

# Agenda Item

Report No.  
ES20156

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** PUBLIC PROTECTION & ENFORCEMENT PDS COMMITTEE  
ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

**Date:** Tuesday 1<sup>st</sup> February 2022 & Monday 21<sup>st</sup> March 2022

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

**Title:** FLY-TIPPING ACTION PLAN UPDATE

**Contact Officers:** Dean Laws, Street Enforcement Manager - Environment  
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Peter McCready, Assistant Director - Environment  
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**Chief Officer:** Colin Brand, Director of Environment and Public Protection

**Ward:** All Wards

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1. Reason for report

- 1.1 This report outlines the actions that have been identified for delivery during 2021/22 to support the outcomes of the Council's Fly-Tipping and Enforcement Working Group.
- 1.2 This report is being presented to both the PPE PDS Committee Meeting (to review the enforcement activities) and the ECS PDS Committee (to specifically review the educational, prevention and operational activities), though both Committees can comment on the action plan in its entirety.

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2. **RECOMMENDATION**

- 2.1 **That Members note and comment on the content of the Fly-Tipping Action Plan, suggesting future activities for consideration by the Fly-Tipping and Enforcement Working Group where applicable.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The reduction of fly-tipping and other associated Enviro-Crime will lead to a positive impact for all service users and has no specific impact on vulnerable adults and children.
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### Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Excellent Council Quality Environment Safe Bromley
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### Financial

1. Cost of proposal: £250k
  2. Ongoing costs: Non-Recurring Cost
  3. Budget head/performance centre: Earmarked Reserve for Members' Initiatives – Fly-tipping and Enviro-crime
  4. Total current budget for this head: Total current uncommitted balance of £145k
  5. Source of funding: Earmarked Reserves
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### Personnel

1. Number of staff (current and additional): 1
  2. If from existing staff resources, number of staff hours: 36
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### Legal

1. Legal Requirement: Statutory Requirement: Further Details
  2. Call-in: Not Applicable:
- 

### Procurement

1. Summary of Procurement Implications: Procurement of prevention measures and environmental campaign activity will be in line with Contract Procedure Rules and Financial Regulations. Where highway related works cannot be procured through the existing Highways Maintenance contract, these projects will be procured through a mini-competitive tender exercise.
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### Customer Impact

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

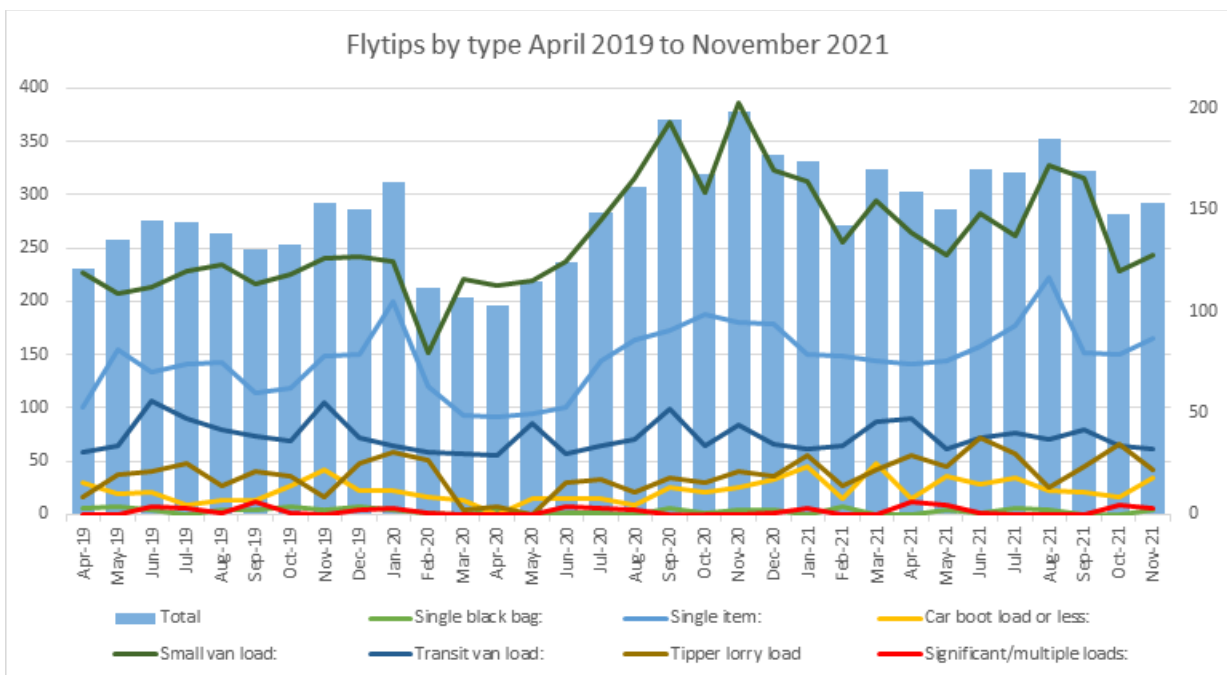
### Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 As part of the Council's Environment and Public Protection Portfolio Plan 2021/22, there is a commitment to keeping the borough's streets clean and green and to reduce litter, dog fouling and fly-tipping through programmed contracted works, education and enforcement activity. Targets have been set to reduce the number of fly-tipping incidents in the borough to less than 3000 per annum and to take enforcement action against 10% of fly-tips.
- 3.2 Fly tipped waste primarily refers to larger scale items deliberately deposited on the public highway or land. Bromley have a duty to remove fly tipped waste from public highway (council owned land) with an aim for all reports to be cleared within five working days, dependent on scale, location and waste type. Bromley will not remove fly tipped waste from private land (further consideration is taken if the deposit is such that the presence could pose a risk to public health)
- 3.3 During the first three quarters of 2021/22, Veolia have attended and removed 2,157 fly-tipping incidents, amounting to an estimated 759.96 tonnes of waste, which compares to 2,357 during the same period in 2020/21. Of those incidents during 21/22, 226 (10.48%) have been subject to enforcement activity (investigations as reported to Defra, including fines and prosecutions).
- 3.4 The 226 Enforcement referrals resulted in the issuing of 23 formal notices, 44 warning letters, 9 fixed penalty notices and 1 prosecution. The difficulties faced with progressing cases through to prosecution include witnesses unwillingness to attend court, restriction upon suspects attending interview due to covid restrictions and the quality of evidence retrieved. A review will be conducted on how the Council can utilize Veolia to increase evidence retrieval, better use of surveillance and introduction of new powers to assist with gathering evidence/answers via notice, this will return increased enforcement outcomes moving forward.
- 3.5 Figure 1 indicates the fly-tips by type and volume of material from 2019 onwards, showing that the largest numbers are from single black sacks, followed by single items.

