

## Scrutiny Sub-Committee for Looking After the Environment

20 March 2006



### Review of "Wasted...Not Wanted" Fly Tipping Scrutiny Project

---

## Report of Fly Tipping Scrutiny Working Group

---

### Purpose of Report

1. To review progress in implementation of the recommendations made by the Fly Tipping Scrutiny Working Group.

### Background

2. Fly tipping is an environmental crime which blights rural and urban areas of the County and impacts adversely on people's perceptions of the areas in which they live. A scrutiny project to examine fly tipping commenced in 2003 and reported in August 2004. All of the District/Borough Councils in the County participated in the project, as well as the Environment Agency. The Scrutiny Working Group report made a number of recommendations about how fly tipping could be tackled.

### Current Position

3. A review meeting took place on 2 March 2006 when Members considered a report about progress. The recommendations are summarised in the attached report, together with responses from officers about actions taken. Further information was also provided at the meeting about specific areas of progress. A number of representatives from District/Borough Councils and the Environment Agency were in attendance. In addition to the progress report, members were also provided with a note of issues raised at a multi-agency conference about fly tipping held in April 2005.
4. Whilst it was noted that progress had been made in relation to a number of the recommendations, the following issues requiring further progress were highlighted:
  - Training and information provision for the magistracy
  - The need for a re-invigorated Fly Tipping Forum, with high level representation from the agencies concerned to ensure that it can consider strategic issues
  - The role of the police in tackling fly tipping
  - The need to monitor fly tipping and seek appropriate publicity where prosecutions result
  - Further information about the progress being made in identifying and stopping up redundant areas of highway.
5. Members of the Working Group also received a presentation from the Fly Tipping Enforcement Officer about a number of prosecutions undertaken. Members heard that, although one of the partner District Councils had

withdrawn from the Enforcement arrangements, having appointed an officer to carry out these duties, another District Council was considering joining the scheme.

### **Recommendation**

6. There has been progress in implementation of the Working Group recommendations in a number of areas, which the Group welcomed. However, the Working Group recommends that a further review be undertaken in approximately six months time to consider the issues highlighted in paragraph 4 above.

---

**Contact: Tom Bolton                      Tel: 0191 3833149**

---

**Date of Meeting:** 2 March 2006

**Members Present:** Councillors J Armstrong, Carroll (Chairman) Barker and A M Williams.

**Co-opted Members:** J Crosby, D Easton and D M Jones.

**Cabinet Member:** B Myers.

**District/Borough Council and other Members Present:** Councillor A Hodgson and A Denholm (Sedgefield borough Council), R Hall and I McPherson (Environment Agency), S McCallan and P Rutherford (Chester-le-Street District Council) and D Hibbetts (Wear Valley District Council).

**“Wasted.... Not Wanted”**

**Fly Tipping Scrutiny Working Group**

**Review of Recommendations – 2 March 2006**

<b>No.</b>	<b>Recommendation</b>	<b>Progress</b>
1	In developing Community Safety Strategies for 2005-2008 with their partners in the Crime and Disorder Reduction Partnerships, the County, District and Borough Councils consider whether evidence about fly tipping can be submitted during the audit process preceding the new Strategies as an issue requiring action. The inclusion of fly tipping in Strategies might enable better access to regional funding for local initiatives which could be targeted at reducing fly tipping.	A schedule showing the position in relation to the Partnerships is attached.  Sedgefield BC complete the Fly capture return on a monthly basis therefore the number of fly tips and enforcement actions are recorded. Problems of “anti Social Behaviour” including Fly tipping are monitored at Streetsafe Partnership Group Meetings
2	The County Council, District and Borough Councils and the Police consider how the public might be better encouraged to report incidents of fly tipping (i.e. via Crimestoppers or other dedicated telephone lines); how witnesses can be supported before, during and after any legal processes; or whether professional witnesses should be employed. Representations could be made to Crimestoppers to include fly tipping within the categories of crime it currently deals with.	The Chief Constable has responded, indicating that, the number of reports of fly tipping received by Crimestoppers is low, but that, whenever calls are received, the information and, if appropriate, the caller, are referred to the appropriate District/Borough Council.
3	The County Council consider whether it needs to establish a rapid response team to deal with incidents of fly tipping on land in its ownership or control beyond the scheduled twice weekly clean-ups as at present.	Sedgefield BC is looking to employ 2 Rapid Response Teams with a view to enhancing the environment. This will include the removal of fly tips. The work will be commence in April 2006 providing the budget is approved
4	District and Borough Councils consider: <ul style="list-style-type: none"> <li>(i) Whether opportunities exist for the establishment of rapid response teams (either within or across Districts) to quickly respond to and clear fly tipped waste</li> <li>(ii) Where targets for responses to fly tipping incidents do not already exist, whether such performance targets should be set.</li> </ul>	Sedgefield’s targets are removal of fly tips within 24 hours, provided it can be manually removed

