



## ADDITIONAL / TO FOLLOW AGENDA ITEMS

This is a supplement to the original agenda and includes reports that are additional to the original agenda or which were marked 'to follow'.

### NOTTINGHAM CITY COUNCIL OVERVIEW AND SCRUTINY COMMITTEE

**Date:** Wednesday, 8 November 2017

**Time:** 2.00 pm

**Place:** Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG

**Governance Officer:** Laura Wilson **Direct Dial:** 0115 8764301

### AGENDA

### Pages

- 5 FLY-TIPPING IN NOTTINGHAM**  
Report of the Head of Legal and Governance

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## Overview & Scrutiny Briefing Paper – Fly Tipping

### Terms of Reference

Following a presentation on fly tipping at the last meeting, the members of the Overview and Scrutiny panel decided that they would like to focus on the following issues at their next meeting on 8<sup>th</sup> November 2017:

- costs of waste management (street cleaning, bulky waste collection, etc),
- % of Council Tax that is spent on the services,
- implications for other services,
- work of the Waste Advisors,
- current campaigns and
- general work that is done to educate citizens on the services available and the implications of not using them.

### Introduction

Fly-tipping is the illegal dumping of waste and is a crime. It is a serious problem in England and Wales and is estimated to cost the UK approximately £150 million every year.

Specifically Fly-tipping:

- Is a criminal activity that can cause serious pollution of the environment, may be a risk to human health and can harm wildlife and farm animals
- Spoils the local neighbourhoods and quality of life
- Costs local authorities £50 million each year to clear up. Private landowners and businesses costs are on top of this figure.
- Undermines legitimate waste management companies who are undercut by illegal operators
- Unsightly fly-tipped waste can deter investment in the area and lead to a lack of pride among local people

The difference between litter and fly-tipping is the size and amount. Litter is usually small, such as crisp packets, discarded cigarettes or apple cores, whereas fly-tipping is larger items of rubbish. This can vary from one bag of rubbish to fridges, sofas, tyres, mattresses or dangerous materials such as toxic waste, dumped on land.

People fly-tip to avoid paying a levy. An authorised officer, (in Nottingham a Community Protection Officer), can issue a Fixed Penalty Notice up to £300 to anyone transferring bulky waste without a Waste Management Licence. The fixed penalty for fly tipping is £400. In 2016/17, three FPNs for fly tipping were issued.

### Legislation and Powers

Local authorities and the Environment Agency (EA) both have a responsibility in respect of illegally deposited waste. Local Authorities have a duty to clear fly-tipping from public land in their areas and consequently they deal with most cases of fly-tipping on public land, investigating these and carrying out a range of enforcement actions. The Environment Agency investigates and enforces against the larger, more serious and organised illegal waste crimes.

Both Local Authorities and the Environment Agency are required to collect data on their activity and report this to the DEFRA database. Responsibility for dealing with fly-tipping on private land rests with private landowners and is not subject to mandatory data reporting.

The Environmental Protection Act 1990 Section 33 makes it an offence to “deposit controlled waste, or knowingly cause or knowingly permit controlled waste to be deposited in or on any land unless a waste management licence authorising the deposit is in force and the deposit is in accordance with the licence. It goes on to state that it is also an offence to store controlled waste without a similar licence.

Waste and construction waste can only be disposed of by holders of a Waste Management Licence or taken to an officially authorised site.

The penalties for such offences were increased by the Clean Neighbourhoods and Environment Act (2005) from £20,000 to £50,000 and a prison sentence of up to 12 months at the Magistrates Court or at the Crown Court a prison term of up to five years and a fine. Alongside this increase in penalties other provisions were made such as the power to require landowners to clear fly tips from their land, the power to recoup costs for clearing fly tips and the power to seize vehicles that have been involved in fly-tipping. The act also extended the powers to prosecute householders whose waste turns up fly tipped and therefore places the responsibility on them to ensure anyone that takes their waste away is a registered waste carrier.

