

ENVIRONMENT SCRUTINY PANEL

A meeting of the Environment Scrutiny Panel was held on 14 December 2017.

PRESENT: Councillors T Higgins (Chair), S Biswas, D J Branson, B A Hubbard, L Lewis and J McGee

ALSO IN ATTENDANCE: M Greene, Assistant Director of Neighbourhoods, Redcar & Cleveland Council.

OFFICERS: J Dixon

APOLOGIES FOR ABSENCE Councillor D P Coupe, Councillor D Davison, Councillor J Goodchild.

DECLARATIONS OF INTERESTS

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

17/18 **MINUTES OF THE PREVIOUS MEETING OF THE ENVIRONMENT SCRUTINY PANEL HELD ON 9 NOVEMBER 2017**

The Minutes of the Environment Scrutiny Panel meeting held on 9 November 2017 were submitted and approved as a correct record.

17/19 **FLY-TIPPING AND ENFORCEMENT - FURTHER INFORMATION - FLY-TIPPING STATISTICS FOR ENGLAND 2016/17**

The Chair of the Environment Scrutiny Panel presented a report providing details of the latest fly-tipping statistics for 2016/17, published by the Department for Environment, Food and Rural Affairs (DEFRA).

The report provided details of the statistics on fly-tipping incidents reported by local authorities in England via the Fly-tipping Module in the WasteDataFlow database to DEFRA between April 2016 and March 2017.

It was highlighted that local authorities in England had dealt with 1,002,000 fly-tipping incidents. This was an increase of 7% from the previous year. Two-thirds (67%) of fly-tips involved household waste - an 8% increase from the previous year and, consistent with previous years, the most common place for fly-tipping to occur was on highways - this accounted for 49% of total incidents and an increase of 4% on the previous year.

The most common size category for fly-tipping incidents was equivalent to a small van load (33% of total incidents), followed by the equivalent of a car boot (27%). The estimated cost of clearance to local authorities in England was £57.7 million.

Local authorities carried out 474,000 enforcement actions in 2016/17, costing around £16 million. This was a decrease of 20,000 actions and £0.9 million in cost from the previous year. However, the number of FPNs issued increased by 56% to 56,000 in 2016/17 and this was the second most common enforcement action after investigations - accounting for 12% of all enforcement actions during 2016/17.

It was noted that the statistics provided by DEFRA were based on fly-tipping incidents reported by local authorities in England and excluded the majority of private-land incidents as fly-tipping on private land rested with private landowners and was not subject to mandatory data reporting.

The DEFRA website provided a breakdown, by authority, of the numbers of fly-tipping incidents, clearance costs, actions taken and the costs of taking those actions.

In the north east region, a total of 48,966 fly-tipping incidents were reported, with a total of

19,068 fly-tipping actions. Of those actions, 14,170 were investigation actions (costing £467,610).

The report provided a breakdown of the figures published on the DEFRA website in relation to the five Tees Valley local authorities, however, it was noted that as local authorities gathered their data from various sources/department, and as the data could be collected and reported by separate teams, data could be entered onto the system by one or more persons within an authority which may lead to some discrepancies.

The information showed that Middlesbrough had received a total of 2,687 reports of fly-tipping incidents in 2016/17, 596 of which were on Council land, costing £157,583 to clear.

The Panel was advised that the local statistics in terms of the numbers of FPNs issued and costs, did not appear to be an accurate reflection of what was happening across the Tees Valley. The higher numbers of FPNs may include parking FPNs or other non-fly-tipping related FPNs for example. It was also highlighted that local authorities used different classifications for offences which would also affect the data provided by DEFRA.

The report also referred to information reported in the local press on 14 October 2017, following a Freedom of Information request. It highlighted that Redcar and Cleveland Council had issued more than 100 FPNs between 1 October 2016 and 30 September 2017. During the same period Middlesbrough had issued four FPNs and Stockton had not issued any during the period 9 May 2016 and 8 May 2017 when the new powers were launched.

AGREED as follows:-

1. That the information provided be noted and considered in the context of the Panel's current review.
2. That clarification be sought in relation to the information relating to the five Tees Valley authorities.

17/20

FLY-TIPPING AND ENFORCEMENT - FURTHER INFORMATION

The Chair welcomed M Green, Assistant Director of Neighbourhoods, Redcar and Cleveland Council, who was in attendance at the meeting to provide Members with a presentation in relation to how fly-tipping was dealt with by Redcar and Cleveland Council.

