



HERTFORDSHIRE WASTE PARTNERSHIP

MEMBERS' GROUP

26th October 2009

Item 11: Fly Tipping Protocol – Proposed Work Programme

Author: Duncan Jones (01992 556150)

1 Purpose of Report

- 1.1 To inform the HWP Member's group about a new work stream that will work towards an objective of agreeing a fly tipping protocol which will direct how the relevant agencies in Hertfordshire work together to manage fly tipping effectively and efficiently.
- 1.2 The work stream was agreed at the Street Scene meeting on the 15th September 2009 and approved by the Heads of Waste group on 1st October 2009.

2 Background

- 2.1 Fly tipping is defined by DEFRA as the illegal disposal of waste as prescribed under section 33 of the Environmental Protection Act 1990. It is differentiated from littering as being greater in volume than a single black bin bag.
- 2.2 Determining who is responsible for dealing with fly-tipping depends on a number of factors such as the size of the deposit and on whose land it occurs. This introduces a procedural weaknesses in how local government tackles fly tipping by changing responsibility for the issue dependent on where and what is fly tipped.
- 2.3 As elsewhere in the UK fly tipping in Hertfordshire results in the following agencies getting involved :-
 - Boroughs / Districts – collection and enforcement
 - County Council – highways authority and enforcement
 - Environment Agency – investigation and enforcement
 - The Police – anti social behaviour work
 - Others – National Union of Farmers, Chambers of Commerce, Parish and Town Councils etc

- 2.4 The above indicates a range of organisations that the general public and others such as land owners can contact to report / raise concerns over fly tipping. However, in practice this creates multiple access points causing confusion over just who is responsible. Consequently the general public is left confused over how to effectively access the appropriate services.
- 2.5 As part of work to address this, the original intention following previous discussions at the Street Scene sub group had been to revisit the fly tipping protocol that was thought to have evolved from similar discussions some years ago. However, upon investigation nothing of substance could be found that could be described as a protocol.
- 2.6 Consequently research indicates that when two-tier areas have tried to improve their collective response to fly tipping, they have started by considering the total sum of their actions and available assets set against what would represent the best outcome for general public and other users.

3 Proposed Work Programme

- 3.1 Taking the above into account below are a number of areas that need to be examined in preparation for consideration of possible changes to establish a protocol based on the reorganisation of current working practices :-

3.1.1 Performance Indicators :-

Work stream – a review of all relevant performance indicator information identifying problems by waste types, locations and tonnages.

Purpose – to illustrate exactly where the main problems occur in order that resources can be effectively targeted.

3.1.2 Operational Arrangements :-

Work stream – an analysis of the resources, including staff numbers etc currently deployed throughout Hertfordshire involved in responding to and managing issues arising from fly tipping.

Purpose – to determine what resources are currently available. This will inform future discussions around possible cross boundary working and sharing / redeploying resources to achieve better results.

3.1.3 Enforcement Practices :-

Work Stream – an examination of current enforcement activity across the two-tiers.

Purpose – to highlight and disseminate best practice across the County, identifying possible training needs and the co-ordination of efforts by different agencies. This will look to ‘equalise upwards’ procedures across the County to towards best practice.

3.1.4 External Agencies :-

Work Stream – to assess the degree of involvement from external agencies (such as the Police and local Environment Agency) in dealing with local fly tipping issues. This will also look to include other bodies such as local land owners and farmers plus any other groups particularly affected by fly tipping. This will also need to take account of any protocols agreed nationally, i.e. between the Environment Agency and the Local Government Association.

Purpose – to highlight current linkages with external agencies with a view to ensuring their continued (and possibly enhanced) contribution to tackling fly tipping in Hertfordshire.

4 Response from the Street Scene Sub Group

- 4.1 Following presentation of the report the Street Scene sub group agreed that fly-capture could be used for performance indicators.
- 4.2 However, tonnage would have to be based on estimates as a result of fly tips often being collected with street sweepings. Similarly whilst best endeavours would be made on providing details of staff resources, in many authorities, staff are employed to carry out more than just enforcement duties.
- 4.3 The sharing of enforcement practices and involvement from external agencies were already being carried out (the latter through the Hertfordshire Flytipping Working Group).

5 Recommendations

- 5.1 That Members’ group notes the report.
- 5.2 That a report be presented to the Member’s group on the 25th January 2010 with an update on the progress made in working towards a fly tipping protocol for Hertfordshire.
- 5.3 That the Members’ group confirm what additional areas, if any, they would like the protocol to address.