



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2020/21

**PUBLIC SERVICE DELIVERY,
COMMUNITIES & PROSPERITY
SCRUTINY COMMITTEE**

18th MARCH 2021

**REPORT OF THE GROUP DIRECTOR OF
PROSPERITY, DEVELOPMENT AND
FRONTLINE SERVICES**

Agenda Item No: 3

**STREETCARE
ENFORCEMENT
UPDATE**

Author: Alistair Critchlow – Parking Services and Enforcement Manager

1. PURPOSE OF REPORT

The purpose of this report is to provide Members of the Public Service Delivery, Communities & Prosperity Scrutiny Committee with update of the work of the Council's Streetcare Enforcement department.

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Receive an update on the work of the Council's Streetcare Enforcement department from the Parking Services and Enforcement Manager accordingly.

3. BACKGROUND

- 3.1 The management of municipal waste forms one of the Council's key priorities. It aims to reduce residual waste sent to landfill and increase the overall recycling rate of the Council to meet strict targets set by Welsh Government.

3.2 Alongside general domestic waste and recycling management, Streetcare Services also enforce Fixed Penalty Notices (FPNs) in relation to certain day to day environmental crimes/offences via its Streetcare Enforcement department, including: -

- Litter dropping
- Dog Fouling / control, (Public Space Protection Orders – PSPO)
- Fly Tipping
- Industrial / Commercial waste

3.3 FPNs are created by way of an invoice raised on the Council’s Sundry Debtors system, using information gathered by Enforcement Officers. Payments can be made online, at any One4All Centre, as well as via telephone.

3.4 Responsibility for the recovery of non-payment of a FPNs lies with the Council’s Debt Management section and if no payment is received, (within the prescribed 28 days), cases are escalated to the Legal Services Department for legal proceedings to commence.

4. UPDATE / CURRENT POSITION

4.1 2020/21 has been a year of considerable disruption to the core work of the Streetcare Enforcement team, as can be seen from the table below, which shows that, until very recently, numbers of FPNs issued have generally been very low over the course of the year, albeit due to a number of mitigating factors.

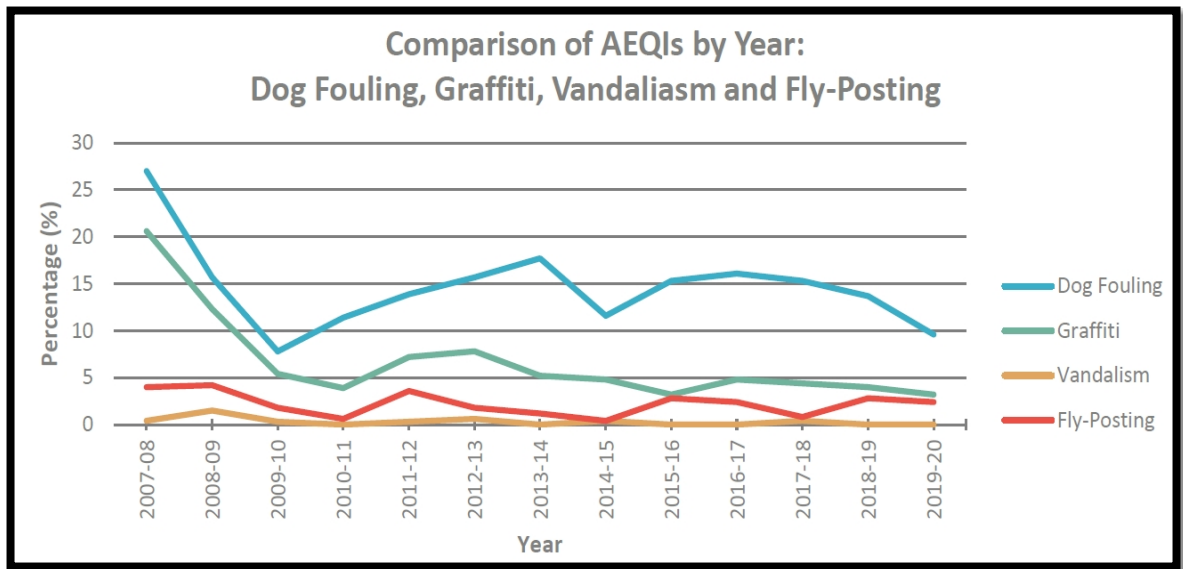
Month / Area	Litter	PSPO	Waste	Fly Tipping
Apr-20	0	0	0	3
May-20	0	8	0	0
Jun-20	0	40	0	0
Jul-20	1	41	1	0
Aug-20	6	40	5	0
Sep-20	4	30	8	5
Oct-20	22	23	7	9
Nov-20	25	12	7	3
Dec-20	13	15	6	4
Jan-21	13	18	2	1
Feb-21	46	74	14	3

4.2 When Storm Dennis hit in February 2020, the Streetcare Enforcement team were immediately re-deployed to help the flood victims. Initially, the team helped residents clear flood damaged furniture and belongings from their homes, and this was followed by assisting with the distribution of food parcels to those affected.

