

Janet Waggott
Chief Executive Officer
Selby District Council,
Civic Centre, Doncaster Road,
Selby, YO8 9FT

24 October 2019

Dear Janet

You will be aware that fly-tipping offences are increasing nationally year on year, and over a third of the waste involved in illegal fly-tipping is from households, altogether costing the UK economy around £600 million every year. As Chair of the National Rural Crime Network we have studied this in some depth, both nationally, as well as more locally as Police, Fire and Crime Commissioner for North Yorkshire. The distress and cost this offence causes rural communities and businesses is significant, and indeed I am lobbying the government to give local authorities greater powers in this respect.

Notwithstanding the above, on 7th January 2019, the Environmental Protection (Misc Amendments) (E&W) Regs 2018 came into effect, allowing for a Fixed Penalty Notice (FPN) to be issued for Householder Duty of Care Offences as an alternative to the prosecution of Householders (which is often difficult and costly for local authorities). Also, section 33 and 34 of the Environmental Protection Act 1990 provide the powers to levy an FPN for the offence of fly tipping. I understand that some local authorities in North Yorkshire have already introduced an FPN scheme, using the various powers available to them and issuing FPNs on a regular basis. Others have not been able to progress to the same degree for a variety of different reasons.

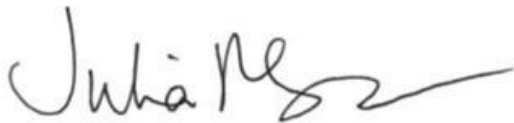
Following the establishment of Operation Eyeball, the multi-agency Safeguarding meeting, the sharing of best practice has increased. I am told that, at the moment, Selby District Council Enforcement Officers do not have powers or provision to issue FPN's for fly-tipping or Householder Duty of Care as these powers and provisions do not currently exist within the enforcement procedures of Selby District Council. There are concerns amongst the Operation Eyeball group that those local authorities not able to issue FPNs are now suffering greater offending because offenders know there are limited powers to deter them.

My office agreed at the last Operation Eyeball meeting to write to each Chief Executive to raise the issue of FPN schemes and how inconsistencies in how they are used and applied in North Yorkshire, as regards fly-tipping, may be encouraging greater offending. A consistent approach may prove extremely useful in deterring offenders as well as educating the public around disposing of their waste.



It is of course a matter for local authorities as to how they resource and manage enforcement of fly-tipping, but I wanted to raise this issue with you so you are aware of wider options in this area of community safety and how colleagues might be approaching the problem differently. I have no doubt your enforcement officers can give you a better overview than I of fly-tipping matters in Selby, but should you want to discuss the matter further, or Operation Eyeball more generally, do please get in touch.

Yours sincerely



Julia Mulligan
Police, Fire and Crime Commissioner for North Yorkshire

