



Residents, Education & Environmental Services Policy Overview Committee

Review Scoping Report (DRAFT)

Working title: “Tackling anti-social fly-tipping and littering
across Hillingdon”

1. REVIEW OBJECTIVES

Aim and background to review

At its meeting on 26 June 2019, the Residents, Education and Environmental Services Committee approved as its next major review the topic of littering and fly tipping within Hillingdon.

The Committee has previously received an information report detailing fly tipping from the perspective of the Council’s Anti-Social Behaviour and Environment (ASBET) team. However, the issues have implications for a variety of Council departments, including the Contact Centre, Enforcement teams, Waste Services, Environmental Health, and even ICT Teams (for example, under the Council’s recently approved digital transformation project, fly tipping reporting tools are under consideration for inclusion in the first wave of integrated updates to the Council’s new website.) The Council’s current website reporting tool can be found here: <https://archive.hillingdon.gov.uk/article/18327/Fly-tipping>

This is a topical issue, with a large number of Member and resident contacts with the Council regarding fly-tipping and anti-social littering. The Committee will aim to

understand the extent of the issue within the Borough; including how residents can report instances of littering and fly tipping, how those instances are addressed, and what the Council's plans are for future actions and improvements.

However, the main focus for the review will be the exploration of new ideas and best practice outside the Council such as other local authorities, as well as local and national volunteer groups and campaigns. Additionally, the Council may wish to see how it can improve the identification and prosecution of offenders, noting that the Council agreed additional funds for 2019/20 on fly-tipping prosecution.

The proposed Terms of Reference for the review are set out below for Members to consider, and amend as they see fit. These set out the review's objectives.

Terms of Reference

1. To understand the current policies and procedures in place in relation to fly-tipping and anti-social littering within Hillingdon and how the Environmental Enforcement Team and Waste Services, in particular, are deployed to respond. To further understand how Council teams work together to tackle fly-tipping and litter.
2. To understand the reasons why individuals, businesses and others choose to be anti-social and litter and fly-tip in local communities.
3. To better understand the ways residents currently report instances of littering and fly tipping, and how the Council is working to improve these reporting tools;
4. To review current and future plans by the Council to enforce the issue of fly-tipping and littering, including education, fines and prosecution action;
5. To explore in-depth new practical, cost-effective and innovative ways that other local authorities, nationally and internationally, are doing to tackle fly-tipping and littering and to assess the effectiveness of their possible use within Hillingdon.
6. To review the current policies, legislation, research and activity by Government, national charities, volunteer groups and campaigns that are working to reduce instances of littering and fly tipping and to explore national guidance and advice that could be adopted by Hillingdon;
7. To better understand the impact on the street scene, civic pride, environment and wildlife as a result of littering and fly tipping;
8. To make any findings along with feasible and affordable recommendations to Cabinet based on the outcome of the Committee's review.

2. INFORMATION AND ANALYSIS

Context

As with other areas of the UK, effectively dealing with fly-tipping and littering is a priority matter to Hillingdon residents. A review of the number of enquiries logged by the Council's Contact Centre for the period 1 July 2018 – 1 July 2019, shows those enquiries relating to littering and fly tipping (by residents and Members) totalled 19,704. A more detailed breakdown of the type of fly-tipping and littering query is shown in Table 1 below:

Table 1: Enquiries logged with the Council's Contact Centre, by type.

Description	Number of Enquiries by Residents and Members
SC - Fly Tipping on Highway - Not Witnessed	6989
SC - Litter on highway/footpath	4645
ME - Fly Tipping	3288
ASBIT Fly Tipping	1284
Fly Tipping on Council Land CARETAKERS ONLY	984
SC - Litter Bin Full	709
ME - ASBIT - Fly Posting	485
ME - Refuse/Litter on Street/Pavement	451
SC - Dog Litter Bin Full	214
GS - Fly Tipping	211
SC - Request for Litter Bin	123
SC - Fly Tipping on Private Road	100
Litter Bin Full In Park	84
SC - Drug Related Litter - Highway	31
SC - Request for Dog Litter Bin	31
ME - ASBIT Fly Posting	26
SC - Drug Related Litter - Other Areas	24

Drug Related Litter	15
Recycling - Litter Bins	5
SC - Removal of Fly Posting - Pasted	2
CCTV – Fly Tipping - Witnessed on Camera	1
ME - Build Up of Litter	1
Recycling - Siting Litter Bins	1

Key: ME = Member's Enquiry, SC = Street Cleansing, GS = Green Spaces, ASBIT = now Anti-Social Behaviour and Environment Team (ASBET)

Littering

The act of leaving litter, whether from a person or a vehicle, could also be determined to be an offence under section 87 of the Environmental Protection Act 1990. Offenders can be issued fines if caught in the act of littering. As of September 2018, the Fixed Penalty for dropping litter within Hillingdon was increased from £80 to £100.

Instances of littering and fly tipping can result in a perception that the Borough is untidy or unsightly, and has significant implications for the wellbeing of the environment, including the Borough's wildlife.

Littering statistics:

- According to the Ministry of Housing, Communities and Local Government, in 2016/17 it cost local authorities £682 million, or £29 per household, to keep the nation's streets clean.
- In 2016, the RSPCA received over 5,000 phone calls about litter-related incidents affecting animals.
- Perceptions of littering - 4 in 10 people think that leaving a newspaper on the train is not littering and 3 in 10 believe that placing items on the floor next to a full bin is not littering (Keep Britain Tidy 2012).
- The Department for Environment, Food and Rural Affairs (DEFRA) 'Litter Strategy for England' is a national campaign working to change people's behaviour and make littering socially unacceptable. During the Great British Spring Clean (3-5 March 2017) spearheaded by DEFRA, 3,226 items of litter were recorded on mobile phone apps, and included food and food packaging, alcoholic and non-alcoholic drinks, smokers litter, and other items.

Table 2: Litter recorded on mobile phone apps during the Great British Spring Clean 3 - 5 March 2017 (DEFRA, 2018)

Type of Litter	Percentage of litter recorded (3,226 items in total)
Food and food packaging	23%
Alcoholic drinks	22%
Non-alcoholic drinks	20%
Other, including tissues	13%
Smokers' litter	12%
Dog faeces	5%
Chewing Gum/Wrappers	5%

Fly Tipping

Fly tipping is a criminal offence, under section 33 of the Environmental Protection Act 1990. Current national fly-tipping statistics include:

- In 2017/18, local authorities in England dealt with 998,000 fly-tipping incidents, a slight decrease of 1% from the 1,011,000 reported in 2016/17, following annual increases since 2013/14.
- The most common place for fly-tipping to occur was on highways, which accounted for almost half (47%) of total incidents in 2017/18. The number of highway incidents has decreased by 7% from 2016/17.
- The most common size category for fly-tipping incidents in 2017/18 was equivalent to a 'small van load' (33% of total incidents), followed by the equivalent of a 'car boot or less' (28%).
- In 2017/18 34,000 or 4% of total incidents were of 'tipper lorry load' size or larger, which is similar to 2016/17. For these large fly-tipping incidents, the cost of clearance to local authorities in England in 2017/18 was £12.2 million, compared with £9.9 million in 2016/17.
- Local authorities carried out 494,000 enforcement actions in 2017/18, an increase of 18,000 actions (4%) from 2016/17.
- The number of fixed penalty notices issued in 2017/18 was 69,000, up 20% from 2016/17. This is the second most common enforcement action (after investigations), and accounted for 14% of all enforcement actions in 2017/18.

Details of instances of illegal dumping in London in 2017/18 are set out in Appendix A.

Recent CCTV upgrades

As referenced in the recent Corporate Services, Commerce and Communities Policy Overview Committee review into policing and community safety, the use of the Council's upgraded state-of-art CCTV system is starting to reap results in terms of anti-social behaviour. Between the 6th May 2019 and the 12th June 2019, 6 incidents of Fly Tipping were handed to the ASBET Team for further investigation.

Additional budget funding

Council approved an additional £140k for 2019/20 in respect of funding for fly-tipping response and prosecution.

Relevant policies and legislation

The Committee may wish to have due regard to the relevant legislative policies set out within, (among others):

- The Clean Neighbourhoods and Environment Act 2005
- The Environmental Protection Act 1990
- The Waste (England and Wales) Regulations 2011
- The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016
- The Clean Neighbourhoods and Environment Act 2005

Cabinet Member Responsibilities

This review topic would come under the portfolio of Councillor Keith Burrows, Cabinet Member for Planning, Transportation and Recycling predominantly. It may also touch on the other portfolios of Councillor Jonathan Bianco (parks and open space), Councillor Douglas Mills (anti-social behaviour) and Cllr Ray Puddifoot MBE (enforcement policies).

Further information

Throughout the review, Members will be made of aware of existing and emerging research, publications and studies.

