



Agenda

Environment and Enforcement Committee

Tuesday, 24 October 2017 at 7.00 pm

Membership (Quorum – 3)

Cllrs Parker (Chair), Bridge (Vice-Chair), Barrell, Clarke, Cloke, Mrs Fulcher, Kendall, Mrs Middlehurst and Mrs Slade

| Agenda Item | Item | Wards(s) Affected | Page No |
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| 1. | Apologies for Absence | | |
| 2. | Minutes of the Previous Meeting | | 5 - 10 |
| 3. | Participation Survey | All Wards | 11 - 16 |
| 4. | CrimeNotToCare Campaign Update and Christmas Recycling Road Shows | All Wards | 17 - 22 |
| 5. | Corporate Enforcement Team | All Wards | 23 - 38 |
| 6. | Open Space Protection Measures | All Wards | 39 - 44 |
| 7. | Urgent Business | | |

A handwritten signature in dark ink, appearing to read 'P. L. R. 53', with a long horizontal flourish underneath.

Chief Executive

Town Hall
Brentwood, Essex
16.10.2017

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

Information for Members of the Public

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The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

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Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the North Front Car Park.



Minutes

Environment and Enforcement Committee Wednesday, 28th June, 2017

Attendance

| | |
|--------------------------|----------------------|
| Cllr Parker (Chair) | Cllr Cloke |
| Cllr Bridge (Vice-Chair) | Cllr Kendall |
| Cllr Barrell | Cllr Mrs Middlehurst |
| Cllr Clarke | Cllr Mrs Slade |

Apologies

Cllr Mrs Fulcher

Substitute Present

Cllr Mynott (substituting for Cllr Mrs Fulcher)

Officers Present

| | | |
|--------------|---|-------------------------------------|
| David Carter | - | Environmental Health Manager |
| Zoey Foakes | - | Governance & Member Support Officer |
| Philip Ruck | - | Chief Executive |
| Dawn Taylor | - | Business Support Services Manager |
| Tony Willson | - | Street Inspector |

47. Apologies for Absence

Apologies were received from Cllr Mrs Fulcher and Cllr Mynott substituted.

48. Minutes of the Previous Meeting

The minutes from the Environment and Housing Committee held on 9 March 2017 were approved as a true record.

49. Performance Presentations

A presentation was given by Mr Carter on figures for service requests for Environmental Health, a breakdown of the fly-tipping cases, Enforcement action taken and the number of prosecutions and Fixed Penalty Notices (FPNs) issued.

- The number of service requests had a slight increase year on year (2016/17 to 2017/18).

- There had been 39 cases of fly-tipping for 2017/18.
- 3 cases of prosecutions had taken place with a record fine for Brentwood Borough Council (BBC) of £3727 – the courts received the fine and BBC received the costs involved.
- Duty of Care posters were delivered with Council Tax letters to all residents to raise awareness.

Mr Willson presented on the fly-tip numbers broken down by year and months from 2012-2017, fly-tip size for 2016/17, classification of waste and classification of land fly-tips occurred.

- No patterns or trends emerged on fly-tip numbers from 2012/13 to 2016/17.
- Hidden cameras had been placed in rural areas.
- 8 FPNs and 2 CPNWs had been issued in the last 2017 to date.
- Small vans, transits vans and single item fly-tips accounted to three quarters of all fly-tips in the Borough.
- 96% of all fly tips occurred on Essex County Council land.

50. Essex Countywide Traveller Unit and Open Space Protection Measures

The report provided an update on measures to protect Council owned land from unauthorised incursions and on the Council's membership of the Essex Countywide Traveller Unit (ECTU).

Cllr Parker gave an update that the charges to ECTU for Brentwood would be increased by 8%.

ECTU dealt with Brentwood Borough Council and Parish Council land but Cllr Kendall asked officers to provide advice and guidance to private landowners such as sports clubs/pitches on how to defend and protect their land.

A motion was **MOVED** by Cllr Parker and **SECONDED** by Cllr Bridge to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** that:

Members approved the potential additional expenditure to maintain ECTU membership for 2017/18 due to increased enforcement costs of incursions.

Reason for recommendation

To continue to effectively deal with unauthorised incursions onto Council and Parish Council land in the Borough and to reduce the impact of additional expenditure.

51. Enforcement in the Council

The Council were engaged in a variety of Enforcement actions across its services.

The purpose of the paper was to propose that a Corporate Enforcement Team (CET) be established in order that the Council be in an improved position to respond when enforcement activity was required.

It was made clear that Enforcement activity did not relate to the setting of fees or charges. The establishment of fees or charges being the responsibility of the relevant committee or statutory instrument.

A motion was **MOVED** by Cllr Parker and **SECONDED** by Cllr Cloke to approve the recommendations in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** that:

1. **The committee approve the appointment of a General Manager Corporate Enforcement, in line with Council HR policies and procedures. Such process and appointment to be managed by the Chief Executive.**
2. **The Chief Executive and the appointed General Manager Corporate Enforcement bring back to the September Committee meeting, a work plan for Enforcement Activity.**

Reason for recommendations

The organisation needed to adapt its structure to support changes in circumstances and its aims.

52. Update on Neighbourhood Action Team

At the Environment and Housing Management Committee on 9th March 2017, it was reported that there had been an investment in Front Line Services to resource a team to assist with clearing fly-tips and hence allowing the Neighbourhood Action Team (NAT) to return to working on requests from Members within their wards on a 15 week cycle.

The Neighbourhood Action Team had been working on Members ward requests since 3rd April 2017, and had nearly completed the first 15 week rota. The new rota commenced Monday 17th July 2017 in Brentwood North (see Appendix A). It was noted that the template circulated to Members just required the location and description of requested task and where possible for the tasks to be listed in order of priority.

The committee thanked Ms Taylor and NATs for the excellent work completed and the speed in which this had been done.

