



**COUNCILLOR
BERNIE MOONEY
CABINET MEMBER –
ENVIRONMENTAL
PROTECTION**

**CABINET BRIEFING
7 MARCH 2016**

**CABINET / STRONG LEADER DECISION
21 MARCH 2016**

REVIEW OF TACKLING ALLEYWAY DUMPING

REPORT SUMMARY

Wirral Council has a statutory duty to arrange for the collection of household waste within its boundary.

This report reviews the current Tackling Alleyway Dumping campaign introduced in April 2014. The campaign was established to tackle the amount of waste dumped in alleyways in terraced housing areas and to promote compliance amongst Wirral residents to help meet targets set for waste reduction and recycling. It is widely recognised that improving local environmental quality will have a positive impact on people's health and wellbeing aligning to the Wirral Plan.

All wards are affected with the exception of Clatterbridge, Eastham, Heswall, Leasowe and Moreton East.

This is a Key Decision.

RECOMMENDATION/S

The Cabinet is requested to:

- (1) Approve the allocation of £124,800 from the Waste Development Fund (WDF) for a further 2 years (2016/17 & 2017/18) from 1 April 2016, to sustain an enhanced enforcement approach for effecting behavioural change and reducing alleyway dumping as set out in Option 3 in this report;
- (2) Approve the waiving of 'Call In' to enable service delivery to continue in a seamless manner.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is officers' view that option 3 for future enforcement operations will promote wider compliance with the Council's waste and recycling collection service and reduce negative environmental impacts such as alleyway dumping, windblown litter and antisocial behaviour.
- 1.2 Future enforcement action will engender the required behavioural change to further reduce alleyway dumping and other forms of environmental crime, leading to improved environmental quality and less demand on cleansing resources.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The Council has a number of options to consider as a way forward to ensure continuity is maintained to drive through the required behavioural change.

OPTION 1

The Council may decide not to renew the initiative. However this could pose a reputational risk to the Council and would be contrary to the findings of the recent Insight survey which highlighted that the environment is a high priority for residents.

OPTION 2

The Council may decide to approve the continuation of the current campaign for a further period of 2 years. However officers have identified the following limitations with the existing arrangement:

There is no interaction with residents who have been found to carry out environmental crime. To engender behavioural change the Council must widen the scope of the existing campaign to scale up direct action against residents who persistently dump their waste in the alleyways.

The current arrangement is also resource intensive with regards to the preparation of court files as the majority of fixed penalty notices remain unpaid due to lack of interaction with the residents and circumstantial evidence being obtained by the existing Biffa Investigation Crew. The figures to date reflect a total number of 778 FPN's being issued with only 86 paid, 64 prosecutions being taken through the courts and a further 34 cases with legal services awaiting prosecution. The existing resources could be better utilised to deliver more effective environmental enforcement such as that used for commercial fly tipping and the focus on businesses and their legal requirements with regards to their trade waste.

OPTION 3

It is the view of officers that the most viable option to deliver effective enforcement in the future, would be to outsource alleyway dumping enforcement by way of a variation order to the existing contract with Kingdom Security Limited for street litter enforcement. Kingdom currently delivers litter enforcement provision for Wirral through a 2+1 year contract with the Council that commenced on 1 July 2015. The contract is performing well with over 5000 litter fixed penalty notices issued in the first 5 months. Early indications are that over this 5 month period litter has reduced and local environmental quality has improved. This is due to the sustained enforcement approach by Kingdom across Wirral.

The main benefit of this option is that it would provide for 'face to face' interaction between residents and Kingdom's enforcement officers. This would be a far more effective method of enforcement than the current arrangement where there is no interaction with residents.

Door step interaction will allow the Council to issue a sanction by way of an £80 FPN being issued to those who commit this criminal activity as well as delivering education and advice to such residents. This option will also secure an improved conviction rate and provide the deterrent required to support behaviour change. It is envisaged that through the greater interaction with residents far more enforcement action will be taken successfully than through the existing campaign.

Through effective enforcement action and the resulting behaviour change it is envisaged that environmental quality will improve through reduced levels of littering and alleyway dumping. Over time this will enable the Council to review the level of cleansing resource required for alleyway cleansing.

3.0 BACKGROUND INFORMATION

- 3.1 Over a number of years the Council has given instructions around the presentation of domestic waste for collection to all Wirral residents. The majority of residents across Wirral comply, however, in a number of areas such as terraced housing or areas where there are a large number of rental properties with a transient population, problems persist in respect of waste being dumped in alleyways.
- 3.2 The Council has a statutory duty to maintain 'passage' along adopted highways. 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, to present their bins for collection at designated points and access is maintained for emergency vehicle access. The build-up of waste in some locations during the reduced cleansing schedule resulted in pressure being put on the Council to tackle this matter.
- 3.3 In order to address the amount of waste dumped in entries, the Cabinet Member for Environment and Sustainability was presented with a report

entitled 'Tackling Alleyway Dumping.' The report outlined proposals to improve the local environmental quality of terraced housing areas in order to reduce the amount of alleyway dumping and support residents struggling to comply with their waste collection scheme. The project would be limited to all wards with the exception of Clatterbridge, Eastham, Heswall, Leasowe and Moreton East to enable important consultative and investigative work to be carried out.

