



Report of:	Meeting	Date
Councillor Simon Bridge (Street Scene, Parks & Open Spaces Portfolio Holder) and Mark Billington (Service Director People and Places)	Overview & Scrutiny Committee	09/09/2019

District Environmental Enforcement Pilot

1. Purpose of report

- 1.1 To provide Members with a precise of information in relation to the pilot project working with District to tackle a range of environmental offences.

2. Outcomes

- 2.1 The committee will assign a task group of Members to review the pilot and provide recommendations that can feed into the overall review to consider how the authority continue with environmental enforcement beyond the initial term.

3. Background

The council continue to deliver campaigns to inform, educate and enforce environmental crime through prevention, intervention and enforcement measures. Despite our pro-active approach and working with community / voluntary groups, housing associations and businesses, there are continued challenges to delivering a cleaner borough.

Cleansing priorities, water quality of the beaches, responsible dog ownership and resident concerns remain high, particularly around dog fouling and littering (including chewing gum) and these cannot be adequately addressed within current in house resources. Providing clean streets and dealing with irresponsible dog ownership continue to rank high in the Life in Wyre survey priorities.

The introduction of a specialist partner to concentrate on environmental patrols to deter and enforce was deemed necessary as education and presentation alone were not changing behaviours. Cabinet agreed in a

report of 5 September 2018 to enter into a 12 month pilot arrangement with District Enforcement to address environmental crime issues such as dog fouling, littering and other dog control measures under the Public Space Protection Orders (PSPO).

The initial agreement was subsequently extended by a further 6 months in August 2019 to enable Overview and Scrutiny to feed into the evaluation process and it would be beneficial to be able to take account of data over a longer period.

4. Key findings

District provide a range of specialist but directed support to Wyre in addressing Littering and the Public Space Protection Orders (PSPO) dog control offences.

Wyre have very close dialogue with District's sector leader, and we have a dedicated Team Leader and Enforcement Officers who operate throughout Wyre Monday-Friday, and are supported by the elite mobile team at the weekend, therefore Wyre has every day Enforcement activities in place which is provided by a minimum of 2 uniformed officers each day.

District also have dedicated back office support, with IT and software systems capable of handling / tracking enquires and producing case files in a much more effective manner than the current in-house processes Wyre have in place.

Authorised officers of Wyre Council have access to these systems and can run reports and undertake spot checks for full transparency. It was initially hoped that enforcement activity undertaken by the Councils Area Officers would be able to be recorded in the same system. However, given it is a pilot it was deemed more appropriate for the pilot to record District activity only, but including Wyre Council's Enforcement Officers on their system would certainly be something that could be explored as added value should the agreement be on a more permanent footing.

As the scheme was only introduced in October 2018, the operating hours and officer numbers have been quite fluid, primarily to take account of the dark mornings/evenings, but this fluidity has enabled patrols to be undertaken using intelligence from known problematic areas and as the daylight hours extended officers were able to patrol early mornings, early-mid evenings and bank holidays.

Wyre have always avoided patrolling in the dark (without specifically timed intelligence) as it was deemed too high a personal risk to approach individuals or groups of people in the dark.

District patrolling hours have averaged 165 hours per week over the first three quarters, with an average 102 Fixed Penalty Notices (FPN) issued

per week. The reduced patrolling hours has still ensured optimum officer deployment and ensures high footfall areas are visited regularly, as greater accumulations of pedestrian show a significantly higher level of litter issues, without reducing patrols in other areas of concerns highlighted by Members of the Public, Elected Members and Council Officers in areas such as Beachfronts & Promenades, Parks & Playing Fields as well as Residential Streets.

Two quarterly Performance Out-turns were previously reported to Members via the Executive Reports of the Street Scene, Parks and Opens Spaces Portfolio Holder.

