

Cabinet – 5 September 2018

Addressing fly-tipping in Walsall

Portfolio: Councillor Louise Harrison, Clean and Green

Related portfolios: Councillor Garry Perry, Community, Leisure and Culture

Service: Clean and Green

Wards: All

Key decision: Yes

Forward plan: Yes

1. Summary

1.1 In Autumn 2017, a fly-tipping task force was set up which has included representation from Community Protection, Clean and Green, Communications, Legal Services, Trading Standards, Communities, Police and whg. The team has set out and undertaken a number of actions to tackle fly-tipping across the borough including:

- Increased publicity
- Streamlining reporting
- Improved information for residents and businesses
- More effective use of CCTV
- Improved enforcement
- Improved intelligence gathering and evaluation

1.2 Following the change of administration in May 2018, officers were asked to consider ways in which fly-tipping can further be addressed; in particular, the extension of opening hours for the borough's Household Waste Recycling Centres (HWRCs). The Clean and Green team was accordingly tasked with reviewing the opening hours of the HWRCs and also the charge for the collection of bulky items and asked, in partnership with other teams, to deliver options aimed to reduce the levels of fly-tipping across the borough.

1.3 Figures from 'Flycapture', the national database into which local authorities feed information about fly-tipping, show that in Walsall, fly-tipping had an indicative cost to the public purse of in excess of £426,000 in 2017. This money would otherwise be available to invest in services.

- 1.4 This report details a set of proposals around trial changes to services in order that their impact may be assessed to inform decisions on longer term future service provision.
- 1.5 Reducing fly-tipping in Walsall would be welcomed by residents and businesses. As well as the impact on the public purse, and the opportunity cost of other much valued services which could have been provided, fly-tipping is a blight on both residential areas and also business areas where it may detract from investment.
- 1.6 A number of separate reports were listed for consideration at this Cabinet meeting concerning:
- Improvements in Street Cleansing Service – To consider options for future service provision
 - Household Waste Recycling Centres opening hours – To consider options for future service provision
 - Free bulky collection trial – To consider options for future service provision.
- 1.7 This amalgamated report covers these three matters as published on the forward plan. As can be seen from recommendation 2.2, a further report will follow to Cabinet next month.

2. Recommendations

- 2.1 That Cabinet approve a trial free skip service for the deposit of household bulky items, as detailed in Section 3.7 of this report.
- 2.2 That Cabinet notes the intent to offer a trial period of extending the opening hours of the Household Waste Recycling Centres as detailed in section 3.8 of this report, subject to a Cabinet decision in October 2018.
- 2.3 That Cabinet approve a trial period of providing a free collection of bulky household items, as detailed in Section 3.9 of this report.
- 2.4 That Cabinet approve an increase to the level of reward leading to successful prosecutions for fly-tipping from £100 to £500, as detailed in Section of 3.10 this report.
- 2.5 That Cabinet approves an ongoing communications campaign, to inform and educate residents and businesses, as set out in section 3.11.

3. Report detail

- 3.1 It is considered that trialling approaches to addressing fly-tipping will give the best means by which the Council can made evidence-led decisions in future budget setting and service design. Accordingly, it is suggested that three sequential trials are supported:

- **Free bulky collection skip days**, a 10 week trial: 21st January 2019 to 31st March 2019
- **Revised HWRC opening times**, a 13 week trial: 1st April 2019 to 30th June 2019
- **Free bulky collections at kerbside**, a 13 week trial: 1st July 2019 to 29th September 2019

3.2 The aim of each trial will be to test its effectiveness on reducing fly-tipping and reducing the cost of its clean up.

3.3 Fly-tipping has increased since 2014/15 as shown in the table below (however 17/18 saw a year on year reduction in both incidents and tonnages). It is considered that fly-tipping may be linked several factors including changes to waste collections; bulky collection charges, reduced opening times at the HWRC sites, commercial waste crime and increased disposal costs. On a national level, fly-tipping is generally on the increase.

Year	Incidents	Tonnages
2014/15	3,362	1,658
2015/16	4,599	2,267
2016/17	5,009	2,458
2017/18	4,122	2,003

3.4 Quarter 1 2018/19 data shows 897 fly tips were reported of which 256 (28.5%) contained items of bulky household waste which included 112 incidents (12.5%) where single items were tipped. The most commonly tipped items that could be removed via a bulky collection are fridges.

