

## TRAFFORD COUNCIL

Report to: Executive  
Date: 3<sup>rd</sup> December 2013  
Report for: Decision  
Report of: Executive Member for Highways and Environment

### Report Title

**Environmental Enforcement Service – Implementation of budget proposal  
2013-14 Budget**

### Summary

A report was approved by Executive on 24<sup>th</sup> June 2013, recommending the disestablishment of the Environmental Enforcement Team. The role and function of the Team was considered as part of the Council's on-going budget review process and it was determined in the context of that process that this service was too costly to deliver if it was not capable of being self-funding.

That decision was subjected to call in and was considered by a Scrutiny Topic Group. Following extensive engagement with Scrutiny Members the proposals have been amended as a result of their comments and now include provision for the retention of an additional 1 FTE post to work alongside the retained manager to assist and support during the transition period.

The new approach will ultimately see up to 100 frontline staff and partners being the eyes and ears of the Council, empowered to challenge anti-social behaviour that is harmful to the environment. Additionally, CCTV cameras will be used to gather intelligence to inform the new approach to change the behaviour of Trafford residents. Education and publicity, combined with the involvement of Trafford's Locality Partnerships, will be key elements in promoting wider environmental awareness and responsibility. A number of staff are to be trained to issue FPN's; these will be issued where challenge and education fails to bring about a change in behaviour.

This report seeks the approval of the Executive to proceed with the implementation of the proposals so that some budget savings can be delivered as planned in 2013-14; as a result of this further review not all of the planned savings are now achievable .

### Recommendation(s)

**That the Executive approve the proposals in relation to the Environmental Enforcement Service as set out in the report subject to the there being no significant issues arising out of the further formal consultation detailed in Para. 5.13 of the report. In particular the Executive agrees to:**

- **the disestablishment of the Environmental Enforcement Team;**
- **the retention of two posts for a period of 12 months to manage the transition to the proposed new way of working;**
- **a further review of the service after 12 months;**
- **the proposals for partnership working and community engagement as set out in the report and as will be further defined in the proposed Environmental Strategy.**

Contact person for access to background papers and further information:

Name: Iain Veitch

Extension: 4174

Background Papers: None

Relationship to Policy Framework/Corporate Priorities	Low Council Tax and Value For Money
Financial	The amendment to the original proposals following Scrutiny call in will reduce the final delivery of the agreed budget savings, and savings for 2013/14 have not been realised due to the delays in agreeing a way forward.
Legal Implications:	It will be necessary to ensure that due process is followed in terms of the redundancy situation. It will also be necessary to ensure that provision continues to be made for any statutory duties which may previously have been covered by this team
Equality/Diversity Implications	None as a result of this report
Sustainability Implications	None as a result of this report
Staffing/E-Government/Asset Management Implications	The proposals set out in this report will result in a number of staff being displaced and potentially facing a compulsory redundancy situation. In line with Council policy, every effort will be made to seek alternative employment opportunities for these staff via the redeployment process. In addition, staff will be offered outplacement support as well as emotional support through the Council's occupational health provider. Where alternative employment cannot be found then individuals will receive redundancy notice and payments, in line with their contractual entitlements.
Risk Management Implications	During the implementation of the proposals any adverse impact on environmental crime or community safety will be monitored.
Health & Wellbeing Implications	None as a result of this report
Health and Safety Implications	None as a result of this report

## 1.0 Introduction

1.1 The proposal to implement a new approach to deal with a range of environmental enforcement issues was developed as part of a Council-wide Review of Enforcement Services.

1.2 The original proposal was approved by Executive, subject to consultation, as part of the 2013-2014 budget savings for Environment, Transport & Operations.

1.3 Following an extended period of staff consultation a report was brought to Executive for a final decision on 24<sup>th</sup>. June 2013. The report was approved for implementation.

1.4 Following this approval, the Executive decision of 24<sup>th</sup> June was subject to call in by Scrutiny Committee and on 17<sup>th</sup> July 2013 it was agreed by the Executive Member for Highways and Environment that the proposal would be considered by a Scrutiny Topic Group who would report back to the Executive at a later date.

## **2. Background**

2.1 A Council Wide Review of Parking and Enforcement services commenced in 2011 and as part of its deliberations produced three reports to the Council's Transformation Board, these reports included a wide range of alternative proposals for consideration including:

- An in-house combined Civil Enforcement Service (Parking and Environmental enforcement)
- A fully externalised combined Civil Enforcement service (Parking and Environmental Enforcement)
- In-house Parking Enforcement and separate Environmental Enforcement service

2.2 All of these options were fully explored and evaluated in terms of cost, effectiveness and deliverability but were considered not to be suitable. Finally, a proposal was agreed, for the disestablishment of the Environmental Enforcement team and a move towards a new approach to dealing with litter and dog fouling particularly.

