

## **DURHAM COUNTY COUNCIL**

At a Special Meeting of **Environment and Sustainable Communities Overview and Scrutiny Committee** held in Committee Room 2, County Hall, Durham on **Monday 23 October 2017 at 9.30 am**

**Present:**

**Councillor O Milburn (Chair)**

**Members of the Committee:**

Councillors D Bell, J Carr, J Clare, J Clark, A Gardner, P Jopling, R Manchester, C Martin, A Patterson, P Sexton and L Taylor

**Co-opted Members:**

Mr D Kinch

### **1 Welcome by the Chair**

The Chairman welcomed everyone to the meeting and introductions were made.

### **2 Apologies**

Apologies for absence had been received from Councillors E Adam, L Brown, R Crute, P Howell, A Simpson, M Wilson and S Zair.

### **3 Substitute Members**

No notification of Substitute Members had been received.

### **4 Declarations of Interest**

There were no Declarations of Interest.

### **5 Fly Tipping**

The Committee considered the Joint Report of the Director of Transformation and Partnerships and the Corporate Director of Regeneration and Local Services that provided Members with information on flytipping (for copy of report, see file of minutes).

Members received a presentation from the Head of Direct Services that provided Members with details of the following:-

- Flytipping – A national perspective

- The 'Durham Pride' Approach
- Operation Stop It
- Partnership Task Force
- Partnership Work for Flytipping
- Common Agendas
- Understanding the Problem
- Breakdown of Durham Flytipping
- Education and Awareness
- Changing Attitudes and Behaviours
- Big Spring Clean
- Enforcement
- National Recognition
- What Members Can Do

Members were also shown a video on 'Operation Stop it'.

The Head of Direct Services advised members of the types of enforcement and their remedies which can include a fine of up to £50,000 or 2 years imprisonment, the Council now has the power to seize a vehicle that has been found to be used in fly tipping but this is a decision of the magistrates. Members were advised that there is 1 prosecution per week, 161 stop check operations, 88 household warning letters and 32 business warning letters. All warnings go on record then if there is a prosecution this can be used as evidence.

Members were advised that there had been 374 CCTV deployments using 30 cameras that were used covertly. The cameras could be hidden in objects that blend in with the surroundings. Members were advised how cameras have been used to catch people fly tipping.

The Head of Direct Services advised of the ways to report fly tipping using phone or online but explained that the amount of fly tipping reports could lead to over reporting. Fly tipping is a constant issue and it is important for members to share community intelligence and report fly tipping if seen.

Following the presentation the Chairman thanked Officers and asked Members for questions.

Mr D Kinch asked if the service had looked at giving incentives to areas to increase fly tipping reports to help solve the problem.

Councillor Gardner indicated that he was concerned about houses in multiple occupation and short term lets in areas where there was high turnover in tenancies which resulted in flytipping in back yards and the back street and asked how they could target these groups of people.

Councillor Martin referred to the scrap man and the legality of putting items out for the scrap man to pick up and if residents could leave goods outside and what advice should he be given to his constituents.

Councillor Jopling referred to the flytipping statistics which showed a reduction but there was still a lot of fly tipping that was taking longer to clear and did not always have tape around to show that it had been reported as flytipping. She commented that the cameras were excellent and would it be cost effective to purchase more cameras especially as prosecutions were advertised. Councillor Jopling also inquired if residents should ask to see permits if they hire a man with a van.

In response to questions from Members, The Head of Direct Services indicated that there had been national debate looking at incentive schemes for litter which could be in the form of deposits on glass bottles. The Scottish Government are planning to introduce a deposit scheme for bottles and cans. Rural England had championed a promotion by the government on bins but the scheme required a bin counter. There were currently no incentives for flytipping but they had made it easier for people to record it via mobile phone and they now had an app where you could take a photo which you uploaded to report the flytipping.

Councillor Gardner suggested that they could use a QR code on posters to encourage the public to report flytipping.

The Head of Direct Services confirmed that the permit system is seen by many as a barrier to taking waste to Household Waste Recycling Centres (HWRC) and the service were looking of quicker ways to issue permits. The Head of Direct Services advised that he had recently been in Horden with Councillor Clark where there had been high incidents of flytipping in back yards which were not secure and that this was part of the problem as unsecure back yards become a dumping ground. Members were informed that the service used a carrot and stick approach, the stick was to issue protection notices to landlords to clean up the yards and the carrot/incentive was yard clearances, community safety schemes and grants to help landlords to clear yards.

