

A review of all aspects of waste management in the district (Part 1)

Q1: (a&b Cllr Green, d&e Cllr Gooch)

(a) The online reporting form requires the user to register on the ESC portal. Can they not use the form without registering? Please can you share the form with the Scrutiny Committee at the meeting, please, to allow us to review the form. [How to report fly-tipping » East Suffolk Council](#).

Residents are required to set up a 'My East Suffolk' account to use any of our online services. A copy of the form can be found [here](#). However there are other methods of reporting issues – for example, via ward councillors, or over the phone with customer services.

(b) If the complainant chooses not to register, they can telephone in to report, however, the Contact Us page – A – Z does not list Fly Tipping. Please can you clarify the following:

- No telephone number provided either Norse out of hours or ESC Customer Service.
- The Out of Hours emergencies list 0800 440 2516 – can people use this for reporting Fly Tipping?

Fly-tipping is covered under '[Waste](#)' on the A-Z. If residents wish to report fly tipping over the phone, the main customer service number is to be used – 0333 016 2000. Residents telephoning this number outside office hours will hear a recorded message directing them to the relevant out-of-hours number to report emergencies. Fly tipping can be reported using the emergency out of hours number provided by this message.

(c) Please can you explain the processes once the report has been received? Is the online report monitored by ESC and/or Norse?

If the Fly Tipping is on the A12 or A14 laybys should this still be reported via the ESC portal or by telephone, or is this a Suffolk Highways issue and the caller will be re-directed?

Once an online report has been submitted, a copy is immediately sent directly through to Norse, copied to the Environmental Protection Team. All instances of fly tipping on a public highway are to be reported to the District Council, as it is the waste collection authority who has the responsibility to clear fly tipping on all public land. The Norse back-office team record the details of the fly-tip using the database software provided to them by ESC for that purpose. The same database software provides case management and reporting facilities to enable Norse Waste Management officers to record their activities in a consistent and structured way and to enable us to view information about their activities both in real-time and by running retrospective reports.

(d) Paragraph 2.22 regarding the formulation of a more robust system of reporting. Can more details be given, please, and by when is this expected?

Examples of the types of report it is possible to generate are given in the appendix and include time taken to achieve certain objectives in each case, numbers and types of activities undertaken in respect of fly tips and of course the breakdown of the type of waste, the type of location it has been deposited and the quantities involved. The availability of a reliable source for this information opens possibilities for including certain statistics as performance indicators, forming part of the contract.

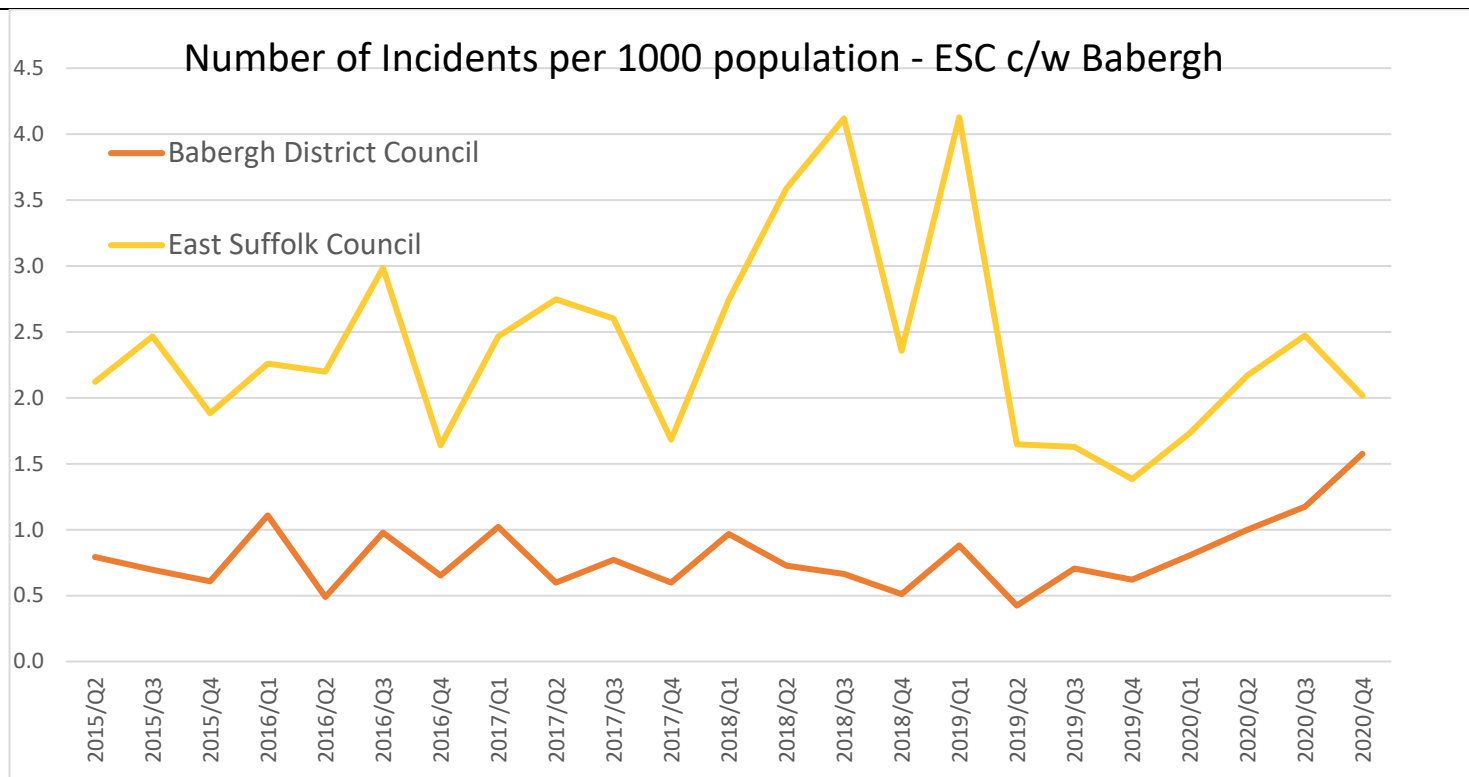
(e) Is ESC and Norse monitoring topographically the 'hot spots' for illegal waste? If so, what type of active monitoring is taking place? Could CCTV cameras be considered and if not, why not?

