



Haringey Council

Agenda item:

[No.]

Cabinet

On 17th July 2007

Report Title: **Cabinet Response to Scrutiny Review of Flytipping**

Forward Plan reference number (if applicable):

Report of: **Niall Bolger, Director of Urban Environment**

Wards(s) affected: **All**

Report for: **Key Decision**

1. Purpose

1.1 To set out the Cabinet's response to the report of the Scrutiny Review of Flytipping.

2. Introduction by Cabinet Member

2.1 Residents have told us that their top environmental concern for Haringey is cleanliness. In recent years a great deal of work has been carried out under the Better Haringey programme to deliver improvements in the cleanliness of our public places through closer monitoring of contractor performance and investment in more comprehensive sweeping services and associated activities such as graffiti removal and street washing.

2.2 However, these activities alone are not sufficient to enable Haringey to achieve high levels of resident satisfaction with cleanliness and to be amongst the cleanest boroughs in London under the Best Value Performance Indicator 199, which includes a score for how well we perform in dealing with flytipping. In order to achieve these outcomes the Council needs to engage with residents and businesses in a range of traditional and innovative ways to convey our messages not only about the services we provide but also the consequences of the criminal activity of flytipping for offenders and for the health and safety of the our environment.

2.3 The recommendations in this report provide us with the opportunity to review the activities we are already engaged in to achieve the outcomes required and ensure that these are effective and efficient. They also provide us with the opportunity to look at new ways of working to achieve the outcomes required, such as the use of new legislative powers, and different ways of communicating with residents, such as distribution of free white goods service leaflets by local electrical retailers. With the ever increasing regulation of waste and cost of disposing of waste, the Council must

be pro-active in its approach to dealing with flytipping. The responses and actions arising from the recommendations in the scrutiny review of flytipping demonstrate how the Council will meet the challenges ahead in a comprehensive and thoughtful manner.

3. Recommendations

3.1 That the Cabinet agree the response.

3.2 That the Cabinet agrees that the agreed recommendations are incorporated within the Streetscene and Enforcement Business Plans where appropriate and that any recommendations requiring additional funding are dealt with as part of the Council's budget setting process in 2008/09.

3.3 That progress be reported annually to the Environment Scrutiny Panel in June/July.

Report Authorised by: **Niall Bolger, Director of Urban Environment**

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4. Director of Finance Comments

4.1 The majority of recommendations can be implemented within existing approved budgets for waste management. However, four recommendations do potentially give rise to additional financial implications, although one of these, recommendation 2b is currently not agreed. The other three recommendations, namely 2h, 2i and 2j are currently agreed in principle only as they may have both capital and revenue implications which need to be properly assessed and funding clearly identified before these proposals can be implemented. It may be appropriate to seek funding through the Council's budget setting process for 2008/09. Furthermore already agreed staff savings within Enforcement business unit for 2010/11 may affect levels of service from that financial year. Some Enforcement budgets are funded from NRF which may not be available after this financial year. Confirmation of continuing NRF/SSCF funding will not be available from the Government until roundabout October this year.

5. Head of Legal Services Comments

5.1 The recommendations have been fully explored by relevant departments, as can be seen in the Appendix. The requisite legal considerations are dealt with in the body of the report and reflect the views of the Scrutiny Committee as contained within their full report. Relevant council departments that wish to not only enforce against breaches but also implement relevant measures to prevent flytipping should ensure that any legislation that is to be considered for use is provided for within the Council's Constitution and that appropriate delegation to officers has taken place. Proper

account should also be taken by enforcing departments of relevant enforcement policies, the enforcement concordat and other guidance as and when outlined by relevant organisations such as the Department for Environment, Food and Rural Affairs (DEFRA), the Local Authorities Coordinators of Regulatory Services (LACORS) and the Environment Agency.

6. Local Government (Access to Information) Act 1985

Environmental Protection Act, 1990

Integrated Waste Management and Transport Contract

Flytipping: Causes, Incentives and Solutions, UCL Jill Dando Institute of Crime Science

7. Strategic Implications

- 7.1 In total there are 18 recommendations, 11 of these are agreed, 5 are agreed in principle, 1 is agreed in part and 1 is not agreed. Most of the recommendations relate to the provision of contract and client activities through and by the Waste Management Service and also to the provision of enforcement activities by the Enforcement Service. One recommendation relates to activities by the Legal Service. The responses to the recommendations are detailed in the table attached to this report as Appendix A. The table also includes a SMART action plan to detail which service/s will carry out actions and when.
- 7.2 One recommendation has not been agreed. This is recommendation 2 (b) which reads;
Reducing or removing the charge for bulky waste collection for those on low incomes, benefits and the elderly (if the cost of administering such a scheme proves too expensive, then consideration be given to abolishing charges completely).
- 7.3 In the past Haringey Council did operate a universal free bulky item collection service. The service did not operate satisfactorily for a number of reasons. For example, the service experienced high demand which led to long waiting times of up to 8 weeks for collections to be carried out. Residents without sufficient space to store bulky items were not able to wait for a collection and this resulted in the service having a higher uptake in the west of the borough than the east.
- 7.4 The Council does provide free collection of bulky waste through the white goods and hazardous waste collection service, community clear-ups, green waste collection as part of the recycling service and bulky items can be taken to two Reuse and Recycling Centres for free disposal. These services are designed to capture waste for re-use and recycling where possible and, where disposal is the only practical option, the service provision is as efficient as possible in terms of the use of available resources.
- 7.5 In today's increasingly environment-conscious society, the emphasis with regard to waste must be on the waste hierarchy of reduce, reuse and recycle and only to dispose of waste if there is no other alternative. If the Council were to provide free collection services for bulky items this would require reductions in service levels elsewhere in the Waste Management Service to cover the cost and could give out the

wrong signals in terms of the Council's sustainability objectives. In any case, there is no absolute proof that providing universal free collection of bulky items is successful in reducing the levels of flytipping.

