

Committee(s)	Dated:
Epping Forest and Commons	11/05/2015
Subject: Annual report of Fly tipping and Waste disposal at Epping Forest - 1 April 2014 to 31 March 2015	Public
Report of: Superintendent of Epping Forest SEF 25/15	For Information

Summary

This report updates your Committee on the number of fly tips and the quantity of litter and material made available for recycling removed from Epping Forest in the year 1 April 2014 to 31 March 2015. The report also updates your Committee on the cost of disposal of the waste removed from the Forest. The figures also include waste such as fluorescent tubes and recycling from buildings and operational sites.

There have been 513 fly tips, an average of 10 per week, recorded on Forest land in the reporting period. These vary from a single black sack of household waste to lorry loads of builders waste; it also includes fly tips of hazardous waste such as asbestos and tyres.

The Conservators employ 10 members of staff to work specifically on litter collection, comprising one full time litter cart driver and 9 litter picking staff (6 full time equivalent), at an annual cost for 2014/15 of £165,085.23.

Over 300 tonnes of waste have been removed from the Forest comprising of over 180 tonnes taken to London Waste, an incinerating and recycling facility at Enfield. 70 tonnes of general waste was disposed of in skips which are taken to a waste management site in Leyton for sorting along with over 50 tonnes of mixed recycling and 3.74 tonnes of tyres.

The total cost of removing waste from Epping Forest in this reporting year was £212,956.36 made up of £165,085.23 in staff costs and £47,871.13 waste disposal (£36,156.06 general waste, £5,903.23 recycling and £5,811.84 hazardous waste).

Recommendation

Members are asked to:

- Receive the report

Main Report

Background

1. **Flytipping:** Fly-tipping is 'the illegal deposit of any waste onto land i.e. waste dumped or tipped on a site with no licence to accept waste'. Fly tipping is a criminal offence under the Environmental Protection Act (EPA) 1990. Waste

management and disposal is subject to statutory controls under the EU Waste Framework Directive 2008 which sets out correct procedures and impose a duty to ensure that waste is disposed of properly.

2. The number of fly tipping incidents on the Forest has, for many years, followed the national trends and recently had fallen by 39.36% in the years 2011 to 2013. In 2014 there was a 21% increase in incidents on the Forest whilst the national average continued to drop. In 2014, there was a 20% rise nationally while the Forest saw a drop of 23%.
3. The costs associated with the disposal of waste have increased each year in line with the policy of succeeding governments to stimulate recycling by maintaining a "Landfill Tax Escalator", which rises by £8/net per year. This charge was introduced in 2007 at £48 tonne and has risen every year to the current level of £80 tonne in 2014. It will rise to £82.50 from 1 April 2015.
4. There are widespread industry concerns that the Landfill Tax Escalator and increased restrictions on landfill disposal are encouraging less scrupulous companies to evade their responsibilities by fly tipping. This is evidenced at Epping Forest by the increase in the number of larger commercial fly tips that are being dumped on the Forest.
5. In a bid to reduce the number of fly tips which occur, several measures are taken by Forest Keepers.
 - a. **Carrier Prosecutions** - A prosecution against the carrier is always sought forward if sufficient evidence or willing witnesses are available.
 - b. **Duty of Care Prosecutions** - Increasingly, the Conservators is also pursuing 'duty of care' prosecutions against businesses; landlords or householders where documentary evidence can demonstrate that insufficient care was exercised in the commissioning of waste disposal.
 - c. **Crime Recording** - Reflecting national guidance, since 2013 individual crime numbers are sought from the Police Service for all fly tips. This is to help raise the profile of fly tipping in police crime figures and increase Police Service support in finding solutions.
 - d. **Crime Mapping** - Individual fly tips have been mapped since 2013 to develop a picture of fly tipping 'hot spots' with the intention of developing the improved intelligence-led monitoring of fly tipping.
 - e. **Reward Scheme**. A Reward Scheme is promoted for information that leads to successful prosecutions to encourage the reporting of fly tips was introduced in May 2008. The Reward of up to £500 can be included within the prosecution costs. No one has taken up this reward to date.
 - f. **Car Park Closures** - Individual night time closure of car parks where fly tipping is common place is being undertaken and is being extended through the car park improvement and maintenance programme.

