

**Forest Heath District Council
St Edmundsbury Borough Council**

**WEST SUFFOLK WASTE
AND STREET SCENE
SERVICES JOINT
COMMITTEE**

15 January 2010

REPORT NO

A432

**Report of the Strategic Director (Services) (FHDC)
and the Corporate Director (Economy & Environment)
(SEBC)**

UPDATE ON JOINT COMMUNICATIONS PROJECTS

Synopsis:

The purpose of this report is to update Members on progress in the delivery of joint communication campaigns across West Suffolk. These include outline actions for the progression to the second phase of the No Excuses Campaign and an update on local events to support the 'Love Food Hate Waste' Campaign and the Seven Suffolk Streets Waste Reduction Project.

Commentary:

Background

1. In the delivery of our statutory duties relating to waste management and street scene, the Partnership is able to rely upon a range of promotional activities and enforcement tools to influence the behaviour of service users and residents.
2. In order to ensure that clear and consistent messages are targeted at relevant stakeholders, officers from each authority have worked together to devise a joint approach to promote awareness of local waste related issues. The key outputs from this collaboration include the development of the No Excuses Campaign, the Love Food Hate Waste Campaign and the Seven Suffolk Streets Waste Reduction Project. Progress of these activities is outlined below.

No Excuses Campaign

3. Members will recall previous reports on the development and progress of the "No Excuses" Campaign, which is intended to promote awareness of local environmental quality issues.
4. The first phase of the campaign has been completed with events run throughout the 2009 to target specific types of environmental crime. Subsequently, information has

been sent to all parish councils and a selection of community groups summarising the campaign aims and offering further support for events in the form of promotional material, posters and support for local litter picks.

5. The second phase of the campaign is now being developed to focus on the raising of awareness of the potential penalties that can be imposed for certain acts of environmental crime, such as littering, and the enforcement of these penalties. These powers were made available following the introduction of the Clean Neighbourhood and Environmental Act (CNEA) in 2005, which provided for the increased ability to use Fixed Penalty Notices as an alternative to prosecution.
6. The FPNs can provide a quick, visible and effective way of dealing with low level environmental crimes. All local authorities in Suffolk have agreed the level of penalties that should be used when issuing FPNs. These are outlined in Appendix A.
7. It must be recognised however that the use of FPNs is just one element of a local environmental enforcement strategy. Furthermore, it is important that the Partnership continues to use other ways to improve local environmental quality and reduce environmental crime, such as education, campaigns and improvements to street scene services.
8. Clear guidelines exist for the application of FPNs, which includes but is not limited to the following:-
 - (i) the use of FPNs is only appropriate where there is sufficient evidence of an offence;
 - (ii) FPNs can be issued by local authority officers for certain offences where the legislation permits and where the officer is authorised to do so;
 - (iii) payment of the penalty by the recipient discharges their liability to conviction for the offence for which the FPN was issued. It does not constitute an admission of guilt, but removes the possibility of the creation of a record of criminal conviction;
 - (iv) there is an opportunity for offenders to obtain a discount by paying the fine early; and
 - (v) an FPN can be issued to anyone over the age of 10. However, it is recommended that authorities limit the use to those over the age of 16, unless they have developed specific protocols for issuing fines to young offenders. Parents and guardians cannot be made responsible for paying fixed penalties issued to juveniles. In addition, under the youth justice system, prosecution is a measure of last resort, after other interventions have failed, so it is likely to be difficult to prosecute a juvenile if a penalty is not paid.

9. There are risks associated with utilising the powers afforded within the CNEA to tackle low level environmental crime such as littering including:-
 - (i) the risk of negative publicity where officers are perceived to be using FPNs to deal with relatively minor offences;
 - (ii) the risk of non-payment of fines and the requirement under the Act to prosecute offenders where payment is not made. This will have a financial impact upon Councils in increased legal action;
 - (iii) failure to prosecute offenders that do not pay the fines will undermine the credibility of the FPNs; and
 - (iv) the use of FPNs and the enforcement of the fines with juveniles can be difficult.
10. As the second phase of the No Excuses campaign is developed the risks identified above will be mitigated through ensuring that all officers involved in implementing the campaign are fully authorised and have demonstrated the necessary skills and competencies. This will include officers from relevant partnership agencies, specifically the Safer Neighbourhood Teams and Police Community Support Officers (PCSOs).
11. It is important to note that the focus of the campaign will continue to be awareness raising, however, the focus will shift from encouraging communities not to drop litter to raising the profile of the potential penalties for doing so. As part of the development of the campaign, the following key actions will be undertaken:-
 - (i) hot spot areas for litter will be identified across both Councils to prioritise areas of focus;
 - (ii) A programme to increase the presence of our Enforcement Officers along with the uniformed presence of PCSOs in the areas will be developed. This will involve publicising days when specific areas will be targeted and raising the profile of litter enforcement and issuing FPNs where appropriate; and
 - (iii) A Communications Plan will be developed that will include clear messages in Forest Heath News, Community Spirit and the local media to raise awareness of the potential fines that can be imposed.
12. In addition to the above, Forest Heath District Council has recently invested in covert surveillance equipment which can be deployed to support enforcement intervention. This equipment will be shared between both authorities to capture the evidence required to support a successful prosecution and a programme for deployment of these cameras into appropriate known problem areas has been developed.

