

# **Love Where You Live**

Revised June 2015

## **Rushmoor Borough Council Environmental Improvement Strategy**

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# 1 Introduction

## Environmental Improvement Strategy

Improving the environment and community safety are key aims both nationally and locally. Rising concerns and awareness within the population have meant that expectations for a clean, safe and crime free environment are higher than ever before. In this context, it is important that, in Rushmoor, we are able to deliver some measurable improvements to the quality of life of local people.

This strategy will help us to achieve these improvements by securing improvements to the environment and by discouraging potential environmental offences. It works in partnership with the Safer North Hampshire Strategic Assessment and accompanying Partnership Plan as it looks at achieving improvements to the environment that could help to reduce crime and the fear of crime. It links to the Purpose of the Safer North Hampshire Strategic Partnership.

*'To ensure strategic commitment and joint working to achieve reductions in crime and the fear of crime, to reduce the harmful consequences of drug and alcohol misuse,*

*reduce youth offending and anti-social behaviour'.*

We will continue to work with a number of partners and report our successes through the Community Tasking and Co-ordinating Group.

We are committed to maintaining a clean and safe environment for the benefit of everyone in the borough. This commitment recognises our responsibility to keep the streets and local environment clear of litter, obstructions and other local environmental quality issues.

Rushmoor has an overall strategic purpose to reflect issues, which affect residents. This is directly linked to the aims and objectives of this strategy.

**'Rushmoor Borough Council, working with others to improve the quality of people's lives.'**

In support of our strategic purpose 5 key priorities and themes have been established which contribute to achieving our purpose. We will have regard to these when implementing the aims and objectives of this strategy. We shall in particular take into consideration the following 3 priorities.

### **Protecting and developing a clean, sustainable and green environment.**

Looking after the local environment by continuing to improve the cleanliness and look of the borough and making sure Rushmoor develops in a sustainable way

### **Building sustainable communities capable of meeting local needs by supporting and encouraging local service delivery.**

### **Ensuring quality services that represent good value for money.**

This work is complemented by and supports a number of other strategies and policies.

This strategy will in particular support the aims of the Police and Crime Plan 2013-2017 of the Hampshire and Isle of Wight Police and Crime Commissioner. The Police and Crime Plan 2013-2017 focusses on;

Priority 1 - Improve frontline policing to deter criminals and keep communities safe.

Priority 2 - Place victims and witnesses at the heart of policing and the wider criminal justice system.

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Priority 3 - Work together to reduce crime and anti-social behaviour in your community.

Priority 4 - Reduce re-offending.

In addition it has strong links to Hampshire's Health and Wellbeing Strategy 2013-2018. This focusses on four areas of work:

- Starting well
- Living well
- Ageing well
- Healthier Communities

We believe that working with residents, the public and businesses will play a key role in the success of this strategy, and therefore we will be producing a separate education and communication plan to sit alongside this strategy. This will be updated annually to reflect the needs of our local community.

We will use the resources available to achieve the aims of this strategy; this includes using the resources of our Community Safety team, including their education officer.

Enforcement plays a vital role in maintaining a clean and safe environment by providing information and advice to individuals and businesses regarding regulations and duties. Enforcement

ensures that those individuals and/or businesses that spoil the environment are made accountable for their actions.

The Anti-Social Behaviour, Crime and Policing Act 2014 amends parts of the Clean Neighbourhoods and Environment Act (CNEA) 2005, which introduced powers for local authorities to help tackle local environmental quality problems. The new Act also introduces new powers, which may be useful additional tools to help tackle poor environmental quality and anti-social behaviour, such as litter, graffiti, waste and dog control.

This Strategy sets out how we will use these powers alongside existing powers and our current enforcement work to ensure an effective, consistent and clearer approach to enforcement. It also looks at how we will use other tools to achieve improvements to the environment.

In addition, we will be looking for opportunities to improve the appearance of the area and its facilities.

