



Reducing Fly-tipping

Housing and Neighbourhoods Overview and Scrutiny Committee

1 Introduction

- 1.1 The Housing and Neighbourhoods O&S Committee has undertaken an in-depth inquiry into fly-tipping, seeking to answer the question "How can the Council reduce fly-tipping in the city?". Members had recognised the persistent problem of fly-tipping in some parts of the city which is blighting streets and public areas and wanted to look at ways to support and challenge the current approach to tackling fly-tipping.
- 1.2 Three evidence gathering sessions have been held, including two very useful meetings with officers from Barking and Dagenham and Nottingham councils, who told Members about their approaches to tackle fly-tipping. Background research was undertaken to understand the extent of the problem in Birmingham and to explore best practice elsewhere.
- 1.3 This report sets out the key findings and recommendations.

2 Summary of Recommendations

- 2.1 Following their assessment of the evidence, members of the Committee propose the following recommendations, each of which are discussed in more detail in Section 3.

Ref	Recommendation	Responsibility	Completion Date
R01	"Naming and shaming" should be introduced in Birmingham, backed up by investment in mobile CCTV cameras. The Cabinet Member is asked to report back on a timescale for implementation to the Housing and Neighbourhoods O&S Committee.	Cabinet Member, Street Scene and Parks	March 2021
R02	The working group on CCTV cameras should consider the evidence from this inquiry with a view to a rapid implementation of the use of CCTV to tackle fly-tipping. The Cabinet Member is asked to bring back a report to Housing and Neighbourhoods O&S Committee on this.	Cabinet Member, Social Inclusion, Community Safety & Equalities Cabinet Member, Street Scene and Parks	March 2021
R03	A review of prosecution strategies for fly-tipping, in particular the use of fixed penalty notices, with a view to adopting the Barking & Dagenham approach, should be undertaken to ensure that this fits what is needed currently.	Cabinet Member, Street Scene and Parks Deputy Leader Chair, Licensing & Public Protection Committee	March 2021



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R04	That the Cabinet Member considers implementing a model of Community Protection Officers in Birmingham, to meet the council's statutory functions at the first stages of contact. The model should involve other areas of the Council and agencies such as the Police. The aim should be for one CPO per councillor, a total of 101 for Birmingham.	Cabinet Members: Street Scene and Parks, Social Inclusion, Community Safety & Equalities, Transport & Environment, Finance & Resources	March 2021
R05	That a report is brought to the Housing and Neighbourhoods O&S Committee on the impact of the HRC booking system and recommendations on whether this should continue post-Covid.	Cabinet Member, Street Scene and Parks	March 2021
R06	That local community groups that clear rubbish or hold litter picks are supported by their local depot with waste collections and that the Cabinet Member looks at whether community clearance of communal land and back alley ways can also be supported.	Cabinet Member, Street Scene and Parks	February 2021
R07	That the charges on bulky waste are reviewed with a view to removing these charges, or as a minimum removing these for vulnerable groups (including those on low income or with disabilities)	Cabinet Member, Street Scene and Parks	March 2021
R08	Progress towards achievement of these recommendations should be reported to the Housing and Neighbourhoods Overview and Scrutiny Committee no later than April 2021. Subsequent progress reports will be scheduled by the Committee thereafter, until all recommendations are implemented.	Cabinet Member, Street Scene and Parks	April 2021

3 Findings and Recommendations

- 3.1 In their first evidence gathering session, Members explored the extent of fly-tipping in Birmingham (the data presented at that time is set out in the Appendix) and the Council's approach to tackling it. They heard from Cllr John O'Shea, Cabinet Member for Street Scene and Parks, Cllr Phil Davis, Chair of Licensing and Public Protection Committee, officers from Waste, Environmental Health and Legal Services and the Head of Corporate Information Management.



- 3.2 They described the increase in fly-tipping that has been experienced in recent months, including that in June 2020 alone, 6 months' worth of rubbish was collected from parks, and the costs (up to £700,000 a year to clear fly-tipping). A detailed report from the Waste Enforcement Unit set out the enforcement approach, which is to focus its resources on large vehicle fly-tipping. The extent of large vehicle fly-tipping is considered a strategic pressure for the city, due to the scale of incidents and the costs and the difficulty associated with clean-up. Fly-tipping incidents categorised as likely to be related to large vehicles increased by 91% from 627 in 2016/17 to 1,200 in 2018/19. Exceptionally high levels of vehicle fly-tipping were reported during the COVID-19 'lockdown' period (82 incidents).
- 3.3 In exploring the evidence, the legal and evidential limitations on pursuing fly-tipping was noted, as was the impact of reduced resources. Nonetheless, Members were concerned that an overly cautious approach was being adopted and sought to explore more robust options. This included looking at what other local authorities were doing and as a result spoke to officers from the London Borough of Barking and Dagenham Council and Nottingham City Council.
- 3.4 From examination of this data, and from the evidence submitted by witnesses, three themes emerged:
- A more robust response to fly-tipping where we can – proposals include introducing "naming and shaming", and more fixed penalty notices;
 - A more pro-active approach, deploying local officers on the ground to work with residents in identifying, reporting and removing fly-tipping.
 - Greater public involvement obtained through more information and education but also building in opportunities for local people to get involved.

A More Robust Response

- 3.5 In reviewing the approach taken to deal with those caught fly-tipping, Members were of the view that a more robust response was possible and identified three areas for consideration: "naming and shaming", more use of CCTV and more use of fixed penalty notices.

"Naming and shaming"

- 3.6 The first of these is "naming and shaming", an example being the "Wall of shame", introduced in the London Borough of Barking and Dagenham and now copied by other councils across the country. Officers from the London Borough of Barking and Dagenham Council gave evidence to Members about the "wall of shame". In summary, this was introduced in 2018, in response to resident surveys and engagement which consistently highlighted fly tipping and environmental crime as the biggest issues facing local people, and also that the local community wanted to help to take action. CCTV



images from hotspots around the borough, and those selected were put into an [episode¹](#) on social media backed-up with letter drops in the areas concerned so residents knew what was happening.

- 3.7 The advantages of the scheme were that it clearly engaged members of the public with an average of 6,100 views per episode. Social Media posts have reached 1.9 million people, with 901 shares and retweets, 618 likes, 5.8k clicks. Over 420 different clips have been broadcast, showing people caught in the act – with at least one person caught every episode. The overall impact on fly-tipping incidents has not been demonstrated, though improvement in some areas can be evidenced. However, the project has received lots of positive feedback from residents pleased to see action being taken, as local communities and businesses are actively encouraged to take a stand against the inconsiderate behaviour of a minority of people, whose actions blight a local area.
- 3.8 Concerns have been raised about the legalities and data protection issues of publishing pictures of individuals, but Barking and Dagenham developed a policy² to ensure that any action taken was necessary and proportionate with a legitimate purpose. There is a verification process that includes checking with the safeguarding team if any individual is known to them.



¹ https://www.lbbd.gov.uk/enforcement-wall-of-shame?utm_source=Twitter&utm_medium=social&utm_campaign=SocialSignIn

² The Report and Appendices can be found here (item 52):
<https://modgov.lbbd.gov.uk/internet/ieListDocuments.aspx?CIId=180&MIId=8806&Ver=4>



- 3.9 The Cabinet Member, Street Scene and Parks, confirmed that there had been discussions about Birmingham adopting this “naming and shaming” approach, and they were confident that it can be made to work. Members are therefore urging that this is brought in as soon as possible.

Another Look at Mobile CCTV Cameras

- 3.10 The above approach obviously depends on images of perpetrators being available. The Waste Enforcement Unit (WEU) has 12 CCTV units that are used to target fly-tipping hotspots where the proposed deployment is considered proportionate and necessary and authorised by a court under the Regulation of Investigatory Powers Act. Requests received for the deployment of CCTV resources are triaged through the WEU and/or through arrangements agreed with the Community Safety Partnership.³
- 3.11 Members were informed that there is currently a working group looking at reviewing the policy on CCTV, led by Cllr Cotton, Cabinet Member, Social Inclusion, Community Safety & Equalities. As part of this, the Committee urges the Cabinet Member to consider the approach taken by Barking and Dagenham, who use a pool of re-deployable, relatively inexpensive, cameras on a flexible basis.

