

**Minutes
Environment Scrutiny Panel**

**21st February, 2006
5.30 p.m.
Town Hall**

Present: Councillors Wolstenhome (in the Chair), Carr, Dickie, Graham, Kinghorn, McDonnell, Marsden, Turnbull and Walton.

Also in Attendance: Councillors Cowper, Gibbon, Kellett, Leake, Moderate, Smith, Taylor and Thomson.

Tom Punton - Environment Services Manager, City of Durham.

Apologies

There were apologies for absence from Councillors Pitts and Simpson.

Minutes of the Meeting held on 24 January 2006

The minutes of the previous meeting were confirmed as a correct record.

Note: *Councillor Moderate entered the meeting at 5.35 p.m.*

A Brief Overview of Fly-tipping, Recycling and Litter Picking in the City of Durham area – Tom Punton, Environment Services Manager

The City of Durham's Environment Services Manager was introduced to the Panel and gave Members a brief overview of the services provided by (or on behalf of) the City Council.

Fly-tipping

The Environment Services Manager explained to Members that there are three main areas to be considered when looking at fly-tipping:-

1. Operational
 2. Education
 3. Enforcement
-
1. As regards the operational side of the Service, staff deal with approximately 70 incidents per month. For the City of Durham, the target is to remove fly-tipped waste within 24 hours of notification, though the City is currently responding to incidents within 4 hours. This rapid response is attributed to the 6 zone system employed in dealing with removals and the close links between the Officers involved with the street scene, Neighbourhood Wardens and the local communities within the district. Also, the City Council's Environment Services staff are vigilant as regards fly-tipping and different sections regularly contact each other to ensure swift resolution of any problems that are brought to light. In cases of persistent fly-tipping, it may be necessary to enter into partnership with Local Members, Residents' Groups and the Police to tackle the situation. An example of this in the Brandon area helped reduce the cost of removal of tipped waste (in the region of £10,000 per year) by an investment of £3,000, resolving the problem.

2. Education of the public as to the environmental and health dangers of fly-tipping is very important in order to pro-actively reduce the numbers of incidents within the district. Neighbourhood Wardens have visited schools and businesses to explain individuals' and companies' duty of care regarding waste. In addition, the Technical Support Section may be able to be used to help bring the issues to the public's attention similar events regarding our cigarette butt campaign, held in the Durham market place.

3. Enforcement is the final method by which fly-tipping can be tackled. For small instances it may be more appropriate, and cost effective, to have a Neighbourhood Warden issue a £50 fixed penalty notice for littering rather than prosecution for fly-tipping. For more persistent fly-tippers it would be appropriate to seek evidence to ensure a conviction against the offenders. To this end, the relevant Officers are PACE (Police and Criminal Evidence Act 1984) trained to ensure that the evidence gathered is of sufficient quality for Court. The City of Durham has been in partnership with the County Council and other neighbouring Local Authorities for 3 years with an Officer being employed, based at the County Hall, to take cases to Court on behalf of the partner Authorities. The Joint Fly-Tipping Enforcement Officer is a former Policeman and is well versed in collating evidence required to secure prosecutions. The figures relating to this for last year (for the Durham City area) were as follows:-

Investigations	123
Prosecutions	4
Warning Letters	32
Current Cases	8

In one particular case in 2005, an offender was fined £2,500 which was seen as a success for the new approach.

Litter Picking

The litter picking within the City of Durham is operated over different zones each of which receive an appropriate level of service for their type of area. For residential areas, the litter picking schedule follows the refuse collection, i.e. weekly. For shopping areas and town / village centres they are litter picked daily, and the city centre being maintained 7 days a week with extra provision for peak times of the day / year. The relevant Best Value Performance Indicators for this were independently reviewed by ENCAMS and the City of Durham was shown to be achieving the top level of performance.

Litter picking routes are timed to coincide with school lunch periods and whilst this is a reactionary approach, it is the most practical at the moment. Neighbourhood Wardens have attended trouble spots and issued fast food (McDonald's) vouchers to those children who use the litter bins in the area, in order to encourage others to follow suit. As regards the problem of cigarettes butts, the recent campaign highlighting the fact that cigarette butts are litter and that fixed penalty notices for £50 can be issued by Neighbourhood Wardens (together with the inclusion of three cigarette bins within the market place) has seemed to have had a positive effect.

