

Scrutiny Review: Litter and Flytipping

Review from the Improving Places Select
Commission Task & Finish Group

February 2016

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EXECUTIVE SUMMARY

This review was one of a number of service areas within Environmental and Development Services (EDS), identified by Lead Commissioner Sir Derek Myers as a potential scrutiny review to take place during 2015/2106. The findings from the review are to be presented to Improving Places Select Commission on 24th February 2016, to Overview and Scrutiny Management Board on 26th February and then to the Cabinet / Commissioners decision making meeting once the officer response to the review has been received

Improving Live Scrutiny Commission decided to undertake three short, focused reviews to explore in more detail elements EDS functions. This review focused on the issues and costs of **litter and fly tipping** across the borough. A Task & Finish Group (T&F) was established involving the following Members:-

Cllr Alan Atkin (Lab) as the Chairperson of the group, assisted by
Cllr Alan Buckley (Lab)
Cllr Allen Cowles (UKIP)
Cllr Dave Cutts (UKIP)
Cllr Clive Jepson (Ind)
Cllr Gerald Smith (Lab)
Cllr Caven Vines (UKIP)
Cllr Jenny Whysall (Lab)
Lillian Shears Co-opted Member

Litter and fly tipping is on the increase throughout the borough, with particular 'hot-spots' more acutely affected. The costs to the council for clearing it up are significant.

The Task & Finish Group examined the nature of the problem, the effectiveness and costs of the council's current responses; and potential new ways to reduce the scale of the problem, change behaviours and attitudes and reduce the overall cost in keeping the borough clean. The scope of the review set a specific focus on three key aspects of an improved approach:

- More effective enforcement
- Increased education, awareness and other prevention activity and
- Involving businesses and local communities in prevention and clean up campaigns.

Evidence was provided by officers of the Council and local residents with a specific interest in this topic. Internet research was also undertaken to look at how other local authorities are dealing with the subject.

Local authorities have a statutory duty to keep the streets clear of litter and refuse, and in every survey of local Rotherham residents attitudes, clean streets are among the top priorities and key concerns. In the recent survey, carried out as part of the Leader's consultation in the summer of 2015, 73% of respondents felt that clean and tidy streets were very important. However, successive budget cuts since 2010 have significantly reduced the amount the Council can spend on street cleaning and litter prevention. This assumption of the group is this is likely to continue in future years and may even worsen as further budget cuts are being considered in these services. As funding has reduced, the frequency of street cleaning has been reduced, as has the Council's ability to respond quickly to complaints of litter and fly tipping; and there has been little or no preventative measures undertaken.

Until 2012, RMBC was at the forefront of litter prevention and enforcement activity. The Council's 'Toxic' campaign working with schools and young people was highly acclaimed. The Council had established a 12-strong Enviro-crime team with responsibility for proactively fighting environmental crimes, including littering and fly-tipping, through the use of fixed penalty notices and formal prosecutions in the courts. The Enviro-crime team has been disbanded and enforcement has now been absorbed into the duties of other officers. There are no dedicated resources for other prevention activities such as campaigning or awareness raising. As a consequence successful prosecutions and litter enforcement activity has reduced significantly and preventative campaigning and work with schools has ceased. In the meantime, the amount of litter being dropped increases as does the incidences of fly tipping.

RMBC's capacity to respond and keep the streets clean when littered has reduced with each successive year of budget cuts. Comparing RMBC's performance in street cleaning with other similar councils, shows that Rotherham provides a below average service. There are national guidelines set out for levels of cleanliness in different types of public spaces and standard response times which are recommended for clearing away litter and refuse, in order to return areas to the recommended standard. For areas of medium intensity use, which are everyday areas which are prone to littering, such as outside areas of retail or commercial activity, but regularly used by members of the public. The national response time is one working day, however, for RMBC the target for responding is five working days, as a consequence of the lack of resources available.

The costs incurred by the council in clearing litter and fly tips are avoidable costs. Individuals need to take responsibility for not dropping litter and fly tipping to avoid the unnecessary use of limited public funds to keep the area clean. Education and awareness are key to reducing the problems caused by litter and fly tipping. Targeted and well-publicised enforcement activity can also play a key role in deterring littering and fly tipping. Thereby improving the borough's environment and in the long term reducing council costs in street cleaning.

Ward councillors have a key role to play in leading the drive within neighbourhoods to limit littering and fly tipping and to generate greater community involvement in preventing litter and keeping streets clean. There are numerous examples throughout the borough of regular, successful community clean-ups led by ward councillors and parish councils and supported by RMBC. Councillors should be encouraged and supported to co-ordinate neighbourhood activity and engage local businesses and residents in both prevention and clean-up campaigns. Members also recognise the need to improve the Council's communication with local people so that they are better informed about the costs of litter and fly tipping; and can better understand and engage more in the difficult decisions the council takes when prioritising its allocation of resources.

The review recommended that closer working relationships be developed in relation to litter and fly tipping between the Council, Area Assemblies, Area Housing Panels Town and Parish Councils and Council Contractors in order to work together on these issues.

Members were wholeheartedly in support of the new post of a 'Love My Street Co-ordinator' established some time ago. However they remain concerned that this key post is yet to be filled and are also mindful that it is one post with no additional budget and therefore there needs to be some realism in terms of what can be achieved and public expectations will need to be managed.

Undertaking this review at this time has been quite difficult as there are so many uncertainties surrounding the future of these services. Not least, further budget cuts under consideration. There are also significant changes in staffing at all tiers of the management structure of these services and a parallel review and restructuring being undertaken by the acting Strategic Director of EDS. This has resulted in uncertain information being provided by officers, who were able to report what has previously happened, but the as to the future of service delivery no definite answers could be provided. Taking this into account, the T&F Group would recommend that Improving Places Select Commission has the opportunity to re look at this piece of work, once the restructure of services within Environment and Development Service (EDS) area has been completed.

This review was undertaken as short focussed review to inform the development of the medium term financial strategy setting process. In addition the work was conducted in parallel with on-going discussions for budget reductions in 2016/17 and beyond. It has not been able to fully consider the impact of any budget reductions as these decisions have yet to be taken.

