

S16. Fly Tipping Scrutiny Panel 6 Month Update Report

The committee considered a report by the Director of Development Services providing an update on the implementation of the Scrutiny Committee's recommendations on fly tipping.

In agreeing recommendations from the Scrutiny Committee following a scrutiny panel review, the Executive had, on 15 January 2019 (ref EX100), requested that update reports be submitted to the Scrutiny Committee after 6 and 12 months.

The 6 month update report provided a summary of progress in implementing each of the 8 recommendations. These were:

- 1) The Council undertake a comprehensive review of the cost and charging for fly tipping to ensure the Council is covering all costs including disposal. This in turn should inform charging for removing fly tipping which should be at full cost recovery including an additional fine.
- 2) That residents including tenants are reminded of their obligations to dispose of rubbish and waste appropriately. For tenants this can be achieved through reminders of their tenancy obligations under the housing tenancy agreement particularly those who live in flats. The issue of supporting tenants needs to be considered along with how we deal with fly tipping in urban areas. This issue needs to be considered by both Development Services and Housing Services.
- 3) A report is presented to a future Executive on the potential for establishing a trusted trader's scheme taking account of the discussions that took place within the panel.
- 4) Officers review access to civic amenity centre to ensure it is available to those who require to use it, that people can pay where appropriate at the site, that budget options are understood in terms of their consequences on small businesses, people without transport etc.
- 5) Officers review enforcement, the fee structure and bulky uplifts policy to encourage public to use this in conjunction with the civic amenity site and report back to the Executive on this in due course. This should include an approach to education, advice and support for community organisations, younger people, tenants including private sector and small.
- 6) The Council adopts a one Council approach to fly tipping. This would include utilising MyFalkirk as the platform for reporting and managing the service. In addition, it is recommended that there is a review of management of the various elements of the service into one designated team and this is reported back to Members in due course.

- 7) Officers investigate and report back on establishing a freecycle/reuse scheme for items of furniture etc. to be developed in conjunction with the 3rd sector.
- 8) The Council reviews its engagement with the communities to enable them to support the Council in tackling fly tipping and general litter picks.

Members of the committee noted the progress made to date, recognising that further work would have to be done to realise the recommendations and for the benefits to become tangible. Following a question, Carl Bullough confirmed that the number of uplifts had increased in the 6 month period but the number of instances of fly tipping had increased slightly. He added that the new practices would have to bed in and that they would be applied with common sense, for example in regard to the number of items that can be uplifted.

Councillor Coleman, who had been a member of the scrutiny panel, stated that in regard to the review of the costs of Fly Tipping (recommendation 1), the intention of the panel had been that there would be full cost recovery by the Council and that the Council would charge those who fly-tipped. He emphasised that where the perpetrator could be identified they should meet the full costs to the Council of disposing of fly-tipped waste. Where material was left on non-Council land it was the responsibility of the landowner to dispose of the waste. It was the view of the panel that if they did not, that the Council should remove it and charge the landowner at full cost.

In regard to establishing a trusted trader scheme (recommendation 3), Councillor Coleman considered that there was more work to do and stated that there were models in place elsewhere which could be investigated. He emphasised that any scheme should stress the benefits to the trader and that any scheme should be of benefit to the traders – either financially through reduced waste disposal costs or reputationally through inclusion on a published and promoted list of trusted traders.

Councillor Coleman welcomed, as a former scrutiny panel member, the work done to introduce a 'One Council' approach to dealing with Fly Tipping (recommendation 6). He emphasised that in making the recommendation, the intent of the panel was to bring about a more efficient system – both in terms of public accessibility and in order to drive down instances of fly tipping through education and, importantly, enforcement. He cited the model adopted by North Ayrshire Council as an example.

In response to Councillor Coleman's clarification of the intent behind the panel's recommendations Carl Bullough concurred with the points made and stated that these were understood by his team and the changes being implemented would reflect the panel's intentions.

Councillor Black, who had chaired the scrutiny panel, welcomed the update but expressed concerns over the Service's capacity to deliver on the recommendations noting the time taken to deliver on them thus far and the lack of meaningful progress in regard to some, the introduction of a freecycle scheme and Trusted Trader Scheme, for example. She also

stressed the need for education to complement enforcement. It was important that householders understood their responsibilities.

In regard to the change in opening hours of the civic amenity sites, Councillor Black suggested that while the service had received few complaints she was aware of negative social media around this. Councillor Black highlighted the panel's recommendation that a freecycle scheme be introduced and stressed the value of such a scheme. Examples were given by members of community Freecycling schemes in Germany but both Councillors Black and Coleman stated that the intent of the panel was to see the Council, working with the voluntary sector, introduce an organised scheme.

The Democratic Services Manager explained that the recommendations of the panel had been accepted by the Scrutiny Committee and by the Executive. These were now formal decisions of the Executive and would be taken forward by officers as such. There was no ambiguity in the Executive's decision. Given the positive and instructive input from former panel members it was suggested that officers liaise with the former panel members as they progress the Executive's decision and use the members' experience to shape their recommendations.

Decision

The Committee noted the progress being made towards achieving the Scrutiny Committee's recommendations in regard to Fly Tipping.