

Executive Report

Ward(s) affected: All

Report of Director of Environment

Author: Chris Wheeler

Tel: 01483 445030

Email: chris.wheeler@guildford.gov.uk

Lead Councillor responsible: Fiona White

Tel: 01252 332381

Email: fiona.white@guildford.gov.uk

Date: 24 September 2019

Review of Joint Enforcement Team

Executive Summary

The Joint Enforcement Team (JET) was created in August 2017 for an initial period of two years, with an extension up to 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.

This matter was also considered by the Overview and Scrutiny Committee at its meeting on 10 September 2019. The Committee agreed that, subject to resources, the proposal to make the JET permanent and explore opportunities for its expansion as part of the Future Guildford programme be commended to the Executive.

Recommendation to Executive

That the Joint Enforcement Team be made permanent and that opportunities be explored to expand the team as part of the Future Guildford work programme.

Reason for Recommendation:

To continue the work of the JET and seek to expand capacity within the Future Guildford programme to address enforcement issues and other anti-social behaviour the Council considers is important to residents.

1. Purpose of Report

- 1.1 To set out the work of the team over the last two years and to approve 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 that 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:
- (1) Do nothing – accept that whilst things could be improved, there is limited capacity, resources and finance to effect a worthwhile change.
 - (2) Invest more resources into current specialist teams to focus on priority issues.
 - (3) 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 (3) 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:

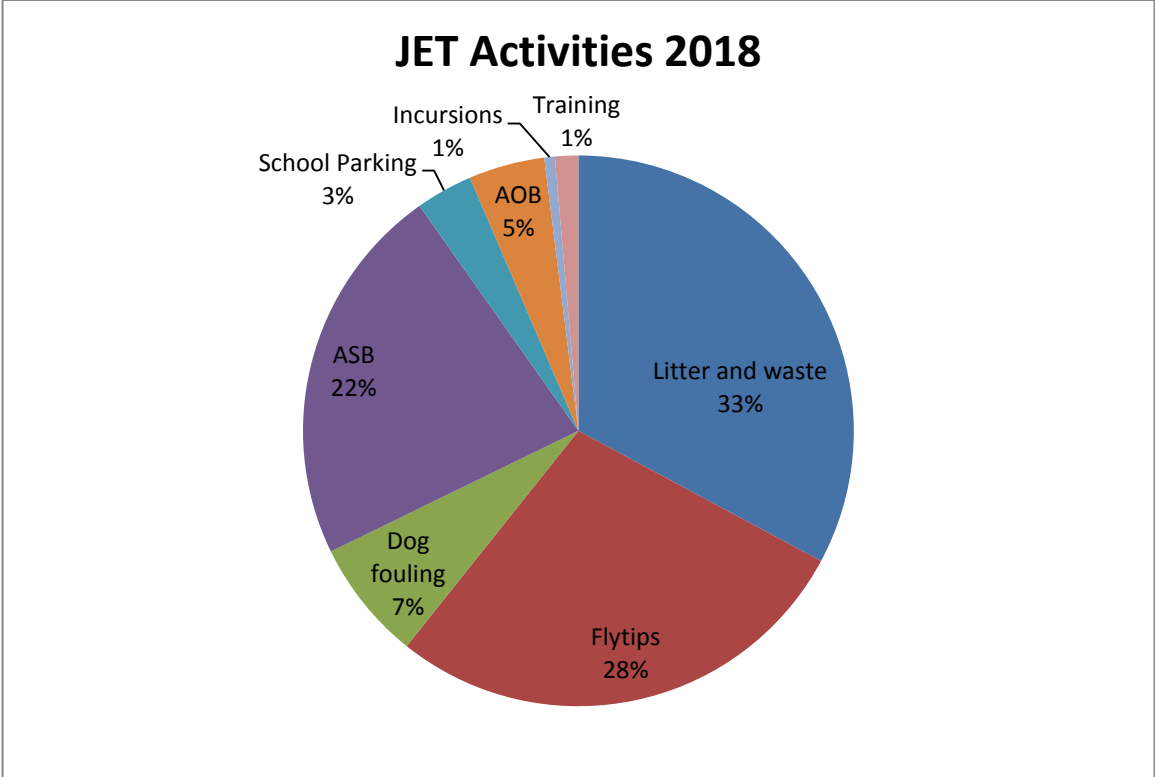
- Litter and Waste offences
- Fly tips – primarily on public land
- Unauthorised encampments
- Town Centre Anti-Social Behaviour (ASB)
- Dog Fouling

