
FLY TIPPING/WASTE IN BACK LANES

SUMMARY REPORT

Purpose of the Report

1. To update Scrutiny Committee on the level of fly tipping across the Borough, actions taken, comparisons with the Tees Valley authorities and future plans.

Summary

2. The number of fly tips for the last three years is considered within this report, detailing the type of land the fly tip is deposited on, the type of waste and the size of the fly tip. Also more detail is provided specifically for fly tipping in back lanes and an update on the enforcement action taken.
3. Comparisons against the other four Tees Valley authorities are also discussed as well as future changes within Street Scene and opportunities from the introduction of the new Community Safety Unit.

Recommendation

4. It is recommended that :-
 - (a) Members note the content of the report and the future opportunities through the additional resources in Street Scene and Community Safety;
 - (b) Members continue to support a zero tolerance approach to fly tipping in the Borough.

Ian Williams
Director of Economic Growth & Neighbourhood Services

Background Papers

No background papers were used in the preparation of this report

Ian Thompson : Extension 6628
CD

S17 Crime and Disorder	Fly tipping is a crime and where evidence exists, the Council will prosecute the perpetrators.
Health and Well Being	Fly tipping and untidy back lanes can have an impact on the Health and Well Being of residents.
Carbon Impact	No impact on Carbon as a result of this report.
Diversity	No individual is impacted any differently as a result of this report.
Wards Affected	Fly tipping occurs in all Wards across the Borough.
Groups Affected	No individual Group is affected differently as a result of this report.
Budget and Policy Framework	The report does not impact on the Budget or Policy Framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly Placed	The perception and appearance of Darlington is impacted on by fly tipping, affecting the Perfectly Placed agenda.
Efficiency	There is no impact on the Efficiency agenda as a result of this report.
Impact on Looked After Children and Care Leavers	There is no impact on Looked After Children or Care Leavers as a result of this report.

MAIN REPORT

Information and Analysis

5. Fly tipping is not just a Darlington Borough Council problem but a national one and all Councils have to report fly tipping data through a national database FlyCapture. The data contained in this report is drawn from that national database. The information in the report is only as accurate as the descriptions given about the fly tip, therefore whilst giving a good indication, the information must not be taken as being 100% accurate.
6. In recent years, resources have been significantly reduced within Street Scene from both staff on the ground collecting and cleaning up after a fly tip, and enforcement staff who investigate and prosecute where evidence exists.
7. Most recently as part of the 2016/17 MTFP, Members agreed to reductions in street cleaning resources of 40%. These reductions meant that all back lanes across the Borough would be cleansed fortnightly as opposed to weekly and response to fly tipping removal reduced. In addition the enforcement team was reduced to the equivalent of 1.5 full time employees.

Performance

8. For the last three years the number of fly tips recorded through the national database for Darlington are as follows:
- (a) 2015/16 – 2,974
 - (b) 2016/17 – 2,897
 - (c) 2017/18 – 3,052
9. A breakdown of the type of land that the waste was deposited on is detailed in **Table 1** below.

Table 1:

Type of Land	15/16	16/17	17/18
Agricultural	18	4	8
Back Alleyway	1709	1724	1629
Car Park	20	23	22
Commercial Industrial	4	1	
Council Land	369	370	588
Footpath Bridleway	199	216	212
Gully	2		2
Highway	440	250	232
Other	192	278	334
Pedestrian Refuge	2	0	
Private Residential	3	8	6
Railway	1	2	2
Watercourse Bank	15	21	17
Total	2974	2897	3052

10. By far the majority of fly tips in all years, over half were deposited in back alleys/lanes across the Borough. Other areas of concern are Council land in general as well as the highway and footpaths/bridleways.
11. The type of waste deposited is detailed in **Table 2** below.

Table 2:

Type of Waste	15/16	16/17	17/18
Animal Carcasses	0	1	0
Asbestos	38	39	31
Black Bags Commercial	22	25	14
Black Bags Household	399	484	412
Chemical Drums	0	1	3
Clinical	0	1	0

Type of Waste	15/16	16/17	17/18
Construction etc	185	91	109
Green	93	103	124
Other Commercial	112	100	111
Other Electrical	56	51	55
Other Household	1802	1769	1857
Other Unidentified	177	137	219
Tyres	26	34	52
Vehicle Parts	15	6	10
White Goods	49	55	55
Total	2974	2897	3052

12. The majority of waste is from households, either Black Bags Household or Other Household waste, which would include things such as household items or furniture, e.g. mattresses, three piece suites, etc.
13. The size of the fly tip is recorded as a single item through to a tipper truck load. The detail is in **Table 3** below.

Table 3:

Fly Tip Size	15/16	16/17	17/18
Car Boot Load	221	104	93
Significant Multiple Loads	33	19	22
Single Black Bag	17	11	12
Single Item	395	227	157
Small Van Load	1052	1199	1125
Tipper Truck Load	173	75	98
Transit Van Load	1083	1262	1545

14. The majority of fly tips are small, either from a small van, transit van or car boot. Within the system there is a classification for a large or small fly tip. A large fly tip is generally a significant amount of waste, which would be dumped from a large truck. In the three years, the number of large fly tips that have been deposited across the Borough are:
- (a) 2015/16 – 96
 - (b) 2016/17 – 93
 - (c) 2017/18 – 210
15. There has been a significant increase in the number of large fly tips in the last year. The majority have been dumped in back lanes, Council land or the highway. These large fly tips are mainly household waste including items of furniture, which generally will be from a house clear out where the home owner has used the service of a private company who then deposit the waste illegally across the Borough.

