

TIPPING POINT

Exposing the realities of Britain's fly tipping enforcement gap

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ABOUT UNCHECKED UK

Unchecked UK makes the case for common-sense protections which help keep people safe and allow businesses to thrive.

We are a rapidly growing network of leading and diverse [civil society organisations](#) who believe that sensible, properly-enforced protections are the framework for a decent society – where the food we eat and the things we buy can be trusted, where the natural environment is protected, our homes and workplaces are safe, and our rights are safeguarded.

We carry out research and investigations to highlight the loss of protection for the UK public that results from the erosion of important regulations and of the public bodies which enforce them. We carry out public insights research to help shape new positive narratives about our shared protections, and work alongside our civil society partners to demonstrate the public consensus for strong rules and high standards.

Ultimately, Unchecked UK aims to shift the political and public debate round regulation, and to build momentum for proper investment in strong rules and the public bodies which defend them. We are a non-partisan organisation, incubated as a project of The Ecology Trust.

Find out more about our work: www.unchecked.uk

CONTEXT

Responsibility for waste crime enforcement in England is shared between the Environment Agency and Local Authorities, with overall policy responsibility held by the Department for Environment, Food and Rural Affairs. The Environment Agency covers serious types of waste crime, such as illegal dumping, larger fly tipping incidents, illegal waste sites, and permit breaches. Local Authorities deal with smaller, localised fly tipping incidents. In this briefing, we focus on fly tipping incidents in England, which fall under the purview of Local Authorities.

INTRODUCTION

In recent years, there has been a welcome political acknowledgement that plans to address our country's deep regional divides must be grounded in the restoration of people's sense of pride in their local place and community. This has led to an intensified political focus on the regeneration of cities, towns and local green spaces – most noticeably through former Prime Minister Boris Johnson's flagship "levelling up" policy, although the programme is likely to take a different shape under Prime Minister Liz Truss.

But despite much rhetoric around local revival and regeneration, fly tipping continues to blight our streets and countryside, with the north of England experiencing much higher levels of fly tipping than the south (relative to population size). Across the country, the problem is getting worse, with particularly big spikes in fly tipping incidents in our waterways and on footpaths and bridleways. Fly tipping now costs the UK hundreds of millions of pounds each year, while damaging the social fabric of our communities, impacting wildlife, contributing to poor mental health and chipping away at our collective civic pride.ⁱ Conversely, we can see from examples across the country that efforts to tackle fly tipping can build community cohesion, reduce fly tipping and save councils money.ⁱⁱ

The decline of local level enforcement when it comes to fly tipping is just one example of a wider, more systematic problem – the erosion of UK enforcement capacity and activity across many areas of public protection.ⁱⁱⁱ This, we feel, is contributing to the UK's "protection deficit", where the rules that safeguard the things we care about are being undermined.

In this briefing, we outline new research which reveals the extent of the country's fly tipping problem, and set out what British voters think about the issue.

England's fly tipping enforcement gap

Our research shows that fly tipping in England has increased by 38% since 2010, and has now reached a ten-year high. Meanwhile, enforcement of fly tipping has plummeted to a ten-year low. Many local enforcement teams are struggling to tackle the problem. Last year, three-quarters of fly tipping incidents in England were not investigated by local enforcers. Ten years ago, 70% of fly tipping incidents resulted in enforcement action. Today, that figure stands at just 40%. The number of investigations, statutory notices and warning letters have declined, and prosecutions by Local Authorities are rare.

Fines, when issued, are often so low (last year averaging just £2.50 per offender) that for large-scale commercial fly tippers they are simply ‘priced in’, particularly given that some are now profiting from fly tipping by undercutting the prices of legal operators.

Importantly, our research reveals significant regional differences; with the North East, the North West, and Yorkshire and the Humber experiencing almost double the number of fly tipping incidents last year (relative to population size) than the South East and South West.

At the same time, we find that the North East, the North West, and Yorkshire and the Humber have experienced the largest decline in fly tipping enforcement of all regions, with activity falling by 30% in these areas over the last five years. The South East and South West, which experience the lowest fly tipping levels of all regions (albeit with significant increases since 2010), have seen a +10% increase in enforcement activity over this period. While there are likely to be several factors influencing these trends, robust enforcement clearly plays a key part in keeping fly tipping under control.

Importantly for political parties looking to court voters in the UK’s so-called ‘Red Wall’, we find that around a fifth of the country’s worst fly tipping areas are found in Conservative-held Red Wall constituencies, including crucial marginal battleground seats like Burnley, Keighley, West Bromwich East, Hyndburn and Derby North.

