

<b>CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE</b>	AGENDA ITEM No. 7
<b>10 JULY 2024</b>	<b>PUBLIC REPORT</b>

Report of:	Adrian Chapman, Executive Director for Place and Economy	
Cabinet Member(s) responsible:	Cllr Mohammed Jamil, Cabinet Member for Environment and Transport	
Contact Officer(s):	Clair George, Head of Safer Communities	Tel. 07920 160733

**TACKLING FLY-TIPPING ACROSS PETERBOROUGH**

<b>RECOMMENDATIONS</b>	
<b>FROM:</b> Adrian Chapman, Executive Director for Place and Economy	<b>Deadline date:</b> N/A
It is recommended that the Climate Change and Environment Scrutiny Committee review and comment on the proposed approach to the delivery of the Fly-Tipping Intervention grant awarded to the council.	

**1. ORIGIN OF REPORT**

1.1 The report has been requested by the Climate Change and Environment Scrutiny Committee.

**2. PURPOSE AND REASON FOR REPORT**

2.1 This report is brought to the Scrutiny Committee to seek views and comments on the proposed approach to delivering the Fly-Tipping Intervention grant. Councillors are requested to review the approach and provide comments.

2.2 This report is for Climate Change and Environment Scrutiny Committee to consider under its Terms of Reference No. Part 3, Section 4 - Overview and Scrutiny Functions, paragraph No. 2.1 Functions determined by the Council:

3. Waste Strategy & Management;

**3. TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If yes, date for Cabinet meeting	<b>N/A</b>
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**4. BACKGROUND AND KEY ISSUES**

4.1 Fly-tipping is the term used to describe the illegal act of dumping of rubbish (household, commercial or industrial). The most common fly-tipped waste is household waste which can range from a single plastic bag containing debris to larger items such as furniture, white goods, tyres, bathroom suites and hazardous waste such as oil drums and asbestos. Hazardous or not, the dumping of waste is illegal and comes with a serious cost to the offender.

Fly-tippers, if found guilty, can be fined up to £50,000 in a Magistrates' Court, face unlimited fines in the Crown Court, as well as Community Punishment Orders or prison sentences of up to 5 years. The relevant legislation is Section 33 of the Environmental Protection Act 1990.

- 4.2 The council has contractual arrangements in place with Peterborough Limited (Aragon Direct Services) to collect waste dumped on council land. If the fly-tipping is on a public highway or public land the council will investigate the waste and collect any available evidence and arrange for the waste to be cleared. We aim for the fly-tip to be cleared within 48 hours or 24 hours when it is classed as hazardous.

In addition to this the council will often be required to collect waste on land that is unregistered to any owner, creating an additional financial burden to the authority.

- 4.3 The council has seen an increase in fly-tipping over recent months with a 12% increase in fly-tipping from Jan-April compared to same period last year and with April proving to be the biggest month on record.

	2017	2018	2019	2020	2021	2022	2023	2024
January	783	790	758	744	850	785	846	1068
February	598	575	597	640	926	578	885	883
March	750	514	713	616	1017	933	781	916
April	653	670	554	764	869	753	954	1085
May	729	588	440	833	827	895	923	
June	721	651	659	835	801	781	806	
July	634	663	751	950	845	921	609	
August	661	519	550	777	785	834	797	
September	742	596	779	897	887	916	856	
October	705	603	690	776	737	861	779	
November	696	635	638	828	701	800	881	
December	482	515	600	837	582	893	1017	

- 4.4 The council employs 4 officers whose main duties are to enforce environmental crime and other quality of life issues including fly tipping and duty of care offences. Since 1<sup>st</sup> January 2023 251 Fixed Penalty Notices (FPNs) have been issued for fly tipping offences and 55 cases taken to court which resulted in 30 warrants issues, 10 guilty pleas, 8 withdrawn and 7 proved in absence. Enforcement is heavily reliant on obtaining evidence at the scene or witnesses who are willing to come forward and provide a statement that can be used in court if required.

A successful bid was made to the Office of the Police and Crime Commissioner (OPCC) for fly tipping enforcement cameras which have assisted officers with obtaining evidence and have resulted in successful enforcement action it is hoped that this grant will build on the success of these cameras. Several councillors have also used their CLF to fund cameras in their wards, cameras are also being discussed with PLG.

- 4.5 In order to pro-actively tackle this issue the council applied for and has been awarded just under £50,000 by the Department for Environment, Food and Rural Affairs (DEFRA) as part of a nationwide scheme to target fly-tipping hotspots. Specifically, the project will focus on two different areas of Peterborough: urban and rural, both of which are severely impacted by regular and extensive fly-tipping, focussing on five holistic steps to raise awareness of the duty of care for household waste by creating sustainable and long-lasting interventions as follows:

1: Multi-Agency Delivery Team – we will establish a local delivery team with officers from partner agencies (Cambridgeshire Constabulary's Neighbourhood Policing Team and their Rural Crime Action Team), council officers and Members, local community leaders and educational establishments, to drive this project. The group will support each step in the project, adding additionality through joined up, complementary initiatives. For example, this project will link with an established Home Office led initiative currently being led by Cambridgeshire Constabulary in the Millfield area called Clear-Hold-Build, ensuring an informed and evidence led approach. In rural areas we will work closely with Parish Councils, the National Farmers Union and the police to identify innovative ways to defend rural property and target perpetrators.

