

MIDDLESBROUGH COUNCIL
ENVIRONMENT SCRUTINY PANEL

14 DECEMBER 2017

<p>FLY-TIPPING AND ENFORCEMENT – FURTHER INFORMATION: FLY-TIPPING STATISTICS FOR ENGLAND 2016/17</p>

PURPOSE OF THE REPORT

1. To present the Panel with information in relation to the latest fly-tipping statistics for England for 2016/17, published by DEFRA, together with statistical information submitted to DEFRA by neighbouring local authorities.

TERMS OF REFERENCE

2. The terms of reference for the scrutiny panel's investigation are as follows:-
 - a) To understand the current position in respect of fly-tipping; back alley cleaning and the junk job collection service in Middlesbrough, including financial and performance information.
 - b) To establish what the current levels of enforcement are and how Middlesbrough compares with neighbouring authorities.
 - c) To assess the numbers of complaints and service requests submitted by Middlesbrough residents and Members on these issues.
 - d) To examine the arrangements in place with the University/landlords for end of term house clearances/rubbish removal.

BACKGROUND

3. In line with b) of the Panel's terms of reference in relation to its current scrutiny investigation into fly-tipping and enforcement in Middlesbrough, information was requested at the Panel's previous meeting in relation to the latest statistics on fly-tipping both nationally and at a local level.

INFORMATION

4. On 19 October 2017, the Department for Environment, Food and Rural Affairs (DEFRA) published the latest fly-tipping statistics for England 2016/17.
5. The key points are as follows:- ¹
 - For the year 2016/17, local authorities in England dealt with **1,002,000** fly-tipping incidents. This is a **7% increase** from the previous year.
 - **Two-thirds** (67%) of fly-tips involved **household waste**. This was an **8% increase** from the previous year.
 - Consistent with previous years, the **most common place** for fly-tipping to occur was on **highways**. This accounted for **49%** of total incidents in 2016/17. The number of highway incidents has **increased by 4%** from 2015/16.
 - As in the last few years, the **most common size** category for fly-tipping incidents in 2016/17 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** for fly-tipping to local authorities in England in 2016/17 was **£57.7 million**.
 - Local authorities carried out **474,000 enforcement actions** in 2016/17, costing around **£16 million**, a **decrease of 20,000 actions and £0.9 million in cost** from 2015/16.
 - The number of **fixed penalty notices (FPNs)** issued **increased by 56% to 56,000** in 2016/17 and this is now the second most common enforcement action, after investigations. This accounted for **12%** of all enforcement actions in 2016/17.
6. The statistics above are based on fly-tipping incidents reported by local authorities in England and exclude the majority of private-land incidents.
7. Local Authorities and the Environment Agency have a responsibility in respect of illegally deposited waste. Local authorities have a duty to clear fly-tipping from public land in their areas and deal with the vast majority of fly-tipping on public land, investigating these and carrying out a range of enforcement actions. The Environment Agency is responsible for dealing with large-scale, serious and organised illegal dumping incidents which pose an immediate threat to human health or the environment. Fly-capture was the previous database used by local authorities and the Environment Agency to report fly-tipping, however, this has been replaced by the Fly-tipping Module in WasteDataFlow which became live on 1 October 2015. Fly-tipping on private land rests with private landowners and is not subject to mandatory data reporting.

¹ Fly-tipping Statistics for England 2016/17, Department for Environment, Food & Rural Affairs (DEFRA), 14 Oct 2017.

8. The statistics referred to in the following paragraphs area based on the returns made to the Fly-tipping Module in the WasteDataFlow database by local authorities in England from April 2016 to March 2017.
9. Local authorities gather their data from various sources and departments, including incidents reported by the public through call centres, operatives on the ground collecting and recording, Enforcement Officers, contractors and management companies. The data requested by the Fly-tipping Module relates to incidents cleared or investigated by local authorities and the enforcement actions taken against fly-tippers. 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.
10. In relation to statistics on a local level, the fly-tipping incidents and actions datasets published by DEFRA for 2016/17 show the following key points:-
- A total of **48,966** fly-tipping incidents were reported by local authorities in the **North East region** in 2016/17. Of those, the following totals were reported by the Tees Valley authorities:-

Local Authority	Total incidents of fly-tipping reported 2016/17	Total incidents on Council land 2016/17	Total incidents clearance costs 2016/17
Middlesbrough	2,687	596	£157,583
Hartlepool	1,730	395	£184,499
Stockton on Tees	2,698	847	£240,465
Redcar & Cleveland	2,825	279	£251,032
Darlington	2,886	368	£232,058

11. A total of **19,068** reported fly-tipping actions were recorded by local authorities in the **North East region** in 2016/17. Of those actions, **14,170** were investigation actions, costing **£467,610**.
12. Of those actions taken against fly-tipping in the North East, the following totals were reported by the Tees Valley authorities:-

Local Authority	Total fly-tipping actions taken 2016/17	Total investigation actions 2016/17	Total Cost of investigation actions 2016/17
Middlesbrough	514	296	£ 9,768
Hartlepool	2,022	1,729	£57,057
Stockton on Tees	998	125	£ 4,125
Redcar & Cleveland	4	0	£ 0
Darlington	508	426	£14,058

13. A total of **329** Fixed Penalty Actions were taken in the **North East region** in 2016/17, at a cost of **£10,857**. **99** prosecution actions were taken, costing **£15,654** and the number of paid FPN outcomes was **183**, with the amount of total fines recorded as **£34,536**.

14. The following numbers were recorded for the Tees Valley authorities in relation to FPN actions and costs, prosecutions and costs, paid FPN outcomes and total fine amounts:-

Local Authority	FPN Actions	FPN Action costs (£)	Prosecution Actions	Prosecution Action Costs (£)	Paid FPN Outcomes	Total Fines (£)
Middlesbrough	1	33	0	0	0	0
Hartlepool	222	7,326	16	4,030	147	4,030
Stockton on Tees	1	33	0	0	0	0
Redcar & Cleveland	4	132	0	0	0	0
Darlington	5	165	40	6,831	2	8,455

15. In October 2017², the local press reported that, following a Freedom of Information request Redcar and Cleveland Council had issued more than 100 fixed penalty notices between 1 October 2016 and 30 September 2017. During the same period Middlesbrough Council had issued four FPNs and Stockton Council had not issued any during the period 9 May 2016 and 8 May 2017, when the new powers were first launched.

RECOMMENDATION

16. That the information contained within the report be noted and considered in the context of the Scrutiny Panel's current investigation into Fly-tipping and Enforcement.

BACKGROUND PAPERS

17. The following sources were consulted or referred to in preparing this report:-

- Fly-tipping statistics for England 2016/17 – DEFRA/Government Statistical Service, 19 October 2017.
- Evening Gazette article dated 14 October 2017.

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² Source: Evening Gazette article dated 14 October 2017.