

HAMPSHIRE FLY-TIPPING STRATEGY

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Foreword

“Fly-tipping is a criminal act. It is a significant concern for Hampshire residents, and is a financial and environmental cost to Hampshire County Council, all of Hampshire’s other Local Authorities and a number of other bodies and Hampshire landowners. It impacts upon businesses, communities, and Hampshire’s natural environment, including its two National Parks (the New Forest and the South Downs), and its wide ranging rural areas.

For this reason, we are seeking to work in partnership to tackle the issue of fly-tipping head on. We will focus on developing new and robust tactics to raise awareness about fly-tipping and the responsibilities for dealing with waste, improve our reporting and intelligence on fly-tipping instances, and utilise resources efficiently to increase capture and prosecution of perpetrators.

Within this partnership approach and collective responsibility, we will seek to clarify all partners’ roles in dealing with fly-tipping incidents, and ensure that all are empowered to deal with these incidents effectively.

In doing so, we seek to bring about a significant reduction in the unacceptable social, economic and environmental harm caused by fly-tipping. This will also ensure we keep Hampshire a beautiful place to live and work for generations come.”

Councillor Rob Humby – Hampshire County Council

1. Introduction

1.1 Vision of the strategy

This strategy will aim to deliver the vision of

“A future for Hampshire where we work together to ensure that all parties take responsibility for their waste, so as to bring about a significant reduction in the unacceptable social, economic and environmental harm caused by fly-tipping”.

The Strategy will target illegal fly-tipping activities by coordinating, supporting and enhancing the prevention, investigation and enforcement activities of partner organisations to tackle the problem and reduce the number of incidents in Hampshire.

The Strategy will be delivered through enhanced partnership working and increased collaboration between all relevant bodies and organisations in Hampshire, to ensure the best outcome for our residents and businesses.

Strategy delivery is set out in **Appendix A** of this report.

1.2 Current situation – scale of the problem

“Fly-tipping is a significant blight on local environments; a source of pollution; a potential danger to public health; a hazard to wildlife and a nuisance. It also undermines legitimate waste businesses where unscrupulous operators undercut those operating within the law” – Department of Environment, Food and Rural Affairs (DEFRA)¹

Fly-tipping is a criminal offence and one of the most common forms of anti-social behaviour. It poses a significant negative environmental, social and financial issue nationally and in Hampshire. It blights the 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 environmental crime such as arson, littering, graffiti and dog fouling.

Fly-tipping can also affect both the tourism and inward investment potential of an area as well as the value of local homes. It undermines legitimate waste businesses as illegal operators avoid waste disposal costs and undercut those who abide by the law.

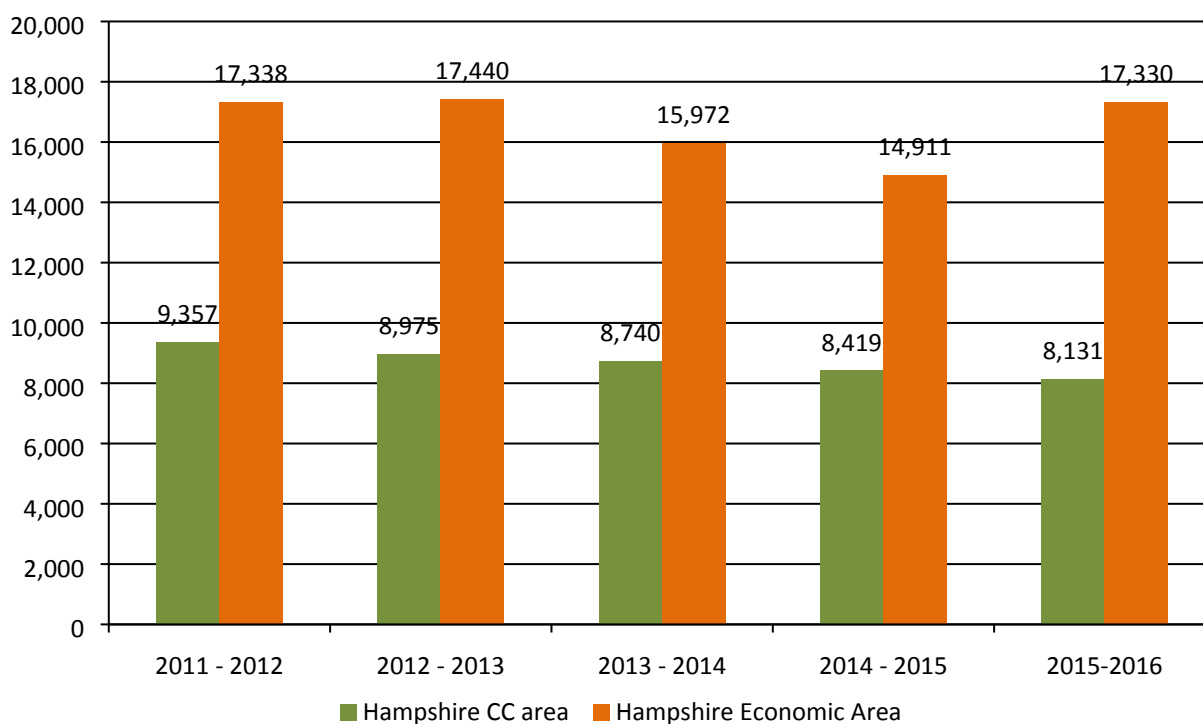
The consequence of fly-tipping is not only a significant risk to local communities, but also a considerable draw on valuable local authority budgets and other responsible bodies' resources which could be better directed elsewhere, as well as a cost to private landowners.

