

**GROWTH, ENVIRONMENT AND
RESOURCES SCRUTINY COMMITTEE
TASK AND FINISH GROUP**

FLY TIPPING AND WASTE POLICY REVIEW

9 JANUARY 2019

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1. INTRODUCTION

At Annual Council on 21 May 2018, Cllr John Holdich OBE, Leader of the Council announced that due to the challenges around fly-tipping being faced in the city of Peterborough that a cross-party Task and Finish Group would be set up to investigate and make recommendations to Cabinet on policy changes that might reduce the amount of fly tipping.

The proposal to set up the Task and Finish Group was presented to the Growth, Environment and Resources Scrutiny Committee on 4 July 2018. The proposal was accepted and the terms of reference agreed. Possible nominations to the Task and Finish Group were sought at the meeting to be confirmed following the meeting through the Group Secretaries.

The cross-party Task and Finish Group comprised of the following members:



Cllr Judy Fox
Werrington First
Chairman



Cllr Aasiyah Joseph
Labour and Co-operative



Cllr Richard Brown
Conservative



Cllr Christian Hogg
Liberal Democrats



Parish Councillor, Neil Boyce
Co-opted Member

Officers supporting the Task and Finish Group were:

- Richard Pearn, Head of Waste, Resources and Energy (Lead Officer)
- Rob Hill, Assistant Director - Community Safety (Peterborough and County)
- James Collingridge, Head of Environmental Partnerships
- Clare George, PES Head of Service
- Paulina Ford, Senior Democratic Services Officer
- Daniel Kalley, Senior Democratic Services Officer

The Task and Finish Group wish to thank all of the officers who have provided guidance and assistance in producing this report for their hard work and support.

2. SUMMARY OF RECOMMENDATIONS

Recommendation 1.

Examine improvements to waste collection and physical locations for waste disposal to improve the accessibility and facilitation of the legitimate and environmentally sound deposit of waste items for recycling and/or treatment. Theme Waste Collection and facilitation.

Recommendation 2

Explore the development of further Education and Communication activities tailored to the specific needs of both rural and urban communities in Peterborough. Use examples of best practice from Keep Britain Tidy through joining the scheme and engaging with their experts. Theme Education and Prevention.

Recommendation 3

Expand the Enforcement and detection capabilities of the Prevention and Enforcement Service through development of a joint strategy with partner organisations, using best practice examples from established local authority arrangements. Theme Enforcement and Detection.

The key themes identified above are described in more detail below (Section 7) to identify the separate recommendations to be considered as part of each overall theme.

3. TERMS OF REFERENCE

Purpose

To examine the issue of Fly Tipping in Peterborough and how alterations to relevant policies and procedures might be undertaken to help achieve the Environment Capital agenda as well as improving the wellbeing of city residents. To make recommendations to the Growth, Environment and Resources Scrutiny Committee on proposed changes to such policies and procedures identified by the group.

Scope

1. To review the existing policies and procedures on Waste, Recycling and Cleansing as a basis to the group's ongoing work.
2. To review all available data and information relating to Fly Tipping issues, and agree what issues are specifically in-scope for this work.
3. To review all existing policies and procedures in place at Dogsthorpe HRC with a view to informing the operation of the new site being developed in Fengate.
4. To review HRC provision and investigate the potential for provision of another site within the City and the scope of its service provision.
5. To identify and review other areas of the UK where there have been successful alterations to policies and procedures which have impacted on Fly Tipping.
6. To identify and meet with industry, local authority and other sector specialists to help inform discussions and recommendations.
7. To investigate best practice from other local authorities across the country are pursuing in relation to Fly Tipping Collection and handling.
8. To investigate best practice from other local authorities regarding Fly Tipping Education, Information Gathering from incidents, Surveillance, Enforcement and Prosecution techniques.
9. To engage with all Councillors to try and obtain as much evidence as possible.

Reporting

The Task and Finish group will report to the Growth, Environment and Resources Scrutiny Committee.

