

Report to the Cabinet

Report reference: C-015-2022/23

Date of meeting: 10 October 2022



**Epping Forest
District Council**

Portfolio: Contracts and Commissioning – Cllr. N Avey

Subject: Epping Forest District Council Litter Strategy.

Responsible Officer: James Warwick (01992 564350).

Democratic Services: Adrian Hendry (01992 564246).

Recommendations/Decisions Required:

To approve and adopt the Epping Forest District Council Litter Strategy.

Executive Summary:

This report sets Epping Forest District Council's commitment to the Government's Litter Strategy for England along with The Environmental Protection Act (1990) and the Code of Practice on Litter and Refuse (2019).

The strategy aims to:

- change the behaviour of people who feel it is acceptable to drop litter through education and social media campaigns
- make it easy to dispose of litter, provide the appropriate facilities in the right places, and collect litter in a timely fashion
- improve enforcement by exercising council powers to deal with anyone who drops litter

This Litter Strategy explains how Epping Forest District Council's plans to continue its work in not only, meeting the Government's expectations but also reflect resident's desire to have a clean and healthy local environment free of litter, fly-tipping and dog waste.

Reasons for Proposed Decision:

The Litter Strategy sets out three principal reasons why the Council needs a litter strategy, namely:

- Publication by the UK Government of the National Litter Strategy for England and the Code of Practice on Litter and Refuse 2019 (COPLAR);
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/834331/pb11577b-cop-litter1.pdf
- The importance of maintaining a clean environment and the need for a clear statement of how we intend to achieve this aim.
- The continuing pressure on Council budgets.

Other Options for Action:

Epping Forest District Council have never had a Litter Strategy, we can continue to operate without a litter strategy, but this strategy explains how Epping Forest District Council and other relevant partners can meet their legal duties to keep streets and open spaces for which they are responsible clean and free of litter.

Report:

1. The Litter Strategy (Appendix A) will help to deliver the commitment to the Government's Litter Strategy for England along with The Environmental Protection Act (1990) and the Code of Practice on Litter and Refuse (2019). The strategy for a Cleaner Epping Forest District lays out EFDC's plans to continue its work in the transformation of our open spaces and streets to ensure that in, not only, meeting the Government's expectations but also reflect resident's desire to have a clean and healthy local environment free of litter, fly-tipping and dog waste.
2. This strategy explains how Epping Forest District Council (EFDC) and other relevant partners can meet their legal duties to keep streets and open spaces for which they are responsible clean and free of litter. Residents, visitors, and businesses expect to see clean streets and open areas free of litter, weeds and dog fouling. One of the most important measures in improving the appearance of a street or area is street sweeping, it is one of the most important services any council operates. The most obvious benefits of street sweeping are overall appearance, perceived safety and pride in your local area which all help to create a positive and welcoming environment. Whereas the opposite can feel threatening and can give the impression of a run down and value-less area.
3. Officers will work with Keep Britain Tidy to ensure this strategy and associated actions are in keeping with the aspirations of the Governments Litter Strategy.
4. The Delivery of the Litter Strategy will contribute positively towards the Council's environmental polices including its intention to reduce carbon in response to the climate emergency. In addition to statutory performance indicators, success will be measured in the Council's reduced carbon footprint i.e., less waste to landfill. Additionally, the Strategy will provide a platform to engage with partners to enhance the local environment, by securing behaviour change which will positively contribute towards the continuing aspirations of the Council as an area to visit, work and play.

Resource Implications:

Epping Forest District Council commits around £1.7m annually on its services relating to litter, fly tipping and street cleansing and the strategy will be used to improve the targeting of these resources. Some of the money spent on street cleansing/litter removal is avoidable – if there was no dropped litter, fly-tipping, or dog fouling then the Council would not need to spend money collecting and disposing of it.