Attitudes to fly tipping among key voters

Poll after poll shows that voters across the political spectrum care about this issue. A recent survey of the general public commissioned by the Department for Environment, Food and Rural Affairs (DEFRA) found that just over half (56%) of people reported that fly tipping in their neighbourhood affected them to a great extent or some extent.^{iv}

As we outline in this briefing, our own research into the attitudes of crucial voters in both the Red Wall and the so-called ‘Blue Wall’ bears this out. For example, our polling finds that 76% of Conservative voters in the Blue Wall are “very or moderately” concerned about fly tipping, and that these voters see it as the greatest threat to their local community – outranking air pollution, loss of green space and housing development, among other issues.^v

This chimes with polling from liberal conservative think tank Bright Blue, published in 2021, which finds that the UK public considers fly tipping to be one of the three most significant threats to the natural environment.^{vi}

More broadly, our research shows that support for strong rules and robust enforcement cuts across the political divide, chiming with many traditional conservative values – such as the belief in law and order, respect for property, security, and fair play – as well as with more socially liberal values such as caring for the environment.^{vii}

These findings indicate that concern around fly tipping has its roots in something deeper, something that cuts to the heart of what matters to people – notions of civic pride, of fairness, of communitarian values, of high British standards and proud local traditions. These concerns are set to become important issues at the next General Election.

Tackling the problem

It is important to acknowledge the innovative and tireless work taking place across the country to address fly tipping, often with real success. Local Authorities like Birmingham have introduced a £400 fixed penalty notice for offenders, and have successfully taken some of the worst fly tippers to court. We have seen a flourishing of voluntary litter-picking groups in recent years. But turning the tide on rising levels of fly tipping won't be possible if we rely solely on piecemeal (albeit laudable) efforts of volunteers and select local enforcement teams to make our streets greener and cleaner.

We must start by getting the basics right, and this means addressing the fly tipping enforcement gap. Many councils point to a lack of a resources as a barrier to effective action. According to a recent survey commissioned by DEFRA, 73% of councils in England report their ability to examine fly-tipped waste for evidence of origin is restricted by available resources, and 69% report that they have not been able to take the most appropriate sanction response due to a lack of resources.^{viii}

With studies showing that robust enforcement of waste crime – also a growing problem in the UK – generates significant benefits to the public purse,^{ix} we believe that a more robust approach to fly tipping enforcement would deliver real benefits for Britain, and send a clear signal to voters that their concerns and communities matter.

CASE STUDY

John O'Shea, Labour Councillor, Ex Cabinet Member, Birmingham City Council

Fly tipping blights areas, it ruins neighbourhoods and for me it's also a social issue. We know that if we overlay a map of fly-tipping across Birmingham, it matches up really closely with areas of social deprivation. It affects our poor areas far more than our wealthy areas and that's not fair, and it's not right.

In Birmingham, we brought in a number of innovations. We spent 7 million in the first year, it was the biggest investment in our streets in a generation. We launched new crews to go and clear up black bag waste dumped outside from flats above shops. We brought in mobile Household Recycling Centres, essentially bringing the tip to the residents. Once a month, residents bring their bulky rubbish to these vehicles for disposal. We increased our prosecutions, and also increased fines – we are one of the few councils to actually get people jailed for fly-tipping. We also invested in a 'wall of shame; installing cameras at fly-tipping hot spots around the city and publishing footage on YouTube. We called it 'Grime Watch'.

On the back of this new programme and enhanced enforcement we saw a drop in fly-tipping of between a quarter and a third compared to the previous year. We know it worked.

Future lessons

I would like to see more Local Authorities taking more chances when it comes to prosecutions. It's a real problem because Councils don't get all the money back from prosecutions, or if a perpetrator ends up in jail. It can cost 30-40K to get a case through to a conviction. We need Government to support us and the judiciary. When people are convicted, they need to suffer real consequences: more jail terms, higher fines.

We need a proper regulation and enforcement scheme for waste carriers. The Environment Agency needs the powers and the money to properly enforce and regulate waste carriers. Right now, it's possible to register your cat as a waste carrier, and that shouldn't be possible.

Nobody should have to live with fly-tipping – I don't care if that someone is in a wealthy ward like Sutton Coalfield or Spark Brook, one of our more depressed wards. It blights areas, it wrecks lives, it looks awful. Nobody gains other than the criminals. I think we should expect higher standards.

OUR FINDINGS

Unchecked UK examined English Local Authority fly tipping returns over the last decade (2010-11 to 2020-21). What we found provides an alarming insight into the state of the country's streets, verges, footpaths, watercourses, parks, beaches and community spaces, with the problem concentrated in the north of England. Equally alarming is the lack of enforcement brought to bear on perpetrators. Fly tippers are – quite literally – rubbishing our countryside, and getting away with it. Below, we set out some of the main findings from our study.

