

FLY TIPPING INFORMATION UPDATE

Committee name	Residents, Education and Environmental Services Policy Overview Committee
Officer reporting	Bill Hickson - Residents Services
Papers with report	None
Ward	All

HEADLINES

The Committee have requested an update on fly-tipping, the incidents and actions being taken by the Council to address and enforce this.

This report covers the process by which residents notify the Council of a fly tipping incident/s, how the Anti-social Behaviour and Environment Team (ASBET) works to resolve the issue, and statistics covering the number of reports, actions taken over the last five years.

RECOMMENDATION:

That the Committee note the contents of the report.

SUPPORTING INFORMATION

The definition of fly tipping has been summarised by the National Fly tipping Prevention Group as:

Fly-tipping is the illegal dumping of waste. It can be liquid or solid in nature and can vary in scale significantly from a single bin bag of waste to large quantities of waste dumped from trucks. Fly-tipping differs from littering in that it invariably involves the removal of waste from premises where it was produced with the deliberate aim of disposing of it unlawfully, or as a result of legitimate outlets not being available.'

Fly tipping is a criminal offence under section 33 of the Environmental Protection Act 1990 that states:

A person who commits an offence under this section is liable -

- (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding £50,000 or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding five years or a fine or both.]

Residents and businesses are encouraged to report witnessed and un-witnessed incidents of fly tipping to the Council in three main ways. These are either by telephoning our Contact Centre, completing an online "report it" form or by email to our Contact Centre where the incident details

are recorded onto the Onyx system and given a unique reference number and assigned to an ASB & Environment officer.

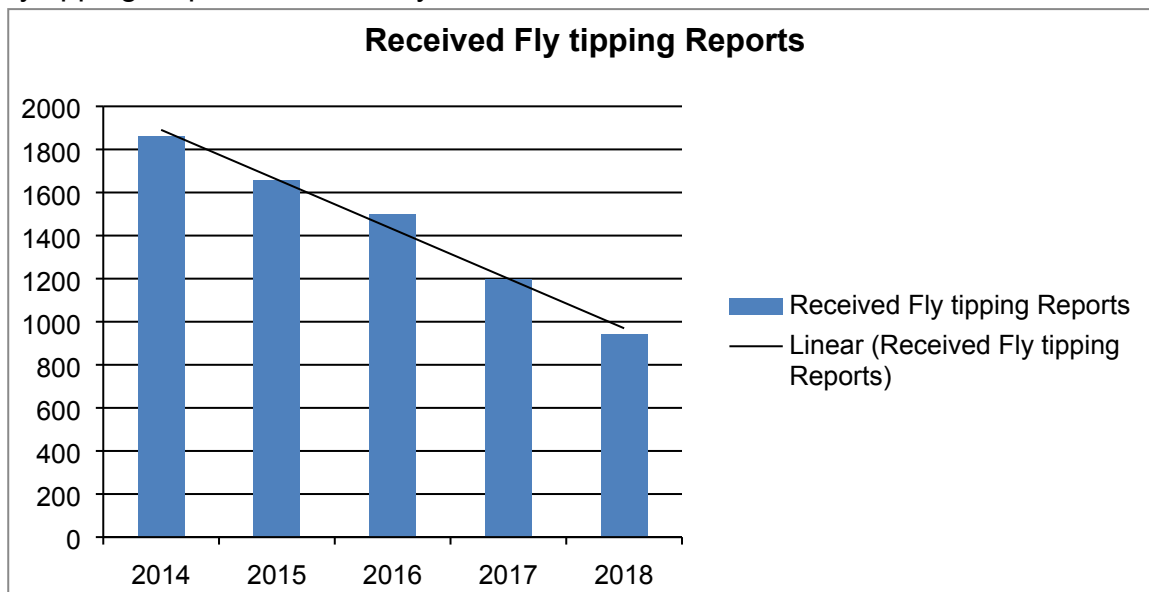
Investigation Process

On receiving the reported incident details, an officer will undertake the following steps:

