This paper sets out the strategic approach for addressing the problem of fly-tipping in Surrey and has been developed by a Surrey project team in consultation with the partner organisations listed in section 3.
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1. Introduction

Vision of the strategy

This strategy will aim to deliver the vision of "A cleaner Surrey, where we work together to ensure our residents and businesses take responsibility for their waste, to build a safer future".

It will specifically focus on the issue of fly-tipping by coordinating and enhancing the prevention, investigation and enforcement activities of partner organisations to tackle and reduce the problem in Surrey. Delivering this strategy through improved joint working arrangements will ensure that outcomes for our residents are optimised in an efficient and effective way and provide a platform for developing further opportunities for increased collaboration. Our plan to deliver this strategy is set out in section 5 and Appendix A of this report.

Current situation – scale of the problem

Fly-tipping is a criminal offence and one of the most common forms of anti-social behaviour that poses a significant environmental, social and financial problem nationally and in Surrey. It blights our countryside, is a threat to livestock and local wildlife, a source of pollution, a danger to public health, and attracts other forms of anti-social behaviour and envirocrime such as arson, littering, graffiti and dog fouling.

It can also affect both the tourism and investment of an area, as well as the value of its homes. Fly-tipping undermines legitimate waste businesses, with illegal operators avoiding waste disposal costs and undercutting those who abide by the law. The consequence of fly-tipping is not only a significant risk to local communities, but also a considerable draw on valuable local authority and other ‘duty bodies’ resource, which could be better directed elsewhere.

According to the Department for Environment, Food & Rural Affairs, 900,000 incidents were reported by Local Authorities in England in 2014/15 at an estimated cost to clear of nearly £50 million excluding disposals costs. This up from the 852,000 incidents reported in 2013/14, at an estimated cost of £45.2 million to clear. However, these figures exclude much of the waste dumped on private land, which landowners are liable to dispose of at considerable cost to their business. It is estimated that average cost to a rural business is £800 per incident.

Data also suggests that fly-tipping is on the increase in Surrey. In 2014/15, there were an estimated 6,851 incidents of fly-tipping reported in Surrey, with Surrey County Council (SCC) and District & Borough councils spending an estimated £0.9 million of taxpayers’ money on collecting, investigating and disposing of this illegally dumped waste. This is up from the 6,760 incidents of fly-tipping incidents reported in Surrey in 2013/14. The most common place for incidents to occur in Surrey is on the Highway or on Council land. The type of material involved tends to be household or construction waste, and is usually the size of a car boot load or larger. For further information on this, please refer to Appendix B.

Drivers for change

There are many reasons for developing a joint approach to tackling and reducing fly-tipping in Surrey, but the three main drivers for change are:

1. Environmental, social and financial impact: As mentioned above, we recognise the unacceptable environmental and social harm caused by fly-tipping. For 2015/16

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1 DEFRA - Fly-tipping statistics for England, 2014/15

3
SCC is projecting a disposal outturn of over 4,000 tonnes of fly-tipped material (an increase from 2,500 tonnes in 2014/15). This increase in tonnage is likely to lead to increased costs for collection, investigation and disposal activities, meaning that the overall cost for 2015/16 could be £1 million plus. Again, this figure does not include the considerable cost to the private landowner. These are monies that could be better directed towards more essential services such as school places, adult social care and housing.

2. Public perception on CRC changes: During the public consultation on proposed changes to Surrey’s Community Recycling Centres (CRC) residents expressed concern that any changes to the service could have the potential to increase fly-tipping. On 1 April 2016 all CRC’s are operating to slightly reduced hours and some have closed for a day or two a week. Also six of the fifteen CRCs no longer accept certain types of construction and non household waste. There will also be a charging system introduced at the other nine CRCs for these waste types later this year. Once the charging system is introduced there will be a free allowance of one 25kg bag of rubble, soil or plasterboard per visitor per day. These changes were decided after residents were given the opportunity to feed back their thoughts on a range of cost saving options to SCC. Internally research has been carried out with 14 Waste Disposal Authorities that have introduced chargeable waste schemes at their CRCs, and only a few reported a spike in fly-tipping following their implementation. We consider the risk of this materialising in Surrey to be low, but will continue to monitor throughout the implementation period.

