

Report to the Council

Committee: Cabinet

Date: 25 April 2017

Subject: Environment

Portfolio Holder: Councillor W Breare-Hall

Recommending:

That the report of the Environment Portfolio Holder be noted.

Fly-tipping

Fly-tipping investigations can be very time consuming, with the Environment and Neighbourhood team currently diverting a lot of resources to investigate incidents. A lot of fly-tipping could be avoided if Epping Forest householders and businesses complied with their waste duty of care to ensure that their waste is only handed to authorised companies to dispose of legitimately. By complying with their duty, householders and businesses can provide enforcement officers with valuable evidence to help identify fly-tippers, and they can protect themselves from legal action if their waste is fly-tipped.

The Cleaner Essex Group (CEG), made up of representatives from all Essex local authorities, are currently negotiating with Keep Britain Tidy (KBT) to use their “**#Crime Not to Care**” campaign to raise the profile of the duty of care and fly-tip prevention: www.keepbritaintidy.org/crimenottocarepublic/2835

KBT state that “Thousands of people are contributing to the fly-tipping problem in England, and have no idea they are doing anything wrong. 47% of people don’t know that they’re responsible in law if their waste is fly-tipped by a third party and 36% of people think it is acceptable to get rid of an unwanted sofa or mattress in a way that is, legally, classed as fly-tipping”.

Essex County Council has agreed to match the financial contribution from local authorities (£11,000) if all Essex local authorities participate in the campaign, commit to pursue fly-tippers and share prosecution results. EFDC have confirmed that we will be participating, subject to KBT providing full access to the campaign artwork as part of the fee agreed. The CEG are also looking at producing a short film, suitable for use on social media, to try and counteract rogue waste traders offering illegal services via social media links.

Fly-tipping prosecutions

Dirik Trading Limited, of 6 Lower Road, Loughton, was fined £2,000 and ordered to pay the Council’s prosecution costs of £790.90 together with a Victim Surcharge of £170 after a prosecution in Chelmsford Magistrates Court on 2 March 2017.

The director, Mr Ozgur Dirik, pleaded guilty on behalf of the company in relation to the offence, which had been discovered following the fly-tipping of waste on a green at the junction of Ladyfields and Colson Road, Loughton.

The company had carried out renovation work to their premises at 6 Lower Road, Loughton, around June 2016. Prior to arranging a contract with a fully licensed waste removal company

it had employed a person whose details had been obtained on Google to take away the resulting waste without checking that the person taking the waste was a registered waste carrier. They also failed to complete a waste transfer note.

Housing Action Management Limited, of Colchester, was fined £3,300 and required to pay the Council's prosecution costs of £860 together with a Victim Surcharge of £170 due to failing their waste duty of care. Evidence gathered by the Council's Environment and Neighbourhood team led to a prosecution in Chelmsford Magistrates Court. At a hearing on 30 March 2017 the director, Mr Rajbinder Johal, pleaded guilty on behalf of the company.

The company had arranged for a property in London E7 to be cleared of waste. The waste was handed to a man-in-a-van without the necessary checks being carried out to ensure that he was registered to carry waste. No waste transfer notes were exchanged. The waste was found fly-tipped at Junction 5 of the M11 at Chigwell Lane, Loughton.

Unauthorised encampment (UE)

A group of five caravans and associated vehicles camped on EFDC Housing land in Ninefields, Waltham Abbey, arriving on 24 February 2017. Officers visited the next working day and requested that the UE leave the site immediately as they were not complying with the code for travellers in Essex.

The UE left the site after a few days, but entered EFDC land off Old Shire Lane, Waltham Abbey. Environment and Neighbourhood officers obtained evidence to link waste deposited on the site to members of the UE. The police used this evidence to justify using powers under s.61 of the Criminal Justice and Public Order Act 1994 to remove the UE from the site. The group complied with a s.61 direction to leave the site and then left the District. Although the group departed the area fairly quickly, the Council incurred waste clearance costs at both sites with little prospect of legal action to reclaim any costs incurred, although the evidence remains on file for further investigation should the group return.

