

Community and Environmental Protection

MALVERN HILLS AND WYCHAVON DISTRICT COUNCILS



Introduction

The Malvern Hills and Wychavon Districts are one of the most desirable places to live and visit in Worcestershire, part of the attraction is undoubtedly down to the history of the area but a significant draw is the way the area looks. Lots of the charm is down to the rural countryside which surrounds our urban areas and make up the vast majority of the district, there are also a number of beautiful buildings throughout the districts. The Malvern and Wychavon districts both have areas of outstanding natural beauty.



Cleaning up environmental crime, such as dog fouling, littering, fly-posting and fly tipping, are examples of some of the council's work to make sure the local area remains attractive. However, none of this work would be necessary were it not for those anti-social individuals who carry out these crimes.

In reality, those who commit environmental crime are in the minority and individuals can be responsible for a great deal of the problems we see. For example, when it comes to dog fouling on our streets, one dog owner may walk

their dog daily and if each day the dog fouls the pavement that equates to seven piles of dog mess to be cleared each week, often in the same few streets. This will be a serious concern for residents who live on the same streets but it can be down to just one irresponsible dog owner.



This handbook aims to improve two things: Firstly, it's about educating all on how everyone can help us tackle these environmental crimes and how to prevent an unwelcome knock at their door by a council enforcement officer (such as by checking waste companies are licenced). Secondly, it's about how we will use our powers to enforce the law in these areas, taking a zero tolerance approach to the perpetrators.

The overall aim is to reduce the amount of environmental crime that occurs, let our partners and residents know how we deal with reports, what powers we have and the knock on effect from this should be a reduced cost to the council and local tax payers.

Why...

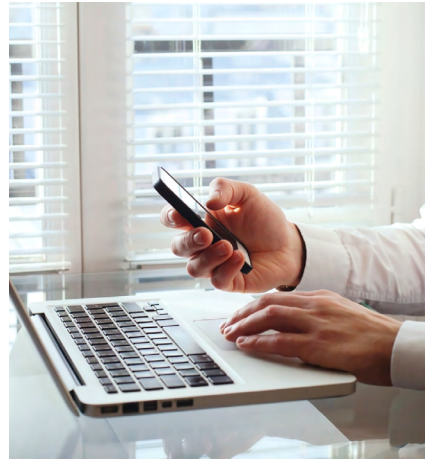
A vital part of this is reducing the amount of environmental crime that takes place in the districts. Issues such as dog fouling, littering, fly tipping, graffiti and fly posting may be considered minor by some, but they can have a huge impact on people, wildlife and the way an area looks. There are also theoretical links between such low level crime within a community and subsequent occurrences of more serious crimes.



It is our aim to tackle these issues through education and enforcement on the perpetrators, as well as engagement with law abiding residents to ensure we get as much information as possible on the culprits. We will use powers available to us to tackle these areas and set out a consistent and fair approach.

Overall, it is our aim to create a cleaner and safer environment which will help improve the quality of life for all those living, working in and visiting the districts.

How to Report



The best way to report things to us is using the online reporting system on our website.

For Malvern

www.malvernhills.gov.uk/report-it

For Wychavon

www.wychavon.gov.uk/report-it

Using the 'Report It' page ensures the report gets to the right team, it also means that the team can pick up new reports while out on the patch and the number of report gets automatically added to our monthly, quarterly and annual performance.

Please don't email reports to individual officers.

Community & Environmental Protection Team

What we do...

Malvern's Community and Environmental Protection Team and Wychavon's Community Wardens investigate and take necessary action to protect people and the environment from certain statutory nuisances. The types of issues covered include:

- Investigating and enforcing Environmental Crime including investigation and removal of;
 - Abandoned vehicles
 - Fly tipping
 - Dog fouling
 - Litter/waste offences
 - Fly-posting
 - Graffiti
 - Needles & syringes
 - Untidy gardens
- General advice on environmental protection matters
- Proactive education sessions/campaigns events with regard to Community & Environmental Protection and Community Safety.



The Team



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Abandoned Vehicles



Please check the following website to see if the vehicle has valid tax/MOT or is SORN before reporting as abandoned: <https://www.gov.uk/check-vehicle-tax>
A vehicle is unlikely to be abandoned if it has valid tax whilst on the highway, unless it has been subject to vandalism.