¹ DEFRA - Fly-tipping statistics for England, 2014/15
gov.uk/government/uploads/system/uploads/attachment_data/file/469566/Flycapture_201415_Statistical_release_FINAL.pdf

According to the latest available data published by DEFRA, 900,000 incidents of fly-tipping were reported by Local Authorities in England in 2014/15 at an estimated cost to clear of nearly £50million, excluding disposal costs. This is up from 852,000 incidents reported in 2013/14, at an estimated cost of £45.2million to clear.² These costs however exclude much of the waste dumped on private land, for which landowners are liable to dispose of at considerable cost. It is estimated that the average cost to a rural landowner is £800 per incident.

Local fly-tipping incidents in 2015/16 in the Hampshire Economic Area (HEA area, including all Hampshire Local Authorities) have also increased from 2014/15 although it is observed that there has been a general decrease over the past five years in the Hampshire County Council area (excluding Portsmouth and Southampton City Councils).

Figure 1: Fly-tipping instances in Hampshire³



In 2015/16, there were still an estimated 8,131 incidents of fly-tipping reported in the HCC area, with the County Council and District and Borough councils spending an estimated **£710,000** of taxpayers' money on collecting, investigating and disposing of this illegally dumped waste.

The costs above do not include those that will have been incurred by private landowners during the same period.

² DEFRA - Fly-tipping statistics for England, 2014/15
gov.uk/government/uploads/system/uploads/attachment_data/file/469566/Flycapture_201415_Statistical_release_FINAL.pdf

³ DEFRA – Flycapture from 2011/12 - 2014/15 and WasteDataFlow from 2015/16 onwards

The most common place for those incidents which are reported to occur in Hampshire on public land is on the Highway (50% of incidents), on bridleways and footpaths (20%) and Council land (17%).

The type of material involved includes household, construction and commercial wastes. In terms of scale these are most commonly single item incidents (52%), the size of a small van load (18%) or the size of a car boot or less (17%). For further information, please refer to **Appendix B**.

1.3 Drivers for change

There are three key drivers for developing a joint approach to tackling and reducing fly-tipping in Hampshire:

A. Environmental, social and financial impact: The environmental and social harm caused by fly-tipping is unacceptable. If levels of fly-tipping remain constant in 2016/17 this will lead to a requirement to dispose of waste arising from over 8,000 incidents across Hampshire.

With increased costs for collection, investigation and disposal activities, the overall cost for 2016/17 could be greater than the £710,000 incurred in 2015/16, again not including the considerable cost to the private landowner. This money would be better directed towards other services, particularly in a climate where local authorities and other public bodies are increasingly required to make difficult decisions about where to focus their resources due to cuts in Government funding.

B. Improved partnership working: There are a number of bodies within Hampshire, as well as private landowners, who are impacted upon by fly-tipping and who incur costs as a result of fly-tipping incidents. However, the current position is relatively fragmented with various organisations in Hampshire tackling the issue within their own areas of jurisdiction to varying degrees of success.

The delivery of joined up anti fly-tipping campaigns has already proved to be successful in others areas of England including Buckinghamshire, Kent, Suffolk and Surrey, many of which have seen noticeable reductions in fly-tipping incidents following intervention.

There is also existing positive action already being taken within district and borough councils and other bodies in Hampshire to prevent and enforce against fly-tipping. The aim is to share information and resources to develop a holistic best practice approach in Hampshire to tackle the problem of fly-tipping through a joint strategy.

C. Public perception: It is acknowledged that fly-tipping is an issue of particular interest to Hampshire residents and businesses, evidenced by correspondence received by local authorities, regular concerns expressed by private landowners and other rural interests, and the level of coverage in the local media.

Fly-tipping impacts upon local environmental quality in a way that is immediately visible. It can have an impact upon house prices and local businesses and often can be viewed alongside other environmental crimes such as graffiti, whereby it is associated with a general decline in local standards. In Hampshire it is also particularly associated with a damaging impact upon the highly valued countryside. These are all reasons why it is an issue of concern to the public, and one which needs to be addressed.

