

HERTFORDSHIRE COUNTY COUNCIL

Agenda Item No.

9

**COMMUNITY SAFETY & WASTE MANAGEMENT
CABINET PANEL**

THURSDAY 8 FEBRUARY 2018 AT 10:00AM

FLY TIPPING IN HERTFORDSHIRE

Report of the Chief Executive & Director of Environment

Author :- Duncan Jones, Hertfordshire Waste Partnership, Partnership
Development Manager & Chairman of the Hertfordshire Fly
Tipping Group (Tel: 01992 556150 / 07769 682052)

Executive Member :- Terry Hone, Community Safety & Waste Management

1. Purpose of report

1.1 To provide panel with an update on the continuing work being undertaken to counter fly tipping within Hertfordshire.

2. Summary

2.1 Fly tipping is the illegal dumping of waste either through a deliberate act or as a result of not understanding the '*Duty of Care*' which applies to both householders and businesses when it comes to disposing of waste.

2.2 In Hertfordshire a range of stakeholders including all of the county's local authorities, the Hertfordshire Constabulary, the Office of the Police & Crime Commissioner, Hertfordshire Fire & Rescue, the Environment Agency, the National Farmers Union, Keep Britain Tidy, and M25 Connect have come together under the auspices of the Hertfordshire Fly Tipping Group (FTG).

2.3 The FTG has and continues to roll out a number of initiatives to address fly tipping with the number of reported incidents across the County now reducing overall.

3. Recommendation

3.1 That the Panel notes the report.

4. Police & Crime Commissioner Challenge Fund

- 4.1. Further to funding being received from the Office of the Police & Crime Commissioner's Challenge Fund in 2016/17, on-going dialogue with the Office of Police & Crime Commissioner and the Herts Constabulary resulted in £50,000 being awarded to the FTG for 2017/18. As per the previous year the money is being granted on a match funding basis with bidders required to provide 25% of any project cost.
- 4.2. By the deadline on Friday 15 September 2017, 10 bids had been received as detailed in Table 1 below:

Table 1	Project total	Max funding available	Summary
Broxbourne	£50,000	£37,500	6 x CCTV Cameras at NRC hotspots
Broxbourne & Three Rivers	£3,200	£2,400	4 x mobile enforcement cameras
Dacorum (1)	£6,209	£4,657	Roll out of FTG campaign
Dacorum (2)	£9,300	£6,975	CCTV Cameras
East Herts	£4,965	£3,724	CCTV Cameras
FTG Comms Group	£29,530	£22,148	County fly tipping campaign and toolkit
Stevenage	£12,706	£9,530	Enforcement camera, PR materials and training
Watford	£3,610	£2,708	Highly localised campaign targeting specific areas
Welwyn Hat (1)	£2,500	£1,875	Bin Sensors
Welwyn Hat (2)	£4,000	£3,000	Enforcement Tool
Sub Total...	£126,020	£94,515	

- 4.3. The 10 bids came to a total project cost of £126,020 with funding being sought totalling £94,515 which exceeded the £50,000 granted by the PCC.

Evaluation

- 4.4. The bids were assessed against an agreed criteria, and following evaluation the following were granted funding:

Table 2	Description	Rank	Project total	Max funding available
Broxbourne & Three Rivers	4 x mobile enforcement cameras	1	£3,200	£2,400
Dacorum (1)	Roll out of FTG campaign	2	£6,209	£4,657
East Herts	CCTV Cameras	3	£4,965	£3,724
FTG Comms Group	County fly tipping campaign and toolkit	4	£29,530	£22,148
Stevenage	Enforcement camera, PR materials and training	4	£12,706	£9,530
Watford	Highly localised campaign targeting specific areas	6	£3,610	£2,708
Welwyn Hat (1)	Bin Sensors	6	£2,500	£1,875
Welwyn Hat (2)	Enforcement Tool	8	£4,000	£3,000
Sub Total...			£66,720	£50,042

- 4.5. The bids from Broxbourne (£37,000) and Dacorum (£6975) scored the lowest and therefore were ranked 9 and 10 respectively. As such they fell outside the scope for funding and therefore were not approved.

- 4.6. No bids were received from Hertsmere, North Herts or St Albans.