1 Why Members wanted to undertake this review

This review was one of a number of service areas within Environmental and Development Services, identified by Lead Commissioner Sir Derek Myers as potential scrutiny reviews during 2015/16. Findings from this review will be presented to the Improving Places Select Commission on 24th February 2016 and then to the Commissioners and Advisory Cabinet.

2 Methodology

The Chair of Improving Places Select Commission decided to establish a Task & Finish Group in July 2015, to conduct a focussed review which would feed recommendations into the medium term financial strategy setting process; the following members were nominated to undertake this review:

Cllr Alan Atkin (Lab) as the Chairperson of the group, assisted by
Cllr Alan Buckley (Lab)
Cllr Allen Cowles (UKIP)
Cllr Dave Cutts (UKIP)
Cllr Clive Jepson (Ind)
Cllr Gerald Smith (Lab)
Cllr Caven Vines (UKIP)
Cllr Jenny Whysall (Lab)
Lillian Shears Co-opted Member

The group was supported by Dianne Thomas, Advisor Local Government Association and Centre for Public Scrutiny and Christine Majer, Scrutiny Officer.

The scope of the review that was agreed by the Task & Finish Group was :

Litter and fly-tipping are on the increase and are a blight on many areas across the borough. The Council spends a significant amount of money picking up litter and clearing fly tips. The purpose of this review is to identify ways in which the council can reduce the scale of the problem, change behaviours and attitudes and reduce its overall costs in keeping the borough clean through:

- More effective enforcement,
- Increased education, awareness and other prevention activity, and
- Involving businesses and local communities in prevention and clean-up.

The scope of the review was deliberately kept tight given the limited timeframe involved. In addition the review was conducted in parallel with the on-going discussions on managing the budget reductions for 2016/17 and beyond. It has therefore not been able to fully consider the impact of any budget reductions as these decisions have yet to be taken.

The first thing is to have a basic understanding of the definitions of the types of litter and to assist with understanding the issue of street cleansing.¹

One of the first exercises carried out by the group was to identify the types of litter, its location and who was responsible for dropping it. This was in order to better understand the most appropriate response to prevention.²

Following on from this initial scoping exercise, the review examined current prevention strategies in place (including enforcement) their costs and effectiveness. The group held six T&F Group meetings as part of undertaking this review. In the meetings lively discussions took place which provided much anecdotal information and shared experiences of incidents of litter and fly tipping with ward areas throughout the borough. Evidence was considered from the following officers and groups:-

Steve Hallsworth, Manager, Streetpride,

Shirley Hallam, Manager, Streetpride,

Richard Jackson, Manager, Streetpride.

Mark Ford, Manager, Safer Neighbourhood

Matt Finn, Manager, Housing, Asset Management & Neighbourhood Services

Chris Wilkins, Development Manager (South Team), Planning & Regeneration.

Tracy Holmes, Principle Officer, Communications and Marketing.

Nicola Hacking Neighbourhood Development Officer

Mr John Moralee, Wath resident

Mr Tim Wells, Dinnington resident.

Shaun Mirfield, Area Partnership Manager, Housing, Asset Management & Neighbourhood Services provided information .

RMBC Joint Working Group Parish and Town Councils, at their meeting of 10th December 2015

Chairs and Vice Chair meeting of Area Assembly meeting 18th January 2016.

3 Legal and Policy Drivers

¹ Appendix 1 terms and definitions of litter.

² Appendix 2 Results of T&F Group Discussion.

The Environmental Protection Act 1990 is the main legislation covering the litter and fly tipping. Although the act doesn't provide a comprehensive definition of litter or refuse and the courts have acknowledged that the definition is wide. The common definitions used in cleaning contracts is provided in appendix 3 as a glossary of terms and guide.

4 Background

ⁱ³**Local Authorities and Litter.** Local authorities are responsible for keeping clean all public land and roads within their boundaries, apart from roads for which the Highways Agency is responsible (i.e. trunk roads and motorways).

A grading system has been developed to guide local authorities and other duty bodies in the standards of cleanliness that should be achieved. There are four grades of cleanliness which corresponds to the levels of street cleanliness for litter.

The four cleanliness grades



Grade A

No litter

Grade B

predominantly free of litter, apart from some small items

Grade C

Widespread distribution of litter with minor accumulations

Grade D

Heavily affected by litter with significant accumulations

³ The ins and outs of litter and fly tipping. Litter Action.org.uk

Land categories and management levels - Table 1

	Level of intensity			
	High intensity of use	Medium intensity of use	Low level of use	Special circumstances
Description of use	Busy public areas which are prone to fluctuations in litter. These areas require both a high level of monitoring and frequent clearing	Everyday areas which are less prone to fluctuations in litter. Usually situated outside areas of retail or commercial activity, but used regularly by members of the public	Lightly used areas which are less prone to fluctuations in litter. Rural areas are usually categorised as low intensity, except for certain hotspots	Areas where issues of health and safety and practicability are dominant considerations when undertaking environmental maintenance work
Response time for clearing litter, if standards are not met and problems are reported	½ day	1 day*	14 days	28 days

* In Rotherham this target is 5 working days, due to the lack of resources available to respond to reported incidences.

5. Findings

Problems caused by litter and fly tipping are important to local people

In most surveys of public opinion about local council priorities in the UK, street cleanliness usually is close to the top of the list of priorities and concerns of local people. Rotherham is no exception; the Leader and Commissioner's recent roadshows held in 2015⁴ to consult with the people of Rotherham produced the following to be key local concerns:

- Better cleaner roads
- Safer cleaner Rotherham
- Young people – dislike of litter
- More employment and less poverty were sometimes linked with a safer, cleaner Rotherham
- 73% felt that clean and tidy streets were very important with less than 2% saying they were unimportant.
- From the Rotherham Show Consultation – 428 people out of 578 who took part in the survey put tidy and clean streets and well maintained parks and green spaces as their top priority.

⁴ Tell us your views on Rotherham – public consultation undertaken 2015

The costs of picking up litter and clearing fly tips are high

Despite recent significant cuts to spending in streetpride services there remains a public expectation that the local authority must keep the streets clean and clear of rubbish.

