



## **Report for: Cabinet**

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<b>Date of Meeting:</b>	20 <sup>th</sup> April 2023
<b>Subject:</b>	Reducing fly tipping and littering strategy 2023
<b>Key Decision:</b>	Yes
<b>Responsible Officer:</b>	Dipti Patel Corporate Director of Place; Cathy Knubley Director of Environment
<b>Portfolio Holder:</b>	Councillor Anjana Patel - Portfolio Holder for Environment and Community Safety
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	All
<b>Enclosures:</b>	Appendix 1 - Reducing fly tipping and littering strategy Equalities Impact Assessment

## **Section 1 – Summary and Recommendations**

This report seeks approval to adopt a new strategy to tackle and reduce instances of fly tipping and littering in the Borough.

### **Recommendations.**

Cabinet is requested to:

- 1). Approve the proposed fly-tipping and littering strategy.

### **Reason: (for recommendations)**

To continue the Council's focus on reducing the incidences of fly tipping across the borough and to take enforcement action where appropriate.

## **Section 2 – Report**

### **2.1 Introduction**

- 2.1.1 This report introduces the new fly-tipping strategy and provides members with the opportunity to comment and feedback on the current draft proposal to address the growing concern of the increase of fly tipping incidents and the associated negative impact this has on the street environment.
- 2.2.1 A fly tip is rubbish left on the street (or other land) without arrangements for its collection and without agreement with the council. The vast majority of waste that is fly tipped is household waste.
- 2.3.1 This fly-tip strategy and supporting action plan is one element of the wider programme which places focused attention on making Harrow a Borough that is clean and safe.
- 2.4.1 There has been an increase in the volume of fly-tipped waste incidents across the borough. The waste deposited damages the environment and enjoyment of neighbourhoods is diminished.
- 2.5.1 Since April 2022, we have received over 10,000 fly tipping incidents.
- 2.6.1 The Harrow Corporate Plan gives a firm commitment to reducing the levels of fly tipping in Harrow. In the plan the following flagship actions have been identified in relation to fly tipping:
  - Install at least 15 mobile CCTV cameras in the areas of Harrow most targeted by fly-tippers to reduce the levels of dumping and to make the people who do this pay.
  - Identify unauthorised beds in sheds and other environmental issues through a new approach which includes heat maps.
  - Hold at least four Weeks of Action, bringing together council and partners to deal with particular areas of anti-social behaviour and fly tipping.

- 2.7.1 The primary aim of the strategy is to align our approach in tackling fly tipping, not just through efficient and targeted enforcement but through wider engagement with service partners, community groups and stakeholders with the goal to provide an overall reduction in fly-tipping and littering incidents and an improved satisfaction of our residents regarding the cleanliness of the streets within their communities
- 2.8.1 The main strands of focus within the strategy to enable the delivery of improvements are:
- Early intervention – education, communication and engagement
  - Prevent reoccurrence – Holistic action plans for hotspot areas
  - Targeted enforcement – Intelligence lead appropriate enforcement action
- 2.9.1 The action plan will be the mechanism that will be reviewed through the year and will support the delivery of agreed actions.
- 2.10.1 It focuses on increased enforcement and compliance work at the same time as an increase in communications to residents and the public that fly tipping is an environmental crime and socially unacceptable. The plan has been created based on the resources provided by the priority enforcement team.
- 2.11.1 The success of the strategy will be measured by:
- A reduction in the volumes of reported fly tipping and littering
  - Enforcement Actions Taken: Fixed Penalty Notices (FPNs) issued
  - Fixed penalties Notices paid
  - Resident satisfaction with fly-tip removal

## **2.2 Options considered**

- 2.2.1 Do nothing. There is clear ambition in Harrow for a cleaner environment, as captured in the new Corporate Plan's clean and safe priority. Doing nothing to tackle the issue of fly tipping and littering would not be consistent with this level of ambition.

## **2.3. Performance Implications**

- 2.3.1 There are no performance implications.

## **2.4 Environmental Implications**

- 2.4.1 The strategy is expected to have a hugely positive impact on the Environment, by putting in place and action plan that addresses fly tipping and littering.

## 2.5 Data Protection Implications

There are no data protection implications from this report.

