

ENVIRONMENT SCRUTINY PANEL

A meeting of the Environment Scrutiny Panel was held on 12 October 2017.

PRESENT: Councillor Higgins (Chair), Councillor Goodchild (Vice Chair); Councillors Branson, Coupe, Lewis, McGloin (substitute for Councillor Davison) and Walters (substitute for Councillor McGee).

OFFICERS: J Dixon, G Field, A Mace and J Parry.

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors Biswas, Davison, Hubbard and McGee.

**** DECLARATIONS OF MEMBERS' INTERESTS**

There were no Declarations of Interest made by Members at this point in the meeting.

**** MINUTES**

The Minutes of the Environment Scrutiny Panel meeting held on 14 September 2017 were submitted and approved as a correct record.

FLY-TIPPING AND ENFORCEMENT – FURTHER INFORMATION

The Director of Environment and Commercial Services, Interim Head of Environment Services and Environment Services Manager were in attendance at the meeting to provide the Panel with further information in relation to the Panel's current review topic – Fly-tipping and Enforcement.

The Service Area had circulated a briefing note, prior to the meeting, which provided information requested by the Panel.

It was reported that the Enforcement Team had expanded from 2.5 to 6.5 staff and that the Team's objectives were to pro-actively encourage residents and businesses in Middlesbrough to dispose of waste responsibly. The Team used a targeted enforcement approach to help make the town a cleaner, safer place to live, work in and visit and a number of measures were being introduced to make the Team more visible – such as new vehicle livery and body cameras - to act as a deterrent to offenders.

It was highlighted that new Regulations, adopted by the Council in July 2017, allowed Fixed Penalty Notices (FPNs) to be issued in respect of fly-tipping (previously only punishable by prosecution) and other offences. Since July 2017, the Council had issued a total of 12 FPNs, four of which were specifically for fly-tipping. In addition there was one on-going prosecution in relation to fly-tipping.

The Panel was informed that only delegated officers who were PACE trained (Police and Criminal Evidence Act) were able to issue Warning Notices and Fixed Penalty Notices. This applied to all of the Enforcement Team.

In relation to a first offence for fly-tipping, the offender would be given the opportunity to remove the fly-tipping from the site in the first instance, as an alternative to a FPN. Where there had been previous warnings or advice issued, or for a more severe offence, a FPN would be the default position. Prosecutions would only be pursued in extreme cases.

At its previous meeting, the Panel had requested a breakdown of fly-tipping incidents by area (north, south, east or west Middlesbrough), however, it was explained that since the introduction of CRM Firmstep recording software this information was not currently available as the system did not identify locations by area. A second software system that would run alongside Firmstep, enabling the retrieval of specified data, was currently being developed and a further update in relation to progress should be available by the end of the year. It was highlighted that since the Panel's previous meeting on 14 September 2017, this information was now being manually recorded by Ward/area, therefore, the Panel requested that this information be circulated to the Panel.

In terms of the process for reporting fly-tips and response times to clearances, the Panel was informed that incidents were reported by Ward Councillors through the One Stop system, or by members of the public via the Council's website or by telephoning the Council's Contact Centre. The reports were forwarded on a daily basis to the Central Operations Team at Cargo Fleet Lane. The current response team consisted of two full time operatives and one vehicle and the target response time for clearance of reported fly-tips was within 24 hours on a normal working day. Any evidence discovered was passed to the Enforcement Team for investigation and the removal of the rubbish would be undertaken once the investigation was complete. There were certain circumstances where fly-tipping could not be removed by the response vehicle, for example, certain weather conditions or a requirement for a specific piece of equipment being required such as a hi-ab crane. The cost to the Council for providing this service on an annual basis was currently £49,000 in relation to the two employees, vehicle and fuel and £31,242 waste disposal costs (based on 422 tonnes).

In relation to back alley cleaning, the Panel was advised that back alleys were cleaned once per week, following the weekly refuse collection. There was currently no data in relation to the number of requests received for additional cleaning.

