

COUNTRYSIDE ALLIANCE BRIEFING NOTE: FLY-TIPPING

Westminster Hall, Sarah Jones MP

Tuesday 06 February 2024

- **The Countryside Alliance has long campaigned on the problem of fly-tipping in the countryside. Government figures on fly-tipping only tell part of the story as official figures on the number of incidents on private land and the associated clear up costs are patchy.**
- **Fly-tipping and littering must not be seen as a victimless crime: it is a scourge on our natural environment and a blight on the farms these criminals still too often target.**
- **Farmers and other private landowners who are victimised are required by law to clear their land and bear the associated costs, which can be especially ruinous at a time when they are already under pressure from shifts in the agricultural subsidy regime.**
- **Landowners who do not act or inform the local authorities about a fly-tipping incident risk prosecution for illegal storage of waste.**
- **Farmers and rural businesses are having to resort to drastic measures to deter the crime, such as blockading gates and field entrances with machinery and other items. Often it is more expensive for the victim to remove the fly-tipped waste from private land than to pay the cost of the fixed penalty notice.**
- **Local authorities should fulfil their legal obligation to clamp down on fly-tipping and make it easier for people to dispose of their waste legally. While preventative measures play a part in reducing fly-tipping, more needs to be done to bring those who perpetrate it to justice. For local authorities merely to dispose of waste rather than finding the culprits sends the wrong message to fly-tippers.**

Background

- **The Countryside Alliance's last Rural Crime Survey, published last month, saw fly-tipping remain respondents' second-highest rural crime priority for police to tackle, behind only agricultural machinery theft. It found that among those who reported a crime having been committed against them, 37% had suffered from fly-tipping.**
- **This comes against a backdrop of 96% of those surveyed thinking rural crime was a significant problem in their community and 73% thinking crime had increased in the past 12 months.**
- **This annual survey consistently demonstrates that crime is a key issue for rural communities, yet those communities feel that policing is often focused on their urban neighbours. Residents and businesses in the countryside pay as much, and often more, per head of population for policing and deserve equal treatment to their urban counterparts.**

- Rural crime, including fly-tipping, must be taken seriously by the police and local authorities.
- The Countryside Alliance welcomed the Government's move to allow councils to keep money raised through fines to invest in litter clearing and enforcement, and the increase in the number of local authority enforcement actions reported in the latest fly-tipping statistics (see below) suggests it may be having an effect.
- We also welcome the fact that since 31 December 2023 councils have no longer been permitted to charge for the disposal of reasonable amounts of household DIY waste, which had been a driver of fly-tipping by encouraging people to contract with unlawful operators.¹
- In October 2023 the Government responded to its consultation on changing the waste carrier regulation regime to make it easier for regulators to target the potential rogue operators that commit larger-scale incidents.² This will be a welcome move if the new structure proves effective, however we should note that the deficiencies in the current system were initially identified in the Resources and Waste Strategy 2018, and now in 2024 action has still to be taken.

Latest Statistics

- [Fly-tipping statistics for England 2022/23](#), compiled by Defra, reveal the following:
 - Last year there were 1.08 million incidents of fly-tipping in England. Although this represents a decrease of 1% from the previous year, levels remain significantly higher than were seen before the pandemic.
 - Both the problem and the costs to local authorities are growing. In 2022/23, 42,000 or 4% of total incidents were of 'tipper lorry load' size or larger. That is an increase of 13% from 37,000 in 20 in 2021/22.
 - The Government only publishes costs relating to these large fly-tipping incidents, but the cost of clearance to local authorities in England in 2020/21 was £13.2 million, compared with £10.7 million in 2021/22. Clearance costs to public and private landowners from other incidents, which represent the vast majority, will inevitably be far higher.
 - Incidents of fly-tipping on footpaths and bridleways, which disproportionately affect rural areas and negatively impact their amenity and attractiveness for recreation, increased by 7% to 181,000 from 168,000 incidents the previous year.
 - Enforcement has seen some minor improvement. Local authorities carried out 536,000 enforcement actions in 2022/23, an increase of 29,000 actions (6%) from 507,000 in 2021/22. The issuance of fixed-penalty notices appears to have fallen by 19% to 73,000, although the Government has since clarified that some local authorities may have reported inaccurately so this figure cannot be relied upon.

¹ Defra, [Charges for disposing of DIY waste at recycling centres scrapped](#), 01.01.24

² Defra, [Consultation outcome](#), 21.10.23

- The average court fine increased from £466 in 2021/22 to £526 in 2022/23, which suggests that the Government's move last July to increase the maximum fine for fly-tipping³ may be starting to filter through.
- However, the number of court fines actually levied fell by 17% to 1,591. If we are to send a clear message that this crime is unacceptable and make it cease to be worthwhile, it is essential that rigorous enforcement be prioritised.
- These statistics are based on fly-tipping incidents reported by local authorities in England. They exclude the majority of incidents on private land.

Countryside Alliance Position

- The Countryside Alliance suggests that the following policies could play a role in tackling the scourge of fly-tipping:
 - Improved access to Civic Amenity sites: extension of opening hours; locations; and overhaul and standardisation of admission policies, to encourage lawful disposal of waste.
 - Incentivise lawful waste disposal; further measures should be sought to promote lawful disposal.
 - Greater support for landowners: anti-fly-tipping measures; utilisation of compensation orders; and closer working relationships with local authorities in recognition to particular problems caused by waste fly-tipped on private land.
 - Increased investment in education: raise awareness of responsibility amongst individuals and businesses, leaning on the fact that they can be held liable for fly-tipped waste that can be traced to them.
 - Tougher penalties on perpetrators: imposing and enforcing penalties which better reflect the seriousness of the crime, such as seizing vehicles used to fly-tip, is vital.

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³ Defra, [Bigger fines possible for littering and fly-tipping](#), 07.07.23