Qtr 3 (May – July) is outlined below:

- Total FPN's issued: 1,378
- 1,218 for depositing litter.
- 160 for Dog related PSPO (45 of which for fouling).
- 5 Cancelled.
- 111 Formal Representations received, with 91 declined and 20 accepted.
- Income for this quarter: £12,296.25

Over the first three quarters, 535 cases have progressed to prosecution stage; of which :

- Not guilty / Awaiting trial = 2
- Guilty in absence = 223
- Guilty by post = 13
- Awaiting case result = 299

Individual fines have ranged from £90 - £440 as the Single Justice System takes into account an individual's personal circumstances (including income levels)

Tables below breakdown over the first three quarters

Gender	Gender Count	Percentage
Female	1635	41.44%
Male	2310	58.56%
Total:	3945	

Ethnicity	Ethnicity Count	Percentage
Not known	1	0.03%
IC1 - White - North European	3828	97.03%
IC2 - White - South European	22	0.56%
IC3 - Black	10	0.25%
IC4 - Asian (India, Pakistan, Bangladesh, Nepal)	33	0.84%

IC5 - Chinese, Japanese or other South East Asian	11	0.28%
IC6 - Arabic or North African	15	0.38%
IC9 - Unknown	25	0.63%
Total:	3945	

Income per month

	Wyre
Nov-18	£3,811.25
Dec-18	£1,510.00
Jan-19	£2,772.50
Feb-19	£3,870.00
Mar-19	£2,605.00
Apr-19	£3,629.38
May-19	£4,970.63
Jun-19	£3,972.50
Jul-19	£3,353.13
Total	£30,494.38

Monitoring

The service is overseen by the Waste Management Officer (WMO), and Street Scene Manager with support from the Legal Services Manager and her team.

The fixed penalty notice advises customers to contact District directly to lodge an appeal/representation, which does happen in the majority of cases, although a number are directed to the Civic Centre but are passed directly to District which ensures all correspondence is captured on their system.

District will undertake an initial assessment of appeals; some of which they can process directly if they have sufficient evidence/detailed information (e.g. proof of age, evidence of illness/disability from health professional), but there are occasions when an appeal will be passed to the WMO and or SSM for review/guidance.

A number of appeals admit the offence, but are submitted on an affordability basis, and on such occasions District will agree extension of the payment date on an individual basis.

A number of representations are on the grounds that once approached they returned and picked up the discarded item; but an Officer will not challenge anyone unless they move away from the item which shows they had no intention of retrieving it until approached, at which point the offence has been committed.

We receive representations from individuals who highlight a medical condition or disability as a contributory factor in them committing an

offence, and such representations are always considered if supported by evidence provided by their Medical Professional.

Prior to engaging with an individual an Officer will engage their body-cam to capture the interaction for the benefit/safety of both parties. The officers need to take a firm stance on this approach without consequences behaviour change is unlikely.

Impact across the borough

Below shows a comparison of waste collected over the same periods.

The Street Cleansing Supervisor has confirmed that for the higher footfall areas, they are issuing significantly more plastic sacks to crews who empty bins as they are having to be emptied more frequently, which by inference shows they are being used more frequently, which is certainly a positive outcome and illustrates the change in behaviours we all wanted to see.

	November 17 – July 18	November 18 – July 19
Street sweepings	1096.92	889.78
Street cleansing	392.36	448.77

Council officers undertake 900 physical inspections over a 12 month period (NI 195) which are reported three times per annum, which gives us an overview relating to the cleanliness of the Borough, and it was hoped that we could report the out-turns of this year compared to last year to determine if there was any sign of improvement, but as a full years inspections would be required for a direct comparison it would only be possible to produce such statistics in April 2020

District Enforcement Officers have informed Council officers that they are observing a marked improvement in public behaviour with an increase in people using bins and particularly respecting the PSPO's on the bathing beach areas.

District have supported a number of local initiatives with school groups to address littering and dog fouling and provided prizes for children. Equally they have committed £500 towards a bin for greener seas.

Customer reaction

As anticipated, the introduction of any regulation or enforcement activity has been met with mixed reactions, particularly on social media forums. However, it is fair to say that the comments have been quite balanced (both for and against); with a general consensus being that if you do not drop litter and pick up dog fouling then you won't have anything to worry about.

The borough has a significant number of public litter bins (over 700) accepting litter and dog foul and if there isn't one nearby our stance and that of national litter charities has always been take it home with you; this is a key message officers take when going in to schools.

We have never had an individual expressing that they believe littering to be acceptable, and their comments vary from disgust, they don't like littering/people who litter or complain that litter levels adversely affect them. Although a number of individuals have been a dissatisfaction with the level of fine for littering; many believing that £100 for a cigarette butt to be excessive, officers and the council communications team have clearly explained that this act remains a littering offence and that cigarette related litter can be very harmful to the environment. Keep Britain Tidy have run a number of national campaigns to raise awareness of this.