2.3 Under the new proposals the emphasis would be on education and raising the awareness of residents and businesses in respect of a range of environmental issues, rather than relying entirely on the use of Fixed Penalty Notices (FPN's) or other enforcement methods, which have little impact beyond the group of individuals who are caught breaking the law.

2.4 However, a further review has identified that enforcement of other offences beyond dog fouling and litter had not necessarily been considered fully as part of the move to an alternative delivery model.

2.5 The overall proposal relies upon much greater engagement with the public and partners through a larger and wider network of employees, partner agencies and local groups with the aim to change behaviour and encourage social responsibility. Three case studies that show how the new approach will be implemented can be found at Appendix 4.

2.6 In addition to the education enabling aspect of the final proposal, the review team proposed a number of other initiatives to support the proposal to move away from enforcement to education and reinforcement of individual responsibilities. These were:

- Groundforce, Highways and other frontline staff to become the 'eyes and ears' of the authority. These staff would be trained and supported to spot and engage with people littering or allowing dog fouling in parks and other public areas and ask them to change their behaviour. They would not be expected to issue Fixed Penalty Notices.
- Discussions with GMP have established that training and advice will be given to Police and Community Support Officers (PCSO's) to help them engage with people littering or allowing dog fouling. These officers are already trained and equipped to

issue Fixed Penalty Notices. However we do not foresee PCSOs issuing many FPNs unless it is appropriate as part of their normal day to day duties. Changing behaviour remains the key to tackling these issues.

- The practice of securing Enviro-Crime stickers on dumped rubbish prior to collection will cease, instead it will be referred directly to Environmental Services for immediate removal.
- There will be increased engagement with other partner agencies and groups to develop a more intelligence led approach to areas requiring interventions.
- CCTV cameras will be used to gather intelligence to inform the new approach to change the behaviour of Trafford residents.
- As in the original proposal there is provision for a post to remain for a period of twelve months to manage the interim change from enforcement to education including the development and implementation of the new measures. In addition we are now proposing to retain an additional Band 5 post to work alongside the Manager and services during the transition and implementation phase.

2.7 In addition, an Environment Working Group would be established with officers, partner agencies and community representatives to develop, monitor and review the effectiveness of the new approach and to explore other low cost interventions to support these measures.

### **3. Consultation**

3.1 The proposal to disestablish the Environmental Enforcement Team was agreed as part of the ETO budget proposals for 2013/14 and as a consequence consultation with affected staff began on 11 March and ended on 24 May 2013, following an extension to the original consultation period, to ensure a thorough and proper consultation process had been undertaken. A large number of questions were raised by staff and trade unions during the consultation period and alternative proposals were submitted by Environmental Enforcement and Parking Services staff.

3.2 Those alternative proposals were considered as part of the consultation process and a change to the original proposal was agreed to include an increase in the number of Parking Services Assistants proposed from 3.1 to 4.1 full time equivalents (FTE) on the basis that the reduction to 3.1 FTE posts would risk a reduction in Penalty Charge Notice (PCN) income.

3.3 In summary, following the staff consultation, the final proposed staffing changes to the service areas were:

- Delete the two vacant posts within the Environment Enforcement Structure
- Delete the remaining 9 Safer Communities Patrol Officer posts

- Ring-fence the Safer Communities Patrol Team Manager to the Civil Enforcement Project Manager post (fixed term 12 months)
- Increase the number of band 3 posts in the new structure from the proposed 3.1 to 4.1 FTE
- Ring-fence the Prosecution Support Officer and Parking Assistant posts to the new Enforcement Support Assistant posts
- Assimilate the Senior Parking Assistant post to the Enforcement Support Officer post
- Assimilate the post of Parking Manager into the role of Parking Enforcement Support Manager

3.4 A report detailing the final proposal following consultation was approved by the Council's Executive on 24 June 2013. That decision was subsequently subject to call in and at the Overview and Scrutiny Meeting on 17 July it was agreed that the budget proposal for Parking and Environmental Enforcement would be referred to a Scrutiny Topic Group, chaired by Councillor John Reilly, for consideration.

