



EAST STAFFORDSHIRE BOROUGH COUNCIL

REPORT COVER SHEET

Title of Report:	Review of Corporate Targets GD02, GD03, GD10, GD11	To be marked with an 'X' by Democratic Services after report has been presented
Meeting of:	Corporate Management Team [15 th November 2023]	X
	Pre-Cabinet [23 rd November 2023]	x
	Leader's / Leader of the Opposition's Advisory Group [30/11/23 & 6/12/23]	
	Cabinet [DATE] / Council [DATE]	
	Audit Committee [DATE] / Scrutiny Community Regeneration Committee [DATE] / Scrutiny Environment and Health and Well Being Committee [DATE] / Scrutiny Value for Money Council Services Committee [DATE]	



<p>Is this an Executive Decision:</p>	<p>[YES/NO]</p>	<p>Is this a Key Decision:</p>	<p>NO</p>
<p>Is this in the Forward Plan:</p>	<p>YES</p>	<p>Is the Report Confidential:</p> <p>If so, please state relevant paragraph from Schedule 12A LGA 1972:</p>	<p>NO</p>

Essential Signatories:

ALL REPORTS MUST BE IN THE NAME OF A HEAD OF SERVICE

Monitoring Officer: **John Teasdale**

Date Signature

Chief Finance Officer: **Stephen Fitzgerald**

Date Signature

**[OPEN/PRIVATE]
AGENDA**

EAST STAFFORDSHIRE BOROUGH COUNCIL

Report to Cabinet

Date: 18 December 2023

**REPORT TITLE: Review of Tackling Enviro Crime - Corporate Plan
Targets GD02, GD03, GD10, GD11**

PORTFOLIO: Communities and Regulatory Services

HEAD OF SERVICE: John Teasdale

CONTACT OFFICER: Margaret Woolley Ext. No. x1479

WARD(S) AFFECTED: All

1. Purpose of the Report

1.1. To provide an update to Corporate plan target 'Review of Tackling Enviro Crime' GD02, GD03, GD10, GD11 2023/2024. The targets can be summarised as follows:

- GD02 Increase levels of action taken against anti-social behaviour by reviewing the performance of mobile CCTV provision and seeking to achieve a 20% increase in the number of deployments (from 22)
- GD03 Increase levels of action taken against anti-social behaviour through undertaking 4 initiatives to address fly tipping under the 'Tackle the Tippers' campaign
- GD10 Introduce mobile fly-tipping removal vehicle
- GD11 Ensure fly-tipping is removed as quickly as possible (within 5 days of receipt of notice from CCE team) and disposed of in an environmentally friendly way.

2. **Executive Summary**

- 2.1. For each corporate plan target there is a review necessary highlighting progress in December 2023.
- 2.2. Each target forms part of a set activities that combined can assist in addressing the issues of anti-social behaviour and fly tipping.

3. **Background**

- 3.1. Nationally Councils are faced with the challenges of improving local environmental quality.
- 3.2. The Council undertakes a wide range of activities and functions that aim to improve local environmental quality across the Borough; it does this with some success by for example – clearing waste and fly tipping. Addressing land that accumulates waste, visiting businesses to ensure Duty of Care procedures are in place, issuing fixed penalties and Community Protection notices for compliance and enforcement.
- 3.3. Following the pandemic, there was seen to be an increase in the number of complaints reported to the Council, particularly with regard to anti-social behaviour and fly tipping deposits.
- 3.4. Whilst the Community and Civil Enforcement Team, Enforcement Teams and Waste Management were already investigating cases and working closely together alongside partnership agencies, the introduction of the Mobile CCTV Enforcement Officer complimented the work and outcomes achieved.
- 3.5. This approach enables the gathering of evidence for enforcement investigations, to pass on to other relevant agencies such as Staffordshire Police and to act as a deterrent in some areas and situations.

