

Cabinet – 24 October, 2012

Littering Working Group

Report of the Community Services and Environment Scrutiny and Performance Panel

Portfolio: Councillor Ansell

Report detail

A working group led by Councillor Ilmann Walker undertook a review of on behalf of the Community Services and Environment Scrutiny and Performance Panel. The working group's activity included meeting with Partners and Officers.

The working group report was presented by Councillor Ilmann Walker to the Community Services and Environment Scrutiny panel at its meeting on 30 August 2012.

The Panel voted unanimously to endorse the report and to recommend to Cabinet the proposals as set-out in the report annexed, specifically:

That:

- 1. That a report be submitted to a meeting of the Community Services and Environment Services Scrutiny and Performance Panel detailing:-**
 - a) The feasibility of designating litter control areas. This should include evidence gathered from authorities who have used this power, the effectiveness and costs involved in doing so and the possibility of using one of the District Town Centres as a pilot with the possibility of extending it to the entire Borough;**
 - b) The feasibility of introducing Street Control Notices.**
- 2. Officers investigate the feasibility of training all Environmental Operatives with powers to issue Fixed Penalty Notices;**
- 3. All Park Rangers undertake training to enable them to issue Fixed Penalty Notices;**
- 4. Further high visibility patrols be undertaken to deter people from dropping litter;**
- 5. Officers explore the crossover between the anti-social behaviour unit and enforcement in general to improve targeting and cross departmental working;**

6. The costs of procuring headcams for all officers with appropriate training and authority to issue Fixed Penalty Notices be investigated as this would provide evidence of offences and encourage the public to comply with providing details in the knowledge that they were being filmed.
7. The feasibility of introducing a quick payment reduction for Fixed Penalty Notices be investigated.
8. The following be explored further to start a campaign with a small budget including:-
 - a) Making online posters available for residents to print and display, as seen at Sandwell Council;
 - b) Using Youth Offenders or Community Payback to undertake promotional activities about preventing litter;
 - c) Rewarding and/or recognising those who picked up other people's litter.
9. Consideration be given to attaching additional ash trays/chewing gum bins to lamp posts, particularly within the town and district centres, to encourage people to dispose of cigarette ends properly;
10. The Council approach local businesses such as pubs which have exits/entrances onto the public footway to encourage them to erect wall ash trays to help prevent the accumulation of cigarette ends around entrance/exits to these premises;
11. The feasibility of purchasing 'Butt Pouches' for smokers to store their cigarette butts in until they are able to dispose of them be explored and if possible a publicity event be held in the town centre to raise awareness of the impacts and costs of littering and distribute free butt pouches.

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Littering Working Group



To be presented to Cabinet on 24 October, 2012



Walsall Council

Foreword

Litter is a significant social issue that affects the entire United Kingdom with Walsall being no exception. Whilst on the surface it may appear that solutions are simple, the complexities of coordinating resources, educating the public and enforcing infringements are not to be underestimated. Street cleansing is a vast area of work and a constant battle to ensure that streets, parks and town centres are well maintained and clean.

I would like to thank the Officers who have contributed to this report and provided us with the information that has enabled us to make a number of recommendations as detailed on page 17 of this report.

	<i>Councillor Illmann Walker (lead member)</i>		<i>Councillor Creaney</i>

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Introduction

The Environment Scrutiny and Performance Panel (ESPP) established a working group to consider littering during the 2011/12 municipal year. This was subsequently re-established by the Community Services and Environment Scrutiny and Performance Panel in 2012/13 to allow it to complete its investigations.

Terms of Reference

The terms of reference were considered by the working group and subsequently approved by the ESPP on 12 January, 2012.

The objective of the working group was to review the operation and effectiveness of the Street Cleansing Service and make recommendations to Cabinet

The full version of the working group's terms of reference can be found at Appendix (1) to this report.

