



# Carlisle City Council

## Report to Health and Wellbeing Scrutiny Panel

### Report Details

Meeting Date:	17 February 2022
Portfolio:	Environment and Transport
Key Decision:	N/A
Within Policy and Budget Framework	Yes
Public / Private	Public
Title:	LOCAL ENVIRONMENTAL CRIME, ACTION AND ENFORCEMENT STRATEGY: UPDATE ON RECENT ACTIVITY
Report of:	The Deputy Chief Executive
Report Number:	CS 10/22

### Purpose / Summary:

The report provides an update on activity following approval of the Local Environmental Crime, Action and Enforcement Strategy in June 2021. The report covers work of the Council's Civil Enforcement Officers and street cleaning teams.

### Recommendations:

The report is presented for information and comment.

### Tracking

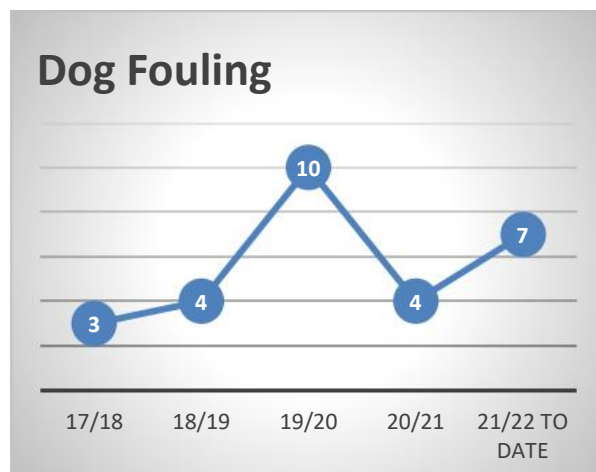
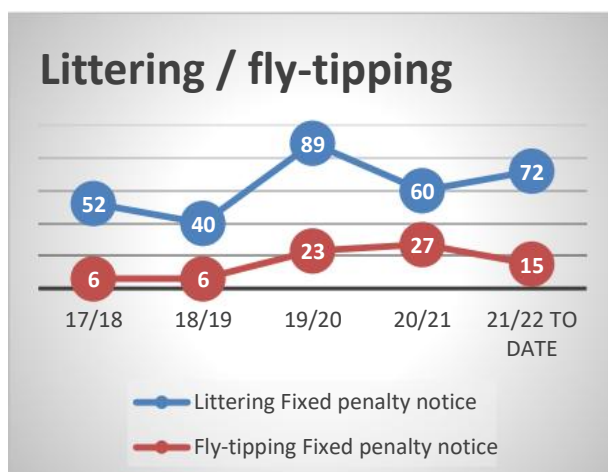
Executive:	N/A
Overview and Scrutiny:	17 February 2022
Council:	N/A

