

Minutes

Partnership Development Scrutiny Committee

12th May 2021 at 7.15pm



Present

Councillors	Present	Councillors	Present
J Baugh	Yes	Mrs J Pell	Yes
G Courtauld (Vice-Chairman)	Yes	Mrs J Sandum	Yes
A Hensman	Yes	P Thorogood	No
Mrs M Cunningham (Chairman)	Apologies	Mrs L Walters	Apologies
T McArdle	Yes		

Before commencing with the proceedings, Councillor G Courtauld, Vice-Chairman of the Committee, advised Members that he would be chairing the meeting in the absence of the Chairman, Councillor Mrs M Cunningham.

1 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

2 **MINUTES**

INFORMATION: There were no questions asked, or statements made.

3 **PUBLIC QUESTION TIME**

DECISION: The Minutes of the meeting of the Partnership Development Scrutiny Committee (formerly the Partnership Development Group) held on 31st March 2021 were approved as a correct record.

4 **SCRUTINY REVIEW INTO ENFORCEMENT PROCEDURES AT BRAINTREE DISTRICT COUNCIL – SECOND EVIDENCE GATHERING SESSION**

INFORMATION: Members were informed that two Officers from the Council's Operation's team were in attendance at the meeting: the Officers were Mr Steve Wilson, Operations Manager, and Mr Stuart Thompson, Assistant Manager, Street Scene. The Officers were in attendance in order to support Members' evidence gathering for the Scrutiny Review into 'Enforcement Procedures at Braintree District Council.' The Chairman welcomed Steve and Stuart and thanked them in advance for their assistance with the Review.

The Officers were then invited to introduce themselves to the Committee and explain their roles within the Operations team and the partnership working arrangements that were in place on enforcement matters. The Officers paused at various points during their

presentation to allow Members to ask any questions they had based on the information they had received so far.

Mr Wilson firstly explained his role as Operations Manager, as part of which he was responsible for frontlines services such as waste and recycling, grounds maintenance, street cleansing, markets, the site at Cordon's Farm, street scene protection, etc. Mr Wilson also reported directly to the Head of Operations, Mr Paul Partridge. It was explained that the Street Scene Protection team consisted of seven officers, which included Mr Thompson. The team was divided into four main areas that covered different locations across the District, and there was also an element of cross-border working. Mr Thompson then explained his role as Assistant Manager within the Street Scene Protection team. It was reported that each of the four areas within the team had its own designated Street Scene Protection Officer whose responsibilities encompassed a variety of issues, such as environmental offences, nuisances, antisocial behaviour (ASB), dogs not under control, etc. There was also an Apprentice appointed within the team, and a Street Scene Warden who undertook proactive visits of the District and carried out various functions (e.g. inspections of abandoned vehicles and investigations into reports of fly tips).

The Covid-19 pandemic had had a significant impact on the work of the Operations department as a whole, but this was particularly so with regard to the enforcement team; for example, new enforcement powers had been issued by the Government in terms of what enforcement staff could carry out and how compliance should be managed against the backdrop of Covid. It was reported that the Council's Environmental Health team (EH) had overall responsibility for the management of Covid related issues, whilst the Street Scene Protection team had worked continuously throughout the pandemic to support EH with the new enforcement requirements (e.g. street patrols, visits to businesses and the sharing of intelligence). It had been a challenging year for both teams, especially with the suspension of services like that of the green waste collection and the subsequent increase in the amount of environment offences (e.g. bonfires). One of the most notable challenges for the Street Scene team were interviews conducted under caution, and the installation of noise equipment at premises due to social distancing measures, which was work that was also undertaken in partnership with the EH team.

In respect of internal partnership working, there was much crossover with the work of the Street Scene Protection team and that of the EH team. The EH team would deal with statutory nuisances such as those associated with noise, whereas the Street Scene team would deal with non-statutory nuisances alongside their EH colleagues. The Street Scene team also worked closely with staff in the Licensing team, especially in relation to enforcement matters regarding dog breeding businesses and scrap metal dealers, and also with the Community Safety team on matters such as the serving of notices. More recently, partnership working with the Homeless and Housing team had also increased; much of this was in relation to issues such as rough sleepers and associated complaints.

With regard to external partnership working, the Street Scene team had a strong working relationship with Essex Police, particularly with the local community teams, rural crime unit and the 'Op-Rap' team, who dealt with issues such as County Lines. There were also a number of housing associations within the District that the team worked with, notably Eastlight Community Homes Ltd, with whom the Council had a close working relationship; for example, monthly meetings with area managers took place at Eastlight, who now had processes in place where they could utilise antisocial behaviour legislation to escalate action against incidents by way of a written warning. If the issue continued, Eastlight would then compile a report for the Street Scene team, who would then consider serving

a notice to the individuals involved. In addition to having regular contact with a number of authorities across Essex, Essex County Council (ECC) in particular was an organisation that the team worked closely with in regard to enforcement matters, such as commercial waste licences. The team also maintained a positive working relationship with local RSPCA Inspectors (e.g. on the subject of warrants). There was also an element of joint working with authorities such as the 'Cleaner Essex' group on shared intelligence, cross-border enforcement and joint investigations, as well as with the Environment Agency (EA) on the subject of environmental crime.

Members were then invited to ask their questions of the Officers. A webcast of the full discussion was available to view on the Council's YouTube Channel at the following link:- <https://www.youtube.com/watch?v=f1Ahsor3Uyg>

In response to the questions raised, the following responses were provided:-

- It was reported that enforcement with regard to issues such as loud music was predominately the responsibility of the EH team, although there was an element of shared working with the Street Scene team depending on the type of noise involved. The Council currently had an 'Out of Hours' service which took place on a Friday and Saturday evening between the hours of 8.00pm and 1.00am, during which an Officer of the Council would attend an address where a nuisance had been reported in order to witness the incident. Any residents who wished to report such nuisances over the weekend period were advised to contact the Out of Hours service. For any issues that occurred during the week, Members were assured that all incidents reported would be logged and a Case Officer would be allocated.
- Members were advised that although the Council did not remove waste from private land, it would conduct investigations committed on private and public land. Land owners had a duty to keep their land clear of waste, and it was within the Council's powers to enforce this.
- In respect of littering offences near fast food restaurants, the Council was able to conduct investigations if the receipts for litter such as food packaging could be located, as this could help with identifying the vehicle used by the offender. Equally, if residents witnessed a car depositing litter, there was a reporting form available on the Council's website that Officers could use to conduct an investigation. It was added that through the 'Cleaner Essex' group, the Council also did much in the way of campaigning in order to help educate residents and prevent activities such as littering from occurring. CCTV could also be used to help identify offences like those of fly tips.
- On the possibility of using identification data on receipts for fast food, Members were informed that the Council had trialed similar schemes in the past with some fast food brands. There was much partnership working by the Council with fast food brands to help combat litter; for instance, as part of the Great British Spring Clean, the Council was working with chains such as KFC and McDonalds on community led litter picks. Members were reminded of the Government consultation around packaging that was taking place in future, the results of which were likely to impact on how food companies packaged their food products going forward (e.g. with use of biodegradable containers). It was emphasised that the Street Scene team had a positive working relationship with fast food chains like those at Galleys Corner in Braintree, who were always willing to assist the Council with its investigations; however, due to issues such as the volume of traffic alongside fast food outlets, offences such as littering could be difficult to monitor.

- With regard to fast food outlets and alternative 'partnership' forums which could be used to combat the issue of litter, Members were advised to speak with the Marketing and Communications team who had various national contacts. The Street Scene team only maintained contacts with local chains.
- With regard to the EA, the Street Scene team had contacts with environment officers and the Waste Crime team and often worked jointly with them on various cases.
- In light of the Covid-19 pandemic, some powers and regulations around enforcement that emerged in regard to compliance with Covid restrictions which were being managed and lead by Officers within the Council's EH team. Alongside this, the Street Scene teamed were able to provide EH with intelligence that could support the enforcement action that they decided to undertake, if any. In the earlier stages of the pandemic, some issues around enforcement had arisen with limitations imposed on certain activities, such as interviews under caution and the witnessing of nuisances.
- The act of 'naming and shaming' individuals where there had been littering prosecutions, and whether this was the appropriate action to take in terms of preventing future offences, was a notably complex matter due to potential sensitivities around the disclosure of data. It was added that the Information Commissioner was the regulatory authority that the Council adhered to in terms of the use of such data.
- Although it was not a traditional partnership 'tool,' working with the media was one such method through which enforcement could be implemented in terms of educating and informing wider groups of people.

Further to the discussion, the Chairman expressed his grateful thanks on behalf of Members to the Officers, Mr Stuart Thompson and Mr Steve Wilson, for their attendance at the meeting and for the detailed information they had provided.

With regard to identifying future lines of enquiry to support the evidence gathering of the Committee, Members were requested to submit these directly to the Governance and Members team via governance@braintree.gov.uk.

Due to a number of Members having been absent from the meeting, Governance Officers also agreed to make contact with those Members and invite them to submit any enquiries to the team as well, if they so wished.

The meeting commenced at 7.15pm and closed at 8.01pm.

Councillor George Courtauld
(Vice-Chairman in the Chair)