## 2 Aim and objectives

**To improve Rushmoor's local environmental quality by reducing environmental crime, maintaining, and improving standards of cleanliness across the borough.**

**To work with residents, businesses and visitors to encourage them to play their part in keeping Rushmoor clean.**

This strategy sets how we will adopt a robust and consistent approach to tackling local environmental quality issues across the borough. We will aim through this strategy to reduce the fear of crime and to improve the feeling of safety.

The strategy will link to and support the council's key priorities and themes in particular the following:

**Protecting and developing a clean, sustainable and green environment.**

**Building sustainable communities capable of meeting local needs by supporting and encouraging local service delivery.**

**Ensuring quality services that represent good value for money.**

We will be working to a set of local standards. Details of these are included as an appendix. (Needs Attaching)

Our enforcement work can, and in some cases will extend beyond public land onto adjacent private land where necessary and where it affects the public.

The aim of the strategy is to improve Rushmoor's local environmental quality by reducing environmental crime across the

borough. To meet this aim the strategy has the following objectives -

- We will raise awareness of the importance of good waste management, litter control, dog control, and other local environmental quality issues to everyone across the borough.
- We will work with residents, businesses and visitors to encourage them to work with us on waste management, litter control, dog control, and other local environmental quality issues.
- We will undertake any enforcement action as necessary, in a consistent, open and proportionate manner.
- In appropriate circumstances, we will take enforcement action without education and advice when the severity of the situation dictates.

These objectives are reflected in the Corporate Enforcement Policy, which sets out the enforcement principles adopted by the Council. This approach will ensure that:

- we assist businesses and others in meeting their legal obligations;
- we focus on prevention rather than cure;
- enforcement is carried out in a fair and consistent way;
- we take firm action against those who flout the law

### 3 Scope

#### **Covering waste and local environmental quality issues experienced across the borough on both public and private land.**

The scope of this strategy covers waste and local environmental quality issues experienced across the borough on both public and private land. These issues affect the environmental, social and economic well being of the borough, reduce people's feelings of safety and so have a major impact on the quality of life of those who live in, work in and visit Rushmoor.

All of the issues highlighted in this strategy are important by helping to maintain a clean and safe Rushmoor. We seek; however, to prioritise work on certain issues in order to approach enforcement work in a structured way targeting the predominant issues and areas affecting Rushmoor's environment.

Priority areas for the maintenance of a clean and safe Rushmoor, which are driven by the element described in 3.3, include the following:-

- Flytipping of waste on public and private land (dumped waste) and associated waste offences.
- Litter in parks and open spaces, in high street areas and other highways including smoking related litter, chewing gum and debris from fast food outlets.
- Graffiti in public areas including racially motivated graffiti.
- Irresponsible dog ownership.
- Fly posting.
- Abandoned vehicles
- Damage to the street scene
- Abandoned shopping trolleys.
- Fast food outlets
- Safe Parks

## 4 Implementation & Enforcement

### This Strategy draws on a wide range of officers and resources to meet its aims

Community Patrol Officers  
Community Safety Team  
Members of the Contracts Team  
Environmental Health Officers  
Maintenance Team (Community Payback Team)

Although these officers will carry out the majority of enforcement action we will aim to extend this in the future to other officers within the Council who may, as part of their role, be active in the community. There may be a role in the future for our Waste Contractor.

We will ensure that all officers undertaking enforcement activities outlined in this strategy are authorised in accordance with the Council's scheme of delegation as set out in the Council's Constitution.

We will provide training to ensure all authorised enforcement officers have the skills and knowledge required to undertake their enforcement duties and to ensure a

consistent approach by enforcement officers.

### Awareness Raising and Education

We believe that awareness raising and education are fundamental to the operation of any enforcement work. The community must know and understand what standards are expected of them so that they can operate to these levels. We aim to carry out this element of enforcement by providing consistent advice and guidance about relevant duties and responsibilities through face-to-face operations, leaflets, the Rushmoor website, local press, specific campaigns and our work alongside our partners and stakeholders.