The Assistant Director explained his role within Redcar and Cleveland Council, which included responsibility for universal services such as licensing, refuse services and libraries. The presentation provided information on the scale of the issue of fly-tipping, how the Council planned to deal with it, what initiatives had been successful and where improvements could be made, how it was resourced and what the next steps would be going forward.

The Issue

The Panel heard that dealing with fly-tipping was costly to the Council. The waste had to be disposed of (either to landfill or incinerator) and this incurred costs for vehicles, fuel and time in reacting to reports of fly-tipping. It also meant that when operatives were deployed to clear and dispose of fly-tipping, valuable resources were being taken away from other jobs such as maintenance, litter picking and grass verge maintenance; with services already stretched due to budget reductions.

The Plan

A great deal of work was undertaken to find out where the issues were. As a result, front-line services were joined with customer services and data was gathered to identify hot-spot areas, as this had not previously been undertaken.

A new integrated team was created within Neighbourhoods Quality of Life Service and hot spot maps, showing where the problems were, had been used to deploy resources to those areas and to examine preventative measures and long term trends.

The Integrated Team consisted of:-

- One Enforcement Co-ordinator
- 15 Enforcement Officers (one senior officer); to deal with all environmental issues (eg litter, dog fouling, fly-tipping) and parking.
- Four Integrated Streetscene Action Teams

It was highlighted that, having piloted a new approach, three neighbourhood areas were created and three teams were recruited to each of the neighbourhood areas. The area teams were established in addition to the 15 enforcement officers and each team consisted of two operatives and an HGV driver - all of whom were PACE trained (Police and Criminal Evidence Act) and dealt solely with fly-tipping. The Teams were deployed directly to 'hotspot' areas to remove any rubbish immediately. This system had worked very successfully, therefore, the Council had wished to expand and subsequently created a fourth team in partnership with its Registered Social Landlord (Coast and Country Housing). The fourth team was made up of staff seconded from the RSL and was funded by the RSL. The team was specifically deployed to deal with fly-tipping found on land owned by the RSL. This had been a very positive move as previously any reports of fly-tipping found to be on Coast and Country land would have to be redirected from the Council's Call Centre to Coast and Country, causing delays in the issue being dealt with. The formulation of a fourth team to specifically deal with all fly-tipping on Coast and Country land meant that rubbish could be removed swiftly to the benefit of all residents.

In response to a query, it was acknowledged that this had been a risk for the Council in terms of agreeing to take on additional work, however, the view was that it was the best way forward for all residents of the borough.

Another advantage of the Council taking responsibility for clearing fly-tips on Coast and Country land was that the Council had enforcement powers which the RSL did not have.

The Council's area teams had a 'find and fix' approach allowing them to remove rubbish quickly, with the benefit of being able to use enforcement powers and to undertake preventative work such as leafleting and door knocking in hotspot areas.

Powers

The Panel was advised that Redcar and Cleveland Council used the following powers to issue fixed penalty notices:-

- Waste deposit offence under Section 33(1)a of the Environmental Protection Act 1990 and Notice of opportunity to pay fixed penalty under Section 33ZA of the Environmental Protection Act 1990.
- Offence of leaving litter under Section 87 of the Environmental Protection Act 1990 and Notice of opportunity to pay fixed penalty under Section 88 of the Environmental Protection Act 1990.

The legislation had changed recently to allow the maximum FPN fine to be increased from £80 to £400. This was generally used for larger amounts of fly-tipping (say above six black bags) and was predominantly aimed at 'professional' fly-tippers. The new legislation meant that the Council could quickly issue a maximum £400 FPN without taking the perpetrator to Court in every instance and it also acted as a strong deterrent. Since April 2017, Redcar and Cleveland had issued 70 FPNs in respect of littering and bigger offences. It was highlighted that the Council continued to use the smaller £80 FPNs and also continued to prosecute persistent and/or larger scale offenders.

Prevention

Whilst enforcement dealt with the symptoms of fly-tipping, it did not deal with the long-term route causes and prevention was seen as an important factor. The Council had introduced its people-powered campaign, 'Love It' where members of the public pledged to do things in their

own area. The aim was to harness community pride and various projects had been undertaken in different areas. A Community Cabinet scheme was introduced along Redcar seafront where bins with an integrated cabinet with a keypad had been installed. The key-code allowed access to the cabinet containing supplies such as gloves, litter pickers, bags, etc, and could be used by school and community groups, on any given day, to undertake clean-ups. This particular scheme had been sponsored by a local business, Sabic, and the scheme also aimed to put peer pressure on individuals not to litter or fly-tip.

It was queried how much the budget was for the Love It campaign materials. The Panel was informed that there were a number of elements which made it difficult to quantify (such as other funding streams for community activities). Sabic had provided the cabinets, each costing in the region of £1,000.