4. **Contribution to Corporate Priorities**

- 4.1. Creating a prosperous East Staffordshire.
- 4.2. Standing up for our communities.

5. **Report**

- 5.1. **Update GD02** - Increase levels of action taken against anti-social behaviour by reviewing the performance of mobile CCTV provision and seeking to achieve a 20% increase in the number of deployments (from 22).
- 5.2. The Mobile CCTV Enforcement Officer post was created to support the Council's work in dealing with Anti-social behaviour (ASB). The post was made substantive in November 2022 sitting within the Enforcement Team. The remit

of the post is to work across the services in partnership, using available resources and knowledge.

- 5.3. The Mobile CCTV Enforcement Officer currently holds a stock of 12 cameras these being the Apeman H45s mobile CCTV camera.

Mobile CCTV Deployments

Since the 1st April 2023 mobile cameras have been deployed in 16 areas. The teams target is 26. Based on this information and applications for placing cameras, Officers believe the target is achievable.

The deployments to date are detailed below for 2023/2024:

New Camera Deployments from 1st April 2023:

1. Crown Industrial Estate, Anglesey (July – October 2023)
2. Wood Street, Anglesey (July – November 2023)
3. Anglesey Road, Anglesey (August – October 2023)
4. Moxon Dance School, William Street, Horninglow (August 2023 – Ongoing)
5. Severn Close, Stretton (October 2023 – Ongoing)
6. Town Hall Car Park, Waterloo Street, Shobnall (October 2023)
7. Clays Lane Park, Clays Lane, Branston (April – May 2023)
8. Grafton Road, Brizlincote (April – May 2023)
9. The Dingles, Stapenhill (April – June 2023)
10. Oxford Street, Anglesey (May – June 2023)
11. Blithfield Reservoir, Abbots Bromley (May – July 2023)
12. Vernon Terrace, Victoria Street, Shobnall (August - September 2023)
13. Village Mews, Anglesey (August 2023)
14. Canal Street, Anglesey (August – September 2023)
15. Tafflands Park, Meadow View, Rolleston (November 2023 – Ongoing)
16. Eton Park, Shakespeare Road, Eton (November 2023 – Ongoing)

During this period including those deployed prior to April 2023 the following successes are highlighted:

Mill Stream Lane, Stretton (July 2022 – Ongoing)

- Fly tipper who committed the offence in August 2022 was prosecuted after pleading guilty at court and ordered to pay costs totalling £3137 on 12th October 2023
- An incident caught on camera on 01/05/2023 resulted in an IUC and the offender admitting guilt and receiving an Fixed Penalty Notices of £400
- 2 incidents caught on camera on 02/08/2023 & 16/08/2023 by the same vehicle are currently under investigation and the registered keeper has been interviewed
- Significant reduction in frequency of incidents in what is a notorious hotspot for fly tipping

Craythorne Golf Course, Rolleston (February 2023 – July 2023)

- An incident caught on camera on 22/04/2023 involving 2 vehicles and 4 people fly tipping resulted in 2 formal interviews and 3 Fixed Penalty Notices of £400 being issued
- Youths with an air rifle caught on camera when reviewed on 29/04/2023, footage passed onto police
- Suspicious activity and action taken as a result of the findings 10/05/23
- Vehicle caught on camera on 17/05/2023 being used to fly tip, and currently under investigation
- Significant reduction in frequency of incidents in what is a notorious hotspot for fly tipping

Napier Street, Anglesey (February – September 2023)

- Overall reduction in reported incidents of fly tipping

Canal Street, Anglesey (August – September 2023)

- Successful deterrence of what was turning into a fly tipping hotspot

Village Mews, Anglesey (August – September 2023)

- Successful deterrence of what was becoming an ASB hotspot. Officer worked with private land owner to secure a suitable placing of the camera

Oxford Street, Anglesey (May – June 2023)

- Successful deterrence of what was becoming a fly tipping hotspot

Clays Lane Park, Clays Lane, Branston (April – May 2023)

- Successful Deterrence of ASB during deployment

To complement the mobile CCTV provision Officers undertake other activities to address and support reports of Anti-Social Behaviour.

