

Tabled @ meeting

29 November 2016

Erdington District Committee – Update from Regulation & Enforcement

The following information, requested by the Committee, is provided in follow-up to the information previously supplied on 27 September 2016 in respect of the following recommendations from the Districts neighbourhood challenge clean and green report:

R08 Encourage regular enforcement around trade waste contracts

Trade waste compliance checks, termed *duty of care* checks, are carried out when other routine statutory inspections are made within businesses, for example when food hygiene or licencing inspections are carried out. Additionally, inspections based upon complaints and intelligence are made on a reactive basis or as part of proactive areas initiatives. Proactive areas for the period 2015/17 included High Street, Sutton Road, Slade Road, Kingsbury Road, Chester Road and Tyburn Road areas. A breakdown of duty of care enforcement interventions by ward is given below:

2016-2017	Erdington	Stockland Green	Tyburn	Kingstanding
Investigations into commercial waste disposal suspected offences and offences	28	44	18	11
Section 34 Environmental Protection Act demand notices issued: (trade waste statutory information demands)	8	16	4	1
Section 34 Environmental Protection Act fixed penalty notices issued to businesses (£300)	3	1	2	

From 2015/16 prosecution files were submitted to the council's solicitors for five businesses across the District.

In support of ***R01 (refuse collection arrangements – flats above shops)*** officers from the Waste Prevention team carried out engagement and education work to reduce household waste advancement and to support wheeled bin re-assessments with Waste Management. For the year to-date this has included 141 properties across the following areas:

Kings Road, Chester Road and Finchley Road areas (Kingstanding ward)
High Street [including BID area], Station Road, Johnson Road and Sutton
New Road areas (Erdington ward)

Slade Road, Abbey Road, St Thomas Road and Reservoir Road (Stockland Green ward)
Tyburn Road, Kingsbury Road and Chaster Road areas (Tyburn ward)

R09 Greater communication with District Members about enforcement campaigns to allow resources to be influenced / targeted.

The annual forward programme for enforcement interventions is set out within the Regulation and Enforcement Service Plan, which is reported to the Licensing and Public Protection Committee (LPPC). Proposed interventions involving 'campaigning' activity are described within the service plan and potential campaign activities developed through the LPPC and relevant Cabinet leads, as appropriate. Currently, for example, a campaign based around a voluntary code of conduct for businesses is being explored relating to supporting trade waste compliance. It is hoped that this voluntary code can be rolled out through local networks, including through business improvement districts and through local governance arrangements. In addition, focused activities including litter enforcement patrols are also undertaken within all wards and local feedback on potential problem hotspot locations is used for scheduling patrols.

R10 Greater enforcement around fly posting where contact details are readily available

Enforcement activity during the year to date includes:

1. Removal of fly-posting affixed to street furniture, by Amey, in terms of the Highways Act 1984:

	2015/16	April – June 2016
Erdington	220	
Stockland Green	17	
Tyburn	204	2
Kingstanding		10

2. Two individuals were referred for criminal prosecution for placarding and their cases concluded in 2016/17 with convictions.
3. Regulatory officers supported reviews of Premises Licences for 7 of the City's entertainment venues whose activities had resulted in fly-posting across the District. All 7 venues had anti-flyposting conditions added to their Premises Licences [6 through voluntary agreement and 1 imposed].
4. For the year to date 1,203 fly-posters that had city-wide impact, including across the District, were removed by Environmental Health teams for use as evidence to enable written warnings to be issued where persons deriving benefit from the illegal advertisements could be determined.