

# COMMUNITIES SCRUTINY PANEL

<b>DATE</b>	5 <sup>th</sup> September 2024
<b>REPORT OF</b>	Carolina Borgstrom – Director of Economy, Environment & Infrastructure
<b>SUBJECT</b>	Update on waste on private land action plan
<b>STATUS</b>	Open

## CONTRIBUTION TO OUR AIMS

North East Lincolnshire's Council Plan 2023-26 sets out our aspiration to create stronger economies and stronger communities. Enabling people to live in a safe environment and have their say about things that are important to them and participate fully in their communities.

The Council's contribution to the Place based Outcomes Framework and the wider development of North East Lincolnshire relevant to this report are:

**Environment** - we will ensure we have the capacity to keep our streets clean and maintain our parks and open spaces for everyone to enjoy.

**Enforcement** - we will advocate a zero-tolerance model by continual review of the effectiveness of our delivery models, increasing capacity where it is needed and increased police/partnership working that is focused on outcomes.

We want to manage our land to ensure all residents have access to inspiring green and open spaces to protect health and enhance lives. We want to intervene at the early stages and prevent problems through better design and behaviour change initiatives, so that communities become more responsible and self-reliant. Clean up and maintenance work will be targeted to areas of need and complemented by working with the community, local volunteers, local businesses, and partners. We will support the community in becoming more sustainable, increasing recycling behaviour and community capacity addressing behaviour change through effective enforcement, education, and awareness in the environmental area.

## EXECUTIVE SUMMARY

The purpose of this report is update on the action plan associated with the Waste on private land including pathways and procedures for voluntary clearance report presented to Communities Scrutiny on 2<sup>nd</sup> November 2023.

## MATTERS FOR CONSIDERATION

That the following are considered:

1. Action taken against the original action plan.
2. Revised target dates are noted.

## 1. BACKGROUND AND ISSUES

### 1.1 Introduction

The report of 2<sup>nd</sup> November 2023 (attached to this report) defined waste on private land and how the council and partners can tackle fly tipping through primary legislation, the routes for reporting, the process of investigation and the legal framework including the evidential and public interest tests along with the prevention work undertaken to prevent fly tipping of waste on private land.

The report also highlighted how communities can work together to clear waste on private land, in particular in alleyways and how the council supports community clearances.

In addition, the report presented the councils municipal waste data for 21/22 via Waste Data Flow, a web-based system for reporting to government in which the council was 83rd out of more than 300 English councils for handing out FPNs to fly-tippers as it handed out 84 FPNs to fly-tippers.

During that year, that council investigated 728 reports of fly tipping and delivered a total of 877 enforcement actions (including 728 reports), which included Fixed Penalty Notices (FPNs), duty of care notices and seizures of vehicles.

The report gave an opportunity to reflect on current processes and pathways to further strengthen our work and introduced an action plan themed around Reporting, Prevention, Education, Data & Intel, Feedback and Investigation to be delivered across 2024/25.

### Action Plan Update

This report is to give an update on the action plan detailed in Appendix 5 of the 2<sup>nd</sup> November 2023 report.

The action plan is reproduced below.

Item	Theme	Activity	Lead	Review
1.	Data & Intel	Rolling programme of data review to obtain insight.	NC	30 <sup>th</sup> September 2024
2.	Work Priority	Review Environmental Enforcement Team remit and priority workstreams.	NC	31 <sup>st</sup> March 2024
3.	Reporting	Ensure integration of fly tipping processes within member portal and ensure all service requests are routed through correct reporting channels.	NC/Carl Render	31 <sup>st</sup> December 2024
4.	Investigation	Review investigation pathways to ensure	NC	31 <sup>st</sup> March 2024

		consistency across the team.		
5.	Investigation	Review CCTV allocation criteria including priority list.	NC	31 <sup>st</sup> March 2024
6.	Investigation	Review arrangements in place to recover charges on land including debt recovery.	NC	30 <sup>th</sup> June 2024
7.	Education	Review education offer to ensure messages focus on right issues and deliver behaviour change.	NC	30 <sup>th</sup> June 2024
8.	Prevention	Review NELC website in order to ensure information around fly tipping and environmental crime is effective.	NC	31 <sup>st</sup> March 2024
9.	Feedback	Develop reporting arrangements back to members and customers on enforcement outcomes.	NC	31 <sup>st</sup> March 2024

The Environmental Enforcement Team is responsible for the investigation of waste on private land. The service has recently experienced a period of staff turnover and absence, and this has impacted on delivery of some of the actions within the action plan.

