

4APPENDIX 1

WIRRAL COUNCIL

REPORT TO THE CABINET MEMBER FOR ENVIRONMENT AND SUSTAINABILITY

27 FEBRUARY 2014

SUBJECT:	TACKLING ALLEYWAY DUMPING
WARD/S AFFECTED:	ALL WITH THE EXCEPTION OF: CLATTERBRIDGE EASTHAM HESWALL LEASOWE & MORETON EAST
REPORT OF:	MARK SMITH, ENVIRONMENT AND REGULATION
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR BRIAN KENNY (ENVIRONMENT & SUSTAINABILITY)
KEY DECISION? <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i>	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report outlines proposals to improve the local environmental quality of terraced housing areas. Alleyway dumping costs the Council hundreds of thousands of pounds each year to clean up. Much of the waste that is being discarded on a weekly basis by residents, private landlords and irresponsible contractors could be recycled if it were disposed of correctly in the first place. It is widely recognised that good environmental quality can have a positive impact on people's health and well-being¹. The recommendations made within this report therefore support the Council's strategic priorities "Protecting vulnerable people and communities" and "Narrowing the gap in inequalities".
- 1.2 In addition to adopting the nationally recognised 3E's model of Engagement, Education and Enforcement², this balanced campaign will also carry out extensive consultation and engagement in two "pilot" terraced housing locations. A multi agency team approach will be taken in order to better understand the root causes of alleyway dumping. The project will build on the assets in our communities, and work in partnership with the residents to develop their own solutions to improving the condition of their alley ways.
- 1.3 The Council has a statutory duty to maintain "passage" along adopted alleyways. It is also necessary for alleyways to be kept free of obstruction so that residents are able to comply with the Council's waste collection policy, and present their bins for collection at

designated points. The Council has resolved to return to 4 weekly cleansing of alleyways for a period of two years (**Minute XX refers (tbc)**, Council Budget Cabinet, 25 February 2014), and to re-double enforcement efforts. This report outlines proposals for how the £400K contribution from the Waste Development Fund will be used over a two year campaign period to drive pro-environmental behaviours and maximise recycling of household waste in terraced housing areas.

2.0 BACKGROUND AND KEY ISSUES

2.1 In July 2013, the Council reduced its cleansing frequencies in alleyways from monthly to 12 weekly. This was part of a review of street cleansing that resulted in £1M pa of savings. It is the view of officers that the frequent removal of waste from alleyways has resulted in some residents viewing this service as an additional waste collection service. This may have acted as a disincentive to residents providing little motivation to dispose of waste responsibly. This is backed up by the fact that Wirral saw a 12% reduction in tonnage of illegally dumped alleyway waste within 3-6 months of the cleansing frequencies being reduced. In other local authority areas such as Preston City Council and Rochdale Borough Council, alleyway dumping has also been significantly curtailed, through the removal of a regular free waste clearance service. It is therefore important to ensure that the temporary re-instatement of a four weekly cleanse is supplemented with enhanced education and enforcement activity in order to discourage residents from using the alleyways as an easy alternative to using legitimate waste disposal routes.

In order to change the behaviour of residents within communities, it is now essential to put measures in place to ensure that all residents comply with the Council's kerbside waste collection service. Steps must also be taken to clamp down on private landlords and companies carrying out refurbishment works who break the law by fly tipping waste in the alleyways.

2.2 It is also important to recognise that the waste collection systems operating in terraced housing areas may themselves be barriers to effective household waste management. Between 2006 and 2009, all terraced households were provided with the same waste collection system as semi-detached and detached housing stock. Over the years it has proven to be increasingly difficult to manage reports of non-compliance, especially as wheeled bins often become abandoned, damaged or stolen, or simply left out on the public highway. The quantity and quality of recycling recovered from these areas is much lower than in other areas.

2.3 The project outlined in section 3 below seeks to tackle alleyway dumping from all possible angles. Officers from Waste and Environmental Services will work closely with other divisions and departments of the Council, as well as a range of external agencies, in order to maximise the opportunities for meaningful engagement with residents and private landlords. In particular, the Constituency Teams for Birkenhead and Wallasey will be fully involved in the project and co-ordinate all stakeholder consultation in two pilot areas.

The Birkenhead Constituency Committee has recently established "Improving the local Environment" as a priority. The Committee have also allocated £20K to improve environmental quality and have recognised that alleyway dumping is a major concern of many of its constituents. There is scope to utilise some or all of this funding to select an additional pilot area within the Birkenhead Constituency area.

