

## Appendix 1: Background Information on Fly tipping

Just over a third of all incidents in Dorset consisted of a quantity of material equivalent to a 'small van load', and the second largest size category for fly-tipping incidents was 'car boot' and accounted for nearly 25 per cent of total incidents. Table one details the total number of incidents per district/borough for the two previous quarters October to December 2015 and January to March 2016 and the estimated clearance and disposal costs. The estimated costs are based on figures set by the national waste database 'Waste Data Flow' for each type of fly-tipping incident (e.g. single item, car boot load, small van load, etc).

**Appendix 1, Table One: Number of fly-tipping incidents in Dorset and estimated costs**

District / Borough	Total Number of Incidents		Total Number Over 6 Months	Estimated Clearance & Disposal Cost		Total Cost Over 6 Months
	Oct – Dec 15	Jan – Mar 16		Oct – Dec 15	Jan – Mar 16	
Christchurch	22	73	95	£886	£3,644	£4,530
Purbeck	69	98	167	£4,199	£6,413	£10,612
West Dorset	97	89	186	£5,993	£4,207	£10,200
Weymouth & Portland	161	160	321	£7,110	£7,927	£15,037
North Dorset	43	72	115	£2,046	£3,615	£5,661
East Dorset	89	147	236	£4,649	£6,830	£11,479
<b>Total</b>	<b>481</b>	<b>639</b>	<b>1,120</b>	<b>£24,883</b>	<b>£32,636</b>	<b>£57,519</b>

To enable comparisons to be made, table two below details the total number of incidents for neighbouring districts/boroughs in the South West (where data is available) for the previous two quarters (October to December 2015 and January to March 2016).

**Appendix 1, Table Two: Number of fly-tipping incidents for neighbouring authorities**

District / Borough	Total Number of Incidents		Total Number Over 6 Months
	Oct – Dec 15	Jan – March 16	
West Devon	66	80	146
Taunton Deane	154	171	325
North Devon	148	162	310
Mid Devon	109		
West Somerset	42	63	105
Tewkesbury	92	126	218
Forest of Dean	142	186	328
Mendip	438	505	943
South Somerset	224	337	561
East Devon	94	126	220

South Hams	107	131	238
Sedgemoor	253	295	548
Torridge	24	11	35
Teignbridge	237	284	521
Cotswold	65	92	157

The increase in fly-tipping in Dorset is following a national trend. Local authorities dealt with a total of 900,000 incidents of fly-tipping in 2014/15, an increase of 5.6 per cent since 2013/14 with nearly two thirds of fly-tips involving household waste. The trend in incidents of fly-tipping had been downward until 2013/14 when there was an increase followed by a further increase in 2014/15.

However, care should be taken when interpreting this increase. This may reflect both improvements to the capture of fly-tipping incidents (including the ease at which residents can now report cases online) as well as genuine increases in the number of incidents.

The estimated cost of clearance of fly-tipping to local authorities in England in 2014/15 was nearly £50 million, an 11 per cent increase on 2013/14. Local authorities carried out nearly 515,000 enforcement actions at an estimated cost of £17.6 million in 2014/15, a £0.3 million increase on the previous year. This equated to an increase of 3.1 per cent on enforcement actions in the same period.

## Appendix 2: Background information on current DWP enforcement arrangements

Under the new structure implemented on 1<sup>st</sup> September 2015, the DWP currently have two full time Enforcement Officers working across the County (reduced from the three in the previous structure). They are 'Authorised Officers' in accordance with the DWP Scheme of Delegation and hold warrant cards for all key pieces of legislation, most notably for the relevant sections of the Environment Act 1990. Together they are responsible for enforcing serious waste crime issues and providing advice and guidance where required, and their activity is undertaken in the following district areas - Christchurch, East Dorset, North Dorset, West Dorset and Weymouth and Portland. Purbeck District Council have retained Waste Enforcement.

As there are only two Enforcement Officers, they very much have to streamline their work and focus on the work areas where the biggest impact can be made and where serious offences have occurred. There are five key areas of work which are prioritised by the Enforcement Team:

- Serious fly-tipping cases
- Abandoned vehicles
- Issuing of Fixed Penalty Notices
- Duty of Care legal obligations
- Development of targeted campaigns followed by enforcement (use of FPN's)

Table three illustrates the number of abandoned vehicles dealt with by the Enforcement Team over the past 8 months and the number of fly-tipping incidents investigated. On a monthly basis, approximately 5 - 6% of the total fly-tipping cases reported are investigated. The cases pursued are on the basis of their seriousness and the availability of sufficient evidence. The number investigated has reduced since March 2016, primarily due to the increase in abandoned vehicles which has taken up more of the Enforcement Team's time.

**Appendix 2, Table One: Number of abandoned vehicles and fly-tipping cases over past 8 months**

<b>Enforcement statistics</b>								
	Oct 15	Nov 15	Dec 15	Jan 16	Feb 16	Mar 16	April 16	May 16
No. of abandoned vehicles reported								
East, North & Christchurch	32	50	39	43	50	48	41	41
West, Weymouth & Purbeck	29	35	19	37	30	36	50	40
No. of fly-tipping incidents investigated	22	18	15	9	16	8	7	10
Total no. of fly-tipping incidents reported	257	181	190	220	217	335	249	341
Percentage of reported fly-tips investigated	8.6%	9.9%	7.9%	4.1%	7.4%	2.4%	2.8%	2.9%

Small scale incidences of fly-tipping and 'Recycle for Dorset' enforcement issues such as side waste, bins on highways, etc, which would have historically been dealt with by

the Enforcement Team, are primarily dealt with by Operational staff and the Recycling Team on an advisory basis where resources allow.

To date, the DWP has served a minimal number of FPNs for failure to comply with waste collection requirements (15 over the past 5 years, primarily for littering) and has taken one prosecution to court. The current DWP enforcement policy makes it clear such action would only be taken where other interventions have failed and as such the DWP have historically focused on an education/advisory approach with an emphasis on warnings rather than prosecutions. The fly-tipping incidences investigated are predominantly dealt with by informal action and advice whereby the person believed to be causing or permitting an offence is contacted via an advisory letter or verbal communication detailing the nature of the complaint or problem and any remedial works required.

It is worth noting that FPNs can only be used where there is hard evidence (not just circumstantial) that shows beyond reasonable doubt that the person has committed an offence, which is extremely difficult to acquire. It is issued in lieu of taking the offender through formal court proceedings and as such evidence must be robust enough to be taken through the courts if the action results in non-payment. Investigatory work into other neighbouring authorities in the South West highlights that the number of enforcement actions is minimal across the board.

At the October 2015 meeting of the Joint Committee, it was agreed as part of the 'strategy review – task and finish group' report, that 'the number of enforcement officers to support the litter prevention campaign and the control of fly-tipping be increased'. At the end of July, one of the Enforcement Officers left the organisation to take on new opportunities, and before arrangements are made to recruit a replacement, it is an opportune time to review the service and consider if and how it can be done differently to create a smarter, more effective service.