The working group was supported by the following officers:

Mark Holden	Head of Street Pride
Dave Roberts	Service Manager - Operations
Neil Picken	Senior Democratic Services Officer

Methodology

The working group held several meetings, hearing evidence and discussing issues in depth with officers of the Council.

Witnesses

The working group met and discussed street cleansing with the following:

Paul Hinton	Senior Planning Officer (Enforcement)
Paul Rooney	Deputy Manager - Environmental Health
Dominic Patouchas	Solicitor – Legal Services
Gary Brookes	Walsall Housing Group (mtg on 29/8/12)
Stephen McGregor	Walsall Housing Group (mtg on 29/8/12)
Dean Davies	British Waterways (mtg on 29/08/12)

Report Format

The report is a summary of the evidence the working group received along with comments and suggestions for future action.

Context

There are 2.25 million pieces of litter dropped in the UK every day (Symphony Environmental Study 2005) with local authorities spending a total of £760 million on street cleansing in 2010/11 (Department for Communities and Local Government (2011), (*Local Authority Revenue Expenditure, England 2010-11: Statistical Release*)).

Within Walsall, Streetpride hold responsibility for street cleansing whilst enforcement activity is spread amongst a number of departments. The working group have sought to ensure that services are operating effectively and that enforcement activity is robust and active to deter people from littering.

Littering and Legislation

The Environmental Protection Act (EPA) 1990 imposes duties under section 89(1) and (2) on certain landowners and occupiers (these are duty bodies of which one is the Council) to keep specified land clear of litter and refuse. Additional responsibilities lie with local authorities and the Secretary of State to keep clean public highways for which they are responsible.

Section 87 of the EPA says that if a person throws down, drops, or otherwise deposits and leaves any thing so as to cause the defacement of a public place he or she is guilty of an offence.

The Clean Neighbourhoods and Environment Act 2005 (CNEA 2005) widened this definition of litter to include anything dropped on public and private land and rivers, ponds and lakes.

Littering and Communities

Litter can be dangerous, unhealthy, and it can persist in the environment for a very long time. It can also trap, suffocate, strangle and poison wildlife.

One of the most detrimental impacts of a heavily littered area is that it can lead to the 'broken window syndrome' effect – more litter, dumping of rubbish, flyposting, graffiti, vandalism, increases in anti-social behaviour and a lack of respect mentality establishes itself. It affects local communities, the people who live there and contributes to a lack of pride in neighbourhoods.

Littering and Behaviour

All sorts of people drop litter, and there are many reasons given as to why this might be. There are numerous theories as to what would stop people from littering. People also have all sorts of excuses for littering. Reasons for littering include:

- People don't appreciate the consequences of littering;
- The belief that littering 'keeps people in a job';
- There aren't enough bins;
- Bins are in the wrong location;
- Bins are already full and not emptied frequently;
- The lack of education in schools/poor parenting;

- No real risk of prosecution/fines;
- Certain areas with high concentration of littering lead people to think it's okay to litter as the area is dirty anyway – a loss of pride in communities;
- Acts of defiance or rebellion – anti-authoritarian;
- Bins aren't suitable for cigarette ends;
- There are worse things in the world to worry about than litter.

The four most commonly found types of litter in the UK include:-:

- *smoking-related litter* - cigarette ends, boxes and wrappers, matches and lighters
- *drinks related litter* - plastic and glass bottles, cans, ring pulls and straws
- *sweet wrappers* - including crisp bags
- *fast food litter* - pizza boxes, fish & chip wrappers, plastic cutlery, sandwich boxes, paper bags and discarded food.

The last three can be broadly grouped together under the heading 'food on the go', or food-related litter - one of the biggest (and growing) problems we face in our local communities.

