

Cabinet

9 March 2015

Environmental Crime Scrutiny Commission: Response and Action Plan

Wards: All

Report Authorised by: Strategic Director, Commissioning: Helen Charlesworth-May

Portfolio: Cabinet Member for Environment and Sustainability: Councillor Jennifer Brathwaite

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Report summary

The Environmental Crime Scrutiny Commission was established in the summer of 2013 at the request of the Environment and Community Safety Scrutiny Sub-Committee. The Commission has now completed its work and submits its report for Cabinet's consideration. The Commission's report examines the scale and impact of environmental crime in Lambeth and makes a number of recommendations for how the council can reduce environmental crime in the borough.

We recognise that envirocrime such as fly tipping is a criminal offense, and that the council spends substantial resources pursuing criminals who try to spoil our neighbourhoods and borough. Where possible, we use the full range of enforcement tools and powers to catch criminals engaged in this behaviour but we cannot avoid the reality that the council is constantly playing catch up with offenders who commit this crime. The recommendations within this action plan will help mitigate the impact of envirocrime in the borough and tackle the perpetrators of envirocrime.

Cabinet is requested to consider the commission's report and approve the action plan setting out the response to the Commission's recommendations.

Finance summary

No financial implications - actions outlined in the attached plan will be met from existing budgets and programmes of work.

Recommendations

- (1) To receive the report and recommendations of the Environmental Crime Scrutiny Commission (Appendix 1).

- (2) To approve the action plan prepared in response to the Commission's recommendations (Appendix 2).

1. Context

- 1.1 In July 2013, the Environmental Crime Scrutiny Commission began looking at the scale and impact of environmental crime in the borough and what steps the Council was taking, and could take, to reduce environmental crime. The Commission has produced a report and a number of recommendations for how the council can further reduce environmental crime in Lambeth. The reasons for the Commission's recommendations are outlined in detail within the body of the Commission's report (Appendix 1).
- 1.2 The Commission presented its findings to Overview and Scrutiny Committee (the 'parent' committee) on 11 December 2014 and now submits its report to Cabinet for consideration.
- 1.3 This report and the attached action plan (Appendix 2) responds to the Commission's findings and sets out how the recommendations will be taken forward.

2. Proposal and Reasons

- 2.1 The commission presented a wide range of recommendations covering all aspects of envirocrime and ASB, including operational issues, communication recommendations and commissioning recommendations.
- 2.2 In response an action plan has been developed that outlines the appropriate response from the authority, within existing budgets and programs of work, where appropriate. The majority of actions are either already underway or will be incorporated into the Community Safeguarding re-commissioning plan.
- 2.3 Some of the key proposals include the re-shaping of our anti-social behaviour and envirocrime teams into single neighbourhood teams that will provide a more locally focussed team to tackle all forms of ASB and envirocrime in their neighbourhood. In addition, we are exploring commissioning a private contractor to issue fixed penalty notices for litter, fly-tipping and dog-fouling in the borough which will increase our enforcement options and send a clear signal that we do not tolerate enviro-crime in Lambeth.
- 2.4 It is recommended that proposal 7, increased signage for fly-tipping, is not taken forward for a number of reasons as outlined in the action plan, including the resource implications and effectiveness of installing new signage without substantially increasing the relevant enforcement capacity at the same time.

3. Finance

- 3.1 There are no direct financial implications for this report, as all actions will be met through existing commissioning workstream budgets.
- 3.2** The procurement of the private contractor to issue FPNs on behalf of the authority will be conducted inline with appropriate council public procurement policies.

3.3 Legal and Democracy

- 3.4 There are no legal implications arising from the recommendations in this report or the action plan at Appendix 2.

3.5 Part 3, Section 6, Rule 17(a) of the Council's Constitution states that:

'Once a scrutiny report on any matter which is the responsibility of the Cabinet has been completed, the Cabinet will consider the report, together with a prepared action plan by officers of the Council, within 2 months of the report having first been agreed by the scrutiny committee.'

4 Consultation and co-production

4.1 In the course of conducting its work the Commission undertook a number of exercises to solicit the views of Members, residents and relevant experts. Further details and the findings of that work are detailed within the body of the Commission's report.

5 Risk management

5.1 There are risks around the procurement of a private contractor to issue FPNs for the council. A poorly managed contract or payment incentive model could lead to adverse publicity for the council, through excessive fine issuance or concentrating enforcement capacity in specific locations / time spots.

5.2 In order to mitigate this risk, the procurement will be developed with payment incentives that reward fines paid rather than the number of tickets issued, which will reward correctly issued quality of tickets rather than quantity of tickets. In addition, a requirement to provide enforcement across the borough rather than just specific hotspot locations will be built into the contract.

6 Equalities impact assessment

6.1 Envirocrime affects all our communities, but like all crime issues can have a disproportionate impact on our most deprived communities. The proposals within this action plan will help mitigate the impact of envirocrime, and tackle the perpetrators.

6.2 When procuring the new FPN private contractor, a full EIA will be conducted to ensure this contract is inline with our equalities duties and that it does not disproportionality impact on any single community or area.

7 Community safety

7.1 Envirocrime is part of the anti-social behaviour spectrum which can significantly impact on resident's quality of life and our communities. The new Community Safeguarding service will focus our resources on providing effective ASB case management at a local, neighbourhood level which should improve the effectiveness of our response to environmental crime and ASB.

8 Organisational implications

8.1 Environmental

Envirocrime directly impacts on the quality of the borough's environment, and our responses as contained within will improve environmental quality and well being in the borough.

8.2 Procurement

As outlined above, over the next 6 months the authority will procure a private contractor to issue FPNs for litter, spitting and dog fouling on behalf of the council. This will be undertaken with procurement support and inline with the council's policies and standards. London Living Wage salaries will be required from any potential provider.

9 Timetable for implementation

- 9.1 The timetable for implementation of the actions agreed by Cabinet in response to the Commission's recommendations are set out in Appendix 2 (Environmental Crime Scrutiny Commission Action Plan).

Audit trail				
Consultation				
Name/Position	Lambeth cluster/division or partner	Date Sent	Date Received	Comments in para:
Helen Charlesworth-May	Strategic Director	20/02/2015		
Sue Foster	Strategic Director	20/02/2015	24.02.2015	Throughout
Finance	Business Partnering	20/02/2015		
Legal Services: Jean-Marc Moccarme	Enabling: Integrated Support	26/02/2015	27.02.15	3.3
Democratic Services: Gary O'Key	Enabling: Corporate Affairs	20/02/2015	27.02.15	
Councillor Jane Edbrooke	Cabinet Member:	20/02/2015	26.02.2015	
Councillor Jennifer Braithwaite	Cabinet Member	20/02/2015	26.02.2015	Throughout

Report history	
Original discussion with Cabinet Member	17.02.15
Report deadline	25.02.15
Date final report sent	26.02.15
Report no.	156/14-15
Part II Exempt from Disclosure/confidential accompanying report?	No
Key decision report	Yes
Date first appeared on forward plan	07.11.14
Key decision reasons	N/A
Background information	Overview and Scrutiny Committee report, <i>Environmental Crime Scrutiny Commission</i> , 11 December 2014 Background documents used in the production of the Commission's report are listed in Appendix 1.
Appendices	Appendix 1: Environmental Crime Scrutiny Commission Report Appendix 2: Environmental Crime Scrutiny Commission Action Plan