- 4.3 However, when the team were still assisting with food parcel distribution, the first period of “lock-down” associated with the COVID-19 pandemic began. At this point the issuing of FPNs was put on hold indefinitely, as the team were deployed to ensuring that the public were able to continue recycling by distributing bags to individual households.
- 4.4 It was not until May 2020 that a small number of the team went back to issuing FPNs for breaches of PSPOs, (dog fouling and control), due to an influx of complaints from the public about the amount of dogs on sports pitches, (largely due to the effect of “lockdown”).
- 4.5 As the year has progressed thereafter, the team have, at various junctures, been drafted in to support the Facilities Cleaning team in cleaning schools and offices ahead of building re-openings, assisted the Public Health and Protection team monitor town centre business compliance with COVID regulations such as face-mask wearing, provision of hand sanitiser and maintenance of social distancing requirements, and also helped to marshal traffic and parking at COVID testing centres.
- 4.6 The year has also seen the Council take litter enforcement duties in-house, (from 3GS), and enter into a Service Level Agreement, (SLA), with Trivallis for the provision and management of an Environmental Enforcement Service concentrating on estates managed by them.

5. PUBLIC SPACE PROTECTION ORDERS, (PSPO)

- 5.1 Following consultation with residents, the Council introduced a PSPO enforcing new dog fouling rules in the County Borough in 2017.
- 5.2 The Order states that:
- Dog owners **MUST** clean up their dogs’ mess immediately and dispose of it properly.
 - Dog owners **MUST** carry means to pick up dog mess (e.g. bags) at all times.
 - Dog owners **MUST** follow a direction from an authorised officer to put a dog on a lead.
 - Dogs are **BANNED** from all schools, children’s play areas and marked sports pitches maintained by the Council.
 - Dogs **MUST** be kept on a lead at all times in Council maintained cemeteries.
- 5.3 The PSPO also includes an increased fine of £100, and there is also a separate PSPO pertaining to Aberdare Park only, which requires that dogs must be kept on leads at all times in the park.
- 5.4 A recent Local Environmental Audit and Management System, (LEAMS) report produced by Keep Wales Tidy shows that the percentage of dog fouling breaches continues to drop from 2018-19 onwards, (please see graph below).



5.5 It is also worth noting that whilst some 207 FPNs were issued for PSPO misdemeanours from 2018-19 to 2019-20, a further 311 have been issued in 2020-21 alone, which is indicative of the Council's enforcement operations having a positive impact on this matter and compares with the LEAMS data above.

6 FLY TIPPING

6.1 Since enforcement activities started back in earnest in the summer of 2020, we have invited 117 people in for interview in connection with fly tipping allegations and evidence.

6.2 Of these cases, 49 are currently being investigated further, 14 were issued with FPNs and a further 14 are scheduled to attend Court in the next few weeks.

6.3 Additionally, there are presently 7 cases in Court now awaiting verdicts.

7 FUTURE PLANS AND EFFICIENCIES

7.1 Looking ahead to 2021/22, following an internal review of existing working practices, changes will soon be introduced with regards to the deployment of enforcement staff leading to more efficient ways of working and, hopefully, greater coverage.

7.2 Work will continue with Trivallis, whereby a member of the RCT Streetcare Enforcement team has been exclusively tasked with investigating and enforcing issues such as the dumping of waste, contamination of recycling, and littering, plus assisting Trivallis neighbourhood managers with the promotion of their educational messages around recycling and littering.

- 7.3 Additionally, as of 1st March 2021, the law around smoking in certain settings in Wales has changed. The new legislation means that it is now illegal to smoke in hospital grounds, schools' grounds and public playgrounds, as well as outdoor day care and child-minding settings. Moreover, as there is scope to warrant other officers, aside from those in Public Health and Protection, to help enforce the updated law, it may well be that the Streetcare Enforcement team are utilised accordingly.

