



Waste Crime

Why it is a critical issue for your organisation



Introduction

- Welcome – Steve Lee, CIWM
- Why Waste Crime is such a critical issue for business
- Mat Crocker, Environment Agency
- How waste management companies are complying with duty of care – Sam Corp, ESA
- Developing fly-tipping projects with local authorities,
Tim Woodward, CLA
- How best practice can make good business sense,
an overview of construction and demolition waste –
Lara Ayris, Waste Plan Solutions
- Q&A session



Welcome



Mat Crocker, Environment Agency



Waste Crime





The waste crime challenge



Upstream approaches to targeting waste crime

- You have a role in reducing waste crime
- You have a legal Duty of Care
- You can direct what happens
- Only use legitimate businesses
- Report suspected wrong doing to Crimestoppers



Understand your duty of care

www.gov.uk/managing-your-waste-an-overview/duty-of-care



- Waste is classified
- Permit or exemption
- Waste storage
- Registered premises
- Moving waste



Stop waste going to criminals

Waste crime includes:

- Dumping large amounts of waste illegally
- Deliberately labelling waste incorrectly and disposing of it illegally
- Running a waste site without the right permits or not following the rules of the permit
- Exporting waste – unless it's to certain countries for recycling



Our work to stop waste crime

Since April 2011



£65.2 million spent stopping waste crime



738 successful waste crime prosecutions, plus **342** cautions

Total fines awarded by the courts for waste crime cases we prosecuted was **£3,527,774**

27 prison sentences given



3,266 new illegal waste sites were added to our database

3,598 sites where illegal waste activity has been stopped

In 2014-15

Top 3 types of waste found at illegal sites were:



construction and demolition waste



end-of-life vehicles



household and commercial waste



598 active sites on our database at the end of March 2015

86% of these were less than 2 years old

876 new sites were added to our database

871 sites where illegal waste activity has been stopped



We dealt with **151** large, serious and organised illegal dumping incidents

£366,000 in fines awarded in cases we prosecuted

3 prison sentences given



1,371 illegal waste shipments targeted for inspection of which:

1,072 were compliant

299 were non-compliant, **11** of which were used as evidence for prosecution



Consultation and call for evidence

- The majority of the effort to tackle waste crime and entrenched poor performance is through tougher enforcement of existing legislation.
- Defra and Welsh Government consultation and call for evidence (February to May 2015).
- Part I: consultation on proposals to enhance enforcement powers at regulated facilities
- Part II: Call for evidence on other measures to tackle waste crime and entrenched poor performance in the waste management industry



Consultation and call for evidence

- 112 responses received
- Strong support for tougher enforcement measures to help the regulator
- Strong support to introduce fixed penalty notices for small-scale fly-tipping
- Strong support to better enshrine the existing 'operator competence' provisions in legislation
- Government Response published October 2015

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/466879/waste-crime-consult-sum-resp.pdf



Next steps

- Environmental Permitting (England and Wales) (Amendment) (No.3) Regulations 2015 No.1756 in force
- Suspend permits where there is a breach resulting in a risk of pollution
- Specify in suspension notice steps to be taken to remedy the breach and require operator to erect signage that waste cannot be brought onto the facility
- Enable regulators to take steps to remove serious risk of pollution regardless of whether the facility is regulated under a permit.
- Make it easier for regulator to apply to the High Court for an injunction by removing current pre-conditions.



See it – report it!



CRIMESTOPPERS

0800 555 111

Call anonymously with information about crime

<https://crimestoppers-uk.org/give-information/give-information-online/>



Sam Corp, ESA

ESA...

- is the voice of the waste management industry
- members represent the majority of the sector
- works to raise standards
- Our members turn Britain's waste into valuable resources whilst protecting the environment.



The importance of Duty of Care

- Encourages effective waste/resource management— saving £££
- Drives compliance and a secure audit trail
- Reduces opportunities for Waste criminals
- Waste criminals need waste!
- D of C awareness is key to reducing waste crime.



Duty of Care for Waste Management Companies

Waste management companies must ensure:

- Their own sites and customers are complying with D of C.
- The waste they collect, transport and receive is correctly and accurately described and effectively contained.
- They use registered carriers and brokers
- All waste taken to appropriate sites – permitted
- They report any suspected breaches to the EA
- Role for the EA.