- 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:

- 10 January PUTTENHAM COMMON PSPO LAUNCH EVENT
- 16 January Mayor's procession High Street
- 17 January NEWLANDS CORNER PSPO LAUNCH EVENT
- 15 February Eviction Ripley
- 26 February Litter Enforcement day Guildford town
- 3 March Parkour event Guildford town
- 6 April JET trailer day Guildford town
- 30 June Freedom parade Guildford town
- 20 July Enforcement day with Surrey Police
- 21 August trailer event Guildford town
- 23 October trailer event Ash
- 6 November dog fouling education Slyfield
- 8 November rural day of action event
- 15 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 operating in the borough and deposited at least ten 20 tonne loads of treated and shredded waste indiscriminately in the northern part of the borough as well as other locations in the South East. An investigation led by the Environment Agency, 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 by 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 and CPNs 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.
- 3.32 **Overview and Scrutiny committee feedback** – a report on the work of the JET was taken to the Overview and Scrutiny committee on 10 September 2019. The Lead Councillor praised the establishment of the JET under the Council’s previous administration. She highlighted the work of the JET, including its involvement with the Real Change Operations Group to help tackle homelessness and rough sleeping in Guildford town centre.

In response to questions, the Team Leader Environmental Enforcement advised that increasing the JET would enable the team to be more efficient. The Waste, Parking, and Fleet Services Manager indicated that expanding the JET would

enable more balance and less prioritisation within its current remit, rather than widen the scope of the team.

The Committee was advised that almost all districts and boroughs in the county had a JET and that the approach and focus of each team could differ.

The Waste, Parking, and Fleet Services Manager indicated that the JET service had not yet been considered in the Council's Future Guildford transformation programme.

In reply to a question, the Committee was advised that school parking issues had not featured in the JET's work during 2019 and had been dealt with by the Council's Parking Team.

Having noted the work of the JET in both rural and urban areas, the Committee agreed that, subject to resources, the proposal to make the JET permanent and explore opportunities for its expansion as part of the Future Guildford programme be commended to the Executive.

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 2019-20, 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, dependent 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 to 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 Executive 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 A review of the JET by the Overview and Scrutiny committee on the 11 September was supportive of the work of the JET and the current scope of work. The committee expressed unanimous support for option iv.
- 10.4 In all the team has undertaken positive work and is valued. In order to continue their work and address more issues going forward there is a need to make the team permanent and review the scope, size and remit of the team as part of the Future Guildford programme. Therefore option iv) in 9.1 above is recommended.

11. Appendices

Appendix 1: Examples of activities

Appendix 1 Examples of activities

Waste and Litter

Examples of Business waste interventions

1. Convenience store Stoughton area – a business here was placing their commercial waste into domestic bin, a warning letter solved the issue.
2. Town centre restaurant chain – the staff entrance of this restaurant was regularly littered with cigarette ends and general waste causing complaints. The management were spoken to, they installed a cigarette bin, tidied the area, no further issues were reported.
3. Ash area – a vehicle was seen to be carrying a large load of rubble and soil. A Waste Carriers Licence check was carried out and it was found that the driver did not have one. The driver was spoken to and he showed remorse and naivety of waste licence requirements. He instantly purchased a waste-carriers licence online at the location, and produced papers to council officers a few days later. A warning was issued to him



4. Convenience Store Westborough – we received reports of constant overflowing bins and potential fly tipping to the rear of shops in Westborough. The owner was located and a warning of prosecution was issued. The owner cleared the uncontrolled waste and tidied the bin area.

5. South Guildford recycle centre – A local business was using the recycle centre as their personal business waste centre – a warning letter was issued. Further checks have shown compliance.

