

Title	Fly tipping within Test Valley		
Report of the Head of			
Author	Chairman of OSCOM	Ext	
Report to	Overview and Scrutiny Committee	Date	

Main focus of the document

Meeting of OSCOM Chairman 2 November 2017

Attended:- Head of Legal and Democratic Services, Head of Environmental Services, Cllrs Dorothy Baverstock and Cllr Ian Hibberd.

Reference;-Fly tipping within Test Valley.

Cllr Hibberd started by pointing out he had heard that Broadlands had needed to spend over £30K on removing fly tipping from their land, and he felt the penalties were not harsh enough within Test Valley. However, it was pointed out that TVBC have no responsibility to collect Fly tips or litter etc. on private land but they can help with evidence for prosecution if possible.

It was pointed out that within Test Valley there are between 800 and 1000 cases of fly tipping annually and these are reported by residents for action or collected proactively whilst undertaking operational routes. The details of the fly tips are recorded by TVBC employees (Street Cleaners) and compiled on the 'Waste Dataflow' system.

The Head of Legal and Democratic Services pointed out that there were penalties available with

- Fixed penalty for litter £80 (and for very small scale fly tipping)
- The potential to issue FPNs for Fly tipping up to £400 (though we have not adopted this option at TVBC)
- Court imposed penalties including prison, legal costs and cost of clearing the fly tips and fines which are set in accordance with sentencing guidelines which provide for a range of fines depending on the culpability of the offender and category of harm caused.
- Under certain circumstances offenders can be issued with a formal caution as opposed to prosecution
- There were three cases awaiting court action this year. One particular case involved use of cameras with good footage of crime.

The problem of HCC wanting to close Bunny Lane again was a concern and it was felt a letter to HCC asking about the announcement re Bunny Lane seemed to be a quick win by suggesting closure and then keeping it open. There was a possibility of asking the Portfolio Holder of HCC to come along and explain the rationale of closures and how sites would be chosen.

Bunny Lane closure, for refurbishment, did not show any extra fly tipping. Paul will supply figures reference fly tipping showing any increase or decrease over the last few years.

It is estimated that the removal of fly tipped waste costs TVBC between £50k and £80k per year.

It was felt education was the best way to alleviate fly tipping especially pointing out to residents that collections have to be carried out by licensed contractors and if their refuse was fly tipped they may be liable. Also any prosecutions will be 'advertised' in the two local papers and on Social Media to try and deter future tipping.

Proposed Outcomes for consideration

The meeting was very useful to understand the problems with fly tipping and explanations of penalties, the work being done by TVBC staff and in particular prosecutions coming in the very near future.

It was suggested, after the meeting, that a 'whistle blowing' hot line be advertised extensively to residents to give confidential information and position of fly tips within the Borough. However, this idea simply wouldn't work. Reporting fly tipping in confidence would not lead to prosecution because we would have to rely on witness statements as part of the investigation.

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	
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