

TITLE: Environmental Crime Action Plan 2023/24

Committee: Operational Services Committee

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1.0 ISSUE

1.1. To adopt an Environmental Crime Action Plan.

2.0 RECOMMENDATION(S)

2.1. Members to approve the draft Action Plan for 2023/24 and beyond.

3.0 BACKGROUND/OPTIONS

3.1. East Cambridgeshire's 2023 to 2027 Corporate Plan identifies the priority to reduce environmental crime across the district and secure prosecutions.

3.2. An Environmental Crime Action Plan was proposed, requiring approval by December 2023.

3.3. In September 2023 Members approved the new Environmental Crime Enforcement Policy which reflected this focus and identified the range of enforcement tools at the council's disposal to address environmental crime.

3.4. The Environmental Crime Enforcement Policy 2023 sets out a robust and consistent approach to tackling local environmental issues through education, engagement, and enforcement as part of a wider approach, to improve public spaces and the quality of life for everyone.

3.5. It is important to consider the Environmental Crime Enforcement Policy and the updated Fixed Penalty Notice (FPN) charging proposals, alongside the Environmental Crime Action Plan.

4.0 ARGUMENTS/CONCLUSION(S)

4.1. The Governments ASB Action Plan launched in March 2023 provided for tougher penalties for environmental crime, in the form of increases to the upper limit of fixed penalty notices (FPN's). It also provided a commitment to increase transparency of national data, through production of league tables on fly tipping. All authorities are encouraged to quality assure their data, so it is vital that our statistics are accurate and reflect what is happening on the ground.

- 4.2. In 2021-22 622 illegal waste deposits were identified in East Cambridgeshire. 2022-23 saw a 16.88% drop in deposits to 517. There were 18 FPN's served in 2022-23 which resulted in payments being made of £3590.00.
- 4.3. Costs in serving FPN's vary depending on complexity of case and investigation requirements. A straightforward FPN may take 3 hours work to reach the point of service, whereas a complex case could take 30 hours work, so costs for officer time alone could range from £130 to £1300. Prosecution costs again vary but the most recent case East Cambridgeshire District Council took forward for prosecution included a request for costs of £942 to be considered. The Court awarded the council £400 in costs.
- 4.4. The main aims of the Action Plan are to:
1. Educate those who live in and visit the district about good waste management, litter control, dog control and other local environmental quality issues.
 2. Engage with residents, businesses and visitors about their relevant duties and responsibilities in terms of good waste management, litter control, dog control and other local environmental issues and clearly inform all on what constitutes an offence.
 3. Undertake any investigatory and enforcement action as necessary, in a consistent, proportionate, and transparent manner.
 4. Target those who directly damage the environment through careless or wilful acts of improper waste handling, imposing higher penalties to help deter those more likely to offend.
 5. Celebrate the successes and the projects that contribute to improving the local area.
 6. Reduce the incidents of environmental crime thereby reducing council costs in investigation and clearance.
- 4.5. The draft strategy and action plan, when read alongside the Enforcement Policy, sets out the overarching approach to tackling environmental crime. There is information on how the council intends to prevent environmental crime; how it intends to use intelligence to target resources effectively and efficiently; how and when it will use enforcement powers to encourage behaviour change and punish offenders; and, how the council will re-assure those who care about the environment that East Cambridgeshire District Council takes its environmental responsibility seriously.
- 4.6. The document identifies the importance of linking with the ECSS 'Love your Street' campaign, to strengthen messaging and to provide support to residents to help them play their part in tackling unacceptable behaviours relating to environmental crime.
- 4.7. Once agreed, the Action Plan will be published in a format that meets corporate branding requirements.

