



Education and Home Affairs Scrutiny Panel



Policing of Beaches and Parks

Presented to the States on 18th July 2011

S.R.10/2011

Contents

Chairman's Foreword.....	2
1. Terms of Reference and Membership.....	4
2. Key Findings and Recommendations	5
3. Executive Summary	8
4. Introduction	9
5. Regulations and Responsibility	10
6. Enforcement.....	12
6.1 Policing - Littering	12
6.2 Policing - Antisocial Behaviour	13
6.3 Fixed Penalties	15
6.4 Beaches.....	16
7. Cleaning.....	17
7.1 Cleaning program	17
7.2 Take away packaging	19
7.3 Levies	20
7.4 Reverse Vending	21
7.5 Dog Fouling	23
8. Education and Public Responsibility	26
8.1 Eco-Active	26
8.2 Public Ownership.....	29
8.3 Changing behaviour.....	31
8.4 Signage	32
9. Other Jurisdictions	33
9.1 Singapore	33
9.2 Falkirk.....	34
9.3 Jersey	35
10. Conclusion	37
11. Appendix 1 – Evidence Considered	38

Chairman's Foreword

For many people Jersey is a beautiful Island, its beaches and parks being of great importance to Islanders and Tourists alike. These areas are where many spend their leisure time, and so the vast majority of people care about the condition of these sites.

However, it would appear that for some standards are slipping, and through the Scrutiny process members of the public have expressed their concerns. Indeed, the Sub-Panel received significantly more submissions in its call for evidence than are usually received by Scrutiny Panels.

The question for the Sub-Panel throughout was “How do you deal with the minority that do not behave in a responsible manner?” What became apparent during the course of the Review was that in order to combat anti-social behaviour in all of its forms, a multi-pronged approach was essential.

The Sub-Panel was impressed by the initiatives of the Environment Department through the Eco-Active programmes within the local schools, and supports the stance that was held by officers that these programmes should be extended to draw in more members of the public.

Upon reviewing the evidence regarding the number of fines issued for littering, for which one can receive up to £500, none in living memory seem to have been issued. This supports the view that such anti-social behaviour is not seen as a priority by the Police. Thus, the Sub-Panel upon studying other jurisdictions has reached the conclusion that greater priority should be given to this area, and that a more standardised approach be taken. We also recommend that fixed penalties should be introduced for littering, dog fouling and a “No Tolerance” policy should be adopted. Additionally, we conclude that a rigorous enforcement of the current laws should be adopted, alongside a prominent media campaign.

The Sub-Panel is conscious of the budgetary pressures faced by all of the Departments and in addition to this, after considering the evidence, the Sub-Panel does not support banning the consumption of alcohol in public places. We feel that this would unfairly penalise responsible drinkers and the practicalities of enforcing such bans would appear not to be satisfactory. The Sub-Panel, however, does accept that some change does need to occur regarding the Police’s confiscation of alcohol powers and recommends that legislation needs to be harmonised in order to allow the confiscation of alcohol in the possession of adults as well.

This Review is by no means an absolute solution to all the concerns that have arisen, which encompass very complex human behaviours. It does provide a way for more focused approach that the Sub-Panel believes would provide more effective and long term change keeping Jersey a beautiful Island.

A handwritten signature in black ink that reads "J Macon". The signature is fluid and cursive, with "J" being a small initial and "Macon" being the last name.

Deputy Jeremy Maçon
Chairman
Policing of Beaches and Parks Sub-Panel

1. Terms of Reference and Membership

1.1 To review the policing of beaches and parks, to include consideration of the following:

- Promotion of public awareness with regard to littering and drinking in public spaces
- Enforcement and policing of anti-social and littering laws and regulations
- The consumption of alcohol in public spaces

1.2 To examine any further issues relating to the topic that may arise in the course of the Scrutiny Review and which the Panel considers relevant.

Sub-Panel Membership

1.3 For the purposes of this Review, the Education and Home Affairs Scrutiny Panel established the following Sub-Panel:

Deputy J M Maçon, Chairman

Connétable S Crowcroft, Vice-Chairman

Deputy M Tadier (resigned 13th July 2011)

Deputy D de Sousa

Panel Membership

1.4 The Education and Home Affairs Scrutiny Panel itself comprised the following members:

Deputy R G Le Hérissier

Deputy T M Pitman, Vice-Chairman

Deputy M Tadier (resigned 13th July 2011)

Deputy J M Maçon

2. Key Findings and Recommendations

FINDINGS

- 2.1 The Sub-Panel believes that the Policing of Beaches (Jersey) Regulations 1959 and the Policing of Parks (Jersey) Regulations 2005 are sufficient and do not require amendment. (5.14)
- 2.2 The Sub-Panel found that littering (including dog fouling), did not currently qualify as a policing priority and it believes this should be given greater priority by the Police and Parishes. (6.1.7)
- 2.3 The Review did not provide any compelling evidence to the Sub-Panel that alcohol restrictions in public places would be constructive, however, an ability to remove alcohol from adults where necessary could be of great benefit. (6.2.6)
- 2.4 The Sub-Panel found that the use of fixed penalties (on-the-spot fines) in other jurisdictions had provided an effective way of dealing with minor offences. (6.3.4)
- 2.5 Littering is given lower social priority than crimes such as vandalism or theft and is therefore given lower policing priority. However, evidence also highlighted that there are still a significant number of the public who object to this antisocial behaviour and want something to be done about it. (7.1.8)
- 2.6 The standard of cleanliness on the Island is generally good but there are specific hotspots of littering and antisocial behaviour, such as, in urban areas, often at night; specifically Fridays and Saturdays and during the summer on the beaches. These are areas that the Sub-Panel believes should not be ignored and require further attention from the responsible Authorities. (7.1.9)
- 2.7 The Sub-Panel is pleased that the Authorities responsible are successfully targeting their cleaning resources to manage the different demands during the week and the year. However, the Sub-Panel questions whether greater focus on enforcement and education could cut cleaning costs and consequently costs for the ratepayer/taxpayer. (7.1.10)

- 2.8 The Sub-Panel found that dog fouling was a key concern for both members of the public and States Departments questioned during this Review. It believes that due to the health risks of coming into contact with dog faeces, this must be given greater policing priority. (7.5.14)
- 2.9 The Sub-Panel was impressed with Eco-Active program being developed in schools and organisations. However, it believes there is further work to be done to engage with the wider public as a whole in order to develop a community focussed approach. (8.1.16)
- 2.10 The Sub-Panel places great importance on working towards a cleaner Island but is conscious that this does not necessarily mean it is an environmentally friendly Island. Much of the waste collected from public bins goes straight to the energy from waste plant to be burnt rather than being recycled. (8.1.18)
- 2.11 While education about the adverse effects of antisocial behaviour is important it is not enough on its own. Specific community initiatives and continued enforcement of legislation, a multi-pronged approach, is key. If people were more conscious of their environment and felt greater ownership of their community, they would be less likely to litter. (8.2.8)
- 2.12 The Sub-Panel recognises the importance of Youth Service initiatives with regard to reducing, preventing and responding to anti-social behaviour. (8.3.6)
- 2.13 Unlike Jersey, both Singapore and Falkirk have monitoring methods in place, specific to antisocial behaviour (including littering), to assess to what extent it is a problem. Both jurisdictions recognise the need for a zero tolerance approach to enforcement, and how this needs to be part of a multifaceted approach to be successful. (9.3.4)

