

WYRE FOREST DISTRICT COUNCIL

CABINET
THURSDAY 22ND FEBRUARY 2007

Upper Severn Against Fly Tipping- Joint Statement Of Intent

OPEN	
COMMUNITY STRATEGY THEME:	A Better Environment
CORPORATE PLAN THEME:	Managing the Local Environment
CORPORATE PLAN KEY PRIORITY:	Waste Management/Fly Tipping
CABINET MEMBER:	Councillor Marcus Hart
HEAD OF SERVICE:	Head of Cultural, Leisure & Commercial Services
CONTACT OFFICER:	Keith Burgess – 01562 732956
APPENDICES:	Appendix 1 - Policy Document/Statement

1.0 PURPOSE OF REPORT

- 1.1 To consider the attached Joint Statement of Intent (policy document) to facilitate partnership working to tackle Fly-Tipping.

2.0 RECOMMENDATIONS

The Council are asked to DECIDE:

- 2.1 **That the Upper Severn Against Fly-Tipping Joint Statement of Intent be adopted by the Council.**
- 2.2 **That the Head of Cultural, Leisure & Commercial Services, in consultation with the Head of Legal & Democratic Services and Cabinet Member for Commercial Services, be delegated to sign the Statement on behalf of Wyre Forest District Council.**

3.0 BACKGROUND

- 3.1 There have been a number of policy documents developed regarding fly-tipping, most notably the one between the Environment Agency and the Local Government Association. The latest development encourages the Environment Agency and Local Authorities to develop a local interpretation of the Fly-Tipping Protocol under 'Working Better Together'.
- 3.2 The attached document, in Appendix 1, is designed to facilitate partnership working and a smooth transition for the adoption of the National Fly-Tipping Strategy, which is currently in the early stages of development.
- 3.3 In some areas of the country, and to some people, fly-tipping has become an established and almost acceptable activity. Although fly-tipping in the Upper Severn area is no worse than in other areas it does have a negative impact on people's lives and the environment.

3.4 The partner organisations listed in this report have joined together to pledge their active support to the actions included in this Joint Statement of Intent (policy document) by positively working with residents to deter and address the problem of fly-tipping in the Upper Severn area.

3.5 The term 'Upper Severn' derives from a geographical area defined by the Environment Agency which accounts for what might be perceived as an unusual group of authorities. In no way does this imply that the area of Upper Severn has a particular problem any different from any other area.

4.0 PARTNERS

4.1 The partner organisations are listed below:-

- Bromsgrove District Council, Malvern Hills District Council, Dudley Metropolitan Borough Council, Wychavon District Council, Wyre Forest District Council, Worcester City Council, Worcestershire County Council.
- Environment Agency – as regulators for waste management generally, including the permitting of waste management facilities.

4.2 The above partner organisations including this Council are required to pledge their support by promoting the actions detailed in the Joint Statement of Intent (policy document) attached and are summarised as:-

Action 1: Education / Awareness / Publicity
Action 2: Response
Action 3: Enforcement

4.3 Many of the best practise actions described in the statement document are already carried out in Wyre Forest, however, the document formalises a co-ordinated response over a large geographical area, and is therefore a positive step. In support of the statement this Council will continue its education programme in schools and publicise the key issues in the media, including the use of Wyre News. The Council will continue to respond and investigate incidents and take appropriate action.

4.4 It is intended, subject to the delegated authority of the Council, that the Head of Cultural, Leisure & Commercial Services signs the Statement as is the case of all the other partner organisations service heads.

5.0 FINANCIAL IMPLICATIONS

5.1 There are no significant resource or cost implications arising from the Council adopting the attached Joint Statement of Intent (policy document), the actions required can be effectively delivered from existing resources.

5.2 Any actions aimed at eliminating fly-tipping have the potential to allow the Council to redirect its efforts to other important and beneficial activities.

6.0 LEGAL AND POLICY IMPLICATIONS

6.1 Fly-Tipping is an illegal action and has a serious impact on the environment, anyone who transports waste and disposes of waste has a duty of care.

