

# **CANTERBURY CITY COUNCIL**

## **FLY-TIPPING AND LITTER**

### **SHORT TOPIC SCRUTINY REVIEW – final report**

**JANUARY 2011**

#### **Executive Summary**

The council's Scrutiny Sub-Committee approved a short topic review into the council's approach to fly-tipping and litter in August 2010. The panel consisted of:

Councillor Windsor (Chairman)  
Councillor Ron Flaherty  
Councillor Linfield  
Councillor Heather Taylor

The review concern was to assess whether the council uses its powers to tackle litter and fly-tipping effectively in terms of:

- Effectiveness of fixed-penalty notices
- Communication of the council's policies to residents
- Measures taken to deter and investigate incidents of litter and fly-tipping
- Efficiency of the council's approach

The Panel's task was to hold a series of meetings to examine the issues of fly-tipping and litter across the district. As a short topic review, the Panel was commissioned to make initial recommendations of where improvements could be made and indicate where further work could be done. The Panel interviewed and gathered information from witnesses and sought examples of best practice nationally of innovative schemes used to address the problems. The panel also undertook a site visit at the outset of the review which was important in establishing first-hand, the nature and extent of litter and fly-tipping across the district.

Based on the number of recorded instances of fly-tipping and evidence gathered on the site visit, the Panel were encouraged that there was not an extensive problem with fly-tipping across the district.

That said, the Panel did establish that contaminated household waste on highways was the most prevalent form of fly-tipping and hope that the recommendations set out in this report will assist in addressing this problem. With regard to litter, the Panel felt it was important well used areas of the district continued to be prioritised for cleaning and that the removal of litter from these areas was done so swiftly. The Panel welcomed the introduction of the new Enforcement Team in providing a more visible deterrent and greater number of officers able to take enforcement action against people carrying out environmental crimes. The recommendations of the Panel aim to address the issues of litter and fly-tipping where they exist across the district and look to improve services for the future.

**Recommendation 1:** *That a communal waste storage area be introduced for a time-limited pilot in an area of the district identified by the council's Street Scene service to take place in the summer 2011. An assessment of the pilot's success should be made to inform the forthcoming review of the Waste Collection contract.*

**Recommendation 2:** *That the availability and use of clear recycling sacks from alternative vendors be promoted to residents. For examples through the council's website, District Life Magazine and leaflet issued with recycling sacks delivered to households.*

**Recommendation 3:** *That information on residents' duty of care to ensure waste originating from their household is disposed of lawfully be included in the next edition of District Life magazine and any other council publications where possible.*

**Recommendation 4:** *That the council promotes organisations such as Necessary Furniture and Freegle to support the Bulky Waste Collection Service, to encourage residents to recycle unwanted household items and discourage fly-tipping.*

**Recommendation 5:** *That the council's street scene service be requested to review the effectiveness of its policy of not supplying litter bins in lay-bys.*

**Recommendation 6:** *That the city council and Highways Agency be requested to consider more cost effective solutions for removing litter from the verges of the A2.*

**Recommendation 7:** *That the Street Scene service investigates options for an additional storage area for collected litter within the city centre.*

**Recommendation 8:** *That a set of environmental standards for street cleaning be included on the council's website.*

**Recommendation 9:** *That high usage areas continue to be prioritised for frequent cleansing when the contract specifications are developed for the new grounds maintenance contract in 2013.*

**Recommendation 10:** *That the council's Street Scene service explores ways such as increased use of Community Payback and local community groups to replace the work previously provided by the Clean Kent Initiative.*

**Recommendation 11:** *That the Panel welcomed and supported the introduction of a single Enforcement Team and that it be used as an opportunity to remind residents, businesses and traders of their responsibilities and the services available to them.*

**Recommendation 12:** *That a Member Briefing be arranged to provide an overview of the new enforcement service in 2011 as part of the Member induction programme.*

# **CANTERBURY CITY COUNCIL**

## **FLY-TIPPING AND LITTER**

### **SHORT TOPIC SCRUTINY REVIEW – Final report**

**JANUARY 2011**

#### **1. Introduction**

The council's Scrutiny Sub-Committee approved a short topic review into the council's approach to fly-tipping and litter in August 2010. The panel consisted of:

Councillor Windsor (Chairman)  
Councillor Ron Flaherty  
Councillor Linfield  
Councillor Heather Taylor

A small team of officers supported the review and other council officers gave their time as witnesses and provided data.

The Panel's task was to hold a series of meetings to examine the issues of fly-tipping and litter across the district. As a short topic review, the Panel was commissioned to make initial recommendations of where improvements could be made and indicate where further work could be done.

The review concern was to assess whether the council uses its powers to tackle litter and fly-tipping effectively in terms of:

- Effectiveness of fixed-penalty notices
- Communication of the council's policies to residents
- Measures taken to deter and investigate incidents of litter and fly-tipping
- Efficiency of the council's approach

The full terms of reference for the review are set out in the review scope at Appendix A.