**Figure 1: Fly-tips by type 2019-2021**



- 3.6 A Fly-Tipping and Enforcement Working Group has been established and is comprised of senior officers within the Council who meet monthly to discuss ongoing concerns and trends relating to waste crime. The aim of the group is to brainstorm ideas to help foster a holistic approach to combatting fly-tipping within the Borough. The Fly-Tipping Action Plan was introduced as an output of the Group and is included as Appendix A for members to review and comment on its current content.
- 3.7 Activities undertaken as part of the 2021/22 Plan include targeted awareness campaigns (such as letters to residents in the immediate vicinity of a fly-tipping hotspot), existing physical prevention measures such as barriers and road closures and a benchmarking exercise to establish best practice that can be applied within the borough.
- 3.8 A new project under the “Your Waste Is Your Responsibility” umbrella campaign was run by Veolia and commenced in June 2021. The project focused on a fly tipping hotspot in Penge and ran until September 2021. During these months Veolia undertook customer satisfaction surveys, provided engagement and advice, programmed monitoring counting the number of fly tips within the geographical area, followed by interventions that had been created to prompt “Behavior change”. A further period of monitoring was undertaken after the interventions which showed a 61% reduction in fly tipped waste in comparison to the original monitoring period. A report detailing the work undertaken & results achieved during the “Your Waste Is Your Responsibility” campaign is included at Appendix B.
- 3.9 A second “Your Waste Is Your Responsibility” project is currently being held in Mottingham and is due to complete at end of quarter four 2021/22.
- 3.10 Members of the public can assist officers to manage fly-tips by reporting issues via Fix-My-Street (FMS), an on-line reporting facility which now handles almost 70% of residents’ reports regarding the street scene. FMS provides the public with an opportunity to upload photographic evidence of fly-tips and to see an update on the system when the rubbish has been removed. During the first three quarters of 2021/22, 3,520 reports on FMS have been related to fly-tipping (3,219 excluding reports within parks). This number of reports is higher than the actual number of incidents as it includes duplicate reports on the FMS system where different members of the public may have reported the same issue.
- 3.11 The work undertaken by Neighbourhood Management is supplemented further by the Public Protection Team who investigate concerns of fly tipped waste on private land. Landowners are often the victims of this criminal act, the team deal with these concerns in a holistic manner providing advice on how to deal with the issue in lieu of enforcement action.
- 3.12 Public Protection run Community Impact Days monthly. One of the main concerns raised by members of public is fly tipped waste within the project areas. This is dealt with during the operation via the removal of waste from public and private land. On the day of action waste on public land is cleared by Veolia with colleagues at Clarion responsible for removing waste from their own managed area. Figure 2 details tonnages of waste removed as part of the Community Impact Days facilitated by Public Protection.

