

Fly-tipping in rural areas: Debate Briefing Pack

[REDACTED]

Context

Title of the debate: Fly-tipping in rural areas.

MP who secured the debate: Anne Marie Morris MP.

How the debate came about: End of Day adjournment debate.

Key Messages

[REDACTED]

Key facts and figures

- For the 2016/17 year, local authorities in England dealt with over 1 million (1,002,000) fly-tipping incidents, a 7% increase from 2015/16.
- Two thirds (67%) of fly-tips involved household waste which saw an increase of 8% from 2015/16. The most common place for fly-tipping to occur was on highways, which accounted for 49% of total incidents in 2016/17.
- The estimated cost of clearance for fly-tipping to local authorities in England in 2016/17 was around £58 million.
- Local authorities carried out 474,000 enforcement actions in 2016/17 at an estimated cost of around £16 million, a decrease of 20,000 actions and £880,000 in cost from 2015/16.
- The number of fixed penalty notices issued increased by 56% to 56,000 in 2016/17.
- In 2016/17 the Environment Agency dealt with 218 incidents of large-scale illegal dumping of waste in England.

These data do not necessarily mean, that fly-tipping is increasing and could represent a higher level of reporting through use of new technology and extended staff training. Factors such as population density, housing stock and commuter routes all have an impact on fly-tipping rates, as does the rate of reporting, so for these reasons like for like comparisons between local authorities should not be made

[REDACTED]

Thumbnail picture

[REDACTED]

Fact check of speech

[REDACTED]

Q&A

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Fly-tipping

[REDACTED]

Fly-tipping is unacceptable wherever it occurs. Local authorities or the Environment Agency are not under any legal obligation to clear fly-tipped waste from private property because the responsibility falls to the landowner.

[REDACTED]

We expect all local authorities to investigate fly-tipping incidents on farmland - prosecuting the fly-tippers and recovering clearance costs where possible. Local Authorities also provide advice and guidance on measures that can be taken to prevent further fly-tipping.

What are the penalties for fly-tipping?

The penalties for fly-tipping are:

- On summary conviction: imprisonment for a term not exceeding 12 months or a fine of up to £50,000 or both; and
- On conviction on indictment: imprisonment for a term not exceeding 5 years or a potentially unlimited fine or both.

Companies and their directors, officers and senior employees can be imprisoned. There is also the possibility of convicted persons being refused authorisation to operate as a waste carrier or run a waste management site as well as such authorisation being revoked.

The fine for a Fixed Penalty Notice is not less than £150 and not more than £400 as specified by the waste collection authority, and £200 if no amount is specified.

[REDACTED]

The Sentencing Guideline for environmental offences was reviewed and strengthened in 2014. The maximum penalty on indictment for fly-tipping is imprisonment of up to five years or a potentially unlimited fine. The Government will continue to provide information to the Sentencing Council as they monitor the impact of the guidance.

[REDACTED]

What are you doing about large scale fly-tipping incidents?

In 2016/17 the Environment Agency dealt with 218 incidents of large-scale illegal dumping of waste in England. More serious incidents or commercial fly-tipping should continue to be enforced by the local authorities and the Environment Agency under existing prosecution powers through the magistrates' courts.

[REDACTED]

Whilst local authorities deal with the majority of fly-tipping, the Environment Agency investigates major fly-tipping incidents if they occur on public or private land. These include:

BIG: Large illegal waste sites (greater than 20 tonnes)

BAD: Evidence of organised tipping or criminal business practice

NASTY: Hazardous waste (over 75 litres)

[REDACTED]

[REDACTED]

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[REDACTED]

PQs

Key points: Addressing what measures are being taken to prevent fly-tipping, especially on private land, government action taken and planned has been detailed and assurance that tackling Fly-tipping is government priority.

