

Street Scene Enforcement - Update

Appendix A - Street Scene Enforcement Trial

Title	Street Scene Enforcement Update
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Date	19th October 2016

1. Background

On 8th of March 2016 Environment Committee resolved to trial a new approach to Street Scene Enforcement through a trial with a third party specialist supplier. The third party specialist would undertake the provision of Street Scene enforcement across the borough for least six months. Through the trial there would be an increase of proactive enforcement action against individuals and businesses that commit enviro-crimes within Barnet, such as littering and fly tipping. Enforcement will take place for these enviro-crimes that have a detrimental effect on our environment; especially on our streets, parks and back alley ways.

Barnet currently does have some in-house street scene enforcement, however, this is small in size and scope, therefore the introduction of this trial will deliver a more focused approach to Street Scene enforcement. The in-house enforcement will be focused on the more complex areas where multi-agency work is needed.

2. Aim of the trial

The aim of the trial is to gain a range of information to inform the Committee Decision on how street scene enforcement can be delivered in the future. This includes but is not limited to:

- The costs and benefits of street scene enforcement
- The number and type of FPNs issued during the trial period
- The areas FPNs are issues during the trial period
- The impact on street cleansing in the borough
- Public option on the use of increase street scene enforcement

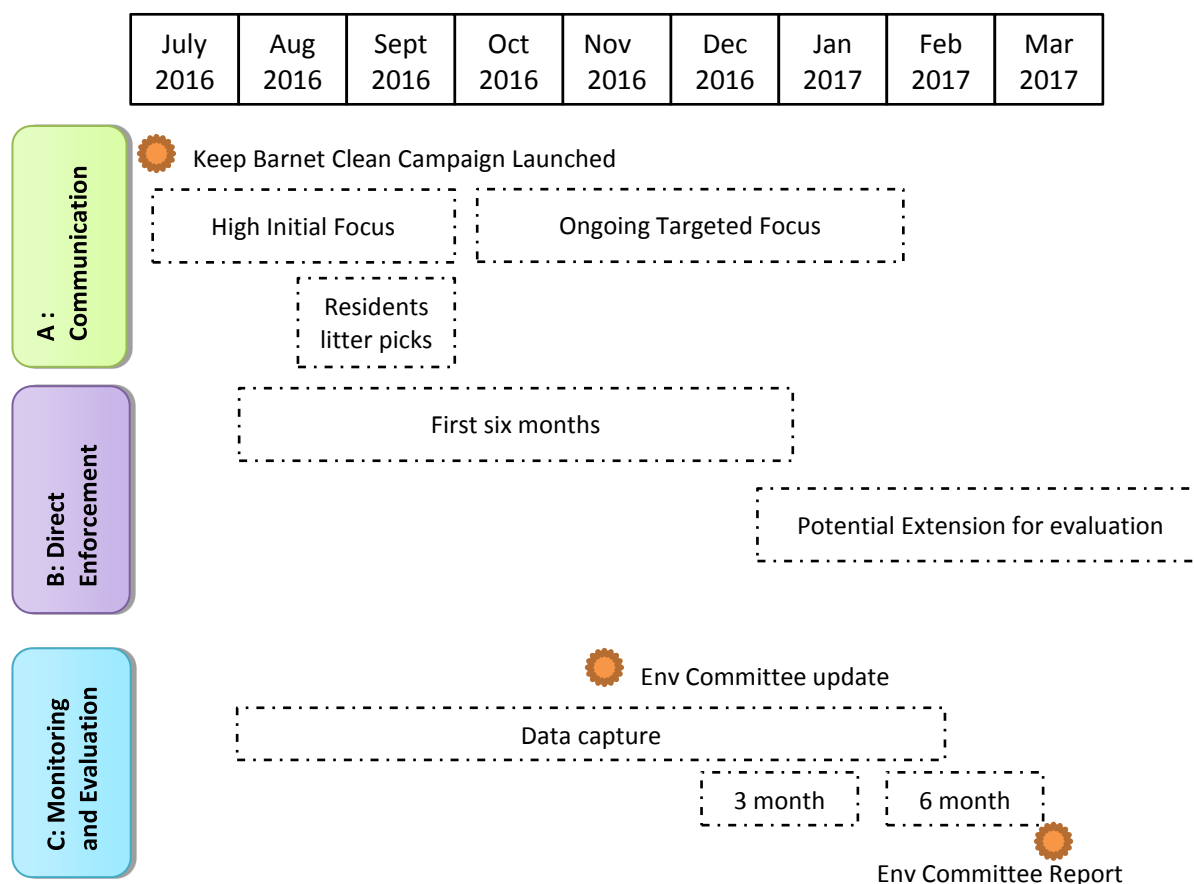
3. Scope of the trial

The Street Scene Enforcement Trial has three key stages

- (a) Communications
- (b) Direct Enforcement
- (c) Monitoring and Evaluation.

The key elements and their timing can be seen below.

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4. Communication

As part of the trial it was vital that a significant communications campaign be undertaken both before direct enforcement started and then throughout the direct enforcement stage. Work to create a new fresh brand for the trial was undertaken and lead by the Barnet Communications Team. From this work the Keep Barnet Clean Campaign developed. The Keep Barnet Clean campaign aimed to introduce a new approach to:

- Improve the cleanliness of Barnet streets through enforcement
- Empower residents and boost 'civic pride' across the Borough
- Inform residents, business and visitors to the Borough of the enforcement that is being carried out

The images below are examples of those used in the campaign

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#keepBarnetclean

Report litter by calling 020 8359 4600 or visit www.barnet.gov.uk/keepbarnetclean