3.5 As a result of the Scrutiny process a number of questions were received from Scrutiny Members and other Members. The responses provided to these questions are attached at Appendix 1. In addition quantitative data on enforcement activity was requested and is attached as Appendix 2.

#### **4. Further review of Proposals**

4.1 The Council Wide Review of Enforcement Services that identified that the Council's Environmental Enforcement Team was no longer sustainable is still supported. It cannot be operated on a self-funding basis, and the high and escalating cost of providing this non-statutory service is unaffordable in the current financial climate (Appendix 3).

4.2 The initial review identified a range of measures that the Council would put in place as an alternative to the penalty notice and other enforcement driven approach currently in operation. The proposed approach would not only deliver a considerable saving but would also be potentially more effective in some areas, e.g. parks and green space, where an enforcement-driven approach has had little impact on public behaviour. (See case studies at Appendix 4)

4.2 As a result of reviewing these proposals with the Scrutiny Topic Group, it is clear that the drivers set out in 3.1 are still very relevant and that the proposal should remain to move from a position of enforcement to education and community engagement/ownership and reinforcement of individual responsibilities.

4.3 However, it is accepted that the original proposals did not give full consideration to the wider range of enforcement activities that are undertaken or a considered approach to implementation that would continue to support some enforcement activity whilst new systems and processes were embedded alongside a campaign and education programme.

4.4 It is therefore, considered appropriate that we retain a further 1FTE resource at Band 5 to support the retained Manager to be engaged particularly around transitional enforcement activity. This proposal is detailed further below.

## **5. Implementation**

5.1 The fundamental drive for these proposals is to make it much more socially unacceptable to engage in littering, dog fouling or other environmental crimes in Trafford. The aim is to change the role of the Council from one of enforcement to educator/campaigner through a programme of engagement and inclusion, the outcome being that many more people will be challenged to change their anti-social behaviour.

5.2 Work has started to prepare for the implementation of this new way of working and as well as involving a large number of Council employees, other key partners have indicated that they are keen to get involved and support us in this new approach. We will firm up and build on these partnerships following approval of these proposals.

5.3 The proposal will also see an initial sixty Council staff trained in customer engagement and a total of twelve staff identified from Highways, Public Protection and Groundforce who will be trained to issue FPN's when appropriate. It is not envisaged that a significant number of penalty notices will be issued in future, this will only occur as a last resort when informal approaches have been repeatedly ignored. A protocol for these enforcement procedures will be fully developed prior to implementation.

5.4 As well as significantly reducing operating costs, a key driver for this proposal is that under the current enforcement arrangements (due to shifts and leave, etc.) there is only ever a maximum of 6 officers working in the Borough at any one time. As set out in 4.3 these revised proposals will ensure that at any onetime up to 60 employees will have the potential to interact with the community and individuals and therefore increases the chances of detection and engagement.

5.5 When these proposals were initially developed the new Locality Boards were at an early stage of development and therefore were not considered as a channel for supporting and developing this new way of working. However, it is clear that environmental improvements will be an ambition of all neighbourhoods and it is therefore intended that proposals will be developed to ensure officers work with the Locality Boards to coordinate their efforts and to help them develop their own local initiatives to clean up their environment. In order to support this new way of working, and to support communities wanting to get involved, toolkits and awareness campaigns will be developed and made available.

5.6 An Environment Strategy for Trafford will be completed by December 2013 in conjunction with the Trafford Environmental Partnership. It will set out the Council's ambition and intentions in relation to a wide range of environmental issues, including cleaner neighbourhoods, recycling, clean air, neighbourhood noise, carbon reduction and sustainability.

5.7 The Environment Strategy will become integral to the Council's existing governance arrangements; the implementation and delivery will be monitored by the Environmental Partnership. The strategy will provide clarity to the public, local businesses, partner

agencies about the Council's aims and objectives for environmental issues and will support the delivery of a cleaner, greener borough.

5.8 In addition, to support the new ways of working, the retained post of Service Manager will be focussed on the development and delivery of the new initiatives as well as developing and organising local and borough wide campaigns and education programmes with partners and communities (e.g. the current Anti-Dog Fouling campaign). The retained Band 5 post will also support some enforcement on the ground as we shift behaviours and expectations.

5.9 The retained manager role will be key to supporting the engagement of our staff, communities and partners and providing the training and education to enable engagement to be made safely and effectively. It is envisaged that this role may carry out some limited enforcement duties to maintain the momentum as we embed the new ways of working. Such enforcement will be limited and targeted at measures which will secure the Council's objectives as defined in the Environment Strategy.