A motion was **MOVED** by Cllr Parker and **SECONDED** by Cllr Bridge to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** that:

Members agree the arrangements for the Neighbourhood Action Team, and agree to actively participate in submitting on the request template to nats@brentwood.gov.uk two weeks prior to the team being in their ward.

Reason for recommendation

The Neighbourhood Action Team will enhance the work of the operational teams, and it would be an opportunity for Ward Members to liaise with Officers giving them details of hotspots that needed attention within their wards. The work carried out should create a visual impact within wards making Brentwood a cleaner and greener place for all to enjoy.

53. Recycling Roadshows and Campaign Update

The report was to notify Members of the forthcoming Recycling events planned for the summer period. Officers were to be present to raise awareness of recycling by answering questions, provide advice and hand out rolls of recycling sacks and food waste bags to residents.

To support the Love Essex 2017 and Keep Britain Tidy “Crime Not To Care” campaign (made up of representatives from 14 local Essex Authorities, Essex County Council and Keep Britain Tidy – (Cleaner Greener Group). Previously the group had undertaken successful Litter Awareness Campaigns working alongside their partners such as McDonald’s, Dominoes, Keep Britain Tidy and Essex County Council. In September 2017, the focus was on fly tipping and primarily raising awareness about the Duty of Care for householders when disposing of their household waste.

The campaign further complemented the “Duty Of Care” flyer produced by Environmental Health, which was delivered earlier in 2017 to every resident with their Council Tax letter.

Cllr Kendall requested that more posters on fly-tipping and the fines be displayed around the Borough. Cllr Kendall also requested that information was provided to residents at the Roadshow events with guidance on Amenity sites. It was noted that there was a link about the Amenity Centres on the councils website.

Ms Taylor explained that the new campaign for Autumn focused on these issues and “Crime Not to Care” to raise awareness of Duty of Care and the fines involved. Ms Taylor emphasised the need to “Educate, Engage and Enforce”.

A motion was **MOVED** by Cllr Parker and **SECONDED** by Cllr Mrs Middlehurst to approve the recommendations in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** that:

1. **Members agree the arrangements for the forthcoming Recycling Road Show events to be held during the Summer months of 2017.**
2. **Members agree to actively participate in supporting the events and the Duty of Care campaign.**

Reasons for recommendations

Holding road shows can assist in helping to increase recycling and to encourage a change of behaviour for those who think it is acceptable to drop litter, as well as answering questions residents may have had.

To raise residents awareness about Householders “Duty of Care” for disposing their rubbish responsibly.

54. Traffic Regulation Orders - Byways

At the Environment and Housing Management Committee, 9 March 2017, it was recommended that Essex County Council was contacted with a view to impose a temporary Traffic Regulation Order (TRO) on Public Byway 55 – Navestock, Brentwood.

Essex County Council had responded – letter of 9 March 2017 – and indicated that the option would only be considered to facilitate the removal of fly-tips.

(Cllr Kendall declared a pecuniary interest being an Essex County Councillor.)

Cllr Kendall suggested that contact be made with County Cllrs Walsh and Grundy in order for them to see the byway and the seriousness of the fly-tipping to assist with moving this issue forward.

A motion was **MOVED** by Cllr Parker and **SECONDED** by Cllr Kendall to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** that:

The Committee continue to liaise with Essex County Council in order to seek closure or the regulation of byways.

Reason for recommendation

Members were reminded that fly-tipping was an issue along the rural byways of Brentwood and despite the complications of meeting the legal requirements of regulating byways, Brentwood Borough Council should continue to liaise with Essex County Council and other groups to seek resolutions to the abuse of the byways.

55. Urgent Business

There were no items of urgent business to discuss.

The meeting ended at 21:00.

24 October 2017

Environment & Enforcement Committee

Participation Survey

Report of: *Dawn Taylor – Business Support Services Manager*

Wards Affected: *All wards*

This report is: *Public*

1. Executive Summary

- 1.1 The Technical Officer for education and recycling, monitored a minimum of 1100 households, in order to assess the uptake for the Council's waste and recycling kerbside services.
- 1.2 The survey took place in April, May and June of 2017. The monitoring covered a period of eight weeks, ensuring the capture of as much data as possible.
- 1.3 The participation rate results indicate that despite the reduction in the tonnage of recyclables collected the participation rate has increased for recyclables, when compared with the results of a survey taken in 2014- with the exception of food waste.

2. Recommendation(s)

- 2.1 That the Committee note the results of the Participation Survey to enable further debate on the appropriate actions to be taken with the issues concerning the reduction in recyclables collected and the increase in residual waste collected.**

3. Introduction and Background

- 3.1 The Chair requested that a Participation Survey of waste and recycling was undertaken and the results reported to the Committee.
- 3.2 Participation monitoring is an important measure, particularly as we can compare the results with a previous survey undertaken in 2014.

3.3 A household is defined as a participant if it sets out waste or recycling at least once within the eight week period of the survey. The rate is calculated over a number of collection opportunities to ensure allowance is made for the week(s) when a household does not present their waste and recycling, due to a number of reasons: for example, containers are not full, they forget or are away.

3.4 The set out rate was also calculated; this is the proportion of households that put out materials on one collection opportunity.

4. Issue, Options and Analysis of Options

4.1 The recycling rate and recycling tonnages have been dropping over recent years: for example between 2012/13 and 2016/17 the recycling rate dropped by 6% and the volume of mixed dry recyclables collected dropped by 934 tonnes (16%).

4.2 It should be noted that landfilled residual waste increased by 1,722 tonnes (12%) over the period 2012/13 to 2016/17, this equates to a c.50 kg increase per annum per household.

4.3 The issues of the fall in recycling may be arising due to the following barriers:

- Situational – e.g. lack of space
- Behavioural – e.g. too busy
- Knowledge – e.g. understanding of the schemes
- Attitude – e.g. uncaring

The barriers listed are interdependent; it's likely that the reasons for non-compliance will be a combination of two or more.

