

Chichester District Council

THE CABINET

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Litter and Fly Tip Action Plan 2017-2019

1. Contacts

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Cabinet Member:

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2. Recommendation

- 2.1 That the Cabinet approves the Litter and Fly Tip Action Plan 2017-2019 attached to this report and that authority to make minor amendments to the Action Plan is delegated to the CCS Service Manager following consultation with the Cabinet Member for Contract Services.
- 2.2 That the Cabinet note the intention of the Chief Executive to report to full Council her use of s.10 (2) constitutional delegation to discharge certain litter enforcement functions to the East Hampshire District Council under powers granted to the authority under s.101 of the Local Government Act 1997.
- 2.3 That the Cabinet approves £60,000 funded from reserves to enable the appointment of one fte Project Officer for two years to undertake communication initiatives and support enforcement work relating to fly tipping.
- 2.4 That the Cabinet approves expenditure of £26,000 funded from reserves to provide resources to support publicity campaigns (£6,000) and the refurbishment and re-signing of a proportion of litter and dog bins (£20,000).

3. Background

- 3.1 The Council is a Principal Litter Authority and has a duty to keep relevant land in the open air, to which the public have access, clear of litter and debris (as per the Environmental Protection Act 1990).
- 3.2 Littering and fly tipping consumes considerable Council resources both in terms of officers and budget. The Council's street cleaning budget is currently £1,030,000 pa. This covers road sweeping, litter picking, litter bin and dog bin emptying, fly tip and abandoned vehicle removal. Fly tips have increased from 618 in 2015/16 to 988 in

2016/17 with incidents continuing to increase year on year. Littering and fly tipping is avoidable and expensive to deal with, and so a reduction could allow this budget to be spent on other essential services.

- 3.3 The impact of littering and fly tipping also has environmental and social impacts, and these are detailed in more information in appendix 1. Some might not recognise that Chichester District is afflicted by litter and fly tips however, this is perhaps a reflection on the commitment by Chichester Contract Services to cleaning and clearing up . Nevertheless there are definite hotspots, particularly for fly tipping where residents feel their local environment is blighted.
- 3.4 In April 2017 Central Government produced a Litter Strategy for England, encouraging action from local authorities and other organisations to improve the environment; using communication campaigns, targeted enforcement and a review of infrastructure.
- 3.5 As identified in the Highway Cleansing report also submitted to this Cabinet meeting, the requirement to deploy traffic management infrastructure on the major roads within the district has made litter picking more complex and costly.
- 3.6 A Member/Officer group was set up to discuss opportunities from the National Litter Strategy and which resulted in the development of the attached Litter and Fly Tip Action Plan (LAFTAP) for Chichester District (Appendix 1) and the officer recommendations in this report.

4. Outcomes to be Achieved

- 4.1 The proposals within the strategy will support the maintenance of clean streets in accordance with the Council's priorities.
- 4.2 It is expected that by developing a comprehensive programme of anti-litter and fly tipping campaigns, initiatives and enforcement, behaviours can be changed and that ultimately the resources spent on clearing up could be reduced to provide savings for the council or potentially be used on other priorities.

5. Proposal

- 5.1 There is an expectation from the public for the Council to maintain and improve the local environment. The National Crime Survey found that 81% of people are *'angry and frustrated by the amount of litter lying over the country'*.
- 5.2 Existing anti-litter messages have not solved the problem, and therefore the member/officer working group suggested that a three pronged action plan of preventative measures; namely awareness, infrastructure and enforcement, should be attempted to significantly change accepted behaviours and social norms.
- 5.3 The proposed LAFTAP (Appendix 1) has three themes and aims to be both innovative and balanced to achieve a real improvement in the local environment. The themes are:
 - Sending clear and consistent anti-litter and fly tip messages and engaging with residents and organisations to improve the local environment

- Cleaning up the District which includes reviewing current infrastructure
- Improving enforcement

5.4 Under the litter enforcement trial, proposed in the LAFTAP, the following enforcement functions will be delegated to East Hampshire District Council (EHDC); the offence for a person to drop, throw, leave or deposit litter in a public place (s87 & s88 of the Environmental Protection Act 1990) and breach of a PSPO (s67 & s68 of the Anti-social Behaviour, Crime and Policing Act 2014).

5.5 The delivery of LAFTAP will require collaboration between external partners and internal departments, primarily with CCS and Environment Protection, but will also impact other sections. The success of the action plan will require positive contributions from Town and Parish Councils, voluntary community groups, the West Sussex Waste Partnership, WSCC Highways and Highway England.

6. Alternatives that have been considered

6.1 Officers are working with colleagues across the county to develop joint initiatives where appropriate, e.g. campaign messaging on highway signs and using CCTV to capture fly tippers.

6.2 Doing nothing is not an option due to the ever increasing revenue costs of clearing litter and fly tips. The cost of fly tip clearance in 15/16 was £52,000, including £9,900 for hazardous waste. This increased to £75,000 for 16/17, including £21,000 for hazardous waste. There is an expectation from the public that the Council takes action and targets offenders.

7. Resource and legal implications

7.1 The LAFTAP identifies several requirements for budgetary resource:

- £30,000 per year for two years, for one fte. fixed term Project Officer to deliver the promotional campaigns detailed in the action plan and undertake activity related to fly tip investigations and enforcement.
- £6,000 to provide suitable publicity material for the various awareness initiatives, including making it easier to report offences
- £20,000 to allow for the refurbishment/replacement of litter bins and dog bins throughout the district.
- The Litter Enforcement Trial will require back office support for taking Fixed Penalty Notice (FPN) payments, making payments to EHDC, contract management, legal action for non-payment of FPNs, dealing with complaints.

8. Consultation

8.1 The LAFTAP has been developed following the recommendations of the Member / Officer working group. There have been detailed discussions with EHDC about the policies and practices of their Enforcement Trial (see Appendix 2). Also the other local authorities within the West Sussex Waste Partnership have been involved.

9. Community impact and corporate risks

- 9.1 The Action Plan will enable the Council to tackle litter and fly tip related offences by either education and awareness, enforcement or improvement to infrastructure.
- 9.2 The risk of proceeding with powers which are beyond those which the public considers are required are that those powers are seen to be unfair or unreasonable to the detriment of the reputation and effectiveness of the Council.

10. Other Implications

	Yes	No
Crime & Disorder: If supported the enforcement trial will directly address littering and the confirmation of corporate officer resource will enable investigation and enforcement of fly tipping to continue.	Yes	
Climate Change:		No
Human Rights and Equality Impact: Impact of enforcement action for people found to be littering, not cleaning up dog fouling or fly tipping – see Appendix 3	Yes	
Safeguarding and Early Help:		No

11. Appendices

Appendix 1 - Litter and Fly Tip Action Plan for Chichester District 2017-2019
Appendix 2 - Briefing note on East Hampshire District Council Litter Enforcement Trial

12. Background Papers

Equality Impact Assessment - Litter and Fly Tip Action Plan