

## CABINET

4 April 2024

Issue Title: **TASK AND FINISH GROUP – Fly Tipping**

Report of: **Task and Finish Group**

Key Decision: **No**

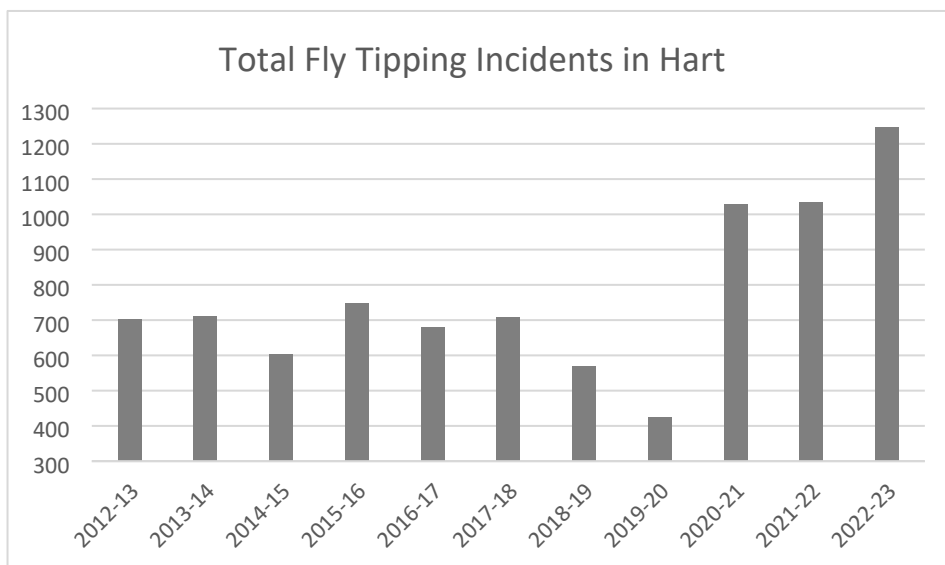
Confidentiality: **Non-Exempt**

### A) PURPOSE OF REPORT

A task and finish group, comprising four members ~ Cllrs Butler, Smith, Engstrom and Butcher was asked to gain an understanding of current fly tipping processes within Hart District Council and make recommendations for improvements.

### B) BACKGROUND

1. The number of fly tipping incidents within Hart has increased in recent years. For example:
  - a. In this current year, the number by Christmastime was the same as it was at the end of the municipal year '22-23.
  - b. In November 2023 alone, there were 100 fly tipping incidents.
  - c. Data received from Hampshire on January 17<sup>th</sup> 2024 shows that the number of fly tipping incidents in Hart has increased from 702 in 2013 to 1248 2023. That is a 77% increase.



- d. A BBC report on January 18<sup>th</sup> reported: “Fly-tipping in England had to be cleaned up 1.08 million times by local councils in 2022-23, the latest government figures reveal. Clearing the largest illegal tips cost £13.2m, but the number of court fines dropped by 17%, raising just £785,000.”
    - e. A Defra report published in January 2024 lists the worst places for fly-tipping (measured in incidents) in Hampshire. Hart is 4<sup>th</sup> out of 13 councils, up 20.7%.
2. While Hart waste officers clearly prioritise and have a focus on clearing fly tips, current staffing levels do not allow for proactive work to deter fly tipping and prosecute those responsible for fly tipping.

