

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Operational	Be entirely within Cabinet's powers to decide		YES	
		Need to be recommendations to Council		NO	
		Is it a Key Decision		NO	
Lead Member: Cllr Paul Kunes E-mail:		Other Cabinet Members consulted:			
		Other Members consulted:			
Lead Officer: John Greenhalgh, Assistant Director Martin Chisholm, Assistant Director E-mail: Direct Dial:		Other Officers consulted: Barry Brandford, Waste & Recycling Manager Nathan Johnson, Public Open Space Manager Mark Whitmore, Environmental Health Manager Becky Box, Assistant Director Stuart Ashworth, Assistant Director			
Financial Implications YES	Policy/ Personnel Implications YES/NO	Statutory Implications NO	Equal Impact Assessment YES If YES: Pre- screening/ Full Assessment	Risk Management Implications YES	Environmental Considerations YES

Date of meeting: 16 November 2021

CLEAN NEIGHBOURHOODS, FLY-TIPPING AND ENVIRONMENTAL ENFORCEMENT.

Summary

Environmental issues, including the illegal dumping of waste on land in West Norfolk is a priority for this council. This report looks to prioritise and improve the response to dumped waste along with improving the education of residents and visitors, supporting community litter-picks and other initiatives to improve their locality, whilst dealing firmly with those who are intent on illegally discarding their waste.

Recommendation

- 1. To commit additional resourcing to address the clean neighbourhood issues and reinforce the council's commitment to dealing with litter, fly-tipping and clean neighbourhood issues to improve the appearance and environment of the borough.**
- 2. Approve the resourcing and expenditure as set out in the report.**
- 3. To approve the vehicle procurement in line with our climate change policy as set out in the report.**

Reason for Decision

The council wishes to reduce the social and environmental impact of fly-tipped waste on communities by increasing and refocussing its resources dedicated to communication and the clearance of small-scale fly-tipping and ultimately to increase its capacity to enforce the law.

1. Background

- 1.1. Fly-Tipping as defined by Defra (The Department for Environment, Food and Rural Affairs), describes the “illegal dumping of liquid or solid waste on land or in water”, the Keep Britain Tidy group further define fly-tipping as “the ‘illegal deposit of any waste onto land that does not have a licence to accept it’.
- 1.2. In the period April 2018 to March 2021 the council received an average of 1300 reports of illegally dumped waste a year. Whilst a significant number this represents a drop from an average of 1900 reports per year in the period April 2014 to March 2018. There has also been a steady decrease in fly tips from 2014 (when the CSNN team took on responsibility for waste enforcement work) with a year on year drop in reported cases to March 2020 and 41% overall drop from 2014 to 2020. In order to build on this success officers have been asked to look at how education and enforcement work can be strengthened further to allow more incidents to be investigated and cleared in a timely and efficient manner.
- 1.3. The council recognises that the majority of these tips occurred on public land and that there is an under reporting of tips on private land. It is expected that with an increased profile and visibility there will be an initial increase in fly-tipping numbers reported in the next few years as the public see the benefit in reporting cases.
- 1.4. Not all fly-tips are large in volume which is the usual perception, many (56%) were a single item of waste or single black-bag in size. A further 29% were equivalent to a car boot volume of materials. Fortunately, at the opposite end, only 4% amounted to a large van or tipper lorry load.
- 1.5. Most waste being dumped is domestic in nature (49%), with the next nearest type classification being tyres (10%). This does not mean that all this waste is being dumped by householders. Domestic waste disposal is often undertaken by third parties who offer to take waste away for a small fee and go on to fly tip.
- 1.6. The above data represents only the cases we are aware of. The council are aware that littering of public open spaces is becoming a greater focus of public attention and annoyance.

2. Education / Communications

- 2.1. The council has participated in a range of educational and promotional work through the #SCRAP campaign, although this work was largely suspended throughout the pandemic. In addition, in hot spot areas education via door knocking and targeted leafleting has taken place. However, it is recognised that a more coherent and structured approach is needed, that goes beyond the SCRAP messaging. It is proposed to develop a package of educational and promotional issues.
- 2.2. Using the 'Love West Norfolk', '#SCRAP' and 'Love Norfolk, Hate Litter' brands as a central theme a programme of communications will be developed which will have four audiences:
 - i. All residents and businesses raising awareness of the impacts of fly-tipping and the ways of reporting incidents
 - ii. Very local neighbourhood focussed communications where fly-tipping leads to a degraded environment
 - iii. Children and young people to enable them to make good environmental choices reinforcing the benefits which reducing waste brings, including recycling.
 - iv. Specific pragmatic information to support those groups which contribute to an improved environment through litter picks, including the acknowledgement of their help.
- 2.3. None of the above brands are owned by the Council and their use will be subject to stakeholder agreement. It is not envisaged that this will be a difficulty as all of the brands are concerned with improving the environment.
- 2.4. The outcome of this work is to reinforce the message that fly-tipping is an unacceptable behaviour due to the harm it creates and the cost to the community of dealing with waste.
- 2.5. This work will be led by the Communications Team to ensure a consistent and cohesive approach. They will be provided with the resources to generate content for presentations and social media as well as local communications. The plan includes resources which can be used either within the team or using external professional producers to ensure that content is impactful and engaging for the audience at which it is focussed.
- 2.6. This work will also highlight the interventions and enforcement activity undertaken by the council to tackle irresponsible behaviour and those flouting the law.
- 2.7. It is proposed that a further review is undertaken during year 3 to identify further priorities and the impact of the work stream and where necessary adjust resources to meet the needs of the community.

