



Report of:	Meeting	Date
Mark Billington, Corporate Director Environment and Councillor Tom Ingham, Chair of the District Enforcement Pilot Task Group	Cabinet	23 March 2022

District Enforcement Pilot Task Group – Final Report

1. Purpose of report

- 1.1 To report the work of the District Enforcement Pilot Task Group to the Cabinet.

2. Outcomes

- 2.1 Evaluate the effectiveness of the environmental enforcement pilot to tackle cleaner and greener issues.

3. Recommendations

That Cabinet considers the report and recommendations (attached in Appendix 1) arising from the review of the District Enforcement Pilot Task Group which are as follows:

- 3.1 That the current agreement with District Enforcement is extended for a further two years, for example from March 2022 to March 2024, with the intention for an additional Overview and Scrutiny review of the service within this two-year period.
- 3.2 That there is the provision for District Enforcement to issue an official warning system, in addition to fines, for the following offences:
- Failing to have the means to pick-up dog fouling
 - Dogs entering an exclusion zone
 - Dogs not on leads in Public Places

To facilitate this, the group recommends that an update to the IT system be implemented to allow warnings to be lodged electronically.

- 3.3** That Wyre should strongly consider taking action against under 18 year olds and that officers could explore the options for penalties. However, the task group would recommend looking at options such as letters sent to parents and/or verbal, unofficial warnings.
- 3.4** That the council continue to support and endorse their current programme for educating young people of the borough on the harmful impact of littering.
- 3.5** That Wyre Council's communications team should send out more messages to residents regarding the reporting of dog fouling incidents.

4. Background

- 4.1** Wyre Council first introduced the pilot scheme with District Enforcement on 5 September 2018, it was agreed that the council would enter a 12-month environmental enforcement trial with District Enforcement. The agreement was then extended on 12 March 2021 for another year (until March 2022).
- 4.2** A task group to review the pilot scheme was originally commissioned at the Overview and Scrutiny Committee meeting held on Monday 22 July 2019.
- 4.3** Owing to the unforeseen circumstances, created by the Covid-19 pandemic and subsequent lockdowns, the work on this review was halted since early March 2020. The Overview and Scrutiny Committee at their 19 July 2021 meeting decided to recommission the District Enforcement Pilot Task Group. The first meeting back was held on 25 August 2021.
- 4.4** The task group's aims were (as per the scoping document):
1. Evaluate the effectiveness of the environmental enforcement pilot;
 2. Make recommendations regarding future service provision;
 3. Consider opportunities to expand on the offences covered by the pilot within any future services;
 4. Review the council's approach for under 18's (currently the council policy is not to issue Fixed Penalty Notices to under 18 year olds; the task group could look at the issues related to reducing the age limit or consider other means of addressing littering / environmental offences by minors).
- 4.5** The review was carried out over seven meetings held on 14 October 2019, 4 November 2019, 25 November 2019, 19 February 2020, 25 August 2021, 9 November 2021 and 6 December 2021. The review group heard evidence from the following expert advisors:
- Councillor Simon Bridge, Street Scene, Parks and Open Spaces Portfolio
 - Mark Billington, Corporate Director Environment

- Ruth Hunter, Head of Public Realm and Sustainability
- Alan Fitzpatrick, Waste, Recycling and Environmental Enforcement Manager
- Warren Hodgson, Head of Environmental Enforcement Manager
- Clare James, Corporate Director Resources

4.6 The task group consulted with Parish and Town Councils across the borough regarding the service. Members received responses from Catteral, Garstang, Inskip-with-Sowerby, Pilling, Preesall and Winmarleigh Parish and Town Councils. They additionally received information from other surrounding Local Authorities and from the CIPFA family group on how environmental crime was enforced at their authority. The group also produced an online public consultation in order to understand the views of Wyre residents of the scheme.

5. Key issues and proposals

5.1 Following all the relevant information that was gathered by the group, it was clear to members that protecting and enhancing the quality of Wyre's neighbourhoods was an integral priority of the council. An effective enforcement service was a vital deterrent that helped deliver this priority. Therefore, the group's recommendations aimed to assist the council with this.

5.2 The group understood that the pandemic and subsequent lockdowns had caused an impact on the performance figures of the service; therefore, the agreement required additional time to fully understand how it performs. They concluded that the council should support the service provided by District Enforcement for a further two years, for example from March 2022 to March 2024, and for a further Overview and Scrutiny review to assess performance.

5.3 The group believed that the service should have the provision to hand out verbal warnings as well as FPN's for the following offences only:

- Failing to have the means to pick-up dog fouling
- Dogs entering an exclusion zone
- Dogs not on leads in Public Places

5.4 This would be at the judgement of the authorised officer whether they see fit to give a fine or a warning. They should weigh up the nature and seriousness of the offence before issuing the appropriate sanction. The group valued that residents of the borough would appreciate an initial warning if this is their first offence or if they genuinely did not realise that it was an enforceable offence. The group additionally concluded that for initial warnings to be given out there needs to be an upgrade to the IT system used by enforcement officers to log these incidents.

5.5 They were adamant that verbal warnings would not be offered for offences such as littering and dog fouling; these offences would only be enforceable by FPNs.

- 5.6** It was clear that penalties for minors was a delicate matter, with this in mind, the group believed that the council should be taking actions against under 18 year olds in order to ensure their actions have minimal impact on the wider community. The group believed that options for the council to explore should be either a letter sent to parents and/or a verbal, unofficial warning. Additionally, the group believed that the council should explore the appropriate age range for enforcement of under 18s.
- 5.7** The task group highlighted the importance of educating young people on the harmful impacts of littering. They understood that Wyre currently has a Cleaner Greener Project Officer who focuses on recycling and the effects of littering, and talks at schools and community groups on request. This should be fully endorsed by the council and sufficient resources must be made available.
- 5.8** The group concluded that there were advantages of more residents being aware of procedures for reporting incidents on the council's website and this could be achieved by Wyre's Communications team sending out additional messages on social media platforms, for example. This will help patrol officers monitor the situation.
- 5.9** During the review, the group gained a better understanding of the harmful impact of littering on the environment and health, particularly with the rising issue of Climate Change. They additionally understood the difficulties regarding the enforcement of these offences. Therefore, they believed it is vital that the council consider lobbying partners such as the Local Government Association (LGA) to lobby the government on the tightening of littering legislation to allow for more enforcement powers for local authorities.
- 5.10** In addition, the group highlighted the lack of signage specifically regarding dog fouling and dogs on leads zones, particularly in some areas in Poulton-le-Fylde. They believed that the council should review and update their signage across the borough. Even though the group did not wish to put this forward as a recommendation, they wanted their concerns noted in the report.

Financial and legal implications	
Finance	There are no direct financial implications arising out of this report. However, it is noted that several recommendations including an upgrade to an IT system are likely to have associated costs not specified in the report.
Legal	There are no direct legal implications arising out of this report. However, it is noted that several recommendations including an extension of the agreement will require approval from the relevant Portfolio Holder.

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
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

Appendix 1 – District Enforcement Pilot Task Group report – Final.