8. Financial Implications

8.1 Most of the recommendations of the Overview and Scrutiny can be implemented within existing budgets. For recommendations 1, 2b, 2h, 2i and 2j to be implemented, requires either the continuation of existing grant funding or new investment by the Council in revenue and capital funding that has not yet been identified. The Waste Management Service and Enforcement Service will investigate the value and feasibility of implementing the recommendations that require investment and where appropriate these will be incorporated into the 2008/09 business planning process. The outcomes of these investigations and the business planning process will be reported to the Environment Scrutiny Panel in June or July 2008.

9. Legal Implications

9.1 The legal implications of the recommendations in this report have been explored as shown in Appendix A and the comments of the Head of Legal Services are shown in section 5 above. Legislation in relation to proper disposal of waste has changed at a rapid rate in recent years both to ensure that waste is safely disposed of, for example through the Waste Electrical and Electronic Equipment Regulations, and to provide enforcement agencies with a wider range of more easily exercised powers against those who flytip waste, for example through the Cleaner Neighbourhood Environment Act. The Waste Management Service and Enforcement Service will continue to work together to ensure that Haringey is compliant with new regulations and legislation in relation to clearance of and enforcement against flytipped waste. Where this has resource implications the business planning process will be used to identify and bid for the required resources.

10. Equalities Implications

10.1 Records show that flytipping in Haringey is more of a problem in the east of the borough than in the west, but residents in Haringey are entitled to expect a clean environment wherever they live. Successfully carrying out the actions shown in Appendix A of this report will lead to the east/west imbalance being rectified but more importantly they will lead to a cleaner environment for all residents, visitors and people who work in the borough.

10.2 Flytipping does not only have a negative impact on the cleanliness of the borough, it can also create health and safety hazards for the public. Hazards can be the physical obstruction of pavements and roads, which can cause particular difficulties for pedestrians, especially those using prams, wheelchairs or those with impaired sight. Hazards can also be caused by dumping of particular types of waste which can be a health risk, for example asbestos and unknown substances in drums. These issues make it all the more important that Haringey is effective at preventing and enforcing against flytipping.

10.3 It is important that residents are aware of the range of waste management services that are provided by the Council, particularly those services that will help them to

dispose of larger items legitimately and for free, are well publicised. This review has recognised the importance of communications in this respect and the forthcoming Communication Plan will be an important tool for ensuring that all residents of Haringey know how to recycle, reuse or dispose of their waste properly.

11. Consultation

11.1 The Panel consulted with a wide range of bodies and individuals including residents, Members, external consultant, Accord, LBs Islington & Waltham Forest, UCL, Safer Neighbourhoods Team and officers.

11.2 Where the agreed recommendations involve changes to service delivery, consultation will be conducted as appropriate.

12. Background

12.1 There is a great deal of national and local concern about the environmental and financial cost of flytipping. The Scrutiny Review was convened as a result of suggestions from residents and Members who were concerned that the efforts made to improve the environmental quality of the borough are being undermined by the flytipping of residential and commercial waste.

12.2 In carrying out this review the Scrutiny Panel consulted widely with local and regional stakeholders, looked at the law relating to flytipping and assessed the current situation in Haringey in terms of how much, where and what is being flytipped. The review examined the preventative action being taken by the Council under the same criteria as those used in the research into flytipping carried out by the Jill Dando Institute, namely:

- increasing the effort;
- increasing the risk;
- reducing the rewards;
- reducing provocations; and
- removing the excuses.

12.3 The Council's activity in relation to prevention and clearance of flytipping is carried out by teams based in the Enforcement Service and Waste Management Service. These two services work together and with outside agencies and contractors to achieve the outcomes required for Haringey.

13. Conclusion

13.1 The scrutiny review of flytipping in Haringey demonstrates that the Waste Management and Enforcement Services are working well together and in partnership with outside agencies and contractors to prevent and enforce against flytipping. Nevertheless, the review also makes clear the need not only for this work to continue but also to find new and better ways of working to ensure that this problem is controlled and reduced.

13.2 The new Best Value Performance Indicator 199d has been introduced this year for measuring how well local authorities perform at dealing with flytipping. This measure compares year on year progress at reducing the number of flytips alongside the

number and type of enforcement actions taken against offenders. The indications are that Haringey's score for 2006/07 will be classed as 'Good', reflecting the work already being done to deal with flytipping in Haringey and recognised in the findings of the Scrutiny Review Panel. In order to sustain and improve this level of performance, Haringey will need to be fully committed to carrying out those actions identified in Appendix A in the longer term.

14. Use of Appendices / Tables / Photographs

14.1 Appendix A, Table of responses to recommendations of Scrutiny Review of Flytipping including SMART action plan.