Please do your bit to help keep Barnet clean.



#keepBarnetclean

Report fly tipping by calling 020 8359 4600 or visit www.barnet.gov.uk/keepbarnetclean
Please do your bit to help keep Barnet clean.



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The campaign has delivered a fully integrated marketing approach delivered over three district phases:

Campaign Launch (Early July):

The campaign launched on 5th July 2016 with poster going up around Barnet, new web pages and social media pushes. This was followed with a media launch on 21st July highlighting that enforcement would start the following week. The campaign encouraged residents, businesses and visitors to help keep the borough's streets and green spaces free from litter and other unsightly waste. It also underlined that the council would do its part both through continuing with its comprehensive street cleansing role but also a programme of increased enforcement action against those that blight the borough's streets

As part of the campaign residents were being encouraged to report litter and fly-tipping hotspots through the council's report a problem page on the website. This information feeds into areas where enforcement action will take place in future.

The campaign also emphasised cigarette butts, chewing gum and dog fouling as common forms of litter those residents can put in one of 3,000 bins across the borough, as well as illegal dumping of bulky waste known as fly-tipping.

[B] **Barnet Council** @BarnetCouncil · Jul 28
Our Enforcement officers are out in Barnet tackling littering & flytipping - don't risk an £80 fine [#KeepBarnetClean](#)



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The launch of the trial was covered positively by a number of local media outlets.

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High Initial Focus (July-September):

Throughout this phase a significant amount of out of home advertising was done, including using bus shelters, bus back, internal bus panel, high street posters. These were very high profile and received significant positive feedback.

A social media campaign was also used with a high focus on twitter. The campaign has been using the hash tag #keepBarnetclean which has generated high traction and been used by residents for reporting issues as well as promoting the campaign. The top tweet so far has been:



- **5,543** Impression – People saw while scrolling through twitter
- 177 Total engagements
- 50 Media engagements
- 48 Detail expands
- 26 Likes
- 19 Retweets
- 18 Profile Clicks
- 14 Replies
- 4 Links clicked

In addition to these the campaign used the traditional and popular methods of local and community press, resident publication Barnet First and new web pages (www.barent.gov.uk/KeepBarnetClean)