**Figure 2 : Community Impact Days - Waste Removal**

Date	Location	Veolia	Clarion (private)
28/04/2021	Penge	1,980KG	220KG
25/05/2021	Cray Valley East	1,340KG	940KG
23/06/2021	Mottingham	2,880KG	380KG
28/07/2021	Cray Valley West	3,080KG	1,420KG
25/08/2021	Penge	1,320KG	540KG
22/09/2021	Cray Valley East	1,720KG	200KG
27/10/2021	Mottingham	860KG	340KG
24/11/2021	Cray Valley West	2,300KG	900KG
15/12/2021	Penge	2,240KG	1,300KG

- 3.13 The annual cost of fly-tip removal is a fixed price sum which is included as part of the Street Environment Contract (Lot3 of the Environmental Services Contracts, which commenced in April 2019). The set fee is regardless of quantities and, based on fly tips cleared to date, is in line with Defra benchmarked costs for other local authorities.
- 3.14 The disposal of fly-tipped waste is undertaken through the Waste Disposal Contract (Lot 1) via the Council's waste transfer station at Waldo Road. Disposal costs have been benchmarked and are also in line with Defra figures
- 3.15 Activities set out within the Fly- Tipping Action plan (unless otherwise stated) are funded through the Members Fly-Tipping Initiative Fund. The allocated fund totaled £250k and at the time of writing this report, £19,720.57 has been spent, with a further £85,000 committed.
- 3.16 In November 2021 a target hardening scheme was completed at Mottingham Recreational Ground at a cost of £85,000 (detailed as committed expenditure above). The scheme originated at the Fly Tipping Action Working Group and resulted in the installation of a permanent post and rail fencing within the grounds of the Rec to prevent vehicles illegally accessing the grounds. Previous vehicular access had resulted in waste being deposited at site.
- 3.17 There is a remainder of £145,279.43 within the Fund. Future expenditure will be reviewed and prioritised by the Working Group in consultation with the Environment Portfolio Holder and Members with full consideration given according to the impact they are likely to have on preventing and reducing fly-tipping in the borough.

#### **4 IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 4.1 The removal and reduction of fly-tipping waste and other associated enviro-crime will lead to a positive impact for all service users and has no specific impact on vulnerable adults and children.

## 5 POLICY IMPLICATIONS

- 5.1 The New Corporate Strategy “Making Bromley Even Better” 2021-2031 provides three objectives for the service to meet under Aim 4 “For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future”.
- Progress our broader community safety and public protection goals, including tackling nuisance behaviour such as noise, fly-tipping and graffiti
  - Sustain a clean, green and tidy environment and continuing to improve the street scene across the borough and town centres for our residents and visitors
  - Protect and improve the environment through effective and responsible enforcement addressing issues, including environmental protection, pollution, planning and parking enforcement

## 6 FINANCIAL IMPLICATIONS

- 6.1 In February 2016, the Council set aside £750k as one-off funding for Member Initiatives, of which £250k was allocated to fly-tipping and enviro-crime initiatives as set out in the report to the Environment PDS Committee on 15<sup>th</sup> March 2016 (ref ES16017).
- 6.2 Actual spending to date funded from the reserve totals £19,721, with a further £85,000 recently committed. Therefore, there is a remaining balance of £145,279 available for further initiatives. Any ongoing maintenance costs as a result of these initiatives, if any, will need to be contained within existing budgets, to date the schemes conducted have not resulted in any ongoing costs.

## 7 PROPOSED ACTIONS / WORKS

- 7.1 During quarter one 2022/23 the Neighbourhood Enforcement Team will launch a new Action Plan containing up to date targets and objectives each designed to achieve an increase in enforcement outcomes and reduce fly-tipping. This plan will be reviewed on a monthly basis at the Working Group meetings and shall be refreshed annually so as to ensure that activities are conducted in-line with updated legislation and trends of fly tipped waste.
- 7.2 The success of the actions to tackle fly-tipping will be measured through monitoring key data such as the borough-wide number of fly-tipping incidents and the number of enforcement actions taken, reduced fly-tipping at hotspots that have had street furniture installed and the number of ‘success stories’ such as prosecutions or vehicle seizures from enforcement operations, which sets a strong precedent.
- 7.3 The team are also subject to a Service Realignment commencing in February 2022, the outcome should increase the number of officers who investigate fly-tipping as part of their duties to four FTE (full time employees). This will be due to roles of three Street Enforcement Officers and one Enviro-Crime Officer merging posts to create four Enforcement Officers within the Neighbourhood Management Team. Further resilience will be provided by Neighbourhood Officers undertaking initial engagement and escalating to the Enforcement Team for further investigation as required.