RECOMMENDATIONS

- 2.14 The Sub-Panel recommends that the Minister for Home Affairs works with the Police and Parishes to enforce the existing regulations addressing antisocial behaviour and littering as a priority, ensuring consistency across the Parishes. (6.1.8)
- 2.15 The Sub-Panel recommends that the Minister for Home Affairs extends the legislation enabling police officers to seize alcohol from underage drinkers to enable the seizure of alcohol from adults as well. (6.2.7)

- 2.16 The Sub-Panel recommends that the Minister for Home Affairs considers using fixed penalties for littering (including dog fouling). (6.3.5)
- 2.17 The Sub-Panel further recommends that a fixed penalty scheme for littering should only be introduced after a period (suggested 1 month) of media awareness and public warning of the change in enforcement. (6.3.6)
- 2.18 The Sub-Panel also recommends that Parish Halls must adopt a consistent approach to the fixed penalty scheme and further that an allocation of the proceeds from fixed penalties is reinvested into ongoing education and awareness campaigns. (6.3.7)
- 2.19 The Sub-Panel recommends that the Minister for Economic Development considers assigning a proportion of the impôt duty from cigarettes and chewing gum towards the clean up of those items around the Island. (7.3.10)
- 2.20 The Sub-Panel recommends that the Minister for Economic Development works with key stakeholders to consider the viability of a reverse vending scheme. (7.4.8)
- 2.21 The Sub-Panel recommends that the Minister for Transport and Technical Services reviews the allocation of public bins and invites input from dog owners across the Island as to the most convenient place to have them to prevent waste being left in public places. (7.5.15)
- 2.22 The Sub-Panel recommends that the Minister for Home Affairs works with the Police and Parishes to establish a Dog Warden role, as used by other authorities, to act as a point of contact for members of the public should they want to report an incident. (7.5.16)
- 2.23 The Sub-Panel recommends that the Minister for Transport and Technical Services together with the Minister for Planning and Environment work pro-actively together to promote awareness of environmental issues building on the Eco-Active programme and targeted at the general public who may not currently be engaged by the Eco-Active programs. (8.1.17)
- 2.24 The Sub-Panel recommends that the Minister for Planning and Environment together with the Minister for Transport and Technical Services look to installing multi compartment bins in public areas to target 'on the go' recycling. (8.1.19)
- 2.25 At a time where Ministers, with their Departments, need to identify savings, the Sub-Panel recommend that funding for Youth Service initiatives targeted at reducing, preventing and responding to anti-social behaviour is given priority and maintained. (8.3.7)

3. Executive Summary

- 3.1 It was immediately clear from the responses to launch of this Review, with the Sub-Panel receiving significantly more submissions in its call for evidence than normally received by Scrutiny Panels, that public concern about the policing of beaches and parks is significant. Whilst we found that the existing Policing of Beaches (Jersey) Regulations 1959 and the Policing of Parks (Jersey) Regulations 2005 represent a sound legislative framework and do not require amendment, it was apparent that the level of priority given to the issues by bodies such as the States of Jersey Police in particular does need to change. The Sub-Panel found that littering is given lower social priority than crimes such as vandalism or theft and is therefore given lower policing priority. However, evidence also highlighted that there are still a significant number of the public who object to this antisocial behaviour and want something to be done about it.
- 3.2 The Sub-Panel found that the use of fixed penalties (on-the-spot fines) in other jurisdictions had provided an effective way of dealing with minor offences, and has recommended that the Minister for Home Affairs considers using fixed penalties for littering (including dog fouling). However, we believe that such a scheme should only be introduced after a lead in period of media awareness and public warning of the change in enforcement, and there will need to be a consistent approach applied by Parish Halls. The Sub-Panel has suggested that an allocation of the proceeds from fixed penalties would be usefully reinvested into ongoing education and awareness campaigns.
- 3.3 Additionally, we have identified a number of initiatives that we recommend should be pursued by the relevant Ministers. These include recommendations that the Minister for Home Affairs should work with the Police and Parishes to establish a Dog Warden role, that the Minister for Economic Development considers assigning a proportion of the impôt duty from cigarettes and chewing gum towards the clean up of those items around the Island, and that the Minister for Planning and Environment together with the Minister for Transport and Technical Services look to installing multi compartment bins in public areas to target 'on the go' recycling
- 3.4 These new initiatives would complement some of the laudable existing schemes that States Departments are engaged in. Amongst these, the Sub-Panel recognises the value of Youth Service initiatives with regard to reducing, preventing and responding to anti-social behaviour, and with Eco-Active program being developed in schools and organisations. However, it believes there is further work to be done to engage with the wider public as a whole in order to develop a community focussed approach.

4. Introduction

- 4.1 The Sub-Panel was contacted by members of the public asking for action against littering and anti-social behaviour in public places, specifically the beaches and parks.
- 4.2 Through the course of the Review the Sub-Panel could easily have opened up the terms of reference to consider more areas, and in fact, did increase the scope to look at St Helier hotspots as well.
- 4.3 The Sub-Panel focussed on three criteria; enforcement, cleaning and education, believing that improvements can only be made using a multifaceted approach.
- 4.4 This Review has not only shown up areas for improvement but also successes to be recognised.

5. Regulations and Responsibility

- 5.1 The Sub-Panel reviewed the legislation in relation to its Review topic and wanted to highlight that the following regulations are in place.
- 5.2 The Policing of Beaches (Jersey) Regulations 1959 designate responsibility to the Minister for Economic Development for care of the Jersey beaches and state the following:
- 5.3 2 (1) (f) No person shall, on any beach – cause any annoyance to any other person;
- 5.4 2 (1) (b) No person shall, on any beach – deposit, throw down or leave (otherwise than in a receptacle provided for the purpose) any bottle, tin, container, glass, crockery, paper wrapper or any refuse of any nature whatsoever;
- 5.5 2 (1) (j) No person shall, on any beach – fail to remove forthwith from the beach any faeces deposited by a dog of which the person is in charge (not being a guide dog in the charge of a blind person), for the purposes of which it shall be a sufficient removal if the faeces are hygienically disposed of in a receptacle provided for the deposit of litter.
- 5.6 The Regulations state that someone failing to comply will be subject to a fine.
- 5.7 The Policing of Parks (Jersey) Regulations 2005 designates responsibility to the Minister for Transport and Technical Services for all parks owned or administered by the States, with the exception of the Glacis Field, Fort Regent and Springfield Sports Ground, which are the responsibility of the Minister for Education, Sport and Culture and any park owned or administered by a Parish, which becomes the responsibility of the Connétable of that Parish.
- 5.8 The Regulations outline the following prohibited acts:
- 5.9 3 (1) (a) a person must not – indulge in any behaviour in a park that unreasonably interferes with the comfort or convenience of other users of the park, or causes them annoyance or interferes with their enjoyment of the park;
- 5.10 3 (1) (j) a person must not – except in a receptacle provided for the purpose, leave refuse in a park;

- 5.11 3 (1) (k) a person must not – when in charge of a dog in a park, fail to clean up any faeces deposited by the dog.
- 5.12 The Regulations state that anybody failing to comply with the above will be guilty of an offence and liable to a fine.
- 5.13 The Regulations provide extra detail as to the permitted access for animals into parks. Detailed maps of zoned parks are available to show what is permitted where.