5. FTG Work Programme Sept 2016 – March 2018

- 5.1. The FTG's current work programme includes eight work streams covering the period September 2016 – March 2018. The latest updates are shown below:

Table 3	Update – as of October 2017
1. Promotion of Duty of Care	As part of the last update HWP Members were made aware of a new FTG comms group that had been brought together to address work streams 1 – 3.
2. Fly Tipping Brand	Since then initial phase of work has been finished with a draft campaign plan completed and fully costed.
3. Public Face & Promotions	<p>Following this draft hard and soft media are now in final production stages and are due to be rolled out towards the end of quarter 4.</p> <p>This includes a limited print run of a new fly tipping leaflet designed to be used by all FTG stakeholders without the need for redesign.</p> <p>Officers are currently looking at how the FTG might be able to arrange for the leaflet to be delivered to every household in Hertfordshire.</p>
4. Working with JPs and Magistrates	<p>This work stream has now commenced with a survey of the local authority partners to determine key issues in putting together and presenting cases for prosecution. Survey deadline was the 1st December 2017 with all Boroughs and Districts submitting responses.</p> <p>The results of the survey will then be used to initiate a dialogue with Hertfordshire’s magistrates.</p>
5. Hotspot mapping / identification	Progress with this works stream is currently being reported on and will be updated in due course.
6. Reporting	Work stream complete; although regular checks continue to be made to ensure compliance with monthly reporting requirements.
7. The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016	Work stream largely complete. The majority of the partner authorities now issue the same fines and discounts under the 2016 Regulations.

	<p>However, care needs to be taken to ensure alignment is maintained following annual changes to fees and charges.</p>
<p>8. Research & Innovation</p>	<p>This work stream was largely funded by Stevenage and Welwyn Hatfield but also received contributions from the other Partner Authorities on the basis that the findings would be made available to all Hertfordshire local authorities as well as the FTG.</p> <p>The final report was previously circulated and, along with the associated presentation, was included on the October agenda.</p>

6. Hertfordshire's FTG Communications Campaign

- 6.1 An important part of the FTGs current work programme is the design and implementation of a county wide campaign and toolkit that will be rolled out in Quarter 4. The campaign and toolkit will include a number of elements from traditional hard print media to information videos through to social media.
- 6.2 The campaign has been put together by a special FTG sub group including both local authority and non-local authority stakeholders. The sub group has also worked with neighbouring waste partnerships to 'crowd source' best practice ideas all of which have either been directly incorporated into the campaign or have influenced it in some way.
- 6.3 The campaign, funded through a combination of PCC and WasteAware funding, is due to be rolled out in quarter 4 and will probably be timed to coincide with the Great British Spring Clean in early March. A key part is the production of a new household information leaflet designed so it can be used by any stakeholder in the FTG either in isolation as part of local initiatives or in combination with any of the other stakeholders.
- 6.4 Initially the campaign will include a limited print run of 20,000 leaflets to be divided among the stakeholder groups. In addition to the above, although not part of the official campaign, officers are currently exploring how the new leaflet might be delivered (and funded) to every household in Hertfordshire.