The Council communications team remain active in promoting a cleaner greener Wyre which has continued through this pilot, with increased articles in the e-news, social media / press.

Whilst it has not been publicised the enforcement officers have on a number of occasions assisted customers whilst out on their patrols: for example:

- Given initial first aid to an elderly lady that had tripped and injured her head. Stayed with her until the ambulance attended and provided her and her daughter with their coats to keep them warm.
- Assisted a lady that was knocked over, called the ambulance and police as suspected it was a driver under the influence and prevented the driver from leaving the scene
- Pushed a young mums car on to the verge when she had broken down at the very busy Morrison roundabout; then loaded her shopping into their car and drove the lady and her 2 children home.
- Prior to the seasonal beach ban coming in to effect, Officers handed out advisory leaflets to beach and promenade users, explained the rationale for the ban, the areas it affected, where to look out for signage / flags and liaised with local businesses to leave posters and leaflets in their premises.

Equally the Officers have been subject to threats of verbal and physical abuse; that as an authority we do not tolerate and have been working with the police to address those individuals and those that refuse to provide their details.

Minors

Officers have witnessed minors dropping litter and undertaking other anti-social behaviour e.g. pulling out bedding plants on the Mount. They do attempt to engage with them, but this is a delicate matter that needs further consideration of how details can be captured in order to issue a

warning and make their parents aware of what action may be taken with repeat offenders, with advice being sought through the joint ASB youth partnership group.

Other Lancashire Authorities

A number of other Lancashire Authorities have entered pilot agreements with District or other specialist providers since Wyre, which include; Rossendale, Pendle and Hyndburn. In the same period Burnley and Blackburn’s pilots came to an end and they have procured long term contracts for specialist environmental services.

A number of other Lancashire authorities are exploring options.

Financial and legal implications	
Finance	<i>The pilot has brought in FPN receipts to a value of £30,494.38 in the period of this review (Nov – end of July (3 Quarters). The monies from court will drip feed in as they receive it.</i>
Legal	<i>Following the pilot, should the Council wish to continue to engage a specialist company a procurement exercise will need to be undertaken. The impact on the resources of the legal team should be accounted for.</i>

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
data protection	x

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List of background papers:		
name of document	date	where available for inspection

List of appendices

Appendix 1 Social media posts for enforcement officers

Appendix 2 Enforcement officers- e-newsletter

APPENDIX 1

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Wyre Council
Published by Emily Victoria Wareing [?] · 22 October 2018 · 🌐

📅 Today is the first day that the Environmental Enforcement officers will be patrolling the streets of Wyre. For the next five days, the officers will issue warnings to those caught littering, dog fouling and breaching any of the other dog related Public Space Protection Orders as well as engaging with the public. From 29 October, the officers will issue fixed penalty notices. Remember, even dropping cigarette butts is littering and carries an £100 fine, but is reduced to £80 if paid within seven days. Don't get caught out. www.wyre.gov.uk/litter



**No ifs
No butts**
Dropping cigarette butts is littering and carries a £80 fixed penalty notice

Reached 32,976 people on facebook

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Wyre Council
Published by Emily Victoria Wareing [?] · 23 October 2018 · 🌐

🐕👤 Have you got enough dog poo bags? Remember that whilst walking your dog, it's an offence not to have any means to pick up your dog's poo. Environmental Enforcement officers are patrolling the streets of Wyre this week issuing warning to those that don't have the means to pick up their dog's poo. From Monday 29 October, the officers will issue fixed penalty notices. www.wyre.gov.uk/pspodogs



14,153 People reached | 2,925 Engagements | Boost Post

👤 Russ Bury, Lisa Marie and 65 others | 103 comments 57 shares

Reached 14,153 people on facebook

A screenshot of a Facebook post from the official page of Wyre Council (@wyrecouncil). The post is published by Emily Victoria Wareing on 20 September 2018. The text of the post reads: "NEWS: Environment Enforcement Officers set to join council's fight against litter offenders. Wyre has listened to concerns and recognised that many residents and businesses have had enough and want more action to be taken to tackle issues such as littering and irresponsible dog ownership. Under the new deal, the council working with District Enforcement, will have more authorised officers patrolling the streets and public open spaces. Read more". Below the text is a photograph of a coastal promenade with a black metal railing. A sign is attached to the railing that says "DOG WALKERS BEWARE" with a graphic of a dog's face and the text "THIS AREA IS BEING WATCHED" and "wyre". At the bottom of the post, it shows "6,542 People reached" and "1,374 Engagements". There is a "Boost Post" button on the right.