This includes the Fly Tipping Working Group.

- 5.4. **Update GD03** - Increase levels of action taken against anti-social behaviour through undertaking 4 initiatives to address fly tipping under the 'Tackle the Tippers' campaign.

Fly Tipping Working Group

The Fly Tipping Working Group meets on a monthly basis to ensure a joined up approach when dealing with fly tipping matters. Meetings are attended by Senior/ Middle Management and Officers representing the Enforcement Team, including the Mobile CCTV Enforcement Officer, the Community and Civil Enforcement Team and Waste Management.

Fly tipping cases are investigated using a triage approach whereby reports initially go to the Community and Civil Enforcement Team for Officers to conduct a visit to ascertain whether there is any evidence present that will enable the perpetrator to be identified. The fly tipping case is then forwarded to the Waste Management Team to remove and dispose of the fly tipping where it is on highway land that falls within the jurisdiction of East Staffs Borough Council or on land owned/ maintainable by East Staffordshire Borough Council.

Matters discussed by the group include:

- Initiatives, including brain storming, ideas of best practice, sharing of information cross- team, and briefing on Operational Orders and debriefing following an Initiative. Intelligence is gained through mapping exercises highlighting the Wards within the Borough with the highest number of fly tipping reported
- Updates as to how many Fixed Penalty Notices and Community Protection Warnings/ Notices issued. The Enforcement Team and Civil Enforcement Team provide updates regarding how many have been issued since the previous month's meeting.
- KPI response targets
- Updates to ensure cases are recorded accurately for accuracy of the DEFRA Fly Tipping returns (duplicates of complaints have been identified)
- Updates from the Mobile CCTV Enforcement Officer regarding the camera deployments.

Fly tipping reports, fixed penalty notices, successful prosecutions and cases

- Number of fly tipping reports since April 2022 to date (November 2023) = 495
- Fixed Penalty Notices issued since April 2022 to date (November 2023) = 21
- Prosecutions:

1 X Prosecution for fly tipping offence caught on Mobile CCTV Camera at Mill Stream Lane, a known hot spot area. Offender pleaded guilty in Court to the offence of fly tipping from a vehicle. After hearing an outline of the facts and mitigation upon his behalf from his solicitor, he received a fine of £615, a Victim Surcharge of £246 and was ordered to pay costs of £2,276. In August 2022, the Mobile Enforcement CCTV Officer

through camera footage identified that a fly tipping offence had occurred in Mill Stream Lane, Stretton, Burton on Trent, Staffordshire by two men in a black Volvo car. The males were seen to retrieve bags of waste from the vehicle before depositing them into a nearby bush.

Currently Fixed Penalty Notice fines are set at £400. Fixed penalty notices are issued as an *alternative* to prosecution in court. Offenders will usually be taken to court if there is a failure to pay a fixed penalty.

Initiatives and Planned Initiatives

The Teams agreed to conduct intelligence-led Initiatives focussing on the Wards that had received the highest number of fly tipping reports from information gained through a quarterly mapping exercise, which further drilled down to identify the main streets within those Wards which received the highest number of cases.

An Enforcement Officer has been tasked with acting as the Lead Officer for each Initiative, working alongside colleagues from other internal Teams (Community and Civil Enforcement Team, Selective Licensing and Waste Management) and Partner Agency colleagues (Staffordshire Police, Trading Standards, Trent and Dove, ASB Harmony, Anglesey Parish Council) to have a high profile presence in the area.

Initiatives have been conducted in the Anglesey and Shobnall Wards with the next planned Initiative revisiting Anglesey. Below are the results of the initiatives:

Anglesey – 19/07/2023

Duty of Care Visits:

23 inspections were conducted in total. Of these 10 premises were compliant and 13 premises had issues requiring further action/ investigation, for example sharing other premises bins but not stated as a business on the waste contract, taking controlled waste home or not being able to identify waste disposal methods as business owner not present.