5.10 As a result of revisiting the original proposals with the Scrutiny Topic Group and in particular through reviewing further the current range of enforcement activities undertaken (beyond dog fouling and littering) it is accepted that there needs to be a retention of an additional resource to support the implementation arrangements.

5.11 As set out earlier it is proposed to retain a further 1 FTE post at Band 5 to work alongside the retained Manager focussing on supporting the implementation arrangements including the transfer of functions where appropriate. A review of the revised structure will be undertaken in 12 months when the continued need for the two posts will be considered.

5.12 The Scrutiny Topic Group will also report back to the 3<sup>rd</sup> December meeting of the Council's Executive.

5.13 Should the revised proposals be approved, given the time that has elapsed and the changes that have been made to the original proposals, it is necessary to formally consult with staff again. However it should be noted that there has been extensive staff involvement in the review process which has helped to inform the new proposals. During the formal consultation period with affected staff it is also intended to conduct informal consultation with other staff, groups and partners who will be involved in delivering the new approach to customer engagement.

## **6. Conclusion**

6.1 The change in approach and emphasis will not only deliver a considerable saving to the Council but will also be potentially more effective in some areas, e.g. parks and green space, where an enforcement focused approach has been both costly in terms of staff time and has not been particularly effective if measured by the relatively small number of fines which have been secured. The new approach aims to make the public more aware of the consequences of their actions and change their behaviour for the good of the community.


6.2 The retention of 2FTE is considered appropriate to underpin the change from a full enforcement regime to the revised arrangements of campaigns, education and community engagements/ownership.



6.3 The 2013/14 ETO budget for Environmental Enforcement has been reduced in line with the previously agreed budget proposal as it relied upon the earlier implementation of the original proposals. The proposal to retain an additional Enforcement Officer (Band 5) for 12 months and the retention of all the existing staff beyond April 2013 has created a significant budget pressure that will need to be met within the service budget.

**Key Decision** (as defined in the Constitution): Yes

**Finance Officer Clearance** (type in initials)...PC.....  
**Legal Officer Clearance** (type in initials)...MJ.....

**[CORPORATE] DIRECTOR'S SIGNATURE** (electronic)..... 

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

*Appendix 1*

Responses to Scrutiny Topic Group questions

<b><u>SCRUTINY TOPIC GROUP</u></b> <b><u>3/10/13</u></b>	<b><u>Response to Scrutiny Topic Group</u></b> <b><u>Question</u></b>	<b>ACTIONS</b>
<p>1. Implications of the fact that the proposed Environment Strategy, which the Group understands will be a key agenda-setting document in this area, is not yet available, and yet the Enforcement decision is currently scheduled to take place in its absence.</p>	<p>The new Environment Strategy currently being developed through the Environmental Partnership will be a high level document that sets out a wide range of objectives for the council and our partners. It will specifically include a commitment to promote wider ownership and involvement of staff, community groups and the public in caring for the streets and green spaces of Trafford. We will continue with existing and future planned operations whilst this strategy is developed further.</p> <p>The strategy will be completed by</p>	

	<p>November when the draft will be circulated for consideration and approval. Although the strategy is a key document taking the new approach forward there is no reason to delay the implementation of the necessary changes until the strategy has been adopted.</p>	
<p>2. Arrangements for training, etc. during the transitional period (given the numbers involved) the fact that only one manager will be retained during this period, and that there could be a significant loss of expertise across a wider range of functions currently undertaken by the team.</p>	<p>Arrangements are in place for the training of 12 ETO staff in the issuing of fixed penalty notices. The staff who will be trained are from Groundforce, Highways and Public Protection.</p> <p>The service manager is currently working with HR training staff to develop this training course as well as a course for frontline staff in how to avoid conflict and confrontation when dealing with members of the public.</p> <p>The training will be delivered in November by the service manager and HR training. The course will be half day duration and all staff will be trained by the end of November.</p> <p>If the Executive agree to accept the proposals, it is likely that the enforcement staff will still be engaged in their period of notice or in the redeployment process at this time. The service manager has expertise across the full range of functions currently carried out by the team as well as the skills and experience to lead on the development and roll out of the new proposals.</p> <p>In addition as a result of this further review it is proposed to retain an additional Band 5 FTE.</p>	
<p>3. The apparent stress in the Executive's proposals on the issues of litter and dog-fouling :</p> <p>Whilst these are perhaps the most visible, the group is aware of a</p>	<p>On the 3<sup>rd</sup> of October it was agreed at the meeting of the Scrutiny Topic Group that details of how the full range of tasks currently dealt with by the enforcement team would be tackled in the future. It was made clear at the meeting that the</p>	

<p>number of other important functions carried out by the team, with potentially significant implications for the environmental integrity and in some cases public health; and the group has not yet seen any detail of how these functions will be accommodated for under the new arrangements.</p>	<p>new approach was to move away from regulation and involve our wider group of staff, partners and community groups in spotting and challenging minor anti-social behaviour.</p> <p>It is also proposed that litter and fly-tipping will be cleared up as soon as possible after it is reported.</p> <p>The further review as part of the scrutiny process has identified that we need to retain a further band 5 FTE to support the transition of arrangements outside of dog fouling and litter.</p>	
<p>4. The group has requested, and was promised, an analysis of arrangements for these functions both before and after the implementation of the Executive's proposals; it is difficult to reach an informed view until this information is made available.</p> <p>On a related issue, the Group was promised further information on the number of warning notices issued in a representative period. The Group expressed the view that this might be an important, but largely invisible function, since by definition if the service of the notice is successful, no further action will result. Again, an informed view is not possible until this information is made available.</p>	<p>On the 3<sup>rd</sup> of October it was agreed at the meeting of the Scrutiny Topic Group that details of how the full range of tasks currently dealt with by the enforcement team would be addressed in the future.</p> <p>There is no database where this information is held, so it will be difficult to provide accurate information. Details of how this will be dealt with in the future will be included in the information above.</p> <p>The number of warning notices is not readily available but it is estimated that 40% of the 1601 cases reported last year received a warning notice (640 notices).</p>	
<p>5. A key element of the proposal is enhanced collaboration with partners, including, significantly, Social Landlords. The Group felt that there are grounds for believing that in some cases this process might take longer to bed in than envisaged in the current timetable. As such, we would</p>	<p>Our current time table for the launch of the proposed initiative is December 2013. Initially we will invite a limited number of partner agencies and council staff to our new Environment Working Group.</p> <p>It is planned that Greater Manchester Police, Trafford Housing Trust as well as staff from Groundforce, Highways, Waste</p>	

<p>welcome more information on who these partners are, and the extent to which they are engaged with, and committed to, the proposed approach. This information should cover both financial and manpower opportunities/contributions.</p>	<p>Management and Public Protection will be members of the working group from the start. Once we have established how we will work with Trafford Housing Trust we will seek to bring in other social landlords.</p> <p>Our initial estimates are that about 60 front line staff will participate in the programme when it launches in December 2013.</p> <p>We have spoken to managers within the council, Greater Manchester Police and Trafford Housing Trust and they have all shown interest in working with us on this project. It is planned that a monthly briefing will be issued to all front line staff and partners following the monthly meeting of the Environment Working Group. The specific requirements for front line staff will vary on a monthly basis, e.g. If the focus was on dog fouling in Urmston parks staff working in that area would be briefed and additional resource may be deployed.</p> <p>Alternatively a rogue trader alert would cover the whole borough and all staff might be asked to look out for a vehicle or individuals.</p> <p>For the proposal to be successful it is not necessary to get a specific manpower or financial commitment from partners at this stage. As soon as a decision in relation to these proposals is made we can proactively engage with partners. Any staff members who agree to take part in the proposal are only being asked to be aware of low level anti-social behaviour issues and to engage with people when and if they come across them as they go about their day to day work. It is not a major commitment in resources from any service.</p> <p>The proposal to involve front line council staff and the retained enforcement staff</p>	
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	<p>is sufficient to deliver this proposal from day 1 whilst wider partnership involvement is confirmed following a decision on these proposals.</p>	
<p>6. The proposed approach is based in part on utilising spare capacity of existing staff. The Group would welcome further reassurance that this capacity exists both now, and in an environment where in the future the Councils own resources may further reduce. Concerns were raised particularly regarding the administration of legal proceedings; particularly in cases of those offenders (commercial waste, etc) who might have significant financial incentives to break the rules.</p>	<p>This proposal is not about using spare capacity within any service; the proposal will work because the new approach will involve a large number of staff and partners as they go about their day to day work, being the eyes and ears of the council on these and a wide range of issues. It is not envisaged that occasional engagement with members of the public will take up a significant amount of time; however by involving large numbers of staff and partners the aim is to make a lasting change in individual behaviour.</p> <p>The retained capacity to issue fixed penalty notices will be used in cases where businesses dump rubbish for commercial gain. Any such action will be widely publicised as a deterrent to other businesses.</p>	