Approved on 4 July 2018 by the Growth, Environment and Resources Scrutiny Committee

4. PROCESS AND METHODOLOGY USED FOR THE INVESTIGATION

4.1 Methodology

- Desktop research
- Interviewing Key Witnesses / Stakeholders
- Local knowledge / information obtained by the Task and Finish Group members.
- Data, evidence provided by PES Manager and Head of Environmental Partnership
- Evidence provided by a presentation from the 'Keep Britain Tidy' campaign.
- Financial information associated with the cost of dealing with fly tipping

4.2 Process

The timetable of the events leading to the production of this report are set out below:

Meeting Date	Items Discussed / Guests Attending
13 September 2018	First meeting to scope the review.
26 September 2018	Evidence gathering – evidence provided at meeting: <ul style="list-style-type: none">• July 2018 – Tip of the Binberg – Report Exploring the full cost of waste crime in Greater Manchester• July 2018 – Understanding and Tackling Fly Tipping in London• Weblink to Hertfordshire Councils Shared approach to tackling Fly Tipping:• Background briefing from key officers.
23 October 2018	Question and answer session with expert witnesses: <ul style="list-style-type: none">• Rose Tehan – Keep Britain Tidy• Karla Wilson – PES Enforcement Officer• Jamie MacFarlane – PES Enforcement Officer• Farsh Raoufi – Cambridgeshire Fire Officer
8 November 2018	Question and answer session with expert witnesses: <ul style="list-style-type: none">• Sergeant Rob Reay, Cambridgeshire Constabulary

- Chris Jackson, Streetcare Manager, Amey
- Cllr Irene Walsh, Cabinet Member for Communities
- Andrew Masters, Branch Chairman for Peterborough Federation of Small Businesses
- Neil Johnson, Technical and Waste Director at Mick George. (Submitted in writing in advance of the meeting).

13 November 2018	Discussion on conclusions and possible recommendations.
30 November 2018	Meeting to discuss and finalise the contents of the Task and Finish Group report.
9 January 2019	Presentation of final report of Task and Finish Group to the Growth, Environment and Resources Scrutiny Committee

4.3 Key Witnesses / Expert Advisers interviewed

- Rose Tehan – Keep Britain Tidy
- Karla Wilson – PES Enforcement Officer
- Jamie MacFarlane – PES Enforcement Officer
- Farsh Raoufi – Cambridgeshire Fire Officer
- Sergeant Rob Reay, Cambridgeshire Constabulary
- Chris Jackson, Streetcare Manager, Amey
- Cllr Irene Walsh, Cabinet Member for Communities
- Andrew Masters, Branch Chairman for Peterborough Federation of Small Businesses

Additionally, the task and finish group asked a series of questions in writing of Neil Johnson, Representative from Mick George Ltd.

The Task and Finish Group would like to thank everybody who assisted them during the course of the investigation for their support and openness. This assistance was greatly appreciated.

5. BACKGROUND

Fly-tipping of waste is a national issue as well as being a very local issue to Peterborough residents who share the City with such incidents of illegal and anti-social behaviour, it currently costs the authority annually over £200,000 in collection alone just from PCC owned land.

A number of areas of Council operation may have an influence on such incidents and as such the scope of the groups work followed the following core subjects:

- The HRC in Fengate due to take over from Dogsthorpe in early 2019
- Waste, Recycling and Cleansing policies and procedures where relevant
- Fly Tipping collection and handling
- Education, Information Gathering, Surveillance, Enforcement and Prosecution

Fly tipping is currently dealt with by Amey and the Prevention and Enforcement Service (PES). The PES will investigate offences whilst Amey will arrange the collection and transfer to relevant treatment or disposal facility. Amey currently attend to fly-tipping within 48 hours of being notified when it is non-hazardous and 24 hours for hazardous.

Appendix 1.0 to this report shows a heat map of the City highlighting the hot spot areas for fly-tipping across the City. Appendix 2.0 shows the physical collections from areas to demonstrate the volumes being removed, this highlights the most volume is in the central area of the City. Types and size of fly tip vary across the City with the urban areas having more domestic items such mattresses, sofas and fridges etc., with the rural areas being targets for more van size loads of waste, building material and green waste.

The 2016 introduction of Selective Licensing in Central Wards has not led to any decrease in fly tipping, despite hopes that it would lead to more enforcement. The Selective Licensing area has a transient population and there is a high turnover of tenants leaving properties with domestic waste such as beds, fridges etc. to be cleared. Under current policy, this waste cannot be taken to the Household Recycling Centre as the rental premises are a business and such waste is considered 'commercial/trade waste'. Most commercial/trade waste establishments will only let you dispose of waste by the tonne, however, Mick George offer dumpy bags at £50 per collection.

It was noted during investigations that the police do not currently investigate fly tipping and do not record incidents of such, however Amey record all incidents on PCC land.

