

COMMUNITY SAFETY PARTNERSHIP WORKING PARTY

Minutes of the meeting held on 10 April 2018 at 7.00 pm in the Council Chamber - Council Offices.

Present: Councillor Curran (Chairman); Councillors Campbell, Falcon and M Saunders

In Attendance: Councillor D Saunders

38. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Dixon.

39. DECLARATION OF INTERESTS

There were no declarations made at the meeting.

40. MINUTES OF PREVIOUS MEETING

Councillor Campbell proposed, Councillor M. Saunders seconded and Members agreed the minutes as a correct record of the meeting that was held on 13 March 2018.

41. TACKLING FLY TIPPING IN THE DISTRICT

Trevor Kennett, Head of Operational Services gave a presentation regarding fly-tipping in the district and made the following points:

- Fly-tipping is the illegal dumping of liquid or solid waste on land or in water;
- The waste is usually dumped in order to avoid things like disposal costs and readily available white vans who offer a cheap illegal service;
- The waste and recycling centres do not allow vans making it difficult for some individuals to dispose of waste, which is also a contributing factor;
- Most of the waste is domestic or commercial;
- Fly-tipping is a criminal offence and when caught the offending individual would be interviewed under caution, using the appropriate criminal procedures;
- Individuals can bring in their lawyers and the proceedings are recorded;
- If the case is forwarded to the Magistrates' Court the maximum fine would be £50,000 and/or a 12 months' imprisonment;
- If the accused opts to go to the Crown Court (although it's not advisable), the Court has the option to impose a maximum penalty of 5 years;
- There is also another offence linked to fly-tipping, which is the Duty of Care. This means that the person whose waste would have been collected for disposal still owns that waste and is responsible for its correct disposal;
- If such waste was illegally dumped they be prosecuted by the authority unless satisfy the authority that they disposed in good faith via a service provider that claimed to dispose of waste;

- There are a number of duty of care offences that the council has had to prosecute;
- The majority of such cases are reports from the highways; There is a clear problem of fly-tipping in Thanet and the following stats help give a picture of the scale of the problem:

2017 – 2,487 Fly-tipping/Dumped Rubbish reports received by TDC with the following breakdown:

- ❖ Highway – 1757;
- ❖ Private land – 363;
- ❖ Alleyways – 151;
- ❖ Commercial/Industrial – 74;
- ❖ Council land – 72;
- ❖ Agricultural – 66;
- ❖ Trade waste – 4;

- In 2017/18 TDC has taken some enforcement action against fly-tipping as follows:
 - ❖ 2,356 – Fixed Penalty Notices (littering);
 - ❖ 974 Street Scene Enforcement Notices;
 - ❖ 85 – Formal advice notices were given;
 - ❖ 48 – Fly-tipping £400 FPNs were issued;
 - ❖ 36 – Cases were referred to Community Payback;
 - ❖ 65 – Formal warnings were issued;
 - ❖ 9 – Criminal prosecutions for fly-tipping were processed;
 - ❖ 10 – Formal cautions with costs were issued (these are used usually when an individual who owns the waste has fully cooperated with the Council and has paid for the costs for appropriately disposing of the waste).
- In addition to enforcement action taken, the Council also engages residents in awareness campaigns to raise awareness to the fly-tipping problems in the district and advise the public about the facilities available for waste disposal;
- Council would also be providing additional signage and warnings regarding fly-tipping and related surveillance in the problem areas in the district;
- To date Council had sought court permission to conduct surveillance for fly-tipping on three occasions and permission was granted;
- Usually when campaigns have been held, there would normally be a spike in reports about fly-tipping. This shows that the campaign message is getting through to communities;
- An increase in single owner /operator businesses in the district had contributed to the problem of fly-tipping in Thanet (i.e. cafes and gardeners) as they often under-estimate the cost of disposing of their waste correctly;
- Council was still looking at other approaches for preventing or minimise the problem (which could include stationing tips in some areas in the district);
- Council will also be advertising collection of bulk waste a lot more than is currently the case;
- Council had increased the number of collection days to three after receiving complaints from residents and councillors that there was six weeks waiting time before bulk waste was collected;
- Council would continue to improve the service with the aim of making it easy and convenient for individuals to properly dispose of waste;
- Council was moving towards combined enforcement using inter-departmental collaborative working which will see planning enforcement, private sector housing licensing enforcement and environmental protection enforcement working towards a combined enforcement approach. It is hoped that this creative

enforcement approach will address some of the challenges currently being faced on issues that include littering and fly-tipping in the district.

In response to the presentation Members made suggestions and comments as follows:

- That the TDC could use the Ramsgate Town Council community magazine to put articles regarding the Awareness Campaign (fly-tipping community awareness) for free;
- Enforcement Team had responded well to requests from the Garlinge to community to restrict access by erecting gates to act as barriers to an alleyway that was being used to dump rubbish;
- That in future when an officer was making a presentation on a council function, the portfolio holder would need to be in attendance to respond to queries on policy options.

When asked by the Chairman on whether the working party wished to pursue this subject further or come up with recommendations, Councillor Campbell proposed, Councillor Mave Saunders seconded and Members agreed to note the presentation.

Meeting concluded: 7.46 pm