



Service Delivery Committee	Tuesday, 10 October 2017	Matter for Information and Decision
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Title: **Corporate Enforcement Report**

Author(s): **Stephen Glazebrook (Interim Head of Communities)**

1. Introduction

There are a broad range of environmental standards and legislation enforced by Environmental Health and Licensing either independently or inter-dependently with other sections of the Council. This report seeks to inform Committee of the responsibilities and the enforcement outcomes achieved in the last two months.

2. Recommendation(s)

Members are asked to note the contents of the report.

3. Information

3.1. Asbestos Case - Marstown Avenue (Update)

The Council undertook (through an asbestos specialist) laboratory analysis of the gardens of Marstown Avenue and Kenilworth Road due to failure by the site owners to resolve the remaining outstanding issues. The results indicated that four gardens despite having the clearance work carried out still contain traces of asbestos material and require remediation. As a result the Council has now served formal notices on the owners of the site to:

- Remediate the remaining 4 gardens
- Undertake further laboratory analysis following completion of the remedial works
- Replace all personal articles disposed of during the remediation

Failure to undertake the works by the specified date may lead to formal legal action being taken against the owners of the site.

3.2. Dog Fouling

In the period July to August 2017, the main focus of activity has been the provision of advice and proactively stencilling and placing additional signage where necessary across the Borough. In addition, through the promotion of the new Public Space Protection Orders there has seen a concerted media campaign to promote the issue of dog fouling in the Borough.

Regular monitoring has been undertaken in the parks and open spaces across the Borough. In the two months being reported upon 18 monitoring visits have been undertaken evenly across the Borough's parks and open spaces and is seemingly acting as a deterrent.

We rely on reliable intelligence from the public and this has resulted in letters being sent to alleged perpetrators. The complainants are advised of this action so as to

encourage further reporting, where necessary. Educational signs have also been erected in areas to further encourage responsible dog ownership by owners cleaning up after their dogs.

There were 24 dog related cases reported during July and August with only 4 complaints being related to dog fouling on the streets leading to advice, stencilling and signage. This is a reduction of 37% on the previous reporting period. 9 stray dogs were picked up and taken to kennels. There were 7 reported incidents where dogs were being aggressive to neighbouring households or other animals and the appropriate action was taken.

3.3. **Public Space Protection Orders (PSPO's)**

The consultation process regarding the introduction of Public Space Protections Orders which will replace the existing Dog Protection Byelaws was completed on 8 September 2017.

The consultation was carried by a number of different means including:

- Survey Monkey
- Facebook
- Twitter
- Council's website

A summary of the results of the consultation are attached at the ***Appendix***.

There were no changes to the proposed PSPO areas as a result of the consultation and a copy of the final order is to be considered at the meeting of the Licensing and Regulatory Committee on 12 October for approval.

3.4. **Pest Control**

65 initial requests regarding pests in domestic settings were received in that time and the breakdown is shown in the table below:

Pest Type	Numbers
Rats	18
Mice	2
Cockroaches	0
Squirrels	4
Fleas/bedbugs	3
Wasps	38
TOTAL	65

Further to the Service Delivery Committee's decision to expand the pest control service into the commercial sector the new service has been advertised on the Council's web site and all non food businesses have been written to promoting the service and advising businesses of their duty under The Prevention of Damage by Pests Act.

So far the take up and been slow and it may take some time for the full potential to

be realised. Consideration is also being given to offering the new service to food related businesses. The Council is able to do this under the regulations and whilst it could present a conflict of interest where enforcement is being pursued, if the Council is also the contractor. However, providing there is a clear client /contractor split then this should not present any problems. Legal advice is being sought on this issue to clarify the position.

In order to establish whether there is a market for the expanded pest control service it is proposed that the position be reviewed at the end of the financial year.

The revised Pest Control charges as agreed by Members were increased from July 2017.

3.5. **Enforcement of Litter, Fly-tipping and Accumulations**

Environmental Health received 9 reports of fly-tipping during the period which were investigated and progressed within the stipulated response times. In addition to this the Borough is regularly monitored for any nuisances in line with the requirements of the Environmental Protection Act. There were no orders served relating to the Anti Social Behaviour and Crime Act in the period and no fixed penalty notices were served.

3.6. **Abandoned Vehicles**

There have been 9 reports received of abandoned vehicles in the period, all of which were investigated and progressed. In several cases, the reported vehicle did not meet the criteria for an abandoned vehicle so no formal action could be taken. In all such cases, the complainant was advised of the outcome of our investigation.

Further work is being done to improve the quality of referrals so as to reduce the number of complaints of illegal or nuisance parking being reported as "abandoned vehicles".

Background Documents:

None.

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Implications Corporate Enforcement Report	
Finance	There are no significant financial implications.
Chris Raymakers (Head of Finance, Revenues and Benefits)	
Legal	The new Pubic Space Protection Order will replace the existing Dog Byelaws.
Anne Court (Director of Services / Monitoring Officer)	
Corporate Risk(s) (CR)	<input checked="" type="checkbox"/> Regulatory Governance (CR6) Ensuring the Council has a coherent and transparent enforcement Policy across the Borough and across all tenures. <input checked="" type="checkbox"/> Other Corporate Risk(s) Failure to implement the Policy will leave the Council in a position of being unable to defend actions taken by enforcement offices in pursuance of their required duties.
Stephen Glazebrook (Interim Head of Communities)	
Corporate Priorities (CP)	<input checked="" type="checkbox"/> An Inclusive and Engaged Borough (CP1) The entire Borough will be covered by an all encompassing enforcement policy. <input checked="" type="checkbox"/> Effective Service Provision (CP2) Provides direction and focus for enforcement decisions.
Stephen Glazebrook (Interim Head of Communities)	
Vision & Values (V)	<input checked="" type="checkbox"/> Accountability (V1) Policy makes all Enforcement Officers responsible for a course of action. <input checked="" type="checkbox"/> Respect (V2) All persons that will meet enforcement and Licensing Officers will be provided with a respectful and transparent approach to dealing with the issues at hand. <input checked="" type="checkbox"/> Teamwork (V3) Cross department methodology building teamwork within the departments.
Stephen Glazebrook (Interim Head of Communities)	
Equalities & Equality Assessment(s) (EA)	There are no significant equalities implications.
Stephen Glazebrook (Interim Head of Communities)	<input checked="" type="checkbox"/> Not Applicable (EA)