

North East Derbyshire District Council

Cabinet

3 August 2016

Lead Officer Response, in conjunction with the Portfolio Holder, into the Scrutiny Review on Environmental Despoilment and Action Plan

Report of Councillor M Gordon, Portfolio Holder with Responsibility for Environment

This report is public

Purpose of the Report

- To update Cabinet on the development of an Action Plan to meet the recommendations which were approved by Cabinet at its earlier meeting (8 June 2016) arising from the Communities Scrutiny Committee's Review of Environmental Despoilment

1 Report Details

1.1 The Assistant Director Streetscene and the Environmental Health Manager have developed an Action Plan (attached **Appendix 1**) to meet the following approved recommendations:-

- (i) That dog wardens consider participating in the member walkabouts undertaken in the communities if able to be there.
- (ii) That the Environmental Team considers, jointly with the Street Scene Service, undertaking more educational activities at schools within the District.
- (iii) 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.
- (iv) That the Council considers how it can take a more forceful approach on littering at supermarkets and businesses, including consistent contact with the organisations.
- (v) 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.

- 1.2 The Council continues to make maintenance and cleanliness of its local street scene environment a priority; and, where able, takes appropriate enforcement action against persons and businesses that cause despoilment. The Action Plan is therefore aimed in maintaining high standards of street scene and customer satisfaction which is facilitated by close interdepartmental working between Streetscene and Environmental Health.
- 1.3 Since the scrutiny review, a Joint Fly Tipping Policy has been implemented by Environmental Health in conjunction with Streetscene, setting out the actions that the Council can take to deal with illegal waste activities.

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 part of the scrutiny review a wide range of stakeholders were consulted.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council's Streetscene and Environmental Health duties arise from its 'Principal Litter Authority' status, reflecting statutory and regulatory requirements. Therefore, a 'do nothing' approach is not an option; in particular, due to the Council having need to clearly set out standards by which it will maintain its local Streetscene. The Improvement Action Plan (**Appendix 1**) sets out actions designed to meet these and support wider policy statements.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 Streetscene and Environmental Health service functions are predominantly provided by way of established general fund budgets; and, whilst a number of actions set out in the Action Plan are containable within existing resources, increased education and awareness may not be realistically met by way of current resources.
- 5.1.2 Increasing demand and expectation in the undertaking of enforcement action against illegal waste activities (a duty of the Joint Environmental Health Service) will place increased pressure on constrained Environmental Health resource. The provision of educational advice is integral to this duty and therefore may require further review and consideration.
- 5.1.3 Streetscene employ a Joint Community Recycling Promoter who operates across Bolsover and North East Derbyshire undertaking education and awareness raising in waste and recycling. The duties of this role may be extended to meet a wider environmental despoilment remit. However, given this equates to only 0.50FTE at NEDDC, limited scope would be afforded.

- 5.1.4 Over the course of the past 12 months, a second (temporary) Community Recycling Promoter has been engaged and met by way of funding from Derbyshire County Council. This has greatly assisted in raising each Council's combined recycling performance by 1% (BDC) and 2% (NEDDC) equivalent to 1,500tonnes (approx.) waste diverted from landfill across the two Councils.
- 5.1.5 If this resource was to be established moving forward, it would provide much greater scope to enhance environmental despoilment education and awareness and dovetail this with waste minimisation and recycling education activities.
- 5.1.6 The cost of establishing a second Community Recycling Promoter position would be £30,000 (approx.) equivalent to £15,000 (approx.) per Council. It is therefore proposed, subject to Cabinet's approval, that a fuller business case is developed by the Assistant Director Streetscene and reported back to Cabinet; in particular, where new funding is required; or, this be established using Chief Executive Officer delegated powers where increased costs are containable within existing budgets and jointly met by the Council's Strategic Alliance Partner.

5.2 Legal Implications including Data Protection

- 5.2.1 The Council is obliged by statutory duty to provide various street scene functions in areas of street cleansing and environmental health enforcement. These duties are defined by the Council's Principal Litter Authority status set out in the Environmental Protection Act 1990.