In addition:

- 6 premises were referred to Trading Standards for selling vapes in excess of 600 puffs.
- 5 empty properties were identified with follow up enquiries to be made .
- 1 Commercial Premises had Rubbish to the side carpark, The shop keeper was informed and given 2 days to remove.
- One unlicensed mobile scrap collector identified which required investigation.
- 1 possible drug grow identified on Uxbridge Street and Police informed.
- 12 properties identified with rubbish present. 4 removed the rubbish in

Officers presence and 8 to be sent letters to remove with Community Protection Warnings if fail to do so.

- 1 Fly tipping incident identified on All Saints Road. Name and address identified which requires follow up investigation.
- 18 large bulky waste items collected from the Ward.
- 2 x 14 yard skips filled within 5 hours.
- Anti-social behaviour issues raised by PCSO's and ASB Victim Support Officer with businesses on Uxbridge Street.

Shobnall – 27/09/2023

Duty of Care Visits:

24 inspections were conducted in total. Of these 4 premises were compliant and 20 premises required further investigation/action.

A possible fire risk was also identified. The Fire and Rescue Service were notified and acknowledged.

Community and Civil Enforcement Officers Visits:

Officers visited 10 key streets and visited 24 properties. 14 properties were door knocked and leaflets given out regarding waste accumulation. 1 address was given 24 hours for removal, 1 passed to another agency, 8 requests for a clear up by Waste Management and 1 incident passed to Enforcement Officers as evidence was found in the fly tipping which would prompt further investigation.

Mobile CCTV:

No areas were identified for CCTV in the ten streets visited due to the built up area/logistics, however, the Mobile CCTV Enforcement Officer identified one piece of fly tipping on private land and a fridge on a pavement.

Selective Licensing Officers:

2 empty properties were identified, 1 noted for sale, 1 noted as let agreed and 2 properties sold.

Trading Standards:

Issues at 5 premises regarding vapes.

An extensive amount of vapes have been requested for removal by Trading Standards Officers, they will follow up.

Staffordshire Police, ASB Harmony and Trent and Dove:

Both PCSO's and Harmony workers attended Shobnall Close and established working relationships with Trent and Dove housing team for Shobnall who

provided their coffee hut as a base for the community to visit, offering free coffees.

ASB Harmony officers gave out their leaflets and spread the word of work that they do. They also spoke with residents who live in and around Shobnall Close. They dealt with one neighbour issue from a multi-agency approach and being a friendly presence for the others that attended the coffee hut.

After, the PCSO's/ASB Harmony attended Unity Park to show a joint presence, no issues were reported. Finally Officers drove around the ASB hotspot areas however no further issues were reported.

Enviro Crime Fixed Penalty Notices April 2022 to date (November 2023)		
TEAM	DATE	OFFENCE
CCE's x11	15/3/22	Failure to provide a receptacle (dog fouling) offence
	22/8/22 & 8/12/22	Deposit of litter offence
	17/5/23	Fly tipping offence
	22/6/23	Deposit of litter offence
	19/6/23	Fly tipping offence
	19/7/23	Failure to provide a receptacle (dog fouling) offence
	16/8/23 Prosecution ongoing FPN unpaid	Failure to provide a receptacle (dog fouling) offence
Environmental Health x3	14/9/22 x2	Breach of Community Protection Notice (CPN)
	11/7/22	CPN Breach
Enforcement Team x19	19/4/22	Fly tipping
	9/6/22	Fly tipping
	11/8/22 (Waste passed to on and fly tipped)	Duty of Care
	8/7/22	Fly tipping
	22/11/22	CPN Breach
	6/12/22	Fly tipping