4.4 It was decided in order to enhance the understanding of the issues a participation survey was undertaken.

4.5 Participation results as a percentage:

| | 2017 | 2014 |
|-----------------|-------------|-------------|
| Food | 42.4 | 43.2 |
| Garden | 53.0 | 23.3 |
| Glass | 57.4 | 42.8 |
| MDR | 89.9 | 84.9 |
| Textiles | 1.7 | 0.0 |
| Residual | 90.6 | 83.7 |

4.6 The average set out rates as a percentage:

| | Average |
|----------|---------|
| Food | 27.3 |
| Garden | 16.5 |
| Glass | 18.3 |
| MDR | 70.0 |
| Textiles | 0.2 |
| Residual | 68.0 |

4.7 Participation rates for 2017 are encouraging when compared with the results from 2014. MDR has increased despite a reduction in tonnage. The reduction could be due to an increase in contamination and recyclate that is lighter; additionally there may be an educational issue whereby residents need to be better informed as to what can be recycled.

4.8 Despite a positive direction for food, garden and glass, evidently more can be done to encourage greater participation.

4.9 Four recycling road shows were held in October and five recycling road shows are planned for December, which will be helpful in promoting the benefits of recycling. They are an opportunity to address the barriers to recycling that residents may have on a 'face to face' basis.

4.10 The Technical Officer for education and recycling will also use the data collated to facilitate a doorstepping exercise; whereby householders who are not recycling can be approached on a 'face to face' basis and assistance can be offered to help and encourage them to recycle their waste.

- 4.11 The following data table provides the participation rate for the Wards-excluding Brentwood West, Brentwood South and Hutton East:

| | Food | Garden | Glass | MDR | Textiles | Residual |
|---|-------------|---------------|--------------|------------|-----------------|-----------------|
| BRENTWOOD NORTH | 45.6 | 42.1 | 70.2 | 94.7 | 1.8 | 96.5 |
| BRIZES AND DODDINGHURST | 42.7 | 44.7 | 68.9 | 92.2 | 1.0 | 95.1 |
| HERONGATE, INGRAVE AND WEST HORNDON | 27.9 | 52.4 | 56.5 | 81.0 | 2.0 | 84.4 |
| HUTTON CENTRAL | 43.6 | 49.1 | 45.4 | 83.4 | 0.6 | 83.4 |
| HUTTON NORTH | 35.2 | 60.4 | 49.5 | 89.0 | 1.0 | 88.0 |
| HUTTON SOUTH | 49.6 | 49.6 | 60.4 | 91.4 | 2.0 | 92.8 |
| INGATESTONE, FRYERNING AND MOUNTNESSING | 32.0 | 58.6 | 50.0 | 93.1 | 3.4 | 98.3 |
| PILGRIMS HATCH | 34.9 | 49.2 | 61.9 | 93.7 | 0.0 | 95.2 |
| SHENFIELD | 53.4 | 71.7 | 67.6 | 95.4 | 2.7 | 95.0 |
| SOUTH WEALD | 28.9 | 39.2 | 45.4 | 82.5 | 3.1 | 82.5 |
| TIPPS CROSS | 56.7 | 61.7 | 68.3 | 93.3 | 1.7 | 90.0 |
| WARLEY | 50.7 | 34.3 | 40.3 | 98.5 | 0.0 | 95.5 |

5 Reasons for Recommendation

- 5.1 Members are required to be fully informed on the status of the Council's waste and recycling services; with particular reference to data captured: such as the results of this participation survey and statistics on weights collected.
- 5.2 Members will be able to contribute to the ongoing process of helping to evolve the strategy for engagement with householders.

6 References to Corporate Plan

- 6.1 The approval of the recommendation will enable the Council to focus on reducing waste of all sorts by promoting either re-use or recycling through developing educational opportunities to encourage waste minimisation and recycling.

7 Implications

Financial Implications

Name & Title: Jacqueline van Mellaerts, Financial Services Manager
(Deputy S151 Officer)

Tel & Email: 01277 312 829 /

Jacqueline.vanmellaerts@brentwood.gov.uk

- 7.1 No direct financial implications arising from this report.

Legal Implications

Name & Title: Daniel Toohey – Head of Legal Services and
Monitoring Officer

Tel & Email: 01277 312 860 daniel.toohey@brentwood.gov.uk

- 7.2 There are no legal implications arising from this report.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 7.3 None

Report Author Contact Details:

Name: Dawn Taylor, Business Support Services Manager

Telephone: 01277 312668

E-mail: dawn.taylor@brentwood.gov.uk

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24th October 2017

Environment & Enforcement Committee

#CrimeNotToCare Campaign Update and Christmas Recycling Road Shows

Report of: Dawn Taylor – Business Support Services Manager

Wards Affected: All wards

This report is: Public

1. Executive Summary

- 1.1 This report is to notify Members of the forthcoming Recycling events planned for the December period. Officers will raise awareness of recycling by answering questions, providing advice and handing out rolls of recycling sacks and food waste bags to residents.
- 1.2 To update members on the Love Essex 2017 #CrimeNotToCare campaign which was launched on Monday 4th September and run for six weeks. Brentwood Council held one of the Essex two launch events on Friday 8th September 2017, where Street Scene Operatives built a large fly tip using a third of items that they had collected that week from the Borough, as a visual example of the scale of fly tips. Staff from Street Scene and Environmental Health were joined by Keep Britain representatives and Councillors to talk to the public about fly tipping. The waste on display was a third of what had been collected from fly tips in the Borough that week and it was certainly a talking point with many passers-by stopping to take pictures and ask questions about it! The Leader of the Council did an interview with BBC Look East at the scene which was aired that evening. The press coverage for the launch week had been comprehensive so hopefully getting the message out to residents throughout Essex.
- 1.3 Environmental Health Officers undertook a Stop and Search activity with the Police within the campaign period in an operation to prevent fly tipping. Stops were made on vehicles that were or could be carrying waste and drivers were checked to make sure they had waste transfer information and a license to transport and dispose of commercial waste they carry. Two vehicles were found to be suspicious and will be followed up to ensure they are disposing of commercial waste correctly. Fixed penalty notices of up to £600 can be issued for contraventions of carrying or disposing of waste without a license or waste transfer notice. The officers will be out again on a regular basis doing the same operation. The Environmental Health

Officers have also shown police officers what to look for when they stop those who may be illegally transporting commercial waste. This includes waste generated from a business or from a business activity, such as debris that might be handled by a builder or the garden waste that a gardener may move. Officers are also in regular communication with the local police regarding looking out for vehicles of interest and fly tipping information sharing.