Staffing levels.

In recent years the budgets for street cleansing have been subject to reduction. Inevitably this has seen reductions in the level of staffing. Enforcement has also had a 50% cut in neighbourhood wardens and the loss of a 5 person dedicated Enviro-crime Team.

Management

In 2010 there were 16 posts involved in the management of street cleansing. Some roles had joint responsibilities for grounds maintenance functions and so the FTE for street cleansing was approximately 9.5

During 2010/11 the management/technical support team was reduced by 7 posts. Of these posts 3 were employed full time in street cleansing roles and 4 were posts with responsibilities in both grounds and cleansing services. In the intervening period 3 more technical/management posts have been deleted, (Technical support manager, Miscellaneous service Manager and Plant Manager) with the duties being shared out between the remaining managers/technical officers. Street Cleansing also took on responsibility for 3 more teams without additional management staffing being allocated. Currently there are 5 FTE management/technical staff working in street cleansing, plus a percentage of the time of the Leisure and community services manager. (These officers have responsibility for all the services which come under the street cleansing umbrella.)

During rationalisation of the Community Protection Unit as part of budgetary led service reviews in 2010/11 functions involved in the Enviro-crime enforcement activity resulted in the loss of 3 Neighbourhood Warden supervisor posts and the team leader position of the dedicated Enviro-crime enforcement team. In 2010 there was 53 operational staff involved in street cleansing activity. By 2011/12 that had reduced to 41. In 2015 an extra £200k was invested in Street cleansing in recognition of the fact that standards and response times were falling. Within this funding there were four full time Street cleansing posts bringing current operational staff to 44fte. Proposals agreed for the 2016/17 budget will reduce this to 43 fte.(at least – more may come out later in the process)

From the enforcement perspective there has been a significant reduction in the capacity for the enforcement of littering and other on street despoilment. From 2010 there has been a 50% reduction of Neighbourhood Wardens (currently 12 posts remain (9 posts filled)) and the loss of the 5 person dedicated Enviro-crime team.

The work of the Enviro-crime team was absorbed into the work of other Enforcement Officers' in the Community Protection Unit. Their focus, however, is prioritised to the delivery of mandatory elements of Council duties. Enviro-crime enforcement is a discretionary function.

Two Town Centre Wardens were retained in Streetpride to provide, as part of their duties, litter and other Enviro-crime enforcement.

Budgets

Since the introduction of the Collaborative Planning system the street cleansing budget has been monitored in 3 sections; environment, waste disposal and highways.

A summary of budgets for each of these sections over the last 6 years is shown below - Table 2

	10/11	11/12	12/13	13/14	14/15	15/16
Environment	286,597	248,069	239,753	178,819	178,819	216,804
Highways	1,413,294	1,102,194	1,039,564	1,093,494	1,057,494	1,239,096
Waste disposal	158,395	225,872	228,176	228,152	227,000	206,600
total	1,858,236	1,576,136	1,507,493	1,500,465	1,463,313	1,662,500

From 2010/11 to 2014/15 the annual budgets were decreased each year except for 2015/16 when additional funding was allocated.

Performance indicators as compiled by Association Public Service Excellence-
Table 3

Performance Indicator	Number in group	Highest in Group	Average in Group	Lowest in Group	Rotherham's score
Cost of cleansing service per household (including CEC)	12	£69.65	£33.00	£14.34	£14.34
Cost of cleansing service per household (excluding CEC)	14	£64.98	£30.30	£13.85	£13.85
Total staff costs as a %age of total expenditure (PI 06)	14	83.19%	68.54%	56.90%	64.90%
Front line labour costs as %age of total	14	77.57%	58.51%	41.86%	52.51%

expenditure (PI 33)					
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⁵Using other similar authorities as a benchmark and against the above performance indicators, Rotherham scores as providing a below average service in the league tables, however, expectations from the public remain high and litter continues to be a frequent source of complaints.

Importantly, as part of the strategy to retain Neighbourhood Wardens and a vastly reduced enviro-crime enforcement service, the Housing Revenue Account (HRA) has been to fund all but 3 Neighbourhood and 2 Town Centre Wardens. This, in effect, means that three quarters of the enforcement capability is targeted to areas with predominantly Council Housing stock.

Reducing the problem of litter and fly tipping is complex

Successful strategies rely on a combination of:

- regular and appropriate street cleaning and prompt removal of fly tips;
- effective education and awareness campaigns to bring about behavioural changes; and
- robust enforcement policies and practices.

Each of these elements has been considered in detail and the findings are summarised below.

Street cleaning and fly tip removal services

The Environment Agency collates and publishes benchmarking data from each local authority in England and Wales to identify the level of intervention and costs associated with removal and enforcement services. The costs are estimated from national formulae and may not reflect local expenditure. However, on reviewing the 2014/15 data, the comparators show that Rotherham has the second lowest fly tipping incident rate in South Yorkshire, took more enforcement actions than comparable size authorities, and was close behind the best performer in the county in terms of the percentage of enforcement warnings and prosecutions of fly tipping incidents.

	Incidents	Removal Cost (£000)	Enforcement Actions Cost (£000)	Warnings from investigations (and as % of incidents)	Prosecutions (and as % of total incidents)
Sheffield	10011	448	349	2804 (28%)	9 (0.8%)
Doncaster	4498	402	207	643 (14%)	19 (4%)
Barnsley	3057	124	5	33 (1%)	4 (1.3%)
Rotherham	3413	225	73	776 (22%)	10 (2.9%)

⁵ Apse performance network. Street cleaning 2014-2015, Issue 1

Table 1 - Flycapture data - Incidents, Costs and Outcomes 2014/15 – Environment Agency benchmarking data. source: www.environment-agency.gov.uk

In 2005 Streetpride had stretch targets to achieve for fly tipping. 2005 also saw the introduction of the two weekly bin collection services. The government at the time gave RMBC £70,000 pump priming money to fund enforcement and provide education campaigns. Over a period of 4 to 5 years, RMBC were measured on incidences of fly tipping and the removal of graffiti. In total £250,000 was made available to Rotherham and all the set targets were achieved.