Back Lanes

16. It is evident from the fly tipping data that back lanes continue to be a problem within the Borough with over 50% of fly tips being reported in back lanes. The breakdown of the size of fly tips within back lanes is detailed in the **Table 4** below.

Table 4:

Size Back Lanes	15/16	16/17	17/18
Large	38	59	90
Small	1671	1665	1539
Total	1709	1724	1629

17. The majority are small fly tips which will be general household waste in black bags that has been deposited by the residents. There is however a trend over the three years of an increase in large fly tips, as described earlier from a large tipper truck, rising from 38 in 2015/16 to 90 in 2017/18 in back lanes.

Enforcement Action

18. Over the last three years the resources for enforcement has been reduced and during 2015/16 and 2016/17 there were significant periods where the team was reduced to one/two individuals. Below at **Table 5** is the detailed action taken against perpetrators.

Table 5:

Action	15/16	16/17	17/18
Investigation	699	426	338
Warning letter	1	37	0
Fixed penalty notice	27	5	22
Duty of care inspection	12	10	17
Vehicles seized	-	18	13
Prosecution	45	40	105

19. The number of actions that have taken place over recent years has reduced, which is a result of reductions in resources. However, the focus for the 1.5 FTE staff in the past year has been on abandoned vehicles, fly tips and waste out in back lanes. As can be seen, there was a significant increase in the number of prosecutions for fly tips up by over 150%. This is a result of focussing on fly tips and back lanes as the majority of those prosecutions are related to waste placed out in back lanes, either single bags or where evidence exists, larger fly tips.

Benchmarking

20. Below at **Table 6** is the total number of fly tips within each of the Tees Valley Boroughs for 2017/18.

Table 6:

Tees Valley Borough	Number of Fly Tipping Incident
Darlington	3052
Hartlepool	2291
Middlesbrough	2265
Redcar	5623
Stockton	1657

Redcar have the highest number of fly tips with Darlington having the second largest number and Stockton the least.

21. Below at **Table 7** is the number of fly tips for the five Boroughs in back lanes.

Table 7:

Tees Valley Borough	Number of Fly Tips in Back Lanes
Darlington	1629
Hartlepool	1040
Middlesbrough	367
Redcar	2711
Stockton	522

There is a similar pattern within Darlington, Hartlepool and Redcar where approximately half of the overall fly tips recorded are in back lanes. For Middlesbrough and Stockton this pattern is slightly different, however the number of fly tips reported on Council land for those two authorities is higher than the other three.

22. The number of prosecutions and Fixed Penalty Notices issued for fly tipping by each authority is detailed in **Table 8** below.

Table 8:

Tees Valley Borough	Number of Prosecutions carried out for Fly Tipping	Number of Fixed Penalty Notices
Darlington	101	22
Hartlepool	20	130
Middlesbrough	6	17
Redcar	4	50
Stockton	0	0

Darlington have prosecuted significantly more than the other four authorities, however Hartlepool and Redcar have issued more Fixed Penalty Notices than

Darlington.

Future Changes

23. As Members will be aware, within the MTFP for 2018/19 additional resources have been allocated to Street Scene with £300,000 being built into the base budget. This funding is split between street cleaning and grounds maintenance; from a street cleaning perspective, additional resources will go into mechanical sweeping, back lane cleansing, litter picking, litter bin emptying and responsive work as well as additional street cleaning staff. As a result of these increased resources, back lanes particularly in the problem areas will be cleansed a minimum of once a week. Whilst this does not address the actual fly tipping/littering problem, it does ensure the areas are cleaned at least weekly.
24. In addition to the increased resources within Street Scene, the Council agreed to set up a new Community Safety Unit by bringing together a range of services and committing an additional £100,000 a year in the base budget. The new Community Safety Unit will include a new function of Civic Enforcement. This new role will cover nuisance parking; civil parking enforcement; environmental crime, particularly focussed on fly tipping, waste out in back lanes, abandoned vehicles and addressing incidents of anti-social behaviour. Officers will be available from 8am through until 9/10pm on an evening. Whilst there will be different priorities at different times of the day, this does give the Council a significant increase in resources to be able to carry out significantly more enforcement with regards to environmental crime. At any one time during the shift there will be up to four officers available, who will be intelligence-led, prioritising their areas of work and geographical location.
25. Alongside the new Community Safety Unit, the Council have also agreed to engage the services of a private sector partner to enforce litter and dog fouling. Subject to a successful tendering exercise, it is anticipated that the selected contractor will commence service in late September 2018.

Conclusion

26. The number of fly tips across the Borough has remained fairly constant over the last three years with a small increase since 2015/16 of just over 2%. However, more worrying is a significant increase in larger fly tips, which are usually a large truck load and generally tend to be waste collected from households by private waste collection companies, which is then deposited illegally across the Borough.
27. The Council has committed additional resources to both Street Scene and Community Safety and whilst fly tipping problems continue, there are now additional resources to clean up, and subject to available evidence, take forward further prosecutions to the Courts. Alongside this, we will continue to name and shame individuals who are prosecuted through the courts and continue with the message that the Council has a zero tolerance approach to fly tipping and anyone caught will be prosecuted.