2. Recommendations

- 2.1 Members to note and support the arrangements for the forthcoming Christmas Recycling Road Show events to be held during December 2017.**
- 2.2 Members to note details of the recent #CrimeNotToCare Campaign and local activities to help raise awareness regarding Duty of Care.**

3. Introduction and Background

- 3.1 We have a few Christmas Recycling Road shows during December, where the team will be out and about to assist residents with advising what can be recycled or reused after the Christmas Festivities, for helpful recycling tips, advise on Christmas tree recycling and stock up on free recycling sacks and food waste bags for the extra recycling that the Christmas festivities bring. The events planned for December are detailed below: -

- Wednesday 6th December – Christmas Recycling Road Show at Ingatestone Library, Ingatestone High Street, Ingatestone between 9 – 11am
- Friday 8th December – Christmas Recycling Road Show at land adj to Chapel High Ruins, High Street, Brentwood between 11am – 1pm
- Tuesday 12th December – Christmas Recycling Road show at Brentwood Centre, (foyer), between 11am – 1pm
- Friday 15th December – Christmas Recycling Road Show at land adj to Chapel High ruins, High Street, Brentwood between 11am – 1pm
- Monday 18th December – Christmas Recycling Road show in Shenfield Library, Shenfield between - 10am and 12 noon.

- 3.2 The Cleaner Greener Group in the past few years has concentrated on Litter awareness campaign alongside partners such as Keep Britain Tidy, MacDonald's, Dominos, KFC, Essex County Council, Local Essex Authorities etc., however this year it was decided that the group would this year do a campaign to try and tackle fly tipping which is a growing problem in Essex.

In the past 12 months there have been 17,547 fly-tipping incidents in Essex, costing over £1million of taxpayer's money to clear up.

#CrimeNotToCare campaign aims to ensure that residents do the right thing with their rubbish and to reduce the amount of household waste that is fly-tipped by rogue traders who offer to take people's waste away for money and then dump it. Giving waste to a 'man with a van' who offers to get rid of it cheaply could end up proving costly for people and result in a criminal record.

The message included within the campaign literature is that "It's your waste, it's your responsibility". If your waste is found dumped, even if someone else has done it, you could be responsible for the crime. A flyer and details on the Council's websites advises residents how to protect themselves and to follow the below tips:

- If you use a trader to remove your waste ask to see their waste carrier permit issued by the Environment Agency
- Ensure that you receive a transfer notice or receipt before your waste is taken away
- Don't be afraid to ask questions and ask for paperwork that shows where your waste is going
- Make a note of who you have given your waste to, their waste carrier details and vehicle details
- You should never leave any waste as an old washing machine or scrap metal on your drive or in the street for someone to remove. They may not be a registered waste carrier, and could take the bits they need and dump the rest.
- If you have unwanted items, donate good quality items to local reuse organisations or charity shops. You should never leave items out for others to re-use as these could end up being dumped.

4. Issue, Options and Analysis of Options

- 4.1 Through the personal approach of face to face engagement at road shows with residents it is possible to give more targeted information and receive useful feedback from residents, which other communication techniques such as leaflet drops cannot achieve on their own. It gives Officers an opportunity to ensure residents fully understand the Council's recycling and waste collections and services, and to address any barriers to recycling. It

is also an opportunity for residents to stock up on orange sacks and food waste bags to enable them to continue recycling especially important during December when residents are likely to have more recycling.

- 4.2 The Fly-tipping awareness campaign objective was to raise householder's awareness that everyone has a "Duty of Care" by law to ensure that only those with an authorised Environmental Agency permit can dispose of your unwanted waste, and that the owner of the waste could be fined up to £5,000 if they have not complied with the "Duty of Care" obligations.
- 4.3 By joining forces with the other Local Authorities in Essex in supporting the #CrimeNotToCare Campaign alongside Keep Britain Tidy it is hoped that the message will reach more people than undertaking individual campaigns within each area.

5. Reasons for Recommendation

- 5.1 Holding road shows can assist in helping to increase recycling and to encourage a change of behaviour for those who think it is acceptable to drop litter; as well as answering questions residents may have.
- 5.2 To raise resident's awareness about Householders "Duty of Care" for disposing their rubbish responsibly.

6. References to Corporate Plan

- 6.1 The approval of the recommendations will benefit the street scene and environment: -
 - Focus on reducing waste of all kinds by promoting either re-use or recycling.
 - Run Community clean campaigns to improve neighbourhoods.
 - In partnership with the whole community, we aim to make the Borough an even better place to live, work and visit.

7. Implications

Financial Implications

There are no direct financial implications arising from this report. The Campaign is designed to help reduce the cost of clearing up fly tipping incidents and encourage more recycling within the borough which will contribute savings to the Council's Medium Term Financial Plan.

Name & Title: Jacqueline Van Mellaerts, Financial Services Manager
(Deputy S151 Officer)
Tel & Email: 01277 312 829
jacqueline.vanmellaerts@brentwood.gov.uk

Legal Implications

The offence of fly-tipping and the additional offences of “knowingly causing” or “knowingly permitting” fly-tipping are set out in Section 33(1)(a) of the Environmental Protection Act 1990. Section 33 is enforceable by both the Environment Agency and the local authorities.

Anyone who produces waste has a duty of care under section 34 of the Environmental Protection Act 1990 to ensure that it is disposed of properly. Therefore a person may be guilty of an offence under section 34 if their waste has been found to be dumped, even if the dumping was carried out by someone else. The duty applies to both businesses and householders.

