

ENVIRONMENT SCRUTINY PANEL

A meeting of the Environment Scrutiny Panel was held on 15 March 2018.

PRESENT: Councillors T Higgins (Chair), J Goodchild, D J Branson, L Lewis and L McGloin (as substitute for Davison)

OFFICERS: J Dixon, G Field and A Mace.

APOLOGIES FOR ABSENCE Councillor S Biswas, Councillor D P Coupe, Councillor D Davison, Councillor B A Hubbard, Councillor J McGee.

DECLARATIONS OF INTERESTS

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

17/30 **MINUTES OF THE PREVIOUS MEETING OF THE ENVIRONMENT SCRUTINY PANEL HELD ON 15 FEBRUARY 2018**

The Minutes of the Environment Scrutiny Panel meeting held on 15 February 2018 were submitted and approved as a correct record.

17/31 **DRAFT FINAL REPORT - FLY-TIPPING AND ENFORCEMENT (REPORT TO FOLLOW)**

The Panel was asked to consider its Draft Final Report on Fly-tipping and Enforcement. The report had been drafted based on the information gathered over the course of several meetings held on 14 September, 10 October, 9 November and 14 December 2017 and 18 January 2018.

During the course of the Panel's review, information was provided by Officers from the Council's Environment and Commercial Services (ECS), Redcar and Cleveland Council, Stockton Council, Hartlepool Council and Teesside University. A copy of the Draft Final Report had been forwarded to all who had contributed to the review for comment.

The following comments, in relation to factual accuracy, were received from ECS:-

- Paragraph 29. Delete "fly-tipping" and add "dog fouling, graffiti and fly-posting".
- Paragraph 32. Replace "three" with "two" in relation to prosecutions for fly-tipping.
- Paragraph 41. Replace "three" with "two" in relation to the £10 charge for electrical items.

In addition, information was received from Hartlepool Council following circulation of the draft final report. The Democratic Services Officer circulated the information and proposed that this be added to the Final Report at paragraph 84.

The importance of obtaining the Panel's approval in respect of the report was highlighted as all Final Reports presented to the Overview and Scrutiny Board were owned by the Panel.

The Panel was asked to consider the conclusions and recommendations for inclusion within the Final Report, based on the evidence presented. A list of possible conclusions and recommendations, prepared in conjunction with the Chair and Vice Chair of the Panel, was circulated for consideration.

The Panel confirmed that it was happy with the proposed conclusions and did not wish to make any additions or amendments.

The Panel considered the draft recommendations and the following comments were made:-

- Recommendation 1). Add "once it becomes available" after "... utilise available data ..." and also add that warning signs be used in hot spot areas.

- That a recommendation be added in relation to the LEQSE BVP199 survey and that it should include a category for fly-tipping.
- Recommendation 7). Re-word slightly to "encourage" both parties to work together.
- That an additional recommendation be included in relation to the development of an education strategy which would include working with schools.

AGREED as follows:-

1. That the following conclusions be approved for inclusion in the Panel's Final Report:-

1. The Panel heard that there are currently issues with the retrieval of specific data from the new CRM system, however, felt assured that work was being undertaken to address this. In the meantime, ECS continues to monitor the total number of fly-tips reported to the Council, including those made via the Members 'One Stop' system. ECS has also begun to manually record the number of fly-tips removed, by area, until such time that the CRM software is able to provide this data.

2. The Panel feels that the monitoring and analysis of data relating to the levels of fly-tipping across Middlesbrough will assist in identifying 'hot-spot' areas and patterns of behaviour to ensure that effective enforcement can be undertaken where it is most needed and that targeted campaigns to raise awareness, whilst engaging the community, can be developed in order to significantly reduce fly-tipping.

3. The Panel feels that the Council needs to take a more pro-active approach to fly-tipping enforcement, however, it recognises that there have been significant changes to the staffing structure within ECS and feels that the creation of the Environmental Enforcement Team is a positive step. The introduction of new legislation regarding the use of FPNs in respect of fly-tipping is relatively new but needs to be used more effectively.

4. Based on the evidence received, the Panel feels that awareness surrounding waste disposal is insufficient, unclear and inconsistent.

5. There are a proportion of residents and commercial businesses that are unaware of their respective responsibilities with regard to waste disposal and further work needs to be undertaken to address this.

6. The Panel recognises that ECS provides an excellent, value for money, Bulky Item Collection Service but feels that it could be better promoted with a clearer definition of the items it can and cannot collect and distinguishing between the separate charges for electrical and non-electrical items. The Panel believes that the department is best-placed to determine the pricing structure for the service but feels that it currently reflects the Government's view that additional waste collection services offered by Councils should be affordable and that access to Household Waste Recycling Centres (HWRC) should be free for the disposal of household waste.