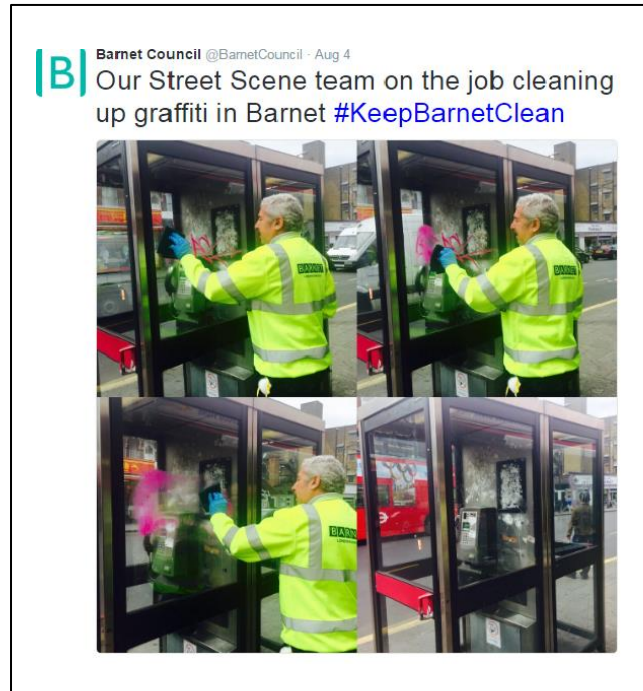
In September a number of community litter picking events were also held to boost community engagement. These we well support especially by community groups such a friends of parks.



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Ongoing targeted Focus (October to February):

The next phase of the campaign will continue to promote the campaign and the work which is being done by the street scene team.



The full impact of the campaign will be assessed in a final communications report at the conclusion of the trial.

5. Direct Enforcement

Direct enforcement began on the week commencing the 25th July 2016 and is being undertaken on a borough wide basis, with specific attention being placed on the following key retail centres:

- Golders Green
- Temple Fortune
- Hendon & West Hendon
- Burnt Oak
- Collindale
- Mill Hill
- Edgware
- Barnet, East Barnet & High Barnet
- Friern Barnet
- Totteridge & Whetstone
- North, East & Central Finchley including Lambert Way
- Childs Hill
- Cricklewood
- Brent Cross

What are we enforcing?

The areas we are enforcing include:

- **Littering:** £80 FPN or £50 if paid within 10 days
- **Dog fouling:** £80 FPN or £50 if paid within 10 days

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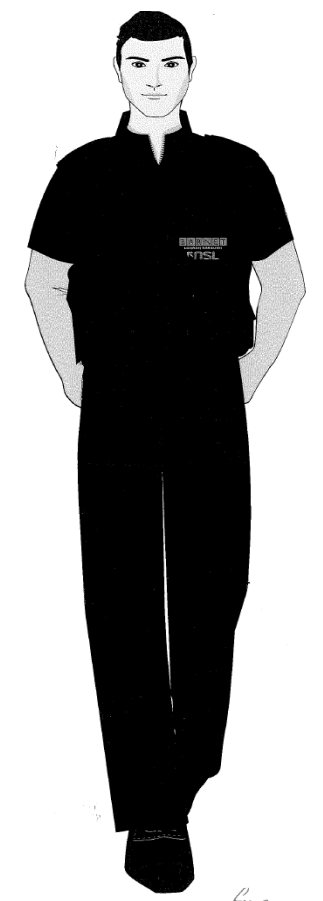
- **Flyposting:** £80 FPN or £50 if paid within 10 days
- **Graffiti:** £80 FPN or £50 if paid within 10 days
- **Fly tipping:** £200 FPN or prosecution
- **Commercial waste duty of care:** £300, £180 if paid within 10 days
- **Breach of Community Protection Order (CPO)**
- **Breach of Public Space Protection Order (PSPO)**

Who is enforcing?

The trial is being undertaken by a third party specialist supplier NSL Ltd. NSL have been commissioned to undertake the trial on behalf of the council for an initial six-month period, with the possibility extension of up to six months.