Name & Title: Mr Daniel Toohey, Head of Legal Services and Monitoring Officer.
Tel & Email: 01277 312860 daniel.toohey@brentwood.gov.uk

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

No additional Health & Safety risks above normal working operations.

7.1 None

8. Background Papers (include their location and identify whether any are exempt or protected by copyright)

8.1 None.

Report Author Contact Details:

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24th October 2017

Environment and Enforcement Committee

Corporate Enforcement Team

Report of: *Tracey Lilley/David Carter*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 At the meeting of the Environment and Enforcement Committee on 28th June 2017 the establishment of a Corporate Enforcement Team was approved, together with the appointment of a General Manager.
- 1.2 The Committee also approved a recommendation to bring back a workplan for Enforcement Activity to the next Committee meeting.

2. Recommendation(s)

- 2.1 **Members note the appointment of the General and Deputy Managers for Corporate Enforcement.**
- 2.2 **Members approve the draft Corporate Enforcement Strategy subject to consultation with senior managers.**

3. Introduction and Background

- 3.1 Appointment of General and Deputy Manager for Corporate Enforcement. Following an interview and selection process the General Manager post has been awarded to Tracey Lilley, with David Carter as Deputy Manager.
- 3.2 The new roles commenced from 1st October 2017 and will be managed in addition to their existing roles within the Council.
- 3.3 A draft Corporate Enforcement Strategy has been produced following consultation with relevant Chairs and the Chief Executive, which is attached at Appendix A.

- 3.4 The Strategy is also accompanied by an initial Action Plan which identifies key areas of work to be undertaken in establishing an effective and robust enforcement process whilst improving reporting and response to enforcement requests to the services provided by the Council.
- 3.5 The Council has successfully achieved Community Safety Accreditation from Essex Police. Staff from a number of service areas are currently being vetted by Essex Police to allow them to undertake the necessary training in order to be awarded Community Safety Accreditation together with powers similar to a Special Constable. This will enable the delivery of the enforcement actions made available to the Council through our partnership working.
- 3.6 The team will be improving links and communication between the Council services responsible for enforcement action and aims to provide a more efficient and robust response to service requests.

4. Issue, Options and Analysis of Options

- 4.1 The option proposed to establish the Corporate Enforcement Team was identified as the best outcome for the Council and its residents in the previous Committee report.

5. Reasons for Recommendation

- 5.1 To provide a measurable work plan for Corporate Enforcement to report on outcomes and achievements.

6. Consultation

- 6.1 Consultation with Members through the Committee structure, together with a proposed public consultation subject to approval of the draft document.

7. References to Corporate Plan

Our Purpose

To represent the views of our communities

To ensure the provision of efficient and effective services

To provide clear and strong direction based on clarity and trust

Environment and Housing Management

Develop effective partnership arrangements with key agencies to deliver services

Community and Health
Provide advice, support, guidance and enforcement

Make Brentwood a Borough where people feel safe, healthy and supported
Work with partners to reduce anti-social behaviour and ensure that Brentwood is a safe place to live

Planning and Licensing
Provide advice, support and enforcement to ensure that Brentwood is a safe place to live

Transformation
Provide more modern and effective customer services
Develop new ways of working for the Council, improving service delivery and reducing costs and unnecessary bureaucracy
Explore alternative methods of service delivery, including shared services and outsourcing

8. Implications

Financial Implications

Name & Title: Jacqueline Vanmellaerts Financial Services Manager (Deputy Section 151 Officer)
Tel & Email: 01277 312829 /
Jacqueline.vanmellaerts@brentwood.gov.uk

The financial implications have been set out in the report. The 2017/18 budget has allowed for any additional costs required, and creating a Corporate Enforcement Team will help reach the project savings of enforcement income of £20,000 included in the 2017/18 budget.

Legal Implications

Name & Title: Daniel Toohey, Head of Legal Services and Monitoring Officer
Tel & Email: 01277 312860 / daniel.toohey@brentwood.gov.uk

The setting up of a coordinated team of officers managed by a dedicated manager will greatly improve the effectiveness of enforcement activity and the consistency of instructions to the Council's Legal Service when taking enforcement action. Generally, this will enhance the Council's ability to meet and/or police the relevant statutory standards.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None identified

- 9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None

- 10. Appendices to this report**

Appendix A - Draft Corporate Enforcement Strategy 2017 including Corporate Enforcement Action Plan

Report Author Contact Details:

Name: David Carter Environmental Health Manager
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Corporate Enforcement Strategy

2017

DRAFT

Version Control

| Date | Version | Author |
|-------------|----------------|---------------|
| 11.10.17 | 1 | Tracey Lilley |
| | | |
| | | |

Brentwood Borough Council

Corporate Enforcement Strategy

Introduction

Brentwood Borough Council is committed to ensuring that all its enforcement actions seek to secure robust, efficient and effective compliance through a fair and consistent approach. Enforcement decisions must be impartial, justifiable and procedurally correct.

“Enforcement action must also be taken in accordance with the aims of the Enforcement Concordat of the Better Regulation Executive. As public regulators local authorities are accountable for managing the enforcement process.”

HSE Enforcement Management Model (EMM) 2013

This Corporate Enforcement Strategy aims to promote robust, efficient and effective approaches to regulatory inspection and enforcement across all service areas. The Council's intention is to improve regulatory outcomes without imposing unnecessary burdens whilst exploring opportunities to generate income in order to achieve the target of £20,000 income generation through streamlined processes and proactive enforcement.

The term "enforcement" in the context of this Strategy will be given a wide meaning. It covers any action by the local authority carried out in accordance with its statutory powers and duties which are intended to secure compliance with relevant legislation, laws or regulations. It therefore includes the formal enforcement process itself, such as investigation, prosecution, service of statutory notices, action in default, etc; but it also includes the provision of information, advice and assistance, and prevention measures.