The Panel reviewed information and gathered evidence throughout their meetings with the following officers:

Larissa Laing – Head of Housing, Community Safety and Environmental Services  
Ian MacKenzie – Environmental Promotions Manager  
Doug Rattray – Community Safety Manager  
Chris Wallis – Street Scene Manager

The review was publicised in the local press, District Life magazine and on the council's dedicated scrutiny website. All Members were invited to provide details of where they perceived there were problems of litter and fly-tipping in their Wards. This information informed a visit the Panel took to locations across the district where incidents of fly-tipping had been regularly reported.

The Panel would like to thank the officers involved for their contribution to the review.

## 2. Fly-tipping

### 2.1 Background

Fly-tipping is illegally deposited waste on land that does not have a licence to receive it and that is too large to be removed by a hand-sweeping barrow. In England and Wales fly-tipping is dealt with by local authorities and the Environment Agency. It is a serious problem and not only visually unattractive but can affect health and safety, whilst the costs of dealing with it are substantial. Defra estimate that the cost of clearing illegally dumped waste reported by local authorities for April 2009 to March 2010 was £45.8 million.<sup>1</sup> The cost to the city council between November 2009 and October 2010 was £73,829.<sup>2</sup>

Anyone who produces, transports or deposits waste has a duty of care to ensure the waste is legally managed and where appropriate, licensed by the Environment Agency. Although, as the responsibility of the local authority, household waste is exempt from this. The council has the power to issue fixed penalty notices to fly-tipping offenders. Cases of fly-tipping may also be dealt with through the Magistrates' Court.

For the period between November 2009 and October 2010 87 fixed penalty notices were issued by the city council. 1651 instances of fly-tipping were recorded.

Members of the community are central to fly-tipping. They are victims, perpetrators, witnesses as well as potential clearers and controllers. It is therefore important they are informed of their responsibilities and the consequences of fly-tipping. The council's Street Scene service visits scrap yards and provides businesses with duty of care information and reports convictions through the press to reinforce the public's understanding that fly-tipping is a criminal offence.

### 2.2 Agencies involved in tackling Fly-tipping

**Canterbury City Council** – Responsible for clearing fly-tipping from public land and highways.

**Serco** – The council's contractor for clearing litter and fly-tipping from council and public land.

**Kent County Council** – Removes fly-tipping from land in their ownership and from highways where waste is in excess of three cubic metres,

**Landowners** – Waste disposed of on private land falls to the landowner to clear.

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<sup>1</sup> Defra, Fly-tipping Official Statistics April 2009 to March 2010.

<sup>2</sup> Flycapture

**Police** – Carry out vehicle checks with the city council to prevent fly-tipping and catch perpetrators.

**The Kent Waste Partnership** - is a partnership between Kent's district and borough councils and the county council. The partnership is responsible for developing a sustainable household waste management strategy for Kent, called the Kent Waste Strategy.

### **2.3 Root causes of fly-tipping**

Landfill Tax is a tax on the disposal of waste which intends to encourage commercial waste producers to produce less waste and use more environmentally friendly alternatives to landfill. However, Landfill Tax also provides a major motive for fly-tipping as some businesses seek to avoid the costs associated with legitimate disposal.

A study undertaken by the University College London into fly-tipping found that the access and location of amenity sites and costs that can be incurred through the disposal of large items could also be strong motivators for fly-tipping by householders.<sup>3</sup>

### **2.4 The extent of the problem**

The 'Flycapture' database was set up in 2004 by Defra and is managed by the Environment Agency to enable local authorities to record the number of fly-tipping incidents on public land within their area each month. The city council records on Flycapture all instances, enforcement actions taken and the costs associated with fly-tipping. As waste fly-tipped on private land is the responsibility of the landowner to clear, it is not included in these figures.

Residents can report cases of fly-tipping to Serco by phone (0800 031 9091) or through a dedicated email address for the problem (flytipping@canterbury.gov.uk). All reported incidents are logged on Flycapture and details are given of the location and nature of the fly-tipping and the response times for clearing it. This assists the council in identifying any emerging fly-tipping patterns or trends.

An assessment of the fly-tipping recorded on Flycapture for the period November 2009 to October 2010 shows that the most common fly-tipping is household sacks. Other items recorded as being disposed of illegally for this period are set out in the table below:

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<sup>3</sup> Jill Dando Institute of Crime Science University College London, Fly-tipping: Causes, Incentives and Solutions – A good practice guide for local authorities,p8.

Waste type	Number of instances Nov 09 – Oct 10
Black bags household	724
Other household waste	446
Other unidentified	251
White goods	79
Construction/demolition/excavation	67
Green	50
Tyres	27
Asbestos	6
Chemical drums, oil or fuel	1
Clinical	0
Black bag commercial	0
Animal carcass	0
Vehicle parts	0
Other commercial waste	0
Other electrical	0
<b>Total:</b>	<b>1651</b>

The public can also report environmental problems in their area including litter and fly-tipping through the website Fix My Street ([www.fixmystreet.com](http://www.fixmystreet.com)).

