



# Northumberland

## County Council

COMMITTEE : COMMUNITIES AND PLACE OVERVIEW & SCRUTINY COMMITTEE

DATE: 27<sup>TH</sup> JUNE 2018

---

### A Review of Fly Tipping in Northumberland

**Report of** the Executive Director of Place, Paul Johnston

**Cabinet Member:** Councillor Glen Sanderson, Cabinet Member for Environment and Local Services

---

#### **Purpose of report**

To set out the recent trends in the level of fly tipping both nationally and within Northumberland, paying particular attention to any implications relating to the change in the opening days at 5 Household Waste Recovery Centres (HWRCs) introduced in October 2016 as part of the revenue budget savings for 2016/17.

#### **Recommendations**

It is recommended that the Communities & Place OSC note the contents of the report and continues to support the HWRC opening arrangements and the work the Council undertakes to raise awareness of its waste services, the legal obligations that all waste producers have to ensure their waste is legally disposed of and the Council's on-going enforcement activity to ensure those responsible for flytipping are held to account for their actions.

#### **Link to Corporate Plan**

The arrangements for the management of waste are relevant to the "We want you to have access to the things you need" priority within the Corporate Plan.

## **Key issues**

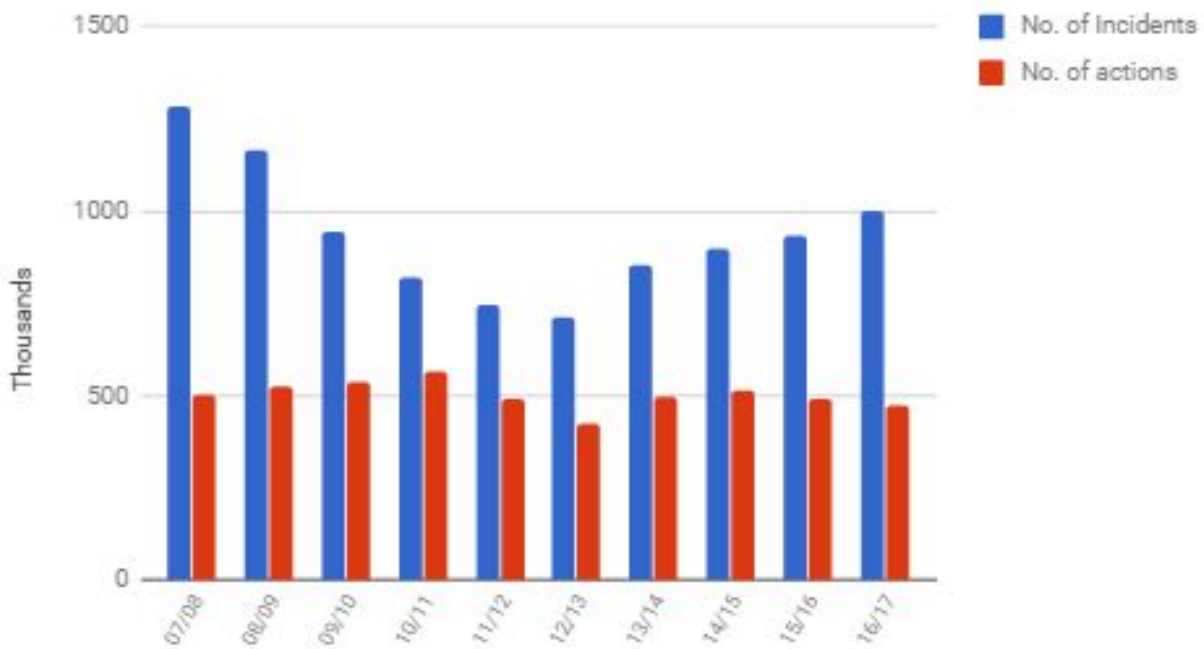
1. The number of fly tipping incidents reported in England has increased year on year since 2012/13. Northumberland broadly follows this trend except in 16/17 when the number of fly tipping incidents decreased.
2. Northumberland County Council changed the opening arrangements at the 5 least visited HWRCs from 7 to 4 days a week in October 2016. The new arrangements coincided with the reduction in the number of fly tipping incidents reported in Northumberland in 16/17. The new HWRC opening arrangements have not affected the quantity of waste delivered to HWRCs, suggesting that the majority of residents have continued to use the HWRCs rather than dispose of their waste illegally and irresponsibly.
3. The evidence available suggests that the concerns raised during the consultation that the change to the opening days would lead to widespread fly tipping has not been realised, and that the vast majority of residents are either able to visit during the extensive opening times on the 4 days when the sites are open, or are prepared to travel to their next nearest HWRC that remains open 7 days a week.
4. The Council continues to promote its waste services through mail shots to all residents included within Council Tax information, 'Love Northumberland' environmental awareness campaigns, press releases and a range of leaflets, banners and signs at waste facilities.
5. The Council has a good track record of effective environmental enforcement activity in relation to flytipping and littering, and works closely with Northumbria Police, Environment Agency and other regulatory bodies to share intelligence and co-ordinate enforcement activity.

## **Background**

### **National Trends – number of fly tipping incidents**

Official fly tipping statistics released by Department for Environment Food and Rural Affairs (Defra) reveal that the number of fly tipping incidents in England in 16/17 increased by 7% compared to 15/16. This continues the trend of increased fly tipping since 2012/13.

## National



Defra suggest that many local authorities have started to improve the way they capture and report fly-tips over the past few years, so the increase over time should be interpreted with some care. Defra is also aware that the definitions used to describe fly-tips are interpreted broadly from the guidance by local authorities and therefore there is likely to be some inconsistency of reporting practice between local authorities.

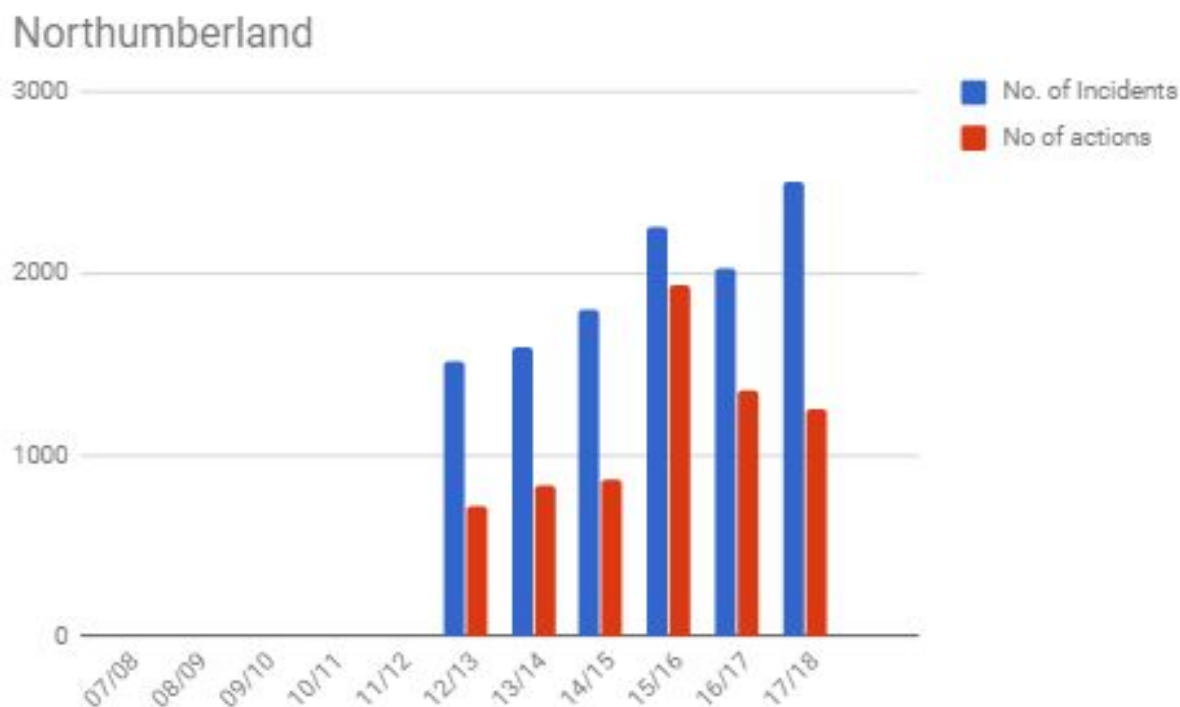
### National Trends – Enforcement

There was a 4% decrease in the number of enforcement actions carried out in England in 2016/17 (a decrease of 20,000 actions since 2015/16). 'Investigation' actions with the local authority seeking to build a case to take through the courts have consistently been the most common action taken against fly tipping incidents over time, accounting for 65% of total enforcement actions. Local authorities issued 56,000 fixed penalty notices in total during 2016/17 and these were the second most common enforcement action, accounting for 12% of total actions.

### Northumberland Trends – number of fly tipping incidents

The information available from Defra for Northumberland begins in 12/13 and follows the national trend of increasing numbers of incidents reported with the exception of 16/17 when there was a dip in Northumberland that was not replicated at a National level. The reason for this dip in Northumberland is unclear as with the exception of the change in HWRC opening times there were no significant changes to service provision, awareness

campaigns or level of enforcement activity.



#### Northumberland Trends – Enforcement

In 2017/18 the Public Health Protection Units' Environmental Enforcement Team conducted 1,254 flytipping actions. Serious and repeat locations are passed by the NEAT Teams to environmental enforcement to investigate, and environmental enforcement officers determine areas requiring attention and possible surveillance. Northumberland takes enforcement action more frequently than is the case at the national level. In 2016/17 at the national level an enforcement action was taken for every 2.1 incidents, whereas in Northumberland an action was taken for every 1.5 incident.

As a result of the investigations the following enforcement actions were carried out: 9 fly tipping prosecutions, 2 vehicles seized and crushed, 5 formal cautions, 9 fly tipping fixed penalty notice fines, 28 statutory notices and 213 warning letters.

The successful prosecutions included a man from Cramlington who committed six fly tipping offences county wide, all transit van size. He was sentenced to a 12 month community service order, a 15 day rehabilitation course, a 2 month curfew and a total financial penalty of £3061.89. Additionally his transit van was seized and crushed. The successful prosecutions are publicised through press releases to the local media and via the Council's web page and social media channels in order to highlight the enforcement activity and to act as a deterrent to perpetrators.

#### Changes to Northumberland HWRC Opening Days

The Council operates a network of 12 HWRC's with the sites that have the lowest waste throughputs and are least visited being located at Allendale, North Sunderland, Wooler, Haltwhistle and Kirkley West Thorn. These 5 sites previously operated 7 days a week, 363 days a year. It was considered that this standard of service could not be justified given the financial constraints being faced by the Council and the low volumes of waste being

received at these sites. In October 2016 the Council reduced the number of opening days from 7 to 4 days a week at the 5 least visited sites. The opening hours of the sites remained unchanged, so open from 8am to 7.30pm during the summer months and from 8am to 6pm in the winter.

Prior to making the decision the Council undertook a consultation exercise which involved writing to all Town and Parish Councils, attendance at Area Committees and the Local Services Overview and Scrutiny Committee meeting, and issuing press releases. The concern raised most frequently during the consultation process was the potential of the change to adversely affect the level of fly tipping.

It is not possible to quantify the number of fly tipping incidents that have occurred as a direct consequence of the change to the HWRC opening days. To do so would require evidence that a member of the public arrived at one of the 5 affected HWRCs when closed and proceeded to fly tip the contents of their vehicle. We do know that there is a backdrop of increasing numbers of fly tipping incidents being reported nationally, however, the change to the HWRC opening hours in Northumberland was implemented in 16/17, the year when the number of incidents reported actually fell in Northumberland. If there were a direct link one might reasonably expect the number of fly tipping incidents reported to increase in 16/17. Given the converse is true it would suggest that at the very least, the change to the opening days at 5 HWRCs did not significantly affect the level of fly tipping.

Further evidence is available from the waste flows through the HWRCs. It was expected that the reduced opening at the 5 HWRCs would condense the majority of visits made by residents from 7 into 4 days, with a minority of residents choosing to drive to their next nearest HWRC that is open 7 days a week. Through a combination of these two routes, the change to the opening days was not expected to impact on the overall tonnage delivered to the HWRCs. There was a marginal (+0.3%) increase in the tonnage received at the HWRCs in the 12 months following the change to the opening days compared to the 12 months prior to the change, which suggests that residents continued to deliver their waste to the HWRCs or used the bulky waste service rather than fly tip waste illegally.

The HWRCs are operated on behalf of the Council by its waste PFI contractor SUEZ. To help compile this report SUEZ were asked for their comments and views. SUEZ considered that the reduced opening days had increased the amount of fly tipping in close proximity to the affected HWRCs, but not by a 'massive amount'. The responsibility for cleansing any flytipped waste within the immediate proximity of the HWRCs rests with SUEZ as part of their contractual site management responsibilities. SUEZ commented that their staff receive occasional negative comments from residents who are infrequent visitors and were not aware of the opening days, whom have driven to their nearest alternative site as a consequence. This suggests that continued publicity of the opening days is required to ensure those residents who only use the facilities infrequently are aware of the new opening periods. Highly visible signs are erected on the outside of the gates to inform residents of the change to the opening arrangements and to direct residents to their nearest facility open 7 days a week. The 'Right bin...right thing' leaflet is distributed to every household annually with the Council tax letter and continues to promote the HWRC opening days.

It is not possible to quantify the number of fly tipping incidents that have occurred as a direct consequence of the change to the HWRC opening days. The evidence available suggests that the concerns raised during the consultation that the change to the opening

days at the 5 HWRCs would lead to widespread fly tipping has not been realised, and that the vast majority of residents are either able to visit during the long opening times on the 4 days when the sites are open, or are prepared to travel to their next nearest HWRC that is open 7 days a week.

### **Implications**

<b>Policy</b>	The change to HWRC opening hours was agreed in 2016 by the Executive Director in Consultation with Portfolio Holder
<b>Finance and value for money</b>	The new opening arrangements have reduced the Council's costs of providing the HWRC service by £150,000 per annum.
<b>Legal</b>	The Council has the power to take enforcement action against persons responsible for fly tipping including serving fixed penalty notices and seeking prosecution through the Courts.
<b>Procurement</b>	n/a
<b>Human Resources</b>	n/a
<b>Property</b>	n/a
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Residents who cannot access the HWRCs during the reduced opening days may choose to use the Council's bulky collection service or may alternatively travel to the 7 HWRCs that remain open 7 days a week.
<b>Risk Assessment</b>	n/a
<b>Crime &amp; Disorder</b>	The potential for increased fly tipping appears not to have materialised as a consequence of the change to the HWRC opening hours.
<b>Customer Consideration</b>	Residents in the areas affected by the reduced opening times of the HWRCs will still have reasonable access to comprehensive and conveniently located waste facilities, but will need to take into consideration the reduced opening days when undertaking activities that generate excess waste which they plan to dispose of at the HWRC. It should be noted that the Council is still providing an extensive network of 12 HWRCs across the County which are open long hours and remain accessible to the vast majority of residents.
<b>Carbon reduction</b>	The overall tonnage of materials through the HWRCs has not changed - there is no impact on the Carbon footprint of the waste service.

<b>Wards</b>	All Town and Parish Councils were consulted when the change was proposed in 2016.
--------------	---

**Background papers:**

Change to the opening days at 5 Household Waste Recovery Centres, Record of Decision taken by Executive Director in Consultation with Portfolio Holder, 2016.

**Report sign off.**

***Authors must ensure that officers and members have agreed the content of the report:***

	initials
Monitoring Officer/Legal	n/a
Executive Director of Finance & S151 Officer	n/a
Relevant Executive Director	PAJ
Service Director	PJ
Chief Executive	n/a
Portfolio Holder(s)	GS

**Author and Contact Details**

Peter Jeffreys, peter.jeffreys@northumberland.gov.uk, 01670 624428