The database software used for capturing information about fly tipping also provides the facility for plotting incidents on a map. This does give a good indication of hotspots; however at present we do not use these maps for that purpose since information about hot spots, so far as we are able to plan any response to deal with them, is apparent to the Waste Management Officers from their daily exposure to the incoming work. There is no proactive monitoring of hot spots at present. CCTV is not being used to monitor hot spots at present. CCTV could be used, subject to resources being available to acquire the necessary equipment and training to be provided in its lawful use, however, our previous experience of mobile CCTV is that the cost benefits require careful consideration, since the costs of acquisition, maintenance and deployment are often high and the results uncertain.

Q2: Cllr Newton

(a) In an EADT article headlined "***Probe launched into Industrial Scale Fly-Tipping at beauty spot***" and dated 26 February 2021, Babergh and Mid-Suffolk claimed that, "**The team investigated and cleared 99% of the [Fly-Tipping] reports within our target of 48 hours**". Could you explain why Babergh and Mid-Suffolk's performance appears to be so much better than ours?

We can't comment on a newspaper article. It is significant to note that, over the "Waste Data Flow" data submitted over the past 6 years, the East Suffolk Council area has experienced more than double the number of fly-tipping incidents per head of population than Babergh. East Suffolk Council's geography and demographic is different to that of B&MS, with larger urban centres, higher levels of social deprivation and larger numbers of visitors. All of these contribute to a more significant issue with flytipping in East Suffolk – as evidenced by the graph below.



(b) How much of a problem is, what I would call, “Hard or impossible to dispose of waste?” This is waste that cannot be taken to a domestic waste sites or be placed in bins - for example paint and tyres.

There are categories of waste which Norse are unable to deal with, by virtue of the special hazards it presents and/or specialist equipment required to handle/transport it. For example, a specialist sub-contractor is appointed where we find asbestos that needs moving. This can occur up to 10 times a year.

(c) Does the income from fixed penalty notices come anywhere near covering the cost of the clearance and investigation? By how much?

According to ‘Waste Data Flow’, the estimated costs for clearing a tip comprising a “car boot load” of waste is £29 and the cost of issuing a fixed penalty notice is £33, making a total of £62. The amount of a fixed penalty for fly-tipping is currently set at £200 reduced to £120 if paid within 10 days. Hence, the amount recovered is at least double the estimated costs of the response.

Q3: Cllr Cloke

(a) With regard to dog mess in the street does the member of the public who wants to report the issue have to find out who's dog the culprit is? If this involves following or challenging the dog owner, what about their safety? This question has been posed to me in recent days by a constituent.

No. A member of the public reporting the issue does not have to identify the culprit. However, you will appreciate that it is impossible for the Norse Waste Management Officers to pursue an offender without positive identification evidence. It is also virtually impossible, to arrange for an enforcement officer to be present when the offence takes place, (and if it were possible, the presence of an enforcement officer would almost certainly ensure that the offence did not take place in the first place). When people contact us about dog fouling, they are usually concerned about an area local to them which raises the possibility that they may be able to recognise the culprit sufficiently to point the enforcement officer in the right direction for their further enquiries. If a dog is conveyed to a place in a motor vehicle where a dog fouling offence subsequently occurs, the enforcement officer may be able to trace the owner of the dog through the registered keeper of the motor vehicle. For this reason, the enforcement officer may ask the reporter for details of motor vehicles they have seen in connection with the incident they are reporting. Reporters are certainly never asked to intervene in person in anyway or to do anything which might compromise their safety.

