

Committee: Sustainable Communities Overview and Scrutiny Committee

Date: 21st March 2024

Wards: All Wards

Subject: Fly-tipping Action Plan and Enforcement Update

Lead Director: Dan Jones, Executive Director of Environment, Civic Pride & Climate

Lead member: Councillor Natasha Irons, Cabinet Member for Local Environment, Greenspaces and Climate Change

Contact officer: James Cook, Senior Street Environment and Enforcement Manager

Recommendations:

- A. The Panel notes and comments on the Fly-tipping Action plan update.
 - B. The panel notes the timeline for the development of the revised Fly-tipping Strategy.
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report introduces the fly-tipping action plan and provides members with the opportunity to comment and feedback on the content of the plan. There is growing concern surrounding fly-tipping incidents within the Borough and the associated negative impact that they have on the street environment.
- 1.2. The action plan aligns with the current fly-tipping strategy, which is in the process of being reviewed to align with Merton's corporate priorities. As part of the review, a public consultation is planned to seek the views of Merton citizens regarding fly-tipping in the Borough.
- 1.3. The fly-tipping strategy and corresponding action plan demonstrates the Authority's ongoing commitment to addressing illegal waste disposal through the employment of preventative measures, early intervention and targeted enforcement. An effective fly-tipping action plan is a key component in achieving the strategic objectives of nurturing civic pride and building a sustainable future.

2. DETAILS

- 2.1. The Fly Tipping Action Plan (FTAP), a critical initiative in addressing the persistent challenge of illegal waste disposal, was initially agreed upon in September 2019.

Since then, it has undergone regular reviews and updates, reflecting our commitment to evolving strategies and actions to tackle this issue effectively.

- 2.2. The plan encompasses various group themes and outputs, focusing on targeted enforcement, early intervention, and preventing reoccurrence of fly-tipping. The plan includes specific activities such as patrols in littering hotspots, anti-fly tipping campaigns, and innovative approaches like the use of smart cameras and "Merton Wall of Shame", supported by communications to highlight the importance of this matter and what we are doing to combat this anti-social and criminal activity.
- 2.3. The elements of the plan are measured and reviewed regularly to ensure their effectiveness. The FTAP's structured and strategic efforts in addressing the persistent issue of illegal waste disposal provides focus and direction to the environmental enforcement team's resources. During this year, as an example, the plan has improved our use of enhancing surveillance capabilities through the strategic placement of CCTV cameras in hotspots, training of enforcement officers, and public awareness campaigns to educate about the environmental and legal consequences of fly-tipping.
- 2.4. An example of the success of the team's deployable cameras is the improvement that has been achieved at Raleigh Gardens, Mitcham. This location had been plagued by fly-tipping at the beginning of the year and was often a location featured in the "Wall of Shame" episodes. The persistent use of the camera at this location has enable the team to develop innovative ways to reduce fly-tipping at the location, as described in 2.11.
- 2.5. Since its implementation, the FTAP has focused our internal teams and improved our communication external and with stakeholders with the aim of reducing fly-tipping incidents. The enhanced surveillance and stricter enforcement measures have led to a notable decrease in the number of reported cases. Public education campaigns have successfully raised awareness, as evidenced by the increased use of legal waste disposal methods and active local participation in reporting and preventing fly-tipping.
- 2.6. As part of the ongoing efforts to combat fly-tipping, the enforcement team has been proactively using images to identify and apprehend individuals responsible for dumping rubbish. The "Merton Wall of Shame," a key component of the "Keep It Clean Love Merton" campaign. This initiative involves the public display of video clips showing individuals engaging in fly-tipping. The public is encouraged to assist in identifying these individuals, contributing to the enforcement team's efforts. This initiative has been supplemented by social media campaigns, further broadening the reach and effectiveness of the program.