Any perceived impacts on the levels of fly-tipping as a result of changes made to waste management in Hampshire should be monitored as part of the introduction of those changes.

2. Background

2.1 What is fly-tipping?

Fly-tipping is the illegal disposal of waste without an environmental permit and is a criminal offence, in line with 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 and in smaller volumes. Among the most common types of litter are cigarette butts, sweet packets and wrappers, non-alcoholic drink related litter and fast food related litter.

2.2 What are the factors are that contribute to fly-tipping in Hampshire?

A report⁴ referencing research by the National Fly-Tipping Prevention Group (NFTPG) found the primary causes of fly-tipping are:

- financial gains or savings
- lack of waste disposal facilities or access to them
- laziness and an attitude that it's someone else's responsibility to clear up the waste.

In addition to the above, there are a number of other reasons that are believed to be contributing to the amount of fly-tipping in Hampshire:

- 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 (likely to be associated with reduced budgets).
- Prevention measures not working.
- Rural characteristic of some areas of the county offers opportunities to fly-tip waste with relatively low chance of being spotted.

⁴ <http://researchbriefings.files.parliament.uk/documents/SN05672/SN05672.pdf>

2.3 Responsibilities and powers

Local authorities and other responsible bodies have a legal or statutory 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. Please refer to **Appendix C** for detailed respective responsibilities in Hampshire.

The powers for enforcement in Hampshire lie with the Environment Agency and District and Borough Councils. The level of enforcement resource across the county is somewhat varied between the different District and Borough Councils. This has also been as a result of budgetary pressures on local authority funding.

2.4 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 also attract an unlimited fine and up to five years imprisonment if convicted in a Crown Court. There are also a range of other possible penalties for fly-tipping, which can be found in **Appendix D**.

3. Scope

This strategy is a partnership approach led by Hampshire County Council, alongside Hampshire's Waste Collection Authorities, Unitary Authorities, and other organisations listed below. Not all organisations listed are directly responsible for dealing with Fly-tipping but all are working collaboratively to help address the issue.

Hampshire Waste Collection and Unitary Authorities

Basingstoke and Deane Borough Council
East Hampshire District Council
Eastleigh Borough Council
Fareham Borough Council
Gosport Borough Council
Havant Borough Council (Norse South East)
Hart District Council
New Forest District Council
Portsmouth City Council
Rushmoor Borough Council
Southampton City Council
Test Valley Borough Council
Winchester City Council

Other Organisations

Country Land and Business Association
 Campaign to Protect Rural England Hampshire
 Environment Agency
 Farming Community Network
 Forestry Commission
 Local Farmers
 Hampshire Constabulary
 National Farmers Union
 National Trust
 New Forest National Park Authority
 South Downs National Park Authority

Additional organisations may be involved as the strategy and action plan are developed.

4. Developing the strategy

This strategy has been and will continue to be developed through engagement with the relevant partner organisations, as shown in the timeline below:

September 2016	Outline of strategy and partnership approach agreed.
September 2016 – November 2016	Completion of three working groups helping to outline the action plan.
December 2016 – March 2017	Strategy, action plan and governance arrangements agreed, in consultation with all partners.
April 2017 onwards	Delivery phase including the publication of the strategy and action plan. Fly-tipping partnerships and projects officer in post.

The strategy is intended to be a live document that will evolve over time and will act as a mechanism for enhanced partnership working and collaboration.

This strategy will look to address the following common issues:

- I. **Education of residents and businesses** - Many households are unaware of their ‘Duty of Care’⁵ responsibilities when disposing of their waste (i.e. to keep waste safe, and to make sure it’s dealt with responsibly and only given to businesses authorised to take it). Similarly, research shows that 56% of UK businesses are not complying with their ‘Duty of Care’ related regulations⁶.

⁵ Waste Duty of Care Code of Practice: <https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

⁶ <http://www.rightwasterightplace.com/news/2016/4/11/duty-of-care-awareness-campaign-launched-as-research-suggests-56-of-uk-businesses-are-not-complying-with-the-law>

- II. **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.
- III. **Management of incidents on the highway** - Lack of clarity when it's the responsibility of the District or Borough Council or the relevant Highways Authority in two-tier areas to clear a fly-tipping incident that has occurred on the Highway.
- IV. **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.
- V. **Cross-border working with neighbouring local authorities** - With a focus on the wider national picture.

5. Aims and objectives

This strategy will initially focus on delivering the following three key aims and objectives, which will address the priorities listed above:

Aim one: Stimulate and maintain a change in behaviour amongst residents, businesses and landowners that helps reduce the amount of fly-tipping in Hampshire, underpinned by a common understanding of fly-tipping as a socially unacceptable behaviour.

Objectives:

- 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 and enabling the reporting of fly-tipping incidents.
- Making it easier to report fly-tipping.

(Addresses key issue/priority I and II in section 4 above)

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

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 responses to instances more effective.