3. EVIDENCE & ENQUIRY

Possible lines of enquiry and witness testimony

As the review progresses, and Members seek information and witness evidence, possible lines of enquiry (at this stage) could include:

Possible witnesses

- Officers from key service areas, such as ASBET, Enforcement, Legal services, CCTV, Waste Services, Green Spaces etc...
- Councillor experiences
- Officers from the Digital Transformation Team
- External witnesses from national charities and volunteer groups, e.g. Keep Britain Tidy, National Fly-tipping Prevention Group
- External local authority witnesses
- Other private sector witnesses as appropriate
- Waterway and wildlife representatives, e.g. Canal & River Trust
- Schools, i.e. to see what more can be done to education about litter to pupils, e.g. litter around schools.

Likely evidence required

- Problem areas/locations for littering and fly tipping
- Likely reasons for offending
- Current Council actions being taken to resolve issues
- Council's future plans for addressing the issues
- Prosecution action taken by the Council
- Action being taken by other local authorities, nationally and internationally
- Current and future reporting tools for residents and Councillors

Areas to explore further (if feasible)

The Committee could examine options to:

1. Improve reporting tools for Councillors and residents;
2. Raise awareness of issues and promote/instigate group actions, such as litter picking drives, throughout the Borough;
3. Consider and recommend best practices and other innovations and initiatives being spearheaded by other local authorities

4. Review of penalties for offenders, including 'naming and shaming'.
5. Increased use of CCTV cameras;
6. Other innovative ways to enable the collection of fly-tipping

Appendix B below provides further information and reading.

Emerging conclusions or themes for development

These will emerge and become apparent as the review progresses.

4. REVIEW PLANNING & ASSESSMENT

As Policy Overview Committees now operate under a multi-year work programme, the Committee has scope to undertake a more detailed review.

It is advised that witnesses attend themed sessions, e.g. service areas, best practice etc.

Draft time-frame & milestones are set out below and this review can be extended or reduced as the Committee sees fit:

Meeting Date	Review Phase	Indicative Witness Sessions by Theme	Key evidence / information
18 July 2019	Scoping stage		
04 September 2019	Witness / evidence / consultation stage	<p><u>THEME: Hillingdon Council's current response and upcoming activity</u></p> <p>Waste Services (removal of fly-tipping and collection of litter)</p> <p>Legal Services / ASBET</p> <p>CCTV manager</p>	<p>Key service areas/ baseline</p> <p>Collection and removal of litter and fly-tipping</p> <p>Reporting process and planned improvements</p> <p>Prosecutions</p> <p>Planned use of CCTV</p>

15 October 2019	Witness / evidence / consultation stage	<p><u>THEME: Best practice and innovation</u></p> <p>External best practice witnesses (TBC)</p> <p>Digital Transformation Manager</p>	<p>Other local authority innovation, procedures and practices</p> <p>Planned improvements in online reporting in Hillingdon for residents and Members</p>
Site visits to other local authorities			
04 November 2019	<p>Witness / evidence / consultation stage</p> <p>Findings, conclusions and recommendations</p>	<p><u>THEME: National campaigns, wildlife and the environment</u></p> <p>Government, National charity and campaign representatives,</p> <p>e.g. Keep Britain Tidy, National Fly-tipping prevention group, DEFRA</p> <p>Local volunteers, e.g. Uxbridge Green Gym Volunteers:</p> <p>Green Spaces</p> <p>Canal & River Trust</p> <p>Street Champions</p> <p>Chamber of Commerce</p>	<p>National picture, policies, campaigns and best practice</p> <p>Volunteer perspective</p> <p>Fly-tipping in parks and open spaces & wildlife</p> <p>Effect on local waterways</p>
21 January 2020	Agreement of findings, conclusions and recommendations of review		

25 February 2020	Agreement of Review Final Report		
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Resource requirements

These will emerge and become apparent as the review progresses.

Equalities impact

TBC.

Associated legislation and national policies

Department for the Environment and Rural Affairs (DEFRA) guidance to Councils
<https://www.gov.uk/guidance/fly-tipping-council-responsibilities>

June 2019 Parliamentary Research Briefing on Fly-tipping
<http://researchbriefings.files.parliament.uk/documents/SN05672/SN05672.pdf>

The Clean Neighbourhoods and Environment Act 2005:
<http://www.legislation.gov.uk/ukxi/2015/425/contents/made>

The Environmental Protection Act 1990:

Part IV (Sections 86 - 99) of the act pertains to littering.
<https://www.legislation.gov.uk/ukpga/1990/43/part/IV>

Section 88 (6A) regarding fixed penalty notices.
<https://www.legislation.gov.uk/ukpga/1990/43/section/88>

Section 33 of the act is enforceable by both the Environment Agency and the local authorities.
<http://www.legislation.gov.uk/ukpga/1990/43/section/33>

Anyone who produces waste has a duty of care under section 34 of the act.
<http://www.legislation.gov.uk/ukpga/1990/43/section/34>

The Waste (England and Wales) Regulations 2011:
<http://www.legislation.gov.uk/ukxi/2011/988/regulation/35/made>

The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016:
<http://www.legislation.gov.uk/ukxi/2016/334/note>

The Clean Neighbourhoods and Environment Act 2005:
<http://www.legislation.gov.uk/ukxi/2015/425/contents/made>

APPENDIX A - Illegal Dumping Incidents in London 2017/18

Area	Total Incidents	Total Action Taken	Warning Letters	Fixed Penalty Notices	Statutory Notices	Formal Cautions	Injunctions	Prosecutions
City of London	1,826	2,579	0	559	221	0	0	0
Barking and Dagenham	2,628	1,066	7	970	27	0	0	0
Barnet	6,153	503	7	496	0	0	0	0
Bexley Council	2,105	327	28	68	0	0	0	0
Brent	18,609	7,483	372	2,531	708	0	0	253
Bromley	3,067	258	17	34	3	0	0	3
Camden	12,170	12,671	0	832	337	0	0	0
Croydon	19,198	2,684	19	520	10	0	0	49
Ealing	13,610	5,471	150	5,021	100	0	0	0
Hackney	9,821	11,172	112	119	245	5	0	17
Hammersmith and Fulham	18,652	2,982	0	194	262	6	0	8
Haringey	23,549	3,171	0	1,235	469	8	0	27
Harrow	9,626	1,622	77	17	60	0	0	5
Havering	4,655	10,463	3,986	295	611	0	0	2
Hillingdon	7,181	4,393	0	4,393	0	0	0	0
Hounslow	17,063	4,334	2,074	765	4	0	0	0
Islington	2,588	7,231	964	5,393	254	0	0	5
Kensington and Chelsea	9,852	10,165	0	181	0	0	0	1
Kingston Upon Thames	1,349	3	0	3	0	0	0	0
Lambeth	3,433	959	0	181	0	0	0	0
Lewisham	3,562	1,330	32	365	249	0	0	0
Merton	8,878	6,299	191	5,641	18	0	0	0
Newham	15,206	3,615	0	1,290	119	0	0	0
Redbridge	:	5,670	889	523	607	435	0	16
Richmond Upon Thames	4,701	2,615	288	25	0	0	0	0

Southwark	15,741	2,255	113	309	439	0	0	6
Sutton	2,683	450	57	6	56	0	0	0
Tower Hamlets	7,465	13,316	821	1,179	161	0	0	0
Waltham Forest	7,678	17,036	236	9,566	1,005	202	0	45
Wandsworth	5,000	9,735	1,453	2,064	0	158	0	0
Westminster	13,890	7,111	1,882	5,098	131	0	0	0

APPENDIX B

Local Authority actions:

1. Don't Mess With Croydon - Croydon's 'naming and Shaming' policy: <https://www.croydon.gov.uk/environment/dontmess/dont-mess>
2. Approach in Walsall to address fly-tipping: <https://cmispublic.walsall.gov.uk/>
3. Link here to Ballot Bin initiative: <https://ballotbin.co.uk/#page>

National Groups and Campaigns

1. Keep Britain Tidy: <https://www.keepbritaintidy.org/local-authorities/reduce-litter/general-litter>
2. DEFRA's Keep It, Bin It anti-littering campaign, started in 2018: <https://www.gov.uk/government/collections/keep-it-bin-it-anti-littering-campaign>
3. Reducing litter caused by 'Food On The Go': https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/221084/pb10243-fastfoodcop.pdf
4. Government's 'Litter Strategy for England': https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/630999/litter-strategy-for-england-2017-v2.pdf
5. National Fly Tipping Prevention Group: <http://www.tacklingflytipping.com/home>
6. Fix My Street - A nationwide reporting service for incidents of fly tipping, graffiti, etc. Often used by councils to map incidents: https://www.fixmystreet.com/reports/Hillingdon?status=open&filter_category=Flytipping&zoom=12&lat=51.54257&lon=-0.44315

Local Groups

1. Litter Action: An archive of local groups dedicated to litter picking. (Most are individuals who occasionally organise litter picks.) <https://www.litteraction.org.uk/findgroup?location=uxbridge>
2. Uxbridge Green Gym Volunteers: A community volunteer group dedicated to conservation around Uxbridge (specifically the greenery around Hillingdon Leisure Centre). Focussed more on conservation, but they are known to work with the Council on community litter picks. <https://www.tcv.org.uk/london/green-gym-london/uxbridge-green-gym>
3. London Waste and Recycling Board: <https://www.lwarb.gov.uk/>