Legal and Governance Implications:

Epping Forest District Council has duties under the Environmental Protection Act 1990 (EPA 1990). There are two duties within section 89 of the Environmental Protection Act 1990 that mean certain organisations (mostly public bodies) are to, as far as is practicable:

1. Keep land clear of litter and refuse
2. Keep roads clean

Duty 1 Section 89(1) of the Environmental Protection Act 1990 places a duty on certain bodies to ensure that their land (or land for which they are responsible) is, so far as is practicable, kept clear of litter and refuse.

Duty 2 Section 89(2) places a further duty on the Secretary of State in respect of motorways (National Highways) and a few other similar public highways, and on local authorities in respect of all other publicly maintainable highways in their area, to ensure that the highway or road is, so far as is practicable, kept clean

Safer, Cleaner and Greener Implications:

The proposals listed in the report will have a positive impact on the street scene in the District.

There are no adverse implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Change Agenda and Safer, Cleaner, Greener initiatives, or any crime and disorder issues within the district.

Consultation Undertaken:

This report has been presented to the Waste Management Partnership Board and Stronger Place Select Committee. Consultation with Environmental Services.

Background Papers:

None

Risk Management:

None

Equality Impact Assessment

1. Under s.149 of the Equality Act 2010, when making decisions, Epping District Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy or change.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. All **Cabinet, Council, and Portfolio Holder reports must be accompanied by an EqIA**. An EqIA should also be completed/reviewed at key stages of projects.
8. To assist you in completing this report, please ensure you read the guidance notes in the Equality Analysis Toolkit and refer to the following Factsheets:
 - Factsheet 1: Equality Profile of the Epping Forest District
 - Factsheet 2: Sources of information about equality protected characteristics
 - Factsheet 3: Glossary of equality related terms
 - Factsheet 4: Common misunderstandings about the Equality Duty
 - Factsheet 5: Frequently asked questions
 - Factsheet 6: Reporting equality analysis to a committee or other decision making body

Section 1: Identifying details
Your function, service area and team: Contracts (Waste Management)
If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: N/A
Title of policy or decision: Litter Strategy
Officer completing the EqIA: James Warwick Tel: 4350 Email: jwarwick@eppingforestdc.gov.uk
Date of completing the assessment: 06/06/22

Section 2: Policy to be analysed	
2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p>New Strategy.</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision): What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)?</p> <p>The Litter Strategy will help to deliver the commitment to the Government’s Litter Strategy for England along with The Environmental Protection Act (1990) and the Code of Practice on Litter and Refuse (2019). The strategy for a Cleaner Epping Forest District lays out EFDC’s plans to continue it’s work in the transformation of our open spaces and streets to ensure that in, not only, meeting the Government’s expectations but also reflect resident’s desire to have a clean and healthy local environment free of litter, fly-tipping and dog waste.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none"> • service users • employees • the wider community or groups of people, particularly where there are areas of known inequalities? <p>Residents will receive the same level of services as they currently do from the Waste Contract.</p> <p>Will the policy or decision influence how organisations operate?</p> <p>Yes, an improvement in services.</p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>No</p>

2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>Climate Change Action Plan and Policy</p>
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Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	<p>What does the information tell you about those groups identified?</p> <p>The current contract serves all residents of the District and all residents can access EFDC's waste collection service</p>
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>N/A</p>
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p>N/A</p>

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Neutral This service is for all residents regardless of age.	L
Disability	Neutral The service is for all residents and assisted collections can be arranged	L
Gender	Neutral The service is available to all residents.	L
Gender reassignment	Neutral The service is available to all residents.	L
Marriage/civil partnership	Neutral The service is available to all residents.	L
Pregnancy/maternity	Neutral The service is available to all residents.	L
Race	Neutral The service is available to all residents.	L
Religion/belief	Neutral The service is available to all residents.	L
Sexual orientation	Neutral The service is available to all residents.	L

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqIA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No	
			If 'YES', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service: 	Date: 06/06/22
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Signature of person completing the EqIA: James Warwick	Date: 06/06/22
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Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqIA you undertake to the director responsible for the service area. Retain a copy of this EqIA for your records. If this EqIA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.