- Improve the recording of fly-tipping incidents that are reported by all responsible bodies, working towards a consistent and comprehensive approach.
- Explore the idea of a supplier framework agreement, which will allow any contracting body to select from a number of registered suppliers for the removal of all waste including waste that is difficult to handle, ensuring best value from each clearance.
- Work with neighbouring authorities and at a national level to improve reporting, given that fly-tipping doesn't stop at county borders.

(Addresses key issue/priority II, III and IV in section 4 above)

Aim Three: Work together to maximise investigation and enforcement resources to ensure we use these in the most efficient and cost effective way, to achieve improved outcomes.

Objectives:

- Establish a network and platform to share intelligence on fly-tipping incidents, as well as best practice and resources on prevention and enforcement between partner organisations.
- Use technology to assist with intelligence gathering and enforcement activities.
- Identify resources that can be applied to enforcement activities and processes.
- Work with neighbouring authorities to investigate and bring enforcement action against serial offenders.
- Ensure enforcement is used to good effect with maximum penalties and fines to help serve as a deterrent to future incidents.

(Addresses key issue/priority III, IV and V in section 4 above)

Key actions to be taken to achieve aims and objectives are highlighted in **Appendix A**.

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

- It will become easier for people to understand how they can dispose of their waste responsibly.
- Effective mechanisms are put in place to catch those responsible for fly-tipping, leading to a higher conviction rate with greater penalties being levied where possible.
- A decrease in the number of fly-tipping incidents across Hampshire, improving the environment and reducing the cost to the taxpayer and private landowners.

6. Strategy governance

Strategy oversight and multi-agency co-ordination will be provided through Project Integra (PI). PI is a partnership of the 11 Hampshire Waste Collection Authorities (WCAs), Hampshire County Council, the unitary authorities of Portsmouth and Southampton and Veolia UK, the integrated waste management contractor.

As a PI agreement would commit PI partners, it is intended that partner stakeholders outside of PI would be engaged through an agreed terms of reference. This document would be relevant for all partners (PI and non-PI).

A representative working group will be established to deliver the actions and support the strategy.

7. Monitoring progress of the strategy

The aims, objectives and actions to be delivered during 2017/18 are detailed in **Appendix A**.

Progress will be regularly monitored and reported to PI (as above). Key Performance Indicators will be developed to support reporting. These could potentially include numbers of incidents, volumes of waste, numbers of prosecutions, costs incurred, costs avoided.

8. Costs and funding

The delivery of the strategy will initially be financed by Hampshire County Council's Economy, Transport and Environment Department through the recruitment of a two year fixed term post. The post will cost an estimated £50,000 per year including both salary and on-costs.

The role holder will lead on co-ordinating the delivery and reporting of the aims, objectives and actions of the strategy and will co-ordinate intelligence sharing and collaboration between partners. To facilitate this, the post holder will develop and lead a fly-tipping working group including a reporting mechanism to PI.

The Fly-tipping Partnership and Projects Officer will sit within the Hampshire Trading Standards team as it is believed this is where it will add the most value given the access to existing intelligence resources and enforcement partnerships. This would support the delivery of the aims and in turn actively support the various partners' enforcement roles.

The ongoing funding of the strategy will be reviewed at the end of the first year of delivery, with reference to both achievements measured against key performance indicators, and the potential for ongoing funding.

It is intended that this post will be in place by April 2017.

Appendix A - Action Plan (* Lead Partners identified at an early stage, subject to change)

Aim One: Communications	Stimulate and maintain a change in behaviour amongst residents, businesses and landowners that helps reduce the amount of fly-tipping in Hampshire, underpinned by a common understanding of fly-tipping as a socially unacceptable behaviour.					
Objectives	Actions	Key tasks (cross cutting against multiple actions <i>[italicised]</i>)	Lead and Partner(s)*	Progress to Date	Status RAG	Timescale
<ul style="list-style-type: none"> • 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. 	Formally agree resources and communications plan.	Increase and improve the use of social media. Highlight hotspots as case studies.	Hampshire County Council Havant Borough Council Test Valley Borough Council Southampton City Council			
<ul style="list-style-type: none"> • Enabling and encouraging landowners to help prevent fly-tipping. • Encouraging and enabling the reporting of fly-tipping incidents. • Making it easier to report 	Produce communications materials ahead of launch.	Develop branding and campaign material. Target communications to: <ul style="list-style-type: none"> • residents • perpetrators • businesses • planning applicants • landowners 	Hampshire County Council Havant Borough Council Test Valley Borough			

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fly-tipping.		Review of engaged organisations including housing associations and Town and Parish Councils.	Council CPRE Hampshire Environment Agency National Farmers Union			
	Launch phased communications campaign.	Proactively share communications. Develop Fly-tipping area forums. Undertake community 'clear out days' in target areas. Target seasonal waste streams.	Hampshire County Council Test Valley Borough Council National Farmers Union Environment Agency Fareham Borough Council			

