

REACHING THE TIPPING POINT



Keep Britain Tidy's action plan for fly-tipping



For many local authorities, fly-tipping is now their number one environmental issue

In 2014/15, local authorities recorded 900,000 incidents of fly-tipping and they spent around £50 million of tax-payers' money clearing fly-tipped rubbish from public land.

Keep Britain Tidy believes that it is time to get a grip on fly-tipping. This action plan has been developed in response to an issue that affects communities and local environments around the country.

While fly-tipping is a complex problem, we believe there are a number of actions that, taken

together, will start to control the problem and substantially reduce incidents of fly-tipping.

Our ultimate aim is to eradicate fly-tipping and with this action plan we aim to turn the tide on fly-tipping.

By 2020, we want to see the number of recorded fly-tipping

incidents fall by 50%, which can only happen with concerted action from a range of stakeholders.

Here we outline the actions we will undertake, together with the input we believe is needed from Government, local authorities, waste management companies and the legal profession.

Give householders the information they need

Feedback from local authorities indicates that all over the country there are individuals and businesses routinely collecting waste without the mandatory waste-carrier licence.

This in itself is a criminal offence. Unregistered waste carriers may also undercut legitimate competition, offering to pick up other people's waste on the cheap and then fly-tipping what they collect. Over the past year, there has been an increase services online and on social media, giving rise to the phenomenon of the 'Facebook fly-tipper'. For example, in October 2015, a woman from Devon was fined £290 after she gave her waste to someone she found on Facebook who fly-tipped it.

Our research has identified that 47% of people don't know that they're legally responsible for checking the waste-carrier licence

of the person taking away their waste. They can be prosecuted for failing to do so, particularly if the waste is subsequently fly-tipped. To prevent an increasing number of residents unwittingly handing over their waste to unlicensed waste carriers, Keep Britain Tidy wants to raise the public's awareness of their duty of care and what action they need to take when arranging for someone to take their waste away.

Local authorities have limited resources to communicate with residents about the duty of care and, while communication campaigns have been delivered previously, these campaigns have tended to be relatively low-key with

different messages applied to each campaign.

Keep Britain Tidy believes that only a national campaign with a unique brand will help raise public consciousness about everyone's responsibility for taking care of their own waste.

CrimeNotToCare is an off-the-shelf campaign capable of delivery via a range of digital, print and face-to-face channels, based on our most up-to-date research. Participating local authorities will be supplied with a range of materials that can promote the duty of care via local media and include information about local services.

Make it easy for householders to do the right thing

A key element of any strategy to reduce offending is to make it easy for people to do the right thing and hard to do the wrong thing.

In the context of waste management, a key element of local service provision is ensuring that people have access to a network of local, free and easily accessible recycling centres, together with a reasonably priced service for bulky waste collection; this is a service that people are familiar with.

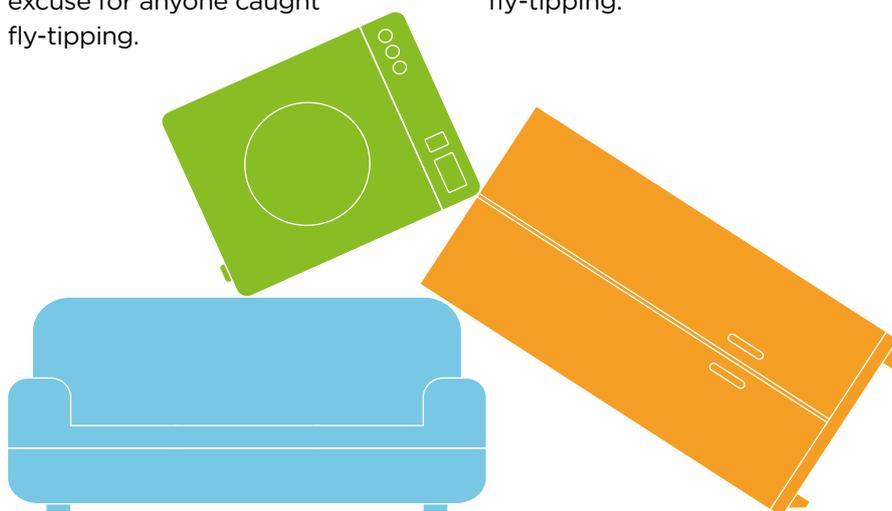
However, local authorities find themselves having to make difficult choices in the face of declining budgets. Over the past two years, there has been an increasing number of closures of household waste recycling centres or reductions in their opening hours, with the introduction of charges for inert and DIY waste, together with increasing charges for bulky waste collection.

While recognising the need to manage within existing budgets, there is a clear risk that such measures could encourage some residents to resort to fly-tipping

if they find the process too complicated or too difficult to access. This in itself can increase local authority costs through the extra costs of fly-tipping enforcement and waste removal.

The maintenance of local, accessible recycling facilities is the first step towards ensuring everyone has the opportunity to dispose of their waste correctly, leaving no excuse for anyone caught fly-tipping.

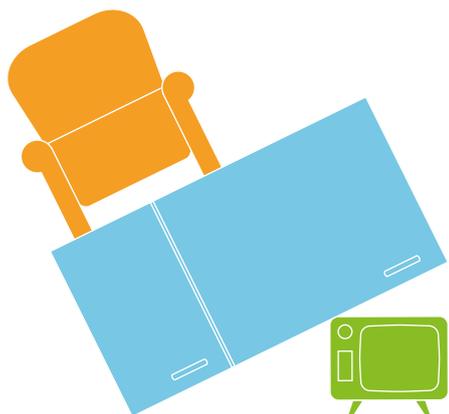
We believe the Government has a role to play here in supporting local authorities. Every year more than £1 billion in Landfill Tax is collected and we call on the Government to use a proportion of this income to support and improve the current recycling infrastructure, ensuring that closures and restrictions on use are avoided, and also avoid the additional costs of fly-tipping.



