

**NORTHAMPTON BOROUGH COUNCIL**  
**Scrutiny Panel 3 – Keep Northampton Tidy**

Your attendance is requested at a meeting to be held in The Jeffrey Room,  
The Guildhall, St. Giles Square, Northampton, NN1 1DE on  
Monday, 9 March 2015 commencing at 6:00pm

**D Kennedy**  
**Chief Executive**

If you need any advice or information regarding this agenda please phone Tracy Tiff, Scrutiny Officer, direct dial 01604 837408, email [ttiff@northampton.gov.uk](mailto:ttiff@northampton.gov.uk) who will be able to assist with your enquiry. For further information regarding **Scrutiny Panel 3 - Keep Northampton Tidy** please visit the website [www.northampton.gov.uk/scrutiny](http://www.northampton.gov.uk/scrutiny)

**Members of the Panel**

Chair	Councillor Tony Ansell
Deputy Chair	Councillor Sivaramen Subbarayan
Panel Members	Councillor Penelope Flavell Councillor Michael Ford Councillor Phil Larratt Councillor Matthew Lynch Councillor Dennis Meredith Councillor Winston Strachan
Co-opted Member	Vanessa Kelly, Northamptonshire Waste Partnership

# Northampton Borough Scrutiny Panel 3 - Keep Northampton Tidy

## Agenda

Item No and Time	Title	Pages	Action required
1. 6:00pm	Apologies		The Chair to note apologies for absence.
2.	Deputations/Public Addresses		<p>The Chair to note public address requests.</p> <p>The public can speak on any agenda item for a maximum of three minutes per speaker per item. You are not required to register your intention to speak in advance but should arrive at the meeting a few minutes early, complete a <a href="#">Public Address Protocol</a> and notify the Scrutiny Officer of your intention to speak.</p>
3.	Declarations of Interest		Members to state any interests.
4.	Minutes	1 - 9	The Scrutiny Panel to approve the minutes of the meeting held on 15 January 2015.
5. 6:05pm - 7:05pm	Witness Evidence		The Scrutiny Panel to receive a response to its core questions from a variety of expert advisors.
5 (a) 6:05pm	Police and Crime Commissioner		The Scrutiny Panel to receive a brief detailing the Police and Crime Commissioner's Policing Plan in relation to environment issues.
5 (b) 6:25pm	Assistant Director, Highways, Transport and Infrastructure, Northamptonshire County Council		
5 (c) 6:45pm	Senior Manager, London Midland	10 - 13	The Senior Manager, London Midland, to provide a response to the core questions of the Scrutiny Panel.
6. 7:05pm – 8:05pm	Chair's Draft Report	14 - 122	The Scrutiny Panel to consider the Chair's draft report and include any additional conclusions and recommendations, as appropriate.

## NORTHAMPTON BOROUGH COUNCIL

### MINUTES OF SCRUTINY PANEL 3 - KEEP NORTHAMPTON TIDY

Thursday, 15 January 2015

**COUNCILLORS PRESENT:** Councillor Tony Ansell (Chair); Councillors Mick Ford, Phil Larratt, Dennis Meredith and Winston Strachan

**WITNESSES** Councillor Tim Hadland, Cabinet Member for Regeneration, Enterprise and Planning, Northampton Borough Council (NBC)  
James Willoughby, Principle Enforcement Officer, NBC

**OFFICERS** Steve Elsey, Head of Communities and Environment  
Tracy Tiff, Scrutiny Officer

**MEMBERS OF THE PUBLIC** Mr Appleyard  
One other member of the public observed the meeting

#### 1. APOLOGIES

Apologies for absence were received from Councillor Penny Flavell and Vanessa Kelly, co optee.

#### 2. DEPUTATIONS/PUBLIC ADDRESSES

Mr Appleyard, member of the public, addressed the Scrutiny Panel on the issue of littering. He conveyed his concern about discarded shopping trolleys highlighting that at one point he had observed 24 of these. He referred to a litter review that he had undertaken in 2013; the results of which he had submitted to the Council. Mr Appleyard queried whether CCTV cameras were used regarding individuals dropping litter. He commented about littering from vehicles. He referred to uncollected bottles commenting that he had lined these up on the roadside and they had been collected. He advised the Panel of two groups that he felt were the main culprits of littering and there is a need for them to be educated. Mr Appleyard gave the Scrutiny Panel examples of comments about the town centre from visitors that he had received. Mr Appleyard conveyed his concerns about the number of Fixed Penalty Notices issued. He highlighted the need for cigarette butt bins to be located outside shops, restaurants, pubs and cafes.

Mr Appleyard was thanked for his address.

### **3. DECLARATIONS OF INTEREST**

There were none.

### **4. MINUTES**

The minutes of the meeting held on 26 November 2014 were signed by the Chair as a true and accurate record.

### **5. WITNESS EVIDENCE.**

#### **(A) DETECTIVE CHIEF INSPECTOR, NORTHANTS POLICE**

The Scrutiny Panel received a written response to its core questions from Northants Police; noting the salient points.

**AGREED:** That the written response to the core questions provided by Northants Police informs the evidence base of this Scrutiny review.

#### **(B) SERVICE DIRECTORS - DAVENTRY DISTRICT COUNCIL, SOUTH NORTHANTS COUNCIL AND WELLINGBOROUGH COUNCIL**

The Scrutiny Panel noted written responses to its core questions from:

The Environmental Health Manager covering South Northants and Cherwell Councils and the Managing Director, Wellingborough Norse (Wellingborough Council). The key points contained within the written responses were noted.

The Scrutiny Panel noted that the responses referred to problems with chewing gum and discarded cigarette butts. This mirrored previous evidence and highlighting the need for a potential recommendation of the final report around a solution for chewing gum on pavements and the installation of more cigarette butt bins

At this point, a member of the Scrutiny Panel referred to Northampton East commenting that there was a need for solutions for the area to be found, for example, it has a lot of fly-tipping problems.

**AGREED:** That the written responses to the core questions informs the evidence base of this Scrutiny review.

#### **(C) ASSISTANT DIRECTOR, HIGHWAYS, TRANSPORT AND INFRASTRUCTURE, NCC**

The Scrutiny Panel received a briefing note from Highways Transport and Infrastructure, Northamptonshire County Council (NCC) that detailed:

- Highway's contribution to keeping Northampton tidy
- Sign de-cluttering
- Sign cleaning
- Sign replacement
- Joint working to reduce costs
- Enforcement functions

**AGREED:** That the information provided informs the evidence base of this Scrutiny review.

**(D) LONDON MIDLAND**

A response to the core questions from London Midland had not been received.

**(E) NETWORK RAIL**

The Scrutiny Panel noted a written response to its core questions from Network Rail.

The Scrutiny Panel commented on problems with graffiti on various bridges; suggesting that this was probably on private land rather than land owned by Network Rail. There is a need for contact to be made with the land owners regarding the removal of the graffiti.

**AGREED:** That the information provided informs the evidence base of this Scrutiny review.

**(F) CABINET MEMBER FOR REGENERATION, ENTERPRISE AND PLANNING AND THE DIRECTOR OF REGENERATION, ENTERPRISE AND PLANNING, NBC**

Councillor Tim Hadland, Cabinet Member for Regeneration, Enterprise and Planning and James Willoughby, Principle Enforcement Officer, Northampton Borough Council (NBC) provided details regarding the Town and Planning Act, in relation to:

- Advertising and whether consent is required for all advertisements
- Exempt advertisements
- Advertisements with deemed consent
- Advertisement requiring consent
- Enforcement of unauthorised advertisements
- Definition of fly-posting
- Legal framework
- Travelling circuses and fairs
- Planning enforcement action taken regarding advertisements
- Plans for sites within the town
- Replacement of street furniture

The Scrutiny Panel asked questions, made comment and heard:

- In response to a query regarding the amount of posters and signs that some event promoters put up; Councillor Hadland confirmed that he would investigate to ascertain whether a limit could be introduced through a local byelaw; however it was highlighted that the implementation of local byelaws can be difficult
- It was suggested that where a contract is required for events to operate, the terms of the contract can be looked at
- The Scrutiny Panel commented that the legislation stipulates that adverts should be removed seven days after an event has taken place but on occasions adverts are still observed after this timescale. Councillor Hadland confirmed that the Council has the power to sanction

- The Scrutiny Panel heard that there the legislation does not specify the number of posters and signs that can be put up but the Council aims to encourage event promoters to be sensible in their advertising. If they do not comply adverts will be removed. Event organisers could be advised of suggested places to put up their posters and signs
- The Scrutiny Panel was advised that the number of fly-posts in the town had reduced over the past two years
- In response to a query regarding road sign trailers, the Scrutiny Panel heard that these are usually on highway verges and Northamptonshire County Council (NCC) can remove them under the Highway Act. If they are on private land it is more tricky to get them removed. The Scrutiny Panel emphasised the need for an agreement with NCC for the removal of road sign trailers
- In response to a question about lighting replacement in Abington Street, Councillor Hadland confirmed that this is work in progress
- Regarding the proposed installation of street lighting the Scrutiny Panel noted that details of the proposals are available on line to enable the public to comment
- The Scrutiny Panel conveyed its concerns regarding an auction that takes place at Brackmills and the number of signs put up advertising the events. James Willoughby confirmed that he could liaise with Fire Safety, Northants Fire and Rescue Service, to ascertain whether it had any concerns regarding the auctions

Councillor Tim Hadland and James Willoughby were thanked for their informative address.

**AGREED:** That the information provided informs the evidence base of this Scrutiny review.

### **(G) CABINET MEMBER FOR COMMUNITY ENGAGEMENT**

Councillor Brandon Eldred, Cabinet Member for Community Engagement, Northampton Borough Council (NBC) provided a written response regarding how advertising, both for external and Council events, is organised and enforced. The response stated that all advertising for Council run events is undertaken using authorised advertising boards and sites. The Council, itself, has a policy of never flyposting to advertise its own events.

External events (e.g. carnival, Diwali, street fairs and circuses etc.) are instructed by the Council to comply with the authorised advertisement regulations, if the event is on Council land.

**AGREED:** That the information provided informs the evidence base of this Scrutiny review.

### **(H) NORTHAMPTON BID**

The Scrutiny Panel noted a written response to its core questions from the Northampton BID.

**AGREED:** That the response to the core questions from Northampton BID informs the evidence base of this Scrutiny review.

## **(I) PARISH COUNCILS**

The Scrutiny Panel noted a written response to its core questions from three Parish Councillors, Duston Parish Council.

**AGREED:** That the responses to the core questions informs the evidence base of this Scrutiny review.

## **6. SITE VISITS**

The Scrutiny Panel noted a briefing noted detailing the site visits that were undertaken by members of the Scrutiny Panel.

The key findings from the site visits:

### **Northampton**

St Johns station passage was observed as very clean and tidy.

Evidence of street drinkers and rough sleepers was apparent.

Refuse bins outside a restaurant were very tidy, with sacks neatly stacked.

The Scrutiny Panel was pleased to note that investigations are taking place regarding the removal of big waste bins outside commercial properties in the town centre.

The Scrutiny Panel felt that the planting of foliage in brick planters would enhance an area. For example, the tyre planters in Victoria Gardens were admired; giving the area a sense of community pride.

### **Peterborough**

Peterborough has a big night-time economy, of a similar scale to that of Northampton. The city centre was not very clean, with litter and graffiti visible during the site visit.

The Scrutiny Panel observed the problem with pigeons, agreeing that the signage "Please do not feed the pigeons" was very useful.

The toilets were very clean. There is a charge of twenty pence to use the toilets.

### **Market Harborough**

Market Harborough is smaller than Northampton and is a market town. It has a small night-time economy comprising mainly restaurants and eateries.

The town centre was very clean with minimal littering.

Public toilets were of varying standards; one was noted as very clean and well maintained whereas another appeared not to have been cleaned for some hours.

Telephone boxes appear to attract flyposting.

There was clear signage regarding the prohibition of drinking alcohol in public places.

The Scrutiny Panel commented that a potential recommendation of its final report could be around contacting main supermarkets in the town regarding abandoned trolleys suggesting that a pay and return services is introduced to help to alleviate this.

**AGREED:** That the information provided informs the evidence base of this Scrutiny review.

## **7. PURPLE FLAG**

The Scrutiny Panel received a briefing note regarding the Purple Flag Initiative.

Key findings:

- The Purple Flag Award scheme assesses each areas crime rates, hygiene standards and a range of visitor attractions.
- The reported aim of the initiative is to improve perceptions of places, address imbalances in activities, tackle anti-social behaviour, and encourage a diverse evening offer; providing significant recognition for Councils and partnerships who deliver key services associated with the night-time economy.
- Accreditation of Purple Flag is dependent on 30 key factors and street cleansing is only one small part of this. The cleanliness of the centres would be assessed under the well-being section of the criteria.
- There are costs for towns and cities to apply to be accredited with the Purple Flag. Costs vary dependent upon the population. Costs for Local Authorities with a population of over 200,000 are £3,000 and £1,000 for a 12 months light touch fee to maintain standard.
- Nottingham reports that higher levels of cleanliness have been achieved with 130 new solar powered self-compacting litter bins installed. An iPhone app launched to enable people to report issues of littering and vandalism. A specialist deep cleansing machine, which is jointly funded by Nottingham City Council and the BID, is reported to have a major impact on addressing the issue of chewing gum in particular.

The Scrutiny Panel requested that the criteria for the Purple Flag Initiative be circulated to them. It was suggested that a potential recommendation of the final report could be



around the implementation of a time limited Action Plan working towards the 30 criteria of the Purple Flag initiative so that an application for Purple Flag accreditation could be submitted for Northampton

**AGREED:** That the information regarding the Purple Flag Initiative informs the evidence base of this Scrutiny review.

## **8. SHOP FRONT CLEANING ORDERS (COMMUNITY PROTECTION NOTICES)**

The Scrutiny Panel received a briefing note detailing Shop Front Cleaning Orders (Community Protection Notices) and Street Litter Control Notices. The key points of the Part 4, Chapter 1, of the Act in relation to littering and cleaning of shop fronts are:

In respect of littering and cleaning of shop fronts, Part 4, Chapter 1 (Community Protection Orders) (CPN) of the above Act states that the community protection notice is intended to deal with unreasonable, ongoing problems or nuisances which negatively affect the community's quality of life by targeting the person responsible (section 43(1)).

The notice can direct any individual over the age of 16, business or organisation responsible to stop causing the problem and it could also require the person responsible to take reasonable steps to ensure that it does not occur again (section 43(3)).

Paragraph 2.5 above provides an example of how Community Protection Orders relate to the cleaning of shops fronts:

“The notice should be issued to someone who can be held responsible for the anti-social behaviour (section 44). For instance, if a small shop were allowing litter to be deposited outside the property and not dealing with the issue, a notice could be issued to the business owner, whereas if a large national supermarket were to cause a similar issue, the company itself or the store manager could be issued with a notice.”

Breach of any requirement in the notice, without reasonable excuse, would be a criminal offence, subject to a fixed penalty notice (which attracts a penalty of £100) (section 52) or prosecution. On summary conviction an individual would be liable to a level 4 fine (currently up to £2,500). An organisation is liable to a fine not exceeding £20,000.

Street Litter Control Notices apply to the following types of business:

- Premises used wholly or partly for the sale of food and drink for consumption either off the premises or on the premises if outside and adjacent to the street.
- Service stations.

- Recreational venues such as cinemas, theatres, sports facilities and pitches.
- Banks and building societies with automated teller machines.
- Betting shops.
- Premises selling lottery tickets.
- Premises 'outside' where goods are displayed for sale on or adjacent to the street.
- Mobile vehicles, stalls and other moveable structures used for commercial or retail activities on a street.

Enforcement officers can help and advise businesses on compliance, but where advice and informal requests to deal with litter problems hasn't worked SLCNs provide an enforcement mechanism which the Local Authority can use. This would place ongoing legal responsibilities onto owners and businesses that are contributing to the problem.

A Street Litter Control Notice is served on the occupier or (if the premises are unoccupied) the owner, so as to place an ongoing obligation on him to comply with the requirement(s) specified for that land.

The Scrutiny Panel welcomed the legislation noting that Shop Front Cleaning Orders (Community Protection Notices) and Street Litter Control Notices had only recently become legislation. Guidance on the legislation is awaited. It was suggested that a recommendation of the final report could be that all members receive details of this important piece of legislation

**AGREED:** That the information provided informs the evidence base of this Scrutiny review.

The meeting concluded at 7:54 pm





COMMUNITY JUSTICE SECURITY

**Agenda Item No: 5a**

## **Scrutiny Panel 3-Keep Northampton Tidy**

**09<sup>th</sup> March 2015**

### **REPORT BY THE POLICE AND CRIME COMMISSIONER**

#### **1. Introduction**

- 1.1 The purpose of this report is to provide the Scrutiny Panel with an update and briefing of the work of the OPCC and how it can support the work of the panel with regard to their published purpose and objectives.

#### **2. Tackling Anti-Social Behaviour**

- 2.1 It is clear that selfish anti-social acts committed by a minority of local residents can have disproportionate impact upon communities across Northampton. It is important therefore that such behaviour, which can undermine the important sense of community amongst residents, is dealt with robustly and effectively.
- 2.2 As the Police and Crime Commissioner for Northamptonshire, I have been very clear about the importance of dealing with anti-social behaviour. For example, through *Local Solutions Fund*, we have sought to deliver a more responsive, joined up approach to tackle the blight of anti -social behaviour and to ensure it remains a priority for all responsible authorities.
- 2.3 Another key aspect of our work to combat anti-social behaviour is to constantly ensure that the various powers available to authorities are effectively used at the earliest opportunity; identifying and intervening with those who exhibit anti-social behaviour.

#### **3. Establishing a one stop shop**

- 3.1 Unfortunately victims of anti-social behaviour, or those who proactively report issues such as fly-tipping or littering, are often passed from pillar to post by public sector organisations. This can seem confusing and be difficult to navigate. Residents should have the confidence that when reporting something, the most appropriate authority will assess the issue and deal with it accordingly.
- 3.2 With this in mind, we are advocating a 'one-stop-shop' approach that will provide a single contact point for reporting anti-social behaviour and result in positive action by the relevant authorities. Victims of persistent or significant

anti-social behaviour will have access to the same emotional and practical support as is available to victims of crime.