## C) MAIN ISSUES

1. Fly tipping is dealt with across multiple service areas.
  - Collection/disposal ~ via Countryside Services in the Community service
  - Enforcement/prosecution ~ via EH in Place service (currently outsourced to East Hants)
  - Communications ~ within the Corporate team
  - Legal ~ shared service with B&D (and through contract with E. Hants)
2. Staffing levels. Until recently Hart employed 1 x EH officer for 14 hours per week to deal with enforcement and prosecutions. Since that person left Hart approx. 6 months ago, we have in place a loose contract with East Hants, for the same number of hours. East Hants notified Hart in January that they wish to end the contract on April 1<sup>st</sup> 2024.
3. Staffing levels only allow for prosecutions of large operators, where there is clear and sufficient evidence to prosecute. There is also a belief (contradicted by other local authorities that prosecutions are too expensive and time consuming).
4. Due to the rural nature of Hart, with easy access from the M3 and M4, the district attracts large operators, organised criminal gangs and 'white van men' unauthorised providers. Roofers and fencers are a particular problem. It is easy for them to dump a load in the country lanes, at night, sometimes without even stopping.
5. The waste dumped ~ tyres, asbestos, oil (engine and cooking), construction waste ~ requires specialist removal (as an example, specialist removal of a load of asbestos can cost up to £7K). Such waste is taken to a Hampshire facility (where there is no charge to Hart) but there is a weight limit so our contractors must often complete repeated trips in order to clear the whole dump. Funding for this work could be directed to other services if the number of fly tipping incidents fell. Total cost of payments to specialist contractors £27K pa.
6. The removal of all other fly tips, by Hart waste officers, still carries a cost, in terms of staff hours, vehicle running costs, purchase of specialist vehicles (e.g. grabber). Total cost £137K pa. Officers can be recalled from other duties (e.g. grass cutting, litter picking, ditch clearance) in order to clear fly tips. This obviously impacts upon the services we provide to residents.
7. As neighbouring councils become more proactive in enforcement and prosecutions, so operators move on and see Hart as easy pickings.
8. Hart officers consider that reduced hours at HWRC's, the booking system, ANPR and the issuing of permits for commercial vehicles have all restricted access to dispose of waste at these sites. Commercial fly tipping incidents have increased as a result of this restricted access.
9. Proposed HCC budget cuts for the year 2025-6, with the possible closure of Aldershot and Hartley Wintney HWRC's and the reduction of operating hours and new charges at other HWRC's is not viewed in a positive light by the group.
10. Low fines from judges are an insufficient deterrent

## D) HOW THE TASK AND FINISH GROUP UNDERTOOK ITS WORK

1. Met with officers from neighbouring local authorities ~ Test Valley, Basingstoke & Deane, Rushmoor and Surrey Heath. Despite numerous approaches, there was no response from East Hants.
2. Met with key officers at Hart ~ EH, Waste, Comms
3. Read publications ~ Keep Britain Tidy
4. Read Hart internal documents relating to fly tipping
5. Undertook a survey amongst Hart District Councillors and Parish Councillors
6. Looked at social media activity in neighbouring local authorities
7. Reviewed other publicly accessible information related to fly tipping in national media and on other council websites.

## E) RECOMMENDATIONS

Recommendations are broken down into the following key sections:

- Communications
- Enforcement & Prosecution
- Collection
- Other

### 1) Communications

- a) Add a page to the HDC website for residents focused on “duty of care” including content such as questions an individual should ask before commissioning a carrier and how residents can check if a carrier is licensed with the [Environment Agency](#)
- b) Issue clearer communication about what fly tipping is and isn't, many residents are not clear on this subject. Examples could include areas such as:
  - It isn't just a load dumped in a layby; it is items dumped at a bring site
  - It is putting a chest of drawers on the pavement at the end of your drive in the hope that someone will take it away
  - It is dumping stuff on the ground next to a waste bin
  - It is leaving donated items outside a charity shop when the shop is closed
- c) Encourage people to report fly tipping, including any images they may have from doorbell cameras if someone has knocked on their door and offering services and dash cams
- d) Create clear messaging that fly tipping costs the taxpayer, it is costing the community, it takes money away from other services.
- e) Create Messaging that all fly tipping is unacceptable and not to be tolerated
- f) Don't use images of fly tipping in rural areas ~ use images which are familiar to people and terms such as unwanted items/stuff you wanted to get rid of
- g) Use hyper local messaging to a town/parish/ward
- h) Focus on more regular communications across multiple channels that the public can place flattened cardboard next to their blue bin and at times such as Christmas, they can place excess bottles in a bucket next to their regular crate

- i) Do not focus purely on prosecutions/big fines ~ ties in with the message that we should not tolerate any fly tipping
- j) Don't use terms like 'bulky waste' ~ be specific ~ sofa, fridge, washing machine
- k) Encourage residents to ask for appliances/mattresses to be taken away by the company which delivers a new product to them
- l) If we do make radical changes to how we approach/deal with fly tipping ~ launch a focused long term annual campaign with the specific aim to get residents on board
- m) Fix My Street ~ give feedback if tips are on private land, to inform public that Hart can't collect from private land or may (having liaised with the landowner) be slower to do so

***\*\* We recommend that officers read and implement the focus areas in Keep Britain Tidy "Beyond the tipping point: insights to tackle fly tipping"***