8. EQUALITY AND DIVERSITY IMPLICATIONS

- 8.1 There are no negative or adverse equality or diversity implications associated with this report.

9. CONSULTATION

- 9.1 There are no consultation implications aligned to this report.

10. FINANCIAL IMPLICATION(S)

- 10.1 With respect to the Trivallis SLA, Trivallis fund the post of the Officer exclusively undertaking work on their estates, (albeit they remain employed by the Council).
- 10.2 Any income generated following the issue of FPNs by the Officer on the Trivallis estates is split equally between the Council and Trivallis.
- 10.3 Income generated by the Council, through the issuing of FPNs for litter dropping, breaches of PSPOs and fly-tipping for the first 11 full months of 2020/21 currently stands at approximately £60k.

11. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 11.1 Offences associated with the following Statutory Legislation can be enforced by Officers in the Streetcare Enforcement department:
- Section 33 Environmental Protection Act 1990 under powers provided by Section 33ZB, to include small scale Fly Tipping.
 - Section 34 Environmental Protection Act 1990 under powers provided by Section 34A, to include Duty of Care (Waste) Offence.
 - Section 87 Environmental Protection Act, 1990 under powers provided by Section 88, to include the dropping of litter, chewing gum, cigarette butts.
 - Section 67 Anti-Social Crime and Policing Act 2014 under powers provided by Section 68 to include offences under Rhondda Cynon Taf County Borough

Council (Dog Control) Public Spaces Protection Order 2017 (to be amended with Rhondda Cynon Taf County Borough Council (Dog Control) Public Spaces Protection Order 2020), i.e. dog fouling.

- The Clean Neighbourhoods and Environment Act, (2005).

12. LINKS TO THE COUNCIL'S CORPORATE PLAN / OTHER CORPORATE PRIORITIES/SIP

- 12.1 The enforcement actions of the Streetcare Enforcement department can be seen to contribute the delivery of the Council's Corporate Priorities with respect to the theme of "place": creating neighbourhoods where people are proud to live and work by making Rhondda Cynon Taf's local environment clean and attractive.
- 12.2 This report has considered the potential long-term impact of continued enforcement action against those who litter, breach PSPOs by failing to control or be responsible for their dogs, fly-tip or contaminate their waste. Whilst the Council continues to raise awareness of the problems associated with such actions and will always help to educate and inform local residents accordingly, enforcement action is considered to be an essential tool in helping to ensure compliance with environmental laws and regulations.
- 12.3 In engaging with Trivallis and helping them to raise awareness of the problems caused by indiscriminate littering or the contamination of waste across their residential estates, and ultimately provide an enforcement service as well, the Council can be seen to be collaborating with others to consider the needs of all residents.
- 12.4 Streetcare enforcement services help to promote good practices across our communities with regards to respecting our public spaces, keeping local environments clean and attractive, as well as understanding the importance of disposing of household waste correctly. The maintenance, and where necessary, the enforcement of such practices, will likely lead to healthier lifestyles.
- 12.5 A partnership between public service agencies who share common aspirations, aims and a vision to deliver clean and attractive neighbourhoods for local residents will help support the delivery of a Wales of cohesive communities, a prosperous Wales and a Wales of vibrant culture and thriving Welsh Language.

13. CONCLUSION

- 13.1 The Council's Streetcare Enforcement department undertakes valuable work in the fight against environmental crimes, such as littering, fly-tipping, the abuse of our public spaces and the problems caused by the contamination of household waste.
- 13.2 The Council has adopted a "zero tolerance" approach to all environmental crimes

and offences, with the majority of FPNs issued relating to litter dropping and dog fouling.

- 13.3 2020/21 has been an extremely challenging year for many residents across RCT with several communities devastated by unprecedented flooding and then having lives lost and others put on hold as result of the onset of the COVID pandemic. However, throughout the year the Streetcare Enforcement team has helped residents from across the Borough by assisting with clearing-up flood damage, delivering food parcels, recycling bags, cleaning schools and assisting at COVID testing centres.
- 13.4 Nevertheless and notwithstanding any of the additional duties undertaken by Enforcement Officers during the past year, in the first 11 months, (April 2020 – February 2021), in excess of 500 FPNs have been issued for various environmental offences with approximately £60k in associated revenue being generated.
- 13.5 Looking ahead, collaborative work continues with Trivallis, operational efficiencies will, it is hoped, lead to better coverage and enhanced enforcement across RCT and Enforcement Officers are to potentially become involved in helping to enforce new legislation with respect to the banning of smoking in public places.