2: Education – this intervention will gather evidence and use in-depth analytics to inform activities to target particular groups. This will include undertaking surveys to gauge baseline understanding, repeating this to monitor the impact of the project throughout via social media, door-to-door engagement, roadshows at key meeting places and skilling-up key local leaders to help embed the initiative. For example, the council's team of Community Connectors will support this scheme by using their unique knowledge of effective communication tools to undertake bespoke engagement activities supported by influential people in the local community.

3: Evaluation/monitoring - will take place during and after the project to ensure initiatives are having the necessary impact or if adaptations are required. This work will be led by the council's Corporate Delivery Unit.

4: Enforcement – to reinforce the educational work undertaken, the council will use its powers under the Environmental Protection Act to take increased enforcement action. Alongside this, the council will undertake a review of Fixed Penalty Notices for fly-tipping and related environmental crimes in line with updated government guidance issued in July last year. In order to achieve this, the project will support the council to procure an additional 12 cameras. Ten of the cameras will be placed in specific hotspot locations within the two urban wards of Central and North and two will be used in the rural locations identified. The council is experienced in the use of this type of equipment and will always ensure that the necessary consent, risk, data protection and privacy assessments are in place and alongside this, we will utilise the Data Protection Impact Assessment already in place for fly-tipping enforcement cameras which allows for movement of cameras between sites.

5: Review– this is a circular process with each of the steps repeating to ensure that long-lasting change is achieved in these communities. For example, the Multi-Agency Delivery Team will review actions and adapt the approach, the education team will use real evidence from enforcement activity to help people to understand the issues caused by fly-tipping.

In order to deliver this project it is intended to focus on two locations, one urban and one rural.

Urban – the Central and North Wards of Peterborough are densely populated multi-cultural areas with a proportionally high population of transient residents and houses of multiple occupation (HMOs). Throughout these wards there are several 'hot-spot' areas for fly-tipping with 3,492 incidents of fly-tipping reported during a single 12 month period, representing 29% of the overall reports received by the Council during the same period. Incidents in this urban area have proven to be difficult to enforce against for multiple reasons including: witnesses are rarely willing to provide statements; the majority of the fly-tipping is undertaken on foot; there is a high likelihood of the fly-tipping being undertaken by local residents.

Rural - rural fly tipping incidents are very different to urban and individual incidents are much larger. Where urban consists of household waste often in bin bags, incidents in rural areas can range from a tipper load of green waste and house clearances, to remnants of cannabis factories. Therefore, whilst there are less instances overall in the rural areas of the city, they are cumulatively much more significant in terms of volume, disruption caused to land owners, clearance and treatment costs and disruption to members of the public attempting to access these areas. As the rural area is so vast, we anticipate that it will be necessary to use the cameras covertly by submitting RIPA applications which we have experience in doing. To support this work we intend to offer match funding to up to ten local landowners to support the introduction of target

hardening measures to prevent reoccurring incidents. Whilst these specific locations are not yet defined, the Multi-Agency Delivery Team will undertake work between now and commencement of the project to identify these locations and obtain the necessary consents and licenses. Due to the prevalence of these issues across the rural area of Peterborough, we do not envisage a challenge in identifying these locations but welcome suggestions from members of the committee.

## **5. CORPORATE PRIORITIES**

- 5.1 **Our Places and Communities** – by directly linking to our commitment to ‘create healthy and safe environments where people want to live, invest, work, visit and play’ by tackling fly-tipping crime that blights our communities.

**The Economy & Inclusive Growth** – by making sure that our ‘places are attractive and vibrant’ by reducing the level of fly-tipping in the city.

**Carbon Impact Assessment** – The aim of the project is to tackle fly-tipping through enforcement, education, and publicity. It is anticipated that the project will reduce council travel emissions by decreasing the need to collect fly-tipped waste. Additionally, the project has the potential to ensure city waste is diverted to the correct disposal streams.

## **6. CONSULTATION**

- 6.1 Officers have met with the Parish Liaison Group on Wednesday 19 June and the Crime and Cohesion Group on Monday 17 June.

Further consultation will be undertaken as necessary as the project progresses.

## **7. ANTICIPATED OUTCOMES OR IMPACT**

- 7.1 It is anticipated that members of the committee review and comment on the proposed approach to the delivery of the Fly-Tipping Intervention grant awarded to the council.

## **8. REASON FOR THE RECOMMENDATION**

- 8.1 The Council has been awarded funding, via the Fly-tipping Intervention grant, to deliver this project. This paper outlines how the Council intends to bring forward this project.

## **9. ALTERNATIVE OPTIONS CONSIDERED**

- 9.1 The option of not delivering this project has been ruled out. The project offers a timely opportunity, to tackle the blight of fly-tipping.

## **10. IMPLICATIONS**

### **Financial Implications**

- 10.1 The activities detailed in this grant are funded via the Fly-tipping Intervention grant.

### **Legal Implications**

- 10.2 The grant commits the council to undertake a review of FPN rates and supporting processes. Discussions with legal have already commenced and the team are supportive of this work.

### **Equalities Implications**

- 10.3 There are no equalities impacts relevant to this report.

**11. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

11.1 None

**12. APPENDICES**

12.1 N/A

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