

Report to the Council

Committee: Cabinet

Date: 25 September 2018

Subject: Environment

Portfolio Holder: Councillor N. Avey

Recommending:

That the report of the Environment Portfolio Holder be noted.

Environment & Neighbourhoods (EN)

Fly-tipping

Fly-tipping incidents continue to remain at a high level district wide, with a wide variety of items tipped. Fly tipping incidents can range from a few black bags of waste or single items, effectively left in the wrong place by residents and local businesses, then increasing in size and seriousness involving rogue traders and criminal enterprises collecting and tipping waste illegally for profit.

In October 2018, the Cleaner Essex Group (CEG), a campaign group made up from local authority representatives across Essex, will be “recycling” and refreshing the Crime Not to Care campaign developed in 2017, to highlight the problem of fly-tipping. The campaign asks residents and businesses to ensure that when they hand their waste over to somebody else to dispose of that they always “Check, Consider and Record” to comply with their duty of care and keep their waste out of the hands of rogue traders, who fly-tip for profit.

Films developed by the CEG for the campaign are available to view on the Council’s website via this link: [Crime Not to Care Campaign](#).

The campaign will be targeted at social media groups across Essex and will attempt to get the message out to residents who may not already have links with their local Council and who may not be fully aware of the law, or services local authorities provide to dispose of bulky waste (as an alternative to employing a private contractor).

Change in littering law - update

In April 2018, a new penalty charge notice (PCN) was introduced nationally for littering from vehicles. The new PCN means that a penalty (£100) can be issued to a vehicle owner if it can be proven litter was thrown from their vehicle – even if it was discarded by somebody else in their vehicle.

Previously, using existing litter control laws and fixed penalty notices (FPN), it was necessary to identify the person who dropped the litter. The new law means that it will be easier for officers to issue a penalty if they witness littering from a vehicle, either issuing a PCN if the person who littered cannot be identified or FPN if a specific offender can be identified. Effectively this means that there will be no excuse for littering from a vehicle.

Use of the new litter PCN relies on the development of an external appeals process administered by the Traffic Penalty Tribunal (TPT). TPT require use of an online appeals

process to submit evidence of the case and appeal information, similar to that used for parking offences. However TPT do not provide the online service. This relies on private software developers. Officers are currently investigating what options are available and the costs involved, so that the full appeals process can be set up and the PCN used.

The Cleaner Essex Group is intending to run a vehicle litter campaign in 2019 to highlight the change in the litter law.

Noise nuisance

A resident in Waltham Abbey is facing prosecution proceedings on 11 October 2018 after allegedly breaching a noise abatement notice of four separate occasions by playing loud music. A hearing in Chelmsford Magistrates court on 28 June 2018 was adjourned after the defendant failed to appear. The court was informed that she was unable to attend due to medical reasons.

Environment & Neighbourhood Officers provide a call out service for noise complaints made outside normal office hours. Telephone 01992 564000. Between 1pm and midnight, all noise complaints will be passed to the duty noise officer. After midnight and before 1pm a restricted service is available for premises on an emergency call out list, request from the police and where three or more complaints are received.

More information is available at:

<http://www.eppingforestdc.gov.uk/index.php/residents/your-environment/crime-safety/environment-and-neighbourhoods-team/out-of-hours-noise-service>

Unauthorised encampments

Environment & Neighbourhood officers started possession proceedings after an unauthorised encampment arrived on Council Housing land off Burney Drive, Loughton in August. The encampment was relatively small, with 4 caravans and associated vehicles. There were a number of complaints about dog barking noise from the site and concerns in general about the land being occupied. Officers obtained a date for a court hearing, but the occupiers left the site before it was necessary to proceed with the hearing.

Over the summer the police also used their powers ("s.61") to move on larger encampments from playing fields in Fyfield and Abridge.

Hazardous fly tipping

At the last meeting I informed Members about the difficulties in collecting hazardous waste from the public highway due to the problems Essex County Council was having with their contractors. I am pleased to report that our contractor Biffa will be taking over the removal of small scale waste, this will include chemical, hazardous and asbestos waste. This will improve collection timescales for small scale hazardous waste.

Recycling banks

The review of Recycling Banks has now been completed and Biffa has produced their report on the future of recycling banks in the district. We are reviewing the performance of each site and this will help us in assessing the future of these sites. I shall report back on what recycling centres are worth keeping and the ones to withdraw.

We will improve and enhance the banks we decide to retain by redesigning their layout and replacing old containers. New containers will enable us to empty these sites using existing Biffa refuse freighters and not requiring specialist sub-contractors. This will improve performance.

Houses in Multiple Occupation (HMO)

Arrangements are being finalised for the regulations that come into force on the 1 October 2018 placing additional requirements on landlords with regards to waste arising from HMOs. To assist landlords the Council has compiled an information document and officers will visit HMOs to help ensure that waste and recycling is stored correctly and residents informed on how to manage their waste and recycling.