Setting Priorities

Brentwood Borough Council ("the Council") is committed to continually improving its services and creating places, which are 'clean, green and safe' and where people want to live, work and visit.

The Council undertakes enforcement action to ensure that the quality of life and the health, safety and welfare of residents and visitors alike are maintained, that the borough is an attractive and welcoming place for all, that residents and visitors are not harassed or subjected to anti-social behaviour and that planning regulations are adhered to.

The Council's Corporate Plan for 2016 to 2019 has set out a clear vision:

To represent the views of our communities

To ensure the provision of efficient and effective services

To provide clear and strong direction based on clarity and trust

The Council will seek to use the range of enforcement powers available with the focus for action being;

- Ensuring a robust response to any incidents of anti-social behaviour;
- Providing an efficient, effective and consistent customer focused Environmental Health & Licensing Service;
- Tough action on envirocrime and environmental enforcement;
- Effective management of on and off-street parking
- Increasing the level of street scene related enforcement activities.
- Ensuring buildings are safe and compliant with the Building Regulations and,
- Use of planning powers to enforce breaches of planning regulation and improve the amenity of the borough.
- Continued use of CCTV to assist in the detection and prevention of crime
- Housing action to reduce the number of empty homes and to tackle rogue landlords

This enforcement action is taken to support local communities and ensure that we deliver on our vision of improving the quality of life and the health, safety and welfare of all those living and working in the borough.

Resources

The Council has appointed a General Manager who will report directly to the Head of Paid Service, and a Deputy Manager who will remain under the line management of Environmental Health but will allocate 25% of their time to assist the General Manager to drive forward the Corporate Enforcement agenda throughout the Council.

Officers from various areas of the Council with enforcement roles will be responsible to the General and Deputy Manager for elements of their post which involve enforcement decisions and actions, in collaboration with their line managers.

These areas will include (but not limited to):

Environmental Enforcement - Investigating and ensuring legislative compliance in relation to issues such as littering, dog fouling, fly tipping, noise, nuisance, contaminated land, air quality, pest control etc.

Community Safety. Provision of support to communities suffering from anti-social behaviour using a range of legal powers.

Parking Regulation. Enforcement of on and off-street parking regulations undertaken in accordance with the provisions of the Traffic Management Act 2004.

Planning Enforcement. Action is taken to deal with breaches of planning regulations using powers within the Town and Country Planning Act 1990 (as amended) and associated regulations.

Food safety and standards, including inspections of food businesses, sampling of food stuffs, infectious disease control, seizure and detention of unfit food, and investigation of consumer complaints about food and food premises.

Health and Safety enforcement, in premises allocated by law to the local authority such as offices, shops, warehouses, catering establishments, hotels and hostels, launderettes, places of religious worship, leisure centres, places used for child care or playgroups.

Licensing, the issuing and enforcement of local licences with special emphasis on alcohol, public entertainment, late night refreshments, gambling, animal establishments and other miscellaneous registrations. In addition, the Council is responsible for the licensing and enforcement of licences issued to operators, drivers and vehicles used as Hackney Carriage (Taxis) and Private Hire vehicles.

Private Sector Housing, Enforcing Health and Safety standards within private housing. This can include cold homes, damp, falls, poor electrics, overcrowding and fire precaution. Licensing of Houses in Multiple Occupation. Requiring owners to bring empty homes back into use. The Licensing of caravan sites and mobile homes.

Building Control The enforcement of standards in terms of building regulations and the control of dangerous structures to ensure public safety.

Housing Ensuring tenants are supported and robust, effective and efficient action is taken against any tenant who does not comply with the conditions of their tenancy or who commits anti-social behaviour causing alarm, harassment or distress to the community.

Debt Recovery – the recovery of monies owed to the Council

CCTV working in partnership with town centre businesses and Essex Police to detect and prevent crime in the areas covered by cameras.

Street Scene litter enforcement, early presentation of waste, flyposting and other highways enforcement within the remit of Brentwood Borough Council.

Performance Management

Regular reports will be made to meetings of the Environment and Enforcement Committee to provide updates on enforcement actions taken and data on the cases investigated.

Decisions on enforcement will be made in accordance with the principles of decision making established in the Council's Constitution:

- (a) The presumption in favour of openness and transparency.
- (b) The need for consultation with interested parties.
- (c) The need to take account of relevant professional advice from appropriate staff.
- (d) The need for clarity of aims and desired outcomes.
- (e) The need to identify the range of options considered.
- (f) The need to give reasons and explanation for a decision.
- (g) The need to make decisions in accordance with the Constitution, law, proportionality and efficiency.

The General Manager will liaise with service managers to obtain information on performance, caseloads and enforcement decisions made and will review resources available across the Council where additional support may be required to improve enforcement activity.

Several areas of enforcement activity will link across teams, for example anti-social behaviour, litter and fly-tipping and business activities. The joint approach will be adopted with the aim to improve co-ordinated actions across services to improve efficiency of service delivery and encourage better understanding and compliance such as:

- To engage, educate, and enforce regulatory requirements
- To ensure enforcement is proportionate and effective across all services
- To integrate enforcement actions undertaken to ensure that Council services operate collaboratively and to share appropriate information with other services and agencies

- To seek to co-ordinate methods of enforcement action and to provide a clear and consistent approach
- To respond to service requests and to investigate potential regulatory breaches in a timely, fair and appropriate manner, having regard to the Council's Enforcement Policy and statutory requirements.
- To improve reporting of enforcement actions taken, to ensure that records are maintained, information on regulation by the Council is publicly accessible; actions are recorded and given publicity across available media to inform and encourage compliance.
- To seek to recover the costs of enforcement by the Council wherever possible from those in breach of regulatory requirements
- To maximise opportunities for cost savings and income generation related to enforcement activities.

These aims have been proposed with the intention of making all enforcement activity within the Council more effective, accountable and to reduce the costs to the residents of the Borough and businesses operating in compliance with regulatory requirements.