With regards to Scrap men they did not encourage this, customers would arrange for a white goods collection but by the time they got to the property it would have already been collected. It was often the case that the white goods were stripped and the carcass left, overall they would not encourage this and would ask people to use the Council's service that was legitimate.

The statistics on the flytipping was Countywide and some areas do have more incidents of fly tipping than others but fly tipping was being cleared at the same rate as it previously has been. Most incidents of flytipping were taped up to show that the authority was aware of it but sometimes flytipping incidents were deliberately not tape up to monitor the area and see if it was continuous in particular if it was building materials.

In relation to a question about cameras, the Head of Direct Services indicated that the support from Members of the Council and Town and Parish Councils was excellent but that while he trusts members implicitly it is better that the locations of the cameras are not discussed. Consideration is needed as if the authority were to plan to increase the number of cameras they would also need to consider the capacity of staff in proving the support such as monitoring, evidence gathering and prosecution.

Councillor Clare congratulated the team on how efficiently they dealt with the issues in his ward added that the speed of the removal was essential otherwise this could lead to

multiple issues. He then referred to the occasional black bin bags which were in bushes or under trees and asked if they could be regarded as a large litter item rather than a flytipping episode and be placed next to the litter bins or council blue bags for collection. He asked if side waste could be explored which would reduce black bin bag waste.

He then referred to the cost of the bulky waste collections which may be expensive for some residents and lead to furniture and white goods being flytipped and suggested that a possible solution could be a social fund or a voucher scheme that could be given out at food banks.

Councillor Martin asked if there was a list of scrap metal dealers who were registered.

Councillor Clare indicated that people moving in and out of properties in his area was a major issue as empty yards became an unofficial tip. One particular yard in his area took the landlord four months to clear due to the permit system and asked if this process could be shortened or the council clear the area and charge the landlord accordingly.

Councillor Clare advised that in his area fly tipping was mostly on the post council estate on the private estate there was a different type of fly tip where some residents did not pay for garden waste collections they dumped their garden waste over their fence onto Council land.

Councillor Patterson referred to the trends in flytipping and asked if this was linked to the closure or reduction of hours at the household waste recycling centres as alternative locations of household waste centres was considered as a barrier to some people. In relation to preventative measures the Member suggested a skip amnesty for residents which had been done before previously and was effective and if the service had looked at placing temporary skips in areas for residents to get rid of their unwanted items rather than flytipping.

In response to questions, the Head of Direct Services advised Members that they were looking at the data in relation to black bin bags and considering if clean and green teams could pick up bags when they came across them and determine if the bags were linked to day to day refuse collection and if it was legitimate flytipping. They were also investigating the recording of flytipping on the system as they sometimes had a report of flytipping but when they went out there was no rubbish these reports were taken this out of the figures. The service were working with colleagues so that more questions were asked to ascertain if incidents should be recorded as flytipping. For refuse collections to pick up side waste would impact on the capacity of crews and an additional crew would be required at a cost of £125k. There has been a reorganisation of crews in the south of the county and are now working at maximum capacity. There were also environmental reasons to discourage side waste as it cost £100 a ton for increased waste and the authority wanted to encourage recycling.

Members were advised that there is a cost to the council to dispose of special collection waste and this service was subsidised to customers so the authority could not reduce the cost of bulky waste collection. The Head of Direct Services informed members that Nottingham council had offered the bulky waste collection for free which increased demand for the service with no guarantee that fly tipping would reduce. Newport Council did the same and their flytipping increased. The service had looked at flytipping to see if this linked

to household waste recycling centres but they could not see any cause and effect. There was even fly tipping occurrences where there was a HWRC within a one mile radius.

The Chair advised that the fly tipping online reporting system demands a postcode and this is not always at hand if you're out walking in the countryside and come across a fly tip. The Contracts Team Manager advised that you can get passed this by clicking on a map and indicating where the fly tip is on the map but you need to know your exact location.

Councillor Milburn said that reporting fly tips online could be problematic when you are requested for a postcode. The person making the report might not be aware of the postcode or it is on a piece of open ground for which there is no postcode.

