

**Environment Enforcement; Quarterly performance update**

**Cabinet Member(s):** Cllr Colin Slade, Cabinet Member for the Environment and Climate Change

**Responsible Officer:** Luke Howard, Environment and Enforcement Manager

**Reason for Report:** This report provides update on the quarter one performance in relation to Environment and Enforcement service.

**Recommendation:**

No recommendation required. This report is solely for note only.

**Financial Implications:** There are no financial implications as a direct result of this report.

**Budget and Policy Framework:** No additional budgetary requirements in relation to this report.

**Legal Implications:** The Authority has a statutory responsibility to fulfil investigation and enforcement into environmental crimes such as abandoned vehicles, littering, fly tipping and public space protection orders.

**Risk Assessment:** Risk assessments in relation to the role of district officer in place. No further risk assessment required.

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

**Relationship to Corporate Plan:** The service development is designed to align with corporate plan on reducing environmental crime issues within the district.

**Impact on Climate Change:** The report is focussed on advising how the service is actively working to reducing environmental crime. This will have a positive impact on climate and the corporate strategy relating to this.

## **1.0 Introduction/Background**

1.1 The service has listened and responded to different concerns raised regarding environment enforcement activity including; previously reported levels of littering, unresolved abandoned vehicle cases, fly tipping concerns and level of enforcement. One of the objectives for the Environment and Enforcement service now is to educate the public and ensure a balanced and proportionate approach to enforcement activity. This will enable the service to build public confidence in our enforcement practice and provide transparency in our approach.

1.2 The service is committed to developing our portfolio to accommodate the current evening patrols of the three key largest communities within the district. These patrols will predominantly focus on town centre streets and MDDC car

parcs which, together with Street Cleansing inspections, will support the forthcoming implementation of three weekly bin collections.

1.3 District Officers will soon be wearing a new uniform and will be wearing body cameras to support their own personal health and safety. These devices will not be used to capture evidence in relation to environmental crimes or general surveillance, their use is solely as a support for health and safety.

## 2.0 **Quarter One Performance 22/23**

2.1 The statistics for quarter one are reflective of how the Environment and Enforcement service is developing its approach to managing car parking and environmental issues. The service is evolving to performing well and is showing continual improvement in the handling, investigation and outcomes achieved in different areas.

2.2 Improved enforcement approaches and application of legislation available to the authority has seen a greater presence from our District Officers. With more efficiency in our investigatory process, the service is steadily becoming better in terms of application in all areas of enforcement activity.

2.3 The service has experienced significant change during quarter one (Q1), which has seen elements of training, staff turnover and Covid affecting planned service delivery. Despite these setbacks, a package of strong overall performance is being developed.

## 3 **Car Parking**

3.1 Car parking is a large part of the services day to day activities. The patrols conducted by District Officers ensure a level of income protection and turnover of spaces for customers. The aim of the service is to be consistent, transparent and open in the approach to parking related enforcement. There is a wealth of experience within the team and this has enabled us to better manage Penalty Charge Notices and the appeals process. Accredited training for a level 3 award in notice processing has been undertaken by the back office team. This has provided a better understanding and interpretation of all processing related matters.

3.2 Revenue from pay and display machines is consistently around the £50k region for each month in Q1, this includes; cash, card and Ringo payments. This has generated an income via pay and display of £151,604.86 for the quarter. This consistent revenue stream can be directly correlated to the increased presence and visibility of the District Officers, which in turn has meant drivers are less likely to risk not purchasing a pay and display ticket. The service has also significantly improved our approach with regard to machine maintenance. The service aim is to repair all first line machine faults within 24hrs of the fault occurring or referral to an engineer for resolution within 48hrs. During Q1 there were 14 machine faults which saw the respective machines out of order, 13 of these faults were rectified on the same day or within 24hrs of the fault occurring. The other fault was rectified within 48 hours due to it requiring engineer attendance.

- 3.3 Issuance of PCNs has increased significantly in comparison to previous years, however, this can be attributed to a better approach in relation to the patrol procedures and quantity of these patrols. Q1 statistics in relation to PCN's issued total 477 for the quarter 1<sup>st</sup> April-30<sup>th</sup> June, with steady increases month on month.
- 3.4 Recovery of amounts owed is showing a promising return for the quarter at 69.18% with 330 of 477 PCN's issued having received payment.