In relation to smoking related litter Members recommended that:-

- **Consideration be given to attaching additional ash trays/chewing gum bins to lamp posts, particularly within the town and district centres, to encourage people to dispose of cigarette ends properly;**
- **The Council approach local businesses such as pubs which have exits/entrances onto the public footway to encourage them to erect wall mounted ash trays to help prevent the accumulation of cigarette ends around entrance/exits to these premises;**
- **The feasibility of purchasing 'Butt Pouches' for smokers to store their cigarette butts in until they are able to dispose of them be explored and if possible a publicity event be held in the town centre to raise awareness of the impacts and costs of littering and distribute free butt pouches.**

Other types of litter include chewing gum, other food waste (e.g. banana skins), and litter such as syringes, sanitary waste and condoms.

Litter can also originate from:

- household waste – rubbish escaping from wheelie bins that are too full or bags that have burst;
- business waste – where the waste has not been securely contained or has been put out for collection too early or too late;
- construction waste – includes rubbish left over from building sites or roadworks;
- other – for example packaging waste which has escaped from a moving vehicle, or an exhaust pipe or hub caps that have fallen off.

Littering and Standards

There is a guide for duty bodies, set out in the code of practice on litter and refuse, which sets out the standards to which land should be cleansed. The guide is matrix based on 4 zones (based on the use of an area) and 4 grades of littering. The more intensively an area is used the cleaner it has to be kept, and if the area falls below standard, the quicker it has to be brought back to standard.

The four zones are:-

- High intensity (busy public areas);
- Medium intensity use ('everyday' areas, including most housing areas occupied by people most of the time);
- Low intensity use (lightly trafficked areas that do not impact upon most of the people most of the time);
- Special Circumstances (situations where issues of health and safety and reasonableness and practicability are dominant considerations when undertaking environmental maintenance work).

In relation to grades, the pictures below (taken from the Code of Practice on Litter and Refuse) show examples of the grading principles in different settings:-

Set A – Litter and refuse in both relevant highway and hard surface setting:-



Grade A
No litter or refuse



Grade B
Predominately free of litter and refuse apart from some small items



Grade C
Widespread distribution of litter
And/or refuse with minor accumulations



Grade D
Heavily affected by litter and/or refuse with significant accumulations

Response times:

Each zone has a recommended maximum response time to restore an area to an acceptable standard.

Members noted that whilst this was not enforced, Walsall Council still strive to reach these standards.

High intensity of use	Medium intensity of use	Low intensity of use	Special circumstances
1/2 a day This means by 6pm if reported before 1pm or by 1pm the next duty day if reported between 1pm and 6pm on the previous day	1 day This means by 6pm the following evening	14 days	28 days or as soon as reasonably practicable

Littering and the Council

Who is responsible?

Cleansing services in Walsall are undertaken by Streetpride. The cost of this provision is £1.75m (including Walsall Town centre 'Gold Standard') a year.

Members noted that the cost of the service had been reduced from circa £2 million in previous years. The reduction was a result of smarter working, a re-organisation of the service, cutting the numbers of appliances like street sweeping vehicles, adopting a zoning approach and revising job designations so that the workforce is more flexible.

Where is it located?

A new purpose built depot in Pelsall Lane, Brownhills was built in 2010/11.

Approximately 400 staff are based at the site which includes office space as well as a base for 52 refuse vehicles and grounds maintenance teams. Social services staff and other teams are also based at the new hub.

How does it operate?

Cleansing operations within the borough are split into zones. There are 10 zones with the addition of the town centre which has its own allocated resources and budget to maintain it to a 'Gold Standard'. The allocated resources to each zone are shown on appendix (2).

The zoning approach was adopted in December, 2011 and ensures that the entire borough is maintained. Crews are flexible and able to be deployed to other zones if required. Environmental Operatives main duties include:-

- Carrying out skilled and unskilled tasks involved in the maintenance of all sports facilities/cemeteries/horticultural/arboricultural/street cleansing features anywhere in the borough;
- Safe application of approved pesticides;
- Day to day deployment and organisation of available resources;
- Ensuring all works are carried out to the clients specification, both efficiently and economically;
- Driving the full range of vehicles/plant in a safe and presentable condition;
- Liaising with other members of staff/customers, members of the public, etc;
- Maintaining all necessary roads, e.g. work roads, timesheets, etc;
- Ensuring that urgent client/customer requests are dealt with in a prompt and courteous manner;
- Promoting a positive image and enhancing the reputation of the Service Area.