	6/12/22 x2	CPN Breach
	20/5/22	CPN Breach
	17/3/23	Fly tipping
	11/5/23	Fly tipping
	15/5/23 x2	Fly tipping
	31/5/23 (Waste passed to on and fly tipped)	Household Duty of Care
	8/6/23	Duty of Care
	8/6/23	Fly tipping
	05/9/23	Fly tipping
	25/9/23	Fly tipping
	10/10/23	Duty of Care
Staffordshire Police x12	8/5/22	PSPO Breaches alcohol
	28/5/22 x 2	
	6/6/22	
	21/6/22	
	12/7/22 x 2	
	12/8/22 x 4	
	23/2/23	

5.5. **Update GD10** - Introduce a Mobile Fly Tipping Removal Vehicle

The consideration of introducing a dedicated fly tipping vehicle has been proposed to provide support for the removal of fly tipping within the required timescales (please see the update on Corporate Plan target GD11 below).

Throughout quarter one and quarter two of 2023/24, the performance of the team to remove fly tipping within the allotted time period has been monitored and reviewed.

A dedicated vehicle would provide the advantage of having the resource available to collect fly tipping of all shapes and sizes, without needing to divert resources from other aspects of the Waste Management service.

It should be noted that for some types of fly tipping, external contractors, with the appropriate vehicles and equipment have to be procured to remove fly

tipping, for example the extensive amount of waste deposited on Mill Stream Lane earlier in the year.

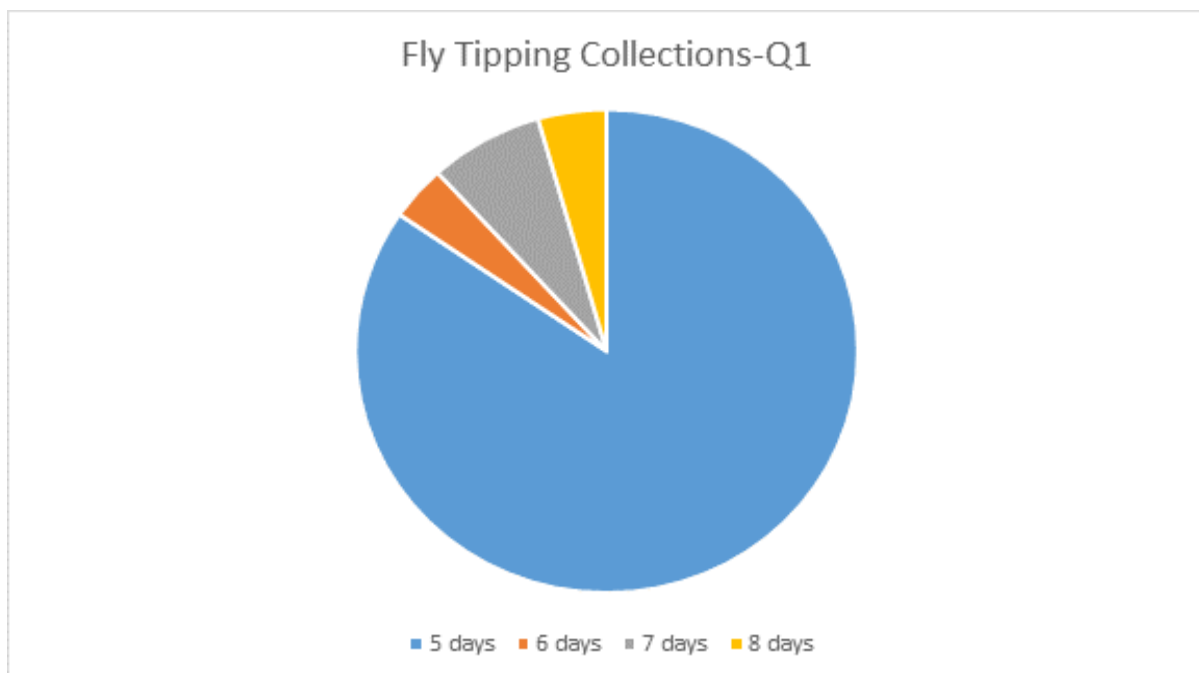
The Waste Management team are therefore assessing the type of potential vehicle that would be suitable to cover the broadest range of needs and to avoid the need to hire contractors and give the team more flexibility.