More Fixed Penalty Notices (FPN)

- 3.12 Members are also keen to ensure that the Council is using the full breadth of enforcement powers at its disposal. In particular, it was felt that the Council’s approach was too cautious in the issuing of fixed penalty notices (FPNs), focusing on those where there is enough evidence to prosecute should the FPN not be paid. The approach in Barking & Dagenham was somewhat different. They took the view that if an individual is caught, then they are eligible for fines. If the fine is not paid, they are taken to court. The council has not lost a fly-tipping case to date.
- 3.13 The section below sets out the number of FPNs issued in each of the three local authorities:
- 3.14 Birmingham in 2019/20:
- FPNs issued: 211 to businesses for trade waste non-compliances, 54 fixed penalties issued to small-scale fly-tippers;
 - 127 offenders prosecuted for fly-tipping and trade waste offences;
 - The WEU has seized 38 vehicles on suspicion of fly-tipping;
 - 9 offenders have received prison sentences for fly-tipping and linked offences.

³ The Birmingham Community Safety Partnership also has 11 re-deployable cameras which can be used to support the reduction of ASB. In April 2020 the Council’s Resilience team took on responsibility for the management and movement of the cameras. A new process has been put in place requiring LPDGs to gather the necessary information and evidence for any request to utilise the cameras. The process also ensures that the usage of the cameras complies with the relevant legislation governing the use of CCTV (Report to Housing and Neighbourhoods O&S Committee, 19th November 2020)



3.15 Barking and Dagenham:

- **Fixed penalty notices** (these are not exclusively for fly tipping but will include littering, dog fouling and other environmental offences):
 - April 2016-March 2017: FPNs:1534; Income: £94,793
 - April 2017-March 2018: FPNs: 2336; Income: £241,363
 - April 18- March 2019: FPNs: 1690, Income: £205,363
 - April 19-March 2020: FPNs: 1192; Income: £197,371
 - April 2020-October 2020: FPNs: 287; Income: £43,744
- **Prosecutions:**
 - 2016: 9 x Summonses issued; 6 x Successful prosecutions; 3 x Received summons and Elected to settle out of court paying FPN plus costs;
 - 2017: 24 x Summonses issued; 19 x Successful Prosecutions; 5 x Received summons and Elected to settle out of court paying FPN plus costs
 - 2018: 28 x Summonses issued; 2 x Successful Prosecutions; 12 x Received summons and Elected to settle out of court paying FPN plus costs; 2 x Warrants issued; 2 x Acquittals
 - 2019: 38 x Summonses issued; 10 x Successful prosecutions; 3 x Received summons and Elected to settle out of court paying FPN plus costs; 15 x Awaiting deferred hearing dates - COVID
 - 2020: 14 x Summonses issued; 5 x Awaiting summons to be issued; All awaiting deferred hearing dates - COVID

3.16 Nottingham

- In terms of the number of fines a year, there are 2,500-3,000 £75 fines a year and just over 100 £300 fines.

3.17 The good work done by the WEU in targeting higher end vehicle-related fly-tipping is welcomed, but there is also a clear need to deter lower level offences. Members therefore ask that a review of prosecution strategies for fly-tipping, in particular the use of fixed penalty notices and warning letters, is reviewed to ensure that this fits what is needed currently.

3.18 In evidence, it was also noted that people are often fearful of becoming witnesses, and work to reassure those in that position should be enhanced, emphasising the message to potential witnesses that there is legislation to protect them and the Police would be involved as necessary.



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A More Pro-active Response

- 3.19 Members of the Committee also wanted to see a more pro-active approach in tackling fly-tipping through greater focus on early intervention and pro-active targeting of areas, premises and people.
- 3.20 The Committee recognised that the Waste Enforcement Unit has had its resources reduced in recent years and has therefore had to focus its activity accordingly (as in paragraph 3.2 above). In 2018 / 2019 the establishment for Enforcement Officers/Investigators was 13.7 FTEs including an additional 2 FTE officers who were separately funded to undertake placarding/fly-posting enforcement. Six posts were being recruited at the time of the evidence gathering. Barking and Dagenham had a similar number: their enforcement team consists of 19 people including the manager and back office support.
- 3.21 Nottingham has taken a slightly different approach. Community Protection Officers (CPOs) were deployed as a response to rising crime and disorder in the city of Nottingham and were part of a major change programme to reduce expenditure by £1.5m from the establishment of the specialist statutory services. CPOs were charged with meeting the council's statutory functions at the first stages of contact (including regulatory and enforcement activity, community engagement and wider demand management for council services such as Adult Social Care) and have become the universal response for a number of council functions. They are adaptable to whatever challenges the City faces (the recent Covid-19 response is a good example of this approach) and reduce demand to wider services through early interventions and enforcement action.
- 3.22 They are a visible uniformed presence on the streets and are co-located with Police counterparts across the city. CPOs are required to use their powers in accordance with the five stage model of



intervention: Ask, Warn, Initial enforcement, Substantive enforcement, Breach. The uniform gives authority to approach people in a clear and authoritative way. Safeguarding vulnerable citizens will always be the first consideration for CPOs.

- 3.23 CPOs are deployed in every ward in the city as well as the City Centre itself. When at the full establishment, there are 100 CPOs in the city, one for every ward and more in the city centre and busier wards (e.g. student areas), plus a number of non-geographical officers and a dog team. They work alongside local councillors – including doing walkabouts with waste officers and the Police and attending fortnightly Neighbourhood Action Meetings. Citizen surveys often identify CPOs as the most valued council service by citizens.
- 3.24 Members of the Committee therefore ask that the Cabinet Member considers implementing a model of Community Protection Officers in Birmingham, bringing together statutory functions and exploring ways to generate some of the resources to fund the introduction of CPOs across the city. This would include exploring working closely with other portfolio holders and agencies such as the Police. They would be particularly valuable in targeting areas where there is persistent fly-tipping, such as back alley ways. Members believe that there should be one CPO per councillor, a total of 101 for Birmingham.

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Prevention

- 3.25 The final set of improvements that could be made to tackle fly-tipping relate to prevention. This is partly about educating and engaging with local residents, but also about opening up opportunities for involvement.
- 3.26 The education element is about making sure citizens know what the options are for disposing of waste: about the city's [Household Recycling Centres](#) (HRCs), for example, as there is evidence that many people do not know that these are free to use. The [garden waste](#) and [bulky waste](#) collections, or [donations to a reuse charity](#), are other routes residents could use. Members discussed the impact of the booking slots for HRCs, introduced as part of the Covid-19 measures this year, and whether these should continue. Members agreed to ask for a report from the Cabinet Member after this system had been in operation for a period, to assess the impact that this has had and whether it should be continued post-Covid.



- 3.27 As the Barking and Dagenham “wall of shame” showed, keeping residents informed as to what the Council is doing, particularly where fly-tipping will take some time to clear such as on private land (as notice has to be served on the landowner for them to remove it), is very important. Barking and Dagenham do try and let local residents know that they are dealing with it, eg there are stickers they can apply or do letter drops and let local councillors know.
- 3.28 Residents are being engaged through programmes such as the “Love Your Street” initiative and the national [“crime not to care”](#) campaign. This is a national campaign targeted at citizens to care about their streets and the behaviour on them. It encourages people to report fly tippers, be more responsible for their waste and do their best to reduce waste. These have unfortunately been slightly delayed by Covid-19 but work is continuing.
- 3.29 An important part of this is supporting those local community groups that clear rubbish in their areas, for example with waste services picking up the rubbish these groups collect. Anecdotally, it seems this happens in some areas but not others. Members would therefore ask that these groups receive support across the city.
- 3.30 It was noted that community participation has increased during Covid-19 and Members are keen to retain this activity going forward. They would therefore ask that the Cabinet Member looks at whether community clearance of private land can also be supported.

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R07	That the charges on bulky waste are reviewed with a view to removing these charges, or as a minimum removing these for vulnerable groups (including those on low income or with disabilities)	Cabinet Member, Street Scene and Parks	March 2021

4 Progress against Implementation and Motion

- 4.1 To keep the Committee informed of progress in implementing the recommendations within this report, the Executive is recommended to report back on progress periodically.