One element of fly tipping can be seen when people go to a Household Waste Recycling Centre on the one day in the week that it is closed. Rather than take their waste to another site or return another day with it, the waste is left at the gate of the centre. As with all incidents of fly tipping the waste is searched for any means of identification as to where it has come from. Any information is followed up on either by the Council or South Yorkshire Police.

From the discussions within the group certain hotspot areas within the borough were identified e.g. Ferham and Eastwood. Information provided by the Area Partnership Manager outlined details of proposals to help reduce fly tipping in the areas.

- A possible chargeable house clearance scheme linked to Selective Licensing given that the source of some fly tipping comes from the high levels of property turnover.
- the importance of considering proposals which meet the needs of particular neighbourhoods e.g. impact of extra black bins on reducing side waste in Eastwood Village.
- The need to engage community / local partners.

How can businesses get involved in keeping the streets clean?

Much discussion took place around the siting of litter bins. In 2003 litter bins were seen as the panacea but experience shows that 50% of waste goes in the bin and the other 50% is on the floor near of around the bin. There are approx. 1,100 litter bins around the borough. There is a continual monitoring approach as to which bins are under/over used and the collection schedules are adjusted accordingly. There is no capacity within the waste collection team to empty any more bins. There are Health and Safety implications as to the capacity of bins individuals can lift. The type of material the bins are made was also considered.

The current budget for the repair / replacement and any landscaping costs incurred when undertaking the installation is £8,000.

The type of litter found in the borough relates mainly to fast food, plastic bottles and confectionery wrappings. Fewer cigarette ends are cleared up due to the fact that the number of people who smoke has reduced, also chewing

gum is no longer the big issue it once was, but dog fouling still remains an issue.

MacDonald's the international fast food provider is active in keeping the local area around their restaurants clean of litter.

It was suggested that it was easier to link with business in Rotherham Town Centre as opposed to businesses in the outlying areas due to the availability of 2 Wardens. Other suggestions put forward were that part of the cost of doing business should include an element within their council tax for emptying litter bins in the vicinity of their business. Questions were asked about the possibility of including conditions on planning permissions for those businesses that require and are allowed by Streetpride to have a bin located near their premises, could the condition include that the business is responsible for emptying the bin as opposed to the Council

One issue identified with local businesses and litter bins in the vicinity is that the business owners use the bins for their own litter. The issue of commercial waste collection has recently been identified as an area of work that RMBC could be better at doing and recommendations have been made in relation to improving and increasing this service provision.

Litter bins located near bus stops are purchased by South Yorkshire Passenger Transport but the cost of emptying those rests with RMBC. It was queried whether an approach could be made to the transport companies for them to contribute towards the cost of emptying bins. Under the Cleaner Neighbourhood Act, the Council has worked with businesses and many examples can be provided, but businesses now use non livery packaging so it is difficult to tell where the litter has originated from. As an attempt to educate shop users, businesses should be encouraged to display a sign on the premises, not to drop litter.

How can local communities become involved in keeping their neighbourhoods clean and tidy?

An example was given relating to Hexthorpe in Doncaster, where community bins which are linked to community skips. Discussions took place around this idea in that wasn't it better to educate people about not littering and fly tipping and of the appropriate ways available to them to dispose of their waste. Considerations were also noted that all areas of the borough would want this provision and it is likely to encourage residents to save all their waste until the time the bins/skips are available. The cost to the Council would be related to provision of bins and skips but as there is little control of what waste is included in the skips this could lead to disposal costs being high.

The Council does have a bulky items collection services which is £21 for up to 3 items, with £15 for a further three items, the maximum number of items to be collected being 9. There is a 50% reduction for Rothercard holders.

It has been noted that people leave out scrap items for local scrap dealers to come and collect the items. As there are no regular collections, the items could be littering the streets for days/weeks.

Various community campaigns have been started such as Rotherham Voice and Love your Town. However the feeling was that these are fine for Rotherham Town Centre, but have little impact on outlying areas.

The T&F Groups took the view that the more people that were involved in keeping Rotherham clean would be an advantage and promote the ethos of public pride and communities taking responsibility for their local area. The options of improving partnership working by the Council working closer with Town and Parish Councils, Area Assemblies, Area Housing Panels, local contractors e.g. Morrison and Wilmot Dixon who have a corporate responsibility under existing contracts with the Council. This would require effective co-ordination to ensure that resources are pooled and used in an equitable way to achieve maximum effect. It was mentioned that some Town and Parish Councils already employ people to keep Town and Parish areas clean.

The street cleaning machines available to the Council include 2 large mechanical cleaners, 1 small cleaner in Rotherham Town Centre and 1 small cleaner in Wath Town Centre.

During the time that this review was being undertaken good examples of best practice have been found with several Councillors informing the group of clean up days in their wards, very often lead by them. There is work with the community on this issue going on in the borough, an example found during the research was of the work in Maltby⁶.

As demonstrated with the examples from Maltby, working with the community and voluntary groups requires a level of co-ordination to keep the groups motivated and involved. What should also be appreciated is the amount of time it takes to develop community interest into a group. The T&F Group welcomed the idea of the appointment of a "Love my street" co-ordinator but is disappointed regarding the time it is taking to make an appointment to the position. It is hoped that this position will be able to work in partnership with Parish Councils and the Area Assembly and co-ordinate clean up campaigns and applying for funding to support the work.

Information was shared that RotherFed have small community grants available for environmental projects

Education and awareness

Examples of previous successful initiatives completed in Rotherham in more affluent times and which were indeed award winning schemes for Rotherham, making them exemplars in this field of work e.g. Toxic and Enviro-crime.

Education

The first point to note is that any education campaign aimed at changing the cultural thinking of people takes resources and time along with a rotation of different campaigns relating to the same topic. The T&F Group thought that

⁶ Appendix 3 –Litter picking initiative in Maltby

the subject of litter should be included in the schools' curriculum but this should not be the only form of learning and that parents need to set an example also. The public need to learn that it is their responsibility not to create litter and not RMBC's responsibility (other than stated in the Environmental Protection Act 1990) to have it cleared up and to clear it away costs public money.

