

Report to Scrutiny Commission

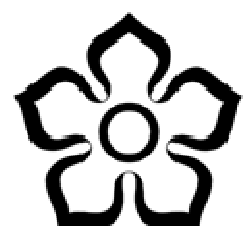
Neighbourhood Services and Community Involvement Scrutiny Commission

Date of Commission meeting: 9th April 2014

City Warden Service

Assistant City Mayor Sarah Russell

Lead Director Frank Jordan



Leicester
City Council

Useful information

- Ward(s) affected: All
- Report author: Malcolm Grange Head of Regulatory Services
- Contact details 0116 454 3111

1. Summary

This update report highlights progress made by the City Warden Service implementing changes arising from a review of enforcement services carried out in June 2013.

2. Recommendation(s) to scrutiny

The views of the Commission are sought on the working arrangements and priorities for the City Warden Service.

3. Supporting Information

3.1 Introduction

At the scrutiny commission on Tuesday 20th August 2013, Councillor Russell, Assistant City Mayor gave an overview of the City Warden Service since its inception in 2008/09 and how it had developed over the years.

This service was established with the aim of improving the quality of the local environment through education, community engagement and enforcement. In particular, City Wardens were empowered to issue fixed penalty notices (FPNs) for littering and other new environmental/ASB offences under the Clean Neighbourhoods & Environment Act. They were also charged with local problem-solving, which often involved working collaboratively with other enforcement services across the council, the Police and other agencies.

On-the-spot environmental enforcement is undertaken by the City Wardens including :

- Fixed penalty notices for littering offences.
- Fly tipping (low level incidents).
- Fixed penalty notices for graffiti & fly-posting offences.
- Fixed penalty notices for unauthorised distribution of free printed material.
- Fixed penalty notices for Dog Control Order Offences.
- Fixed penalty notices re waste receptacle offences (e.g. bins on pavements).
- Nuisance parking offences (i.e. commercial sales or repairing on highway).
- Failure to comply with Street Litter Control Notice (e.g. takeaway litter).
- Failure to produce waste transfer/license documents.
- Removal of unauthorised highway signs.
- Smoke free offences

The half yearly figures for the number of FPNs issued by the City Wardens this year compared to

the corresponding period last year is attached at appendix 1.

There is sufficient budget for 15 City Wardens and we currently have one vacancy which has been externally advertised with candidate interviews proposed for April. Each ward has a named warden but some wardens cover more than one ward. Once the service has recruited and has a full establishment details of which City Warden covers which ward(s) will be provided for local Ward Councillors. To help improve mobility and responsiveness the use of electric bicycles is to be trialled during the Summer months particularly for those wardens working outer city wards.

The Director of Environmental and Enforcement Services also presented a report at the scrutiny meeting on the 20th August 2013, summarising the changes to the City Warden Service following a review he had undertaken in June 2013. The aim of the changes introduced was to build upon the successes of the City Warden Service and to develop the service within a new enforcement model. Significant new work was identified within the remit of City Wardens and these new roles and responsibilities were planned to be rolled out gradually over the year. The progress so far includes :

Highways Licensing Enforcement. Since June 2013 the city wardens have had responsibility for the enforcement of unlicensed skips, scaffolding and hoarding licenses. There had been major problems around non-compliance before this function transferred in to Regulatory Services. Working with the Licensing Team, the City Wardens have raised awareness of the need to license within the trade and undertook nearly 300 unlicensed investigations. Incidents of overflowing and unattended skips have significantly reduced across the city as highlighted in the case study at appendix 2.

Rubbish on private land. Since October 2013 the City Wardens have been responsible for using powers to ensure waste on private land is not left to accumulate but is removed. This includes rubbish dumping, untidy front gardens and low – level “eyesores”. Some 300 investigations have so far been conducted and appendix 2 shows some typical examples of this type of work.

From April 2014 the City Wardens will be entering the final phase of service change as they begin to work proactively to tackle untidy front gardens and alleyways and take on more street activities in the city centre including street traders etc. It is important during this phase that resources are carefully assessed relative to the emerging workload.

A presentation given by the local City Warden at a recent Freeman Ward Community Meeting is attached at appendix 3 as an example of the range of work undertaken at a local level.

