

ENVIRONMENTAL EXCELLENCE POLICY DEVELOPMENT PANEL

Minutes of a meeting of the Environment Excellence Policy Development Panel of Broadland District Council, held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on 7 October 2021 at 6.00pm.

Committee Members Present: Councillors: K S Kelly (Chairman), N J Brennan, (Vice-Chairman), D J Britcher, Cllr S Catchpole, J F Fisher, K G Leggett, G K Nurden, S M Prutton, J M Ward.

Cabinet Member Present: Councillor: J Leggett.

Officers in Attendance: The Director Place, Assistant Director Community Services, Senior Environmental Health Officer (Community Protection) and the Democratic Services Officer (JO).

13 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Cook, Cllr Crotch and Cllr Lawrence.

14 MINUTES

The minutes of the meeting held on 23 August 2021 were agreed as a correct record.

15 ANTI-SOCIAL BEHAVIOUR POLICY

The Senior Environmental Health Officer (Community Protection) introduced the report, which sought the Panel's views on the matters to be addressed when putting in place a dedicated Anti-Social Behaviour Policy for the first time.

The Panel received a presentation that set out some anti-social behaviour policy considerations (appended to these minutes at Appendix 1).

Members were advised that there had been a 30-45 percent rise in reports of nuisance and anti-social behaviour since the first lockdown and that an estimated 70 percent of anti-social behaviour was associated with either substance misuse or mental health issues.

The Council had key statutory duties and responsibilities for tackling local anti-social behaviour and as a member of the Norfolk County Community Partnership it was part of a coordinated multi-agency approach that included the police, housing associations and adult and children's social services.

The Panel was shown a spreadsheet of anti-social behaviour service requests received by the Community Protection Team over the last 12 months in Broadland (attached at Appendix 2 to these minutes). Areas brought to members' attention for this period included:

- 88 abandoned vehicles
- 46 cases of fly-tipping enforcement
- 64 cases of domestic loud music
- 94 cases of loud noise from dogs
- 61 cases of domestic smoke nuisance

In total there had been 942 requests to the Community Protection Team in the last year, which placed a heavy demand on the service.

In response to a query the Panel was advised that mental health played a significant factor in anti-social behaviour and the Team linked in with mental health professionals via the Council's Help Hub, as well as through other partner agencies to address this issue. Officers also received regular mental health training.

Members were also advised that the work of the Community Protection Team was complementary to the service provided by the police, rather than a duplication of their work and that anti-social behaviour could be complex with many different levels, some of which would be dealt with by the police and other areas that would come within the remit of the Council. It was emphasised that a lot of anti-social behaviour was dealt with by a multi-agency approach and that the Anti-Social Behaviour Action Group (ASBAG) met on a monthly basis to consider difficult cases in a problem solving forum.

In respect of abandoned vehicles, it was confirmed that although the Council removed vehicles left on the highway and private land the cost of their collection and disposal fell upon the County Council. If the vehicles were not taxed or insured the DVLA and police would be informed, but it could be very difficult for the Council to successfully pursue and fine vehicle owners.

Members noted the steep rise in domestic violence since the start of the pandemic and it was suggested that an increase in resources for the Community Protection Team would help in addressing this.

In response, it was acknowledged that an increase in resources would be welcomed, but that this would need to be balanced between the savings targets set for the collaboration project against the provision of an overall service for residents. Any increase in resources would, therefore, be for members to determine. The Panel was also reminded that the multi-agency approach to anti-social behaviour ensured that the most appropriate organisations took on responsibility for each particular element and enabled the most cost effective solutions to be found.

The Portfolio Holder for Environmental Excellence noted that the budget setting cycle was approaching and additional resources for the service could be considered as part of this.

In answer to a query it was confirmed that the Community Protection Team had an adequate level of IT resource. It was confirmed, however, that efforts were being made to streamline the Team's administration work in order to prioritise fieldwork.

In response to a query about the possibility of putting a person at risk by disclosing information about a possible criminal offence even, if that person had stated that they did not wish the information to be shared; Members were reassured that officers took a very considered and sensitive approach to sharing information with colleagues who were equally experienced in dealing with delicate matters and ensuring that people were not put at risk.

In respect of a query about policy for helping people, the Senior Environmental Health Officer (Community Protection) confirmed that this was the general ethos throughout the Council, but in particular through the Help Hub.

AGREED

That the views expressed by the Environmental Excellence Policy Development Panel should be taken into account when determining the content of the Anti-Social Behaviour Policy.

16 REVIEW OF ENVIRONMENTAL ENFORCEMENT PENALTIES

The report sought the Panels views on proposals to review and update the fixed penalty charges that were imposed when Fixed Penalty Notice enforcement was deemed appropriate for specific environmental and anti-social behaviour offences.

Members received a presentation (attached at Appendix 3 to these minutes) which set out an overview of offences over the last 12 months, as well as why fixed penalties were the preferred approach, the scope of the review, key offences, principles and early payment fee reduction.

In answer to a query, the Senior Environmental Health Officer (Community Protection) confirmed that the maximum fine for dog fouling was £1,000.

It was suggested that the revised policy could be published on the Council's website in order to raise the profile of enforcement action as a proactive means of addressing areas of increasing concern for residents.

The Chairman suggested that revising the policy would be an opportune time to publicise it in *Broadland News* and that this should be a recommendation from the Panel.

In response to a query, it was confirmed that no Fixed Penalty Notices had been issued for fly-tipping over the last 12 months and that the majority of the 88 abandoned vehicles over the period were removed by their owners after the Council had contacted them.

A member suggested that the Council should publicise the level of fines it had levied by enforcement action close to the location of incidents to deter further offences.

The Panel was informed that the Council targeted hotspots with signage and with cameras, although these could be resource intensive.

Discussion turned to the proposed fixed penalty charges for the revised policy and the Senior Environmental Health Officer (Community Protection) advised the meeting that the proposed charges were seen as proportionate to the offence, as was the reduced amount to be charged if paid within ten working days. Serious offences would, however, be taken to the magistrates' court where a higher penalty could be imposed.

A member suggested that the fines should be set higher and that they should at least cover the Council's costs. However the Senior Environmental Health Officer (Community Protection) confirmed that the fines were set to be a deterrent and meet the legislative duty of the Council, rather than cover the costs.

The Chairman noted that the revised policy would apply to both Broadland and South Norfolk and that South Norfolk had not yet determined the proposed policy.

Following a vote with five in favour, one against and three abstentions it was:

AGREED

That the views expressed by the Environmental Excellence Policy Development Panel should be taken into account when reviewing the fixed penalty charges, which were imposed when issuing Fixed Penalty Notices as well as the general policy principles proposed in the report.

17 EXCLUSION OF PRESS AND PUBLIC

RESOLVED

To exclude the press and public from the meeting under Section 100A of the Local Government Act 1972 for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part1 of Schedule 12A to the Act (as amended).

18 REVIEW OF THE MATERIAL RECYCLING FACILITY CONTRACT

The Panel considered the exempt report of the Assistant Director for Community Services, which summarised the negotiations on the proposals to amend and extend the existing Joint Venture Company Material Recycling Facility contract to 2027.

Following discussion it was:

AGREED

1. To amend and extend the current joint venture company contract with NEWS for three years from 2024 to 2027, accepting a shift to a variable gate fee based on actual costs from October 2021; and
2. To accept the principle of setting a Base Gate Fee and a Ceiling Gate Fee as set out in paragraph 4.3.2 of the report, with both figures for the 2022/23 financial year to be established from October 2021.

(The meeting concluded at 7.43pm)

Chairman