Love Food Hate Waste campaign

13. The "Love Food, Hate Waste" Campaign aims to raise awareness of the need to reduce the amount of food that we throw away, and how doing this will benefit us as consumers and the environment. Reducing food waste is a major issue and not just about good food going to waste; wasting food costs the average family with children £680 a year and has serious environmental implications too. If we all stop wasting food that could have been eaten, the CO2 impact would be the equivalent of taking one in four cars off the road.
14. The Suffolk Waste Partnership's support for the National Love Food Hate Waste Campaign was launched during the European Week for Waste Reduction (23-29 November 2009). A joint event was held at Bury St Edmund's Market on 25 November. This event included a market stall in the town centre with officers attending to provide help and advice to members of the public on how they can reduce the food waste that they produce. Free 'Love Food Hate Waste' re-useable bags, developed with a variety of designs by local school pupils, were handed out to shoppers. Officers also provided handy kitchen gadgets to help measure portions of food and recipe cards developed to use up leftover food.
15. The event was very successful and the stall was popular with shoppers. To date across Suffolk the Bury St Edmunds's Market event has been the most successful in terms of the number of visitors to the stall and the volume of campaign materials given away.
16. We will continue to support this campaign in the New Year with events and activities planned to coincide with Valentine's Day and the publication of a Food Lover's Guide.

Seven Suffolk Streets Waste Reduction Initiative

17. The Seven Suffolk Streets Waste Reduction Initiative has been made possible through a successful bid to the Business Resource Efficiency and Waste Programme for £10,000. The aim of the project is to work with all occupants of the street including residents, businesses and schools to help them to reduce their black bin waste by half during a single fortnightly collection period in March 2010.
18. Suffolk County Council intends to target the funding to work with a street within each of the seven districts and boroughs. Forest Heath has chosen Crown Street in Brandon and St Edmundsbury will be working with Abbots Green in Bury St Edmunds.
19. Each house, business and school on the selected streets has been sent an introductory letter and a questionnaire inviting them to take part in the initiative. Whilst participation is voluntary, all participants will be supported between now and March and Waste Reduction Advisors will deliver welcome packs and will be on hand to give help and advice. In addition, the recycling bus will visit each street and school and there will also be community 'give and take' days where unwanted items can be exchanged and re-used.

20. The waste produced at each participating property will be weighed prior to the selected collection period and participants will then be challenged to reduce that waste by half. The waste produced will be weighed again during the collection period to see how well the households have met the challenge.
21. A dedicated website is available providing information and advice and the occupants of the streets will be able to see how the other streets are getting on and will be able to send in their top tips for reducing waste.
22. A summary of the proposed activity is outlined below:-

November 2009	<ul style="list-style-type: none"> • Website goes live with questions and answers available - www.suffolk.gov.uk/sevensuffolkstreets • Letters and questionnaires to occupants of streets
December 2009	<ul style="list-style-type: none"> • Questionnaires to be returned • Making links with community groups, parish councils etc • Officers to visit schools and businesses to provide advice • Initial weigh-in December/January to provide base line
January 2010	<ul style="list-style-type: none"> • Welcome packs delivered to each household by Waste Reduction Advisers • Advisers on hand to give help and advice
February 2010	<ul style="list-style-type: none"> • Householders notified of dates of specific collection period for waste reduction fortnight • Recycling bus to visit schools and streets • Continuing visits to households and businesses
March 2010	<ul style="list-style-type: none"> • Compost give-aways • Home compost clinics • Give and take events to promote reuse • Waste Reduction Fortnight • Waste weighed at beginning and end of fortnight
April 2010	<ul style="list-style-type: none"> • Announcement and presentation of awards for individuals and streets

23. An update on progress will be presented following completion of the project.

Finance/Budget/Resource Implications

24. All campaign costs to date have been within existing budgets.
25. Suffolk County Council has been awarded £10,000 to be used across the county to support the Seven Suffolk Streets initiative.

