

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a sailing ship on wavy lines representing water. The top-right quadrant depicts a stag's head with large antlers. The bottom-left quadrant contains a beaver. The bottom-right quadrant shows a grizzly bear standing on its hind legs. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield contains the motto "A NE FOR A".

## **Agenda Item 9**

### **Fly Tipping 12 month Update Report**

Falkirk Council

**Title:** Fly Tipping 12 month Update Report  
**Meeting:** Scrutiny Committee  
**Date:** 30 January 2020  
**Submitted By:** Director of Development Services

**1. Purpose of Report**

- 1.1 The purpose of this paper is to provide an update on the implementation of the Scrutiny Committee's recommendations on fly tipping.

**2. Recommendation(s)**

- 2.1 The Scrutiny Committee is asked to consider the progress made in implementing the Executive's decisions following the Scrutiny Panel's review of fly tipping in 2018.

**3. Background**

- 3.1 A Fly Tipping Scrutiny Panel was established in June 2018 with a remit to examine the causes, affects and responses to fly tipping across the Falkirk Council area.
- 3.2 Following consultation with Zero Waste Scotland, Keep Scotland Beautiful, North Ayrshire Council and West Lothian Council on their approaches towards tackling fly tipping as well as consultation with the local community, the Fly Tipping Scrutiny Panel drew up a number of recommendations which were subsequently agreed by the Scrutiny Committee and sent to the Executive for approval. These were agreed by the Executive on 15 January 2019. In addition the executive asked for 6 monthly update reports on progress in implementing its decisions. This report follows the initial update provided to the Scrutiny Committee in June 2019.

**4. Update on actions arising from the review**

- 4.1 The 12 month update on the actions arising from the Fly Tipping review is set out below.
- 4.2 **Action:** 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.

**Progress:** As reported to the Scrutiny Committee on June 2019, a new coding system is now in place to capture actual weights of fly tipping to collect more accurate data on the true costs of fly tipping to the Council. Using this data the disposal costs associated with fly tipping between April and November 2019 was £30,093.

Where land subject to fly tipping is not under Council ownership an uplift service to private landowners is available at a charge ensuring that all Council costs are met. The availability of this clean up service is now highlighted within correspondence to private landowners where fly tipping has occurred.

It is not always possible to identify the perpetrator of fly tipping on public land, and therefore the full costs associated in these circumstances would be covered by the Council.

- 4.3 **Action:** 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.

**Progress:** The phased introduction of the burgundy recycling bin (for the collection of paper and cardboard) brought the Council in line with the national Household Recycling Charter and associated Code of Practice, improving the quality and quantity of material collected. Prior to and during the implementation of the burgundy bin, a comprehensive advertising campaign was undertaken, including social media, traditional media, recycling bin tags and an eight page Recycling Guide, promoting the proper use of household recycling bins and good practice.

Survey work had been carried out at each of our flatted properties in order to identify the most practicable method of allowing those residents to participate in the recycling service. Where space allows, some properties have individual recycling bins, whilst others, where space is restricted, have been provided with communal containers. Artwork advising of the correct use of the containers has been provided and displayed at key locations. Additionally, Waste Services has proactively engaged with Housing officers, factors and private landlords to address problems and seek solutions.

There are some properties where it has not been possible to provide a fully source segregated service due to space restrictions and contamination. For these properties, it is proposed that local Recycling Points will be enhanced allowing those that wish to participate in recycling can do so, whilst reducing the risk of contaminated bins at the kerbside. Waste Services aims to have identified and agreed solutions for all households to have access to a local full recycling provision by the end of June 2020.

Hallglen is an example of previously contaminated communal bins being successfully replaced by enhanced local recycling provision. Through close joint working between Waste Services, Housing Services and local Members, communal recycling bins were removed and residents who requested individual separate recycling bins were provided with them. This change has now been in place for a number of months and has proven successful to date, with this approach now being considered for other areas, on a ward by ward basis.

- 4.4 **Action:** A report 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.

**Progress:** In reviewing the options for the establishment of a dedicated Trusted Traders Scheme consideration was given to both the existing Falkirk Council Buy with Confidence scheme run by the Trading Standards team and a local scheme, Trusty's based in Grangemouth.

Having reviewed options it is proposed that the Council's existing Buy with Confidence scheme should be developed to include businesses carrying out the responsible collection and disposal of waste. Trading Standards has the right expertise to run the scheme and since the scheme is already running successfully, the extension to the scheme will be in place by 1 April 2021

The existing Buy with Confidence scheme advertised on the Council website is a national register of approved Trading Standards businesses run independently by local Trading Standards Departments. It is administered by the Falkirk Council Trading Standards team and was set up in response to concerns about rogue traders operating in the Falkirk area.

In order to become a Buy with Confidence member, a business must pass a set of tailored background checks including a review of the businesses complaint history and a credit reference check. Good references are required from previous customers and applicants must agree to abide by the scheme's code of conduct, which requires them to follow the spirit and letter of the law. Criminal records and basic disclosures are also required for those working in and around people's homes. Trading Standards officers visit the business to review their paperwork and complaints procedure to ensure these are compliant with current legislation and do not infringe their customer's legal rights. They continue to monitor the conduct of businesses who become members of the scheme.

- 4.5 **Action:** 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.

**Progress:** As reported in June 2019, a permit system is in place for small businesses with a current year charge of £40 for recyclable items and £100 for non-recyclable waste (per visit). Due to a lack of internet connectivity at the Recycling Centres, payment for the disposal of commercial waste can only be made via one of the Council's Hubs.