Crews allocated to each zone are now multi-skilled environmental operatives and so can undertake a variety of tasks such as litter picking, identifying and reporting areas of fly tipping or indeed assisting on winter gritting duties. This approach enables a much more flexible service to be carried out.

What’s cleaned?

Street Pride arranges the cleansing of public highways in the borough of Walsall including:

Carriageways	Roundabouts	Traffic islands	Highway verges
Recycling centres	Central reservations	Footways	Lay-bys
Paved areas	Service roads	Footbridges	Subways
Car parks operated by Walsall Council			

They also carry out specialist cleaning including:-

- Pressure washing of the town centres
- Chewing gum removal by steam cleaning

The cleansing force responds to reports of fly tipping, graffiti and fly posting. They also provide, empty and repair litter bins.

Commitments

Street Pride make the following commitments:-

- Our cleansing operations will respond promptly to complaints of litter or fly tipping on the highway.
- We will wash and disinfect certain town centre areas as required.
- Most larger roads are subject to the seasonal treatment of weeds and collection of leaves.

- We arrange for the emptying of gullies on a cyclical basis, dependent upon location, and the subsequent danger to road users of flooding should the gully become blocked.
- We arrange for the removal of dead animals from the public highway.

We will inspect your street regularly and sweep or pick up litter as necessary at the following frequencies:

- Busy town centre streets: 1 to 4 times per day
- Quieter town centre streets: 1 or 2 times per week
- Residential streets: between weekly and every 6 weeks
- Arterial roads: fortnightly

Members welcomed the hard work by officers to devise the new zoning system for the organisation of street cleansing crews and see it as the best solution to deal with reductions in frontline staffing. However, Members are concerned that this 'bare to the bone' staffing situation leaves the service with little additional slack to deal with unknown or unexpected incidents such as flooding and the subsequent 'pulling' of crews to such incidents could leave some areas missing the service provision that residents expect.

Littering and Partnership Working

During deliberations Members of the working group were keen to discuss street cleansing with other Partners. The Council could only cleanse those areas within its remit and complaints were often received by residents in areas which were not within the gift of the council to address.

Walsall Housing Group (WHG)

WHG have 18 Neighbourhood Impact Officers (NIO's) who carry out regular inspections of high and low rise blocks to ensure that communal areas were kept clean, clear and in good repair. However, it was revealed that this only applied to areas where residents paid a service charge. Whilst Members noted that contractors were appointed to inspect other areas not funded by a service charge they remained concerned that many areas of WHG property, in particular certain types of flat complexes and garage areas where significant instances of littering and fly tipping take place were not sufficiently inspected. In addition, WHG contracted Pinnacle to undertake its cleansing and grounds maintenance work on 1st April, 2012 until March 2017 at a cost of over £7.5 million over the duration of the contract. WHG advised that they were reformatting operations to ensure that litter picking was not duplicated within a short timeframe as this was not the most effective way of approaching litter collection. A business improvement team were reviewing the existing process to deal with enquiries by elected members. WHG further advised that they were in consultation with Walsall Council to trail a new approach to fly tipping.

Members were pleased to hear that Street Pride were in consultation with Walsall Housing Group (WHG) in relation to fly tipping problems on Council and WHG land. A pilot had been established from July, which would be subject to initial review in September 2012, entailing collection of reported fly tips regardless of land ownership if resource have been deployed and found to be the other parties land. This is for works up to circa 1 tonne (a van load) of

material. The review will determine financial implications, if any, to either party and whether there is an improvement in response time and impact on cleansing standards to residents. Outcomes of the review are with the intent to work closer in the future to manage the cleaner neighbourhood agenda in a more collective way.

