



Report Reference Number: PR/21/3

To: Policy Review Committee
Date: 20 July 2021
Ward(s) Affected: All
Author: June Rothwell, Head of Operational Services/Keith Cadman, Head of Commissioning, Contracts and Procurement
Lead Executive Member: Councillor Tim Grogan, Lead Executive Member for Health and Culture
Lead Officer: Drew Fussey, Operational Service Manager

Title: Fly Tipping and Littering

Summary:

The Policy Review Committee held on 16 March 2021 requested a detailed report on fly tipping and littering in the district, in particular what resources (including funding/costs) are needed to improve the collection of litter and tackling of fly tipping.

Recommendations:

The Committee are asked to note the content of this report.

Reasons for recommendation:

1. Introduction and background

1.1 This report is in two parts to clearly separate information and findings relating to fly tipping from those relating to littering in the Selby District. The policy review committee raised a number of opinions regarding perceived increases in littering and associated reducing standards of cleansing whilst also raising concerns about perceived increases in fly tipping. Officers were requested to review each issue and report back with findings.

2. Report – Fly tipping

2.1 The report received by Policy Review Committee on 16 March 2021 identified that fly tipping is a national problem and provided figures of fly tipping incidents reported to Selby District Council along with a summary of outcomes. Some inconsistencies between specific years were identified within

the data and a request was made for some clarification of these figures. Below is the information requested that dates back to the last five years.

Year	Total No of fly tips	Formal Warnings	Littering FPNs	Fly tipping FPNs	Prosecutions	Passed to legal – NFA (not in the public interest to prosecute)
2016/17	685	N/A	N/A	N/A	4	0
2017/18	647	23	13	-	5	2
2018/19	634	19	16	-	7	0
2019/20	571	21	42	4	1	0
2020/21	636	13	32	29	0	0

2.2 At the request of the Committee this report also sets out to provide some more information and clarity on certain aspects of fly tipping activities, the associated resource considerations and broader aspects of engagement with local businesses and general education of the population in the district. Whilst some of the measures identified below have already been implemented other points are for further consideration by the Committee.

2.3 Education

- Educating businesses about their “duty of care” responsibilities will be re-energised.
- Educating residents via social media regarding their responsibilities and where they can dispose of the household waste responsibly

2.4 Engagement and Communication

- Members will be kept informed, and officers will continue to engage with them over any concerns
- Webpages on the SDC website on fly tipping will be kept up to date
- Selby District Council will be doing mailshots to businesses to remind them of waste disposal responsibilities and the Council’s enforcement policies along with increased involvement with businesses that handle and dispose of tyres
- Officers have engaged with McDonald’s UK through a complaint investigation with the franchisee owner of McDonald’s Selby. The operator has checked their legal position with providing customer data to the council as part of a complaint investigation and it was confirmed that car registration details could be shared. There are limits on how long the data is stored for due to data protection. Cross checks will also be needed over the times on tills and how they relate with the time of purchase on CCTV. However, McDonalds do believe they can match most orders to any receipt details that we can provide within the timescales. It has also been proposed that this will serve to offer

the opportunity with publicity of McDonalds and the Council working together, which can also be used as a deterrent.

- The subject of putting car registration numbers on take-away bag stickers was raised, but McDonalds UK has previously ruled this out, suggesting that printing/writing the data of registration plates on packaging would go against General Data Protection Regulations (GDPR).
- It is acknowledged that McDonalds actively partner with governing bodies and leading experts on litter prevention campaigners. The owner advised he is keen to work with the council on fly tipping and general littering. The business is proactive with advice to customers and staff do regular litter walks. The McDonalds restaurant at Selby recently identified the lack of bins between their premises on Bawtry Road to Selby College along Abbots Road and have subsequently funded an additional waste bin on this route.

2.5 Reporting and Enforcement

- 2.6** CCTV - To remove any confusion following discussions at the meeting on 16th March 2021 this report can confirm the Council currently have two “set-ups” for surveillance of fly tipping, that is daylight cameras and infra-red cameras, control boxes and two batteries per set. That is so we can have one battery on the camera and the other one charging and ready to change when required. The batteries are recommended not to allowed to go below 50% charge, so they are changed on a Monday and a Friday to keep them in good condition. To provide a more comprehensive monitoring capability by purchasing additional cameras or battery supplies to maximise deployment the current cost per set-up is in in the region of £1,470.00 + VAT. An alternative unit considered was the “Street-watch unit” costing £1595.00 + VAT per unit. The street watch setups are governed by the power requirement. They need to be connected to a lamp post and so their use would be limited to fly tipping in villages or towns. Because they are tethered to the power source they do not need to be removed, but the limitations to where they can be sited does effectively rule them out as an option for what our current location needs are.
- 2.7** As a footnote to surveillance the Enforcement Team have secured some conclusive evidence from the deployment of one of their camera’s and this is supporting a live investigation, which it is anticipated should result in a successful prosecution.
- 2.8** We have developed a decision-making notice template to evaluate the appropriate action to take and provide the opportunity to document the reason for that action. Being clear about the evidence required to trigger an investigation or take forward a prosecution. This in turn will be useful as a reference when questions are asked about the number of prosecutions taken through to court and the rationale for the decision taken.
- 2.9** Enforcement will continue to prioritise “hot spots” with targeted surveillance and liaise with Parish Councils.

- 2.10** As referenced above, the council will continue to research suitable CCTV monitoring options and as part of the options appraisal consider full service, rental, purchase of equipment or appoint a third-party to act on behalf of the council. Discussions have already taken place on this with the Lead Executive Member for Health and Culture.
- 2.11** In conjunction with this work a protocol and procedure for CCTV deployment will be developed once clarification is received from Legal on the query of using cameras as part of a covert operation.

Fly tipping Summary

- 2.12** The Enforcement team are working hard with partners across the region to tackle fly tipping. Data available regionally and national does not indicate Selby district is suffering more incidents than our neighbours sadly, fly tipping has increased nationally.

3. Report – Street Cleansing

- 3.1** To provide a comprehensive and rounded view of littering and general street cleansing standards across the district this report sets out the methodology used for inspecting and grading cleanliness standards. Provides auditable data resulting from the inspection process and also provides recorded customer contact data about street cleansing.
- 3.2** Whilst there is no inspection data for 2020 / 2021 due to covid 19 restrictions data is provided for customer contact for the same period.

3.3 Complaint Monitoring

The following table shows the number of complaints about litter and dog fouling received each year from 2016/17 to 2020/21. The data is taken directly from the Councils complaint and enquiry handling system and includes all complaints regardless of whether they were found to be justified. E.g., complaints about litter or dog fouling on private land will still be included in these numbers.

Year	Litter Complaints	Dog Fouling Complaints*	TOTAL	% Change from Previous Year
2016/17	134	92	226	N/A
2017/18	123	85	208	-7.96
2018/19	135	64	199	-4.33
2019/20	100	50	150	-24.62
2020/21	101	34	135	-10

*These are the number of complaints / requests to clear dog fouling only and don't include complaints that may have been dealt with by the Council's Enforcement Team.

3.4 Street Cleansing Inspections

Prior to 2010, Council's had a statutory duty to monitor and report levels of litter and detritus through National Indicator 195 (NI195). When NI195 was removed as a statutory indicator, Officers developed a local inspection regime based on the same methodology. These joint inspections, with an SDC Officer and a representative from the contractor, monitor levels of litter and detritus on public highways and relevant SDC land. This includes footpaths and parks and open spaces. As well as ensuring that the Contractor is fulfilling the terms of their contract, these inspections help the Council and the Contractor to ensure that resources are being deployed where they are most needed.

3.5 Grading

When inspections are carried out, a grading system is used to assess levels of litter and detritus. These grades are from A to D and are based on the standards set out in the Code of Practice on Litter and Refuse.

Litter

Grade A – no litter or refuse.

Grade B – predominantly free of litter and/or refuse except for some small items.

