

Report of the Director of Place to the meeting of the Regeneration and Environment Overview and Scrutiny Committee to be held on 11th January 2022.

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Subject:

Fly Tipping in the Bradford District.

Summary statement:

The report provides an update on the work done by the Environmental Enforcement Team in relation to fly tipping and provides information on the number of fly tips reported to the Council and an analysis of relevant waste data.

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1. SUMMARY

- 1.1 The report provides an update on the work of the Environmental Enforcement Team in relation to fly tipping and provides information on the number of fly tips reported to the Council and an analysis of relevant waste data.

2. BACKGROUND

Environmental Enforcement

- 2.1 The Environmental Enforcement Team is responsible for enforcing legislation relating to waste and the visible environment. The Team consists of 10 full time equivalent (fte) staff working across 5 area-based teams located in Area Coordinators' Offices. The Enforcement Officers work as a team alongside Neighbourhood Wardens and are managed by a Warden and Environmental Enforcement Manager.
- 2.2 Environmental Enforcement Officers respond to complaints generated through the Council's Contact Centre and from referrals by Wardens and other Neighbourhoods' staff. Typically these referrals (known as service requests) can range from fly tipping, rubbish in gardens, waste from commercial premises, burning of waste to rodent infestations. Last year the Environmental Enforcement Team dealt with 11,607 service requests of which 3599 were in relation to complaints about fly tipping.
- 2.3 Enforcement Officers deal with an increasingly large volume of waste-related service requests and Wardens can assist by engaging with local residents to bring about positive behaviour change without the need for formal enforcement action. Enforcement Officers triage their work and delegate some work to Wardens who are able to do door knocking to speak to residents and businesses and promote responsible waste management practices such as raising awareness about recycling, promoting the bulky waste service and encouraging the use of household waste recycling centres. This approach allows Enforcement Officers to focus their work on more serious cases or where Wardens' interventions are not having the desired effect.
- 2.4 Fly tipping is a criminal offence that carries an unlimited fine or up to 5 years imprisonment upon successful prosecution. In 2019 fly tipping Fixed Penalty Notices of £400 were introduced by the Council. Nationally there have been year on year increases in fly tipping. In 2020/21 – 12,776 incidents of fly tipping were recorded by the Contact Centre in Bradford and 4,882 tonnes of fly tipped waste and litter was collected by the Council.
- 2.5 The Environmental Enforcement Team actively investigates fly tipping incidents to identify and take enforcement action against offenders. Where individuals are identified, the Team will look to issue fixed penalty notices, issue formal cautions or prosecute for serious offences.

Enforcement Actions 2020/21

2.6 In 2020/21 the Enforcement Team dealt with 11607 service requests. Of these 3599 service requests related to fly tipping and were referred to the Enforcement Team for investigation. The table below highlights some of the actions taken by the Enforcement Team in relation to waste offences over the last 3 years:

	2019/20	2020/21	2021/22 (Apr-Nov)
TOTAL SERVICE REQUESTS RECEIVED	12118	11607	7094
REPORTS OF FLY TIPPING	3683	3599	1951
PERCENTAGE DUE TO FLY TIPPING	30%	31%	28%

ENFORCEMENT ACTIONS	2019/20	2020/21	2021/22 (Apr-Nov)
Community Protection Warning	1635	858	576
Other Warning Letters	70	74	64
Community Protection Notices	325	144	116
Other Statutory Notices	180	166	108
EPA s33 - Fly Tipping Fixed Penalty Notice (FPN)	15	13	38
EPA s34(2A) - Householder Duty of Care FPN	7	20	14
EPA s88 - Littering From Vehicle FPN	162	35	38
EPA s88 - Litter From Person FPN	97	43	17
Litter From Vehicle Penalty Charge Notice (Civil Offence)		69	77
Dog Fouling FPN	8	3	8
Other Fixed Penalty Notices	16	7	10
Offences Caught on CCTV			80
Enforcement Action Taken/Pending from CCTV			32
Vehicles seized	2	1	5
Prosecutions & Cautions	15	6	6