- g. **Road Closures** - Under the Forest Transport Strategy and principally to reunite areas of the Forest partitioned by previous road construction, the Conservators are seeking to close some Forest Roads. , This has the added benefit of reducing accessible locations for fly tipping.
 - h. **Photographic and Video Surveillance** – Surveillance using motion activated cameras has been carried out in accordance with regulations under the Data Protection Act (DPA) 1998 and the Closed Circuit Television (CCTV) Code of Practice, issued by the Surveillance Camera Commissioner. Given the relative random placing of fly tips, covert motion or heat activated cameras have proved to be ineffective in covering large sections of the Forest. A more sophisticated passive infra-red camera with embedded registration plate reading technology purchased in 2013 was seriously vandalised in 2014 and can no longer be used. The use of armoured cabinets to house similar cameras is currently being evaluated.
6. A proportion of fly tips contain hazardous waste such as asbestos, tyres or unknown chemical or oils. These types of waste not only require costly, specialist disposal but can have an environmental impact on the Forest.
7. **Litter:** Litter has no comprehensive definition under the EPA 1990 but guidance is given in section 95(5A); litter is most commonly assumed to include materials, often associated with eating, drinking and smoking that are improperly discarded and left by members of the public. Section 98(A) also states that discarded smoking related material, chewing gum and the remains of other products designed for chewing are also classed as litter. As a guideline it also states that a single plastic sack of rubbish should be considered as a fly tip.

In addition to fly tipping, a lot of litter is generated by Forest visitors.. We employ a team of litter pickers (6 full time equivalents) who pick litter in the Forest and on the 100kms of roadsides where drivers discard large amounts of litter as they pass through the Forest. We also employ a full time driver for a litter collection vehicle. In addition to paid staff a number of volunteer groups and stalwart individuals litter pick specific areas of the Forest. Currently we have 84 registered volunteer litter pickers and a number of small organised groups (led by the Southern Forest Keepers), who collectively worked 5202 hours in the last 12 months.

8. The Conservators currently have 65 litter bins across the Forest, mostly in, or close to, car parks. These are emptied on average three or four times a week. They are supplemented by 15 on the golf course at Chingford and 15 temporary football season bins located close to football pitches.

Current Position

9. Since the 1960s, littering has increased by 500% according to 'Litterbugs', a recent Policy Exchange and Campaign to protect Rural England (CPRE) report. The latest Department for Environment, Food and Rural Affairs (DEFRA) statistics show that in England there were 852,000 incidents of fly tipping in 2013/14. This represents an increase of 21% from 2012/13 quite unlike the drop

of 4% from 2011/12 to 2012/13. Incidents of fly tipping on footpaths and bridleways now account for 29% of fly tipping incidents with 47% on highways. The total national spend for clearance amounted to £45.2 million.

10. The Visitor Survey records that over 75% of all visitors felt that the standard of cleanliness and maintenance of the Forest is Good or Excellent. However nearly 10% of respondents raised concerns regarding litter. The provision of more litter bins was a common response along with an increase in enforcement through additional staff and improved liaison with Local Authority partners. The need to improve litter signage was also raised to make more people aware that all types of litter can be placed in our bins.
11. There were 513 fly tips recorded on Epping Forest during the period of this report. Fly tips are dealt with in various ways depending on the size and content of the fly tip. Small fly tips are disposed of by incorporation with the general litter collection. Larger fly tips are either loaded onto a lorry and taken straight to London Waste (Enfield) or are brought into the Warren Yard and placed in the appropriate skips. See Table 1 & 2 below

