

## **BARNSELEY METROPOLITAN BOROUGH COUNCIL**

**This matter is not a Key Decision within the council's definition and has not been included in the relevant Forward Plan.**

**Report of the Director of Human Resources,  
Performance and Communications.**

### **SCRUTINY TASK AND FINISH GROUP REPORT ON 'FLY-TIPPING'**

#### **1. Purpose of report**

- 1.1 To report to Cabinet the actions taken as well as the findings of, the Overview & Scrutiny Committee's (OSC's) Fly-Tipping Task & Finish Group's (TFG's) continued work in relation to reducing the high instances of fly-tipping in the Borough.

#### **2. Recommendations**

- 2.1 **That Cabinet notes the actions the group has taken, as well as considers the conclusions and recommendations set out in section 6 as a result of the TFG's continued work into reducing the high instances of fly-tipping in the Borough.**

#### **3. Introduction/Background**

- 3.1 In 2015, Elected Members from across the Borough raised concerns about the amount of fly-tipping incidents that had occurred in their ward. Therefore during 2015/16 one of the OSC's TFGs undertook a detailed investigation into this area, working in partnership with Council officers, which resulted in the creation of a Draft Fly-Tipping Action Plan.
- 3.2 In response to this, the Council formed a cross-Directorate Officer Fly-Tipping TFG to consider and implement actions in the plan drafted by the Member TFG. During 2016/17, the Officer Fly-Tipping TFG has met regularly and has undertaken a number of the proposed activities. Additionally the OSC's Fly-Tipping TFG continued in order to: monitor the work of and input into the officer group; undertake further investigation into what is being done to combat fly-tipping; and complete the actions which were identified for Members in the Draft Fly-Tipping Action Plan.
- 3.3 The members of this TFG included:  
Councillor Gill Carr (TFG Lead Member), Councillor Robert Frost, Councillor Wayne Johnson, Councillor Caroline Makinson, Councillor Pauline Phillips, Councillor Harry Spence and Councillor Sarah Tattersall together with Co-opted Members Joan Whitaker and Pauline Gould.

#### **4. What the Task & Finish Group (TFG) looked at**

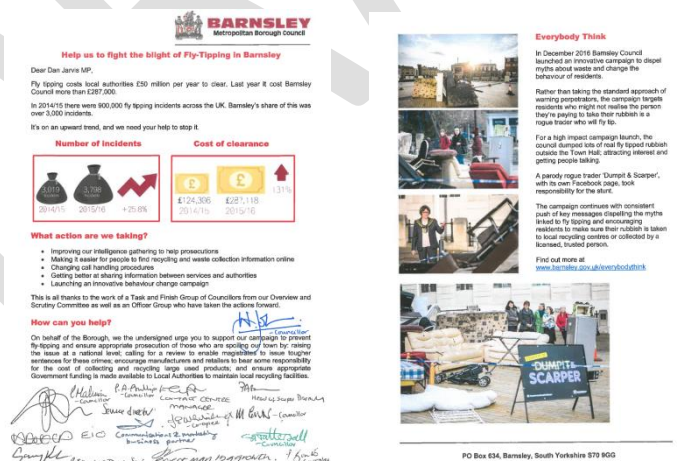
- 4.1 Initially, the TFG met to consider the scope of the investigation for this municipal year. This included reviewing what had been learnt during the first investigation and what Member actions needed to be undertaken, what other areas required further investigation including good practice around the Borough as well as undertaking ongoing monitoring of the Officer TFG.
- 4.2 The TFG met with officers and Members from the Dearne Area, to understand more about the work taking place in the local area to both prevent fly-tipping and improve the local environment. The group also met with legal representatives of the Council to understand the prosecution process in detail including sentencing guidelines for magistrates.
- 4.3 The TFG also met with representatives from the Officer TFG to understand how the original draft action plan had been taken forward, including formulation of the cross-directorate group as well as the detail of actions which had been taken and were still being planned.
- 4.4 In addition to these sessions, the TFG discussed how they would undertake the Member actions recommended from the original action plan to lobby MPs and Magistrates.

#### **5. What the Task & Finish Group found and action taken**

- 5.1 The TFG found evidence of excellent partnership working in the Dearne to tackle environmental issues including representatives from the public, private and voluntary sectors as well as local residents. Work was being undertaken to ensure the local community were involved in projects and facilitate them to take ownership of improving their local area. Good relationships have been developed with local private sector landlords to assist in tackling issues and preventative support measures are being put in place for residents to change behaviours rather than just take enforcement action.
- 5.2 By understanding legal processes in relation to enforcement the TFG gained a greater understanding of the investigative works being undertaken to ensure prosecutions as well as the processes Magistrates have to follow to issue penalties. Again there was evidence of officers working across services to gather intelligence and recent developments following the formulation of the Officer TFG.
- 5.3 As work was undertaken to develop the local fly-tipping campaign as part of the Officer TFG's work, the Member TFG were consulted along with Council staff regarding the designs and also attended the launch which attracted local and national media attention:



- 5.4 In addition to the launch of the fly-tipping campaign, the Member TFG found that the forming of the officer group had facilitated improvements in cross-directorate relationships. Officers from different services had come together and better understood the challenges of each other's roles and had changed their working practices to better gather intelligence to facilitate prosecutions. This includes amendments made to how the Customer Services team handle reports for fly-tipping. Also, work was being done through Regulatory Services to remind businesses of their duties in relation to waste management and highlight the Council services available.
- 5.5 Fly-tipping continues to be an issue for Councils around the country. The Government Department for Environment, Food and Rural Affairs (DEFRA) has recently published the data for England during 2015/16 which shows that local authorities dealt with 936,000 fly-tipping incidents which is a 4% increase since last year. A third of all incidents consisted of a quantity equivalent to a 'small van load'; the second largest category which accounted for 29% of incidents was a 'car boot load'. The estimated cost for the clearance of fly-tipping in England in 2015/16 was £49.8 million. Our local data indicates that there has been a 25.8% increase in fly-tipping incidents from 3019 in 2014/15 to 3798 in 2015/16. This is lower than the 41.4% increase in fly-tipping incidents between 2013/14 and 2014/15; however the cost of clearance has gone from £124,306 in 2014/15 to £287,118 in 2015/16.
- 5.6 To complete the Member actions from the original work to lobby MPs and Magistrates to highlight the issues faced by local services in tackling fly-tipping, documents have been developed and signed by members of both the Member and Officer TFGs to highlight the one council approach to tackling this issue. The documents outline the work the Council is taking, how MPs and Magistrates can help us fight against this blight on our Borough and reminds them of the launch of our local campaign.



## 6. Recommendations

- 6.1 During the investigations, the TFG members made a number of suggestions and recommendations regarding the work being undertaken which the services were able to consider as part of their work. In addition to these suggestions, the TFG recommends the following:

6.2 **Recommendation 1: The OSC facilitates the Fly-Tipping TFG to continue its work during the 2017/18 municipal year**

As fly-tipping continues to be an issue, further work needs to be done to take the campaign out to Area Councils such as incorporating the campaign materials in local publications and amongst local media networks. Members continue to receive a number of queries regarding fly-tipping and there are still a number of myths around, for example, the use of Household Waste Recycling Centres (HWRCs). Therefore the TFG can both engage with the Environment Agency as well as complete a frequently asked questions (FAQ) sheet which could be used by both Members and officers to deliver consistent messages. There is also potential to work with neighbouring Councils on tackling some of these issues.

6.3 **Recommendation 2: Services continue to facilitate officers from across the Council to attend and action the work of the Officer Fly-Tipping TFG**

One of the recommendations in the original draft action plan was for services to come together to jointly tackle the issue of fly-tipping. Due to the complexities involved in tackling fly-tipping it requires a cross-directorate approach and it is important officers are given the opportunity to share intelligence and amend operational activities accordingly.

6.4 **Recommendation 3: Sustained investment is made in the Fly-Tipping Campaign**

Since the launch of the media campaign in December 2016, it is important that the momentum from this is not lost and services continue to push this through both social and printed media channels. Cross-Directorate sustained investment is required both to continue with existing work as well as resource to develop new materials to take the campaign out to other stakeholders in our communities for example schools, private sector landlords and Berneslai Homes.

6.5 **Recommendation 4: An all-member information brief (AMIB) is held so that ALL Members are aware of and are updated in relation to key issues in relation to fly-tipping and the action being taken**

This will help raise awareness of all the work which has been undertaken in relation to fly-tipping, including sentencing guidelines of Magistrates, use of HWRCs, as well as further work which is planned. This session could also be used to gather information from all Members regarding queries they receive in relation to fly-tipping and any action they have taken as an Area Council, to learn from and share best practice.

The TFG would also like to take this opportunity to thank all those who provided information, attended events and assisted with the investigation.

7. **Implications for local people / service users**

7.1 The issue of fly-tipping is prevalent across the Borough; therefore improvements in this area of work have implications across the area. Residents are being involved in work in their local communities and by them being increasingly aware of the problem and associated costs through campaign materials should improve intelligence gathering and the prosecution of those committing this crime.

## **8. Financial implications**

- 8.1 There are no specific financial implications, although in responding to the recommendations in the report, the financial implications of these would need to be fully assessed by the appropriate services responding which may be the Council or other agencies.

## **9. Employee implications**

- 9.1 There are no specific employee implications, although in responding to the recommendations in the report, the employee implications of these would need to be fully assessed by the appropriate services responding which may be the Council or partnership agencies.

