

**ENVIRONMENTAL ENFORCEMENT - UPDATE**

**REPORT OF THE CHIEF OPERATING OFFICER FOR PLACE**

**1. Purpose of the Report**

- 1.1 To update Members on the progress of the Environmental Enforcement Team following implementation of the new Environmental Policy in February 2017.
- 1.2 To inform Members about the actions taken by the Environmental Enforcement Team since the implementation of the Environmental Policy in February 2017.

**2 Background**

- 2.1 In February 2017 a new Environmental Policy was introduced following recommendations from the Economic and Prosperity Scrutiny Committee that a review of the existing policy was undertaken and a more robust approach to enforcement of environmental crimes was adopted.
- 2.2 The new Policy was agreed in February 2017 and implemented in April 2017.
- 2.3 Job descriptions and job specifications for the Environmental Enforcement Officers were redrafted to reflect the change in approach to environmental crime identified within the new Policy, and following the job specification amends, recruitment was undertaken in March and September, filling the 3 available Environmental Enforcement Officer posts within the Environmental Enforcement Team.
- 2.4 In addition to the Environmental Enforcement Officers, the service area introduced 2 teams of Fly-tip Investigation Officers in April, to further support the introduction of the new Environmental Enforcement Policy and approach to environmental crime.
- 2.5 The new Fly-Tip Investigation Officers patrol key areas of Sunderland responding to reported incidents of fly-tipping and recording evidence which may lead to formal action by the Environmental Enforcement Officers. The team remove the waste immediately following inspection, to deter further tipping, and make enquiries with nearby households, obtaining any evidence available.
- 2.6 The Fly-Tip Investigation Officers also provide a responsive service to complaints relating to improperly deposited waste, aiming to respond record and remove all reported waste within 48 hours of contact; however in most instances, due to the way the work is prioritised, the waste is inspected and removed within 24 hours.

### 3.0 Current Position

3.1 The Environmental Enforcement Officers investigate environmental crimes across the City and have allocated areas for prioritisation purposes. The Environmental Enforcement Officers for each Regeneration Area is as follows:-

North / Coalfields – Chris Belfield  
 Washington / West – Gillian Coates  
 East / City Centre – Victoria Patterson

3.2 Training of the newly appointed Environmental Enforcement Officers is on-going and undertaken both 'on the job' as well as with external networks or training providers. Due to the complexities of the environmental legislation and the evidential standards required to prove cases to the criminal standard of proof, Officers can take up to 12 months to be fully trained although this depends on the level of exposure to each of the various offences

3.3 Despite the on-going training of the newly appointed Officers, the team have achieved the following results since the introduction of the new Environmental Policy:-

	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
Investigations undertaken	401	549	683	585	515	483	452	472	311	4451
Warnings Issued	47	15	52	41	87	29	17	36	22	346
Community Protection Warnings			3	3	1		1	3	2	13
Statutory Notices Served			2				1		11	14
Civil Fines <i>Waste / Fly-tipping</i>	3	2	4	4	5	8	5	7	5	43
Fixed Penalty Notices <i>Littering</i>	1	3	3	2	1	3		1	2	16
Fixed Penalty Notices <i>Waste / Fly-tipping</i>	5	3	5	5	1	6	9	6	5	45
Fixed Penalty Notices <i>Dog Fouling</i>						3		1	2	6
Community Protection Notices		1		1						2
Prosecutions									1	1

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- 3.4 Several prosecutions are now pending for fly-tipping offences and results will be publicised wherever possible, to promote a positive message about the penalties for failing to manage litter and waste lawfully.
- 3.5 To ensure that the team are fully up-to-date with current best practice and relevant information on cross boundary fly-tipping perpetrators, the Environmental Enforcement Team have established solid links with neighbouring Local Authorities and readily share information to tackle problem perpetrators. This has proven to be an extremely valuable link when investigating individuals from outside the Sunderland area

#### **4.0 Future Plans**

- 4.1 Analysis work of fly-tipping or reports of illegally deposited waste is on-going by the Councils Intelligence Hub, to identify the areas of most demand and enable the Environmental Enforcement Team to focus efforts accordingly. Attached at appendix 1, is a copy of the intelligence provided for December 2017.
- 4.2 A communication strategy is being agreed to promote a responsible attitude to the local environment by publicising in the local press the actions taken by the Environmental Enforcement Team against individuals who have committed environmental crimes.
- 4.3 The communications strategy includes action updates to Ward Members on all formal action taken within the Ward. These updates are anonymised to allow Members to share the information freely at Ward Surgeries, in Newsletters and at residents meetings, to promote the consequences of committing environmental crime within Sunderland and to demonstrate the priority given to such matters.
- 4.4 New legislation available from April will further enhance the powers available to the Environmental Enforcement Team to tackle littering. Fines will be increased from £75 to £150 and registered vehicle owners will be liable for any litter thrown from the vehicle. We await further information on the new legislation from Government and will seek Cabinet approval to implement the powers and increase the fine levels as soon possible thereafter.
- 4.5 Environmental Enforcement training for Members is planned for the Spring 2018. The training will aim to provide guidance on the various powers available to tackle specific environmental crimes as well as offering guidance on the evidence required to prove the case, which will assist in the gathering of information from residents when reporting environmental crimes.

## **hknm5.0 Recommendations**

5.1 Members are asked to consider the content of this report

## **6.0 Background Papers**

Environment Enforcement Policy 2017

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