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Aim Two: Reporting, Collection and Disposal	Jointly agree the most efficient process for reporting, collection and disposal of illegally dumped waste.					
Objectives	Actions	Key tasks (cross cutting against multiple actions <i>[italicised]</i>)	Lead and Partner(s)*	Progress to Date	Status RAG	Timescale
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 responding to reported incidents more effective.	Undertake legal research on relevant legislation concerning: - definitions of fly-tipping - clarification over what is public & private land - clarification over responsibilities with regards to highways and surrounding land.	Produce a guide to quickly identify who is responsible for what land.	Hampshire County Council Basingstoke and Deane Borough Council Environment Agency			
Improve the reporting and recording of fly-tipping incidents that are reported by all responsible bodies, working towards a consistent and comprehensive approach.	Ensure, as a start that all local authorities refer to the WasteDataFlow module guidance when reporting an	Seek to make reporting more consistent across Hampshire.	Hampshire County Council National Farmers Union			

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	<p>incident and report back any gaps in definition.</p>		<p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Basingstoke and Deane Borough Council</p>			
	<p>Ensure all local authorities record incidents in the same way that are a van load or higher, including information on location to inform county-wide intelligence mapping.</p>	<p>Reporting should include grid references to enable more efficient reporting and collection and mapping of 'hot spots'.</p>	<p>Hampshire County Council</p> <p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Basingstoke and Deane Borough Council</p> <p>Southampton City Council</p>			

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	<p>Establish a recording/reporting process for other bodies dealing with fly-tipping incidents.</p>	<p>Clear and consistent processes need to be developed for fly-tipping reporting on both public and private land.</p> <p><i>Seek to make reporting more consistent across Hampshire.</i></p>	<p>Hampshire County Council</p> <p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Basingstoke and Deane Borough Council</p> <p>National Farmers Union</p>			
	<p>Investigate the option for a single 'Hampshire' reporting tool for all (public & private) fly-tipping incidents such as an app/website, etc.</p>	<p>Reporting needs to be simple and easy for residents, businesses and private landowners across Hampshire.</p> <p>Seek to make reporting more consistent across Hampshire.</p>	<p>Hampshire County Council</p> <p>CPRE Hampshire</p> <p>Southampton City Council</p>			

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<p>Explore the idea of a supplier framework agreement, which will allow any contracting duty body to select from a number of registered suppliers for the removal of all waste including waste that is difficult to handle, ensuring best value from each clearance.</p>	<p>Produce an options analysis including procurement on how to proceed.</p>	<p>Contractual arrangements need to be explored to identify any barriers to this approach.</p>	<p>Hampshire County Council</p>			
<p>Explore the idea of a supplier framework agreement, which will allow any contracting duty body to select from a number of registered suppliers for the removal of all waste including waste that is difficult to handle, ensuring best value from each clearance.</p>	<p>Conduct research with WCAs and private landowners on types, volumes, frequencies of waste and current costs.</p>		<p>Hampshire County Council East Hampshire District Council Winchester City Council Southampton City Council Fareham Borough Council</p>			
<p>Work with neighbouring authorities and wider partners and at a national level to improve reporting, given that fly-tipping doesn't stop at county borders.</p>	<p>Seek opportunities to feedback to DEFRA on reporting processes.</p>		<p>Hampshire County Council</p>			

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	Arrange regular communication with neighbouring local authorities, via existing waste management networks.		Hampshire County Council			
Aim Three: Investigation and Enforcement	Work together to maximise investigation and enforcement resources to ensure we use these in the most cost effective way, to seek improved outcomes.					
Objectives	Actions	Key tasks (cross cutting against multiple actions <i>[italicised]</i>)	Lead and Partner(s)*	Progress to Date	Status RAG	Timescale
Establish a network and platform to share intelligence on fly-tipping incidents, best practice and resources on prevention and enforcement between partner organisations.	Create an intelligence hub with a single point of contact.	Investigate opportunities to share databases. Investigate the use of a Hampshire wide tactical operations manual and the benefits of a resource inventory.	Hampshire County Council Southampton City Council Basingstoke and Deane Borough Council East Hampshire District Council Hampshire			

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			Trading Standards			
	Explore options for communications tools for information sharing networks.		Hampshire County Council			
	Create a protocol for fast access to local police intelligence on fly-tipping incidents.	Identify and take simple, rapid action in hotspot areas.	Hampshire County Council Test Valley Borough Council Basingstoke and Deane Borough Council Hampshire Constabulary			
	Establish a countywide fly-tipping enforcement group.	Investigate an 'enforcement panel' including a solicitor etc. Evaluate the use and effectiveness of Fixed Penalty	Hampshire County Council Winchester			

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		Notices issued across Hampshire.	City Council			
Use of technology to assist with intelligence gathering and enforcement activities.	Produce an options analysis on how to proceed.		Hampshire County Council			
	Research the use of mobile technology to photograph and plot fly-tipping incidents onto a real time mapping system.	Review existing technologies and applications; particularly where being used by other Local Authorities and organisations.	Hampshire County Council Test Valley Borough Council Hampshire Trading Standards			
	Develop a countywide map of larger scale incidents for use as both intelligence tool and public deterrent.	Consider joint prosecutions, learning from best practice.	Hampshire County Council Winchester City Council Southampton City Council			
Identify more resources that can be applied against enforcement activities and	Lobbying government for additional		Hampshire County Council			

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processes.	funding and enforcement powers.					
Work with neighbouring authorities to investigate and bring enforcement action against serial offenders	Initiate intelligence sharing networks with neighbouring authorities, with designated points of contact.		<p>Hampshire County Council</p> <p>Test Valley Borough Council</p> <p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Eastleigh Borough Council</p>			
Ensure enforcement is used to good effect with maximum penalties and fines to help serve as a deterrent to future incidents.	Provide information to magistrates on impacts of fly-tipping to encourage maximising available penalties.		<p>Hampshire County Council</p> <p>Hampshire Constabulary</p> <p>Winchester City Council</p>			

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	Enabling Legal teams to share and improve best practice on enforcement and prosecutions.		Hampshire County Council			
	Investigate whether civil recovery action can be taken for cases of fly-tipping that go through the court process.		Hampshire County Council			

Aim Four: Development and delivery of the strategy	Continually develop the strategy and action plan, encourage and enable partnership working and lead on delivering the aims, objectives and actions of the strategy				
Objectives	Actions	Lead Partner(s)*	Progress to Date	Status RAG	Timescale
Employ a fixed term co-ordinator post for an initial two year period.	Recruit post holder.	Hampshire County Council			
Develop and lead the fly-tipping working group	Set up group and manage regular meetings.	Hampshire County Council			
	Encourage and enable partnership working.	Hampshire County Council			

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	Represent the group at PI.	Hampshire County Council			
	Develop Key Performance Indicators and reporting mechanisms.	Hampshire County Council			
Update the fly-tipping strategy and action plan with partners	Keep the strategy updated as a 'live' document.	Hampshire County Council			
	Share examples of best practise.	Hampshire County Council			
	Encourage and identify work on cross cutting aims.	Hampshire County Council			
Cross-border collaboration	Liaise and work with other Local Authorities and representative fly-tipping groups and organisations.	Hampshire County Council			
	Ongoing review of best practice from other Local Authorities and organisations.	Hampshire County Council			
Review engagement with	Seek to engage	Hampshire County Council			

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wider partners and organisations who are involved and/or impacted by fly-tipping.	Town and Parish Councils, Housing Associations, Community Partnerships and other organisations.				
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Appendix B - Fly-tipping Instances in Hampshire

The data below for 2011/12 to 2014/2015 inclusive is from FlyCapture. Data for 2015/16 onwards is now from WasteDataFlow.

