

WEST DUNBARTONSHIRE COUNCIL

Report by Director of Housing and Technical Services and Director of Development and Environmental Services

Community Safety & Environmental Services Committee: 1 March 2006

**Subject: Joint Working Agreement between the Grounds Maintenance and
Environmental Health Sections to tackle Fly-tipping**

1. Purpose

- 1.1** To advise the Committee of the Joint Working Agreement in place between the Grounds Maintenance Section of Housing and Technical Services and Environmental Health Section of Development and Environmental Services in order to tackle fly-tipping.

2. Background

- 2.1** Fly-tipping is a significant problem within West Dunbartonshire and is of concern to all members of the community. It is unsightly and has a negative effect on the environment.
- 2.2** The Grounds Maintenance and Environmental Health Sections considered the requirement for inter-departmental working to ensure the most effective use of available resources in eliminating fly-tipping within West Dunbartonshire. It was agreed that this would help create a better environment and provide a better service to the public.
- 2.3** The Grounds Maintenance Section and the Environmental Health Section receive regular complaints of fly-tipping and littering throughout the Council area, on both public and private land.
- 2.4** The Grounds Maintenance Section receives complaints of fly-tipping via its hotline and the 'Dumb Dumpers' Stop Line and the Environmental Health Section receives complaints of fly-tipping via its publicised phone numbers.
- 2.5** Complaints reported to Environmental Health are investigated by its officers who attempt to secure a clean up of fly-tipped material by the person(s) responsible, where they can be identified. All Environmental Health Officers and Assistants are authorised to enforce the provisions of the Environmental Protection Act 1990, the Civic Government (Scotland) Act 1982 and the Refuse Disposal Amenity Act 1978.

- 2.6** Complaints reported to the Grounds Maintenance Section are investigated by the Council's Litter Control Officers who also attempt to secure a clean up where persons responsible can be identified. Litter Control Officers are authorised to take enforcement action under the terms of the Environmental Protection Act 1990 (Sections 87/88) when required, however this action is taken only as a last resort.
- 2.7** The National Fly-tipping Database 'Fly Capture' is currently in use by various local authorities including the Council's Grounds Maintenance Section. This allows authorities to record instances of fly-tipping, undertake investigations and estimate clear up costs. This recording system also allows each authority to compare their progress against other authorities.
- 2.8** In order to prevent duplication of the use of available resources, it was recognised and agreed by both sections that there was a need for joint working when tackling issues of littering and fly-tipping. This has resulted in the identification of key areas where joint working is beneficial and will assist in achieving efficient service delivery.

3. Main Issues

- 3.1** It has been agreed by both Sections that inter-departmental working is essential in eliminating fly-tipping within West Dunbartonshire which will, in turn, assist in achieving Priority 4 of West Dunbartonshire Council's Corporate Plan for 2005-2009 'Create a Better Environment'.
- 3.2** The target response time for clearance of fly-tipping is 2 hours. In certain cases up to 48 hours may be required to allow sufficient time for officers to investigate and determine, where possible, the source of accumulation. This is in order that the appropriate enforcement action can be taken against any individual responsible for fly-tipping.
- 3.3** It has been agreed that all fly-tipping on public land will be investigated by the Grounds Maintenance Section in the first instance. It has also been agreed that all fly-tipping on private open ground will be investigated by the Environmental Health Section in the first instance.

If sufficient evidence is found to identify the person(s) responsible for the fly-tipping, the first option would be to seek voluntary removal of the tipped material. If this cannot be secured, a fixed penalty notice will be served in terms of Section 88 of the Environmental Protection Act 1990. If the person(s) responsible cannot be traced then fly-tipped material will be removed by the Grounds Maintenance Rapid Response unit.

- 3.4** For privately owned land, further investigation will be carried out by Environmental Health to determine the owner of the land and secure removal of fly-tipped items.

- 3.5** Grounds Maintenance currently record all incidents of fly-tipping reported via this section onto their Access Database and, given that the section is registered with the National 'Fly Capture' Database, all incidents of fly-tipping are transferred to 'Fly Capture' on a monthly basis.

All complaints of fly-tipping dealt with by Environmental Health are currently recorded on the their 'Flare' database and, it has been agreed that Environmental Health will forward their figures to Grounds Maintenance on a monthly basis for recording on the National 'Fly Capture' Database. This will ensure that all complaints are recorded accurately to 'Fly Capture'.

- 3.6** Due to the problems associated with fly-tipping in residential areas, it was necessary to develop publicity to raise public awareness regarding the illegal dumping of waste in residential areas.
- 3.7** A leaflet has been devised by the Council's Litter Control Officers in partnership with the 'Dumb Dumpers' Campaign which will be issued to households in areas where fly-tipping is a problem. This leaflet emphasises that the practice of fly-tipping makes an area look untidy, has a negative effect on the environment and also informs the public that they can call the 'Dumb Dumpers' Stop Line to report Fly-tipping.
- 3.8** Where previous incidents of fly-tipping have occurred, appropriate signage provided through the 'Dumb Dumpers' Campaign is erected to alert the public to the offence and the penalties which may be invoked.
- 3.9** The comprehensive use of 'Fly Capture' will ensure accurate recording of incidents and enable performance monitoring in relation to fly-tipping issues.

4. Financial Implications

- 4.1** There is no financial cost to the introduction of the aforementioned joint working arrangements which result in a more streamlined and integrated service.

5. Personnel Implications

- 5.1** None.

6. Recommendations

- 6.1 The Committee is invited to note the implementation of joint working arrangements between officers in the Grounds Maintenance and Environmental Health Sections to tackle the problem of fly-tipping across West Dunbartonshire.**



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Date: 2 February, 2006

Dan Henderson
Director of Development and
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Date: 2 February, 2006

Wards Affected: All

Appendix: Joint working Agreement Documentation

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