Parking Enforcement

The parking enforcement service was brought in-house on 1st February 2013. One of the main reasons for this decision was to enable the service to be integrated more with other council enforcement services and the council's City Warden service in particular. The immediate priority has been to manage the transition of these services to the Division and ensure good working arrangements between the two services, whilst during the same period; the City Warden Service adjusts to its new, expanded remit and working arrangements.

Prior to this transfer, it had already been decided that the parking enforcement service would deal with littering and dog fouling problems as encountered in the course of their patrols and issue Fixed Penalty Notices (FPNs). Three Parking Enforcement Officers have so far been trained and authorised in the use of litter and dog fouling FPNs and this will be extended to the remaining staff once vacant posts have been filled. At this point management will seek to identify and evaluate

any further opportunities for closer working and integration of the two services. The need for City Wardens to undertake routine litter patrols in areas patrolled by the parking enforcement service will also be assessed. However, many areas of the city, including littering hot-spots such as the pedestrianized areas of the city centre, are not subject to parking controls and hence would not be covered by their patrols.

4. Financial, legal and other implications

4.1 Financial implications

There are no significant financial implications arising as a result of this report. The City warden's revenue budgets were recently reviewed and new budgets have been put in place to reflect the new arrangements of the service area.

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4.2 Legal implications

The relevant policies on recruitment and training must be adhered to in the process of expanding and developing the staff groups referred to within the report.

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Solicitor

For City Barrister and Head of Standards

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4.3. Climate Change implications

Potentially, the expanded role of City Wardens could have a small positive impact on the Council's carbon emissions arising from travel, by reducing the need for different staff to travel to the same area to undertake enforcement work. Similarly, the use of electric bicycles could have a positive impact if these were to be used in place of cars or vans.

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Senior Environmental Consultant,

Environment Team.

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4.4 Equality Impact Assessment

The key equality issues facing wardens while delivering the service are potential

language barriers with residents where they do not or pretend to not speak English which makes it more difficult for wardens to pass on information and advice; and offensive behaviour of residents, which at times can be based on their protected characteristics, reflecting the lack of respect for wardens by some people. The team is discussing ways forward on these issues with equalities officers. The service affects residents across all protected characteristics, and has a positive impact in improving the environment of the city for all residents to enjoy.

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Corporate Equalities Lead

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4.5 Other Implications

None.

5. Background information and other papers:

None.

6. Summary of appendices:

Appendix 1. FPNs issued by the City Wardens half year 2012/13 & 2013/14

Appendix 2. Case Studies.

Appendix 3. Local ward issues

7. Is this a private report? No

Appendix 1 FPNs issued by the City Wardens half year 2012/13 & 2013/14

FPN figures for September to March		
OFFENCE	2013	2014
Breaching of a Dog Control Order Permitting Dog to Enter Land Excluding Dogs	7	1
Breaching of a Dog Control Order Failed to Remove Faeces	35	9
Breaching notice in Respect to Domestic Waste Receptacles	181	16
Distribution of Free Printed Matter on Designated Land	45	23
Failed to Display a No-Smoking sign in a Smoke free Premise/Vehicle	14	2
Failing to Furnish Documents Requested	4	27
Fly Posting	5	4
Leaving Litter	475	223
Nuisance Parking	5	1
Smoking in a Smoke free Premise/Vehicle	173	62

Appendix 2. City Warden Case studies

Overflowing Skip Oak Street



A complaint was received regarding a skip on Oak Street overflowing into the road. A visit was made to the property to speak to the home owner and to ascertain who the skip belongs to as it was not licensed. The skip company was contacted and written to asking them to remove the skip and the rubbish in the road. The skip with rubbish was removed but no license was received.

The company has since had 19 unlicensed skips out on the highway; all of these have had breaches of conditions such as no lights, coning or insufficient information on the skips and no liability insurance.

The owner has been advised in writing of his responsibilities under the licensing scheme and invited on five separate occasions to meet the wardens to discuss the situation. The wardens are in the process of putting together our first prosecution file.