- Contact the witness & confirm incident details and obtain a witness statement from them.
- Secure any physical evidence from the deposited waste such as correspondence or other material that may lead to the offender and take photographs of the deposit.
- Secure any available CCTV footage and review as fly tipping inevitably involves vehicles being off loaded. Any vehicle registration numbers or signed written details are then captured.
- The necessary and legal background enquiries are made to reveal the identity of the vehicle owner and subsequently the driver.
- Interviews of alleged offenders will take; these interviews must be conducted in accordance with the appropriate codes as set out under the Police and Criminal Evidence Act 1983 (as amended).
- Once an officer is satisfied that a case can be proved beyond all reasonable doubt, a case file is prepared and submitted to the Councils legal team for consideration.
- Should the case be accepted by the legal team, a trial date is then set.

Fly tipping volumes over the past five years are shown in the graph below:

Fly tipping Reports received by ASBET

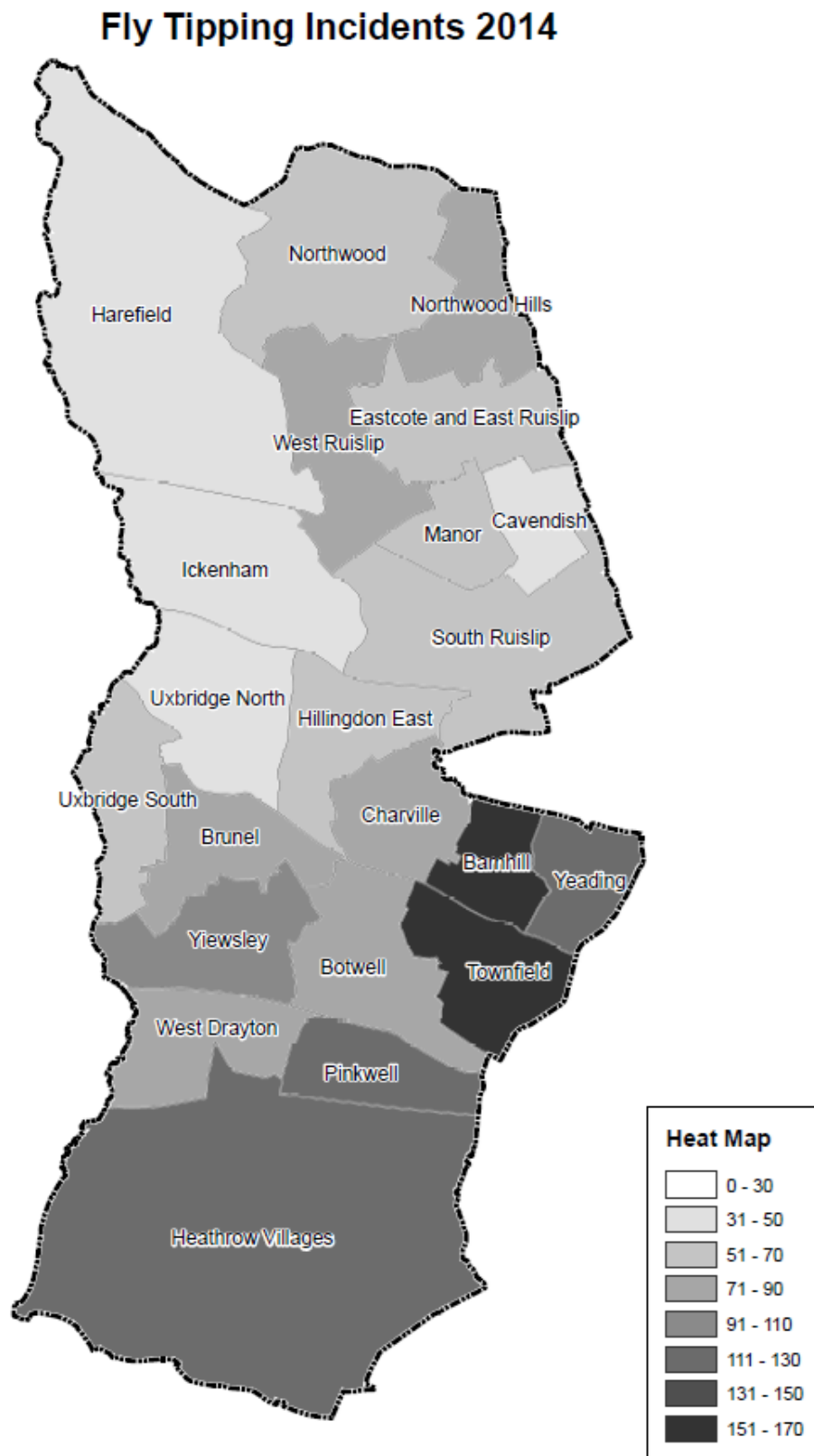


Fly tipping reports received by ASBET by Ward:

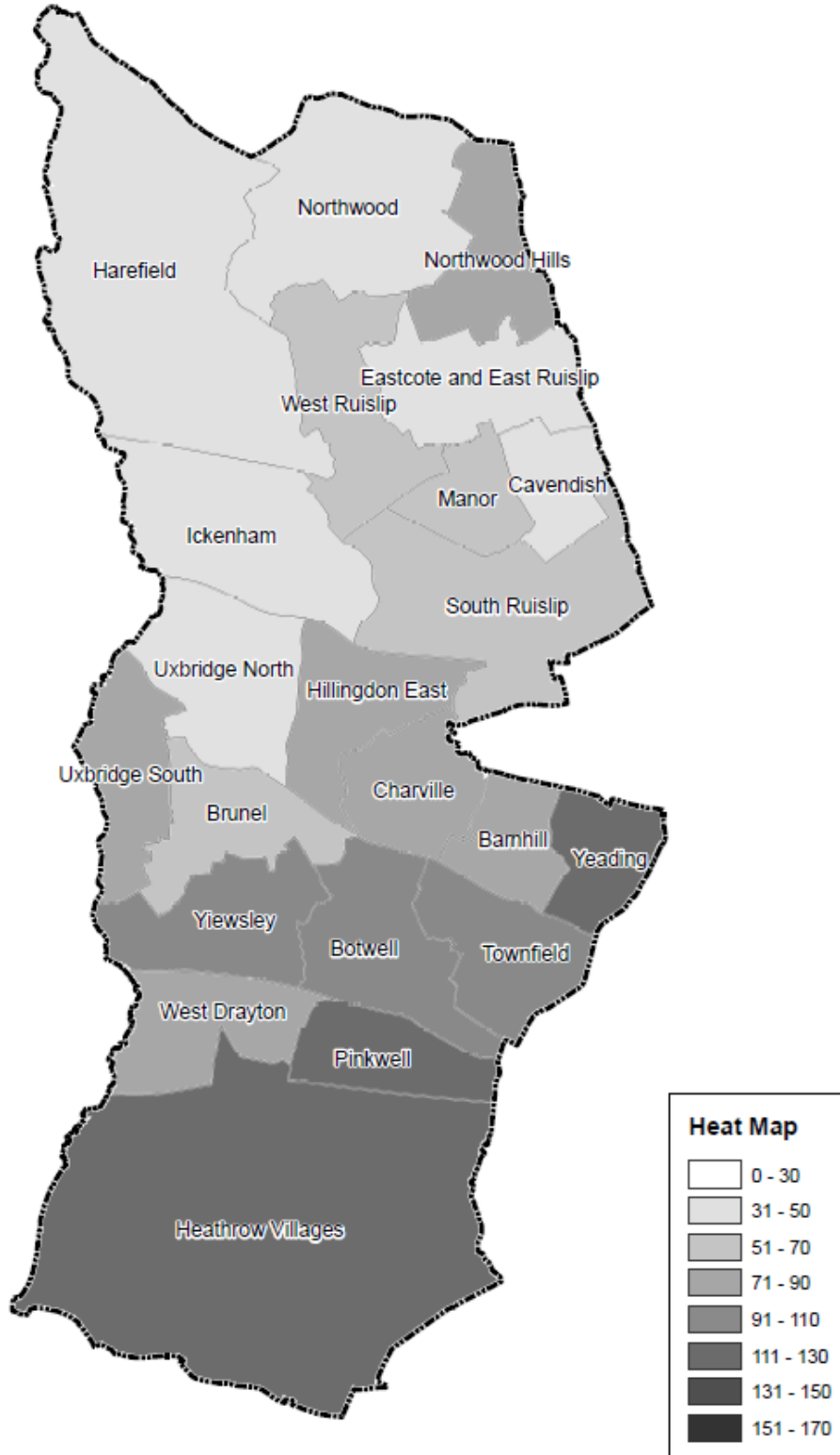
	2014	2015	2016	2017	2018	Sum:
Barnhill	158	74	65	63	55	415
Botwell	88	97	105	75	72	437
Brunel	83	63	67	68	60	341
Cavendish	37	40	36	18	18	149
Charville	84	75	69	65	42	335
Eastcote	55	43	29	32	22	181
Harefield	47	34	38	22	12	153
Heathrow Villages	126	116	108	79	58	487
Hillingdon East	57	78	55	60	58	308
Ickenham	36	31	19	19	20	125
Manor	54	51	45	30	26	206
Northwood	54	38	32	39	25	188
Northwood Hills	87	75	73	44	40	319
Pinkwell	118	118	92	72	62	462
South Ruislip	56	54	29	34	21	194
Townfield	164	96	99	84	82	525
Uxbridge North	44	45	35	34	10	168
Uxbridge South	67	81	93	59	57	357
West Drayton	86	79	89	78	46	378
West Ruislip	71	56	29	22	15	193
Yeading	112	120	107	71	53	463
Yiewsley	94	97	88	54	40	373
No Location	83	95	96	75	45	394
Sum:	1861	1656	1498	1197	939	7151