The infrastructure at Kinneil Recycling Centre has since been improved and an electronic payment system will be established at this site shortly for the disposal of commercial waste, making it easier and convenient for the business community to use.

- 4.6 **Action:** 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 traders.

**Progress:** The Council's Enforcement Team will shortly be enhanced with additional provision of officer cover seven days a week (currently five). This additional cover will provide the Council with improved profile and visibility around town centres and other known hot spot areas with regards to tackling litter, dog fouling and fly tipping; the Enforcement Team's focus will be on prevention and education. To assist in this work, Waste Services has now procured a 4<sup>th</sup> mobile CCTV camera to assist with surveillance operations

The Council reviewed its charging structure for bulky waste, with the introduction of a £30 charge for up to five items (effective 1 April 2019).

Between April and December 2018 there were 8,248 bulky uplifts, of which 86% were uplifted free of charge. In contrast, between April and December 2019, there were 3,292 bulky uplifts, 100% of which were paid. To date there has been very few complaints relating to this service change. Of the collections since April 2019, 344 were materials not previously collected within the original bulky uplift service, including, doors, kitchen units and windows assisting those members of the public that have no means of accessing our Recycling Centres

Residents are encouraged to consider making items in good condition (for example, sofas, wardrobes, beds etc.) available to reuse organisations upon contacting the Council's website or Contact Centre.

- 4.7 **Action:** 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.

**Progress:** Since December 2019 the MyFalkirk platform is the only way of reporting and managing fly tipping within the authority. Reporting fly tipping in this way allows householders to pinpoint fly tip locations and record details on the type of material tipped. Photographs of the fly tipped material can also be uploaded into the system, providing officers with a better insight into what they are dealing with in advance.

A single stream approach to reporting fly tipping reduces duplication and time wasted. Further opportunity exists to develop the Council's response to fly tipping, thereby ensuring that any occurrences are managed in the most cost-effective and co-ordinated manner.

- 4.8 **Action:** Officers investigate and report back on establishing a freecycle/reuse scheme for items of furniture etc. to be developed in conjunction with the 3<sup>rd</sup> sector.

**Progress:** Further to internal cross-Council discussions, an approach was made to external groups, including local charities, the Community Volunteering Network, local churches and the Community Recycling Network Scotland to establish how organisations could mutually benefit each other and

deliver on the redistribution of furniture and household goods to those most in need within our local communities.

The inaugural meeting took place on 18 December with representation from 13 different organisations. Discussions at the meeting were very positive, and included awareness of what each of the groups do, what problems they face and what benefits could be achieved in working together. Those present all agreed to a follow up meeting scheduled for end January 2020, to identify the next steps.

It is proposed that the Council will take up a facilitation type role for this project(s), assisting the groups via co-ordination (ensuring a consistent joint up approach), identifying opportunities for funding, transport, identifying suitable properties/hubs (community asset transfer) and access to Recycling Centres for materials where sheds have been identified for the temporary storage of furniture, crockery etc that is brought onto site by the public.

Initial discussions have taken place with the Council's Property and Asset Service with regards the opportunity for capturing furniture and houseware (crockery, carpets, etc.) of a quality that could be reused and would be of value to those that are in need of these items.

- 4.9 **Action:** The Council reviews its engagement with the communities to enable them to support the Council in tackling fly tipping and general litter picks.

**Progress:** Waste Services are currently drafting a Litter Strategy, entitled "A Cleaner Falkirk". The Strategy outlines the Council's responsibilities with regards litter management as well as the responsibilities of third parties, including landowners and other government agencies.

An Action Plan associated with the strategy outlines how the Council will meet its obligations and how it will work in partnership with other key organisations, working towards a cleaner, greener Scotland – within the context of the National Litter Strategy.

Key to meeting our obligations is to continue to work closely with our community groups and organisations and this is recognised throughout the Strategy and action plan.

To ensure that the document is relevant and deliverable, the paper will undergo a period of consultation, with key stakeholders over a four week period with the paper presented to the Executive thereafter. Part of the consultation process will include work shops with internal and external parties (including the local litter picking network).

- 4.10 **Action:** That there is an update on progress on the recommendations made above to the Scrutiny Committee at six months and then a year following the Executive's consideration of the report dated 15 January 2019.

**Progress:** This report fulfils the second obligation.

## 5. Consultation

- 5.1 There has been no consultation on this report.

## **6. Financial Implications**

6.1 No update from June 2019 report.

## **7. Legal**

7.1 The Council has a statutory duty to comply with the requirements of the Code of Practice on Litter and Refuse (CoPLAR) to:

- Keep the land clear of litter and refuse; *and*
- Keep the roads clean

7.2 CoPLAR details what the duties for responsible landowners are (both public and private) and identifies likelihood of arising issues on land and roads with land zoned into categories based on footfall and/or vehicle movement and/or potential number of litter sources.

## **8. Risk**

8.1 Nil.

## **9. Equalities**

9.1 Any changes to service as a result of the recommendations in this report will be equality and poverty impact assessed and the outputs of that reported to Members prior to decisions being taken on enacting those changes.

## **10. Sustainability/Environmental Impact**

10.1 It is anticipated that the outcome from recommendations made by the Scrutiny Committee are/will positively contribute towards the environmental sustainability objectives of the Council.

## **11. Conclusions**

11.1 The Scrutiny Committee are invited to note the work undertaken and ongoing in relation to the recommendations endorsed by the Executive on 15 January 2019.

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