Briefing Note: Tackling Fly Tipping in Shropshire

Purpose

This briefing note provides an overview of Shropshire Council's approach to tackling fly tipping, outlines residents' legal responsibilities regarding waste disposal, and highlights the importance of reporting incidents and working together to protect our environment and communities.

What is Fly Tipping?

Fly tipping is the unlawful dumping of waste on land or in water that is not licensed to receive it. It can range from a single bag of rubbish to large-scale deposits of construction or commercial waste.

Fly tipping is a criminal offence and carries significant penalties, including:

- An unlimited fine.
- Up to five years' imprisonment.
- Fixed Penalty Notices (FPNs) and other enforcement action.

Importantly, if your waste is fly tipped by someone acting on your behalf, you may still be held responsible if you failed to take reasonable steps to ensure it was disposed of legally.

The Impact on Shropshire

Fly tipping damages the environment, blights communities, creates health and safety hazards and places a significant financial burden on public services.

Every pound spent clearing illegally dumped waste is money that could otherwise be invested in providing essential local services.

Partnership Approach

Shropshire Council is working closely with:

- West Mercia Police
- Department for Environment, Food and Rural Affairs (Defra)
- Environment Agency
- Neighbouring local authorities
- Local communities and businesses

Together, partners are sharing intelligence, best practice and enforcement opportunities to prevent and reduce fly tipping across the county.

How Shropshire Council Responds to Fly Tipping

Fly tipped waste is collected by a dedicated two-person team, ensuring a consistent and efficient response.

Investigation Process

Every reported fly tip is:

1. Assessed and inspected for evidence.
2. Photographed and documented.
3. Evidence is securely collected and retained.
4. Passed to the Street Scene team for formal investigation.

Investigations may include:

- Evidence gathering.
- Witness statements.
- Intelligence checks.
- Cross-agency information sharing.
- Enforcement action where appropriate.

Where sufficient evidence exists, Fixed Penalty Notices and other legal powers will be used against offenders.

Prevention Measures

To deter illegal dumping, the Council:

- Deploys CCTV cameras where appropriate.
- Installs warning signage at problem locations.
- Identifies and monitors hotspot areas.
- Uses intelligence-led enforcement.

Understanding Your Household Duty of Care

Every resident has a legal **Household Duty of Care** for the waste they produce.

Residents must take reasonable steps to ensure their waste is passed only to authorised individuals or businesses who can legally transport and dispose of it.

If waste is later found fly tipped, residents may be required to demonstrate the checks they undertook before handing it to someone else.

A resident could receive a **£600 Fixed Penalty Notice** if they:

- Fail to check that a waste carrier is registered.
- Cannot demonstrate what happened to their waste.
- Allow waste to be removed without taking reasonable precautions.

Common Situations That Can Lead to Fly-Tipping

Many people are unaware that they may accidentally contribute to fly tipping by:

- Leaving unwanted items outside for a passing "scrap man".
- Placing furniture or household items on pavements or verges for collection.
- Advertising items as "free to collect" and leaving them in public areas.
- Arranging waste collections through unverified social media contacts.
- Allowing unregistered individuals to take away waste.

If these items are abandoned or illegally dumped, both the person disposing of the waste and the person who handed it over may be committing an offence.

Follow the SCRAP Code

Residents are encouraged to follow the national **SCRAP Code** whenever arranging for waste to be removed.

S – Suspect

Suspect all waste carriers until they can prove they are legitimate.

Be cautious of:

- Door-to-door collectors.
- Extremely cheap prices.
- Unmarked vehicles.
- Social media adverts with no business information.
- Anyone unwilling to provide paperwork.

C – Check

Check that the waste carrier is registered with the Environment Agency.

Before handing over waste, ask for and record:

- Waste Carrier Registration Number.
- Company name.
- Contact details.
- Vehicle registration number.

R – Refuse

Refuse unexpected offers to remove waste.

Do not allow anyone to take your waste if they:

- Cannot provide a Waste Carrier Registration Number.
- Refuse to explain where the waste is going.
- Will not provide written confirmation or a receipt.
- Pressure you into making an immediate decision.

A – Ask

Ask:

- Where will my waste be taken?
- How will it be disposed of?
- Will it be recycled or reused?
- Can you provide proof of disposal?

Legitimate waste carriers should be happy to answer these questions.

P – Paperwork

Always keep evidence of the transaction, including:

- Collection receipts.
- Waste transfer documentation where appropriate.
- Invoices.
- Payment records.
- Emails or messages confirming collection arrangements.

These records may help demonstrate compliance with your Household Duty of Care.

Reporting Fly Tipping

Members of the public are encouraged to report fly tipping using **FixMyStreet**.

Submitting a report will:

- Create an official record of the incident.
- Generate a reference number.
- Ensure the report is allocated to the relevant service area.
- Support investigations and enforcement activity.
- Help identify trends and hotspot locations.

Prompt reporting helps ensure incidents are addressed quickly and effectively.

Fly Tipping on Private Land

Landowners are responsible for removing fly tipped waste from their own land.

While the Council will work collaboratively with landowners to identify solutions and prevent future incidents, private landowners should be aware of their responsibilities and potential enforcement implications if unlawful waste disposal is permitted to continue.

Key Messages

- Fly tipping is a serious criminal offence.
- Everyone has a legal responsibility for the waste they produce.
- If your waste is fly tipped, you may still face enforcement action if you cannot demonstrate that you took reasonable steps to ensure it was disposed of legally.
- Always follow the SCRAP Code before allowing anyone to remove your waste.
- Report fly tipping through FixMyStreet to support investigations and protect local communities.
- Tackling fly tipping requires a collective effort from residents, businesses, partner agencies and local authorities.

Together, we can help keep Shropshire clean, protect our environment, reduce unnecessary costs to taxpayers and create safer, cleaner communities for everyone.