--	--	--

No.	Recommendation	Progress
5	The County Council, District and Borough Councils, the Environment Agency and the Police consider whether existing procedures allow for adequate feedback to organisations or individuals who have reported fly tipping incidents and, if not, develop mechanisms for ensuring that such feedback is provided.	<p>The Chief Constable has indicated that the new StreetSafe Strategy places great emphasis on feedback when incidents are reported to the Police and performance measures are in place to monitor this.</p> <p>The Fly-tipping Officer jointly funded by the Environment Agency, County Council and 4 of the District Councils provides feedback when notifications are received.</p>
6	The Environment Agency and its partners consider how the Fly Tipping Forum might be developed to ensure more joined up working between all those agencies involved in tackling fly tipping. We would suggest that the police, the magistracy; local business community, DVLA, Department of Works and Pensions; and Parish Councils, if they are not already included in membership of the Forum, should be invited to join the Forum.	The Street Safe group involves several partners such as Fire Brigade, Police, DCC, Sedgefield BC.
7	The proposal advanced by the Environment Agency during the course of the project for a dedicated officer to conduct investigations and bring prosecutions in relation to fly tipping has now been supported by the County Council and the majority of District and Borough Councils and this initiative should be welcomed	<p>An enforcement officer post continues with financing provided by the Environment Agency, County Council and 4 District Councils. A report on progress and prosecutions will be provided at the Review on 2 March 2006.</p> <p>Sedgefield B.C. have restructured and although they no longer subscribe to the County Wide scheme Neighbourhood Wardens now have responsibility for domestic fly tipping and a new post has been established to deal with commercial fly tipping.</p>

No.	Recommendation	Progress
8	The County Council, District/Borough Councils and the Environment Agency consider whether opportunities exist for the joint procurement and use of surveillance equipment (such as the Flashcam) across the County, or use of existing surveillance equipment held by the Environment Agency. This matter could, perhaps, be progressed via the Fly Tipping Forum.	The Environment Agency has offered the use of its surveillance equipment to District/Borough Councils. A number of District/Borough Councils have purchased equipment, or have been provided with equipment by other bodies (e.g. Easington Neighbourhood Pathfinder), which can be used to monitor/deter fly tipping and other criminal activities at remote sites.
9	The County Council and District/Borough Councils consider whether opportunities exist for <b>co-ordinated</b> ongoing publicity campaigns to: <ul style="list-style-type: none"> <li>• Raise awareness of the costs to the taxpayer of fly tipping</li> <li>• Highlight the potential consequences for those who fly tip</li> </ul>	Every case successfully prosecuted by the fly tipping enforcement officer is given publicity.  Sedgefield B.C has through the Streetsafe Partnership undertaken a number of multi agency anti social behavioural clean up operations. As part of the procedure for these operations they are advertised in the media and their success is also advertised
10	Any publicity campaign(s) developed by the County and/or District and Borough Councils target: <ul style="list-style-type: none"> <li>• Schools</li> <li>• The local Business Community</li> <li>• The Magistracy</li> </ul>	Sedgefield B.C has through the Streetsafe Partnership undertaken a number of multi agency anti social behavioural clean up operations. As part of the procedure for these operations they are advertised in the media and their success is also advertised
11	The County Council give consideration to the organisation of a Conference to raise awareness of the issues locally	A multi-agency Conference was held on 19 April 2004 at the Leadership Centre, Spennymoor (see separate report of workshop outcomes attached).

