

<b>Committee(s):</b> Policy, Resources & Economic Development Committee	<b>Date:</b> 16 December 2020
<b>Subject:</b> Environmental Enforcement Trial	<b>Wards Affected:</b> All
<b>Report of:</b> Tracey Lilley	<b>Public</b>
<b>Report Author/s:</b> Name: Tracey Lilley Telephone: 01277 312 500 E-mail: tracey.lilley@brentwood.gov.uk	<b>For Decision</b>

### Summary

1. The issue of littering across the borough has been raised by members of the public and the Council are seeking new and innovative ways to tackle the growing issue effectively without a financial burden to the Council.
2. It is hoped that through the partnership with National Environmental Services (NES) the Council would undertake a 12-month pilot whereby they will enhance our provision around environmental enforcement particularly in relation to littering offences.
3. NES will provide an 'end to end' environmental crime service at no cost to the Council.

### Recommendation(s)

**Members are asked to:**

**R1. To delegate authority to the Corporate Director of Housing and Community Safety the authority to negotiate and agree contractual terms for a trial, and to enter into a trial, subject to consultation with the Chair of Environmental, Enforcement, & Housing Committee and any required procurement processes are followed.**

### Main Report

#### **Introduction and Background**

4. Brentwood Borough Council recognises the importance of maintaining a clean and safe environment which are key Corporate Strategies.
5. During the pandemic valuable resource has been moved to other areas of importance particularly around enforcement of ASB and COVID.
6. The Council's Corporate Enforcement team issued a total of 13 Fixed Penalty Notices (FPNS) for the period 1<sup>st</sup> October 2019 to 31<sup>st</sup> September 2020. This was due to competing priorities and lack of available resource.

7. For the period the Council have dealt with 494 fly tips costing approx. £60,000 to remove and dispose of.
8. NES are nationally recognised in the field of environmental enforcement and have been recommend by a neighbouring borough who have realised real benefits from their partnership.
9. NES will support the delivery of the Council's environmental enforcement providing an 'end to end' service. The additional valuable resource which will focus on key areas such as littering and dog fouling.
10. They will also support the Council's anti-litter campaigns and volunteer projects through community engagement, education and enforcement which is the ethos already adopted by the Council in relation to its enforcement activity.
11. This would allow for Council officers to focus on tackling the more complex investigations and would increase our enforcement activity significantly with a dedicated resource.
12. New additional enforcement staff will be recruited locally with full training provided including enhanced DBS checks for the pilot.
13. Officers would work a shift pattern ensuring a service is provided 10 hours per day, 7 days per week between the hours of 7am and 7pm.
14. The service provided would also cover all back-office functions and collection of fines up to Court action. Full access to data would be provided and reports generated for scrutiny.
15. The Council would receive a return of approx 10% on all FPNs paid which would provide much needed income stream whilst achieving compliance.

### **Issue, Options and Analysis of Options**

16. Due to competing priorities environmental enforcement would benefit from an increase in capacity without a financial burden on the Council in these challenging times.
17. Undertaking the pilot with NES will provide a much need resource to tackle those issues which remain key for the local community.
18. The pilot will not require the Council to pay for the service with all costs being covered by the fines received.
19. The Council will receive approx 10% of all fine issued and paid which will provide a cost neutral service with the added benefit of potential income generation.

### **Reasons for Recommendation**

20. To ensure that the Council fulfil its Corporate objective around environmental issues and improve our enforcement activity.

### **Consultation**

21. Consultation has taken place through the Community Safety Partnership with partners.

### **References to Corporate Plan**

- Protecting our environment
- Developing our communities
- Delivering an effective and efficient council

### **Implications**

#### **Financial Implications**

**Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources) and Section 151 Officer**

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Pilot scheme is not intended to cost the Council, but provide an income source from the revenue of Fixed Penalty Notices paid. Careful monitoring will be undertaken within the service areas, to determine whether the pilot will reduce environmental costs in littering, dog fouling and fly tips. Any impact will be monitored and managed through the Council's Medium Term Financial Strategy.

#### **Legal Implications**

**Name & Title: Amanda Julian, Corporate Governance Solicitor & Deputy Monitoring Officer**

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The Environmental Protection Act 1990, provides the powers to enforce, the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 provide the powers regarding the issuing FPNs.

#### **Economic Implications**

**Name/Title: Phil Drane, Corporate Director (Planning & Economy)**

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Maintaining clean and tidy local environments can be an important component of successful local businesses. This is evidenced in the recently published Place Audits for Brentwood, Shenfield and Ingatestone (September 2020). The recommendation, alongside regular streetscene cleaning and maintenance, will help to support the local economy.

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

**Background Papers**

None

**Appendices to this report**

None