3. Working in isolation: The current position is quite fragmented with different ‘duty bodies’ in Surrey tackling the issue in isolation to varying levels of success. The delivery of joined up anti fly-tipping campaigns has already proved to be successful in others areas of England including Kent, Suffolk and Buckinghamshire, which have seen noticeable reductions in fly-tipping incidents following their interventions. There is also some good work being carried out internally within the District & Borough Councils to prevent and enforce against fly-tipping. We want to develop a holistic best practice approach here in Surrey to tackle the problem of fly-tipping through a joint strategy.

2. Background
What is fly-tipping?
Fly-tipping is the illegal disposal of waste without an environmental permit and is a criminal offence, contrary to Section 33(1) (a) of the Environmental Protection Act 1990. The types of fly-tipped waste can range from a black bag of household waste to large quantities of domestic, commercial or construction waste. Fly-tipping is not the same as littering. There is no official statutory definition of litter, but it is most commonly assumed to include materials that are improperly discarded. The four most common types of litter found in 2014/15 were: smokers’ materials; confectionery packs; non-alcoholic drinks related litter and fast food related litter.

What do we think the factors are that contribute to fly-tipping in Surrey?
Whilst there is no definitive answer, there are a number of factors that we believe could be contributing to the problem including:

- The cost of dealing with waste has increased providing a greater opportunity for rogue traders to find illegal ways to dispose of waste.

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4 House of Commons Briefing Paper on Litter researchbriefings.files.parliament.uk/documents/SN06984/SN06984.pdf
• Increased economic activity e.g. housing/home development contributing to larger amounts of construction waste.
• Agencies scaling back enforcement activities with fly-tipping not treated as a priority.
• Prevention measures not working.
• Proximity to London with large waste arising and active enforcement teams pushing waste to suburbs.
• Lack of availability of authorised waste disposal sites.

Responsibilities and powers
Local authorities and other ‘duty bodies’ have a responsibility in respect of dealing with fly-tipping, which varies depending on the circumstances. However, if waste is dumped on private land, it is the responsibility of the landowner to remove and dispose at a cost to them. In terms of the respective roles in Surrey, please refer to Appendix C. The powers for enforcement in Surrey lie with the Environment Agency and District and Borough Councils. The level of enforcement resource across the county tends to be quite varied between District and Borough Councils. Joint Enforcement Teams (JET) have been setup in Reigate & Banstead, Spelthorne and most recently in Elmbridge. The JET sees council officers working together with the police to combat anti-social behaviour (e.g. noise and graffiti), and low-level crime (e.g. littering and fly tipping). The governance of this strategy will aim to provide a link with the JET governance board.

Penalties for fly-tipping
Fly-tipping is a criminal offence that is punishable by a fine of up to £50,000 or 12 months imprisonment if convicted in a Magistrates’ Court. The offence can attract an unlimited fine and up to 5 years imprisonment if convicted in a Crown Court. There are also a range of other possible penalties, which can be found in Appendix D.

3. Scope
This strategy is a partnership approach that primarily covers the Waste Disposal Authority (WDA) which is Surrey County Council and the Waste Collection Authorities (WCAs), which are the 11 District & Borough Councils in Surrey listed below:


The strategy will be governed under Surrey Waste Partnership (SWP). The SWP includes all 12 of Surrey’s local authorities and aims to manage Surrey's waste in the most efficient, effective, economical and sustainable manner. The Environment Agency, Surrey Police (including the office of the Police & Crime Commissioner), Buckinghamshire and Surrey Trading Standards have also been approached to help support the strategy where they have a remit and resource to do so.

The following organisations have been consulted on the strategy, but have not been directly involved in its development or governance:

• Surrey Fire & Rescue
• Highways England
• Department for Environment, Food & Rural Affairs

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5 http://www.surrey-pcc.gov.uk/projects/joint-enforcement-team/
• Natural England
• Network Rail (and Train Operating companies in Surrey)
• Private land managers, owners and occupiers (such as the National Trust, Surrey Wildlife Trust, National Park Authorities, Forestry Commission)
• Surrey Hills AONB Board
• National Farmers Union
• Country Land and Business Association
• SITA Surrey
• Neighbouring Local Authorities

We’ll continue to engage with these groups and others that are identified with the development and delivery of this strategy.

4. Developing the strategy
This strategy was developed through engagement with the relevant partner organisations, as shown in the timeline below:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 2015</td>
<td>The intention for a joined up initiative was announced at a workshop between Surrey County Council (including Trading Standards), District &amp; Borough Councils, Surrey Police and the Environment Agency.</td>
</tr>
<tr>
<td>December 2015 - January 2016</td>
<td>A small focus group session was held with representatives from waste teams in Surrey County Council, Guildford Borough Council, Mole Valley District Council, Elmbridge Borough Council and Tandridge District Council. The purpose of this session was to identify what the current issues are and what a joint strategy could focus on.</td>
</tr>
<tr>
<td>February – March 2016</td>
<td>The focus areas developed from this session were then shared and tested with the 11 District &amp; Borough Councils. This included one to one site visits where possible. This was also shared with Surrey Police, the Environment Agency, and internally at Surrey County Council with groups such as Trading Standards, Highways and the Community Safety Team. An update was also presented to the SWP Officers and Members Group.</td>
</tr>
<tr>
<td>April 2016</td>
<td>After considering the various feedback gathered from the groups mentioned above the main themes in terms of aims, objectives and outcomes were drafted and were tested at a workshop between Surrey County Council (including Trading Standards, Highways and the Community Safety Team), WCA’s, Surrey Police (including the Office of the Police &amp; Crime Commissioner (PCC)). The Environment Agency were invited, but were unavailable to attend. This feedback helped draft the initial strategy.</td>
</tr>
<tr>
<td>May 2016</td>
<td>The draft strategy was shared with all groups in scope and more widely with those referred to in section 3 for input and feedback.</td>
</tr>
<tr>
<td>June 2016</td>
<td>The feedback received during May 2016 has informed the latest version of the strategy. This version was considered by the SWP Members group on 15 June. At this meeting members agreed to adopt this strategy. The strategy will be a live document that will evolve over time and will essentially act as a mechanism for working together.</td>
</tr>
</tbody>
</table>
Through our initial engagement the strategy will look to address the following common issues:

- **Education of residents and businesses** - Many households are unaware of their ‘Duty of Care’ responsibilities when disposing of their waste. Similar research shows that 56% of UK businesses are not complying with their ‘Duty of Care’ related regulations.\(^7\)
- **Data recording** - Not all incidents of fly-tipping are recorded or are recorded in a consistent way. Encouragement and support will be offered to private landowners to report any incident, even though it is their responsibility to remove any fly tipping at their own cost.
- **Management of incidents on the Highway** - Lack of clarity when it’s the responsibility of the district/borough council or the Highways Authority (Surrey County Council) to clear a fly-tipping incident that has occurred on the Highway.
- **Partner enforcement resources and working with land owners** - Different levels of access to information, and resource to assist with investigation and enforcement activities against fly-tipping.

5. **Aims and Objectives**

This strategy will initially focus on delivering the following aims and objectives:

**Aim one:** Stimulate a change in behaviour amongst residents, businesses and landowners that helps reduce the amount of fly-tipping in Surrey.

**Objective:** Develop and deliver a communications and engagement campaign that focuses on:
- Creating awareness of the financial and environmental impacts of fly-tipping.
- Educating the residents and business about their “duty of care” responsibilities when disposing of waste.
- Highlighting the consequences of fly-tipping.
- Enabling and encouraging landowners to help prevent fly-tipping.
- Encouraging the reporting of fly-tipping incidents.