Section 34 of the Environmental Protection Act relates directly to businesses and places them under a ‘Duty of Care’ to manage their waste in a proper and legal manner. In detail this means that waste must be stored securely and only put out when it is due for collection. If refuse escapes such as a ripped bag or tipped over bin, then the owner of that waste must retrieve it. The owner of the waste is responsible for their waste at all times until it is handed over to a person or organisation authorised to receive it.

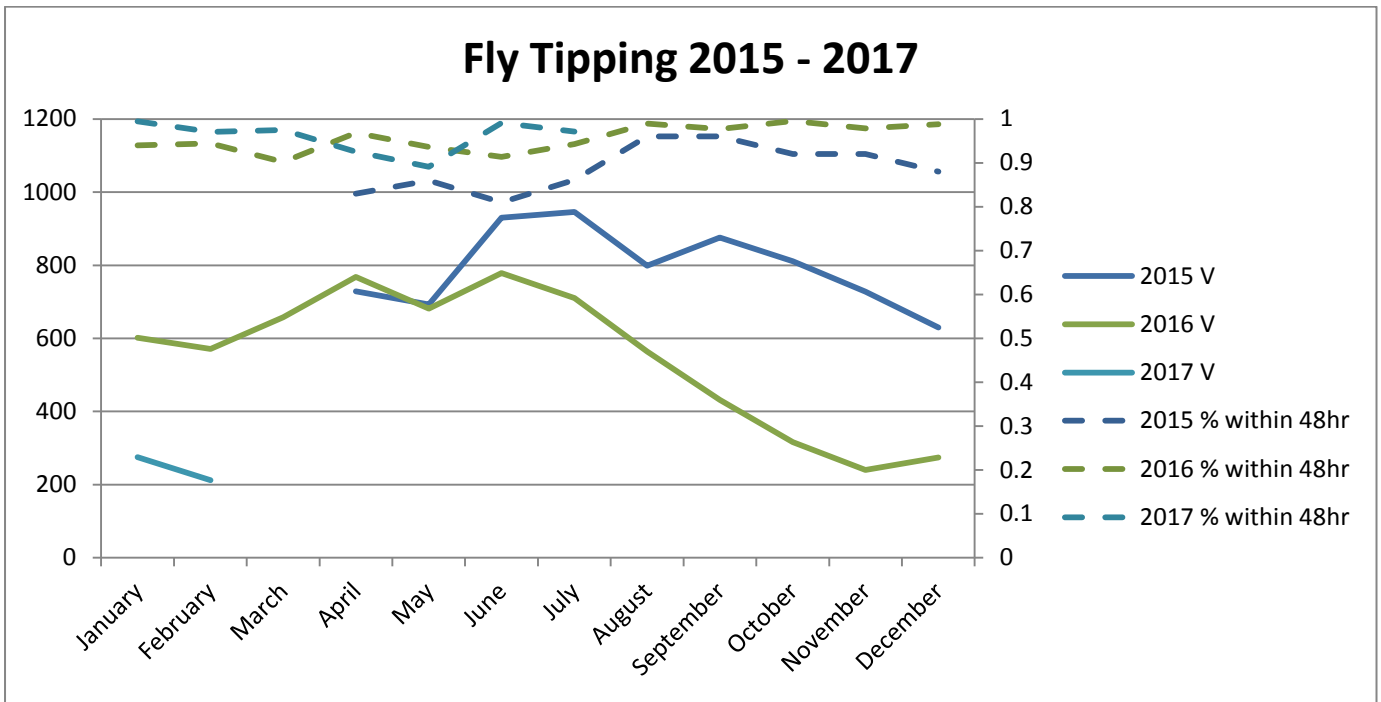
From 9 May 2017 local authorities have been given greater powers to tackle the crime by issuing penalty notices of between £150 and £400 to those caught in the act of fly-tipping anything from old fridges or sofas to garden waste or rubble.