5.14

KEY FINDING:

The Sub-Panel believes that the Policing of Beaches (Jersey) Regulations 1959 and the Policing of Parks (Jersey) Regulations 2005 are sufficient and do not require amendment.

6. Enforcement

6.1 Policing - Littering

- 6.1.1 The Sub-Panel believes that the regulations to guard from antisocial behaviour and littering are already in place, as highlighted in section 5. However, it feels the main issue is a lack of enforcement and consequently public awareness of these regulations.
- 6.1.2 The Minister for Home Affairs and Acting Chief Inspector, Tim Barnes, who attended a public hearing with the Sub-Panel, informed it that the Police saw the responsibility for the issues raised in this Review being that of the Ministers responsible for those areas, despite law enforcement being the role of the police.
- 6.1.3 They focussed on the fact that, with limited resources, the police force has defined four clear priorities; antisocial behaviour, violent crime, prolific offenders and serious and organised crime.¹ Littering was not seen as a priority or in fact a problem.
- 6.1.4 The Sub-Panel was informed about the police Tasking and Co-ordination Group (T.T.C.G.) who meet weekly to look at intelligence coming into the Station. The number of calls being received on various issues helps them to prioritise resources to specific problem areas. Statistics reviewed since 2004 showed that they had received only four calls from the public concerning littering during that time. This had not merited a focus of police time.
- 6.1.5 It was suggested to the Sub-Panel that a more cost effective way of tackling littering could be to increase the powers of the 'authorised persons' referred to in the regulations. Those persons currently have the power to demand the name and address from someone they have seen in breach of one of the offences. Roles such as the Parish Warden, Parking Control Officers and Honorary Police amongst others could all be considered for increased responsibility.
- 6.1.6 The Minister for Economic Development informed the Sub-Panel that primarily his Department was responsible for the legislation but the actual policing element was dealt with by other agencies such as the Honorary Police.

¹ Public Hearing Transcript, Acting Chief Officer, Tim Barnes, 25th November 2010, p3

6.1.7

KEY FINDING:

The Sub-Panel found that littering (including dog fouling), did not currently qualify as a policing priority and it believes this should be given far greater priority by the Police and Parishes.

6.1.8

RECOMMENDATION:

The Sub-Panel recommends that the Minister for Home Affairs works with the Police and Parishes to enforce the existing regulations addressing antisocial behaviour and littering as a priority, ensuring consistency across the Parishes.

6.2 Policing - Antisocial Behaviour

- 6.2.1 Drink related anti-social behaviour in public places is, however, viewed as a priority by the Minister for Home Affairs and the Police. Not only is there the increased policing of Friday and Saturday nightlife and related anti-social behaviour but there is also the issue of under-age drinking in public places and street drinkers, who are often found worse for wear in public parks (although this is a fairly localised problem).
- 6.2.2 The Acting Chief Inspector highlighted to the Sub-Panel that currently the Liquor Restrictions on Consumption (Jersey) Law 2005 enabled police officers to seize alcohol from underage drinkers if they were not with a responsible adult. However, there is no equivalent for adults who may be demonstrating a degree of anti-social behaviour but not enough to merit arrest.
- 6.2.3 The Crime (Disorderly Conduct and Harassment) (Jersey) Law 2008 has provided some support in this area, to guard against threatening, abusive and disorderly behaviour, without having to prove drunkenness, however, regulations providing police with the power of seizure of alcohol in these instances would be a useful tool to sit below existing legislation, to allow, in many cases, avoidance of reaching the prosecution stage. It would also help avoid further consideration of alcohol restrictions in public places or park wide bans which would penalise the majority for the minority's behaviour, if instances could be dealt with at an earlier stage.

6.2.4 The Minister for Economic Development commented: '*you are probably aware that the Licensing Law falls under Economic Development as well, which we are reviewing at the moment. It desperately needs to be updated and I think we need to consider proposals which would include perhaps alcohol-free zones around perhaps the harbour and other designated places to get away from this culture of drinking openly in the streets, which from a tourism point of view is not particularly good.*'²

6.2.5 The Minister informed the Sub-Panel that the Licensing Law was due to be drafted in 2012 with various consultative phases scheduled leading up to the drafting stage.

6.2.6

KEY FINDING:

The Review did not provide any compelling evidence to the Sub-Panel that alcohol restrictions in public places would be constructive, however, an ability to remove alcohol from adults where necessary could be of great benefit.

6.2.7

RECOMMENDATION:

The Sub-Panel recommends that the Minister for Home Affairs extends the legislation enabling police officers to seize alcohol from underage drinkers to enable the seizure of alcohol from adults as well.

6.2.8 In addition to the cost of enforcement is the difficulty of being able to catch people in the process of littering or allowing their dog to foul a public place. It cannot be ignored that although the regulations are in place to attempt to guard against the issues raised in this Review, they are only useful if they can be put in to practice successfully.

6.2.9 Difficulty with being able to prove someone had committed an offence may also relate to the low numbers of prosecutions recorded over the last few years. This does not mean that instances are not occurring, rather that, members of the public feel unable to report it and police officers unable to enforce the regulations.

6.2.10 Therefore, it appears that, on the one hand the regulations are there to be used, but on the other, there are barriers to making them effective and easy to enforce.

² Public Transcript, Minister for Economic Development, 28th February 2011, p22

6.3 Fixed Penalties

6.3.1 Fixed penalties (on the spot fines) were discussed by several parties during the Review, and perceived as a possible solution to the costs and paper work of the criminal justice or Parish Hall inquiry system.

6.3.2 The Minister for Home Affairs:

*'The whole issue about on-the-spot fines is something that was considered by the working group which was what they referred to as the: "1864 Group." Some people think that is because that was when we started work, but this was a group which the former Attorney General put together to look at criminal procedure generally and to review it, and we produced a great deal of useful work. But it all went nowhere when the Attorney General moved on and became Deputy Bailiff and there have not been the resources to pick it up. The issue is slightly complicated in Jersey by the existence of the Honorary Police system and the fact that they do have fines and so on. So what you would be talking about would be giving States of Jersey Police officers a power of fining for the first time. That would be controversial, if only because it would seem to take away from the role of the honoraries, so all these issues have got to be considered.'*³

6.3.3 The Sub-Panel were informed by the Minister for Home Affairs that a scoping study was currently being carried out to look at law enforcement processes with the view to making significant savings for the Department. The scoping study is designed to indicate whether to go ahead with a full study, which in itself would be expensive. It would be likely that this full study would look at the Parish Hall system in relation to fines and whether on the spot fines would be cheaper administratively and therefore beneficial despite the inevitable affect on the Parish inquiry system. Human rights compliance would have to be a key consideration as part of the review process.