The Waste Management Contracts Team Manager responded that you can now pinpoint the location of fly tips on an online map instead of you do not have an address and postcode.

Councillor Carr asked that people be educated on the importance of composting.

The Strategic Waste Manager, Regeneration and Local Services advised Members that they provided composting bins at a substantially reduced rate and that they had a number of people to support the principles of composting who attended Area Action Partnership and allotment association meetings. The service had an awareness campaign in schools to promote composting but the resources were limited but they did have a leaflet on composting.

Councillor Sexton advised that residents had more waste at Christmas but there was no provision for the collection of side waste. Some weeks residents' bins were full, while other weeks bins were half empty and suggested that additional bags should be removed at Christmas time. He also gave an example of a bulky waste issue in his ward where it took 3 weeks to be removed but in that time the neighbourhood wardens contacted the constituent about removal on two separate occasions this had led to the resident reluctant to engage with the Council.

The Head of Direct Services advised Members that refuse crews would take additional bags of rubbish at Christmas time but they did not publicise this. With regard to the issue discussed by Councillor Sexton departments were now mobile working and records should show if there was a legitimate reason for the waste and both services should be aware.

The Strategic Waste Manager, Regeneration and Local Services also advised Members that they permitted additional recycling to be put out in clear bags.

Councillor Sexton asked if this could be advertised. Officers responded that if they advertised the service people may exploit the service which could impact on recycling targets.

The Chairman advised Members that various surveillance equipment was available for Members to view after the meeting.

**Resolved:** That the report be noted.

## **6 Household Waste Recycling Centres - Report of the Corporate Director of Regeneration and Local Services**

The Committee considered the report of the Corporate Director of Regeneration and Local Services that addressed the four key questions raised and directed Members to resources available to answer any additional questions they may have in advance of the meeting (for copy of report, see file of minutes).

The Strategic Waste Manager, Regeneration and Local Services and the Contracts Team Manager, Regeneration and Local Services were in attendance to answer any questions.

Mr Kinch asked for an update on the Stainton Grove Household Recycling Centre at Barnard Castle. The Strategic Waste Manager, Regeneration and Local Services gave Members an update and advised that the current site was a small site and was not ideal being restricted in the range of commodities it can receive and limited to two cars only at a time. A new facility has been designed within the existing but unused Depot area which is significantly bigger and a benchmark facility. Due to fulfilling planning condition requirements and a number of other design issues there have been a number of delays with the programme. The site has grown from the original design meeting a number of Member identified requirements (Trade Waste Recycling/Furniture Re-use outlet) there are additional costs so approval is needed for additional spending. This has been approved in principal but a report needs to be presented at CMT in November/December. A public meeting had been held in May 2017 where a number of residents attended and were happy with the proposals. The facility would be the first with amenities to take trade waste and furniture re-use. They hoped to have the facility operational in the summer of 2018 subject to financial approval.

Councillor Clark reminded members that the Member Development Group were looking to hold a seminar on Household Waste Recycling Centres. It was highlighted by the Strategic Waste Manager a Waste Seminar was being considered by the Head of Service in the future to offer advice and information on wide ranging waste issues.

Councillor Clare commented that the information contained in the report was helpful and referred to landlords and how some were left with rubbish from tenants which they had to dispose of but, because they were landlords it was considered as trade waste even when using their own private vehicle. He asked if the service was aware of these issues and if there was any way landlords could be helped as they were paying full council tax for the property when it was empty so why was the waste not classed as residential.

Officers responded that the service supported landlords but principally they were a business and therefore landlord waste was generally defined as commercial waste. It was highlighted that legislation was not specific regarding aspects of Landlord waste and hence the service applied a consistent and fair approach but on a case by case basis.

Councillor Clare commented that if a tenant was moving out they had the right to take waste to the household waste recycling centre and could do so in the landlord's vehicle as long as the permit was in the tenant's name. The Officer confirmed that this was correct as long as the permit was in the tenant's name and that they were present in the vehicle.

The Strategic Waste Manager advised members that if they had any additional questions to email him on the email address in the presentation papers.

The Chair thanked the officers for their attendance at the meeting and reminded members that they should take the opportunity to view the CCTV camera's that had been brought in.

**Resolved:** That the report be noted.