This report will therefore provide an interim update with a more comprehensive update produced by the end of Quarter 4 of 24/25.

Item	Activity	Review Date
1.	Rolling programme of data review to obtain insight.	30 <sup>th</sup> September 2024

### Update – Item 1

The implementation of the Arcus database has delivered a significant service improvement particularly around the flow of service requests and enabling better triaging of jobs, supported by the Business Support Team.

The Arcus system provides service managers with information about service requests and outcomes.

The system has great potential, including the opportunity to add further outcome-based information e.g. notices served so that we can better track and report our actions and outcomes around waste on private land.

A data review for the period April to July 2024 has been completed. The team recorded 405 cases on the Arcus system during this 13-week period. This has been used to review workload across the team.

These data reviews will be undertaken periodically to obtain further insights into the performance and priorities of the team.

**The next review date for this item will be 31<sup>st</sup> March 2025.**

Item	Activity	Review Date
2.	Review Environmental Enforcement Team remit and priority workstreams.	31 <sup>st</sup> March 2024

#### Update - Item 2

The review of the team remit and priority workstreams has commenced. We are clear what our main service demands are and are working to ensure we work in a risk-based way with robust processes for receipt, case management and customer feedback.

**The next review date for this item will be 31<sup>st</sup> March 2025.**

Item	Activity	Review Date
3.	Ensure integration of fly tipping processes within member portal and ensure all service requests are routed through correct reporting channels.	31 <sup>st</sup> December 2024

#### Update – Item 3

The member's portal is now live with the process for fly tipping fully integrated through salesforce into CSMP.

Service requests can be viewed in the members dashboard. This will indicate the number of reports in their ward.

Appendix 1 shows the process for a fly-tipping complaint logged through the portal either by a customer or CAPS staff.

**This action is complete.**

Item	Activity	Review Date
4.	Review investigation pathways to ensure consistency across the team.	31 <sup>st</sup> March 2024

#### Update – Item 4

The investigation pathway for dealing with waste on private land has been reviewed. Appendix 2 shows the investigation pathway process.

**This action is complete.**

Item	Activity	Review Date
5.	Review CCTV allocation criteria including priority list.	31 <sup>st</sup> March 2024

#### Update – Item 5

The Environmental Enforcement team currently manages five Rapid Deployment Cameras (hereinafter referred to as “RDCs”) for use across the borough for purposes including the prevention and detection of crime and public safety which are nominally deployed to fly tipping hotspots.

The team also have access to several small 12v battery powered cameras referred to as VIPER camera’s. These can be used in more rural settings where mains power is not available.

These RDC’s will be deployed primarily on street lighting columns where there is power by mains electricity, the footage can be viewed through dedicated laptops and through the CCTV control room at Doughty Road, Grimsby.

All matters relating to RDC’s across the council, Equans and Humberside Police are now coordinated through the Operational CCTV Group reporting to a Strategic CCTV Group with portfolio holder representation.

All CCTV camera deployments will be discussed and endorsed at the Operational CCTV Group meeting held monthly.

There is an RDC Deployment Policy designed to give clear guidance on the installation and operation of CCTV cameras and systems and the lawful disclosure and use of images.

The Operational CCTV group have committed to review the current RDC Deployment Policy including introducing a scoring criterion to determine suitability of CCTV to be installed. This will cover both environmental crime and anti-social behaviour. Once completed this will be endorsed by the CCTV Strategic Group.

The Operational CCTV group aim to complete this review by 31<sup>st</sup> March 2025.