## Appendix 2

Environmental Enforcement Team Activities Logged		2012-13	
Business Trans. Type	Reason Code	All CRM activities logged	All Activities logged by Team
Local Environment	A Boards	110	87
	Abandoned Vehicle	275	195
	Dog Fouling	504	386
	Waste Commercial	306	297
	Waste Domestic	1,071	1,019
	Litter Clearance Notice	47	34
	Litter on Private Land	177	81
	Nuisance Parking	62	16
	Litter Offence	85	30
	Fly Posting	295	283
	Request for Dog Fouling Sign	68	23
	Shopping Trolley	69	59
	Education - Leo	100	100
	Tool Library - Leo	19	19
	No Reason in List	172	137
	LEO Review	147	146
<b>Result</b>	<b>3,507</b>	<b>2,912</b>	
FPN Litter /Fly Tip	Abandoned Vehicle	?	195
	Litter Offence from Vehicle	1,905	1,905
	Litter Offence	81	77
	Small Scale Fly Tipping/Dumped Refuse	393	377
	Dog Fouling Offence	30	29
	<b>Result</b>	<b>2,409</b>	<b>2,583</b>
Local Patrol Log	Anti Social Behaviour Patrol - CSP	1,559	1,550
	Anti Social Behaviour	293	293
	Dog Fouling Patrol - CSP	1,571	1,571
	Litter Patrol - CSP	1,228	1,228
	Low Level Nuisance	11	11
	Low Level Nuisance Patrol -CSP	6	6
	<b>Result</b>	<b>4,668</b>	<b>4,659</b>
Street Cleaning	Dog Fouling	466	197
	Side Waste - Refuse/Recycle Collection	161	142
	Fly Tipping General	1,857	836
	<b>Result</b>	<b>2,484</b>	<b>1,175</b>
<b>Overall Result</b>	<b>13,068</b>	<b>11,329</b>	

FPN Activities											
2012-13	Activities created by SCP Team	FPN's issued	% FPN's issued to activities	FPN's paid	% FPN's Paid	FPN income	% of total Income	Successful Prosecutions	Withdrawn Prosecutions	Court fines	Court costs awarded
Abandoned Vehicle	195	9	4.6%	1	11%	£200	0.2%	1	3	£200	£75
Litter Offence from Vehicle	1,905	1,125	59%	1,220	108%	£91,500	88%	71	51	£12,898	£7,940
Litter Offence	77	73	95%	37	51%	£2,775	3%	8	3		
Small Scale Fly Tipping/Dumped Refuse	377	364	97%	108	30%	£8,100	8%	24	18	£5,300	
Dog Fouling Offence	29	29	100%	19	66%	£950	1%	2	1	£300	£155
<b>Total</b>	<b>2,583</b>	<b>1,600</b>	<b>62%</b>	<b>1,385</b>	<b>87%</b>	<b>£103,525</b>		<b>106</b>	<b>76</b>	<b>£18,698</b>	<b>£8,170</b>

### Appendix 3 Budget Details

	Environmental Enforcement			Car Parking			Combined Total		
	Current Cost/ (Income) £000	Option 1 Cost/ (Income) £000	Cost/ (saving) £000	Current Cost/ (Income) £000	Option 1 Cost/ (Income) £000	Cost/ (saving) £000	Current Cost/ (Income) £000	Option 1 Cost/ (Income) £000	Cost/ (saving) £000
	<b>Expenditure</b>								
Staffing	436	30	(406)	182	182	0	618	212	(406)
Running costs	37	0	(37)	957	1,018	61	994	1,018	24
Gross Controllable Expenditure	473	30	(443)	1,139	1,200	61	1,612	1,230	(382)
<b>Income</b>									
Parking income (pay & display etc.)	0	0	0	(661)	(661)	0	(661)	(661)	0
Fines (FPN/PCNs)	(110)	0	110	(838)	(838)	0	(948)	(838)	110
Gross Controllable Income	(110)	0	110	(1,499)	(1,499)	0	(1,609)	(1,499)	110
<b>Net Controllable Exp/(Income)</b>	<b>363</b>	<b>30</b>	<b>(333)</b>	<b>(360)</b>	<b>(299)</b>	<b>61</b>	<b>3</b>	<b>(269)</b>	<b>(272)</b>
<b>Summary of Above</b>								Target Saving	(272)
								(Over)/Under achieved	0

- Environmental Enforcement has a net budget of £289k and is overspending by £74k, therefore current cost is £363k.
- Savings target of £272k addresses current overspending of £210k plus established Enforcement Review savings target of £62k.
- This target is net of staffing reductions £(406)k, increased running costs £24k, and a reduction in income £110k.
- This option will deliver the financial benefit target in full.