In addition

- Encourage compliance/provide a 'compliance' service
- Make it as simple as possible for customers
- Understand customer requirements, provide flexibility
- Raise **awareness** amongst customers



Duty of Care Awareness

- Unfortunately awareness across wider business sectors is low
- The 'Right Waste, Right Place' campaign aims to improve awareness and encourage behaviour change



'Right Waste, Right Place' – aims of the campaign

To raise awareness across waste producing business sectors of the benefits of Duty of Care compliance including:

Improved company compliance



Business benefits from managing waste more effectively



Reducing waste crime



Enabling a level playing field



Campaign 'Products'

Best Practice guidance

- Easy to read, case studies, downloadable, FAQs, leaflets, infographics and posters
- Build on Defra guidance

Market research to gauge awareness of Duty of Care

- Utilising existing research as much as possible

Campaign Press Office/Active Engagement

- Sustain media interest throughout the life of the campaign
- Strong digital element, use of social media, digital analysis to help quantify success of campaign
- Active engagement with waste producing sectors

Dedicated Website

- Downloadable content, interactive, videos/animation, case studies, links to third parties



Active Engagement

Strong 'buy in' from a number of waste producing and waste managing business companies/sectors.

'Right Waste, Right Place' Advisory Group:

ESA	NFU
CIWM	EEF
FSB	CO OP
SUEZ	LARAC
Veolia	Travis Perkins
UKCG	URoC

Supported by the Environment Agency



Timeline

Phase 1 :

- Q4 2015 - develop the key elements of the campaign.
- January to May 2016 - generic campaign to focus on reaching out to SMEs (0-50 employees).

Phase 2 : Dependant on Industry match funding.

- May 2016 onwards - Extend the life, reach and penetration of the campaign to sector SMEs.
- Sectors targeted are likely to include: Construction and Demolition; Retail; Healthcare; Hospitality; Food outlets; and Agriculture



In summary

- Waste management companies can help provide and encourage compliance in Duty of Care
- Awareness of Duty of Care across the whole waste chain is key to encourage behaviour change
- We welcome your support in the '*Right Waste, Right Place*' campaign

Thank you!

www.esauk.org



Tim Woodward, CLA

STAG established June 2013

The Suffolk Waste Partnership's fly-tipping reduction project is one of two national pilot projects funded by central government to lead campaigns specifically addressing the issue of fly-tipping in their local area.

- All District and Borough Councils in Suffolk
- Suffolk County Council
- Suffolk Trading Standards
- National Farmers Union (NFU)
- Country Land & Business Association (CLA)
- Environment Agency
- HWRC operator FCC
- Suffolk Constabulary



Aims of STAG

- Establish partnership and involve of stakeholder members in developing of project.
- To develop joint working between partners.
- To improve information and advice available to public, landowners, and businesses.
- To promote local waste disposal services provided by LAs.



Key messages

- Duty of Care – prevention at source.
- Be a responsible waste carrier.
- Promotion of legitimate disposal routes.
- Advice for land owners / managers.
- How to report fly tipping.



Publicity materials



NO TIPPING **Tip-Off**
Stop fly-tipping in Suffolk



Recycle it Right



Don't Dump it on Site


Use the appropriate container(s) to deposit Recycling Materials.
Leaving Litter and/or Rubbish could result in a fine or prosecution.

See it, Report it!







This area is monitored. CCTV may be in use.





Tip-Off
Stop fly-tipping in Suffolk



WARNING
You will be fined for Fly-tipping

See it, Report it!



This area is monitored. CCTV may be in use.



“Tripping up the tippers”



- Public information clip released January 2014
- Householders' duty of care message
- Nearly 50,000 views since released



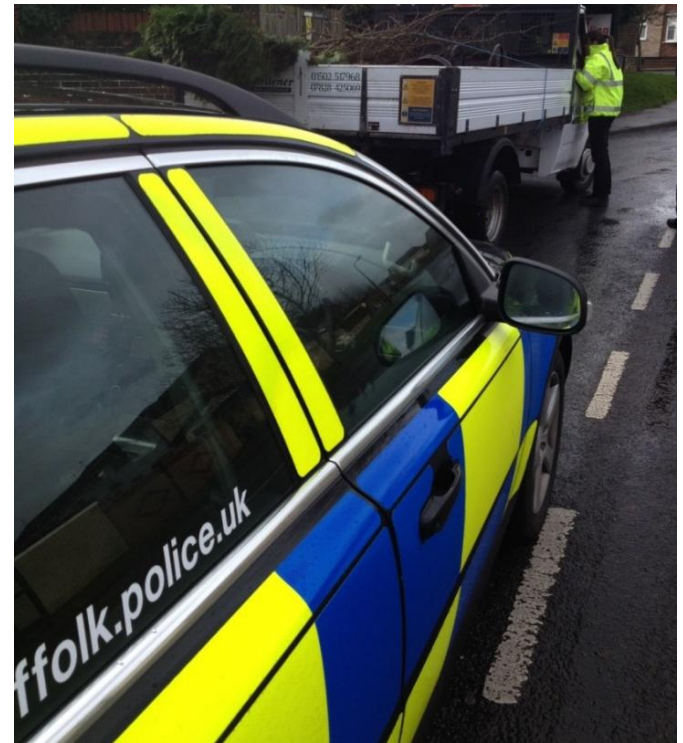
Enforcement and publicity

- Publicise legal action for fly-tipping/ duty of care to raise profile
- 5 Prosecutions during life of project
- 7 court cases since
- Numerous articles in local press, and interviews given by STAG members (including the CLA) on local radio and television
- Briefing paper prepared by STAG and sent to all magistrates
- Operation “Tip Off” from September 2013 – publicity and to educate carriers about responsibilities



Operation “Tip-Off” partners

- Environment Agency
- Suffolk Constabulary
- HMRC
- VOSA
- Trading Standards



Combination of mobile and static units on main routes through Suffolk



Operation “Tip Off” results

September 2013 – February 2015

Number of mobile ops	Number of static ops	Vehicles stopped	Further investigations
14	10	229	18



Lara Ayris, WPS

WPS:

- 6 year old business
- Works for Principal Contractors across England
- Supporting them in Environmental Waste Compliance
- Spend most of our time dealing with Duty of Care for our clients
- Soils are a major problem as is surplus material
- Duty of Care Stories!



Construction industry and Duty of Care unique

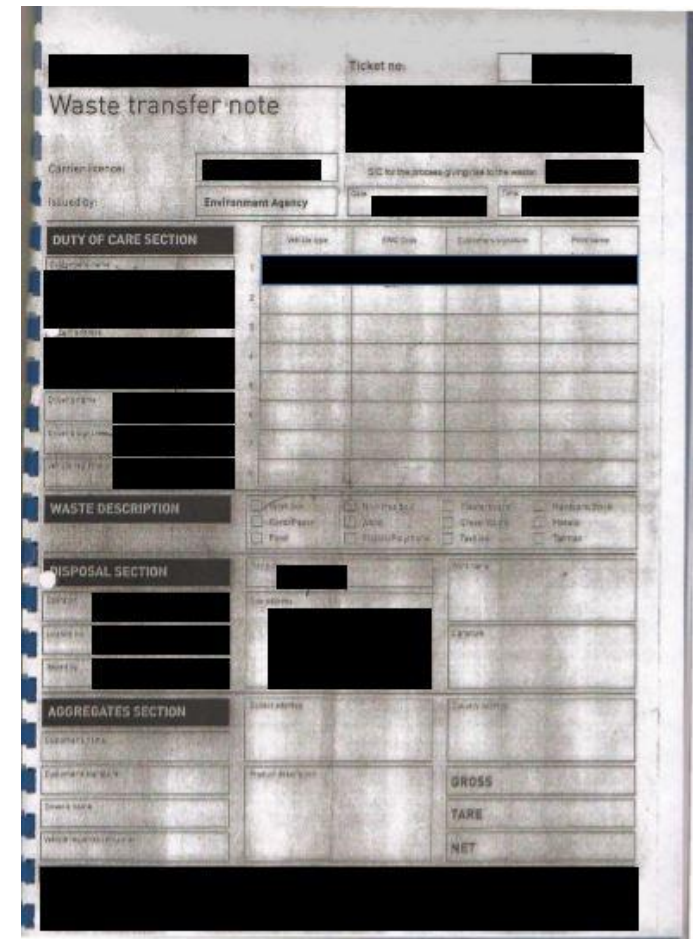
They are in a unique situation in relation to Duty of Care. **Why?**