Problems logged on the website are passed to the relevant local authority to respond. The website provides a summary of all problems logged by authority area and their status whether

newly reported, fixed or unknown. Examples of recent reports of fly-tipping in the Canterbury district through Fix My Street:

The screenshot shows the Fix My Street website interface. At the top, there is a navigation bar with links for 'Report a problem', 'All reports', 'Local alerts', 'Help', and 'Contact'. Below this is a main heading: 'Report, view, or discuss local problems (like graffiti, fly tipping, broken paving slabs, or street lighting)'. A search bar prompts the user to 'Enter a nearby GB postcode, or street name and area:' with a 'Go' button. The page is divided into several sections: 'How to report a problem' with a 4-step guide; 'Fix My Street updates' with three statistics: 2,390 reports in past week, 2,401 fixed in past month, and 118,449 updates on reports; 'Photos of recent reports' showing four small images of street issues; and 'Recently reported problems' with a list of items like 'Danger to life limb & public purse', 'Coild of wire', 'Mattress dumped', and 'Ballards missing'.

Figure 1: Screen shot - Fix My Street website

*“The weeds & rubbish in Edward Road are still a massive problem - Serco have been saying for weeks that they will deal with the weeds.” (9 November)*

*“Another fridge has been dumped. Maybe the council could put some nice no fly tipping signs up in both entrances to my street.” (31 October)*

*“Someone has dumped a mattress and other rubbish on the side of the road.” (24 October)<sup>4</sup>*

<sup>4</sup> [www.fixmystreet.com](http://www.fixmystreet.com)

At the outset of the review, the Panel decided to undertake a site visit across the district to assess the scale of the litter and fly-tipping problem firsthand. To inform the areas visited, the Panel sought the views of all Members and consulted officers in the council's Street Scene service on where they perceived there to be known problems.

The table below shows the locations visited by the Panel and whether evidence of fly-tipping was found:

Location	Fly-tipping yes/no?	Nature of problem
South Street	Yes	General waste
Tennyson Avenue	Yes	Shopping trolley, uncollected contaminated recycling
Kemsing Gardens	No	
Broad Oak farm area	Yes	Garden waste
Mayton Lane, Broad Oak	Yes	Glass windows, rubble, car tyres
Bogshole Lane (off Thanet Way)	No	
Owls Hatch Road (off Thanet Way)	No	
Molehill Road	Yes	White goods
Northwood Road, Whitstable	Yes	Rubble, tyres
Thornden Wood Road, nr Chestfield	No	
City View, London Road Estate	Yes	Fly-tipping in recycling area. Uncollected contaminated recycling.
Lay-by at Hanging Banks nr Milton Manor Roundabout, Thanington	Yes	Clothing, rubble, glass and garden waste.
Swanton Lane nr Littlebourne (previous recycling centre site)	Yes	Household goods (sofa and pram)
New Dover Road recycling site	Yes	General waste.



Figure 3: Lay-by at Hanging Banks



Figure 2: Mayton Lane, Broad Oak

The major perpetrators of fly-tipping across the district are residents. The composition of household fly-tipping is generally limited to black bags, white goods and household furniture. Examples of commercial waste the Panel observed included garden waste, large quantities of broken glazing, tyres and building rubble.



Figure 4: Tennyson Avenue

The council's performance in relation to fly-tipping was last compared nationally in 2008/09 and placed the city council in the top quartile for its performance against National Indicator 196 – Improved street and environmental cleanliness – flytipping. Whilst performance for 2009/10 was not compared nationally, it was measured and showed consistent results with the previous year.



Figure 5: Broad Oak farm area

Based on the number of recorded instances of fly-tipping, performance results and the evidence the Panel collected on the site visit, the Panel were satisfied that Canterbury district does not have a significant fly-tipping problem. Also, when instances are reported they are cleared quickly. However, the problem does exist and the Panel wanted to establish where improvements could be made.

## 2.5 Location of fly-tipping

Fly-tipping is difficult to tackle. Loads are often deposited illegally at quiet times of the day or night in remote locations and therefore it is easy for offenders to fly-tip without being caught.

The majority of fly-tipping in Canterbury district occurs on highways or on council-owned land as the Flycapture results for the period October 2009 to November 2010 shows<sup>5</sup>:

Land type	Total instances Nov 09 – Oct 10
Highway	1056
Council land	564
Footpath/bridleway	58
Agricultural	49
Other (unidentified)	29
Back alleyway	0
Railway	0
Private – residential	0
Commercial/Industrial	0
Watercourse/bank	0
<b>Total:</b>	<b>1651</b>

The Panel noted on their site visit that contaminated side waste was the most significant reported problem on highways and in residential areas. Larger household items and commercial waste were more likely to be fly-tipped in rural and remote locations across the district such as Broad Oak farm area and Molehill Road but this was less common. The Panel also witnessed significant fly-tipping at the Lay-by at Hanging Banks near Milton Manor Roundabout, Thanington.



Figure 6: Swanton Lane, nr Littlebourne

<sup>5</sup> Flycapture does not include waste fly-tipped on privately owned land.

## 2.6 Communal waste areas

Contaminated recycling or black bags become fly-tipping once they have been left on the highway or next to wheeled bins for one day.

Non-recyclable waste which is put out with recycling is classed as contaminated waste. To tackle the problem, yellow stickers are placed on recycling sacks advising the owner to contact the council. If Street Scene receives reports that the waste remains on the highway, an officer is sent to investigate. Initially a notice is served advising the producer of the waste to comply with the refuse collection system. If they fail to do so and there is evidence to support their ownership of the waste, a fixed penalty notice is served.