Past educational activity by the Neighbourhood Wardens and the Enviro-crime team created campaigns utilising principles of social marketing, The "Toxic" campaign in schools linked education, school litter picks and enforcement activity with noted successful local environmental improvement. The campaign was nationally recognised by Encams (Tidy Britain). Since the reduction for budgetary reasons of the Warden team and loss of the Enviro-crime team, education campaigns have been minimal and reliant of Tidy Britain resource.

The current level of enforcement in relation to littering was considered to be very low and there is a much higher chance of being fined for car parking offences in the borough. Considering that the education campaigns do not reach everyone then potential perpetrators need to understand that meaningful fines/punishments will be applied to those who drop litter.

An officer from the Communications Team attended a meeting to assist with the idea of having a publicity campaign on the RMBC website regarding littering.

Research identified that some local authorities have an App which can be used on mobile phones for residents to report incidents of litter and fly tipping. Although initially this appeared a good idea to explore further, once further questions had been asked about implementing such a system in Rotherham, it was thought that existing systems are adequate. In light of the discussions it would be possible to look at what happens to the report once it is received by the Council. Currently the information is received by the Press Office. The other point to note when responding to reports from the public, as it is an instant messaging service, their expectations of how quickly the issue they have reported can be dealt with needs to be managed.

Ways of providing an education campaign were put forward, it was decided that one immediate low cost option would be to include information on the Council's website. Further consideration of the message and content for the webpage would need to be agreed with colleagues in Communications.

At a national level there is a campaign being promoted to keep a street clean to mark the Queen's 90th birthday later this year. It was suggested that any new initiative should be incorporated into or follow on from this campaign.

Enforcement

a) Enforcement - Litter

There is currently no up to date Enviro/Enforcement Strategy in place to provide a framework for officers to work to. The last Enviro-crime strategy

covered the period 2006/2009 and promoted the ethos of respect and responsibility for keeping the local areas clear of litter. However, it should be noted that Councils are not required to enforce litter or fly tipping, but RMBC chooses to do so. The goals outlined in the strategy were to improve the environment, increase pride and a sense of ownership and improve relationships between services and local residents.

Since the reduction for budgetary reasons of the Warden team and loss of the Enviro-crime team, prioritisation for on-street litter has, however, reduced (targeted to hot spot areas).. The work of the Neighbourhood Wardens being channelled into wider neighbourhood issues eg accumulations of rubbish in back yards which give rise to immediate public health concerns (in particular in deprived neighbourhoods). This has focused the Neighbourhood Wardens on Council mandatory legal duties and, as a consequence, de-prioritisation of street litter enforcement and, for a while a stop on the issuing of Fixed penalty notices(FPNs) for some types of littering ie cigarette litter. It is fair to say that the budgetary led reduction in staffing levels has caused a serious loss of staffing capability for patrol and on-street enforcement. A key issue is that in order to enforce required the officer/Warden to see the litter being dropped – less on-street patrol reduces this likelihood. Previous high levels of FPNs issued were was a result of a very focused performance orientated requirement placed on the Wardens and often led to enforcement activity being in areas of the Borough with less need of neighbourhood improvement.

The task of litter enforcement has been brought into the remit of other job descriptions e.g. Police Community Support Officers (PSCO's),

Community Protection Unit Enforcement Officers (including EHOs) Dog Wardens, Town Centre Wardens, Housing Officers but the number of actual Neighbourhood Wardens has decreased and as such, due to deployment to other mandatory duties, Rotherham, in effect, apart from the Town Centre Wardens, does not have "Street Wardens. In 2013 the Council accepted the principal of widening enforcement powers to other non-traditional Enviro-crime jobs – the problem being that those other jobs cover more specific and mandatory duties relating to other Council functions. This means there is a lack of prioritisation of those officers to the Enviro-crime function. Some staff also do not feel confident to speak to or confront people who drop litter.

In 2010 RMBC employed 24 Neighbourhood Wardens but to meet budgetary reductions by 2015 the number had halved to 12. It is uncertain at this stage if any further cuts will be implemented as part of the current round of budget negotiations. One suggestion put forward was that employees needed to multi task and become "jack of all trades" and that the role of enforcement be included in more job descriptions e.g. Parking Wardens and Street Cleaning Operatives. The counter point to this was that this element of work should only be included in the appropriate level and skills of post and that more notice is taken of a person in uniform which promotes an air of authority.

Reducing resources have resulted in the Council exploring the use of private companies to strengthen existing resources (nb not replace) to enforce litter and local despoilment fines with a percentage of all fines issued being

returned to the Council (to be at least a cost neutral service). Previously this has not been politically acceptable and has as a consequence not been, pursued.

At present, enforcement activity comes under two sections in Environment and Development Services, Streetpride in relation to the 2 Town Centre Wardens and the remainder of the service is located in Housing Management and Neighbourhood Services. Discussions identified whether this was appropriate in providing an efficient and effective service.

The current issues in relation to enforcement can be noted as

- The service has limited and reducing resources
- No preventative measures are undertaken
- Enforcement, research has shown that this is not a tool to change behaviour
- Enforcement, people don't think they will be caught.

The ability to impose fixed penalty notices for littering has reduced as the budget resources have reduced and at this point it becomes inappropriate to invest in non-statutory services. In 2012/13 £30,000 was received as income from fixed penalty notices issued and this funded the post of a street warden.

Enforcement can be carried out at Town and Parish Council level but training is required to be undertaken via the Keep Britain Tidy Group at a cost of £450 per person. If this option was pursued, RMBC would need to ensure that a consistent approach eg FPN level being maintained across all Town and Parish Councils with regards to enforcement. Once a fixed penalty notice is issued, any legal actions would then be followed up by RMBC.

b) Enforcement - fly tipping

Fly tipping enforcement is undertaken by the Community Protection Unit and when there is evidence prosecution of offences take place. These are given media coverage. Fixed Penalty Notices are also used for small quantities of fly tipped waste (ie classed as litter). There is both reactive and proactive activity with respect to fly tipping. Linkages with the clean-up crews of Streetpride enable evidence to be identified before clear up.