3.0 PROJECT OUTLINE

3.1 The project will consist of two elements. The first element will cover all terraced housing stock that have alleyways (approximately 30,000 households) and will encourage compliance with the Council's waste collection service through a multi-level awareness campaign. Phase 2 of the project will examine three problematic locations in detail. Residents and community organisations in the pilot areas will be encouraged to take ownership of the waste problems in their area and help develop sustainable solutions to reduce alleyway dumping.

3.2 Phase 1: The Good Neighbour Campaign (All terraced households)

3.2.1 Introductory Leaflet

All terraced households will receive a hand delivered leaflet making them aware of the reduced alleyway cleansing frequencies and providing advice on how they can help reduce the levels of alleyway dumping.

3.2.2 Good Neighbour Pack

Residents can request a "Good Neighbour Pack" from the Council. The pack provides more detailed advice around managing waste, instructions and advice around the reporting of fly tipping offences as well as the following:

- I. A "Love Wirral - Keep our Street Tidy" Window Sticker
- II. An A3 "Good Neighbour" weather proof notice to be placed on their back yard wall or gate supporting a pledge to manage their waste responsibly and asking others to do the same.
- III. 5 x Good Neighbour postcards. Residents can send these postcards anonymously to neighbours that share their alleyway, to encourage people to act responsibly.

All residents that request the pack will be asked to provide feedback to the Council on the level of effectiveness of the Good Neighbour approach. Packs will also be marketed directly to all residents that live in terraced areas that have reported alleyway dumping, or paid for a bulky waste collection in the last 12 months and through "neighbourhood watch" groups. They will also be offered during the door stepping exercises carried out in the two pilot areas.

3.2.3 Investigation Unit

The project will be supported by a temporary Council funded "Waste Investigation Unit". Approved "Transitional Funds" have been set aside for this unit for 3 months (January to March 2014, in order to assist with the inter-frequency clearance of waste in alleyways currently on a 12 weekly cleanse and gathering of baseline data required to ensure that the impacts of alleyway dumping pilots (section 3.3). It is proposed that this crew are deployed throughout the two year period until March 31st 2016 and funded through the waste development fund. This specialist waste removal team will continue to be deployed to areas where it is necessary to clear alleyways in between the schedule cleanse. They will work closely with the environmental enforcement team to gather evidence for the prosecution of fly tipping offences in order to deter private landlords

and contractors from illegal waste disposal. They will notify the Council of households causing environmental problems through poor or irresponsible management of their household waste, and provide evidence for the enforcement team that could support the subsequent issuing of fixed penalty notices for littering (black bag waste dumping) or Section 46 (household waste) offences, where such action is deemed justifiable due to the level of “intervention/ awareness” work previously carried out. They will also notify all residents each time they are requested to return to an alleyway, to raise awareness of the enhanced enforcement activity that is being carried out.

3.2.4 Amendments to the Councils Household Waste Collection Policy

In order for the Council to ensure reasonable compliance with its waste collection scheme, it is necessary to amend the current policy relating to the issuing of a Section 46 notice. Currently, it is Council Policy to only issue a notice after several breaches. Further evidence and officer time is then needed to prove a subsequent breach of notice and enable officers to issue a Fixed Penalty Notice. This approach is extremely time consuming and is viewed as being “ineffective” in dealing with those in the community whose behaviour is hardest to change. Officers are developing a new policy that will support this project and all future education and enforcement campaigns. It is the intention of officers to amend the policy to enable the Council to serve notice on individuals or whole areas, where non-compliance to the Council’s waste collection service is significant. The notice may also be served on individual households even if that household is not suspected of committing an offence. This approach serves to set out the requirements of the Council within a legally binding notice, so that we may collect waste efficiently and without causing unnecessary harm to the local environment. The notice also requires the separating out of several waste streams for recycling. It is important to note that the government are intending to de-criminalise this “offence” in April of this year, meaning that it will not be possible to issue a fixed penalty notice for breaches of the notice. However, Wirral Council have never issued a fixed penalty notice as the majority of residents comply once a Section 46 notice has been issued. It will be possible in some circumstances to issue fixed penalty notices for littering (Section 88 of the environmental Protection Act) to residents who place black bagged waste out in the public realm.

The blanket serving of section 46 notices is now being adopted more commonly in local authorities. For example, Knowsley Council have recently blanket served Section 46 notices on all households, to ensure that residents comply with their new “week in, week out” waste collection scheme.

It is the intention of officers to submit this policy for approval at the earliest possible meeting of the Cabinet once the legislation has been reviewed in Parliament in April.