Devina Road Waste Transfer Station



The wardens received a complaint concerning the storing of skips on the pavement on Devana Road. The wardens visited the site which had numerous skips in a yard and also on the pavements. The warden contacted the owner of the skips to make them aware of the legislation and that any skips left on the highway must be licensed. Further checks were made by the wardens to ensure that the site was licensed as a waste transfer station with the Environment Agency. Due to the warden's work it was found to neither be licensed nor registered with the Environment Agency. The warden contacted the Council's Planning to make them

aware and it transpired they did not have planning permission and that the site should have had two houses on it.

The site no longer has the skips there nor the transfer station and our Planning are still dealing with the site.

Untidy Land Syston Street East

Before



After



The empty land on Syston Street East had been left untidy for nearly 4 years and was getting worse. Upon inspection the surrounding fencing had been damaged and vehicles had driven onto the land and dumped rubbish, it was also very overgrown.

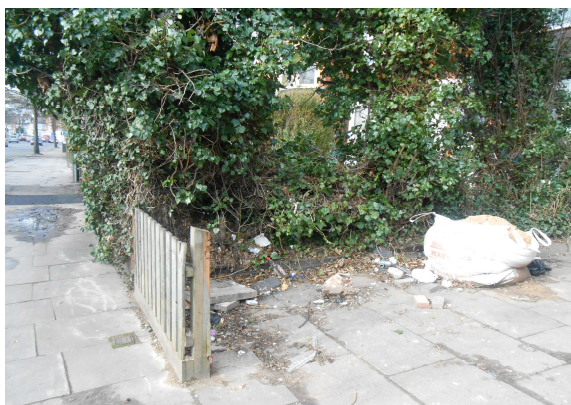
A land registry search revealed ownership and they were written to with copies of all of the photographs taken. No work had been started within the required deadline, so with help of Planning a warning letter was issued and two weeks later the owners started work to clear the site.

Untidy Front Garden Uppingham Road.

Before



After



A complaint was received about an untidy front garden on Uppingham Road. A land registry search revealed that it was a private land lord who owned the site. The warden wrote to him including photos of the site. He telephoned the office and apologised stating that he did not know what the land was like and offered to get it cleared up. The site was cleared a couple of weeks later without any enforcement action having to be taken.

Dannett Street Alley Way

Before



After



This alley way was brought to the wardens attention at the Ward Community meeting as it was unstable, being used for anti-social behaviour and was also accumulating litter. All of the residents who backed onto the alley way were consulted and the dangerous wall removed and new alley gates installed using the Street Scene Environmental fund.

CITY WARDEN SERVICES



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City Wardens,
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These are the main issues that the

City Wardens can help with:

- Educating the public and raising awareness of environmental crimes
 - Work within schools
- Enforcement work on the following issues:
 - Littering
 - Dog fouling, dogs on leads, dogs exclusion from land
 - Bins on the street (domestic and commercial)
- Free distribution of printed material
 - Fly posting
 - Small scale fly tipping
 - Graffiti
- Vehicles for sale on the road
- Repairing vehicles on the road
- Failure to produce waste transfer documents
 - Street litter control notices
 - Highways obstructions
 - Untidy land

FREEMEN WARD

CITY WARDEN SERVICES

Freemen Ward



General patrols throughout the ward and following complaints:

Asplin Road – washing machine dumped on street.

Boundary Road – rubbish on the street, bins on streets, bird feeding.

Cavendish Road – bulky items left out including in front gardens.

Clifton Road – rubbish on the street and in alleyway, commercial bins.

Freemen's Common – rubbish on private land.

Greenhithe Road – mattress dumped on the street.

Heathcott Road – rubbish on private land and one incident of fly tipping investigated.

Helmsley Road – rubbish on private land.

Kingsley Road – rubbish on private land.

Knighton Fields Road East – items on pavement.

Lansdowne Road – bulky waste and problems with bins.

Lothair Road – bulky waste and rubbish on private land.

Park Avenue – unlicensed skip.

Richmond Avenue – side waste.

Sheridan Street – bins on street.

Welford Road – bins on streets, side waste.

Wordsworth Road – litter.

CITY WARDENS WORKING WITH YOU TO IMPROVE THE CITY'S ENVIRONMENT

Putney Road West



Before



After

Babington Row



Before

After