Canal & River Trust

Littering costs the Canal & River Trust circa £431k per year. Hotspots within Walsall included Walsall Town Arm, Walsall Lock Flight, Woodward's Bridge (Pleck Road), Scarborough Road, Bentley Wharf Bridge and Forest Lane Bridge. It was noted that Pleck and Darlaston Areas were the worst affected by littering.

Boaters who lived and travelled along the canal network were predominantly very responsible and suitable waste collection sites are located at a number of sites including Sneyd Wharf, Walsall Top Lock, Ocker Hill, Perry Bar Top Lock and Rushall Top Lock.

Enforcement activity by the Trust was rare. The C&RT had a significant network (over 275 miles of canal) which made identifying and gaining sufficient evidence of offences very difficult. The C&RT had good relationships with Local Authority enforcement teams whom offered advice when serious fly tipping occurred.

Volunteer and probation activity was high with over 280 volunteer days and 1460 probation service days specifically on litter collection.

The C&RT stated that they were keen to work with Walsall Council to establish whether there was any scope for collaborative working. Litter was an issue that affected all areas of the borough and waterways are no exception.

Members were supportive of the high level of volunteer and probation work and were keen to identify any areas in which the Council could work together with the Canal & River Trust to tackle the issue of littering. It was recommended that the Canal and Network trust be invited to a future meeting of the Community and Environment Scrutiny and Performance Panel to provide a presentation and explore opportunities for partnership working.

Littering and Enforcement

The Council has a number of powers available to address littering.

Members of the working group felt that a strong approach to enforcement was required in order to change people's behaviour and agreed that the Council should use every tool available to try to reduce the impact of littering on the borough.

Details of the available tools are summarized below:-

Litter Control areas

A council can designate an area of private land to which the public have access as a litter control area. The occupier of the land has a duty to keep the area free of litter and waste.

Members noted that Walsall had not yet embraced powers to designate litter control areas and recommend that this be explored further with a report provided to a future Community Services and Environment Scrutiny and Performance Panel. This should include evidence gathered from authorities who have used this power, the effectiveness and costs involved in doing so and the possibility of using one of the District Town Centres as a pilot with the possibility of extending it to the entire Borough

Litter Abatement Notice

Anyone with a duty to keep land free of litter can be served with a litter abatement notice. The notice requires the occupier to clean up land within a specified time. Failure to do so can result in a fine.

Street Control Notice

The Council can serve a street litter control notice to the owner or occupier of a certain business if the area around their premises is littered. The notice makes them responsible of keeping the area litter free.

Members noted that the Council had not served any Street Control Notices and recommended that this option be pursued further by officers with an update being submitted to the Community Services and Environment Scrutiny and Performance Panel.

Councils can designate areas where it is an offence to distribute leaflets and fliers without consent.

The Town and Country Planning Act 1990 allows councils to serve a notice on the owners and occupiers of land and buildings, requiring the land and/or building to be tidied up if the condition of the land adversely affects the amenity of the neighbourhood.

Members noted that from June 2011 to June 2012 60 complaints had been received in regard to land and buildings considered to be an eyesore by local people. Members also noted that these were not litter specific and usually related to vacant properties that had been left to decline, resulting in overgrown gardens, broken windows, perished timber work or missing roof tiles. 39 warning letters with a schedule of works required had been issued to owners. Improvements had been undertaken in many cases.

Members were encouraged that with this aspect of enforcement a number of formal legal notices had been served requiring works to be undertaken and one case of non compliance was being prepared for prosecution.

Fixed Penalty Notices

In Walsall Authorised Officers can issue offenders with Fixed Penalty Notices (FPN), as an alternative to prosecution for littering offences, as there is no criminal record recorded if the fine is paid and the penalty is less than that of conviction for littering. The fixed penalty should be paid within 14 days. Should a person fail to pay the fine within the prescribed time prosecution proceedings will be undertaken.