Table 1

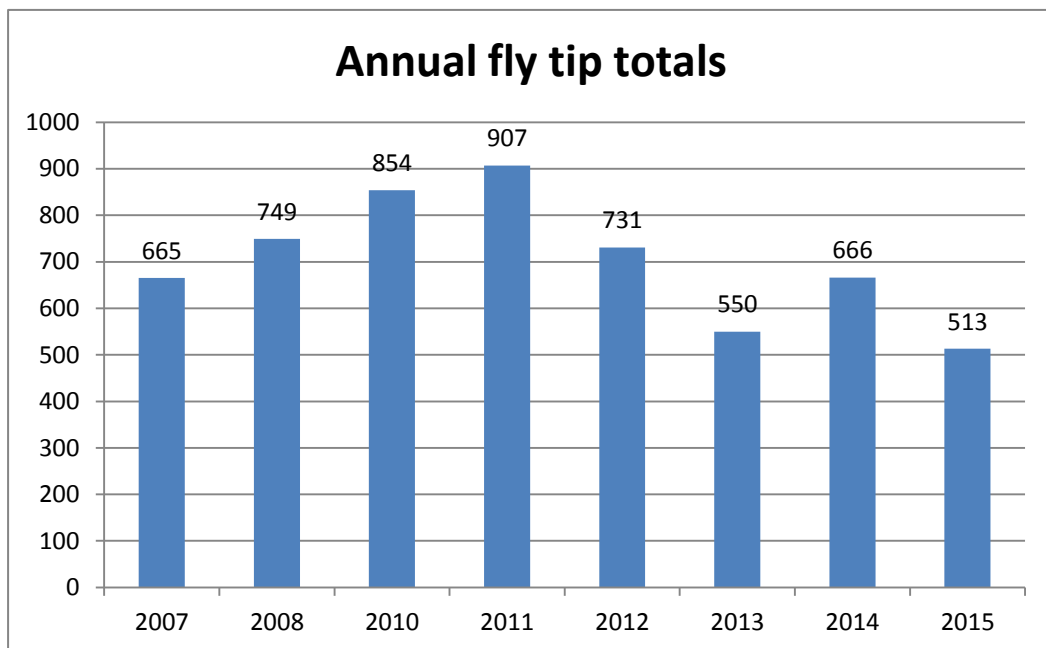
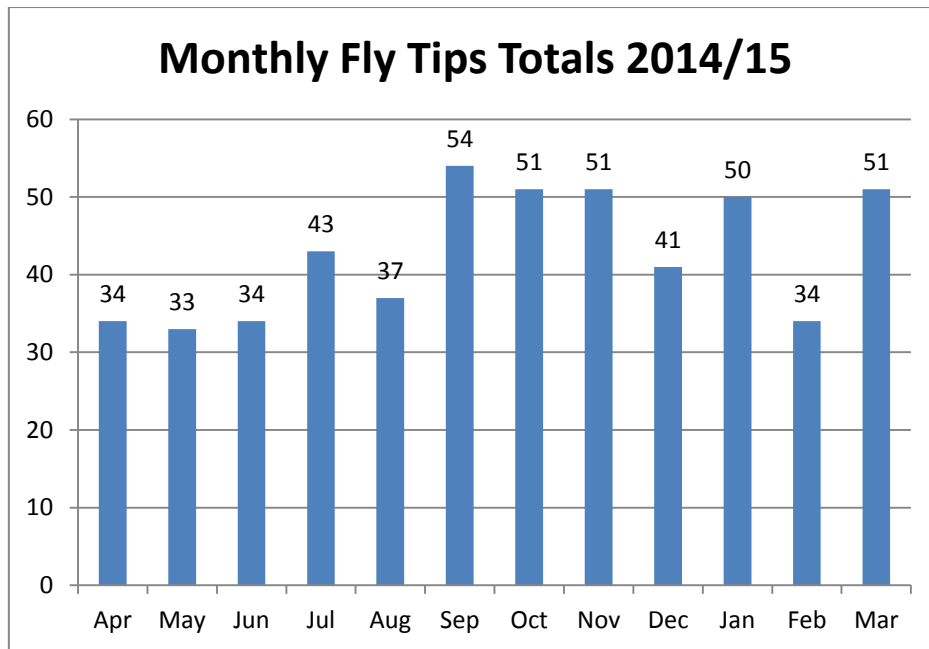


Table 2



12. At present four major waste streams are employed in the disposal of the various types of waste that are deposited on the Forest.

- i. Litter and general waste is taken by our own litter vehicle to the incinerator site at Enfield. In the period 1 April 2014 to 31 March 2015 181.32 tonnes of waste was taken to the London Waste site at a cost of £32,869.20. **See Table 3 & 4 below**
- ii. Skips are serviced by appointed waste partner Bywaters. There are general waste skips at three sites across the Forest and during the period under report 102.64 tonnes of general waste has been disposed of through this waste stream at a cost of £10,658.19. **See Table 3 & 4 below**
- iii. Recyclable material is disposed of using enclosed skips located at two Forest locations. These are also serviced by Bywaters. The litter picker team and other members of staff separate out recycling. During the period under report 51 tonnes of recycling have been disposed of at a cost of £5,903.23. **See Table 3 & 4 below**
- iv. The disposal of hazardous waste requires specialist contractors to carry out disposal in line with current regulations. There have been 10 fly tips, 2% of the overall total, containing hazardous waste (with the exception of tyres) in the period under report. These have been disposed of by City of London approved contractors at a cost of £2,065. Tyres are collected by Epping Forest staff and brought to the Warren where they are deposited in a 35 cubic metre storage container. When full, this is removed by a waste disposal company. One full container, 3.74 tonnes, has been removed in the current year at a cost of £1,514.48.