## 1.0 Introduction And Context

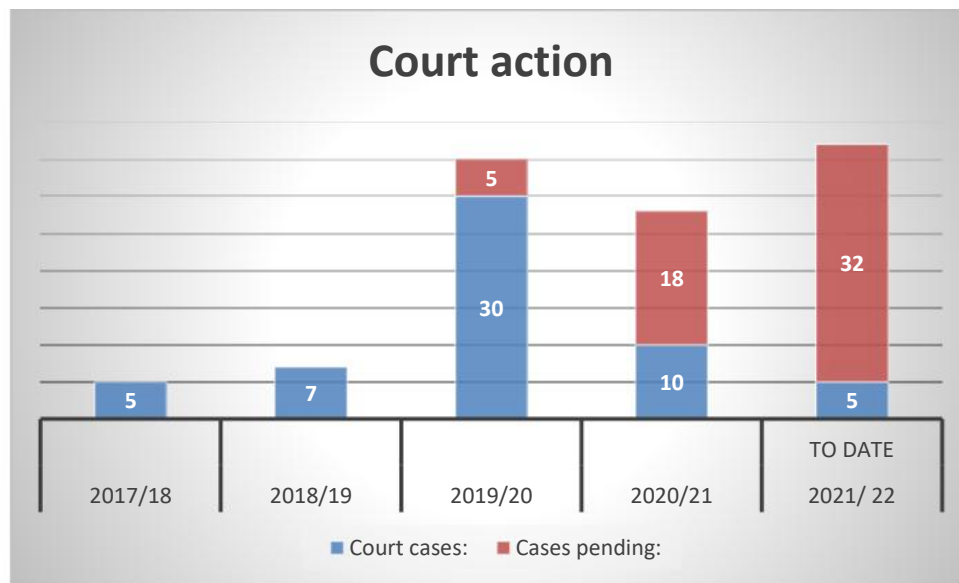
- 1.1 The Local Environmental Crime, Action and Enforcement Strategy was approved by Executive in June 2021 following consideration by Health and Wellbeing Scrutiny Panel in April 2021. The strategy brought together into a single document, the extensive range of services and activities provided by street cleaning and parking & enforcement teams in support of local priorities.
- 1.2 The report provides an update on recent activity and highlights progress across issues and concerns that continue to be a priority for the people of Carlisle, covering:
- Enviro-crime enforcement
    - Fly-tipping
    - Littering
  - Responsible dog ownership
  - Engine idling
  - Street cleaning / litter clearance

## 2.0 Enviro-Crime Enforcement

- 2.1 The Council's team of Civil Enforcement Officers (CEOs) continues to work to raise awareness of the impact of enviro-crimes such as littering and fly-tipping, investigating offences, issuing fines and when necessary preparing cases for prosecution through the courts with the support of colleagues from Legal Services. CEOs also share their time patrolling the Council's pay and display car parks. Such roles were previously separate with officers working in two smaller teams. The roles were amalgamated through an internal review in July 2018. This facilitated much needed change in the team, with staff now working together to shared goals in support of local priorities. The additional budget awarded by Council has also supported the employment of an extra Civil Enforcement Officer.
- 2.2 Further detail is provided in appendix 01, tracking performance from 2017 to date. The data excludes potential action from the Christmas fly-tipping campaign for December 2021 so these numbers will increase. The graphs confirm a positive trend, following the changes referred to above.



2.3 The chart below also confirms a positive trend in relation to the number of cases referred to court.



## 2.4 Court Outcomes

The Strategy outlines the approach taken by Enforcement Teams to Prevent, Detect and Deter enviro-crime. As part of this approach, press releases of successful court outcomes are released, anonymised as necessary, to support awareness raising and deter others from committing enviro-crime offences. Examples include:

Offence	Fine	+ Costs	+ Victim surcharge	Total
Fly-tipping	£1200	£150 Prosecution costs £361 Investigation costs £401 Clean-up costs		£2,112
Section 108 Failing to attend interview	£660	£374 prosecution costs	£66	£1,100
For failing to comply with a community protection notice	£660	£150 prosecution costs	£66	£876
Waste transfer note	£660	£85	£66	£811
Failing to microchip a dog	£440	£277	£44	£761
Littering	£220	£312 prosecution costs	£34	£566

## 3.0 Fly-Tipping At Recycling Sites Over Christmas And New Year

3.1 In 2019, the Council launched a campaign targeting littering and fly-tipping over Christmas and advising residents that they may be committing an offence if they dump waste and recycling at local 'bring-sites'. This campaign has since been

expanded to include other sites with additional cameras being deployed to support enforcement action. Whilst the problem continues, the picture is steadily improving year on year with reduced fly-tipping and litter to clear.

	<b>Number of sites with cameras</b>	<b>Warning letters issued</b>	<b>Fixed penalty notices</b>
December 2019	1	55	21
December 2020	4	89	38
December 2021	4	51+ TBC	TBC
See note 01			

**Note 01:** In addition to the above, officers are currently investigating 53 cases from December 2021, the outcome of which may result in either:

- No further action
- Warning letter
- Or fixed penalty notice.

