

| District Environmental Enforcement Task Group- Lancashire responses  |   |   |  |  |  |  |   |
|--|---|---|--|--|--|--|---|
|  | Blackburn with Darwen   | Blackpool   | Burnley  | Hyndburn   | Pendle   | Preston  | Ribble Valley   |
| <p><b>List of enforcements made by District:</b></p> <ol style="list-style-type: none"> <li>Littering (including cigarette litter)</li> <li>Failing to have the means to pick-up</li> <li>Dogs encroaching into an exclusion zone</li> <li>Dog fouling not being removed/disposed</li> <li>Dogs not on leads in Public Places</li> </ol> | <p><b>October 2018 to October 2019:</b><br/>Littering (including cigarette litter) = 2919</p> <ol style="list-style-type: none"> <li>Failing to have the means to pick-up = not in our PSPO</li> <li>Dogs encroaching into an exclusion zone = 0</li> <li>Dog fouling not being removed/disposed = 14</li> <li>Dogs not on leads in Public Places = 17 (only applies to cemeteries)</li> </ol> <p>Also 324 Smoke-Free England</p> | /   | <p>Litter-3497<br/>Dog exclusion- 6<br/>Fouling- 71<br/>Dogs on leads- 1</p> | <p>Currently we have one dog warden who enforces any dog related issues, we also have one waste enforcement officer who deals with littering, flytipping and abandoned vehicles etc.</p>   | <p>We have our own in house Enforcement Team who mainly deal with fly tipping and have 190 actions</p> <p>FPN's Flytipping 39<br/>FPN's Duty of Care Business 2<br/>FPN's Duty of Care householder 110<br/>FPN's Littering 22<br/>FPN's Littering from vehicle 4<br/>PSPO Dog fouling 7<br/>PSPO Dog not on lead 1</p> <p>then for littering and dog fouling this has been outsourced since February 2019 and so far they have 4625 actions which are:</p> <p>FPNS Dog fouling 112<br/>FPNS Littering 4485 ( 3683 cigarette related litter)<br/>Warnings Dog Fouling 1, Littering 28</p> | /  | <ol style="list-style-type: none"> <li>1.6</li> <li>2.0</li> <li>.</li> <li>4.2</li> <li>5.1</li> </ol> |
| <p><b>Is the service ran in house or outsourced</b></p>  | <p>Outsourced (LA Support Ltd).</p>   | <p>All Blackpool Council enforcement activities are now carried out by Council officers. A trial was conducted a couple of years ago using an outside enforcement company and a significant number of Fixed Penalty Notices were issued. A significantly high proportion of the penalty notices issued were for cigarette litter. Unfortunately the trial did not yield the environmental improvements that were sought and the trial was concluded.</p> <p>The biggest challenge in Blackpool is fly tipping in back streets. Fixed Penalty Notices are regularly issued for this type of offence. Blackpool has Enforcement Officers working in the more problematical inner wards concentrating their efforts on reducing this type of offence.</p>  | <p>outsourced to Kingdom but Park Rangers can also issue FPN's</p>           | <p>All our enforcement was put on hold at the beginning of the pandemic and kingdoms contract was not renewed, all my enforcement team were deployed on to other duties within the council.</p> <p>We have written a new enforcement policy however, it will be up to members to vote if they would like this back in place, if they do I would have thought it would be April 2022 before this is back up and running at the earliest</p> | <p>then for littering and dog fouling this has been outsourced since February 2019 and so far they have 4625 actions which are:</p> <p>FPNS Dog fouling 112<br/>FPNS Littering 4485 ( 3683 cigarette related litter)<br/>Warnings Dog Fouling 1, Littering 28</p>  | <p>Our enforcement staff are all inhouse. We only have 2 Waste Enforcement Officers and 1 Dog Officer. The waste officers deal with littering, flytipping and other waste related issues on the highway and our land only. The dog officer deals with fouling etc. Our 3 park rangers have also been trained to respond to dog control order issues. Environmental Health staff deal with all waste issues on private property.</p>  | <p>In house. Nothing is outsourced</p>  |
| <p><b>The frequency and amount of FPN's given</b></p>  | <p>see above</p>  | <p>This financial year the Environmental Operations Enforcement Team have issued 270 Fixed Penalty Notices for littering, fly tipping or dog related offences.</p>  | <p>see above</p>   |  |  | <p>We issued 29 littering fpons in 2019.</p>   | <p>Around 5/6 FPNs a year</p>   |
| <p><b>How they tackle environmental crimes committed by under 18's</b></p>   | <p>We've struggled with under 18's; with 16-18 year olds we send warning letters where they can prove their age; if they can't prove their age they are issued and FPN and we cancel when they show us satisfactory proof of age. With under 16's we will engage with schools where viable.</p>   | <p>Environmental Crimes committed by under 18's is always an issue that requires careful consideration. The preference is usually to write to the young person's parents/guardian and raise the matter with them first. An Enforcement Officer may choose to visit the home address and discuss the matter further with the parent/guardian in the presence of the young person.</p> <p>On rare occasions the young person has been asked to carry out litter picking as reparation for the crime committed. I hasten to add this is on very rare occasions!</p> <p>Ultimately an under 18 would be issued with a Fixed Penalty Notice if the circumstances dictated.