

Gloucester City Council

Meeting:	Overview and Scrutiny Committee	Date:	3rd October 2022
	Cabinet		12th October 2022
Subject:	Environmental Crime Enforcement Update Report		
Report Of:	Councillor Richard Cook - Cabinet Member for Environment		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
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Appendices:	None		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To update Cabinet on the Council's approach to the enforcement of environmental crime within Gloucester.

2.0 Recommendation

2.1 Overview and Scrutiny Committee is asked to consider the information contained in the report and make any recommendations to Cabinet.

2.2 Cabinet is asked to **NOTE** the actions being taken to prevent or reduce the environmental crime within the City of Gloucester.

3.0 Background and Key Issues

3.1 All environmental crimes reported to the City Council and within the public realms of the City boundary are investigated in one of two ways:

- The City Council dedicated in-house Enviro-Crime Team consisting of 2 permanent senior Environmental Crime Officers and one temporary Officer
- Through a contract with 3GS, which, can act as the agent to investigate and prosecute on behalf of the City Council.

3.2 3GS Contract

- 3.2.1 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. Following a competitive tender process, 3GS have been awarded a further contract to provide environmental crime services to the City Council from 1st April 2021 for three years with an option to extend for a further two periods of 12 months.
- 3.2.2 Whilst 3GS Enforcement Officers have a city-wide remit, they operate primarily within the inner-City Centre zone, targeting those committing 'Littering' offences. As and when needed and when directed to do so, 3GS Enforcement Officers do take on and carry out complex fly-tipping investigations on behalf of the City Council.
- 3.2.3 3GS Enforcement Officers have also been granted delegated powers to investigate and take enforcement actions against those in breach of 'trade waste related offences' and do carry out periodic campaigns, where all businesses within a selected area are visited and where breaches are identified, the necessary enforcement actions are taken.
- 3.2.4 The City Council is in the process of establishing a system whereby 3GS Officers would deal with 'offending peddlers' (individual who are granted licenses by the Police under the Pedlars Act 1871 to sell goods on the streets, but who are not allowed to stay static) in the City Centre and carry out enforcement actions against motorists who drop litter from moving vehicles, using new legislation.
- 3.2.5 The following table identifies the number of FPNs issued (by 3GS Officers) and paid since July 2021 by 3GS.

Year	No of FPN Issued	Amount paid
2021	966	£51,985
2022	740	£31,275

- 3.2.6 Where correctly issued FPNs are not paid, evidence is forwarded to our legal advisors, One Legal, to issue court proceedings. In the past 12 months, One Legal brought 224 prosecutions on behalf of Gloucester City Council for various environmental crime offences, including littering, fly-tipping and other waste-related offences.
- 3.2.7 Whilst the success rate at court for prosecution cases is around 90%, the fines and witness surcharges awarded (approximately £50,000.00 in the last 12 months) against convicted offenders at court are kept by the HMCS, with the City Council only receiving the legal costs for bringing those cases to court.

3.2.8 The presence 3GS Enforcement Officers in the City Centre is a major contributing factor in assisting us to constantly achieve an 'A' grade for cleanliness in the City Centre (for the littering and detritus element).

3.3 **In-house Enviro-crime Team**

3.3.1 Prior to 2021, enforcement of enviro-crimes (within the public realm) at the City Council was only conducted on an ad-hoc basis and different aspects of it were handled by various teams/services. In June of 2021, an in-house team within the City Centre Management service, was formed, dedicated solely to tackle and address waste related offences across the City. This team consists of two permanent Senior Officers supported by temporary officers working on specific work with external funding.

3.3.2 The team have been collectively working on a number of projects since they started, including the Barton and Tredworth Project and dealing with an illegal waste site, as well as dealing with 'day to day' waste related issues reported to the Council

3.3.3 The Barton and Tredworth Project includes collaborative working between the Waste and Recycling Team, Private Sector Housing, Community Wellbeing and the Environmental Crime Team. In November 2021, the enviro crime team conducted a large scale survey, door knocking on over 100 properties to gather information on how people manage their waste. This enabled the team to target education and enforcement going forward."

3.3.4 In July 2022, as part of the Barton and Tredworth project, the Enviro-crime team, alongside the waste and recycling team, conducted a waste receptacle project initially focusing on this ward. The teams have collectively engaged with over 2000 households, focusing on educating residents on the council's waste policy and using enforcement notices for the few who have not complied.

3.3.5 The two senior Enviro-crime Officers has also been tackling the ongoing problems at an illegal waste site. This included monthly taskforce meetings with various departments such as planning, neighbouring authorities and the Environment Agency. One senior Officer has been working closely with One Legal on this project and has subsequently issued, 2 waste carriers documentation requests and 2 waste clearance notices to offenders. A court process is currently ongoing.

3.3.6 Following strengthening relationships with the police to enhance this work, the team was able to secure 6 extra CCTV cameras which were decommissioned from another district and donated for use in the City. These cameras will act as a deterrent in hotspot areas as well as allowing the team to serve penalty notices on offenders who commit offences in vehicles, where the vehicle registration is visible, quickly and efficiently.

3.3.7 The following table identifies the number of FPNs issued by the in-house team and the amount received in fines between April 2021- July 2022.

Year	No of FPN Issued
2021	61

2022	97
Payment plans	7

3.3.8 On average, for every 4 investigations carried out, 1 FPN is issued

3.3.9 For those FPNs that go unpaid, a final warning letter is sent by the team which has proven to be effective in receiving additional payments. For repeat offenders or aggravated matters such as fly tipping in the course of making money, the team are aiming to take these to court.

3.4 **Next Steps**

3.4.1 In addition, the Council is in the process of recruiting a new Coordinator to oversee the combined work of Enviro Crime team and the Waste and Recycling team further. The enviro crime team will continue to work closely with Private Sector Housing and the Community Wellbeing team to continue to make the tackling of environmental crime and waste related offences a priority as well as look at addressing underlying causes with the help of colleagues.

3.4.2 Given the number of fixed penalty notices issued coupled with a commitment to long term projects and collaborative working with both internal and external partners, it shows a sustained and successful approach to tackle environmental crime which will be continued.

4.0 **Social Value Considerations**

4.1 Although there are no social value considerations as a direct result of this Report, engagement with communities 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 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. The increase in education around the issue is a positive way to support communities to make considered choices about how they manage their waste, and hence, protect our environment.

6.0 **Alternative Options Considered**

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

7.0 **Reasons for Recommendations**

7.1 To update members on positive progress made in addressing incidents of 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 A PIA screening was completed and a full assessment was not required.

12.0 Community Safety Implications

12.1 We know from experience that when neighbourhoods look cared for the behaviour of residents reflects this. Areas where there is poor waste management, fly tipping and other issues, often also attract anti-social behaviour. Addressing environmental crime will help to make our communities safer and encourage residents to care about the place where they live.

13.0 Staffing & Trade Union Implications

13.1 No issues arising as a result of this Report.

Background Documents: None