- Construction
- Groundworks
- Demolition
- Sub contractors



What is happening

- One of the biggest problems is the waste is not described correctly
- The Construction Industry in general is unaware of its responsibility
- No one bothers checking Duty of Care



Waste transfer note

Ticket no. [REDACTED]

Carrier licence [REDACTED] SC for the process going to the waste [REDACTED]

Issued by: Environment Agency [REDACTED]

DUTY OF CARE SECTION

Waste use	Waste code	Date of production	Production
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

WASTE DESCRIPTION

Inert Non-hazardous Hazardous Flammable
 Other Other

DISPOSAL SECTION

Waste code [REDACTED] Waste description [REDACTED] Waste use [REDACTED]

AGGREGATES SECTION

Gross weight	Tare weight	Net weight
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]



What is happening

DUTY OF CARE CONTROLLED SECURITY TICKET No. [REDACTED]
 WASTE TRANSFER NOTES
 CONVICTION NOTE [REDACTED]
 SUBSTANCE
 SUBJECT TO WEIGHTS & MEASURES ACT 1988
 DATE/TIME POINT (when used as Invoiced) [REDACTED]

Vehicle Reg'n. No.	Driver's Name
[REDACTED]	[REDACTED]
Customer's Name & Address (Waste Holder)	
[REDACTED]	
Site Address	
[REDACTED]	
ORDER No.	[REDACTED]
REGISTERED WASTE CARRIER REG NO. [REDACTED] ISSUED BY E. A.	
DETAILS:	
[REDACTED]	
E.V. CODE	[REDACTED]

GROSS WEIGHT	TONNES	KG
TARE WEIGHT		
NET WEIGHT		
WASTE DISPOSAL (designated in)		
[REDACTED]		
Waste Disposal Licence No.		
[REDACTED]		
Signed & Dated (Representing Site Operator)		
For and on behalf of		
Sign:	[REDACTED]	
Print Name:	[REDACTED]	
Received by:	[REDACTED]	
Sign:	[REDACTED]	
Print Name:	[REDACTED]	

SUB TOTAL [REDACTED]
 VAT @ 20% [REDACTED]
 INVOICE TOTAL [REDACTED]

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DUTY OF CARE - CONTROLLED WASTE TRANSFER NOTE
 Registration No: [REDACTED]
 with Environment Agency
 E A Anglian Region - Central Area
 Bronholme Lane, Brampton,
 Huntingdon, Cambs PE28 4NE

Date: [REDACTED] Time of Loading: [REDACTED]
 Driver's Name: [REDACTED]
 Lorry Reg No: [REDACTED]

DESCRIPTION OF WASTE 15cm of loose material contained on tipper lorry TOPSOIL <input type="checkbox"/> INERT EXCAVATED MATERIAL <input checked="" type="checkbox"/> CONCRETE <input checked="" type="checkbox"/> HARDCORE <input checked="" type="checkbox"/> BUILDERS RUBBISH <input type="checkbox"/> OTHER CATEGORY <input type="checkbox"/> PLEASE CLASSIFY <i>1 x 8 WHEEL MUCK AWAY</i>	PRODUCER OF WASTE <input type="checkbox"/> or Name of Contractor/Client [REDACTED] Site Address [REDACTED] Signature & print on behalf of Contractor
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DISPOSAL FACILITY
OPERATOR

 or name of Tipping Operator/Contractor
 [REDACTED]

TIP LOCATION
 Date: [REDACTED] Time of Disposal: [REDACTED]
 Signature & print on behalf of Disposer
 [REDACTED]

Customers ordering vehicles off the public roads do so on their own responsibility



What should be happening?

Each main contractor should have access to and utilise a duty of care specialist.

Prevention is far better than the cost of the cure. Duty of care doesn't get involved until waste is created whereas waste should be prevented/minimised in the first place



The future...

The rolling out and integration of the new Duty of Care Code of Practice

Waste loads will be electronically monitored

Within the last month the Environment Agency has conducted a random sampling of soils inbound from construction projects which would indicate there is an interest nationwide to ensure that Duty of Care is being adhered to, including sampling.

There is a renewed interest in Duty of Care, in particular in relation to the Construction Industry and it will need education and support.





QUESTION AND ANSWER SESSION





www.ciwm.co.uk