7. Based on evidence from other authorities, it is clear that closer working relationships between Councils and their respective Social Housing partners could be beneficial to waste collection and enforcement issues.

8. The Panel heard that ECS identified issues with fly-tipping in areas with high proportions of rented accommodation, particularly properties with alleyways. Subsequently, the Panel was provided with information by Teesside University in relation to the current arrangements the University has with regard to waste disposal. The Panel is satisfied that the University has robust waste disposal procedures in place relating to all properties for which it has responsibility and that such procedures are in accordance with relevant legislation.

9. The Panel learned that the Student Union is a separate entity to the University and recognises a number of accredited student landlords and letting agencies. However, neither the Student Union nor the University has a formal relationship with any private landlords that are not part of the University Managed Housing Scheme.

2. That the following recommendations be approved for inclusion in the Final Report:-

1. That the Council should utilise data (once it becomes available) on fly-tipping in order to identify 'hot-spot' areas, and patterns of behaviour, to assist in the development of an effective, targeted enforcement programme that could include the use of signage, in 'hot-spot' areas, warning against fly-tipping, with the overall aim of significantly reducing fly-tipping in Middlesbrough.
 2. That Environment and Commercial Services (ECS) amends the LEQSE BVP199 survey to include the category of 'fly-tipping', to further assist in identifying 'hot-spot' areas to support targeted enforcement initiatives.
 3. The Panel feels that the Council should take a firmer stance with those positively identified as fly-tippers and believes that the Council should impose the maximum £400 FPN for offenders, but that prosecution should still be pursued in more serious cases. This will bring Middlesbrough Council in-line with its neighbours in Redcar and Cleveland, Stockton and Hartlepool. The Panel considers that ECS is best placed to formulate the details as to whether an option for a discounted payment should be offered for early payment of the FPN and, if so, what that amount should be set at. This should be considered by the relevant Committee for approval or otherwise.
 4. Due to a notable and concerning proportion of people not recognising their responsibilities with regard to private waste collection companies, the Panel recommends that a town-wide awareness campaign is launched to educate residents about their responsibilities regarding the disposal of waste via a third party, in order to help them avoid a fine, or prosecution.
 5. In a similar vein, the Panel recognises that a proportion of commercial businesses are not aware of what they need to do to fully comply with their Duty of Care responsibilities and, therefore, recommends that a town-wide campaign is launched to help businesses ensure they are compliant to help them avoid a fine or prosecution.
 6. The Panel feels that the ECS Bulky Item Collection Service should be better publicised through a range of media, including the Council's website, Love Middlesbrough magazine, signage and leaflets in public access areas such as libraries and community hubs. In addition, the Council's webpage should be made clearer by making a distinction between the separate charges for electrical and non-electrical items, and examples of the types of items that can and cannot be collected under the respective headings.
 7. To reduce delays, and potentially costs, to the Council and residents, ECS and its Social Housing partner, Thirteen Housing Group, are strongly encouraged to work together to establish more efficient ways of both collecting and enforcing fly-tipping on Thirteen land as this will benefit all residents of Middlesbrough.
 8. In an effort to reduce seasonal fly-tipping in areas with large student populations, ECS should establish closer links with Teesside University and its Student Union in order to raise awareness amongst students and partner landlords of effective and proper waste disposal and their responsibilities.
 9. The Panel also recommends that ECS work with the Council's Selective Licensing Team to establish links with private landlords to raise awareness of effective and proper waste disposal processes and their responsibilities.
 10. That ECS develops an 'Education and Awareness Strategy' setting out its proposals for tackling fly-tipping, and other environmental issues. The Strategy should include information on plans for collaborative working with other Council departments and key partners, including schools, together with a programme of enforcement and education.
3. That the Democratic Services Officer, in conjunction with the Chair, makes the final additions/amendments to the Final Report prior to submission to the Overview and Scrutiny Board.
 4. That the Final Report be submitted to the Overview and Scrutiny Board, on 10 April 2018,

for consideration.

17/32 **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 13 March 2018, namely:-

- Two Call-Ins regarding: Centre Square East Office Development - Council Investment and Accommodation.
- It was highlighted that the decision in respect of both Call-Ins was not to refer back to the Executive.

AGREED that the information provided be noted.

17/33 **DATE AND TIME OF NEXT MEETING - THURSDAY, 12 APRIL 2018 AT 1.30PM**

The next meeting of the Environment Scrutiny Panel was scheduled to take place on Thursday, 12 April 2018 at 1.30pm.