Develop effective and consistent enforcement strategies

Analysis of fly-tipping incidents and the actions undertaken by local authorities suggests a range of approaches to enforcement.

While some local authorities undertake thousands of investigations every year, issue warning letters, cautions and initiate prosecutions, others take substantially less or, in some cases, no action at all, despite thousands



of recorded fly-tipping incidents in their area.

We believe that this lack of consistency promotes a mixed message with fly-tipping perceived as tolerated in some areas of the country but less so in others.

Fly-tipping is, by its very nature, a difficult crime to investigate, often occurring away from witnesses and with little evidence of the perpetrator left behind.

However, the National Fly-Tipping Prevention Group has already demonstrated that there is a wealth of good practice already in operation, with evidence of effective approaches to training, intelligence gathering and partnership working between various stakeholders,

including land owners, local authorities, the police and the Environment Agency.

Keep Britain Tidy will extend the application of this existing good practice, develop new approaches and encourage a more consistent approach to enforcement across local authorities. This will increase the risk to fly-tippers, catch and prosecute more offenders and discourage others. We will develop a regularly updated online guide to good practice, extend the roll-out of our Enforcement Academy and explore the uptake and impact of current interventions.

Encourage stiffer sentencing in magistrates' court

The Department for Environment, Food and Rural Affairs (Defra) stresses the range of impacts of fly-tipping, stating that it is “a significant blight on local environments; a source of pollution; a potential danger to public health and hazard to wildlife and a nuisance. It also undermines legitimate waste businesses where unscrupulous operators undercut those operating within the law”.

(Defra, Fly-tipping statistics for England, 2014/15, last updated 20 October 2015, www.gov.uk/government/statistics/fly-tipping-in-england)

The Parliamentary Under-Secretary of State Communities and Local Government, Marcus Jones MP, has described both litter and fly-tipping as “antisocial environmental crimes that pose risks to human health and animal welfare, spoil relationships between neighbours and their wider community, and affect the way people feel about the place that they call home”. (House of Commons debate, 25 February 2016: Column 187WH)

In 2014 the Sentencing Council issued guidelines for environmental

offences, including fly-tipping, ahead of which it stated: “It covers offences like fly-tipping and waste crimes, is likely to lead to larger fines for serious offenders, while ensuring a consistent approach to offences is taken by courts in England and Wales.”

Magistrates can issue unlimited fines and/or a 12-month custodial sentence. We know Government views fly-tipping as a serious offence but our analysis of the actual fines issued in 2014/15 tells a very different story: 62% of fines issued for fly-tipping were less than £200, with 95% of fines less than £1,000.

For this reason, we are calling on the Sentencing Council to undertake a review of the

application of the Environmental Offences Definitive Guideline and collect data on sentencing in both the Crown Court and magistrates' courts.

We are also calling on the Magistrates' Association to ensure its members are fully aware of the requirements of the Environmental Offences Definitive Guideline and make full use of their sentencing powers to provide a real deterrent against fly-tipping.

Keep Britain Tidy will also review the uptake of the fixed penalty notice for fly-tipping to determine whether it is effectively removing the need for local authorities to prosecute for minor fly-tipping offences.

Encourage the development of a more circular economy

In 2014/15 almost 150,000 items of furniture and white goods were fly-tipped, which is an illustration of the consequences of our current, linear economy.

Business models that require sales of more and more product in order for businesses to remain competitive are not well suited to the development of a circular economy. They also create more waste with the use of cheaper materials resulting in faster wear and breakdown.

The EU Circular Economy Package aims to transition European economies towards more circular models and we'd like to see targets and policy initiatives that drive concepts such as leasing, easily replaceable parts, ease of maintenance and repair and ease of upgrading.

Keep Britain Tidy calls on Government to look at encouraging manufacturers as well as retailers to bear some responsibility for the cost of collecting and recycling large used products, such as mattresses, sofas and white goods, and to fully implement the EU Circular Economy Package.

Better research and greater innovation

While we have evidence about where and when fly-tipping is happening, we have less evidence about why it is happening, including insights into the triggers and barriers to different fly-tipping behaviours.

Changing the behaviour of different groups, including those who may fly-tip because they don't fully understand fly-tipping and those who wilfully fly-tip even when they are aware it is wrong, will require different approaches. Further research is crucial to help us understand different fly-tipping behaviours.

Keep Britain Tidy's Centre for Social Innovation seeks partners to work with us so we can develop and test local solutions to the growing problem of fly-tipping. We believe that the insights gained from targeted research, combined with our expertise in behavioural science, will lead to local campaigns and interventions that will significantly reduce fly-tipping.

Where interventions prove to be successful, we will scale these nationally with a range of partners, including those in Keep Britain Tidy's local authority network.

We're always available for a chat if you would like to get in touch.

E: richard.mcilwain@keepbritaintidy.org

Thank you



Keep Britain Tidy

Wigan office:
Elizabeth House
The Pier
Wigan WN3 4EX

T 01942 612621

London office:
9-13 Kean Street
London WC2B 4AY

T 020 7420 4400

enquiries@keepbritaintidy.org

keepbritaintidy.org

[facebook.com/keepbritaintidy](https://www.facebook.com/keepbritaintidy)

[@keepbritaintidy](https://twitter.com/keepbritaintidy)