The cost of a FPN is £80.00 and there is no provision for early payment discount.

Members expressed their concern that there had been a dramatic drop in the number of fixed penalty notices issues by the Council in recent years, from 163 in 2007/8, to 78 in 2008/2009, 22 in 2009/2010, 2 in 2010/2011 and 5 in 2011/2012. Members believe this has left the council in a situation where much the same as with dog fouling, that members of the public know there is little or no chance of any action being taken by the local authority to acts of littering.

Members noted that Walsall had 5 Full Time Equivalent Enforcement Officers although littering offences were only part of their role which includes investigating complaints about Domestic/commercial rubbish accumulations, fly tipping, void properties, filthy and verminous premises, highways enforcements (verge parking/damage, overhanging vegetation and obstructions) and counterfeiting.

Although Members welcomed flexibility in terms of staff undertaking different roles, they are concerned that, due to workloads, staff whose jobs on paper cover litter enforcement do not have the practical time to deal with it as an issue. It is a concern that given the nature of jobs these staff undertake that litter enforcement slips down the order of priority.

During 2011/12, 86 littering complaints were investigated by Enforcement Officers and 5 FPNs were issued.

Comparisons were made with Sandwell Council who had issued 975 FPNS for littering in 2011/12. This was due to the fact that Sandwell had 25 officers whose duties were not as varied as those at Walsall. It was also part of a designated street based warden service with each officer having delegated power to issue fixed penalty notices. Walsall abolished its warden service in 2002 in favour of funding Police Community Support Officer's (PCSO's). Although this has led to reassurance levels of a uniformed officer on the beat, it has meant the Council lacks control over dealing with minor issues such as littering as PCSO's take their operational priorities from the police and not the local authority. The number of staff at Sandwell had been reduced to sixteen from April 2012 and the focus of these roles has been amended to include responsibility for locking up parks and cemeteries. No FPNs had been issued by Sandwell for littering from April to July, 2012.

Officers highlighted that issuing fixed penalty notices was difficult and often required police presence to ensure that a person gave their correct details. Litter patrols were operated around the borough however this was dictated by the availability of police support/priorities and competing areas of complaint work.

Members recommended that the use of headcams by officers with authority to issue FPN's be explored as this would provide clear evidence of the offence and encourage those littering to comply with giving their details as they were on film. It would also aid in deterring abuse from difficult members of the public and act as an additional safety factor for staff.

Officers stressed that the presence of Enforcement Officers/Police in the street or uniformed Rangers in parks went some way to act as a deterrent.

Officers advised that Park Rangers now had a duty for litter enforcement in parks and green spaces in March, 2012. 20 rangers had received litter enforcement training. Ten of which were now able to engage the public and issue FPN's. 10 Park Rangers were only able to perform an educational role.

The Council previously had a Litter Officer in post however this was deleted during a restructure in 2010. This impacted on the number of FPNs which fell from 78 in 2008/2009 to 5 in 2011/12.

Members were disappointed that the numbers of FPNs were low in comparison to Sandwell but appreciated that resources and roles were very different. Walsall's Enforcement officers had 1481 complaints for other areas under their remit such as domestic rubbish accumulations which generated higher volumes of complaints from the public.

Members of the working group, aware of budget pressures, agreed that it would be unwise to channel all resources into enforcing littering, such as appointing a Littering Officer, as it is just one of many issues that the borough face.