Current enforcement of fly-tipping is undertaken by officers in the Prevention and Enforcement Service. Fly-tipping incidents for investigation are reported to the service in various ways including reports from Amey that evidence is present when they attend a fly tip to clear. Officers will remove and log any evidence and open a case file. Files are then progressed and are either closed by recovering clearance costs, issuing Fixed Penalty Notice or prosecuting at court, if there is a lack of evidence the case will be closed. Appendix 3.0 details the number of cases investigated and action taken.

The table below shows the statistics for fly-tipping over the last three years extracted directly from the Amey database so reflects only PCC land and does not take into account Cross Keys Homes or unregistered land.

Date	Fly Tip Collection Numbers
2015 / 16	9931
2016 / 17	11,293
2017 / 18	10,092

Several initiatives have already been trialled to reduce fly-tipping such as free bulky waste collection trials, community freighter days and signage, to date we have not seen noticeable reductions from these initiatives however some targeted areas have benefited from signage advising covert CCTV may be in operation.

The following table demonstrates the costs that fly tipping is having on the authority including the collection, disposal and enforcement costs.

	2015-16	2016-17	2017-18
Waste Collection Authority			
Fly Tipping Collection Core Costs (1)	£196,800.00	£198,552.00	£200,895.00
Fly Tipping Norwood Lane Average cost over 3 years	£40,162.29	£40,162.29	£40,162.29
Unregistered Land (2)	£2,313.00	£1,823.71	£9,661.44

	2015-16	2016-17	2017-18
Waste Disposal Authority Costs (3)			
WTS Costs (Apportioned Cleansing Service Cost)	£7,500.00	£7,750.00	£8,000.00
ERF Treatment	£30,606.00	£107,835.00	£144,069.00
Landfill	£113,275.00	£62,186.00	£32,791.00
Prevention and Enforcement Service Costs			
Officer Time (Apportioned) (4)	£84,000.00	£84,000.00	£84,000.00
Norwood Lane Infrastructure	£0.00	£0.00	£54,000.00
Stopping Place Clear Up	£6,194.00	£3,026.38	£10,044.94
Penalty Notice and Fine Income (5)	-£42,900.00	-£28,431.51	-£29,318.90
Totals	£437,950.29	£476,903.87	£554,304.77

1. This cost is a set amount under the Amey Peterborough arrangements and increases marginally as the area covered growth with the Cities growth.
2. Waste collected from land where no registered keeper can be found but the work is undertaken at the Councils instruction
3. Costs of waste treatment have increased in line with inflation, however the method of treatment has altered to best suit the facilities available to improve recovery and minimise landfill
4. This figure is based on 5 officers spending and estimated 40% of their time in fly tipping.
5. This figure includes income from litter fines also.

6. FINDINGS AND CONCLUSIONS

Having spoken to various key witnesses and having received information and evidence from officers the Task and Finish Group concluded the following:

6.1 Key Themes

- There was a need to remove barriers (perceived or actual) to make it easier to remove waste and access facilities to deposit waste, e.g. make it easier to obtain a permit for the HRC or to access collections of bulky waste. A review of the waste policy is essential to remove these barriers.
- Improvements are required to Education and Support for residents to ensure they understand their own obligations in relation to personal and business waste and recycling.
- Enforcement is an essential part of any work to be undertaken on improving the situation in Peterborough and sufficient resources need to be made available to ensure this happens.
- There was a need to ensure all agencies who are involved in this area are working together and sharing resources and information where possible, look for best practice elsewhere as we can learn from others.

6.2 Detailed Findings.

Following the interview of sector experts and key witnesses, as detailed in section 4.3 above, the group found the following key themes were commonly mentioned.

6.3 Policy and Procedures:

‘Recommend looking into collection practices as it may be that a 24hr clearance response from crews or a task force may not necessarily be helping the situation as waste is cleared quickly so people do it again’ - *Rose Tehan Keep Britain Tidy*

Ensuring that ‘doing the right thing’ when it comes to waste and recycling for residents and businesses is as easy as it can be, to encourage the right behaviour, breaking down barriers and simplifying processes.

6. 4 Engagement and Education:

During the evidence review and speaking to key witnesses a clear theme of engagement and education was highlighted. The need to influence attitude and change behaviour of those responsible for fly tipping but also to inform business and residents of their responsibilities was raised on a number of occasions. It was also noted by the group that more communication activities are required in raising the awareness around resident's duty of care as well as publicising successful prosecutions.

