

SCRUTINY COMMITTEE REPORT

Date Written	6 th January 2021
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Service Area	Neighbourhood Services
Committee Date	18 th January 2021

To: Chair, Ladies and Gentlemen

Environmental Enforcement across the County Borough

1.0 SUMMARY OF THE REPORT

- 1.1 An information report to update committee members on the current position of the Environmental Cleansing and Enforcement Team in regards to enforcement.

2.0 RECOMMENDATION(S)

- 2.1 That the scrutiny committee notes the content of this report.

3.0 INTRODUCTION AND BACKGROUND

- 3.1 Fly tipping is a Corporate Priority and has been high on the agenda since February 2016. Fly tipping is not unique to Merthyr Tydfil; it is a national problem and fly tipping incidents are increasing. According to Keep Britain Tidy 2016/17 Local Authorities in the UK recorded in excess of one million incidents of fly tipping costing over £50 million of tax payer's money to clear off Council owned land.

4.0 WHERE WE WERE

- 4.1 In Merthyr Tydfil County Borough Council in 2012/13, outcomes were **adequate** for fly tipping as the performance scores for fly tipping clearance were slightly better than the all Wales average, as shown in the table below.

Table 1: Percentage of fly tipping incidents cleared within 5 working days in 2012/13

Key Indicators	March 2013 Merthyr Tydfil	March 2013 Wales
Fly tipping incidents cleared within 5 working days	92.3 %	92.2 %

- 4.2 The Fly-tipping functionality formed a part of the Waste Services Department in 2012/13 and resources included two members of staff (3.5 days per week) and the use of one vehicle (this also included all receptacle deliveries, private works).
- 4.3 All fly-tipping evidence was gathered by Waste Services and passed to Environmental Health Department for further action. All prosecutions were undertaken by Environmental Health.
- 4.4 Fly tipping is not unique to Merthyr Tydfil; it is a national problem and fly tipping incidents are increasing. Tackling fly tipping within Merthyr Tydfil has been high on the agenda over the last four years and links into the corporate priority 'A Sustainable Environment'.
- 4.5 Local Authorities (LA's) are responsible for clearing fly tipping on public land. LA's may also investigate incidents on private or unregistered land but there is no obligation to clear the waste.
- 4.6 Natural Resources Wales (NRW) is responsible for dealing with large scale illegal dumping, including incidents involving organised crime and certain hazardous wastes. NRW will only clear up such waste where there is an immediate risk to the environment or human health.
- 4.7 The percentage of waste cleared off Council owned land in Merthyr Tydfil compared to All Wales from 2013/14 to 2017/18 is shown in Table 2:

Table 2: Percentage of fly tipping incidents cleared off Council owned land within 5 days from 2013/14 to 2017/18:

Key Indicators	2013/14	2014/15	2015/16	2016/17	2017/18
% Fly tipping incidents cleared within 5 working days (Council Land) in Merthyr Tydfil	96	92	95	100	100
% Fly tipping incidents cleared within 5 working days (Council Land) in Wales	95	93	95	95	95

5.0 WHERE WE ARE NOW

Fly tipping Complaints

- 5.1 In April 2018, the performance indicator for fly tipping clearance changed from the percentage of incidents cleared from council owned land within 5 working days to the average number of days taken to clear fly tipped waste from council owned land.