The Panel's site visit confirmed the picture given by the Flycapture database that uncollected sacks of contaminated household waste is the most common form of fly-tipping across the district. On the day of the visit, the Panel observed that this type of fly-tipping occurred across the district but was particularly a problem in areas of high density housing. The Street Scene Manager also reported areas with a transient population or where older properties had been converted into flats had greater problems with this type of waste. The Panel recognised that the council's waste collection service was widely promoted and residents did generally understand and in the most part adhere to the alternate weekly household waste collection service. However, uncollected contaminated recycling still represents the most prevalent form of fly-tipping across the district.



Figure 7: Waste area, City View London Road Estate

The Panel also expressed a concern that waste storage areas for new housing developments were not adequate and did not encourage residents to correctly dispose of waste and recycling. For example, problems had been reported of bins not being used correctly at the Bingley Court and Tannery housing developments. The Environmental Promotions Manager explained that previously it had been a requirement to include a waste storage area in the plans for any proposed development but the suitability of the area had not been assessed. This had recently changed and Street Scene service were now consulted and able to comment on the suitability of proposed storage facilities at the design stage for new developments. This would help to ensure they were fit for purpose in terms of size and location in future. However, the panel were still concerned about the suitability and size of existing bin storage areas and felt consideration should be given to how this problem could be addressed.

Bristol City Council has recently trialled a communal bin system to use in place of individual wheeled bins for an area of approximately 800 homes. As part of the trial, households were given jute bags to carry recyclables to the communal bins and compostable liners for food waste. The pilot's aim was to help areas of the city with limited off-street space for residents' bins and improve the appearance of the streets. The pilot followed a smaller pilot where normal bins were replaced with communal containers for 80 households. A survey following the pilot showed that 100% of people thought the streets were cleaner as a result of the scheme and 96% wanted to keep the service once the pilot period had ended. A 64% increase in recycling was also reported.<sup>6</sup>

The Panel considered that communal waste areas could help some areas with limited space to recycle more effectively, and prevent contaminated recycling from being left out on streets therefore improving the appearance of the area.

A pilot could be introduced similar to the small initial pilot undertaken by Bristol City Council. It would be important that any pilot was well promoted and had buy-in from the participating households. It would also need to be made clear that the pilot was for a time-limited period only and there would be no plans to extend or introduce the scheme more widely unless the pilot proved to be successful. At the end of the pilot period an assessment of its effectiveness would need to be made in terms of whether it had improved recycling rates, been used properly and the cost of the scheme. The pilot could coincide with the end of the university summer term. High density housing areas in Canterbury, Herne Bay and Whitstable should be considered for the potential pilot.

***Recommendation 1: That a communal waste storage area be introduced for a time-limited pilot in an area of the district identified by the council's Street Scene service to take place in the summer 2011. An assessment of the pilot's success should be made to inform the forthcoming review of the Waste Collection contract.***

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<sup>6</sup> <http://news.bbc.co.uk/local/bristol>

## 2.7 Recycling sacks

As part of the council's waste collection service, clear recycling sacks are delivered to every household in the district for fortnightly collection of recyclables. Due to the misuse of these sacks (45% of those given out did not come back to the council with recyclable materials in them), the council recently reduced the number of rolls issued to three per year with the option for people to register to receive an extra roll per delivery if needed. In addition, households that recycle large amounts of waste can request further extra rolls which are normally delivered by Serco within two weeks of the request being made.



Figure 8: City View, London Road Estate

As one of the main causes of fly-tipping across the district is contaminated household waste left on the highways, the Panel felt it was important that people could obtain clear sacks as easily as possible to encourage people to recycle in accordance with the council's scheme. Households can use any clear sack to dispose of their recycling not just those issued by the council. The sacks are widely available and can be purchased from supermarkets in the district. However, the Panel considered that many residents were not aware that these sacks could be used to supplement those supplied by the council. Also, that it would be helpful if clear sacks could be sold to parish council's that requested them so they could in turn distribute them to residents. The Panel welcomed that this was currently being explored.

***Recommendation 2: That the availability and use of clear recycling sacks from alternative vendors be promoted to residents. For examples through the council's website, District Life Magazine and leaflet issued with recycling sacks delivered to households.***

## 2.8 Waste carriers

Businesses are required to hold a waste transfer note when moving waste in the UK. The council has a duty to check the status of waste carriers but is unable to stop vehicles. Any checks on vehicles suspected of carrying waste illegally are therefore carried out in collaboration with the Police who do have the power to stop vehicles. For the period the review looked at between November 2009 and October 2010, 159 vehicle checks were undertaken in partnership with the Police. The checks are carried out either at random or informed by local intelligence usually from Neighbourhood Task Groups.

Fixed penalty notices of £300 are issued to anyone carrying waste other than their own whom is not a registered waste carrier or does not hold the necessary transfer note. Unregistered waste carriers can also face fines through the Magistrates' Court.

