

Overview and Scrutiny Committee Report

Ward(s) affected: All

Report of Director of Environment

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Date: 10 September 2019

JET Review

Executive Summary

The Joint Enforcement Team (JET) was created in August 2017 for an initial period of 2 years, with an extension taking us until April 2020. The team have developed enforcement approaches in a range of environmental and anti-social behaviour areas and have been successful at taking forward improvements in all of these areas.

Whilst the continuation of the current team is within the approved budget for 2019/20 a decision needs to be made to continue, grow or cease the work of the JET beyond the current financial year.

The Committee is asked to express its views on the work of the team and express a view on the future options.

1. Purpose of Report

- 1.1 To set out the work of the team over the last 2 years and to seek views of the Committee on this work and the future direction of the JET approach.

2. Strategic Priorities

- 2.1 The JET supports a number of strategic priorities, particularly under the community theme focusing on supporting older, more vulnerable and less advantaged people, protecting our environment and enhancing cultural, community and recreational facilities.

3. Background

- 3.1 In April 2017, we carried out a review of a wide range of enforcement activities undertaken by the Council and the introduction of Joint Enforcement Teams within Surrey.
- 3.2 The review identified there were opportunities to improve the way we coordinate our enforcement activities across the whole council. The review also identified the aim of being more effective at addressing persistent environmental and anti-social behaviour issues that negatively affect the lives of our residents and impact on provision of services.
- 3.3 We considered three options:
- i. Do nothing – accept that whilst things could be improved, there is limited capacity, resources and finance to effect a worthwhile change.
 - ii. Invest more resources into current specialist teams to focus on priority issues.
 - iii. Invest or divert resources into an enforcement team (JET)
- 3.4 External funding from the Police and Crime Commissioner was available and internal savings within our street cleaning service were realised. These funds were sufficient to equip and employ two officers to join the existing staff involved in environmental crime – the Council's Street Scenes Operations Manager and the Dog Warden. As a result, we proceeded with option iii for a two-year period.
- 3.5 The team initially consisted of
- Team manager with 30 years of GBC experience leading the street cleaning service and now the JET team of investigators
 - Team Leader with over 32 years as a Police Officer in Surrey and more recently specialising in Town Centre Management.
 - JET Officer with 13 years with Surrey Police specialising in Community Policing
 - Dog Warden with 18 years' experience in Dog related education and enforcement
- 3.6 Since its inception the demand for the team has increased and further savings were found to fund a further JET officer. This officer brought with them 15 years' experience with Surrey Police specialising in Roads and Community Policing.
- 3.7 Finally, due to changes in legislation around animal management and licensing the role of the Dog Warden needed to evolve into more licensing and inspection work. It was clear that this role was better suited to working alongside other licensing colleagues within Regulatory Services, taking all work around animal management with work around dog fouling remaining with the JET.

- 3.8 The current structure is now three primary enforcement and investigation officers comprising of the Team Leader and two JET officers managed and supported by the manager who is also responsible for the street cleaning service.

JET Priorities and approach

- 3.9 The team's current core roles include:

- Litter and Waste offences
- Fly tips – primarily on public land
- Unauthorised encampments
- Town Centre Anti-Social Behaviour (ASB)
- Dog Fouling