Keep Britain Tidy delivered a presentation to the group which detailed various ideas/activities to reduce fly tipping in the area. Copy of presentation appendix 4.0 Activities included: 'Crime scene investigation tape (Figure 1) (specifically for Fly Tips) addresses low expectation of threat of enforcement. Price tags on fly-tips, shows how much money has been taken away from the Council that could have been used for other vital services' - *Rose Tehan Keep Britain Tidy*

The need for engagement and education was also highlighted by both the Fire Service, Senior PES Officers and small businesses representative as an area which needs to be improved 'Prevention and Education are a key issue which need to be improved to reduce impact on the already stretched service' - *Farsh Raoufi Cambridgeshire Fire and Rescue Service*. Enforcement Officers also spoke of the need to run a campaign around the duty of care legislation ensuring it is clear and easy to understand. Andrew Masters, Branch Chairman for Peterborough Federation of Small Business spoke of the need for clearer signposting around their legal responsibilities around waste disposal.

The group reviewed the current processes in place at Hertfordshire County Council. This included looking at their website - it was noted that this was clear to read and understand, and combined all aspects of waste both residential and businesses. The site was clear and easy to navigate.

It was concluded by the group that engagement and education was a very important strand of work, which requires investment. A communication plan should be developed which includes working with various departments/agencies/ward councillors/local communities and contains short and medium term activities, including improvement to the current pages on the website. The group also concludes rather than developing new campaigns the authority should become a member of the Keep Britain Tidy campaign. An annual sum of approximately £7,000 should be invested in education and engagement



Figure 1 – Examples of ‘Crime Scene’ Tape

6. 5 Enforcement:

The task and finish group reviewed current enforcement procedures and processes in place and spoke to key witnesses.

All current enforcement activities in the city are undertaken by Prevention and Enforcement Officers, the police do not record incidents of fly tipping. It was noted that the officers in the PES have good links with the police and can request support when required in gathering

evidence around prolific fly tippers. To develop closer ties, consideration could be given to assigning resources from each service to a 'problem solving team' whose role is to tackle this shared issue.

It was noted by the group the challenges that officers face when trying to gather evidence against offenders and the limited reporting of those responsible from members of the public. Officers also face challenges when undertaking covert operations, and the equipment available.

Evidence suggested that 'There was a low perceived threat of enforcement, people understood that they faced fines and penalties, but did not believe that this happened very often'. - *Rose Tehan - Keep Britain Tidy*. Also if convicted of a fly tipping offence penalties on occasions did not reflect the offence. 'Harsher sentences are the best deterrent. However it is down to the courts as to what the sentence they deliver' - *Sergeant Rob Reay Cambridgeshire Constabulary*

The group discovered that the different agencies are all working on different databases and platforms. This can result in a number of visits to a fly tip before it is finally cleared. The group feel this is an area that can be improved and would seek for a one visit resolution and use the opportunity as LATCo is formed to investigate a shared casefile, reporting system to improve workflow between departments.

The group concluded that robust enforcement is an essential part of any work to be undertaken in improving the situation in Peterborough and sufficient resources need to be made available to ensure this happens. This includes the purchase of 6 covert cameras (2 per sector) to be used by officers in the PES at a cost of £6,000. The group also concluded that a review of enforcement process should be undertaken to ensure a one-visit resolution is a possibility in 80% of reported cases, with an understanding that some of the large case will require multiple visits. The group also concludes that more information sharing is required cross borders with other authorities and continue to link with the police.

7. RECOMMENDATIONS

The Task and Finish Group makes the following recommendations:

Short Term Actions.

7.1 Waste Collection and Facilitation

- Improve digital access to HRC permit applications to speed up the process of obtaining one, and simplify their use on site.

7.2 Education and Prevention

- Development of a Communications and Engagement Action Plan taking into account different types of fly tipping across rural and urban settings and different people's needs - tailored engagement considering different groups needs across the city as required
- Join the Keep Britain Tidy campaign - circa £2,000 per annum, making use of the networking and learning opportunities and look at adapting the available resources to the needs of Peterborough in a communications campaign, circa £5,000 pa.
- Employ the use of 'crime scene' style barrier tape around fly tipping incidents to highlight that we are aware and action is being taken. Estimate £2,000 to supply initial supply of rolls to be replaced as required dependant on use. Figure 1
- Improve information to small businesses, through contact with Federation for Small Businesses, Trade Counters etc., look for external sources of funding to cover costs. Website hosting information on Fly-Tipping and options for safe and legitimate waste management routes, possibly funded by sponsorship
- Use of social media for engagement on a regular light touch basis so messages remain current in people's minds, e.g. sponsored Facebook Messages, advertisements explaining about need to check carrier licences Duty of Care etc.
- Examine the capacity for nominated officers to monitor Facebook for people seeking waste collection services to comment and highlight responsibilities and routes for legitimate waste collection or disposal.
- Link with Integration Strategy - vox pops to cover waste
- Local media campaign to link with the new duty of care of legislation

7.3 Enforcement and detection

- 6 x infrared cameras to provide coverage in each area £6000
- Review current process of enforcement to seek improvements to its effectiveness aiming to move to a one visit resolution where possible.
- Publicise successful convictions as part of a wider information dissemination exercise

Medium/Long Term Actions.