Introducing fixed penalty notices for fly-tipping is the latest move in a government crackdown on waste crime, which costs the economy millions of pounds a year in clean-up costs, undermines legitimate business, and poses serious risks to our environment.

### **Local Picture**

Fly-tipping is a national problem and is increasing across the country. Within Nottinghamshire, 6 out of the 7 districts reported an increase in fly-tipping incidents from 2015/16 to 2016/17. Ashfield reported an increase of 19%, however Mansfield (21%), Rushcliffe (42%) and Newark and Sherwood (44%) all reported higher increases. However the trend within Nottingham City shows that fly tipping has decreased during this period and that Bulky waste collection have increased.

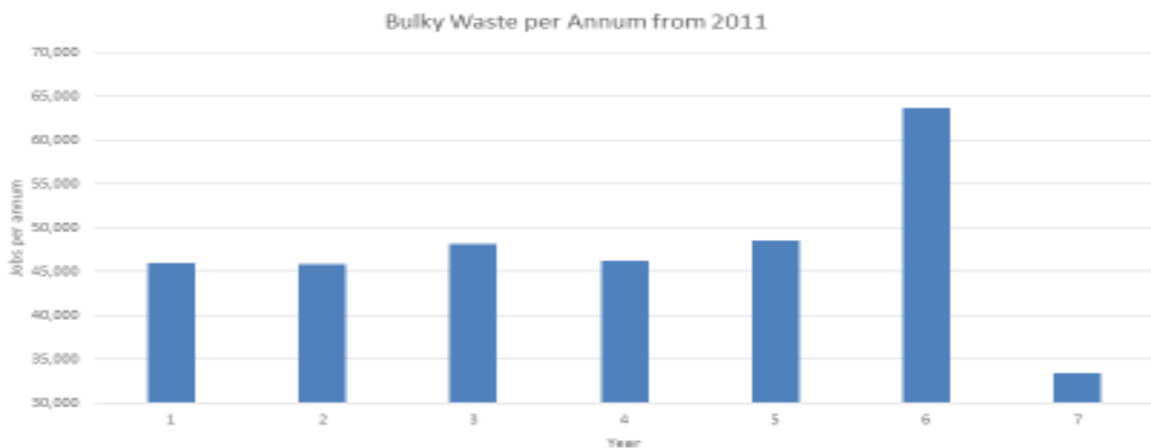
The graph below shows the total number of fly-tipping incidents between 2015 - 2017



The graph below shows the total number of Bulky Waste bookings between 2011 - 2017

## Bulky Waste jobs per annum

2011	2012	2013	2014	2015	2016	2017
45,977	45,778	48,157	46,205	48,543	63,691	33,374



### Costs of Service

Costs of waste management (street cleaning, bulky waste collection, etc), the % of Council Tax that is spent on the services,

- The total amount raised in Council Tax requirement only is £100.947 million

- Total cost of Waste Management and Streetscene is £8.923 million – This breaks down to £66 per household.
- This equates to 8.8% of the money raised through only Council Tax collected.
- Total amount of Council spend on services in 2017/18 is £524.2m (Council bill publication)
- This equates to 1.7% of the money consumed by all services within Nottingham City Council.

## **Current Campaigns**

The Council ran a major corporate campaign from April to June 2017, with the strapline “Nottingham – let’s keep it clean”. This was aimed at changing behaviour and one of the key targets was to reduce flytipping.

The campaign launched with hard-hitting messages focusing on fines as the penalty for undesirable behaviour like littering, dog fouling and fly-tipping. This was followed up where citizens were encouraged people to pick up litter and join our Clean Champion scheme.

The campaign ended with ‘thank you’ messaging and celebration of the activities of civic-minded citizens who volunteer and help to improve the environment in our city.

The number of fly tipping incidents dropped by 4% when compared with the same period in 2016 over the 3 months of the campaign.