## **4.0 Engine Idling**

4.1 To support carbon reduction, improve local air quality and reduce noise pollution, notices have been displayed in the city centre to encourage drivers to switch off their engines whilst stationary. This is designed to encourage positive behaviour by drivers but could also lead to a fixed penalty notice (£20 fine) for any driver refusing to comply to a request from an authorised officer to turn off their engine. It has not been necessary to issue any fixed penalty notices as all drivers approached have immediately switched off their engine.

4.2 Signs are currently displayed at four locations in the city centre:

- Green Market area (popular with delivery drivers)
- Top of Bank Street in front of Marks and Spencer
- Parking area between the NatWest Bank and The Cumberland Building Society (near Devonshire Street).
- Blackfriars Street near to St Cuthbert's Church

4.3 The signs were also offered to schools to raise awareness amongst parents on the school run. At the request of headteachers, officers have installed signs outside 21 primary schools across Carlisle. An image of the sign is provided at appendix 01.

## **5.0 New Enforcement Vehicles**

- 5.1 To further raise awareness of enviro-crime and to encourage positive behaviour, the team now operates three hi-profile vehicles, including one with a roof mounted camera. The three fully electric vehicles, replaced four diesel vehicles on the fleet, supporting fleet and carbon reductions as well as raising the profile of the service, providing improved driver and passenger comfort, and giving staff the tools needed to perform their jobs more effectively. An image of the vehicles is provided at appendix 01.
- 5.2 All three vehicles are fitted with on-board cameras and video evidence has supported enforcement action against three people for littering from vehicle offences. The camera vehicle was specifically introduced to raise awareness of the problem of road-side littering which is not only unsightly but harmful to local wildlife. Littering from vehicles is regarded as a civil offence and as such is handled slightly differently to other enviro-crime offences deemed as criminal offences. The onus of responsibility is placed on the keeper of the vehicle to accept the sanction or to identify the person responsible (driver or passenger). The three littering cases were all settled with the drivers each accepting the fixed penalty notice as follows:
- 1no. £150 fixed penalty notice
  - 2no £100 fixed penalty notice (£150 reduced to £100 for early settlement)

## **6.0 Verge Clearance**

- 6.1 Additional funding was made available in 2021 to support an additional verge clearance on key routes such as the A595, A7, A689, A6, A6071, B5299 and other minor routes as necessary. Unfortunately, due to sustained pressure and changing demands on operational services it was not possible to undertake this second litter picking exercise this year. The verges only therefore received a single litter pick, last being cleared in March 2021. This is programmed again for clearance towards the end of February / early March 2022 with a second clearance programmed for August / September 2022.

This activity is in addition to the litter picking of roads such as the by-pass, B7076 (tip road) and past ASDA which is done every two months.

- 6.2 This remains a high-risk activity with competent staff working close to high-speed roads. To mitigate risk to staff and other road users this is carried out under traffic management with clear signage deployed and programmed for times when the

traffic flow is quieter and when visibility is good, avoiding darker mornings for example.

- 6.3 Public awareness of the problem of roadside litter has increased and there is an understandable perception that the problem of roadside litter is getting worse. Evidence suggests however that the situation has stabilised, and we may now be starting to see early signs of improvement. It takes the team about 12 days to complete the clearance on the roads listed and they will typically collect about 100 bags of litter per day. Feedback from staff suggests from the March 2021 clearance was encouraging with a slight reduction in the volume of litter collected.

## **7.0 'Litter Strategy'**

- 7.1 The Local Environmental Crime, Action and Enforcement Strategy also doubles up as the City Council's 'Litter Strategy'. As such, it helped to secure £24,336 grant funding from the Government's Waste and Resources Action Programme (WRAP). The funding supported the purchase of 32 new multi-stream bins to support the growing demand for on-the-go-recycling. Due to some supply-chain issues, the bins were all installed by November 2021, a few months later than originally anticipated. Locations included Carlisle City Centre, Longtown, Brampton and Kingstown Industrial Estate.
- 7.2 Early indications are encouraging. Contamination can be a real issue with street recycling bins but is surprisingly low. More than 80 bags of recycling in the first two weeks were collected, containing items that most likely will have previously been dropped in the litter bin. Officers are continuing to monitor the impact of the bins working to a target to reduce the amount of non-recyclable waste by 10% by the end of March 2022.
- 7.3 The Strategy also includes an assessment sheet / scoring system to improve transparency and consistency in decisions in response to requests for additional street litter bins or to relocate an existing bin. The [Strategy](#) is available on the Council's website.

