

Nottinghamshire Fly-tipping Forum

Householders Duty of Care Campaign

As part of their county-wide action plan, the members of the Nottinghamshire Fly-tipping Forum recognised the need to promote the Householders Duty of Care legislation to all of the residents of the county. A leaflet was designed that carried information on the Duty of Care and the penalties for fly-tipping along with an easy to interpret table outlining the wastes considered most difficult for householders to deal with (eg white goods, gas canisters, tyres) and what disposal methods could be used for each one. The back page of the leaflet also outlined the contact details for each local authority for any further information required. These leaflets were then distributed by each individual local authority via council tax bills and other mail-outs.

Not only was this useful in encouraging householders to use registered waste carriers, but also essential for future prosecutions under this legislation. A predictable mitigating factor for the defence of a Householders Duty of Care prosecution would be that the householder was not aware of the legislation. By ensuring that all households within the county are sent information detailing their legal obligations, along with other relevant information, the mitigation is negated.

Figure 1 The Nottinghamshire Householders Duty of Care leaflet

Dispose of your waste responsibly or the consequences could be serious!

The fly-tipping headlines on the front page appeared in Nottinghamshire newspapers and relate to people convicted by the Courts.

A woman was fined for paying someone she didn't know to take away a bed and black bags which were then fly-tipped, to a man earning money on the side with his van, collecting household rubbish which he then promptly fly tipped.

Penalties for fly tipping can be serious.

Up to £50,000 fine and a 12 months imprisonment at a Magistrates Court.

Serious cases are referred to a Crown Court and carry a much stronger penalty. Fines are unlimited and the prison sentence increased to 5 years.

In addition other punishments include disqualified from driving, vehicle seized and ASBOs served.

CAN YOU AFFORD TO GET "COURT"?

If your waste is dumped, you as well as the contractor are liable, leaving you open to prosecution, fines and imprisonment.

If you are using a contractor to remove your waste always:

- Ask to see their Waste Carrier Licence
- Obtain a receipt

If in doubt don't use them!

Useful contacts for advice and information:-

Ashfield District Council
10623 457 897
www.ashfield-dc.gov.uk

Bassetlaw District Council
01909 534 501
www.bassetlaw.gov.uk

Broxtowe Borough Council
0115 917 7777
www.broxtowe.gov.uk

Gedling Borough Council
0800 068 1233
www.gedling.gov.uk

Mansfield District Council
01623 463 463
www.mansfield.gov.uk

Newark and Sherwood District Council
01636 655 600
www.newark-sherwooddc.gov.uk

Nottingham City Council
0115 915 2000
www.nottinghamcity.gov.uk

Rushcliffe Borough Council
0115 981 9911
www.rushcliffe.gov.uk

Nottinghamshire County Council
(Household Waste Recycling Centres)
0845 330 4256
www.nottinghamshire.gov.uk

Environment Agency
08708 506 506
www.environment-agency.gov.uk

How to Dispose of Difficult Waste

Please keep this leaflet for future reference

Fly-tipping is an anti social blight on society and it is up to you the tax payer who ultimately pays to clear up the dumped rubbish.

This leaflet is designed to make you aware of the penalties for fly-tipping but also help you dispose of those difficult items that can not be disposed of in your wheelie bins.

Remember its Your Waste, Your Responsibility

This information is bought to you by the Nottinghamshire Fly-Tipping Forum and funded by the Nottinghamshire Local Area Agreement.