- 2.8. The proposal sets out a mixed approach which is intended to make positive interventions to reduce and address the impacts of fly-tipping on land in the borough.

3. Community initiatives

- 3.1. For a number of years the council have supported individuals and community groups undertake initiatives to keep their localities clean and free of litter. Community litter picking kits are available and regularly loaned to groups to support these initiatives. Similarly, there are kits available in Hunstanton, which allow visitors to contribute to keeping the beach and water's edge free of waste. These initiatives and the efforts of residents to protect their local environment is an area of activity to be celebrated, however, much of the littering that groups wish to tackle is on land which the public have access to but is in private ownership. This is an area that traditionally we have not supported, merely signposting the volunteers to the landowner. We wish to improve our involvement in this area by taking the difficulties of coordination and liaising with landowners away, as far as is possible, from the volunteers and undertaking that work ourselves to ensure that the efforts of these valued groups can be maximised.
- 3.2. In preparation for the submission of this report the council has engaged with Norfolk County Council through their Head of Waste to ensure that the most pragmatic approaches to dealing with litter and waste collected can be disposed of safely and in accordance with the law. Norfolk County Council by supporting the disposal of waste are ensuring that resources can be focussed on education and engagement.
- 3.3. Serco, as the council's contractor for waste collections, have made commitments to the three councils in the contract, to support initiatives in the community on environmental improvement. This includes practical logistical support such as collecting bagged waste from litter picks and supporting the increased provision of litter picking equipment.
- 3.4. The council, through the CSNN team, will continue to support owners of private land who are victims of fly-tipping by working with them to identify offenders and undertake enforcement action wherever possible. CSNN will also continue to support the Norfolk Waste Enforcement Group and Rural Crime Network.

4. Options Considered

- 4.1. The following options were considered:
- 4.2. No change
The current resourcing limits the council's ability to target and disrupt small scale fly tipping incidents, with the focus being on investigating more significant fly tips.

- 4.3. Waste which is affecting the environment on the margins of publicly accessible land is left as the responsibility of the landowner to deal with, along with all the associated costs.
- 4.4. Area teams within Public Open Space will clear relevant land¹ of fly-tipped waste and maintain our service standard but this will continue to act as a distraction from scheduled works.
- 4.5. Proposed integration
Providing an integrated response to 'domestic' incidents provides for evidence gathering and follow up to be pursued from the first reports and that waste can be cleared immediately by the investigator and taken for disposal through safe and legitimate routes. The receipt of complaints through investigation and clearance for small scale incidents is dealt with through a single service based within Public Open Space. Public Open Space Operations Managers and their teams will clear larger or more complex incidents from relevant land.
- 4.6. Where there is evidence of organised criminality or the amount of waste is either equivalent or greater than a small van load or hazardous with evidence to suggest lines of enquiry these will be passed to CSNN for specific investigation.
- 4.7. CSNN will also receive and collate intelligence around waste enforcement cases. Where this intelligence indicates that small scale tipping is part of a wider level of organised criminality case investigation will be managed by CSNN.
- 4.8. Outcomes of both CSNN and PoS investigations will be reviewed by Service Managers and recommendations made to Assistant Directors on any changes required to ensure maximum benefit to the community.
- 4.9. The first element of the integration will be for the development of the communications and outreach materials. The Waste and Recycling Manager has worked effectively with the Communications Manager and her team over a number of years. Communication will be the first important step in making the desired step change.
- 4.10. Norfolk County Council has worked with the council in this approach which will mean that where the council takes these steps on education, communication and outreach Norfolk County Council will accept 'household waste' collected by the borough in a highly pragmatic approach. This will be extended to litter picked from public land by residents and collected by the council or Serco will also be freely accepted by the Waste Disposal Authority.