## **10. Communications implications**

- 10.1 To combat the issue of fly-tipping it would be impractical and ineffective to rely solely on enforcement action, therefore a joined up, holistic approach is required. A key focus to help prevent fly-tipping is communication activity, to reduce the incidents by raising awareness of the issues and costs, and making fly-tipping socially unacceptable.
- 10.2 In December 2016 the Council launched an innovative campaign to dispel myths about waste and change the behaviour of residents. Rather than taking the standard approach of warning perpetrators, the campaign targets residents who might not realise the person they're paying to take their rubbish is a rogue trader who will fly tip.
- 10.3 For a high impact campaign launch, the council dumped lots of real fly tipped rubbish outside the Town Hall; attracting interest and getting people talking. A parody rogue trader 'Dumpit & Scarper', with its own Facebook page, took responsibility for the stunt.
- 10.4 The campaign continues with a consistent push of key messages dispelling the myths linked to fly tipping and encouraging residents to make sure their rubbish is taken to local recycling centres or collected by a licensed, trusted person. Cross-Directorate sustained investment in this campaign is required to ensure its momentum is not lost and targeted work can be done with key stakeholders such as schools and landlords.

## **11. Consultations**

- 11.1 Consultations have taken place with Councillor Gill Carr (TFG Lead Member), Councillor Robert Frost, Councillor Wayne Johnson, Councillor Caroline Makinson, Councillor Pauline Phillips, Councillor Harry Spence and Councillor Sarah Tattersall, Co-opted Members Joan Whitaker and Pauline Gould and representatives from the Council Officer TFG, Claire Dawson, Councillor May Noble, Councillor Roy Miller and the Senior Management Team.

## **12. The Corporate Plan and the Council's Performance Management Framework**

- 12.1 One of the Council's strategic priorities is to have 'Strong and Resilient Communities'. Within this, 'Outcome 11' focuses on 'protecting the Borough for future generations', describing how we must ensure the effective collection and disposal of waste to protect the environment for the future. This requires encouraging residents, businesses and visitors to the Borough to ensure they recycle and correctly dispose of their waste, not only to protect the environment but to minimise associated costs and protect savings for other important services.
- 12.2 The formulation and continued meeting of the Officer Fly-Tipping TFG is evidence of this issue requiring a One Council response, with representation and action taken from across all Council Directorates.
- 12.3 As evidenced in the Council's Corporate Performance Report, fly-tipping continues to be an issue in the Borough, therefore the group will continue to investigate and take action in relation to this area of work.

## **13. Risk management issues**

- 13.1 Although not logged as a specific risk in the Council's Strategic Risk Register (SRR), the issue cuts across a number of risk areas such as economic growth, health and wellbeing and stakeholder engagement.
- 13.2 It is envisaged that the findings of the Overview and Scrutiny TFG will contribute towards the effective mitigation of these risks through the implementation of recommendations detailed in section 6 of this report.
- 13.3 The findings of the TFG, detailed in section 6 will be discussed between the Risk and Governance Manager, and relevant risk owners as part of the review of the SRR, and operational risk registers during 2017. A number of the actions detailed in section 6 may at that stage be included within the appropriate risk register as risk mitigation actions.

## **14. Health, safety, and emergency resilience issues**

- 14.1 Fly-tipping can cause serious pollution to the environment as well as risks to human health, wildlife and animals. National data shows that in 2014/15 nearly half of all fly-tipping incidents (48%) were on highways (2015/16 data not currently available). This can cause serious risks to road users, therefore it is important that work is undertaken to combat this issue.

## **15. Promoting equality, diversity, and social inclusion**

- 15.1 To ensure the correct disposal of waste, it is essential that all our communities understand how to correctly use local methods and facilities. Therefore when undertaking campaigns to highlight the issue of fly-tipping a variety of methods have been used including social media, videos, printed text so that the information is accessible to all our communities and promote social inclusion.

## **16. Reduction of crime and disorder**

- 16.1 Fly-tipping is a criminal activity and is considered as part of the local area's Joint Strategic Intelligence Assessment (JSIA). Large costs are associated with undertaking enforcement action; therefore it is impractical to rely solely on this to deal with the issue. It is important that residents are encouraged to be alert to the issue, reporting concerns and intelligence to appropriate agencies to assist with tackling the problem and reducing this crime.

## **17. Glossary**

AMIB – All Member Information Brief  
BMBC – Barnsley Metropolitan Borough Council  
DEFRA - Department for Environment, Food and Rural Affairs  
HWRC – Household Waste Recycling Centre  
OSC - Overview and Scrutiny Committee  
TFG – Task and Finish Group

## **18. Background papers**

- Defra Fly-tipping Statistics for England 2014/15:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/469566/Flycapture\\_201415\\_Statistical\\_release\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/469566/Flycapture_201415_Statistical_release_FINAL.pdf)
- Defra Fly-tipping Statistics for England 2015/16:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/595773/Flytipping\\_201516\\_statistical\\_release.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/595773/Flytipping_201516_statistical_release.pdf)
- Council's 2016-17 Q3 Corporate Performance Report:  
<http://barnsleymbc.moderngov.co.uk/documents/s18006/Appendix%201.pdf>

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