A lack of education and knowledge is no excuse. These issues of environmental qualities are well known to members of the public.

We will develop a separate education and communication plan that will support and complement this strategy. We will aim to both support national Local Environment Quality campaigns run by Keep Britain Tidy and local campaigns.

As part of this plan, we will ensure that:

- Information and advice is available at community events – e.g. Donkey Derby, Army Show
- We will provide a visible presence in town centres and neighbourhoods.
- Work with schools and young people.
- Involve the community in our work.
- Develop Neighbourhood Action Plans that recognise community priorities where appropriate
- Information on environmental issues will be available for schools at primary science fairs and at junior citizens fairs
- Restorative justice is used in appropriate cases

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## **4 Implementation & Enforcement**

### **Partnership Working**

The approach of this Strategy relies on strong partnership working. Through partnership working the aim of the Strategy can be met in a shared and efficient manner. In order to seek the most effective operation of this strategy we aim to work with, amongst others, the partners listed on the right.

The partners involved in this Strategy will help raise awareness, through consistent information and advice, to assist in the education of the community regarding their responsibility to help keep Rushmoor clean and safe.

- Aspire
- Army
- Children, Schools and Families Services
- Community Patrol Officers
- Community Safety Team
- Contracts Services
- Driving Vehicle Licensing Association (DVLA)
- Environmental Health Officers
- Environment Agency
- Housing Services
- Keep Britain Tidy
- Neighbouring boroughs
- Network Rail
- Parks and Open Spaces
- Probation Service
- Registered Social Landlords
- Schools and Colleges
- Town Centre Management
- Trading Standards
- Vehicle Operating Standards Association (VOSA)
- Veolia (Council's Contractor)
- Youth Offending Team

## 4 Implementation & Enforcement

### Enforcement Action - General

We recognise the importance of ensuring that all enforcement decisions are consistent, proportionate, clearly explained and relate to common standards to ensure the public is adequately protected. Our officers work to the council's **Customer Care Standards**, which state that everyone must be given the same care and attention no matter what their age, religion, sex, disability, sexuality, or ethnic background. This approach will help ensure that everyone is treated fairly.

We will consider all the relevant information of a case before considering what enforcement action is appropriate and before taking such action.

We may consider the following options in each case.

#### Verbal Warning

Warnings are appropriate for advising offenders about contraventions that are easily remedied. Officers will issue suitable advice and guidance and set an appropriate timescale for remedial action. A verbal warning will be noted in an authorised officer's pace notebook.

#### Written Warning

Officers have the option to serve the offender with a written warning regarding the offence stating the necessary future conduct. The warning will note that no formal action will be taken, but it will stay on file for 12 months and can be used as a factor in any future assessment where a similar offence occurs. We will use this option in appropriate cases.

#### Simple Caution

A Simple Caution - we will use this option for cases involving first time, low-level offences where a Simple Caution can meet the public interest. An admission to committing the offence is needed from an offender, which will be recorded by the Council officer. A Simple Caution forms part of an offender's criminal record and may influence how they are dealt with, should they come to the notice of the Council again. The fact of the Simple Caution may also be cited in court in any subsequent court proceedings. Simple Cautions are not covered under the Rehabilitation of Offenders Act 1974 and therefore, never become spent.

#### Fixed Penalty Notice (FPN)

Authorised Officers will serve FPNs for certain environmental crime offences. FPNs are used as an alternative to prosecution and the alleged offender. See separate Fixed Penalty Enforcement Policy.

#### Serving a Statutory Notice

Some offences require the serving of a formal notice on individuals, businesses or other organisations requiring them to carry out specific legal requirements. Offences of this type include (but is not limited to) street litter control, and abandoned vehicles.