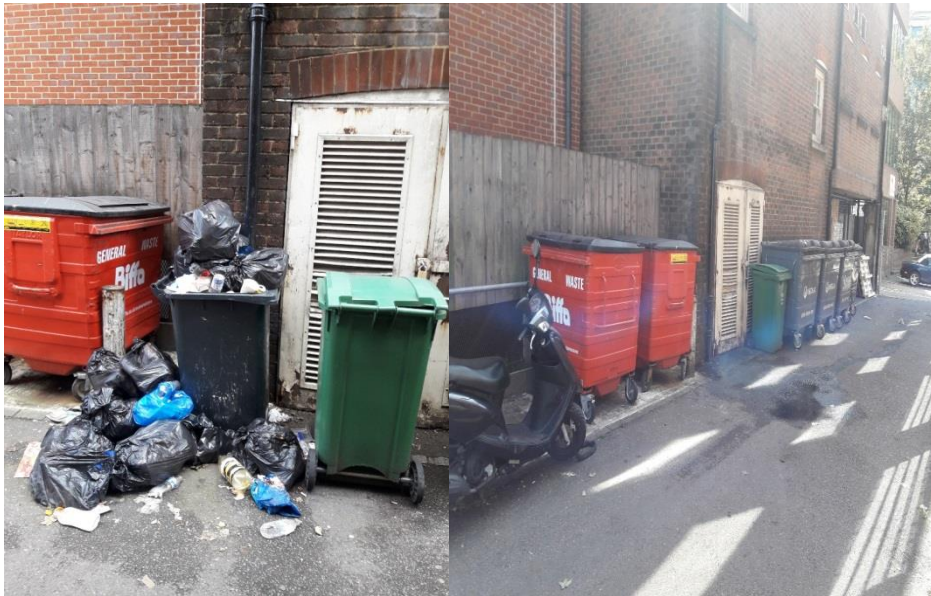


6. Town Centre – Jet carried out a multi-agency approach on a fly tip and litter offence. Working with Environmental Health Officers, the offenders were spoken to jointly, the offender tidied the area. No further issues have been reported.

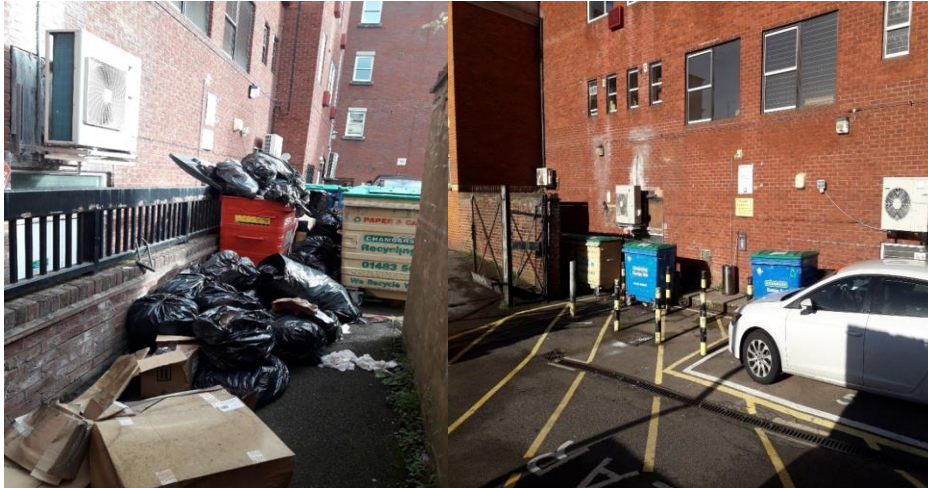




7. Town centre – JET carried out a multi-agency approach on an ongoing issue with fly tipping and littering offences to the rear of premises in the town centre, Guildford. JET took the lead and spoke to all local businesses about their presentation of waste. JET set up a bin contract for all new residents to that location, that did not have one. JET arranged for the area to be cleaned and continue to carry out patrols of the area to ensure compliance.