**Scenario 1****Litter dropped by a member of the public – current enforcement approach**

One of four Environmental Enforcement Officers operating in the Borough is patrolling in Sale town centre at lunchtime when they notice a young woman eating a sandwich who then throws away the packaging into the street. The officer (who is in uniform) walks up to the woman and identifies themselves. They then inform her that having witnessed her dropping litter, which is an offence, dealt with by way of a FPN and that non-payment could lead to a maximum £2,500 fine on prosecution in the Magistrates Court.

The young woman protests and says that she thought that the packaging had gone into a nearby litter bin. She is informed that the packaging did not go into the litter bin and she is now required to provide her name and address and date of birth so that the notice can be issued. She then offers to pick up the litter and dispose of it properly, she is informed that an offence has already been committed and a FPN must be issued.

At first she refuses to give her details but the officer informs her that if she fails to provide them the police will be called. At this point the young woman changes her mind and gives her details to the officer who then enters and verifies them on their hand held device and then prints out the FPN. The young woman then asks the officer what will happen if she does not pay the £75 FPN, she is informed that under those circumstances she could be prosecuted and the fine could be more than the FPN charge. The size of the fine is at the discretion of the Magistrates. The officer hopes that she will pay the FPN otherwise the prosecution will involve them spending a morning at the Magistrates Court giving evidence, instead of being out on patrol with their colleagues.

The uniformed officer continues to patrol Sale and Altrincham town centres and later witnesses an elderly man walking his dog who discards a cigarette into the gutter. As this is the second enviro-crime of the day a second fixed penalty notice is issued.

**Litter dropped by member of the public – proposed new approach**

One of the Council's street cleaning operatives is working in Sale town centre. As they sweep up leaves and litter they notice a young woman throwing away her sandwich wrapper. The street cleaner approaches her and politely informs her they work for Trafford Council and that their job is to sweep up litter left around the town. They then ask the young woman if she'd mind going back and picking up her sandwich wrapper and putting it in the nearby bin.

By now she is somewhat embarrassed by being caught littering and she agrees to pick it up and drop it into the bin. The sweeper carries on with their work and hopes that she will now be one more person who thinks twice before throwing away their litter in the street. The whole exchange takes less than two minutes and it is the fourth time they had spoken to a member of the public that day. When the operative finishes their shift a tally sheet is given to his supervisor showing that four members of the public had been challenged that day.

Local intelligence is gathered this way and is fed into the monthly environment working group meeting to see if there are any patterns that can be identified or hot spot areas developing.

## **Scenario 2**

### **Dog fouling current enforcement approach**

Two of a total of six Environmental Enforcement Officers operating in the Borough are patrolling in Longford Park at 8:30 AM when they notice a young man who allows his dog to defecate on the path then walks off without cleaning up the mess.

The Environmental Enforcement Officers approach the man and show their Council identity cards. They are not wearing uniforms as they find it harder to catch offenders when they are easily identifiable as Council Officers. They inform him that they have witnessed him failing to clean up after his dog and that it is an offence, which will be dealt with by way of a FPN (£50) and that non-payment could lead to a maximum £1000 fine on prosecution in the Magistrates Court.

The man argues and says that he normally carries plastic bags and he has just realised that he has none in his pocket; he offers to get some newspaper from a nearby bin and clear it up with that. The officers inform him that as an offence has already been committed they must issue him with a FPN and that he is required to provide his name and address and date of birth so that the notice can be issued. Failure to do so will result in the police being called.

The man then gives his details to the officer who enters and verifies them on a hand held device and then prints out the FPN and tells the man it must be paid within 14 days. If the notice is not paid the case will be processed for prosecution and one or both officers will then have to make an appearance in court.

The officers continue to patrol the park and surrounding streets but do not witness another dog fouling offence on that shift.

### **Dog fouling – proposed new approach**

A member of the Groundforce Team is working in Longford Park at 7:00 AM with five other colleagues. The operative recognises a young man who is there nearly every morning walking his dog.

The young man has his dog on a leash and stops while it defecates on the path, he then walks off without clearing up the mess. The Groundforce operative has recently received training on how to safely approach a member of the public and challenge certain types of anti-social behaviour including dog fouling and littering.

