

ENFORCEMENT CO-ORDINATION PANEL

Wednesday, 26 July 2017

Commenced: 1.00 pm

Terminated: 2.00 pm

Present: Councillors S Quinn (Chair), D Lane and Taylor

In Attendance:

Alan Jackson	Head of Environmental Services - Highways and Transport
Aileen Johnson	Head of Legal Services
Paul Moore	Head of Planning
Garry Parker	Head of Environmental Services - Waste Management
Sharon Smith	Head of Environmental Services - Public Protection)
Shamshed Ali	Environmental Services Manager
Kevin Garside	Integrated Neighbourhood Services Manager, North Tameside
John Gregory	Licensing Manager - Environmental Services
Mike Pavasovic	Marketing and Communications Officer

Apologies for Absence: Councillors Bowerman, Middleton, Robinson and Sweeton

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

The minutes of the previous meeting of the Enforcement Co-ordination Panel held on 29 March 2017 were approved as a correct record.

3. ENFORCEMENT ACTIVITY

a) Planning and Building Control

The Director of Place submitted a report, which provided an update on planning enforcement activity for the period April to June 2017.

The Head of Planning reported that during the first quarter there had been 54 complaints received alleging a breach of planning and building control, of which 40 were found to be proven breaches. This represented a level of breach of planning control of 74.1% meaning that almost three quarters of the complaints received required further investigation and possibly further action. The level of breaches had increased from the fourth quarter of the year, which was at 69% and the number of complaints received had increased by 12.

During the reporting period, five formal notices were issued. The notices were all Planning Contravention Notices relating to: two residential properties in Ashton-under-Lyne and Droylsden; two business premises in Stalybridge and Ashton-under-Lyne and a site in Hyde.

Reference was also made to **Appendix 1** containing details of the current enforcement activity and where formal notice had been served and cases recently concluded.

RESOLVED

That the content of the report be noted.

b) Environmental Services

The Assistant Director of Environmental Services, submitted a report summarising the key enforcement activities undertaken by the Environmental Enforcement team during the period 1 April to 30 June 2017.

The Head of Environmental Services (Public Protection) notified Members that three Hygiene Improvement Notices had been served with voluntary closures of two eating establishments and a low level food hygiene inspection on a takeaway establishment in Stalybridge. One of the premises remained closed and Business Compliance Officers continued to monitor the other premises via routine planned inspections.

It was reported that a joint health and safety and fire visit had been undertaken at a storage warehouse in Ashton following numerous complaints. The company had relocated to a site in Manchester and had left the site in a clean and suitable condition. The Business Compliance Section had also worked in conjunction with Greater Manchester Police with regards to a doorstep crime incident in the Droylsden area. The trader did not give any paperwork relating to the work they carried out or provide cancellation rights. If any offences were found to have been committed under the Consumer Protection Regulations the case would be referred to Legal Services for consideration / advice.

Panel Members were informed that Business Compliance Officers had been alerted to the dangers and concerns over the safety of fidget spinners with large numbers being imported from China following a significant rise in their popularity. They had also received notification from Public Health England of a case of E-Coli in Tameside, a case of Shigella and a case of legionnaire's disease.

The Panel were provided with an update on the National Air Quality Action Plan, which had recently been published. The main mandate for Local Authorities was to implement Clean Air Zones. The plan contained a list of 38 authorities with one or more roads forecast to exceed nitrogen dioxide levels. Seven Greater Manchester Local Authorities were on the list including Tameside for Park Parade, Ashton. A joint Greater Manchester response had been prepared, which would be submitted to the government once approved.

A Greater Manchester Clean Air Day was held on 15 June 2017 with a range of events across the Borough requesting people to make a pledge to help improve air quality. There was a large social media campaign and all Tameside Primary schools were contacted to take part in the event.