## **2) Enforcement & Prosecution**

- a) Actively look on social media for posts about requests for someone to take items away or companies advertising to take things away
- b) Invite people into the council offices and interview under caution, both residents and perpetrators.
- c) Actively pursue residents under the 'duty of care' banner
- d) Deploy dash cams in Hart vehicles
- e) Be more proactive in pursuing perpetrators. Not just the larger offenders, but any perpetrator where we have sufficient evidence. This would require a closer working relationship with the legal team, which is something other local authorities are undertaking with provable success
- f) Procure more cameras such as trail cameras. These cost less than £200 to purchase and are cost effective to use (often battery life and HD image level quality can be optimised when they are set on stills not video).
- g) Consider subscribing to the Mallard Consultancy, for rapid legal advice (Ask the Wig) and training. £1k p.a. Costs can be shared across services e.g. planning.
- h) Improve KPI's ~ to measure reduction in fly tipping incidents
- i) Dedicated fly tipping officers, not just as a small portion of a wide EH role
- j) Co-ordinated campaign with the police to stop waste carrying vehicles and for police to visit tyre companies to talk to them about disposal of old tyres
- k) Co-ordinated approach with trading standards, to target small waste companies

## **3) Collection**

- a) Don't immediately pick up fly tips, as doing so can create a mindset with the public that if items are moved quickly and efficiently, that it is part of the service/part of what they pay their taxes for.
- b) Place stickers or tape on/around fly tips while left in place. Wording such as "Illegally dumped waste under investigation" or "Environmental crime scene" or "Fly tipping under investigation"
- c) When fly tips are removed ~ stencil a message with chalk-based paint onto the ground with a message "Dumping wastes £xx for your community"
- d) Place a board by a fly tip, with similar wording

- e) Christmas tree collection points work well, so perhaps have a collection point at regular times of the year, at key points within the community (perhaps the urban centres). Either hire a skip from 9am until 4pm. An officer would have to be present to monitor and the skip would need to be removed by the end of the day. Or perhaps all that is needed is one of our lorries. For e.g. TV's, vacuum cleaners
- f) A grab lorry or a retainer contract with a company which supplies them (saves on manpower when tips must be removed by hand)

#### 4) Other Recommendations

- a) All aspects of dealing with fly tipping need to be under one service head
- b) Dedicated fly tipping officers, in house. They would then have the local knowledge and the passion
- c) More funding will be required
- d) Try to build upon and increase cross border collaboration

#### 5) Community Engagement in Fly Tipping Prevention Recommendations

As the community teams are already aware and engaged on, it is important to foster a strong partnership between the council and the community in combating fly tipping.

We would however recommend that focus on expanding strategies that engage and educate residents and businesses across Hart, enhancing awareness and participation in prevention efforts. Key Initiatives could include areas such as:

- a) **Educational Workshops:** Organise workshops to inform about the environmental and legal consequences of fly tipping. Tailor sessions for Parish Councils, community groups, including schools, businesses, and neighbourhood associations.
- b) **School Collaboration:** Partner with our local schools to integrate fly tipping awareness into their curriculum or extracurricular activities, fostering early awareness among younger generations.
- c) **Community Clean-Up Drives:** Regularly organise community clean-up events. These not only help in cleaning up affected areas but also raise awareness and build community spirit.
- d) **Promotion of Reporting Channels:** Encourage the community to report fly tipping incidents through easy-to-use channels. Ensure the process is straightforward and the community is aware of how to report.
- e) **Reward and Recognition Programme:** Implement a programme to acknowledge and reward individuals or groups who contribute significantly to reducing fly tipping or raising awareness.
- f) **Regular Feedback and Engagement Forums:** Host forums where community members can voice concerns, offer suggestions, and stay updated on the progress of fly tipping prevention initiatives.

Continuous improvement and feedback will be important to move this forward and is an area that should be considered, including a structured approach that proactively gathers and utilises feedback from the community and council staff in enhancing our fly tipping prevention strategies.

Key elements would include:

- a) **Regular Surveys and Feedback Forms:** Implement online and physical surveys to collect feedback from residents and businesses about the effectiveness of current measures and suggestions for improvement.
- b) **Community Feedback Meetings:** Organise quarterly community meetings to discuss progress, challenges, and gather direct input from residents.
- c) **Online Feedback Platform:** Develop an accessible online platform where community members can easily submit their observations, ideas, and complaints.
- d) **Analysis and Reporting:** Regularly analyse feedback data to identify trends, areas for improvement, and the impact of implemented strategies. Publish these findings in accessible formats for community review.
- e) **Adjustment and Adaptation:** Ensure that strategies are flexible and adaptable, with the ability to incorporate community feedback for continuous improvement.