(b) Could ESC introduce dog wardens to target offenders particularly on the district's beaches?

The term "dog warden" normally refers specifically to the responsibilities of local authorities in dealing with stray dogs as defined by s149 of the Environmental Protection Act 1990. This is separate and distinct from the role of an enforcement officer who might deal with dog fouling offences, although in some authorities, the role is combined. We do employ enforcement officers through our contract with Norse, who deal with dog fouling, wherever it happens, on beaches, streets, parks etc. The issue is that, through Norse, we have three Waste Management Officers to cover the whole of the East Suffolk district. Their role includes dealing with fly-tipping, littering, graffiti, abandoned vehicles, fly-posting, nuisance parking (i.e. repairing and selling motor vehicles on the street) as well as enforcing the Public Space Protection Orders currently in force in relation to dogs on leads, dogs in banned areas and failing to clean up after a dog. Where time permits, they do undertake patrols on the District's beaches during the summer season.

(c) Is there any way the Council would help a land owner remove fly tipping at no charge? In my Ward, there are large quantities of waste being tipped over a fence. I have spoken to the landowner. He is not sure who the perpetrator is but every time he has paid to have it cleared, more arrives, so last week he told me he would not clear it again.

It is not council policy to pay for removals of waste on private land. In practical terms, this would mean that the council would be financially liable for collecting and disposing of any waste material on private land, which is not financially viable for the authority. Neither does it encourage landowners to

meet the obligations that they have on their property. We will work with landowners to assist, where we can, with information about the correct disposal of waste, in particular where there are long-running issues, or where dumped waste is hazardous.

Q4: Cllr Beavan

(a) Can Councillors have a list of approved waste handlers, including those licensed by other bodies, in East Suffolk?

People and businesses who handle, transport, process and dispose of waste as part of a business are licensed by the Environment Agency. East Suffolk Council does not maintain any lists of people who are licensed by the EA for these purposes. The Environment Agency maintain a public register of licensed waste operators on their website, where anybody with access to the internet can check the credentials of anybody claiming to be licensed for these purposes. This list may be viewed here: <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers>

(b) Have any of these handlers been the subject of complaints, suspension of licence or prosecution in the last two years?

This would be in the domain of the Environment Agency. ESC do not hold this information.

(c) Can you clarify the role of the Environment Agency in terms of what do they deal with and what does the Council deal with?

In short, the EA deal with large-scale offending with possible links to organised crime. Local Authorities (inc. ESC) deal with smaller incidents.

(d) How often does the Council search fly tipping for clues as to the source and follow this up?

When they receive a report of fly-tipping, the Waste Management Officers make a judgement on whether it is worth investigating. For example, a report of half a dozen tyres in a lay-by is unlikely to yield evidence and so may be more likely to be referred to cleansing for removal without any visit/search than, (say) a bag of domestic waste in the same location – which might be expected to yield correspondence or other items linking the material present to an individual.

When a tip (on public land) is referred direct to cleansing for removal, the cleansing operatives are aware of the potential value of any evidence they may find and, if any is found, will pass it to the Waste Management Officers.

We (ESC) collect data on the number of incidents reported and the number of investigations carried out by Norse on our behalf. The data for the last three months is as follows:

| | Number of Incidents Reported | Number of Incidents Investigated |
|---------------|------------------------------|----------------------------------|
| December 2020 | 151 | 33 |
| January 2021 | 176 | 50 |
| February 2021 | 156 | 74 |

Q5: Cllr Gooch

(a) What is included in 'other household waste'? (within the pie charts on the current pages 5/6).

The category "other household waste" is defined by the guidance published by 'Waste Data Flow' as "Any household waste not covered above (i.e. by any of the other categories) and could include the results of house or shed clearances, old furniture, carpets and the waste from small scale DIY works"

(b) Paragraph 2.30 regarding educational campaigns, can ESC look at an expansion of these not just aimed at school or college-age students but also at adults (of all demographics, especially those within wards of high deprivation – *I appreciate that this might come into the second report in June)?

We will cover the area of education (which is wider than flytipping) in the following scrutiny meeting.

(c) How is ESC working with town and parish councils to reduce incidents of fly-tipping and littering?

