

## ENFORCEMENT CO-ORDINATION PANEL

Wednesday, 25 January 2017

**Commenced:** 10.30 am

**Terminated:** 11.40 am

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

Aileen Johnson	Head of Legal Services
Alan Jackson	Head of Environmental Services (Highways)
Paul Moore	Head of Planning
Garry Parker	Head of Environmental Services (Waste Management)
Sharon Smith	Head of Environmental Services (Public Protection)
Kevin Garside	Integrated Neighborhood Services Manager
Peter McCaughley	Principal Solicitor General Law
James Smith	Policy and Communications Officer

**Apologies for  
Absence:** Councillors Robinson and Sweeton

### 15. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 16. MINUTES

The Minutes of the previous meeting of the Enforcement Co-ordination Panel held on 26 October 2016 were approved as a correct record.

### 17. ENFORCEMENT ACTIVITY

#### a) Planning and Building Control

The Head of Planning submitted a report, which provided an update on planning enforcement activity for the period October to December 2016.

The Head of Planning reported that during the third quarter there had been 50 complaints received alleging breach of planning and building control, 32 of which were found to be proved as breaches. This represented a level of breaches of 64% meaning that nearly two thirds of the complaints received required further investigation and possibly further action. The level of breach had decreased slightly from 69% during the second quarter and the number of complaints received had decreased by 29.

During the reporting period, four formal notices were issued. This included two Enforcement Notices and two Breach of Condition Notices. The Enforcement Notices related to a business premises in Ashton-under-Lyne and a piece of land in Droylsden. The Breach of Condition Notices related to a piece of land in Audenshaw and business premises in Ashton-under-Lyne.

Enforcement action had recently been taken with regard to a residential property in Droylsden. The main concerns related to the overgrown condition of the front, side and rear garden areas of the property. The Panel were advised that previous enforcement action had been taken in January 2015 and since that date no maintenance had been undertaken. The Council had received regular complaints with regards to the untidy condition and was considered to be detrimental to the amenity

of the area. Despite several attempts at engagement with the owner a Section 215 untidy land notice was issued and served on the owner requiring improvements to be made.

As the owner did not appeal the notice and also failed to comply with the notice requirements, default works were carried out at the site in December 2016 by contractors at a cost of £300 and this cost was being recharged to the owner. Photographs included in the report showed the appearance of the front and rear garden areas of the property before and after the intervention of Planning and Building Control Enforcement.

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

**RESOLVED:**

**That the report be noted.**

**b) Environmental Services**

The Head of Environmental Services (Public Protection) submitted a report, which summarised the key enforcement activities undertaken by the Environmental Enforcement team during the period October to December 2016.

The Head of Environmental Services (Public Protection) gave a statistical summary of activity during the third quarter. It was reported that 191 Business Compliance Premises Inspections had taken place, 130 Food Hygiene Rating Scheme assessments had been carried out and 13 Food Hygiene Rating Scheme re-visit assessments had also been undertaken.

With regards to enforcement notices, 12 Food Hygiene Improvement Notices were served during the quarter, including three notices served on the owner of a takeaway in Denton, three on a takeaway owner in Dukinfield and two on a bakery in Ashton. In addition there had been a voluntary closure at a take away in Droylsden following an investigation into a complaint of a nut allergy. An officer from Business Compliance visited the premises to investigate and discovered a severe rodent infestation. The owner of the business agreed to close voluntarily until all necessary work had been carried out. The officer returned at a later date and issued a certificate of "Confirmation that there was no longer a Health Risk".

The Panel were advised that the team had received a referral from Portsmouth Trading Standards regarding four pallets of dangerous and counterfeit toys, which had been imported from China by a newsagent in Dukinfield. The goods were seized and the trader visited. The trader could not produce test reports or safety certificates therefore the toys were ordered to be destroyed.

In addition, the following matters were highlighted and discussed:-

- Petrol station visit
- Disconnection of electricity supply at a takeaway
- Safety labelling of products at a pound shop
- A multi-agency operation aimed at combatting modern slavery
- Investigation into the sale of e-cigarettes and associated goods
- Meat waste dumped at an industrial park
- Large accumulation of waste at the side of a restaurant
- Smoke and noise nuisance complaints and investigations
- Housing emergency prohibition notices served on two residential properties
- Update on Redmond Close, Audenshaw
- The implementation of an internal Air Quality Steering Group
- Section 19 Closure Notice for a Public House in Denton
- Two Premises Licence applications
- An expedited review of a Premises Licence
- Suspension of alcohol sales at a premises in Audenshaw

- Results of a taxi spot checks operation
- A taxi driver appeal at Magistrates Court
- A joint operation between Licensing and Greater Manchester Police visiting licensed premises

Due to a technical fault at water treatment works in December 2016, some water, which had not been treated to the usual high standards, had entered the local pipe network resulting in a precautionary boil water notice for customers in parts of Tameside. Approximately 17,000 properties were affected. Officers from Environmental Services checked all the affected postcodes and offered advice to all high risk food businesses. Environmental Health were involved in the decision to lift the boil water notice once the criteria had been met and the results analysed.