Table 3

<i>Month</i>	<i>London Waste</i>	<i>Bywaters Waste</i>	<i>Bywaters Recycling</i>	<i>Total tonnage</i>
April	15.08	5.00	5.00	25.08
May	10.62	5.88	5.00	21.50
June	16.98	5.74	4.00	26.72
July	16.52	6.82	5.00	28.34
August	17.56	2.24	3.00	22.80
September	17.62	6.98	4.00	28.60
October	12.98	8.26	3.00	24.24
November	14.72	2.22	4.00	20.94
December	10.40	8.66	6.00	25.06
January	15.52	8.11	4.00	27.63
February	12.24	1.86	4.00	18.10
March	21.08	8.88	4.00	21.08
Total	181.32	70.65	51.00	302.97
Tyre Skip		3.74		3.74
			Total tonnes	306.71

Table 4

<i>Month</i>	<i>London Waste £</i>	<i>Bywaters £ Waste</i>	<i>Bywaters £ Recycling</i>	<i>Total Month</i>
April	£2,594.20	£740.61	£568.15	£3,902.96
May	£1,820.00	£756.77	£594.52	£3,171.29
June	£2,900.80	£1,321.52	£454.52	£4,676.84
July	£3,115.00	£1,070.99	£568.15	£4,754.14
August	£3,241.00	£410.23	£382.36	£4,033.59
September	£3,017.00	£1,116.66	£454.52	£4,588.18
October	£2,520.00	£1,070.99	£340.89	£3,931.88
November	£2,685.20	£410.23	£454.52	£3,549.95
December	£1,869.00	£1,176.59	£698.40	£3,743.99
January	£2,959.60	£1,073.84	£465.60	£4,499.04
February	£2,632.00	£410.23	£456.60	£3,498.83
March	£3,515.40	£1,099.53	£465.00	£5,079.93
Total	£32,869.20	£10,658.19	£5,903.23	£49,430.62
			Tyre Skip	£1,514.48
			Asbestos	£3,230.00

Wee	£802.48
Other Hazardous Waste	£0.00
Fluorescent Tubes	£144.88
Compliance Charge	£120.00
Total cost	£55,242.46

13. There are four further minor waste streams, electrical products are disposed of under the Waste Electrical and Electronic Equipment regulations (WEEE). Bywaters supply and empty a specialist container. The cost during the period under report was £573.39. Fluorescent tubes also have to be correctly disposed of as they contain mercury; one container full of those was also disposed of at a cost of £144.88. We also have specialist bins for the disposal of clinical waste and sharps, neither of these have required servicing in the year under report.

Corporate & Strategic Implications

14. The removal of waste from Forest land supports the City Together Strategy theme 'A World Class City which protects, promotes and enhances our environment.

15. This is linked to the associated Open Spaces Strategic Aim "Provide safe, secure and accessible Open Spaces and services for the benefit of London and the Nation".

Implications

16. **Finance:** The Conservators employ 10 members of staff to work specifically on litter collection, comprising one full time litter cart driver and 6 full time equivalent litter picking staff at an annual cost of £163,236.19. The Litter team are also assisted when necessary by the Forest Craftsman team with the removal of large or heavy fly tips.

17. The continued increase in littering across Epping Forest has prompted a review of litter bin provision and current litter picking arrangements with all new recruits working to a revised rota that includes weekend working

18. The cost of waste disposal in Epping Forest in 2014/15 amounted to £55,242.46. These costs are met in full from local risk.

19. The combination of staff and disposal costs gives a total yearly spend for 2014/15 of £212,956.36.

20. **Legal** Due to the restriction on the level of fines that may be imposed in relation to the Epping Forest Byelaws, prosecutions for litter and fly tipping offences are

taken forward using the EPA 1990 Section 33 (1) (a). This allows a much higher level of fine, especially for any commercially related offence.

21. Forest Keepers also have the power to issue Fixed Penalty Notices (FPNs) on behalf of Epping Forest District Council in respect of litter offences. We are currently seeking similar powers with the London Borough of Waltham Forest. Negotiations with the London Borough of Redbridge have not made any progress to date.

Conclusion

22. On fly tipping, staff continue to cooperate with Local Authority partners and Essex and Metropolitan Police Services on proposals to increase 'enviro-crime' detection and prosecution rates. In addition, staff at Epping Forest continue to implement National Fly Tipping Prevention Group's framework which includes guidance on using crime number collection; reward schemes and pilots using more sophisticated covert cameras to increase the number of successful prosecutions for fly tipping.
23. On littering, visitor feedback indicates that more coordination both across teams and with Local Authority partners is required, combined with further investment in staffing, enforcement and litter bin provision to reduce overall litter levels.
24. Both fly tipping and littering continue to represent major challenges for the Conservators of Epping Forest. With total costs currently running at £212,956.36, some 5% of the overall Epping Forest operating budget is currently devoted to meeting the costs of waste management rather than being invested in the positive management of the Forest. Despite high approval ratings for cleanliness from our visitors, fly tipping and litter are still regularly cited as a major concern by community groups.

Appendices

- None

Background Papers

Annual report of Fly tipping and Waste disposal 1 April 2013 to 31 March 2014
SEF 16/14

Keith French

Head Forest Keeper

T: 02085325310

E: keith.french@cityoflondon.gov.uk