It was recommended that:

- **Officers investigate the feasibility of training all Environmental Operatives with powers to issue FPNs as they were on the ground everyday;**
- **All Park Rangers undertake training to enable them to issue FPNs;**
- **Further high visibility patrols be undertaken to deter people from dropping litter;**
- **The costs of procuring headcams for all officers with appropriate training and authority to issue Fixed penalty notices be investigated as this would provide evidence of offences and encourage the public to comply with providing details in the knowledge that they were being filmed;**
- **Officers explore the crossover between the anti-social behaviour unit and enforcement in general to improve targeting and cross departmental working;**
- **The costs of procuring headcams for all officers with appropriate training and authority to issue FPN's be investigated as this would provide evidence of offences and encourage the public to comply with providing details in the knowledge that they were being filmed.**
- **The feasibility of introducing a quick payment reduction for FPN's be investigated.**

Future powers

The Government plans to introduce a Community Protection Notice (CPN) issued to an individual or responsible person in a business or other organisation, to deal with problems negatively affecting the community. This could be used to tackle the impacts of a range of ASB including littering. The notice would be issued to stop persistent, unreasonable behaviour that is detrimental to the amenity of the locality or is having a negative impact on a community's quality of life. The notice would replace Litter Clearing Notices and Street Litter Control Notices.

The CPN will not be designed to be issued for a single incident. Informal measures including FPNs would be used initially to elicit a change in behaviour. A CPN would only be issued if these measures failed. Non-compliance with a CPN would be a criminal offence, punishable by a fine of up to £2,500, or £20,000 for businesses. The Local Authority would have the option of issuing a FPN, rather than pursuing prosecution.

Littering and Education

Government guidance states that local authorities should refrain from issuing FPNs to juveniles so as not to criminalise them.

Enforcement Officers have recently undertaken litter patrols in vicinity of schools with litter problems. These patrols have been used by Officers to both warn and educate school children caught littering. Additionally, letters with both warning and educational content have been sent to the parents of offending children informing them of their child's offence.

Since the deletion of the Litter Officer's post litter educational activities within schools have not been undertaken. However, Reassurance Officers from Public Safety and an Education Officer from Street Pride are examining possible ways of reintroducing litter educational activities within schools. They are considering a package called "Youth Litter Awareness Programme" but on a larger scale which can be incorporated into the citizenship curriculum within schools. The programme is also looking to instigate restorative activities with schools which include litters picks around schools as an alternative to issuing FPNs.

Members expressed great concern at the withdrawal of educational activities within schools following the cuts to the Litter Officer's Post and as a matter of urgency call for their reintroduction.

Other educational activities that could take place include:-

- **Making online posters available for residents to print and display, as seen at Sandwell Council;**
- **Using Youth Offenders or Community Payback to undertake promotional activities about preventing litter;**
- **Rewarding and/or recognising those who picked up other people's litter.**

Littering and New Initiatives

A new Litter Clearing Notice Procedure has recently been drafted and a trial of its use commenced. The procedure revolves around requiring the occupiers of heavily littered land to clear it. Should the occupier fail to do so the Council can clear the land and recharge for costs incurred, serve a FPN of £110 or if failure to pay the FPN take the matter to Court where the maximum penalty is £2500.

The working group welcomed this initiative and requested that an update on the outcome of the trial be reported to a future Community and Environment Services Scrutiny Panel

Conclusion

Disposing of litter inappropriately is unacceptable. Not only is it anti-social and unpleasant, littering is also illegal, and those who throw down, drop, or deposit and leave litter in any place, can be fined or face a court prosecution. Whilst many believe that disposing of a sweet wrapper by discarding it on the streets is insignificant, the culmination of many people thinking the same means that areas can soon become degraded by litter and can give rise to a sense of civic shame and fear of crime, and set the scene for other environmental crimes and anti-social behaviour such as fly-tipping and graffiti.

The working group recognise that the Council has been placed under very strict financial control due to the continuing national economic situation. Given this, the working group were pleased to see that the service was operating efficiently and effectively thanks to recent restructuring and a more flexible workforce. The Working Group has tried to offer recommendations that enhance the work of the Council without requiring further spending.