Where we serve notices the notice will explain what is wrong, what is required to put things right and what the consequences are if the notice is not complied with.

#### Seizure

Certain circumstances can lead to seizure of the obstructing item(s) as well as prosecution. The item(s) will be stored and as part of a prosecution a Forfeiture Order can be requested from the Magistrates' Court.

## 4 Implementation & Enforcement

### Prosecutions

We will where the circumstances warrant it and the alternative actions mentioned in the Strategy are considered inappropriate for the offence prosecute. Consideration will be given to the facts leading up to the matter. The Council will also assess whether there is a public interest in proceeding with the matter while taking into account the Corporate Enforcement Policy and Crown Prosecuting Guidelines.

### Criminal Behaviour Orders (CBO)

These will be used to tackle anti-social behaviour and can be applied following a conviction for any criminal offence. Can include prohibitions and positive requirements.

In addition, we will consider the use of:

#### ▪ **Acceptable Behaviour Contracts**

Also known as Acceptable Behaviour Agreements - these are designed as an intervention, which engage an individual in acknowledging his or her anti-social behaviour and its effect on others, with the aim of stopping that behaviour.

#### ▪ **Civil Injunctions.**

We will consider the use of injunction where we consider it expedient for the

prevention or protection of the interests of the residents of the borough.

They will be used to stop certain action or to force a person to perform certain actions.

#### ▪ **Community Protection Notices (CPN)**

These will be considered in appropriate circumstances and will provide an additional tool to support other existing legislation. They may be used for dealing with e.g. Graffiti, dog fouling and persistent begging.

#### ▪ **Public Space Protection Orders (PSPO)**

These will be considered as appropriate to protect public spaces from persistent anti-social individuals or groups

#### ▪ **Direct Action**

We will in some circumstances take direct action to rectify the results of an offence. Examples include the removal of graffiti and waste resulting from flytipping on public land.

#### **Note:**

The listed enforcement actions should not be seen as a sequential procedural list and each case will be judged on its merits.

Investigations will be carried out in line with the Police and Criminal Evidence Act

1984 codes of practice and agreed procedures.

For the purposes of the Criminal Procedure and Investigations Act 1996, a number of named officers perform the function of Disclosure Officer.

For the purposes of the Regulations of Investigatory Powers Act 2000, a number of designated officers are delegated to authorise surveillance operations, which in turn requires the authority of a magistrate.

### Human Rights Act

The European Convention on Human Rights is incorporated into domestic law by virtue of the Human Rights Act 1998. We recognise that the Act requires public authorities to operate in a way that is compatible with those rights, subject to occasions when interference is justified.

We note that the rights likely to be most affected by this Strategy are those under Article 1 (right to peaceful enjoyment of property and possessions), Article 6 (the right to a fair trial) and Article 8 (respect of privacy and family life). We will at all times seek to strike a fair balance between the needs to protect the rights of residents, businesses, and the public interest.

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## **4. Implementation & Enforcement**

### **Fixed Penalty Notices**

A number of offences listed in this Strategy can be dealt with by using FPNs. FPNs may be issued when an authorised officer believes that an offence has been committed. The FPN gives the alleged offender an opportunity to avoid prosecution by payment of the penalty. It is essential, therefore, that FPNs are only issued where there is adequate evidence to support a prosecution if a notice is not paid, and that unpaid notices are followed up. The use of FPNs will improve the effectiveness and efficiency of the enforcement process, resulting in officers being able to focus more detailed attention on more complex and involved cases. There are special considerations when serving FPNs on anyone aged between 10-15. See separate note.

Rushmoor sees the issues covered by FPNs under the Environmental Protection Act 1990 and the Anti-Social Behaviour Act 2003 as important to individuals' quality of life and so wants to send out a strong message, through their usage, to those who deface Rushmoor's environment.

In addition, we will consider the use of FPNs for those offences introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 where an FPN is appropriate.