- 2.7. The overarching objectives of the Wall of Shame campaign include engaging both staff and the public in identifying unknown suspects and generating intelligence to apprehend those compromising community cleanliness. The enforcement policy outlines the roles and responsibilities of the internal LBM Enforcement Team, detailing the procedure for submitting images for inclusion on the website and posters, and the subsequent actions if a potential suspect is identified. [[Wall of Shame CCTV appeal: do you recognise these fly-tippers? | Merton Council](#)]
- 2.8. Additionally, the enforcement team has utilised this platform to develop an innovative and hyper-local enforcement approach using posters of offenders captured by local CCTV. The Wall of Shame posters, accompanied by relevant details of the offence and information on how to contact the enforcement team, are placed at the location where the image was obtained. These images are kept on the site for a period of four weeks, after which they are archived, unless identified and fined. This new technique has successfully been used in three separate enforcements.
- 2.9. The recent use of visual identification methods, informed by our targeted placement of CCTV, into the fly-tipping enforcement strategy has significantly enhanced the team's ability to enforce offenders, contributing to the overall effectiveness of the Fly Tipping Action Plan. This approach has been developed through the FTAP and by reviewing repetitive hotspot locations while producing the "Wall of Shame" episodes.
- 2.10. In our fight against fly-tipping, various measures have been implemented at key hotspot locations, including signage, pavement stencils, and cameras. However, persistent fly-tipping activities continued, notably at Raynes Park outside the Princess Alice Charity shop, despite comprehensive preventive strategies including signage requesting not to leave donations outside shop hours. SMART cameras have recorded ongoing unauthorised donations, especially during early mornings, under various weather conditions, classifying these acts as fly-tipping.
- 2.11. In response, we developed a new initiative at this location and two other chronic fly-tipping sites. This involved installing A1-sized noticeboards displaying CCTV images of individuals engaged in fly-tipping at these specific sites. This approach extends our existing "Wall Of Shame" campaign by localising it to the actual fly-tipping locations. It's important to note that this is not a naming and shaming tactic; rather, it's an appeal for identifying those responsible, in line with our ongoing campaign.
- 2.12. The noticeboards, under continuous CCTV surveillance, serve a dual purpose: deterring vandalism and ensuring that the displayed images are regularly updated.

This initiative aims to make a significant impact on reducing fly-tipping activities in these targeted locations.



2.13. As part of our progress to develop improved ways for residents to ‘do the right thing with waste’, we have successfully implemented the ‘Garth Road on the Road’ pilot project which offers a mobile recycling and waste disposal service. This hyper-local initiative provides a convenient option for residents, especially those who found it challenging to access the Garth Road site, to dispose of various materials including recyclables, garden waste, bulky items like furniture, and residual waste. These events, planned and executed by the waste service team and Veolia, have up to 100 visitors per event, with efficient traffic management ensuring minimal local disruption. A notable outcome was the collection of significant quantities of waste, particularly small electrical items and bulky waste, highlighting the project's effectiveness in promoting local and sustainable recycling. Importantly, post-event monitoring showed no instances of fly-tipping, demonstrating the event's success in responsibly managing waste disposal and setting a positive precedent for future waste management initiatives.

2.14. Both the success and importance of providing localised solutions for residents, especially those without cars, to manage their waste responsibly has led to this pilot being included in the future recycling and waste collection service contract from April 2025.

2.15. Table 1. Tonnage of materials collected from ‘Garth Road on the Road’

Waste Type	Pollards Hill	Chaucer Centre	South Gardens	Haydons Rec	Cottenham Park Road
WEEE	0.7t	0.780t	0.36t	0.3t	0.12t
Bulky waste	2.5t	3.3t	0.80t	1.29t	0.38t
Garden	0.56t	2.0t	0.68t	1.8t	0.18t
DMR	0.2t	1.24t	2.80t	1.9t	0.25t
Residual	3.14t	5.21t	3.44t	3.04t	1.5t
Total Waste	7.1t	12.53t	8.08t	8.33t	2.43t