5.3 Human Resources Implications

- 5.3.1 In order to enhance the delivery of educational and awareness themes as part of the recycling role it is proposed to increase Streetscene Team (Community Recycling Promoter) resource as set out at 5.1.3 to 5.1.6 of this report.

6 Recommendations

- 6.1 Cabinet approve the Action Plan (**Appendix 1**) to meet recommendations arising from their earlier meeting.
- 6.2 The Assistant Director Streetscene develops a business case in consideration of establishing a second Community Recycling Promoter; subject to which, he reports back to Cabinet where new funding is required; or, alternatively, this is established using Chief Executive Officer delegated powers where costs are containable within existing budgets and jointly met by the Council's Strategic Alliance Partner.
- 6.3 The Environmental Health Manager reviews the current arrangements and resources to address illegal waste activities at both Councils and reports back to Cabinet.

7 Decision Information

Is the decision a Key Decision? (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)	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Affected	All District Wards
Links to Corporate Plan priorities or Policy Framework	<ul style="list-style-type: none"> • Providing our Customers with Excellent Service; • Supporting our Communities to be Healthier, Safer, Cleaner and Greener.

8 Document Information

Appendix No	Title
1	Environmental Despoilment Action Plan
Background Papers (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
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ENVIRONMENTAL DESPOILMENT – ACTION PLAN

Focus Area	Action	By Who
<p>1. Environmental Despoilment Education and Awareness raising, including producing a rolling programme of events, news articles and initiatives.</p>	<p>a) Undertake 10 local environmental enforcement and educational initiatives in targeted areas to deal with dog fouling, littering and fly tipping (Corporate Plan Target).</p> <p>b) Environmental Health (EHT) & Streetscene (SST) Teams undertake joint educational activities at schools throughout the District(s); particularly, in areas with despoilment ‘hot spots’.</p> <p>c) Produce biannual district wide media articles to raise awareness of environmental despoilment and cleanliness issues via ‘The News’ and ‘In Touch’ and/or other media streams.</p> <p>d) Utilise social media in the education of relevant target groups.</p> <p>e) Work in partnership with Parish & Town Councils to promote and support community groups in the undertaking of local litter picks and clean-ups.</p> <p>f) Coordinate where possible, District, Parish and Town Council resources to ensure effective deployment of street cleansing resource.</p> <p>g) Dog Wardens/Environmental Enforcement Technical Officers, CAN Rangers and Community Recycling Promoters to participate, where relevant, in Elected Member\estate walkabouts and community events.</p>	<p>ADS EHM</p>
<p>2. Proactive enforcement of fly tipping, littering and dog fouling and feedback to relevant parties interested in outcomes of incidents.</p>	<p>a) Establish a joint (EHT\SST) mobile CCTV camera deployment program across District’s fly-tipping and littering ‘hot spots’.</p> <p>b) Intelligence/evidence obtained by SST passed to EHT in prescribed manner to ensure continuity of evidence and evidential tests are met.</p> <p>c) Progress and/or outcome of enforcement actions communicated to SST and other relevant stakeholders.</p> <p>d) Where appropriate, utilise social media to gather information in the identification of offenders.</p> <p>e) Publicise enforcement outcomes\successes via hard publications and electronic media channels.</p>	<p>ADS EHM</p>

Focus Area	Action	By Who
3. Education and enforcement of businesses in their duty of care requirements for litter and refuse arising from businesses activity.	a) Where appropriate, require landowners and businesses to keep relevant land clear of refuse and litter by use of enforcement powers (i.e. Community Protection Notices). b) Provide advice to businesses on duty of care responsibilities to ensure such premises have effective waste management arrangements in place. c) Coordinate Environmental Health, Streetscene and CAN Rangers existing duties to ensure effective and efficient use of resource. d) Provide training to relevant front line staff in evidence gathering. e) Identify and adopt good practice where applicable including relevant government recommendations and guidance.	ADS EHM

Legend

ADS – Assistant Director Streetscene

EHM – Environmental Health Manager

July 2016