Note: No Location = service requests logged under name of reporter by Contact Centre agent rather than location.

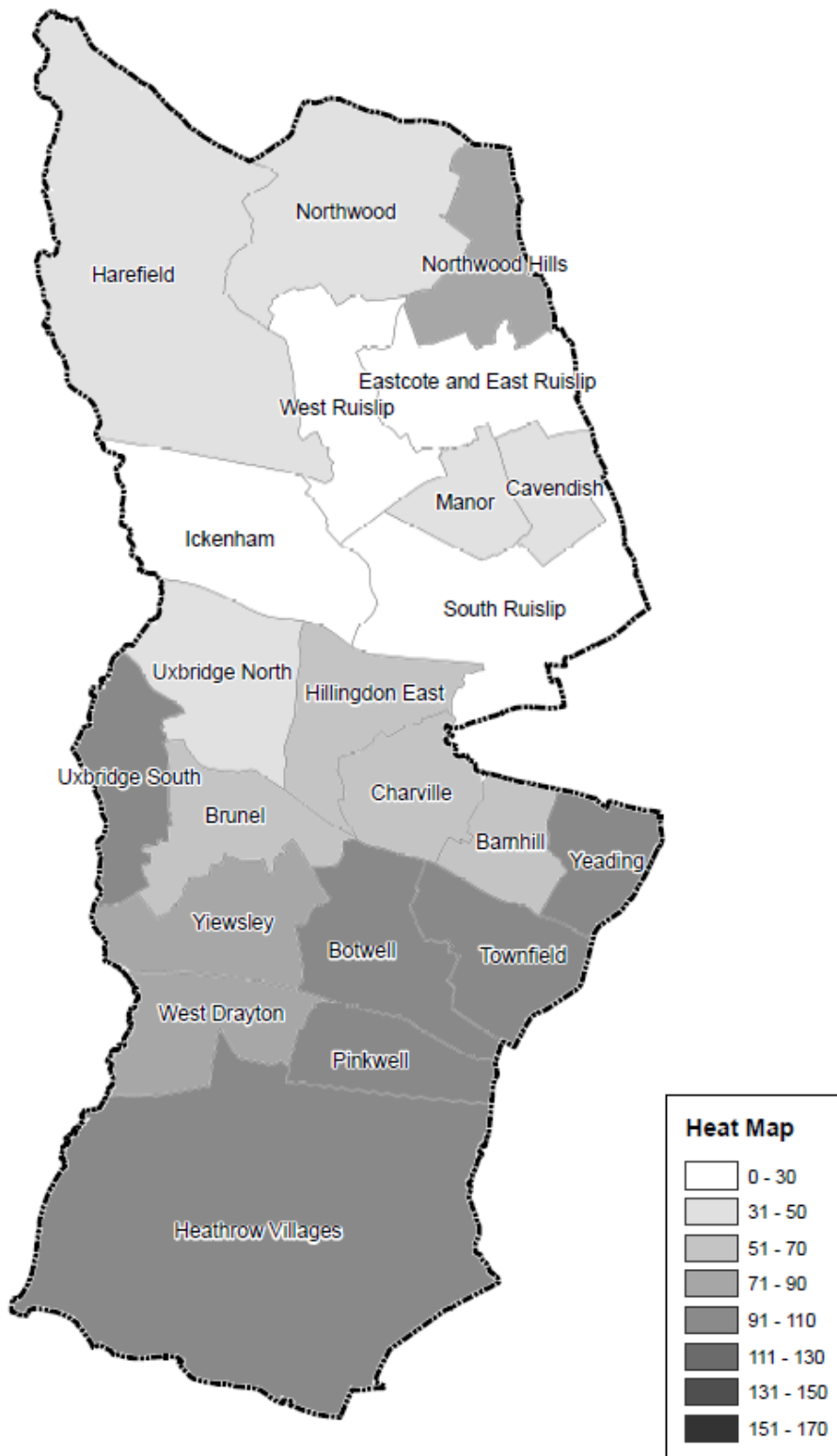
Following heat maps show reports received by ASBET by Ward over the last five years:



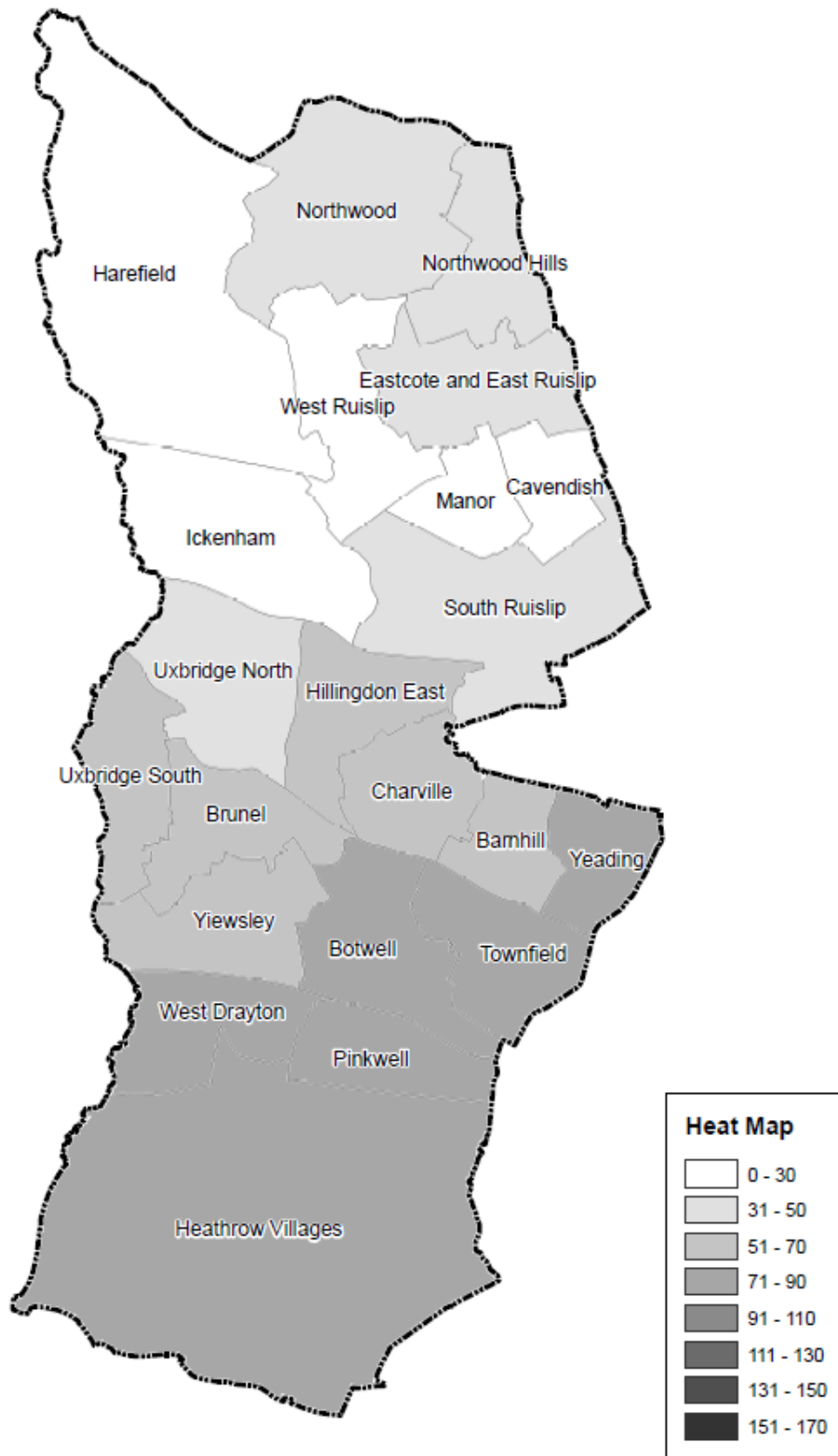
Fly Tipping Incidents 2015



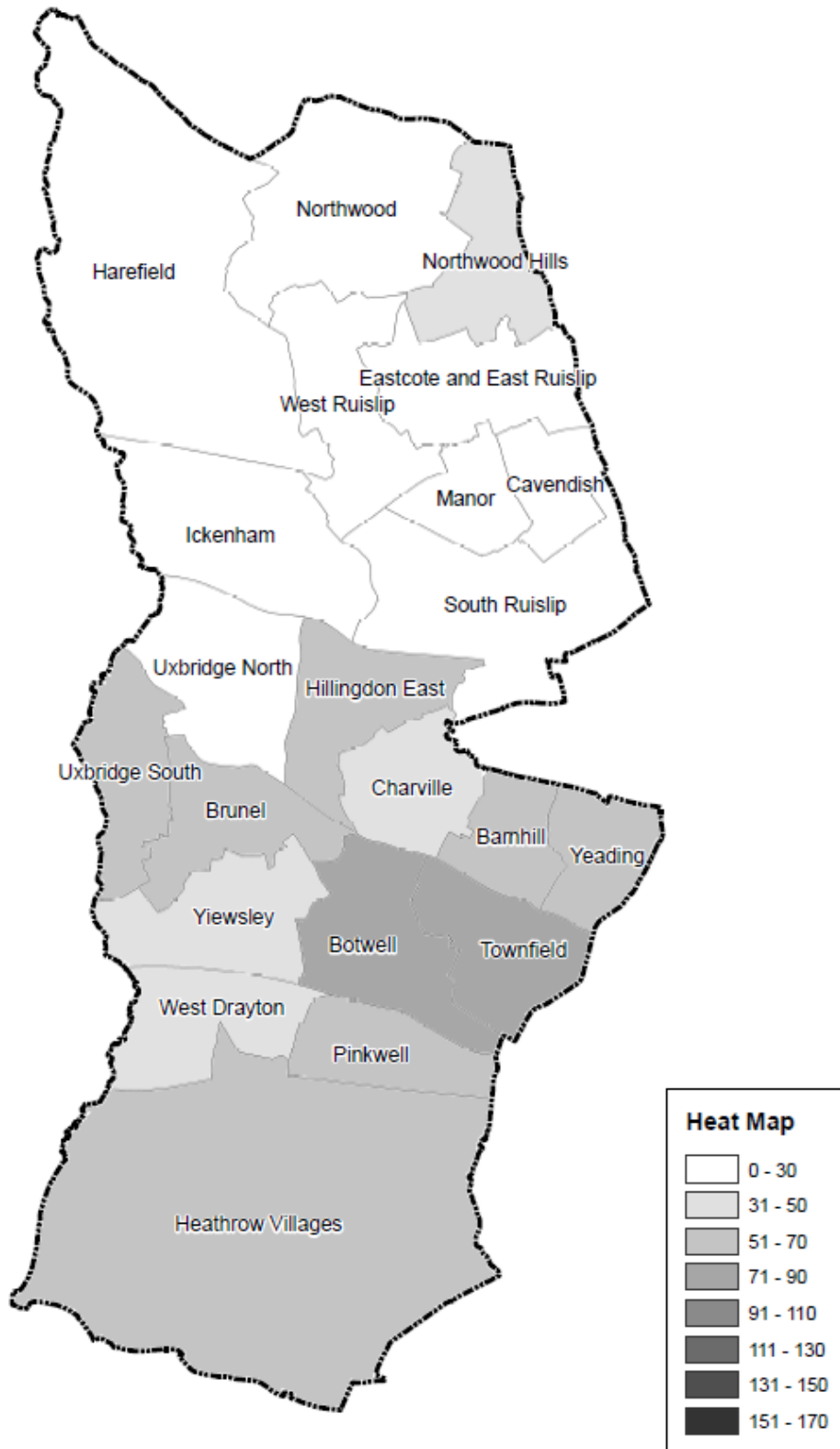
Fly Tipping Incidents 2016



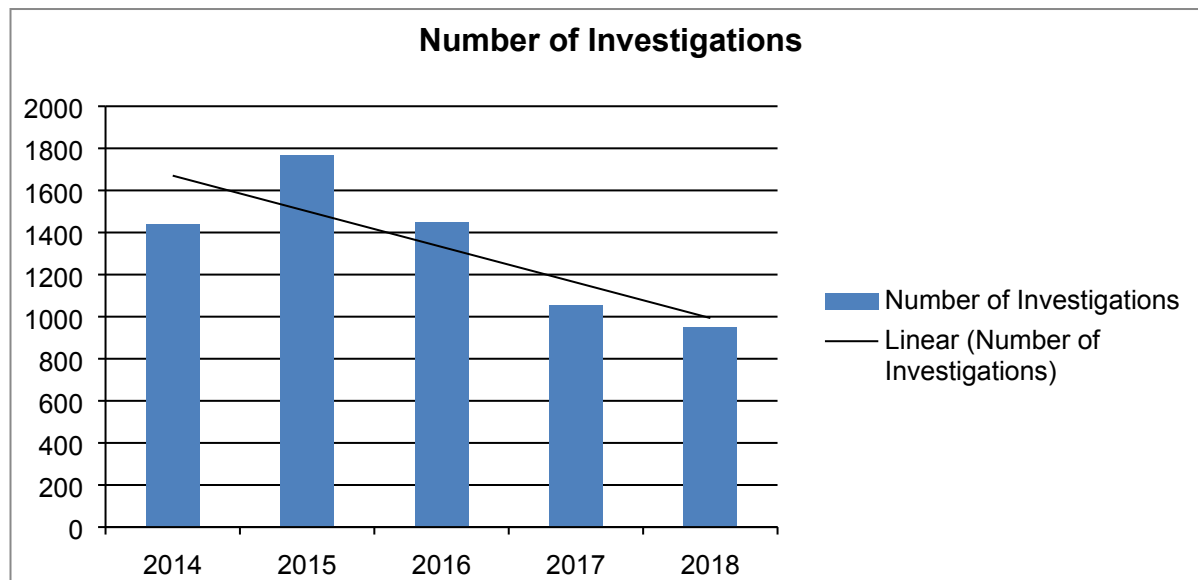
Fly Tipping Incidents 2017



Fly Tipping Incidents 2018



Investigations of fly tipping incidents undertaken by ASBET



Summary of data

From the data shown above it can be seen that the quantity of service requests received by ASBET has decreased over the last five years. Although it is recognised that the overall volume is decreasing, it remains an acute problem predominately in the South of the Borough. However, there are several wards in the North of the Borough where fly tipping volumes remain high. For example the total number of fly tipping incidents in the wards of Townfield, Heathrow Villages and Pinkwell add up to 1474 incidents over the last 5 calendar years. In the North of the Borough the most affected three wards Manor, Northwood Hills and South Ruislip total 719 incidents over the last five years.