**The next review date for this item will be 31<sup>st</sup> March 2025.**

Item	Activity	Review Date
6.	Review arrangements in place to recover charges on land including debt recovery.	30 <sup>th</sup> June 2024

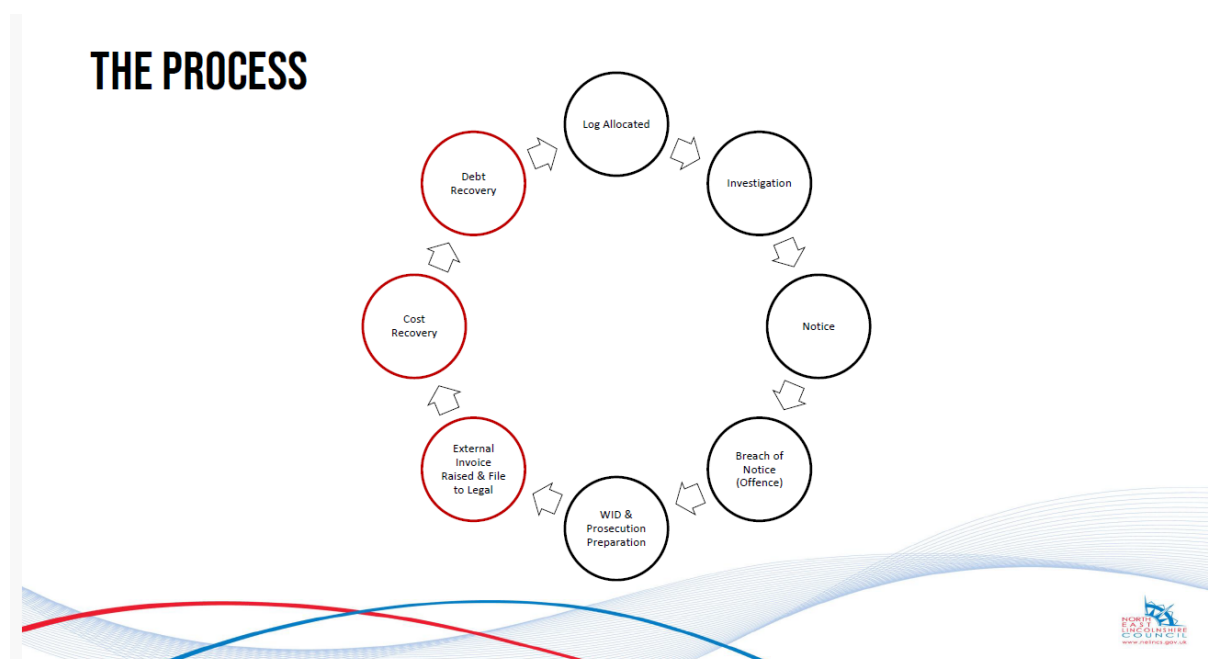
## Update – Item 6

In certain circumstances such as undertaking works-in-default following an enforcement notice, the council can recover up to the full cost of providing the works from the person responsible / landowner.

This may be following a report of waste on private land where a statutory nuisance has occurred. The landowner would be asked to clear the waste but if they do not, the council may facilitate the clearance of the land and recharge the person and recover costs through the debt recovery process.

If this debt remains unpaid, the council may register a legal charge on the property. A legal charge allows the council to secure the money owed on the property. This is a legal document registered against the property at the Land Registry to alert any potential buyer of the existence of the debt.

The process for cost recovery is shown below.



Opportunities to recover costs will become an integral part of case management reviews.

**The next review date for this item will be 31<sup>st</sup> March 2025.**

Item	Activity	Review Date
7.	Review education offer to ensure messages focus on right issues and deliver behaviour change.	30 <sup>th</sup> June 2024

### Update – Item 7

Consideration is being given to how we can better integrate environmental education functions and work is ongoing with the council's Insight Team who focus on behaviour change.

