

**UPDATE ON STREET SCENE SERVICES – EDUCATION/ENFORCEMENT**

**Cabinet Member(s):** Cllr Colin Slade  
**Responsible Officer:** Darren Beer, Interim Group Manager - Street Scene and Open Spaces

**Reason for Report:** This report presents future options within the Street Scene Education and Enforcement Service.

**Recommendation:** That Members note the contents of this report.

**Financial Implications:** None as this is an information report only.

**Budget and Policy Framework:** The Street Scene and Enforcement policies previously agreed set out the key aims, principles, priorities and options which secure regulatory compliance and both investigate and, where necessary, undertake enforcement action following breaches of regulations.

**Legal Implications:** None as this is an information report only.

**Risk Assessment:** This report is for information only.

**Equality Impact Assessment:** There are no equality issues identified in this report.

**Relationship to Corporate Plan:** Priorities within the Corporate Plan are economy, homes, community and environment. The Street Scene Service is a frontline service, which works throughout the district ensuring cleanliness and attractiveness of our public realm through collection of waste and recycling. This is assisted through education and enforcement.

**Impact on Climate Change:** None as this is an information report only.

**1.0 Introduction/Background**

1.1 At the Environment PDG on 3<sup>rd</sup> November 2020 it was requested that the service provide an update on the following:

- Private enforcement
- Protection for the District Officers following consideration of the CCTV report

**2.0 Private enforcement**

2.1 The Environment and Enforcement Manager has contacted two enforcement companies to provide quotations for both cost neutral and chargeable services.

2.2 East Hampshire District Council have confirmed they will not be able to carry out enforcement on our behalf as they would require other local authorities to

join the scheme with Mid Devon District Council to enable the trial to go ahead.

- 2.3 3GS have provided both a cost neutral and chargeable service quote.
- 2.4 The cost neutral service is fully funded by the issuing of FPNs (Fixed Penalty Notices). To meet the commercial baseline 3GS would need to issue approximately two hundred and fifty FPNs per month in total based on two Enforcement Officers providing both mobile and foot patrols. Based on the level of FPNs currently issued by MDDC Enforcement Officers this would be unachievable.
- 2.4 3GS recommends the cost funded model (chargeable service) for customers, when the results of their street surveys demonstrate the level of environmental crime does not meet the threshold for a fully cost neutral service. This service is based on one Senior Enforcement Officer and one Enforcement Officer each working forty hours per week in one vehicle and can be summarised as follows:
- MDDC would be charged a day rate for the service and receive 50% of the income from the issuing of FPNs
  - Revenue based on 680 FPNs issued per year
  - Annual total projected cost for 3GS Environmental Enforcement Hybrid Pilot (annual cost of service fee, less annual FPN projected income) is £53,455.

Based on the above projections, the cost to the service would invariably increase, which would not provide a cost neutral service as requested.

### 3.0 **Protection for District Officers following consideration of the CCTV report**

- 3.1 The MDDC CCTV Policy, Code of Practice and Action plan was presented to the Community PDG on 17<sup>th</sup> November 2020 and will be presented to Cabinet on 7<sup>th</sup> January 2021.
- 3.2 MDDC do not use Body Worn Video at this current time as written in the Code of Practice (section 5.7).
- 3.3 The CCTV Policy, Annex A – Technical Information, Establishing the Purpose for a CCTV Requirement (section 7) stipulates that, 'Whilst body worn video (BWV) cameras and headcams are not strictly CCTV systems, the same restrictions with regard to the GDPR apply. Any Council service that is contemplating using BWV or headcams must consider whether there is a pressing need to capture images of people in this way. Videoing everyday life via such a system would be unjustified if there was no justification. The Information Commissioner expects any Council using BWV cameras to give people appropriate information that such a system is in use.'
- 3.4 Before deciding to procure and deploy such a system, it is important to justify its use and consider whether or not it is proportionate, necessary and addresses a pressing need. If MDDC are going to use audio recording as well

as visual recording, the collection of audio and video needs to be justifiable. The pressing need will have to be far greater in order for the use of BWV systems to be necessary and proportionate. This will require the service to provide more evidence to support its use.

- 3.5 A review was carried out in 2018 and led to the decision to enter into a contract with Alertcom with effect from the 20th November 2018. The Street Scene service including the District Officers use the Alertcom devices which are deemed to be adequate control measures, there is 2 way contact available with the incident centre (24 hr) as well as an SOS button and the incident centre can listen in and alert emergency services according to the individual services' risk assessments.
- 3.6 The standard device; is small, lightweight and can be worn on a lanyard or attached to a belt. These devices incorporate both GPRS and GSM communication technologies and also have a feature which allows them to switch between service providers to give enhanced coverage and their use is subject to risk assessment. The benefits of this device include:
- The simplicity of operation, no need to phone in each time the employee is Lone Working, just turn the device on and press the alarm button should the need occur
  - Two way communication immediately the emergency call button is pressed
  - Improved signal coverage if the multi-network option is included
  - Improved data protection as the employee deals directly with Alertcom reducing the need for forms to be kept by MDDC
  - The ability to share devices reducing the need to solely register every lone worker
  - The ability to locate an employee if there are concerns for their safety
  - Improved management information on usage and activations
  - A man down function that detects falls
  - Safe check feature which allows for the user to set a time and location they are going to where there is a known blackspot for coverage or a known potential threat
- 3.7 Officers also have a panic button on their parking handheld devices, which calls the office mobile, officers can listen in and call emergency services if necessary. Other control measures exist, such as phoning in at the end of the day.
- 3.8 Fortunately the Service has not suffered incidents of aggression or violence towards the staff so cannot evidence a pressing need for BWV at present but this will be kept under review and reconsidered should the need arise.

**Contact for more Information:**

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**Circulation of the Report:**

Cllr Colin Slade, Leadership Team