## **Waste Management Waste Advisors**

The 3 Waste Advisors undertake a wide range of work that support the waste operations and support efforts to educate citizens on the services available and the implications of not using them. This includes

### **Ongoing Campaigns**

- Attend week of actions
- Student action plan
- Attend NAT meetings
- Link in with NDO’s & CPO’s

### **General**

- Inspection and monitoring when requested of areas with waste/street scene/commercial issues and arrange for remedial operational works required to maintain service standards via radio including fly tipping, overflowing bins, contamination, APO’s etc
- Assist with receipt & delivery of supplies (containers, boxes, bags, leaflets) at all council properties as appropriate.

### **Contamination / Assisted Pull Outs**

- Undertake surveys for collection schemes and assess new builds and compliance audits regarding council policies including contamination, additional bins & APO's.
- To be fully conversant with the services operational activities, standards and specifications. Devise, operate and maintain appropriate systems and procedures for monitoring works undertaken in relation to the service mainly removal of contaminated bins.
- Keep appropriate / accurate records of properties that contaminate.
- Follow up with citizens after they contaminate from the 2<sup>nd</sup> occasion and monitor address ongoing.
- Undertake customer consultation on new service proposals and discuss potential enforcement action with stakeholders and appropriate departments for stakeholder non-compliance.

### **Customer Service / Education**

- Follow up complaints about perceived service failures by visiting households and businesses to offer advice on how to comply with waste management policies and provide and organise remedial solutions to complaints.
- Assist with publicising recycling schemes and consulting with householders regarding new and existing recycling services including leaflet distributions.

### **Operational**

- 1 out of the 3 waste advisors has passed his LGV and covers as a driver when required. The 2 remaining waste advisors are working towards getting their LGV also to cover busy operational periods as drivers.
- Inspecting & monitoring vulnerable addresses where service failure has happened and report back to operational team. Also, organise any remedial solutions.

### **Conclusion – Waste Advisors**

The impact on the Waste management service if the waste advisors were not available would be extra pressures on the remaining operational team to pick up these tasks. The current operational team deal with frontline staff management, performance, sickness, disciplinary's, health & safety issues etc and running the day-to-day operations of waste i.e. staff cover, vehicle breakdowns, communication between back office & frontline staff whilst on site etc.

Other implications would be less communication between waste and vital stakeholders., fall down in the APO & contamination bin removal process especially face to face education to residents, record keeping and actual removal of bins. Current operational team would not have the time to carry out the survey's in regards to contamination, APO process, extra bins etc.

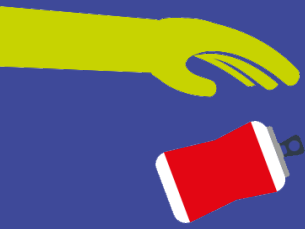
Less monitoring of vulnerable service failures & less immediate actions to resolve. General customer consultation would be reduced. Not enough accurate information in regards to new builds and planning them in on routes.

Less staff resource to publicise any waste schemes or have that face-to-face contact in regards to waste management services.

1 (eventually 3) less LGV driver to cover in emergencies for operational purposes.



# Nottingham Let's keep it clean



Fly-tipping

- 4% YOY



Dog Fouling

- 11% YOY

150

Clean Champions signed up



+11%\*

rise –in number of people aware of dog fouling PSPO



36%\*  
picked up litter

66%\*

remembered seeing clean artwork



+ 45%

YOY – hits to bulky waste online



2863

Facebook engagements (shares and likes)

371k

Facebook reach



12.8k

Twitter engagements (including 926 retweets)

753k

Twitter reach

\*of survey respondents – sample size 1000

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## Nottingham – let's keep it clean!

April – June 2017



### Background – why did we run this campaign?

As a council, we are proud of Nottingham's reputation as Britain's cleanest city and we want to maintain this.

The council works hard to keep Nottingham clean. Despite this, the 2016 Respect survey showed that littering, closely followed by dog fouling, are perceived by residents as the biggest anti-social behaviour issues in neighbourhoods.