Recycling

In 2000, the City of Durham was the pilot Authority for what was to become the "Kerb-It" scheme that has since been adopted by four of the seven District Councils within

County Durham with 12,000 households being issued with the kerbside recycling boxes. The percentage of waste recycled was initially 3% in 2000, 10% in 2003, with the current figure being around 20%, which is above the set targets (18% by 2006). There has been a Local Public Service Agreement (LSPA) bid for additional funding, in conjunction with the County Council thought this may come with a condition to stretch the targets for recycling further. Also funding has been secured by joint working and also from DEFRA. Prior to any decisions as regards the improvement of the service by the City of Durham, consideration of new targets from DEFRA and the County Council's new Waste Management Strategy would need to be considered, once they are completed and made available. If the County Council are to send waste to an Aerobic Digester (operated by Premier Waste) then the City of Durham's green waste recycling scheme, which has been successful of parts of the District, would not need to be extended as this waste could be processed at the Digester, negating the need for a separate green waste collection.

Note: *Councillors Kellett and McDonnell left the meeting at 6.05 p.m.*

Questions to the Environment Services Manager

The Members put various questions to the Environment Services Manager, which are set out at Appendix A.

Note: *Councillors Gibbon left the meeting at 6.22 p.m.*

Note: *Councillors Cowper left the meeting at 6.31 p.m.*

Consideration of additional Witnesses to be invited / consulted

Members discussed the need for additional information to be provided from the relevant information holders. The Chairman asked if the Environment Services Manager could help provide relevant contact details for Officers from our Partners and other relevant organisations. The Environmental Services Manager was happy to do so and would get back to the Panel in due course with contact details. The Panel felt that representatives from the County Council were required (Joint Fly-tipping Officer amongst others), and also from the City's Revenues Section. Other organisations that were thought to have relevant information were the Environment Agency and Premier Waste, with Members welcoming any additional suggestions the Environment Services Manager may have as regards appropriate witnesses.

Consideration of Scrutiny Planning Sheet – Litter Picking

Members noted the Scrutiny Planning Sheet regarding Litter Picking.

Additional Notes on the topic of Recycling, Fly-tipping and Litter Picking

Members noted the information regarding the topics of Recycling, Fly-tipping and Litter Picking.

Actions for the next meeting:-

- To invite relevant Officers from the County Council to discuss the topic and to consider additional information on the topic prior to planning any further actions / recommendations.

The Meeting terminated at 6.40 p.m.

Question and Answers regarding Litter Picking, Fly-tipping and Recycling with the City of Durham's Environment Services Manager – Tom Punton

Litter Picking

- Q1. Could the City utilise voluntary litter pickers to help in problem areas?
- A1. Within the Environment Services Business Plan, there is provision to further involve residents in monitoring litter problems within the local area, to help inform the service where to focus resources. Volunteers have been invited to help in specific situations, though these are rather ad-hoc and do not represent a rolling programme of voluntary litter picking. The City provides volunteers with collection bags and litter grabbers.
- Q2. Could the City liaise with Community Support Officers to dissuade schoolchildren from dropping litter at lunchtimes?
- A2. There are links between Neighbourhood Wardens and the Police and these could be looked at further. Usually the approach is to have 3-4 NW's to attend a specific school to educate the children. One example is a school in Gilesgate where NW's informed children that littering is not permitted and that NW's would be in attendance to "police" the area. Following this, NW's were able to praise those children that had followed the advice and used litter bins correctly, and to shame those who had not. Specifically, one child was issued with a fine for £25 to drive the message home.
- Q3. Where hedgerows are cut back, often the cuttings are left and are strewn across footpaths, would this be considered fly-tipping or littering?
- A3. This could be considered as either, but would probably be better deal with on the small scale as littering. With the Clean Neighbourhoods and Environment Act 2005, there are additional powers available to the Authority in this regard, and NW's are to receive the necessary training to put these into practise (N.B. some of these powers do not come into action until April 2006).

Fly-tipping

- Q4. There was an incident of fly-tipping (6 fridges) in October at Langley Moor. This has been reported, but results seem to be slow. Is there anything else that can be done?
- A4. Facts are vital for prosecutions to be successful, and regarding this incident, the Joint Fly-tipping Prosecutions Officer at County Hall would pursue this matter vigorously. Information relating to this specific case will be looked into.