3.5 The majority of recorded fly tipped waste (71.5%) is not bulky item household waste. Fly tipped waste typically includes excess bagged mixed domestic waste, household waste collected by unauthorised third parties with no legal means of disposal (for commercial gain) and commercial waste.

3.6 Calls handled by the Council's Contact Centre in relation to bulky collection requests are seen as positive demand. The service is being modernised to allow residents to book and pay for collections online. This should be live towards the end of the calendar year (2018).

3.7 **Trial 1: free skip service**

3.7.1 The first trial will be a 10 week trial, with the Council offering the free collection of bulky items being collected by skip (skip days) on specified days for a ten week period. Skip days will be marketed and staggered on appropriate Saturdays across all 20 wards.

- 3.7.2 The operation of a skip provision to collect household bulky items would be a new service. It would not accept any other type of waste, for example black bags.
- 3.7.3 It is proposed that for the trial, the service would operate on Saturdays between the hours of 9:00am and 11:00am and 12:00 noon to 2:00pm in different ward areas (covering 20 wards within a 10 week trial period).
- 3.7.4 Additional resources would be required to supervise and monitor the new service collecting data, assisting residents and ensuring only bulky household items are disposed of.
- 3.7.5 The total cost to provide the new service would be £1,840 per day (2 sites). This cost includes labour, vehicles and skip hire.
- 3.7.6 Conditions and education around the new service would be required. These will include:
- Bulky household items accepted as specified by the Council under the bulky collection arrangements
 - Proof of Walsall residency
 - One visit per household per occasion
 - No commercial vehicles
 - No business or commercial waste – household waste only
 - Waste not to be left on site pre or post time slot/dates etc. as this will be treated as fly-tipping and appropriate enforcement action may be taken
 - Registration in advance of the day to book. This allows for meeting demands and number of skips etc.
- 3.7.7 During the skip collection trial residents may still book a bulky collection from their house, but this must be paid for in the normal way.

3.8 **Trial 2: to extend opening hours at the HWRCs**

- 3.8.1 The HWRC sites at Fryers Road, Leamore and Merchants Way, Aldridge are operated under contract by Suez on behalf of the Council. The current contract commenced on 1 April 2014 and lasts for 7 years (ending March 2021) with a 1 year extension option.
- 3.8.2 The opening hours for HWRC sites were reduced in 2014 (as part of the procurement process) from 7 to 6 days per week with reduced operating hours of 9:00am to 5:00pm delivering a saving of circa £248k per annum.
- 3.8.3 A further saving of £98k was delivered in 2015 by reducing the opening at each site by 1 additional day (from 6 days a week to 5 days a week)
- 3.8.4 In April 2018 revised opening hours were introduced (within existing budgets) to mitigate traffic pressures and queuing times. Longer summer and shorter winter opening hours were re-introduced along with 7 day a week opening at both sites during Christmas and Bank Holiday periods. Key benefits included:

- Extending evening opening times during the summer months by one hour to allow residents time after work
- Extending morning opening times in the summer months by one hour to allow residents time prior to work
- 7 day opening at both sites during peak Bank Holiday and Christmas periods to cater for increased demand (7 weeks of the year – Easter, Whitsun, May Bank Holiday, August Bank Holiday, Christmas & New Year)
- Addresses problems of queuing at period of higher demand
- Financially viable as service is contained within existing budgets

3.8.5 HWRC sites receive household waste that residents are unable to place in their wheeled bins, such as garden waste or bulky household items. The containers for household waste are segregated to allow maximum recycling. E.g. wood, metal, cardboard, textiles, batteries, plasterboard, rubble, white goods, TVs and electrical, garden waste etc.

3.8.6 It is considered that the reduction of opening hours and HWRC availability over recent years may have contributed to fly-tipping in the Borough. To ascertain whether opening the HWRCs for longer (for example, both sites 7 days a week for longer days) will have an impact on reducing fly-tipping, a trial will be put in place during April, May and June 2019 which can then inform future service design and budgeting. This trial period has been selected as a busy operational period at both HWRCs.

3.8.7 The trial will be submitted, with full costing and details, for decision at Cabinet's meeting on 24 October 2018 following the conclusion of commercial negotiations with the current operator.

3.9 **Trial 3: free kerbside bulky items collection**

3.9.1 The third trial will offer residents free home collection of bulky goods for a 13 week period. This will come at an estimated cost of £22,000 (lost income) and owing to the trial dates this reduced income will fall in the new financial year, 2019/20.