To address this situation, this campaign aimed to encourage citizens to play their part in helping to keep the city clean.

### Campaign objectives

To change behaviour in the following ways:

- reduce littering
- reduce dog fouling
- reduce fly-tipping
- increase reporting of enviro-crimes
- Increase online requests for the bulky waste service
- Increase number of people willing to pick up litter when they are out and about
- Encourage people to sign up to be Clean Champions (i.e. volunteer to litter pick in their neighbourhood).

### Strategy

The campaign launched with hard-hitting messages focusing on fines as the penalty for undesirable behaviour like littering, dog fouling and fly-tipping.

We then encouraged people to pick up litter and join our Clean Champion scheme.

The campaign ended with 'thank you' messaging and celebration of the activities of civic-minded citizens who volunteer and help to improve the environment in our city.

## Implementation

The campaign launched on Tuesday 11 April 2017, using the following channels to reach all citizens:

- Posters on bus shelters, city information panels, belly bins and Loxley House windows
- PR - media opportunities and announcements
- Social media and email campaign
- Printed content – 4 pages in June Arrow (included 'what we do, what you can do' information), June Neighbourhood Newsletters, April NCH news
- Radio advertising on Smooth FM.

Activity in neighbourhoods:

- At least one 'clean' activity per ward with NDOs, based on the specific issues in that ward
- Back of bus advertising and lamppost banners
- Toolkit for NDOs, CPOs, park rangers and other partners – printed and online resources
- Clean Champions scheme – resources and advice for active citizens to do their own litter picks.

## Results – what did the campaign achieve?

- 150 people signed up to become Clean Champions.
- The number of dog fouling incidents in Nottingham reduced by 11% compared to the same period in 2016.
- The number of fly-tipping incidents reduced by 4% compared to the same period in 2016.
- This decrease is small, but should be seen in the wider context of a national rise in fly-tipping. Also, we believe there was some double counting of fly-tips reported in 2017 so the actual percentage decrease in fly-tipping was probably greater than 4%, but it is impossible to quantify the exact extent of this.
- Unfortunately there is currently no way of measuring or reporting on the amount of litter dropped or collected in bins.
- Unfortunately, the figures for requests for the bulky waste service are not comparable year on year. However, we know that hits to the bulky waste web page increased by 45% compared to the previous year which suggests more people were requesting the service online – a positive outcome.
- **[Do we know the number of volunteer litter picks that took place?]**
- We conducted a pre and post campaign survey (sample size) which shows:
  - 66% of respondents\* had seen the 'Keep it Clean' campaign
  - The number of people who strongly agreed that "Nottingham City Council does a good job of keeping the city clean" increased from 11% to 17%.
  - The number of people who strongly agreed that "Nottingham City Council takes firm action to catch and fine people who drop litter, dump rubbish and don't clean up after their dog" increased from 2% to 15%.
  - Awareness of the on-the-spot fine for not carrying appropriate means to clear up after your dog increased from 53% to 64%
  - Awareness that you can report littering, dog fouling and fly-tipping to the Council increased from 62% to 68%.
  - Awareness of the Clean Champions scheme increased from 11% to 24%.
  - 36% said they picked up litter after seeing the 'Be a hero' poster.

## What are the key learning and recommendations for future activity?

- Overall, we received positive feedback on the campaign: it was widely seen and engaged with by many residents who voiced their support of the messaging.
- There was quite a lot of feedback from people who felt that the fines for littering, dog fouling and fly-tipping aren't high enough. Lots of people also asked why the fine for dog fouling is lower than the fine for littering, when they feel that dog fouling is a more offensive crime.
- A perhaps surprising number of people do pick up other people's litter and are happy to volunteer to do litter picks. We need to continue to support these people and normalise their behaviour as much as possible.