- 3.3 We are currently working in partnership with Northamptonshire Fire & Rescue, joint Prevention and Protection Team and the county's ASB Strategy Group to develop a 'One-Stop-Shop' for victims of anti-social behaviour. This is currently scheduled to be operational by December 2015. In support of this work, The Institute for Public Safety, Crime and Justice is currently undertaking a strategic review of anti-social behaviour in the county which will help to inform the design of an anti-social behaviour one-stop-shop for Northamptonshire.

#### **4. 2014/15 Local Solutions Fund**

- 4.1 Local authorities such as Northampton Borough Council have an important role to play in working with partners to tackle the issues and blight of anti-social behaviour. District and Borough Councils across Northamptonshire have been commissioned through the OPCC's Local Solutions Fund to deliver local initiatives and interventions that deliver real and sustained outcomes for local communities, improving peoples' lives and making them safer.
- 4.2 Northampton Borough Council agreed six key outcomes including tackling anti-social behaviour and has been actively engaging with local residents across all communities. The results of this work are very encouraging as the police have recorded a 0.5% reduction in ASB, which equates to 61 fewer crimes and there has been a reduction in Environmental ASB reduced from the baseline to -8.7%.

#### **5. Involving Residents**

- 5.1 It is clear that we need to better involve communities to address specific crime or anti-social behaviour issues that matter to them. We recognise that not everyone who wants to play their part in making Northamptonshire the safest place will want to become a warranted police officer. Therefore, we are providing other volunteering opportunities for people do their bit in their local community. For example, we will be seeking to expand and further develop *Neighbourhood Watch* and other 'Watch' initiatives, such as *Street Watch* to help people become much more proactive about issues within their communities such as littering and fly-tipping.

#### **6. Recommendations**

- 6.1 That the Scrutiny Panel 3 notes the report.

**Adam Simmonds**

**Northamptonshire Police and Crime Commissioner**

## NORTHAMPTON BOROUGH COUNCIL

### OVERVIEW AND SCRUTINY



### SCRUTINY PANEL 3 – KEEP NORTHAMPTON TIDY

#### CORE QUESTIONS – EXPERT ADVISORS

The Scrutiny Panel is currently undertaking a review:

- To undertake a review regarding implementing a 'Keep Northampton Tidy' campaign with an accent on preserving wildlife and encouraging children (and adults) to take an interest in their surroundings, to include Community Clean Ups and 'Northampton in Bloom.'
- A review of the problem of littering and fly-tipping, particularly in un-adopted roads and the gateways into the town.
- To explore opportunities to enhance the gateways into the town.

The expected outcomes of this Scrutiny Review are:

- To substantially raise people's awareness and appreciation of keeping Northampton tidy and their role in this
- To continue to get community groups involved in keeping Northampton tidy
- To ensure that existing limited resources are utilised fully to raising people's awareness and appreciation of keeping Northampton tidy and their role in this
- To identify areas that have a detrimental effect on the image of the town
- To work with other Agencies to minimise fly-tipping and littering and discourage this taking place, as well as enhancing the gateways into the town

## CORE QUESTIONS:

A series of key questions have been put together to inform the evidence base of the Scrutiny Panel:

1. In your opinion, how could people's awareness and their roles in keeping Northampton tidy be raised?
2. Northampton Borough Council engages Community Groups in keeping Northampton tidy, Community clean ups (and the use of tools such as Kangaroo Run) and Northampton in Bloom could the engagement process be enhanced and how?
3. In terms of tidiness and cleanliness, do you feel there are any areas within Northampton that have a detrimental effect on the borough? Please provide further details
4. Please provide details of how you feel work with other Agencies could take place to minimise fly-tipping and littering and discourage this taking place, as well as enhancing the gateways into the town
5. How effective do you feel issues for street cleansing, cleanliness and enforcement are dealt with on main roads and highways; such as reaction time, outcomes and customer satisfaction?

For example at the Borough Council:

**Customer satisfaction** is measured by an annual survey carried out by Enterprise which is done on a basis similar to the Place Survey methodology

**Outcomes** – the contract is performance measured against specific contract indicators

**Reaction times** – these are governed by the specification as laid out in the attached table

The following are contractual standards for response to various types of service request

<b>STREETS &amp; GROUNDS - SERVICE REQUESTS / COMPLAINTS</b>		
REASON FOR SERVICE REQUEST		NORTHAMPTON SLAs
Litter picking or street sweeping request	---	5 working days
Weeds on highways	---	5 working days
Shrub/hedge concerns	---	5 working days
Grass cutting request	---	5 working days
Missed area grass cutting	---	5 working days
Encroachment of trees	---	30 days
Tree branches fallen	Urgent or non-urgent	24 hours
Tree complaints	---	30 working days
Dog litter bins	---	24 hours
Dead animals	---	24 hours
Environmental cleansing complaints	---	3 working days
Graffiti removal - Offensive	---	24 hours
Graffiti removal - Non-offensive	---	16 working days
Self-service graffiti removal - Offensive	---	24 hours
Self-service graffiti removal - Non-offensive	---	16 working days
Fly-tipping request	---	24 hours
Self-service fly tipping request	---	24 hours
Open spaces complaint	---	10 working days

The NBC policy for **response time** in respect to service requests for enforcement is normally within three working days.



6. Please provide details of your experiences of the main routes into the town centre, both by vehicle and on foot, in terms of cleanliness and tidiness.
  
7. Do you have further information or comments regarding Keep Northampton Tidy or other campaigns which you would like to inform the Scrutiny Panel?

# Overview & Scrutiny Committee



## SCRUTINY PANEL – KEEP NORTHAMPTON TIDY

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## APPENDICES

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Appendix D	Findings from site visits
Appendix E	Findings from desktop research
Appendix F	Purple Flag Accreditation
Appendix G	Shop Cleaning Orders (Community Protection Order) and Street Litter Control Notices
Appendix H	Street Drinkers

## Foreword

The objective of this Scrutiny Panel was:

- To undertake a review regarding implementing a 'Keep Northampton Tidy' campaign with an accent on preserving wildlife and encouraging children (and adults) to take an interest in their surroundings, to include Community Clean Ups and 'Northampton in Bloom.'
- A review of the problem of littering and fly-tipping, particularly in un-adopted roads and the gateways into the town.
- To explore opportunities to enhance the gateways into the town.

The required outcomes being:

- To substantially raise people's awareness and appreciation of keeping Northampton tidy and their role in this
- To continue to get community groups involved in keeping Northampton tidy
- To ensure that existing limited resources are utilised fully to raising people's awareness and appreciation of keeping Northampton tidy and their role in this
- To identify areas that have a detrimental effect on the image of the town
- To work with other Agencies to minimise fly-tipping and littering and discourage this taking place, as well as enhancing the gateways into the town

The Scrutiny Panel was made up from members of the Overview and Scrutiny Committee – Councillors Sivaramen Subbarayan (Deputy Chair of the Scrutiny Panel), Mick Ford, Phil Larratt, Matt Lynch and Winston Strachan and myself (Chair); together with other non-Executive Councillors Penny Flavell and Dennis Meredith. The Scrutiny Panel benefitted from the expertise of the co optee, Vanessa Kelly of the Northampton Waste Partnership.

The Scrutiny Panel received both written and spoken evidence from a wide variety of expert advisors. Desktop research was carried out by the Scrutiny Officer. Representatives undertook site visits to Northampton, Market Harborough, a market town and Peterborough, a city, making comparisons regarding the cleanliness of the town centre. All of which produced a wealth of information that informed the evidence base of this high profile Scrutiny review.

Following the collation of the evidence, the Scrutiny Panel drew various conclusion and recommendations that are contained in the report.

The Review took place between May 2014 and March 2015.

I would like to thank all those people acknowledged below who gave up their time and contributed to this Review.



**Councillor Tony Ansell**

**Chair, Scrutiny Panel 3 – Keep Northampton Tidy**

## **Acknowledgements to all those who took part in the Review: -**

- Councillors Sivaramen Subbarayan (Deputy Chair of the Scrutiny Panel), Mick Ford, Phil Larratt and Winston Strachan, Penny Flavell and Dennis Meredith who sat with me on this Review
- Vanessa Kelly, co-optee, for sitting on this Scrutiny Panel
- Councillor Mike Hallam, Cabinet Member for Environment, Northampton Borough Council (NBC), Councillor Tim Hadland, Cabinet Member for Regeneration, Enterprise and Planning, Ruth Austen, Environmental Health Manager (Environmental Protection) NBC, Jonathan Price, Highways Agency, Debbie Ferguson, Community Safety Manager, NBC, for attending a meeting of the Scrutiny Panel and providing information to inform the Review
- Councillor Brandon Eldred, Cabinet Member for Community Engagement, (NBC), Neighbourhood Wardens, NBC, Andy Leighton, Highways Authority, Northamptonshire County Council (NCC), John Casserly, Wellingborough Norse, Ed Potter, Head of Environmental Services covering Cherwell District Council and South Northants Council, Ashley Lewis, Northampton BID, Joseph Murphy, Network Rail, Mark Evans, Operations Chief Inspector, Northants Police, and three Parish Councillors from Duston Parish Council for providing a written response to the core questions of the Panel
- Dan Blundell, Developer, ICT Services, LGSS, for giving the Scrutiny Panel a presentation on the Report It app.
- Thomas Appleyard, member of the public, for attending a number of the meetings of the Scrutiny Panel, providing written evidence and addressing the Panel

## EXECUTIVE SUMMARY **Draft**

1.1 The purpose of the Scrutiny Panel was:

- To undertake a review regarding implementing a 'Keep Northampton Tidy' campaign with an accent on preserving wildlife and encouraging children (and adults) to take an interest in their surroundings, to include Community Clean Ups and 'Northampton in Bloom.'
- A review of the problem of littering and fly-tipping, particularly in un-adopted roads and the gateways into the town.
- To explore opportunities to enhance the gateways into the town.

1.2 The required outcomes being:

- To substantially raise people's awareness and appreciation of keeping Northampton tidy and their role in this
- To continue to get community groups involved in keeping Northampton tidy
- To ensure that existing limited resources are utilised fully to raising people's awareness and appreciation of keeping Northampton tidy and their role in this
- To identify areas that have a detrimental effect on the image of the town
- To work with other Agencies to minimise fly-tipping and littering and discourage this taking place, as well as enhancing the gateways into the town

1.3 Following approval of its work programme for 2014/2015, the Overview and Scrutiny Committee, at its meeting in April 2014 commissioned Scrutiny Panel 3 to undertake the review – Keep Northampton Tidy.

1.4 A Scrutiny Panel was established comprising Councillor Tony Ansell (Chair); Councillor Sivaramen Subbarayan (Deputy Chair); Councillors Penny Flavell, Mick Ford, Phil Larratt, Matt Lynch, Dennis Meredith and Winston Strachan. Vanessa Kelly, Executive Officer, Northamptonshire Waste Partnership, was co-opted to the review.

1.5 An in-depth review commenced in May 2014, concluding in March 2015.

## CONCLUSIONS AND KEY FINDINGS

A significant amount of evidence was heard, details of which are contained in the report. After gathering evidence the Scrutiny Panel established that: -

**To be added when the report is finalised**

## RECOMMENDATIONS

The above overall findings have formed the basis for the following recommendations: -

The purpose of this Scrutiny Panel was:

- To undertake a review regarding implementing a 'Keep Northampton Tidy' campaign with an accent on preserving wildlife and encouraging children (and adults) to take an interest in their surroundings, to include Community Clean Ups and 'Northampton in Bloom.'
- A review of the problem of littering and fly-tipping, particularly in un-adopted roads and the gateways into the town.
- To explore opportunities to enhance the gateways into the town.

Scrutiny Panel 3 recommends to Cabinet:

**To be added when the report is finalised**

# NORTHAMPTON BOROUGH COUNCIL

## Overview and Scrutiny

### Report of Scrutiny Panel 3 – Keep Northampton Tidy

**DRAFT - Version 2**

#### **1 Purposes**

1.1 The purpose of the Scrutiny Panel was:

- To undertake a review regarding implementing a 'Keep Northampton Tidy' campaign with an accent on preserving wildlife and encouraging children (and adults) to take an interest in their surroundings, to include Community Clean Ups and 'Northampton in Bloom.'
- A review of the problem of littering and fly-tipping, particularly in un-adopted roads and the gateways into the town.
- To explore opportunities to enhance the gateways into the town.

1.2 A copy of the scope of the Review is attached at Appendix A.

#### **2 Context and Background**

2.1 Following approval of its work programme for 2014/2015, the Overview and Scrutiny Committee, at its meeting in April 2014 commissioned Scrutiny Panel 3 to undertake the review – Keep Northampton Tidy. An in-depth review commenced in May 2014 and concluded in March 2015.

2.2 A Scrutiny Panel was established comprising Councillor Tony Ansell (Chair); Councillor Sivaramen Subbarayan (Deputy Chair); Councillors Penny Flavell, Mick Ford, Phil Larratt, Matt Lynch, Dennis Meredith and Winston Strachan. Vanessa Kelly, Executive Officer, Northamptonshire Waste Partnership, was co-opted to the review.

2.3 This review links to the Council's corporate priorities, particularly corporate priority 2 – invest in safer, cleaner neighbourhoods (creating an attractive, clean and safe environment.)



2.4

The Scrutiny Panel established that the following needed to be investigated and linked to the realisation of the Council's corporate priorities:

- Background data such as:
  - The National Fly-Tipping Prevention Group – Fly-tipping Framework: A National Framework for England for tackling fly-tipping
  - Relevant Planning and Environmental Legislation
  - Performance data and statistics regarding fly-tipping
- Relevant background reports
- Best practice data, such as Local Authorities and campaigns elsewhere
- Desktop research
- Evidence from expert internal witnesses:
  - Cabinet Member for Regeneration, Planning and Enterprise
  - Director for Regeneration, Enterprise and Planning
  - Cabinet Member for Community Engagement
  - Cabinet Member for Environmental Services
  - Corporate Communications Unit, NBC
  - Neighbourhood Wardens and Environmental Health Manager, NBC
- Evidence from expert external witnesses
  - Northampton BID
  - Relevant National organisations, such as Keep Britain Tidy
  - Environment Agency
  - The Canal & River Trust
  - Highways Authority, NCC
  - Highways Agency
  - Network Rail
  - Northants Police
  - Parish Councils
  - Relevant Service Directors – Daventry District Council, South Northants and Wellingborough Council
- Various site visits

### **3 Evidence Collection**

3.1 Evidence was collected from a variety of sources:

#### **Background data**

### **3.2 Background reports**

3.2.1 [The National Fly-Tipping Prevention Group - Fly-tipping Framework: A National Framework for England for tackling fly-tipping](#) 

#### **Environmental Legislation**

### **3.2.2 Environmental Protection Act 1990 (Section 87)**

The Act defines the offence of leaving litter, throwing down, dropping or depositing litter in any land, and leaving it. The land must be “open to the air”. Littering is an offence in public places and on private land (unless the owner of the land has given permission for the dropping of litter). Littering offences can be prosecuted through a magistrates’ court, carrying a maximum fine of level four on the standard scale. The legislation applies to small pieces of litter, including chewing gum, cigarette ends and matches.

#### **Environmental Protection Act 1990 (section 88)**

This Act gives the power to authorised officers of the local authority (and others including Police and PCSOS) to issue a Fixed Penalty Notice as an alternative to prosecution.

#### **Environmental Protection Act 1990 section 89**

This Act sets out a duty to clear litter and refuse from relevant land and relevant highway to which the public have access. A DEFRA Code of Practice on Litter and Refuse provides guidance on how this duty should be discharged. It describes acceptable cleaning standards and response times for different types of land use zones.

#### **Environmental Protection Act 1990 Section 92 and 94**

This legislation gives local authorities powers to issue a Litter Clearance Notice requiring land to be cleared and monitored to prevent it becoming heavily littered again. However this legislation is due to be replaced by new powers under the Anti-Social Behaviour, Policing and Crime Act 2014.

## **Environmental Protection Act 1990 Section 93 and 94**

Under these powers local authorities can require the occupiers of certain types of commercial premises to prevent or removed accumulations of litter where there is recurrent defacement by litter of open land. This power is due to be replaced by new powers under the Anti-Social Behaviour, Policing and Crime Act 2014.

### Fly-tipping

## **Environmental Protection Act 1990 (Section 33)**

This legislation prohibits the unauthorised or harmful deposit, treatment, disposal of waste.

A fly-tipping offence has been committed if:

- A person has deposited, knowingly caused or knowingly permitted the dumping of controlled waste in or on land that does not have an environmental permit or that is not in accordance with an environmental permit (as governed by the Environmental Permitting (England and Wales) Regulations 2007).
- A person has submitted controlled waste to a “listed operation” other than in accordance with an environmental permit (a listed operation is widely defined and includes almost all operations that may be carried out on waste, including disposal, cleansing, recycling and incineration).
- A person has treated, kept or disposed of controlled waste in or on land in a manner likely to cause pollution to the environment or harm to human health.

## **Environmental Protection Act 1990 (Section 46 & 47)**

This legislation gives Local Authorities the power to serve a Notice specifying the type of receptacle in which household waste (section 46) and commercial waste (section 47) must be presented for collection. It allows details of waste collection times to be specified. Failure to comply with the terms of the Notice can result in the issue of a fixed penalty notice or prosecution.

### **Environmental Protection Act 1990 Part III (Statutory Nuisance)**

District councils can serve an abatement notice if an accumulation or deposit is considered to be prejudicial to health or a nuisance. Reasonable costs can be recovered. Inert material, however, would not be categorised as a statutory nuisance as prejudice to health relates to hygiene and sanitation type issues (“disease, vermin or the like”).

### **Prevention of Damage by Pests Act 1949 Section 4**

A local authority can serve a notice requiring an owner to remove, at their own expense, accumulated waste where damage by pests is likely to occur. Costs can be recovered should the council have to remove it.

## **3.2.3 Planning Legislation**

### **The Town and Country Planning Act (1990) (as amended)**

The Act contains little provision with regard to amenity. Section 215 of the Act together with the Government Circular 2/98 (Prevention of Dereliction through the Planning System) sets out the powers of Local Planning Authorities to provide the proper maintenance of land in their area.

This provision however, more relates to land parcels and buildings where an owner or occupier can be required to improve the visual amenity of the area through the judicial system.