**Aim Two:** Jointly agree the most efficient process for reporting, collection and disposal of illegally dumped waste on public land.

**Objectives:**
- Establish and agree a common understanding of the legislation in relation to fly-tipping to help define roles and responsibilities in the process to make it more efficient.
- Improve the recording of fly-tipping incidents that are reported by all duty bodies.
- Explore the idea of a supplier framework agreement, which will allow a contracting authority to select from a number of registered suppliers for the removal of hazardous waste and other waste that is difficult to handle, which will help ensure that each clearance represents best value.

**Aim Three:** Work together to maximise investigation and enforcement resources to ensure we use these in the most cost effective way.

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Objectives:
- Establish a network and platform to share intelligence on fly-tipping incidents, best practice and resources on prevention and enforcement between partner organisations.
- Use of technology to assist with intelligence gathering and enforcement activities.
- Identify more resources that can be applied against enforcement activities and processes.

6. Expected Outcomes
The delivery of the aims and objectives in the strategy will work towards achieving the following outcomes:

- It becomes easier for people to understand how they can dispose of their waste responsibly.
- The number of fly-tipping incidents across Surrey decreases, which improves the environment and reduces the cost to the taxpayer and private landowners.
- It becomes easier to catch those responsible for fly-tipping, which would lead to a higher conviction rate.

Further work will be conducted in the next stage of the strategy to define the measurement criteria to baseline against.

7. Monitoring Progress of the Strategy
This strategy sets outs the actions that are to be delivered over the next year. We’ll ensure that the expected outcomes of this strategy are delivered by monitoring progress towards implementing the actions as outlined below in Appendix A. We’ll report on our progress on a quarterly basis to the SWP.

8. Strategy governance
This strategy will be governed through the SWP. Through our initial engagement with partners it was recognised that the SWP’s regular meetings do not necessarily include the relevant officers that are responsible for fly-tipping in their organisation. To ensure that it does have the relevant representation a new sub group of the SWP will be created, as agreed with the members group at their meeting on 15 June. This will have relevant representation from Buckinghamshire and Surrey Trading Standards, the County Council and the 11 District & Borough Councils. This new subgroup would act as a network for sharing intelligence on fly-tipping incidents, best practice and resources on prevention and enforcement. It would also monitor progress against the actions in the strategy and would make recommendations on decisions affecting the group. The new sub group is illustrated below:

Agreed governance alteration of the Surrey Waste Partnership

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Denotes new sub group
The current groups in the SWP meet four times in a calendar year with a purpose of agreeing the work needed to meet the requirements of Surrey’s joint waste strategy. Key issues/decisions are first discussed at the waste officers' group before being taken to the waste members’ group for final approval. The intention is that the new “Fly Tipping Enforcement Group” will meet four times in a calendar year, but this will be determined by this group moving forward. This group will meet for the first time in September 2016 (ahead of the next cycle of SWP meetings). Any recommendations that come out of the group’s meetings will then be fed into the SWP Officers and Members Groups for discussion and approval. The new “Fly-Tipping Enforcement Group” will also link into other areas of relevant work being carried out in the county and will not replace these.

9. **Funding**
The delivery of the strategy will initially being financed by the SWP. At the members group meeting on 15 June they agreed to provide start up funding of £80,000, which would pay for:

- A fixed term post for a year that would act as the lead for a Surrey wide “Fly Tipping Enforcement Group” with relevant partner organisations, as referred to in section 8. They would ensure that the cohesion and collaboration between partners remains. They would also act as an intelligence gathering resource for partners and would oversee the other actions in the strategy to help ensure they are delivered. This post will sit within the Buckinghamshire and Surrey Trading Standards intelligence team, as this is where it would add most value given the intelligence database that they would have access to, which would benefit the WCA’s in their enforcement role. The post will cost an estimated £50,000 for one year, which includes salary and oncosts (the additional costs to employ a new member of staff) and any additional tools required to assist the role. We'll shortly start the recruitment process for this role and would expect the successful candidate to be in post by early September.