Over the 5 year period since 2010/11 there has been an overall increase in the number of fly tipping incidents by 35% with a 17% increase in the last year alone.

Between 2009 and 2013 there were significant reductions in all types and sizes of waste fly tipping with the exception of domestic waste which saw a 44% increase in that time period.

2014/15 saw significant increases in almost all types and sizes of waste being fly tipped. For example there was an 11% increase in fly tipping on the highway from 2792 incidents to 3104. Green waste fly tipping increased from thirty-six incidents to eighty-five (136%) and construction/demolition fly tipping increased by 30% from 259 incidents to 336. In the same period, domestic waste incidents rose by 9% from 2,451 to 2,666 incidents.

Evidence from officers endorsed the fact that the RMBC Legal Services support cases with sufficient evidence to start legal proceedings against those caught fly tipping. This role of enforcement comes under Housing Asset Management and Neighbourhood Services.

Of the almost 3,500 incidents of fly tipping in 2014/15, 1,354 were raised as service requests for the Community Protection Unit to investigate, with a steady increase in demand up to 54% over the 5 years period.

Of these up to four percent have result in a fixed penalty notice or prosecution? This low proportion is due to the difficulties in proving for example, who deposited the waste beyond a reasonable doubt. Cases can only progress if there is CCTV evidence, a direct witness who is willing to go to court or material in the waste which connects an individual to the offence. With domestic waste it is difficult to identify the source of the waste as people ensure they don't include information which is likely to lead by to them.

Formal enforcement actions, as a proportion of all service requests have reduced from 4% to 2% over the 5 year period, with fluctuations in the overall number of enforcement outcomes year on year.

Number of formal enforcement outcomes and service requests handled 2010-2015 – Table 4

	2010/11	2011/12	2012/13	2013/14	2014/15
Service Requests:	881	967	1047	1252	1354
FPN - Waste Offences - excl. Litter:	24	29	27	39	17
prosecution	12	7	2	6	10

All cases brought by Rotherham have resulted in successful prosecutions. Magistrates will not hear a case without the defendant being present in court, rather than postpone the case, Magistrates prefer to have the defendant arrested, if this happens, the RMBC officers are able to question the defendant whilst under arrest. This demonstrates how serious the Magistrates are taking the crime of fly tipping and of the willingness for RMBC Officers to progress prosecutions.

The fines imposed by Magistrates are sent to the Home Office account and any court costs are received by RMBC, which can equate to the cost of the fine and this contributes towards the cost of legal services, so it's not a source of income the Council can rely on.

Of the total number of reported incidences, 57% of cases have resulted in the perpetrator receiving a warning; this figure in Sheffield is 38% and 29% in Barnsley.

Input to the review by local residents

Two local residents took part in the review, both being keen community activists regarding keeping their local areas tidy.

A view shared by both residents is that litter breeds litter and that seeing litter is almost an approval for others to do the same.

Other points raised by the residents included:-

- Too many managers in Streetpride who do not work in a co-ordinated way.
- Hot spot areas not being dealt with and the same issues being around for years. Warren Vale⁷
- Not picking litter prior to cutting the grass on public land
- Streetpride can collect litter on public verges but when the litter is inside a school boundary it is then the responsibility of the school to keep their areas clean. No response on this matter was received from the head teacher.
- Involve schools in community clean ups and any community forums that exist.
- More education is required for children so that they can influence their parents.
- Promote an ethos of respect and public pride. Suggested strap line "Respect Rotherham"
- Unemployed people are co-opted to pick up litter.
- Increase fines for dropping litter.
- Issue of allotments in private ownership being abandoned.
- Need for easier reporting of littering and fly tipping.
- Need co-ordination with grounds maintenance on cutting back overgrown vegetation to discourage littering.
- Encourage more local residents to get involved in litter picking sessions e.g. identify volunteers within certain postcode areas.

6 Conclusions

A conclusion arrived at by the group is that the Council needs to involve the people of Rotherham in more consultation exercises and reviews to help them understand what is happening in relation to budget cuts and emphasise the dwindling resources available to the Council. These dwindling resources will mean that fewer services are able to be provided by the Council and that individuals will need to take responsibility for not dropping litter and fly tipping which require use of limited public service to rectify. In the main it's everyone's responsibility not to drop litter but where it does occur other elements of society need to assist with keeping the streets around their environment clean e.g. businesses and local schools.

73% of people who took part in the consultation roadshow in 2015 identified that they thought tidy and clean streets were part of their top priorities, but the incidences of litter and fly tipping are still occurring. In order to prevent it continuing, the group felt that a cultural change was needed and people needed educating to learn that litter and fly tipping is not acceptable in the

⁷ There are Health & Safety issues with clearing the site at Warren Vale

society of today and to take pride in their public areas. It was thought that schools had an important role to play in this cultural change.

The group felt that an increase in enforcement around littering would become a deterrent to people dropping litter. The recent “name and shame” campaigns in relation to fly tipping in the borough appear to be having some impact.

Previous experience has shown that Rotherham can achieve all set targets in relation fly tipping and removal of graffiti, but that was when funding was available from central government. Discussions in the T&F Group identified that it is about the availability of funding and in recent years whilst experiencing budget cuts, the service has achieved “more for less” but now there is no room for manoeuvre within the service.

The results from APSE show that Rotherham provides a below average service in terms of costs, which are the results of salami slicing budgets cuts since 2010/2011 and a situation which will not improve in the near future. A further piece of work to be undertaken when making reductions to budgets is the impact on the service being provided and what outcomes will occur as a result.

There is a cost to keeping the streets clean and if the occurrence of litter still appears then ways of gaining income to deal with the matter should be sought, e.g. applying a tax to cans and plastic bottles.