6.3.4

KEY FINDING:

The Sub-Panel finds that the use of fixed penalties (on-the-spot fines) in other jurisdictions had provided an effective way of dealing with minor offences.

³ Public Hearing Transcript, Minister for Home Affairs, 25th November 2010, p9

6.3.5

RECOMMENDATION:

The Sub-Panel recommends that the Minister for Home Affairs considers using fixed penalties for littering (including dog fouling).

6.3.6

RECOMMENDATION:

The Sub-Panel further recommends that a fixed penalty scheme for littering should only be introduced after a period (suggested 1 month) of media awareness and public warning of the change in enforcement.

6.3.7

RECOMMENDATION:

The Sub-Panel also recommends that Parish Halls must adopt a consistent approach to the fixed penalty scheme and further that an allocation of the proceeds from fixed penalties is reinvested into ongoing education and awareness campaigns.

6.4 Beaches

- 6.4.1 The Sub-Panel acknowledged that Jersey has many beautiful beaches to be enjoyed by members of the public and endorsed the fact that the majority of people accessing the beaches for dog walking and parties, did so responsibly, cleaning up after themselves.
- 6.4.2 It does, however, feel strongly about the need to deter those who's antisocial behaviour affects others using and living in the surrounding environment.
- 6.4.3 The Chairman of the Comité des Chefs de Police informed the Sub-Panel that in one Parish, when they knew or were informed about a party occurring on a beach, they would attend to identify two or three members of that party, taking their names and contact details and making them responsible for ensuring all members of that party behave responsibly and clear the beach up before they leave.
- 6.4.4 The Sub-Panel was keen that practices such as this, where some success had been achieved, were shared across Parishes.

7. Cleaning

7.1 Cleaning program

7.1.1 The Minister, together with members of the Department for Transport and Technical Services (TTS), informed the Sub-Panel at a public hearing that the cleaning program they had in place in relation to beaches, parks and town areas, especially St Helier, were an efficient, cost effective way of dealing with any littering problem, which they did not feel was a particular issue in Jersey. They believe that most people do in fact act responsibly and care for their surrounding environment.

7.1.2 The Minister for TTS provided the following expenditure breakdown incurred on cleaning services, in areas that they are responsible for, in 2010:

- **Beaches & Promenades** - £339k
- **Highways**
Town area £354k (Excludes one off exceptional payments eg Voluntary Redundancies)
Other areas £575k (Higher in 2010, due to additional costs relating to snow & ice clearance)
- **Public Toilets** - £511k
- **General Overheads**
£258k (This comprises of direct cleaning management costs, including charge hands where they constantly work across more than one of the above areas & also includes other non area-specific related spend)

7.1.3 In addition the Parish of St Helier provided the following staffing cost figures to give an idea of what the cleaning programme costs in St Helier:

- Morning Street Cleansing Costs = £485,467.93 per annum
- Afternoon Street Cleansing Costs = £143,305.90 per annum
- Total cost for Street Cleansing = **£628,773.83 per annum**

7.1.4 The following is a general breakdown of costs attributed to street cleansing carried out by St Helier including: bin emptying, power washing and mechanical and hand sweeping within the ring road.

- Capital costs Vehicles current value £258,000 to purchase new £360,000
- Running costs for vehicles £49,000
- Other equipment and sundries £16,000

7.1.5 TTS added that a greater focus on policing of the issue would help and even more beneficial would be a focus on prevention, rather than policing. Educating young people, at an early age, about their social responsibilities and what is acceptable behaviour should be a priority.⁴

7.1.6 Currently TTS oversee the cleaning of parks and beaches on behalf of the Minister for Economic Development.

7.1.7 The beach cleaning schedule alters from summer to winter to account for the changing demand. Intensive beach cleaning and emptying of bins is organised for 12 weeks over the summer months, 7 days a week. Outside that period the beaches are not maintained, with the exception of emptying bins, unless there is a specific call out.

7.1.8

KEY FINDING:

Littering is given lower social priority than crimes such as vandalism or theft and is therefore given lower policing priority. However, evidence also highlighted that there are still a significant number of the public who object to this antisocial behaviour and want something to be done about it.

7.1.9

KEY FINDING:

The standard of cleanliness on the Island is generally good but there are specific hotspots of littering and antisocial behaviour, such as, in urban areas, often at night; specifically Fridays and Saturdays and during the summer on the beaches. These are areas that the Sub-Panel believes should not be ignored and require further attention from the responsible authorities.

⁴ Public Hearing Transcript, Minister for Transport and Technical Services, 25th November 2010, p5

7.1.10

KEY FINDING:

The Sub-Panel is pleased that the authorities responsible are successfully targeting their cleaning resources to manage the different demands during the week and the year. However, the Sub-Panel questions whether greater focus on enforcement and education could cut cleaning costs and consequently costs for the ratepayer/taxpayer.

7.2 Take away packaging

- 7.2.1 During the course of the Review the Sub-Panel found that, in addition to littering in parks and on beaches, a regular problem was that of takeaway packaging discarded in public areas, especially in St Helier, most commonly on Friday and Saturday nights.
- 7.2.2 The Minister for Transport and Technical Services suggested to the Sub-Panel that proprietors should be responsible for clearing up. Further discussion, however, did highlight the difficulties for the proprietor where customers were likely to walk a distance with their packaging before discarding it and this would be very difficult for takeaway outlets to track and clear up.
- 7.2.3 A further thought was that takeaway outlets should follow, for example, MacDonald's who have moved away from the polystyrene packaging that causes such a problem.
- 7.2.4 The Hospitality and Leisure Manager from the Economic Development Department informed the Sub-Panel that part of the terms and conditions for any beach concessionaire are to ensure that their designated area is kept clean and tidy and all rubbish is collected. This would also apply to a takeaway outlet, for example, in Mulcaster Street near the Weybridge, however, they are only expected to be responsible for their immediate surrounding area.
- 7.2.5 The Sub-Panel are aware that cleaning away rubbish, left not only on beaches and in parks, but around St Helier is paid for by the ratepayers. Although the Transport and Technical Services Department clean up effectively where possible, minimising the appearance of a problem, the Sub-Panel think there must be cost-saving alternatives that would benefit the ratepayers.

- 7.2.6 Not only does the Sub-Panel believe that conditions of licenses granted to premises could be reviewed to include greater responsibility for waste but that levies on packaging entering the Island could also be considered.

7.3 Levies

- 7.3.1 The Sub-Panel questioned several witnesses about the viability of introducing levies on packaging and goods such as chewing gum and cigarettes.

- 7.3.2 Assistant Recycling Officer, Transport and Technical Services:

'we are looking at it because it is something that potentially we could raise initial resources to support other initiatives; perhaps education and public-awareness. There are already these initiatives in other parts of the world, noticeably the Courtauld agreement in England which the Waste Resources Action Programme is supporting. Although it is optional, you have big players that have signed up to that that operate on the Island, such as the Co-operative Group, Marks and Spencer and Waitrose. So having something additional on the Island when we already have those companies agreeing to those benchmarks is one issue and also the administration of the scheme on a local level would be another. What we are more focusing on is we have our Eco-active Business Scheme that the Planning and Environment Department administer and we can try and use things like the Courtauld agreement's best practice and get other groups which operate just on the local areas, such as Sandpiper, to use those as benchmarks and best practice for the Island.⁵

- 7.3.3 The Courtauld Commitment was a responsibility deal aimed at improving resource efficiency and reducing the carbon and wider environmental impact of the grocery retail sector.
- 7.3.4 The Courtauld Commitment 2 follows the original Courtauld Commitment (Phase 1), launched in 2005. It moves away from solely weight-based targets and aims to achieve more sustainable use of resources over the entire lifecycle of products, throughout the whole supply chain.
- 7.3.5 At the launch of Phase 2 on 4th March 2010, 29 major retailers and brand owners in the UK had already pledged their commitment to this voluntary agreement.

⁵ Public Hearing Transcript, Assistant Recycling Officer, Transport and Technical Services, 25th November 2010, p13

- 7.3.6 Research identifies these huge potential savings to UK businesses from what is known as ‘resource efficiency’ – using materials, energy and water more efficiently in ways that need very little or no investment. Improving resource efficiency is a key part of the transition to a green economy, providing benefits for businesses and the environment while boosting the UK economy. It also shows that the savings could be even greater when the potential from longer term investment is included. These savings could improve competitiveness and employment opportunities for British business.
- 7.3.7 Most of the potential low cost savings come from using raw materials more efficiently and generating less waste.
- 7.3.8 Unveiling the research Environment Secretary Caroline Spelman said: “*Moving to a green economy offers businesses opportunities to grow into the future. Becoming more resource efficient contributes to a business’s bottom line, increases profitability and their capacity to grow. In addition to improving competitiveness, businesses could reduce carbon emissions by 29 million tonnes a year; so it’s a win-win for business and the environment.*”⁶
- 7.3.9 The Minister for Economic Development also endorsed consideration of the introduction of levies, but was mindful of the fact that, although from a common sense perspective it may seem reasonable, there would be implications to consider in any proposal.⁷

7.3.10

RECOMMENDATION:

The Sub-Panel recommends that the Minister for Economic Development considers assigning a proportion of the impôt duty from cigarettes and chewing gum towards the clean up of those items around the Island.

7.4 Reverse Vending

- 7.4.1 ‘Stop the Drop’, an anti-litter group formed in 2008 to look at ways of reducing littering and spoiling in the Island, met with the Sub-Panel to discuss possible solutions.

⁶ <http://www2.defra.gov.uk/news/2011/03/11/research-shows-companies-can-save-money-by-helping-the-environment>

⁷ Public Hearing Transcript, Minister for Economic Development, 28th February 2011, p28

- 7.4.2 Reverse vending is the concept of returning containers for a deposit and has been adopted in many countries such as Croatia, Barbados, Canada, Switzerland and areas of the USA.
- 7.4.3 Bottles and drink containers are responsible for over 50% of the rubbish collected in Jersey, so any reduction of this could go some way to minimising litter.
- 7.4.4 There are different kinds of technology that allow for bottles to be deposited in a machine and a paper credit received for further expenditure in a shop enabling the retailer to gain return custom from the depositor. It is situated outside the shop, not taking up any retail space. Plus this could encourage people to collect bottles and use the deposits for their personal gain or proceeds to a local charity or association.
- 7.4.5 How to encourage retailers to take part in the initiative would need further consideration, perhaps creating a tax for all containers imported into the Island, redeemable when a bottle was deposited in a machine. Alternatively, retailers could be asked to join the scheme voluntarily but this may not have the same success.
- 7.4.6 The scheme could also be used by the Economic Development Department as part of their Tourism drive, advertising Jersey as an environmentally focussed island to visit.
- 7.4.7 In response to the Sub-Panel's questions with regard to Reverse Vending, the Minister for Economic Development responded:

*'Packaging has moved on a lot since those days when you used to return your bottle or whatever it was and get a refund. I am not sure how practical that would be. The principle is interesting. I am happy to consider it further but I think there are probably more implications that would need consideration.'*⁸

⁸ Public Hearing Transcript, Minister for Economic Development, 28th February 2011, p37

7.4.8

RECOMMENDATION:

The Sub-Panel recommends that the Minister for Economic Development works with key stakeholders to consider the viability of a reverse vending scheme.

7.5 Dog Fouling

- 7.5.1 Many of the submissions received from members of the public expressed concern over the amount of dog waste left by walkers in public areas, often whether there were bins available for use or not.
- 7.5.2 At a public hearing with the Minister and members of the Department for Transport and Technical Services the Sub-Panel were informed:

*'One of our biggest concerns is dog fouling. This is particularly bad on areas such as Noirmont, Portelet Common etc. We also have similar problems, although to a lesser extent on some of our formal garden areas such as Gorey and St Aubins Gardens. The policing of Parks (Jersey) Regulations 2005 makes it an offence for a dog owner to fail to remove any faeces deposited by their dog, however there seems to be a reluctance to enforce the Regulations. Until this happens dog fouling will continue to be a problem. Many UK local authorities impose on-the-spot fines and this is something we should consider.'*⁹

- 7.5.3 As discussed in 6.4, on the spot fines are something due to be considered by the Department for Home Affairs and the Sub-Panel will request for this to be considered as part of that study.
- 7.5.4 The Sub-Panel discussed with the Minister for Transport and Technical Services whether there were sufficient bins to encourage people to deposit their bags:

⁹ Manager Parks and Gardens, Transport and Technical Services, by email 22nd October 2010

7.5.5 Minister for Transport and Technical Services:

*'Whether the resource in putting out the binswould not be inconsiderable. I think one would need to factor that in before you went down that route but there has not been a public demand so far but it is something we could consider.'*¹⁰

7.5.6 Submissions have highlighted to the Sub-Panel that there are areas where there are not enough bins and areas where they are in the wrong place. This is important for the Minister to re-examine.

7.5.7 Discussions have also been based around the idea of designating beaches specifically for dogs.

7.5.8 Guernsey has adapted its restrictions so that 7 of the most popular beaches on the Island have a complete ban on dogs throughout the daytime during summer months and on all other beaches people are able to walk and be with their dogs off the lead throughout the day. This has not changed the fact that dog walkers are still able to walk their dogs off the lead on all beaches before 10.30am and after 6.00pm on all beaches.

7.5.9 One submission highlighted that by concentrating dogs to specific beaches, it would help them to become self policed by responsible dog owners.