3.9.2 The bulky collection service is for the removal of household items from domestic premises which do not or cannot fit into wheeled bins due to their size and bulk, for example white goods, rolled carpet, cookers, mattresses, and furniture such as three piece suites, tables, chairs and beds.

3.9.3 The bulky item collection service is covered by the Environmental Protection Act 1990 and the Controlled Waste Regulation 2012 which allows the Council to make a charge for the collection but not disposal of bulky items. The Council's charges are detailed below.

No. of bulky items	Charge (£)
1 to 3	£15.00
4 to 6	£30.00
7 to 9	£45.00

3.9.4 Bulky item collections are arranged on request from the customer and payment must be made in advance. A maximum of 25 households can book a collection for any given day due to operational capacity. The service is available seven days a week from 6.30am to 5.30pm. Following changes to the service over the last few years, demand for bulky item collections has increased by circa 40% since 2015. This may be attributed to offering collections at the weekend following the introduction of 4 on 4 off working patterns.

3.9.5 Existing resources comprise:

- 7.5 box van with tail lift
- Two Environmental Operatives

The service is currently operating at capacity on most days with additional time commitments being filled by deliveries of replacement bins.

3.9.6 Given current capacity, the main issue with introducing free bulky collections is quantifying demand for this service. It is not possible to determine the resources required for an unrestricted free bulky collection service due to the unpredictable demand and management of resources. A number of controls would therefore be required.

3.9.7 The trial would be limited to one free collection per household on a first come, first served basis. The collection would be based on a maximum of 3 items for any one household (most current requests are for up to 3 items).

3.9.10 Residents would book a collection in the normal way via the contact centre. Subject to demand and daily limits of 25 per day, once slots have been filled residents will be offered the next available calendar day. This may cause some frustration amongst residents as the demand for a free service may exceed the resources available on a daily basis. As set out in paragraph 3.6, by the time this trial is in place online booking is planned to be available for this service.

3.10 **Increasing successful fly-tipping prosecution reward**

3.10.1 A reward scheme for reporting fly-tippers has been in place for a number of years but no monies have been paid out. It is not known whether this is because the level of reward, currently £100, is insufficient to incentivise residents to report, or because those who are socially minded to report do so anyway and they do not consider claiming the reward. As detailed in recommendation 2.4 of this report, the proposal is to increase the level of the reward to £500, which would be payable where information has been given which leads to a successful prosecution.

3.11 **Communications campaign**

3.11.1 Communicating the problem we have in Walsall with fly-tipping started in January 2018 when a day's fly-tipped waste was placed outside the New Art Gallery. It was visually shocking and gained both regional and national press interest; people were rightly disgusted.

3.11.2 During January and February 2018, signs were erected at around 60 parks and countryside sites to remind people that fly-tipping is a crime and can lead to five years in jail and an unlimited fine. In addition, a dedicated fly-tipping hotline was set up earlier in 2018 to allow callers to report issues with no delay by calling 01922 653355 as well as a dedicated mailbox flytipping@walsall.gov.uk

3.11.2 Residents and businesses were sent information relating to their responsibilities on legally disposing of their waste along with their council tax and business rates documentation in March 2018.

3.11.3 The council is using social media to highlight fly-tips and will seek to encourage residents and businesses to report fly-tipping and also to share any CCTV evidence that may be of use in prosecutions. The campaign's hashtag is #putwasteinitsplace.

3.11.4 Frequently asked questions are now available via the Council's [website](#) for residents, businesses and landowners to see what the council can and can't do about fly-tipping.

3.11.6 Throughout September, and beyond, Walsall Council will endeavour to educate and inform residents and businesses on the safe and legal disposal of their waste.

3.12 **Street cleansing**

3.12.2 Options for changes to the street cleansing arrangements are in preparation in response to a request from the administration. Consideration of those changes will form part of the budget setting process for 2019/20 and a detailed report will follow to a subsequent Cabinet.

3.12.3 Two early priorities have been proposed to come into effect during the current financial year and can be taken forward with existing budgets and under officer delegations. They are:

1. To introduce one additional street cleansing operative into Walsall Town Centre to start in December 2018 prior to the Christmas period, at an estimated cost (18/19) of £16,700; and
2. To appoint a Voluntary sector coordinator to assist with improving attitudes towards litter and empowering local communities to take action to improve their environments between and alongside Council scheduled cleaning. To start in January 2019 at an estimated cost (18/19) of £8,500.

