

<b>MEETING:</b>	<b>ENVIRONMENT SCRUTINY COMMITTEE</b>
<b>DATE:</b>	<b>26 MARCH 2010</b>
<b>TITLE OF REPORT:</b>	<b>PROGRESS REPORT ON COMMUNITY PROTECTION TEAM</b>
<b>REPORT BY:</b>	<b>ACTING HEAD OF ENVIRONMENTAL HEALTH &amp; TRADING STANDARDS</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To update the Committee on the work of the Community Protection Team since the last Committee Report in September 2009.

### **Recommendation(s)**

**THAT subject to any comments the Committee may wish to make the contents of this report be noted.**

### **Introduction and Background**

- 1 On 14 September 2009 this Committee noted a report on the establishment of the Community Protection Team.
- 2 The Committee agreed that an update on the work of the team should be provided after six months. This report provides that update.

### **Key Considerations**

- 3 The Community Protection Team reached its full establishment of a Team Leader, 5 enforcement officers and 2 Dog Wardens on 4 January 2010.
- 4 The team's main areas of business are fly-tipping, abandoned vehicles, littering, graffiti, and dog related issues (stray dogs and dog fouling). There have been a number of developments/work-streams in these areas over the last six months aimed at making the team's activities as effective as possible
- 5 In general terms the work-load of the team has increased and continues to do so as its existence becomes more widely known.

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Further information on the subject of this report is available from  
Shane Hancock, Acting Regulatory Services Manager on (01432) 261752

- 6 On 28 September 2009 the Integrated Environment & Regeneration System went 'live' allowing the recording of and reporting on service requests far easier. Since that date, to 28 February 2010 (5 months), the team has dealt with 1387 service requests, as shown in the table below.

<b>Service request category</b>	<b>Number of reports actioned</b>
Fly-tipping	548
Abandoned vehicles	122
Litter	39
Fly-posting	18
Graffiti	14
Dog related issues	500
Miscellaneous issues	146
<b>Total</b>	<b>1387</b>

- 7 Dealing with such service requests involves initial contact with the complainant, investigation and/or targeted patrolling depending upon the report (both can be protracted), file building and keeping the complainant updated. As such a particular service request may be resolved very quickly, i.e. the same day, or may become an inquiry/investigation that takes place over a number of weeks.

### **Fly-tipping**

- 8 Fly-tipping is subject to a national indicator, NI 196, and as such is a key area focussed upon. NI 196 measures a local authority's performance based on a combination of calculating its year on year change in total incidents of fly-tipping dealt with, compared with its year on year change in enforcement actions taken against fly-tipping. In 2008/09 Herefordshire was graded as 2 (effective).
- 9 Year to date (April to February) 2009/10 the total number of reported incidents of fly-tipping is 708. This compares with 793 in the same period in 2008/09, an 11% reduction. Whilst this reduction is good news a reduction in itself will not raise the grading to 1 (very effective). The reduction needs to be complemented by an increased number of enforcement actions, meaning prosecutions, cautions, warnings, duty of care inspections, and stop checks.
- 10 This enforcement activity is now happening through the processes that have been put place over the last six months, albeit they may not be sufficient to achieve a 'very effective' grading for 2009/10. A full year of enforcement activity under the principles now established is likely to achieve a grading of 1 in 2010/11.
- 11 Between April and August 2009, the time during which the team was becoming established and working practices were being developed, there was no significant enforcement activity. In

the last six months (September to February) the following has been achieved:

- a. every reported incident of fly-tipping is investigated to the extent that is practicable, and timely action is taken to remove the fly-tipped waste;
- b. 4 prosecutions and convictions (detailed below under 'successes');
- c. 1 formal caution administered;
- d. 2 formal written warnings;
- e. 82 warning/advisory letters issued;
- f. 2 fixed penalty notices issued;
- g. 39 duty of care inspections carried out;
- h. 4 stop search operations carried out with VOSA;
- i. 15 ongoing investigations with named suspects.

12 With regards to the duty of care inspections the team works very closely with waste management to ensure that inspections are targeted.

13 The team has just started to carry out joint patrols and conduct joint stop and search operations with the Vehicle and Operator Services Agency (VOSA). In the most recent operation 42 vehicles suspected of carrying waste were stopped and checked to ensure they had the appropriate documentation.

### **Abandoned vehicles**

14 The team dealt with 122 reports of an abandoned vehicle between October and February. After investigation many of these proved not to be abandoned, others were removed following intervention with the owner and 8 were removed as abandoned vehicles.

### **Litter**

15 Litter is a significant issue, primarily identified through PACT meetings and surveys, and other meetings. The team works closely with Amey to ensure reported litter accumulations are removed in a timely way, and has conducted targeted patrols in a number of areas that have been identified as hot spots, for example Cathedral Close, Churchill Gardens, and areas around the Colleges. Ten Fixed Penalty Notices have been issued for dropping litter; not a high number, but enforcement is difficult relying as it does on an enforcement officer seeing someone drop and leave litter.

16 Notwithstanding this, patrols specifically targeting litter issues have been introduced each Saturday on a rotational basis across Hereford, the market towns and other villages as required. Littering is also high on the agenda of officers conducting patrols at other times.

### **Graffiti**

17 Whilst the police remain the lead investigatory agency for graffiti the Community Protection Team is involved with the environmental aspects of this, and is particularly conscious of the detrimental impact it can have on areas, the potential to lead to other types of anti-social behaviour, and the negative impact on public perceptions of safety.