As part of this commission a one off initial start-up fee of £9,950 has been paid to NSL at trial commencement. This has enabled NSL to install the relevant infrastructure to carry out the trial. Moreover, all other financial overheads up until any prosecutions are being paid for by NSL included staff cost, payment systems, administration, uniform and cameras, back office functions etc. All financial revenue generated through the payment of Fixed Penalty Notice (FPNs) is retained by NSL to cover all the operational costs of undertaking the trial.

To ensure that the trial is sufficiently resourced, NSL deploy six Environmental Enforcement Officers, who are undertaking a variety of 8 hours shifts between the hours of 07:00 and 21:00 Monday to Saturday, as well as working Sundays and Bank Holidays. All Environmental Enforcement Officers have received a full training package before they began their roles. Staff have branded uniforms as can be seen below:



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To ensure that the trial is progressing in an appropriate manner, robust governance structures have been set up. A monthly contract review meeting is held, which includes individuals from NSL, Barnet Council Commissioning Unit & Barnet Council Delivery Unit. NSL provide a monthly update on the progress of the trial, which includes intelligent data about the different types of enviro-crimes that are being enforced, where they are being committed and who is committing them.

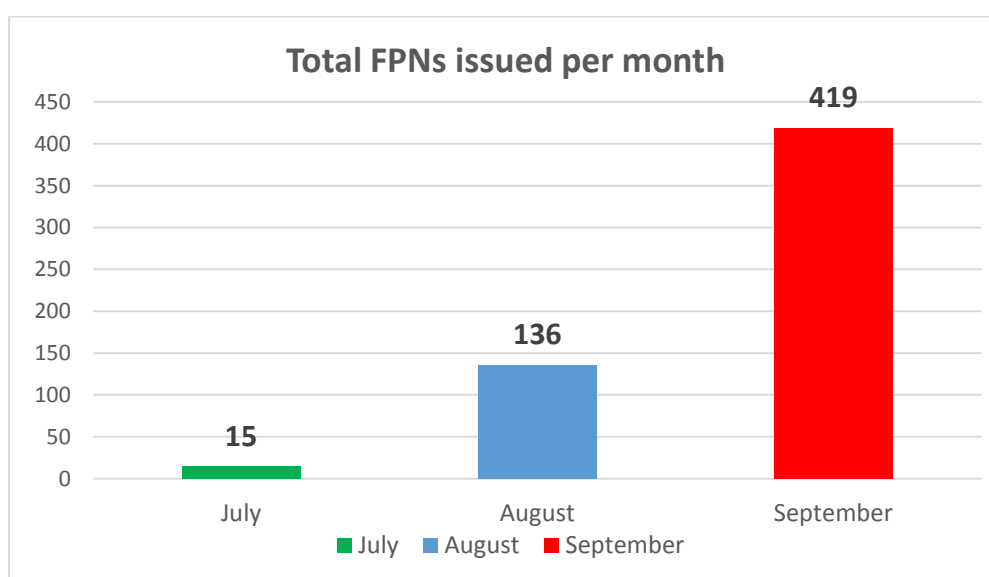
The contract management meeting enables Barnet Council representatives to raise any issues in regards to the trial and to feedback any information regarding litter 'hotspots' to NSL, who can incorporate these into their forward work plans. Furthermore, it enables Barnet Council and NSL to work collaboratively in setting out the future direction and aspirations of the trial.

6. Monitoring and Evaluation - Fixed Penalty Notices (FPNs)

Monitoring of Fixed Penalty Notices (FPNs) is a key part of the trial as we try and reduce the number of businesses, residents and visitors who commit enviro-crimes in Barnet. All information enclosed in this sector cover the period from the start of the trial at the end of July 2016 until the end of September 2016

Fixed Penalty Notices issued per month

Since the beginning of the trial up to the end of September 2016, **570 FPNs have been issued** in total. The break down per month can be seen below:



The large rise in FPNs issued in the month of September can be attributed to the full team being in place and having become more experienced accustomed with the role and its requirements.