## 8 LEGAL IMPLICATIONS

- 8.1 Fly-tipping is defined as the deposit of waste on land otherwise in accordance with an environmental permit, contrary to Section 33(1)(a) of the Environmental Protection Act 1990.
- 8.2 It is a criminal activity which carries a fine of up to £50,000 and/or 12 months imprisonment upon summary 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.
- 8.3 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.

## 9 PROCUREMENT IMPLICATIONS

- 9.1 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

<b>Non-Applicable Sections:</b>	Personnel
Background Documents: (Access via Contact Officer)	Making Bromley Even Better

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# Appendix B: Your Waste Is Your Responsibility Campaign Report



*Your Waste is Your Responsibility*  
**Anti Fly-tipping Campaign**

**Interventions,  
monitoring practices and  
results**

October 2021



## SUMMARY

**This presentation will share results of the interventions and monitoring practices delivered in the areas of Penge.**

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Background

**02**

Interventions

**03**

Monitoring practices and results

**04**

Conclusion

# Background

## BACKGROUND

Between June and September 2021, the team spent 12 days delivering interventions and 18 days monitoring Penge and the surrounding area.

**The team visited the roads below:**

Maple Road  
 Malcolm Road  
 Blenheim Road  
 Franklin Road  
 Howard Road  
 Blean Grove  
 Laurel Grove  
 Parkside close

Lucas Road  
 Kingswood Road  
 Mosslea Road  
 Phoenix Road  
 St' John Road  
 Bredhurst Close  
 Barson Close  
 Queens Adelaide Road

Penge Lane  
 Wordsworth Road  
 Montrave Road  
 Oakfield Road  
 Meaford Way  
 Crampton Road



## PROJECT METHODOLOGY AND TIMELINES

### May-July

- Resident Satisfaction Survey
- Monitoring Work (before interventions)

### July-August

- Delivering interventions

### September 2021

- Monitoring work (after interventions)

### September/October 2021

- Resident Satisfaction Survey

The above stages will repeat for Mottingham sub-areas one and two



Interventions

## INTERVENTIONS ACTIVITIES

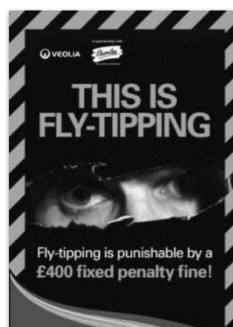
A number of activities were delivered to help decrease fly-tipping and improve residents' satisfaction with the cleanliness of their streets.

- 1** Bespoke leaflets were delivered to **1,410** properties in target roads
- 2** Engaged with **313** residents (24% engagement rate)
- 3** Installed **25** posters near hot spot areas
- 4** Placed 'this is fly-tipping' stickers on fly-tips
- 5** Sent letters to businesses on Maple Road
- 6** Engaged with Clarion managing agent to stop fly-tips coming from flats

## INTERVENTIONS COMMUNICATIONS MATERIALS



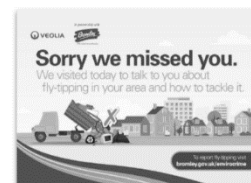
**A3/A2 posters**  
Placed on lamp posts in target road



**A5 sticker**  
Placed on fly-tips in target road



**A5 leaflet delivered**  
to all residents in target roads



**A6 postcard**  
delivered when residents were not in

## INTERVENTIONS FACE TO FACE ENGAGEMENT

Veolia's ECO Manager engaged with 313 residents (24% success rate). Overall, the feedback was positive with many residents asking questions about bulky waste and how to dispose of it.

Main questions and points of discussion:

- Bulky Items collection service cost
- Cost to dispose of bulky items and DIY items at the Reuse and Recycling Centre
- Communications and what is Bromley Council and Veolia going to do next
- Bromley Council and Veolia is taking action to tackle fly-tipping
- How to report fly-tipping online



## INTERVENTIONS POSTERS NEAR HOTSPOT AREAS

The team identified 25 hotspot locations based on:

- Face to face engagement with residents
- Monitoring exercises
- Street cleaning crews' local knowledge

Posters were installed in August and will be removed after the end of the campaign (February 2022).