The Head of Environmental Services (Public Protection) was pleased to announce that three catering premises had received a Greater Manchester Healthier Catering award and one establishment had their award renewed.

Members commended the hard work of the team and requested that the extensive work and outcomes of the Environmental Services Enforcement section be publicised.

**RESOLVED:**

- (i) **That the content of the report be noted; and**
- (ii) **That Policy and Communications work with Environmental Services to develop promotion of environmental enforcement activities and the work of the service.**

**c) Engineering Services**

The Environmental Services Manager (Highways) submitted a report detailing information on enforcement activities relating to abandoned vehicles, skips, scaffolding, pay and display car parking, on-street parking, bus lane enforcement, utility works and banner permits for the period October to December 2016.

The Environmental Services Manager (Highways) notified the Panel that during the quarter 168 vehicles had been reported as abandoned with two removals, which had both been scrapped. Due to the high number of reports of abandoned vehicles, communications and publicity would continue to focus on checks being made using the DVLA website to confirm if the vehicle was taxed / had an MOT before being reported as abandoned.

In terms of banner permits, 52 had been issued in the reported period and 12 illegal banners had been removed. There had been 20 scaffolding permits issued with no reports of scaffolding without permits or being dangerous. 152 skip permits had been issued with 8 reports of skips without a permit, no skips had been impounded and no non-compliances had been reported.

With regards to pay and display car parks, the number of penalty charge notices had decreased to 1540 during the quarter with 1047 payments made and 416 unrecoverable. The total number of on street penalty charge notices had decreased to 2594, which was comparable to the same quarter in previous years. The number of payments had also decreased to 2211 with reminders, unrecoverable penalty charge notices and debts registered remaining consistent.

There had been an improvement in utility performance for street works with 5% defective repairs compared to 15% for the same quarter last year. 596 utility openings had been issued, the number of defects had decreased to 26 and there were 10 over-stays. There had been improved traffic flow across the borough as fewer drivers were using bus lanes; 2150 penalty charge notices had been issued for vehicles driving in bus lanes with 1911 paid and 232 unrecoverable.

**RESOLVED:**

**That the content of the report be noted.**

#### **d) Neighbourhood Services**

The Integrated Neighbourhood Services Manager submitted a report, which provided an overview of the activities of Neighbourhood Services throughout the period July to December 2016. The report detailed an expected spike in anti-social behaviour over the summer months, an increase in the number of reported hate crimes and incidents and a summary of successful community engagement initiatives.

The Integrated Neighbourhood Services Manager stated that daily meetings were continuing to take place in Ashton and Hyde police stations to consider issues affecting residents and communities. Neighbourhood Services officers had moved into two hubs in May 2016 and since that date the North Hub had dealt with 242 cases and the South Hub had dealt with 228 cases. The majority of the cases investigated involved residents or families presenting multiple issues, with drug and alcohol misuse and mental health problems featuring in many. Reference was made to data providing a breakdown of cases presented at the North and South Hubs.

Consideration was given to the data for reports of anti-social behaviour over quarters two and three. The figures showed an increase in the number of incidents over the summer months as anticipated and a reduction once the schools reopened in September 2016. The highest number of reports, totalling 1826 was received in the North (Ashton Wards), which represented 32% of the total number. In response to the higher numbers of anti-social behaviour over the summer, Neighbourhood Services increased their activities, especially in the hotspot areas of Ashton and Hyde town centres, parts of Droylsden and Portland Basin. Examples of successful engagement were outlined to the Panel.

Following previous reports that the media had suggested that hate crimes and incidents had increased since the European Referendum took place on 23 June 2016, the number and types of reports had been closely monitored. During the two quarters there had been a rise in reports of racially motivated hate crimes; there had been a 16% rise in quarter two and a 30% rise during quarter three when compared to quarter one.

It was explained that the Tameside Hate Incident Partnership held quarterly meetings to discuss incidents and develop and deliver an action plan aimed at reducing the number of incidents within the borough. This partnership included representatives from minority groups as well as partner organisations such as registered social landlords, Greater Manchester Police, probation services and various council services.