3.12.4 The full year impact of these proposals would be £84k and provision will have to be made in 2019/20 to fund their ongoing costs. This will be considered in any future Cabinet report concerning changes to Street Cleansing and/or the budget setting for 19/20.

4. Council Corporate Plan priorities

4.1 Proposed service changes will support the current priorities set out in the 2018-2021 Corporate Plan as follows:

- *Economic growth for all people and communities*: service changes are proposed to support the enhancement of Walsall as a place which encourages business growth
- *Internal focus* – in assessing the most effective service changes which can assist in effective use of limited public money
- *Communities* – safe and healthy places

5. Risk management

5.1 Risks will be managed in the design and delivery of the three trials set out in this report. Specifically, key risks are set out in the table below.

Risk:	Control measures:
<p>All Options</p> <p>Additional funding unavailable / alternative savings can't be identified</p> <p>Introducing a free bulky item collections service may not directly impact on levels of fly tipping due to:</p> <ul style="list-style-type: none"> a) Cross borough boundary tipping from neighbouring areas b) Commercial fly tipping (not permitted at HWRC) c) Law abiding residents do not fly tip. The residents that do fly tip may not engage with the services offered. <p>Increase in demand and potential risk of picking up commercial / trade waste bulk items e.g. house clearance, which in turn could see an</p>	<p>HWRC trial subject to further Cabinet report and costings/budget setting</p> <p>Enforcement activity (Community Protection)</p> <p>Publicity and education (Duty of Care)</p> <p>Side waste education (Section 46 informal warnings)</p> <p>Robust control and management arrangements in place</p>

<p>upturn in disposal costs as well as collection resource demands</p> <p>Additional waste disposal costs incurred as additional waste not in current waste flows</p> <p>Proposed changes to HWRC opening hours may mitigate need for free collections at the kerbside / within the local area</p> <p>Withdrawal of free service if not continued - Once a service has been offered free of charge it may be problematic to re-introduce a fee. Public acceptance if the trial proves unsuccessful or not financially viable.</p> <p>Additional customer complaints if free service unavailable due to limited collection slots</p> <p>Potential for fly tipping pre and post skip day events</p> <p>Potential for waste from adjacent authorities</p> <p>Non bulky waste presented on the collection day</p> <p>Availability of suitable sites to be determined</p> <p>Lack of staff volunteers to work overtime on Saturdays to support trial</p>	<p>Robust control and management arrangements in place – minimised by one free disposal per period</p> <p>Increased opening hours at HWRC trial to determine impact</p> <p>Robust data collection on impact and communication post trial</p> <p>Comprehensive publicity material promoting trial and arrangements</p> <p>Robust control and management arrangements in place but excess waste will be removed during the trial to measure success and impact.</p> <p>Robust control and management arrangements in place – proof of residency required</p> <p>Robust control and management arrangements in place</p> <p>Review of all Council facilities</p> <p>Early opportunity offered to staff prior to engaging any agency staff</p>
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6. Financial implications

6.1 The cost of implementing Trial 1 and Trial 3 are:

- Trial 1 (Skip days) £28,400. This will come from existing resources in 2018/19.
 - Trial 3 (Free bulky collections) is estimated to cost (though lost income) £22,000. This will follow the budget planning process for 2019/20, with a report presented to October 2018 cabinet as part of budget setting.
- 6.2 At this stage, it is not possible to accurately cost Trial 2 (HWRC) as this is subject to commercial negotiation and will be reported to October Cabinet for decision.
- 6.3 It is not known whether the increase reward for information in recommendation 2.4 will lead to budget pressures. This will be monitored but it is anticipated that demand can be met from within existing resources.
- 6.4 As noted in paragraph 3.12.4, ongoing provision will need to be made to fund these posts in 19/20.

7. Legal implications

- 7.1 Part II of The Environmental Protection Act 1990 (EPA 1990) sets out the legal responsibilities of Local Authority's to deal with household waste.
- 7.2 As a Waste Collection Authority (WCA) and Waste Disposal Authority (WDA), Walsall Council has a number of legal duties.