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R08	Progress towards achievement of these recommendations should be reported to the Housing and Neighbourhoods Overview and Scrutiny Committee no later than April 2021. Subsequent progress reports will be scheduled by the Committee thereafter, until all recommendations are implemented.	Cabinet Member, Street Scene and Parks	April 2021

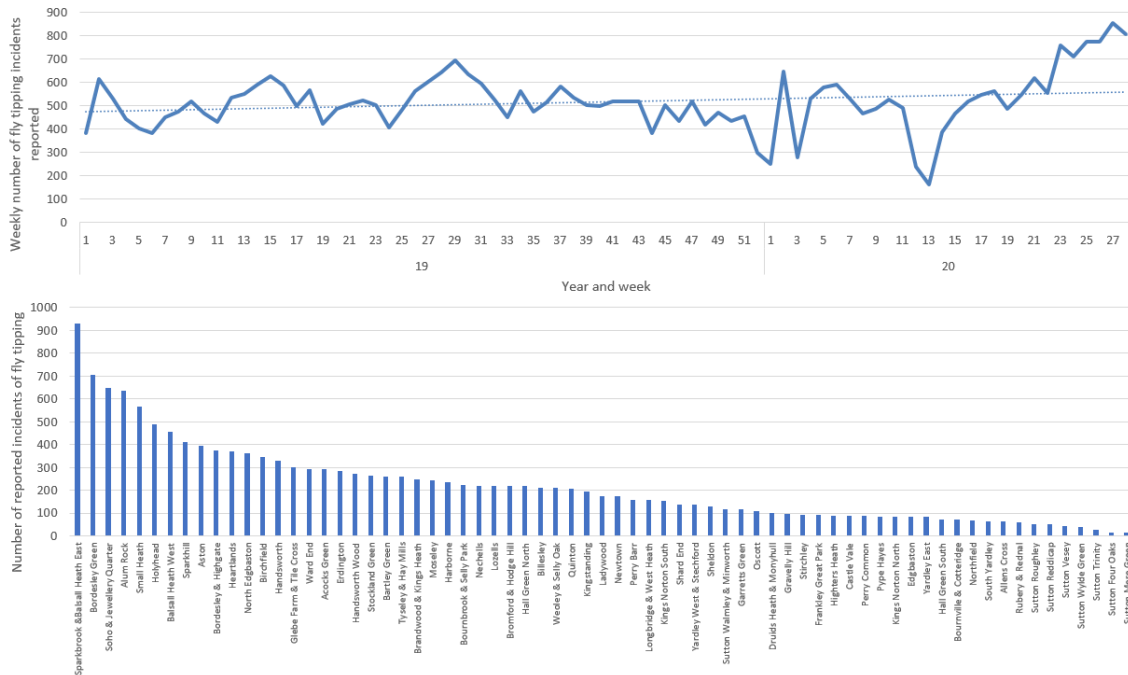
4.2 Full Council is asked to agree the following motion:

That recommendations R01 to R08 be approved, and that the Executive be requested to pursue their implementation



Appendix: Fly-tipping Statistics in Birmingham

FLYTIPPING: NUMBER OF REPORTED INSTANCES OF FLY TIPPING BETWEEN 1 JANUARY 2019 AND 11 JULY 2020 AND WARD REPORTS FROM 1 JANUARY 2020