- Q5. It is acknowledged by Members that the response to fly-tipping incidents is generally swift, but what can be done to bring prosecutions against companies and contractors?
- A5. Dubious contractors are often trying to avoid paying to dispose of waste at landfill. It is necessary to catch the offender in the act of tipping especially where the waste contains no identifying material (e.g. garden type waste). To this end if there is an area where persistent fly-tipping takes place, the City may be able to use covert surveillance to monitor and gather evidence. In some situations, it can be effective to send out letters to an area to inform residents of a local problem, with an aim to put off potential fly-tippers.
- Q6. Regarding fly-tipping, what is the split between domestic waste and industrial waste being fly-tipped?
- A6. People often think that there would be greater amount of commercial waste, but the split is approximately 50/50.
- Q7. Is there difficulty in dealing with fly-tipping on land that is not public open space or within the City of Durham's ownership?
- A7. Yes, though with various new powers contained within the Clean Neighbourhoods and Environment Act 2005 there should be more options open to City Council Officers. Ultimately it is the Landowner's responsibility, though we may be able to clear a problem site and then recharge the cost to the Landowner.
- Q8. In the cases where action taken by the Council has been effective, is there sufficient publicity of this positive work?
- A8. Upon commencement of the working arrangement with the Joint Fly-tipping Prosecution Officer and other Authorities, it was recognised that positive publicity would be vital. When the first prosecution was brought via this new arrangement, press releases were prepared and sent to the various newspapers etc. The amount of coverage in the press was disappointing, and perhaps in the future the Durham City News could be utilised, or to have Officers publicise direct, similar to the campaign involving NW's in the market place regarding cigarette butts as litter.

Recycling (and Bulky Collections)

- Q9. For special removals (bulky items), the collections are usually placed out at the roadside the night before. There have been cases where items have been vandalised, set on fire etc. Is there any way around this situation?
- A9. The Council's free bulky items collection service collects a large number of items and to ensure that the capacity meets the demand, the collections start at 6.45 am and continue until 4.15 pm. The individual drivers plan out the most efficient route prior to collections, and therefore it would be difficult to try and accommodate an individual Resident's preferred collection time. However in the cases where a Resident is on the Assisted Collection list staff, if suitably prior informed, may be able to go to a location and collect the item from within a property, garden or garage, thus preventing incidents at the roadside. Many other Authorities charge for bulky collections and this may be necessary and will be looked within the Environment Services Business Plan.

Q10. Is there any link between the amount of items left for special collection and extra fly-tipping / waste when student properties are vacated or refurbished?

A10. Yes, there is a noticeable increase in waste, and is mostly confined to particularly square mile of the City Centre (at the Christmas and summer vacation periods). There have been methods of further educating the students themselves via the Students Union, though it may be necessary to approach the matter of the associated increased costs to the Council directly with the Landlords themselves. This would be a non-domestic rate issue, and it may be useful to consult with the Revenues Section to further investigate any options that may be available. There is a code of conduct (Memo of Understanding) between the University and Landlords within Durham and it may be necessary to speak to the University and Landlords about this matter.

Q11. Are there plans to issue garden waste bins to those households within the District that currently do not have them?

A11. Due to the County Council reviewing it's Waste Management Strategy, it may be that the green waste collections could be made superfluous if the County Council go ahead with aerobic digestion for household waste as the "green waste" could be included with this. Therefore, prior to any decisions being made on this issue it would be prudent to await the County Council's new Waste Management Strategy.

Q12. Green waste collections stop in late Autumn, is there any provision for collections at all prior to the service starting again in the Spring?

A12. It may be that if there is sufficient public demand that one or two individual collections are made during the break to the rolling programme of collections to pick up any small amounts that build up.

Q13. There have been a few incidents where Premier Waste appear to have damaged fencing, walls and grassed areas. Is there anything in place to deal with this?

A13. Any incidents should be reported so that reinstatement costs can be sought from Premier Waste. In the past reinstatement costs have been recovered from the company.

Q14. Is there any future plans to recycle other materials not currently collected by Premier Waste, such as cardboard and plastics?

A14. The problem with collecting materials like plastic and cardboard is their inherent volume to weight ratio, requiring a large vehicle to remove a small tonnage of recyclable waste. As Premier Waste does not currently collect these types of waste, currently a suitable container for public use is being sourced (as are prominent sites for location of such containers such as within the car parks at the Tesco and Sainsbury supermarkets). It should be noted that compared to the other types of recyclable waste the profits to be made from the plastics etc. are poor compared to those for metals and glass. It should be noted that the types of waste chosen for the "Kerb-It" scheme were such to ensure that the Councils involved could meet the various targets as set by DEFRA. As previously stated new targets will be set out by DEFRA, and once these become available, action towards further recycling can be looked at.

Q15. Has there been any increase in the number of fly-tipping incidents since the introduction of the permit scheme for tipping at the County operated Household Waste and Recycling Centres (HWRCs)?

A15. Within the City of Durham area, there has not been an appreciable increase in the number of incidents of fly-tipping since the introduction of the permit scheme for tipping at HWRCs. However, there has been a pronounced increase in the number of requests for the removal of bulky items with an associated increased cost and knock on effect on service delivery (bulky and white goods now take an average of 3 days to collect rather than 2). If a fee is introduced for bulky collections there may be an increase in the number of fly-tipping incidents. It therefore could be beneficial to identify and involve a relevant Partner company to help spread out the cost of collections.