Household waste and trade waste sometimes overlap. For example a decorator or builder is employed for a job that produces household waste. If a person or company removes waste from households, the householder has a duty to ensure the waste carrier is authorised to do so. This can be checked by asking the carrier to show their waste carrier certificate or through the Environment Agency's public register of waste carriers. The householder must sign and keep a copy of a waste transfer note. The purpose of the note is to ensure any waste is not disposed of illegally. If illegally disposed of waste is traced back to the householder and they fail to produce a copy of the waste carrier note then the householder could be prosecuted.

The Panel considered there is a perception that many householders are unaware of their duty of care to ensure their waste is disposed of legally.

***Recommendation 3: That information on residents' duty of care to ensure waste originating from their household is disposed of lawfully be included in the next edition of District Life magazine and any other council publications where possible.***

## 2.9 Bulky waste collection service

A report 'Fly-tipping: Causes, Incentives and Solutions' suggests that reducing or subsidising bulky waste collection services can help to reduce the financial rewards of fly-tipping for households.<sup>7</sup> Bulky waste includes furniture, white goods, electrical appliances or other items that do not fit in the bins and sacks used for kerbside collections. Serco collect bulky waste at a cost of £13 per item except fridges and freezers where there is a charge of £25.00. 1,250 households have used the service over the past year. The charges for bulky waste services provided by Kent district and borough councils is set out in the table below:

Council	Bulky waste collection charge
Ashford BC	£20.50 minimum. Additional charges depend on number of items.
Canterbury	£13 per item. £25 for fridges/freezers
Dartford	£25 for 15 minutes loading. £15 for every 15 minutes thereafter.
Dover	£23 for 15 minutes loading
Gravesham	£20 for up to 8 items. Additional £10 charge for fridges/freezers
Maidstone	£20 for one to six items
Shepway	£18 for up to two items. £6.00 or each additional item. Fridges/freezers - £18 per item
Swale	£16.80 for up to four items of furniture or one white good.
Thanet	£7.50 for smaller items. £12 from inside property. No fridge freezer collection.
Tunbridge wells	£25
Tonbridge and	£35 for up to 6 items

<sup>7</sup> Jill Dando Institute of Crime Science University College London, Fly-tipping: causes, incentives and solutions.

The table shows that although there are different charging policies between the councils, Canterbury's charges are generally comparable with the other authorities in Kent.

A breakdown of the fly-tipping recorded on flycapture over the last 12 months shows that 79 White Goods and 446 items of household waste which could include items such as furniture and televisions, were fly-tipped.

Whilst removing the charges for bulky waste may deter people from fly-tipping large household items, it would be of significant cost to the council, particularly as more people would use the service if it were free. The Panel also considered that whilst there was a problem with fly-tipping of large household items, it was not as significant as the fly-tipping of household side waste.

Instead, the Panel considered that to support the bulky waste collection service, the council should help to promote organisations that collect household items for free, providing an alternative to people who may be deterred by the cost of disposing of unwanted items lawfully.

There are several organisations that promote or collect household items or free:

**Necessary Furniture** is an organisation based in Hersden which collects furniture for free to distribute to people who cannot afford the household items they need in the Canterbury district. Items must be either in good condition, suitable for quick restoration or have potential sale value to support the work of the organisation. The website address is: [www.necessaryfurniture.co.uk](http://www.necessaryfurniture.co.uk) Telephone: 01227 712 680

**Freegle** is a UK wide organisation run by volunteers which aims to keep reusable items out of landfill. It puts people who have items they no longer require in touch with people who may want those items. Freegle has a Canterbury network to which people living in or around the Canterbury area can register. Members offer unwanted items on the Network's website for other members to collect. The items must be given for free and collected free of charge. The Canterbury network currently has 11,335 members.<sup>8</sup>

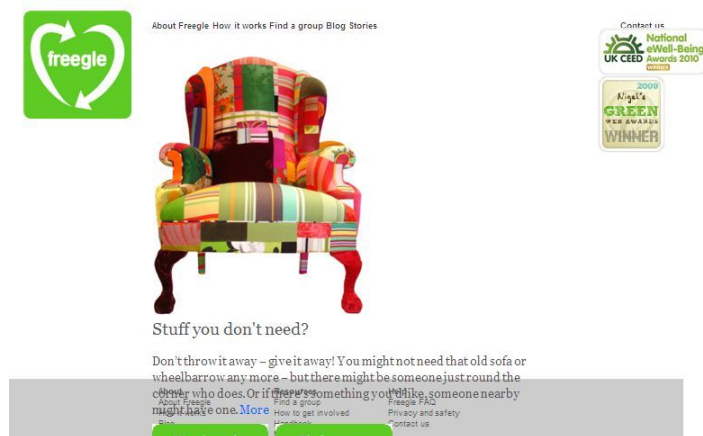


Figure 9 Screenshot - Freegle website

The website address is: [www.ilovefreegle.org](http://www.ilovefreegle.org)

<sup>8</sup> [www.ilovefreegle.org](http://www.ilovefreegle.org)

Another similar website which covers the Canterbury district is 'snaffle up'. Like freegle members of the public can advertise items they would like to dispose of for free. The website address is: [www.snaffleup.co.uk](http://www.snaffleup.co.uk) In addition, Bristol City Council produce an online A to Z guide on what to do with waste providing information on how items can be reduced, reused and recycled. Items such as batteries, bikes, IT equipment, fridges etc are listed alphabetically with advice on where they can be disposed of, reused or recycled.