Section 45 of the EPA 1990 provides the duty of the Waste Collection Authority is —

- (a) to arrange for the collection of household waste in its area except waste—
 - (i) which is situated at a place which in the opinion of the authority is so isolated or inaccessible that the cost of collecting it would be unreasonably high, and
 - (ii) as to which the authority is satisfied that adequate arrangements for its disposal have been or can reasonably be expected to be made by a person who controls the waste; *and*
- (b) if requested by the occupier of premises in its area to collect any commercial waste from the premises, to arrange for the collection of the waste
- Responsibility under Section 48 of the EPA 1990 to arrange and provide places for the disposal of household waste collected by Walsall Council within its function as a WCA under section 45 of the EPA 1990.

A definition of what constitutes “bulky items” can be found in the Controlled Waste Regulations 2012 Regulation 4 (“2012 Regulations”) as “any article which exceeds 25kg in weight” or “any article of waste which does not fit or cannot be fitted into a receptacle provided in accordance with section 46 of the EPA 1990” or “where no such receptacle is provided, a cylindrical container 750mm in diameter and 1m in length”.

Under Regulation 4 of the 2012 Regulations WCAs may charge for collection of bulky household waste items but not for their disposal.

8. Procurement Implications/Social Value

- 8.1 Variations to existing HWRC contract are subject to procurement regulations regarding how and what changes can be made. Service area officers will need to work with procurement officers on these changes prior to Cabinet agreement in October 2018.

9. Property implications

- 9.1 Council premises for hosting the skip days within each ward are still to be identified. Once suitable locations have been identified and appropriate licences are in place all local ward members will be advised.

10. Health and wellbeing implications

- 10.1 The trials are designed to reduce fly-tipping and therefore promote a healthier environment and increased investment in the borough, contributing to health and wellbeing.

11. Staffing implications

- 11.1 Two new roles will be employed as set out in paragraph 3.12.3
- 11.2 Skip days would require Saturday overtime payments to facilitate the skip collections.

12. Reducing Inequalities

- 12.1 A number of equality issues will need to be considered to ensure the trials are fair to all of Walsall's communities. Specific areas to be considered are:
- Race/ Racial Heritage / European Communities – Language Barriers
Through the Controlling Migration Fund areas with increased numbers of European Communities are to be targeted to support waste disposal as part of the Walsall People Project. Clean & Green have increased funding to target direct clean ups and communications in mother tongue languages to reduce fly-tipping. Part of the project will target business waste for businesses which service the areas where European Communities are initially settling.

- Religion
Places of worship where English is a second language may be an issue for members of the congregation. In this respect, such places of worship will be contacted to discuss the best way to communicate to those members who cannot speak English or understand written communications. Historically these are community elders however smaller numbers of newly arrived communities will also be included in the faith congregations. Through community contacts those languages will be identified and appropriate communications will be delivered through a network of informal translators at additional costs to the Council.
- Disability & Mobility
As part of the Equality Act 2010 and the provision of reasonable adjustments to residents with a disability, residents with mobility issues will receive targeted communications and offered alternative methods of waste disposal if the disability stops or hinders a person disposing of their waste in a safe and environmentally friendly way. Those residents who are part of the Blue Badge Scheme will be contacted to ascertain their needs regarding waste disposal in respect of the trials.
- Visual Impairment
Walsall Blind Centre will be contacted to ensure that those residents who are registered blind receive communications which meet their needs to ensure that they know of the trials and whether they need support to dispose of waste in line with the trials.
- Mental Health
Those with moderate to severe learning disabilities will be contacted through carers identified through Social Care to ensure that the appropriate understanding of the proposed trials are effectively communicated through easy read communications.
- Age
Elderly and vulnerable will be assessed to understand any issues faced regarding waste disposal. This generally will be linked to mobility related disabilities. The trials will be promoted locally through Age UK.

13. Consultation

- 13.1 As service changes proposed are for trial changes to assess impact, it is considered that consultation is not required in advance. However, should any or all of the trials be proposed as longer term service changes, requisite consultation would follow in due course.

Background papers

- Environmental Crime Reward Scheme, Cabinet report, December 2013
- HWRC Cabinet reports 2014
- Charging for the collection of bulky items was agreed at Special Environmental Services Committee, 14th February 2001.

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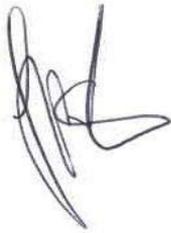
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Executive Director

28 August 2018



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Portfolio Holder

28 August 2018