7.5.10 Both the Director for Municipal Services and Minister for Economic Development commented on the idea of designating beaches:

7.5.11 Director of Municipal Services, Transport and Technical Services Department:

*'I think the issue of policing would come into it again. You would have to have someone down there permanently to make sure ... people walk their dogs fairly early and very late at night. To make them dog free, you need to police it. Very, very difficult.'*¹¹

¹⁰ Public Hearing Transcript, Minister for Transport and Technical Services, 25th November 2011, p15

¹¹ Public Hearing Transcript, Director for Municipal Services, TTS, 25th November 2011, p16

7.5.12 The Minister for Economic Development:

*'I think if you try and legislate in that way it becomes overly complicated. If it is overly complicated, of course, it has to be policed. There are resource implications. I think it would be probably quite confusing to actually carry through on that. We need to establish if there is an issue, how we deal with it and how we deal with, in terms of the regulations, the policing of regulations. I think that is the key issue rather than splitting it down into individual beaches. I think that would make the matter quite difficult.'*¹²,

7.5.13 The Sub-Panel believe that the issue of clearing up after your dog is again a matter of community involvement and pride in your local environment. Greater enforcement of hotspots as well as a closer look at the location of bins in these areas would be beneficial but will only go someway to encouraging those who will always act irresponsibly in this regard.

7.5.14

KEY FINDING:

The Sub-Panel found that dog fouling was a key concern for both members of the public and States Departments questioned during this Review. It believes that due to the health risks of coming into contact with dog faeces this must be given greater policing priority.

7.5.15

RECOMMENDATION:

The Sub-Panel recommends that the Minister for Transport and Technical Services reviews the allocation of public bins and invites input from dog owners across the Island as to the most convenient place to have them to prevent waste being left in public places.

7.5.16

RECOMMENDATION:

The Sub-Panel recommends that the Minister for Home Affairs works with the Police and Parishes to establish a Dog Warden role, as used by other authorities, to act as a point of contact for members of the public should they want to report an incident.

¹² Public Hearing Transcript, Minister for Economic Development, 28th February 2011, p9

8. Education and Public Responsibility

8.0.1 The Sub-Panel believes that whilst enforcement is a key issue and the clean up of waste and monitoring of anti-social behaviour is important, education is perhaps the most important aspect if a long term change in behaviour is going to be achieved.

8.1 Eco-Active

8.1.1 The Eco-Active Sustainable Schools Framework for Jersey has come about through co-operative working of the Department for Education, Sport and Culture and the Department for the Environment and is based on the UK Government's 'Sustainable Schools Strategy'.

8.1.2 The Framework was picked out as a priority in the States of Jersey Strategic Plan. The Department for the Environment has worked with schools over the last 18 months, officially launching the framework during 2010.

8.1.3 The Framework takes into account principles of sustainability and drives them through the school curriculum in 3 key areas; Campus, Community and Curriculum. These key areas are in themselves driven by the following 8 doorways; food and drink, energy and water, buildings and grounds, taking part, travel and traffic, purchasing and waste, global dimension and local environment.

8.1.4 The hope is that by using this Framework schools are giving children an understanding and appreciation for their local environment and community around them. By joining, schools are able to come together with an action plan to apply for funding in order to carry out sustainable activities, such as school nature gardens, composting bins or other project areas.

8.1.5 The Framework also links schools to local organisations, for example 'Recycle for Jersey', who can go into schools and give talks and resources to support the programme.

8.1.6 The Assistant Director for Environmental Policy informed the Sub-Panel about the current buy in from schools to the Framework:

8.1.7 '*The good news is 19 local schools have already signed up; of the ones that have not signed up yet, there are others we know are in training getting ready to sign up. So it is*

not that they just ignored it as far as we understand and we are continually working with those schools to find out what the barriers are for them and helping them get on board. We launched this last year and last September we ran a training scheme for the local schools and - 20 local teachers from 17 schools attended the training session about becoming an Eco-Active school so there was a lot of interest in this. Teachers felt that it was very much appealing to the sorts of things that they are being asked to deliver in the school environment'.¹³

8.1.8 The Department informed the Sub-Panel that Eco-Active is not just focussed on schools. There is in fact a much wider programme covering the specific areas of energy, waste and water as shown in the following points:

- Eco-Active Business is about accrediting local businesses, of which there are now 100 local businesses signed up.
- Eco-Active States, which uses the Eco-Active Business principle (i.e. good environmental management is good business sense), is in the process of being rolled out to the States of Jersey as an organisation and ties in with the efficiency savings that are currently being made.
- Eco-Active Energy is in place to provide energy efficiency grants to low-income households.
- Eco-Active Marine, included programmes such as 'Fishing for Litter', where the Marine and Coastal Zone Project Officer worked with the fishing community to provide the right sorts of fishing bins that were accessible to fishermen as they came back in from sea.

8.1.9 However, it was acknowledged by the Department that the process of this Scrutiny Review had been helpful in highlighting that littering and antisocial behaviour had not been a focus as yet and that these issues were also underpinning features of sustainability that should be considered in future programmes.

8.1.10 When questioned about how Jersey Regulations for littering and antisocial behaviour were brought into their communication with schools the Sub-Panel were told:

¹³ Public Hearing Transcript, Assistant Director for Environmental Policy, 18th February 2011, p7

8.1.11 Assistant Director for Environmental Policy:

*'When you are talking about behavioural changes I think the carrot is far more important than the stick. What we find with students is by instilling a sense of ownership of their place of living and community it is far more successful in getting them to engage. So, if you say to them: "Do not throw litter because it is bad for the wildlife, it makes the place look a mess, it is not healthy for the people around you," I think you tend to get a far better response than if you say: "Do not throw litter because if you do you will get caught by someone and they will tell you off.'*¹⁴

8.1.12 The only barrier to schools signing up to the Eco-Active programme seems to be time and resourcing with the initial set up and form filling. However, the Departments work closely with schools to try to break this down into a more manageable process.

8.1.13 While the Sub-Panel acknowledges the successful progress of the Eco-Active programme, it is mindful that although having a clean Island is very important, having an environmentally friendly Island is more so, and this is where Jersey could improve. General rubbish from public areas is cleared away but a large proportion of that is being burnt rather than recycled.

8.1.14 The Assistant Director for Environmental Policy commented:

*'It is the whole lifecycle analysis, is it not? It is about having the facilities for people to recycle the litter that they find....to deposit them easily and close to hand.'*¹⁵

8.1.15 Talking specifically about multi compartment recycling bins used in many places to enable separation of people's waste for recycling purposes, the Assistant Director continued to state that this type of facility could be beneficial and was the direction that both the Minister for Transport and Technical Services and Minister for Environment were going to have to move towards in the long term.

¹⁴ Public Hearing Transcript, Assistant Director for Environmental Policy, 18th February 2011, p17

¹⁵ Public Hearing Transcript, Assistant Director for Environmental Policy, 18th February 2011, p13

8.1.16

KEY FINDING:

The Sub-Panel was impressed with Eco-Active program being developed in schools and organisations. However, it believes there is further work to be done to engage with the general public as a whole in order to develop a community focussed approach.

