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# RESOURCES OVERVIEW AND SCRUTINY COMMITTEE

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**Tuesday, 18th March, 2025**

<b>Present:</b>	Councillor Stephen Button (in the Chair), Councillors Paul Cox (Vice Chair), Jodi Clements, Bernard Dawson MBE, Andrew Clegg, Judith Addison, Josh Allen and David Heap Co-optees: Richard Downie and Christine Heys
<b>In Attendance:</b>	Councillors Melissa Fisher (Cabinet Portfolio Holder for Environmental Health) and Helen McCue-Melling (Regeneration and Property Manager)

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## **377 Apologies for absence, Substitutions, Declarations of Interest and Dispensations**

There were no apologies for absence submitted prior to the meeting and no substitutions. Mr. Tim O'Kane was absent from the meeting.

No declarations of interest or dispensations were given at the meeting.

## **378 Minutes of Last Meeting**

The Minutes of the last meeting held on 20<sup>th</sup> February 2025, had been withdrawn for amendment and would be placed on the Committee agenda of the next meeting for approval.

## **379 Chair's Update**

The Chair informed the meeting that Councillor Heap had been formally appointed as an additional Member of the Resources Overview & Scrutiny Committee, after his election to the Council.

## **380 Environment Enforcement - Fly Tipping and Waste Enforcement**

Councillor Fisher, Cabinet Portfolio Holder for Environmental Health, presented a report to inform the Committee of the work of the Environmental Protection Team. The report set out

- staffing levels
- cost of the service
- how the work was split into areas including fly tipping on private land and accumulations of waste on private land.
- details of how complaints were dealt with and the stages of investigation and prosecution
- comparable data on the number of complaints received and visits carried out during a two year period.
- Action, both informal and formal, taken by the team over the last two years.

A list of questions were forwarded to Officers and the Cabinet Portfolio Holder for Environmental Health, in advance of the meeting, and responses were provided as follows:

1. Why is it so difficult to identify land owners?

The Committee was informed that HM Land Registry had confirmed that about 85% of land was registered so Officers also used Land Registry, Business Rates, and Council Tax to trace ownership, as well as using local detective work. They did not hold a Landlord Register but this could come with pending changes to Housing Legislation in the Renters Reform Bill currently in Parliament.

2. Is the Council's approach to enforcement a Council policy or is this the law?

The Committee was informed that the Council's approach to enforcement was both Council policy and the law. The legislation around Community Protection Warning/Notices required the Council to start with a letter and then progress to a Notice. A FPN could be issued for failure to comply with the notice as an alternative option to prosecution. The national enforcement concordat was also followed, which was a national policy relating to enforcement and this policy had been adopted. The aim was to ensure that any enforcement was fair, transparent, consistent, and proportionate, etc.

3. Would it be more cost effective and time efficient to simply serve fixed penalty notices as soon as incidents happen?

The Committee was informed that residents that they worked with had other issues. These could be complex and include financial, mental, health, self-neglect and social issues and therefore, these residents did benefit from an informal approach initially.

4. What is the success rate for recovering fines?

The Committee was informed that:

From March 2024- March 2025, there had been 138 FPNs on the system.

100 had no payments received against them  
31 had been paid in full  
7 had made some payments

CCJS in relation to 48 invoices (some had 1 or multiple FPN invoices). The majority were unresponsive, even when they had received a County Court Judgment. There were currently 5 or 6 that were at the enforcement stage and only one had responded.

5. Approximately what percentage of incidents of fly tipping and reports of waste on private land are caused by the same people and in similar places, and is this more a problem with private householders or businesses?

The Committee was informed that there were between 5-10% of cases that were repeat offenders/repeat locations. In terms of fly tipping, they did experience 'hot spot' areas and would work closely with the landowner to prevent repeat fly tipping. Enforcement actions would be taken where landowners were not responsive. In other circumstances, repeat incidents often occurred due to social issues and the team would work with other departments and partners to resolve any matters (e.g. Waste Services/ Social Services/ GPs etc.)

6. As Environmental Health liaise closely with Waste Services, could both services work to reduce the number of incidents taking place by:

- a) Increasing the number of Skip Days & Community Clean-Up days recently introduced by the Council? These have been shown to be successful.

The Committee was informed that this was something that had already been discussed with Waste Services and their Portfolio Holder

- b) Promoting the value of recycling waste and the Council's system of recycling such as giving presentations at community centre such as Bank Mill Centre and Clayton Community Centre.

The Committee was informed that the Council issued a residents' guide to recycling along with a calendar, there was advertising on the side of bulky waste vans and information on the Council's website. Enforcement officers often engaged in education before taking enforcement action. The Committee was advised that further promotion could be carried out on the Council's social media platform.

- c) By introducing a register of approved, private waste disposal companies who can be called upon to remove any waste, and for any charges to be charged to the land owners/landlords, directly.

The Committee was informed that the Environment Agency had a public register and members of the public could search this. This had been shared on the Council's social media, a number of times, and would be promoted again in future social media posts.

- d) Are there any identified issues that prevent or make it harder for people to dispose of waste properly? In respect of recycling, the LCC waste dashboard stores comparative data in respect of recycling and waste disposal. Would this information be useful in determining issues that prevent residents from recycling or disposing of waste properly?