</p>   | <p>don't issue</p>   |  | <p>Under 18's and disabled are given warnings not FPNs</p>   | <p>With regards under 18's our policy states</p> <p>7.1.4 FPNs issued to young people will be issued with due regard to the Children Act 2004 and the Department for Environment, Food and Rural Affairs guidance on issuing fixed penalties notices to juveniles.</p> <p>Notices may be issued to 16 and 17 year olds using the same procedures as for adults. However, authorised officers will consider whether a written warning is appropriate for a first offence, depending upon the nature and seriousness of the offence.</p> <p>In most circumstances a written warning will be issued to the parents of a child under the age of 16 in the first instance. If the offence occurs in school hours or in school uniform an advisory letter will be sent to the Head Teacher.</p> <p>If the child continues to offend, despite this intervention, enforcement action (including a Fixed Penalty Notice) may be taken following discussions with relevant local agencies responsible for law enforcement and children's services. (e.g. Police, Youth Service, Youth Offending Team). The Council will consult with partners to determine whether a FPN is the most appropriate measure for a person under 16 or if other measures (e.g. warnings; Acceptable Behaviour Contract) are more appropriate.</p> <p>In all circumstances the parent or legal guardian will be advised as soon as possible.</p> | <p>Nothing extra in place</p>   |
| <p><b>Any other arrangements when fining people with disabilities</b></p>  | <p>People with disabilities are not issued an FPN where it is clear their disability affects their ability to pick up litter. Where this isn't the case we will take a balanced view on receiving a representation (but err on the side of caution in favour of the recipient).</p>   | <p>Enforcement activities involving disabled individuals are dealt with on a case by case basis. The nature of the disability determines how the case is managed. It has been necessary to engage with Social Services to assist or support the individual historically where it is evident the disabled individual is unable to comply with the request made by the Enforcement Officer. The above is relevant to littering or fly tipping</p> <p>The PSPO (Dog Control) has a number of exclusions listed that are recognised disabilities and allow the individual not to comply with the requirements of the PSPO, however, the exclusions tend to be limited to service dogs or support dogs.</p> <p>It is always the officers judgement whether or not to issue a Fixed Penalty Notice. The right of appeal exists and is explained to the offender at the time the notice is issued.</p>   | <p>dealt with on a case by case basis</p>                                    | /  |  | <p>I am not aware of a difference in position from normal regarding disable people.</p>  | <p>Not to consider</p>  |
| <p><b>Other information</b></p>  | /   | <p>Littering is dealt with by way of Fixed Penalty Notice should it be witnessed by an authorised Council officer. Littering from vehicles is a different process which we are looking to introduce very soon. The offence is dealt with as a Civil matter not Criminal and involves a tribunal instead of a Magistrates Court.</p> <p>Blackpool re visited their PSPO for dog ownership and made a number of changes to the previous arrangements.</p> <p>Failing to have the means to pick is normally dealt with by way of Fixed Penalty Notice, however, a warning is more likely to be issued if it is the first occasion where a dog walker/owner has been challenged.</p> <p>Dogs encroaching into an exclusion zone would also be dealt with by way of warning but dependent upon how receptive the dog owner/walker was would determine whether or not a penalty notice is issued.</p> <p>Failure to pick up which was witnessed by an Authorised Officer is always a Fixed Penalty Notice.</p> <p>Dogs not on lead in public places would again be dealt with by a warning, however, dependent upon how the dog owner/walker reacted would determine whether or not a Fixed Penalty Notice would be issued.</p> | <p>Most litter offenses are caused by cigarettes.</p>                        | <p>The contract with kingdomd esd not renewed.</p>   | /  | <p>I have been in discussion with the companies that carry out enforcement to consider what they could off ourselves. We are yet to put to confirm what we will do</p>   |   |

| District Environmental Enforcement Task Group- CIPFA family group responses   |  |             |                     |   |  |             |               |   |           |              |   |              |                       |   |
|---|--|-------------|---------------------|---|--|-------------|---------------|---|-----------|--------------|---|--------------|-----------------------|---|
|   | North East Derbyshire  | Lewes       | South Staffordshire | Dover   | Lancaster  | North Devon | North Norfolk | Wyre Forest   | Sedgemoor | South Ribble | Teignbridge   | Amber Valley | Hinckley and Bosworth | East Suffolk  |
| <b>List of enforcements made by District:</b><br>1. Littering (including cigarette litter)<br>2. Failing to have the means to pick-up<br>3. Dogs encroaching into an exclusion zone<br>4. Dog fouling not being removed/disposed<br>5. Dogs not on leads in Public Places | From 1/9/2020 – 1/9/2021:<br>*These figures have been significantly affected by COVID 19 as the number of officer patrols were restricted.<br><br>1. 0<br>2. 0<br>3. 0<br>4. 1<br>5. 0 |             |                     | /   | 1. Yes<br>2. No<br>3. Yes<br>4. Yes<br>5. Yes – Public highways and designated on lead areas only.   |             | /             |   |           |              | See below   |              |                       | 1. 2019-220<br>2020-143<br>2. /<br>3. 2019-4<br>2020-1<br>4. 2019-146<br>2020-107<br>5. 2019-12<br>2020-6 |