#### **4 Abandoned Vehicles**

- 4.1 Abandoned vehicle investigation and enforcement process has seen significant improvement since April 2022. The new process and procedure has seen the service successfully investigate, remove or have the registered keeper remove 98 vehicles considered abandoned in the district during Q1. The majority of these vehicles have been moved by the registered keeper after receiving removal notices in the post or having been seen by the Registered Keeper on the vehicle.
- 4.2 Two Fixed Penalty Notices have been issued in Q1 in relation to abandonment of vehicles.
- 4.3 One vehicle was removed and placed into storage due its value. The owner of this vehicle recovered it the following day after settling all removal costs incurred. A burnt out van was removed from a lay-by on the A396 after liaison with local neighbourhood officers at Devon and Cornwall Police.
- 4.4 It should be noted that the recovery of vehicles has no cost to the authority as all costs associated with the removal and destruction are negated by the scrap value. Where costs are incurred via removal and storage, the keeper of the vehicle will settle any outstanding amounts with the recovery company prior to the vehicle being released.

#### **5 Littering and PSPO**

- 5.1 The District Officer team received training in June 2022 in relation to the law and application of Fixed Penalty Notices, littering and PSPO legislation. This training was provided via a Keep Britain Tidy solicitor who specialises in environmental law. The training was really useful for the team, and all have provided positive feedback in relation to their own understanding and confidence on the subject.
- 5.2 During Q1 there have been 38 patrols directly related to littering and PSPO, in addition to multiple patrols for cleansing inspections within the three major communities of Mid Devon. The District Officers have provided words of advice to several members of the public regarding littering offences, all of whom were offered the opportunity to pick up their litter and dispose of it in the correct manner. All litter picked was removed and so no further enforcement action was taken.

#### **6 Fly tipping**

- 6.1 There have been multiple investigations into fly tipping conducted by the district officer team. This has included an individual being invited to interview under caution to explain why they were linked to a fly tipping incident. There are currently three ongoing investigations, which are likely to result in the individuals receiving fixed penalty notices, unless evidence can be provided which discharges their liability to the offence.
- 6.2 It is becoming prevalent that the more focus and activity the service operates in relation to fly tipping, the smarter fly tippers become. We are seeing a rise in the amount of fly tips we investigate that have evidence removed linking anyone to the fly tip. The service is exploring all avenues that may assist us with tackling these issues, it's is hoped that we will be able to utilise a multi tactical approach to investigate fly tipping in the future.

## **7. Staffing Resource**

- 7.1 There have been periods during quarter one which has seen the service understaffed. This can be attributed to sickness, Covid and staff retiring/seeking other employment in the main. The service has performed well despite these pressures, and I am confident this standard will continue as we move forward.
- 7.2 The service will be back to full staffing levels from mid August. This will provide an opportunity to expand new ways of working. The recruitment of 3 new District Officers since March 2022 has been excellent, with the successful candidates learning the role, acquiring new skill sets and developing knowledge well. As we move forward, District Officers will begin to carry a caseload. This caseload will be varied and comprise of multiple investigations in all areas of environment and enforcement. There will be regular monthly reviews into the progression of these caseloads to provide assistance and support where required. This will help develop a 'lessons learned' mentality so the District can lead on continuous improvement and demonstrate industry standard best practice.

## **8. Street Cleansing**

- 8.1. During May 2022 an application for funding relating to the removal of Gum residue was applied for. The service was successful in obtaining £15k in funding, this funding will procure industry specific machinery to remove gum residue from hot spots within the three major towns of Mid Devon. A campaign will run during September and October, encouraging disposal of gum into waste bins and removal of gum residue from footpaths and hotspot areas.
- 8.2. The service has completed a full cleansing inspection (this assesses the cleanliness of our roads and streets) in Tiverton and will shortly complete Crediton. This assessment leads to a grading between A and D (A no litter or refuse present, D heavy littering present with significant culmination). In Tiverton most of the gradings were A and B with Crediton seeing the majority of assessments also of A and B standard.

The service aims to complete the cleansing inspections of all three towns (including Cullompton) by the end of September 22 with a view to recommencing further inspections in quarter 3 to be completed by the end of quarter 4. This will allow the two sets of results to be compared and improvements or areas of deterioration identified. This will also allow the service to proactively evaluate the impact of the introduction of 3 weekly bin collections on the 10 October 2022 in the District.

**Contact for more Information:**

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**Circulation of the Report:**

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**List of Background Papers:**

None