- A county-wide anti fly-tipping campaign starting in early July through to the autumn of 2016. The campaign will be delivered by the SWP Communications Team with input from relevant partners, and will broadly follow an approach that has been delivered successfully elsewhere at other local authorities that have coordinated joint anti fly-tipping campaigns.

The ongoing funding of the strategy will be based on how successful it is in the first year of delivery and what additional investment we can attract moving forward, which is one of the actions that we’ll pursue, as referred to in **Appendix A**.

10. **Contacts for further information**
**Surrey Project Team**

Nicholas Meadows, Change Consultant, Surrey County Council  
**Email:** nicholas.meadows@surreycc.gov.uk

Richard Parkinson, Waste Operations Group Manager, Surrey County Council  
**Email:** richard.parkinson@surreycc.gov.uk

Veronica Atkins, Waste Management Contract Officer, Surrey County Council  
**Email:** veronicaatkins@surreycc.gov.uk

Tom Beagan, Surrey Waste Partnership Manager  
**Email:** tombeagan@surreywastepartnership.org.uk
## Appendix A: Delivery Plan

### Prevention workstream

**Aim One:** Stimulate a change in behaviour amongst residents, businesses and landowners that helps reduce the amount of fly tipping in Surrey.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Key Actions</th>
<th>Progress to Date</th>
<th>Status RAG</th>
<th>Delivery Date</th>
<th>Lead Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop and deliver a communications and engagement campaign that focuses on</td>
<td>Formally agree resources and campaign plan.</td>
<td></td>
<td>Mid June 2016</td>
<td></td>
<td>Richard Parkinson SCC/ SWP Communications Team</td>
</tr>
<tr>
<td>• Creating awareness of the financial and environmental impacts of fly tipping.</td>
<td></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>• Educating the residents and business about their “duty of care” responsibilities when disposing of waste.</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>• Highlighting the consequences of fly tipping.</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Enabling and encouraging landowners to help prevent fly-tipping.</td>
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<td></td>
<td></td>
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<tr>
<td>• Encouraging the reporting of fly tipping incidents.</td>
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<tr>
<td>Produce campaign materials ahead of campaign launch.</td>
<td></td>
<td></td>
<td>Ahead of campaign launch date</td>
<td></td>
<td>SWP Communications Team</td>
</tr>
<tr>
<td>Launch phased campaign.</td>
<td></td>
<td></td>
<td>Early July 2016</td>
<td></td>
<td>SWP Communications Team</td>
</tr>
</tbody>
</table>

### Efficiency workstream

**Aim Two:** Jointly agree the most efficient process for reporting, collection and disposal of illegally dumped waste on public land.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Key Actions</th>
<th>Progress to Date</th>
<th>Status RAG</th>
<th>Delivery Date</th>
<th>Lead Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish and agree a common understanding of the legislation</td>
<td>Undertake legal research of local authorities and other duty bodies</td>
<td></td>
<td>Mid June 2016</td>
<td></td>
<td>Nicholas Meadows and Richard</td>
</tr>
<tr>
<td>Task</td>
<td>Details</td>
<td>Completion Date</td>
<td>Responsible Parties</td>
<td></td>
<td></td>
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<td>---------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Improve the recording of fly-tipping incidents that are reported.</td>
<td>Ensure all D&amp;B’s refer to the Waste Data Flow module guidance when reporting an incident and report back any gaps in definition.</td>
<td>From 1 July 2016</td>
<td>All D&amp;B’s</td>
<td></td>
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<tr>
<td></td>
<td>Ensure all D&amp;B’s record incidents that are a van load or higher including information on location to inform county-wide intelligence mapping</td>
<td>From 1 July 2016</td>
<td>All D&amp;B’s</td>
<td></td>
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<tr>
<td></td>
<td>Establish a recording/reporting process for other bodies that have a responsibility for fly-tipping.</td>
<td>From 1 September 2016</td>
<td>Richard Parkinson and Nick Meadows SCC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clarify the legal position with regard to the above.</td>
<td></td>
<td>Late June 2016</td>
<td>Richard Parkinson and Nick Meadows SCC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Refine and acceptance of roles by partners including opportunities for more efficient joint working.</td>
<td></td>
<td>Mid July 2016</td>
<td>All Partners (SCC and D&amp;B’s)</td>
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<tr>
<td>on relevant legislation and definitions concerning:</td>
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<tr>
<td>- Difference between fly-tipping and littering.</td>
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<tr>
<td>- Clarification of what is public and private land.</td>
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<tr>
<td>- Definition of the Highway including clarification on who is responsible for when a fly-tipping incident occurs on the Highway</td>
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</tr>
<tr>
<td>in relation to fly-tipping to help define roles and responsibilities in the process to make it more efficient.</td>
<td></td>
<td></td>
<td>Parkinson SCC</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Explore the idea of a supplier framework agreement, which will allow a contracting authority to select from a number of registered suppliers for the removal of hazardous waste and other waste that is difficult to handle, which will help to ensure that each purchase represents best value.