The objective of this approach is to ensure Hart creates a dynamic, responsive approach to tackling fly tipping, encouraging active participation and ownership from the community.

## CORPORATE GOVERNANCE CONSIDERATIONS

### Relevance to the Corporate Plan

- **People** ~ making Hart a great place to live
- **Planet** ~ protecting the environment/lessening the impact that fly tipping has on amenities/fewer Hart vehicle journeys

### Relevance to The Hart Vision 2040

There is a clear and tangible link to our 2040 vision, namely 'to become the best place, community and environment to love, work and enjoy'.

### Service Plan

Any changes will need to be incorporated within relevant service plans.

### Legal and Constitutional Issues

To be assessed when decisions are made on the recommendations

### Financial and Resource Implications

To achieve any significant and meaningful reduction in fly tipping in Hart we would require more funding to cover:

- Officers (Enforcement & Prosecution and Comms)
- Additional equipment (cameras/stickers/tape/boards/stencils)

## **Risk Management**

To be assessed when decisions are made on the recommendations. Of particular concern is the prospect of two nearby HWRC's being closed, which could potentially lead to an uptick in fly tipping within Hart.

## **Equalities**

To be assessed when decisions are made on the recommendations

## **Climate change implications**

If changes are implemented, as per the recommendations contained within this report, we will see a reduction of waste being dumped in our district, a reduction of the negative visual impact of the fly tipping, a reduction of its impact upon wildlife and fewer vehicle movements. This has a clear impact on the Hart vision for carbon neutrality and is also directly linked into improvements on our adoption of the circular economy.

## **Action**

- O&S input
- Cabinet input/decision
- Action plan
- Implementation
- Back to O&S for updates on progress

## **Useful links to publications**

[Fly-tipping Toolkit: How to Present Robust Cases to the Courts](#)  
[Keep Britain Tidy "Beyond the tipping point: insights to tackle fly tipping"](#)  
[Keep Britain Tidy "Household Waste Duty of Care Communications Toolkit"](#)

## **Annexes to main report Pages**

- Annex A - Test Valley notes
- Annex B - Survey summary
- Annex C - 'Eyes' sign Test Valley

## Annex A - Template for gathering information from local authorities.

### Test Valley

1	<b>Hotspots</b>
	North (urban) ~ domestic waste South (rural) ~ commercial waste
2	<b>What sort of stuff? Domestic or Commercial? How do you know about it?</b>
	<ul style="list-style-type: none"> <li>• Both</li> <li>• Public report online</li> <li>• Street cleaning officers look through rubbish for address labels. Bring evidence to the team on a regular basis.</li> </ul>
3	<b>Staffing /costs.</b>
	2 x FTE (who spend 80% of their week on fly tipping) and another officer who spends 5 hours a week
4	<b>Procedure for dealing with the fly tipping</b>
	<ul style="list-style-type: none"> <li>• Look at FB ~ when resident asks for waste to be removed ~ team monitor this/check is people are licenced.</li> <li>• Zero tolerance ~ aim to prosecute as many as possible, want people to have a criminal record so don't issue FPN's, ask for driving licence to be taken off people</li> <li>• Prosecute residents for lack of duty of care (they are responsible for ensuring a licensed person disposes of their waste)</li> <li>• When street cleaning teams find evidence of address ~ resident will be invited into the council offices and interviewed under caution. They will ask the resident to help them prosecute white van man.</li> <li>• Research white van men from FB. Invite them into the council offices for an interview under caution. If they don't turn up a Section 108 notice is issued. This informs them that if they don't co-operate, they will be prosecuted. They will then take them to court for failing to help with the investigation. If white van man does turn up for the interview, officers will have done their research. They will be able to identify this person. They then take them to court. They submit a file to the legal team and often get a court date within 2 months. E.g. a file submitted mid Nov has a court date in Feb.</li> <li>• During interview under caution: use special interview room. 2 trained staff. Have a script to read form/read rights. A record is made of the interview, on CD. Copy given to the person. 1 is used for accuracy of notes. 1 is sealed in the presence of the person.</li> <li>• Use Basingstoke and Southampton courts. Always win costs (not means tested). Can ask for compensation. Request victim surcharge (goes towards victim support groups). If fines not paid ~ prison sentence.</li> <li>• Work closely with Comms</li> <li>• Portfolio older is very pre-active ~ shares posts on social media. Residents often get in touch with him directly.</li> <li>• Use a corrugated poster and leave it on a spot where fly tipping has occurred</li> <li>• Have stickers to place on black bags</li> <li>• Tap into services of a top barrister who specializes in waste. David Armstrong, who is part of Mallard Consultancy. "Ask the wig". £1k pa. Spread cost across services. Panning can also use it. Also offer training courses.</li> </ul>