From the data obtained from the Council's case management system (Onyx) the number of investigations of fly tipping incidents mirror the number of service requests received.

It is acknowledged that the number of prosecutions and alternative enforcement actions needs to be increased and the future developments proposed that are set out below will indicate how this might be achieved.

Proactive Action

Over recent years ASBET have focused upon enforcement actions relating to litter and other forms of anti-social behaviour covered under Community Protection Notices. This has resulted in 5585 fixed penalty notices being served between August 2016 to August 2017 and 5598 fixed penalty notices being served during the period September 2017 to September 2018.

ASBET have also introduced targeted waste carrier operations that are conducted with the assistance of the local Police. These operations involve the stopping of vehicles that are carrying

waste or are likely to carry waste across the Borough to ensure that drivers or companies hold a licence to transport waste. Under the Control of Pollution (Amendment) Act 1998 a person who collects and transports waste that other people have produced as part of their business activity or transports construction or demolition waste, must register and hold a Environment Agency waste carrier licence. Failing to hold the necessary licence can result in a fixed penalty notice being issued.

Officers conduct these operations monthly and are seen as a proactive way of addressing potential fly tippers before offences occur.

A further area of work is being undertaken to address businesses that do not transfer or dispose of their waste correctly. Inspections of premises are carried out where traders are required to produce evidence of how they dispose of their trade waste and that it is stored correctly until collected.

Such inspections have resulted in 84 fixed penalty notices being served between August 2016 to August 2017 and 40 fixed penalty notices being served during the period September 2017 to September 2018 for failing to comply with waste management duty of care legislation.

Since November 2017 officers have been working jointly with colleagues from our Waste Services team. This work involves the inspection of regular fly tipping hot spot areas; deposited waste is searched for evidence of perpetrators. In many cases officers are establishing that the deposited waste is of a domestic nature that has been placed by residents prior to their scheduled collection day. Once evidence is found the perpetrator is sent an advisory letter that contains full information concerning when and where waste should be placed for collection and other waste collection services supplied by London Borough of Hillingdon.

This work is showing a reduction of repeat perpetrators and that personal information such as names and addresses are being removed from domestic waste, this is likely to be due to anti fraud awareness.

It is considered that these areas of proactive work are a contributing factor to the reducing number of reports being received.

Ongoing Developments

The future developments related to fly tipping are summarised below:

- The Council could consider introducing a new fixed penalty notice for lower level fly tipping offences. Such a fixed penalty notice is a new power for councils that came into effect in May 2016. Councils can use these for small-scale fly-tipping and can decide the penalty within limits, depending on the severity. The minimum is £120 and can range to £400. Any decision on this would be subject to further Cabinet Member consideration and Cabinet approval.
- Work with the Corporate Communication team to develop a publicity campaign aimed at residents and businesses focusing on the penalties of committing this offence, providing knowledge of the duties persons have to deposit waste in a correct way and the waste services provided by the Council.

- Continue and increase the current "waste carrier" operations being undertaken in partnership with the local Police services.
- Extend the number of "waste management duty of care inspections" of business premises carried out by officers.
- Reinforce a zero tolerance approach to all offences relating to the management of waste.
- Build closer working relationships with the Environment Agency in terms of the larger scale fly tipping that they have the duty to enforce.
- Continue and increase the current "cage van" operations being undertaken in partnership with Waste Services during which evidence is sought from small to medium scale fly tipping that occurs mainly on the public highway.

Implications on related Council policies

A role of the Policy Overview Committees is to make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

How this report benefits Hillingdon residents

Action and enforcement against fly-tipping leads to a cleaner Borough for residents.

Financial Implications

None, this is an information report only.

Legal Implications

Fly tipping offences are covered under section 33 of the Environmental Protection Act 1990.

BACKGROUND PAPERS

NIL.