- 2.16. Despite these successes, the challenge of fly-tipping continues to evolve, requiring ongoing efforts and adaptation of strategies. The Council is currently focusing on addressing the emergence of new fly-tipping patterns, particularly in areas where evidence of reported fly-tipping incidents has been secured. The enforcement team has put in place new ways of working to enhance data collection and analysis to better understand these trends and implement targeted actions. This has translated in new improvements that have been adopted in the environmental enforcement contract that requires weekly deployment plans and focused work on the areas hardest hit by fly-tipping. In addition, expanded and targeted use of our CCTV network and enforcement cameras, has improved the team's overall ability to respond to and investigate incidents.
- 2.17. Notably and provided through the new Enforcement Contract's social value offer, we have two deployable cameras that are 'smart' and can identify vehicles and patterns so they can smartly capture offences that occur. The team has had recent discussions with the contractor on developing the use of these cameras provided to the council to capture littering that occurs from vehicles. The smart camera solution would be able to identify and register the vehicles that throw litter out of their cars as it occurs, allowing the enforcement team to enforce the offence. This demonstrates another novel approach to being developed by the team to further support tackling those offenders who despoil our environment.
- 2.18. The use of smart cameras across the borough have identified eight (8) specific cases that have resulted in positive enforcement action. The evidence gained through the new camera technology has allowed enforcement team members to readily identify the keeper of the vehicle involved. Officers then review the footage and apply the most appropriate enforcement mechanism for the severity of the incident.
- 2.19. Where vehicles are not involved and personal identification of the offender is reliant on witness appeals, the team will utilise these images in the "Wall of Shame" process and, as outlined in 2.10, the team has now developed a process to use images locally at hotspot locations to appeal for information and deter further fly-tipping offences.
- 2.20. An integral part of the FTAP's success has been the establishment and strengthening of partnerships with various stakeholders. This includes working closely with environmental agencies, local businesses, community groups, and law enforcement. These collaborations have not only aided in effective enforcement but also in fostering a shared responsibility towards maintaining a clean and safe environment. The Council continues to explore new partnerships and collaborative opportunities to enhance the effectiveness of the FTAP.
- 2.21. Additionally, the Council plans to expand educational initiatives, focusing on schools and youth groups to instil a sense of responsibility towards the environment from a

young age. Continuous review and adaptation of the FTAP will ensure that it remains relevant and effective in addressing the dynamic nature of fly-tipping challenges.