Figure 2: Total reported Fly-tipping Instances in Hampshire

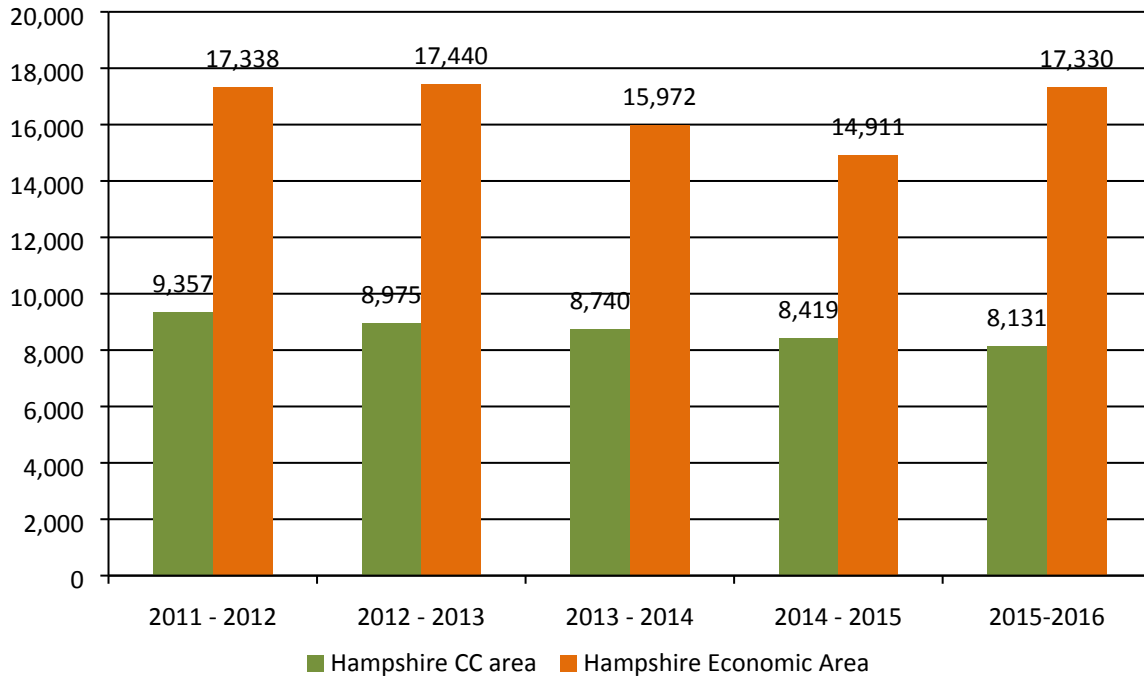


Table 1: Instances of reported Fly-tipping by Local Authority area

Total Number of Incidents	2011 - 12	2012 - 13	2013 - 14	2014 - 15	2015- 16	2015-16 change on year		2015-16 change from 2011-12	
						No.	%	No.	%
Basingstoke & Deane	2,391	2,198	1,798	1,308	1,036	-272	-21%	-1,355	-57%
East Hampshire	286	404	442	437	509	72	16%	223	78%
Eastleigh	554	428	529	604	614	10	2%	60	11%
Fareham	626	300	404	338	325	-13	-4%	-301	-48%
Gosport	436	321	423	511	500	-11	-2%	64	15%
Hart	602	702	711	602	749	147	24%	147	24%
Havant	930	1,167	1,239	1,503	1,130	-373	-25%	200	22%
New Forest	821	742	896	875	770	-105	-12%	-51	-6%
Rushmoor	913	1,314	1,147	1,102	901	-201	-18%	-12	-1%
Test Valley	1,257	785	523	536	851	315	59%	-406	-32%
Winchester	541	614	628	603	746	143	24%	205	38%
Hampshire CC Area	9,357	8,975	8,740	8,419	8,131	-288	-3%	-1,226	-13%
Portsmouth	626	646	1,029	923	1,099	176	19%	473	76%
Southampton	7,355	7,819	6,203	5,569	8,100	2,531	45%	745	10%
Hampshire Economic Area	17,338	17,440	15,972	14,911	17,330	2,419	16%	-8	0%