These provisions require an initial investigation to ascertain who is responsible for the land or its condition. Following this a formal Notice would need to be issued setting out the steps required to be taken and giving a period to comply with those steps of not less than 28 days.

Following the issue of any such Notice, and during the compliance period, the recipient may appeal to the Magistrate’s Court against the issue of the Notice. Should no appeal be forthcoming, and no compliance secured, the recipient can then be prosecuted for non-compliance with the Notice. This full process would generally take some 3 months. During this period the land or buildings would remain in their unacceptable state.

Ultimately if no compliance is secured the Council may take remedial action to carry out the works required but must fund that process and later secure a charge on the land or property until such time as it is sold.

3.2.4 [Performance data and statistics: Flytipping – 1 April 2013 – 31 March 2014](#)

3.2.5 **Report It App.**

The Report it App. contains a number of key features:

- The app. is available on Apple – IOS platform and Android – Google platform. It can also be accessed via the Council's website. A third platform on Windows is currently being developed.
- Social activity has been aggregated to the app., detailing information that NBC wants to publish. It is a dynamic, ever-changing page
- The user can download photographs to the app.
- The simplicity of using the app. was emphasised.
- The app. also contains the facility for the user to find out information, such as bin day collections

**3.3 Core Questions**

3.3.1 The Scrutiny Panel devised a series of core questions that it put to its key witnesses over a cycle of meetings (Copy at Appendix B).

3.3.2 Key witnesses provided a response to these core questions at the meetings of the Scrutiny Panel held on 22 October 2014, 26 November 2014 and 15 January 2015.

3.3.3 Salient points of evidence:

**Cabinet Member for Environment, Northampton Borough Council (NBC)**

- Littering is a frustrating issue as often people will blame the Local Authority for it but it is not the Council that is dropping litter. The provision of more bins will not solve the problem. There needs to be a combination of education, enforcement and awareness.
- Community pride and personal responsibility is also a key

issue, for example, picking up recycling and refuse bins when they have blown over.

- The Policy on the removal of fly tipping from private land that was approved by Cabinet at its October 2014 meeting gives the Council the authority to remove, where possible, the waste from private alleyways and shared private land. Where appropriate the Council will then recover the cost of such clearance from those responsible for the fly tips or the land owner(s). This is a unique initiative that has attracted interest from Keep Britain Tidy.
- The Policy on the removal of fly-tipping from private land should be useful in circumstances of fly-tipping on private land, next to laybys.

#### **Cabinet Member for Community Engagement, NBC**

- All advertising for Council run events is undertaken using authorised advertising boards and sites. The Council, itself, has a policy of never flyposting to advertise its own events.

#### **Cabinet Member for Regeneration, Enterprise and Planning, NBC**

- The Advertisement control system under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 covers a wide range of advertisements and signs, all of which communicate information or a message to passers-by. Advertisements may be permanent or temporary and depending on how long the advert is to be displayed for may affect whether or not the advert requires advertisement consent.
- Not all advertisements require consent from the Local Planning Authority (LPA). They may be exempt or have deemed consent (not requiring formal consent from the LPA) under the Regulations. Although, advertisers are advised to check with their LPA if they have any doubts as to whether consent is required. There are nine classes of advertisements that are exempt from advertisement control providing that the conditions and limitations for each class are met. Examples include traffic signs, national flags and advertisements displayed on enclosed land such as railway or bus stations.
- There are 16 classes of advertisements that have the benefit of deemed consent under the Regulations providing that the

conditions for each class are met. The conditions generally deal with the size, height, number and illumination of the advertisement. Examples include estate agent boards and local event notices.

- If an advertisement does not fall within the exempt or deemed consent categories, then it will require consent from the LPA. Examples include poster hoardings, externally illuminated signs and directional signs.
- To obtain consent, an advertiser must make an application to the LPA. On considering whether to consent to the advertisement, the LPA will consider the visual amenity and interests of public safety of the advertisement. The LPA is not required to consider the content of the advertisement as offences to decency are not planning matters and are regulated by the Advertising Standards Agency.
- To display an unauthorised advertisement is a criminal offence. The LPA can issue proceedings in the Magistrates Court. However, unless the offence is ongoing or repeated, the LPA may not consider formal enforcement action to be necessary in the first instance.
- The maximum fine is currently £2,500 with an additional daily fine of £250 on conviction of a continuing offence.
- There is no statutory definition of fly-posting. However, it is generally taken to be the display of advertising material on buildings and street furniture without the consent of the owner, contrary to the provisions of the Regulations.
- The number of fly-posts in the town has reduced over the past two years
- There are other types of unauthorised advertisements (such as hoardings, A boards and business cards displayed in telephone boxes) which fall outside the normal definition of flyposting.
- There are a number of pieces of legislation under which fly-posting can be controlled. The principal mechanism is s.224 and s.225 of the Town and Country Planning Act 1990. Other powers exist under the Highways Act 1980, the Cleaner Neighbourhoods and Environment Act 2005 and local legislation. In the worst case scenario, the LPA can prosecute the advertiser or the beneficiary of the advertisement and a fine could be imposed by the Magistrates Court.
- An advertisement relating to the visit of a travelling circus, fair or similar travelling entertainment to any specified place in the

locality will not need consent provided the following requirements are met:

1. The advertisement does not exceed 0.6 square metres in area.
  2. No advertisement is displayed earlier than 14 days before the first performance or opening of the entertainment at the place specified.
  3. The advertisement is removed within 7 days after the last performance or closing of the specified entertainment.
  4. At least 14 days before the advertisement is first displayed, the Local Planning Authority is notified in writing of the first date on which, and of the site at which, it is to be displayed.
  5. Illumination is not permitted.
  6. No part of the advertisement is more than 4.6 metres above ground level, or 3.6 metres in an area of special control for advertisements. (Please contact the Local Planning Authority for details of the location of areas of special control).
- There is no restriction relating to the number or siting of these advertisements.
  - Planning Enforcement works closely with the Highway Authority and the NBC Regulatory Services department. The three departments have different legislation to deal with unauthorised advertisements, which include flyposting, and apply the most relevant and effective legislation to deal with each breach. The Neighbourhood Wardens also monitor the relevant areas and remove unauthorised advertisements, where appropriate. We also liaise with the Licensing department and external agencies such as, Pub Watch, to remind the Licensee of the premises of their obligations.
  - Planning Enforcement has not needed to utilise the Town and Country Planning Act to prosecute offenders as the unauthorised advertisements have either been removed, following informal warnings, or the other departments have applied their more appropriate legislation. Prosecuting under the Town and Country Planning Act can be a protracted and expensive process and during the litigation period the advertisement may remain in situ.



- Planning Enforcement tends to negotiate the removal of the unauthorised signs and if applicable, secure a suitable replacement.
- The Council has limited or no control over when proposed development of land, not within its control or ownership, will take place.
- In the particular case of St Edmunds, the developer is due to submit a planning application imminently. This has taken a long time due to the complex and technical nature of this site, also taking into account its status as a Listed Building, a great deal of work and considerations is required prior to the submission of an application. The planning department is working close with the owner of the site on a suitable scheme for the site.

### **Environmental Health Manager (Environmental Protection), NBC**

- It is important to use of a range of methods to raise people's awareness and their roles in keeping Northampton tidy. For example, posters, press releases, social media, radio adverts. People will respond to a variety of approaches. The use of social marketing strategies to reward and incentivise good behaviour can be effective. In some cases, techniques that shame poor behaviour have been used for example, Tidy Britain Pig Campaign; however, these have not always been effective. Campaigns which engage the participants and give them some ownership work well, for example poster competitions where children design an anti-littering poster when the winning design is then used to promote the message are effective. Some campaigns also make use of shock tactics, for example, the "Which Side of the Fence Campaign" where a street of area of land is divided and one part cleaned for a period and the other side not and then the results are publicised. Engaging with groups within a community and giving them a level of ownership in helping to keep their neighbourhood clean has proved to be effective at promoting a sense of pride and ensuring the ongoing maintenance of previously neglected areas.
- The importance of a tidy environment is important; if an area looks clean people are less likely to make it dirty. People need to realise that both chewing gum and cigarette ends are litter. Enforcement action taken as a deterrent to others should be publicised.

- Potential work with the Haulage industry and other transport operators to focus on litter on the move – for example, the extract from North West Leicestershire i Tidy Britain document would be useful.
- Increased promotion of the use of the NBC app. to report incidents of littering fly tipping etc. Possible enhancement of the app. to allow reporting of positives, good points in the community. Possible enhancement of app. for use as a channel to request and coordinate community action e.g. litter picks.
- The engagement process could be enhanced by increasing publicity and ensuring that forms to apply for Community Clean Ups are readily available through a quick link on the NBC website. Have a “How To” button on front page of website. Make things easy for people to get involved. Make further use of community networks to publicise Bloom and other initiatives. Ensure that all NBC staff with community contact are fully briefed on procedures. It is importance that community clean ups are coordinated with and complement cleansing work carried out by contractor - Don't duplicate, enhance! Provide support to enable this to happen. Kangaroo runs are used as a selective tool during weeks of action and as such are not publicised more widely than the immediate area where they are taking place.
- Some of the gateways into the town, particularly those on high speed roads and the accesses to the town centre on Wellingborough Rd, Kettering Rd, St Michaels Rd and Barrack Road and some residential areas (generally those with lower proportions of owner occupation) have a detrimental effect on the town.
- Work with other Agencies could take place to minimise fly-tipping and littering and discourage this taking place, as well as enhancing the gateways into the town Improved clarity in defining land ownership and responsibility for carrying out cleaning. Open sharing of cleaning schedules between organisations to remove duplication. Production of joint publicity campaigns to publicise littering issues.
- Possible work with representative bodies of companies e.g. work with haulage industry and rail operators / network rail on transport litter. Ongoing work takes place on a regional basis to share intelligence about fly tipping. Local authorities across Northamptonshire work together on enforcement sharing good practice, production of publicity materials, standardisation of

approaches in dealing with businesses etc. Resources are shared e.g. CCTV cameras and the expertise to install and analyse results – CCTV use is subject to rigorous control. Currently leaflets on Householder and Business waste duty of care are being updated and will be produced as a web based resource. Joint campaigns take place through this network.

- It would be useful to engage more effectively with other agencies such as major landowners. Potential litter can be generated by a number of sources including wind-blown waste from unsecured materials stored on sites and litter associated with vehicles visiting sites. The fly tipping guidance produced by National Fly tipping Prevention Group is a useful model on collaborative working.
- Schedules and service levels for main areas, town centre / main arterial routes ensure a generally good standard.
- The system needs to be more joined up and easier for people to understand. The marking of bins and other street furniture would make identification easier.

Enforcement is an effective tool. In 2013/14 78 Fixed Penalty Notices (FPNs) for littering were issued during 2014/15 up to 1 October, 54 littering FPNs have been issued. 2 FPNs had been issued for dog fouling during 2013/2014 and 5 had been issued so far this year. This is not well publicised a quarterly bulletin may be useful. Attached at Appendix C are full statistics regarding the issuing of FPNs.

- The Environment Health Manager walks to and from the town centre daily and thinks that the route she takes along Billing Road and St Giles Street is of average cleanliness when compared to similar towns and cities. The standards of cleanliness in the main streets in the town centre are very good. In common with many towns, there are some problems with chewing gum stains and with cigarette butts in gaps in paving. Outside the central area main routes are in a poorer state, especially St Michaels Rd, Wellingborough Rd, Kettering Rd.
- It is vital that the community is engaged with. People are much less likely to litter if they feel a sense of pride in and responsibility for their area. There is a difference between thinking that cleansing is the Council's job and realising that it is everyone's job.

## **Neighbourhood Wardens, NBC**

### **Options to raise awareness:**

- Use of roadside banners, adverts on buses, J C Decaux advertising boards, signage around the town, signs on lampposts similar to the ones used to raise awareness of dog fouling, adverts on NBC and Enterprise vehicles. Provision of information in new tenant packs to social housing tenants / students etc. Provision of information to businesses especially about controlling litter from smoking areas / patron generated litter. Doing more publicity on enforcement actions carried out. Carrying out a larger number of targeted campaigns and publicising the results. Providing more funding for Junior Wardens and education activities. Making further use of local media / social media.

### **Enhancement of community clean up procedure**

- Access to the application forms should be easier. Clean ups could be linked with national campaigns such as The Big Tidy Up / Spring Clean etc.
- If communities participate in clean ups is there any way that they could be rewarded by getting an enhanced level of service provision.
- Ensure that if community groups do a clean-up either the waste is removed by our contractor or paperwork is provided so that they can dispose of waste at HWRC
- Provide more resources to support clean ups / equipment.

### **Areas considered to have a detrimental effect on borough**

- The lower part of Kettering Road, St Michaels Rd, Abington Sq, Wellingborough Rd,
- Across the town the fact that verges and shrubberies are poorly maintained and overgrown
- The number of derelict buildings / sites awaiting development in prominent locations is there any way that planning can pressure the commencement of development or require sites to be kept in a tidier manner.

- Potential for funding from new developments towards litter mitigation measures more bins / publicity etc.
- Problems in the town centre in the early mornings and with equipment failure and lack of investment in equipment.

### **Potential work with other Agencies**

- Possibility of providing a truck stop with toilet and café facilities on industrial estates to prevent problems with littering etc. from lorries.
- Work with Highways authority to schedule more cutting back litter picking on main routes.
- Potential for changes in road design to prevent green space in central reservations where weeds grow and litter collects.

### **Effectiveness of measures of performance**

- The perception is that the figures quoted are not met.
- Concern that main gateway routes are not litter picked frequently enough.
- Concern for duplication if multiple reports are received about one fly tip, what mechanisms in place to stop this?
- Suggest that more frequent grass cutting makes the town look tidier as long grass looks bad and creates more mess when it is cut.
- Suggest that fly posters should be prosecuted in a speedier manner.
- Concern that the level of service provided in Northampton has deteriorated since it has been contracted out.

### **Highways Agency**

- The role of the Highways Agency is to manage and monitor strategic networks – motorways and trunk roads. In Northamptonshire these are the M1, A5, A45, A43 and A14. The strategic roads within Northampton consist of the A45 and the M1

- The Highways Agency has close working relationships with the County Council and District Councils in Northamptonshire
- Litter is a problem on motorways and trunk roads and is keen to see improvements, in particular in gateway locations, such as Junction 15 of the M1
- It is currently the responsibility of the Highways Agency to clear litter from motorways and that of Local Authorities to clear trunk roads of litter
- The Highways Agency is currently preparing to become a Government owned company (ALMO) with a longer funding horizon of six years. It is expected that the new organisation will have more autonomy and more available funds. It is hoped that after April 2015 the organisation will be in a position to consider allocating more funds to problems such as littering on the trunk road network.
- The Highways Agency and its contractors carry out regular route inspections. Littering is a problem but it is difficult to enforce against.
- Grass cutting is carried out in the interests of safety/visibility rather than for amenity. Post April 2015, the grass cutting schedule may be able to be reviewed in this respect.
- The Highways Agency does not encourage more signs in situ that are necessary
- The Highways Agency wants to do more about littering. One contribution is running anti-litter messages on variable message signs when not required to issue any advance warning.
- The Highways Agency has a dedicated telephone line that people can use for reporting issues such as littering. Regular checks of the strategic road network takes place too.

### **Community Safety Manager, Northampton Borough Council (NBC)**

The Community Safety Manager, NBC, provided details regarding Street Drinkers. Key points:

- Street drinkers are a difficult client group to work with due to their chaotic lifestyles and complex needs. It is therefore important to

have good partnership working in place in order to address a wide range of issues. Northampton has established a multi-agency approach, in order to effectively utilise available interventions and enforcement tools.

- The approaches outlined in Appendix H demonstrate the wide range of work that is undertaken by agencies. With the introduction of new powers on 20/10/2014, there is now the opportunity to further strengthen this work.
- If an individual does not ask for money and just sits there they are not necessarily breaking the law. Key wording in the relevant Police Act regarding begging is “aggressive begging”
- In Northampton, beggars are issued with a warning letter and “yellow card”, and informed if they are found to be begging again they will be issued with a red card and will be prosecuted. This approach has proved effective and due to this initiative some beggars have now left the town
- New legislation regarding Anti-Social Behaviour now includes the option to add positive sanctions to ‘Orders’, notices and injunctions, such as requiring an individual to attend a Drug and Alcohol Programme
- A number of beggars have serious alcohol problems; mental health issues and/or are homeless. Community Safety is trying to engage more with prolific Street Drinkers in order to address their offending behaviour and also provide support in addressing their issues. Five Street Drinkers are currently engaged in this process, three are doing well and one has taken part in a de-tox programme. Positive actions are being seen but it is not a quick process.
- A CCTV camera is in situ close to where Street Drinkers congregate. A request can be put in that more focussed recording takes place.

### **Managing Director, Wellingborough Norse**

- People’s awareness and their roles in keeping Northampton tidy could be raised through campaigns, community involvement, increased awareness of costs.
- Northampton Borough Council engages Community Groups in keeping Northampton tidy, Community clean ups (and the use of tools such as

- The engagement process could be enhanced by helping the community to help itself. Identify groups currently not involved. This will require knowledge of the complexion of community/neighbourhood groups in the borough.
- Along with the regular Agencies (such as the Environment Agency /Police etc.) increase engagement with Landowners to help minimise fly-tipping and littering and discourage this taking place
- Ensure all measurements are based on what is needed rather than a prescribed specification. Flexibility is key.
- The Managing Director confirmed that his experiences of the main routes into the town centre, both by vehicle and on foot, in terms of cleanliness and tidiness were acceptable
- There is a need to ensure that residents feel pride and responsibility in their town, ownership of the issues. The key elements of Education, Engagement and Enforcement need to be balanced.

#### **Head of Environmental Services covering Cherwell District Council and South Northants Council**

- There are a number of ways people's awareness could be raised from one off publicity drives to more sustained campaigns. In Cherwell District Council area Neighbourhood blitz events are used. In these areas week long events covering around 1,500 properties take place, residents are made aware through leaflets and additional street cleansing resources are used to bring up the area to the highest standards. Residents are engaged to try and take pride in their area so that standards do not slip. There are things such as free bulky waste collections in those areas for that week to encourage residents to remove things such as old sofas or white goods. Sometimes these items which may be sitting in their front gardens damaging the overall appeal of an area. Besides Neighbourhood blitz events Cherwell District Council use a cartoon character Major Sparkle to encourage young people to keep areas clean. Environmental Services has a set of flip charts which it can present at primary schools.
- There are no easy answers. It requires sustained engagement is required to keep in touch with Community groups and keep up their level of enthusiasm
- From Towcester, some of the dual carriageways can be scruffy at times. Cleaning such roads is tricky and sometimes requires the use of traffic management to close lanes off so that litter picking can be



carried out safely. This can make cleaning such roads more expensive.

