in some parish newsletters, stickers on lampposts and stencilling on paths where dog fouling had occurred. PR work was also carried out by the teams at local galas. Leaflets were put in house letter boxes in areas where dog fouling was an issue with a contact number on. The Council was also supporting the new law on dog micro chipping. The Environmental Service aimed to have ten initiatives this year, using community events to get the message out. Details were provided of ten previous events that had taken place between May and October, 2015 in North East Derbyshire and Bolsover. Social Media was being used more and had proved effective. Successful prosecution articles were provided to the Communications Officer for publication. Rykneld Homes informed the Committee that they work jointly with Environmental Health and do door knocking exercises, issue flyers, use Homing In to raise issues, involve tenant groups and have taken part in clean ups.
- 6.1.8 The Committee heard a number of examples of how the service engages with the public and local members. Engagement has taken place with Parish Councils including partnership events. Some parishes were very proactive in support of preventing despoilment and details were provided of one Parish Council who undertook dog patrols and had a caretaker team who pick up litter on council estates. The Environmental Health Manager said the team would wish to engage with Parish Councils, park rangers and anyone who needs the service. Activities undertaken in support of this included targeting of hotspots weekly, giving out free poop scoop bags and litter picks by tenants association. Litter picking equipment was provided to help. The Council also provided dog bins within communities and some Parish Councils paid to have extra bins installed. Rykneld homes talked about the walkabouts they undertake within communities. One stakeholder commented that the Community Pay Back Scheme had been helpful. The portfolio holder felt the community was the best place to police streets.

6.1.9 The Committee reviewed how the service was performing and measuring how members of the public think we are doing. They heard that often issues are raised with councillors which are followed up by the team. Additionally the service receives a number of letters and telephone calls on this issue and the service was actively using face book to engage with people. It had been used successfully to catch an offender through it. A survey was undertaken in 2013/14 to assess public levels of satisfaction. Results provided stated that 82% of the public were satisfied and 97% of businesses were satisfied with Environmental Health. With regard to performance, staff have 1:1's to monitor how they are performing and targets are set. The services use a computer system that measures both the staff performance and the customer satisfaction survey. The Environmental Health Manager said that the service does listen to what people say to them and consider what the customer is saying. She felt it was important to clean up problems within the District otherwise the public think the Council does not care. Attempts were made to prevent despoilment but in some locations it was not easy to enforce because of the layout of the area and land ownership. It was considered important to keep the public informed about the steps the Council was taking to keep the area clean and tidy which included contact, personal visits, letters, events and driving around in marked vehicles. Rykneld Homes tenant satisfaction survey results showed 95% satisfaction for overall estates and 90% for overall estate management.

## 6.2 Areas for Improvement

6.2.1 The Committee felt that dog wardens out in communities provided a useful service. As part of the discussion on liaison and engagement several stakeholders commented on the value of contact with local members. In the past these links had been very strong but there appeared to be a feeling that this contact with Councillors had reduced recently. The Committee felt that it would be useful if dog wardens could take part in the walkabouts members undertake in the community as this was an effective way of engaging both with members and the public. The view was also expressed that we could work more closely with Parish Councils as this would be of mutual benefit.

6.2.2 The Committee was informed that following on from the successful project at Bolsover where officers had attended all secondary schools to provide educational talks, it was intended to roll this initiative out in North East Derbyshire. This was welcomed as it was felt important to educate and encourage young people to understand the value of respecting the environment in which they live. The Committee heard that there were occasionally difficulties getting this subject on the agenda for some schools because of the school curriculum. However, the Committee felt that this was an area that could be improved if resource was provided. They would also like Street Scene to take part in more educational events in schools to foster a more joined up approach.

6.2.3 The views expressed on enforcement and how successful we were in obtaining prosecutions varied. The difficulty of obtaining good evidence was raised by several stakeholders as a barrier. It was stated that intelligence was shared and incidents investigated but often people raising issues were reluctant to become more involved. It was generally felt that the service did make an impact in this area but could do much more if resource was available. The difficulties with resources were understood

by the Environment Team but the team was small with a wide area of responsibilities. Issues with fly tipping on private land next to Council land was also raised and the problems this caused with clearing the private site if the owner could not be identified or did not contribute. It was acknowledged by stakeholders that Street Scene and Environmental Health needed to understand each other's needs better so the approach can be more joined up. Comments were also made that it was felt that we could be more proactive in our enforcement of fly tipping and also provide better feedback on outcomes of incidents.

- 6.2.4 With regard to publicity the Committee felt that the approach could be more targeted and consistent. Information had been received on a number of activities taking place but the Committee would like to see this co-ordinated in a rolling programme of all initiatives perhaps showing school visits, attendance at community events and publicity included in publications or social media. It was also suggested the Council could consider the use of a rogue's gallery of people despoiling the environment providing there was no legal issues with this sort of measure.
- 6.2.5 Businesses and fast food litter was identified as an issue. Several stakeholders felt more needed to be done to address the littering at supermarkets and businesses. Information was provided of some businesses engaging, like MacDonald's who it was stated had been good and do litter picks. However, this was not always the case and it was felt that the Council should take a more forceful approach and levy fines where breaches occurred. Contact should be consistent with the business to ensure compliance. Reference was made to a couple of sites within the District that were causing problems with bins not being emptied regularly enough which caused a potential health risk and also had a negative impact on the environment.

## **7 Conclusions**

- 7.1 The Committee from the evidence heard, from various stakeholders, concluded that on the whole the service was working well and that there were many examples of the efforts being made by staff involved to reduce or prevent environmental despoilment within the District.
- 7.2 However, some areas for improvement were identified centred on increased publicity and education, improving the liaison between the teams and maximising prosecutions where possible.

## **8 Stakeholders Engaged During the Review**

|                  |  |
|------------------|--|
| James Arnold     | - Assistant Director Planning and Environment      |
| Steve Brunt      | - Assistant Director Street Scene                  |
| Sharon Gillott   | - Environmental Health Manager                     |
| Michael Gordon   | - Portfolio holder for Environment                 |
| Andrew Green     | - Dog Warden                                       |
| Rachel Housley   | - Environmental Enforcement Technical Officer      |
| Stephen Jacques  | - Dog Warden                                       |
| Darren Mitchell  | - Grounds Maintenance and Cleansing Manager        |
| Kevin Revell     | - Environmental Enforcement Co-ordinator           |
| Lillian Robinson | - Portfolio Holder for Community Safety and Health |
| Kevin Shillito   | - Principal Solicitor                              |
| Heather Summers  | - Head of Neighbourhoods – Rykneld Homes           |
| Anne Young       | - Environmental Enforcement Technical Officer      |