Research with WCA’s and private landowners on the following:
- Types of hazardous waste materials and difficult to handle waste
- Volumes
- Frequency
- Current costs to them

Review results with SCC Procurement.

Produce an options analysis report on how to proceed and seek approval.

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Early July 2016</td>
<td>Veronica Atkins SCC</td>
</tr>
<tr>
<td>Mid July 2016</td>
<td>Veronica Atkins SCC and</td>
</tr>
<tr>
<td></td>
<td>Procurement SCC</td>
</tr>
<tr>
<td>Late July 2016</td>
<td>Richard Parkinson SCC</td>
</tr>
</tbody>
</table>

### Enforcement workstream

**Aim Three:** Work together to maximise investigation and enforcement resources to ensure we use these in the most cost effective way.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Key Actions</th>
<th>Progress to Date</th>
<th>Status RAG</th>
<th>Delivery Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish a network and platform to share intelligence on fly-tipping</td>
<td>Employ a fixed term post for one year</td>
<td>Start recruitment</td>
<td>Richard</td>
<td>Richard Parkinson SCC &amp; Gina Green Buckinghamshire and Surrey Trading Standards</td>
</tr>
<tr>
<td>incidents, best practice and resources on prevention and enforcement</td>
<td></td>
<td>process from Mid June</td>
<td>Parkinson</td>
<td></td>
</tr>
<tr>
<td>between partner organisations.</td>
<td></td>
<td></td>
<td>SCC &amp; Gina</td>
<td></td>
</tr>
<tr>
<td>Create an intelligence hub through Trading Standards with them acting as</td>
<td>Create an intelligence hub through Trading Standards with them acting as the</td>
<td>From 1 September 2016</td>
<td>Gina</td>
<td></td>
</tr>
<tr>
<td>the single point of contact for D&amp;B’s Intel.</td>
<td>single point of contact for D&amp;B’s Intel.</td>
<td></td>
<td>Green</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Buckinghamshire</td>
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<td></td>
<td></td>
<td></td>
<td>and Surrey</td>
<td></td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>Trading</td>
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<td></td>
<td></td>
<td></td>
<td>Standards</td>
<td></td>
</tr>
</tbody>
</table>