- 3.4 The Tackling Alleyway Dumping report was subsequently ratified by Cabinet who approved a £400k contribution from the Waste Development Fund to be utilised over a two year campaign period commencing 1 April 2014. The Tackling Alleyway Dumping campaign comprised of enhanced enforcement, the promotion of responsible behaviour and maximising the recycling of household waste in terraced housing areas. The funding was also used to reinstate four weekly cleansing to alleviate the build-up of waste in entries between cleanses to allow residents to comply with the waste collection scheme. Alongside this, the funding provided for the recruitment of two dedicated full time Biffa Waste Investigation Operatives to search waste in alleyways for evidence with a full time fixed term Council employee also employed to administrate the campaign.
- 3.5 Previous approaches to tackling alleyway dumping had been met with limited success despite dedicated and significant marketing campaigns. It was therefore determined that enforcement should be the main focus of the new campaign. The Waste Investigation Team were deployed to search out evidence within waste dumped in alleyways. Such evidence was referred to the Council and in many cases this culminated in a litter fixed penalty notice being issued to the perpetrator. This enhanced enforcement activity has resulted in a total of 1859 referrals from the Waste Investigation Crew of which 778 litter fixed penalty notices have been issued to date, 86 of which have been paid and 64 people being prosecuted through the courts. As currently the evidence is purely circumstantial, it is difficult to proceed in cases where the Council cannot prove beyond reasonable doubt that an alleged offender is in fact guilty of that offence.
- 3.6 As part of this project and to encourage compliance, prior to the campaign commencing, the Council delivered approximately 20,000 advice leaflets to terraced households to provide advice on to reduce the levels of alleyway dumping and alerting them that an investigation unit would be working in their area searching illegally dumped waste in order to secure evidence and identify the perpetrators. It also advised that anyone found to be illegally dumping domestic waste could be issued with a fixed penalty notice for littering. The Council also introduced a 'Good Neighbour' pack to assist in promoting the campaign. Around 700 households have requested a 'Good Neighbour' pack over the 18 month campaign period. A further 20,000 advice leaflets were hand delivered in March 2015 again reminding people of their obligations with regards to the storage and presentation of their waste.
- 3.7 The Alleyway Dumping Campaign is funded until 31 March 2016, therefore an evaluation of the campaign is essential to ensure a sustained enforcement

approach is maintained to tackle this ongoing concern and ensure continuity in order to drive behavioural change. Wider research suggests that the values needed to drive behavioural change should be maintained for a prolonged period so that it becomes habit as offenders often revert to their previous harming behaviours. An enforcement strategy requires sustained marketing alongside a robust enforcement approach.

- 3.8 As part of this evaluation the Council carried out a consultation with those residents who had participated in the 'Good Neighbour' scheme. The majority of respondents fell in the older age brackets and the areas of concern highlighted by them were rubbish in entries, bins left out, street cleansing, weeds in entries and dog fouling. Alongside this, the recent Insight survey highlights that street cleanliness is a high priority to the majority for residents.
- 3.9 Further analysis was carried out to establish a comparison of the net weight of alleyway dumping tonnage collected between the quarters from April to June 2014 and April to June 2015. This analysis demonstrates a significant reduction in tonnage collected over these periods of around 124 tonnes.
- 3.10 Although over the past 18 months this campaign has proved to be effective in reducing the amount of waste dumped in entries, the campaign lacks impetus due to the limited interaction with the perpetrators of this criminal behaviour. Residents continue to use their alleyways as an additional/alternative means to dispose of their waste although to a lesser degree. The Council now needs to scale up its operations to engender the required behavioural change aspired to through the Wirral Plan backed by a robust enforcement regime which includes face to face interaction with residents by authorised enforcement officers.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The cost to sustain an enhanced enforcement approach for effecting behavioural change and reducing alleyway dumping in the future will be approximately £124,800 for 2 years to 31 March 2018. (This averages £62,400 per annum).

5.0 LEGAL IMPLICATIONS

- 5.1 None.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 6.1 The continuation of tackling alleyway dumping campaign will require Council approval to use the Waste Development Fund. Officers will prepare proposals for the financial requirements of the campaign.
- 6.2 The option recommended by officers would be fully administered by Kingdom Security Limited. There are no TUPE implications associated the termination of arrangements with Biffa for the Waste Investigation Team.

7.0 RELEVANT RISKS

- 7.1 Private households that do not currently have a green residual bin or are tenants in private rented accommodation where landlords have not replaced missing or damaged bins between tenancies may be unable to afford the cost of a replacement bin (the Council currently supply grey recycling bins free of charge until 31 March 2017).
- 7.2 The detrimental impact of no action being taken upon the quality of life of local residents and the local environmental quality. Public perception of the Council doing nothing to intervene and allowing the behaviour of some residents to continue.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 To inform this process, residents who had previously participated in the 'Good Neighbour' scheme were surveyed in August 2015 and the recent Insight Survey highlights that street cleanliness is a high priority to the majority of Wirral residents who responded to the survey.

9.0 EQUALITY 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*).

<http://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments/equality-impact-assessments-2014-0#wgSM-0>

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APPENDICES

None

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Tackling Alleyway Dumping	27/02/14
Council Budget Cabinet	25/02/14