## **8.0 Other Activity / Success Stories**

- 8.1 Due to the pandemic, much of the work of the team in relation to building links with community groups and supporting volunteer litter picking activities took a back seat. There was however some notable work undertaken with an inspiring group of girls from the 1<sup>st</sup> Wetheral Brownies whose efforts to raise the profile of dog fouling resulted in very positive media coverage.

8.2 There was also a good news story with Civil Enforcement Officers re-uniting Roxie (French bulldog) with its owner. The dog was stolen when it was 18 weeks old and was found by officers over 4 years later abandoned in Rickerby Park. Officers scanned the dog's micro-chip which confirmed the owner's details.

<https://www.bbc.co.uk/news/uk-england-cumbria-59235662>

## **9.0 Conclusion**

9.1 This report is presented for update and comment.

## **10.0 Contribution To The Carlisle Plan Priorities**

10.1 Maintaining clean, safe and attractive streets, neighbourhoods, villages and towns, cuts across a number of the priorities, as outlined in the strategy.

**Contact Officer:** Darren Crossley

**Ext:** 7120

**Appendices attached to report:** Appendix 01: Additional information

**Note:** in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- None

### **CORPORATE IMPLICATIONS:**

#### **LEGAL**

There are no legal implications arising from this Report.

#### **FINANCE**

Enforcement activity is funded through the base budget

#### **EQUALITY**

This report raises no explicit issues relating to the Public Sector Equality Duty.

### **INFORMATION GOVERNANCE**

Addressed in the strategy

### **PROPERTY SERVICES**

No property implications

## APPENDIX 01: ADDITIONAL INFORMATION

		17/18	18/19	19/20	20/21	21/22 to date	21/22 rate
Littering	Fixed penalty notice	52	40	89	60	72	£150
Littering from vehicle	Penalty Notice	N/A	N/A	N/A	0	3	£150
Fly-tipping	Fixed penalty notice	6	6	23	27	15	£400
Dog Fouling	Fixed penalty notice	3	4	10	4	7	£100
Microchipping notices	Requirement to get a dog microchipped	13	50	67	50	44	Court action
Dog off lead	Fixed penalty notice	6	1	6	2	1	£100
Section 108	Requirement to attend interview	8	4	28	20	23	Court action
Waste Transfer Note	Fixed penalty notice	0	2	0	0	2	£300
Householder duty of care	Fixed penalty notice				2	2	£200
Section 47 (storage of business waste)	Fixed penalty notice	9	3	2	3	7	£100
CPW: Community Protection Warnings	Official warning	15	39	98	93	65	N/A
CPN: Community Protection Notices	Final warning	3	8	5	8	13	N/A
CPN: Breach of CPN	Fixed penalty notice	0	2	6	8	9	£100

<b>Court action</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/ 22 to date</b>
Court cases:	5	7	30	10	5
Cases pending:	0	0	5	18	32
<b>Total:</b>	<b>5</b>	<b>7</b>	<b>35</b>	<b>28</b>	<b>37</b>

### Note:

Figures shaded do not include any action arising from the Christmas campaign targeting fly-tipping at bring-sites. 53 cases are currently under investigation and may lead to:

- No further action
- Warning letter
- Or fixed penalty notice



### Recent fly-tipping case:

On the 19 January 22, a waste removal company from Newcastle was fined £660 + £85 costs after failing to supply their waste transfer notes. The prosecution followed investigation by officers into the illegal dumping of household waste on Moor Road, Longtown in February 2021.



### No idling notice



### On-the-go recycling bins



### Enforcement vehicles: 3no. fully electric vehicles.