A discretionary growth bid for a fly tipping vehicle will be prepared as part of the budget setting process for 2024-25. It should be noted that there will also be a requirement to cover the costs relating to the crew required to service the vehicle as well as ongoing maintenance costs.

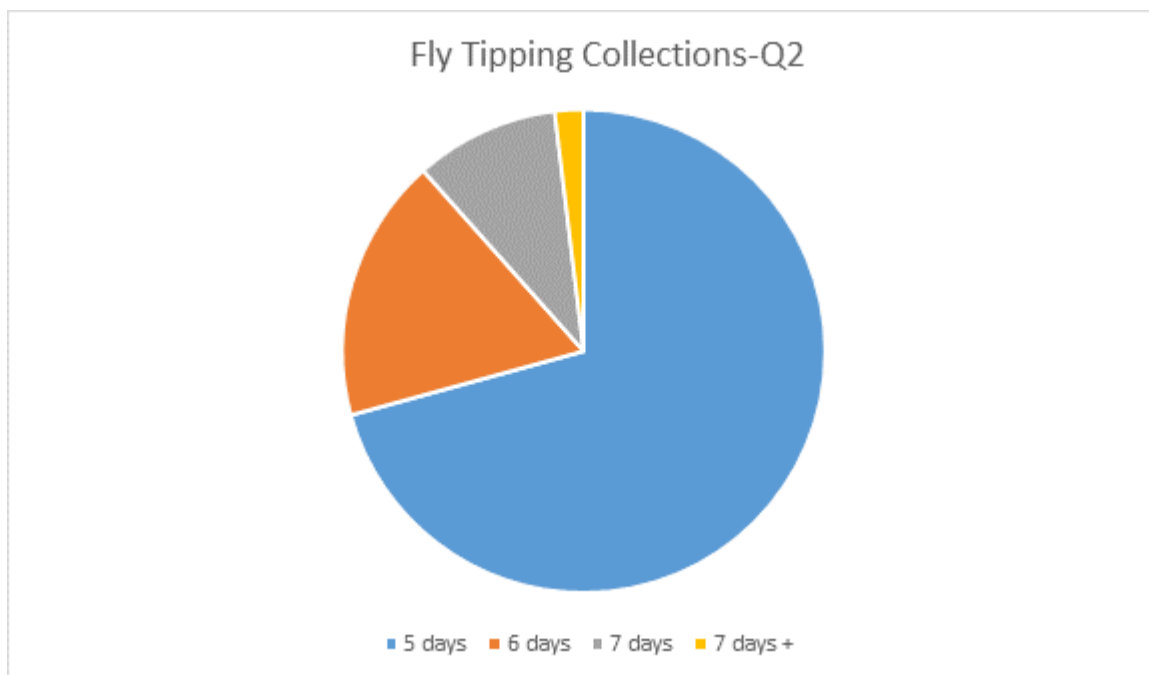
5.6. **Update GD11** - Ensure Fly Tipping is removed as Quickly as Possible (within 5 days of receipt of notice from the CCE team).

The process of removing fly tipping commences once the Community and Civil Enforcement team have identified the fly tipping deposit and dealt with any evidential items. Once this has been completed, the Waste Management team are notified for the fly tipping to be removed.

Performance for quarter 1 shows that 23 out of 27 incidents of fly tipping were removed within 5 days. This equates to 85% of reported incidents being removed within the 5 day period (as illustrated in the pie chart below). Of the 4 incidents of fly tipping removed after 5 days, 1 was removed in 6 days, 2 were removed in 7 days and 1 was removed in 8 days. There are a number of reasons why these delays occurred, for example, the need to bring in external contractors to remove the waste, or resources being directed to day to day Waste Management activities and activities such as work to remove litter from the A38.