Rough sleeper in Debden

A rough sleeper who refused all offers of assistance and rehousing was arrested for theft by the police on 14 March 2017. He was jailed for six months.

The Environment and Neighbourhood team were in the process of pursuing a possession order to ask the court to remove the rough sleeper, who was residing on Council Housing land on a footpath on the approach to Debden Tube station. Officers in Safer Communities are now preparing paperwork for an injunction application, should the rough sleeper decide to return to the same area when released from jail.

Public Health

We have just introduced a system whereby all food premises that are awarded a 5 star hygiene rating will be posted on social media (specifically Twitter) as a "pat on the back" from the authority.

Waste Management

Following the success of the recycling scheme in the Civic Offices it is now possible to investigate the feasibility of similar schemes for Oakwood Hill Depot in Loughton and Townmead Depot in Waltham Abbey. Officers in the Waste Management team, in conjunction with Facilities Management, will be looking at the options for the internal office bins. If deemed feasible new office recycling schemes will be introduced.

The DCLG project on Recycling Rewards is making good progress. Following market research, plans are being made for a procurement exercise for the appointment of a contractor to assist with the roll out of the scheme. It is the intention to have a contractor appointed by May 2017. I have asked officers to provide further details about the scheme to Members through the Council Bulletin. One of the key elements is 'door-stepping' in some of the more challenging communal blocks, with a view to informing residents of the recycling opportunities available to them. The scheme will also include the establishment of a website to promote and issue the recycling rewards to blocks of flats based on their recycling performance.

The Reuse Campaign with both Essex County Council and Epping Forest Reuse has been running well with two roadshows held, one in Epping and one in Waltham Abbey. The new logo and rebranding by Epping Forest ReUse has been completed and an information item on special collections has been set up on the Council website. At the moment it is unclear whether Epping Forest ReUse have the capacity to keep up with public demand so officers will continue to liaise with them.

WRAP (Waste and Resources Action Programme) have produced new recycling guidelines relating to the terminology used to communicate with residents. Officers have reviewed EFDC's calendars and the information contained within them to see if we can use any of the points made by WRAP to improve the way we communicate with our residents. We are also discussing with other Essex authorities to help standardise the information given out across the county, taking into account contract differences between authorities.

After experiencing a few mechanical issues, gum clearance has been working well. However this has highlighted the issue of excessive dirt on the rest of the pavement!

Grounds Maintenance (GM)

In March, the Epping Forest district (along with the rest of the country) took a severe buffeting from 'Storm Doris'. These types of extreme weather conditions keep the staff of the Grounds Maintenance section particularly busy, dealing with the numerous phone calls reporting hazardous trees and organising the subsequent clear-up operations. Storm Doris was no exception and the team dealt with approximately 40 tree-related enquiries requesting help to remove fallen trees blocking roads, or to make safe those severely damaged and posing a hazard to the public.

Staying on the tree theme, the GM service will always try to replace a tree that has to be removed, if possible in the same location or at least close by. As part of the annual tree planting programme and tree donation scheme, the GM service will plant 170 new trees this year. To ensure new trees successfully establish, a two-year programme of aftercare is carried out, including essential watering during any rare spell of dry weather.

Site investigation at Cascade Road, Buckhurst Hill.

Under Part IIA of the Environment Protection Act 1990, the Council has a duty to inspect land in its area for the purpose of identifying contamination. The Engineering, Drainage and Water Team, in conjunction with the Council's appointed specialist contractor, AECOM, is undertaking an intrusive investigation on land comprising Buckhurst Hill Community Primary School, an allotment and residential properties in The Windsors, Lower Queens Road, Albert Terrace and Tudor Place. This is because the land was previously used as a brickworks and landfill site. Newsletters have been sent to the residents and meetings have been held. A report on the investigation is likely to be available in July/August 2017. The next stages in

the process will be determined by the findings of the report. I will keep Members informed of the outcome.