

Fly-tipping Update

Culture & Neighbourhoods Scrutiny Commission

Date of meeting: 15/01/2025

Lead director/officer: Sean Atterbury, Director of
Neighbourhood & Environmental Services

Useful information

- Ward(s) affected: All
- Report author: Brian Stafford, Head of Standards & Development
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- Report version number: 1.0

1. Summary

- 1.1 This report provides an update on flytipping issues across the city and summarises the slide presentation appended.
- 1.2 The report highlights the current levels of flytipping across the city and measures taken by the council to address these.
- 1.3 The report follows on from a previous report brought to the Neighbourhood Services scrutiny commission in October 2022.

2. Recommendation(s) to scrutiny:

2.1 Culture & Neighbourhoods Scrutiny Commission are invited to:

- Note the contents of the report and presentation
- Review and comment on the update.

3. Overview

- 3.1 The City Council employs a strategic approach to reduce the burden of flytipping across the city. Fly-tipping is a national blight that affects residents and has a detrimental effect on those areas affected by it, and the council takes its approach seriously to addressing flytipping where this occurs.
- 3.2 A holistic approach is taken to fly-tipping within the council, with a number of different teams and services involved. These include (but are not limited to) the City Warden and Enviro-Crime team, Cleansing Services, Waste Management and other teams where required. This partnership working is vital in order to reduce the amount of flytipping that takes place.
- 3.3 Fly-tipping is legally defined as the illegal disposal of household, industrial, commercial or other 'controlled' waste. The waste can be liquid or solid. 'Controlled' waste includes garden refuse and larger domestic items such as fridges and mattresses.
- 3.4 Fly-tipping is a serious criminal offence that can lead to prosecution where appropriate. The clean up costs to local authorities can run into millions of pounds and place a burden on already stretched financial resources to clean an area or rubbish and detritus.
- 3.5 Whilst Leicester does suffer from flytipping in various part of the city, in comparison with other cities and local authorities it benchmarks relatively well against its neighbours. Some headline data is given in the table below.

| Local Authority | 20/21 | 21/22 | 22/23 | 22/23 per 1,000 pop |
|--|--------------|--------------|--------------|--|
| Leicester City Council | 9,999 | 8,321 | 7,016 | 18.8 |
| Nottingham City Council | 11,148 | 13,608 | 21,298 | 64.8 |
| Derby City Council | 7,207 | 6,375 | 5,955 | 22.6 |
| Peterborough City Council | 9,744 | 8,981 | 9,943 | 45.7 |
| Birmingham City Council | 22,750 | 23,153 | 15,807 | 13.7 |
| Camden Council | 36,696 | 32,517 | 31,457 | 144.3 |
| Liverpool City Council | 24,326 | 18,976 | 23,404 | 47.1 |
| Manchester City Council | 14,891 | 13,999 | 13,658 | 24.0 |
| Newham Council | 20,765 | 25,879 | 17,497 | 48.8 |
| | | | | |
| <u>Leicestershire Councils</u> | | | | |
| Blaby District Council | 1,289 | 802 | 627 | 6.0 |
| Charnwood Borough Council | 1,198 | 878 | 869 | 4.7 |
| Harborough District Council | 469 | 322 | 317 | 3.2 |
| Hinckley and Bosworth BC | 1,296 | 870 | 751 | 6.6 |
| Melton Borough Council | 399 | 369 | 299 | 5.7 |
| North West Leics District Council | 1,475 | 704 | 587 | 5.5 |
| Oadby and Wigston BC | 9 | 14 | 19 | 0.3 |
| Rutland County Council | 284 | 166 | 174 | 4.2 |

3.6 Whilst Leicester does suffer from flytipping in various part of the city, in comparison with other cities and local authorities it benchmarks relatively well against its neighbours. Some headline data is given in the table below. As can be seen, in comparison with neighbouring unitary authorities, flytipping numbers are lower than others and have remained relatively constant since 2020/2021 when numbers increased during the Covid-19 pandemic. In comparison with the Leicestershire districts, the rate of flytipping is much higher, which can be attributed to a higher population density and the increased urban layout of the cityscape compared to the boroughs.