3.2.5 Dedicated Alleyway Patrol Officers

It is proposed that two x two year fixed term “patrol officer posts” are created (commencing 1st April 2014) to deal with all referrals arising from the public and Waste Investigation Unit. The scale of the problem we currently face means that there are not sufficient resources within the existing team structure to ensure that an effective balance of education and enforcement activity can be deployed, and to effectively investigate the referrals levels we currently receive. The patrol officers will be managed by the Environmental Enforcement Supervisor, who will also be assigned the Birkenhead constituency area, worse affected by alleyway dumping. It is proposed that

both posts are funded through the £400K Waste Development Fund. The entry cleansing schedule will return to 4-weekly from 1st April 2014, for a minimum period of two years. This requires the deployment of a third entry cleansing crew which officers propose is funded through the £400K waste development fund allocated through Labour's 14/15 budget resolution.

3.2.6 Return to a four weekly cleansing schedule

The entry cleansing schedule will return to 4-weekly from 1st April 2014, for a minimum period of two years. This requires the deployment of a third entry cleansing crew which officers propose is funded through the £400K waste development fund allocated through Labour's 14/15 budget resolution. Officers have carried out initial feasibility work around the opportunities for bulky household waste items dumped in alleyways to be recycled. Waste composition analysis carried out in January/March from alleyways cleared by the waste investigation unit has identified that around 25% of alleyway dumping could be recycled if the crews segregate items such as rubble, wood and some furniture items. Initial discussions are in place with Merseyside Recycling and Waste Authority to commence a pilot as early as April 2014. The additional segregation and documentation the three entry cleansing crews would be required to carry out could mean they struggle to stay on schedule initially, until the Good Neighbour Campaign and enhance enforcement activity begins to impact positively on pro-environmental behaviours. Therefore officers propose to set aside a £20K contingency in 14/15 from existing waste provisions in the event Biffa require occasional overtime to complete scheduled work.

3.2.7 Timescales

Should all elements of Phase 1 be approved, it is envisaged that initial communications with 20,000 residents will commence mid March. All initial leaflets will be posted by 31st March. The "Waste Investigation Unit could be formally launched with a press release at the same time to maximise interest and coverage of the project. The crew will undergo in-house training on gathering evidence, and be issued with distinct Uniforms and a specially livered vehicle, in order to raise the profile of the work of the team in the communities it is sent to.

3.3 Phase 2: Pilot Studies

3.3.1 Selection of Pilot Areas

Officers have analysed data from six of the most problematic areas for alleyway dumping, referred to the Council by the Waste and Environmental Services Contractor.

Two areas have been selected for inclusion in the pilot study due to the high number of waste related referrals and tonnage of dumped waste per household. The two areas within each constituency of Wallasey and Birkenhead most affected by alleyway dumping have been identified by officers as the Harrowby Road area in Birkenhead Ward and the Naples Road area in Seacombe.

In the selection process, officers have also considered the geographical and demographic make up and selected two distinct areas, enabling a range of engagement strategies and alternative waste solutions to be tested. Officers also recognised the

benefits of delivering the project in two constituency areas in order to help different neighbourhood approaches to evolve. Selection criteria included parameters such as tonnage of waste dumped per household, number of enforcement referrals/complaints and levels of other anti social behaviours reported.

3.3.2 Aims of the pilot projects

The direction of the pilot projects will be heavily influenced by the initial consultation undertaken with the residents living in the two pilot areas. However, the initial aims of this project are:

- To reduce alley way dumping through the normalising of compliant behaviour.
- To review the waste collection system in each pilot area and identify more effective alternatives.
- To explore the local appetite for and effectiveness of community based incentives on pro-waste management behaviours.
- To engage with stakeholders, including private/social landlords and letting/estate agents in order to put in place systems and procedures that promote good household waste management.
- To use an asset based community development (ABCD) approach to identify resources in the communities to support the required change.
- To gain a greater understanding of the barriers to good household waste management and pro-environmental behaviour specific to the communities residing in the pilot areas and to develop a range of cost effective solutions to overcome these barriers that may be replicated on a larger scale.

