

NIGHT TIME MONITORING UPDATE

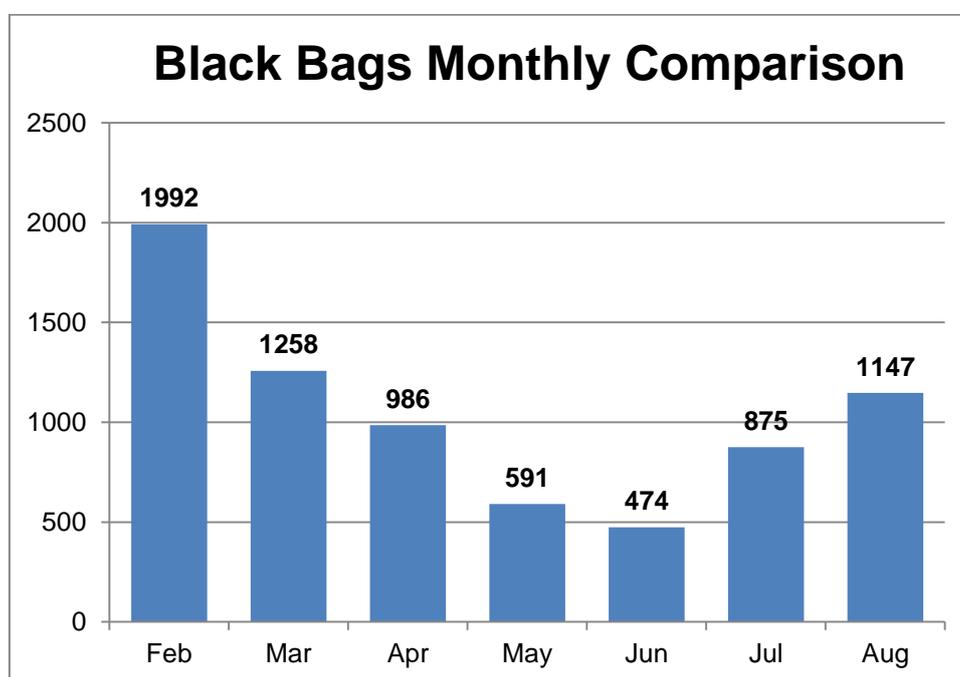
1.0 Background

The night enforcement trial commenced in February 2016 aiming to address issues related to illegal rubbish dumping, fly-tipping of larger items and businesses that have no trade waste contracts. Four additional Contract Monitoring and Enforcement Officers (agency staff) were recruited to monitor businesses mainly in the North and South areas of the Borough. The officers looked at commercial businesses that were in breach of their trade waste agreements by overproducing and not paying the appropriate rate or by placing out rubbish for collection outside their allocated collection times.

After the initial period of three months it was decided to reduce the number of officers to two. The two remaining officers continued to monitor the area in North whilst taking over the South.

2.0 Where we are now

To evaluate the success of the night enforcement trial we used data collected by Serco regarding the number of black sacks and overproduction for commercial businesses. In the first months of the night enforcement trial the results were showing great reduction in the areas monitored as shown in the chart below.



During July and August, one of the officers was on annual leave, for health and safety reasons the other officer could not continue to monitor the areas on his own at night time.

The sudden increase in July and August shows that when there are no officers available to monitor the areas and show their presence, the number of black bags will significantly go up.

Reports from the officers and our contractor Serco show that a high number of black bags might be residential and not commercial however the origin is difficult to determine.

Revenue Received	
New & Amended Contracts	£49,274
Section 34 FPNs	£4,440
Section 87 FPNs	£800
Section 47 FPNs	£540
Total	£55,054

Between February and August commercial waste contracts were taken by businesses which generated £49,274

90 fixed penalty notices were issued between February and August generating **£5,780**.

15 fixed penalty notices were issued for Section 47, generating **£540**.

48 fixed penalty notices were issued for Section 34. Eleven were paid producing **£4440**.

27 fixed penalty notices were issued for Section 87 generating **£800**.

Six cases were referred to the legal team to be considered for prosecution under Section 34 of the Environmental Protection Act 1990. The night team officers are currently working on three other cases under Section 33, Section 87 and Section 47.

The officers cover the area with the same enthusiasm as in the beginning and they developed a partnership with the Waste Contractor (Serco) which involves them liaising directly to identify businesses that do not have the correct trade waste arrangements in place. A high number of FPNs for Section 47 and 87 have been generated from information provided by Serco and the officers responding and investigating.

Our night SSE officers have a proactive approach where they use their own initiative to tackle issues that they see rather than wait for a complaint to come through first.

3.0 Improvements

In order to successfully continue the night trial constant monitoring with continuous officers presence in the most problematic areas is required. When officers went on leave in July and August, it could be seen that the number of black bags increased. For this purpose we would need to look at what arrangements could be made to cover the period when officers are planning to go on annual leave.

The night officers could also consider tackling residential waste. This has the potential to decrease the overall number of black bags and it could even bring down the total amount of waste tonnage. Furthermore, this could improve the overall aesthetic look of the areas tackled and could minimise the number of complaints that the day officers are receiving.

There has been an 11% increase in night time tonnages, however, there is a 0.2% increase in tonnage collected overall. It is believed that some weight has been moved to the night time collections due to commercial contracts being taken out. However, some of the businesses are reluctant to revise their contracts and tend to take a minimal contract as a formality whilst they constantly overproduce. Weighing scales could be provided to the officers to take initiative and advise businesses where they find evidence suggesting that the amount of trade waste placed in the bags significantly exceeds the allowed quantity.

We also believe that night officers would likely refer approximately 5+ prosecution cases to the legal team in the next period.

The number of fixed penalty notices would likely increase in the next period as the officers are targeting new areas in South where no previous fixed penalty notices were issued for Section 87s and 47s. The new areas would include North End Road market where it has been requested that officers investigate illegal dumping by businesses in the market bins. Several enquiries have been made to the Commercial waste team regarding new and amended contracts on North End Road as a direct result of the enforcement patrols.

4.0 Future Provision

The following table shows the cost of the night time team between February and August but does not include any cases which are scheduled for court (due November).

Revenue from new contracts	£49,274
Revenue from fines	£5,780
Cost of officers	-£48,751
Total	£6,303

So far the night time team can pay for themselves and therefore it is recommended the Council provide two 6 month temporary contracts to continue with commercial enforcement at night.

Other benefits include cleaner streets, perception from businesses who do comply that action is being taken with those who don't, improved perception of enforcement. If the ability to issue fines under Sec. 33 is approved, then domestic waste can also be investigated and enforcement action taken where residents do to comply with collection requirements.