

Response to Request for Information

Reference EIR 000197
Date 27 December 2017

Fly-Tipping

Request:

- (1) On 9th May 2016, Local Authorities across the UK were given greater powers to tackle Fly-Tipping (Penalty notices in between £150 - £400). Have the new powers that were introduced on this day changed the regulatory approach to Fly Tipping in your Local Authority?

Introduction of the legislation now allows the local authority to offer fixed penalty notices instead of pursuing legal proceedings. Our 'regulatory approach' is governed by the Black Country Local Authorities Enforcement policy which specifies a range of enforcement sanctions following a breach of legislation and these are applied dependent on the circumstances of each particular case.

- (2) What preventative measures have been put in place following incident report and how successful have they been?

Preventative measures will depend on the incident type, location, ownership of land and a range of factors. If there has been an easy and obvious solution this has been used, for example if a site can be secured/blocked off to prevent fly tipping (but this is rarely the case). The council has used signage and overt surveillance, leaflet drops, implemented a fly tipping hotline, media campaigns and days of action to address specific hotspot areas. The success has ranged from area to area, if a site has been permanently secured this usually leads to a reduction in fly tipping.

- (3) Does your council have any Key Performance Indicators on Fly-Tipping? (How effectively are you achieving key objectives)

No enforcement KPI's .

Environmental Services have a KPI to clear fly tipped waste from our land within 7 calendar days – currently averaging 97.5% removed within SLA.

- (4) Over the past 12 months, what regulatory control options have you used?

Regulatory control options mainly refers to what your council is doing to ensure the incidents that have happened do not happen again in the future e.g.

Targeting businesses who do not control or adequately provide provision for their waste storage and disposal or following up issues with Domestic Properties, Tenants and Landlords as well as owner occupiers to ensure they are controlling their waste.

We can only follow up on a fly tip where we have some evidence within it pointing to where it has come from, if we do we investigate it, which leads us to the enforcement sanctions stated above. We offer general advice if we have no evidence and cannot pursue it, in the form of leaflet drops, signage etc as per question 2. We did do a day of action down Dudley street targeting commercial businesses to determine they had adequate provision for their waste, but this had become a known problem, creating a hotspot of complaints, we don't have the resources to contact every business. If it is a residential fly tip with no evidence, we have deployed cameras again in hotspot areas.

- (5) What Policies and Procedures does your council use in addressing Fly Tipping?

When deciding on appropriate enforcement action we use the Black Country Local Authorities Enforcement Policy

- (6) Has your council detected any trends in Fly-Tipping over the past 5 years? Generally, as with many other Local authority areas there has been an increase in the number of reported incidents of fly tipping year on year since 2014/15.