Members were informed that a considerable amount of enforcement activity relating to licensing activities had taken place during the quarter. Three joint operations had been undertaken in conjunction with Greater Manchester Police during March 2017 and 46 licensed premises were visited. Officers had taken part in a taxi operation at Manchester Airport led by Manchester City Council and Greater Manchester Police: 8 notices were issued to Tameside licensed drivers and a notification of Works Notice was issued. A taxi spot check was carried out in May, which resulted in 8 vehicles being sent to a garage for further compliance checks, 6 vehicles failed the test and 1 had their plates removed.

The Speakers Panel (Liquor Licensing) had considered numerous applications including two expedited reviews. The Speakers Panel (Licensing) had considered two applications from potential taxi drivers who were found to have cheated during the topographical test, a new driver application and a review of a licence. The Panel had also considered an application for the renewal of an Animal Boarding licence.

With regards to doorstep crime, Members requested that a contact number be included on the

Tameside Council website for residents to report any such incidents.

RESOLVED

That the content of the report be noted.

c) Engineering Services

The Assistant Director of Environmental Services submitted a report, which provided information on enforcement activities relating to abandoned vehicles, skips, scaffolding, pay and display car parks, on-street parking, bus lane enforcement, utility works and banners.

In respect of abandoned vehicles, it was reported that 208 abandoned vehicles had been reported during the first quarter of 2017.

Members were informed that 102 scaffolding permits had been issued during the quarter with 19 reports of scaffolding with no permits and 302 skip permits had been issued with 26 reports of skips with no permits. The significant rise in the number of scaffolding and skip permits issued compared to the previous quarter was attributed to a review of processes and increased enforcement action around illegal scaffolding and skips.

Statistical information was given with regard to Penalty Charge Notices issued in Pay and Display Car Parks and On-Street Car Parking, both of which had remained constant in all areas. Members were informed that the number of vehicles driving in bus lanes continued to decrease.

With regard to new roads and street works activities, it was reported that the number of utility openings had increased but there were fewer defects and overstays. There had been an increase in the number of banner permits issued and a decrease in the number of illegal banners.

In respect of abandoned vehicles Members suggested that publicity be increased with regards to the accessibility of the government website for the public to check the status of vehicles.

RESOLVED

That the content of the report be noted.

d) Neighbourhood Services

The Assistant Director of Environmental Services submitted a report, which provided an overview of the activities of Neighbourhood Services throughout the period April to June 2017.

It was reported that CCTV was a powerful tool to combat incidents of crime and disorder in addition to monitoring road safety and improving community confidence. The CCTV network across Tameside utilised 100 cameras located in key town centre locations and known hot spots for crime and anti-social behaviour. During the period 1 January to 31 December 2016 the system recorded 1,895 incidents; the report set out the type and number of incidents at **Appendix 2** with the highest categories being incidents of violence, anti-social behaviour and driving offences. Members were notified that the CCTV function had been moved into the Place directorate, enabling the system to be used more widely and effectively.

Members were provided with an update on dog fouling. Dog fouling remained one of the top concerns for Tameside residents, which was reflected by the number of complaints received by the Council. In March 2010 the Council introduced a Dog Control Order, which made it a criminal offence for dog owners to not remove waste deposited by a dog on any open land in Tameside. For a successful prosecution the dog fouling had to be witnessed by an officer with the offender walking away. In addition to enforcement action the Council also adopted several other methods to reduce the problem, such as:-

- Education and awareness campaigns in all primary schools across the Borough.
- Letters delivered to properties in the vicinity of hot spot locations and in neighbourhoods where incidents were reported.
- Information campaigns in the local press and on the radio.
- Officers engaging with dog walkers to raise awareness of the issue of dog fouling.

It was scheduled for officers to carry out a series of events over the coming months to further reduce public concern around dog fouling. This would include a week of action where officers would attend all known hot spot areas to give advice and engage with the public. This would be followed by a day of action to address other concerns related to dogs such as stray dogs and dangerous dogs.