6.5 Examples of the new campaign literature are shown below:



Fig 1 - The new household fly tipping leaflet



Fig 2 - Social Media example 1

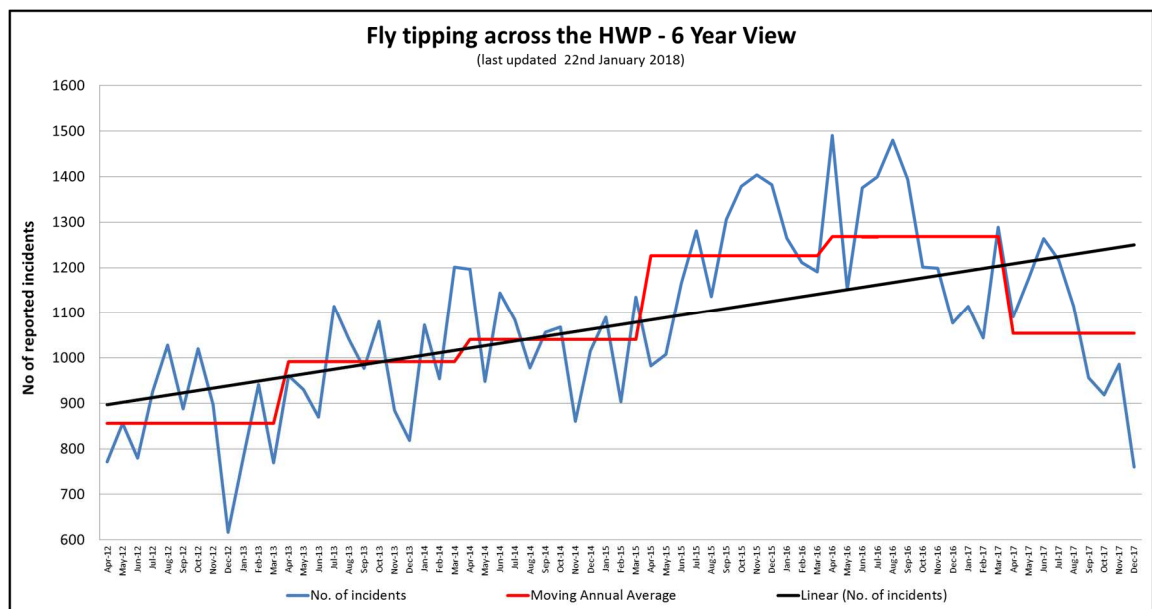
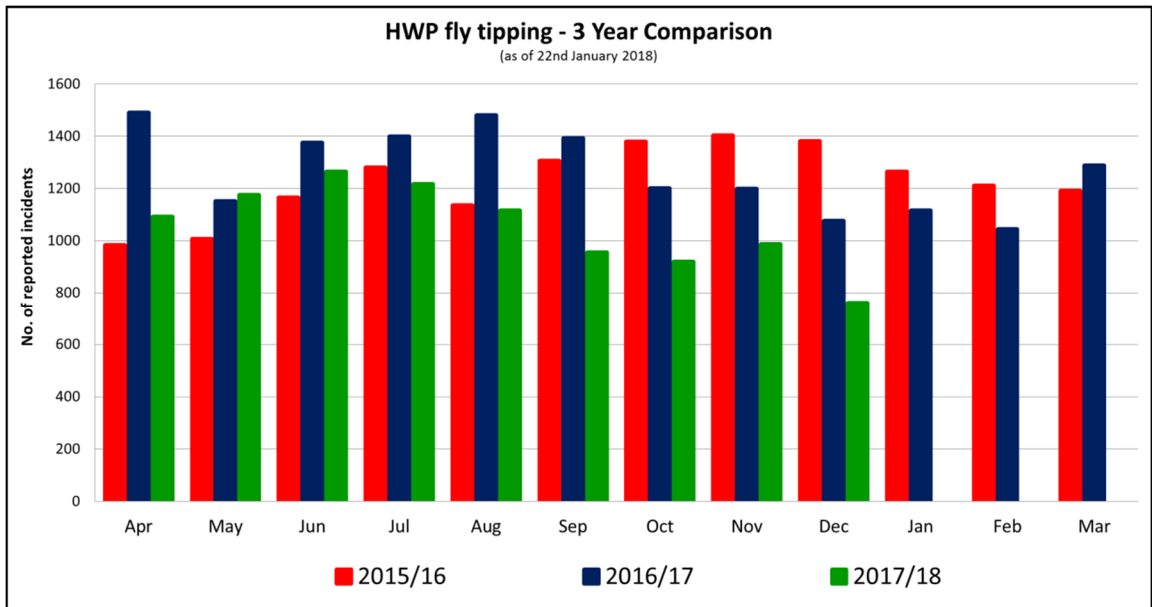


Fig 3 - Social Media example 2

6.6 In the meantime the FTGs local authority stakeholders have recently secured a number of high profile prosecutions as noted in Appendix A.

7. Fly Tipping Statistics 2015/16 'v' 2016/17 'v' 2017/18

7.1 The graphs below show that the trend previously reported has largely continued with further reductions in the number of recorded incidents from June through to December 2017. This means fly tipping has now reduced in 12 out of the last 20 months as illustrated below:



7.2 Breakdowns for individual boroughs and districts are available on request from the HWP’s Partnership Development Manager and FTG Chairman Duncan Jones – please contact duncan.jones@herfordshire.gov.uk.