8. Town Centre - one of the service yards behind a prominent retail unit had a major issue with the state of waste presentation and lack of care for the way waste was being stored. All businesses that used this area were spoken to by JET. All parties labelled and tidied their bins as well as tidied their specific area, apart from one particular business whom we are currently in the process of investigating with a view to prosecution.



9. Ash Area- the bin area behind some retail units in the Ash area had been left untidy for a considerable amount of time. Waste was everywhere which was attracting all types of animals. The local businesses and residents where spoken to, bins were replaced with lockable versions and the area was tidied. The area was monitored on a weekly basis. On the back of this one of the businesses was issued with a Community Protection Warning for further non-compliance. The area is considerably tidier but is being monitored on a regular basis.





Examples of Public waste interventions

10. Send – A family were placing clinical waste outside of their house but not in general waste bins. They were spoken to by JET about their duty of care regarding disposing of clinical waste. We completed a Multi-agency safe guarding referral form and a police intelligence form due to the nature of the clinical waste and the people living within the address at the time of the visit.
11. Guildford town centre residence – Household rubbish was randomly being left outside a nearby shop front causing issues for the shop as the placement of the bags were not on the collection days and were in place for significant periods. The offender was identified via a door knocking exercise, they were provided with information and a warning regarding future conduct and we have seen no repeat.
12. Onslow – A family were constantly leaving their bins on the street 24 hrs a day. Warning letters and a JET visit was carried out, once the threat of prosecution for Duty of Care was given the issue was resolved.
13. East Horsley – A resident was constantly leaving their bins on the street 24hrs, which was part of a larger neighbourhood dispute. A joint visit with GBC housing was carried out, spoke to both sets of neighbours. Multiple issues solved without need for prosecution.
14. Bellfields area – Resident was over filling their wheelie bin on a regular basis. JET visited location and spoke to resident who was given a warning for Duty of care and intel was passed to the Police.
15. Effingham area – JET are currently working with other departments on litter and bin issues in a residential area in Effingham. A bin survey was carried out, and bins are due to be replaced within a month. This will improve the environment and help with safety issues.

16. Westborough area – A road in the area suffered from localised fly tipping, abandoned bins, abandoned vehicles, litter and building waste. JET investigated the fly tips, removed bins and abandoned vehicles, asked residents to tidy up litter and building waste. The area is tidier but we continue to monitor the situation.



17. Town Centre – a block of flats in the town suffered from horrendous black bag issues. JET worked with another GBC department to change from a sack service to a bin service, all businesses nearby were spoken to, and a sign put in place. The issue is now much better and the area is still being monitored.



Guildford Town litter project

18. The Jet team monitor litter in Guildford town on a weekly basis. They carry out hi vis patrols, engagement, education, and enforcement. They have also carried out multiple trailer events in the town centre



HMO (Houses of Multiple Occupancy)

19. Onslow Area – a road experienced localised issues from bins being continually being left on the streets, overflowing and fly tips. JET worked with another GBC department to speak to all residents. They issued advice letters and warning letters and visited offending properties to speak to the residents. We are also working on fly tipping in the area. The issue is now much better and the area is still being monitored.



20. JET have also worked on other areas of houses of multiple occupancy to make the areas tidy and more attractive to live in.

Littering from Motor vehicles

21. JET have been carrying out enforcement on multiple littering from motor vehicle offences. We have located the offenders and issued fixed penalty notices which have been paid.



Miscellaneous Litter and Waste

22. Bellfields area – we had an issue with an abandoned caravan linked to a domestic dispute, a crime being deal with by Surrey Police – the offender was located by JET, and police were updated. The caravan was removed by GBC
23. Stoughton Area – Human Faeces on the pavement was reported to GBC, this was investigated by JET by way of door knocking, details of the involved person was identified. A vulnerable adult referral sent due to the concerns over the adult and they are now being dealt with by social services
24. Abandoned Coach in Ripley – JET traced offender and warnings were issued to the offender. The coach was removed after the final warning, this solved a possible long-term issue due to this being the 2nd coach this offender had left at this location.
25. Abandoned vehicle in the Town Centre – a Red BMW was left in a residential car park and warnings issued, intel report was given to Police and the offender removed vehicle.