- Working with groups such as Chamber of Commerce and other businesses which have an interest in keeping areas such as the town centre tidy. The provision of cigarette litter bins outside restaurants and licenced premises can help. Working with businesses so that they keep their waste contained and don't put their waste out too early for collection
- Some of the reaction times seem slow compared to others. For example removing weeds on the highways seems a reasonable time, 5 days for litter picking requests seems long. In South Northants or Cherwell, the areas the Head of Environmental Services covers, a request for litter picking would usually be carried out by the end of the next working day. Generally the response times look ok.
- The Head of Environmental Services comes into Northampton about once a month for meetings. Generally he approaches the centre by walking down Gold Street. Usually, the road is litter free. However chewing gum looks to be an issue.
- The effectiveness of the Street Cleansing team is always key. The team must be committed to keep areas clean, work flexibly, clean the areas which need cleaning and not have a work programme which is solely based on cleaning frequencies. The quality of staff is important and staff need encouragement so that they know their work is seen to be of great importance. If the team is effective then efforts through education and enforcement to stop litter and fly tipping occurring are also important. Publicity for successful prosecutions, issuing of fixed penalty notices help get the message to residents that littering and fly tipping will not be tolerated.
- South Northants has different littering issues due to the district being very rural and only having two small urban centres. However Cherwell District Council with three urban centres two of which have 7 day/week shopping some of the issues are similar to those experienced by Northampton Borough Council. Both Councils have a strategy for keeping the district clean by having an effective Street Cleansing team and using education and enforcement as well to keep the districts clean.

**Assistant Director, Highways, Transport and Infrastructure,  
Northamptonshire County Council (NCC)**

- Utilising of Community Signs (Such as those used for Community Speedwatch) could raise people's awareness and their roles in keeping Northampton Tidy. These could be brightly coloured and used on a temporary rotational basis in problem areas.
- In some areas ask for a small charge to use Kangaroo run could be requested, this could mean additional runs could be funded. Ref Northampton in Bloom encourage sponsorship.
- Work with other Agencies could take place to minimise fly-tipping and littering and discourage this taking place by the design of new estates which could exclude areas which are often subject to fly-tipping. The provision of additional litter bins at gateways to the town.
- The Town Centre is kept very clean. However, litter is often noticed on the Northampton Ring Road (Danes Camp Way). Traffic management requirements in these areas is expensive and requires a lead in time to implement so it may not always be so reactive.
- Danes camp Way seems sometimes to be prone to litter. Weedon Road could benefit from sign and bollard cleansing
- Northamptonshire Highways is one of the campaign sponsors and has contributed £1,000 towards an anti-littering campaign. Northamptonshire Highways actively attends campaign meetings and is currently considering whether magnetic A3 campaign posters can be carried on maintenance vehicles during March. The variable message signs on approaches into Northampton are used to display/promote messages such "Stop the drop don't litter" during campaign awareness events.
- Over the last year Northamptonshire Highways has operated a county-wide sign de-cluttering scheme. This scheme looks to remove redundant signs and posts from the highway network. Over the last year in Northampton Borough a number of different sign types and post have been removed, these are summarised below:

Sign Type	Description	Numbers Removed
Warning/other signs	Removal of redundant chevron signs on roundabouts and other warning signs within a 30mph speed limit following a review.	26 signs 40 posts
Parking signs	Removal of redundant signs following amendments to parking regulations	81 sign faces 19 posts
Redundant Posts	Redundant posts located within Northampton Borough.	13 posts

- Northamptonshire Highways has adopted a “one up two down” policy. When a new sign is erected, wherever possible two redundant signs are to be removed.
- Redundant signs can be reported to Northamptonshire Highways through the Street Doctor enquiry system
- Cyclical sign cleaning programme is no longer undertaken by Northamptonshire Highways. Signs that require cleaning are identified through planned inspections of the highway or through enquiries from the public. The maintenance crew attending to clean the sign(s) will clean others in the vicinity that require cleaning.
- If members of the public believe a sign requires maintenance it can be reported through the Street Doctor public enquiry system.
- Signs are only replaced when they are no longer fit for purpose (i.e. faded or damaged) or are missing. These are identified through planned inspections of the highway or through reports from the public. The timeframe for replacement of the sign depends on the sign. Stop, Give Way and Chevrons are replaced with the highest level of urgency.
- When signs are replaced consideration will also be given to the sign type and whether it does need to be replaced at all.
- Historically attempts have been made to co-ordinate the grass cutting and litter picking functions that are undertaken where there has only been moderate on-going success. The co-ordinating of activities to reduce costs (i.e. through sharing traffic management) is an area for improvement
- Northamptonshire Highways arranged for additional litter picking and grass cutting to be carried out on a number of grassed verges

ahead of Britain in Bloom in 2014.

- Targeted maintenance of urban roads subject to 24/7 parking has been undertaken by Northamptonshire Highways. Northampton Borough is liaised with during the planning of these works to allow road sweeping to be carried out.
- There is a good working relationship and open communication channels between Northampton Borough and Northamptonshire Highways on the resolution of enforcement issues. These include fly-tipping, graffiti, highway obstructions or vegetation issues.

### **Northampton BID**

- Businesses in Northampton are aware of the importance of a clean and safe town centre, and have proactively supported the funding of new litter bins, the cleaning of vacant premise frontages, organised business clean ups and through a considerable financial contribution towards the refurbishment of a dedicated Street cleansing machine. The town management of Northampton Town Centre is a key objective for Northampton Town Centre BID and as such the BID remains keen to work with both Northampton Borough Council and other agencies to improve the cleanliness, safety and general ambience of the town centre in line with the BID business plan.
- Northampton Town Centre BID have previously worked with Amey and NBC in the last 12 months to organise a Street cleansing event which saw 30 business volunteers work with council partners to undertake a clean-up in July 2014. The BID will consider potential opportunities to undertake similar work again in the future and will liaise with Amey and NBC accordingly.
- Waste storage and collection has been identified as an issue. Bags and boxes of rubbish piled in the street during the day times and into the evening look unsightly, may encourage vermin and be thrown or kicked around by individuals. Northampton Town Centre BID will continue to encourage businesses to take responsibility for the storage and collection of their waste and have worked with waste management companies and NBC previously to better co-ordinate waste collections. Further ongoing support is required by NBC to provide genuine enforcement and advice in this respect.

- Northampton Town Centre BID actively record and report litter and cleanliness issues within the BID area to NBC using the street care application. Response times are monitored against Service Level agreements.

Detailed below is the area covered by Northampton Town Centre BID:

### BID Area



## **Operations Chief Inspector, Northants Police**

- Northamptonshire Police has worked closely with the Community Safety Partnership (CSP) to produce analytical studies of areas of greatest need of partnership concentration of preventative activity. This highlighted five priority areas and these have received a huge amount of attention with weeks of action now emerging as the preferred effective format. There is a need to be working closely with community groups to keep the areas tidy once this has occurred and the ownership needs to be with the community concerned in that with on-going assistance from partners.
- The Police launched Street Watch schemes for this purpose in order to take pride in their areas and engage with the community on the street to reduce crime and anti-social behaviour which The Operations Chief Inspector would see as incorporating littering to a degree. He perceives Street Watch assisting here with engagement with local Borough Council wardens and Housing. Their role should be to be present and passively challenging in the areas concerned including for littering locally, monitoring hotspots and signposting services.
- The Police is working to start up schemes in the key areas in partnership with 'Northampton Voluntary Impact' volunteer service but progress is slower than would have been liked despite The Chief Inspector pump priming this work.
- The five priority areas are some of the most challenging areas for multiple services in Northampton. They also represent generally densest population masses and most challenging demographic in terms of offenders and victims.
- CCTV in forecourts has dissuaded much fuel theft activity. Perhaps a Strategy which incorporated surveillance would have an impact. Policing this would be challenging against the priorities and resources that the Police has.

## **Network Rail**

- Engagement together and working together is beneficial to raise any concerns or actions required. Update newsletters/online information on improvements being made with before and after photos to promote improvements being made.
- Network Rail (NR) also are continuously clearing areas of concern to it and it also runs days engaging community clean ups from litter picking, vegetation and graffiti removal. It, at present, has a large project in

clearing the railway infrastructure of all scrap and historical assets left for many years to enhance the look of our infrastructure from a line side perspective. The Council could work with NR to enhance areas around the railway network that access can be gained too by all parties whilst trains are still running.

- Network Rail has used covert cameras in the past in areas of constant fly-tipping and crime. Signage giving this message sometimes stops these issues from arising. Also routine patrols by security or police can help. Signs with 'call us if you see fly tipping' etc. and contact numbers may also help.
- Street cleansing, cleanliness and enforcement seem effective. Network rail also has a response time set of 20 days for all service requests made via its helpline 08457 11 41 41. It will get to cases and assess degree of work required and determine what is required to remove and make good any issues. Network Rail then plans the works within its teams to rectify the issues. Anything deemed offensive to the public is removed as soon as possible.

### **Duston Parish Council**

Three Parish Councillors from Duston Parish Council provided a response to the core questions. Key points:

- People's awareness and their roles in keeping Northampton Tidy could be increased by raising the profile of on the spot fines
- There is a need for different types and more hanging baskets and tubs. This gives a feel good factor to the town such as the hanging baskets in St James
- There is a need to keep bins emptied. Fast food areas can be a big problem.
- Involve children in Primary schools to encourage them to take care of their areas

## **3.4 Site Visits**

- 3.4.1 Site visits took place to Peterborough and Market Harborough. The purpose of the site visits was for a comparison to be made with other towns against that of Northampton. The Scrutiny Panel also visited Northampton town centre.

### 3.4.2 Key findings:

#### **Northampton**

- St Johns station passage was observed as very clean and tidy.
- Evidence of street drinkers and rough sleepers was apparent.
- Refuse bins outside a restaurant were very tidy, with sacks neatly stacked.
- Investigations are taking place regarding the removal of big waste bins outside commercial properties in the town centre.
- Planting of foliage in brick planters would enhance an area. For example, the tyre planters in Victoria Gardens were admired; giving the area a sense of community pride.

#### **Peterborough**

- Peterborough has a big night-time economy, of a similar scale to that of Northampton. The city centre was not very clean, with litter and graffiti visible during the site visit.
- There was a problem with pigeons; the signage “Please do not feed the pigeons” was very useful.
- The toilets were very clean. There is a charge of twenty pence to use the toilets.

#### **Market Harborough**

- Market Harborough is smaller than Northampton and is a market town. It has a small night-time economy comprising mainly restaurants and eateries.
- The town centre was very clean with minimal littering.
- Public toilets were of varying standards; one was noted as very clean and well maintained whereas another appeared not to have been cleaned for some hours.
- Telephone boxes appear to attract flyposting.
- There was clear signage regarding the prohibition of drinking alcohol in public places.



3.4.9 Appendix D provides comprehensive findings from the site visits.

#### **4.1 Desktop Research**

4.1.1 As part of its evidence gathering process for this review, desktop research was undertaken regarding best practice elsewhere.

4.1.2 Braintree District Council has undertaken a number of programmes aiming to make the environment cleaner and greener, including anti-litter messages to a variety of target audience. It formed a group entitled “the Galleys Corner Partnership” that attracted sign up from a variety of local businesses, including the local Police. The aim of Partnership is to work together to tackle environmental quality.

4.1.3 Galleys Corner Partnership received first prize in the innovation category and best overall project at the National Keep Britain Tidy awards in 2011.

4.1.4 “Love Essex – Anti-Littering Campaign” ran throughout June and July 2014 and was supported by Keep Britain Tidy. It comprised of various roadshows and school visits that were reported as being fundamental in spreading the word to communities.

4.1.5 Cleaner, Greener Oxford was launched in November 2009 with the aim of clearing up the city centre of litter, cigarette butts and chewing gum; the campaign was re-launched in September 2014. Oxford city centre was awarded the Purple flag in 2010 and 2011.

4.1.6 The Keep Britain Tidy Survey 2012/2013 highlighted that the greatest improvement is in detritus and staining. One of the most visible manifestations of poor local environment is graffiti; with just 3% of the places surveyed having an unacceptable level of graffiti. There has not been a significant improvement in the number of places meeting the required standard regarding littering and an increase in the number of places having fast food litter.

4.1.7 Appendix E provides comprehensive findings from the desktop research exercise.

## **4.2 Purple Flag Accreditation**

- 4.2.1 The Purple Flag Award Scheme assesses each areas crime rates, hygiene standards and a range of visitor attractions.
- 4.2.2 The reported aim of the initiative is to improve perceptions of places, address imbalances in activities, tackle anti-social behaviour, and encourage a diverse evening offer; providing significant recognition for Councils and partnerships who deliver key services associated with the night-time economy.
- 4.2.3 Accreditation of Purple Flag is dependent on 30 key factors and street cleansing is only one small part of this. The cleanliness of the centres would be assessed under the well-being section of the criteria.
- 4.2.4 There are costs for towns and cities to apply to be accredited with the Purple Flag. Costs vary dependent upon the population. Costs for Local Authorities with a population of over 200,000 are £3,000 and £1,000 for a 12 months light touch fee to maintain standard.
- 4.2.5 Nottingham reports that higher levels of cleanliness have been achieved in the city with 130 new solar powered self-compacting litter bins installed. An iPhone app launched to enable people to report issues of littering and vandalism. A specialist deep cleansing machine, which is jointly funded by Nottingham City Council and the BID, is reported to have a major impact on addressing the issue of chewing gum in particular.
- 4.2.6 Appendix F provides full details regarding the Purple Flag Accreditation.

## **4.3 Shop Cleaning Orders (Community Protection Order) and Street Litter Notices**

- 4.3.1 As part of its evidence gathering process for this review, details of Shop Cleaning Orders (Community Protection Order) and Street Litter Notices were obtained.

4.3.2 The key points of the Part 4, Chapter 1, of the Act in relation to littering and cleaning of shop fronts are:

4.3.3 In respect of littering and cleaning of shop fronts, Part 4, Chapter 1 (Community Protection Orders) (CPO) of the above Act states that the community protection notice is intended to deal with unreasonable, ongoing problems or nuisances which negatively affect the community's quality of life by targeting the person responsible (section 43(1)).

4.3.4 The notice can direct any individual over the age of 16, business or organisation responsible to stop causing the problem and it could also require the person responsible to take reasonable steps to ensure that it does not occur again (section 43(3)).

4.3.5 Paragraph 2.5 above provides an example of how Community Protection Orders relate to the cleaning of shops fronts:

“The notice should be issued to someone who can be held responsible for the anti-social behaviour (section 44). For instance, if a small shop were allowing litter to be deposited outside the property and not dealing with the issue, a notice could be issued to the business owner, whereas if a large national supermarket were to cause a similar issue, the company itself or the store manager could be issued with a notice.”

4.3.6 Breach of any requirement in the notice, without reasonable excuse, would be a criminal offence, subject to a fixed penalty notice (which attracts a penalty of £100) (section 52) or prosecution. On summary conviction an individual would be liable to a level 4 fine (currently up to £2,500). An organisation is liable to a fine not exceeding £20,000.

4.3.7 Street Litter Control Notices apply to the following types of business:

- Premises used wholly or partly for the sale of food and drink for consumption either off the premises or on the premises if outside and adjacent to the street.
- Service stations.
- Recreational venues such as cinemas, theatres, sports facilities and pitches.
- Banks and building societies with automated teller machines.

- Betting shops.
- Premises selling lottery tickets.
- Premises 'outside' where goods are displayed for sale on or adjacent to the street.
- Mobile vehicles, stalls and other moveable structures used for commercial or retail activities on a street.

4.3.8 Enforcement officers can help and advise businesses on compliance, but where advice and informal requests to deal with litter problems hasn't worked SLCNs provide an enforcement mechanism which the Local Authority can use. This would place ongoing legal responsibilities onto owners and businesses that are contributing to the problem.

4.3.9 A Street Litter Control Notice is served on the occupier or (if the premises are unoccupied) the owner, so as to place an ongoing obligation on him to comply with the requirement(s) specified for that land.

4.3.10 Comprehensive details are attached at Appendix G.

## **5 Equality Impact Assessment**

5.1 Overview and Scrutiny ensures that it adheres to the Council's statutory duty to provide the public with access to Scrutiny reports, briefing notes, agendas, minutes and other such documentation. Meetings of the Overview and Scrutiny Committee and its Scrutiny Panels are widely publicised, i.e. on the Council's website, copies issued to the local media and paper copies are made available in the Council's One Stop Shop and local libraries.

5.2 The Scrutiny Panel was mindful of the eight protected characteristics when undertaking this scrutiny activity so that any recommendations that it made could identify potential positive and negative impacts on any particular sector of the community. This was borne in mind as the Scrutiny Panel progressed with the review and evidence gathered.

5.3 So that the Scrutiny Panel obtains a wide range of views, a number of key witnesses provided evidence as detailed in section 3 of this report.

5.4 Details of the Equality Impact Assessment undertaken can be located on the Overview and Scrutiny [webpage](#).

6.1 After all of the evidence was collated the following conclusions were drawn:

6.1.1 Evidence gathered highlighted that there were ¾ million fly-tipping incidents reported in England last year.

### **Keep Northampton Tidy**

6.1.2 The Keep Britain Tidy Survey 2012/2013 highlighted that the greatest improvement is in detritus and staining. One of the most visible manifestations of poor local environment is graffiti; with just 3% of the places surveyed having an unacceptable level of graffiti. Nevertheless, there has not been a significant improvement in the number of places meeting the required standard regarding littering and an increase in the number of places having fast food litter.

6.1.3 The Scrutiny Panel noted that Northampton Borough Council has taken successful prosecutions regarding littering. However, it was realised that prosecutions have become more difficult by the recent control of evidence gathering, for example, use of CCTV – surveillance criteria has been tightened up. Previously, Senior Officers had the power to authorise officers to use covert surveillance but this is now not possible, a request must be put through the courts. An application for CCTV covert surveillance is currently pending.