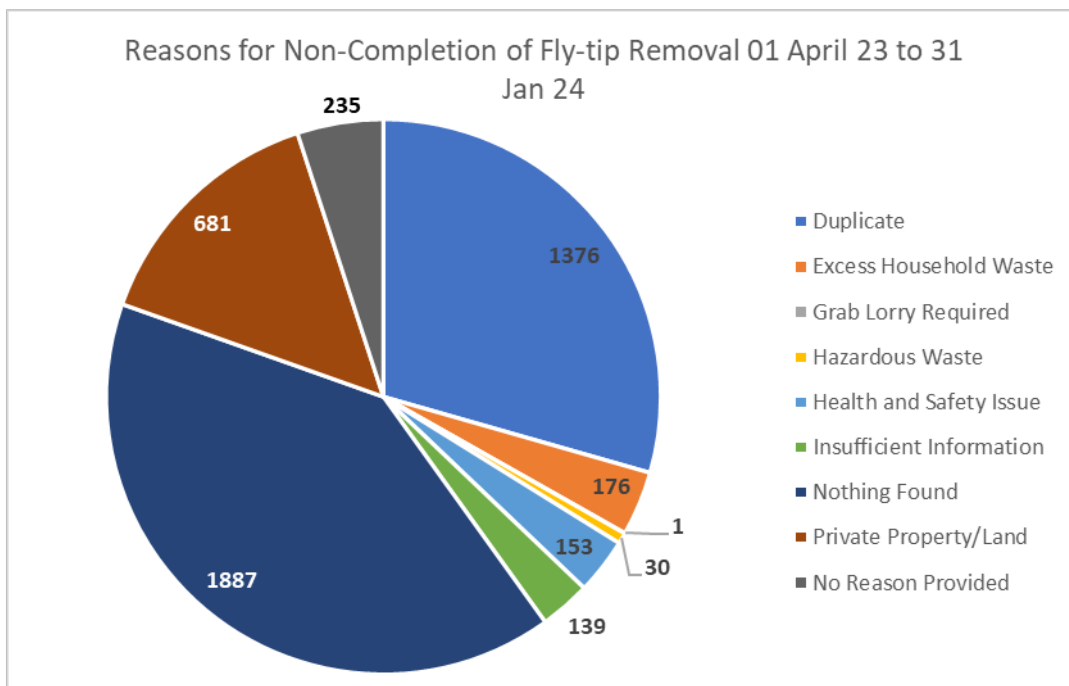
3. PERFORMANCE

3.1. The following summarises and provides insight into the incidents and management of fly-tipping over this financial year. Details focus within the enforcement and business support teams is on the integration of reporting systems and how these technologies can be improved to reduce duplicate reports and improve location reporting of cases to collection crews. Additionally, it details activity across different wards and the performance of the contractor in managing the collection of the reported incidents.

3.2. Between 01 April 2023 and 31 January 2024, there were 15,823 fly-tips reported across the Borough.

3.3. During this period, 70.44% of reports were removed and marked as completed on the system with 29.56% (4,678 reported fly-tips) being marked as not completed. Collection Crews and Supervisors are required to provide reasons for non-removal of fly-tips and the number of reasons provided for non-completion and percentage of total non-completed jobs are shown below.

3.4. Graph 1. Reasons for Non-Completions of Fly-tip Removal



3.5. It can be seen that the largest proportion of non-completion of fly-tip removal is “Nothing Found” with 1,887 fly-tip reports being marked as “Nothing Found” between 01 April 23 and 31 January 2024. It was identified that due to the way Veolia’s ECHO system segments roads, that a number of reports that were reported through Fix My Street, were inaccurate when the report was integrated into ECHO, leading crews to the wrong location which is why they were unable to locate fly-tips. A large piece of work was undertaken with the Merton IT team and Veolia to understand why this was happening and the intermediate integration system was removed so that Fix My Streets reports now go directly into ECHO, along with latitude and longitude information. This went live on 13 February 2024,

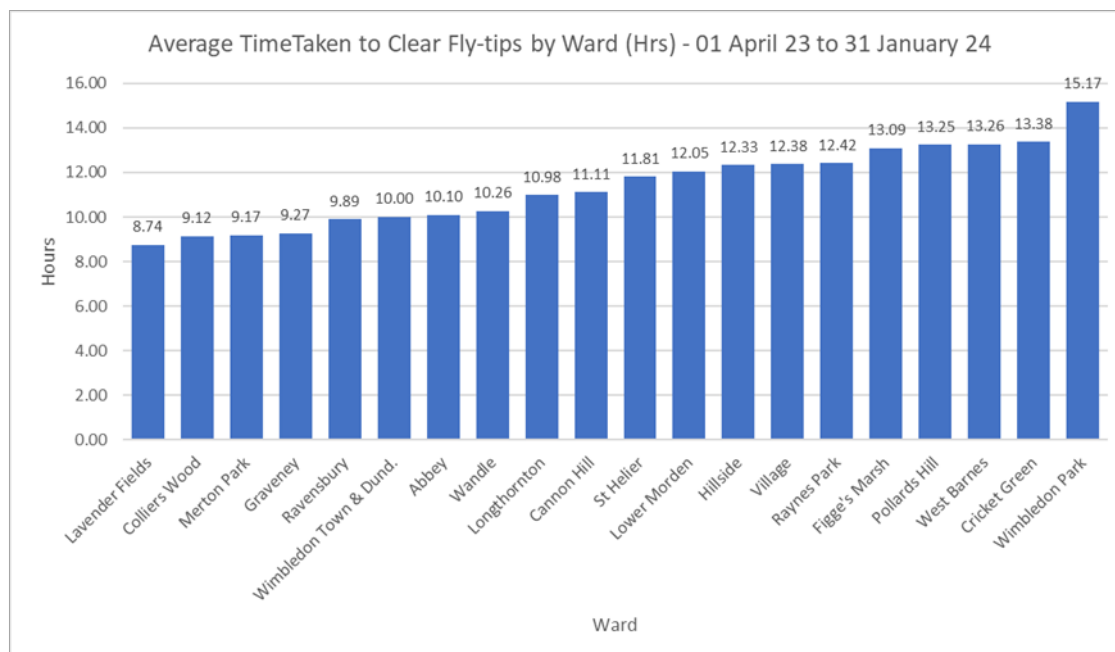
and this has already shown a large decrease in the number of reports being marked as “Nothing Found”.

