

## How to address and prevent fly-tipping on your land

Nobody wants to see their land become a dumping ground for illegal fly tipping. But the problem is prevalent throughout the UK. Many lawbreakers are chucking waste on people's land, ignoring the proper channels. To help tackle the issue, [agricultural insurance](#) providers Lycetts have created the following guide on how to address an active fly tipping issue. This article will also explore some prevention methods to stop the problem before it starts.

### The definition of fly-tipping

Fly-tipping is defined as disposing of large items or waste on land unlicensed to receive or process waste correctly.

All kinds of waste items are classed as fly-tipping: construction waste, furniture, tyres, bags of rubbish, mattresses, for example.

### A growing problem

A report from [The Daily Telegraph](#) looked at findings from ITV's freedom of information request regarding fly-tipping. Keep Britain Tidy's chief executive Allison Ogden-Newton went as far as to say that the crime has reached "crisis levels" throughout the country.

In fact, some regions have seen a year-on-year increase of over a fifth, according to The Daily Telegraph. For example, almost 40,000 reported incidents were recorded in the North London district of Haringey between November 2015 and December 2016, with more than 30,000 incidents also reported in Manchester over the same period.

Although some parts of the country have seen a decrease in fly-tipping incidents, the problem is still very much active. In Birmingham, for instance, the number of fly-tipping cases are down by 13 per cent between November 2015 and December 2016. However, the figure during this period was still recorded at 21,000 offences.

Ms Ogden-Newton said: "Fly-tipping is an epidemic, it's reached crisis levels and something needs to be done about it. Local authorities are overwhelmed with instances of criminal fly-tipping and we need to address this urgently."

Scotland faces a notable problem with fly tippers, says Lycett's account executive James Cuthbertson. Near to 61,000 fly-tipping incidents are recorded in this country every single year, Mr Cuthbertson has found.

He also noted: "The culprits tend to think of this practice as a victimless crime; but estimates put the cost to Scottish tax payers at £8.9 million a year to clear and dispose of tipped rubbish from council land. Farmers and other countryside custodians must meet the cost of clearing rubbish from private land themselves, at an average of £1,000 a time."

### Prosecutions for fly-tipping

There are efforts to deter people tempted to fly-tip.

Figures released by the [BBC](#) show that, between 2016 and 2017, 1,602 prosecutions for fly-tipping took place. What's more, 98 per cent of prosecutions made resulted in a conviction. During the same time period, councils across England served 56,000 fixed penalty notices in regards to cases of fly-tipping.

## Penalties and fines

As it is viewed as a serious crime, fly-tipping penalties include an unlimited fine and a five-year prison sentence.

Those who allow fly-tipping to occur on their land are also considered to be committing an offence. However, Mr Cuthbertson acknowledges: "Fines of up to £40,000 can be imposed but, given budgetary constraints, the pursuit of fly tippers is well down the list of priorities of councils and the police. Furthermore, it is hard to gather evidence to bring a successful prosecution."

## Reporting fly-tipping

The responsibility for clearing any fly-tipped waste or rubbish falls to you, the land owner.

The waste left on your land could be hazardous, so be sure to take extra precautions. Therefore, bags and drums should not be opened and piles of soil should be a cause for alarm bells as the material could be contaminated or hiding dangerous material.

Make notes of any fly-tipping you notice on your land. This includes where you located the waste, as well as taking photographs if possible. After all details have been recorded, report the case of fly-tipping to your local authority:

- Those in England and Wales should head to [this GOV.UK page](#) and report fly-tipping by first entering the postcode where the waste has been discovered.
- Those in Scotland should report fly-tipping waste by either filling in a [simple online form on DumbDumpers.org](#) or contacting Stopline directly by calling 0845 2 30 40 90.
- Those in Northern Ireland should head to [nidirect.gov.uk](#) and find details for their local council, who will be able to advise on the waste disposal sites and recycling centres based nearby for the safe and legal recycling or disposal of unwanted items.

After you have reported the waste, take steps to secure the waste so it cannot be further added to.

There are things to be aware of when arranging for the waste to be taken away. First and foremost, do not take the waste to a licensed site yourself unless you're registered as a waste carrier. If hazardous waste has been identified, it should only be carried and then disposed of by someone who is licensed to deal with hazardous waste.

If you need a third party to remove the waste, ensure they give you the required documentation. It should include details about the waste and those who are taking it away. Keep all information about clearance and disposal costs safe, as these can be recovered in the event a successful prosecution is made against the crime committed.

"In the event you wake one morning to find the midnight cowboys have paid you a visit, if the problem is severe, it is worth consulting with your insurance broker," advises Mr Cuthbertson. "Most farm combined policies will cover the cost of removal and disposal, less an excess. In the event of a major fly tipping incident, you could be very glad the cover is in place."

If you witness fly-tipping in process on your land, stay safe. As the practice is illegal, people are unlikely to take kindly to their crime being observed. Do not confront the guilty parties, but instead immediately call 999 and then make a note the number of people involved, descriptions of their appearances, details about the waste being fly-tipped and information about any vehicles used —

this includes the makes of the vehicles, their colours and their registration numbers if you can make it out.

### Preventing fly-tipping

Here are some ways you can improve the protection of your land against fly-tippers.

Gates that can be locked will reduce easy access for fly-tippers to your land. Strategically placing physical barriers around the perimeter makes it difficult for vehicles to get through — think earth bunds, boulders and tree trunks placed closely to each other around your land.

Fear of being caught will also deter any would-be fly-tippers. Therefore, work on improving visibility all around your property and its land, make sure high-quality exterior lighting is installed and in working condition, and set up CCTV cameras and appropriate signs alerting people of the technology's presence.

### Additional sources:

[https://www.ealing.gov.uk/info/201153/street\\_care\\_and\\_cleaning/197/fly-tipping](https://www.ealing.gov.uk/info/201153/street_care_and_cleaning/197/fly-tipping)

<http://www.lycetts.co.uk/insights/fly-tipping-costly-business/>

<http://www.tacklingflytipping.com/Documents/NFTPG-Files/NFTPGAdviceforLandowners.pdf>