

PERTH AND KINROSS COUNCIL**Environment Committee – 27 January 2010****COMMUNITY WASTE AND FLYTIPPING FUND****Report by the Depute Director (Environment)**

Flytipping can have a negative impact on the environment and local communities. This report highlights the problems associated with flytipping on private land and assistance which could be made available to manage flytipping in the area.

RECOMMENDATIONS

The Environment Committee is asked to agree:

- i) To the establishment of a pilot Community Flytipping Fund as part of the existing Community Waste Fund, which would allow local communities access to funding to assist in the management of flytipped waste on private land including preventive measures and clean ups. The level of funding is proposed to be £20,000.
- ii) To the establishment of a Perth and Kinross flytipping forum as a sub group of the Community Planning Environment Partnership, subject to the agreement of the Partnership.

BACKGROUND**Update on the Community Waste Fund**

1. The focus of Perth & Kinross Council's waste-related work in recent years has mainly been on the development of Council infrastructure and services to attain high recycling and composting rates, thereby reducing the volume of waste going to landfill. The ongoing roll-out of a new kerbside recycling scheme and redevelopment of all the Council's Recycling Centres has proven effective in significantly increasing the recycling and composting rate for Perth and Kinross Council (a rated 44% is anticipated for 2009/10).
2. At the Environment Committee on 26 March 2008 approval was given for New Waste Initiatives (08/183), this report identified that the community and social enterprise sector are likely to be at the forefront of developing innovative new ways of increasing recycling rates further and achieving greater community awareness and involvement. It was also noted that community recycling/reuse projects could bring many other social and economic benefits to the Council area such as offering employment, training and volunteering opportunities.

3. In recognition of this, the Council introduced the 'Community Waste Grant Scheme' in April 2008 to help build greater community involvement in the drive to reduce the amount of waste that we send to landfill.
4. The scheme is managed by the local Quality of Life Trust and provides grant funding of up to £15,000 for community or voluntary organisations (must be non profit distributing) to implement projects that will reduce the amount of waste sent to landfill. Local or national organisations may apply but the project must be located in the Perth & Kinross Council area.
5. Thus far there have been four successful applications to the Community Waste Grant Scheme. They provide a good reflection of the diverse type of projects that the scheme is looking to support. A summary of the projects are highlighted in Appendix 1.
6. The success of this innovative fund has led to national recognition with Perth & Kinross Council being awarded the Best Local Authority Initiative Award 2009 at the Scottish Waste and Resources Awards Event, for the Community Waste Fund.

Management of Flytipping

7. Flytipping is an issue experienced by many Councils, land owners and local communities. This can involve small items of litter deposited by vehicle drivers or larger items dumped by commercial traders (such as building materials, tyres, wood/garden waste etc) or domestic items such as fridges, mattresses and other household items. This waste can be left at the side of the road, in or beside a communal bin which is positioned at a farm road end, or off the roadside verge onto private land such as a wood or field. Pictorial evidence of fly tipping in Perth and Kinross can be seen in Appendix 2.
8. The Council removes flytipped waste on Council owned land. However, there are large amounts of fly tipping on privately owned land that is not removed by the Council. In this instance, it is up to the land owner to remove the waste and dispose of it, (eg at the nearest Recycling Centre). However, many landowners resent this imposition and refuse to remove the waste which can then lead to a build up of waste, as flytipping attracts more of the same. A build up of such waste has a negative effect both on local communities, and also the attractive landscape for which Perthshire is renowned.
9. In Perth and Kinross from the 1 April 2008 to 31 March 2009 there were 24 calls reported to the Police regarding litter and fly tipping, 341 complaints received by the Environment Service and 27 complaints received by the Anti Social Investigation Team.
10. In 2009 The Environment Service embarked on a high profile Spring Clean campaign as part of the Keep Scotland Beautiful (KSB) national initiative. It was an extremely successful campaign with 112 individual litter picks taking place. There were in excess of 3,000 participants from community groups, schools and youth groups taking part.