The Council offers a discount for early payment of some FPNs. The discount period runs for 10 days from the date the notice was served. The FPN must be paid within 14 days of it being served. If the FPN is not paid, the case will be considered for prosecution in the Magistrates' Court.

The use of FPNs is one of the powers we shall use to meet the strategy's aim in an effective and efficient manner. We will retain any funds accrued from the serving of FPNs. These funds will be used to help offset the costs of the enforcement function, by helping fund, for example, operations and publicity or environmental improvements.

We will refer to our Fixed Penalty Notice Enforcement Policy - when considering the service of a FPN.

### **Issuing Fixed Penalty Notices to Juveniles**

We will have regard to our protocol on FPNs and juveniles. We will in the first instance consider the use of our Yellow Card scheme

### **Deterring potential Offenders**

**We will publicise details of successful prosecutions for all types of environmental crime as a deterrent to others.**

## 5 Love Where You Live

This is an initiative that supports our clean, strategic objective and will support our aim to achieve a clean and sustainable environment. We are committed, through this initiative, to supporting clean-up days and will continue to support Rushmoor in Bloom, together with other initiatives aimed at improving the environment.

We will, as part of this strategy, ensure that:

- We will provide clear information to members of the public on how to report areas of concern including environmental offences
- Our streets are cleaned regularly
- Town centre areas will be cleaned daily
- Other areas will be cleaned weekly, monthly or quarterly, depending on need
- Cleansing will be a combination of either litter picking or sweeping
- Abandoned vehicles will be removed within 24 hours, where we are legally entitled to do so
- Offensive/racially motivated graffiti will be removed as soon as possible but always within 24 hours of notification to the Council. This may include removal from private properties – where we receive permission from the owner
- Other graffiti will be removed at the earliest opportunity

- Fly posting will be removed at the earliest opportunity
- Offensive/racially motivated fly posting will be removed as soon as possible but always within 24 hours notification to the Council
- Fly tips will be investigated within 24 hours of the Council becoming aware. The waste will be removed from public land and open space at the earliest opportunity (within 48 hours wherever possible)
- For fly tips on privately owned land, we will require the landowner to remove the rubbish. We will serve notice requiring its removal where appropriate

To complement and support the above action:

- We will pursue those responsible for  
**Graffiti**  
**Fly posting**  
**Fly tipping**  
**Littering**
- We will serve FPN's in appropriate cases
- We will also prosecute in cases where it is in the public interest. We believe this will act as a deterrent to others
- We will use any new powers that become available that support this strategy - including those included in the
- Environmental Sanctions Bill - "Voluntary putting things right"

- We will use the proceeds of our enforcement activities to carry out environmental improvements across the Borough
- **We will, as part of our education strategy, introduce a number of initiatives to encourage compliance.**
- We will use the arena magazine and other outlets to publicise our work.

Collecting and using the results of this work:

- We will use our GIS mapping system to record the location of graffiti, fly tipping, dog fouling, littering etc. This information will in turn be used to identify 'grot-spots' and areas of concern. In some cases, we will use this information to introduce Public Spaces Protection Orders. We will then be able to show how this work can make a difference
- We will ensure that information from members of the public is also recorded and used as above.

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### Love where you live – Education

Educational initiatives will encourage community responsibility, respect for the environment and invite residents to get involved with the council's work.

We will use:

- Arena magazine
- Press releases to publicise enforcement action, success stories, events and community projects
- Our website
- Posters and leaflets
- Signage to remind the public of their responsibilities
- Links with businesses e.g. town centre management groups, licensed premises, traders
- Other publications e.g. ATCM newsletter, Licensing Matters, Partnership Matter and
- Town centre initiatives.

Staff from Strategy, Engagement and Organisational Development, Environmental Health and Housing and

Community will support the educational campaigns.