***Recommendation 4: That the council promotes organisations such as Necessary Furniture and Freegle to support the Bulky Waste Collection Service, to encourage residents to recycle unwanted household items and discourage fly-tipping.***

### **3 Litter**

#### **3.1 Background**

Nationally over 30 million tonnes of litter are collected from streets every year and it costs the council tax payers £858 million a year to clean the streets of England.<sup>9</sup> The city council spends more than £1.7 million each year on street cleaning and litter control.<sup>10</sup> Whilst the city council has a duty to control litter across the district, the responsibility for the problem itself lies with those who drop it. Littering is an offence under the Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act. Under the Act fixed penalty notices of £80 can be issued for the offence. Whilst the majority of litter incidents are dealt with in this way, councils can also take action through the magistrates' court where appropriate. The Environmental Protection Act also gives powers to local authorities where litter is a problem. Owners of land have a duty to keep the area clear and are subject to a fine if they fail to do so.

Members of the community are central to litter and it is important they are informed of their responsibilities and consequences of dropping litter.

The council has adopted a range of approaches to help prevent litter which include advertising Serco's helpline number for litter removal, publishing enforcement action taken through the press, the Street Scene newsletter and council's District Life magazine. Promotion of community litter pick schemes and initiatives such as providing litter removal equipment to community groups are also used to help address the problem. Street Scene also work with the higher education institutes Student Unions to encourage a reduction in litter and carry out an annual campaign aimed at students.

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<sup>9</sup> <http://.keepbritaintidy.org/KeyIssues/Litter/Default.aspx>

<sup>10</sup> Canterbury City Council, Community Litter Plan, p3.

### **3.2 The extent of the problem**

As with fly-tipping, the council's performance for litter was last compared nationally in 2008/09 and the city council was placed in the top quartile for its performance against National Indicator 196 Improved street and environmental cleanliness – litter. Whilst performance for 2009/10 was not compared nationally, it was measured locally and showed consistent results with the previous year.

Based on the performance results and the evidence the Panel collected on the site visit, the Panel were satisfied that Canterbury district does not have a significant litter problem. However, the Panel wanted to establish areas where improvements could be made.

### **3.2 Agencies involved in tackling litter**

**The city council** – Responsible for clearing litter from council and public land and enforcement.

**Serco** – The council's contractor for clearing litter from council and public land.

**Kent Police** - enforcement

**National probation service** – Community Payback

**Kent Fire and Rescue Service** – fire safety issues relating to litter

**Community Groups and Businesses** – the 'Big Clean' campaign

### **3.3 Litter on major roads**

The Panel expressed a concern that bins had been removed from lay-bys on roads across the district. The Street Scene Manager reported that this had led to a reduction in the amount of litter dropped at these locations. Where bins had been provided previously, they had attracted people to drop litter by them. However, the Panel considered there was still a problem with litter being left in lay-bys for example between Bridge and Wincheap and by Harbledown, and felt that the issue should continue to be monitored.

***Recommendation 5: That the council's street scene service be requested to review the effectiveness of its policy of not supplying litter bins in lay-bys.***

Clearing litter from Primary Traffic Routes that run through the district is the responsibility of the city council. The Panel considered there were different standards of cleanliness on stretches of the A2 and Thanet Way depending on what local authority area the section of road fell under.

The Street Scene Manager explained that the council was responsible for clearing litter and fly-tipping from the sections of the A2 and Thanet Way that run through the district. Kent County Council is responsible for the maintenance of the Thanet Way and the Highways Agency is responsible for the maintenance of the A2.

To ensure the safety of workers and road users, a traffic management scheme is needed before any litter can be removed or maintenance work carried out on these roads. As traffic management schemes are expensive, the County Council clears litter from the sides of the Thanet Way on behalf of Canterbury, Thanet and Swale councils at the same time as carrying out maintenance work on the roads.

However, this co-ordinated approach does not extend to clearing litter from the sides of the A2 where the Highways Agency is responsible for the maintenance of the road. Instead, the city council has to pay for clearing litter and a traffic management scheme to be in place at a cost of approximately £40,000 each time it clears the section of the A2 for which it is responsible. One reason cited is that the smaller verges on the A2 make it difficult for cleaning and maintenance to be carried out at the same time. As a result of the expense, clearing the road is limited to twice per year.

The Panel considered that the city council should work with the Highways Agency to look at more cost effective solutions for removing litter from the verges of the A2.

***Recommendation 6: That the city council and Highways Agency be requested to consider more cost effective solutions for removing litter from the verges of the A2.***

### **3.4 Orange sacks**

The Environment Protection Act 1990 sets out a code of practice for cleanliness standards and the time in which to respond to problems depending on the usage of the area. In high usage areas with intense pedestrian and vehicle activity the response time for clearing litter is 12 hours. However, the city council considers these standards to be insufficient and introduced local standards in the town centres and the sea front of:

- One hour response to reported litter problems
- 15 minutes for emptying bins reported full

Vehicles are not able to access Canterbury city centre between 10am and 4.30pm. Therefore litter is emptied regularly throughout the day into orange sacks and taken to a central storage point until vehicle access is permitted and the sacks can be removed. The filled orange sacks can however, be left at points throughout the city of between 2 and 4 hours whilst waiting to be transferred to the storage area. Also, when the storage area reaches capacity the sacks can be left throughout the city centre until vehicle access is possible. The Panel recognised that the vehicle restrictions made the swift removal of orange sacks from the city centre difficult but that this should be addressed to improve the appearance of the public realm in this high usage and tourist area. To keep the sacks out of public view, the Panel felt consideration should be given to identifying an

additional storage area within the city centre which could be easily accessed from the High Street and St Peter's Street. The Panel also felt it was important that orange sacks were removed swiftly from other well used areas such as Herne Bay sea front.

