

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Environment and Transport
Date:	23 March 2017
Title:	Fly-tipping Strategy
Reference:	8130
Report From:	Director of Economy, Transport and Environment

Contact name: Vicky Beechey

Tel: 01962 845539

Email: vicky.beechey@hants.gov.uk

1. Executive Summary

- 1.1. The purpose of this paper is to seek approval from the Executive Member of Environment and Transport to adopt the Hampshire Fly-Tipping Strategy.
- 1.2. This follows decisions taken by the Executive Member for Environment and Transport on 22 July 2016 and the 12 October 2016¹ to develop the strategy.
- 1.3. This paper seeks to:
 - set out the context of the development of the strategy and action plan to date;
 - summarise the content of the appended strategy and action plan;
 - outline the future governance, monitoring and delivery arrangements of the strategy and action plan.

2. Contextual information

- 2.1. In early 2016, Hampshire County Council initiated the development of a fly-tipping strategy for Hampshire that would support collaborative working across partners and organisations (public and private) who have a role in tackling the problem. Approval to make initial progress on the strategy was given on 22 July 2016².

¹ [Report Number 7822, Hampshire Fly-tipping Strategy](#)

² [Report number 7534. Household Waste Recycling Centre Service Efficiencies Implementation](#)

- 2.2. A draft fly-tipping strategy for Hampshire was developed and shared at a workshop held with the multi-agency stakeholders (including all the Hampshire District/Borough and Unitary Councils, private landowner organisations, Hampshire Constabulary and the Environment Agency) on 8 September 2016.
- 2.3. The September workshop provided opportunity for wider discussions around the vision and the draft aims and objectives, and it also helped to identify initial gaps in content and partners.
- 2.4. Approval to proceed to develop the strategy was given at the Executive Member for Environment and Transport's Decision Day on 12 October 2016. An additional update report was provided together with a verbal presentation on progress at the Economy, Transport and Environment Select Committee meeting on 3 November 2016³.

3. Progress Following Previous Decision (12 October 2016)

- 3.1. Following the initial workshop, three working groups were set up in November 2016 with representatives from across the partners to develop the objectives, actions and tasks specific to the three key aims of the strategy:
 - Aim 1: Reporting, Collection & Disposal;
 - Aim 2: Investigation & Enforcement; and
 - Aim 3: Communications.
- 3.2. A final workshop was then held on 12 January 2017 to approve the final draft of the strategy and the proposed governance arrangements (see section 5).
- 3.3. This position was presented in a verbal update to the Economy, Transport and Environment Select Committee on 19 January 2017.
- 3.4. The final draft Hampshire Fly-tipping Strategy is appended to this report. A summary of the key points are outlined in Section 4 below.

4. Hampshire Fly-tipping Strategy

- 4.1. The draft Hampshire Fly-tipping Strategy is appended to this report. In summary, the strategy sets the vision, provides the context and outlines the need for collaborative working to deal with the issue of fly-tipping and the significant negative impacts it has in Hampshire. The strategy is intended to be a live document that will evolve over time and will act as a mechanism for enhanced partnership working.

³ [Report number 7879. Update on Fly-tipping. 3 November 2016](#)

4.2. The organisations other than the County Council that have been involved thus far are as follows:

- **Hampshire Waste Collection and Unitary Authorities**

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- Basingstoke and Deane Borough Council
- East Hampshire District Council
- Eastleigh Borough Council
- Fareham Borough Council
- Gosport Borough Council
- Havant Borough Council (Norse South East)
- Hart District Council
- New Forest District Council
- Portsmouth City Council
- Rushmoor Borough Council
- Southampton City Council
- Test Valley Borough Council
- Winchester City Council

- **Other Organisations**

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- Country Land and Business Association
- Campaign to Protect Rural England Hampshire
- Environment Agency
- Farming Community Network
- Forestry Commission
- Local Farmers
- Hampshire Constabulary
- National Farmers Union
- National Trust
- New Forest National Park Authority
- South Downs National Park Authority

Additional organisations may be involved as the strategy and action plan are developed.

4.3. The strategy, in engagement with all partners, looks to address the following common issues:

- **Education of residents and businesses** – Many households are unaware of their ‘Duty of Care’ responsibilities when disposing of their waste (i.e. to keep waste safe, and to make sure it’s dealt with responsibly and only given to businesses authorised to take it).
- **Data recording** – Not all incidents of fly-tipping are recorded or are recorded in a consistent way. Work will be done to improve this across the board; and encouragement and support will be offered to private landowners to report any incident, even though it is their responsibility to remove any fly-tipping at their own cost.

- **Management of incidents on the highway** – The lack of clarity as to when it is the responsibility of the District or Borough Council or the relevant Highways Authority in two-tier areas to clear a fly-tipping incident that has occurred on the Highway.
 - **Partner enforcement resources and working with land owners** – Different levels of access to information, and resource to assist with investigation and enforcement activities against fly-tipping.
 - **Cross-border working with neighbouring local authorities** – With a focus on the wider national picture and in recognition that fly-tipping does not recognise any borders.
- 4.4. To address the priorities listed above the strategy will initially focus on delivering the following three key aims:
- **Aim one:** Stimulate and maintain a change in behaviour amongst residents, businesses and landowners that helps reduce the amount of fly-tipping in Hampshire, underpinned by a common understanding of fly-tipping as a socially unacceptable behaviour.
 - **Aim Two:** Jointly agree the most efficient process for reporting, collection and disposal of illegally dumped waste.
 - **Aim Three:** Work together to maximise investigation and enforcement resources to ensure we use these in the most efficient and cost effective way.
- 4.5. A number of objectives, actions and tasks have also been developed to achieve the aims. These are highlighted in Appendix A of the appended strategy.
- 4.6. It is anticipated that delivery of the aims and objectives will work towards achieving the following overall outcomes:
- It will become easier for people to understand how they can dispose of their waste responsibly.
 - Effective mechanisms are put in place to catch those responsible for fly-tipping, leading to a higher conviction rate with greater penalties being levied where possible.
 - A decrease in the number of fly-tipping incidents across Hampshire, improving the environment and reducing the cost to the taxpayer and private landowners.

5. Governance Structure

- 5.1. Project Integra (PI) is a partnership of the 11 Hampshire Waste Collection Authorities (WCAs), Hampshire County Council, the Unitary Authorities of Portsmouth and Southampton, and also Veolia UK, Hampshire County Council's integrated waste disposal contractor. A request has been made of PI to oversee and provide multi-agency co-ordination of the Fly-tipping Strategy.

- 5.2. PI will provide a reporting structure for the delivery of the aims within the strategy, this arrangement having been agreed by the PI board on 15 February 2017.
- 5.3. However, a number of organisations involved with the fly-tipping strategy, such as Hampshire Constabulary, the Environment Agency, and representatives from the Hampshire Rural Forum are not represented on the PI board.
- 5.4. Nonetheless, there has been positive support of this approach from all partners (both PI and non PI). To ensure equal representation between all organisations, clear and robust terms of reference will be developed and agreed. Furthermore, a representative fly-tipping working group will be set up to help deliver the aims, objectives and actions of the strategy.

6. Fly-tipping Partnership and Projects Officer

- 6.1. To resource the delivery of the Hampshire Fly-tipping strategy, a Fly-tipping Partnership and Projects Officer is currently being recruited.
- 6.2. This role is fixed term for two years and is being funded by the Economy, Transport and Environment Department. The post will cost an estimated £50,000 per year, including both salary and on-costs.
- 6.3. The role holder will be hosted within Hampshire County Council's Trading Standards team, as this is where it will add the most value given the access to existing intelligence resources and enforcement partnerships.
- 6.4. The role holder will lead on delivering and reporting against the aims, objectives and actions of the strategy and will co-ordinate intelligence sharing and collaboration between partners.

7. Monitoring progress of the strategy

- 7.1. The aims, objectives and actions to be delivered during 2017/18 are detailed in Appendix A of the strategy. To facilitate delivery, the Fly-tipping Partnership and Projects Officer will lead the fly-tipping working group referred to in Section 5.
- 7.2. To aid ongoing improvement, the strategy action plan includes a fourth aim to continually develop the strategy and action plan. This includes developing key performance indicators and reporting mechanisms.

8. Timescales and future direction

- 8.1. It is intended that the Fly-tipping Partnership and Projects Officer will be in post by April 2017. Full delivery of the strategy and its action plan will then commence, in partnership with all relevant organisations.

8.2. The ongoing funding of the strategy will be reviewed at the end of the first year of delivery, with reference to both achievements measured against key performance indicators, and the potential for ongoing funding.

9. Recommendation

9.1. That the Executive Member for Environment and Transport approves the adoption of the Hampshire Fly-Tipping Strategy.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Household Waste Recycling Centre Service Efficiencies Implementation	7534	22 July 2016
Fly Tipping Strategy	7822	12 October 2016
Update on Fly Tipping	7879	3 November 2016

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

It is considered that the project/proposal will have no specific impact on groups with protected characteristics for the following reasons (taken from the Equalities Impact Assessment):

The Fly-Tipping Strategy for Hampshire will aim to meet the objective of the County Council and its partner organisations to reduce the impact of fly-tipping in Hampshire. In doing so it is intended that there will be positive impacts for all groups in Hampshire, including those for whom there is a statutory consideration to take into account protected characteristics, by reducing the harmful financial and environmental costs of fly-tipping to the County as a whole.

The only specific group that will be impacted upon to a greater degree than the above is those residents and businesses in Hampshire, regardless of other groupings or characteristics, which currently choose to dispose of their waste in an illegal manner. The impact for these residents and businesses is that it will become harder for them to do this in future.

2. Impact on Crime and Disorder:

- 2.1. The intention is to help prevent the illegal act of fly-tipping in Hampshire, and make it easier to investigate and enforce against those remaining businesses and residents who continue to commit this crime. Therefore, a positive impact is intended, namely a reduction in crime.

3. Climate Change:

- 3.1. How does what is being proposed impact on our carbon footprint / energy consumption?

By helping to prevent and enforce against the illegal act of fly-tipping, it is intended that wastes that would otherwise have been fly-tipped will instead be disposed of via legal means, encouraging proper consideration of the waste hierarchy and a reduction in the volume of waste that is sent to landfill. The associated benefit will be a reduction in harmful greenhouse gases that arise from the landfilling of wastes.

- 3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

N/A.