

Member Forum

10 September 2019

Statements from councillors



Procedural note:

STATEMENTS FROM COUNCILLORS:

- A maximum of 1 minute shall be allowed for the presentation of each statement (subject to overall time constraints).
- There shall be no debate on the statements and the Lord Mayor shall refer them to the Mayor for information/consideration.
- Statements will be dealt with in the order of receipt (subject to time).



The following statements have been submitted – full details are attached:

	Name	Title
CS01	Councillor Anthony Negus	New Enforcement Policy
CS02	Councillor Jo Sergeant	A Green New Deal for Avonmouth

CS01

Members' Forum statement from Councillor Anthony Negus

Subject – New Enforcement Policy

Enforcement should focus on the prospect of deterrence rather than responsive punishment. This document is a necessary housekeeping exercise but this council should go forward by re-examining how enforcement could be more effective and use scarce resources more efficiently. Let me give an example. How do we presently address the problem of fly-tipping and overfull domestic bins and boxes in a mixed business and residential area? Despite promises on the BCC website about enforcing waste/bin management – taken down now that I have pointed out that Officers have admitted that this cannot be done with present powers – enforcement is non-existent for domestic bins. But these common problems maybe because business premises are attempting to dump their waste. Fly tipping can be painstakingly identified with the perpetrator but instead of doing this why aren't we ensuring that all businesses have a valid commercial waste disposal licence? Better yet why should we use precious resources to chase their legal responsibility and instead place the onus on them to confirm– perhaps when they pay their business rates – that they have such a licence? We might at this stage also advertise the service that could be provided by BWC in this respect. Thus with minimum resources we could reduce future waste enforcement actions which presently drain precious resources or are not capable of enforcement.

This change in direction could be applied to a long overdue reassessment of our enforcement approach in general. While the law now allows councils to impose fixed penalty notices for certain misdemeanours, that makes the process self -funding in principle, we are presently unable to recover the full costs of actions as the fines are generally paid into the courts. Nevertheless if this council could at least reduce over time the size of the problem – or number of offences – and at the same time make its enforcement team more efficient that would at least show benefits and cost savings.

I ask you to consider that instead of responding to possible offences and using our precious resources to prove and prosecute as many as possible with no financial advantage to the council, instead we should spend our budget more on publicising what the law requires, identifying and prosecuting a very small number of attractive cases which might mean they are simpler, more high profile or more important, achieving a successful prosecution and then spending more money again publicising these outcomes including, if financially prudent, placing adverts across all types of media highlighting the council's success and the resulting penalties.

This would require a shift from using resources to address the maximum possible number of current difficulties to instead maximising the level of resource spent on suppressing future transgressions across a much wider base. Digital technology and making beneficial use of the opportunities from present-day media could transform our success in this field. At present we simply scratch the surface because we focus on enforcing individual acts of wrongdoing. Rather we should be looking to reduce the overall incidence of wrongdoing – surely the goal of effective enforcement. The expertise of the



team would need to change to embrace a greater legal strength and certainly more media/marketing expertise but its medium-term effectiveness would soon be realised.

Once again I appreciate that this paper is not seeking to change the direction of the city's Enforcement Team. When Officers talk openly of their impact being limited by the available resources the smart play is to look outside the box and be prepared to initiate radical new ways of addressing the wider issues that confront us all every day. Simply making minor administrative adjustments to how we do the same thing will not deliver potentially great improvements and make much better impact with our limited resources.

I commend this fundamental approach to enforcement combining wider benefits with prudent use of resources which also applies to many other aspects of this council's responsibilities. When faced with reducing outcomes this council should be open to a bolder re-aligned strategy of deterring many wrongdoers rather than punishing a few.

CS02

Members' Forum statement from Councillor Jo Sergeant

Subject - A Green New Deal for Avonmouth

The activities on the Avonmouth & Severnside Enterprise Area (ASEA), such as wind turbines, solar farms and energy from waste, are already making a vital contribution to Bristol's Green Industrial Revolution and reducing our carbon footprint and landfill contribution.

A Green New Deal for Bristol can only proceed with the continuation and further development of such activities in Avonmouth.

However, we need to be aware of the impacts that poorly managed waste treatment businesses have on a neighbouring residential community, such as Avonmouth Village.

Bad smells are more prevalent in this part of Bristol than anywhere else. And, whilst we all find flies to be a nuisance, especially at this time of year, there is undoubtedly a far greater number in and around Avonmouth, causing misery to residents and workers alike. I have witnessed this myself and have read/heard many other accounts.

I am in no doubt that many of these flies are coming from various forms of waste that are not being properly stored.

There are over 40 waste management businesses operating on the ASEA (including some treating waste from as far as West London) and, whilst most of them are, I am sure, meeting the requirements of their permits, which in some cases are perhaps not stringent enough, there are some that are not.

It is clear that further investigation is needed. This should be the responsibility of the regulator issuing the permits, the Environment Agency (EA). However, due perhaps in part to staffing cuts, it does not appear to be taking the appropriate action to minimise the impacts of so many waste management operations on neighbouring residential communities.



Residents and workers regularly attempt to report their concerns to the EA but are usually fobbed off. When I recently tried to report an issue, I was told it needed to be reported from an affected address, rather than by me, the local councillor. I know that the Council's own Pollution Control Team receive regular complaints and have tried to engage with the EA to get more done but nothing seems to happen.

What we need is a higher standard for waste management businesses, from a government that cares about the impact of business on ordinary lives. However we don't currently have that government so we need to take action ourselves.

An 'Avonmouth Charter', to promote excellence with regards to environmental impacts could be set by Bristol City Council, working with local residents. As we are not the regulator, we cannot enforce our standard but anyone who signs up is publicly demonstrating commitment to corporate social and environmental responsibility.

When we get a government that cares about social and environmental justice, our Charter could become a compulsory standard and be enforced across the by a reinvigorated Environment Agency.

Avonmouth should be leading the country as an exemplar in waste management, as part of a Green Industrial Revolution, providing meaningful employment, as well other economic benefits, whilst doing no harm to the local communities.