5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT

- 5.1. There may be increased cost to the council if more prosecution cases proceed to court. This may be balanced by the income from payment of fixed penalties and the option for charging higher penalties for the more serious incidents. There may be increased costs with the adoption of specific promotional campaigns or future purchase of deployable CCTV units, but this may result in reduced incidents of fly tipping and a decrease in council costs.
- 5.2. Equality Impact Assessment (EIA) not required.
- 5.3. Carbon Impact Assessment (CIA) completed. In summary, the CIA concluded as follows:

The threat of higher penalty charges and increased promotions aimed at informing the public and businesses on the risk of incorrect disposal of their waste may decrease the number of fly tips and littering that occurs within the district, thereby decreasing the number of officer inspections (and corresponding decrease in vehicle usage) required to investigate dumped waste and supporting a decrease in the associated vehicle movements required to clear and dispose of the waste. A reduction in environmental crime will also deliver an increase in the quality of the local environment, a reduction in associated environmental pollution and contamination and associated improvements in public perception of the local environment.

6.0 APPENDICES

Appendix 1 - East Cambridgeshire Draft Environmental Crime Policy and Action Plan 2023/24

Background Documents:

East Cambridgeshire Environmental Crime Enforcement Policy 2023.

HM Govt Anti-Social Behaviour Action Plan 2023

Environmental Protection Act 1990

Anti-Social Behaviour Act 2003

ASB, Crime and Policing Act 2014

All associated Regulations including:

The Environmental Offences (Fixed Penalties) (England) Regulations 2017,

The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023
SI 2023/770

Appendix 1

East Cambridgeshire Draft Environmental Crime Policy and Action Plan 2023/24

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Introduction

East Cambridgeshire District Council's Corporate Plan 2023-2027 identifies a priority to reduce environmental crime across the district, with an action to develop a targeted Environmental Crime Action Plan and secure prosecutions.

This strategy and the accompanying actions detail how environmental crime will be addressed to deliver this vision.

The recently adopted Environmental Crime Enforcement Policy 2023 sets out a robust and consistent approach to tackling local environmental issues through education, engagement, and enforcement as part of a wider approach, to improve public spaces and the quality of life for everyone.

To meet this aim and to link the Enforcement Policy and the updated Fixed Penalty Notices (FPN) with this Environmental Crime Action Plan the following objectives have been identified:

- Educate those who live in and visit the district about good waste management, litter control, dog control and other local environmental quality issues,
- Engage with residents, businesses and visitors about their relevant duties and responsibilities in terms of good waste management, litter control, dog control and other local environmental issues and clearly inform all on what constitutes an offence.
- Undertake any investigatory and enforcement action as necessary, in a consistent, proportionate, and transparent manner.
- Target those who directly damage the environment through careless or wilful acts of improper waste handling, imposing higher penalties to help deter those more likely to offend.
- Celebrate the successes and the projects that contribute to improving the local area.

Scope

The scope of this strategy covers waste and local environmental quality issues relating to both public and private land. These issues affect the environmental, social, and economic well-being within East Cambridgeshire, add to people's fear of crime and so have an impact on the quality of life of those who live, work, and visit the area.

Our Environmental Crime Enforcement Policy identifies four priority areas for consideration. They are:

1. Fly tipping waste offences
2. Waste presentation requirements
3. Street scene offences
4. Anti-social behaviour related environmental crime.

This strategy and action plan, when read alongside our Enforcement Policy, sets out our overarching approach to tackling environmental crime. There is information on how we intend to prevent environmental crime; how we intend to use intelligence to target our resources effectively and efficiently; how and when we will use our enforcement powers to encourage behaviour change and punish offenders; and, how we are going to re-assure those who are passionate about our environment that East Cambridgeshire District Council takes its environmental responsibility seriously.

Prevention

Most people want to care for the environment and behave in an entirely appropriate way. Some people want to care for the environment but need assistance in understanding what their responsibilities are. A minority of people care for neither the environment nor their neighbours. The approaches to prevention of environmental crime are intended to change behaviour of the latter two groups as detailed below:

Awareness Raising and Education

Awareness raising and education are fundamental to the operation of any enforcement work. It is vital that a balance is struck between enforcement, engagement, and education.

The community must know and understand what standards are expected of them so that they can operate to these levels. The council aims to continue to carry out this element by providing consistent advice and guidance about relevant duties and responsibilities through face-to-face operations, leaflets, the council's website, local press, specific campaigning and working alongside our partners and stakeholders.

Partnership Working

There are many individuals and community organisations who provide considerable support to the role of keeping public areas clean, thereby improving the overall appearance of our streets, towns, villages, and countryside. We recognise the importance of community engagement and working with our partners to secure improvements in all areas that fall under the banner of environmental crime. This ranges from strengthening links to external organisations within the voluntary sector, for example Neighbourhood Watch and VCAEC, to working with the Police and the Environment Agency on targeted patrols of our roads and stopping and checking potential waste carriers for compliance. The Environmental Health Team will continue to work closely with other departments and ECSS, ensuring they have the right part to play in delivering this strategy.

Intelligence

Intelligence lies at the heart of how the council delivers responsive services and interventions, it helps target resources and enables the council to take account of local and governmental objectives of required levels of performance and value for money principles.

One of the most important factors in successful environmental crime reduction planning is information and understanding in the following:

- An accurate picture of service delivery
- The nature and extent of the problems
- The trends and main threats to success.

An intelligence led service is concerned with the proactive deployment of resources to reduce environmental crime and situations that are detrimental to the quality of life of communities.

We must ensure that both strategically and tactically all information that may impact on decision making is accurate and clearly outlined.

Enforcement

This strategy relates directly to the recently adopted Environmental Crime Enforcement Policy. This details our range of powers and identifies how officers apply their enforcement options in a consistent and fair manner.

As with engagement, enforcement is important in supporting the community volunteers and providing them with the reassurance that there is a resource dedicated to identifying environmental crime. It is important for residents to know that formal action, including prosecutions will be progressed should people choose to act illegally.

Training is provided to ensure all authorised enforcement officers have the skills and knowledge required to undertake their enforcement duties and to ensure a fair and consistent approach is taken.

Although the responsibility for a large proportion of environmental enforcement does fall to Local Authorities the council will also work closely with other public bodies to ensure that issues are dealt with effectively, these will include the Police, Housing Providers, the Highway Authority, and the Environment Agency (EA).

East Cambridgeshire District Council regularly liaises with the EA who are responsible for investigating larger fly-tips and those near watercourses, or where organised crime may be involved. The EA are also responsible for permitting and investigating issues relating to waste management facilities.

The council will seek to prioritise work on specific issues, and will approach enforcement work in a structured way, targeting the predominant issues affecting the environment. They will actively use data, held by the council as well as from local knowledge, to target the areas to address.

East Cambridgeshire District Council will ensure that:

- enforcement is carried out in a fair and equitable way.
- assist businesses and others in meeting their legal obligations.
- focus on prevention rather than cure but taking firm action against those who knowingly break the law.

The council recognises the importance of ensuring that all enforcement decisions are consistent, proportionate, clearly explained and relate to recognised standards to ensure the public is adequately protected. It is important to note that the council can only take formal enforcement action where there is evidence to support the action i.e. witness statements, photographic evidence etc.

Prior to taking any enforcement action the council will consider the appropriateness of informal approaches such as verbal advice or warning letters. Community protection warnings and notices have proved very successful in tackling issues such as burning of inappropriate materials on construction sites, waste accumulations around domestic properties etc.

Reassurance

The council aims to reassure residents and visitors that we take environmental crime seriously. There are several ways the council can reassure residents:

Raising Awareness

Awareness raising and education are fundamental to the operation of any enforcement work. It is important that the council understands the concerns of the community. It is also key that clear information on individual responsibility is provided to all, to support individuals and businesses to comply with the law. The council aims to achieve this by providing consistent advice and guidance about relevant duties and responsibilities, via face-to-face operations, the council's website, press releases, specific campaigning and joint work alongside our partners and stakeholders. Simple, clear messages help to reassure people that what they are doing is lawful and that action is taken against those who do not comply.

Campaigns

SCRAP campaign – use of standardised branding and messaging across the county on vehicles and advertising/messaging for a consistent approach. The campaign has close links with the RECAP county group where updates and best practice around fly tipping prevention and detection is shared.

Love Your Street campaign - developed by ECSS to identify opportunities to combine messages around environmental crime enforcement and to seek to reduce the amount of fly tipping, littering, dog fouling etc through adoption of a range of educational initiatives and social media campaigns designed to encourage residents to love their street and create a cleaner, greener East Cambridgeshire.

Environmental Action Days – local area walkabouts in conjunction with Police, Housing Providers, the Housing and Community Services Team and the Fire Authority

Animal welfare - supporting the outreach programs run by Woodgreen and/or the RSPCA providing specific advice and guidance on the importance of picking up after your dog and other responsible dog ownership initiatives.

Link in with the Anti-Social Behaviour (ASB) promotions in schools, to explain the impacts issues such as littering and improper waste disposal can have on the environment.

National campaigns: Several organisations deliver national marketing campaigns about environmental crime by various means, including television, radio, the press, and through supply of promotional material. These organisations include Keep Britain Tidy, the Chewing Gum Task Force, DEFRA, and the Environment Agency.

Social Media

The use of social media to communicate key messages is a useful tool for educating residents and local businesses. The council's Facebook and Twitter account provides a route to inform many, of the work being done by the team and to publicise our successes in respect of the informal and formal actions being taken. There will be close correlation with the communications

contained within the ECSS Facebook pages and information will be shared to ensure consistency of messages.

Monitoring and Reporting

Council officers will report to the Committee on the progress of the actions in the attached plan. The council will also publish their performance in specific areas, for example number of FPN's served and prosecutions taken can be published on the council's website.

Action Plan for 2023/24 and beyond

Prevention	Priority area links	Targeted actions and timescales	Who	Monitoring and reporting
Promote awareness of good waste management practice through our website, social media, direct engagement etc.	1,2,3 and 4	<p>Update the Environmental Crime pages on the council website. By Jan 2024.</p> <p>Increase the profile of environmental crime within the council's social media pages, to provide local data and information. Ensure messages are linked to the ECSS pages and the Cambridgeshire Let's SCRAP fly tipping campaign. By Jan 2024 and ongoing.</p> <p>Continue to use existing resources. For example, a construction waste advice leaflet is sent out when planning permission is granted for all new developments. Ongoing.</p> <p>Investigate options for including information on household waste duty of care with promotions and leaflets provided by ECSS. One example is to consider the inclusion of specific guidance on householder duty of care within the waste collection calendar roll outs. By Dec 2024.</p> <p>Investigate options for providing additional waste duty of care information to contractors working on grant funded disabled adaptations. Introduce a</p>	<p>Domestic Team</p> <p>Comms Team</p> <p>ECSS</p>	Progress to be reported to committee annually.

		<p>requirement to provide documentation on waste disposal arrangements under the new Framework. By March 2024.</p> <p>Investigate options for providing a bespoke consultancy/advice service to small businesses, to help guide them through the complex waste regulation requirements. The aim being to educate and support them with their future compliance, to avoid potential FPN's and/or prosecution. By March 2025.</p>		
Re-visit the Let's SCRAP Fly Tipping campaign.	1 and 2	<p>Promote the campaign through the local press, social media pages and our website. Contact all City, Town and Parish Councils and provide campaign literature on request. By Feb 2024 and ongoing.</p> <p>Link to the corresponding social media information produced by the Comms Team. By Jan 2024 and ongoing.</p>	<p>Domestic Team</p> <p>RECAP Group</p> <p>Comms Team</p>	<p>Progress to be reported to committee annually.</p> <p>Number of PC's contacted and number who take up campaign material.</p>
Display signs and posters at litter, dog fouling and fly tipping hotspots as informed by local intelligence and other data that identifies higher risk areas.	1,2 and 3	<p>Contact all City, Town, and Parish Councils to request updates on sign requirements (new positions and replacement of existing signs in a poor condition etc). Feb 2024.</p> <p>Review current fly tipping hot spot areas and install warning signs if not already in place. June 2024 and ongoing.</p>	<p>Domestic Team</p> <p>PC's</p> <p>ECSS</p> <p>The public</p>	<p>Progress to be reported to committee annually.</p> <p>Number of new and replaced signs.</p>
In conjunction with the ASB team engage with schools to raise awareness of the impacts of littering and other ASB issues.	3 and 4	<p>Link into the existing schools ASB educational program. Officers to attend schools alongside the ASB officer, to promote the importance of preventing littering amongst younger persons. Ongoing.</p>	<p>Domestic Team</p> <p>ASB Officer</p> <p>Schools</p>	<p>Progress to be reported to committee annually.</p> <p>Number of schools attended.</p>
Engage with fast food outlets in	1,2,3 and 4	<p>Identify fast food takeaways for active</p>	<p>Domestic Team</p>	<p>Progress to be reported to</p>

response to litter and business waste management concerns.		engagement, to increase businesses understanding of good waste disposal methods (including liquid waste disposal) and in littering prevention. March 2024 – Sept 2024.	Food safety team Anglian Water	committee annually. Number of food businesses contacted. Number of positive interventions.
Promote responsible dog ownership.	3 and 4	In conjunction with ECSS identify an area with higher prevalence of dog fouling and adopt a targeted awareness and monitoring campaign (e.g Keep Britain Tidy “We’re Watching You” campaign). Undertake analysis of the impact. Note that resource will be required for KBT campaign material. By June 2024.	Domestic Team ECSS PC’s Comms	Progress to be reported to committee annually. Evidence to show impact.
Engage with private landlords on waste management requirements in larger shared housing, and the rules around correct disposal of household waste items.	2, 3 and 4	Develop information specifically for landlords of Houses in Multiple Occupation (HMO’s) that sets out their role in managing their tenants to ensure household waste is properly disposed of. By March 2024. Provide advice on how landlords must treat household items and waste left by occupiers at the end of a tenancy. By March 2024.	Domestic Team Housing and Community Services ECSS	Progress to be reported to committee annually. Material produced and number of LL’s contacted.

Intelligence	Priority area links	Targeted actions and timescales	Who	Monitoring and reporting
Liaise with City, Town and Parish Council’s and local businesses to share CCTV and intelligence images of fly tipping	1 and 2	Continue to work alongside those that operate their own CCTV cameras, using the evidence to enforce against those who deposit waste illegally. Ongoing.	Domestic Team City, Town, and Parish Councils.	Numbers of FPN’s. Update reports for website quarterly. Data to show change in behaviours and occurrences (if applicable)
Ensure that internal reporting systems and processes are	1 and 3	Investigate methods for more accurate recording of waste deposits so that multiple reports of 1 fly	CRM ECSS	Progress to be reported to committee annually.

<p>aligned so that recorded figures for fly tipping, dog fouling etc incidents and enforcement and/or clearance actions are accurate.</p>		<p>tip are not counted as multiple fly tips. By May 2024.</p> <p>Investigate online reporting options for situations where a customer has previously reported a fly tip, but it has not yet been cleared, so that appropriate actions are taken and the fly tip report is not double counted. By May 2024.</p> <p>More accurate data sharing systems to be adopted between Domestic Team and ECSS to assist with accurate modelling of scale and extent of issues. For example, dog fouling clearance requests go straight to ECSS whereas dog fouling complaints are dealt with by the Domestic Team. By May 2024.</p>	<p>Domestic Team</p>	
<p>Join with other local authorities and the EA in a county waste crime group to share best practice and to share and improve intelligence.</p>	<p>1 and 2</p>	<p>Continue to attend the County RECAP meetings, where data is shared and information on cross border offences can be used to understand the extent of the problem and to identify areas of best practice. Ongoing.</p>	<p>Domestic Team</p>	<p>Updates to be provided to committee annually.</p>
<p>Progress the work already undertaken on the options for purchase of remote deployable CCTV.</p>	<p>1</p>	<p>Submit a report outlining the options available for CCTV, to comply with Data Protection, GDPR and image quality requirements.</p> <p>Continue to liaise with PC on most appropriate and cost-effective options, identifying resource implications and potential grant funding for both PC's and DC, for installation and costs of monitoring</p>	<p>Domestic Team</p> <p>PC's</p> <p>ASB team</p>	<p>Report identifying options and resources required, to committee by March 2024.</p>

		and safe storage of the images produced.		
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Reassurance	Priority area links	Targeted actions and timescales	Who	Monitoring and reporting
Publicise successful prosecutions and results for all cases	1, 2, 3 and 4	Updates on ECDC social media and website. Use of local media. Ongoing	Comms Domestic Team	Numbers of FPN's, prosecutions and other enforcement actions. Website updated quarterly. Reporting via local media of successful prosecutions. Ongoing.
The council will produce accurate figures on numbers of fly tips being reported to publicise current trends.	1	Updates on ECDC social media and website. Use of local media. Ongoing	Comms Domestic Team	Progress to be reported to committee annually.
The council will publicise their involvement in campaigns and their achievements.	1, 2, 3 and 4	Updates on ECDC social media and website. Use of local media. Ongoing	Comms Domestic Team	Progress to be reported to committee annually.

Enforcement	Priority area links	Targeted actions and timescales	Who	Monitoring and reporting
Issue FPN's and CPN's where such actions are supported by our Env Crime Enforcement Policy.	1, 2, 3 and 4	Update procedures in line with the new Env Crime Enforcement Policy, the updated penalty fee policy, and the updated RIPA Guidance. Ensure all actions continue to comply with the CPIA and the DPA e.g clarification on use of dashcam footage. By April 2024	Domestic Team Legal	Numbers of FPN's Numbers of CPW's and CPN's Website updated quarterly. Data to show current trends in number of incidents. To be reported to committee annually.

Vigorously pursue nonpayment of FPN's, forwarding all such cases through to Legal for consideration of prosecution.	1,2 and 3	Ongoing	Legal Domestic Team	Number of cases successfully prosecuted following non-payment of FPN. Website updated quarterly. Reported to committee annually.
In line with our Env Crime Enforcement Policy pursue prosecutions for the more serious offences.	1, 2, 3 and 4	Ongoing	Domestic Team Legal	Number of cases forwarded for prosecution reported to committee annually. Successful prosecutions reported on website and local media.
Work closely with the Planning Enforcement Team to address fly posting.	2	Update info on website. Info to be provided at SAG on fly posting regulations. If fly posting is either identified by a resident complaint or because of an officer identifying excess posters in an area, such cases will be jointly considered. Agreement to be reached on the most appropriate course of action, for example verbal warning, an FPN or a CPW/CPN.	Planning Enforcement Domestic Team	Data on number of complaints and actions taken to be reported annually.
Work closely with the ASB team to address all environmental crime related ASB concerns.	4	Update info on website ensuring clear links to related sites that provide information and advice on environmental crime. By June 2024. In conjunction with the Police, the ASB team, other community safety partners and ECSS, review opportunities for expansion of PSPO's within the district, where there are direct links to environmental crime and robust evidence supports	Domestic Team ASB Team Police ECSS	Progress to be reported annually.

		such measures. For example, littering from vehicles, early presentation of waste. By April 2025.		
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