

# London Borough of Bromley

## PART ONE - PUBLIC

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**Decision Maker:** PUBLIC PROTECTION AND ENFORCEMENT POLICY  
DEVELOPMENT & SCRUTINY COMMITTEE

ENVIRONMENT AND COMMUNITY POLICY DEVELOPMENT &  
SCRUTINY COMMITTEE

**Date:** Thursday 27 September 2018

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** FLY TIPPING ACTION INITIATIVE

**Contact Officer:** John Bosley, Assistant Director: Environment, Neighbourhood Management.  
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**Chief Officer:** Executive Director of Environment & Community Services

**Ward:** All Wards

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### 1. Reason for report

- 1.1 This report outlines the Fly-tipping Action Plan (FTAP) that underpins the approach to enforcement and the work undertaken out using both the one-off Members Initiative funding of £250k and the service's revenue budget.
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### 2. RECOMMENDATION(S)

Members are asked to:

- 2.1 Provide comment on the contents of the provided action plan.
- 2.2 Agree to receive a 6 monthly update report on the progress of the action plan.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: The enforcement outcomes of this service area, supported by the FTAP have a direct or indirect impact on all residents, including vulnerable adults and children with adjustments made, as required, to ensure services are as accessible as possible and all users are safe.
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## Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Quality Environment Safe Bromley Vibrant, Thriving Town Centres:
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## Financial

1. Cost of proposal: Estimated Cost: Up to £187k
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Members Initiative funding for Fly-Tipping and adhoc budgets within Street Scene and Green Space
  4. Total current budget for this head: £187k (unallocated balance) and £22.8m
  5. Source of funding: Earmarked Reserve for Fly-Tipping & existing controllable revenue budget 2018/19
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## Personnel

1. Number of staff (current and additional): 27 FTEs
  2. If from existing staff resources, number of staff hours: Not Applicable
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## Legal

1. Legal Requirement: Statutory Requirement:
  2. Call-in: Not Applicable:
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## Procurement

1. Summary of Procurement Implications: Procurement for items of service or goods as identified within the action plan are procured in compliance with Financial Regulations and as required by the Contract Procedure Rules.
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The outcomes of the action plan affect all residents and service users.
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable

## 2. Summary of Ward Councillors comments: Not Applicable

### 3. COMMENTARY

3.1 It was agreed at Council on 22 February 2016 to approve £250k to be set aside as a one-off initiative to combat environmental crime, with special reference and focus to fly tipping. The subsequent report ([ES16017](#)) to the Environment & Community Services Portfolio Holder provided delegated authority for the Executive Director for Environment & Community Services to draw down funding from the earmarked reserve as required to support the delivery of identified actions in discussion with the Portfolio Holder.

3.2 It was proposed to take a three pronged approach to tackle fly-tipping across the borough, supported by an operationally focused Fly-tipping Working Group. The three areas of focus are:-

- Target Hardening: Installation of structures and / or street furniture such as height barriers and width restrictors at known hotspots.
- Proactive Enforcement: Enforcement activities such as joint Police operations and greater use of CCTV, while investigating the potential use of other technologies.
- Environmental Enforcement Communications: A new campaign to raise the profile of this environmental scourge with the outcome of reducing the number of incidents and providing further information for residents and businesses to make better decisions when handling waste.

3.3 The success of the above actions is measured against the number of incidents that have been reported. As outlined on the 3<sup>rd</sup> July 2018 in the report Enforcement Activity Update ([ES18046](#)) for the 2017/18 year, the total incidents reported for fly-tipping had reduced by 5.5%. However, the total number of enforcement actions also declined.

3.4 To date, the Fly-tipping Action Plan (FTAP) has delivered a targeted communication campaign with appearances in local periodicals and a range of semi-permanent signs and information leaflets that have a consistent 'branding' to raise awareness of this issue.

3.5 Example of the 'branding' used:-



**YOU can help prevent fly-tipping**

**YOUR waste is YOUR responsibility.** Please don't give it to someone who can't prove they are a legitimate waste carrier – they are likely to dump your rubbish to avoid paying waste disposal costs.

Keep this postcard and challenge uninvited calls from people offering to dispose of your household waste for a seemingly 'good price'.

Only use registered waste carriers – you could be prosecuted and fined up to £5000 if you don't. Find and check registered waste carriers online at [www.bromley.gov.uk/wastecarriers](http://www.bromley.gov.uk/wastecarriers) or call the Environment Agency hotline **03708 506 506**.