7.4 Waste Collection and Facilitation

- Examine longer site opening times for new site and how trailer access may be improved over that available at the Dogsthorpe site.
- Examine feasibility one or more satellite HRC sites to assist in busy times of the year, not necessarily for the whole range of materials, e.g. garden waste and recycling only.
- Improve access to the bulky waste collection system. Consider alterations to existing pricing policy to reduce barriers to those on limited incomes, e.g. specified benefits or a method of allowing Councillors to access the service in identified cases of need.
- Consider a new trade/business waste collection service for commercial producers to pay different amounts by weight, wheelie bin, jumbo bags for small businesses working from home or other fixed location.
- Cost a Council supported commercial waste disposal and recycling centre for small businesses working from home/ landlords and mobile small traders to improve alternatives from illegal use of the HRC/Fly Tipping, at a competitive price and service level.
- Examine the introduction of discrete bins or drop off points for street cleaning or litter picking wastes so as to reduce the risk of bags left awaiting collection being added to with fly tipped materials. Figure 2.



Figure 2 – Discrete Street Care Bins

7.5 Education and Prevention

- Link with the Your Peterborough magazine which goes out with the council tax booklet, information for landlords/tenants
- Education pack which teachers could deliver
- Education plan for councillors part of engagement plan
- After tape is placed around an event of fly tipping, leave for 48 hours before clearing (unless hazardous)

7.6 Enforcement and detection

- Joint crime prevention / enforcement strategy with partners and neighbouring local authorities (sharing best practice)
- Shared case management system for partner organisations
- Working more closely with the LATCo to have a one visit resolution
- Adopt the duty of Care if this is passed by government

8. FINANCIAL IMPLICATIONS

- 8.1 Initial costs for the membership of Keep Britain Tidy (KBT) is £2,000 per annum.
- 8.2 An annual fund for specific communications of £5,000 making use of the Keep Britain Tidy tools and £2,000 for 'crime scene' barrier tape.
- 8.3 A capital sum of £6,000 to purchase additional infra-red covert CCTV cameras to support increased enforcement work in problems areas.
- 8.4 Further costs of the thematic strategy will only be known when developmental works is completed in the coming months and each element will require a proposal and business case before proceeding, following appropriate officer or Cabinet Member approval.

9. LEGAL IMPLICATIONS

The current PCC Waste policy is due for review and under this a review of the way bulky household waste is delivered could be reviewed looking at how residents on low income can access the scheme. Also the decision on waste tip permits and how these are administered can be reviewed including if this can be digitalised.

There is currently no facilities for small trade waste items within PCC sites this could be looked at under the policy review to establish a collection methodology that could benefit small business, this could be administered by the LATCo moving forwards.

10. LIST OF BACKGROUND PAPERS AND RESEARCH SOURCES USED DURING THE INVESTIGATION

- Understanding and Tackling Fly-Tipping in London - July 2018 - Keep Britain Tidy
- Inside the Head of Fly-Tippers - August 2018 - Keep Britain Tidy
- Tip of the Binberg, Exploring the full cost of waste crime in Greater Manchester - July 2018 - Dposal and GC Business Growth Hub
- Hertfordshire Councils shared approach to Fly-Tipping
<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/recycling-and-waste/wasteaware-campaigns/lets-scrap-fly-tipping.aspx>

11. APPENDICES

Appendix 1 – Heat Map Indicating Fly Tipping Hotspots

Appendix 2 – Map showing volume of fly tipping clearance by location

Appendix 3 – Table showing number of Fly Tipping investigations and Action taken

Appendix 4 – Copy of Keep Britain Tidy Presentation to Fly Tipping Task and Finish Group

Further information on this review is available from:

Democratic Services Team
Governance Directorate
Town Hall
Bridge Street
Peterborough
PE1 1HG

Telephone – (01733) 747474

Email – scrutiny@peterborough.gov.uk