Recommendations

- 1. That a report be submitted to a meeting of the Community Services and Environment Services Scrutiny and Performance Panel detailing:-**
 - a) The feasibility of designating litter control areas. This should include evidence gathered from authorities who have used this power, the effectiveness and costs involved in doing so and the possibility of using one of the District Town Centres as a pilot with the possibility of extending it to the entire Borough;**
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Walsall Council Scrutiny and Performance Panel Work Group
Initiation Document

Work Group Name:	Littering Working Group
Panel:	Environment
Municipal Year:	2011/12
Lead Member:	TBA
Lead Officer:	Mark Holden
Support Officer:	Neil Picken
Membership:	Councillor Carpenter, Creaney, Fitzpatrick, Ilmann Walker
1. Context	
	The Environment Scrutiny and Performance Panel identified littering as a potential Working Group when setting the work programme for 2011/12. An informal meeting was held with representatives of the Environment Scrutiny Panel to discuss and draft an initiation document on Monday 12 December, 2011.
2. Objectives	
	To review the operation and effectiveness of the Street Cleansing Service and make recommendations to Cabinet.
3. Scope	
	<ul style="list-style-type: none"> • Financial Resources • Staffing Levels • Litter Bins • Leaf Collections • Reviewing the Street Cleansing Report • Litter Bins • Physical Resources (Fleet and mechanical) • Fly Tipping • Walsall Town and District Centres • The effectiveness of Zoning Arrangements (Cleansing Teams) • Reporting Processes • Greenspaces • Powers of Enforcement • Legal requirements/Choice Functions • Education/Awareness
4. Equalities Implications	
	Careful consideration will be given to ensure that the working groups report and recommendations do not unfairly disadvantage any resident under the six strands of equality.
5. Who else will you want to take part?	
	<ul style="list-style-type: none"> • Greenspaces Representative • Rob Mitchell (Area Manager – Street Pride - Operational) • Caulie Grant (Senior Technical Officer – Street Pride) • Representative of the Town Centre Managers

	<ul style="list-style-type: none"> • Representative of the Area Managers • Enforcement • Other Duty Bodies 		
Timescales & Reporting Schedule			
Initial meeting shall be scheduled w/c 16 January, 2011 once membership agreed. It is anticipated that subsequent meetings shall take place fortnightly until such time that sufficient information has been gathered to inform the Working Groups Final Report.			
Risk factors			
	Risk	Likelihood	Measure to Resolve
	Review shall not be completed by April 2012. This could see members of the Working Group move to other Panels and consistency of membership would be lost.	High	The Panel and Working Group shall take a view as to whether to defer the working group until 2012 or choose to proceed. If the latter, the Working Groups work would be rolled over into the 2012 Municipal Year if required.

Date Agreed:		Date Updated:	
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Appendix 2

Street Cleansing Resources 2012/13															
	Walsall Town Centre	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Borough Wide			
		Walsall North	Palfrey & Pleck North	Darlaston & Pleck South	Willenhall South & Short Heath	Willenhall North & Leamore	Bloxwich & Blakenall	Shellfield, Rushall & Aldridge	Brownhills & Pelsall	Aldridge, Walsall Wood & Streetly North	Pheasey, Paddock & Streetly South	Mechanical Channel Sweeping	Mechanical Footway Sweeping	Miscellaneous Graffiti, LHS, Bulkies, Toilets	
Full time employees	11	4	4	4	4	3	4	3	4	3	3	3	5	6	61
Mechanical footway Sweepers	2												6		8
Mechanical Pedestrian Sweeper	1														1
Mechanical Hot Jet Washer	1														1
Transit van with Edge Grimebuster Hot Washer	1														1
Multi Use Transit Vehicle for????	1	1	1	1	1	1	1	1	1	1	1			3	14
Towable "Miraclean" Chewing gum removal machine	1														1
Mechanical Channel Sweepers												3			3
18T refuse collection vehicle														1	1