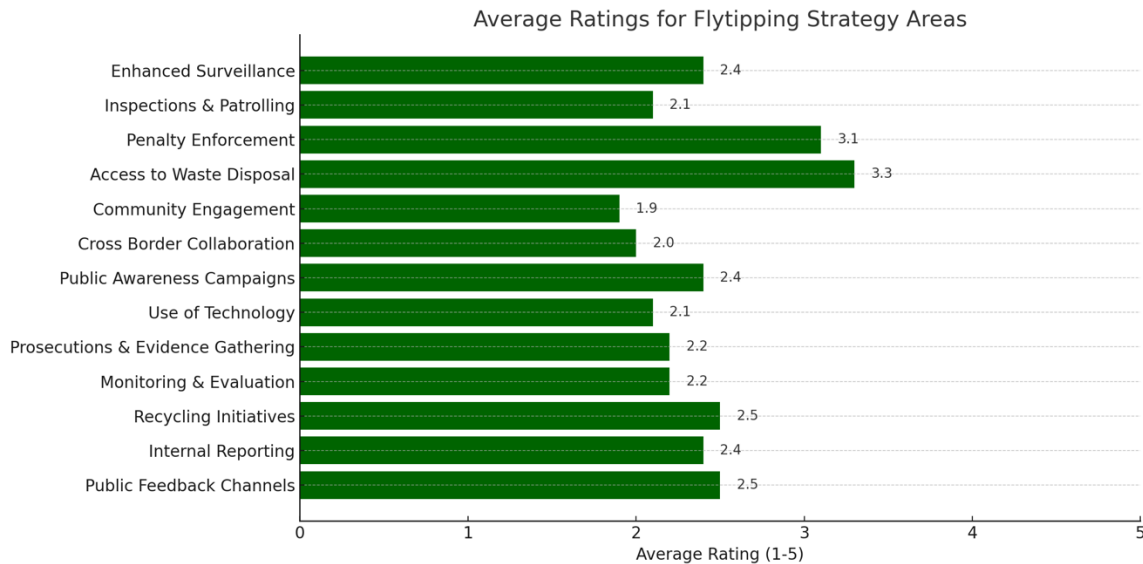


5	<b>Preventative measures/deterrents use of technology.</b>
	<ul style="list-style-type: none"> <li>• Covert CCTV cameras in known hotspots. Limited collateral intrusion. Move camera around ~ every 2/3 weeks. They have direct access to DVLA so can research number plate. Person invited in for interview under caution. Asked 'why was your vehicle at this location?' 'What do you do for a living?'</li> <li>• Name people in press releases</li> <li>• Work closely with the police</li> <li>• Criminals know that Test Valley is tough.</li> <li>• Use doorbell/dashcam footage to support them</li> <li>• Fleet of vehicles have dashcams.</li> <li>• 20 Browning trail cameras in use. Approx £200 each. Camouflaged. Attached to tree. Reconnaissance of the site done in advance. Left for 1 week. Triggered by movement. Set so that it takes lots of stills rather than video.</li> <li>• Will post photos of tips on FB and ask 'does anyone recognize this?'</li> <li>• Website includes a page 'duty of care' ~ residents must check waste operators they commission</li> </ul>
6	<b>Comms</b>
	<ul style="list-style-type: none"> <li>• "Love where you live"</li> <li>• Make it a community thing</li> <li>• Zero tolerance of waste crime ~ this is pushed all the time</li> <li>• Banners/posters/stickers ~ places on waste/when it has been removed (focus on impact on the community)</li> </ul>
7	<b>Prosecutions ~ how successful?</b>
	<ul style="list-style-type: none"> <li>• Won 119/120 prosecutions</li> <li>• Defra league tables ~ prosecutions by county. 2021-22: Hants 59 prosecutions ~ 36 were in Test Valley.</li> </ul>
8	<b>Secret to their success/top tips</b>
	<ul style="list-style-type: none"> <li>• <b>Cameras</b></li> <li>• <b>Cradle to grave</b></li> <li>• <b>Relationship with solicitor ~ 1 person who will work through the whole case</b></li> <li>• <b>Relationship with operational staff</b></li> <li>• <b>Comms</b></li> <li>• All depts working together/helping each other</li> <li>• All under one service</li> <li>• Officers passionate and know their stuff</li> <li>• Need dedicated EH staff</li> </ul>