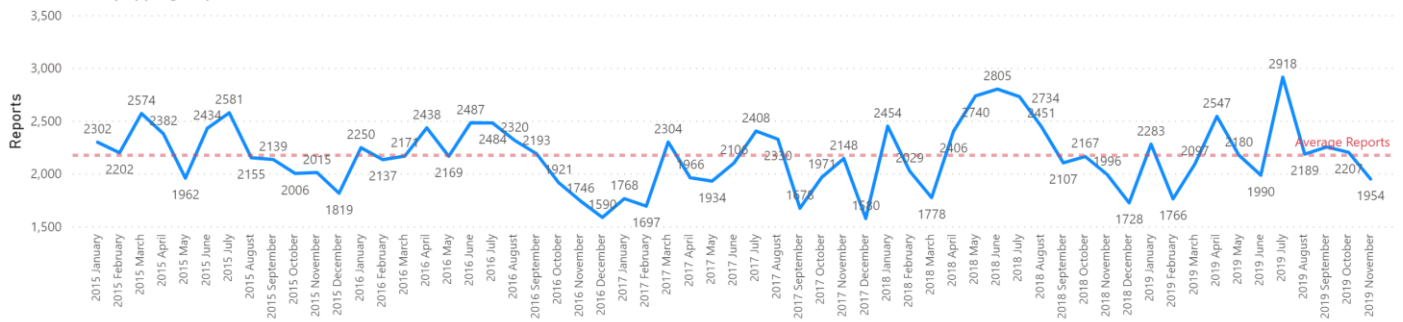


FLYTIPPING REPORTS

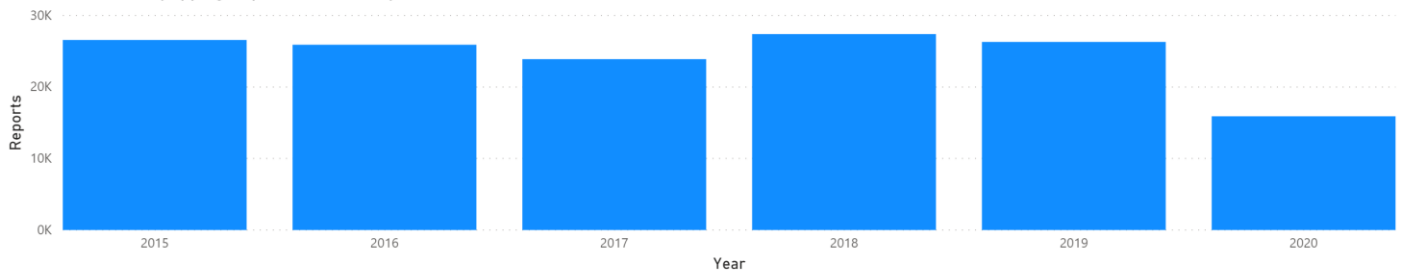
Received Between

01 January 2015 and 18 July 2020

Number of Flytipping Reports Received



Total Number of Flytipping Reports Received by Year





FLYTIPPING DENSITY OF REPORTS

Earliest Report 01 January 2020

Latest Report 18 July 2020

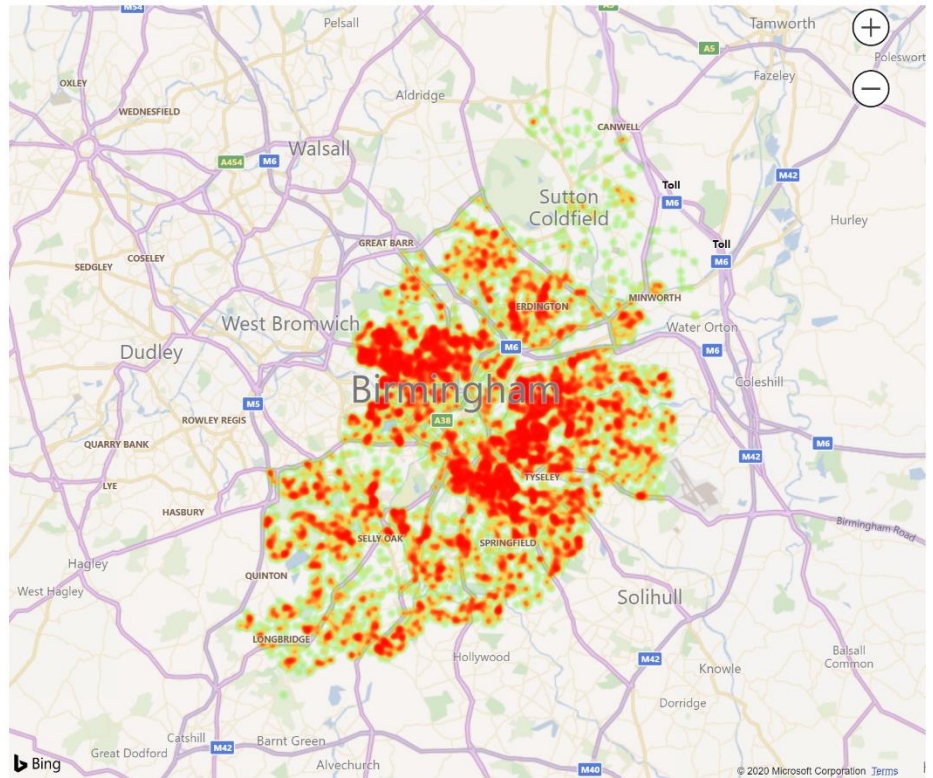
Month / Year

31/12/2019 01/07/2020



ONSWARDPARISHDESC

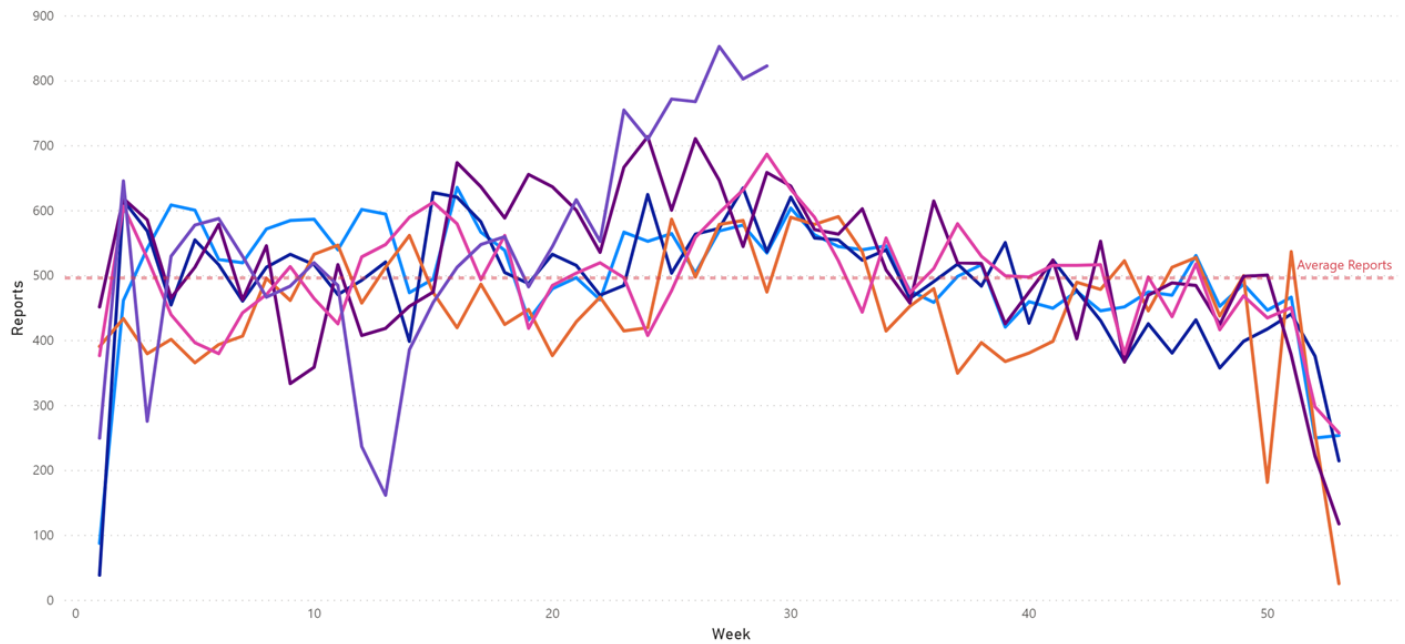
- ☐ Select all
- ☐ Acocks Green
- ☐ Allens Cross
- ☐ Alum Rock
- ☐ Aston
- ☐ Balsall Heath West
- ☐ Bartley Green
- ☐ Billesley
- ☐ Birchfield
- ☐ Bordesley & Highgate
- ☐ Bordesley Green
- ☐ Bournbrook & Selly Park
- ☐ Bournville & Cotteridge
- ☐ Brandwood & Kings Heath
- ☐ Bromford & Hodge Hill
- ☐ Castle Vale
- ☐ Druids Heath & Monyhull
- ☐ Edgbaston
- ☐ Erdington
- ☐ Frankley Great Park
- ☐ Garretts Green
- ☐ Glebe Farm & Tile Cross
- ☐ Gravelly Hill
- ☐ Hall Green North



FLYTIPPING REPORTS RECEIVED PER WEEK BY YEAR

Reports by Week and Year

Year ● 2015 ● 2016 ● 2017 ● 2018 ● 2019 ● 2020





Here's the level of weekly reports over a number of years - as you can see, it is broadly similar from year to year. The stray line is this year.

Figure 1.1. Trends in the total number of fly-tipping incidents in England, 2007/08 to 2018/19