Figure 3: Proportion of reported Fly-tipping Instances by Location 2015/16

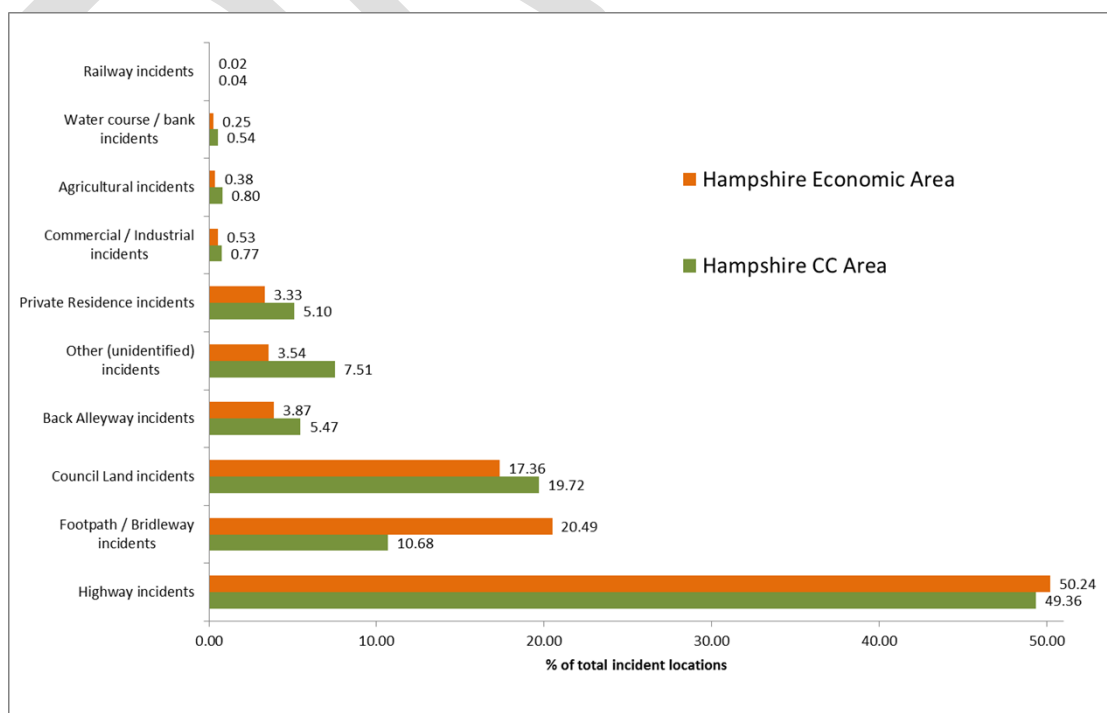
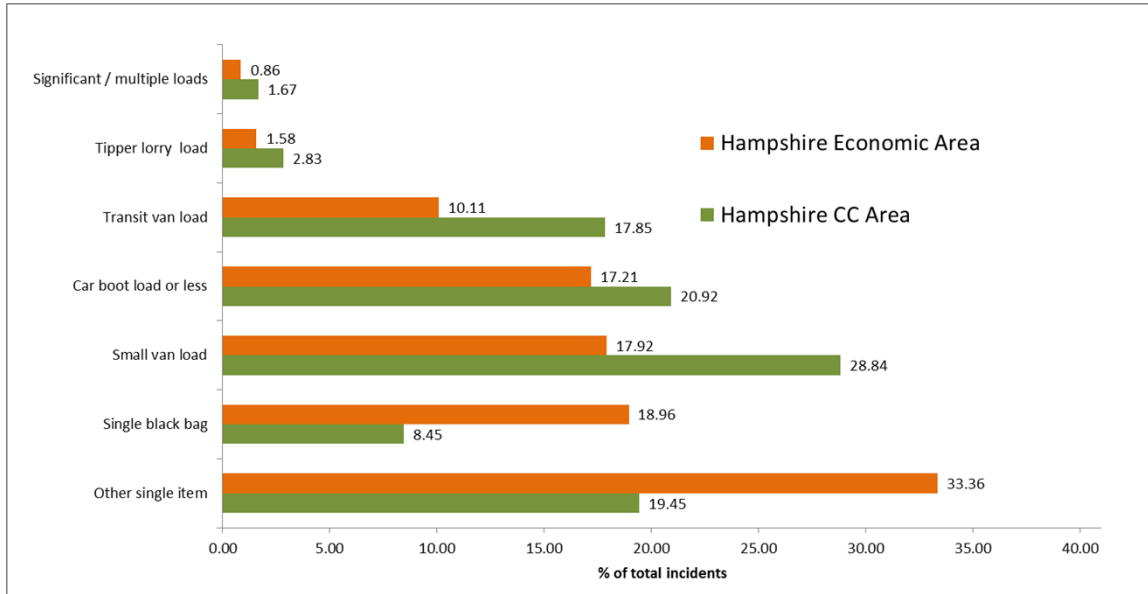


Figure 4: Scale of reported Fly-tipping Instances by Type of Incident 2015/16



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Appendix C - Fly-tipping Responsibilities in Hampshire

Organisation:	Responsible for:
11 District and Borough Councils (Basingstoke & Deane, East Hants, Eastleigh, Fareham, Gosport, Hart, Havant, New Forest, Test Valley, Rushmoor, Winchester)	Responsible for investigating and clearing fly-tipping on all public land within their boundaries. Both the Highways Authority (Hampshire County Council) and these local authorities have a responsibility for clearing waste from the Highway for roads which it is responsible for (not motorways or major trunk roads in Hampshire which Highways England are responsible for).
Forestry Commission	Responsible for clearing fly tipping incidents on the land they manage across the County. Specifically, within the New Forest National Park, this also includes Crown land.
Hampshire County Council	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 Hampshire which Highways England are responsible for). As the Waste Planning Authority it also plays a role in enforcement on large-scale illegal waste dumping. Also responsible for clearing fly-tipping on its own land.
Hampshire Constabulary	Hampshire Constabulary will adopt a risk based approach to responding to any report of Fly Tipping, in general terms reports of fly tipping will not routinely result in the deployment of a police unit and the information will be passed on to the appropriate Local Authority. There may, however, be instances whereby the nature of the incident poses a hazard to the safety of the public and in these circumstances a police unit may be deployed. All such reports will be individually assessed.
Highways England	Responsible for clearing litter and fly-tipped material from motorways and major trunks roads.
Environment Agency	Responsible for investigating large-scale incidents of fly-tipping in Hampshire (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.

Network Rail	Responsible for all land between the tracks, as well as up to 100 metres from the end of a station platform. Responsible for all railway land in urban areas and key stations. Remaining stations are managed by train operating companies. In Hampshire this is South West Trains and First Great Western.
Land managers, farmers, land owners and occupiers of private land.	Responsible for clearing fly-tipping on private land. This includes private landowners, farmers, housing associations and other occupiers of private land in Hampshire.
Hampshire Residents & Businesses	Responsible for understanding their Duty of Care with regards to wastes they produce, to ensure these are disposed of in a legal manner.

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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 five 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).

This strategy will also look to better inform magistrates about the impact of fly-tipping to encourage maximising available penalties and/or prison sentences.