Investment in CCTV

- 2.7 Last year the Environmental Enforcement Team was allocated £150,000 capital funding over 3 years to purchase CCTV to help capture fly tipping incidents. This much needed investment has allowed the Team to proactively target fly tipping hotspots to detect and deter fly tipping and the investment is paying dividends.
- 2.8 A total of 55 fixed CCTV cameras have now been deployed at 40 locations across 13 Wards and a number of fly tipping incidents have been caught on camera and are being investigated. The number of cameras by Ward are as follows:

BINGLEY	1
BOWLING & BARKEREND	4
BRADFORD MOOR	2
CITY	10
CLAYTON & FAIRWEATHER GREEN	1
GREAT HORTON	9
MANNINGHAM	11
SHIPLEY	1
TOLLER	7
WIBSEY	1
KEIGHLEY WEST	4
WYKE	2
KEIGHLEY CENTRAL	2
TOTAL	55

- 2.9 The more extensive use of CCTV has resulted in an increase in fixed penalty notices being issued and also the number of vehicles being seized.
- 2.10 In addition the team continues to use a range of cameras (such as “VIPA” and “wildlife cameras”) that allow flexibility on where and how the cameras are sited e.g. rural locations and lay-bys. The team has been trialling new 4G cameras that use smart phone technology that enable them to be placed at locations where standard CCTV is not possible. The trial was a success and 2 of these new cameras have been deployed and the team are looking for other suitable locations for these and the other cameras.

Capital funding to improve fly tipped sites

- 2.11 Capital funding of £150,000 over 3 years has been allocated to remove waste and undertake works to defend land that has historically suffered from fly tipping. The funding is to cover sites across the district and sites are currently being identified. To date 9 sites have been identified, 2 have been completed and others are being assessed for feasibility.

- 2.12 The funding will be used to provide sustainable solutions to locations blighted by fly tipping and a good example of this work is a site in Bradford South where the Ward Officer has been working in partnership with the Environmental Enforcement Officer in transforming a heavily fly tipped site in Bankfoot at the rear of Draughton Grove.
- 2.13 Enforcement staff served notice under the Environmental Protection Act Section 80 requiring the site to be cleared and secured from further fly tipping, and now the notice has expired the Council will carry out the works in default, including removal of a large amount of asbestos, and then fenced, using capital funding.
- 2.14 Council Executive has recently agreed to progress a compulsory purchase order as the owners cannot be traced despite exhaustive efforts.
- 2.15 This means the land will no longer be a nuisance while the compulsory purchase order is progressed, and will be put to constructive use once the order is made – this will be either housing or a community green space\allotment in partnership with local groups and residents.
- 2.16 A land charge for the work has been placed on the land ensuring that the Council can recover all costs incurred if the land is sold in the future.

Bonfire Night 2021.

- 2.17 This year CCTV cameras were also placed at some known bonfire hotspots and a significant number of incidents where waste was fly tipped were caught on camera. This included a number of businesses that dumped plastic, toxic and other hazardous materials. All the cases are currently being investigated and we expect some positive enforcement outcomes.
- 2.18 As well the use of CCTV, Neighbourhood Wardens undertook door knocking and delivered 10,000 letters and duty of care postcards to many properties across the district where historically there have been bonfires on land within the neighbourhood. The letters were aimed at promoting positive behaviour and reminded people of the consequences of dumping or disposing of rubbish illegally. The postcards informed residents about “the duty of care” for household waste and also gave advice on the Bulky Waste Service and Household Waste & Recycling Sites.
- 2.19 Anecdotal evidence seems to suggest that the letters, post cards and engagement work had a significant impact in reducing the amount of rubbish that was dumped during the bonfire period with many hotspots across Bradford clear of any fly tipped waste.

Partnership Work – Working with the Police

Operation Steerside

- 2.20 Operation Steerside is a Police-led initiative aimed at tackling vehicle crime. As part of this operation the Police hold multi-agency static “Stop & Search” events where

agencies from a number of organisations e.g. Police, DVLA, VOSA, HM Customs & Excise, Trading Standards stop and check vehicles to ensure they are compliant with the law.

- 2.21 Over the last couple of years the Environmental Enforcement Team has worked in partnership with the Police on Operation Steerside to identify vehicles that are carrying waste illegally. This has resulted in a number of illegal waste carriers being stopped and issued with notices to produce waste carriers licences and waste transfer notes.