Various examples of community engagements were outlined to the Panel, including working with the Youth Service with the delivery of "Safe Squad", working with residents of Waterloo Ward in the creation of a communal garden in a local park and an event that included a dog show hosted by Friends of Waterloo. A loan shark awareness campaign was currently under development following two successful bids to the Proceeds of Crime Act fund. Themed events would be held in affected areas and would bring together specialist service providers such as Cashbox.

#### **RESOLVED:**

**That the content of the report be noted.**

#### **18. WASTE POLICY AND ENFORCEMENT STRATEGY: UPDATE ON DELIVERY OF ENFORCEMENT ACTIVITY**

The Head of Environmental Services (Waste Management) submitted a report providing an update on the implementation of the Council's new Waste Policy and Enforcement Strategy.

An update was provided on how waste complaints were received and processed. Work was progressing to develop the current successful 'Bin App' allowing members of the public and Councillors to report waste accumulations, fly-tipping and missed bins. The app would also allow

the user to track the report and receive regular updates and notifications as to where their complaint was up to. The Waste App would replace the current interim system in the first quarter of 2017 and updates would be sent to the 10,000 users of the current app advising them to download the new application.

It was explained that currently all waste complaints were either allocated to one of the Enforcement Officers (Internal / NSL staff) or were sent directly to the Operations Team for direct clearance. This would depend upon the circumstances and whether there was any evidence or not. The programme of training with NSL staff was currently ongoing and so far 16 NSL staff had received the second part of the training programme where NSL officers shadowed experienced enforcement officers. During the period October to November 2016, 68 fixed penalty notices had been issued for littering offences, of these a total of 16 were sent to Legal Services as a result of non-payment of the fine.

The Panel heard that the enforcement team had formed closer links with the street cleansing staff within the Operations Service. Since October 2016 a waste enforcement van had been dealing with complaints of fly-tipping around the borough. The van visually advertised the fact that it was looking for offenders and would take enforcement action. It was staffed by a waste enforcement officer together with a member of the operations team. The waste enforcement officer collated any evidence at the same time as the waste was removed. To date the team had visited 649 fly-tipping complaint sites and collected 10.8 tonnes of waste.

In exploring alternative ways to tackle fly-tipping, portable CCTV cameras had been purchased and deployed in hot spot locations around the borough. The use of the CCTV cameras was overt and followed the Council's CCTV Policy. The footage would be reviewed and action taken when evidence was found. Results of the use of CCTV would be reported back to the Enforcement Co-ordination Panel.

It was reported that the recent trial in waste services regarding the use of in-cab technology in waste collection vehicles was now complete. I-pads had been placed in cabs to record specific details about rounds, when bins on certain streets had been emptied and fully mapped rounds. Due to the success of the trial the technology had been rolled out to 28 refuse vehicles and going forward the in-cab technology would be linked with the Waste App and allow service users, Councillors and the back office team to communicate directly with the operational team.

**RESOLVED:**

**That the content of the report be noted.**

**19. DAYS OF ACTION: BLUE BADGE ENFORCEMENT AND PARKING OUTSIDE SCHOOLS**

The Head of Environmental Services (Highways) submitted a report summarising the activities surrounding the two enforcement days held in October and November 2016 for Blue Badge abuse and parking enforcement around schools.

The Head of Environmental Services (Highways) advised that the Blue Badge enforcement day took place on 25 October 2016 and the towns of Ashton, Hyde and Stalybridge had been targeted. Ten teams of two were allocated an area to patrol throughout the day. Training had been undertaken prior to the day and support was available. Officers from the Communications team also travelled around the borough discussing the issue with the enforcement teams and members of the public.

During the day 67 badges were checked, 13 fixed penalty notices issued and 1 badge, which had expired, was renewed.

It was reported that the Council had received a large number of complaints regarding excessive and dangerous parking around the vicinity of schools. In response to this a day of enforcement was carried out at ten schools around the borough on 24 November 2016. Enforcement teams, officers

from the Communications team and Members of the Council took part on the day. A freestanding sign, which reminded drivers to take extra care when parking near a school, was also utilised and could be purchased by individual schools for future use.

The day proved to be a success with positive feedback, requests for further days of action and many social media responses resulting in a top UK government tweet. Four fixed penalty notices were issued on the day with advice given about safe parking around schools.

Both of the enforcement days were successful in raising awareness and further action was planned for 2017.

**RESOLVED:**  
**That the report be noted.**

## **20. URGENT ITEMS**

There were no urgent items.

## **21. DATES OF FUTURE MEETINGS**

It was noted that the next meeting of the Enforcement Co-ordination Panel would take place on Wednesday 29 March 2017 at 10:30am.

**CHAIR**