No.	Recommendation	Progress
12	<p>The County Council and District/Borough Councils review the manner in which information is provided to the public about collection of non-standard household waste. Opportunities for standardisation and consistency of information across District and Borough Councils boundaries be explored. The information should be clear, understandable and readily accessible. Any information provided should spell out alternative disposal methods for certain types of waste (i.e. details of charities who will collect furniture; or information about Household Waste Recycling Centres and their opening times for those who wish to dispose of their own items).</p>	<p>Sedgefield have a customer contract, which detail how all-domestic waste will be collected. Also, information is sent out in agreement with Premier Waste and DCC with regard to recycling.</p> <p>It is understood that across the County, the number of requests for removal of bulky items of household waste is rising. In relation to permits for HWRCs, these now include some wording urging people to consider contacting charities who may be able to re-use goods. Consideration is also being given using the reverse of the permit to publish opening times of HWRCs.</p>
13	<p>District and Borough Councils may wish to consider whether scope exists for the prevention of fly tipping via the local planning consent or buildings regulation processes.</p>	<p>Section 54 the Clean Neighbourhoods and Environment Act will introduce regulations for consultation on this issue shortly with a view to regulations being in place by April 2007.</p>
14	<p>There may be scope for buildings control inspectors to play an enhanced role in advising householders/contractors about the need to ensure waste arising from residential developments is legally disposed of and to use their local knowledge to monitor contractors undertaking building works.</p>	<p>On the 21/11/05 The Waste (Household Waste Duty of Care)(England and Wales) Regulations 2005 were introduced which extends the duty of care to householders to ensure that their waste is disposed of correctly.</p>
15	<p>The County Council consider whether it can highlight the requirements to dispose of waste legally via its licensing process for skips placed on highways.</p>	<p>It is suggested that given the new Duty of Care Regulations set out above which impose a duty on householders, there is no longer any need to pursue this recommendation</p>

No.	Recommendation	Progress
16	Environment Services should consider carrying out an audit of lay-bys and redundant highways with a view to bringing forward proposals as to how fly tipping might be prevented in those locations.	<p>There are on-going problems with redundant highways in particular Beacon Lane at Sedgfield where fly tipping regularly takes place.</p> <p>An oral update will be given in relation to County Council progress</p>
17	The County Council and Premier Waste should consider whether scope exists for extending the winter opening hours of Household Waste Recycling Centres.	This has been explored but would not be feasible on current sites to lighting and health and safety issues.
18	The County Council and Premier Waste should consider how greater assistance could be offered to members of the public disposing of bulky household items at HWRCs.	This matter has been raised with Premier Waste and will be one of the issues which the newly appointed Performance Monitoring Officer will address.
19	To assist, District and Borough Councils and Premier Waste may wish to give consideration as to how fly tipped waste delivered to landfill/waste transfer stations can be more accurately identified. This may have implications for the training of waste operatives.	It is understood that this is being addressed in part, but there will always be an element of subjectivity about the identification process.
20	The County Council, District and Borough Councils consider whether fly tipping should be included as one of the report categories for inclusion in the next phase of the Customer Relationship Management System.	This has been considered as part of the CRM and is expected to come on-stream later this year.