## 2.6 Risk Management Implications

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **No**

The relevant risks contained in the register are attached/summarised below. **n/a**

The following key risks should be taken into account when agreeing the recommendations in this report:

<b>Risk Description</b>	<b>Mitigations</b>	<b>RAG Status</b>
The FPN revenue does not fully fund the officers in the priority enforcement team.	The trial which took place in 22/23 proved that the team could be self-funded on the fines paid. This will be closely monitored to ensure this continues with resources increase or reduced in line with the payments received.  A small fund will be maintained to cover if the revenue is less than expected in once month.	Green
Actions in the strategy are not delivered.	The action plan will be overseen by a working group of officers who will ensure that actions are being delivered in the correct and timely manner.	Green

## 2.7 Procurement Implications

2.7.1 There are no procurement implications for this project as the delivery utilises existing vehicles and equipment.

## 2.8 Legal Implications

2.8.1 Under the Environmental Protection Act, the local authority has a duty to, in respect of relevant highways, to ensure that the land is, so far as is practicable, kept clear of litter

and refuse, and to also ensure that it is kept clean. A waste collection authority can charge for the collection and disposal of waste other than household waste.

- 2.8.2 Fly-tipping is the common term used to describe waste illegally deposited on land without an environmental permit. The offence of flytipping and the additional offences of 'knowingly causing' or 'knowingly permitting' fly-tipping are set out in Section 33(1)(a) of the Environmental Protection Act 1990.
- 2.8.3 Fly-tipping is a criminal offence that is punishable by a fine of up to £50,000 or 12-months imprisonment if convicted in a Magistrates' Court. The offence can also attract an unlimited fine and up to five years imprisonment if convicted in a Crown Court.
- 2.8.4 The FPN process operates in accordance with the requirement of the Clean Neighbourhoods and Environmental Act 2005. The FPN fine is currently £400 for fly tipping.
- 2.8.5 A FPN is an invitation to effectively discharge liability to prosecution. This means that while this is not an admission of guilt, the offender agrees that an offence has been committed and that by paying the sum of money specified no further action will be undertaken by the council.

## **2.9 Financial Implications**

- 2.9.1 The enforcement element of the action plan will be delivered by the priority enforcement team. This team was set up initially with members investment funds to help tackle priority issues such as fly tipping. Following the end of the investment funding (31/03/2023) the team will continue as a self-funded unit.
- 2.9.2 The funds received for fixed penalty notices for fly tipping will be ring fenced to fund this team. Therefore, there is no additional financial costs. A contingency fund will be kept to ensure costs are covered should there be a reduction in payments in one month. This will utilise the underspend paid back from the Trading Standards contract.

## **2.10 Equalities implications / Public Sector Equality Duty**

- 2.10.1 The recommendations in this report will apply to and benefit all households and all residents in Harrow and it is therefore considered that there will be no negative impact on any protected characteristics.

## **2.11 Council Priorities**

- 2.11.1 This strategy supports the council vision of "restoring pride in Harrow". The strategy seeks support from the local community to help make fly tipping and littering unacceptable within Harrow
- 2.11.2 Delivery of the strategy will also support the priority of a "Clean and Safe Borough". Taking robust enforcement to protected against the anti-social behaviours of fly tipping and littering

## **Section 3 - Statutory Officer Clearance**

**Statutory Officer: Dawn Calvert**

Signed by the Chief Financial Officer

**Date: 06/04/23**

**Statutory Officer: Baljeet Virdee**

Signed on behalf of the Monitoring Officer

**Date: 06/04/23**

**Chief Officer: Dipti Patel**

Signed off by the Corporate Director

**Date: 12/04/23**

**Head of Procurement: Nimesh Mehta**

Signed by the Head of Procurement

**Date: 31/03/23**

**Head of Internal Audit: Susan Dixon**

Signed by the Head of Internal Audit

**Date: 06/04/23**

**Has the Portfolio Holder(s) been consulted? Yes**

## **Mandatory Checks**

**Ward Councillors notified: NO, as it impacts on all Wards**

**EqIA carried out: Yes**

**EqIA cleared by: Jennifer Rock**

## **Section 4 - Contact Details and Background Papers**

**Contact:** Emma Phasey, Head of Licensing and Enforcement,  
[Emma.Phasey@Harrow.gov.uk](mailto:Emma.Phasey@Harrow.gov.uk)

**Background Papers: None**

**Call-in waived by the Chair of Overview and Scrutiny Committee  
- NO**