Members were provided with details of an incident of anti-social behaviour involving dog fouling whereby the Council issued a fixed penalty notice for the offence and the perpetrator was prosecuted under the Tameside Metropolitan Borough Council (Fouling of Land by Dogs) (General) Order 2010 under the Dog Control Orders (Prescribed Offences and Penalties) Regulations 2006.

Members were informed that the number of recorded hate crimes and incidents had risen in Tameside. A table showing the number of recorded incidents and a location map was included in the report at **Appendix 3**. Tameside Hate Incident Partnership had responded to this increase in the number of incidents by visiting places of worship to offer reassurance and advice; met with community leaders; gave presentations to community groups; delivered leaflets to registered social landlords and other partners; carried out engagement activities in supermarkets and town centres and undertaken project work with young people.

RESOLVED

That the content of the report be noted.

e) Waste Services

The Assistant Director of Environmental Services submitted a report, which provided an update on the implementation of the Council's new Waste Policy and Enforcement Strategy.

It was reported that the Bin App was now live and had 10,000 users that had accumulated 6 million interactions since it was launched. The App was now in the process of being linked to the refuse collection vehicles. A second App was being developed separately from the Waste App, which would allow the subjects of high level contact, i.e. fly tipping, littering and dog fouling etc., from service users, to be reported using the app on a smart phone. The Digital by Design team were looking at delivering the 'Tell Tameside' App by the end of July 2017.

Members were informed that, whilst reviewing the complaints system and before the App was fully functional, an interim system had been introduced, in which complaints arrived as an email to the service, which was then managed by the service. Details were given of the general downward trend of complaints passing through the service since November 2016. Based on 1 million collections per month, the percentage of complaints to service contact was extremely low.

In respect of complaints, it was reported that currently all complaints were either allocated to one of the Enforcement Officers or were sent directly to the Operations team for direct clearance. This depended upon the circumstances and whether there was any evidence or not.

During the period March – May 2017, 160 Fixed Penalty Notices had been issued for littering offences, of these a total of 41 had been sent to Legal Services as a result of non-payment of the fine. Since October 2016, 114 Fixed Penalty Notices had been paid which had brought in an income totalling £9,120 with a further 28 currently going through the payment process.

Members were informed that the Enforcement team were forming closer links with street cleansing staff within the Operations Service. The van visually advertised the fact that it was looking for offenders of fly-tipping and that enforcement action would be taken. Each day a Waste Enforcement officer would collate any evidence from the waste and a member of the operations team removed the fly-tipped waste whilst on site. The new team had visited over 900 fly-tipping complaints since October 2016.

It was reported that there were currently 31 hotspot areas within the Borough and the CCTV cameras would be located at each site and rotated through over the next 12 months. Environmental Services were also exploring alternative ways to tackle fly-tipping. Portable CCTV cameras had been purchased and were located in different sites every 3 weeks. It was reported that unfortunately two of the cameras had been stolen but a new set of five cameras was being used around Tameside, which it was hoped would deliver good results over the coming weeks.

Members were informed that a Day of Action had been held on 11 May 2017 in Ashton town centre where four separate zones were targeted, the areas contained issues with trade waste, illegal fly tipping and contamination of recyclable material. Staff worked in conjunction with a community payback team and local businesses during the day and dealt with long standing hot spots. Days of Action would continue to take place throughout the year including clean up days.

In addition to the Day of Action street cleansing teams removed approximately three tonnes of mixed waste from Ashton town centre, offensive graffiti was removed from six sites, enforcement officers investigated several bags of waste deposited on side streets that resulted in the issuing of five fixed penalty notices, 15 contaminated bins were removed and over 30 independent businesses were visited.