12
<table>
<thead>
<tr>
<th>Task</th>
<th>From</th>
<th>Responsible Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Explore utilising Safety Net as a tool to share information on fly-tipping incidents between partners.</td>
<td>Mid June 2016</td>
<td>Louise Gibbins Surrey County Council</td>
</tr>
<tr>
<td>Create a protocol for fast time access to 'local police intelligence when an incident is occurring or has just occurred.</td>
<td>1 September 2016</td>
<td>Adam Luck Surrey Police</td>
</tr>
<tr>
<td>Establish a county fly-tipping enforcement group through the Surrey Waste Partnership.</td>
<td>1 September 2016</td>
<td>Richard Parkinson SCC &amp; Tom Beagan SWP</td>
</tr>
<tr>
<td>Use of technology to assist with intelligence gathering and enforcement activities.</td>
<td>Late June 2016</td>
<td>Richard Parkinson and IMT team SCC</td>
</tr>
<tr>
<td>Research the use of mobile technology to photograph and plot fly-tipping incidents onto a GPS mapping system in real time.</td>
<td>Late August 2016</td>
<td>Richard Parkinson and IMT team SCC</td>
</tr>
<tr>
<td>Produce an options analysis report on how to proceed and seek approval.</td>
<td>First map to be produced by 1 November 2016 (using data collected between July – September)</td>
<td>Richard Parkinson and IMT team SCC</td>
</tr>
<tr>
<td>Develop a County wide map of fly-tipping incidents that are van load or higher in size to act as an intelligence tool and to raise public awareness</td>
<td>Ongoing (but first application may be made as early as 30 June)</td>
<td>Initially Richard Parkinson and Nick Meadows SCC but the county wide Fly-Tipping Enforcement Group to take forward from</td>
</tr>
<tr>
<td>Identify more resources that can be applied against enforcement activities and processes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lobby funding bodies such as the PCC office for more resource towards enforcement activities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Provide information to better inform magistrates on the environmental, social and financial impact of fly-tipping to encourage maximising available penalties and/or prison sentences</strong></td>
<td><strong>Mid- Late June 2016</strong></td>
<td>Richard Parkinson SCC through dialogue with Surrey Magistrates Association</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Look to see if civil recovery action can be applied for cases of fly-tipping that are taken through the court process.</strong></td>
<td><strong>Mid- Late June 2016</strong></td>
<td>Richard Parkinson, Nick Meadows and Legal Team SCC</td>
</tr>
</tbody>
</table>
Appendix B: Fly-tipping incidents reported in Waste Data Flow (national database for recording fly-tipping incidents)

Fly-tipping incidents in Surrey reported from 2011/12 to 2014/15

<table>
<thead>
<tr>
<th>Year</th>
<th>Incidents</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/12</td>
<td>6526</td>
</tr>
<tr>
<td>2012/13</td>
<td>6450</td>
</tr>
<tr>
<td>2013/14</td>
<td>6760</td>
</tr>
<tr>
<td>2014/15</td>
<td>6851</td>
</tr>
</tbody>
</table>

Fly-tipping incidents in Surrey in 2014/15 by land type:

- **Highway Incidents**: 51.04%
- **Council Land Incidents**: 28.35%
- **Footpath / Bridleway Incidents**: 10.63%
- **Back Alleyway Incidents**: 3.25%
- **Other (unidentified) Incidents**: 3.15%
- **Private / Residential Incidents**: 2.06%
- **Watercourse / Bank Incidents**: 0.61%
- **Agricultural Incidents**: 0.47%
- **Commercial / Industrial Incidents**: 0.41%
- **Railway Incidents**: 0.03%
Fly-tipping incidents in Surrey in 2014/15 by type

- Other Household Waste Incidents: 35.76%
- Constr / Demol / Excav Incidents: 18.29%
- Black Bags - Household Incidents: 10.19%
- Green Incidents: 9.05%
- Other (unidentified) Incidents: 8.71%
- White Goods Incidents: 6.93%
- Other Commercial Waste Incidents: 2.67%
- Tyres Incidents: 2.42%
- Other Electrical Incidents: 1.87%
- Asbestos Incidents: 1.23%
- Black Bags - Commercial Incidents: 0.90%
- Vehicle Parts Incidents: 0.89%
- Animal Carcass Incidents: 0.58%
- Chemical Drums, Oil, Fuel Incidents: 0.39%
- Clinical Incidents: 0.10%

Fly-tipping incidents in Surrey in 2014/15 by size

- Small Van Load Incidents: 36.11%
- Car Boot or Less Incidents: 25.57%
- Transit Van Load Incidents: 17.39%
- Single Item Incidents: 14.64%
- Single Black Bag Incidents: 3.53%
- Tipper Lorry Load Incidents: 2.28%
- Significant / Multi Loads Incidents: 0.49%
## Appendix C: Fly-tipping in Surrey responsibilities