If you would like to report an abandoned vehicle on the highway or public open land, please report here for Malvern www.malvern hills.gov.uk/report-it and for wychavon www.wychavon.gov.uk/report-it

When reporting an abandoned vehicle, please include the following information:

- Vehicle location
- Vehicle make and colour
- Vehicle registration

Please note: A vehicle for sale on the highway is not necessarily abandoned.

Spotting an abandoned vehicle

Characteristics of an abandoned vehicle may include:

- untaxed or no valid MOT certificate
- stationary for an extended amount of time
- significant damage to vehicle's bodywork
- open/broken windows or windscreen
- doors open/unlocked
- flat tyres or missing wheels
- other signs of vandalism
- burnt out
- missing one or more number plates
- containing waste or other items not consistent with day-to-day use
- mouldy and unkempt interior and/or exterior
- status of land on which the vehicle is located & debris under the vehicle
- deteriorating in condition over time

Please note: this is not a definitive list on which an inspecting officer may base any decision as to whether a vehicle is deemed abandoned. It will be the officer or officers who attend to make an assessment.



What the CEPO Team can do...

- Check online to see if the vehicle is taxed and holds a valid MOT
- Visit the location to inspect the vehicle
- An officer will decide if the vehicle is abandoned
- An Abandoned Vehicle notice will be stuck to the windscreen. Keepers are usually given 7 days to claim the vehicle but this is at the officer's discretion and can be anything from 14 days to 48 hours.
- A search will be carry out with the DVLA to find the registered keepers details.
- A letter will be sent to the registered keeper.
- The reporter will be kept informed of what has been done.
- Organise for the vehicle to be towed away if not claimed and issue a fixed penalty notice (£200) to the registered keeper.

Please note: There is no legal definition of an abandoned vehicle and before we can decide that the vehicle is abandoned it must be investigated and attempts made to give any parties a reasonable time period in which to make their interest known.

Fly-tipping and Littering

Fly Tipping



Fly tipping is a nationwide problem with a range of causes. Some unscrupulous people make money from disposing of other people's waste in an apparently legal business venture, only to dump it illegally. Others want to save on the cost of disposal for themselves. Then there are others who are simply lazy or who have the attitude that somebody else can clear up their waste. Whatever the reasons, local authorities in England dealt with just over one million fly-tipping incidents in 2016/17 and it is estimated that this cost almost £58 million to clean up.

As a relatively rural district, Malvern Hills and Wychavon can be prone to incidents of fly tipping on country roads, lay-bys, farm tracks and other similar locations, though fly tipping also occurs in more urban areas. The cost to the district councils for fly-tipping clearance is huge per annum.

This alone is sufficient to warrant significant efforts to reduce fly tipping across the districts, but perhaps more worrying is that the trend is upwards, and has been since around 2012/13. This

follows a similar trend across the country. Fly-tipping is illegally dumping your rubbish and waste. This can be next to a public bin, a street corner, any public street, alleyway, grass verge or public land.

This can include:

- black bin bags
- items of furniture
- a mattress
- DIY material

Dumping any waste is a criminal offence and you can be issued a £400 fixed penalty notice on the spot. We can issue fines and/or court action for those convicted of the offence.

When reporting fly tipping, please include the following information:

- Location
- Description of waste/amount
- Description of offender (If available)
- Vehicle registration (If available)

If you have witnessed or come across any fly tipping, please report here for Malvern www.malvernhills.gov.uk/report-it or for Wychavon www.wychavon.gov.uk/report-it

Please note: Fly-tipping on private land It is the responsibility of the land owner(s) to clear fly-tipping on private land.

We may be able help to clear the rubbish, but we charge for this service.

If you are a landowner, you must make sure that the area is as secure as possible. We can, with the land owners permission investigate the fly-tip.

Littering

Littering on the public highway or open land is an illegal offence and can carry a fine of £150. Litter is anything that is dropped, thrown or left, which spoils a public place.

The majority of people will know that it is against the law to drop litter. National campaigns regularly take place and are coordinated by other organisations such as Keep Britain Tidy, the Chewing Gum Action Group, and others. We will endeavour to get involved in events to promote the reduction of littering and other environmental crimes.

When reporting littering, please include the following information:

- Location
- Description of litter
- Description of offender (If available)
- Vehicle details

Please report any litter here for Malvern www.malvern hills.gov.uk/report-it and for Wychavon www.wychavon.gov.uk/report-it



What the CEPO Team can do...

- Visit the location of the fly-tip or location of the litter
- Investigate the contents to look for evidence
- Take action against any names and addresses found
- Litter pick the location (where possible)
- Arrange for clearance by the councils Streets & Amenities Team or contractor
- The reporter will be kept informed of action taken.

Dog Fouling

Dog fouling is an emotive issue and residents, not just in the Malvern Hills and Wychavon Districts but across the country, see it as a problem which councils should prioritise. It's easy to see why. Not only is dog fouling on streets, in public parks and countryside unsightly, it is a hazard when walking as well as potentially very dangerous, especially in areas where children are likely to be playing or adults are engaging in sports.

Failing to pick up after your dog is now such a socially unacceptable thing to do that those who commit this crime are in the extreme minority. While this can sometimes make it difficult to catch the culprits, it does at least mean that if we can change the ways of any such dog owners and make them more responsible so that they do pick up, then we can make a significant difference to the amount of dog fouling in an area.

Public Space Protection Order (PSPO)

The [Public Space Protection Order \(PSPO\)](#) pursuant to Dog Control came into force within the Malvern Hills district.

The PSPO covers:

- Failure to carry a poop bag or other means to clean up after a dog.
- Failure to keep a dog on a lead in a designated area.
- Failure to exclude dogs from fenced off or enclosed children's playgrounds.
- Any breach of the Order could result in the issuing of a £100 fixed penalty notice or being taken to court and receiving a fine on conviction of up to £1000. [PSPO FAQ's](#)

Please report any dog fouling issues here for Malvern www.malvernhills.gov.uk/report-it and for Wychavon www.wychavon.gov.uk/report-it

When reporting dog fouling, please provide the following information:

- Location
- Description of dog owner and/or dog
- When it took place
- Vehicle registration of dog owner (if available)

A list of litter bins in Malvern can be found on [Malvern Town Council website](#).

To report overflowing litterbins in Wychavon go to www.wychavon.gov.uk/litter-bins.

We are also asking all dog owners to take the [Green Dog Walkers pledge](#). Green Dog Walkers (GDW) is a non-confrontational, friendly way to help change attitudes about dog fouling across the Malvern Hills & Wychavon Districts.

All Green Dog Walkers will take a pledge to always:

- Clean up after their dog
- Carry extra dog waste bags
- Be happy to be approached to lend a dog waste bag to those without
- Be a friendly reminder to other dog walkers to clean up after their dogs

What the CEPO Team can do...

- Visit the location and look at the issue.
- Make sure there is appropriate signage in the area.
- Clear small amounts of dog poo or arrange the councils Streets & Amenities Team or contractor to remove. (The Streets & Amenities Team use high pressure washing to remove and this cannot be used on grass).
- Add hot spot locations to the Teams list to visit regularly.
- The reporter will be kept informed throughout.

Fly Posting and Graffiti

Fly posting

Fly-posting is putting up advertisements, such as posters, stickers or signs on buildings, in underpasses or on lampposts and other street furniture – without permission. If caught the fixed penalty notice is £75.

When reporting fly posting, please include the following information:

- Location
- Description of poster/sign
- If you see someone fly-posting and are able to safely take a photo or video without putting yourself in danger, tell us in your report. We may be able to use it to prosecute them.

If you have witnessed or come across unauthorised display of signage on the public highway, please report here for Malvern www.malvern hills.gov.uk/report-it and for Wychavon www.wychavon.gov.uk/report-it

What the CEPO Team can do...

- We will remove fly-posters in public places where possible or contact those responsible to remove signs within a prescribed timeframe.
- If there is evidence or a witness for a case of fly-posting, we can investigate and prosecute all offenders caught.
- If the fly-posters are on your property we will ask you to remove them and take steps to stop it in the future.
- We will keep the reporter informed of what we are doing.

Graffiti

Graffiti are drawings, symbols, messages or 'tags' that are painted, written, stencilled or carved on walls and other surfaces. Graffiti can make an area look untidy and feel unsafe. It can also be offensive.

Graffiti on private property or the public highway without permission is illegal. If caught the fixed penalty notice is £75.

When reporting graffiti, please include the following information:

- Location
- Description of graffiti
- Description of offender (If available)

If you have witnessed or come across unauthorised display of signage on the public highway, please report here for Malvern www.malvern hills.gov.uk/report-it and for Wychavon www.wychavon.gov.uk/report-it

What the CEPO Team can do...