***Recommendation 7: That the Street Scene service investigates options for an additional storage area for collected litter within the city centre.***

### **3.5 Costs**

The council spends more than £1.7 million each year on street cleaning and litter control.<sup>11</sup>

As explained in section 4.2, a reduction in funding had led to withdrawal of the services provided by the Clean Kent Initiative. The reduction in funding for Local Government outlined in the Comprehensive Spending Review in October 2010 will also mean the Street Scene service along with other council services will need to provide services at a lower cost in the future which could affect the council's ability to respond to acts of litter and fly-tipping at the current standard.

In light of this, the Panel felt it was important that the public were aware of what they could expect in terms of standards of cleanliness and that the council should communicate the minimum standard for keeping land free of litter and fly-tipping and how they were achieving this. Denbighshire County Council publish on their website a list of environmental services for which they are responsible, together with the standards the public can expect for each service. This could help address differing views of the public in terms of their expectations of the service.

***Recommendation 8: That a set of environmental standards for street cleaning be included on the council's website.***

Denbighshire also state that they prioritise clearing areas that have a disproportionately large effect on public perception. The Panel also considered that as key open spaces, the district's parks and gardens and high usage areas should be cleared of litter as a priority. It was perceived that despite being cleared every morning, the Dane John Gardens frequently suffered with problems of litter. Also, that litter in popular areas such as the High Street in Canterbury and the seafronts in Herne Bay and Whitstable could increase people's perception that there is a problem across the district more generally. Whilst every effort should be made to ensure the district is as clear from litter as possible, the Panel considered that litter in these high usage areas represented the most significant problem to members of the public. Within the context of any potential budget reductions, these areas should be prioritised for cleansing.

Clearing litter is paid for through the council's grounds maintenance contract which runs until April 2013. The Panel considered that the new contract from 2013 would provide an opportunity to establish high usage areas for more frequent cleansing as part of developing the new contract specification.

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<sup>11</sup> Canterbury City Council, Community Litter Plan, p3.

***Recommendation 9: That high usage areas continue to be prioritised for frequent cleansing when the contract specifications are developed for the new grounds maintenance contract in 2013.***

### **3.5 Schools**

All state funded schools have responsibilities to make sure their grounds are kept free from litter. Any private individual can take a school to court for having litter in its grounds and a school can be fined up to £2,500 plus a daily fine until the litter is cleared. If a problem with litter is apparent, the council looks to resolve the issue with the schools management and has the power to create a litter control zone within the school. For litter outside of school grounds, the council can issue street litter control notices under Sections 93 and 94 of the Environmental Protection Act 1990 to deal with the issue.

In terms of education, the city council's street scene department has previously given talks in schools on litter and associated issues. As the primary responsibility for education lies with the county council, the city council's involvement is usually at the invitation of the school. However, through the recently developed Community Litter Plan 2010 -13, the council invite schools to take part in community clean-ups for which they supply the necessary equipment to undertake the clean up and arrange for the collection of rubbish after the event. The Plan also sets out an action to initiate a 'How Clean is my School' campaign across the district in 2011.

There is also a national programme 'eco schools' run by 'Keep Britain Tidy' which provides a framework for mainstream learning about sustainable development issues and sustainable practices. Schools are encouraged to apply for accreditation and litter is one of the nine themes covered by the programme. Whilst as a short topic review this area was outside the original scope for the review, the Panel considered the city council's involvement in educating young people about environmental issues including litter should be an area for further work by the council's street scene department in the future.

## **4 Litter and fly-tipping**

This section of the report deals with issues that relate to both litter and fly-tipping.

### **4.1 Impact on crime**

The Community Safety Manager explained that the Canterbury Community Safety Partnership (CCSP) was responsible for dealing with all crime and disorder issues including those relating to the physical environment.

Litter and fly-tipping are in themselves crimes but can also lead to further crimes in an area impacting on the quality of life of residents. The 'broken windows' theory suggests that a small piece of physical damage to property or area of land which is not quickly repaired or cleared, will attract more damage and can lead to other crimes being carried

out. Not rectifying the original damage can indicate to offenders that no-one cares about the area. The CCSP Partnership Plan therefore includes actions relating to the physical environment. The council's Community Safety Unit undertakes visual inspections of areas with the Street Scene service and Neighbourhood Police Teams. Issues identified by the audits are reported and addressed by the relevant service.

## 4.2 Clean Kent Initiative

### *Litter and Fly-tipping*

The Clean Kent Initiative was introduced in 2004 and jointly funded by Kent County Council, the 12 district and borough councils and Kent Fire and Rescue Services.