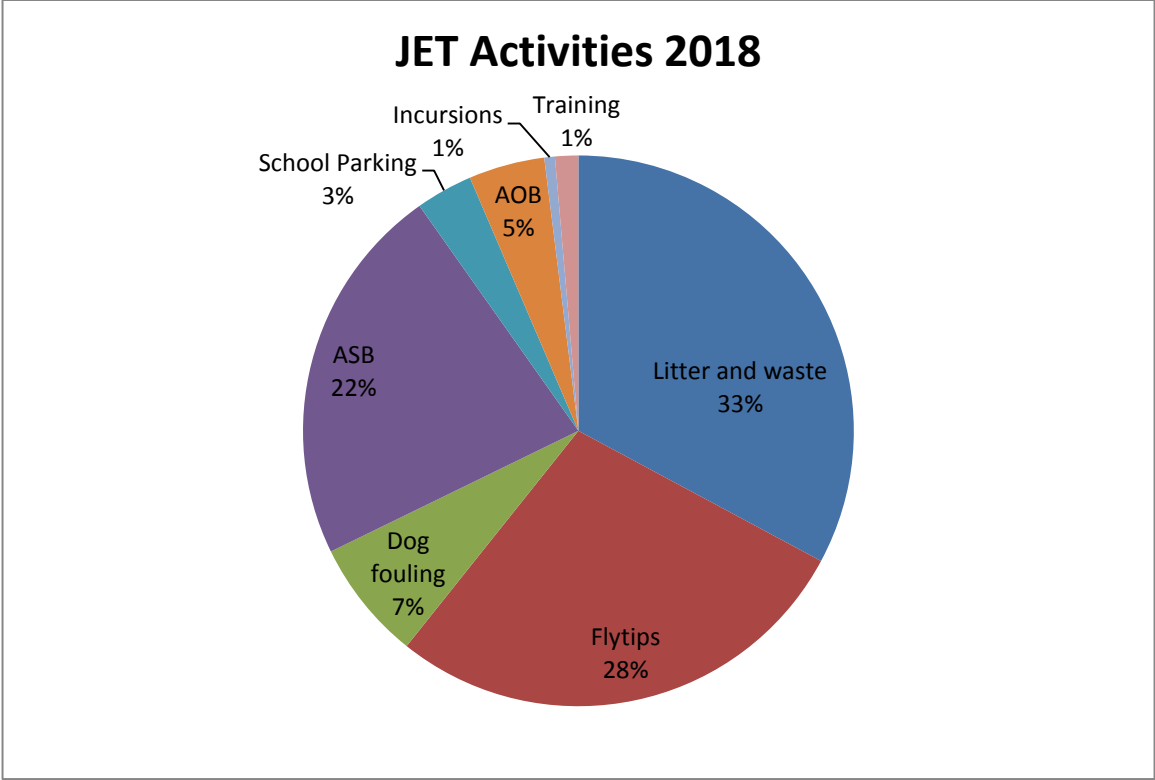
- 3.10 Effective and well-targeted regulation is essential in promoting fairness and protection from harm. Our aim is to work in a transparent, accountable, proportionate and consistent way, to assist individuals and business to comply. We do this by:

- Helping and encouraging regulated bodies, businesses and individuals to understand and meet regulatory requirements more easily
- Provision of advice and guidance
- Inspections/investigations following complaints by third parties
- Street patrols.

We will normally take a supportive approach to achieving compliance with regulatory requirements especially with those who work with us to do so. Where required, we will consider the use of all necessary enforcement action against those who commit serious breaches, flout the law, or refuse to work with us to seek compliance

- 3.11 Where we discover non-compliance, the decision about the most appropriate enforcement action will be made on a 'case by case' basis and in accordance with this strategy and any service or legislation specific procedures/processes that are relevant.

- 3.12 The following chart sets out the breakdown of the JET's activities in 2018:



3.13 The work in 2019 has evolved further with less time spent on litter and waste and more time spent on fly tips, unauthorised encampments and ASB.

3.14 As part of this the team has undertaken, attended or supported a wide range of events in 2018 including:

- 10th January PUTTENHAM COMMON PSPO LAUNCH EVENT
- 16th January Mayor's procession high street
- 17th January NEWLANDS CORNER PSPO LAUNCH EVENT
- 15th February Eviction Ripley
- 26th February Litter Enforcement day Guildford town
- 3rd March Parkour event Guildford town
- 6th April JET trailer day Guildford town
- 30th June Freedom parade Guildford town
- 20th July Enforcement day with Surrey Police
- 21st August trailer event Guildford town
- 23rd October trailer event Ash
- 6th November dog fouling education Slyfield
- 8th November rural day of action event
- 15th November Christmas lights event