Number of FPNs issued for different offences

Furthermore, in regards to the 570 FPNs issued since the beginning of the trial, the table below demonstrates the breakdown of what offences FPNs have been issued for:

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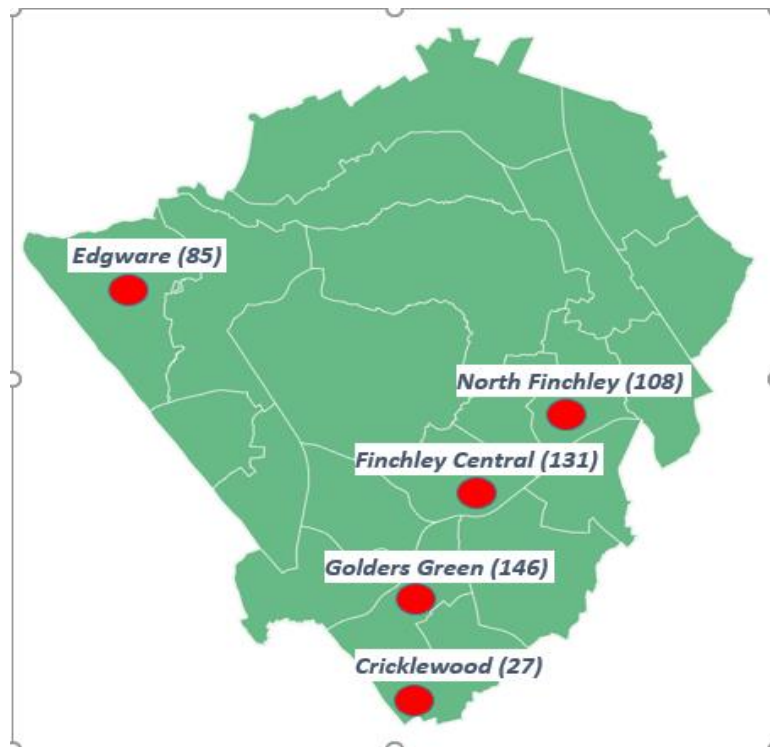
FPN Offence	FPNs Issued
Littering	564
Fly-tipping	4
Fly posting	2
Total	570

Littering (564 FPNs issued) is clearly the offence that receives the largest amount of FPNs, however this may change as the trial progresses and further FPN offences are included. In October Environment Enforcement Officers will start to enforcement commercial waste duty of care

Borough 'hotspots' for FPNs being issued

The map of Barnet below highlights the 'hotspots', where the largest numbers of FPNs have been issued since the trial commenced

As the map displays, locations across the borough that have key transport infrastructures in place such as **Finchley Central, Golders Green & North Finchley**, are areas that receive a high number of FPNs due to the large influx of people to these locations.



The trial, however, is not solely focusing on these areas and it will continue to be operated on a borough-wide basis, ensuring that all areas across Barnet are being targeted.