Locations of 'No fly-tipping' posters

## INTERVENTIONS STICKERS ON FLY-TIPS

The team placed stickers on fly-tips as part of the interventions process.

Around 100 stickers were used during and after interventions to raise awareness and the impact fly-tips have to the community.

The stickers have been removed and disposed of responsibly by the Street Cleaning team.



The above images are an example of the impact stickers had. After placing the stickers on armchairs, both items were moved within the property boundaries.

## Monitoring practices and results



## MONITORING PRACTICES AND RESULTS

### METHODOLOGY

The team monitored 22 roads in Penge for 18 days to record the number and type of flytips.

#### Timeline:

- 6 weeks of monitoring (3 weeks before interventions and 3 weeks after)
- Three days a week (Wednesdays, Thursdays and Fridays)
- Start time 5:30am
- Finish time 7:00am

## MONITORING PRACTICES AND RESULTS

### METHODOLOGY

#### Fly-tip counting

To ensure that monitoring is as accurate as it can possibly be, the following methodology was adhered to:

- Two items of the same material (i.e wood) were recorded as one fly-tipping instance;
- A mattress and a bed frame dumped next to each other were recorded as two fly-tips;
- Black bags left on the pavement outside collection days were recorded on a separate list;
- Black bags were not recorded on Fridays (collection day);
- If the same fly-tip is found on two different monitoring days, it was only recorded once.

#### Example of recorded data

Date	Road name	Type of fly-tip	Black bags	Notes
30/06/2021	Oakfield Road	1 metal frame, 1 trolley		Near Laurel Grove
30/06/2021	Laurel Grove	1 mattress		
30/06/2021	Meaford Way	1 fridge		
30/06/2021	Montrave Road	3 pieces of wood (one instance)	2	

## MONITORING PRACTICES AND RESULTS

### TYPES OF FLY-TIPS

Types of fly-tips	Before interventions		After interventions	
	Number of Fly-tips	%	Number of Fly-tips	%
<b>Household waste</b>	106	92%	49	87.5%
<b>Industrial waste</b>	4	3.5%	4	7%
<b>Business waste</b>	5	4.5%	3	5.5%
<b>Total number of fly-tips recorded</b>	115		56	

## MONITORING PRACTICES AND RESULTS

### FLY-TIP RESULTS

Road name	Before interventions	After interventions	Reduction %
	Number of fly-tips recorded	Number of fly-tips recorded	
Lucas Road	2	0	100%
Penge High Street	8	4	50%
Kingwood Road	9	3	66.66%
Bredhurst Close	2	0	100%
Queens Adelaide Road	2	1	50%
Wordsworth Road	5	2	60%
Maple Road	18	11	38.88%
Franklin Road	1	0	100%
Howard Road	6	1	83.33%
Blean Road	1	0	100%
Parkside Road	1	0	100%

## MONITORING PRACTICES AND RESULTS

### FLY-TIP RESULTS

Road name	Before interventions	After interventions	Reduction %
	Number of fly-tips recorded	Number of fly-tips recorded	
Meaford Way	6	5	16.66%
Mosslea Road	5	3	40%
Phoenix Road	3	0	100%
St John Road	9	5	44.44%
Blenheim Road	1	0	100%
Oakfield Road	9	7	22.22%
Laurel Grove	8	3	62.5%
Montrave Road	8	3	62.5%
Malcolm Road	4	4	0%
Crampton Road	7	4	42.85%
Barson Close	0	0	0%
<b>Total</b>	<b>115</b>	<b>56</b>	<b>60.91%</b>

## MONITORING PRACTICES AND RESULTS

### BLACK BAGS RESULTS

Road name	Before interventions	After interventions	Reduction %
	Black bags	Black bags	
Penge High Street	72	57	20.83%
Kingwood Road	3	0	100%
Bredhurst Close	0	1	-100%
Queens Adelaide Road	2	0	100%
Maple Road	95	32	66.3%
Meaford Way	8	4	50%
Mosslea Road	0	1	100%
St John Road	8	2	75%
Blenheim Road	10	2	80%
Oakfield Road	6	4	33.3%
<b>Total</b>	<b>204</b>	<b>103</b>	<b>53.18%</b>

# Conclusion

## CONCLUSION

- 1** **61%** reduction in fly-tips and **53%** reduction in black bags presented on incorrect collection days
- 2** Face to face engagement with **313** residents
- 3** **90%** of fly-tips recorded were household waste, **5%** industrial waste and **5%** business waste
- 4** **Communications** such as leaflets, posters and stickers have helped reduce fly-tipping instances by **61%**
- 5** Overall, residents were happy to see Bromley Council and Veolia working together to tackle fly-tipping