With regard to bin collections, Members were informed that from 20 March 2017, a new set of collection rounds began. Currently, recycling rates were around 56% of the waste collected. By increasing the Blue Bin collections to 2 weekly, it was hoped that recycling rates would achieve 60%, making Tameside one of the top recyclers in Greater Manchester. To date, there had been a 4.44% increase in paper and cardboard recycling compared to 2015/16 data.

RESOLVED

That the content of the report be noted.

4. SERVICE REVIEW - CREATION OF A SINGLE REGULATORY SERVICE

The Head of Environmental Services (Public Protection) notified Members of the creation a Single Regulatory Service, which would bring together a number of regulatory functions currently dealt with by a variety of different areas across the Authority. Having these functions dealt with by a single service would ensure that regulatory functions were carried out more effectively.

Members were informed that the majority of the Council's Regulatory functions were currently managed by the Head of Environmental Services (Public Protection). The review sought to bring the remaining regulatory functions currently delivered elsewhere in the Council into one service area - specifically Planning Enforcement, Waste Enforcement and Highways and Car Parking Enforcement. It was noted that Neighbourhoods and Building Control would be considered in the second phase of the service review.

The current and proposed models were outlined to the Panel. The proposed structure had been considered by the Employee Consultation Group and staff consultation was currently being carried out with a view to rolling out the new structure in October 2017.

RESOLVED

That the information provided be noted.

5. NEW POWERS UNDER THE ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

The Assistant Director of Stronger Communities submitted a report providing an update on the Anti-Social Behaviour Crime and Policing Act 2014, which sought support for new powers contained under the Act to be adopted within the Council's Constitution under the Terms of Reference and Scheme of Delegation.

It was reported that tackling anti-social behaviour was a key priority for the Council and its partners and a number of approaches were already in place to tackle the issue - the Council had established an Anti-Social Behaviour Risk Assessment Conference in 2010; had worked with partners to establish a Restorative Justice in Tameside process through Neighbourhood Resolution Panels in 2012; Neighbourhood Services transferred into two Integrated Neighbourhood Service Hubs in Ashton and Hyde Police Stations in 2016 and officers met on a daily basis to discuss with the Police a number of issues including anti-social behaviour.

Members were informed that the Anti-Social Behaviour Crime and Policing Act 2014 brought together a number of changes to the tools and powers available to various organisations, agencies and practitioners who tackle anti-social behaviour. The reforms contained within the Act replaced 19 existing powers with six new ones designed to provide better protection for victims and communities to ensure that professionals had effective powers that were quick, practical and easy to use. They could provide effective respite for victims and communities and also stop future anti-social behaviour by the offender.

A summary of the six new powers, as outlined below, was provided.

1. Power to Grant Injunctions
2. Criminal Behaviour Order
3. Community Protection Notice
4. Public Spaces Protection Order
5. Closure Notice
6. Police Dispersal Power

Members were notified that in addition to the powers contained within the Act a Community Remedy had been developed in consultation with the public, which aimed to give victims a say in the out of court punishment for offenders of low level crime and anti-social behaviour. The Community Remedy would provide an overarching commitment to a consistent approach to tackling anti-social behaviour whilst also supporting options available through Restorative Justice.

RESOLVED

That Council be RECOMMENDED to adopt the powers and duties under the Anti-Social Behaviour Crime and Policing Act 2014 and to agree that the following delegations be added to Part 3 (a) of the Council's Constitution under Terms of Reference and Scheme of Delegation F. Director of Place:-

That the Director of Place and any officer authorised by him/her to exercise the Council's powers and duties under the Anti-Social Behaviour Crime and Policing Act 2014; and

That the Director of Place (b) may authorise Council enforcement officers or agreed representatives (who may be from any service area) to carry out enforcement powers in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014.

6. DATES OF FUTURE MEETINGS

RESOLVED

That the dates of future meetings of the Enforcement Co-ordination Panel be held as follows, commencing at 10.30am:-

25 October 2017
24 January 2018
28 March 2018

7. URGENT ITEMS

There were no urgent items.