An element of fly tipping is seen outside the Household Waste Recycling Centre’s and it is a fact that in order to meet the growing population and the increase demand for housing provision and the expectation that the Council has to do “more with less” is there the opportunity when new housing estates are developed that within the contract there is an element of continued support in relation to maintenance of the development in future years. Following on from this idea it was suggested that as the population increases then the overall amount collected from council tax will also increase, would it not be an idea to include the public in the budget setting process for them to say how they would like their taxes to be spent. This would indeed need a change in how the budgets are set within the Council.

The T&F Group felt that it is difficult trying to make commendable recommendations as part of this review at a time when the service is being reviewed. Support was given to the employment of a Love My Street co-ordinator, but to be aware that this is one person and to be aware of what can be achieved and those expectations from the public need to be managed.

The public’s perception is that enforcement is one tool in the fight to keep the town tidy. There is a cost to the Council in clearing up the litter and with re-occurring reductions in budgets; there is little manoeuvre room in street cleaning service. The importance of providing an enforcement role to prevent litter is not a priority due to lack of resources.

Fly tipping appears still appears to be an issue and but there has been an increase in the number of successful prosecutions brought to court. The

introduction of a recent “name and shame” campaign highlighting the prosecutions was seen as a positive move by the T&F Group.

Resources such as tabards, litter pickers, plastic sacks and gloves are available for use by the public who take part in community litter picks, but what needs better coordination is the collection of waste by Streetpride.

The T&F Group would welcome the return of such successful campaigns as Toxic.

The pending recruitment of a Love my Street Co-ordinator is seen as a positive step, but concerns were raised about the length of time the process is taking and to be conscious of the fact, that this is one post with a large remit with little or no budget attached to it.

A campaign to raise awareness that littering is an offence as the incidences of fly tipping are reported but littering is not. The group welcomed the development of a borough wide education campaign, with one option for the local businesses to display – “don’t drop litter signs”, which could be as a result of a competition in schools for young people to design a poster for the campaign.

7 Recommendations

That Improving Places Select Commission has the opportunity to re look at this piece of work once the restructure of services within Environment and Development has been completed.

Given the importance of the Love my Street post to co-ordinating the issues outlined in this review, Members would welcome this post be filled as soon as possible.

The development of an anti-litter campaign including the actual cost to the authority for cleaning up litter and that fines for litter will be enforced

Closer partnership working arrangements are encouraged between the Council, Area Assemblies, Area Housing Panels, Parish Council and Council contractors on the issue of litter.

All Councillors should take an active role in their community on issues that arise.

All newly elected Councillors should be encouraged to co-ordinate the local groups.

8 Thanks

Steve Hallsworth, Manager, Streetpride,

Shirley Hallam, Manager, Streetpride,

Richard Jackson, Manager, Streetpride.

Mark Ford, Manager, Safer Neighbourhood

Matt Finn, Manager, Housing, Asset Management & Neighbourhood Services

Chris Wilkins, Development Manager (South Team), Planning & Regeneration.

Tracey Holmes, Principle Officer, Communications and Marketing.

Shaun Mirfield , Area Partnership Manager

Nicola Hacking Neighbourhood Development Officer

Mr John Moralee, Wath resident

Mr Tim Wells, Dinnington resident.

Terms and definitions for litter.

Litter is commonly assumed to include materials often associated with smoking, eating and drinking (including chewing gum), that are improperly discarded and left by members of the public or spilt during business operations as well as waste management operations. Under section 98(5A) of the Environmental Protection Act 1990 anyone dropping or leaving litter can be prosecuted under this Act.

Refuse should be regarded as having its ordinary meaning of waste or rubbish, including household waste and commercial waste.

Detritus which comprises small, broken down particles of synthetic and natural materials, arrive at the site through the same displacement effects associated with the same displacement effects associated with mechanical, human, animal and natural actions, most of which also determine the distribution of litter. Detritus includes dust, mud, soil, grit, gravel, stones, rotted leaf and vegetable residues and fragments of soft twigs, glass, plastic and other finely divided materials.

Detritus on metalled highways must be removed as a requirement of the s.89 duty to keep the highways clean and it is also recommended that detritus should be removed alongside litter and refuse by duty bodies from all over hard surface as well.

Fly tipping. The illegal disposal of controlled waste is commonly known as fly-tipping other than in the offences set out in section 33 of the Environmental Protection Act 1990, including the deposit or disposal of controlled waste without a waste management licence, or its disposal in a manner likely to cause pollution of the environment or harm to human health.

Improving Places Task & Finish Group 2 Litter and Fly tipping				
Results of T&F Group discussions at their meeting meeting 31st July 2015				
	Site/ location	Who is responsible	Who is responsible	What to do to solve issues
1	Outside bakeries and sandwich shops	Everybody	There should be a bin. Business holder is responsible - ensure it is useable and for emptying the bin. Specify the type of bin.	Business responsible for bins/enforcement. Both offenders who drop litter and the business who has not complied with requirement to provide facilities
2	Schools	School children and their parents	Schools	Education; communication; good practice; children to produce their own materials and suggest solutions
3	Traffic lights	Motorists	RMBC	Cameras; enforcement
4	Grass verges	Motorists	RMBC	Litter picks
5	Shopping precincts	Everybody	Precinct areas/RMBC	Business responsible for bins/enforcement. Both offenders who drop litter and the business who has not complied with requirement to provide facilities
6	Housing estates	Motorists/residents/visitors	Occupants/TARA's RMBC	Enforcement; housing champions; TARA's; tenants
7	Car parks	Motorists	RMBC/owners	Enforcement; owners
8	Streets in general	Everybody	RMBC	Enforcement; street sweepers; parish councils; community cleanups
9	Takeaways/fast foods	Young adults 18/30	There should be a bin. Business holder is responsible - ensure it is useable and for emptying the bin. Specify the type of bin.	Business responsible for bins/enforcement. Both offenders who drop litter and the business who has not complied with requirement to provide facilities
10	Bus stops	Teenagers	Transport Executive	Transport Executive; enforcement; education
11	Bring sites	Adults	RMBC/business owners	Whoever owns it
12	Fly-tipping	Builders/DIY/d rug users	RMBC	Enforcement; cameras in hotspots Taraget hardening / Boulders in place
13	Derelict sites/building sites	Builders/DIY/d rug users	RMBC/owners	Enforcement; cameras in hotspots Taraget hardening / Boulders in place
14	Leisure areas	Everybody	RMBC/owners	Enforcement; cameras in hotspots Taraget hardening / Boulders in place .

