

Report of the Director of Place to the meeting of Regeneration and Environment Overview and Scrutiny Committee to be held on 19th March 2024.

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Subject:

Fly-tipping in the Bradford District.

Summary statement:

A report providing an update on the work of the Environmental Enforcement Team in relation to fly tipping and other waste related crime.

EQUALITY & DIVERSITY:

There are no equality or diversity issues affected by this report.

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Portfolio:

Healthy People and Places

Overview & Scrutiny Area:

Regeneration and Environment

1. SUMMARY

The report provides an update on the work of the Environmental Enforcement Team in relation to fly tipping and other waste related crime.

2. BACKGROUND

Fly-tipping is a national problem and not just experienced in the Bradford district. Public and private landowners throughout the UK are continually engaged in combatting this type of criminal activity. Local authorities, the Environment Agency, DEFRA, Keep Britain Tidy are among a large number of organisations directly contributing to tackling this issue through a number of strategies including carrying out clearances, investigations and associated legal interventions, or providing research and guidance; despite all this the issue of fly-tipping is one that continues to persist.

3. REPORT ISSUES

Environmental Enforcement

- 3.1 The Environmental Enforcement Team is responsible for enforcing legislation relating to waste and the visible environment. The Team consists of ten full time equivalent (FTE) staff and two managers whom all operate across the full district. In addition, 5 of our Neighbourhood Wardens will continue to support the work of the Enforcement Team.
- 3.2 Environmental Enforcement Officers respond to complaints from the public generated through the Council's Contact Centre and from referrals by a number of sources including Neighbourhood Wardens, Councillors and other Neighbourhoods' staff. Typically, these referrals (termed service requests) can range from fly-tipping, rubbish in domestic gardens, litter & dog fouling, waste from commercial premises, burning of waste through to rodent infestations. In the 2022/23 financial year the Environmental Enforcement Team dealt with 10,916 service requests of which 2692 (~25%) were complaints about fly-tipping.
- 3.3 A recent review of a number of services that deal with the visible environment has resulted in the Environmental Enforcement Team moving from Neighbourhood & Community Services to Waste, Fleet, Environmental Health & Licensing Services. The improved operational synergies between Street Cleansing, Waste Collection and Environmental Enforcement will facilitate closer and more coordinated working relationships between these services.
- 3.4 Fly-tipping is a criminal offence that carries an unlimited fine or up to 5 years' imprisonment upon a successful prosecution outcome. Bradford Council will endeavour to prosecute serious cases of fly-tipping but can also issue fly-tipping fixed penalty fines of £400 or £100 depending on the nature and circumstances of the offence.
- 3.5 The Environmental Enforcement Team actively investigate fly-tipping incidents to identify the perpetrator and take enforcement action, where appropriate, against offenders. When individuals are positively identified, the Team will look to issue fixed

penalty notices, or take formal legal proceedings (issue formal cautions or prosecute) for the most serious offences. Prosecutions can be time consuming, resource intensive and costly so since their introduction in 2019, the preferred enforcement option for fly-tipping has been to issue fixed penalty notices. These deliver an immediate financial penalty and act as an effective salutary warning to perpetrators. In addition, the Enforcement Team can seize vehicles that have been proven to have been involved in fly-tipping and the team intends to use of this strategy to disrupt enviro-crime activity as much as possible .

- 3.6 The table below highlights some of the enforcement actions taken by the Enforcement Team in relation to waste offences over the last 2 full financial years and the current financial year to the date of drafting this report

Enforcement Actions	2021/22	2022/23	2023/24 (Apr-Jan)
TOTAL SERVICE REQUESTS RECEIVED	10,211	10,916	7177
REPORTS OF FLY-TIPPING	2,854	2692	2180
PERCENTAGE DUE TO FLY-TIPPING	28%	27%	30%

ENFORCEMENT ACTIONS	2021/22	2022/23	2023/24 (Apr-Jan)
Community Protection Warning	876	796	672
Other Warning Letters	176	118	127
Community Protection Notices	193	162	171
Other Statutory Notices	161	161	111
EPA s33 - Fly-tipping Fixed Penalty Notice (FPN)	62	63	90
EPA s34(2A) - Householder Duty of Care FPN	16	17	7
EPA s88 - Littering from Vehicle FPN	46	14	4
EPA s88 - Litter from Person FPN	29	23	8
Litter From Vehicle Penalty Charge Notice (Civil Offence)	115	657	1629
Dog Fouling FPN	8	6	12
Other Fixed Penalty Notices	10	8	12
Offences Caught on CCTV	129	668	189
Enforcement Action Taken/Pending from CCTV	65	640	162
Vehicles seized	2	10	3

Prosecutions & Cautions	6	18	4
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Investment in CCTV

- 3.7 Over the last 3 years the Environmental Enforcement Team has been allocated a total £150,000 in capital funding to purchase and then deploy CCTV to assist in the capture of fly-tipping and littering incidents. This much welcomed investment has enabled the Team to proactively target known fly-tipping and littering hotspots in order to identify, and then take enforcement action against, people committing these offences. The investment is paying dividends in tackling this.
- 3.8 A total of 151 fixed CCTV cameras have now been deployed at 87 locations across 16 Wards and a significant number of fly-tipping incidents have been captured on camera resulting in enforcement action being taken and more cases are currently under investigation. The more extensive use of CCTV has resulted in an increase in the numbers of fly-tipping and littering fixed penalty notices being issued and also contributed to a number of vehicles being seized.
- 3.9 The number of fixed fly-tipping cameras deployed by Ward are as follows:

BINGLEY	1
BOWLING & BARKEREND	30
BRADFORD MOOR	2
CITY	29
CLAYTON & FAIRWEATHER GREEN	2
GREAT HORTON	20
MANNINGHAM	17
SHIPLEY	3
TOLLER	11
WIBSEY	2
KEIGHLEY CENTRAL	4
KEIGHLEY WEST	4
QUEENSBURY	6
WYKE	4
TONG	8
LITTLE HORTON	8
TOTAL	151

- 3.10 Following a successful trial of new 4G cameras that use smartphone technology, the team has purchased a further 10 4G cameras which are now being deployed in areas where installation of fixed CCTV was not historically possible. The 4G cameras have the functionality to enable control remotely and provide high resolution images which can be reviewed at the CCTV control room or at the Enforcement Team offices.
- 3.11 In addition, the team continue to use a range of other cameras (such as “VIPA” and “wildlife cameras”) that enable surveillance to be delivered at locations where fixed or 4G cameras are not suitable. As these locations vary throughout the year it is not possible to list these in a locality breakdown.
- 3.12 In order to further increase the team’s capacity to detect and review fly-tipping and littering incidents the team has invested capital funding in a bespoke CCTV review suite based at the Enforcement Team Offices at Harris St Depot. This allows direct access to review and download footage of litter disposal from vehicles and other fly-tipping offences caught on camera. Additional officers in the team have also been trained to use the review suite which will enhance the team’s capability of detecting fly tipping offences. The investment in CCTV to date has resulted in a significant increase in the number of fixed penalty fines being issued.

Litter from vehicles - Caught on Camera.

- 3.13 Public littering continues to be a problem both nationally and locally and similar to many cities there are a significant number of takeaways in the district. This has resulted in takeaway litter being a persistent issue in some parts of the district.
- 3.14 Legislation introduced in 2020 now facilitates the fining of registered keepers of vehicles if either the driver or its passengers drop litter from the vehicle. These are civil penalties (similar to parking fines) and a collaborative approach between the Parking Services Team and the Environmental Enforcement Team has led to an innovative approach to tackle this type of littering from vehicles. Officers from both teams have been working together, using CCTV, to detect littering offences, issue fines and deal with any appeals. Litter enforcement will complement existing strategies (such as education and engagement) to reduce takeaway litter, especially takeaway litter being dropped from vehicles.
- 3.15 Litter enforcement cameras have been deployed at 8 locations in the Bradford district resulting in 1629 fines being issued for litter from vehicle offences since their introduction. The team will continue to deploy CCTV cameras at new and emerging litter hotspots as and when these are identified.
- 3.16 The public are also being encouraged to report litter from vehicles when offences are caught on dash-cams. Information on how to report littering is detailed on the Council website, and also on our new design pay-and-display car parking tickets. VMS boards (vehicle messaging boards) will also be used to display anti littering during periods when there are no priority messages that need to be displayed.
- 3.17 Bradford Council was one of the first Councils outside of London to adopt this recently enacted legislation and remains the only Council in the whole of Yorkshire to enforce litter from vehicle offences. This pioneering approach has resulted in the Environmental Enforcement Team being shortlisted as a finalist in the Keep Britain

Tidy Awards under the category of “Excellence in Enforcement” category.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 The delivery of this area of the Councils responsibilities is highly dependent of its staffing resource. As the Council progresses its plans to deliver its services within a more sustainable budget any reductions in the budget of this team will inevitably result in reductions in the investigatory work and subsequent enforcement activity.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

The impact of fly tipping and illicit waste disposal in our local communities is recognised, but as City of Culture 2025 becomes more imminent there will increasing concerns about fly tipping/littering on any major routes into the district and that presents a risk to the reputation of the Council and local communities during a pivotal year for the district.

6. LEGAL APPRAISAL

The relevant legal issues are referred to in the report.

7. OTHER IMPLICATIONS

7.1 SUSTAINABILITY IMPLICATIONS

There are no sustainability implications

7.2 TACKLING THE CLIMATE EMERGENCY IMPLICATIONS

There are no greenhouse gas emission impacts

7.3 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications

7.4 HUMAN RIGHTS ACT

There are no Human Rights Act implications

7.5 TRADE UNION

There are no Trade Union implications

7.6 WARD IMPLICATIONS

None specific

7.7 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

Not applicable

7.8 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

There are no particular implications for children and young people.

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

Not applicable

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

This report is providing an update on the subject of fly-tipping/ littering and its investigation and subsequent enforcement. There are currently no requirements for any policy decisions to be presented to Members.

10. RECOMMENDATIONS

- That the contents of this report be noted
- That a further update on activity be provided in 12 months' time.

11. APPENDICES

None

12. BACKGROUND DOCUMENTS

Fly tipping in the Bradford District. Report of the Director of Place to the meeting of Regeneration and Environment Overview and Scrutiny Committee to be held on 21st March 2023. ([Public Pack](#)) [Agenda Document for Regeneration and Environment Overview and Scrutiny Committee, 21/03/2023 17:30 \(moderngov.co.uk\)](#)

Fly tipping in the Bradford District. Report of the Director of Place to the meeting of Regeneration and Environment Overview and Scrutiny Committee to be held on 11th January 2022. ([Public Pack](#)) [Agenda Document for Regeneration and Environment Overview and Scrutiny Committee, 11/01/2022 18:30 \(moderngov.co.uk\)](#)