| <b>Is the service ran in house or outsourced</b>  | In house   |             |                     | As discussed we had been part of a one year pilot scheme with District Enforcement whereby they provided uniformed enforcement officer to patrol our district and serve fixed penalty notices for littering and dog fouling offences.<br><br>The service delivered was very good at the end of the years pilot with experienced officers who worked well with our inhouse team. We took the decision to extend the years pilot however unfortunately when the pandemic hit District Enforcement took the decision to end their pilot with us. Should the pandemic not have occurred I am sure we would still have been working with District Enforcement now and would have been able to answer the questions you have asked.Following this we have established that a combined approach of inhouse and contracted enforcement officers works in our district. The contracted officers focused on littering and dog fouling patrols which enabled our in house environmental enforcement officer and dog warden to focus more time on investigation or case work such as fly tipping, dangerous dogs, etc | In house   |             |               | We operate and process environment offences in house at WFDC and operate and install our own covert cameras for fly tipping offences.   |           |              | Enforcement is in house   |              |                       | Outsourced  |
| <b>If it is outsourced what company does the council use?</b>   | /  |             |                     | /   | /  |             | /             |   |           |              |   |              |                       | Norse   |
| <b>The frequency and amount of FPN's given</b>  | Enforcement officers will issue a fixed penalty where an offence is witnessed, and it is appropriate to do so  | No response | No response         |   | 5 in 2021 – Littering £80 - £50 early payment<br><br>12 Dog related offences £100 or £75 early payment   |             |               | Litter FPN for last 12 months. This is the amount for actual FPN issued and we have approximately 25 cases pending from information requests.<br><br>September 2020 – 11<br>October 2020 – 20<br>November 2020 – 25<br>December 2020 – 6<br>January 2021 – 12<br>February 2021 – 12   |           |              | 1st October 2018-31stOctober 2019.<br><br>During that time, we issued 55 FPNs, broken down as follows:-<br><br>1-Littering (including cigarette litter)-36<br>2-Dog fouling not being remove/disposed-6<br>3-Fly Tipping-9<br>4-No Waste Transfer Notes-2<br>5-Dogs not on lead alongside highway-1<br>6-More than six dogs being walked by one person-1<br><br>We did not issue any FPNs in respect of "Failing to have the means to pick up" or "Dogs encroaching into an exclusion zone" |              |                       | 2020-62<br>2019-79  |
| <b>How they tackle environmental crimes committed by under 18's</b>   | Officers would seek to engage the offender's parents/legal guardian.   |             |                     | Littering – no under 18's issued FPNs. If we find out the parents details, we will speak to them.<br><br>Dog related offences also as above, with potential to issue a CPW on parents for repeat offenders (not happened yet).  |  |             |               | We don't usually process cases with subjects under 18 however we have had previous cases relating to ASB whereby we have issued Community Protection Warnings to the parents. Due to a change in legislation we can no longer do this.  |           |              | When we deal with environmental crimes committed by under 18s, we conduct the interview in the presence of parent/guardian.   |              |                       |   |
| <b>Any other arrangements when fining people with disabilities</b>  | There are no specific arrangements. Officers assess the situation and issue fixed penalties where reasonable and appropriate to do so.   |             |                     | As a result we have recently conducted a tendering process for a three year contract with a contractor to provide 3 uniformed enforcement officers so that this combined approach can be continued.   | Dependant on disability – if it is a severe disability we will not proceed – but may liaise with carers.<br><br>Dependant on what the defence offered is for dog related offences, but there is scope for a lesser sanction. |             |               | Regarding disabilities – the range of disabilities can vary significantly and it is very rare to encounter somebody who is not able to understand or provide their name and address etc. We have approached people that have failed to pick up their dog faeces because they have claimed they can not bend down etc however the only exception is if they are registered blind. Each case is measured on a individual basis. |           |              | When dealing with people with disabilities, we make "reasonable adjustments" depending on the circumstances.  |              |                       |   |