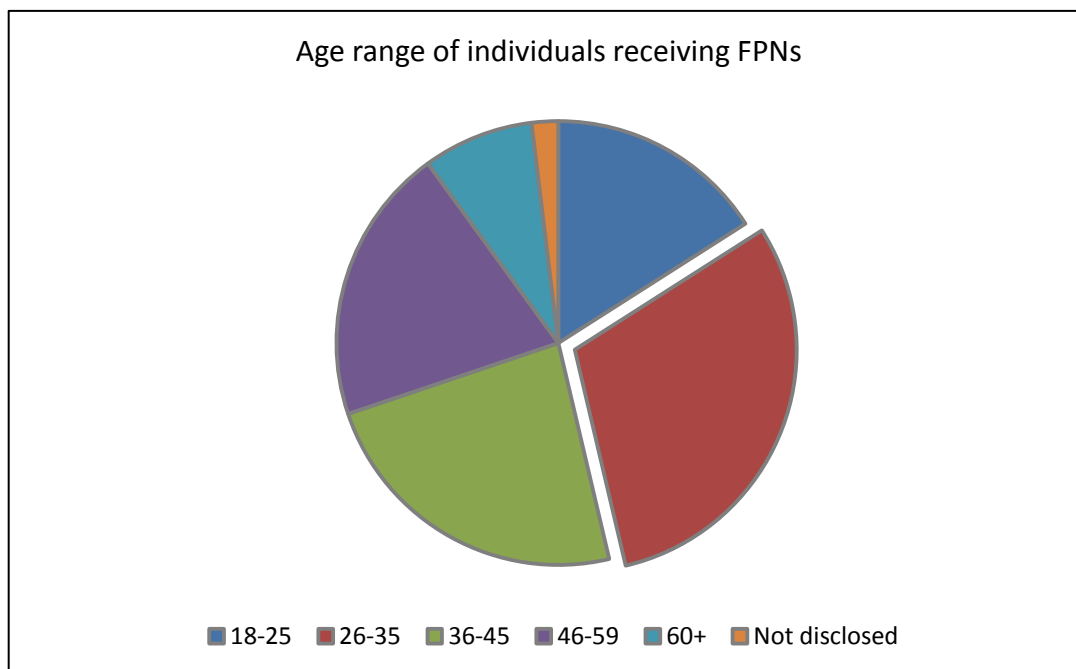
Breakdown by each age group and sex

To assist the development of intelligent data into Street Scene trends (one of the key objectives of the trial), the age range of offenders has been collated to gain a better

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understanding of those who receive FPNs. The line chart below highlights the age range of individuals who received a FPN:

What is apparent from the data collated, is that **individuals within the 26-35 age range**



are the main offenders. Moreover, what is also interesting is that **the 18-25 age range**, who many expected to be the main offenders, have received fewer FPNs than both the 36-45 and 46-59 age ranges.

75% of those issues with FPNS have been men.

Breakdown by ethnicity

Supplementing the information developed in regards to the age range, the ethnicity of offenders has also been collated to gain a better understanding of those who receive FPNs. The table breaks down the individuals who received FPNs based on their ethnicity.

Ethnicity	FPNs Received
White	355
Mixed / Multiple ethnic groups	89
Asian / Asian British	103
Black / African / Caribbean / Black British	19
Other ethnic group	2

What is clearly apparent is that **White Europeans are the main group issued with FPNs**, as they account for **approximately 63% of all FPNs** that have been issued.

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7. Monitoring and Evaluation - Payments

When individuals or businesses have been issued with a FPN, the various payment options available to them are displayed on the physical FPN for them to avail of. Presently there are two payment options:

- An online payment system hosted NSL (www.fpnpay.co.uk)
- A 24-hour automated payment telephone line (03300 081 659)

Full instructions on how to pay the FPN are provided when you access either option.

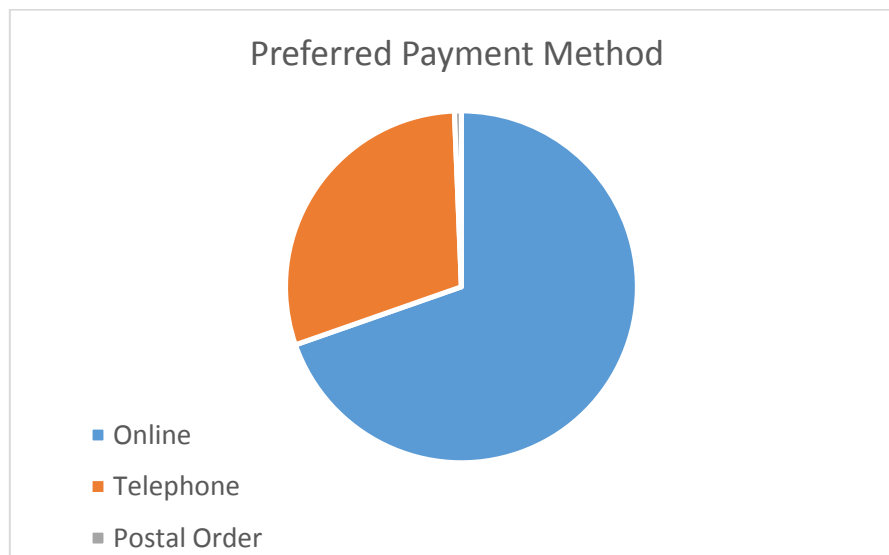
Percentage rate of payments v FPNs issued