¹ Relevant Land is defined as land that is all of the following:

- open to the air on at least one side
- under the council's direct control
- publicly accessible (with or without payment)

5. Policy Implications

5.1. The proposal supports the following Corporate Priorities:

5.2. Three - Protecting and enhancing the environment including tackling climate change

The objectives are to:

- Develop and implement the council's carbon reduction strategy and encourage our partners, communities and local businesses to reduce their environmental impact
- Improve recycling levels

5.3. Five - Creating and maintaining good quality places that make a positive difference to people's lives

The objectives are to:

- Protect, promote and enhance the borough's natural and built environment
- maintain accessible, clean, pleasant and safe public places and communities

5.4. Enforcement activity will be subject to the councils Enforcement Policy, this document is being reviewed and updated to better reflect the Councils priorities, before being presented for approval.

6. Financial Implications

6.1. These proposed changes will have the costs outlined in the tables below:

6.2. **Capital**

	Cost
2No. Electric Vehicles	£60,000
Ancillary items, ICT Technology	£15,000
CSNN Ancillary Items 1No. vehicle	£7,500 £30,000
Total	£112,500

6.3. **Revenue**

	Cost (pa)
2No. Clean Neighbourhood Officers (*subject to job evaluation)	£73,000 (inc on-cost*)
1No. FTE Administration (*subject to job evaluation)	£31,400 (inc on-cost*)
Vehicle Maintenance / Servicing / internal borrowing	£20,000

Ancillary items, ICT Technology	£10,000
Community Engagement	£5,000
CSNN – Enforcement Intelligence officer / case manager (subject to Job Evaluation)	£42,000 (inc on-cost)
Vehicles	£10,000
Total	£191,400

Notes:

These revenue budgets will need to be revised at the third-year review as there may be a change in prioritisation.

There may be a need for an additional Enviro-Crime officer within the CSNN team, but this is dependent on the workload which as yet cannot be accurately determined at this stage. This will be reviewed at the end of year one.

7. Personnel Implications

- 7.1. The proposals outlined in this report include a recommendation to create four additional fixed term posts (each on a 3 year contract). Three posts will sit within the Clean Up Team and the Intelligence Officer / Case Manager post will sit within the Community Safety and Neighbourhood Nuisance Team. There is also an additional CSNN Enforcement Officer post, the need for which will be reviewed at year one and be subject to a separate bid if required.
- 7.2. This additional resource will directly support the delivery of the high priority work in relation to fly tipping and environmental enforcement. The fixed term contract period will enable the service to review impact and focus after the initial three year period and revise the approach as required at that point in time.
- 7.3. The additional posts will be subject to job evaluation processes prior to advertising the positions and once recruited will be managed within the existing Clean Up and CSNN structures.

8. Environmental Considerations

- 8.1. The removal of waste from land prevents environmental harm and has positive reputational benefits for the council. Land which is initially degraded by waste may be subject to further dumping causing further pollution.

9. Statutory Considerations

- 9.1. The council has a duty to clear waste from relevant land under the Environmental Protection Act 1990. The Waste Disposal Authority (Norfolk County Council) has a duty to dispose of waste collected by the council as household waste. Household waste is a defined term which is subject to some complexity.

10. Equality Impact Assessment (EIA)

(Pre screening report template attached)

- 10.1. The Screening assessment shows no negative impacts but does indicate a positive impact on those on low incomes. This is because fly-tipping is a problem in some areas with high levels of rented homes some of which are also houses in multiple occupation. Part of the problem also appears to be landlord clearance of properties between lets. Additionally, some people will travel to fly-tip waste in these areas because of perceived lack of intervention and the presence of waste.

11. Risk Management Implications

- 11.1. The current arrangements for the collection and disposal fly-tipped waste creates reputational and environmental harms in west Norfolk. The quicker removal of waste from publicly accessible land will reduce those harms.
- 11.2. Encouraging residents to be engaged and supported in clearing small waste items by litter picks on publicly accessible community land reduces environmental harms and increases community engagement and ownership of the local environmental quality.
- 11.3. Enforcement actions against individuals may create risks of perception and reputation but these will be managed through effective communication and compliance with our enforcement policy.
- 11.4. Increasing the scope of the land the council will clear of waste and raising the expectations of the public and interested parties can create performance and reputational risk and this is being addressed by the provision of resources within this report.

12. Declarations of Interest / Dispensations Granted

None

13. Background Papers

(Definition : Unpublished work relied on to a material extent in preparing the report that disclose facts or matters on which the report or an important part of the report is based. A copy of all background papers must be supplied to Democratic Services with the report for publishing with the agenda)

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



Name of policy/service/function	Small scale waste enforcement				
Is this a new or existing policy/service/function?	New / Existing (delete as appropriate)				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>Provide new additional resources and arrangements to increase the capacity of the council to deal with fly-tipping through education and enforcement.</p> <p>Enforcement of the law on waste is highly constrained. There are complex arrangements relating to collection and disposal of waste on land.</p>				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)	x			

Appendix 1

Proposed Waste Enforcement & Clearance Workflow