Vehicle Seizures

- 2.22 Staff from Operation Steerside and Neighbourhood Policing Teams have provided valuable assistance to Environmental Enforcement Officers when seizing vehicles that have been involved in fly tipping. This year 5 vehicles have been seized with 4 of these being crushed as they were not roadworthy or of any commercial resale value.
- 2.23 With the help of local media such as the Telegraph and Argus and social media platforms these vehicles seizures have been widely publicised and received local and regional press coverage with significant support from the public who have welcomed this approach against environmental criminals. (See appendix 12.2)

Cannabis Farm Waste

- 2.24 Over recent months there have been a number of fly tipping incidents that have involved cannabis farm waste. When fly tipped bags have been opened they have found to contain dead cannabis plants, lamps, wiring and tubs of fertiliser. Intelligence has indicated that some of this waste may originate from rented property after the Police have attended a suspected cannabis farm.
- 2.25 We are currently exploring a partnership approach with the Police to tackle this. The Council has an information sharing agreement with the Police and in principle the Police have agreed to notify the Environmental Enforcement Team when they have attended a suspected cannabis farm. Once the Police have removed any evidence from the scene they will contact the landlord of the property and leave a leaflet designed and supplied by the Council. They will also spray any cannabis farm waste with smart water so that if the waste is fly tipped it can be traced back to the property.
- 2.26 The leaflet advises that any waste left at the property is classed a commercial waste (as opposed to household waste) and as such the landlord will be required to produce waste transfer notes to prove that the waste was disposed of legally.
- 2.27 The Environmental Enforcement Team will then serve a statutory notice (known as a producer) on the landlord requesting the landlord to provide evidence of waste transfer notes or receipts to prove how the waste was disposed of.
- 2.28 This a new and innovative approach which we believe may not have been tried elsewhere in the country and clearly demonstrates the strength of the partnership between the Council and the Police to tackle environmental crime.

Environmental Task Force

- 2.29 Additional funding has been allocated to the Council to aid Covid recovery. One of the projects that has been funded is known as the Environmental Task Force.
- 2.30 This project will involve the formation of an 18 month 'Environmental Task Force' to respond to issues of litter, fly tipping and poor environmental quality affecting neighbourhoods across the District.
- 2.31 The Task Force will build on best practice from other initiatives and pilot projects previously held in Bradford, but will also look to introduce best practice from other Councils across the UK.
- 2.32 The Team will work proactively to educate, engage and enforce to ensure the environmental quality of Bradford's neighbourhoods is improved as well as providing resources to keep areas clean.
- 2.33 Multi-disciplinary teams including Ward Officers, Neighbourhood Wardens, Environmental Enforcement Officers, Recycling Teams, Clean Teams, mechanical sweepers, gully cleaning, graffiti removal and a refuse collection vehicle will work intensively in highly visible "days of action" and engage with residents to bring about lasting improvements and change behaviour.
- 2.34 The Team will have the resources to clear waste, protect land, educate and enforce irrespective of land ownership responding to increased levels of litter and fly tipping that occurred through the pandemic and will add to, compliment and support existing area-based teams.
- 2.35 The resources and tool kits that are developed will allow for replication of activities across the district and ensure a long lasting legacy to this approach.
- 2.36 Behaviour change will underpin all of this work as staff in Area Offices engage with residents, businesses and other partners with a more extensive range of resources and options to deal with some long-standing sites and areas. This will be supported by marketing and communication strategies including the use of social media aimed at promoting positive behaviour change.
- 2.37 To support the work of the Task Force funding has also been allocated for 2 additional Environmental Enforcement Officers and 2 Senior Environmental Enforcement Officers. Much greater emphasis will be placed on proactive measures to combat environmental crime. These will include:
- 2.38 Use of social media – to develop a dedicated YouTube channel e.g. "Caught on camera" where members of the public will be able to view video footage to identify environmental criminals. In addition, it is proposed to maximise the use of other social media platforms such as Facebook, Instagram and Twitter to promote and engage with the public about environmental enforcement issues and create awareness to spread good news stories.

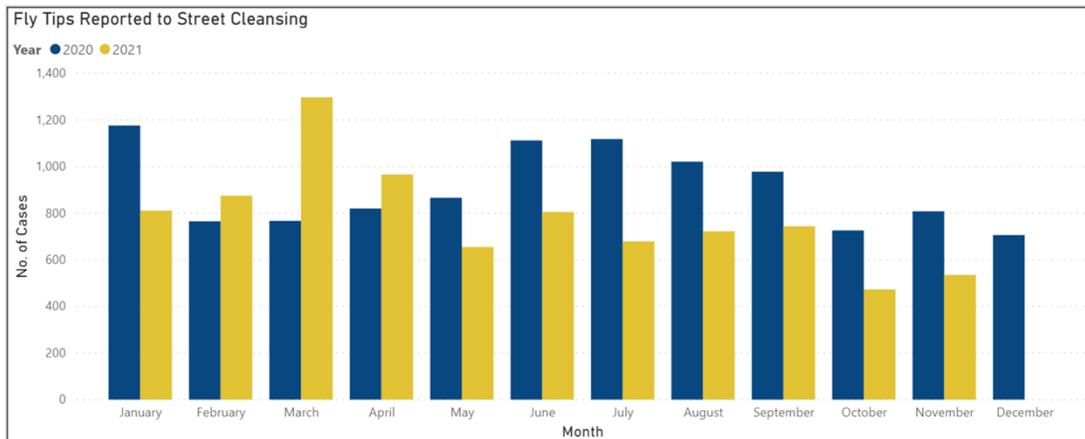
- 2.39 Increasing the seizure of vehicles involved in fly tipping and ensuring cases are publicised.
- 2.40 Undertaking Stop & Searches – to work with external partners such as Police, Customs & Excise, VOSA, Trading Standards etc. to actively target vehicles carrying waste to ensure they are legitimate waste carriers.
- 2.41 Actively targeting and disrupting illegal waste disposal operators that advertise on social media to ensure they are compliant with the law.
- 2.42 Neighbourhood Wardens will continue to use Crime Scene tape at some fly tipping incidents to raise awareness about environmental crime. As Wardens investigate fly tips they will search for evidence. On some occasions e.g. where the fly tipping poses no risk to the public they will wrap Crime Scene Tape around the waste. The tape alerts the public that an environmental crime has occurred and that arrangements have been made for removal of the waste. The fly tip is then reported to Street Cleansing who will remove the waste usually with 24 to 48 hours.
- 2.43 Recruitment to the Task Force posts has already begun. However, to kick-start the project some Covid Support Workers have been working on the project and have already had an impact in some areas of Bradford where litter, fly tipping and overgrown vegetation has been cleared from back streets and land. Over the last 6 months the Task Force has improved 97 sites. Some “before & after” photos are included in appendix 11.2.

3. Fly Tipping

- 3.1 When comparing the number of cases reported to Street Cleansing by calendar year (Jan – Nov only) there has been a fall in 2021 compared to the previous 2 years suggesting the influence of possible pandemic-related behaviours may be starting to decline.

Year	Cases
2018	8716
2019	9918
2020	11636
2021	9814
Total	40084

3.2 The changes are emphasised below where it is evident that in 2021 every month from May onwards saw a lower number of reports to Street Cleansing than in 2020.

