



Belfast City Council

Report to:	Health and Environmental Services Committee
Subject:	Illegal Dumping of Black Bags in Alleyways
Date:	4 th August 2010
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Relevant Background Information

A Member of the Committee has requested that a report be brought to Committee on the issue of the approach taken by Enforcement Officers when dealing with illegally deposited black bags of waste in alleyways.

The Council has been collecting waste in wheeled bins for a considerable number of years, and, whilst there is a requirement that all residents will present their waste in a bin, there is a significant proportion of residents who fail to present their waste in a bin and leave it in bags in the alleyways behind their homes, either on their scheduled refuse collection day or on days which are not their scheduled refuse collection day. The presence of waste on any day other than bin collection day is not only unsightly but bags can be disturbed and torn open which creates larger quantities of loose waste and litter on the streets and particularly in alleyways, thereby requiring additional resources to clean up and remove deposited waste. Bagged and loose waste also creates issues around attracting rodents, risks to public health and the deterioration of the general amenity of the area.

The large quantities of bagged waste, generated by residents, require additional resources in the form of dedicated Entry Clearance Squads. These teams are responsible for removing the excess quantities of waste that are deposited mainly in alleyways and on some streets.

Cleansing Services is currently devising a draft Waste Collection Policy which will define how the Council expects all households to manage and present their waste in the future so that it does not become a littering or health issue. A future report will be brought to Committee once a draft policy is developed.

Key Issues

The Enforcement Team within Cleansing Services is responsible for enforcing matters relating to littering and the illegal depositing of waste, as well as ensuring that bins are used correctly to prevent nuisance. In view of the excessive quantities of waste found in our streets, alleyways and on vacant ground, the Enforcement Team dedicates a significant amount of effort, through enforcement, in an attempt to reduce the quantities of bags and waste which are illegally dumped.

The current practice in relation to such illegal dumping is as follows. A fixed penalty would not be issued for the depositing of side waste on bin collection day in weekly bin collection areas. However, a fixed penalty notice will be issued if bagged waste is deposited at a time outside of bin collection day. This current practice is based on providing a deterrent to illegal dumping of bagged waste.

It is estimated that the Enforcement Officers investigate over 9000 incidents of dumped waste over the course of a year and a large proportion of this waste comprises of black bags and loose waste left in entries and streets. In areas of the city where there are recurrent and widespread problems of dumped waste, the Enforcement Officers may send out general warning letters asking residents to dispose of their waste in a responsible manner. The frequency and appropriateness of the use of warning letters will be determined by the Enforcement Officer in conjunction with the Area Cleansing Manager, who has local knowledge of the area. Within the last year (June 2009 to June 2010), some 3,600 general advisory letters have been sent out to residents across the city highlighting the problems of dumped waste within their area and to warn that such actions will attract a fixed penalty notice or prosecution under The Litter (NI) Order 1994.

Enforcement officers monitor alleyways on a routine basis and where they find evidence of dumping, they will issue fixed penalty notices. Since January 2010, the Enforcement Section has issued 844 Fixed Penalty Notices for litter related offences (151 were issued in respect of bagged household waste).

Whilst warning letters are used to highlight the general problems of litter and dumping within an area, experience has shown that warning letters have a limited effect in achieving a successful reduction in dumping in areas where there is persistent dumping of household waste. The most effective way of tackling the issue, demonstrated through experience in BCC as well as in other authorities, is to have a robust and consistent approach to enforcement using the Fixed Penalty Notice provisions contained within the Litter Order. This approach has been found to be the most effective way of changing attitudes towards littering and dumping within local neighbourhoods across the city.

An alternative process has been suggested with an additional step, i.e: that on the discovery of illegally dumped waste, the offender is first sent a personalised warning letter and then only if that person re-offends would a fixed penalty notice be issued. However if the current practice were to be altered to include this additional step then this would create significant additional administration and future enforcement could be cumbersome/difficult as offenders may be more difficult to trace on subsequent occasions. It would also place an even greater burden on other areas of the service such as the entry clearance squad staff.

Such an additional step would also be contrary to what experience demonstrates is most effective in changing behaviour and the change itself could send out the wrong message at a time when the Council is trying to reduce dumping in the city through improved behaviour.

The Council could also potentially be criticised for taking an inconsistent approach, in that a fixed penalty notice would immediately be issued to someone who drops a cigarette butt on one of our streets but only a warning letter would be issued to someone who dumped a whole bag or multiple bags of rubbish in an alleyway.

The Council's ultimate aim is to work towards all waste being containerised and to eliminate, as much as possible, the depositing of black bags of waste, leading to the achievement and maintenance of cleaner streets and alleyways through behaviour change, which experience has shown is most likely to be achieved at this stage through fixed penalty notices.

Resource Implications

There are no financial, human resources, asset or other implications in this report.

Recommendation

The Committee is asked to note the content of this report and to advise if it wishes:

- To make changes to the Council's approach to the issuing of fixed penalty notices for the illegal dumping of waste: or
- To maintain the current approach to enforcement.