6.1.4 The Scrutiny Panel was concerned about the amount of fly-tipping that is seen in alleyways. It realised that the removal of fly-tipping on public land is the responsibility of the Local Authority. Should the Local Authority decide to remove fly-tipping from private land it can, but this has financial implications.

- 6.1.4 The Highways Agency has launched a national Littering Strategy to investigate how other Agencies deal with littering. The Northampton Waste Partnership is working on an Anti-Littering Campaign.
- 6.1.5 The Scrutiny Panel highlighted that cigarette butts can take up to two years to bio grade and plastic bottles and glass indefinitely. It supported the dissemination of portable ashtrays.
- 6.1.6 The Scrutiny Panel was concerned that the last day of the school term can be a problem as often some of the school leavers will have parties in parks, leaving a lot of litter.
- 6.1.7 In receiving background data, the Scrutiny Panel was pleased to note that the missed bins performance indicator was doing very well.
- 6.1.8 The Scrutiny Panel observed problems with chewing gum around the town. Similar problems were also seen during a site visit to another town.
- 6.1.9 The importance and value of the Report it app. was noted. By October 2014, 983 individuals have used the Apple platform which has been in existence for over year. 270 have accessed the Android app. which was released in April 2014. The Scrutiny Panel felt that all borough Councillors should be made aware of the app, and how it works. The Scrutiny Panel was pleased that the "Report It" app. was evolving but felt that the use of the app. could be widened further, such as the inclusion of a facility to report tree issues, such as over-hanging trees and used as a channel to request and co-ordinate community action such as litter picks.
- 6.1.10 The Scrutiny Panel felt that the planting of foliage in brick planters would enhance an area. For example, the tyre planters in Victoria Gardens were admired; giving the area a sense of community pride.

- 6.1.11 The Scrutiny Panel was pleased that investigations are taking place regarding the removal of big waste bins outside commercial properties in the town centre.
- 6.1.12 Fly-posting is a form of littering and can sometimes be perceived as dangerous to drivers by distracting them. The Scrutiny Panel conveyed its concerns about fly-post advertising, noting previous campaigns whereby adhesive stickers stating “event cancelled” had been placed over illegal flyposting worked very well.
- 6.1.13 The Scrutiny Panel observed the problem with pigeons, agreeing the signage “*Please do not feed the pigeons*” that was seen in Peterborough was very useful.
- 6.1.14 Street Drinkers are a difficult client group to work with due to their chaotic lifestyles and complex needs. It is therefore important to have good partnership working in place in order to address a wide range of issues. Northampton has established a multi-Agency approach, in order to effectively utilise available interventions and enforcement tools. The Scrutiny Panel highlighted that Street Drinkers do not make the town look attractive, and create littering such as empty bottles and cans. There is a need to look at how the multi-Agency approach to Street Drinkers is working. There is a need to look at the town as a whole. As part of the Overview & Scrutiny Committee role, in meeting their responsibilities under the Crime and Disorder (Overview and Scrutiny) Regulations 2009, a bi annual report from the Community Safety Partnership (CSP) is provided.
- 6.1.15 Evidence received highlighted the problem of abandoned shopping trolleys. The Scrutiny Panel felt it would be useful for supermarkets in the town to be contacted to emphasise this problem to them.
- 6.1.16 The Shop Front Cleaning Orders (Community Protection Notices) and Street Litter Control Notices has only recently become legislation. Guidance on the legislation is awaited. The Scrutiny Panel acknowledged the importance of this new legislation and felt it was important that all Members should receive details of it.

## Keep Northampton Tidy - Campaigns

- 6.1.17 The evidence received highlighted the need for a range of methods to be used to raise people's awareness and their roles in keeping Northampton tidy. Campaigns such as posters, press releases, use of social media and the media would be useful. It was noted that Campaigns that engage participants and give them some ownership have worked well previously; for example, children designing an anti-littering poster with the winning design being used on the poster. The Scrutiny Panel felt that additional funding for Junior Wardens and education activities would be useful in helping keep Northampton tidy.
- 6.1.18 The Scrutiny Panel emphasised the importance of engaging with the community. Evidence received suggested that people are less likely to litter if they feel a sense of pride in and responsibility for their area.
- 6.1.19 The Scrutiny Panel noted the effectiveness of Kangaroo Runs. However, funding of the initiative can be an issue as some areas of the town suffer from fly-tipping more than others. It would be useful for a budget to be made available for initiatives such as Kangaroo Runs. Each Kangaroo Run costs around £750.
- 6.1.20 The Scrutiny Panel felt that more work is needed regarding streamlining Community Clean Ups so that they are co-ordinated to supplement the cleansing regime of the contract. The Scrutiny Panel also considered that there is potential to publicise campaigns, such as Community Clean Ups.
- 6.1.21 The Scrutiny Panel agreed that education is a key issue in solving littering problems.
- 6.1.22 Littering campaigns at service stations would be useful.
- 6.1.23 Desktop research undertaken noted that Braintree District Council has carried out a number of programmes aiming to make the environment cleaner and greener; including anti-littering messages to a variety of target audience. "Love Essex – Anti-Littering Campaign" ran throughout June and July 2014 and was supported by Keep Britain



Tidy. The Campaign comprised various roadshows and school visits; the aim of which was to spread the word to communities.

### **Gateways into the town**

- 6.1.24 The Scrutiny Panel accentuated the need to improve the gateways into the town, in particular the A45. It felt that the grass cutting scheduled needed enhancing but the Scrutiny Panel realised that the Highways Agency currently undertakes grass cutting in the interests of safety/visibility rather than for amenity. There is also a need to work with the Highways Agency regarding litter picking schedules on the main routes into the town. In its evidence, the Highways Agency confirmed that post April 2015 the grass cutting schedule may be able to be reviewed in this respect.
- 6.1.25 The Scrutiny Panel noted that Network Rail has a response time set of 20 days for all service requests made via its helpline 08457 11 41 41. It will get to cases and assess degree of work required and determine what is required to remove and make good any issues. Network Rail then plans the works within its teams to rectify the issues. Anything deemed offensive to the public is removed as soon as possible.
- 6.1.26 The Scrutiny Panel stressed the need for joined up working, such as during motorway closures, it would be useful for litter picking to take place. It was acknowledged that this is not always convenient as road works usually take place during night-time hours. The fly-tipping guidance produced by the National Fly-tipping Prevention Group is a useful model on collaborative working.
- 6.1.27 The Scrutiny Panel emphasised the need for a “Welcome to Northampton” sign. It was acknowledged that a request had been submitted to the Highways Agency for the erection of the signs but installation costs were high. Extra finance made available for gateways and signage, such as “Welcome to Northampton” would be useful.
- 6.1.28 Evidence gathered detailed that over the last year Northamptonshire Highways has operated a county-wide sign de-cluttering scheme. This scheme looks to remove redundant signs and posts from the highway

network. Over the last year in Northampton Borough a number of different sign types and post have been removed.

### **Purple Flag Accreditation**

- 6.1.29 The Scrutiny Panel recognised that Purple Flag Accreditation can raise the profile of a town centre. It acknowledged that accreditation is dependent upon 30 key factors and street cleansing is only a small part of this. The cleanliness of the centres is assessed under the well-being section of the criteria. There are costs for towns and cities to apply to be accredited with the Purple Flag. Costs vary dependent upon the population. Costs for Local Authorities with a population of over 200,000 are £3,000 and £1,000 for a 12 months light touch fee to maintain the standard. It was realised that it could take time for towns and cities to achieve the 30 criteria of the Purple Flag Accreditation.

## **7 Recommendations**

- 7.1 The purpose of the Scrutiny Panel was:
- To undertake a review regarding implementing a 'Keep Northampton Tidy' campaign with an accent on preserving wildlife and encouraging children (and adults) to take an interest in their surroundings, to include Community Clean Ups and 'Northampton in Bloom.'
  - A review of the problem of littering and fly-tipping, particularly in un-adopted roads and the gateways into the town.
  - To explore opportunities to enhance the gateways into the town.

Scrutiny Panel 3 recommends to Cabinet that:

### **Keep Northampton Tidy**

- 7.1.1 Investigations take place regarding widening the use the successful Report It App. wider further, such as the inclusion of a facility to report tree issues, such as over-hanging trees report tree issues, and used as a channel to request and co-ordinate community action such as litter picks.

- 7.1.2 All Councillors are sent details of the Report It App. and how it works.
- 7.1.3 Officers, such as Neighbourhood Wardens, are charged with putting adhesive stickers over illegal fly-posts advertising events indicating cancellation of the event.
- 7.1.4 Funding of £2,000 is made available for:
- Officers to be charged with disseminating portable ashtrays in the town centre.
- Chewing gum boards to be erected in various locations in the town centre.
- “Do not feed the pigeons” signs to be erected in various locations in the town centre.
- 7.1.5 To enhance an area, empty brick planters already in situ in the town centre are either filled with various foliage or removed.
- 7.1.6 Officers are instructed to contact supermarkets highlighting the problem of abandoned shopping trolleys in the town and encouraged to participate in trolley collection schemes.
- 7.1.7 All Councillors are provided with details of the Shop Front Cleaning Orders (Community Protection Notices) and Street Litter Control Notices Legislation, the guidance to this Legislation when it becomes available and other relevant Legislation.
- 7.1.8 All relevant Agencies are encouraged to come together on regular basis with the aim of making a contribution to the cleanliness and community safety of the town.

### **Keep Northampton Tidy Campaign**

- 7.1.9 Information about resources available are published on the Council's website.

- 7.1.10 In recognising their success, Cabinet explores the effectiveness of Kangaroo Runs.
- 7.1.11 Additional funding of £5,000 per year is allocated for five schemes with Junior Wardens and education activities.
- 7.1.12 The viability of running a National Citizen Scheme (NCS) to attract mid-late teenagers involvement is investigated.
- 7.1.13 Community Clean Ups are co-ordinated so that they supplement the cleansing regime of the Environmental Services contract.
- 7.1.14 Campaigns, such as Community Clean Ups, are publicised both on the Council's webpage and by the organisers of the Community clean ups.

#### **Gateways into the town**

- 7.1.15 Where possible, joined up working between the Local Authority and the Highways Agency regarding major highway closures and litter picking takes place.
- 7.1.16 Where practical, the Local Authority and the Highways Agency arranges littering campaigns at service stations.
- 7.1.17 Post April 2015, the Highways Agency is contacted to ask that it reviews its grass cutting schedule on the gateways into the town to include amenity cuts in addition to safety/visibility cuts; and that it reviews its litter picking schedules on the main routes in the town.
- 7.1.18 Planning Services, Northampton Borough Council, together with the Highways Authority, Northamptonshire County Council, explores improvements to gateways and signage, such as "Welcome to Northampton" signs to be erected on the entrance to Northampton on the A45 and at Billing at Junction 15 (M1); and all other major gateways where signage does not exist. Future financial provision with the Highways Authority is explored.

## **Purple Flag Accreditation**

- 7.1.19 A time limited Action Plan in respect of the 30 criteria of the Purple Flag Accreditation is produced; with the aim of exploring the feasibility of entering an application for Purple Flag Accreditation for Northampton.

## **Overview and Scrutiny Committee**

- 7.1.21 The Overview and Scrutiny Committee, as part of its monitoring regime, reviews the impact of this report in six months' time.
- 7.1.22 It is recommended that a briefing on the Multi-Agency approach to Street Drinkers is presented to a meeting of the Overview and Scrutiny Committee in 2015/2016.

## **Appendices**



## Appendix A

### OVERVIEW AND SCRUTINY

#### SCRUTINY PANEL 3 -KEEP NORTHAMPTON TIDY

##### 1. Purpose/Objectives of the Review

- To undertake a review regarding implementing a 'Keep Northampton Tidy' campaign with an accent on preserving wildlife and encouraging children (and adults) to take an interest in their surroundings, to include Community Clean Ups and 'Northampton in Bloom.'
- A review of the problem of littering and fly-tipping, particularly in un-adopted roads and the gateways into the town.
- To explore opportunities to enhance the gateways into the town.

##### 2. Outcomes Required

- To substantially raise people's awareness and appreciation of keeping Northampton tidy and their role in this
- To continue to get community groups involved in keeping Northampton tidy
- To ensure that existing limited resources are utilised fully to raising people's awareness and appreciation of keeping Northampton tidy and their role in this
- To identify areas that have a detrimental effect on the image of the town
- To work with other Agencies to minimise fly-tipping and littering and discourage this taking place, as well as enhancing the gateways into the town

### 3. Information Required

- Background data such as:
  - The National Fly-Tipping Prevention Group – Fly-tipping Framework: A National Framework for England for tackling fly-tipping
  - Relevant Planning and Environmental Legislation
  - Performance data and statistics regarding fly-tipping
- Relevant background reports
- Best practice data, such as Local Authorities and campaigns elsewhere
- Desktop research
- Evidence from expert internal witnesses:
  - Cabinet Member for Regeneration, Planning and Enterprise
  - Director for Regeneration, Enterprise and Planning
  - Cabinet Member for Community Engagement
  - Cabinet Member for Environmental Services
  - Corporate Communications Unit, NBC
  - Neighbourhood Wardens and Environmental Health Manager, NBC
- Evidence from expert external witnesses
  - Enterprise Management Services
  - Northampton BID
  - Relevant National organisations, such as Keep Britain Tidy
  - Environment Agency
  - The Canal & River Trust
  - Highways Authority, NCC
  - Highways Agency
  - Network Rail
  - Northants Police
  - Parish Councils
  - Relevant Service Directors – Daventry District Council, South Northants and Wellingborough Council
- Site visits to the gateways to the town

### 4. Format of Information

- Background data
- Background reports and presentation
- Best practice data
- Desktop research
- Evidence from expert external witnesses



- Evidence from expert internal witnesses
- Site visits

## 5. Methods Used to Gather Information

- Minutes of meetings
- Desktop research
- Site visits
- Officer reports
- Statistical data
- Presentations
- Examples of best practice
- Witness Evidence:-

➤ Key witnesses as detailed in section 3 of this scope

## 6. Co-Options to the Review

Northampton Waste Partnership Executive Officer to be approached to be co-opted to this Review.

## 7 Community Impact Screening Assessment

- A Community Impact Screening Assessment to be undertaken on the scope of the Review

## 8 Evidence gathering Timetable

May 2014 – March 2015

- |                   |                         |
|-------------------|-------------------------|
| • 1 May 2014      | - Scoping meeting       |
| • 24 July         | - Evidence gathering    |
| • 17 September    | - Evidence gathering    |
| • 16 October      | - Evidence gathering    |
| • 26 November     | - Evidence gathering    |
| • 15 January 2015 | - Evidence gathering    |
| • 9 March         | - Approval final report |

Various site visits will be programmed during this period, if required.

Meetings to commence at 6.00 pm

## **9. Responsible Officers**

Lead Officers            Julie Seddon, Director of Customers and Communities  
                                 Steve Elsey, Head of Communities and Environment

Co-ordinator            Tracy Tiff, Scrutiny Officer

## **10. Resources and Budgets**

Julie Seddon, Director of Customers and Communities, and Steve Elsey, Head of Communities and Environment, to provide internal advice.

## **11. Final report presented by:**

Completed by March 2015. Presented by the Chair of the Panel to the Overview and Scrutiny Committee and then to Cabinet.

## **12. Monitoring procedure:**

Review the impact of the report after six months (December 2015/January 2016 )

# NORTHAMPTON BOROUGH COUNCIL

## OVERVIEW AND SCRUTINY



### Appendix B

## SCRUTINY PANEL 3 – KEEP NORTHAMPTON TIDY

### CORE QUESTIONS – EXPERT ADVISORS

The Scrutiny Panel is currently undertaking a review:

- To undertake a review regarding implementing a 'Keep Northampton Tidy' campaign with an accent on preserving wildlife and encouraging children (and adults) to take an interest in their surroundings, to include Community Clean Ups and 'Northampton in Bloom.'
- A review of the problem of littering and fly-tipping, particularly in un-adopted roads and the gateways into the town.
- To explore opportunities to enhance the gateways into the town.

The expected outcomes of this Scrutiny Review are:

- To substantially raise people's awareness and appreciation of keeping Northampton tidy and their role in this
- To continue to get community groups involved in keeping Northampton tidy
- To ensure that existing limited resources are utilised fully to raising people's awareness and appreciation of keeping Northampton tidy and their role in this
- To identify areas that have a detrimental effect on the image of the town
- To work with other Agencies to minimise fly-tipping and littering and discourage this taking place, as well as enhancing the gateways into the town

## CORE QUESTIONS:

A series of key questions have been put together to inform the evidence base of the Scrutiny Panel:

1. In your opinion, how could people's awareness and their roles in keeping Northampton tidy be raised?
2. Northampton Borough Council engages Community Groups in keeping Northampton tidy, Community clean ups (and the use of tools such as Kangaroo Run) and Northampton in Bloom could the engagement process be enhanced and how?
3. In terms of tidiness and cleanliness, do you feel there are any areas within Northampton that have a detrimental effect on the borough? Please provide further details
4. Please provide details of how you feel work with other Agencies could take place to minimise fly-tipping and littering and discourage this taking place, as well as enhancing the gateways into the town
5. How effective do you feel issues for street cleansing, cleanliness and enforcement are dealt with on main roads and highways; such as reaction time, outcomes and customer satisfaction?

For example at the Borough Council:

**Customer satisfaction** is measured by an annual survey carried out by Enterprise which is done on a basis similar to the Place Survey methodology

**Outcomes** – the contract is performance measured against specific contract indicators

**Reaction times** – these are governed by the specification as laid out in the attached table

The following are contractual standards for response to various types of service request

<b>STREETS &amp; GROUNDS - SERVICE REQUESTS / COMPLAINTS</b>		
REASON FOR SERVICE REQUEST		NORTHAMPTON SLAs
Litter picking or street sweeping request	---	5 working days
Weeds on highways	---	5 working days
Shrub/hedge concerns	---	5 working days
Grass cutting request	---	5 working days
Missed area grass cutting	---	5 working days
Encroachment of trees	---	30 days
Tree branches fallen	Urgent or non-urgent	24 hours
Tree complaints	---	30 working days
Dog litter bins	---	24 hours
Dead animals	---	24 hours
Environmental cleansing complaints	---	3 working days
Graffiti removal - Offensive	---	24 hours
Graffiti removal - Non-offensive	---	16 working days
Self-service graffiti removal - Offensive	---	24 hours
Self-service graffiti removal - Non-offensive	---	16 working days
Fly-tipping request	---	24 hours
Self-service fly tipping request	---	24 hours
Open spaces complaint	---	10 working days

The NBC policy for **response time** in respect to service requests for enforcement is normally within three working days.