## Annex B - Fly Tipping Survey - Issued to Hart District & Parish Councillors

### Summary of suggestions for improvement

Upon analysing the feedback from the council members, several key themes, and specific suggestions for improvement in anti-fly tipping strategies can be seen:



### **Lack of Confidence in Enforcement & Prosecutions**

- 87% of respondents (14 out of 16 councillors) provided comments indicating fines, prosecutions, and enforcement act as inadequate deterrents
- Demonstrates strong consensus among councillors on this issue

### **Divide Over Recycling Centre Policies**

- Rating distribution for Access to Waste Disposal strategies shows a wide range (25% said 1, 50% said 3)
- Qualitative feedback also shows mix of views on HCC household waste site policies
- Suggests recycling centre accessibility and charges are factors in fly-tipping

### **Technology & Surveillance Not Being Leveraged**

- 10 respondents highlighted significant opportunities to use CCTV, AI, and data analytics more effectively
- Could enable monitoring of transient hotspots, evidence gathering, and offender tracking

### **Minimal Confidence in Community Messaging**

- 81% rated Community Engagement initiatives as ineffective (rated 1 or 2)
- Multiple comments question whether campaigns influence behaviours

## Common Themes in the Survey

1. **Enhanced Enforcement and Penalties:** A recurring theme was the need for stronger enforcement of existing laws and higher penalties for violations. Respondents emphasised that current measures might be insufficient to deter fly tipping effectively.
2. **Community Engagement and Awareness:** Many members highlighted the importance of engaging the community more actively. Suggestions included organising local clean-up events, educational campaigns, and involving local schools and organisations in awareness programmes.
3. **Access to Waste Disposal Facilities:** Several respondents pointed out the need for better access to waste disposal facilities. They suggested that improving the availability and convenience of legal waste disposal options could reduce the incidence of fly tipping.
4. **Use of Technology:** The integration of technology, such as surveillance cameras and mobile apps for reporting incidents, was seen as a key area for improvement. Respondents believed that technology could play a significant role in monitoring and preventing fly tipping.
5. **Cross-Border Collaboration:** Some members suggested that collaboration with neighbouring districts or regions could be enhanced. This would involve sharing resources and strategies to tackle fly tipping more effectively across wider areas.
6. **Public Feedback Channels:** There was a call for establishing more robust channels for public feedback and reporting. Respondents felt that making it easier for the public to report fly tipping incidents could aid in quicker response and resolution.

## Survey Recommendations

Based on the analysis, the following strategic recommendations can be drawn:

1. **Reinforce Penalty Enforcement:** Escalate the severity of penalties and ensure consistent enforcement to deter violations.
2. **Revitalise Community Engagement:** Launch innovative, community-centric initiatives to raise awareness and promote proactive participation in waste management.
3. **Expand Access to Disposal Facilities:** Improve the accessibility and convenience of legal waste disposal to encourage proper waste management practices.
4. **Integrate Advanced Technology:** Employ surveillance technology and develop user-friendly reporting applications for efficient monitoring and public engagement.
5. **Initiate Cross-Border Collaborative Efforts:** Establish partnerships with neighbouring districts for resource sharing and unified strategies.
6. **Enhance Public Feedback Channels:** Create robust and accessible platforms for the public to report fly tipping incidents and provide feedback.

## Survey Conclusion

The members' responses provide insightful perspectives on the current state of and fly tipping strategies. While certain strategies show effectiveness, there's a clear call for more robust enforcement, enhanced community involvement, and technological advancements.

The recommendations aim to address these key areas, fostering a more effective and community-aligned approach to combatting fly tipping.

## Appendix C - Test Valley 'Eyes' Poster



## Appendix D – O&S (2/2/24) Discussion Points

- that Hart sat 4 out of 16 authorities in Hampshire for fly tipping, although it was believed that a reasonable proportion of this was as a result of non-Hart residents coming into the District, either working or solely to fly tip •
- there was a lack of confidence in Hart's approach to enforcement and prosecution. Parish Councils had been surveyed by the Task and Finish Group although responses had not been high •
- Bring banks had not been included as fly tipping sites, as they were classed as littering
- There was a significant issue with dumping of large loads in rural roads and farmers areas just off highways
- Whether an increase in fines for fly tipping would act as a better deterrent.
- That comments had been received from South Warnborough Parish Council, which were seen to be very helpful
- The potential use of cameras for enforcement and prosecution would be worth investigating further