8.1.17

RECOMMENDATION:

The Sub-Panel recommends that the Minister for Transport and Technical Services together with the Minister for Planning and Environment work pro-actively together to promote awareness of environmental issues building on the Eco-Active programme and targeted at the general public who may not currently be engaged by the Eco-Active programs.

8.1.18

KEY FINDING:

The Sub-Panel places great importance on working towards a cleaner Island but are conscious that this does not necessarily mean it is an environmentally friendly Island. Much of the waste collected from public bins goes straight to the energy from waste plant to be burnt rather than being recycled.

8.1.19

RECOMMENDATION:

The Sub-Panel recommend that the Minister for Panning and Environment together with the Minister for Transport and Technical Services look to installing multi compartment bins in public areas to target 'on the go' recycling.

8.2 Public Ownership

8.2.1 The Sub-Panel acknowledged that trying to educate people is not just about focussing on the school curriculum but looking much wider at the responsibility of parents and the community as a whole.

- 8.2.2 It noted the States of Jersey Strategic Plan Priorities; (8) to increase social inclusion by encouraging and supporting people to help themselves and (13) to protect and enhance our natural and built environment.
- 8.2.3 Priority (8) picks out the importance of preserving, enhancing and promoting community values and involvement. Encouraging people to be responsible for and take pride in their surrounding environment.
- 8.2.4 Priority (13) highlights the importance of environmental education in schools.
- 8.2.5 The Sub-Panel believes that community initiatives and reinforced legislation, linked with education, are vital. This multi-pronged approach should create a sense of ownership and belonging within a community, which could make a difference to behaviour.
- 8.2.6 There are initiatives in place already, for example, the anti-littering group Stop the Drop, organise beach clean ups and the Grass Roots environmentally friendly festival is run each year. However, much more could be done to encourage people to take ownership of their surroundings. New initiatives, such as, adopting a road and using Eco-Active principles within their Parish could all be investigated and coordinated by the Environment Department.
- 8.2.7 A review of the processes for reporting littering offences, for example, seeing someone throwing a cigarette out of their car window, or dropping a piece of litter on a pavement could be examined to clarify the processes, which could then be communicated to the public to make them aware of how they can get involved and take responsibility.

8.2.8

KEY FINDING:

While education about the adverse effects of antisocial behaviour is important it is not enough on its own. Specific community initiatives and continued enforcement of legislation, a multi-pronged approach, is key. If people were more conscious of their environment, taking ownership, they would be less likely to litter.

8.3 Changing behaviour

- 8.3.1 The Sub-Panel were informed by the Minister for Education, Sport and Culture about other support programmes to help minimise antisocial behaviour.
- 8.3.2 Statistics were provided to the Sub-Panel via the Minister from Mr David Kennedy, who oversees the Sports Committee Programme and works closely with the police to monitor the impact of the activities.
- 8.3.3 The Business Manager for Schools and Colleges explained: '*The evidence in the documentation I have given you links to when activities were at Les Quennevais or Fort Regent on the Friday evening, how many young people were involved, and linked directly with the number of phone calls the police received in relation to teenage behaviour. What is clear is that when those activities are on, the frequency of phone calls the police have about teenage problems goes straight down.*'¹⁶
- 8.3.4 These post school activities are funded through B.A.S.S. (Building a Safe Society), and are tailored to mirror the peaks, such as the summer holidays and Friday and Saturday nights, where teenagers benefit from structured activities.
- 8.3.5 The Minister for Education, Sport and Culture explained further: '*There is also a system in place that, through the police, they log incidents to identify hotspots. Our Youth Service and our community officers work closely with the police and the parishes. So when hotspots in a particular area are identified, then both our Youth Service and our community development officers get involved and organise events and target their efforts to those particular areas. So it is a co-ordinated approach that involves a number of different agencies, all with the same aim; to engage with the youngsters, deal with the issues that they have and draw them back into being more responsible members of society.*'¹⁷

8.3.6

KEY FINDING:

The Sub-Panel recognises the importance of Youth Service initiatives with regard to reducing, preventing and responding to anti-social behaviour.

¹⁶ Public Hearing Transcript, Business Manager for Schools and Colleges, 18th February 2011, p31/32

¹⁷ Public Hearing Transcript, Minister for Education, Sport and Culture, 18th February 2011, p34

8.3.7

RECOMMENDATION:

At a time where Ministers, with their Departments, need to identify savings, the Sub-Panel recommend that funding for Youth Service initiatives targeted at reducing, preventing and responding to anti-social behaviour is given priority and maintained.

8.4 Signage

- 8.4.1 The Minister for Economic Development acknowledged that the Tourism Office was a central site that could display literature to increase public awareness to visitors about what is acceptable in Jersey with regard to littering and anti-social behaviour, as well as publicising any environmental initiatives.¹⁸
- 8.4.2 Several discussions arose throughout the public hearings during the Review about the benefits and drawbacks of increasing signage in public places to remind people to be responsible with their litter. The Sub-Panel did not feel that the evidence and discussions provided a strong enough argument for increased signage, however, it did believe that other methods of raising public awareness, such as, targeted campaigns in the media and continued education were likely to be more beneficial.

¹⁸ Public Hearing Transcript, Minister for Economic Development, 28th February 2011, p36

9. Other Jurisdictions

9.0.1 The Sub-Panel looked to other jurisdictions to get an understanding of schemes which have been designed specifically to fight littering and anti-social behaviour.

9.1 Singapore

9.1.1 The National Environment Agency (NEA) adopts a three-pronged approach in keeping Singapore clean. This includes public cleansing, public education and enforcement.

9.1.2 To apprehend litterbugs, the enforcement officers carry out stakeouts in public places. They will wait for the individual to leave the immediate scene after the littering offence has been committed before approaching him/her to proceed with the enforcement process.

9.1.3 Over the years, NEA has been stepping up its enforcement against litterbugs. On 1 April 2009, the composition fine was raised from \$200 to \$300 for first-time minor littering offences such as the littering of cigarette butts, sweet-wrappers and car park coupon tabs. For more serious littering offences, such as the littering of drink cans, food wrappers and bottles, offenders are summoned to Court, where Corrective Work Orders (CWOs) are imposed. As for repeat offenders, a heavy fine is also imposed on top of the CWOs.

9.1.4 On 6 June 2010, a new nationwide campaign was launched to better curb littering in Singapore under the tagline “Do The Right Thing, Let’s Bin It”. Underpinning the new campaign is a more integrated strategy that NEA has developed based on the findings of a one-year, sociological study on the behavioural and sociological factors behind littering and its own review of current efforts. The three-pronged strategy comprises stricter enforcement, better infrastructure and more targeted public outreach and education efforts to change behaviour and prevent littering.