The current percentage rate of FPNs being paid, in relation to the overall amount of FPNs is **approximately 52%**. This, however, does not take into account that a number of FPNs that have been issued are still in the payment period and could still be paid. If we take this into account, the percentage rate is **approximately 70%**.

As the trial progresses and more data is gathered it will become possible to more accurately calculate the payment rate.

Preferred payment method

Following on from the percentage rate of FPNs being paid, it is important to understand what is the preferred method of paying for the FPN, either online or via telephone. Since the commencement of the trial, the breakdown of how people have paid is displayed in the pie chart below:



As the pie chart above depicts, **70% of FPNs are paid online**. Two postal order payments have also been received that have been accommodated even though this payment method has not been advertised and is not part of the scope of the trial. The payment method, however, is used within the parking enforcement service.

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Breakdown of discounted rate v. full rate

As previously stated, if individuals pay their FPN within 10 days of being issued it, for some offences they are offered an early payment discount. In the case of litter they only have to pay a reduced rate of £50. If they fail to pay the FPN within this time period, they are charged the full rate of £80.

The pie chart below depicts the number of FPNs that have been paid at the reduced rate (£50) compared to the number of FPNs that have been paid at the full rate (£80). What is clearly evident is that the **vast majority of individuals are paying within the first 10 days (85%) and availing of the reduced rate.**



Income from FPNs

Since the trial has commenced in July 2016, **approximately £20,000** has been paid from the FPNs which have been issued. This has been increasing month per month, this can be attributed to the increase in trained staff who are now developing invaluable experience of issuing FPNs. It is expected that the revenue generated will continue to grow through as further FPNs are introduced.

Income from FPNs is being used to cover the costs of the trial such as staff cost, payment systems, administration, uniform and cameras, back office functions etc.

8. Legal Process

When individuals or businesses are issued with FPN, there are no formal grounds to appeal, an FPN is an invitation for the individual or business to discharge their liability to prosecution. In essence this means that although they are not admitting their guilt, they are agreeing that an offence has been committed and that by paying the FPN, no further action will be undertaken by or on behalf of Barnet Council. This method of dealing with offences not only saves time involved for everyone in prosecuting cases at

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court, but the cost associated with a FPN is likely to be substantially lower than any fine imposed by the courts.

When an individual or business is issued with an FPN, if they do not pay it within 14 days from the date of issue, they receive a Final Warning letter to remind them that the payment is overdue. The Final Warning letter allows a further seven days to pay the FPN at the full rate. If it is not paid within this period, the case is referred for prosecution.

To ensure that these cases are dealt with in a timely manner, a process has been developed by the Council, the councils legal partner HB Public Law & NSL. On a monthly basis, NSL compile each case from that month where no payment has been received and seven days has passed since the Final Warning Letter into a prosecution file. Each of these prosecution file contains a number of relevant documents to the case. These prosecution file files are then forwarded to the Strategic Lead for Clean and Green to both review and authorise the prosecution process to begin. Once this occurs, the authorised to prosecute files are forwarded to HB Public Law who commence the legal prosecution process that will results in each case going to court.

Since the trial commenced at the end of July 2016, there has been 69 procession files created. The table below highlights the monthly number of files forwarded to Barnet Council from NSL since the trial commenced:

Month	'Court bundle' files forwarded to HB Public Law
July	3
August	13
September	42 - Pending

The **three cases from July and the 13 cases from August** have been forwarded to HB Public Law and the first of these cases will heard by **Court on the 10th November 2016**.