- 3.6. Before the system was implemented an average of 38 fly-tipping reports made through Fix My Streets every week were marked as “Nothing Found”. in the first full week of implementation of the new integration solution zero reports made through Fix My Street were recorded as “Nothing Found”.
- 3.7. Due to the nature of fly-tipping, there will always be a small number of reports not found by the crews due to legitimate reasons, however the new IT solution will reduce the reports that identify the wrong segment of the street, reducing numbers of fly-tips left on the street as well as complaints to the Service.
- 3.8. Another quality improvement being investigated is based on 29% of all reported fly-tips being duplicate reports. A further piece of work is being undertaken with Fix My Street which will flag up fly-tip reports within a radius of where the customer is reporting from. This will offer the customer a choice to continue to report if the fly-tip has not already been reported or cancel their report if they can see that someone else has already reported it. This will reduce the number of duplicate reports received.
- 3.9. On a ward-by-ward basis, it can be seen that Graveney and Colliers Wood are the two most fly-tipped wards in the Borough, with Village and Hillside being the least fly-tipped wards. While 15% (a total of 681) of all reported fly-tips were on Private Land which the Council does not have responsibility to remove.
- 3.10. Table 2. Number of Fly-tips per Ward (01 April 23 to 31 January 24)

Ward	Total Fly-tips
Village	203
Hillside	260
Lower Morden	286
Cannon Hill	334
West Barnes	362
Wimbledon Park	378
Merton Park	430
Raynes Park	531
Pollards Hill	648
Ravensbury	687
Figge's Marsh	693
Abbey	766
Wimbledon Town & Dundonald	832
Longthornton	979
St Helier	1099
Cricket Green	1121
Lavender Fields	1166
Wandle	1190
Colliers Wood	1587
Graveney	2271
Grand Total	15823

3.11. The SLA for removal of fly-tips is 24 hours from receipt of report. Graph 2 shows the average time taken to remove fly-tips from each ward. It can be seen that on average, all wards have fly-tips removed within the SLA.

3.12. Graph 2. Average Time Taken to Remove Fly-tips by Ward.



3.13. Table 3. Overall KPI performance for Fly-tip Removal

STREETS KPI	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
Fly-tips removed within SLA (23/24)	93.50%	92.90%	96.80%	98.70%	94.80%	91.90%	96.90%	97.30%	95.50%	94.90%

3.14. The KPI for the removal of fly-tips within the agreed SLAs, is 90%. It can be seen from table 3. that across the Borough, the Service Provider is performing in excess of the KPI target.

4. ENFORCEMENT

4.1. The Environmental Enforcement Team, supported by the Fly-Tipping Action Plan (FTAP), has shown significant activity in managing and responding to environmental issues. From April this year, they conducted 415 investigations into various incidents. A substantial number of warning letters, totalling 3,427, were issued, demonstrating a proactive approach to address and prevent fly-tipping. The team also implemented statutory notices on 15 occasions and carried out 33 Duty of Care inspections under Section 34 of the Environmental protection Act (1990).

Additionally, the team has dedicated 537 hours of surveillance through CCTV, demonstrating a commitment to monitoring and responding to local hot-spot concerns. In total, the team engaged in 3,979 activities, reflecting a multi-faceted approach to environmental enforcement.