Days of Action initiatives were also scheduled involving various agencies and Council services such as enforcement and cleaning, resulting in Council services being visible in the community. Local McDonalds branches had also been involved in some of the days of action and had provided funding and employees to help. The Council held regular 'Bring out your Dross' days which was a mobile recycling initiative. This was funded from existing resources within mainstream revenue budgets but was about working differently together.

Discussion ensued and the following issues were raised:-

- When asked how the Council had enlisted support from McDonalds, the Assistant Director advised that, as part of their role, the Community Development Officers had engaged with the Branch Manager of the participating restaurants who subsequently pledged to allow staff time off to assist in community litter picks.
- It was queried whether the Council charged for its junk job collection service and whether the Council's 'bring out your dross' days deterred people from using the junk job service. The Panel was informed that the Council did charge for junk job collections at a cost of £25 for approximately five items. It was stated that there was a high demand for the junk job collection service and that the 'Bring out your dross' days tended to be targeted at hotspot areas at particular times of the year, such as bonfire night and Christmas. The days did not follow a regular schedule and were carried out on an ad-hoc basis. The initiative had proved to be successful and did not appear to deter people from using the junk job collection scheme.

Other Projects

The Panel was provided with information regarding the 'greening up project' which Redcar and Cleveland had piloted in three areas. This project was due to be rolled out to four more areas. In summary, the scheme had been carried out in community development areas where alley-gates had been introduced. The areas were determined by a strict criteria and it was essential for residents to buy into the scheme. Residents were responsible for painting the alleyways, and planting. The finished result was a safe, clean, pleasant environment for residents to enjoy and for children to play.

Another initiative carried out by the Council had been the 'Pocket Park' whereby the department had worked with Community Groups and Elected Members to address issues with a particular piece of land. A small area of land had previously become overgrown and used by fly-tippers and had been transformed into a small community garden. The Council had assisted the community to obtain funding and volunteers within the community would maintain it. Feedback on the project had been positive and it was considered that by having ownership of such projects in the community, it was more likely to be successful and would encourage community pride.

Cameras and Signage

The Council had used cameras and signage in some areas to tackle fly-tipping. Small wildlife cameras had been used in hotspot areas, however, the picture quality had not been of a particularly high quality but they had proved to be a good deterrent. In order to improve on this, the Council now intended to purchase five rapid-deployment cameras which would

produce a higher resolution picture and assist in prosecuting offenders, where necessary.

The next steps for Redcar and Cleveland in terms of dealing with fly-tipping were:-

- Dealing with private land issues
- Targeted campaign
- Seed funding scheme - commencing soon in pilot areas. This would be linked to the 'Love it' Campaign with small grants of up to £100 being given to community groups to kick start the projects. The money would be used by the groups to purchase items such as planters.
- Rapid deployment cameras - to be purchased. They would provide a better quality resolution. By working with Ward Councillors and utilising hotspot data, the cameras would be deployed in the areas where they were most needed. The purchase of the equipment was being partially funded by a Ward allowance scheme operated in Redcar.

During further discussion, the following issues were raised:-

- In terms of the ward allowance scheme, it was explained that any potential schemes must meet a particular criteria and that the Ward Councillor would work closely with the Community Development Officer to identify potential schemes where the money could be best spent to benefit the community.
- In response to a query regarding fly-tipping, the Panel was advised that fly-tipping in Redcar and Cleveland had reduced by approximately 8% (excluding littering).
- It was confirmed that, in relation to hazardous waste being deposited, the Council would work with the Environment Agency and HSE to take joint action. Where the waste was contaminated, Court action would be taken, however, each case was dealt with on its own merits.

The Chair thanked the Assistant Director for his attendance and very informative presentation.

AGREED that the information provided by the Assistant Director of Neighbourhoods, Redcar and Cleveland Council be noted and considered in the context of the Panel's current investigation into Fly-tipping and Enforcement.

17/21 **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 12 November 2017, namely:-

Attendance of Chief Executive.

Budget and Balanced Scorecards - Position at Q2 2017/18.

Update - Apprenticeships.

Executive Forward Work Programme.

Scrutiny Panels' Progress Report (verbal updates from Panel Chairs).

Any urgent items - Respite Opportunities and Short Breaks - Joint Health Scrutiny Committee.

AGREED that the information provided be noted.

17/22 **DATE OF NEXT MEETING**

The next meeting of the Environment Scrutiny Panel was scheduled to take place on Thursday, 18 January 2018 at 1.30pm.