

Report to Safer Cleaner Greener Standing Panel

Date of meeting: 7 July 2011

Subject: Safer Cleaner Greener Strategy - Enforcement Activities



Officer contact for further information: Jim Nolan

Committee Secretary: Adrian Hendry

Recommendation:

To note the update on the Safer Cleaner Greener Strategy Enforcement Activities for the period 01 October 2010 – 31 March 2011 (6 months).

Report:

Activity recorded by Environment & Neighbourhood Officers (ENO)	01/10/10 to 31/03/11
Fly-tipping incidents	
Incidents reported to the Council (codes 01FP & 01SC)	729
Incidents referred to ENO "to consider investigation" (01FP)	574
Incidents investigated (01FP with code EF01)	375
Warning/Enforcement letter sent (01FP with code EF03)	35
Statutory notice (01FP with code EF02)	3
Prosecution (01FP with code EF05)	4
Waste enforcement work not related to a specific fly tip (code ENFO)	
Investigation (EF01)	189
Warning/Enforcement letter (EF03)	65
Statutory notice (EF02)	15
Fixed Penalty notice (EF09)	3
Duty of Care Inspection (EF04)	5
Stop and Search (EF08)	31
General enforcement work dealt with by ENO (Selected top 5 codes, not including fly-tipping detailed above).	
Total enquiries/complaints dealt with by ENO team	637
1. Noise	476
1.1 Out of hours noise included in above total	230
2. Bonfires (domestic and commercial)	46
3. Street Trading	45
4. Refuse nuisance	28
5. Licensing consultation	16

Fly-tipping incidents

All incidents of fly-tipping reported to the Council are recorded (729). Incidents that may have some evidence to trace the source of the waste or fly-tipper are passed to the ENO team (574). Other incidents are simply recorded and cleared. The incidents passed to the ENO team are then prioritised and investigated if possible (375) prior to clearance.

Out of the 729 incidents most were on the highway (367) including verges that form part of the highway. The second largest land type was on Council land (254), predominantly Housing land, often due to householders poor waste management rather than fly-tipping by somebody unrelated to the area. These two land types accounted for 85% of the reported incidents.

4 prosecutions for fly-tipping have been concluded in this period.

24 February 2011 re fly-tip in Gravel Lane, Chigwell. Failure to complete waste transfer note and take reasonable measures that led to fly-tipping. £250 fine £669 prosecution costs & £100 towards clear up.

10 December 2010 re – fly tip on Corporation of London land. Guilty plea. £67 fine, £638.48 costs and £100 towards clearance.

10 December 2010 – re fly tip in Epping Lane, Stapleford Tawney. Guilty plea. £200 fine, £425.72 costs and £126.30 towards clearance.

1 October 2010 re – fly tip in garage area off Chequers Road, Loughton. Guilty plea. Conditional discharge for one year taking into account his financial circumstances. £352 costs and £100 towards clearance.

Additional enforcement work of note concluded in period 01/10/10 to 31/03/10

4 February 2011 – Breach of noise abatement notice served on Mr B Thompson of 7 Felstead Road, Loughton heard in court. Offence proved in defendant's absence. £525 fine, £400 towards costs and forfeiture of equipment that was seized by officers under warrant.

8 Noise abatement notices served, one in relation to a misfiring car alarm was not complied with and works to disable the alarm were carried out.

Fixed penalty notices (FPN)

6 fixed penalty notices were offered to alleged offenders for 6 incidents that occurred in this period. 3 in relation to littering offences and 3 in relation to breaches of s.46 Environmental Protection 1990 notices requiring the correct waste receptacles to be used.

2 FPNs in relation to breaches of s.46 notices were paid at the discounted rate of £60 for early payment within 10 days. The other FPN was not paid and the matter proceeded to court. The defendant pleaded guilty and was fined £80 and £150 costs.

One FPN in relation to littering was paid at the discounted rate of £50, one is pending prosecution after not being paid, and one has been cancelled and is due to be re-issued on a different named individual after further information received.

Pre-arranged operations to target littering offenders have been arranged for the next period.