

Minutes of the Community Safety, Highways and Environment Scrutiny Board

12th April, 2017 at 5.00 pm
at Sandwell Council House, Oldbury

Present: Councillor Crompton (Chair);
Councillor Ashman (Vice-Chair);
Councillors Allcock, Downing and White.

Apology: Councillor P Hughes.

In Attendance: Julia Bridgett, Contract Manager;
Max Cookson, Waste and Transport Manager;
Stephen Gabriel, Strategic Manager;
Mark Peniket, General Manager, Community Safety and Estate Services.

4/17 **Minutes**

Resolved that the minutes of the meeting of the held on 8th February, 2016 be confirmed as a correct record.

5/17 **Cleaner Environments – Flytipping**

The Contract Manager outlined the report relating to flytipping in Sandwell, she highlighted that the incidents and the public's awareness and/or experience of flytipping were on the rise.

The Board was advised that the tonnage of flytipped waste disposed of in 2016/17 was estimated to have increased by around 30% compared to 2015/16 and the number of requests for flytipping removal had also increased compared to 2015/16.

The Board was advised of a number of local factors that influenced the amount of flytipping in Sandwell and as a result of the impact on local communities a group of officers led by Public Health had

formed a group to tackle the issue of flytipping in the Borough. The Board was advised that the group had produced a draft strategy to be reviewed by the Cabinet Member for Public Health. The draft strategy was based on identifying flytipping issues and key sites, developing a package of resources and actions needed to rectify these issues plus targeted enforcement activities and a communication campaign.

The Contract Manager advised that approximately 40% of reports of flytipping were made using the online form on the customer portal and when flytips on Council owned land were received the Waste Client Team referred the matter to the relevant department. The Portal Development Team had started to collate data relating to the Portal and would over the next few years be able to see what trends were occurring.

In response to questions the Board was advised that approximately 40% of flytipping removal requests related to private land. Board was advised that if the flytipping takes place on land cleansed by SERCO, the Councils contractor for waste services, they were required to remove the flytip within 24 hours; if the flytip request related to privately owned land Environmental Health was notified; and if flytipping had taken place on private land the landowner advised about their responsibility for clearing their own land.

In response to points raised relating to prosecution of offenders the Board was advised that if an incident was reported verbally to the department or SERCO many offences were just dealt with and not always added to the portal. The Board considered the importance of formally recording all incidences of flytipping on the portal to track the number, frequency and location of the incident. If there was any evidence of where the flytipping had come from such as names, addresses or business addresses, this should also be recorded.

Officers highlighted the importance of establishing patterns of flytipping to target hotspots and identify future interventions such as mobile CCTV technology and special operations. The evidence collated would also measure performance of the contract in response and number of incidents more effectively.

The Board agreed that more joined up thinking was needed to ensure that photograph evidence was taken and that a search of material was conducted before any evidence was removed from the site. It was suggested that email responses to reports of flytipping

should highlight the need for the incident to be logged and any evidence be added to the portal log.

In response to questions about removal of hazardous waste that had been discarded the Strategic Waste Manager advised that if the hazardous waste was on SERCO contract land it would be removed in under four hours; normal waste would be removed in 24 hours. He advised that if the hazardous waste was on Housing owned land it would be referred to the Housing Team to deal with and that no timelines were known for this action to take place. He advised that once passed to a private owner to remove hazardous waste they would have to engage a specialist to advise and remove the hazardous waste; the timeline for this action was not known.

The Strategic Manager advised that development of a rapid response team was being considered however this would not have an impact on removal of materials from private land as the Council cannot access the land without the permission of the land owner and the landowner has to be given opportunity to remove the waste either way there would be a cost implication of the flytipping for the landowner. He confirmed that Section 215 untidy land notices were issued for the land owner to clean up the site.

The Board discussed large amounts of flytipping that were blight on the area and the time taken for an Environment Agency (EA) emergency notice to be enforced. The Board heard that officers had the power to take the landowner to court for the fine to be agreed but it would take years and the waste could remain for many years following the court case; this depended on what waste was stored on the site, such as oil.

The Board asked for clarification of the difference responses for domestic flytipping and industrial flytipping and was advised that the Environment Agency only deal with permitted premises and that a lot had been passed to the Local Authority.

There was an increase in advertising for removal of waste from businesses and homes. Officers highlighted the need to make the residents aware that they had a duty of care to ensure that any waste removal operators should hold a valid waste transfer licence for the driver to conduct his business and that the waste should be disposed of at a properly permitted site. The householder should check the waste transfer licence and could be responsible for any fines relating to flytipping should the materials be disposed of

illegally and the flytipping was linked back to them.

The Board was advised that the actions of unlicensed operators should be made publically known, the Board highlighted that many residents would not knowingly engage in unauthorised waste transfers and risk being fined.