3.3.3 Added Value

It is recognised that enviro-crime can be linked to other anti-social behaviour^{3, 4}. Poor household waste management, especially in larger households can also be a symptom where households are struggling with other life challenges so do not consider waste and recycling to be a priority⁵. A multi agency approach including Merseyside Fire and Rescue, Trading Standards, Environmental Health, Housing Associations and the Troubled Families Project will be adopted in order to help tackle some of the wider problems that families and vulnerable people face. For example, through the consultation exercise, Trading Standards will consider the benefits of designating the pilot areas as cold calling exclusion zones, making it an offence for companies or individuals to make unsolicited visits to households where the householder has indicated they do not welcome such calls. A second example involves the Waste and Environmental Services Team working closely with the “Troubled Families Team”, to put in place a referral process so that these families are offered additional support to help them comply with the Council’s waste collection service. The Waste and Environmental Services team will also be seeking to engage with local re-use organisations and social enterprises to set up a low cost bin-refurbishment service so that low income households have access to replacement wheeled bins at a more affordable rate, than if they were to purchase a new bin. An existing £25K wheelie bin reserve has been earmarked to help low income households within the three pilot areas replace damaged or missing wheeled bins. The evidence gathered as part of this project will also help officers to fully review the impact of the current bin charging policy on alleyway dumping, and identify effective measures reduce the risk of theft or destruction of wheeled bins which appears to be on the rise.

Further details will be reported to the relevant constituency committees by the constituency managers.

4.0 RELEVANT RISKS

- 4.1 Should the project be approved, a risk register will be developed as an important element of the project management toolkit.

The proposed change to the Section 46 Policy is likely to draw media and political interest. It is therefore important that the Council is ready to respond to media enquiries and re-assure the general public that the revised policy is necessary to deal with the very small proportion of their community that cause frequent environmental problems through the miss-use of the waste collection service.

5.0 OTHER OPTIONS CONSIDERED

- 5.1 None

6.0 CONSULTATION

- 6.1 The following stakeholders have been informed about the proposals:

- Merseyside Fire and Rescue Service
- Merseyside Police
- Biffa Waste Services
- Lairdsid e Communities Together
- Trading Standards
- Environmental Health
- PR and Marketing (WMBC)
- Troubled Families Team
- Neighbourhood Constituency Teams
- Merseyside Recycling and Waste Authority

Further stakeholders will be consulted as part of the pilot projects, including residents, constituency committees, private/social landlords, estate/letting agents, community groups and other community based asset managers servicing residents in the pilot areas.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 In order to fulfil the aims of this project, it is a requirement to actively seek and engage voluntary, community and faith groups in the three pilot areas. Local re-use organisations and social enterprises will be approached in order to explore the possibilities of setting up a low cost wheeled bin-refurbishment service. There is also an opportunity for further support to be commissioned from community based organisations to carry out enhanced engagement work.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 All communications and PR costs arising from this project can be contained within existing budget provisions and staffing resources. This covers the following costs:

The following costs are associated with the project. No additional new monies are being requested.

Activity	Quantity	Total Cost	Funding Source
Phase 1 (all terraced housing areas)			
A5 folded awareness leaflet printing plus delivery	30,000	£4700	Existing waste provisions (Comms budget) 13/14
Good Neighbour packs	5000	£9100	Existing waste provisions (Comms) 13/14
Waste Investigation Unit "postcards" printing	20,000	£670	Existing waste provisions (Comms budget) 13/14
Waste Investigation Unit	1 x cage tipper; 2 x operatives plus equipment and branding	£150K (over 2 years)	Waste Development Fund
Reinstatement of 4 weekly entry cleanse	1 x cage tipper, 3 operatives	£186K (over 2 years)	Waste Development Fund
Alleyway Patrol Officers fixed term posts (Redeployment opportunity)	2 x FTE Band C (to be evaluated)	£64K (over 2 years)	Waste Development fund
Alleyway cleansing contingency	Overtime	£20K	Existing waste provisions - Biffa Provisional Sums (14/15)
Phase 2 (Pilot areas – Birkenhead/Wallasey Constituencies)			
Free replacement of damaged/ missing wheeled bins as part of assessment of impact of wheeled bin charging policy (pilot areas only)	Approx 1000 240 litre wheeled bins	£25K	Existing Wheeled bin reserve
Numbers for labelling wheeled bins	Approx 6000	£1500	Existing waste provisions (14/15 Comms budget)
Total projected expenditure	Existing waste provisions		£61K (14/15)
	Waste Development Fund (£400K available)		£400K (£200K 14/15; £200K 15/16)

Should an "incentive scheme" be trailed as part of Phase 2 of the project (in the pilot areas) it is proposed that sponsorship or alternative funding is secured externally with help from communities involved in the pilot projects. This is primarily due to the fact that

the pilot projects must be replicable in other areas. Unfortunately, the Council's current financial position inhibits such levels of "none discretionary" expenditure.