Environmental Impact and Sustainability

26. All campaigns will have a positive environmental impact through the reduction of waste and litter and contribute to an improved public perception of their local environment.

Policy Compliance/Power

27. All enforcement activity will be undertaken in line with the agreed Enforcement Policy and in accordance with the Enforcement Manual (relevant to 'No Excuses' Campaign)
28. All officers undertaking enforcement activity will have the appropriate authorisation (relevant to 'No Excuses' Campaign)

Performance Management Implications

29. The Councils have a number of National Indicators (NI's) that are reported to the Department for Environment, Food and Rural Affairs (DEFRA) annually that reflect the Councils' performance in dealing with Waste and Street Scene issues. Specifically these are:-
 - (i) NI 191 – kg of residual waste per household;
 - (ii) NI 192 – Percentage of household waste recycled and composted;
 - (iii) NI 193 – Percentage of municipal waste sent to landfill;
 - (iv) NI 195a – Improved street and environmental cleanliness – levels of litter;
 - (v) NI 195b – Improved street and environmental cleanliness – levels of detritus;
 - (vi) NI 195c – Improved street and environmental cleanliness – levels of graffiti;
 - (vii) NI 195d – Improved street and environmental cleanliness – levels of fly-posting;
 - (viii) NI 196 – Improved street and environmental cleanliness – fly-tipping.
30. Performance against these National Indicators will be monitored to determine whether there has been any reduction in residual waste generated and any increase in the amount of waste recycled and composted as a result of the 'Love Food Hate Waste' and Seven Suffolk Streets Projects. These indicators will also be used to measure whether there has been any reduction in levels of litter and fly-tipping as an outcome of the No Excuses campaign. In addition, it is anticipated that the increased publicity surrounding these campaign themes will raise awareness and impact positively on the public perception of the quality of the local environment.

Legal Implications

31. There is the possibility of increased legal activity required to support the pursuance of Fixed Penalty fines (relevant to 'No Excuses' campaign).

Human Rights Act and Diversity Implications

32. There are no Human Rights Act or diversity implications in the delivery of these campaigns.

Crosscutting Implications

33. The campaigns will indirectly support community safety in terms of minimising the impact of environmental crime.

Risk Assessment

34. Appropriate risk assessments will be carried out for the various activities as required.

Council Priorities

35. The implementation of these campaigns will contribute to the following council priorities:-

- (i) community engagement and communications;
- (ii) street scene and environment; and
- (iii) secure a sustainable and attractive environment.

Recommendation:

36. It is recommended that members note the further development of the No Excuses campaign and the progress made on the 'Love Food Hate Waste' and Seven Suffolk Streets Projects.

Documents Attached

Appendix A – List of Fixed Penalty Notices and Fines

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Strategic Director (Services)

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Corporate Director (Economy and Environment)

BACKGROUND PAPERS

None

CONTACT OFFICERS

Lisa Rosenthal – Strategy Manager

Appendix A: List of Fixed Penalty Notices and Fixed Penalty Fines

Section	Offence	Suffolk Agreed	
		Penalty	Early Payment
S6 (1) Clean Neighbourhood and Environment Act 2005	Nuisance Parking	£100	£60
S2A(1) Refuse Disposal (Amenity) Act 1978	Vehicle Abandonment	£200	£120
S88(1) Environmental Protection Act 1990	Litter	£80	£60
S94a(2) Environmental Protection Act 1990	Street Litter and Litter Control Notices	£80	£60
Sch3A Environmental Protection Act 1990	Leaflet Distribution	£80	£60
S43 Anti-social Behaviour Act 2003	Graffiti & Fly Posting	£80	£60
S5B(2) Control of Pollution (Amendment) Act 1989	Failure to Produce Waste Transfer Note	£300	£180
S34A(2) Environmental Protection Act 1990	Failure to Provide Waste Carrier Licence	£300	£180
S47ZA(2) Environmental Protection Act 1990	Offences in Respect to Waste Receptacles	£80	£60
S59(2) Clean Neighbourhood and Environment Act 2005	Offences Relating to Dog Control Orders	£80	£60
S73(2) Clean Neighbourhood and Environment Act 2005	Failure to Nominate Alarm Key Holder	£80	£60
S8 Noise Act 1996	Noise from Dwellings	£80	£60
S8 Noise Act 1996	Noise from Licensed Premises	£500	£500 ¹
S6(5) Health Act 2006	Failure to Display No-smoking Signage	£200	£150
S7(2) Health Act 2006	Person who smokes in a smoke free place or vehicle	£50	£30

¹ No discount available