9.1.5 NEA’s Anti-Littering campaign focuses on inspiring every individual to be socially responsible, take action and keep Singapore clean by binning their litter all the time. Through this new campaign, NEA aims to drive home the message that littering is socially unacceptable and everyone has a responsibility will bin their rubbish properly and not litter. Both punitive action and education will be used to reach out to litterbugs. Punitive action will send a clear message that littering will not be tolerated. In tandem with this, consistent education efforts and community support will be needed to help convince this group to adopt the correct and consistent binning behaviour in the long-run.

9.2 Falkirk

- 9.2.1 In 2002, Falkirk Council decided that a comprehensive 'Litter Strategy' was required to tackle the problem of litter in a 'holistic' way.
- 9.2.2 In February 2003, the Council formally launched the Strategy, which aimed to reduce littering in three main ways:
 - By raising awareness of the problem through campaigns and a process of community education;
 - By supplementing this with a law enforcement deterrent;
 - By continuously striving to improve the efficiency and effectiveness of the street cleansing service.
- 9.2.3 The Litter Strategy was underpinned by a number of principles, by far the most important of which was prevention. The Strategy recognised that no matter how well and how quickly the Council cleared up the mess caused by littering, the only sustainable solution was to find ways of preventing littering in the first place.
- 9.2.4 Another fundamental principle of the Strategy was partnership working. Litter is everyone's problem. The Council needed the support of a wide range of people, businesses, schools, community organisations and other agencies if they were to achieve a change in the behaviour of those responsible of littering.
- 9.2.5 They were also committed to measuring their performance and set themselves targets to improve the cleanliness of local communities. The results of the cleanliness surveys were reported to the Scottish Executive and included among the key environmental indicators for Sustainable Falkirk.
- 9.2.6 The campaign 'Litter: There's No Excuse' has been running since April 2004. A wide range of media is used to ensure the message reaches as many people as possible – placing adverts and posters on Council vehicles, on litter bins, in the cinema or local library.
- 9.2.7 Other 'strands' of the campaign focussed on issues such as dog fouling, fly tipping (illegal dumping) and roadside litter.

- 9.2.8 The Community Litter Plan has recently been reviewed and updated. The new Community Litter Plan 2008 - 2011 gives an overview of the approach that Falkirk Council are taking to stem the problem of litter in the Falkirk Council area. It illustrates the aims, objectives and principles of their Litter Strategy and details the work they are undertaking in the 3 main areas of the Strategy – community education and awareness raising; operational services; and enforcement.
- 9.2.9 In relation to Dog Fouling Falkirk Council enacted a new legislation in October 2003 making it an offence for dog owners not to immediately clean up after their pet in all public places.
- 9.2.10 Failure to clean up after your dog may result in a fixed penalty fine of £40, rising to £60 if not paid within 28 days. Offenders may also be reported to the Procurator Fiscal and may be fined up to £500.
- 9.2.11 Falkirk Council operates a 'Zero Tolerance' policy with respect to dog fouling. Our Environmental Enforcement Officers regularly patrol known 'hotspot' areas for dog fouling. When two Officers witness an individual committing a dog fouling offence they will be approached and a Fixed Penalty Notice issued.
- 9.2.12 Falkirk Council recognises that the majority of dog owners already clean up after their dogs. It is their policy to deal with the minority that do not.

9.3 Jersey

- 9.3.1 What is clear to the Sub-Panel is that both these places have pinpointed littering and anti-social behaviour as a problem and have directed necessary resources to focussed programmes in order to try and improve their communities.
- 9.3.2 The Review has highlighted that, in Jersey, these issues have not been seen by the various responsible States Departments as a problem. As a consequence there has not been the buy-in to make this a priority and commit further resources to it, be that through targeted media campaigns or through concentrated policing.

9.3.3 The Sub-Panel believes that the three pronged approach of enforcement, cleaning and education (community involvement), as highlighted in the other jurisdictions, is the best way to combat this issue. Although good work is going on in some of these areas in Jersey, this report indicates that more could be done.

9.3.4

KEY FINDING:

Unlike Jersey, both Singapore and Falkirk have monitoring methods in place, specific to antisocial behaviour (including littering), to assess to what extent it is a problem. Both jurisdictions recognise the need for a zero tolerance approach to enforcement, and how this needs to be part of a multifaceted approach to be successful.

10. Conclusion

- 10.1 Despite the existing legislative framework, the Policing of Beaches (Jersey) Regulations 1959 and the Policing of Parks (Jersey) Regulations 2005, being fit for purpose and not requiring amendment, there remains significant public concern about the policing of beaches and parks. There are existing schemes addressing the issues at hand that States Departments are engaged in which are worthy of note, including Youth Service initiatives with regard to reducing, preventing and responding to anti-social behaviour, and the Eco-Active programme, but more needs to be done to engage with the wider public as a whole in order to develop a community focussed approach.
- 10.2 It is a reality that littering is given lower social priority than crimes such as vandalism or theft, and is therefore given lower policing priority. Nevertheless, considerable public concern remains, and it would seem appropriate that the Minister for Home Affairs should work with the States of Jersey Police and Parishes to enforce the existing regulations addressing antisocial behaviour and littering as a priority, ensuring consistency across the Parishes.

11. Appendix 1 – Evidence Considered

11.1 The following documents are available to read on the Scrutiny website (www.scrutiny.gov.je) unless received under a confidential agreement.

Documents

1. Policing of Beaches (Jersey) Regulations 1959
2. Policing of Parks Regulations (Jersey) 2005
3. Liquor Restriction on Consumption (Jersey) Law 2005
4. Policing of Roads Regs 1959
5. Crime (Disorderly Conduct and Harassment) Law 2008
6. Falkirk Community Litter Plan
7. Singapore Anti- Littering Initiatives
8. London Chewing Gum Clean Up
9. Eastleigh Town Centre Alcohol Restriction Zone
10. Arun District Council Fixed Penalty Notice
11. Complete ECO-ACTIVE Sustainable Schools Framework
12. Stop the Drop Smoking Debris Presentation
13. Stop the Drop Reverse Vending Presentation
14. Jersey Eco Schools

Written Submissions

1. Mrs T Laffoley
2. Mrs K Donnelly
3. Mrs M Garrett
4. Mrs C Goed
5. Mrs A Ruddy
6. Mr P Vasse

7. Mrs M Metcalfe

8. Mrs A Phillips

9. Mrs J Kadrewell

10. Mr J Haden

11. Mr A Luce

12. Mrs K Laverty

13. Mrs E Bowers

14. Mrs S Matthews

15. Mr & Mrs Hunt

16. Mr G Farnham

17. Mr A Andrews

18. Mr Stevenson

19. Mrs A le Blancq

20. Mrs K Hogben

21. Stop the Drop

22. Mr Robinson

23. Mrs K Langlois

Public Hearings

1. Comité des Chefs de Police	25th November 2010
2. Minister for Home Affairs and Acting Chief Inspector SoJ Police	25th November 2010
3. Minister for Transport and Technical Services	25th November 2010
4. Minister for Education, Sport and Culture and Assistant Minister for Environment	25th November 2010
5. Stop the Drop	3rd December 2010
6. Minister for Economic Development Department	28th February 2011