- We will visit the location of the graffiti
- If the graffiti is small in size (for example; a bus shelter or street furniture) we will attempt to remove it.
- If the person is known who did it we will investigate further and take action against them
- For larger graffiti we will ask the councils Streets & Amenities Team or contractor to remove or if on private land ask the land owner to remove.

Please note: on private land the council could take further action to get the graffiti/ fly-posting removed.

Needles or syringes



Waste from drug use can be disturbing and a health hazard to the public. If you find used drug equipment, you should report it to us immediately.

If you have witnessed the disposal of or come across needles or syringes, please report it here for Malvern www.malvernhillsgov.uk/report-it and for Wychavon www.wychavon.gov.uk/report-it

You should not pick up needles unless there is an immediate danger to you or other residents, especially children. We will remove and dispose of needles, syringes and other drug-related items that are discarded.

What we need to know

Where are the needles or other drugs items?

- A description of what you've found.
- Are the needles near to where children play?

What the CEPO Team can do...

- Visit the location as soon as possible and remove the items.
- We will let the reporter know of what action we have taken, including timescales.

Untidy front gardens

Untidy land can become unsightly or attract other environmental crimes, such as fly-tipping.

If untidy sites are left, they become worse and the area starts to feel neglected and unsafe. Untidy sites are rarely dangerous to public health, but they will be an eyesore, which means it is detrimental to the local area.

We would encourage you to speak to your neighbour directly when problems arise; in many cases things can be resolved amicably without needing to involve the Council.

Please report any issues using www.malvernhillsgov.uk/report-it for Malvern or for Wychavon www.wychavon.gov.uk/report-it.

What the CEPO Team can do...

- Visit the location to assess the untidy land.
- Issue a Community Protection Warning (CPW) to the land owner asking them to take steps to clear/tidy the land. CPW's usually give the recipient a period of time to complete the work; this can be 48 hours up to a few months.
- If the CPW is ignored, we would issue a Community Protection Notice (CPN).
- We will let the reporter know of what action we have taken.

Enforcement Actions and Offences

The principle powers which the council will use in relation to environmental crime enforcement are fixed penalty notices and prosecutions. The two acts we use to enforce these are the Environmental Protection Act 1990 and the Anti-social Behaviour, Crime and Policing Act 2014, through these Acts we have the ability to issue Community Protection Warnings and Notices instead of prosecuting, and these have proven very useful in getting action on some issues.

The council also has the power to create Public Space Protection Orders.

The councils have always carry out enforcement action, in relation to the use of these powers. This guide includes the criteria which we consider when deciding what the most appropriate response is in relation to an offence.

Education & Awareness

- The CEPO Team have a schools presentation that deals with all enviro crime; focusing on what it is, the damage it can cause to wildlife and the penalties is caught, this is aimed at primary school aged children years 5 and 6.
- The Team participate in regular organised litter picks across the district.
- The Team are happy to engage in community events and groups to chat about issues in local communities and remind people of their responsibilities. Get in touch or invite us by getting in touch using our email cepo@malvern hills.gov.uk, cepo@wychavon.gov.uk or call 01684 862250.

- The Green Dog Walkers scheme is the eyes and ears on the streets to capture information about irresponsible dog owners and being a polite reminder to others to pick up. www.malvern hills.gov.uk/green-dog-walkers or www.wychavon.gov.uk/green-dog-walkers.
- The Team has a number of resources to tackle hot-spot dog poo areas; such as; temporary poo bag dispensers and chalk spray stencils to target change in certain areas.
- The SCRAP Fly-tipping campaign – we all have a legal obligation, or DUTY OF CARE, to ensure our household or business waste is disposed of correctly, therefore always follow the SCRAP code if you are having waste removed;
 - **Suspect** – do not let someone take your waste away till they have proven to you they are legitimate.
 - **Check** their waste carriers registration details
 - Refuse unexpected offers to take waste and rubbish away
 - **Ask** what will happen to your rubbish and where it is going to be disposed of
 - **Paperwork** should be obtained – receipt, waste transfer notes, details of who has taken it away.
- Adopt a street
Do you love where you live and would you like to keep it looking clean and tidy?
www.malvern hills.gov.uk/adopt-a-street
www.wychavon.gov.uk/adopt-a-street

You can find licensed waste carriers in your neighbourhood by calling the Environment Agency on 03708506506 or visiting: <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers>