



THE LONDON BOROUGH
www.bromley.gov.uk

BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Steve Wood
stephen.wood@bromley.gov.uk

DIRECT LINE: 020 8313 4316

FAX: 020 8290 0608

DATE: 01 March 2016

PUBLIC PROTECTION AND SAFETY POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Meeting to be held on Wednesday 2 March 2016

The Chairman to move that the attached reports, not included in the published agenda, be considered as a matter of urgency on the following grounds:

The Chairman to move that the report be considered as a matter of urgency in order for the committee to comment before the report is considered at the Environment PDS Committee on 15th March 2016.

Copies of the documents referred to above can be obtained from
<http://cde.bromley.gov.uk/>

This page is left intentionally blank

Report No.
ES16017

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT PORTFOLIO HOLDER

**FOR PRE-DECISION SCUTINY BY THE ENVIRONMENT
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

**FOR INFORMATION TO THE PUBLIC PROTECTION & SAFETY
POLICY DEVELOPMENT COMMITTEE 2ND March 2016**

Date: 15th March 2015

Decision Type: Non-Urgent Executive Non Key

Title: ENVIROCRIME / FLY-TIPPING ACTION INITIATIVE

Contact Officer: Dan Jones, Assistant Director Street Scene & Greenspace and Public Protection
Tel: 020 8464 3333 E-mail: dan.jones@bromley.gov.uk

Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: Borough-wide

1. Reason for report

- 1.1 This report outlines the general approach and work to be carried out using the one-off funding of £250k for fly-tipping and enviro-crime initiatives.
-

2. **RECOMMENDATION(S)**

That the Environment Portfolio Holder:

- 2.1 Approves the general aims set out in this report to take further action in combatting enviro-crime
- 2.2 Delegates authority to the Executive Director for Environmental & Community Services to draw down the ear-marked reserve as required to take the action outlined in this report in discussion with the Portfolio Holder.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Quality Environment Safer Bromley Vibrant, Thriving Town Centres
-

Financial

1. Cost of proposal: £250k
 2. Ongoing costs: Non-Recurring Cost:
 3. Budget head/performance centre: Earmarked Reserve for Member Initiatives
 4. Total current budget for this head: 750k
 5. Source of funding: Earmarked Reserve for Member Initiatives
-

Staff

1. Number of staff (current and additional): 2fte
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: None:
 2. Call-in: Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1. Council on 22 February 2016 approved that £250k be set aside as a one-off initiative to attack the scourge of environmental crime, especially fly tipping.
- 3.2. Despite action taken by the Council over a period of years to tackle enviro-crime and fly-tipping, this anti-social behaviour continues to blight the streetscene and the Council has, therefore, voted additional funds to take action to tackle this criminal activity.
- 3.3. Although graffiti, fly-posting, littering and dog fouling can all be serious local nuisances, fly-tipping is a particularly serious issue – especially given the cost of clearing up and disposing of the waste.
- 3.4. In Bromley, the number of fly-tipping incidents has been on the increase in recent years:

Year	Number of Incidents
2011/12	2,180
2012/13	2,495
2013/14	2,681
2014/15	3,377
2015/16 (up to Q3)	2,545

- 3.5. Members should be aware that the ‘number of incidents’ does not take into account the impact and costs of fly-tipping as clearly larger tips will impose greater disruption and costs than a small fly-tips. By number of incidents alone, ‘Household waste’ accounts for 60% of fly-tip incidents in Bromley, rising to 76% when Garden Waste is included. Larger fly-tips often consist of waste difficult or expensive to get rid of, such as tyres, mattresses, household appliances and construction/DIY rubbish.
- 3.6. A Fly-tipping Officer Working Group was established in November 2015 to co-ordinate the Council’s response to the increasing amount of fly-tipping in the borough, creating an action plan (Appendix Item 1).
- 3.7. The plan going forward will be to use funds to build on the work of existing projects and initiatives currently overseen by the Fly-tipping Officer Working Group (detailed in Appendix items 1 & 2).

Proposed Actions/works

- 3.8. It is proposed to take a three pronged approach as set out below: -
- Installation of street furniture such as height barriers and width restrictors at known hotspots
 - Enforcement activities such as joint Police operations and greater use of CCTV and other technologies, and
 - A communications campaign
- 3.9. The success of the actions to tackle fly-tipping will be measured through: monitoring key data such as borough-wide number of fly-tipping incidents and number enforcement actions taken, reduced fly-tipping at hotspots that have had street furniture installed, reduced Council spend on fly-tipping clean-up costs, and the number of ‘success stories’ e.g. prosecutions or vehicle seizures from enforcement operations, which sets a strong precedent.

4. POLICY IMPLICATIONS

- 4.1 The Environment Portfolio Plan 2015-18 identifies that the quality of the street scene – especially its cleanliness – continues to be a priority for the Council and residents alike.
- 4.2 Aim 1.1 identifies keeping the borough’s streets and parks clean and green, minimising litter, dog fouling and fly-tipping through a programme of contracted works, education and enforcement activities (e.g. Fixed Penalty Notices) as a key objective
- 4.3 ‘Building a Better Bromley’ states that for a:
- ‘Safe Bromley’ we will: strive to continue to reduce levels of crime and antisocial behaviour, encouraging community engagement to assist in making the borough a safer place
 - ‘Quality Environment’ we will: provide a clean, green and tidy environment.

5. FINANCIAL IMPLICATIONS

- 5.1 On 22 February 2016 Full Council approved the setting aside of £750k as one-off funding for Member Initiatives.
- 5.2 This report seeks approval to release £250k of these funds to the Executive Director E&CS (through delegated authority), for use on a number of fly-tipping and enviro-crime initiatives as outlined in 3.8 above.
- 5.3 Ongoing maintenance costs, if any, will be contained within existing budgets.
- 5.4 Details of actual spend will be reported to Members in future budget monitoring reports.

6. LEGAL IMPLICATIONS

- 6.1 Fly-tipping is defined as the illegal deposit of waste on land, contrary to Section 33(1)(a) of the Environmental Protection Act 1990.
- 6.2 It is a criminal activity which carries a fine of up to £50,000 and/or 12 months imprisonment upon conviction at the Magistrates court; if indicted to the Crown Court the fine is unlimited and/or a sentence of up to 5 years imprisonment can be imposed.
- 6.3 The Council has enforcement powers (e.g. in respect of vehicle seizure) but will be seeking to work in partnership with both the Environment Agency and Metropolitan Police – both of which have enforcement powers in this respect.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	Environment Portfolio Plan 2015-18

ES16017 Appendix Item 1: Fly-tipping Action Plan

Street Furniture Installation / Prevention Works (also see Appendix Item 2)

Objective

- Installation of street furniture etc in hotspot areas to prevent fly-tipping from known vehicle types in certain areas – e.g. overhead barriers, width restrictors, target hardening etc.

Progress to date

- Multiple; see Appendix Item 2 some works installed, some in the process of receiving quotes and others on hold

Plan of Action

- See various updates in Appendix Item 2

Start dates

- Multiple; Ongoing

Enforcement Operations

Stop and Search Vehicle Seizure operation

Objective

- To stop and investigate suspect waste carrying vehicles in partnership with the Police to verify if they have the correct waste carrier licenses / paperwork. LBB can seize a vehicle if suspected of being involved in fly-tipping; see [regulations](#) e.g. ([The Control of Waste \(Dealing with Seized Property\) \(England and Wales\) Regulations 2015](#)). If the perpetrator cannot provide appropriate evidence e.g. waste carriers license, the seized vehicle can be destroyed.
- GIS data analysis is currently being undertaken for 2015 fly-tips to map hot-spot areas which will help determine where enforcement projects will be focused going forwards

Progress to date

- Agreement from LBB Transport Operations Manager to store any seized vehicle at Central Depot
- Police have been asked to commit officers and will let the Council know their availability
- LBB Legal Services contacted in process of agreeing prosecution criteria
- Intelligence being gathered
- Plan of action in place regarding next steps; LBB Head of Street Enforcement in contact with Metropolitan Police (22.02.16) to initiate operation

Start dates

- *March 2016 onwards*

Communications Plan

Objective

- Communications campaign to align with fly-tipping projects

Progress to date

- Current bromley.gov.uk fly-tipping reporting /webpages:
 - [Online forms: Enviro-crime report form](#)

- [Dumped rubbish – fly-tipping reporting](#)
- [Dumped rubbish \(fly-tipping\) – link to FMS](#)
- LBB Communications Officer has drafted 'We are watching you' style poster designs to be included in upcoming editions of 'Safer Bromley'
- Articles on fly-tipping in 'Safer Bromley' and 'Environment Matters' newsletters, including any progress from Council/Police initiatives – mid-March 2016
- Communications team to look into promoting an anonymous reporting hotline for fly-tipping which can be promoted through various channels e.g. Environment Matters, social media, website etc
- LBB Environmental Campaigns Officer to engage with 'friends groups' on the issue and listen to their feedback
- Neighbourhood Officer postcard: Neighbourhood Officers to distribute postcards to houses undergoing works (e.g. having front-gardens renovated, tree-works etc.) to ensure householders have asked contractors to evidence they have waste carriers licences and appropriate insurance
- LB Bromley Twitter page and website to continue to raise awareness / publish details of prosecutions currently – see examples below



Tradesman prosecuted following fly-tip investigation

Published on Friday, 12 February 2016

Traders and residents are being warned to make checks before they allow someone else to dispose of their waste. The warning follows a trader being prosecuted after a fly-tip incident was discovered on Skeet Hill last year.

Start dates

- *Ongoing*

Other

- Continued surveillance of key fly-tipping suspects through the Council contractor
- The Fly-tipping Officer Working Group is also in the process of identifying other Local Authority best practice and assessing feasibility for projects in Bromley

Title	Description	Dates and deadlines
3-month Plan		
Stop & Search / vehicle seizure operations	Police Stop and Search in hotspot areas – day or half-day operations in partnership with the police	March onwards
Environment Matters / Safer Bromley Article	'Environment Matters' & 'Safer Bromley' leaflets containing articles about fly-tipping and any Council operational progress (all residents mid-March). 'We are Watching you' type posters to be referenced	Mid-March
GIS evidence base	Being processed currently	Start of March 2016
Neighbourhood Officer postcards	To develop, print and supply to Neighbourhood Officers	March 2016
Anonymous reporting hotline number	Communications Team to action and upload to <i>bromley.gov.uk</i>	March 2016
Prevention works to be installed	Crystal Palace Park height barrier	w/c March 7 th 2016
Surveillance Case work	Ongoing	Ongoing
6-month Plan		
'Overt' Surveillance	Roll-out 'Overt' Surveillance using CCTV cameras at known tipping sites e.g. recycling banks.	To be determined
Implementing other LA Best Practice	To be determined; dependent on funding. Research currently being compiled	Ongoing
Surveillance Case work	Ongoing	Ongoing
Other activity	Other enforcement / communication / installation to be determined dependent on funding	To be determined
9-month Plan		
Other activity	Other enforcement / communication / installation to be determined dependent on funding	To be determined
12-month plan		
Other activity	Other enforcement / communication / installation to be determined dependent on funding	To be determined

This page is left intentionally blank

ES16017 Appendix Item 2: Fly-tipping & Parks Security Initiatives Summary

2015/16 Fly-tipping / Parks Security Schemes & Works: <u>Completed</u>			
Ref:	Scheme / Works	Completion Date	Description
01	Waldens Farm Removal of Fly-tipping & Security Gate Repair, Padlock Fitting and Waste Clearance	Completed	Clearance of fly-tipped waste from the Council owned roads and tracks at Waldens Farm. Security gate repaired and re-secured
02	Motorbike Restrictions	Completed	Installation of barriers to deter motorcycles using the alleyways which run between St Edmund's Church Kimmeridge Road through to Tenterden Close
03	Groves Estate, Penge	Completed	Dog fouling signage x10

2015/16 Fly-tipping / Parks Security Schemes & Works: <u>Proposals</u>			
Ref:	Scheme / Works	Target Completion Date	Description
04	Second CCTV camera Star Lane	31.03.16	Proposal to install a second CCTV camera so the road is covered in both directions
05	Crystal Palace Park Height Barrier	31.03.16	Proposed Height Barrier to be installed at entrance to Crystal Palace Park (quotes received)
06	Mottingham King George V Fields Security Improvements	31.03.16	Proposed various improvements (quotes received)
07	Star Lane junction Wagtail Way	31.03.16	Crib walling, creation of car parking, landscaping

2016/17 Fly-tipping / Parks Security Schemes & Works: Possible action

Ref:	Scheme / Works	Target Completion Date	Description
8	Jeffries Estate Bin Stores - Affinity Sutton	On Hold	Project on hold
9	Riverside Gardens Bollard Project	On Hold	Proposed Bollard project at Riverside gardens (quotes received)
10	Fly-Tipping GPS Tracker Project:	On Hold	Proposed operation to use GPS to track where suspect waste operators dispose their waste This project is currently on hold following advice from the Office of Surveillance Commissioners
11	Star Lane Width Restrictors	On Hold	Proposed Star Lane Width Restrictions to stop potential offending vehicles tipping waste at Star Lane. Officers in process of identifying possible sites for installation of width restrictions and next steps e.g. consultation