6. Please provide details of your experiences of the main routes into the town centre, both by vehicle and on foot, in terms of cleanliness and tidiness.
  
7. Do you have further information or comments regarding Keep Northampton Tidy or other campaigns which you would like to inform the Scrutiny Panel?

### Issued Fixed Penalty Notices

	2013/14	2014 – mid Oct
Number of waste fixed penalty notices	11	32
Number of fly tipping prosecutions	1	-
Number of simple cautions for fly tipping	5	1
No of warnings regarding fly tipping	144	73
No of waste inspections in relation to fly tipping / commercial waste	54	18
No of notices resulting from inspections	12	11
No of prosecutions for waste offences	2	1 with others pending

No fixed penalty notices have been served for fly posting during this period, these will only be served if individuals are caught in the act of fly posting.

It is not possible to serve fixed penalty notices for dogs off leads in Abington Park as this is a byelaw provision. A number of warnings have been issued for this matter.



**NORTHAMPTON BOROUGH COUNCIL**  
**OVERVIEW AND SCRUTINY**  
**SCRUTINY PANEL 3 – KEEP NORTHAMPTON TIDY**  
**BRIEFING NOTE: SITE VISITS**

**1 INTRODUCTION**

- 1.1 At its inaugural scoping meeting, the Scrutiny Panel agreed that a number of site visits would take place. The purpose of the site visits was for a comparison to be made with other towns against that of Northampton.

**2 SITE VISITS**

**2.1 WALKABOUT OF NORTHAMPTON**

- 2.1.1 On Tuesday, 21 October 2014, between the hours of 8am and 9:30am, the Chairman of the Scrutiny Panel joined the regularly organised walkabout of Northampton.
- 2.1.2 Evidence of Street Drinkers was apparent, as was evidence of rough sleepers, such as cardboard, blankets, a shopping trolley containing rubbish and empty wine bottles. Drug detritus was also present. A shopping trolley was also noticed in the park by Victoria Promenade.
- 2.1.3 The refuse bins of a local restaurant were noted to be tidy with refuse sacks neatly stacked. Waste containers in one end of Fish Street were seen and it was felt they gave the area an untidy appearance. The removal of these bins is being investigated. The other end of Fish Street however, contained no bins. Waste bins along Dychurch Lane gave the area an untidy appearance.
- 2.1.4 Graffiti was evident on some buildings. Cigarette butts were seen along Kingswell Street. Rubbish was noticed under a tree in the town centre but this was scheduled to be collected later that day.



- 2.1.5 The mechanical sweeper was seen cleaning along Emporium Way.
- 2.1.6 The brick planter located outside a nightclub was commended but if an evergreen tree, such as conifer was planted in it; it would enhance the area. The tyre planters in Victoria Gardens were admired; giving the area a sense of community pride.
- 2.1.7 St Johns station passage was seen as very clean and tidy.
- 2.1.8 Attached at Appendix A are photographs taken along the walkabout with detailed comments regarding the findings.

## **2.2 PETERBOROUGH**

- 2.2.1 On Tuesday, 28 October 2014, between the hours of 11:30am and 12:30pm, representatives of the Scrutiny Panel visited Peterborough. It was noted that Peterborough has a big night-time economy, similar to the scale of Northampton's.
- 2.2.2 On driving into Peterborough littering was noticed along one of the main routes into the city centre. The multi storey car park next to the Market Hall was observed as clean and tidy. An operator was seen cleaning the stair wells.
- 2.2.3 The toilets were very clean; there is a charge of 20p to use the toilets.
- 2.2.4 The market area was perceived as very clean.
- 2.2.5 Within the city centre, lots of cigarette butts were noted within the town centre and the main walkway from the market to the city centre. Tree wells were used as ashtrays. Graffiti was also visible. Flyposting was seen on the telephone boxes.
- 2.2.6 A large number of pigeons were seen as were signs asking that the pigeons are not fed.
- 2.2.7 There appeared to be a problem with chewing gum on the pavements; the Scrutiny Panel noticed a great deal of chewing gum along the main walkway from the market the town centre.
- 2.2.8 A number of bus shelters and alley ways appeared to be used as toilets.

- 2.2.9 The Scrutiny Panel noted a lack of litter bins in the city centre. Some of the bins were old and liquid had seeped out of the bottom.
- 2.2.10 There was a strong smell of drains in the town centre but it was felt that this could have been due to the highways work that was taking place.
- 2.2.11 Attached at Appendix B are photographs taken during the visit to the city centre with comments regarding the findings.

### **2.3 MARKET HARBOROUGH**

- 2.3.1 On Tuesday, 28 October 2014, between the hours of 1:45pm and 3:15pm, representatives of the Scrutiny Panel visited Market Harborough. Market Harborough is a small market town; its night-time economy is of a much smaller scale to that of Northampton or Peterborough. It comprises mainly restaurants and places to eat rather than late night music venues.
- 2.3.2 The car park located to the indoor market was very clean; no litter was observed. The litter bins were old and were well used with no spillages visible.
- 2.3.3 The shop frontages were very clean and tidy.
- 2.3.4 The alleyways were clean as was the town centre as a whole. Minimal litter was visible, for example a broken strip light was seen in an alley way outside a shop. A rat was seen in the river bed that ran through the town.
- 2.3.5 One toilet block was noted as very clean and well maintained. The toilets located near to the market had not been recently cleaned and the bins were overflowing in the cubicles and the floor required a clean.
- 2.3.6 Clear no drinking alcohol in public places signage was noted.
- 2.3.7 Flyposting was seen on one telephone box and just one dirty doorway observed.
- 2.3.8 Attached at Appendix B are photographs taken during the visit to the town and comments regarding the findings.

## **3 CONCLUSIONS**

- 3.1 The key findings from the site visits:

### **Northampton**

- 3.1.1 St Johns station passage was observed as very clean and tidy.
- 3.1.2 Evidence of street drinkers and rough sleepers was apparent.

- 3.1.3 Refuse bins outside a restaurant were very tidy, with sacks neatly stacked.
- 3.1.4 The Scrutiny Panel was pleased to note that investigations are taking place regarding the removal of big waste bins outside commercial properties in the town centre.
- 3.1.5 The Scrutiny Panel felt that the planting of foliage in brick planters would enhance an area. For example, the tyre planters in Victoria Gardens were admired; giving the area a sense of community pride.

### **Peterborough**

- 3.1.6 Peterborough has a big night-time economy, of a similar scale to that of Northampton. The city centre was not very clean, with litter and graffiti visible during the site visit.
- 3.1.7 The Scrutiny Panel observed the problem with pigeons, agreeing that the signage “Please do not feed the pigeons” was very useful.
- 3.1.8 The toilets were very clean. There is a charge of twenty pence to use the toilets.

### **Market Harborough**

- 3.1.9 Market Harborough is smaller than Northampton and is a market town. It has a small night-time economy comprising mainly restaurants and eateries.
- 3.1.10 The town centre was very clean with minimal littering.
- 3.1.11 Public toilets were of varying standards; one was noted as very clean and well maintained whereas another appeared not to have been cleaned for some hours.
- 3.1.12 Telephone boxes appear to attract flyposting.
- 3.1.13 There was clear signage regarding the prohibition of drinking alcohol in public places.

Brief Author: Tracy Tiff, Scrutiny Officer, on behalf of Councillor Tony Ansell, Chair, Scrutiny Panel 3 – Keep Northampton Tidy

# Keep Northampton Tidy Town Centre Walkabout



Tuesday 21st October 2014



At the start of the walkabout I parked in George's Row. As you will see, on the steps of All Saints Church someone had been sick. As I walked over the portico of this historic church, it was evident that the street drinkers had been there the night before from the urine and drink stains.



There was obviously evidence of a rough sleeper from the blanket left on the portico of the church.

As I preceded up to the Drapery I observed in the doorway of the newly refurbished JD Shop that there were two rough sleepers in the doorway speaking to two street drinkers. I met with Peter Hackett and the two town centre rangers at the EMS Street Cleansing Depot in Sheep Street.



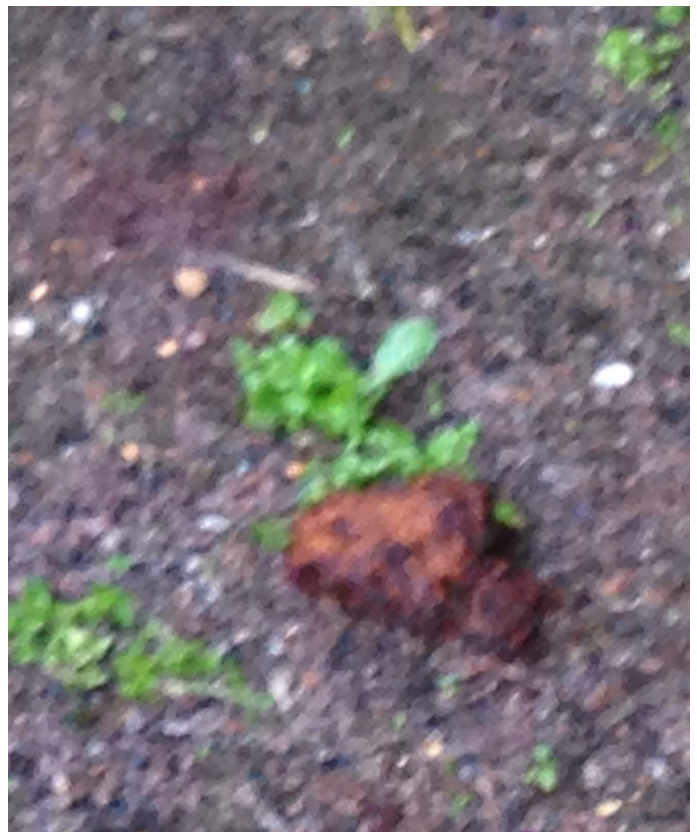
I was notably impressed of how tidy The Wok Inn bins were with the refuse sacks neatly stacked.



Along Sheep Street I did notice a number of empty wine bottles just stood on the pavement.



It is evident from the syringes and wrappers left that the Holy Sepulchre churchyard is being used on a wide scale for drug use.



It is sad to see that one of our most historical churches of the town is being used as a toilet by the undesirable people who frequent it.



As we headed towards Newland there was graffiti on some of the buildings and also by the rear door of the club that backs onto Emporium Walk.



As we walked down Emporium Walk we met the mechanical sweeper coming down the other way.





As we walked down the Drapery I asked Peter Hackett and the two wardens if we could make a detour to Swan Yard as the Council have come in for criticism the week prior to our walkabout for people defecating in this area. I attach a picture of my findings. I have on numerous occasions visited this site myself and have often found this area in a far worse condition.



As we walked down College Street to the rear of JD Sports there were several street drinkers in the door way. I don't know what this businessman thinks of this town as he is about to open his new premises that he has drinkers and rough sleepers at the back and front of his shop. Round the corner in Jeyes Jetty there was a trolley full of rubbish and was informed that this belonged to one of the street drinkers.



As we passed Amber Taxis in Kingswell Street there were numerous cigarette butts on the pavement outside.



As we walked outside Fever Nightclub in Horseshoe Street there was a brick planter. I really do feel some type of conifer tree planted here would really enhance this area.



As we walked through Victoria Gardens there was a floral display next to the pavement which I understand the police had created. There was also a sign on it to say no dumping of rubbish and tyres were used to make this display; I would imagine from the tyre company around the corner. It gave the area a sense of community pride.



St Johns Station Passage looked very clean and tidy. A huge improvement on what was there before the St John's Hall of Residences was built.



As we walked up along Victoria Promenade I noticed a trolley in the park. I understand dumped trolleys have become far more of a problem since Morrison's have done away with charging for trolleys.



As we walked up Spring Borough's graffiti was noticed on the wall.



In one end of Fish Street there were waste containers which gave an untidy appearance to the area. I understand that the removal of these is being looked into and that business users will be required to keep their rubbish in bags within their business premises.



However, on the other side of Fish Street there were no containers outside the properties and the area appeared far tidier.



Drychurch Lane has numerous waste containers and gives a very untidy appearance to this area. I feel this needs to be addressed sooner rather than later.



Abington Street underwent a tidy up some while ago. However, as you will see the area around the base of this tree has deteriorated since then and needs repairing.



With almost everyone having a public phone these days I do feel that telephone boxes are somewhat redundant within the town centre and only serve as an advertising hoarding to bring in revenue for BT.



Rubbish left out by a tree, however, I do understand this was to be collected later that day.

# Site Visit to Peterborough



## and Market Harborough



By Scrutiny Panel 3

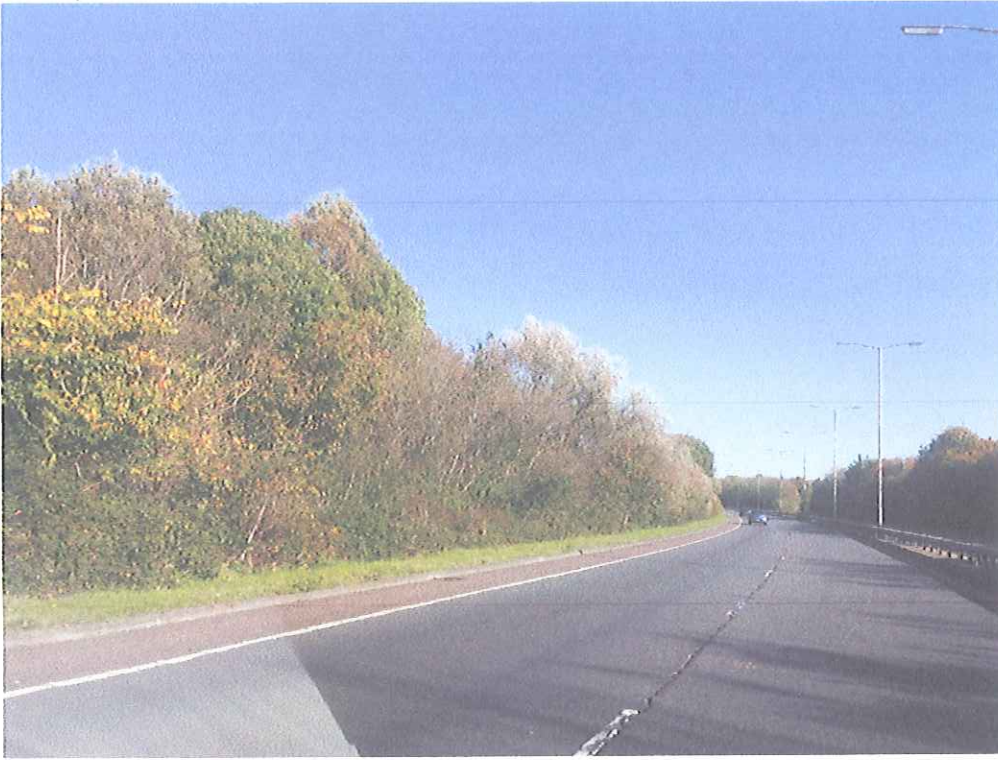
‘Keep Northampton Tidy’

Attendees: Councillor Tony Ansell (Chair), Councillor Phil Larratt  
and Councillor Dennis Meredith

Officers: Steve Elsey and Tracy Tiff

28/10/2014





As we drove into the Peterborough City Centre there was evidence of rubbish along the highway.



There was a small pocket park as we approached the city centre on an unusually warm late October day that was well used and very well maintained.



The market area looked clean and tidy and as you will see from the picture there was a sign saying 'Do Not Feed The Pigeons' which there seemed to be an abundance of.





As we walked through a wide alley from the Market area to the high street there were a number of entrances that had been used as a toilet and looked very dirty. There were also pigeon droppings along the alleyway and lots of chewing gum on the pavements in this area.



In part of the shopping area there was rubbish and cigarette butts at the base of the tree. The way the brick work has been designed around the tree would make it very hard for this to be cleaned out.



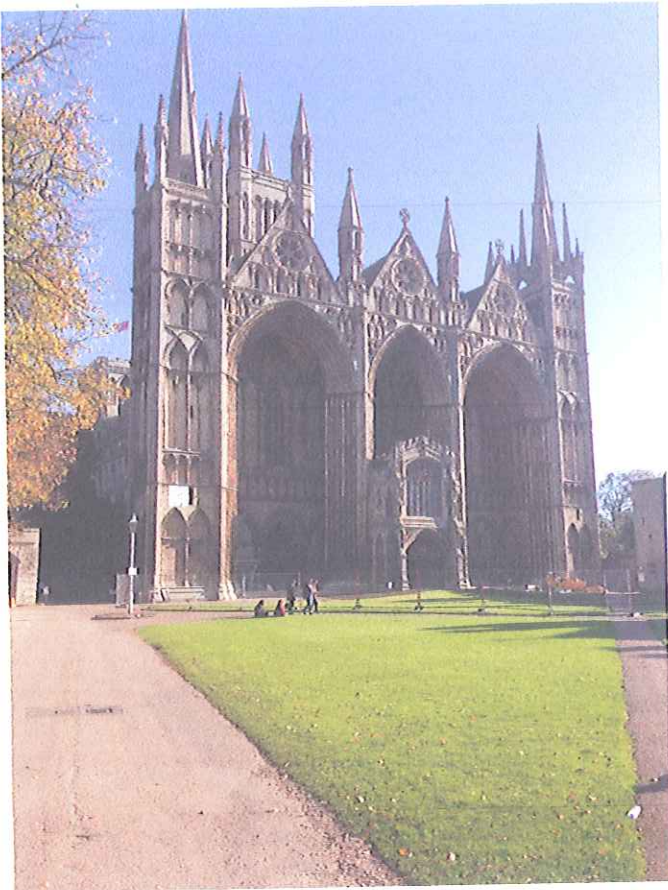
There was fly posting on a telephone box.



Some of the bins around the shopping area had obviously seen better days and there was evidence that liquids had leaked from them. They were rusty and whilst there was no facility for an ash tray on top of the bins, one of them had been used for this purpose and the area surrounding the base of the bin was covered in chewing gum.



We noticed a number of blocked drains on our visit.