The Council's Junk Job Collection Service received approximately 6,232 requests from January to December 2016. The current charge for the removal of bulky waste - up to five items of household furniture or two large items of white goods such as a washing machine and fridge – was £10.

During the course of discussion, the following issues were raised:-

- The Panel considered it important to have accurate data in relation to the locations of where recorded incidents of fly-tipping were being reported, and to identify those back alleys that had problems with rubbish being dumped, in order to ensure the correct resources were being targeted in the right areas.
- All Ward Councillors should be aware of fly-tipping within their own wards and to undertake some level of monitoring.
- Reference was made to the possible use of CCTV cameras in hot spot areas in order to deter and catch fly-tippers. Further information in relation to the legalities of this would be provided to a future meeting of the Panel.
- In response to a query regarding whether communal bins in back alleys were the best option for residents in all areas, it was highlighted that, as part of the Social Regeneration strategic objective, engagement with residents on such issues would be carried out in the future.
- The Panel felt that, generally, there was some uncertainty around the junk job collection service in that the pricing structure may not be clear to potential users and that the way in which the service was publicised should be clearer and more widely-promoted.
- In response to a question regarding rubbish in back alleys being removed, Members were informed that back alleys were cleaned on a weekly basis following refuse collection. Where the collection team suspected that rubbish was being dumped in the alleyway, they would contact the Enforcement Team to investigate and this may lead to a delay in the rubbish being removed. Sometimes it was not possible to remove all of the rubbish with one vehicle, for example, if white goods required removal, a separate vehicle would need to collect them as different regulations needed to be complied with in terms of disposal requirements.
- It was highlighted that there were issues, in some areas, with white goods and the quality of second hand appliances that were purchased by people on low incomes as they tended to breakdown causing a high turnover of white goods. Inspections were being carried out at second hand electrical shops to ensure that they had the correct disposal contracts in place and that repairs were being undertaken correctly.

- It was noted that some areas had a high turnover of landlords and/or a high turnover of tenants. The Council had attended the Fresher's Fair at the University to make links with students and landlords around what was expected in terms of the condition properties are left in at the end of term.

The Chair thanked the Officers for their attendance and the information provided. The Officers left the meeting whilst the Panel held a discussion in relation to establishing its Terms of Reference for the review.

The Panel considered its proposed Terms of Reference for the review and agreed the following:-

- 1) To understand the current position in respect of fly-tipping and back alley cleaning and the junk job collection service in Middlesbrough, including financial and performance information.
- 2) To establish what current levels of enforcement are and how we compare with neighbouring authorities.
- 3) To assess the numbers of complaints and service requests submitted by Middlesbrough residents and Members on these issues.
- 4) To examine the arrangements in place with the University/landlords for end of term house clearances/rubbish removal.

AGREED as follows:-

1. That the information provided be noted and considered in the context of the Panel's current review.
2. That the terms of reference, as set out above, be approved for the scrutiny review.

OVERVIEW AND SCRUTINY BOARD UPDATE

The Chair provided a verbal update to the Panel in relation to the business conducted at the Overview and Scrutiny Board meeting held on 10 October 2017, namely:-

- Budgets and Balanced Scorecards – Position at Q1 2017/18.
- Executive Forward Work Programme.
- Final Report - Children and Learning Scrutiny Panel – Family and Friends' Care (Kinship Care) – Revised Service Response.
- Final Report - Children and Learning Scrutiny Panel – Pupil Exclusions in Middlesbrough.
- Scrutiny Panels' Progress Report (verbal updates from Panel Chairs).
- Any urgent items - Establishment of Respite and Short Break Opportunities Joint Health Scrutiny Committee

AGREED that the information provided be noted.

DATE OF NEXT MEETING

The next meeting of the Environment Scrutiny Panel was scheduled to take place on Thursday, 9 November 2017 at 1.30pm.