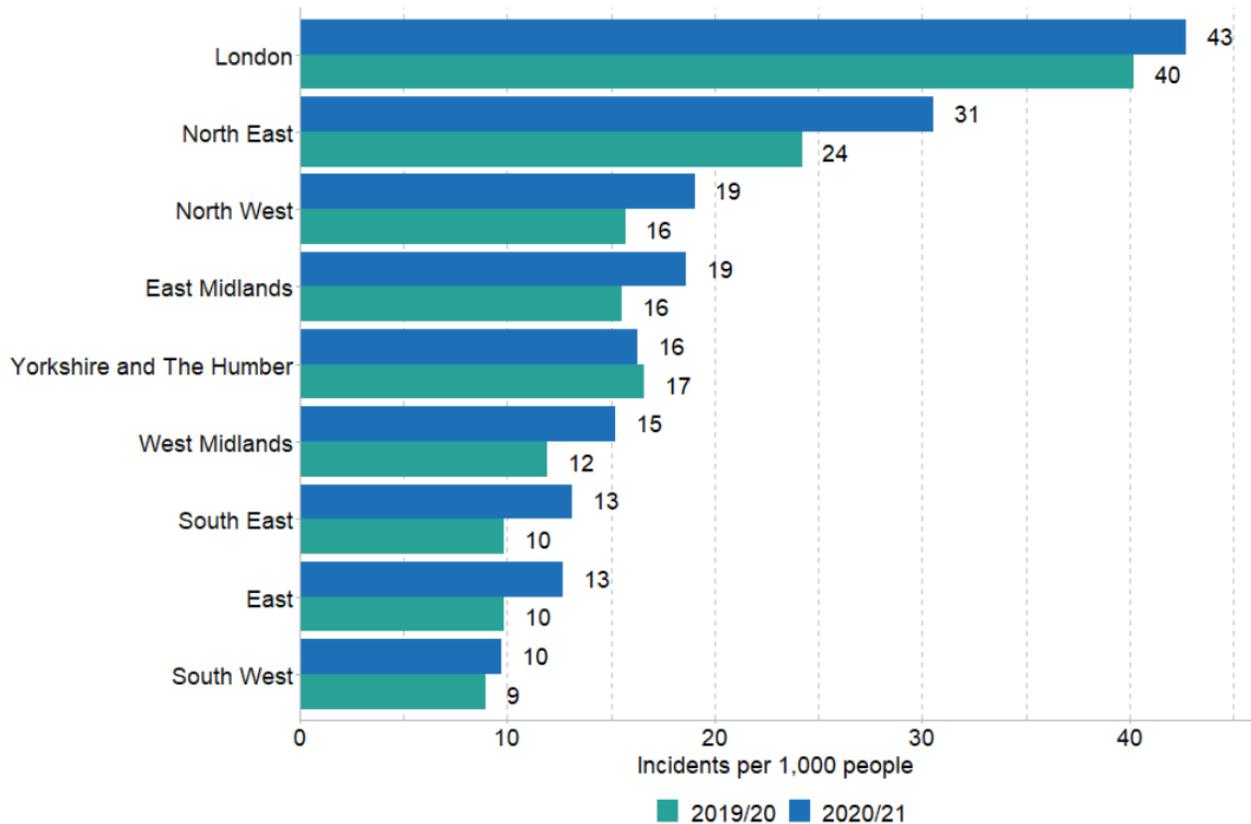


3.3 This pattern is evident across all Areas, except Keighley which is the only one that saw a rise from 2020 to 2021; though Keighley remains the Area with the second-least number of reported cases within the district.

AREA	2018	2019	2020	2021
Bfd East	2705	2936	2670	2374
Bfd South	1886	2050	2231	1780
Bfd West	1829	2227	3128	2423
Keighley	845	954	1372	1454
ShIPLEY	455	598	756	531
Unknown	996	1153	1479	1252
Total	8716	9918	11636	9814

3.4 When comparing to other local authorities the best data to use comes from the National data set found here <https://www.gov.uk/government/statistics/fly-tipping-in-england> This data is comprised of statutory submissions of all fly tips handled and not just those reported to the Council.

3.5 Due to large differences in population levels one way of comparing is to use the number of incidents per 1000 people. Regionally Yorkshire and Humber 5th out of the 9 regions.



3.6 The breakdown of incidents year-on-year by each local authority within the Yorkshire and Humber region can be seen below.

The three largest City regions (Leeds, Bradford, Sheffield) account for over 60% of the incidents within the region and their rate per 1000 head of population is much higher than the next tranche of smaller urban authorities such as Hull, Barnsley and Kirklees.

The generally smaller more rural authorities all experience the lowest rates of fly tipping per 1000 head of population

The table shows the estimated incidents in 2019/20 each authority based on the 2019 mid-year population estimates, which at the time of writing was the latest comparative data at this level of detail.

LA Name	Incidents	Population	Incidents per 1000 pop
Leeds	26,079	793,139	32.9
Bradford	16,128	539,776	29.9
Sheffield	14,231	584,853	24.3
Kingston-upon-Hull	5,945	259,778	22.9
Rotherham	4,429	265,411	16.7
Barnsley	3,740	246,866	15.1
North East Lincolnshire	2,343	159,563	14.7
Kirklees	5,891	439,787	13.4
Calderdale	1,856	211,455	8.8
Wakefield	2,628	348,312	7.5
York	1,540	210,618	7.3
Selby	635	90,620	7.0
Scarborough	743	108,757	6.8
North Lincolnshire	1,119	172,292	6.5
Doncaster	1,373	311,890	4.4
East Riding of Yorkshire	1,442	341,173	4.2
Hambleton	358	91,594	3.9
Harrogate	588	160,831	3.7
Richmondshire	178	53,730	3.3
Craven	134	57,142	2.3
Ryedale	101	55,380	1.8

3.7 Comparing to other major city-authorities across the country the rate of fly tipping in Bradford is consistent with the wider group.