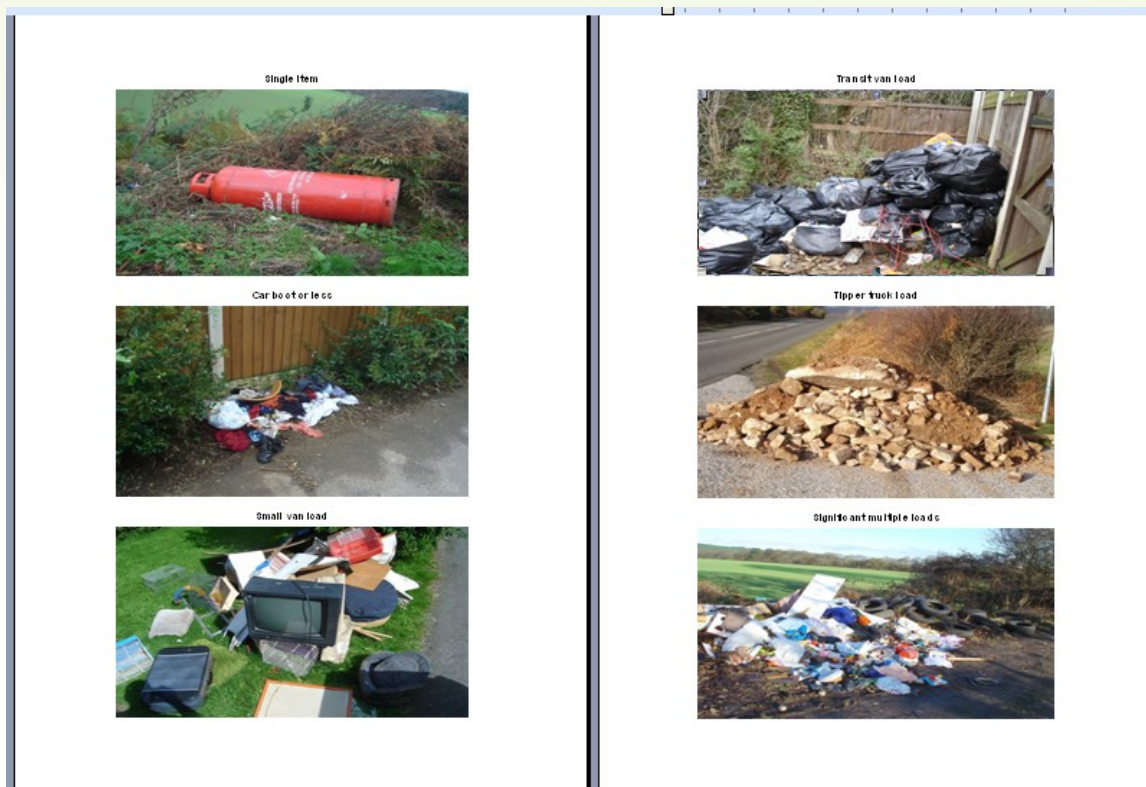
Advice on how to dispose of your difficult waste. For items not listed, please contact your local council

Where to dispose of your unwanted items:	Household Waste Recycling Centre	Council Collection Service	Retailer	Specialist Outlet	Further Information
Bulky Household Items Items such as sofas, beds and wardrobes	✓	✓	✗	✗	Old furniture is the most common item fly-tipped and is a fire risk.
Fridges and Freezers	✓	✓	✓	✗	Fridges and freezers contain gases that are an environmental hazard and require specialist disposal.
Electrical Goods Items such as televisions, cookers and computers	✓	✓	✓	✗	From July 2007 all electrical items are subject to new laws. When buying a new electrical item ask the retailer for advice on disposing your old item.
Car Batteries and Waste Oil	✓	✗	✓	✗	Oil and battery acid pose a serious environmental hazard, never pour down the drain.
Tyres Sorry, but Household Waste Recycling Centres can not accept tyres	✗	✗	✓	✓	Any large tyre retailer should take them for disposal. There will be a small charge for this disposal.
Building / DIY Waste	✓	Contact your local council for advice	✗	✗	Household Waste Recycling Centres will only take small amounts of household DIY waste. For large amounts you will need to hire a skip.
Asbestos This material is hazardous Only specialised contractors should remove	✗	Contact your local council for advice	✗	✓	For advice on the correct handling of asbestos, please see the Environment Agency's website or contact your local council for disposal advice.
Gas Bottles Always return gas cylinders to the gas company branded on the container. For Calor bottles ring 0800 662 663 and for Unigas Bottles, ring 01692 671 991	✗	✗	✓	✓	These items can pose a life threatening hazard. Always return to an approved supplier for disposal.

Nottinghamshire Local Authorities – Standardised Reporting

The Nottinghamshire local authorities have a county-wide Local Area Agreement target to improve their NI196 score across all seven district councils. It was identified as a potential issue that the recording of Flycapture data across the county may be subject to differences in interpretation. This is especially true where several operational teams may be on the ground recording the information. It was decided that the use of laminated, pictorial sheets would reduce the likelihood of misinterpreting the Flycapture categories as they would provide an easy reference point for the crews reporting the fly-tipping incidents.

Figure 2 Both sides of the laminated definition sheet



Nottingham City Council – Stop & Search Operations

In September 2004 Nottingham City Council undertook their first stop & search operation to target vehicles carrying waste and check for waste duty of care documentation. Since this first event they have run four events each year and have expanded the list of partners to include:

- Nottinghamshire Police
- The Environment Agency
- Trading Standards
- DVLA
- VOSA
- HM Revenue and Customs
- Immigration
- Department of Work & Pensions
- Taxi Licensing
- Gang Masters Licensing Association

All of the above partners have an interest in either the business of waste collection/disposal (or businesses in general), the individuals running the businesses, and/or the vehicles used for collecting and disposing of waste.

These events are successful in identifying non-compliance with various elements of the waste 'Duty of Care' legislation as well other illegal activities. They are also a good opportunity for the local authority to build relationships with those other organisations and to work individually with them on other projects.

For further information, please contact:

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