11. This campaign was extremely successful and Perth and Kinross Council was awarded with the Outstanding Achievement Award by Keep Scotland Beautiful (KSB) for the highest number of litter picks in Scotland. It also highlighted the need to continue to manage litter and fly tipping in Perth and Kinross.
12. Nationally the issue of fly tipping is the responsibility of the Scottish Environment Protection Agency (SEPA), which under the Environmental Protection Act (s33), has a statutory duty to investigate incidences of fly tipping. This section describes fly tipping as *“knowingly causing or permitting the depositing of waste, without a licence to do so, and to treating, keeping or disposing of controlled waste in a manner likely to cause pollution of the environment or harm to human health”*. Under this part of the legislation there is the option to issue a Fixed Penalty Notice for the offence of flytipping and the current level of fine is £50. Recent legislation extended the powers to serve fixed penalty notices, to Local Authority Officers and the Police. A Perth and Kinross Council Authorised Officer is only able to issue a fixed penalty notice if the evidence is corroborated by another Officer.
13. Also at a national level SEPA co-ordinate, along with KSB, the “Dumb Dumpers” stopline, a national fly tipping contact centre and database, that was established with all the key stakeholders and the organisations responsible for the investigation and disposal of many flytipping incidents. The work of the Forum includes:
 - “Dumb Dumpers” contact telephone number to report incidents (these are then passed on to the enforcing authorities)
 - National database of flytipping incidents
 - National awareness campaign

For the period April 2008 to March 2009 there were 60 fly tipping incidents in Perth and Kinross reported to the dumb dumpers stopline.

PROPOSALS

Community Waste Fund

14. With growing interest in the Community Waste Grant Scheme, it is hoped that the scheme will go on to help other community groups develop and take forward initiatives that will divert even more waste away from landfill.
15. To ensure continued public awareness, a Community Waste grant scheme update event is being organised for March 2010 to further promote the scheme. Local and national community groups/organisations will be invited and organisers of projects that have received community waste grant funding will be invited to speak at the event.

Community Fly Tipping Fund

16. In order to assist in alleviating the issues faced by communities affected by flytipping, it is proposed that a community flytipping fund be established as a pilot project and managed, as part of the Community Waste Fund, by the Quality of Life Trust.
17. The fund, as with the Community Waste Fund, would be open to any community or voluntary organisation (must not be profit distributing) which represents a geographic community in Perth and Kinross.
18. Only applications received from a local organisation representing a community subject to flytipping will be considered; any applications received from private individuals will be discounted.
19. The local organisation wishing to apply to the Community Fly Tipping Fund would be directed to a Council Community Waste Adviser (CWA) via the Council's Customer Service Centre in order to discuss the issue and possible solution. If necessary the CWA may recommend an application to the community flytipping fund. A maximum of £3,000 per annum per community would be made available.
20. The CWA will liaise with the community or voluntary organisation, and conduct a site visit to assess and agree the requirements. These may include the erection of signs, a fence to prevent recurring flytipping or the actual removal of fly tipped waste. If the items are spread over a wider area, for example small items of wind blown litter, the members of the community could collect the items together in one area for uplift. Waste Services can provide black bags, sharps boxes, gloves and litter pickers for the community to use. This can be carried out at any time of year, however, following on from the success of the 2009 Spring Clean campaign, it is intended to continue to build on this initiative and increase the number of participants and events year on year.
21. If community flytipping funding is approved for the removal of fly tipped waste it can be used by the local community or voluntary groups to engage a waste disposal company to remove the waste. The organisation engaged to carry out the collection and disposal of the waste should have the necessary permits and authorisations (such as a Waste Carriers Licence). The Council's own Waste Services Operations services could be engaged for this purpose.

Fly Tipping Forum

22. There are a number of different stakeholders and landowners that are affected or involved in fly tipping management and enforcement. These include organisations such as, Perth and Kinross Council's Environment Service, Housing and Community Care, the Scottish Environment Protection Agency, Tayside Police, major land owners and/or their factors. Several of these organisations are members of the Community Planning Environment Partnership.

23. In order to provide a co-ordinated and coherent approach to the management of fly tipping in Perth and Kinross, it is proposed to establish a Perth and Kinross fly tipping forum as a sub group of the Community Planning Environment Partnership. The forum would meet quarterly to collectively tackle the prevention of fly tipping through a co-ordinated approach to education, awareness and enforcement.
24. The forum would work in conjunction with the Scottish Fly Tipping Forum, which has been established and is hosted by KSB. This forum establishes national strategies and policies which could be adapted for use at a local level.