Public perception of enforcement activity

We will engage with members of the public in the Borough to help to determine priorities, provide information and promote the activity undertaken. Social media, the Council website and local press will be used to disseminate information and to enable more interactive discussion and prompt responses to issues brought to our attention.

Training

We will ensure that staff are trained to provide a professional standard of service, including regular updates on legislation and best practice through in-house and external providers.

Priority actions

Community Safety Accreditation The CET will prioritise training of staff within enforcement roles in the Council to obtain Community Safety Accreditation.

The Community Safety Accreditation Scheme (CSAS) enables officers to use a range of additional powers usually available to the police, including the authority to request an offender's name and address and to issue fixed penalty notices to deal with several issues.

With more Council officers trained under the CSAS there will be greater ability to tackle problems effectively across the Borough and to assist in enforcement activities. The Council has obtained accreditation to enable this process and staff will receive police vetting to undertake the training.

Recording of actions, decisions and investigations undertaken We will review the Council's use of systems to capture and monitor casework and to improve reporting on actions and investigations undertaken to demonstrate outcomes.

Corporate Enforcement Action Plan 2017

This Action Plan sets out the actions to support improvements in the quality, process and impact of enforcement across the Council.

It is not intended to be an exhaustive list and will be kept under review.

The Action Plan illustrates, using practical examples, that the Council is committed to effective enforcement services both now and in the longer term. The Action Plan also reflects that some changes are not achievable instantly but will take some time to resolve, such as staff training.

The actions are framed by four key objectives:

1. **Community Safety Accreditation** – having sufficient competent resources to deliver robust, effective and efficient enforcement services is key. The roles are highly specialised and subject to external scrutiny.
2. **Effective Case Management** – to ensure services across the Council deliver robust, effective and efficient enforcement an effective case management system is essential. This will allow for greater information sharing and cross departmental improvements resulting in joint enforcement action being taken and streamlining of processes.
3. **Enforcement Opportunities** – enforcement is key to ensuring customer satisfaction and is rarely carried out in isolation. Services need to ensure a unified approach in terms of key joint enforcement activities.
4. **Customer service and Engagement** – ensuring the customer is at the heart of everything we do means that the Council has regulatory services to be open to public scrutiny and be able to justify their actions.

The Action Plan will be reviewed periodically, and at least annually, to update on progress.

| Corporate Enforcement Action Plan 2017 | | | |
|---|---|-------------------------------|--|
| Objective | Actions | Timescales | Progress |
| Implementation of the Community Safety Accreditation Scheme (CSAS) | To secure organisational CSA for the Council | N/A | Achieved |
| | All identified staff to complete appropriate vetting forms and submit them to Essex Police. | 24 th October 2017 | Majority of identified staff have submitted vetting forms. Final push taking place to meet deadline. |
| | CSAS Training framework to be agreed with senior managers | 30 th October 2017 | CSAS training requires officers to take part in 5 full days training by an external provider. Training must be arranged to ensure service delivery is maintained |
| | CSAS Training to be arranged | TBC | |
| | CSAS launch event | TBC | |
| Cost effective case management | Feasibility of data transfer from existing systems to Uniform | By end December 2017 | |
| | Identify internal opportunities for training on Uniform | By end December 2017 | |
| | Commence input of data onto Uniform | End November 2017 | |
| | Organise staff training on Uniform | TBC | |
| | Agree reporting templates across services areas on enforcement activity | End November 2017 | |
| | Streamline templates and upload onto Uniform | End November 2017 | |

| | | | |
|------------------------------------|---|---|--|
| Enforcement Opportunities | Town Centre Public Spaces Protection Order | April 2018 (subject to legal and public consultation) | Draft Order to be submitted to Legal for scrutiny and Committee for approval subject to consultation |
| | Enforcement of parking on Grass Verges | | Education, signage and informal action to be commenced awaiting confirmation of powers for enforcement activity using FPNs |
| | Joint working with other Councils and organisations to improve efficiency | Immediate and ongoing | |
| | Corporate Enforcement Tasking | End November 2017 and ongoing | Joint tasking to be arranged with Council services and Essex Police |
| Customer Service/Engagement | Working with Essex Police on community engagement events and joint operations | Immediate and ongoing | Joint meetings and targeted multi-agency enforcement activities with Essex Police and others |

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24th October 2017

Environment and Enforcement Committee

Open Space Protection Measures

Report of: David Carter

Wards Affected: All

This report is: Public

1. Executive Summary

- 1.1 A following motion was submitted to Ordinary Council on 18th October 2017:

This Council recognises the sharp drop in illegal incursions on Brentwood Council owned land over the last 12 months and acknowledges the success of the land protection measures, which include bollards and height restrictors, that have been installed by the Council.

This Council further notes and welcomes the strong working relationship with Essex Police, Essex County Council and the Traveller Unit and pledges to continue to operate closely with these partner organisations.

A report will be brought to the Environment and Enforcement Committee to review the need for any further protection and security improvement works on publicly owned open spaces, that would benefit the Borough of Brentwood. Resulting recommendations will be included as part of the budget setting process for 2018/19.

- 1.2 This report provides an update on the measures that have been taken to protect Council owned land from unauthorised incursions and the resulting reduction in unauthorised incursions and seeks proposals for improving current measures and possible works to be identified and undertaken.