## Other comments and feedback on the campaign:

- Some people are cynical about the enforcement of fines, either perceiving it as a ‘money-making exercise’ for the council or not believing that the council catches and fines people who commit environmental crimes.
- A large number of people commented that they don’t want to touch belly bin handles to dispose of litter – the perception of germs on the handles is a barrier to people disposing of litter responsibly.
- Some people also complained that there aren’t enough litter bins in Nottingham, particularly in certain neighbourhoods.
- Many people don’t want to pick up other people’s litter – again because of concerns about germs and hygiene, and also some people don’t see why they should pick up other people’s litter. More work is needed to try to normalise and encourage this behaviour.
- The Council’s reporting process (whereby members of the public can report litter, dog fouling, fly-tipping, etc) needs a feedback mechanism so that people are informed whether their report was actioned, if not why not, etc. We received a number of complaints from people who felt their report wasn’t acted on.
- There were a number of complaints that one tip for the whole of Nottingham city is not enough, that it is hard to get to and is not well-managed.
- In terms of feedback on the campaign, a number of people felt that a poster campaign will never change the behaviour of the minority of people who drop litter, etc, and as such is a waste of money.
- There were also a lot of comments who felt that the campaign should have focused more on young people, and should have been more visible in neighbourhoods rather than the city centre.



### Nottingham Let's keep it clean!

Our latest campaign is all about what Nottingham City Council does to keep the city clean, and what YOU can do too!

**We will:**

- collect your rubbish bins and recycling bins on an alternate weekly basis
- provide a free, weekly (by appointment) bulky waste service
- provide enough street litter bins for rubbish and dog waste bags
- operate a 7 day a week, 24 hours service to keep streets free from litter and graffiti
- do at least 10 'deep cleans' in your neighbourhood each year
- remove fly-tips within 48 hours of them being reported, and investigate and prosecute offenders wherever possible
- remove dog mess, fly-posting and graffiti within 48 hours of it being reported
- investigate and tackle issues such as graffiti, littering, dog fouling, abandoned cars and untidy gardens – warning and fixing offenders where appropriate

**We ask you to:**

- dispose of your rubbish responsibly. Pull litter, cigarette ends and chewing gum in the bins provided or take it home with you.
- if you own a dog, always pick up and dispose of dog waste in bins
- use the Council's free bulky waste service to remove any unwanted household items. Do not dump rubbish and unwanted household items on the street
- put your bin out by 7am on the day of collection and take your emptied bin off the street on the same day
- put the right waste in the right bins – recycle it right
- look after your home and garden – keep your garden tidy

### Warning to litterers, dog foulers and fly-tippers: Respect our city or face a fine

We know that most people in Nottingham care about their city and want to keep it a great place to live. But a small minority disregard our city by dropping litter, letting their dogs foul or dumping their rubbish. So Nottingham City Council works closely with Community Protection Officers (CPOs) to fine those who break the rules. In 2016, over 3,000 people were fined £75 for littering – 1,496 of those were caught littering from their car. Anyone who doesn't pay their fine is prosecuted – they will then face a criminal record and bigger fines of up to £10,000.

**3,000 people fined £75 for dropping litter**

**Dog fouling is illegal!**

In 2016, a Catter resident was fined £70 for failing to clean up after his dog. Some dog owners think they can get away with not picking up their dog's mess... we don't!

Under a Nottingham wide PSPD (public space protection order), dog owners in Nottingham can now also be fined £70 if they don't have poo bags with them while walking their dog. Our Community Protection teams run clean clothes caught operations to catch irresponsible dog owners at all times of the day and night.

Copwatts butts and gain may be small, but the quantity that they're allowed to make them a massive problem. Both contain harmful chemicals that leak into our soil and waterways, and cause harm to wildlife.

You can report dog mess, fly-tips and other issues to us: [nottinghamcity.gov.uk/reportit](http://nottinghamcity.gov.uk/reportit)

## Any questions?

Please contact Jennifer Lewis, Corporate Marketing Manager, 0115 876 3381

Full evaluation data is available on request from Jen Lewis or Kerry Edwards-Kelsall.

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