The Cathedral area was very well maintained and there was a prominent sign banning alcohol, ball games and radios.



This doorway gave a dirty appearance in one of the shopping streets in the town.



Like Northampton, Peterborough was undergoing construction work to de-pedestrianize the high street and allow cars to drive there again. As we walked past there was an unpleasant smell coming from the sewers.





The lift area within the car park near the city centre was well maintained and of a clean appearance.



## Second Part of the Visit



Market Harborough is a small market town which sits on the borders of Northamptonshire and Leicestershire and is home to 20,785 residents.



We visited Bates the Butchers on Church Street to purchase some goods and it was so nice to see a traditional butchers still in business.



We then went on to see the proprietor of Hobbs Fishmongers on Church Square whose family have been in business on the same site for the past 43 years. It was sad to hear her tell us that both the butchers and herself are struggling due to the supermarket giants that seem to be taking over the town and she feels that she will not survive much longer. However, it was evident that both shops still take pride in their appearance as the outside of their shop fronts were spotless.



The town also features the Market Harborough Building Society which has been associated with the town for many years. This, along with the wooden bus shelters, are situated within the pedestrianised area of The Square and are of a smart appearance, clean and practical and keep the bus users well sheltered from inclement weather.





I was very impressed by the overall cleanliness of Market Harborough. Its neat appearance is, in my opinion, one of the reasons as to why Market Harborough is such a sought after shopping destination; not to mention its extensive range of independent shops. Church Street is home to various shops which I would not have found anywhere else from local

Tearooms to a Florist. Market Harborough's cleanliness is a credit to the town and it is not surprising to see that it continues to attract many visitors a day from the surrounding areas.



Next to St. Dionysius Church is the Old Grammar School, which is a small timber building dating from 1614 and has an open ground floor and has become the most iconic feature of this town. The area at the time of ~~98~~ visiting was litter free.



The public toilets were open, clean and there was evidence that they were being regularly monitored. Free, well maintained public toilets seem lacking in Northampton and I believe this is one of the reasons why we have the public urinating in the streets and urinating and defecating in the lanes and jetty's around the town centre.



We noticed that one of the shops had a gate on it towards the jetty and I really feel we should look into this for the jetty's along the Drapery and the lanes leading onto the Market Square. If we could somehow lock the gates during the evening and early morning hours I'm sure this will go a long way to stopping the street drinkers and the night time revellers using these as a public toilet.



I noticed the alcohol notices seemed far clearer and to the point than the ones we have in Northampton which is probably why we didn't encounter any drunks or beggar's. I was very impressed with the excellent level of cleanliness throughout the town. The recycling bins were neatly tucked away on a street just off the High Street and everything appeared to be under control and well managed. Unlike Peterborough, there was a cast iron guard around the trees and a metal grill base which gave it a far tidier appearance.



The bins in the area seemed tidy with no spillages coming from the base. It was also noticed on our visit that the pavements seemed clean.



There was a lovely memorial garden with crosses laid out neatly in preparation for Remembrance Day, which at our time of visit was only two week away. This sacred area was kept in a very tidy condition.



The only fly posting we saw was on a phone box.



Only one dirty doorway was spotted.





We all stopped off for lunch in the Market Hall which was of a very clean and smart appearance has been in use since 1219. It is situated within 200 yards of the Town Square. It operates with outstanding facilities for both traders and shoppers and there are a nice selection of stalls, 87 in total in the Retail Market, also featuring a Food Hall.

In concluding, the two places that we visited were during the Autumn School half-term and seemed busier than they usually would be. We felt that Peterborough, with a population of approximately 190,000 seemed of a dirtier appearance than Northampton. However, Market Harborough, with a population of just over 20,000 was a far cleaner town and seemed a far more pleasant environment to visit.



**NORTHAMPTON BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY**

**SCRUTINY PANEL 3 – KEEP NORTHAMPTON TIDY**

**22 OCTOBER 2014**

**BRIEFING NOTE: BEST PRACTICE**

**1 Introduction**

- 1.1 At its inaugural meeting, Scrutiny Panel 3 (Keep Northampton Tidy) agreed that it would receive the findings of desktop research detailing best practice elsewhere.
- 1.2 Also detailed at section 5 of the briefing note is a summary of the findings of the [Keep Britain Tidy Survey – How Clean is England 2012/2013](#).

**2 Braintree District Council**

**Green Heart of Essex Campaign**

- 2.1 As a part of the Green Heart of Essex campaign, Braintree District Council has undertaken many programmes to try and make the environment cleaner and greener. This includes taking the anti-litter message to different target audiences e.g. schools, volunteers, businesses, such as fast food, betting shops and public houses. The Council reports that there was a need to address the 'hard-core litterers' - people who habitually throw litter from vehicle windows. For this reason, it places the messages where drivers and their passengers are likely to see them. i.e. bus shelters, petrol station pumps and council vehicle panels.

**The Galleys Corner Partnership**

- 2.2 The following businesses have signed up to the Green Heart Programme and formed a Group entitled “the Galleys Corner Partnership”:
  - McDonalds
  - KFC
  - Premier Inn
  - Seat

- Wyevale
- Westdrive
- Busy Bees
- Essex Police

2.3 Essex Police became key partners within the project, initially brought on board to deal with late night offences, its involvement allowed the Group to extend the scope and reach of the project to tackle other areas of anti-social behaviour and extend the success of the campaign to the Freeport designer outlet village where they had been experiencing similar problems. The Council's enforcement officers teamed up with the Police and undertook joint patrols and issued a number of on the spot fines.

2.4 Wyevale has recently joined the Partnership and offered their expertise to improve the overall appearance of the gateway to Galleys Corner with a planting scheme.

2.5 The reported aim of the Partnership is to work together to tackle environmental quality. The businesses involved agreed that the project would be mutually beneficial and help to provide potential and existing customers with an improved image of their business.

#### **Keep Britain Tidy Award - 2011**

2.6 In March 2011, the Galleys Corner Partnership received first prize in the Innovation category before winning best overall project at the National Keep Britain Tidy Awards.

2.7 The Partnership reports that it has:

- Put anti-litter messages on all take-away food packaging
- Held education and enforcement weekends
- Produced anti-litter posters and banners for the area
- Provided car litter bags, air fresheners and portable ashtrays



**Portable ashtray**

- Issued 174 Fixed Penalty Notices

- 2.8 In the first six months of the project, it is reported that the area has consistently improved its COPLA rating from a C to a B.

## Essex

### **Love Essex – Anti-Littering Campaign**

- 3.1 An anti-littering campaign took place across Essex during June and July 2014. All 14 Local Authorities plus Essex County Council, McDonalds, KFC and Dominos have joined forces to encourage behavioural change across the county.
- 3.2 The campaign, called 'Love Essex', came about through the Cleaner Essex Group with support from the three fast food companies, as well as The Highways Agency, RP2 Media and Keep Britain Tidy.
- 3.3 it is hoped that the campaign will promote a county-wide message highlighting that littering is 'not cool', 'not pretty', 'not smart' and 'not classy'. It is reported that street cleansing costs £17 million a year in Essex.
- 3.4 Keep Britain Tidy supported the campaign, as well as helping the participants to monitor the impact of the campaign on litter levels in their respective areas. It was hoped that the advertising and engagement would result in sustained behavioural change, with local roadshows and school visits also being fundamental in spreading the word to communities.

## Oxford

- 4.1 Cleaner, Greener Oxford was launched in November 2009 with the aim of clearing up the city centre of litter, cigarette butts and chewing gum.
- 4.2 Five years on from the first Cleaner Greener Campaign in Oxford City Centre, the campaign will be re-launched. From 15 September 2014 until 10th October the Council will be inviting businesses, visitors, residents and its partners to get involved in making the city centre a great place to visit and live through a host of activities and events.
- 4.3 The reported aims of the campaign are to:
- raise retailers' environmental profile in the city centre,
  - raise the profile of our cleaner, greener world-class city ambitions and achievements,
  - achieve cleaner streets now and for the future.

- 4.4 Oxford city centre was awarded the Purple Flag in 2010 and again in 2011 for the quality of the evening and night time activities that are on offer, and the co-operation between the Council, the police and businesses in managing the central area.
- 4.5 The award is similar to the Green Flag scheme for Parks and Green Spaces. The scheme assesses each areas crime rates, hygiene standards and a range of visitor attractions.
- 4.6 The Purple Flag initiative was developed by a team of industry experts in 2003 and is an accreditation process that helps tackle prominent issues associated with night-time economy. It is supported the Home Office, Association of Chief Police Officers, Local Government Regulation (LACORS), NOCTIS, Diageo and many other high profile national bodies.
- 4.7 The aim of the initiative is to improve perceptions of places, address imbalances in activities, tackle anti-social behaviour, and encourage a diverse evening offer; providing significant recognition for Councils and partnerships who deliver key services associated with the night-time economy.

## **5 Keep Britain Tidy Survey – How Clean is England 2012/2013.**

- 5.1 The Survey details that in the past 12 months England has got cleaner and all headline indicators have improved or stayed the same; with less of the places surveyed falling below and acceptable cleanliness standard.
- 5.2 The results of the Survey reports that the improvements are testament to the hard work and innovation of Local Authorities, which are raising the standards despite significant cuts in funding. The work was carried out between April 2012 and March 2013 and covered 10,682 sites across 54 Local Authority areas. It examined various indicators to assess England's overall environmental quality. It is reported that the Survey provides information that may be used as a benchmark or indicator
- 5.3 The greatest improvement is in detritus (natural grit, sand and soil found on streets and pavements) and staining (such as chewing gum and oil from vehicles). The results of the Survey go on to say that one of the most visible manifestations of poor local environment is graffiti; only 3% of the places surveyed have an unacceptable level of graffiti.
- 5.4 The results highlighted that there has not been a significant improvement in the number of places meeting the required standard regarding littering. There has been a marked increased in the number of places blighted by fast-food litter and that increase has continued with 32% of sites having fast food litter on them; an increase from the Survey undertaken in 2011/2012. Rural and main roads are the worst affected by this littering.

- 5.5 Smoking-related littering (cigarette butts) are found on 82% of sites; rising to 99% of sites in main retail areas.

## **6 Conclusions**

- 6.1 The main conclusions from this desktop research exercise:

- 6.1.1 Braintree District Council has undertaken a number of programmes aiming to make the environment cleaner and greener, including anti-litter messages to a variety of target audience. It formed a group entitled “the Galleys Corner Partnership” that attracted sign up from a variety of local businesses, including the local Police. The aim of Partnership is to work together to tackle environmental quality.
- 6.1.2 Galleys Corner Partnership received first prize in the innovation category and best overall project at the National Keep Britain Tidy awards in 2011.
- 6.1.3 “Love Essex – Anti-Littering Campaign” ran throughout June and July 2014 and was supported by Keep Britain Tidy. It comprised of various roadshows and school visits that were reported as being fundamental in spreading the word to communities.
- 6.1.4 Cleaner, Greener Oxford was launched in November 2009 with the aim of clearing up the city centre of litter, cigarette butts and chewing gum; the campaign was re-launched in September 2014. Oxford city centre was awarded the Purple flag in 2010 and 2011.
- 6.1.5 The Keep Britain Tidy Survey 2012/2013 highlighted that the greatest improvement is in detritus and staining. One of the most visible manifestations of poor local environment is graffiti; with just 3% of the places surveyed having an unacceptable level of graffiti. There has not been a significant improvement in the number of places meeting the required standard regarding littering and an increase in the number of places having fast food litter.

Author:

Tracy Tiff, Overview and Scrutiny Officer, on behalf of Councillor Tony Ansell, Chair, Scrutiny Panel 3 – Keep Northampton Tidy



**NORTHAMPTON BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY**

**SCRUTINY PANEL 3 – KEEP NORTHAMPTON TIDY**

**15 JANUARY 2015**

**BRIEFING NOTE: PURPLE FLAG SCHEME**

**1 PURPLE FLAG AWARD**

- 1.1 The Purple Flag Award is similar to the Green Flag scheme for Parks and Green Spaces. The scheme assesses each areas crime rates, hygiene standards and a range of visitor attractions.
- 1.2 The Purple Flag initiative was developed by a team of industry experts in 2003 and is an accreditation process that helps tackle prominent issues associated with night-time economy. It is supported the Home Office, Association of Chief Police Officers, Local Government Regulation (LACORS), NOCTIS, Diageo and many other high profile national bodies.
- 1.3 The reported aim of the initiative is to improve perceptions of places, address imbalances in activities, tackle anti-social behaviour, and encourage a diverse evening offer; providing significant recognition for Councils and partnerships who deliver key services associated with the night-time economy.
- 1.4 It is reported that the Purple Flag scheme, run by the Association of Town Centre Management, is the gold standard for city and town centre hospitality and entertainment after dark. Benefits of being awarded the status are reported to include more spending, a better image and less crime and anti-social behaviour. Purple Flag accreditation is based on factors like the cleanliness and safety of a town or city centre at night as well as its mix of entertainment and activities.
- 1.5 There is an entry fee to apply for Purple Flag accreditation. The entry fee covers the cost of processing of the application including the visit by the Assessors, fact checking with the applicant, preparation of the report to the Accreditation Panel, guidance and feedback to applicants, and attendance for two people at the Purple Flag Awards Ceremony and

subsequent spot checks. The fee is non-returnable but any applicant who is not successful will be entitled to re-apply within a 12 month period at 50% of the relevant prevailing rate. The entry fee depends on the population of the Local Authority within which the designated centre of is situated.

<b>Population of Local Authority</b>	<b>Fee to accompany entry</b>	<b>12 month 'light touch' fee to maintain status</b>
Under 50,000	£1,500	£ 500
50,000 - 200,000	£2,250	£ 750
Over 200,001	£3,000	£1,000

- 1.5 Since the launch of Purple Flag in October 2009 thirty five centres have been accredited Purple Flags.
- 1.6 It is highlighted that accreditation of Purple Flag is dependent on 30 key factors and street cleansing is only one small part of this. The cleanliness of the centres would be assessed under the well-being section of the criteria.
- 1.7 There are five core standards and each contains further detailed criteria, contained in the entrants resource pack.

**The Policy Envelope:**

After-hours policy crosses many professional and budgetary boundaries. The challenge is to bring clarity and focus to a complicated field. A clear strategy is needed based on sound research, integrated public policy and a successful multi-sector partnership.

**Wellbeing:**

A prerequisite for successful destinations is that they should be safe and welcoming. All sectors have a part to play in delivering high standards of customer care.

**Movement:**

Getting home safely after an evening out is crucial. So too is the ability to move around the centre on foot with ease.

**Appeal:**



Successful destinations should offer a vibrant choice of leisure and entertainment for a diversity of ages, lifestyles and cultures; including families and older people.

**Place:**

Successful areas are alive during the day, as well as in the evening. They contain a blend of overlapping activities that encourage people to mingle and enjoy the place. They reinforce the character and identity of the area as well as flair and imagination in urban design for the night.

**2 SALISBURY**

- 2.1 Salisbury has been accredited the Purple Flag. It is reported that the Purple Flag status highlights Salisbury as a vibrant place to visit at night time with clean and safe environments, great bars and clubs, a variety of arts and cultural attractions and excellent transport links. Salisbury was accredited Purple Flag status in October 2012 following the overnight assessment on 29 September 2012. It was then re-accredited in September 2013. Salisbury is currently re-applying for accreditation.
- 2.2 It cost Salisbury £1,500 to apply which was covered by the Wiltshire Community Safety Partnership.

**3 DERBY**

- 3.1 It is reported that Derby City Centre has the fifth highest concentration of licensed premises in the country with over 105 bars. The majority of these bars are located within the Purple Flag area of the city. The city centre contains three distinct areas, the Cathedral Quarter, the St Peters Quarter and Westfield Shopping Centre, the latter controlled by the Westfield Group. The purple flag map incorporates all three areas with the exception of part of the south west section of St Peters Quarter which does not have a significant night time offer at the moment.
- 3.2 It is further reported that Derby's early evening offer provides an eclectic mix of art and culture, restaurants, cinema, and bars and attracts a diverse clientele. The Quad, Deda and the Assembly Rooms are examples of the diverse range of art and culture on offer in the city centre with events such as Derby Feste, and Derby Folk Festival being a highlight on the calendar.
- 3.3 The Assessors and Accreditation Panel were particularly impressed with:
- There has been a continued development of the night time economy with reduction of crime for the 10th year running and hospital

admissions have stabilised over the last few years. This has been achieved by building on the environmental projects that have improved the town, and the partnership has maximised on this by working with the businesses, trades and residents.

- The USP for real ale, micro-breweries, and Derby's beer king is of particular note.

## **4 NOTTINGHAM**

4.1 Nottingham has been accredited the Purple Flag for four years. It is reported that Nottingham's Purple Flag success is down to a collaborative effort between We Are Nottingham Leisure, Nottingham City Council, Nottinghamshire Police, Nottingham Businesses Against Crime and the Nottingham Crime and Drugs Partnership Team, as well as other city centre partners.

4.2 Initiative such as the following have reported to have enhanced the town centre:

- Higher levels of cleanliness have been achieved with 130 new solar powered self-compacting litter bins installed.
- An iPhone app launched to enable people to report issues of littering and vandalism.
- A specialist deep cleansing machine, which is jointly funded by Nottingham City Council and the BID, is already having a major impact on addressing the issue of chewing gum in particular.
- The two organisations are also funding the late night opening of the public toilets on Greyhound Street just off the Old Market Square which are now open until 1am on Fridays and Saturdays.

4.3 It is reported that the highways and public realm spaces within the city centre have also been improved.

## **5 HULL**

5.1 Hull was recognised for the safety, quality and diversity of its city centre evening economy with the award of a Purple Flag.

5.2 The Association of Town Centre Management (ATCM) confirmed the award after assessing their findings from an inspection of the city centre

5.3 Hull is only the third Purple Flag recipient in Yorkshire, along with Halifax and Sheffield.

- 5.4 The Purple Flag assessment report details that Hull exceeded the standard required in 17 out of 30 criteria studied by the inspection team and the accreditation panel which followed. The city met the requirements in the remaining 13 categories.
- 5.5 The full ATCM report praises the partnership efforts of the various organisations who worked jointly to secure the accreditation, including Hull BID, Humberside Police, Hull City Council, Hull Citysafe and the Primary Care Trust.
- 5.6 The document highlights the public safety role carried out by the volunteer Street Angels and by crime prevention initiatives including CCTV and the Pubwatch radio system. Private businesses are recognised for the part they play in creating an evening economy which is described as "vibrant" and "varied" in terms of food and dining, pubs and bars, late-night bars and nightclubs and art and culture. The ATCM also reports positively on public transport, with the interchange found to be clean and accessible and with "an abundance" of taxis.