- 5.2 In Quarter 1 of this year (2020/2021), there were 599 reported incidents of fly tipping on all land types. The average number of days taken to remove fly tipped waste off council owned land was 1.67 days.
- 5.3 For the same period in 2019/2020, we received 461 reports of fly tipping on all land types. The average number of days taken to remove waste off council land was 1.17 days
- 5.4 In Quarter 2 of this year (2020/2021), the reported incidents fell to 557 and the average number of days taken to clear fly tipped waste off council owned land was 1.83 days.
- 5.5 For the same period in 2019/2020, we received 440 reports, the average time to remove waste off council owned land was 1.27 days.
- 5.6 The average number of days taken to clear waste in quarter 1 and 2 this year (2020/2021) was 1.75 days, compared to 1.22 days for the same period last year (2019/2020).
- 5.7 In Quarter 3 of this year (2020/2021), the reported incidents fell again to 357 and the average number of days taken to remove waste off council owned land was 2.77 days.
- 5.8 For the same period in 2019/2020, we received 451 reports. The average number of days taken to clear waste off council owned land was 2.79 days.
- 5.9 The average number of days taken to clear waste off council owned land for quarter 1, 2 and 3 this year (2020/2021) was 1.98 days compared to 1.76 days for the same period last year (2019/2020).
- 5.10 Although quarter 3 this year (2020/2021) saw a decrease in complaints compared to the same period 2019/20, the overall number of reported incidents has increased for the first 3 quarters compared to last year. In total for quarters 1, 2 and 3 in 2020/2021 we have received 1513 compared to 1352 for quarter 1, 2 and 3 in 2019/2020.
- 5.11 The Christmas period did not increase the volume of reported incidents. For the week before Christmas, 19th to 25th December, we received 19 reports and for the week after Christmas, 26th to 1st January we received 17 reports. As with previous years, we tend to see an increase in January with reported incidents. We have received 37 reports since 1st January 2021 to 7th January 2021.
- 5.12 Due to the Covid-19 pandemic, we have had staff off shielding, meaning we were down to one man and a van. As well as this, we have had staff holidays, which we were unable to cover. Due to these reasons, we were expecting a rise in the average number of days taken to remove waste off council owned land.
- 5.13 Given that we are in another lockdown where vulnerable people have been asked to shield again, we are expecting that clearances will take longer until we are back up to a full team.

Private Land

- 5.14 Although previously the Environmental Cleansing and Enforcement Team did not take action on private land, this was changed last year by instruction from the Chief Officer. As before, the Team investigate all instances of fly tipping, however we now also write to private landowners, where possible, requesting that waste is removed from their land.
- 5.15 If the landowner fails to respond to the request, the Team may be able to take further action; however, each case must be taken on its own merit and careful consideration given.

Unregistered Land

- 5.16 The Local Authority are starting a project with Probation in February where we will try to clear fly tipped waste from any land that has been reported to us and is unregistered.
- 5.17 It is estimated that the works will take around 8 weeks to complete. Probation will also assist in clearing foliage from any signage as well as putting out new signage in problematic areas.
- 5.18 Once these works are completed, a report will go to Cabinet in order to decide how we should proceed in the future when dealing with fly tipped waste on unregistered land.

6.0 WHERE WE WANT TO BE

- 6.1 We would like to significantly reduce the instances of fly tipping within the County Borough. In order to achieve this we would like to remove and investigate all instances of fly tipping on Council owned land within a timely manner. Where necessary we also aim to prosecute to help reduce the incidents of fly tipping.
- 6.2 We would like to address all unregistered land complaints that we have received and in turn, remove the fly tipped waste with the assistance of probation.

7.0 WHAT WE NEED TO DO NEXT

- 7.1 Prioritise hot spot areas and continue to send letter drops to problematic areas advising of the issues in the area and ask for information.
- 7.2 Look at restricting access to hotspot areas.
- 7.3 Continue to distribute and deploy dummy cameras.
- 7.4 Continue to liaise with and work closely with South Wales Police.

8.0 CONTRIBUTION TO WELLBEING OBJECTIVES

- 8.1 Environmental enforcement contributes to the Council's environmental wellbeing objective; communities protect, enhance and promote our environment and countryside.

**JUDITH JONES CHIEF OFFICER
PLANNING & NEIGHBOURHOOD
SERVICES**

**COUNCILLOR DAVID HUGHES
CABINET MEMBER FOR PLANNING &
NEIGHBOURHOOD SERVICES**

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
Does the report contain any issue that may impact the Council's Constitution?		