9. Feedback from residents and businesses within the borough

Obtaining feedback from residents is an important part of the Street Scene Enforcement trial, as it will help inform the Council regarding the perception of the trial across the Borough. As a consequence of this, on the web page dedicated to the (Keep Barnet Clean) Street Scene Enforcement Trial a feedback form and email address has been provided. Through these options, individuals and businesses can provide feedback on both the enforcement staff and the overall enforcement policy.

Through this we have received two items of feedback via the email address:

- An individual queried whether the FPN they received was issued unfairly as the circumstance of when they dropped the litter was accidental.
- An individual queried whether the FPN they received was issued unfairly, as well as the conduct of the Environmental Enforcement Officers.

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Moreover, broad feedback has also been received from other sources including the Barnet Council twitter page and anecdotal feedback from residents. The general themes of this feedback have been split into positive and negative comments in the table below:

Positive Feedback Areas	Negative Feedback Area
The posters that have been displayed are really eye catching	The number of options and cost of having large bulky items collected for reuse or disposal
It is positive to see the council taking a proactive approach to litter in the borough	Issues using the Report a Problem package on the council website or gaining feedback about the report
Suggestions of good areas to target for littering and fly tipping	

Where feedback can be actions it is passed to the relevant departments. Hotspot areas are also considered the monthly contract meetings. As the trial continues to progress, feedback will continue to be collated.

10. Further trial developments

The Street Scene Enforcement Trial is continuing to evolve and develop as it progresses through the initial six-month period to ensure that it encompasses as many different components. There are three current developments that will be implemented as soon as possible:

(a) Introducing FPNs for businesses who do not comply with Commercial Waste legislation

Current Position – This is scheduled to commence at the end of October. Staff have been trained on the relevant enforcement action, and this area of work will be led by the Environment Enforcement Officer supervisor.

(b) Expansion of the scope of the littering FPN to include spitting, urinating and dog fouling

Current Position – Further discussions and research have been held internally regarding these areas and it is envisaged that these FPNs will be incorporated into the trial in November 2016.

(c) Introducing Body Worn Cameras to be worn by the Environmental Enforcement Officers at all times, but only switched on when they begin to interact with suspects

Current Position – The introduction of Body Worn Cameras is scheduled for the beginning of November 2016, once the necessary pre-introduction processes have been successfully undertaken.

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11. Post-trial

The initial six-month Street Scene Enforcement Trial is scheduled to finish at the end January 2017. Due to the timescales for monitoring, evaluation and the Environment Committee Schedule it is anticipated that a final report will be available for the March 2017 Committee meeting. If the trial has been running positively it may be extend, past its initial six month period to enable members to review its success and decide on the long terms options for street scene enforcement. These options may include

- (a) Ending all street scene enforcement**
- (b) Procurement of long term street scene enforcement contract for Barnet**
- (c) Shared services for street scene enforcement with other local authorities**

If we move forward with either option B or C a number of areas from the current model that will need to be reviewed

- To ensure that it is a seamless transition from the trial to the long term option it may be prudent approve an extension to the trial whilst the full procurement process can be undertaken.
- Income from FPNs – Currently all risk regarding income and expenditure is borne by contractor. This level, however, can be reviewed once more data regarding FPN levels, payment, cost of prosecution etc. is known. The Council may wish to make fixed monthly payments for a service and keep all income, or share the costs and income with a contractor
- Scope of enforcement – There may be some areas where enforcement could be expanded through this model, either relating to street scene or other areas of the council

Over the next three months preliminary discussions could be held with a number of other local authorities across London who are also trialling a similar approach to street scene enforcement. Through this potential model, the local authorities could work collaboratively and procure a single third party supplier to undertake the street scene enforcement across all of the involved boroughs. This potential model could ensure that a more competitive price is achieved by the council for the delivery of the service.