An initial door stepping exercise to all households in the two pilot areas will be carried out. The costs associated with this will be minimal, as it is proposed that a number of Council departments and partner agencies will work together to within existing staffing resources to carry out this work. However, it is possible that local organisations may be commissioned to assist up with this work. Any costs arising from this will be contained within existing budget provisions.

8.0 LEGAL IMPLICATIONS

8.1 There are no legal implications arising from this report.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(a) Yes and impact review is attached – (*insert appropriate hyperlink*).

(To find your departmental hyperlink click on

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010-0>

10.0 CARBON REDUCTION IMPLICATIONS

10.1 This project seeks to improve the local environmental quality of resident living in around 20,000 households. In addition, the proposed changes to the Section 46 policy will enhance compliance to the waste collection service and improve the amount of waste diverted from landfill. Additional segregation of bulky and construction waste collected from alleyways is intended, meaning that up to 25% of this waste will be diverted from landfill.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 There are no planning or community safety implications arising from this report.

12.0 RECOMMENDATION/S

12.1 The Cabinet Member for Environment and Sustainability is requested to:

(i) Endorse and approve the proposal to tackle alleyway dumping outlined in this report.

13.0 REASON/S FOR RECOMMENDATION

13.1 This project will enable important consultative and investigative work to be carried out in order to reduce the amount of alleyway dumping experience in terraced housing areas and to provide support to residents struggling to comply with their waste collection

scheme. It is possible that findings from this important project could fundamentally change the way household waste is presented for collection in terraced housing areas.

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REFERENCE MATERIAL

1. When it comes to litter which side of the fence are you? (2013) keep Britain Tidy
2. The Effectiveness of Enforcement on Behaviour Change (2011) Keep Britain Tidy
3. Broken Windows (1982), Kelling and Wilson
4. The Spreading of Disorder (2008), Keizer, Lindenberg & Steg.
5. How can Wirral Council optimise pro-recycling behaviour of its population? (2012), Tara Dumas, MBA research dissertation (un-published).

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Budget Council	25/02/14

Equality Impact Assessment Toolkit (from May 2012)

Section 1: Your details

EIA lead Officer:

Email address:

Head of Section:

Chief Officer:

Department:

Date:

Section 2: What Council proposal is being assessed?

Section 2b: Will this EIA be submitted to a Cabinet or Overview & Scrutiny Committee?

Yes / No

If 'yes' please state which meeting and what date

.....

Please add hyperlink to where your EIA is/will be published on the Council's website (see your Departmental Equality Group Chair for appropriate hyperlink)

.....

Section 3: Does the proposal have the potential to affect..... (please tick relevant boxes)

- Services**
- The workforce**
- Communities**
- Other** (please state eg: Partners, Private Sector, Voluntary & Community Sector)

If you have ticked one or more of above, please go to section 4.

- None** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 4: Does the proposal have the potential to maintain or enhance the way the Council (please tick relevant boxes)

- Eliminates unlawful discrimination, harassment and victimisation
- Advances equality of opportunity
- Fosters good relations between groups of people

If you have ticked one or more of above, please go to section 5.

- No** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 5:

Could the proposal have a positive or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?

You may also want to consider socio-economic status of individuals.

Please list in the table below and include actions required to mitigate any potential negative impact.

Which group(s) of people could be affected	Potential positive or negative impact	Action required to mitigate any potential negative impact	Lead person	Timescale	Resource implications

Section 5a: **Where and how will the above actions be monitored?**

Section 5b: **If you think there is no negative impact, what is your reasoning behind this?**

Section 6: **What research / data / information have you used in support of this process?**

Section 7: **Are you intending to carry out any consultation with regard to this Council proposal?**

Yes / No – (please delete as appropriate)

If ‘yes’ please continue to section 8.

If ‘no’ please state your reason(s) why:

(please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 8: How will consultation take place and by when?

Before you complete your consultation, please email your preliminary EIA to equalitywatch@wirral.gov.uk via your Chief Officer in order for the Council to ensure it is meeting it's legal requirements. The EIA will be published with a note saying we are awaiting outcomes from a consultation exercise.

Once you have completed your consultation, please review your actions in section 5. Then email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for re-publishing.

Section 9: Have you remembered to:

- a) **Add appropriate departmental hyperlink to where your EIA is/will be published (section 2b)**
- b) **Include any potential positive impacts as well as negative impacts? (section 5)**
- c) **Send this EIA to equalitywatch@wirral.gov.uk via your Chief Officer?**
- d) **Review section 5 once consultation has taken place and sent your completed EIA to equalitywatch@wirral.gov.uk via your Chief Officer for re-publishing?**