18 With this in mind the team was instrumental in the TAAG (Targeted Action Against Graffiti) campaign that ran across the county between 22 February and 5 March. This involved working with Amey, Safer Herefordshire and the police. The two weeks of the campaign involved a clean-up of the worst affected areas, media coverage, and on-street surveys. The ongoing part of the campaign, post 5 March, will be to monitor those areas, ensure timely action on any fresh graffiti, conduct follow-up surveys to measure satisfaction, and ongoing activity to identify and clean other locations that have graffiti.

### **Dog related issues**

19 The two dog wardens who are a part of the team dealt with 228 stray dog reports in the five months October to February. This involved collecting dogs found as strays, taking them to council kennels, and in respect of those where the owner was identified picking the dog up from the kennels and returning it to the owner. This has unfortunately meant that they have had very little time to respond to reports of dog fouling, an issue frequently raised at PACT and other meetings, or to carry out proactive work around responsible dog ownership. That said the Dog Wardens, supported by other members of the team, do carry out targeted patrols whenever possible. Five Fixed Penalty Notices have been issued for dog fouling.

20 With effect from 1 March a new contract and some agreed changes to working practices has meant that most of the stray dog service is now contracted out releasing the time of the Dog Wardens to carry out work around enforcement and education. This is particularly welcome as the work on Dog Control Orders is close to being finalised. Dog Control Orders will remove the current issues that make enforcement difficult, specifically the issues in proving specific areas of land have been designated for the purposes of the Dogs (Fouling of Land Act) 1996.

### **Other areas of work**

21 Working with the community and partners on various issues is important and the team has been involved in a number of events to promote its work, for example -

- PACT meetings - during the last two rounds of meetings a member of the team has given a presentation on its work. A member of the team will be in attendance at all future PACT meetings to deal with issues raised. Working alongside partners a member of the team also attends as many open PACT meetings as is possible;
- 'Not in my Neighbourhood' week of action (October 2009) - working with the other council departments, the Police, the Fire Service, Amey and Safer Herefordshire on a number of key issues across the County, for example an environmental clean-up day in Bromyard, and information events in Ledbury and Hereford;
- Community Safety Roadshow, High Town on 11 November 2009;
- joint late night shopping patrols with the police in the run up to Christmas.

### **Prosecutions**

22 The team has secured four successful prosecutions, as follows:

- a. 25/09/09 – James ROGERS convicted at Herefordshire Magistrates Court of an offence under the Environmental Protection Act 1990. Fined £1,000 plus £470.92 costs.
- b. 23/10/09 – Neil OSEMAN convicted at Herefordshire Magistrates Court of an offence under the Environmental Protection Act 1990. Fined £105.00, plus £200.00 costs.

- c. 20/11/09 – John BUCKLEY sentenced at Crown Court following conviction by Herefordshire Magistrates for an offence under the Environmental protection Act 1990. Fined £985.00, with a £15.00 surcharge, plus £1,000 costs.
- d. 22/01/10 – Martin CAMPBELL convicted at Herefordshire Magistrates Court of an offence under the Environmental Protection Act 1990. Fined £350.00, with £425.70 costs, plus £135.25 compensation.

### **Future plans**

- 23 During the next twelve months the team will continue to seek to respond to reported incidents of environmental anti-social behaviour in a customer focused way, with the intention of making a difference to local communities in a way that positively contributes to feelings of well-being and satisfaction.
- 24 Specifically the team will strive to achieve a grade 1 rating for the authority in respect of NI 196.
- 25 It will also seek to deliver focused projects/initiatives in respect of its key areas of business. So in each quarter of 2010/11, working with partners, there will be an initiative on either fly-tipping, littering, dog related issues, or graffiti, each initiative capturing aspects of education, prevention and enforcement. Each of these will also seek to contribute to the various National Indicators that measure public perceptions and satisfaction with the way the council (and police as appropriate) deal with anti-social behaviour.
- 26 In terms of education the team has already committed its support to a number of events, for example, the Safer Herefordshire Crucial Crew day, the 'Dying to Drive' event, and a 'Responsible Dog Owners Course. The team will also be exploring how best to take its message into schools.
- 27 Whilst Civil Enforcement Officers (CEO's) have a very specific role in respect of on-street and off-street parking regulation they are also in a position to contribute to the wider community safety agenda. Each day there are possibly a dozen uniformed CEO's on the streets of Herefordshire. As 'eyes and ears' they are already in a position to signpost issues internally or to partners and this does happen. Taking this a stage further would enable them to deal with issues they come across whilst on patrol, for example littering and dog-fouling. This has significant potential to have a positive impact on public perceptions around how the council deals with these aspects of anti-social behaviour, and is of course the rationale for structuring CEO's alongside the Community Protection Team. They have already engaged in some joint patrols and it is not so hard to imagine how as a one large enforcement team they could do even more. Increasingly local authorities are testing the boundaries to maximise the use of this valuable resource. Whilst this is not without challenges it is an area for further consideration and one that we will be exploring during the forthcoming year.

### **Community Impact**

Information/update report only - no community impact considerations.

### **Financial Implications**

Information/update report only - no financial implications.

### **Legal Implications**

Information/update report only - no legal implications.

## **Risk Management**

Information/update report only - no risks identified.

## **Consultees**

Not applicable.

## **Appendices**

None.

## **Background Papers**

None identified.