When the operative first approaches the young man he is initially defensive and a bit aggressive. The operative then explains that he has worked in the park for over ten years and that he and his colleagues, working nearby, take great pride in their work and the appearance of the park. It is explained to the dog owner how dog fouling spoils the appearance of the park and the operative offers him a couple of plastic bags from his pocket and asks the owner to act responsibly and clear up after his dog. Somewhat reluctantly the young man walks back to where his dog has made a mess and uses the bag to clear up. It is clear to the Groundforce operative that the dog owner is not

happy about clearing up and that he is a bit embarrassed by the whole episode. The dog owner then walks off and drops the bag into a nearby bin.

Two days later the operative and a colleague are pruning shrubs in the park when he notices the young man and his dog walking towards them, he has the dog's leash in one hand and a full plastic bag in the other.

The following week the team are advised that Longford Park has been identified as a dog fouling 'hot spot' and that morning additional Groundforce staff are directed to the park along with their supervisor to do an ad hoc clean up and to talk to local dog owners.

Whilst there they notice a dog walker allowing his dog to foul and not clearing up after them, one of the operative advises his supervisor that this individual has been spoken to previously about this issue.

The supervisor therefore approaches the individual and advises him he has been made aware that it is an offence not to clear up after his dog.

He informs him that since he has again been seen failing to clean up after his dog and that it is an offence it will be dealt with by issuing him with a FPN (£50) and that non-payment could lead to a maximum £1000 fine on prosecution in the Magistrates Court.

### **Scenario 3**

#### **Dealing with dumped business waste - current enforcement approach**

A complaint about fly-tipping is received from a local resident in Old Trafford. It is relayed to the Environmental Enforcement Team for investigation via the Council's Access Trafford call centre. Two officers who are patrolling the area in one of the teams video surveillance vans are asked to investigate.

When they arrive at the location they find five black bags, some that have been opened, in a heap in a back alley behind a row of shops. It is clear that the contents of the bags contain empty food containers and large quantities of waste food of the type that could originate from a hot food take away around the corner. The officers look into the bags and examine the contents to try to find evidence (such as an address label) that could link it to the shop; unfortunately they cannot find any evidence. The officers then attach yellow enviro-crime stickers to the bags to inform local residents that they have been in the area to investigate. Later that day they will inform colleagues in Groundforce to attend and clear up the bags.

The officers then go around the corner to the take away premises and speak to the owner who is just opening up. They identify themselves and ask to see evidence that there is a contract in operation for the disposal of trade waste. The owner produces paper work that is over two years old and admits, when asked, that he no longer has a contract with the waste contractor. The owner informs the officers that he now bags up all waste from the business and takes it home with him where he puts it in his own domestic bin. The officers inform him that it is not legal to dispose of his business waste in that way. They then inform him that they will issue a notice that requires him to make proper arrangements for the legal removal and disposal of the waste from the business. The owner is informed that if he fails

to make and maintain these arrangements then he could be issued with a FPN notice for £100.

A local Groundforce clean up team arrive two days after the enforcement visit to remove the dumped bags. In the intervening time a mattress, an arm chair and an ironing board have been added to the pile of bags despite the enviro-crime stickers that were placed on the bags by the officers.

The officers re-visit the premises two weeks later and establish that the owner now has a twelve month contract with a reputable waste removal company. Further checks will be made to ensure that the contract is not subsequently terminated within a few weeks of the officers' visit to check the documentation.

### **Dealing with dumped business waste – proposed new approach**

A complaint about fly-tipping is received by Access Trafford and is referred directly to Groundforce to be removed by a local street cleaning team. If the complaint is received in the morning there is a possibility that it will be removed by a local team the same day, if not the team will visit the next day and remove the rubbish that has been dumped. By removing the rubbish as soon as possible operatives have found that other opportunistic additional fly-tipping is less likely to occur. The team arrive on site within 24 hours of the call being received and remove the fly-tipping and two other black bin bags they find nearby.

If the Groundforce operatives find identifying items associated with a nearby business in the waste then they will report it back to their supervisor who will ensure the information is fed into the intelligence information which is shared with the Environmental Working Group. In addition arrangements will be made to send out a standard letter to local businesses reminding them of the law and the legal requirement to dispose of their waste with a licenced waste company.

Where repeat complaints are received via Access Trafford or there are concerns about a local business, the environmental working group will prioritise the case which will then be given to the Council's Waste Management team for further investigation and appropriate action including checking commercial waste disposal arrangements are in place or commence enforcement notices.