

COMMUNITIES AND LOCAL SERVICES SCRUTINY COMMITTEE
10 DECEMBER 2020

BACK LANES AND FLY TIPPING

SUMMARY REPORT

Purpose of the Report

1. To inform Members of the ongoing work with regard to problem back lanes and fly tipping.

Summary

2. Improving the appearance and cleanliness of problem back lanes, reducing fly tipping and reducing the time it takes to clear away fly tips is a priority for the Council. In order to deliver on this priority there has been a refocusing of resources with an additional temporary increase in staff in both Street Cleansing of one additional response crew and a role in Civic Enforcement to engage and work with local Ward members and residents in areas where there are issues in back lanes.
3. The work is being coordinated through the Back Lanes and Fly Tipping project with support from Street Scene, Civic Enforcement and Communications working closely together to deliver improvements.

Recommendation

4. It is recommended that :-
 - (a) Members note the content of this report and the ongoing work that is being delivered to address issues in back lanes and fly tipping.

Ian Williams
Director of Economic Growth and Neighbourhood Services

Background Papers

No background papers were used in the preparation of this report.

S17 Crime and Disorder	The content of this report and actions being delivered will have a positive impact on the environment and crime and disorder.
Health and Wellbeing	Environmental Crime can have a negative impact on an individual's health and wellbeing. The work being delivered to address environmental crime will have a positive impact.
Carbon Impact and Climate Change	There is no impact on climate change as a result of this report.
Diversity	There is no negative impact on diversity issues.
Wards Affected	Potentially all Wards may be impacted by environmental crime.
Groups Affected	There is no impact on any group.
Budget and Policy Framework	No impact on the budget and policy framework.
Key Decision	Not a key decision.
Urgent Decision	Not an urgent decision.
One Darlington: Perfectly Placed	Tackling environmental crime has a positive impact on One Darlington: Perfectly Placed.
Efficiency	No impact on the Council's efficiency programme.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Background

5. Street Scene has had significant reductions to the level of funding over the last 10 years. In particular, in 2016, Council agreed to further reduce funding for street cleaning, which resulted in a loss of 40% of staff. This reduction had a significant impact on the standard of cleanliness and the Council's ability to respond to fly tipping and cleansing of back lanes.
6. As part of the budget for 2018/19, a Futures Fund was identified and allocated to a number of priority services following consultation with the public. This resulted in some additional resource being added back into Street Scene, which has enabled the service to improve the standard and frequency of service, however only half of the staff lost from the service in 2016 have been replaced.
7. In addition to reductions in street cleaning, environmental enforcement also had reductions in resources. However, as part of the Futures Fund and public consultation, a new Community Safety service was set up in 2018 and allocated additional funding.
8. Whilst the additional resources have allowed improved performance, street cleaning is still not at 2016 levels. The new Civic Enforcement service, which was set up in 2018, covers a number of areas; anti-social behaviour, car parking, stray dogs and environmental crime. Following the establishment of the service in 2018/19, the initial focus was on anti-social behaviour and embedding the new

team, therefore there was limited focus on environmental crime.

Back Lanes and Fly Tipping Project

9. Improving problem back lanes and reducing fly tipping is a priority for the Council therefore as we came out of the first lockdown, a focused approach has been taken to improving the condition of back lanes and response times to clean up fly tips. To improve response times, an additional crew of driver and operative have been funded from the Futures Fund until the end of June 2021. This additional response crew started in June 2020. With regard to back lanes, specifically side waste in back lanes (additional rubbish put out in the back lane not in the wheeled bin) and fly tipping in problem back lanes has been prioritised by civic enforcement.
10. The Back Lanes and Fly Tipping project has a number of themes with detailed actions for officers to focus on. The themes are:
 - (a) Prevention
 - (b) Communications
 - (c) Information and Intelligence
 - (d) Street Scene
 - (e) Enforcement
 - (f) Reassurance
11. Alongside the increased focus for street cleaning, an additional fixed term role has also been introduced within the Civic Enforcement team to focus on the key problem back lanes. This post will work with Ward Members and residents in those areas, engaging with them, explaining what residents' responsibilities, and if appropriate, landlords' responsibilities are with regard to household waste. For those residents that fail to engage or continue to dispose of their waste inappropriately in back lanes, continue to leave bins out or put side waste out, then this post will ensure enforcement action is taken.
12. A new proportionate approach to enforcing the responsibilities residents have for household waste has been developed, which starts with engagement and issuing of a notice to the resident that explains what their responsibilities are. If the resident does not comply, then a warning letter is issued. If this is still ignored, then a Community Protection Notice (CPN) will be issued (under the Anti-Social Behaviour Crime and Policing Act 2014). Following the issue of this CPN, if the resident still places side waste out, then a Fixed Penalty Notice will be issued with a fine of £100. If the resident fails to pay, then they will be taken to the Magistrates Court for prosecution. The new enforcement process recently introduced ensures the resident has the opportunity and information to place waste out responsibly, however if they choose not to do so then action will be taken.
13. For fly tips, where an individual or organisation dump waste in the open on Council land, where evidence exists, a Fixed Penalty Notice will be served with a fine of £400. However, in some cases, depending on the waste and evidence, will be progressed straight to the Magistrates Court for prosecution where the Council can reclaim cost and seize and destroy the perpetrator's vehicle.
14. The Council has 6 overt mobile cameras that can be deployed in areas that are identified as suitable if required. In addition, there are also 3 covert cameras for fly

tipping hot spots.

Performance

15. Since the start of the Back Lanes and Fly Tipping Project, performance has been monitored and attached at **Appendix 1** is the Dashboard for Environmental Crime covering the period June 2020 to October 2020. Since the start of the project the number of reported fly tips has reduced slightly, however as a result of the additional street cleaning response crew, a significant number of fly tips are collected within two days and the majority within five days.
16. When comparing response times to fly tips for October 2019 to October 2020, this is a significant improvement.
 - (a) 58% of small fly tips reported in October 2019 took 5+ days to respond to compared to only 8% in October 2020.
 - (b) 65% of large fly tips reported in October 2019 took 5+ days to respond to compared to only 7% in October 2020.
17. As the new enforcement process for dealing with residents who do not dispose of household waste responsibly was only introduced in November, the information is not included yet on the Dashboard.

Conclusion

18. Following previous reduction in resources for both Street Scene and Environmental Crime, the Council, through the Futures Fund, has been able to invest in these key frontline services. Whilst the overall resources in Street Scene are not at pre 2016 levels the addition of an extra response crew until June 2021 is having a significant, positive impact on response times to clearing away fly tips.
19. Through the Civic Enforcement service additional fixed term role, and the proportionate approach to tackling bins left out and side waste in problem back lanes, will in the coming months have a significant impact in those areas of the town. These changes to the service alongside the work taking place across all themes in the Back Lanes and Fly Tipping Project will see improvements to the overall quality of the environment across the Borough.
20. Finally, the hard work and dedication of the staff who have to clean up the problem back lanes and fly tips, along with their colleagues in civic enforcement, needs to be recognised and supported.