The Committee was informed that the Council, as waste collection authority, collected recycled waste and up to 6 bulky waste items, per month. There were no barriers to any resident who wanted to recycle their waste, although some residents actively chose not to recycle their waste. Under S46 of the Environmental Protection Act, the Council could take enforcement action against residents who did not put waste in the correct containers but the Council only employed two Waste Enforcement staff. The LCC dashboard just collated data relating to tonnages of recycled product in each local authority area and did not identify barriers.

In relation to the report presented at the meeting and responses provided to the advanced questions, Members provided the following comments/questions:

- In relation to question 6c, in respect of the creation and promotion of a list of approved companies registered to dispose of waste. Committee was informed of the importance of residents being made aware of the ways in which waste could be disposed of properly. It was proposed that there was a campaign to promote the Council's MyHyndburn app to raise awareness of this and that a register of companies, who had been approved to dispose of waste, was created. Links to ways in which waste could be disposed of should be clearly visible on the Council's

MyHyndburn app. The importance of ensuring that residents were aware of the different ways of disposing waste was highlighted as significant, in reducing fly tipping.

- Reference was made to consideration being given to the success of neighbouring authorities in tackling fly tipping on private land and for Hyndburn to learn from any successes.
- Reference was made to page 15 of the report, and the significant increase in the number of visits and revisits in relation to the number of complaints. He also referred to page 17 of the report and the number of community protection warnings and the number of community protection notices issued, which showed a significant increase in both over a one year period. He suggested further investigations into the reason for this.
- Reference was made to question 6 and the mechanisms in place to measure the success of campaigns, such as the skip days.
- It was proposed that the Housing Standards Team shared information with the Environmental Protection Section, in respect of details of landlords and certification showing land ownership.
- Reference was made to question 4, which provided details of success rates for recovering fines. It was pointed out that there had been 138 Fixed Penalty Notices but there had been no payments received against 100 of these. In respect of this, reference was made to there being a lack of deterrent to residents who carried out fly tipping. However, it was also pointed out that some Council policies made it difficult for people to dispose of waste properly, such as putting limitations on the amount of waste that could be disposed of. It was proposed that there was an analysis of waste to determine waste type most dumped and for this data to be used to consider how to improve waste disposal methods.

In relation to the number of incidents of fly tipping or waste accumulation on private land, Councillor Fisher reported that all local authorities had similar challenges. She also pointed out that, in addition to these types of problem, issues also arose from people hoarding and that she would be attending a conference to learn more on how to identify and tackle this.

The meeting suggested that both the Waste Services Department and the Environmental Protection Department should be invited to a future meeting to scrutinise issues raised at the meeting including:

- The mechanism or data used to measure the success of campaigns such as skip days.
- What plans were in place to raise awareness of the new Food Waste disposal requirement, being implemented in April 2026.
- The analysis of waste type to identify additional or changes to the current offering of waste disposal.
- Deterrents to illegal disposal of waste.
- The reason for an increase in community protection warnings and notices.

**Resolved** - 1) That the Head of Environmental Health liaises with the Head of Environmental Services to:

- carry out a promotion campaign of the Council's MyHyndburn app to encourage people to sign up to the app and to increase both education and awareness of ways in which residents could dispose of waste. Promotion should take place using a variety of methods such as social media, newsletters, correspondence, side of vehicles etc.;
- create a register of companies that are approved to dispose of waste and for a link to be created to the register and placed on the MyHyndburn app;
- to give consideration to early advertisement of the Government's new food waste disposal requirement, due to be introduced in April 2026, to ensure that residents are aware and ready for its implementation; and
- to ensure that the Environmental Health Department shares data, where appropriate, to trace land owners.

**381 Exclusion of the Public**

**Resolved** - That, in accordance with Section 100A(4) Local Government Act 1972, the public be excluded from the meeting during the following item, when it was likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that there would otherwise be disclosure of exempt information within Paragraph 4, at Schedule 12A of the Act specified at the item.

**382 Sport/Community Use of Council Land**

*Exempt information under the Local Government Act 1972, Schedule 12A, Paragraph 4 - Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the Authority.*

Cabinet Portfolio Holders for Regeneration and Housing (Councillor Kate Walsh) and Culture, Heritage & Arts (Councillor Kimberley Whitehead), submitted a report to update the Overview and Scrutiny Committee on the use of Council land for sports/community use. The Regeneration and Property Manager presented the report and gave details on the variations of managing different sites depending on how land was used by the community. She referred to pay to play sites, the bowling pavilions, the management of sports pitches and in relation to vacant sites – King George V, Accrington and Foxhill Playing Fields, Oswaldtwistle.

Members submitted the following comments/questions on the following issues:

- The cost of bowling clubs, level of use and consideration of funding their continuation.
- Financing the prevention of vandalism to bowling greens and the cost of fencing and CCTV.

- Update on when works would be starting on King George V Playing Fields and estimated completion dates.
- Update on Foxhill Playing Fields

The Regeneration and Property Manager responded to the above issues. She indicated that there were significant costs in providing fencing and maintaining bowling clubs and that there was not always a big membership of these Clubs. She explained that works to King George V Playing Fields had to go through the procurement process before commencing and advised that a report on this issue was due to go to Cabinet soon. Funding was also being considered for works on Foxhill Playing Fields.

Members pointed out that some bowling clubs were not well attended and questioned the cost of continuing to maintain these bowling greens. Reference was made to the importance of bowling club membership for the sustainability of clubs. They proposed that there was greater promotion of bowling clubs to increase membership.

**Resolved** - **That the use and membership of Hyndburn's bowling clubs be promoted.**

Signed:.....

Date: .....

Chair of the meeting  
At which the minutes were confirmed