

# Gloucester City Council

<b>Meeting:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>10 March 2021</b>
<b>Subject:</b>	<b>Environmental Crime Enforcement Update Report</b>		
<b>Report Of:</b>	<b>Cabinet Member for Environment</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
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<b>Appendices:</b>	<b>1. Number of Enforcement Officers on Duty per Month and Number of FPNs issued per Working Hour</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To update Cabinet on the current approach to the enforcement of environmental crime within Gloucester.

### 2.0 Recommendation

- 2.1 Cabinet is asked to **RESOLVE** that the actions being taken to prevent or reduce the environmental crime within the City of Gloucester be noted.

### 3.0 Background and Key Issues

#### 3GS Contract

- 3.1 In July 2019, the City Council entered into a contract on a trial basis with 3GS to provide a service to tackle environmental crime including littering and fly-tipping. This agreement was cost neutral in that the operational costs were met through the payment of Fixed Penalty Notices (FPNs) in accordance with Environment Protection Act 1990. As part of the arrangement, 3GS also undertook to both inform and educate residents about the importance of maintaining a clean, green local environment.

- 3.2 The following table identifies the number of FPNs issued and paid since July 2019 as well as the total fines collected.

Year	No of FPN Issued	Amount
2019	1956	£128,310
2020	779*	£39,510

\* See Appendix 1 for an explanation in the drop of the number of FPNs issued in 2020

- 3.3 Where correctly issued FPNs are not paid, evidence is forwarded to our legal advisors, One Legal, to issue court proceedings. In 2020, One Legal brought 203 prosecutions on behalf of Gloucester City Council for various environmental crime offences, including littering, fly-tipping and other waste-related offences. For efficiency and cost effectiveness, the 'Single Justice Procedure' were used for those prosecutions, which resulted in 178 offenders being found guilty and fined for environmental crimes committed within the City of Gloucester.
- 3.4 Currently, there are over 100 cases in the process of being filed at court by One Legal to begin proceedings against those that have chosen not to pay their FPNs.
- 3.5 Despite the various lockdowns and restrictions in place due to the Covid-19 pandemic, 3GS operations across the City have continued albeit at a reduced level on occasion as staff were furloughed between April 2020 to July 2020 and the whole of November 2020. For example, during November and December 2020, 20 FPNs for fly-tip/waste-related offences were issued in the Barton and Tredworth ward.
- 3.6 It should be noted that the number of FPNs issued is not a true reflection of the work being carried as, on average, for every 4 investigations carried out, 1 FPN is issued. During January 2021, 51 possible fly tipping offences were investigated.

#### Dog Fouling

- 3.7 Dog-fouling is not an easy offence to issue a FPN for or prosecute. A 3GS Enforcement Officer has to witness an offence being committed before issuing an FPN, which is very difficult to achieve. Nevertheless, whenever a report of repeated dog-fouling is received, the matter is reported to an Enforcement Officer so that an increased presence in an area can be introduced for a period of time thereby acting as a visual deterrent to potential offenders.
- 3.8 As stated at the January 2021 Council meeting in response to a written question, given the intrinsic difficulty in ensuring that 3GS staff are on site and able to witness incidences of dog fouling, the preparedness of Councillors and the public to challenge dog owners when they witness offences taking place, or being prepared to provide documentary or photographic evidence for subsequent action, would materially enhance the effectiveness of the enforcement effort. Although this only relates to a small minority of dog owners, the health and environmental impact of not doing so can be severe.

#### Next Steps

- 3.9 Following a competitive tender process, 3GS have been awarded a further contract to provide environmental crime services to the City Council from 1<sup>st</sup> April 2021 for

three years with an option to extend for a further two periods of 12 months. In addition, the Council is in the process of recruiting two new Environmental Crime Officers to join the City Centre Management team and work in close collaboration with the Waste and Recycling team and the Community Wellbeing team to continue to make the tackling of environmental crime and waste related offences a priority.

- 3.10 Given the number of successes at court (as stated above - 203 court cases in 2020, resulting in 178 convictions) and with already over 100 cases in the process of being lodged at court, coupled with the new recruitments to the in-house team, it shows a sustained and successful approach to tackle environmental crime.

#### **4.0 Social Value Considerations**

- 4.1 Although there are no social value considerations as a direct result of this Report, engagement with communities as part of 3GS approach has been beneficial not only through the raising of awareness of environmental crimes but also in the support provided by communities in the identification of potential environmental crimes.

#### **5.0 Environmental Implications**

- 5.1 There are no environmental implications arising directly from the recommendations in this Report. However, fewer incidents of environmental crime will have a significant impact through, for example, reduced fly tipping and the resultant possible hazardous waste across the City.

#### **6.0 Alternative Options Considered**

- 6.1 This report is a project update, so no alternative options are considered or proposed here.

#### **7.0 Reasons for Recommendations**

- 7.1 To update members on progress made in prosecuting incidents on environmental crime across the City.

#### **8.0 Financial Implications**

- 8.1 There are no financial implications arising as a direct result of this Report.

#### **9.0 Legal Implications**

- 9.1 There are no legal implications arising as a direct result of this Report.

#### **10.0 Risk & Opportunity Management Implications**

- 10.1 There are no risks or opportunity management implications arising directly from this Report.

#### **11.0 People Impact Assessment (PIA) and Safeguarding:**

- 11.1 No issues arising as a result of this Report

#### **12.0 Community Safety Implications**

- 12.1 No issues arising as a result of this Report.

#### **13.0 Staffing & Trade Union Implications**

- 13.1 No issues arising as a result of this Report.

**Background Documents:** None