**The next review date for this item will be 31<sup>st</sup> March 2025.**

Item	Activity	Review Date
8.	Review NELC website in order to ensure information around fly tipping and environmental crime is effective.	31 <sup>st</sup> March 2024

### Update – Item 8

A review of the councils website is now complete. Information and advice pertaining to wider environmental crime matters are included on the website with content on the following:

- Fly tipping
- Abandoned Vehicles
- Graffiti
- Litter
- Stray dogs (lost and found)
- Dog mess / dog control,
- Vermin
- Statutory nuisance

The content of the web pages are regularly reviewed, along with the advice provided to CAPS staff. Changes have recently been made to the Environmental Crime web pages on Stray dogs, Japanese knot weed and Abandoned Vehicles.

**This action is complete.**

Item	Activity	Review Date
9.	Develop reporting arrangements back to members and customers on enforcement outcomes.	31 <sup>st</sup> March 2024

### Update – Item 9

The team contribute to the councils performance framework arrangements outlined in the council plan to improve visibility of performance reporting which is published to both members and residents accordingly.

Our aim is to encourage compliance through positive behaviour change initiatives and effective education and enforcement, so that communities become more responsible and aware of their environment around them.

In addition, positive news stories and significant outcomes are published by the councils communication team.

However, the range of outcomes published to members and residents is currently under review. This will include more data around fixed penalty issuance and other formal actions undertaken by teams.

**The next review date for this item will be 31<sup>st</sup> March 2025.**

## **2. RISKS AND OPPORTUNITIES**

- 2.1 This action plan is an opportunity to reflect on current processes and pathways to further strengthen the work of the team, particularly the way in which the council uses data and intelligence to prioritise its work and the opportunities to share this data more widely.
- 2.2. Recent staff turnover has impacted on the speed of progress on the delivery of this action plan.
- 2.3. There is a risk that completion of the action plan in full will be delayed.

## **3. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

- 3.1 There is always a risk of reputational damage to NELC and the North East Lincolnshire area if we cannot meet the high expectations of the community we serve.

## **4. FINANCIAL CONSIDERATIONS**

- 4.1 This is no direct financial implications raising from this report.
- 4.2 Any legal actions detailed will incur both investigation and legal staffing costs. If an individual fails to pay a Fixed Penalty Notice fine and the matter proceeds to the court the full costs are unlikely to be recovered. Any increase in enforcement cases will impact on current capacity within Legal Services, though this is not a cause for concern presently.
- 4.3 The council provides a modest budget to deliver works in default alongside a wide range of other environmental activities for example stray dogs and abandoned vehicles.

## **5. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

- 5.1 There are no perceived implications on children and young people relating from this report.

## **6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

- 6.1 There are no perceived implications on climate change relating from this report.



## **7. FINANCIAL IMPLICATIONS**

- 7.1 The Environment Enforcement Team holds a modest budget to manage all aspects of works in default and securing commercial properties.

## **8. MONITORING COMMENTS**

- 8.1 In the opinion of the author, this report does not contain recommended changes to policy or resources (people, finance or physical assets). As a result, no monitoring comments have been sought from the Council's Monitoring Officer (Chief Legal Officer), Section 151 Officer (Director of Finance) or Strategic Workforce Lead.

## **9. BACKGROUND PAPERS**

Waste on private land including pathways and procedures for voluntary clearance Report – November 2023