- 3.15 **Litter and Waste Summary** - The council's waste and street cleaning services undertake activities throughout the borough. The street cleaning service attends to over 650 miles of roads and paths, over 1000 litter bins in an area covering over 100 square miles. We collect around 2000 tonnes of litter bin waste, leaf fall, detritus, fly tips and litter every year.
- 3.16 The JET responds to reports of litter and waste offences in the Borough of Guildford. These fall into managing issues involving businesses and issues involving the general public. Work can range from spotting litterers in the street or in their cars, to advising businesses on correct waste management practices. The team have issued 11 Fixed Penalty Notices for littering in the last year.
- 3.17 Further details of some of the interactions are included at Appendix 1.
- 3.18 **Fly Tips** – Like all areas of the country we do see significant fly tipping across the public highway and on our land, which is our responsibility to clear. These are removed by our street cleaning teams. The numbers of fly tips have remained fairly constant over many years with a typical year seeing between 1300 and 1500 fly tips on the road or council owned land. There are further fly tips on private land, but these are not recorded as they are the responsibility of the land owner to prevent and clear.
- 3.19 When considering we have a huge road network in the borough and large land holdings, all open 24/7 and with those fly tipping taking active steps not to be discovered, finding the fly tipper or those who handed their waste over, without due care, is challenging. We therefore expend significant effort in prevention, using signage, education and also swift removal to reduce the chance of “copycat” fly tipping.
- 3.20 However, people are sometimes observed in the act or leave incriminating evidence and the JET have been routinely investigating fly tips where there is a line of enquiry. In the last 12 months this work has resulted in one prosecution, five £400 fixed penalty notices for fly tip related waste offences and a small number of privately organised and paid for removals. The JET has investigated 35 fly tips and is following 11 live enquires at present.
- 3.21 Earlier this year, an organised criminal fly tipper began to operate in the local authority area and deposited at least ten 20 tonne loads of treated and shredded waste indiscriminately in the northern part of our borough as well as other locations in the South East. An investigation led by the EA, was supported by our JET and the police and resulted in an arrest and ongoing prosecution of an individual as well as the seizure of the tipper vehicle and a spotter vehicle.
- 3.22 **Unauthorised encampments** – Since August 2018 the JET have been the primary team responding to unauthorised encampments. This includes an initial visit and welfare check, serving of notices, commencing court proceedings, serving court documents and if necessary engaging bailiffs.
- 3.23 In that period, we have attended a total of 10 encampments, all bar one have been moved on without the need to engage bailiffs. The JET have also developed a protocol and evidence pack for each encampment which is now

being used to standardise impact assessment and evidence gathering across the county.

- 3.24 Prior to the JET, managing unauthorised encampments was the responsibility of the relevant department and as such this created significant resource demands on departments, led to inconsistent approaches and variable evidence gathering. The work of the JET has been regarded positively by the relevant departments for example Parks and Leisure:
- 3.25 **ASB** – The JET has an ongoing role in helping manage ASB within the borough. As part of their work requires regular patrols within the town and throughout the borough. The team is both a key source of intelligence and a resource for intervention. Much of this type of work is delivered in partnership, with the team providing insight to others in identifying the right approach to support individuals in need of help and address behaviours that are not acceptable. As such the JET or their manager sits on key groups including JAG, CHARM and the Real Change Operations Group. Examples of this work include:
- 3.26 Bedford House – this area was subject to serious ASB and was a significant concern for residents. A public space protection order (PSPO) was put in place, however resources to patrol and respond to issues and enforce the order were limited. The JET took the lead on this whilst carrying out duties in the town, in partnership with the Police, which led to a swift decline in ASB to the point that when the PSPO expired it was deemed unnecessary to seek to extend or introduce a new one.
- 3.27 Castle car park – this is a council owned car park with a private restaurant on the top floor. The stairwells were being misused and this resulted in significant human and drug related litter as well as partial blockage of a fire route, that in the event of a fire may have resulted in delays to evacuation. As a result, the JET engaged with the individuals, patrolled regularly, working with the police, issued notices to cease ASB and potentially dangerous behaviours where appropriate and instigated the installation of CCTV in key areas. This has resulted in an ongoing improvement in the car park. The manager of the restaurant has commented as follows:

“It is interesting that since the CCTV cameras were installed on the Castle Car Park stairwells we have only had ONE incidence of rough sleeping and drug taking. This installation has been a fantastic success.

We now have a safe and clean car park to allow us to attract visitors to Guildford instead of deterring them.”

Whilst the visible CCTV has been particularly highlighted, the less visible work behind the scenes was as important if not more so than the CCTV equipment.

- 3.28 Real Change Operations Group – this group was developed to address what was an increasing concern relating to homelessness and rough sleeping in the town centre, started in part by the intelligence from the work in Castle Car park that identified that the issues relating to rough sleeping and associated behaviours were complex and could not be dealt with enforcement alone. The Real Change

Operations Group is a multi-partner group that looks to bring in a range of support and interventions for those in need in the town, providing access to housing and support with rehabilitation and finance. The JET role is intelligence gathering, intervention and challenge to ASB.

- 3.29 This ASB work is seen as a critically important part of the JETs task and valued by colleagues and partners. The Community Safety Manager has set out the following:

“The JET have supported a wide range of activities in helping with ASB, from patrolling a PSPO at Bedford House, addressing ASB within car parks, gathering evidence of ASB from beggars and rough sleepers whilst encouraging engagement with support. They have been an extremely effective source of intervention, support and intelligence gathering in helping move serious issues forward in the town. It is clear to me it would have been much harder or even impossible to achieve what we have achieved without this resource.”