## **6 CONCLUSIONS**

- 6.1 The main conclusions from this desktop research exercise:
- The Purple Flag Award scheme assesses each areas crime rates, hygiene standards and a range of visitor attractions.
  - The reported aim of the initiative is to improve perceptions of places, address imbalances in activities, tackle anti-social behaviour, and encourage a diverse evening offer; providing significant recognition for Councils and partnerships who deliver key services associated with the night-time economy.
  - Accreditation of Purple Flag is dependent on 30 key factors and street cleansing is only one small part of this. The cleanliness of the centres would be assessed under the well-being section of the criteria.
  - There are costs for towns and cities to apply to be accredited with the Purple Flag. Costs vary dependent upon the population. Costs for Local Authorities with a population of over 200,000 are £3,000 and £1,000 for a 12 months light touch fee to maintain standard.
  - Nottingham reports that higher levels of cleanliness have been achieved with 130 new solar powered self-compacting litter bins installed. An iPhone app launched to enable people to report

issues of littering and vandalism. A specialist deep cleansing machine, which is jointly funded by Nottingham City Council and the BID, is reported to have a major impact on addressing the issue of chewing gum in particular.

Author:

Tracy Tiff, Overview and Scrutiny Officer, on behalf of Councillor Tony Ansell, Chair,  
Scrutiny Panel 3 – Keep Northampton Tidy



**NORTHAMPTON BOROUGH COUNCIL**  
**OVERVIEW AND SCRUTINY**  
**SCRUTINY PANEL 3 – KEEP NORTHAMPTON TIDY**

**BRIEFING NOTE: SHOP CLEANING ORDERS**  
**(COMMUNITY PROTECTION ORDER)**  
**AND**  
**STREET LITTER CONTROL NOTICES**

**1 INTRODUCTION**

- 1.1 At its meeting on 23 October 2014, the Scrutiny Panel requested that desktop research be undertaken regarding Shop Cleaning Orders (Community Protection Orders).
- 1.2 This briefing note also provides information regarding Street Litter Control Notices.

**2 ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT**

- 2.1 In respect of littering and cleaning of shop fronts, Part 4, Chapter 1 (Community Protection Orders) (CPN) of the above Act states that the Community Protection Notice (CPN) is intended to deal with unreasonable, ongoing problems or nuisances which negatively affect the community's quality of life by targeting the person responsible (section 43(1)).
- 2.2 The CPN can direct any individual over the age of 16, business or organisation responsible to stop causing the problem and it could also require the person responsible to take reasonable steps to ensure that it does not occur again (section 43(3)).
- 2.3 The CPN replaces current measures such as litter clearing notices, defacement removal notices and street litter control notices.

- 2.4 CPNs are not meant to replace the statutory nuisance regime, although (as with these existing measures) there is no legal bar to it being used where behaviour is such as to amount to a statutory nuisance under section 79 of the Environmental Protection Act 1990.
- 2.5 The CPN should be issued to someone who can be held responsible for the anti-social behaviour (section 44). For instance, if a small shop were allowing litter to be deposited outside the property and not dealing with the issue, a notice could be issued to the business owner, whereas if a large national supermarket were to cause a similar issue, the company itself or the store manager could be issued with a notice.
- 2.6 The power to issue a CPN will be available not only to the Police and Local Authority staff but also to PSCOs, if designated by the Chief Constable (section 53(5); under section 53(6) a PSCO will also be able to issue a fixed penalty notice for the offence of breaching a CPN, if designated for that). In addition, the power to issue a CPN will be available to persons who are designated by the relevant authority, if they fall within a description specified in an order made by the Secretary of State.
- 2.7 Before issuing a CPN, an authorised person is required to inform whatever agencies or persons he or she considered appropriate (for example the landlord of the person in question, or the local authority), partly in order to avoid duplication (section 43(6)). The person would also have to have issued a written warning in advance and allowed an appropriate amount of time to pass (section 43(5)). This is to ensure that the perpetrator is aware of their behaviour and allows them time to rectify the situation. It will be for the person issuing the written warning to decide how long is appropriate before serving a notice.
- 2.8 Wherever possible, the notice should be issued in person. However, where this is not possible, it can be posted or left at the proper address (section 55(1)). In the case of the latter when it relates to a business, the address may be different from the location of the anti-social behaviour.
- 2.9 Remedial works or works in default can be added to the notice immediately or once the individual, business or organisation has had sufficient time to comply with any requirements (section 47). For example, if the behaviour related to a front garden full of rubbish, the individual could be given a period of seven days to clear the waste. The issuing officer could also make clear on the face

of the notice that if this was not complied with, they would authorise the works in default on a given date and at a given cost. Consent would only be required when that work necessitated entry to the perpetrator's property – those issuing a notice would be able to carry out remedial works in default in areas "open to the air" (section 47(5)), for instance clearing rubbish from a front garden. This is in line with current provision in section 92 of the Environmental Protection Act 1990. Timescales could also be set for clearing of rubbish outside shop frontages.

- 2.10 In undertaking remedial works or works in default, the local authority is exempted from liability in the event of any damage caused by works carried out in good faith and with due care and attention (section 54).
- 2.11 A person issued with a CPN may appeal within 21 days to the Magistrates' Court. Grounds for appeal include that the conduct specified in the notice did not meet one of the tests for issuing a notice or that the person could not reasonably be expected to control the behaviour. While an appeal is pending, any requirements in the notice for the person to stop doing certain things will have effect, but positive requirements to do certain things will not (section 46). For example, where rubbish has accumulated in someone's front garden and a notice issued to the owner, a requirement to stop adding to the rubbish would continue in effect but a requirement to clear the garden would not.
- 2.12 Breach of any requirement in the notice, without reasonable excuse, would be a criminal offence, subject to a fixed penalty notice (which attracts a penalty of £100) (section 52) or prosecution. On summary conviction an individual would be liable to a level 4 fine (currently up to £2,500). An organisation is liable to a fine not exceeding £20,000. On conviction, the Magistrates' Court would have the power to order forfeiture and destruction of any item used in the commission of the offence – for instance, noise equipment (section 50). Where necessary, the court can also issue a warrant allowing a constable or local authority to seize such items (section 51).
- 2.13 The Secretary of State may issue and revise guidance to chief officers of Police and Local Authorities about the exercise of functions under Chapter 1 of Part 4 of the Act (section 56).

2.14 Community protection notices will be different from the powers they replace in the following ways:

a.

They cover a wider range of behaviour (all behaviour that is detrimental to the local community's quality of life) rather than specifically stating the behaviour covered (for example, litter or graffiti);

b.

Noise disturbance could be tackled, particularly if it is demonstrated to be occurring in conjunction with other anti-social behaviour;

c.

The notices can be issued by a wider range of agencies: the police, local authorities and private registered providers of social housing (if approved by local authorities), thereby enabling the most appropriate agency to deal with the situation;

d.

The notices can apply to businesses and individuals (which is the same as for some of the notices they will replace but not all); and

e.

It would be a criminal offence if a person did not comply, with a sanction of a fine (or fixed penalty notice) for non-compliance. This is the case at the moment for litter-related notices but not defacement removal notices.

### **3 STREET LITTER CONTROL NOTICES**

3.1 Local Authorities are required to clear litter from pavements and the highways.

3.2 A number of specific laws were brought in to encourage and allow enforcement to support proper disposal and to reduce the financial burden on councils in street cleansing. One of the legal powers (Street Litter Control Notices) gives Councils the power to tackle street litter generated from certain types of business premises. There is no restriction on the type of litter that can be controlled and it applies both to litter generated directly by the business concerned AND from its customers/clients of the business even if they drop litter off the premises.

3.3 Street Litter Control Notices (SLCNs) create a 'legal duty' meaning that businesses that generate litter on their shop frontage and in most cases, also, within up to 100m of the business, can be required to clear up the litter and implement measures to prevent the land from becoming defaced again.



- 3.4 Street Litter Control Notices apply to the following types of business:
- Premises used wholly or partly for the sale of food and drink for consumption either off the premises or on the premises if outside and adjacent to the street.
  - Service stations.
  - Recreational venues such as cinemas, theatres, sports facilities and pitches.
  - Banks and building societies with automated teller machines.
  - Betting shops.
  - Premises selling lottery tickets.
  - Premises 'outside' where goods are displayed for sale on or adjacent to the street.
  - Mobile vehicles, stalls and other moveable structures used for commercial or retail activities on a street.
- 3.5 Enforcement officers can help and advise businesses on compliance, but where advice and informal requests to deal with litter problems hasn't worked SLCNs provide an enforcement mechanism which the Local Authority can use. This would place ongoing legal responsibilities onto owners and businesses that are contributing to the problem.
- 3.6 A Street Litter Control Notice is served on the occupier or (if the premises are unoccupied) the owner, so as to place an ongoing obligation on him to comply with the requirement(s) specified for that land.
- 3.7 The Local Authority will inform the person on whom the notice is to be served and allow them a 21 day period in which to make any representations. There is a right of appeal to the magistrates' court against a Street Litter Control Notice.
- 3.8 If a person fails to comply it is an offence with a maximum fine on conviction of £2,500. As an alternative to criminal prosecution the Local Authority may offer the opportunity to pay a fixed penalty notice instead.
- 3.9 Research carried out on behalf of Government by the Keep Britain Tidy organisation shows that all types of food that are consumed outside and disposed of incorrectly become 'fast food' litter. Fast food litter is defined as "any fast food or the packaging sold with the food substance which is found discarded onto "public streets". Therefore, triangular sandwich packaging, drinks cartons and confectionery wrappings are fast food litter, as are burgers, chicken products, potato chips and their containers. Fast food waste is defined as 'any waste from an outlet that sells fast food (as defined above)'.

Fast food waste only becomes a problem if it is not managed, stored, or disposed of correctly and becomes litter.

## **4 CONCLUSION**

4.1 The key points of the Part 4, Chapter 1, of the Act in relation to littering and cleaning of shop fronts are:

4.1.1 In respect of littering and cleaning of shop fronts, Part 4, Chapter 1 (Community Protection Orders) (CPN) of the above Act states that the community protection notice is intended to deal with unreasonable, ongoing problems or nuisances which negatively affect the community's quality of life by targeting the person responsible (section 43(1)).

4.1.2 The notice can direct any individual over the age of 16, business or organisation responsible to stop causing the problem and it could also require the person responsible to take reasonable steps to ensure that it does not occur again (section 43(3)).

4.1.3 Paragraph 2.5 above provides an example of how Community Protection Orders relate to the cleaning of shops fronts:

“The notice should be issued to someone who can be held responsible for the anti-social behaviour (section 44). For instance, if a small shop were allowing litter to be deposited outside the property and not dealing with the issue, a notice could be issued to the business owner, whereas if a large national supermarket were to cause a similar issue, the company itself or the store manager could be issued with a notice.”

4.1.4 Breach of any requirement in the notice, without reasonable excuse, would be a criminal offence, subject to a fixed penalty notice (which attracts a penalty of £100) (section 52) or prosecution. On summary conviction an individual would be liable to a level 4 fine (currently up to £2,500). An organisation is liable to a fine not exceeding £20,000.

4.1.5 Street Litter Control Notices apply to the following types of business:

- Premises used wholly or partly for the sale of food and drink for consumption either off the premises or on the premises if outside and adjacent to the street.
- Service stations.
- Recreational venues such as cinemas, theatres, sports facilities and pitches.
- Banks and building societies with automated teller machines.
- Betting shops.
- Premises selling lottery tickets.
- Premises 'outside' where goods are displayed for sale on or adjacent to the street.
- Mobile vehicles, stalls and other moveable structures used for commercial or retail activities on a street.

4.1.6 Enforcement officers can help and advise businesses on compliance, but where advice and informal requests to deal with litter problems hasn't worked SLCNs provide an enforcement mechanism which the Local Authority can use. This would place ongoing legal responsibilities onto owners and businesses that are contributing to the problem.

4.1.7 A Street Litter Control Notice is served on the occupier or (if the premises are unoccupied) the owner, so as to place an ongoing obligation on him to comply with the requirement(s) specified for that land.

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Appendix H

## Scrutiny Panel 3 - Keep Northampton Tidy

### Briefing paper – Street Drinkers

#### Background

As with other major towns and cities, street drinking has long been an issue for Northampton. The partners within Northampton Community Safety Partnership recognise that this is a public concern and the anti-social behaviour that arises from it can contribute to the fear of crime, as well as potentially discouraging people visiting the town centre. NBC, in partnership with the police has taken these concerns very seriously. Over the years a strong partnership has been created, and a range of interventions have been undertaken in order to counteract the problem and respond to public concerns.

Those involved in street drinking are generally highly vulnerable individuals with very complex needs. Some street drinkers have at some point also had substance misuse problems, mental health problems, and may have suffered a traumatic childhood. It is also often found that there is a history of homelessness. Therefore, when dealing with street drinkers it is important to recognise that enforcement on its own will not necessarily resolve the issue. Due to this, Northampton has adopted a multi-agency approach in addressing the problem.

#### Enforcement & Interventions

Over the years a range of legislation has been introduced to tackle street drinking issues and associated anti-social behaviour, and NBC has historically adopted these powers to enable an effective response

There are a wide range of interventions and enforcement measures at the disposal of the police and local authorities to tackle street drinking in Northampton. It is important to note that with effect from 20/10/2014 the Anti-Social Behaviour Act 2014 was superseded by the Anti-Social Behaviour, Crime and Policing Act 2014. This has resulted in the merging of a number of powers and also the creation of new ones. For the purpose of this paper I will refer to the old powers to reflect the activity over the past years.

**Multi-Agency Case Management Meetings** – Due to the complex needs, and chaotic lifestyle of most street drinkers, a multi-agency case management approach is adopted in addressing individuals. Cases can be referred by any of the agencies involved. At the meetings cases are discussed with relevant officers, issues identified and a support plan developed which ranges from intervention through to enforcement, if required. It is

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important to note that agencies, in the first instance, will always try to engage and provide support to the individual. However, if it is abundantly clear that they will not engage, the enforcement process will be followed.

**Designated Public Places Order** - In 2001, following issues with street drinkers on the Market Square and problems within the night time economy a Designated Public Places Order (DPPO) was established for the town Centre through the Criminal Justice and Police Act 2001. Due to other issues being experienced in other areas across the town the DPPO was extended to cover the whole borough in 2009.

The DPPO is NOT a ban on drinking alcohol outdoors. Drinking alcohol outdoors only becomes an offence if you are behaving in an anti-social manner and are asked by an accredited enforcement officer to stop doing so and you refuse. The DPPO is not applied to people who drink sensibly in a public place.

## ***How is it enforced?***

- If you are acting in an anti-social manner whilst consuming alcohol, or look as though you are likely to, you may be asked to stop drinking by a PSCO, police or other accredited officer.
- If you refuse to stop drinking the officer has the right to confiscate and dispose of the alcohol.
- If you surrender the alcohol and behave, no further action will be taken.
- If you refuse to give up the alcohol you may be arrested and have a fine of up to £500 or be issued with a fixed penalty notice of £50.
- If you surrender the alcohol yet continue to behave in an anti-social manner you may be arrested and convicted of a Public Order Offence.

*(NB. With effect from 20/10/2014 the Anti-Social Behaviour, Crime and Policing Act 2014 commenced. From that date the existing DPPO transferred to a Public Spaces Protection Orders, still keeping the same powers as listed above.)*

**Anti-Social Behaviour Warning letters** – written notice issued to street drinkers advising that their behaviour is unacceptable and should it continue a more stringent enforcement route will be progressed.

**Anti-Social Behaviour Orders (ASBO)**: introduced by the 1998 Crime and Disorder Act, ASBOs are civil orders intended to protect the public from behaviour that causes, or is likely to cause, 'harassment, alarm or distress'. They contain specific prohibitions around a street drinker's behaviour, such as not drinking in a public place, not being drunk in a public place, not being in possession of an open vessel. There are currently 13 live ASBO's on street drinkers, with a further 6 cases pending.

**Acceptable Behaviour Contracts (ABCs) (and Acceptable Behaviour Agreements [ABAs])** - written agreements between a person involved in anti-social behaviour (ASB)

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and agencies – such as the police, local authorities or RSLs – defining acceptable standards of behaviour that the person agrees to abide by. These Contracts are not often used for street drinkers due to the level of unacceptable behaviour.

**Injunctions:** the 1972 Local Government Act (Section 222) enables local authorities to apply for injunctions against behaviour that is a public nuisance.

**Designing out:** this is manipulation of the built environment to make 'hotspots' of street activity less habitable for street users (by, for example, removing seating regularly occupied by street drinkers).

**Killing with Kindness** - publicity campaigns to discourage the public from giving directly to those begging, together with the provision of donation boxes at awareness raising events - proceeds are passed to local homelessness charities. Also raises awareness around the complex needs of beggars and street drinkers.

**Specific Police Operations** – mainly take place over the warmer summer months when street drinking issues are more prolific. Increased patrols focus on the removal of alcohol, issuing warnings, requiring offenders to leave the area. These operations are also supported by the Neighbourhood Wardens.

**Street Drinkers Outreach Project** – delivered by the Bridge Project, who provide a dedicated support worker to link in with street drinkers at risk of an ASBO. The support worker looks at a wide range of issues including health & welfare, housing, addiction issues. They also link in with other agencies such as Oasis House, S2S and CAN, this enables a wider range of rehabilitation support options to be utilised. Five referrals are currently the focus for the worker, with varied engagement taking place. One well known street drinker is engaging particularly well and has been on a detox programme, remaining mainly 'dry' for the past 8 weeks. There has also been a notable reduction in reports of ASB relating to them.

## Conclusion

Street drinkers are a difficult client group to work with due to their chaotic lifestyles and complex needs. It is therefore important to have good partnership working in place in order to address a wide range of issues. Northampton has established a multi-agency approach, in order to effectively utilise available interventions and enforcement tools. The approaches outlined above demonstrate the wide range of work that is undertaken by agencies. With the introduction of new powers on 20/10/2014, there is now the opportunity to further strengthen this work.

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