Date	MP	Question	Response Summary
13/9/2017	<i>Chi Onwurah (Newcastle upon Tyne Central)</i>	<i>To ask the Secretary of State for Environment, Food and Rural Affairs, what assessment the Government has made of the capacity of local authorities to respond to incidents of littering and fly-tipping.</i>	<i>[REDACTED]</i>
13/9/2017	<i>Chi Onwurah (Newcastle upon Tyne Central)</i>	<i>To ask the Secretary of State for Environment, Food and Rural Affairs, what steps the Government is taking to reduce</i>	<i>[REDACTED]</i>

		<i>littering and fly-tipping</i>	
<i>19/10/2017</i>	<i>Sir Greg Knight (East Yorkshire)</i>	<i>What steps he is taking to ensure that local authorities use their powers to seize motor vehicles involved fly-tipping</i>	<i>[REDACTED]</i>
Date	MP	Question	Response Summary
<i>23/10/2017</i>	<i>Lord Greaves</i>	<i>To ask Her Majesty's Government what assessment they have made of the adequacy of legislation to protect the countryside from fly-tipping.</i>	<i>[REDACTED]</i>
<i>24/10/2017</i>	<i>Angela Smith (Penistone and Stockbridge)</i>	<i>To ask the Secretary of State for Environment, Food and Rural Affairs, what</i>	<i>[REDACTED]</i>

		<i>estimate he has made of the number of fly-tipping incidents on private land in (a) 2013-14, (b) 2014-15, (c) 2015-16 and (d) 2016-17.</i>	
<i>24/10/2017</i>	<i>Angela Smith (Penistone and Stockbridge)</i>	<i>To ask the Secretary of State for Environment, Food and Rural Affairs, whether he will appoint a national fly-tipping tsar with responsibility for co-ordinating with national agencies in tackling serious organised criminal gangs, monitoring and reporting on the scale of the problem across public and private land and</i>	<i>[REDACTED]</i>

		<i>benchmarking enforcement performance across all relevant agencies.</i>	
<i>25/10/2017</i>	<i>Angela Smith (Penistone and Stockbridge)</i>	<i>To ask the Secretary of State for Environment, Food and Rural Affairs, what plans he has to work with local authorities to permit private landowners to dispose of fly-tipped waste free of charge at local authority waste sites.</i>	<i>[REDACTED]</i>
<i>26/10/2017 (Oral)</i>	<i>David T.C Davies (Monmouth)</i>	<i>What steps the Environment Agency is taking to prevent illegal fly tipping on farms.</i>	<i>[REDACTED]</i>
<i>27/10/2017</i>	<i>Daniel Kawczynski</i>	<i>To ask the Secretary of State</i>	<i>[REDACTED]</i>

	<i>(Shrewsbury and Atcham)</i>	<i>for Environment, Food and Rural Affairs, what estimate he has made of the cost incurred by farmers of cleaning up fly tipping on farm land in each of the last three years</i>	
<i>3/11/2017</i>	<i>Julia Lopez (Hornchurch and Upminster)</i>	<i>To ask the Secretary of State for Environment, Food and Rural Affairs, if he will make an assessment of the potential merits of increasing the maximum fine available to courts and local authorities for fly-tipping from the current levels.</i>	<i>[REDACTED]</i>

3/11/2017	Louise Haigh (Sheffield, Heeley)	To ask the Secretary of State for Environment, Food and Rural Affairs, what assessment he has made of the Government's progress on helping to prevent fly- tipping on commercial premises.	[REDACTED]
3/11/2017	Baroness Byford	To ask Her Majesty's Government what assessment they have made of the efficacy of fast- tracking the conviction and sentencing of fly- tipping offenders, in order to enable them to be required to remove the waste, dispose of it	[REDACTED]

		<i>legally, and repair any damage they have caused.</i>	
<i>3/11/2017</i>	<i>Laurence Robertson (Tewkesbury)</i>	<i>To ask the Secretary of State for Environment, Food and Rural Affairs, what recent assessment he has made of the adequacy of steps taken by local authorities to counter fly-tipping.</i>	<i>[REDACTED]</i>
<i>3/11/2017</i>	<i>Laurence Robertson (Tewkesbury)</i>	<i>To ask the Secretary of State for Environment, Food and Rural Affairs, if he will take steps to increase the level of sentence for fly-tipping.</i>	<i>[REDACTED]</i>

[REDACTED]

Annex A: House of Commons Briefing Pack

See <http://www.parliament.uk/business/publications/research/>

House of Commons Briefing paper. Number CBP05672, 21 June 2017. [Fly-tipping - the illegal dumping of waste](#).

[REDACTED]