Norse has – in many cases – direct contracts for litter collection and grounds maintenance with town and parish councils. As a result, lines of communication with more local councils are generally reasonably strong. Whilst dealing with fly-tips remains a district council responsibility, those local relationships mean that in the majority of instances, town councils are able to feedback directly to Norse where a fly-tip has occurred.

(d) The Environment Agency has its Joint Unit for Waste Crime; PCC Tim Passmore stated recently at the Lowestoft Town Council Annual Assembly (Tues. March 3) that there is going to be greater multi-agency co-operation in Suffolk; could more details be given, please?

We have heard nothing about any proposals for greater multi-agency co-operation, either from the PCC or the Environment Agency.

(e) Is ESC working with Suffolk Wildlife Trust, the RSPB or CEFAS on education programmes on the detrimental effects of discarded waste?

We are not working with these organisations specifically on this subject, although if the opportunity arose to collaborate, then we would consider it. East Suffolk Council is part of the Suffolk Waste Partnership and funds a number of education campaigns through its contract for the operation of the Materials Recycling Facility. This includes outreach to schools, school visits and events through the year.

(f) How does ESC seek to protect private residents who report illegal waste disposal, and in doing so sometimes lay themselves open to unpleasant and intimidating reprisals?

The personal identifiers of all informants are protected by General Data Protection Regulations. Neither ESC nor Norse disclose the details of any alleged perpetrators or complainants except as permitted or required by the law. There comes a point in all legal proceedings when disclosure and presentation of evidence may require witnesses to be identified. This is unavoidable in most circumstances. The reluctance of a witness to commit to being identified in this way can narrow the range of available enforcement options.

(g) In *Panorama Rubbish Dump Britain* (BBC 1; February 24 2021), criminals were sometimes caught in the act by members of the public; what immediate support can be offered to residents in the event of such altercations?

In general, in terms of immediate support for people in the event of an altercation - none. This would be a matter for the police, and we would recommend that members of the public do not directly confront criminal activity but report it to the council to address.

(h) What advice is given to private landowners, especially farmers, to protect their property?

As part of the Tip-Off (Stop Fly Tipping in Suffolk) guide, advice for households, businesses and landowners is provided. In specific reference to landowners it suggests the following tips to protect their land:

- Installing gates or barriers, ideally in keeping with the natural environment.
- Making sure that gates are closed when not in use.
- Improving visibility so that fly-tippers are not hidden from view.
- Installing or improving lighting.
- Placing appropriate deterrent signage or dummy cameras.
- Swiftly clearing any waste that is dumped to discourage others adding to it.
- Report the incident to your local Council. Whilst they will not remove the waste free of charge, they may be able to investigate the incident.

In addition to this, the Waste Management Officers do offer advice on ways of preventing further incidents arising, such as preventing vehicular access, cutting down vegetation to increase visibility, improving lighting etc. as listed above.

(i) If people apply for a Waste Management Licence, is this registered with the local authorities, and if so, does ESC (or the Environment Agency) actively monitor to ensure these are genuine businesses?

No. The Environment Agency are responsible for all matters relating to the licensing of Waste activities. ESC has no input to this process

(j) *Panorama* also showed 'track and hook' undercover operations to ascertain the legality of waste disposal companies; does ESC ever work either independently or with other authorities in such operations?

We have no knowledge of any 'track & hook' undercover operations carried out either independently or in conjunction with other agencies.

(k) Is there any analysis of the people who perpetrate environmental crimes such that they can be monitored? Can some kind of education programme be designed (possibly with other authorities) by way of rehabilitation (rather like speed awareness courses)? Social media seems to be a good tool for 'shaming' those who commit environmental crime; is this considered by ESC?

We cannot use media social or traditional to name and shame offenders unless they have been convicted in the courts (i.e. we cannot name and shame those who have accepted a Fixed Penalty). We can and do name and shame those who have been convicted in the courts. E.g. Men found guilty of littering in Lowestoft » East Suffolk Council Dog owner fined for failing to clear up after pet » East Suffolk Council Saxmundham man lands criminal record for waste offence » East Suffolk Council. We do this by notifying the press officers when there is an outcome of a case which is worthy of reporting and they compile a press release and circulate to the various news outlets. We do not have any control over whether they choose to publish or the accuracy of what they publish, or the prominence they give it. Such cases are also publicised on social media.

(l) Mention is made by Cabinet Member Cllr James Mallinder of investigations into mixed resource bins to encourage recycling; please could more details be given?

East Suffolk Council has been trialling street bins with separate recycling and 'residual' compartments, in order to encourage people to recycle 'on the go'. Early results are mixed. Evidence locally and nationally indicates that it is significantly more difficult to encourage people to recycle correctly away from their home, and this has been the experience with recent trials in locations such as Aldeburgh. We continue to work to try to promote good recycling behaviours.