



Service Delivery Committee	Tuesday, 05 July 2016	Matter for Information
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Title: Corporate Enforcement Update

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1. Introduction

This report is intended to provide an update to Members on the corporate enforcement activity of the Council.

2. Recommendations

To note the contents of the report which is presented for information only.

3. Information

3.1. Psychoactive Substances

The Psychoactive Substances Act 2016 became law on the 26th May 2016. The main thrust of the Act is intended to act against shops and websites supplying 'legal highs'. Possession of a psychoactive substance will not be an offence, except in a 'custodial institution' (prison, young offender centre, removal centre etc.). Possession with intent to supply, importing or exporting a psychoactive substance will all become offences.

The Act does not include possession as an offence as the government did not want it to lead to the mass criminalisation of young people. It has however been pointed out by some commentators that the importing of a psychoactive substance would include buying a psychoactive substance from a non-UK based website, which may lead to individuals being prosecuted.

The Environmental Health, Licensing, Housing, Community Safety Teams and Health and Well Being Board are working proactively with our policing and county partners in enforcing the Act to ensure our Borough remains safe and we continue to improve the well being of our residents. It should be noted that the supply and use of these substances, formally referred to as 'legal highs' are not a major problem within our Borough however, recently we have seen incidents of Nitrous Oxide (also known as laughing gas, and 'hippy crack') being used around our rail stations, Brocks Hill and some of our estates. We are also working with youth services helping to educate our young people against using these substances.

3.2. Fly Tipping

During May 2016, two fixed penalty notices were served in respect of fly tipping. We are also in the process of prosecuting one individual for an alleged offence of 'fly-tipping'.

We do not believe the recent decision by the County Council to impose charges for domestic waste disposal has had impact on increasing incidents however we are

monitoring this moving forward. We have had three incidents of building rubble around the Countersthorpe Road Car Park, alas, our best efforts have failed to identify the perpetrators but efforts are continuing.

3.3. Littering

Officers are each proactively working to reduce the presence of litter in our Borough by working with our colleagues in Environmental Development and Operational Services (EDOS) Team and we are applying a mixture of education and enforcement.

We have spoken with 18 residents about littering since our last report and we have issued Four fixed penalty notices for offences relating to the discarding of cigarettes, all of which have been from moving motor vehicles within our Borough.

On a routine return journey from Oadby our Community Safety & Environment Manager witnessed a white van littering. This resulted in the service of a fixed penalty charge for littering.

3.4. Dog Fouling Update

Since the last meeting in March the Environmental Health team have continued to target hot spot areas or areas which, by monitoring of reports are seen as emerging issues that need early intervention. The aim of this approach is to balance behavioural interventions such as social marketing, education and enforcement.

The Council has received feedback from six residents with calls for service relating to dog fouling since we reported to Committee in March up to and including the 1st June 2016.

Since we last reported we have conducted in excess of ten random visible patrols with regular daily patrols by our dog control officer. We have also conducted a series of patrols where enforcement has been the primary objective.

We have served one fixed penalty charge of £50.00 to a dog owner in Blaby Park, South Wigston who was in breach of dog fouling legislation.

Verbal advice and or warnings have been issued to six persons who did not quite meet the threshold for the issuing of a fixed penalty ticket. Residents across our Borough are getting used to our 'dog fouling patrols' with feedback being positive from the majority including dog owners. We have also targeted our cemeteries for special attention since our Members reported problems with dog fouling but have found no significant problems however, patrols will continue and increase in the event we actually see a summer that could lead to more dog walking activity. We are also considering signage in our cemeteries.

3.5. Graffiti

We have not noticed any increase in incidents since we last reported to Members. We have had around 6 new incidents being reported by one diligent elected Member which, were cleared within a few days of being reported.

Our Environmental Development and Operational Services (EDOS) Team continue to be extra vigilant and have cleared graffiti to 26 locations which included the incidents reported by a Member. In one case a resident refused to co-operate in having the graffiti removed by the Council which, has been passed to Environmental Health for

possible enforcement. We continue to work with our policing partners in identifying culprits and common ‘taggers’ as they are referred to I hope Members will appreciate the difficulty we have identifying those responsible. There will inevitably be locations where residents will find graffiti. Generally we apply a common sense approach removing graffiti where we have the co-operation of residents or choosing to leave the graffiti if removal by strong chemicals may damage surfaces or where we feel removal may create a blank canvass, so to speak, for repeat offending.

Graffiti is an environmental crime and is treated as such by our respective teams in Environmental Health who investigates with our policing partners. Our Environmental Development and Operational Services (EDOS) Team who are extremely proactive responding promptly where graffiti requires removal. We have not had any incidents of hate related or offensive graffiti recently however, in such cases we always act quickly and within 24 hours to ensure prompt removal. The Community Safety Manager has reported three incidents of Graffiti to Railtrack assets including the concrete railway bridge at Saffron Lane, South Wigston which, has been targeted recently.

3.6. Licensing Update

We continue to monitor licensing activity and are continuing to co-operate with the Community Safety Partnership, police and trading standards on test purchasing of alcohol.

It is hoped to conduct a series of licensing activity events around test purchasing and monitoring of taxi-cabs with the help of The Driver and Vehicle Standards Agency and the Police. The activity will consist of a series of stop checks on taxi cabs travelling in our Borough on a particular given day. We are unable to announce the series of events however, an update on the activity will be presented in the next report

3.7. Regulation of Investigator Powers Act 2000 (RIPA)

We are pleased to report we have not made or received any requests under The Regulation of Investigatory Powers Act 2000 (RIPA).

I am pleased to report that our RIPA arrangements were recently inspected by the Assistant Commissioner of The Office of The Surveillance Commissioner, His Honour Brian Barker CBE, QC His Honour commended our RIPA arrangement and the best efforts of our Director Anne Court along with her enthusiasm and understanding of the RIPA arrangements which, have the potential to be intrusive should we consider the necessity for using the tool.

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Implications	
Financial [CR]	CR1 - Decrease in financial resources.
Legal [AC]	No significant implications.
Risk [AC]	CR6 - Regulatory governance.
Equalities [AC]	No significant implications.
	Equality Assessment <input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable