

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
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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.
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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
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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
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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:
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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