### Scrutiny Recommendation - Community Safety:

During 2004 seven crime and disorder audits were conducted at a district level. Fly-tipping data is collated at a district council level, although not consistently across the County. Details of the analysis of fly-tipping and subsequent strategy and action-plan development for each district are given below:

<b>Community Safety Partnership</b>	<b>Audit</b>	<b>Strategy</b>	<b>Action Plans</b>
Chester-le-Street and Durham	Chester-le-Street included fly-tipping data from district council Environmental Services. 49% of the 1,377 incidents in 2003/04 were in relation to fly-tipping.	No reference to fly-tipping.	No actions on fly-tipping.
	Durham City -no data included.	No reference to fly-tipping.	No actions on fly-tipping.
Derwentside	No data included.	Objective - to tackle anti-social behaviour Measure - number of incidents of fly-tipping.	Action plan not yet finalised.
Easington	No data included.	Objective – to reduce the incidents of fly-tipping. Measure – number of incidents of fly-tipping.	Reduce fly tipping by 20% over the lifetime of the strategy. Target of 7% reduction for 2005/06. Currently on track to meet this.
Sedgefield	Increase in number of anti-social behaviour complaints to the borough council, attributed to a more proactive approach in tackling problems such as fly-tipping.	Issue FPNs for fly-tipping. Environmental programme in schools to highlight health issues in relation to litter, fly-tipping etc.  Objective: increase public reassurance and address anti-social behaviour. Measure; number of incidents of fly-	Develop protocols for the removal of fly-tipping.

		tipping. No targets set.	
Wear and Tees	Teesdale – data from DCC Countryside Rangers on Fly-Tipping Incidents (0.04 per 1000 pop compared to 0.4 across the County).	Contact number given to report fly-tipping.	Develop protocols for the removal of fly-tipping.
	Wear Valley – no data included.	Data included which shows half of incidents reported to Wear Valley district council were in relation to fly-tipping. CSP will seek to prevent anti-social behaviour by: <ul style="list-style-type: none"> <li>• the use of more cameras to deter fly-tipping.</li> <li>• High visibility enforcement of fly-tipping , with street wardens accredited to enforce.</li> </ul> Contact number given to report fly-tipping.	Develop protocols for the removal of fly-tipping.

## SUMMARY OF ISSUES RAISED IN FLY TIPPING WORKSHOPS

19 APRIL 2005

### FLY TIPPING IN CONTEXT

- The profile of local environments is a key issue (Anti-Social Behaviour Act, Clean Neighbourhoods and Environment Act)
- Fly tipping is part of the bigger problem of anti-social behaviour and needs more concerted action via the Crime and Disorder Reduction Partnerships

### OPERATIONAL ISSUES

- The way that Councils/Agencies deal with issues such as fly tipping needs to change from reactive to proactive
- Rapid response to incidents is a pre-requisite – how can response times be improved?

### PARTNERSHIP AND JOINT WORKING

- The Fly Tipping Forum needs to continue and engage with all of the agencies which have a role (i.e. inclusion of Fire and Rescue Services, Courts Service etc.)
- Are there opportunities for developing joint officers (i.e. legal – to undertake prosecutions)
- There needs to be a more joined up approach to the issues with more partnership working
- The Environment Agency has a key role to play – both in terms of leadership locally, the link to the national agenda, developing more joined up partnership working and in continued support for the fly tipping enforcement initiative
- The key to tackling fly tipping is getting a more joined up approach through partnership working between the agencies
- Networking, sharing resources/skills and developing a knowledge base will all assist in tackling fly tipping.

### WASTE COLLECTION POLICIES

- Councils (who do not already have them) should consider whether **free** bulky household waste collection services should be introduced

### PUBLICITY AND PUBLIC ENGAGEMENT

- There needs to be one telephone number **region-wide** for waste collection/fly tipping issues and proper **publicity** of the contact number
- Public Support and Publicity in relation to tackling fly tipping are important, but costs of publicity can be a drain on budgets
- Councils/Agencies need to consider how they can better involve local communities in tackling the issues and how intelligence can be shared

## **ENFORCEMENT AND PROSECUTION**

- We need to be much tougher on serial fly tippers than the “one-offs”
- Local Authorities need have a consistent approach to fly tipping
- Procedures at Court are important – get the evidence/information right, seek compensation and costs

## **RESOURCING ISSUES**

There needs to be better resourcing (*economies of scale through joint working/sharing resources?*) to tackle fly tipping