The initiative funded a vehicle and two members of staff (Neighbourhood Response Team) operating across Canterbury,

Dover, Thanet and Shepway.

Canterbury's contribution to the

initiative was £5,000 per year. The Team would clear waste from private land where the ownership was unknown to improve cleanliness and reduce incidents of rubbish fires.



Figure 10: Swanton Lane, nr Littlebourne

Unfortunately, funding for the Neighbourhood Response Team has been withdrawn and work ceased on 31 March 2010. The Panel were concerned to hear that since this time, land in unknown ownership was no longer being cleared unless by local communities or Community Pay Back teams. However, it was explained that whilst the withdrawal of funding for the Clean Kent Initiative had led to a reduction in support for clearing litter and fly-tipping across the district, the Initiative did still have a programme of publicity and education aimed at preventing fly-tipping and detecting associated crimes.

## 4.3 Community Payback

The Panel heard how Community Payback is a punishment handed out to offenders by the courts. Offenders carry out supervised unpaid work for the community and this can include repairing and maintaining the public realm. The initiative has been used regularly in the Canterbury district since April and clearing litter and removing graffiti are example of the types of work undertaken. The scheme cannot be used to substitute work undertaken through the council's contract with Serco. However, it does provide an additional resource for clearing litter from areas of the district and some local residents had reported being impressed by the work carried out by Community Payback.

The Panel welcomed the use Community Payback in helping to replace work of the Clean Kent Initiative. Whilst recognising the difficulty in replacing the good work provided

by the Clean Kent Initiative in the current economic climate, the Panel wished to see that alternative ways of continuing this work were explored.

***Recommendation 10: That the council's Street Scene service explores ways such as increased use of Community Payback and local community groups to replace the work previously provided by the Clean Kent Initiative.***

#### **4.4 Enforcement**

Enforcement is a key part of ensuring the public spaces across the district are kept clean and tidy for local people.

***Fly-tipping*** - The act of fly-tipping can result in prosecution in the criminal courts and the council's role is to ensure sufficient evidence is gathered and interview statements taken. Where there is clear evidence, street scene officers always issue fixed penalty notices and try to recover the clean-up costs from the producer of the waste even if they are not directly responsible for the fly-tipping act. However, the Street Scene Manager reported it was often difficult to gather enough evidence to link the waste with the person responsible for depositing it.

Fly-tipping enforcement activity for the period November 2009 to October 2010 has resulted in 87 fixed penalty notices.

***Litter*** - 24 fixed penalty notices have been issued for dropping litter over the last year. For a fixed penalty notice to be issued the perpetrator either has to be caught in the act of dropping litter by an enforcement officer or there has to be evidence clearly linking the litter to the person who dropped it.

The Head of Housing, Community Safety and Environmental Services explained that the currently there were different enforcement officers for different council services, for examples, street scene, community safety, licensing and parking. It was proposed that these different enforcement roles would be brought together into one enforcement team to enable all enforcement officers to respond to a range of issues beyond those that currently fall under the remit of their existing service structure. For example, parking attendants would in future also be able to issue fixed penalty notices to people who drop litter.

The Panel welcomed that a single Enforcement Team would help deter people from dropping litter as there would be a greater presence of officers able to deal with this issue on the street. Whilst there would be no increase in the number of officers, they would be able to deal with a wider range of issues, increasing the risk to anyone considering dropping litter or fly-tipping. It was hoped that the new structure would therefore contribute to greater prevention and enforcement against litter and fly-tipping.

They considered that whilst it was an internal officer restructure, it would be helpful if Members were notified of the changes once they had been implemented. Also that the new Enforcement Team offered an opportunity to remind the public of the risks associated with litter and fly-tipping crimes.

***Recommendation 11: That the Panel welcomed and supported the introduction of a single Enforcement Team and that it be used as an opportunity to remind residents, businesses and traders of their responsibilities and the services available to them.***

***Recommendation 12: That a Member Briefing be arranged to provide an overview of the new enforcement service in 2011 as part of the Member induction programme.***

## **5 Conclusion**

Throughout the review, the Panel have sought to examine litter and fly-tipping in the district to identify issues surrounding the problem and determine if improvements could be made. The Panel interviewed and gathered information from witnesses and sought examples of best practice nationally of innovative schemes used to address the problems. The site visit undertaken at the outset of the review was also important in establishing first-hand the nature and extent of litter and fly-tipping across the district.

Based on the number of recorded instances of fly-tipping and evidence gathered on the site visit, the Panel were encouraged that there was not an extensive problem with fly-tipping across the district. That said, the Panel did establish that contaminated household waste on highways was the most prevalent form of fly-tipping and hope that the recommendations set out in this report will assist in addressing this problem. With regard to litter, the Panel felt it was important well used areas of the district continued to be prioritised for cleaning and that the removal of litter from these areas was done so swiftly. The Panel welcomed the introduction of the new Enforcement Team in providing a more visible deterrent and greater number of officers able to take enforcement action against people carrying out environmental crimes. The recommendations of the Panel aim to address the issues of litter and fly-tipping where they exist across the district and look to improve services for the future.

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