**Follow the SCRAP code**

**Suspect:** Be suspicious of cold callers / rogue traders  
**Check:** Ask for their waste carrier registration details  
**Refuse:** Always refuse cold callers offering to take your rubbish  
**Ask questions:** Ask what is going to happen to your waste  
**Paperwork:** Ask for a waste transfer note

**Bromley**  
THE LONDON BOROUGH

[www.bromley.gov.uk/envirocrime](http://www.bromley.gov.uk/envirocrime)

3.6 The FTAP has also delivered multi-agency 'stop & search' operations that have raised awareness across targeted groups of the intention of the Council in the enforcement of waste regulatory requirements. As well as training to LBB Officers to widen the capability and capacity of Officers to tackle enforcement issues and reports.

- 3.7 The enforcement group have also investigated the use of new technology focused on the improved use of potential CCTV devices to both provide potential evidence to support prosecutions as well as acting as a deterrent at potential fly-tipping hotspots. Officers have committed to the purchase of ten (10) mobile covert ‘trail’ cameras that can be discreetly situated at know fly-tipping hotspots. This is also in conjunction with the potential option of using overt CCTV units at more public sites such as the n-street recycling banks.
- 3.8 Target hardening and the deterring of potential fly-tipping incidents through illegal encampments has been an area of primary focus. The success of the interim High Court Injunction ([Link to website](#)) in providing a borough-wide deterrent to illegal encampments at parks, open spaces and Council car parks has been a recent success. Further areas where target hardening has been designed and a plan for implementation has been undertaken is within the detail of the FTAP.
- 3.9 While considering that there has been a postive direction of travel since the Fly-tipping Officer Working Group was established in November 2015, Officers have recently relaunched this stream of work with a revised terms of refrence to enable the delivery of the following outcomes:-
- Less fly-tipping incidents in the borough / key hotspots
  - Less graffiti, litter and abandoned vehicles
  - Less breaches of highways licences
  - Increased enforcement activity (prosecution / fines)
  - Improved communication through a targeted Communications Plan
  - Increased resident satisfaction
- 3.10 The revised working group will be focusing on the following areas to deliver on the above outcomes:-

Primary Tranche	Secondary Areas of Focus		
Enforcement Strategy	Legislative review	Enforcement Sanctions	Policy & Procedures
Education & Campaigns	Campaign Publicity	Service User Information	Internal Partner support
Operational Service	Incident reporting & response	Evidence gathering	Equipment / tools utilised
Reporting & Analytics	Portfolio KPIs	Service KPIs	Mapping of data
Prevention	Target Hardening	Stop & Searches	Waste regulation compliance

- 3.11 The FTAP is attached as an Appendix 1. to this report and details the actions being delivered, planned and proposed and is utilised by the Fly-Tipping Enforcement Group to deliver the objectives of this service area.

#### 4. POLICY IMPLICATIONS

- 4.1 The Enforcement activity associated with this work stream is undertaken in accordance with the Enforcement Policy adopted by the Council 2 February 2012. The enforcement policy

provides guidance to Councillors, Officers, businesses and individuals on the range of options that are available to achieve compliance with legislation enforced.

- 4.2 The enforcement team deliverables within Neighbourhood Management are undertaken in accordance with the policies set out in the Environment and Community Services Portfolio Plan 2018/21 and the associated plans and strategies as detailed in the ECS 'Policy Register: Strategies and Service Plans 2018-19' covered in the report [\(ES18035\)](#) .

## 5. FINANCIAL IMPLICATIONS

- 5.1 The latest position of the Members Initiative Funding for Fly-tipping is detailed below: -

Original Allocation	2018/19 spend to date (30.08.18)	Commitments	Uncommitted balance 18/19
£	£	£	£
250,000	49,493	13,709	186,798

- 5.2 The FTAP will be delivered using the remaining unallocated balance from the Earmarked Reserve as well as funding from within the Street Scene and Green Space budgets of £22.8m.

## 6. PERSONNEL IMPLICATIONS

- 6.1 Not applicable.

## 7. LEGAL IMPLICATIONS

- 7.1 The Council carries out enforcement activity under statutory powers, utilising various legislative instruments. There are no direct legal implications arising from this report.

## 8. PROCUREMENT IMPLICATIONS

- 8.1 Not applicable.

<b>Non-Applicable Sections:</b>	Personnel and Procurement
Background Documents: (Access via Contact Officer)	Listed within the body of the report as links.