7.3 Table 4 below breaks down the results for 2017/18 (available so far) by individual authorities to show the percentage change in each month as well as the running total to date. As shown for the period April – December 2017 fly tipping has declined by over 18% across the county as a whole:

Authority	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Broxbourne	0.0%	-15.7%	-39.8%	-34.1%	6.1%	-1.4%	15.6%	10.0%	6.4%	-10.9%
Dacorum	-21.1%	-32.4%	1.8%	-10.3%	-29.3%	-14.1%	0.0%	14.6%	-10.3%	-11.9%
East Herts	12.1%	7.0%	1.0%	16.4%	-20.4%	-15.3%	13.9%	-3.8%	-4.8%	-1.1%
Hertsmere	48.1%	287.8%	55.6%	67.3%	27.8%	-19.8%	-18.2%	-14.8%	3.6%	36.3%
North Herts	-34.1%	-27.8%	54.4%	8.6%	27.7%	-9.4%	16.2%	-16.7%	-30.0%	-6.7%
St Albans	-52.6%	-14.7%	15.5%	-3.6%	-43.7%	-25.4%	-44.7%	-35.1%	-48.0%	-29.7%
Stevenage	-20.5%	-11.0%	-34.7%	-40.1%	-53.3%	-56.1%	-56.4%	-58.6%	-57.0%	-42.8%
Three Rivers	-17.4%	109.7%	50.0%	10.8%	-15.8%	-24.6%	-1.4%	9.2%	49.0%	10.5%
Watford	-68.1%	4.9%	-51.2%	-40.6%	-3.2%	-39.3%	-34.2%	27.3%	-28.7%	-33.2%
Welwyn Hatfield	-31.6%	-8.0%	17.1%	1.9%	-2.3%	-28.9%	-5.9%	9.3%	-37.2%	-10.2%
Sub total	-26.8%	2.1%	-8.1%	-14.2%	-22.0%	-31.4%	-23.5%	-17.8%	-29.4%	-19.4%

8. Fixed Penalty Notices & Prosecutions

8.1. In May 2016 the Government recognising the comparative difficulty and cost of going to court to prosecute incidents of fly tipping and introduced **The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016**. Based on updates at the time of writing from April – December 2017 84 FPNs had been issued across Hertfordshire. Distribution across the boroughs and districts is shown in Table 5 below:

Authority	2016/17	2017/18
Broxbourne	5	12
Dacorum	4	1
East Herts	0	1
Hertsmere	7	19
North Herts	0	0
St Albans	0	4
Stevenage	0	26
Three Rivers	2	2
Watford	10	13
Welwyn Hatfield	3	6
Total...	31	84

- 8.2. During 2016/17 there were a total of 42 prosecutions for fly tipping. Based on information at the time of writing so far during 2017/18 there have been 21 prosecutions for fly tipping with a number currently with legal sections for consideration as well as number of on-going investigations.
- 8.3. Whilst these numbers may indicate that there will be fewer prosecutions in 2017/18 it should be considered that the use of the new FPNs is also now underway and as such it is reasonable to expect less prosecutions.
- 8.4. It should be noted that the FTG's partner authorities still pursue prosecutions where relevant as detailed in the attached examples in Appendix A.

9. Financial Implications

- 9.1. The costs of the Fly Tipping Group and associated campaign have been met from existing budgets, or those of partner organisations.

10. Equality Impact Assessment

- 10.1. When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 10.2. Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 10.3. The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 10.4. No Equalities Impact Assessment was undertaken in relation to this report as such matters will be managed by individual FTG stakeholders.

Background information:

The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016
<https://www.legislation.gov.uk/ukxi/2016/334/contents>

Crushing film warns would-be fly tippers

A FILM showing a fly-tipping van being destroyed highlights the dip in reports of fly-tipping.

The Fly-Tipping Group is made up of the commissioner's office, Hertfordshire Constabulary, the National Farmers' Union and the Environment Agency and is part of the wider Hertfordshire Waste Partnerships.

A film made by the group shows a van that was used for fly-tipping being crushed, as viewers are reminded that they could face this, a £50,000 fine and a stretch in prison if caught dumping rubbish.

Police and Crime Commissioner David Lloyd said: "The message is that if you think you can make a business out of fly tipping in Hertfordshire you need to think again.

"Fines have not always proved a sufficient deterrent in the past but destroying these vehicles makes sure they won't be used for fly tipping again.

"It's important that residents and businesses carry out the



A still from the Fly tipping Group

necessary checks to ensure that any waste collection contractors they engage are properly licensed so they don't end up in court being prosecuted for fly tipping."

There has been a 15 per cent reduction in reports of fly-tipping in Hertfordshire, according to figures from the county's Police and Crime Commissioner David Lloyd.

In 2016 the commissioner set up a £400,000 fund to support partnership schemes to combat the issue, and more than £80,000 of the fund so far has been spent to prevent fly-tipping by installing cameras in fly-tipping hot spots.

The responsibility to tackle rubbish dumping is primarily down to local authorities such as councils, but this multi-authority

organisation the Fly-Tipping Group has been cracking down on rubbish dumping.

The public are advised to call 999 if they see fly-tipping in progress and to report the issue online at www.hertfordshire.gov.uk/flytipping.

For more information visit <https://www.facebook.com/search/HertsPCC>.

Armed police are on camera

ARMED police officers in Hertfordshire will now be equipped with body worn video cameras in a bid to help bring 'quicker' justice to victims.

The cameras were rolled out to all officers within the tri-force armed policing unit across Hertfordshire, Bedfordshire and Cambridgeshire on Monday.

The cameras are already used by response officers and the force says they have led to quicker justice for victims as well as providing reassurance for both the public and officers.

Chief inspector Julia Hands from the unit said: "Our firearms officers welcome the introduction of the body worn video cameras and we hope that they will also be welcomed by the public.

"The cameras allow for an accurate account to be recorded from the scene of an incident, which is particularly key in the highly pressurised incidents that our firearms officers have to attend, when split second decisions need to be made.

"We believe that the cameras will increase our transparency and this in turn will help to improve the public's confidence and trust in our firearms officers, who work incredibly hard in the face of serious threats to protect the public and fight crime."

Item 6e – Waltham Cross fly-tipper jailed for dumping waste across Herts

By SimonMuffin | Posted: October 03, 2017

A serial fly-tipper from Waltham Cross has been jailed after dumping waste across Hertfordshire.

Grant Gilham, of Snettstone Road, admitted five counts of fly-tipping household waste and was sentenced to 10 months in prison at Cambridge Crown Court on Thursday, September 28.

The case was originally brought before Stevenage Magistrates' Court by North Hertfordshire District Council (NHDC) who also acted on behalf of Stevenage Borough Council and East Herts Council on Friday 17 March.

READ MORE: Fly-tipping group releases video showing what happens to vehicles used to dump rubbish

However Gilham, who was formerly from Stevenage, pleaded not guilty, meaning the matter was sent to the Cambridge Crown Court for trial.



Gilham dumped this rubbish in Ashwell Road, Bygrave

He committed the five offences between January and April 2016 while operating an illegal waste disposal business without an environmental permit.

The charges included the unlawful dumping of:

- controlled household waste on farm land in Benington
- chains, furniture, children's toys and various other items in Ashwell Road, Bygrave
- planks of wood and other items of waste between Hells Green and Warners Green in Weston
- golf clubs, plasterboard, wood and various other items in Bygrave Road, Ashwell
- a barbecue, a wooden door, black sacks and various other items at Tye End Garage Compound, Stevenage.

Following months of trial preparation, Gilham decided to change his plea to guilty.

Judge David Farrell QC said that the sentence would have been 12 months, but that in recognition of Gilham's eventual guilty plea, this would be reduced by a sixth to 10 months.

As part of the Herts Fly-Tipping Group, all local councils in Hertfordshire work closely to deal robustly with anyone caught committing these offences.



Rubbish dumped on Bygrave Road, Ashwell

Councillor Bernard Lovewell, NHDC's executive member for housing and environmental health, said: "Local residents have made it clear to us how disgusted they are with this sort of behaviour, so it's good news that this man will go to prison for his actions."

"It sends out a strong message to other would-be fly-tippers that we will not tolerate this behaviour. If you're a household considering paying people like Mr Gilham to do house clearance on the cheap – think again and stop!"

"You have a responsibility to dispose of your waste properly - if you don't you could find yourself in court too."