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Responsible for</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 District and Borough Councils (Elmbridge, Epsom &amp; Ewell, Guildford, Mole Valley, Reigate and Banstead, Runnymede, Spelthorne, Surrey Heath, Tandridge, Waverley and Woking)</td>
<td>Responsible for investigating and clearing fly-tipping on all public land within their boundaries. Both the Highways Authority (SCC) and these local authorities have a responsibility for clearing waste from the Highway for roads which it is responsible for (not motorways and major trunk roads in Surrey which Highways England are responsible for).</td>
</tr>
<tr>
<td>Surrey County Council</td>
<td>As the Waste Disposal Authority it is responsible for the disposal of any fly-tipped waste collected by District and Borough Councils. As the Highways Authority it is responsible with the Local Authorities for clearing waste from the Highway for roads which it is responsible for (not motorways and major trunk roads in Surrey which Highways England are responsible for). As the Waste Planning Authority it also plays a role in enforcement on large-scale illegal waste dumping</td>
</tr>
<tr>
<td>Surrey Police</td>
<td>If someone witnesses a fly-tipping offence is in progress, call 999 and ask for the police for them to respond.</td>
</tr>
<tr>
<td>Highways England</td>
<td>Responsible for clearing litter and fly-tipped material from trunks roads which Highways England is responsible for.</td>
</tr>
<tr>
<td>Environment Agency</td>
<td>Responsible for investigating large-scale incidents of fly-tipping in Surrey (more than a lorry load), hazardous waste fly tipping, and waste dumped in a way that is a threat to human health or to the environment.</td>
</tr>
<tr>
<td>Network Rail</td>
<td>Responsible for all land between the tracks, as well as up to 100 metres from the end of the platform. Responsible for all railway land in urban areas and key stations. Remaining stations are managed by train operating companies. In Surrey this is South West Trains, Southern Rail and Great Western Rail.</td>
</tr>
<tr>
<td>Land managers, farmers, land owners and occupiers of private land.</td>
<td>Responsible for clearing fly-tipping on private land. In Surrey this includes private landowners, farmers, housing associations and organisations such as the National Trust, Surrey Wildlife Trust, Forestry Commission, National Park Authorities</td>
</tr>
</tbody>
</table>

This will be further refined, as part of the efficiency workstream referred to in Appendix A.
Appendix D: Penalties for fly-tipping

Fly-tipping is a criminal offence that is punishable by a fine of up to £50,000 or 12 months imprisonment if convicted in a Magistrates' Court. The offence can attract an unlimited fine and up to 5 years imprisonment if convicted in a Crown Court. There are also a range of other possible penalties including:

- **Duty of care failure**: Anyone who produces, imports, keeps, stores, transports, treats or disposes of waste must take all reasonable steps to ensure that waste is managed properly. This duty of care is imposed under section 34 of the Environmental Protection Act 1990 and includes a statutory Code of Practice. A breach of the duty of care could lead to a penalty of up to £5,000 if convicted in the Magistrates Court or an unlimited fine if convicted in the Crown Court.

- **Fixed penalty notices**: Local authorities can issue fixed penalty notices of £400 for small scale fly-tipping under new powers granted under the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016.

- **Seizing property**: the Control of Waste (Dealing with Seized Property) (England and Wales) Regulations 2015 came into force on 6 April 2015. These regulations establish the procedures which a waste collection authority, the Environment Agency and Natural Resources Wales must follow once they have seized a vehicle and/or its contents because of suspected involvement concerning the transport or disposal of waste (such as fly-tipping).

It must be noted that the typical prosecution in Surrey tends to be a much smaller fine of roughly £5,000 or less and/or a short prison sentence. This strategy will look to better inform magistrates about the impact of fly-tipping to encourage maximising available penalties and/or prison sentences.
Appendix E: Example photos of fly-tipping incidents