Performance for quarter 2 shows that 44 out of 62 incidents were removed within the 5 day period. This equates to 71% of reported incidents being removed within the 5 day period (as illustrated in the pie chart below). Of the 18 incidents removed beyond 5 days, 11 incidents were removed in 6 days and 6 were removed in 7 days. One fly tipping deposit was removed in 23 days due to an administrative error where the deposit was believed to have been removed but wasn't. Monitoring of removals will continue to be recorded and reported through the Corporate Plan.



5.7. It is proposed that this review on progress to date suggests a baseline target for 2024/25 of 75% of fly tipping items be collected within 5 days. As mentioned at 5.13, a capital bid for the adoption of a dedicated fly tipping vehicle will be developed. This vehicle should greatly support the removal of fly tipping in a timely manner.

6. **Financial Considerations**

This section has been approved by the following member of the Financial Management Unit: James Hopwood

6.1. The decision whether to purchase a Mobile Fly Tipping Removal Vehicle can be considered within the annual review of the Medium Term Financial Strategy.

7. **Risk Assessment and Management**

7.1. The main risks to this Report and the Council achieving its objectives are as follows:

7.2. **Positive** (Opportunities/Benefits):

- 7.2.1 The combined activities provides an opportunity to increase public confidence in the Council's commitment to addressing environmental and anti-social behaviour crime across the Borough.
- 7.2.2 Fly tipping is a blight on the communities and costly to the public purse in clean-up costs. The continuation of these activities should ultimately assist with reducing any associated costs.
- 7.3. **Negative (Threats):**
- 7.3.1. The failure to secure positive results could affect public confidence with an associated reputational risk to the service and wider Council.
- 7.3.2. The failure to consider the implementation of the fly tipping removal vehicle could put pressure on the existing Waste Management team in fulfilling its role of removal of waste moving forward.
- 7.4. The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

8. **Legal Considerations**

*This section has been approved by the following member of the Legal Team:
John Teasdale.*

- 8.1. Given that the purpose of this report is to review and update corporate targets, there are no direct legal issues arising from this Report.

9. **Equalities and Health**

- 9.1. **Equality impacts:** The subject of this Report is no a policy, strategy, function or service that is new or being revised. An equality and health impact assessment is not required.
- 9.2. **Health impacts:** The outcome of the health screening question does not require a full Health Impact Assessment to be completed. An equality and health impact assessment is not required.

10. **Data Protection Implications – Data Protection Impact Assessment (DPIA)**

- 10.1. A DPIA must be completed where there are plans to:
- use systematic and extensive profiling with significant effects;
 - process special category or criminal offence data on a large scale; or
 - systematically monitor publicly accessible places on a large scale
 - use new technologies;
 - use profiling or special category data to decide on access to services;
 - profile individuals on a large scale;
 - process biometric data;
 - process genetic data;

- match data or combine datasets from different sources;
- collect personal data from a source other than the individual without providing them with a privacy notice ('invisible processing');
- track individuals' location or behaviour;
- profile children or target marketing or online services at them; or
- process data that might endanger the individual's physical health or safety in the event of a security breach

10.2 Following consideration of the above, there are no Data Protection implications arising from this report which would require a DPIA.

11. **Human Rights**

11.1. There are no Human Rights issues arising from this Report.

12. **Sustainability** (including climate change and change adaptation measures)

12.1. Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) N/A

13. **Recommendation(s)**

13.1. That the updates for the corporate plan targets be noted.

13.2. That the proposal to purchase a mobile fly tipping removal vehicle be considered within the annual review of the 2024/25 Medium Term Financial Strategy.

14. **Background Papers**

14.1. N/A

15. **Appendices**

15.1. Appendix 1: N/A