Reached 6,542 people on facebook

A screenshot of a Facebook post from the official page of Wyre Council (@wyrecouncil). The post is published by Emily Victoria Wareing on 21 January. The text of the post reads: "Warning: Dropping your litter is an offence and carries a £100 fixed penalty notice. Don't get caught out, put your rubbish in the bin. https://bit.ly/2W6DVC2". Below the text is a photograph of a hand dropping a piece of white litter into a dark metal trash bin. The bin has the word "LITTER" embossed on it. At the bottom of the post, it shows "8,729 People reached" and "1,668 Engagements". There is a "Boost Post" button on the right. Below the post, it shows "Stephen Hornby, Julie Kay and 40 others" and "90 comments 66 shares". There are "Like", "Comment", and "Share" buttons at the bottom.

Reached 8,729 people on facebook



Reached 3,516 people on twitter



Reached 1,870 on twitter

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Wyre Council
Published by Emma Lyons (?) · 15 February · 🌐

Don't just bag up your dog's poo, make sure you bin it or it could cost you a £100 fine.

Dog photo: www.fropki.com

wyre council

BAG UP YOUR DOG'S POO, ANY BIN WILL DO

Reached 8,374 people on facebook

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Wyre Council
Published by Emma Lyons (?) · 27 March at 07:00 · 🌐

Do your bit and help keep Wyre looking lovely – always pick up after your dog and put it in the bin. If not you risk getting a £100 fine.

wyre council

BAG UP YOUR DOG'S POO, ANY BIN WILL DO

2,074 | 91

Reached 2,074 people on facebook

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Wyre Council
Published by Emma Lyons [?] · 22 February · 🌐

Always bag up and bin your dog's poo. Keep our streets clean and avoid a £100 [fine](#).

Dog photo by kurt3 - freepik.com



wyre council

BAG UP YOUR DOG'S POO, ANY BIN WILL DO

3,666 220

Reached 3,666 people on facebook

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Wyre Council
Published by Emma Lyons [?] · 12 March at 12:14 · 🌐

We agree! Always bag up and bin your dog's poo or you could be **fin**ed £100.



wyre council

BAG UP YOUR DOG'S POO, ANY BIN WILL DO

3,887 244

Reached 3,887 people on facebook

October e-newsletter, sent to 681 residents

The screenshot shows a web browser window displaying a Mailchimp campaign page. The browser's address bar shows the URL: https://us18.admin.mailchimp.com/campaigns/show?id=191417. The page header includes navigation links for Campaigns, Templates, Audience, Reports, and Content, along with a 'Create' button and the Wyre Council logo. The main content area is titled 'More Stories' and features two article cards. The first card, 'Officers to join council's fight against litter bugs', includes a photo of a street scene with a 'BEWARE' sign and a paragraph of text. The second card, '£30,000 grant awarded to Jean Stansfield Vicarage Park', includes a photo of a park and a paragraph of text. A 'Feedback' button is visible on the right side of the page. The Windows taskbar at the bottom shows the time as 09:41 on 05/04/2019.

November e-newsletter, sent to 792 residents

The screenshot shows a web browser window displaying a Mailchimp campaign page. The browser's address bar shows the URL: https://us18.admin.mailchimp.com/campaigns/show?id=207333. The page header includes navigation links for Campaigns, Templates, Audience, Reports, and Content, along with a 'Create' button and the Wyre Council logo. The main content area is titled 'More Stories' and features two article cards. The first card, 'Officers to join council's fight against litter bugs', includes a photo of a street scene with a 'BEWARE' sign and a paragraph of text. The second card, 'Forgotten Melodies: Keep The Home Fires Burning', includes a photo of a musical poster and a paragraph of text. A 'Feedback' button is visible on the right side of the page. The Windows taskbar at the bottom shows the time as 09:42 on 05/04/2019.