



COMMUNITY COUNCIL LIAISON SUB-COMMITTEE - 21ST JULY 2004

SUBJECT: FLY TIPPING

REPORT BY: DIRECTOR OF THE ENVIRONMENT

1. PURPOSE OF REPORT

1.1 To provide an update on the local authority actions with regard to the problem of fly-tipping.

2. LINKS TO STRATEGY

2.1 The work of the authority to tackle problems of fly tipping is consistent with the corporate strategy for the environment to improve peoples living environment through targeted actions, regulation, information and advice.

3. INTRODUCTION

3.1 This report is restricted to the problems associated with the illegal tipping of waste, both commercial and domestic, usually at remote locations in the County Borough. It does not include the removal of abandoned vehicles or the actions taken to tackle littering and dog fouling which have different procedures and can be the subject of further reports if requested.

3.2 The locations which are worst affected by fly-tipping include the verges of commons and hillsides, country lanes, screened lay-byes and brownfield sites which are derelict or undeveloped. Any isolated location which has road access is at risk from this problem.

3.3 The main types of waste fly-tipped are large domestic items such as furniture, car parts and tyres, building rubble and garden waste such as tree and hedge trimmings.

3.4 The remote locations are often the places where we wish to promote recreational and tourist activities and therefore fly-tipping causes serious blight and causes a detriment to the county borough.

4. ENFORCEMENT

4.1 All notifications of fly-tipping are investigated primarily with a view to gathering sufficient evidence for a prosecution. Unfortunately, this is rarely achievable. If the source of the material is identifiable and a chain of evidence cannot be determined, then formal action can be considered.

4.2 Officers are currently being trained in the use of covert cameras to assist the investigative measures and are reviewing procedures to enable compliance with the requirements of the Regulation of Investigatory Powers Act 2000.

4.3 An initiative is being undertaken with commercial businesses within the county borough to check that they have the correct documentation for the disposal of commercial waste. Failure

to provide the necessary documents will result in formal action in the Magistrates Court.

5. TASK AND FINISH GROUP

5.1 The Environmental and Housing Scrutiny Committee undertook a review of the Councils actions on fly-tipping and included the following recommendations:-

- Actively pursue prosecutions against perpetrators of fly-tipping and that this should include the use of surveillance cameras.
- Develop a strategy to increase publicity of its enforcement action and successful prosecutions in an effort to deter offenders.
- Make more use of warning signs to deter fly-tipping, including roads which access common land and country areas stating that camera surveillance may be in operation and fly tippers will be prosecuted.
- Establish a recycling facility for inert waste such as building rubble and green waste (e.g. tree cuttings) from commercial sources and use these materials for activities such as road building, highway resurfacing and landscaping in parks.
- Develop a strategy to increase public awareness of its services including the free bulky collections, green waste and civic amenity facilities.
- Continue to lobby the Welsh Assembly Government and central government for additional powers to deal with waste on private land, duty of care and increased fixed penalties. In addition, clearer legislative powers are needed for dealing with abandoned vehicles including better notice arrangements, clarity of vehicle ownership allowing prosecution and recovery of costs and tighter controls on second hand car sales.

6. COLLECTION OF FLY-TIPPED MATERIAL

6.1 As members of the Community & Town Councils are aware, the Authority operates a 5-man community cleansing team to undertake work across the County Borough which would not otherwise be undertaken by the scheduled area cleansing teams.

6.2 This 5-man team visits each community/town council area for 5 days every 17 weeks with each council notified in advance and afforded the opportunity to define the teams work programme.

6.3 A substantial amount collected by this team is fly-tipped material but this is not the only mechanism employed in the removal of fly tipping. In addition, the refuse and cleansing service operates:

- (i) 2 "hit teams" (east and west) to respond to emergencies and urgent requests.
- (ii) Annual common land clean-ups (when budget permits)

6.4 It is estimated that approximately £125,000 per annum is spent on the collection and disposal of fly-tipped material.

7. LEGISLATIVE/POLICY CHANGES

7.1 The issue of fly-tipping has climbed the central government agenda in the last 12-24 months.

7.2 A new information sharing system for Local Authorities and the Environment Agency (called

"fly-capture") was launched in April 2004 with the aim of quantifying the costs and frequency of fly-tipping incidents across England and Wales. In April 2004 the first 7 Welsh Authorities that commenced using the system recorded 800 fly-tipping incidents.

- 7.3 The Environment Agency and Local Authorities are working together (in accordance with a series of national, working better together protocols) to deal with fly-tipping enforcement although there are concerns that other waste management legislation may lead to increases in fly-tipping (e.g. the ban on co-disposal of hazardous and non hazardous waste to landfill from 16/7/04 and the pending hazardous waste regulations).

8. CONCLUSION

- 8.1 The Council will pursue a range of actions to tackle fly-tipping including enforcement, collection and publicity. Support from the Community and Town Councils in dealing with this problem will be gratefully received.

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