6.2 The Council has powers to take action under the Clean Neighbourhoods and Environmental Act 2005.

7.0 RISK MANAGEMENT

7.1 Links with the partner organisations and the sharing of good practice procedures will eliminate any significant risk to the Council relating to enforcement and prosecutions.

CONSULTEES

Head of Legal & Democratic Services

Head of Financial Services

Head of Cultural, Leisure & Commercial Services

Councillor M Hart – Cabinet Member for Commercial Services

BACKGROUND PAPERS

None

Upper Severn Against Fly-Tipping

Joint statement of intent



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Upper Severn Against Fly-Tipping Joint Statement of Intent

Context

There have been a number of policy documents developed regarding fly-tipping, most notably the one between the Environment Agency and the Local Government Association. The latest development encourages the Environment Agency and Local Authorities to develop a local interpretation of the Fly-Tipping Protocol under 'Working Better Together' (an initiative agreed nationally between the Environment Agency and the Local Government Association).

Consequently this document should be treated as an evolving document. It is designed to facilitate partnership working and a smooth transition for the adoption of the National Fly-Tipping Strategy, which is currently in the early stages of development.

Introduction

Fly-Tipping is the 'illegal deposit of waste onto land'. In simple terms 'waste' is any material or item that has been discarded.

This practice has also been recognised as being socially unacceptable within the Anti Social Behaviour Act 2003. This required the development of a new Fly-Tipping Protocol, which outlined the relevant legislation and details the roles and responsibilities of the Environment Agency and Local Authorities.

In some areas of the country fly-tipping has become an established and almost acceptable activity. Although fly-tipping in the Upper Severn area is no worse than in other areas it does have a negative impact on people's lives and the environment.

The partner organisations listed below have joined together to pledge their active support to the actions included in this policy statement by positively working with residents to deter and address the problem of fly-tipping in the Upper Severn area.

Statement Partners

- Bromsgrove District Council, Malvern Hills District Council, Dudley Metropolitan Borough Council, Wychavon District Council, Wyre Forest District Council, Worcester City Council, Worcestershire County Council.
- Environment Agency – as regulators for waste management generally, including the permitting of waste management facilities.

The above partner organisations have pledged their support by promoting the following actions –

Action 1: Education / Awareness / Publicity

Create awareness and change behaviour to encourage everyone to take action to help 'stamp out' fly-tipping -

1. Promote the principles of anti-littering and fly-tipping to the children of the area, through our schools and colleges
2. Encourage the public to have a 'zero tolerance' to fly-tipping. Encourage those who witness fly-tipping or find materials which have been dumped to report it immediately to facilitate successful prosecution and prompt clearance.
3. Make people aware that fly-tipping is illegal and has a serious impact on the environment
4. Raise public awareness of the need to ensure that anyone who transports waste complies with the legal requirements of Duty of Care in relation to waste and is registered if required
5. Publicise the costs associated with dealing with fly-tipping for which the residents of area have to pay through their Council Tax. Publicise the scale of fines and the available powers and penalties (such as seizing vehicles involved in tipping).
6. Encourage responsible attitudes towards waste disposal by providing advice on the correct use of collection services and information on licensed waste facilities
7. Keep abreast of national good practice.

Action 2: Response

Dumped waste has a negative impact on people's lives and the environment requiring firm action –

1. An overall commitment, so far as is practicable, to keep the area clean and free from dumped waste.
2. Promote contact arrangements for the reporting of incidents of fly tipping and react promptly to these reports.
3. Regularly monitor 'fly-tipping hot spots' to investigate and clear waste.
4. Encourage landowners to take practical steps to discourage fly-tipping on their land.
5. Promote local waste collection services and disposal facilities to provide convenient alternatives for the disposal of waste.

Action 3: Enforcement

Fly-tipping waste is illegal and all incidents will be investigated with the objective of prosecuting offenders -

1. Take action against offenders.
2. Use the full range of legislation and enforcement tools
3. Share information and intelligence collected with policy partners, especially the Environment Agency and Police, to support investigation and prosecution activities
4. Share enforcement resources with policy partners
5. Use surveillance equipment in known local fly tipping 'hot spots' and share experience and knowledge of surveillance and equipment techniques

Representatives of the partner organisations will continue to meet regularly to share good practice and resources.