In response to questions about use of mobile CCTV cameras the Board was advised that there was use of mobile cameras but there was a need to be more astute about where to place them to protect and make best use of the resource.

The Board highlighted the need to make the public aware of the issues highlighted and for officers to be vigilant and to carry out operations to check vehicles, check carrier's licences and for waste management licence.

The Board considered that waste removal operators technically were carrying out work for hire or reward and therefore would require a carrier's licence and waste management licence. Any business using unlicensed services for trade waste, that was disposed of illegally, would be accountable. The Board indicated that the Council needed to strengthen enforcement actions and increase the number of fixed penalty tickets issued.

The Board questioned whether the change in opening times to the Household Recycling Centre at Oldbury had had an impact on the levels of flytipping of household waste in Sandwell and was advised that it was difficult to correlate flytipping to these changes.

The Contract Manager indicated that some flytipping removal requests did not specify the difference between side waste and flytipping. Side waste was black bin bags placed on the pavement next to ordinary domestic bins, when the bins were full. The Board felt it was necessary to differentiate between side waste and flytipping in future statistical information.

The Board was advised that there would be a communications campaign to raise public awareness about waste removal operators, flytipping, a number of operations to challenge unlicensed waste removal operators and how to report instances of flytipping using the council portal.

The Board was advised that the Cabinet Member – Public Health

would be considering a report and proposals relating to regulatory and leisure services working more closely and the resources necessary to create a specific team to respond to reports of flytipping in Sandwell.

Resolved:-

- (1) that the Cabinet Member – Public Health raise public awareness of their responsibility in relation to waste removal contractors they employed as follows:
 - check that they held a valid waste carriers licence and disposed of the waste at a permitted site;
 - be aware of their responsibility for any fines resulting from offences should they not exercise their householder duty of care.
- (2) that the Director – Prevention and Protection inform all councillors and officers of the need to use the Portal to record all instances of flytipping and to provide any photographic evidence and witness details for officers to log and initiate appropriate action.

6/17

Updates from the Chair and Vice-Chair

CCTV Centre visits

The Service Manager Neighbourhoods provided a monitoring report relating to the recommendations approved by Cabinet 22 February 2017.

The Board was advised that external assistance had been engaged to scope out the expansion of the CCTV and Concierge Service across 27 blocks and that work had commenced prepare technical assistance in preparing the tender documents for the provision.

At its meeting on 19th April, 2017 the Cabinet was to consider a recommendation of the Budget and Corporate Scrutiny Board to consider the use of £3.2 million underspend from the Housing Revenue Account to fund the expansion of CCTV and Concierge services in high rise housing stock.

The Board was advised that no further investigations of alternative funding solutions for monitoring and maintenance of the CCTV camera's in Town Centres had taken place, but that the recommendations would be pursued with an investigation towards further income generation in relation to alarm receiving at the CCTV Centre.

In relation to the third recommendation, the allocations policy did take account of vulnerable persons who would qualify under one of the reasonable preference categories for a flat, which would normally secure a property in any event with CCTV provision.

The Board thanked officers for progressing the actions and would continue to monitor the recommendations and outcomes.

Domestic Abuse Advocates work stream

The Chair reported the findings of the Domestic Abuse Advocates work stream which met on the 2nd March 2017 to draw conclusions and draft recommendations.

Cabinet 19 April 2017 would consider the recommendation previously made by this Board that the Director - Children's Services be requested to continue funding for five Domestic Abuse Advisors pro-rata until such time that the outcome of the Domestic Abuse Advocates Impact Assessment had been fully considered.

The work stream group considered the findings of the impact assessment and evidence previously gathered. The Board proposed and agreed the following recommendations:

Resolved:-

- (1) that the Director – Prevention and Protection give consideration to making better use of the work of the Domestic Abuse Advocates in safeguarding matters, working with families who are at risk or victims of domestic abuse or violence;
- (2) that the Director – Prevention and Protection carry out a Council evaluation at the end of 2017-18 to establish the

effectiveness of Domestic Abuse Advocates;

- (3) that, dependent on the outcome of an evaluation, the Cabinet investigate potential sustainable funding solutions to maintain the support provided by Domestic Abuse Advocates from April 2018.

Drugs and Alcohol work stream

The Vice-Chair provided a brief update relating to the drugs, alcohol and mental health in young people work stream.

The focus for the work stream was connecting with young people through mentoring and support in schools. The drugs Education, Counselling and Confidential Advice (DECCA) team had provided details of the Project 12 initiative which was starting in schools.

The Vice-Chair highlighted the importance of drawing from the experiences of young people who had recovered from drugs and alcohol problems and the impact it had on them their friends and families.

Further evidence would be required from parents of young people who had been through addictions with drugs and alcohol mentoring; supporting parents of young people who currently had drug and alcohol problems and organisations that work with young offenders in relation to reduction of drugs and alcohol dependencies.

(Meeting ended at 6:05 pm)

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