



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Streetscene and Engineering Scrutiny Committee
17th January 2020

Report of the Head of Streetcare – Mike Roberts

Matter for Decision

Wards Affected: All Wards

Fly Tipping Update and Monitoring Report

Purpose of the Report:

To inform members of Fly Tipping statistics and service processes.

Executive Summary:

The Authority has for many years been committed to dealing with fly tipping in the County Borough. Our Waste Enforcement team have historically been regarded as the leading enforcement unit in Wales in prosecuting individuals who contravene the Environmental Protection Act 1990 s33/34.

The service uses several different approaches to deal with fly tipping including Education, Removal and Enforcement.

The high level of prosecutions/enforcement actions historically taken by our Waste Enforcement team has had a positive impact on the number of fly tipping incidents recorded in the three years 2015 – 2018.

Background:

The Authority has for many years been committed to dealing with fly tipping in the County Borough.

Our Waste Enforcement team have historically been regarded as the leading enforcement unit in Wales in prosecuting individuals who contravene the Environmental Protection Act 1990 s33/34.

The success of our team is attributed to:

- The support of Senior Officers and Elected Members towards enforcement action;
- A team of dedicated officers,
- Our officers using all the available legislation.
- A strong relationship with our legal team.
- A better public awareness of what we do via our dedicated social media outlets.

Process:

In managing the service a process has been developed which includes Education, Removal and Enforcement.

Education is an essential part of reducing fly tipping. The service uses media and social media to good effect, with some 1,840 followers on Facebook and 670 on Twitter. These pages include information on current activities of the service, educational videos, naming and shaming, and requests for assistance from the public.

Removing fly tipping is regarded as a good method of preventing additional fly tipping at a location. When incidents of fly tipping are reported to the Council, officers including call centre staff attempt to filter calls based on the likelihood of there being evidence. If evidence is unlikely the incident is referred direct to Neighbourhood Supervisors to organise removal as quickly as resources allow.

Enforcement is a major deterrent to continued fly tipping. Where evidence is likely to be found then the incident is referred direct to the Enforcement Section for investigation. During this investigation officers will look for evidence which may include evidence within the waste, available CCTV or from witnesses.

Where evidence is found, officers will make use of all the powers available to them, including:

- PACE interviews
- Arrest with Police assistance
- Vehicle seizure

Officers aim to gain evidence to prosecute the depositor but may also pursue the originator of the waste. Where the fly tip is small and sufficient evidence is found, officers may issue a fixed penalty notice.

During the three years 2015 – 2018 an increase in the number of prosecutions undertaken has undoubtedly had a positive impact on the number of fly tipping incidents recorded, set in the context of numerous changes in Waste Policy together with the introduction of the no side waste policy.

| Year | No's of prosecutions | Incidents recorded | Clearance costs |
|---------|----------------------|--------------------|-----------------|
| 2015/16 | 19 | 1271 | £83,647 |
| 2016/17 | 17 | 1050 | £76,528 |
| 2017/18 | 34 | 1056 | £67,236 |
| 2018/19 | 61 | 1330 | £91,982 |

The 2018/19 figures have only just been published by the Welsh Government and show an increase for that year. An analysis of these figures is currently ongoing.

The introduction of Fixed Penalty Notices for both Fly Tipping (£400 reduced to £280 if paid within 10 days) and Householders Duty of Care (£300 reduced to £150 if paid within 10 days) has also allowed us to deal with certain cases more proportionately and efficiently. However, when issuing Fixed Penalty Notices consideration is given to the guidance produced by a National Fly Tipping forum that advises how and when Authorities should utilise the Fixed Penalty Notices (as opposed to prosecuting); it is also important to understand that these notices should only be used for what is deemed to be a minor, non-commercial fly tipping and will not be issued to repeat offenders.

The introduction of the fly tipping Fixed Penalty Notices has advantages including greatly reducing officer's time in not having to produce a file of evidence for each and every case. The amount of monies accrued since the introduction of the Fixed Penalty Notices is approximately £8430.

Financial Impacts:

There are no financial impacts associated with this report.

Equality Impact Assessment:

There are no equality impacts associated with this report; it's for information only.

Workforce Impacts:

There are no workforce impacts associated with this report.

Legal Impacts:

There are no legal impacts associated with this report.

Risk Management Impacts:

There are no risk management issues associated with this report.

Consultation:

There is no requirement as the report is for information only.

Appendices

Nil

List of Background Papers

Nil

Asset Management Planning.

Implementation of Decision:

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