### Current Taking Pride in Rushmoor Initiatives:

#### Fixed penalty notice and 'bin it' signs

Permanent signage to remind residents of the council's enforcement responsibilities are on display across the borough in town centre and neighbourhood areas.

Signs carrying the 'bin it' message are also on display in Aldershot town centre focusing on rubbish and cigarette litter. This signage also supports enforcement action by the community patrol team.

#### 'Bin it 2 win' promotion

Residents seen disposing of their litter responsibly are personally thanked by a member of the community patrol team and invited to enter a prize draw linked with Victoria Day (organised by the Aldershot Town Centre Management Group).

#### Fixed Penalty Notice Blitzes

The council's community patrol team carry out regular enforcement blitzes in hotspots areas, which will be publicised.

### Rushmoor Spring Clean

Residents are invited to join other volunteers at the annual spring clean event at Cove Brook.

### Grot Spots

Residents are invited to 'take pride in Rushmoor' and nominate messy areas for a clean up.

This could be anything that they feel is letting Rushmoor down such as a litter strewn road, a graffiti covered post box or a garden full of rubbish. The council's grime busting team then work to put these things right.

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### **Schools**

Educational work with young people and schools will be an important area to address and will be an area for further action.

We will take part in and support local initiatives where resources are available. This includes attending Mayfield Child Safety Day, litter picks and supporting initiatives run by the Cove Greenaway Group.

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## 6 Complaints

**Any complaint will be investigated and we will send you a response within 15 working days**

If you are unhappy with any aspect of enforcement action then please contact us:

By post: Head of Environmental Health  
and Housing Services  
Rushmoor Borough Council  
Council Offices  
Farnborough Road  
Farnborough  
Hampshire GU14 7JU

By phone: 01252 398 398

By email:  
**[customerservices@rushmoor.gov.uk](mailto:customerservices@rushmoor.gov.uk)**

Online: **using the on-line complaints form found on Rushmoor's website at [www.rushmoor.gov.uk](http://www.rushmoor.gov.uk)**

We will investigate any complaint and we will send you a response within 15 working days. If you are not satisfied with the response, you have the right to refer your complaint to a higher level through the Council's Complaints Procedure. If you would like a copy of the Council's Complaints Procedure or need help or advice about making a complaint you can contact:

By post: Customer Services Unit  
Rushmoor Borough Council  
Council Offices  
Farnborough Road  
Farnborough  
Hampshire GU14 7JU

## 7 Monitoring and measurement

In order to assess the effectiveness of meeting the Strategy's aim a number of evaluation tools will be used and reported on. This evaluation will highlight the successes of the strategy and illustrate any gaps in the performance of the environmental enforcement function. Some of these evaluation tools are listed below:

- Improvements in Local Indicator (LI's) scores;
- Reduction in the level of flytipping as recorded by the Department of Environment, Food and Rural Affairs' Flycapture database;
- Improvements in resident satisfaction relating to a clean Rushmoor;
- Reduction in levels of abandoned vehicles;
- Number of FPNs issued and the subsequent payment rate.

We will publicise our successes and seek out opportunities for consulting our residents on ways to improve our performance.

We will ask our residents to help set our priorities and to help us to identify 'grot spots'

## 8 Evaluation and review

The Corporate Directors will undertake to review progress and evaluate enforcement action against those highlighted priority areas and their effectiveness in reducing the impact on local environmental quality.

This review will also seek to introduce where necessary any new powers granted to the Local authority in managing local environmental quality. The outcomes for progress will be linked to local environmental quality surveys of Rushmoor results, which will help set annual priority areas.

We will use the information collected from surveys etc to help to identify 'hot spots' and areas of concern together with community priorities. We will then prepare action plans to ensure that we address the problems and to monitor our progress.

This approach requires us to work in partnership with the groups and agencies listed in this strategy.

Copies of this strategy are available on our website, [www.rushmoor.gov.uk](http://www.rushmoor.gov.uk)

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