4.2. During 2023, the enforcement efforts against fly-tipping in our area showed significant results, both in terms of actions taken and financial impact. Throughout the year, a total of 535 Fixed Penalty Notices (FPNs) were issued for £150

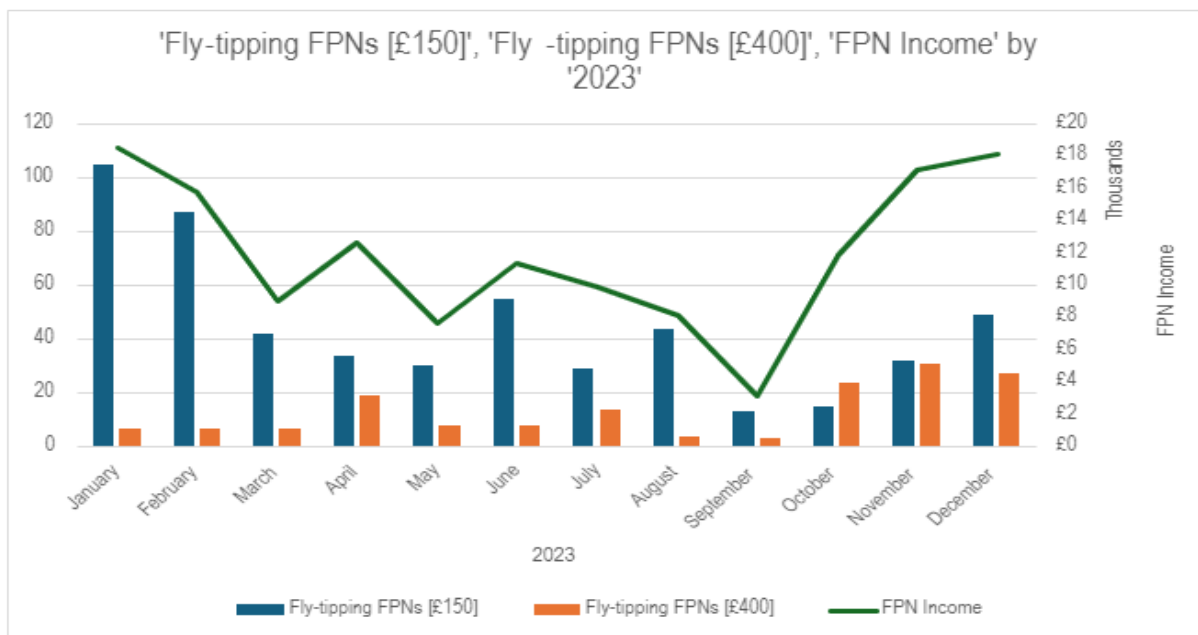
violations, while 159 FPNs were issued for the more severe £400 violations. This differentiation in penalty levels demonstrates a tailored approach to the severity of the incidents, reinforcing the robustness of our enforcement strategy.

4.3. The total income generated from these FPNs amounted to £143,850, a substantial figure that underscores the financial effectiveness of our enforcement actions.

4.4. These figures highlight the strength of our approach: a clear, consistent enforcement policy and the ability to adapt penalties based on the severity of the violation. Moving forward, the enforcement team is undertaking a review of the approach on how to best manage time-banded waste collection zones. The possible use of PCNs rather than FPNs as supported by the London Local Authority Act will allow for a more comprehensive enforcement of bags placed out on non-collection times and days by residents and businesses, improving the local street scene in these important areas.

4.5. Table 4. Total Fixed Penalty Notices issued for Fly-tipping in 2023.

2023	Fly-tipping FPNs [£150]	Fly-tipping FPNs [£400]	FPN Income	Fly-tipping FPNs [£150]	Fly-tipping FPNs [£400]
January	105	7	£18,550	£15,750	£2,800
February	87	7	£15,850	£13,050	£2,800
March	42	7	£9,100	£6,300	£2,800
April	34	19	£12,700	£5,100	£7,600
May	30	8	£7,700	£4,500	£3,200
June	55	8	£11,450	£8,250	£3,200
July	29	14	£9,950	£4,350	£5,600
August	44	4	£8,200	£6,600	£1,600
September	13	3	£3,150	£1,950	£1,200
October	15	24	£11,850	£2,250	£9,600
November	32	31	£17,200	£4,800	£12,400
December	49	27	£18,150	£7,350	£10,800