CONSULTATION

25. The Head of Legal Services, the Head of Democratic Services and the Executive Director (Housing and Community Care) have been consulted in the preparation for this report.

RESOURCE IMPLICATIONS

26. The current position with the allocation of funding to the Community Waste Grant Fund is as follows:

| Year | 2008/09 | 2009/10 | 2010/11 |
|-------------|----------------|----------------|----------------|
| Funding | £70,000 | £75,000 | £75,000 |

27. It is accepted that in the current financial circumstances, all future budgets (including this funding) would need to be reviewed.
28. Because these resources are allocated to the Quality of Life Trust, unallocated funding one year can carry forward to future years. Therefore this means a total of £145,000 has been paid into the Fund to date. So far the projects given Community Waste Funding (see Appendix 1) amount to £20,000 (with a further £15,000 bid pending), leaving £110,000 available in the Fund.
29. Therefore, (pending future budget review), as a minimum provision, £20,000 of the Community Waste Fund could be allocated to the flytipping initiative, which would help launch the pilot scheme. This would still leave £90,000 in the Fund for waste recycling/reuse initiatives.
30. If after future budget reviews, the Community Waste Fund remains available a subsequent decision can be made on what proportion would be allocated to the Community Fly Tipping Fund.

COUNCIL CORPORATE PLAN OBJECTIVES 2009-2012

31. The Council's Corporate Plan 2009-2012 lays out five Objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. This report impacts on the following:-
- (i) A Safe, Secure and Welcoming Environment
 - (v) Confident, Active and Inclusive Communities

EQUALITIES ASSESSMENT

32. The Council's Corporate Equalities Assessment Framework requires an assessment of functions, policies, procedures or strategies in relation to race, gender and disability and other relevant equality categories. This supports the Council's legal requirement to comply with the duty to assess and consult on relevant new policies to ensure there is no adverse impact on any community group or employees.
33. The function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Assessment Framework and the Corporate Equalities Assessment Framework and consequently the following point is noted.
34. All communities can apply for funding. The policy will benefit the whole community and neither advantages or disadvantages any particular equalities group.

STRATEGIC ENVIRONMENTAL ASSESSMENT

35. The plan, programme or strategy presented in this report was considered under the Environmental Assessment (Scotland) Act 2005 and the determination was made that the items summarised in this report do not require further action as they do not qualify as a plan, programme or strategy as defined by the Act.

CONCLUSION

36. The aim of the Community Waste and Flytipping Fund is to assist communities where flytipping of household or commercial waste has occurred on private land. Through the proposals in this report, funding can be made available to tackle the issue of fly tipping and benefit local communities.

37. In addition the establishment of a Perth and Kinross fly tipping forum will ensure a co-ordinated response to the issue of fly tipping across Perth and Kinross.

JIM VALENTINE
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No background papers as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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Council Text Phone Number 01738 442573

Summary of Projects Supported by the Community Waste Fund

- Plastic Bag Free Kinross – Funding of £6,000 was provided to Kinross-shire Plastic Bag Free to implement a plastic bag free initiative focussed on the town of Kinross. This included funding for supplying each household in the local area with a reusable cotton bag and awareness raising materials.
- Gateway Enterprise (Community Re-paint) – Funding of £10,000 was provided to support the development of a community re-paint initiative in Perth. The project is based in the grounds of Murray Royal Hospital and provides volunteering opportunities for people with significant mental illness. Paint for the project is collected from Friarton Recycling Centre in Perth. The funding supports a part-time project worker post and has paid for suitable signage for the re-paint container at Friarton Recycling Centre.
- Salvation Army (furniture reuse 40:20 project) – Funding of £3,600 was provided to allow the expansion of the existing Perth based furniture reuse project. In 2008/09 the project made 2,135 furniture collections and 1,220 deliveries, and estimate that around 5,000 people benefited in some way from their services. The funding provided will allow the project to secure an extension to its premises and collect a larger amount of furniture from a wider geographical area.
- Bankfoot Community Church Centre (development of an ornamental garden) – Funding of £540 will allow implementation of a local project to develop a garden using recovered/recycled materials. The project will involves building a greenhouse made entirely from plastic bottles, constructing raised beds and establishing a wormery.

Examples of Fly Tipping



