

Agenda Item No: **Report No:**
Report Title: **Clean & Green Team - Progress Report and Future Service Provision**
Report To: **Cabinet** **Date:** **23 July 2007**
Lead Councillor: **Cllr D Gray and Cllr E Collicot**
Ward(s) Affected: **All**
Report By: **Director of Finance & Community Services**
Contact Officer(s): **Owen Clifford, Community Services Manager**

Purpose of Report:

To update Cabinet on the overall progress by the Clean & Green Team.

Officers Recommendation(s):

- 1 That Cabinet note the performance of the Clean & Green Team to date in relation to tackling environmental crime and anti social behaviour.

Reasons for Recommendations

- 1 The establishment of the Clean & Green team is a major commitment by the Council towards its stated objective of protecting the local environment.
- 2 Cabinet previously agreed to establish a new Clean & Green Team from August 2006 to take advantage of opportunities afforded by new legislation. In doing so Cabinet has approved additional funding to support the new service until 2008.

Information

3 Background

Overall Performance since August 2006

- 3.1 The Clean & Green team officially launched in August 2006 with the objective of reducing Environmental Crime and Anti Social Behaviour. This included but was not limited to focus upon the following issues:

- Abandoned Vehicles
- Untaxed & Nuisance Vehicles (Those offered for sale or being repaired on the highway)
- Graffiti
- Fly Tipping
- Litter
- Dog Fouling

- 3.2** Prior to 2006, enforcement of some of these issues had been undertaken by a number of different staff in different departments. The available resource was such that apart from dog fouling, activity was directed mostly in a reactive way to removing and cleaning up after the event.
- 3.3** The Clean Neighbourhoods & Environment Act 2005 (CNEA) introduced a range of new offences and powers for local authorities to adopt. Whilst the new powers are considered discretionary, government has made it clear that local authorities are expected to make effective use of them and this will be monitored through future area performance assessments as these are considered to be quality of life issues that are of importance to local people.
- 3.4** When establishing the Clean & Green Team, Cabinet adopted the majority of new powers in the CNEA. The wardens who form the team have received extensive training to assist them in making best use of the new legislation. The team comprises:
- 2x Animal Wardens
 - 2x Parks Wardens (employed by Wyevalles under Contract)
 - 3x Street Wardens
- 3.5** Since August 2006, the team has focused on specific issues in order to develop competence and proficiency and to ensure the relevant support mechanisms are in place.

Vehicles

- 3.6** The initial focus was to tackle abandoned, nuisance and untaxed vehicles. In 2005/06 the number of abandoned vehicles reported to the Council was 953. In 2006/07 the number of abandoned vehicles reported had been reduced significantly to 667.
- 3.7** The Clean & Green Team has also adopted agency powers from the DVLA to seize untaxed vehicles. 197 vehicles have been investigated since August 2006 and 62 have been seized resulting in penalties totaling £4,075. The income from penalties is used to [to be completed].

Fly Tipping

- 3.8** Fly tipping has been one of the biggest challenges and one of the most time consuming aspects of the Clean & Green team's work. In 2005/06 there were 510 reported fly tips, of which 72 were subsequently investigated and 1 case was prosecuted. In 2006/07 631 reports were received and 225 cases have been investigated and 4 prosecutions are currently being pursued. The likelihood is that a further 20 cases will lead to prosecution in the full year from November 2006 since the new team started to focus upon Fly Tipping enforcement. The first successful prosecution occurred on the 18 June 2007 at Lewes Magistrates Court

where a local Builder from Peacehaven was fined £500 and £586.64 in costs for a relatively small fly tip at Beddingham on the A27.

- 3.9** The number of reported fly tips has increased over the past 12 months but this is felt to be largely due to the increased publicity and public awareness that has taken place since the Council established the new team. The public are more willing to report incidents if they feel they will be actioned. The approach to tackling fly tipping is also developing with a focus on intelligence based problem solving using a range of options such as covert CCTV and working closely with other agencies such as Sussex Police, the Vehicle Operators Services Agency (VOSA) and the Environment Agency. This has seen several joint operations such as Op Bagpipe, to stop and search vehicles that are suspected of illegally transporting waste. As from 2008 new regulations enabled under the CNEA will allow the Council's wardens to seize vehicles on the spot if they are found to be transporting waste illegally.
- 3.10** Of the 1,141 cases reported over the past 2 years more than 60% involve a van load or lorry load of waste indicating the majority of fly tipping is not from domestic origin and is the result of unscrupulous trades persons and those who provide waste clearance services. This is borne out by the increased number of investigations undertaken by the Street Wardens over the past 8 months. A significant quantity of fly tipped waste can be traced to addresses outside of the Lewes district, in particular to addresses in Brighton and Eastbourne and many of these consist of builders waste arising from the high level of building and refurbishment that is taking place in these areas and is attracting "white van man" to operate.
- 3.11** This emerging "profile" of a typical fly tipper indicates that the Lewes district is attracting a lot of fly tipping because of the rural nature of the district with many incidents taking place in quiet and secluded areas close to the major trunk roads that bisect the district.
- 3.12** As this intelligence gradually evolves, our closer working with neighbouring authorities and with Sussex police will result in a more rigorous approach to tackling fly tipping. Another initiative under consideration is to make use of the Police Automatic Number Plate Recognition system (ANPR) in order to flag up vehicles of interest that are suspected as having been involved in fly tipping. This will provide further evidence linking suspected prolific offenders to fly tipping hot spots.
- 3.13** Each fly tipping case has taken on average 20 hours of staff time to gather evidence, take witness statements and to interview suspects. Suspects are invited to attend a taped recorded interview under caution. Each completed investigation is then referred to an officer sanctions panel who recommend the most appropriate course of action, this includes:

- **No Further Action** - where it is felt there is insufficient evidence to proceed, or where it is not deemed in the public interest to do so.
- **A Simple Caution** - a senior designated officer administers a caution that can be referred to should a further incident of a similar nature arise.
- **A Fixed Penalty Notice** - not applicable for fly tipping, but can be applied where there is a clear failure in the "duty of care" that led to the fly tip occurring.
- **A formal prosecution** - for more serious cases of fly tipping where there is sufficient evidence to support a prosecution case

Graffiti

- 3.14** Graffiti is termed a signal crime because it can lead to a degradation in the local environment and attract other forms of criminal and anti social behaviour. Graffiti can also be offensive and is considered in law to be criminal damage. The Clean and Green team are trained and equipped to remove minor graffiti and will refer larger issues to specialist external contractors. In 2005/06 there were 7 reported incidents. In 2006/07 there were 36 reported incidents. In April and May of 2007 there have been 16 reported incidents. An incident may represent several separate graffiti, usually referred to as "tags" where the initials or slogan of the person responsible are incorporated into a specific design that is then replicated across a wide area.
- 3.15** A series of graffiti tags recently appeared in Newhaven and the Clean & Green team working with Sussex Police offered a reward generated information leading to the arrest of the offenders. A similar approach is being adopted in Lewes where there is a currently increased level of graffiti tags. A database of all graffiti tags is being established by the team to aid in future enforcement activity when a suspect is subsequently identified.

Other Clean & Green Activity

- 3.16** Waste duty of care is another part of the work of the Clean & Green team, this relates primarily to the inspection of commercial premises to ensure there are proper arrangements in place for the disposal of waste. Regular inspections are carried out and warnings issued and where necessary FPN's are also issued where repeated non-compliance is noted. Such inspections support the approach to reducing fly tipping by ensuring there is an end to end audit of waste transfer activity thus helping to prevent and deter individuals from disposing of waste unlawfully.

- 3.17** As well as enforcement as described above, it is also the role of the team to educate and to prevent and deter offending from happening in the first place. This has included widespread community engagement involving wardens attending street briefings and providing close support for initiatives such as the "Clean Streets" campaigns. Presentations have also been made to Town & parish Councils and to Resident and community groups. Since August 2006, 10 such presentations have taken place across the district to explain the function of the Clean & Green team and to raise their profile in the community.
- 3.18** The seven wardens meet on a monthly basis along with support staff in order to share information and best practice and to plan their activity. A strategic management team also meet monthly to monitor the team's performance and to set the direction for the future focus of the team. The team are also represented at the fortnightly Joint Action Group (JAG) which is a tactical partnership operated as part of the Crime Reduction Partnership to tackle current crime and anti social behaviour issues.
- 3.19** The Clean & green team are one of the first such integrated teams in the country and the first to be accredited by DEFRA under their warden scheme to tackle environmental crime under the CNEA on behalf of Town and Parish Councils.

4 Future Service Provision

- 4.1** Cabinet agreed the establishment of the team from within a one off service improvement budget and a small ongoing revenue budget. This has covered the set up costs such as training, uniforms, communications equipment and support costs such as IT and Legal Services. As from April 2008 if the service is to continue the full revenue budget will need to be formally incorporated into the base budget in order to sustain the service.
- 4.2** The current team is drawn from existing staff within the Council who are permanent employees and was supplemented in 2006 by the recruitment of new staff on two year fixed term contracts to provide the additional capacity to utilise the new powers set out above.
- 4.3** The service is delivering tangible results and is developing a significant capability and knowledge in a range of areas where the Council has not been in a position previously to take effective action. The aim of the team in the long term is to reduce environmental crime and anti social behaviour through a range of targeted interventions, some of these, such as the reduction in abandoned vehicles are already having a significant impact. Others such as fly tipping, will take longer to achieve significant reductions, but as increased levels of investigation and enforcement activity takes place linked to appropriate publicity the likelihood of achieving a reduction will also increase.

5 Financial Implications

5.1 Cabinet has previously approved funding for the establishment and operation of the Clean & Green Team through the granting of a one off service improvement budget of £200,000 for a two year programme of work and an additional recurring budget of £38,700.

5.2 The funding required to continue the work of the team beyond the initial two year programme will be reported to Cabinet in September 2007.

6 Environmental Implications

I have completed the Environmental Implications Questionnaire and there are no additional significant effects as a result of these recommendations over and above those previous reported to Cabinet on this subject.

7 Risk Management Implications

I have completed the Risk Management questionnaire and there are no identified additional risks over and above those previously reported to Cabinet on this subject.

8 Background Papers

Clean Neighbourhoods & Environment Act 2005 Final Guidance.

Cabinet Report 72/06 12 April 2006.

9 Appendices

None.