3.7 The Council uses the “Four P’s” approach to tackle flytipping. These are:

- Prepare: *service provision framework; gathering of data; analysis; partnership working*
- Protect: *regular service provision; target hardening*
- Prevent: *education; campaigns; interventions*
- Pursue: *appropriate levels of enforcement*

3.8 The reasons for fly-tipping can be complex. There is sometimes confusion from people as to how to get rid their waste in a legal manner - for example not understanding the orange bag system or being unaware of the council’s about bulky waste collection service. Another factor can be that people see fly-tipping being removed and therefore

think that putting more rubbish down is a legitimate means of disposal. In these cases, it is important that this cycle is broken through education means, signage, word-of-mouth and where appropriate, the issuing of fixed penalty notices and clear up costs.

- 3.9 The use of data is key to identifying problem areas and developing a strategic approach to tackling problem areas. Fly-tips are recorded when found and logged, with the data then analysed to look at whether there are increased levels in a particular period. This may be corroborated by anecdotal accounts, ward councillor interventions or patch walks.
- 3.10 There are a number of actions or projects that can be progressed should flytipping levels start to increase in certain areas. These include:
- The development of ward action plans – these have proved successful in the past and bring together all the partner services to tackle flytipping in a particular area or to do with a particular issue.
 - Education campaigns
 - Bins on Streets campaigns
 - Referrals to the council's Enviro-Crime team for persistent flytipping or complex investigatory work.
- 3.11 The City Council have powers to issue fixed penalty notices and clean-up costs where required for those people who have been found to have fly-tipped. The Council also has a bank of mobile CCTV cameras that can be deployed to problem sites to catch persistent fly-tippers. People can be asked to attend interviews under caution and where guilty, can be fined by the City Council or taken to court depending on the seriousness of the crime.
- 3.12 The current Fixed penalty amount for fly-tipping is £400 (reduced to £280 on early payment) but there is a statutory instrument in place that allows local authorities to set their own levels of fines.
- 3.13 The "Four P's" and partnership working approach has been demonstrated to work. As an example in 2024 there was a successful campaign in the St Matthews area of the city to tackle increasing levels of flytipping around the orange communal bins there. Officers from Housing and Neighbourhood Services worked together to create a targeted campaign in the estate with the following outcomes:
- 145 investigations conducted.
 - 62 PACE interviews
 - 15 warnings issued
 - 48 FPN's
 - 36 clean up bills used.
- 3.14 Monitoring and evaluation will continue into 2025/2026 to identify any new hotspots or fly-tipping trends as part of business as usual operations. Officers will continue to liaise with ward councillors across the city should it be felt there are particular issues or actions required through the use of a ward action plan.

4. Financial, legal, equalities, climate emergency and other implications

4.1 Financial Implications

As a general update on fly-tipping activity, there are no direct financial implications arising from the recommendations within this report.

Signed: Stuart McAvoy – Head of Finance

Dated: 6th January 2025.

4.2 Legal Implications

This is an update report for noting and/or review and there are no legal implications arising from the content

Signed: F. Hajat – qualified lawyer

Dated: 6th Jan 2025

4.3 Equalities Implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their activities, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a protected characteristic and those who don't, and to foster good relations between people who share a protected characteristic and those who don't.

The PSED is a continuing duty and remains with the authority when services are commissioned and, therefore, it is important to monitor and, where necessary, set expectations to ensure that due regard is paid to the general aims. Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

Fly-tipping and littering is unsightly and can affect the quality of life of residents and communities who see it. Scope for a more strategic, joined up, problem-solving approach to fly-tipping with greater use of analysis, more co-operation between authorities and stronger evaluation of initiatives to build a firmer knowledge-base for dealing with the issues as mentioned in the report should lead to positive impacts for people from across all protected characteristics. It is important to make communications and messages about available services accessible.

Signed: Equalities Officer, Surinder Singh

Dated: 6 January 2025

4.4 Climate Emergency Implications

There are limited climate emergency implications directly associated with this report. More widely, work to ensure waste is disposed of correctly may have a positive impact through increasing rates of recycling within the city, as well as preventing waste from entering natural habitats within the city.

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| Signed: Aidan Davis, Sustainability Officer, Ext 37 2284 |
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| Dated: 6 January 2024 |
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| 4.5 Other Implications |
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5. Background information and other papers:

6. Summary of appendices:

Appendix A – Fly-tipping update slide presentation