

## **Report to the Portfolio Holder – Public Protection**

**Subject:** The use of Environmental Enforcement Agents

**Date:** 11th August 2025

**Author:** Report of the Director of Place

### **Wards Affected:**

Whole of Borough

### **Purpose**

This report seeks approval to enter into an agreement with Environmental Enforcement Agents 'Waste Investigations Support and Enforcement Ltd' (WISE) for the provision of environmental enforcement services.

### **Key Decision**

This is not a key decision

### **Recommendation(s)**

**THAT the Portfolio Holder – Public Protection:**

- 1) Agrees to enter into a three-year contract (with an optional extension period of one year) with 'Waste Investigations Support and Enforcement Ltd' (WISE), enabling them to act on behalf of Gedling Borough Council to enforce against, and reduce environmental crime.**
- 2) Delegates the authority for the ongoing oversight and management of the arrangement to the Director of Place and Community Protection and Pollution Control Manager.**

- 1.1 Currently the Council's Public Protection Team deals with environmental crime enforcement matters, however following a restructure and a model change, it is proposed to outsource the role of enforcement agents to a specialist contractor. The Procurement process has been completed, and Waste Investigations Support & Enforcement (WISE) have been the successful bidders.
- 1.2 WISE provides enhanced environmental crime and ASB enforcement through bespoke services, specifically tailored for UK Local Authorities. Since 2020, they have delivered unrivalled industry expertise and leading-edge technology, partnering with over 40 local authorities to achieve exceptional results. This includes Rushcliffe Borough Council, and as of April 2025, Broxtowe Borough Council.
- 1.3 As demonstrated in Appendix 1 environmental crime is the source of regular complaints from the public and is receiving more media and political attention.
- 1.4 There are several key benefits of working with an external enforcement agent such as WISE:
  - Enforcement is part of a behavioural change initiative to make offenders think before discarding litter, including cigarette butts and chewing gum.
  - Enforcement could be targeted at specific areas or 'hotspots' of the Borough.
  - More officers would be available to cover a wider geography of the Borough.
  - A fully uniformed service that could operate across the Borough.
  - WISE will deliver a full end-to-end service including back-office support, payment facilities and customer service that is specifically focused on tackling and reducing environmental crime.
  - The Council will receive a revenue share of 10.05% from each fixed penalty notice served.

## **2 Proposal**

- 2.1 It is proposed that the Portfolio Holder – Public Protection approve the outsourcing of the environmental crime function to an external

enforcement agent to work in conjunction with the Council's Public Protection team to patrol the Borough.

- 2.2 The Term of the contract is 3 years plus an option for an additional 1 year extension.
- 2.3 The environmental agents will be tackling environmental crime in the form of littering, fly tipping, fly posting, dog fouling, abandoned vehicles, and duty of care offences
- 2.4 The Contract will be managed by the Community Protection Manager and Senior Environmental Health Officer.
- 2.5 As a result of the environmental agents being in place, Gedling borough Council will receive an end to end uniformed environmental enforcement service that operates 12 hours per day during summer months, and a reduced service of 8 hours per day during the winter, generating the Council revenue from fixed penalty notices.

### **3 Alternative Options**

- 3.1 The Council do not use an environmental crime agency meaning that the Council does not have any resources to carry out environmental enforcement. This could potentially be damaging to the credibility and reputation of the Council as it would be unable to effectively enforce environmental offences such as fly tipping, littering and dog fouling.

### **4 Financial Implications**

- 4.1 This service is self-financing, and WISE will provide the Council with 10.05% of their revenue income. Based on WISE's estimate of their annual revenue to be generated under the Contract, this would represent an income of £35,000 for the Council per year. This income can be invested in the public protection service to target environmental offences.

### **5 Legal Implications**

- 5.1 The Council has legal duties, primarily under the Environmental Protection Act 1990 (EPA 1990), to enforce environmental regulations. Under Section 111 of the Local Government Act 1972, Section 1 of the Localism

Act 2011 and Section 3(1) of the Local Government Act 1999 respectively, Local Authorities:

- (a) have the power to do anything that is calculated to facilitate, or which is conducive or incidental to the discharge of any of their functions;
- (b) have the power to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation; and
- (c) have a general duty as best value authorities to make arrangements to secure continuous improvement in the way in which their functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

The Council is able to authorise contractors and their employees to issue FPNs for littering under Section 88(10) of the EPA 1990.

- 5.2 The proposed arrangement with WISE Limited constitutes a concessions contract for the purposes of the Procurement Act 2023. The contract opportunity has been advertised by way of an Invitation to Tender, in accordance with the Council's Contracts and Procurement rules (Section 22 of the Constitution). As part of the Contract, WISE will be required to enter into a Data Processing Agreement with the Council.

Should approval be given to enter into the contract with WISE Limited, the Contract will need to be signed under seal, in accordance with Section 17 of the Constitution.

## **6 Equalities Implications**

- 6.1 Please see the Equalities Impact Assessment (EIA) attached at Appendix 2

## **7 Carbon Reduction/Environmental Sustainability Implications**

- 7.1 Please see the Carbon Impact Assessment (CIA) attached at Appendix 3

## **8 Appendices**

- 8.1 Appendix 1 – Environmental Incidents

Appendix 2 – EIA

Appendix 3 - CIA

## **9 Background Papers**

9.1 There are no Background Papers

## **10 Reasons for Recommendations**

10.1 To ensure that Gedling Borough Council can tackle environmental crime strongly without cost to the Council

### **Statutory Officer approval**

**Approved by:**

**Date:**

**On behalf of the Chief Financial Officer**

**Approved by:**

**Date:**

**On behalf of the Monitoring Officer**