Appendix 3

Who's responsible for what

Organisation	Responsible for	Who to contact
Local authorities (district councils, county councils, unitary authorities and London boroughs)	All public land and roads within their boundary (except for roads for which the Highways Agency is responsible – see below)	This depends on each authority. To find and contact your local authority go www.cpre.org.uk/campaigns/stop-the-drop
Highways Agency	The tidiness of all motorways and major trunk roads. These are listed on the Highways Agency's network map. Visit www.highways.gov.uk ; search for 'road network map' and click on the second search result	Complaints about litter or fly-tipping can be made to the Highways Agency Information Line 08457 50 40 30 . If you see a driver throwing litter out of a car window, make a note of the number plate and call the local police. The police can issue a fine of £75 or more
Network Rail	All land between the tracks, as well as up to 100 metres from the end of the platform. Responsible for all railway land in urban areas. Seventeen key railway stations (Birmingham New Street, London Cannon Street, London Charing Cross, Edinburgh Waverley, London Euston, London Fenchurch Street, Gatwick, Glasgow Central, London King's Cross, Leeds, Liverpool Lime Street, London Liverpool Street, London Bridge, Manchester Piccadilly, London Paddington, London Victoria and London Waterloo). The remaining 2,500 stations are managed by the train operating companies	Please call the National Rail Helpline 08457 11 41 11 if you have complaints about the level of litter on the stations managed by National Rail. Contact the train operating companies for the remaining 2,500 stations
Environment Agency	Large-scale incidents of fly-tipping (more than a lorry load), hazardous waste in drums, and waste dumped in a way that is a threat to human health or to the environment	Incidents can be reported 24 hours a day on 0800 807 060 . The Environment Agency also investigates unregistered waste carriers and brokers. To ensure your tradesman or skip hire is a registered waste carrier, call 08708 506 506 .

National Trust	Land and property the Trust owns and maintains	Litter problems should be reported to National Trust regional offices or its head office 01793 817 400
Forestry Commission	Land managed by Forest Enterprise England	Please contact the relevant Forest District Office to report litter problems. For contact information visit www.forestry.gov.uk , search for 'district office details' and click on the 'Local Offices' link
National Park Authorities	All land falling within National Park boundaries	Please contact the appropriate National Park Authority if you have complaints or concerns. See www.nationalparks.gov.uk/contactus for further details

Litter Picking Initiative in Maltby

- **Junior Wardens - after School Club** - The Junior Warden scheme is an out of school educational programme working with young people between the ages of 7-11. The programme encourages the young people to take responsibility within their own communities and around where they live whilst staying safe. Over a six week period the Junior Wardens lead by WV Area Assembly and a staff member from the Craggs Community School will work with partners such as, PCSO's, Housing Officers and SYHA Officer on different activities in their community. The six weeks sessions include local area walkabouts, Community Litter picks, a recycling workshop (Rotherham Can Project), and a trip to Lifewise at Hellaby.

Once the 6 weeks sessions has finished the Junior Wardens continue to meet once a week after school (to the end of the summer term then Sept- October half term) and put into practice what they have learnt. This will include regular litter picking, collecting cans for recycling, art projects and celebration events.

This scheme has been running for the past 6 years and developed over time to fit the needs of the school and the community.



Junior Wardens Litter picking in their community



Aluminium recycling work shop – Cans collected by young people are



Crags Community School and Junior Wardens art work was turned into a notice on the side of a bin lorry for encouraging residents not to drop litter. Funded by the 'Love my streets' initiative.

- **Maltby Clean Up** – Maltby Clean-up is a Maltby wide initiative that has been led by Maltby Town Council with support from Wentworth Valley Area Assembly and other partners including Streetpride. The clean-ups have been held once or twice a year and they provide an opportunity for residents to get involved and help tidy up their community. Activities include community skips, litter picking and fun activities to engage the community. Over the years community groups, TARAs, the local children's centre and the local primary schools have helped by organised litter picking in their own community.
- **Maltby, Abbey Reach – Environmentalists** are a group of residents and young people who regularly meet to organise litter picks in their area. This group was supported by WVAA and is led by SYHA who have provided training, public liability and DBS checks for volunteers to organise community clean ups. This new group has made a big impact in their area and have been recognised for their hard work by winning an Award from Maltby Town Council in Autumn 2015. They have also been nominated for a VAR Community Achievement Award (winners to be announced 20th November 2015.)
- **Maltby Model Village Community Group** – This group collect and weigh in aluminium cans for recycling by litter picking in their area. They also collect cans from other groups including Crags Community School and the Maltby Linx Youth club. The money raised helps Maltby Model Village Community Association fund a free fun day or community activities during the summer months for all the community.
- **Litter picking activities** have been organised in communities with partners and used as an opportunity to engage with communities. We have rewarded volunteers who take part by providing refreshments or snacks (Wetherspoon's in Maltby have provided free bacon butties to anyone taking part) or free fun

activities have been organised as a reward such as Treasure Hunts, Fun days and craft activities.

- **Small Wooded area in Maltby** – We are working on clearing and improving a small wooded area in Maltby which has historically been used for flytipping. With partners we are looking at funding for a new path, install bird boxes, build insect habitats and new planting to encourage residents to look after a beautiful area in their community with help from local groups and primary school.

Limitations

- The success of the Junior Wardens scheme at Maltby Craggs Community School has been through the commitment given by the school to this project. I have worked with the same dedicated school worker throughout this project (5 years) and partners have also provided expertise and funding where needed.
- Maltby has a number of committed community groups who care about their environment and with encouragement and support from partners we have been about to develop their ideas to help them evolve into sustainable projects.
- All groups are given help with risks assessment and encouraged to have public liability insurance. If groups are working with young people they are required to attend safe guarding training and for members to be DBS checked.
- Funding – All of the above have required some sort of funding for initially setting up the project i.e. equipment etc.