

ASBET UPDATE

Committee name	Residents' Services Select Committee
Officer reporting	Joanne Howells – Street Scene Enforcement Team
Papers with report	None
Ward	All

HEADLINES

This report provides an update to the Committee on two parts of the ASBET's services. Resident usage of the new digital system to report ASB and the impact of increased fees on fly-tipping across the Borough.

RECOMMENDATIONS:

That the Residents Services Select Committee notes the contents of the report.

SUPPORTING INFORMATION

Resident usage of new digital system to report ASB

1. It is estimated that the online self-service portal accounts for 42% of reported cases with the remainder shared between email, post, or telephone. As the digital service has evolved and greater emphasis placed on the Council's preferred method of online reporting, demands on the ASB service over the last 12 months have increased with a rise in case volume of between 11 to 14%.
2. The previous methods of reporting provided an inconsistent approach and standard of service, with inadequate monitoring and incorrect assignment of work. A review carried out in November 2022 revealed that 52% of reported cases were incorrectly assigned to the ASB Service. Investigating Officers spent less than 43% of their time conducting investigations, carrying out site visits and enforcement action as their efforts were focused on triaging and re-directing misassigned enquiries.
3. With the introduction of online reporting the process of reporting, monitoring and assignment was reviewed, and processes put in place to manage the increase in case volumes. The latest review identified that 56% of reported ASB cases were incorrectly assigned, an increase on the previous 12 months, however it should be noted that during this time officer output increased by 41%. This increase in output is largely due to the new system put in place to support the team and tailored to maximise waste reduction through workflow processes.
4. Several factors have affected the increase in volume of cases reported correctly or

otherwise. This includes increased accessibility to residents via online reporting, incorrect or inadequate explanation of information and direction on the Council's web site and the management of expectations on what can or cannot be investigated by Council officers.

5. Effective website content management will help the Service provide a user-friendly interface and up to date content which are crucial to the quality of communication to the online self-service users.
6. The Service's Triage and Performance role was established 12 months ago with a second officer recently recruited to the team. It has explored new ways of working by sharing data, collaborating on solutions for advancing the Enforcement Service's objectives, updating the web contents and report management systems. Progress has been made in resolving some of the issues, but it is an ongoing process.

Impact of increased fees on fly tipping

7. Rubbish accumulation/incorrect storage of household waste remains the most reported issue across Hillingdon Borough but is often incorrectly classified as fly tipping.
8. Fly tipping is defined as the 'illegal deposit of any waste onto land that does not have a licence to accept it'. Leaving a mattress, electrical items, or a bin bag full of rubbish in the street causes a local nuisance and makes an area look neglected and run down. At the larger end of the scale fly-tipping can involve several truckloads of construction and demolition waste being tipped on different types of land.
9. Fly tipping is a criminal offence that can carry a sentence of 5 years' imprisonment and a fine of up to £50,000. Council Officers have the power to issue on-the-spot fines for fly-tipping, and to seize vehicles which have been used in fly tipping. The current Fixed Penalty Notice for fly tipping within Hillingdon Borough is £400 and must be issued within 6 months of the commission of the offence.
10. Payment of the penalty by the recipient discharges their liability to conviction for the offence for which the FPN was issued. It does not constitute an admission of guilt but removes the possibility of the creation of a record of criminal conviction. The framework in place is to ensure that offenders will be prosecuted if they choose not to pay the FPN. This gives a powerful message to the community that such crimes will not be tolerated.
11. An FPN may only be issued where an officer has reason to believe a person has committed a penalty offence and there is sufficient and appropriate evidence to a criminal standard of proof to support a prosecution in court, should the penalty notice go unpaid. They are designed to deal with low level offending only. When the nature or extent of the offence is so serious that the issue of an FPN would bring the system in to disrepute,

prosecution should be considered instead.

12. In most circumstances offences resulting in an FPN will be witnessed directly by the officer, albeit that an officer may consider it appropriate to issue an FPN when they have not directly witnessed the offence but has reliable witness testimony and/or supporting evidence. Any interview and questioning must be consistent with the practice and procedures established by code C of the Police and Criminal Evidence Act 1984.
13. In the previous 12 months we have successfully investigated 29 cases of fly tipping and issued 29 x £400 fines, with four cases awaiting trial for non-payment. There are also ongoing protracted enquiries. Over the same period, the CCTV room recorded 555 pieces of CCTV footage of fly tip incidents. Work is progressing to identify how the Council's CCTV system can be better utilised to increase detection of the persons responsible for fly tipping.
14. From 1st April 2024, in line with Government recommendations, some FPN levels will increase. The fine for the offence of fly tipping will increase to £1000 with no discount for early payment. The maximum fine for a littering offence will be set at £400 and Duty of care for domestic waste £450. Both will have the option of a 50% discount if paid within 14 days.

Implications on related Council policies

A role of the Select Committees is to make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

How this report benefits Hillingdon residents

None at this stage, pending any findings by the Committee and any recommendations forwarded to Cabinet.

Financial Implications

None at this stage.

Legal Implications

None at this stage.