5. ALTERNATIVE OPTIONS

- 5.1. An alternative option to the current approach of the Fly Tipping Action Plan (FTAP) could be to scale down the size of the Environmental Enforcement Team and reduce the intensity of enforcement actions and interventions supported through the FTAP. However, this approach would likely be counterproductive.
- 5.2. A reduced enforcement presence and a decrease on the interventions and schemes supported through the FTAP could lead to increased incidents of fly-tipping, subsequently imposing additional burdens and costs on street cleansing and waste management services. This alternative, while cost saving in the short term, may result in higher long-term expenses and diminished community environmental standards.

6. CONSULTATION UNDERTAKEN OR PROPOSED

- 6.1. As part of the review, a public consultation will be initiated to seek the views of Merton citizens regarding fly-tipping in the Borough.

7. TIMETABLE

- 7.1. Table 5 below sets out the key milestones for the production of a draft revised Fly-tipping strategy

Action	Due Date
Public consultation on Fly-tipping	7 May 2024
Draft revised Fly-tipping Strategy	July 2024
Publication of new Fly-tipping Strategy	August 2024

8. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 8.1. The below table summarises the service budget for the waste enforcement team. The figures are based on period 9 returns for 2023/24 and do not show a complete financial year.
- 8.2. Table 6: Service Budget for Waste Enforcement team

Waste Enforcement as of December 2023			
Description	Current Budget	Actuals	Forecast
Salaries	293,140	70,729	93,079
Enforcement Services Cost	399,915	225,285	406,326
Waste Enforcement Income	(569,220)	(266,890)	(440,000)

9. LEGAL AND STATUTORY IMPLICATIONS

- 9.1. The investigations conducted by the Environmental Enforcement Team are governed by various laws and guidelines, including the Police and Criminal Evidence Act 1984, the Criminal Procedure and Investigations Act 1996, and others. The team's approach includes conducting recorded interviews under caution in line with PACE, gathering diverse evidence ranging from computer records to expert reports, and employing covert information gathering compliant with the Regulatory Investigation Powers Act 2000.
- 9.2. The Council's enforcement policy integrates communication and promotion to encourage compliance, with possible actions ranging from informal advice to prosecution. Formal enforcement includes a wide array of sanctions, and for certain environmental offences, Fixed Penalty Notices (FPNs) may be issued as an alternative to prosecution, depending on the severity and frequency of the offence.
- 9.3. The environmental enforcement team utilises legislative instruments as outlined within the Environmental Protection Act 1990, the London Local Authorities Act, the Clean Neighbourhood and Environment Act 2005, the Environment Act 2021 and the several more waste regulations to enable the effective management of waste and to enforce breaches of these laws.

10. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 10.1. In Section 5.2 of the Council's Overarching Enforcement Policy, it is stated that the council's enforcement actions must take into consideration relevant legislation, codes, and policies that protect individual rights and guide enforcement activities. These include, but are not limited to, the Human Rights Act 1998, the Code for Crown Prosecutors, the Corporate Customer Services Strategy, and the Council's Equality and Diversity Policy. This approach ensures that the council's enforcement activities, particularly those carried out by the Environmental Enforcement Team,

are conducted with due respect for the legal rights of individuals and businesses, while also adhering to principles of equality and community cohesion.

11. CRIME AND DISORDER IMPLICATIONS

11.1. None for the purpose of this report.

12. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

12.1. None for the purpose of this report.

13. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- Fly-tipping Action Plan (Reviewed – January 2024)

14. BACKGROUND PAPERS

- Council-wide Enforcement Policy - [Overarching Enforcement Policy.pdf \(merton.gov.uk\)](#)

Department Approval	Name of Officer	Date of Comments
Legal	Saima Khan	26/02/2024
Finance	Marsha Walker	22/02/2024
Executive Director	Dan Jones	14/03/2024
Cabinet Member	Cllr Natasha Irons	14/03/2024