2. Recommendations

- 2.1 Members note the progress on works to protect Council land against unauthorised entry and outcomes of actions taken.
- 2.2 Members authorise officers to identify possible areas where additional or improvements in security would be appropriate and to provide estimated costs

3. Introduction and Background

- 3.1 Open Space Protection Measures
At the meeting of the Community, Health and Leisure Committee on 5th September 2016 and at the meeting of the Environment and Enforcement Committee on 28th June 2017 Members received an update on the works that had been carried out to try to protect Council land from unauthorised incursions.
- 3.2 Additional works were proposed to sites including Alexander Lane Shenfield, Seymour Field Ingatestone, Bishops Hall Park, Bannister Drive Hutton, Larkins Playing Field, Little Warley Common and the Brentwood Centre.
- 3.3 The works proposed were completed before the end of the financial year 2016/17. The budget total of £133,700 was under spent by a total of £21,374, final total actual expenditure was £112,325.
- 3.4 Since these works were completed there have been several unauthorised incursions in the Borough over the summer months. The table below summarises the number and actions taken to deal with these incursions.

| Jan – Oct 2017 | 2016/17 | 2017/18 | |
|--|---------|---------|-----------------|
| Number of incursions | 21 | 20 | 5% reduction |
| Incursions on BBC/Parish Council land | 16 | 10 | 37.5% reduction |
| Average no. of days on BBC land (incl. Parish Council & Shenfield Common) | 8 | 3 | 62.5% reduction |
| Total no. of days of all unauthorised incursions in Borough | 173 | 89 | 48% reduction |
| Police used s.61 | 4 | 11 | 175% increase |

3.5 There has been an increase in the number of unauthorised incursions on private land this year, notably on vacant sites such as Wates Way and the former Toomey garage site in Ingrave Road; with a reduction in activity on publicly owned land.

3.6 Essex police have assisted in control of unauthorised incursions using their powers under s.61 of the Criminal Justice and Public Order Act 1994, subject to their protocols, issues reported and site assessments.

3.7 Council land occupied by unauthorised incursions 2017

William Hunter Way car park
Brentwood Centre Doddinghurst Road
Warley Country Park Crescent Road
Little Warley Common
Navestock Heath (Parish Council)
Shenfield Common
Brentwood Centre Doddinghurst Road
Shenfield Common
Eagle Field, Swan Lane, Kelvedon Hatch
(Private but managed by Parish Council)
Brentwood Centre Doddinghurst Road
Warley Country Park Crescent Road

3.8 Of the incursions on Brentwood Borough Council/Parish Council land, Essex Police have issued s.61 directions to leave on six occasions and in addition prevented entry to the land at Little Warley Common.

3.9 With regard to the sites that were occupied, the Brentwood Centre had the most incursions, despite protection measures being taken. In part this

was due to design of the exit plates, which enabled access when the plates were held down, and also to the earlier removal of an external gate which enabled access to the inner gate from Doddington Road, damage to the gate enabled access without removing the security padlocks.

- 3.10 It is proposed that an improved design of the exit from the Brentwood Centre car park and the height restrictor gate could increase the security of these access points.
- 3.11 Posts have been erected around Shenfield Common by the Conservators working with the Council, which should reduce the risk of unauthorised entry whilst maintaining the open appearance of the site although vehicle access will be necessary for grounds maintenance.
- 3.12 Repairs to the height restrictor at Warley Country Park have been identified and other security measures could be considered at this location.
- 3.13 Members and officers have visited several sites in the Borough and are investigating solutions to improve security; other sites could also be considered where there is a likely risk of unauthorised incursions.

4. Issue, Options and Analysis of Options

- 4.1 The Council has the option of taking further measures to improve security of land owned or to potentially leave sites vulnerable.
- 4.2 Improving security of sites will hopefully reduce the risk of incursions onto the land in question but may also increase the likelihood of other land being targeted which may be in a more sensitive location or in private ownership.
- 4.3 The ECTU will deal with unauthorised incursions on Council or Parish Council land, but the legal process takes several days to complete.
- 4.4 Measures to improve security will have budgetary requirements and will also potentially require future repair and maintenance expense but this is balanced against the costs of removal, clearance of sites and the impact on residents in the vicinity of the site.

5. Reasons for Recommendation

- 5.1 To continue to effectively reduce the likelihood of unauthorised incursions onto Council and Parish Council land in the Borough and to reduce the impact of additional expenditure, particularly on site clearance.

6. Consultation

6.1 None

7. References to Corporate Plan

Environment and Housing Management

Develop effective partnership arrangements with key agencies to deliver services

Community and Health

Make Brentwood a Borough where people feel safe, healthy and supported

Work with partners to reduce anti-social behaviour and ensure that Brentwood is a safe place to live.

8. Implications

Financial Implications

Name & Title: Jacqueline Vanmellaerts Financial Services Manager (Deputy Section 151 Officer)

Tel & Email: 01277 312829 /

Jacqueline.vanmellaerts@brentwood.gov.uk

No direct financial implications arising from this report.

There is currently no Capital budget for unauthorised incursions in 2017/18 or future years. Any additional improvement to security made will be a pressure on the Medium Term Financial Plan. Finance suggest that a new Capital bid should be considered for 2018/19 for future works required.

Legal Implications

Name & Title: Daniel Toohey, Head of Legal Services and Monitoring Officer

Tel & Email: 01277 312860 / daniel.toohey@brentwood.gov.uk

While the Council has a broad duty to residents to ensure the safekeeping of its assets, which will include a robust but proportionate response to trespassing on Council property, it is also required to have appropriate regard to statutory requirements including human rights issues.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None identified

- 9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None

- 10. Appendices to this report**

None

Report Author Contact Details:

Name: David Carter Environmental Health Manager
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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Terms of Reference

Environment & Enforcement Committee

The functions within the remit of the Environment and Enforcement Committee (including the operational management of assets which for the sake of clarity also comprises maintenance) are set out below:

- 1) Waste management, refuse collection and recycling.
- 2) Environmental improvement schemes.
- 3) The quality of the public realm, including street services and grounds maintenance.
- 4) Highway matters that are the responsibility of the borough Council (including highway closures under the Town Police Clauses Act 1847) and drainage.
- 5) Public conveniences.
- 6) Cemeteries and closed churchyards.
- 7) Unlawful incursions.
- 8) Operational facilities management (including maintenance) of the Town Hall and the Depot.
- 9) Oversee and monitor the enforcement activities of the Council.
- 10) Environmental nuisance and pollution controls.
- 11) Other miscellaneous powers enforced by Environmental Health.
- 12) Food Safety and Health and Safety.

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