The CEO Experience Guildford set out:

“From my perspective, their assistance with the delivery of CPWs [Community Protection Warnings] and CPNs [Community Protection Notices] in the town centre has been very valuable. Also having recently heard about their work on fly tipping issues, it is clear there is a place in the borough for this service.”

- 3.30 **Dog Fouling** – A Public space protection order (PSPO) is in place that makes it unlawful to fail to clean up after a dog. This is, punishable by a fixed penalty notice or fine. This will require reviewing and renewing in Autumn 2020 in order to remain enforceable. The JET carry out regular patrols at a minimum of once per week, but usually more often.
- 3.31 **Challenges** – The key challenges for the JET are that demand is constantly high and priorities are variable. Priorities are difficult to set as much of the work of the team is reactive, for example unauthorised encampments, ASB and fly tips. Some aspects of the work require in depth investigation and take time such as fly tips. Finally, there is a tendency to increase the team’s workload without any change in existing workload or priorities. As a result, it is critical that we are clear on priorities, understand the reactive nature of some of these, use the team where they are most effective and be careful to balance the team’s workload in the event of new priorities.

4. Consultations

- 4.1 A consultation exercise was undertaken in 2017 to introduce the borough wide Public Space Protection Order requiring dog owners to clear up after their dog. This was received positively by the public as well as interest bodies such as the Kennel Club and Surrey Wildlife Trust. Further work to extend this PSPO is required in 2020.

5. Equality and Diversity Implications

5.1 None identified at this stage.

6. Financial Implications

6.1 The current team is fully budgeted for 2019/2020, therefore a continuation of the team will have no additional financial implications. Reducing or removing the team will generate savings of around £150,000 per year. Growing the team will cost between £40,000 and £50,000 per annum per additional officer, dependant on additional transport and equipment needs.

7. Legal Implications

7.1 Whilst engagement, advice and education are the primary tools, the JET can access a range of powers to deal with a wide range of issues. We use these where necessary and aim to do so in a balanced way to ensure that the tests of proportionality and public interest are met.

7.2 Under the Environment Protection Act 1990 there are wide powers available. This Act is primarily used for waste offences, such as littering, fly tipping and poor waste management practices in both commercial and domestic settings.

7.3 Under the Anti-Social Behaviour Policing and Crime Act 2014, council officers, including the JET have access Community Protection Notices (CPNs) and, Public Space Protection Orders (PSPOs). These powers can be effective in dealing with behaviours that may constitute Anti-Social Behaviour and can require people or companies to cease doing something or do something specified in order to abate the behaviour. Breaching an Order or a Notice is a criminal offence, subject to fixed penalty notices or prosecution.

7.4 In addition to the above powers, the Waste, Parking and Fleet Services Manager has delegation to use any other legislation available to the Council to deal with any matters prejudicial to the environment, health or a nuisance.

7.5 Community Safety Accreditation Scheme (CSAS) powers are also being considered for the JET. This has to be approved by the Chief Constable and is subject to ongoing discussions.

8. Human Resource Implications

8.1 If the decision were to continue, the council would need to decide if the team was to become permanent or whether a further fixed term period was chosen. Contracts would need adjusting to take this into account.

8.2 In the event of an expansion, we would undertake a recruitment exercise.

8.3 In the event of a reduction or removal of the team then notice will need to be given. There would be limited redundancy costs as the team have been employed for a relatively short period.

9. Summary of Options

9.1 There are four options

- i) Cease the JET
- ii) Temporarily extend the team
- iii) Make the team permanent
- iv) Make the team permanent and explore opportunities to expand the team as part of the Future Guildford work programme.

10. Conclusion

10.1 The JET are an effective addition dealing directly with a range of challenging environmental and anti-social behaviour issues. They have undertaken significant work in education, patrolling and enforcement in diverse areas. This has addressed significant issues and reduced pressure on other departments when dealing with challenging issues, such as unlawful encampments and anti-social behaviour.

10.2 However, one of the key challenges the team have faced is that demand for their time has occasionally exceeded their capacity and nearly all areas they are working on are considered a priority. This can lead to competing demands and difficulties in focusing and progressing in some areas. Going forward there does need to be clear priorities for the team balanced against the capacity and availability of the team, regardless of the eventual size.

10.3 In all the team has undertaken positive work and is valued and therefore options iii) or iv) are the leading options at this stage.

11. Appendices

1. Examples of activities