LA Name	Incidents	Population	Incidents per 1000 pop
Southampton	11,824	252,520	46.8
Liverpool	20,780	498,042	41.7
Newcastle upon Tyne	11,580	302,820	38.2
Manchester	18,270	552,858	33.0
Leeds	26,079	793,139	32.9
Nottingham	10,859	332,900	32.6
Sunderland	8,829	277,705	31.8
Bradford	16,128	539,776	29.9
Sheffield	14,231	584,853	24.3
Derby	5,728	257,302	22.3
Leicester	7,633	354,224	21.5
Birmingham	21,761	1,141,816	19.1
Coventry	6,955	371,521	18.7
Stoke-on-Trent City	3,960	256,375	15.4
Middlesbrough	2,113	140,980	15.0

- 3.8 To summarise whilst the numbers of fly tips being reported within the district are certainly large numbers, the rate of fly tipping is in keeping with both national and regional levels for major urban areas, indicating that the Council's approach and policies with regards fly tipping are not significantly distinct from most other authorities.
- 3.9 Fly tipping is a very visual form of anti-social behaviour as it remains in place once the offence occurs increasing the number of people who perceive this form of ASB before it is removed and therefore affects a greater proportion of residents as a result. It is important to retain some form of perspective on the issue and remember that in an average week less than 0.2% of properties are involved in the offending yet their selfish behaviour is affecting the wider majority.

4. OTHER CONSIDERATIONS

None.

5. FINANCIAL & RESOURCE APPRAISAL

- 5.1 This report is a briefing on levels of fly tipping and enforcement within the district at the present time. This work is funded within mainstream revenue budgets however additional capital funding of £300K has been allocated over 3 years to invest in CCTV and fly tip prevention work on land blighted with fly tipping.
- 5.2 The Environmental Task Force budget is £1m; of this £200,000 has been set aside for grants and the remaining £800,000 is for service delivery.
- 5.3 The revenue budget for Environmental Enforcement in 2021/22 is £623,500. This budget covers all environmental enforcement work, not just fly tipping or waste-related offences which are the subject of this report.

6. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 6.1 No specific issues.

7. LEGAL APPRAISAL

- 6.1 No specific issues.

8. OTHER IMPLICATIONS

8.1 Equality & Diversity

- 8.1.1 The Council has four key equality objectives relating to community relations, employment and skills, organisational equalities, culture and equality data. In relation to this report, fly tipping is a serious blight on the environment and can increase community divisions and antisocial behaviour. Proactive action against fly

tipping and environmental crime provides a positive response in seeking to reduce antisocial behaviour and stronger relationships within the community.

8.2 Sustainability Implications

8.2.1 Where waste is disposed of correctly there is an increased likelihood of improved levels of recycling occurring. The majority of householders are using the correct channels. Waste recovered from fly tipping within the district comprises of an estimated 0.5% to 1% of all waste handled by the authority.

8.3 Greenhouse Gas Emissions Impacts

8.3.1 Fly tipping does increase the use of vehicles on the road making unnecessary trips to collect this waste that has been disposed of illegally.

8.3.2 There may be some marginal impact on emissions around the final disposal method, however these are mitigated by Street Cleansing using the same disposal channels that are used by residual waste collection services which see waste go through a treatment plant to recover some of the waste for recycling.

8.4 Community Safety Implications

8.4.1 Fly tipping is illegal and has been classified as one of several types of ASB under the Anti-Social Behaviour, Crime and Policing Act 2014.

8.5 Human Rights Act

8.5.1 There are no Human Rights Act implications arising from this report.

8.6 Trade Union

8.6.1 No specific issues.

8.7 Ward Implications

8.7.1 The information in this report is relevant to all Wards in the district.

8.8 Implications For Corporate Parenting

8.8.1 There are no specific implications for corporate parenting arising from this report.

8.9 Issues Arising From Privacy Impact Assessment

8.9.1 There are no specific issues arising from this report.

9. Not For Publication Documents

9.1 There are no not for publication documents.

10. Options

10.1 None.

11. Recommendations

11.1 That the Committee continue to receive an annual update on fly tipping and enforcement actions for consideration.

12. Appendices

12.1 Telegraph & Argus articles

12.2 Environmental Task Force photos

12.3 Breakdown of fly tipping incidents reported to Street Cleansing by Ward

13. Background Documents

13.1 Report of the Strategic Director of Place to the meeting of the Regeneration and Environment Overview and Scrutiny Committee on 19 September 2019 'Fly Tipping in the Bradford District'.

13.2 Report of the Director of Place to the meeting of the Regeneration and Environment Overview and Scrutiny Committee to be held on 29th September 2020 'Fly Tipping in the Bradford District'.

Appendix 12.1

Telegraph & Argus

UPDATE & VIDEO: Brutal end for van seized in fly-tipping crackdown by Bradford Council

By Claire Wilde



A VAN has been reduced to a mangled heap of metal after being seized in a fly-tipping crackdown.

The white Ford Transit, which had been linked to multiple fly-tips in the Bowling, Wilsden and Heaton areas of Bradford, has become the first to be crushed by Bradford Council under new powers.

Telegraph & Argus

Watch the moment a truck used for fly-tipping is crushed



The vehicle being crushed

A TRUCK used in "multiple" fly-tipping offences in Bradford has been crushed.

The white Ford Transit was seized earlier this year by the Council's Environmental Enforcement Team in a joint operation with West Yorkshire Police.

It had been used for fly-tipping in the Allerton and Thornton areas of the district.

Telegraph & Argus

Van seized after it was caught on film fly tipping



A VAN was seized after it was captured on [film](#) fly tipping.

Bradford Council's Enforcement team worked with West Yorkshire Police's Operation Steerside to capture the vehicle in [Keighley](#).

The white van was recovered yesterday morning.

At 11.37am on Thursday, Steerside Enforcement Team (@WYP_Steerside) tweeted: "Partnership working with @bradfordmdc this morning in @WYP_Keighley.

"This vehicle had been captured on film fly tipping and has been seized by the council enforcement team.

Telegraph & Argus

Fly tipper given community service after being caught in the act



A MAN who was caught in the act fly tipping across the District has had his van crushed and ordered to carry out community service.

Dwain Williams, of Rawling Street in Keighley, was also ordered to pay £1,105 costs after he was taken to court over his crimes.

Williams was convicted at Bradford Magistrates Court of fly-tipping at several locations throughout the Bradford District, including Low Moor and Clayton.

The fly-tipping was of multiple loads including tyres, and left roadside areas strewn with waste.

12.2 Environmental Task Force Work

Clews to Hollybank Gardens

Before



After



Rose Street

Before



After



12.3 Fly Tipping Incidents Reported to Street Cleansing by Ward

WARD - Copy	2018	2019	2020	2021
Across Multiple Wards	1425	1522	1975	1556
Baildon	85	80	81	73
Bingley	52	57	65	25
Bingley Rural	59	110	182	94
Bolton & Undercliffe	120	150	134	151
Bowling & Barkerend	697	726	564	509
Bradford Moor	495	582	552	524
City	405	510	687	514
Clayton & Fairweather Green	127	154	208	166
Craven	35	35	103	37
Eccleshill	223	228	215	197
Great Horton	513	659	518	465
Heaton	189	251	341	300
Idle & Thackley	110	91	130	105
Ilkley	28	28	34	44
Keighley Central	318	319	421	525
Keighley East	89	70	104	99
Keighley West	124	153	163	219
Little Horton	791	904	814	698
Manningham	342	483	591	496
No Ward Data	411	420	547	475
Queensbury	116	172	194	162
Royds	216	138	212	164
Shipley	92	131	172	136
Thornton & Allerton	202	158	324	195
Toller	351	457	666	535
Tong	562	637	795	601
Wharfedale	12	14	23	9
Wibsey	178	218	229	142
Windhill & Wrose	79	140	105	114
Worth Valley	125	182	330	333
Wyke	145	139	157	151
Total	8716	9918	11636	9814