Grade C – widespread distributions of litter and/or refuse with minor accumulations.

Grade D – heavily affected by litter and/or refuse with significant accumulations.

Detritus

Grade A – no detritus.

Grade B – predominantly free of detritus except for some light scatterings.

Grade C – widespread distributions of detritus with minor accumulations.

Grade D – heavily affected by detritus with significant accumulations.

When Officers are grading a street, the whole length will be assessed, meaning that one small area of detritus or one small accumulation of litter would not put a street below standard if the rest of the area was clear. Fresh leaf and blossom fall is not classed as detritus and would not put a road below standard.

Roads at Grade A and B would be recorded as being at an acceptable standard.

The NI195 methodology is still accepted as being service standard for street cleansing and all Officers undertaking inspections have received formal training from Keep Britain Tidy, as have the Contractors staff that undertake the joint inspections.

Grading photos for both litter and detritus are attached as Appendix A and B.

3.6 Inspection Results

The following table shows the total number of streets inspected and the percentage that were at an acceptable contract standard for litter each year from 2016/17 to 2019/20; this is either Grade A or B. Inspections were suspended during Q4 of 2019/20 to allow Officers to focus on the implementation of the new recycling service. Inspections were suspended completely during 2020/21 and Q1 of 2021/22 due to Covid-19 but will recommence from Q2 of 2021/22.

Year	No of Streets Inspected	% of Streets at Standard
2016/17	809	97.53
2017/18	823	95.99
2018/19	816	97.06
2019/20	613	97.30
2020/21	N/A	N/A

3.7 Anti-Litter Campaign - Earlier this year The Council Leader backed a new anti-littering campaign to be run over the summer and Autumn, building on the success of the previous Don't be a Waster campaigns.

3.8 There will be two main public phases to the campaign. The first phase will focus on positive stories of individuals and communities doing their bit to tidy up their own areas and encouraging others to do the same. This builds on the significant increase in volunteer litter pickers we've seen over lockdown. Officers are working with local green space custodians to promote the work they do and put faces to the people who are working hard to improve the district for everyone. The work the Council does through its own street cleansing teams will also be promoted.

3.9 The second phase later this year will focus on enforcement and the fines people can receive if they are caught littering. This part of the campaign will involve innovative new advertising avenues for the Council including Spotify, YouTube and Instagram advertising and petrol pump, bus rears, and driving instructor advertising to target litter being thrown from vehicles.

3.10 Over 300 anti-littering posters have already been distributed to Parish and Town Councils and 18 primary and secondary schools.



3.11 Street Cleansing operational review – Although the above data indicates street cleansing standards remains high, Urbaser and officers have been reviewing the operational delivery to see where improvements can be made in the deployment of the existing resource. The main aspect of some of the planned changes is to change from a Monday to Friday core service and reduced cover at weekends to a 7-day operation. Some of the changes are still to be agreed with the workforce and are also subject to accessing the HWRC's for tipping of waste arisings. Simple operational changes will include:

- Reviewing collection frequencies for dog and litter bin emptying
- Enhanced cleansing of Selby Town Centre at weekends and later working Monday to Friday
- 7 Day mechanical sweeping
- Utilising Refuse vehicles for fly tipping removal at weekends and Mondays

3.12 From a combination of the complaints and monitoring data plus the anti litter campaign and operational changes it is believed standards can be maintained and improved within existing resources. Officers recognise that although standards are high better use of the existing resource will provide further improvements in areas such as removal of fly tipping and mechanical sweeping. It is therefore considered that no increase in cleansing resources is needed at this time.

4. Alternative Options Considered

None.

5. Implications

5.1 Legal Implications

None.

5.2 Financial Implications

None.

5.3 Policy and Risk Implications

None.

5.4 Corporate Plan Implications

None.

5.5 Resource Implications

None.

5.6 Other Implications

None.

5.7 Equalities Impact Assessment

None.

6. Conclusion

None.

7. Background Documents

None.

8. Appendices

Appendix A - Litter Grading Photos
Appendix B – Detritus Grading Photos