



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Environment Overview and Scrutiny Committee

14 March 2023

Report of Councillor Annie Mason
Cabinet Member for People and Safer
Communities

Lincolnshire Environmental Crime Partnership

Report Author

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Purpose of Report

To provide the Lincolnshire Environmental Crime Partnership Annual Report (2022), which gives an overview of the achievements of the partnership over 2022 and the future ambitions.

Recommendations

That the Environment Overview and Scrutiny Committee:

1. Notes the content of the Annual Report (2022) of the Lincolnshire Environmental Crime Partnership.

Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

Clean and sustainable environment

Which wards are impacted?

All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no direct financial implications associated with this report, any costs associated with environmental crime enforcement are met by existing budgets.

Completed by: Richard Wyles, Chief Finance Officer

Legal and Governance

- 1.2 The Lincolnshire Environmental Crime Partnership has a terms of reference which has been agreed by all partners and information sharing agreement.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

2. Background to the Report

- 2.1 In 2019, the Police and Crime Commissioner held a summit that brought together key partners to assess the current levels of fly-tipping in Lincolnshire and understand what was being done to tackle it. Attendees signed a 'pledge' to seek new ways of working together to tackle fly-tipping. In Autumn 2020, The Lincolnshire Environmental Crime Partnership (ECP) was formed in response to a very noticeable rise in fly tipping incidences across Lincolnshire over spring/summer 2020. This included a large scale (more than 20 tonnes) fly tip within South Kesteven.

- 2.2 A wide range of Partners form the ECP including Lincolnshire Police; the Office of the Police and Crime Commissioner (OPCC); the Environment Agency; the

National Farmers Union, Lincolnshire Local Authorities, Ministry of Defence, Lincolnshire Fire and Rescue, National Trust and more. The mission of the ECP is to reduce and prevent fly tipping across Lincolnshire, by bringing all relevant agencies together working in partnership. Seeking to find new and innovative methods for closer working, both operationally and strategically.

2.3 The partnership is Chaired by Ayeisha Kirkham (Public Protection Manager, SKDC), supported by a Vice Chair from the Environment Agency and Secretarial Support provided by the OPCC. The ECP meets 3- 4 per year and is governed by a term of reference, with key activities monitored through an action plan.

2.4 The annual report for 2022 can be found within Appendix 1. This report identifies the achievements over 2022 and future ambitions.

2.5 Key report highlights are:

- Sharing best practice at a number of professional events. The ECP Chair and Vice Chair were part of a working group tasked with updating the national fly-tipping partnership framework guidance produced by the Department for Environment, Food and Rural Affairs (DEFRA).
- A communications strategy was developed and implemented, including a number of social media campaigns. Key themes included; consistent communications, reducing fly-tipping through education, deterring perpetrators, encouraging reporting, reassuring our communities.
- Operation Clean Sweep IV- this intelligence led targeted day of action was undertaken within South Kesteven (at Great Gonerby Services near Grantham) in October. The Police, DVSA, Environment Agency and SKDC Neighbourhoods Team were all in attendance on the day. Twenty four vehicles were stopped and checked and five fixed penalty notices were issued to unlicensed waste carriers. Five prohibition notices were issued by the Police and DVSA. In addition, ten waste sites suspected of operating illegally or in breach of permits were visited. This was another successful day of action where partnership working was a key factor.
- Multi-Agency Operation in North East Lincolnshire- this resulted in the seizing of two vehicles.

2.6 Going forward into 2023, ambitions for the ECP include:

- Further multi-agency days of action;
- Building on shared learning;
- Supporting national campaigns;
- Exploring further opportunities for joint working
- Continuing the vulnerable land panel trial.

2.7 In South Kesteven, 1533 reports of flytipping were received during 2022. This is down on 2021. The majority of these reports were of a type which would be unlikely to contain evidence leading to the person responsible e.g. furniture, building waste, white goods, tyres etc. Of the total reports, 417 were visited and assessed by the Neighbourhoods team as they were of a type which may contain evidence e.g. bagged waste. In order for formal action to be taken there must be sufficient evidence of the person responsible and/or an admission by an individual.

2.8 In 2022 there were three successful prosecutions for fly tipping and the penalty issued by the Courts for each case are listed in Table 1. A number of investigations resulted in fixed penalty notices (Table 2) being issued as an alternative to prosecution. This approach can be more proportionate than prosecution when the flytipping is small scale or a householder transfers their waste to another person without complying with their duty of care.

Table 1 – Prosecutions completed in 2022

Case	Financial Penalty	Other Penalty
1	0	9 months prison sentence, reduced to 6 months for early plea, suspended for 12 months
2	Victim Surcharge £95 Costs awarded £350	12 month Community Order, 80 hours Community Service
3	Compensation awarded to landowners of £135 and £355	12 month Community Order, 180 hours Community Service

Table 2 – Fixed penalty notices issued under the Environmental Protection Act 1990

Case	Offence	Action
4	Section 34 (Duty of Care)	£200 Fixed Penalty Notice
5	Section 34 (Duty of Care)	£200 Fixed Penalty Notice
6	Section 33 (Fly tipping)	£400 Fixed Penalty Notice
7	Section 33 (Fly tipping)	£400 Fixed Penalty Notice
8	Section 34 (Duty of Care)	Warning

2.9 In addition to the above, 18 fixed penalty notices of £150 each were issued by the Neighbourhoods Team for littering offences.

3. Key Considerations

3.1 This report is for information only.

4. Other Options Considered

4.1 This report is for information only.

5. Reasons for the Recommendations

5.1 To provide an update to the Committee on the work of the Lincolnshire Environmental Crime Partnership.

6. Background Papers

6.1 [Lincolnshire Environmental Crime Partnership Annual Report 2021](#)

7. Appendices

7.1 Appendix 1: Lincolnshire Environmental Crime Partnership Annual Report 2022