## **10. CONTACT OFFICER(S)**

Kath Jickells

Assistant Director Environment

Neil Clark

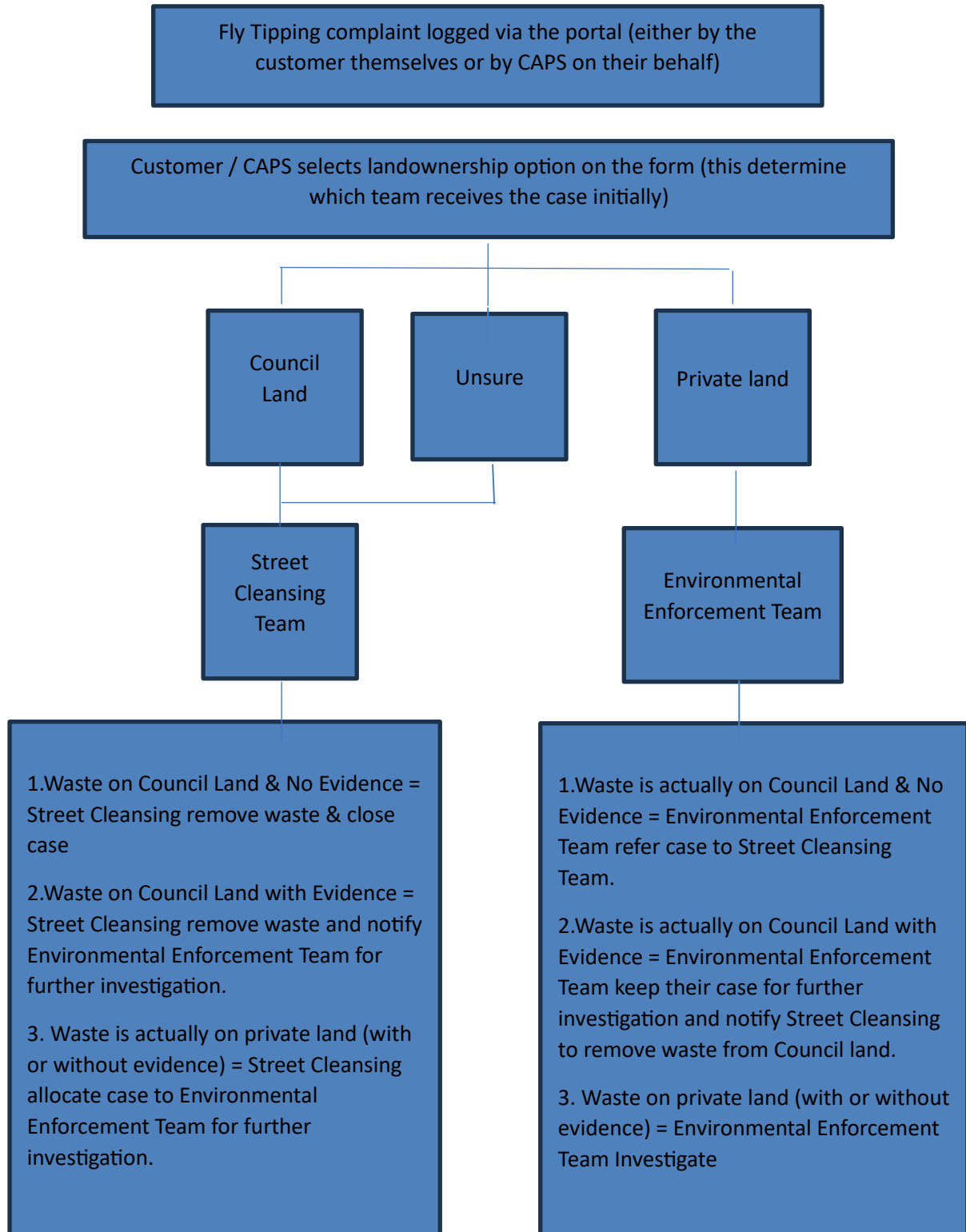
Head of Regulation and Enforcement Services

**Carolina Borgstrom**

**Director of Economy, Environment & Infrastructure**

## Appendix 1

### Process for logging Fly-tipping Reports through CRM.



Customer will receive automatic updates on their case through the portal and should receive an email notification (if provided). CAPS can also see these.

These updates will inform the customer if the waste has been cleared by the Street Cleansing team and closed, and/or whether Environmental Enforcement have the case (to which they will receive further notification such as 'case in progress', case officer details (for direct contact) and a case closure outcome.

Customer & CAPS can add updates to the case via the portal, which are then integrated into the case on Arcus (within the notes section) for the officer to see

## Appendix 2

### Process Flow Diagram – Investigation Pathway Waste on Land