➤ **Fly tipping has reached a ten-year high**

Fly tipping has risen steadily over the last decade, and has now reached a ten-year peak. Last year there were over 1,134,000^x fly tipping incidents across the country – more than 130 fly tips every hour.^{xi} This compares to 820,000 incidents in 2010-11, meaning that fly tipping has increased by 38% in the last decade. While the total tonnage of fly tipped rubbish is not publicly available, we can calculate, using available estimates, that last years' fly tipping tally equates to nearly 500,000 tonnes – enough to cover the pitch (and the players) at Wembley Stadium.^{xii}

The rubbish discarded across the country last year included household waste (representing nearly half of all incidents), white goods, clinical waste, asbestos, and animal carcasses, with fly tips ranging in size; from individual black bags to multiple tipper lorry loads. There has been a disproportionate rise in fly tipping in watercourses and on footpaths and bridleways since 2010/11; with fly tipping incidents in watercourses rising by 76%, and incidents on footpaths and bridleways rising by 97%.

We found significant regional differences, with large variations between the North and South of England. Last year, the North East, the North West, and Yorkshire and the Humber suffered almost double the number of fly tipping incidents (relative to population size) than the South East and South West (22 incidents per 1,000 people, compared with 11.5 incidents per 1,000 people). London experienced the highest number of fly tips, at 42.7 incidents per 1,000 residents.

Around a fifth of the country's worst fly tipping areas are found in Conservative-held 'Red Wall' constituencies, including crucial marginal battleground seats like Burnley, Keighley, West Bromwich East, Hyndburn and Derby North.

➤ **Enforcement has reached a ten-year low**

Meanwhile, over the same period, enforcement of fly tipping has plummeted.

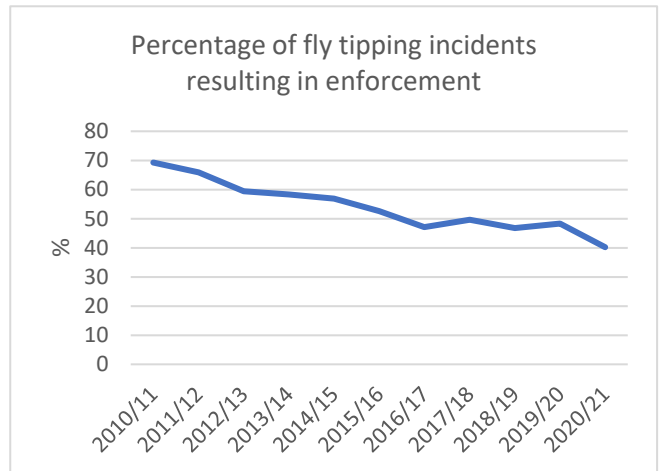
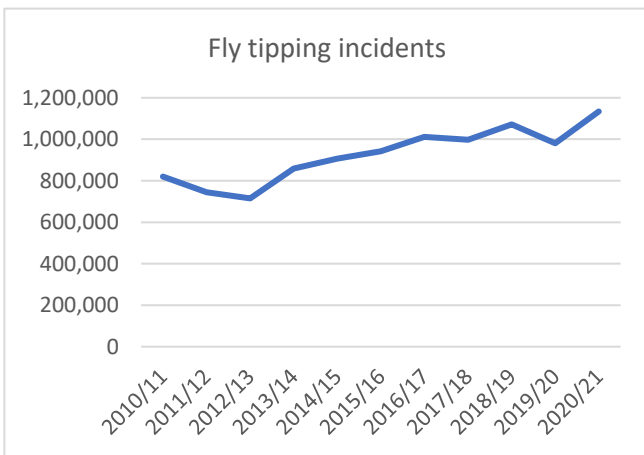
Last year, nearly three-quarters (+71%) of fly tipping incidents in England were not investigated by local enforcers, and 60% of fly tips resulted in no enforcement action whatsoever. This is a significant change from ten years ago, when 70% of fly tipping incidents resulted in enforcement action. Now it's down to just 40%.

Other enforcement metrics follow this downward trend. Statutory notices and warning letters issued by local enforcers have fallen by 68% and 69% respectively since 2010-11. Prosecutions of fly tippers are a rare occurrence, with English Local Authorities bringing, on average, just one prosecution for every 471 fly tipping incidents over the last three years, and Environment Agency prosecutions for serious waste incidents falling by 90% over the last decade. In fact, over the last three years, 1.75 million fly tipping incidents in England have gone unpunished by local enforcers.

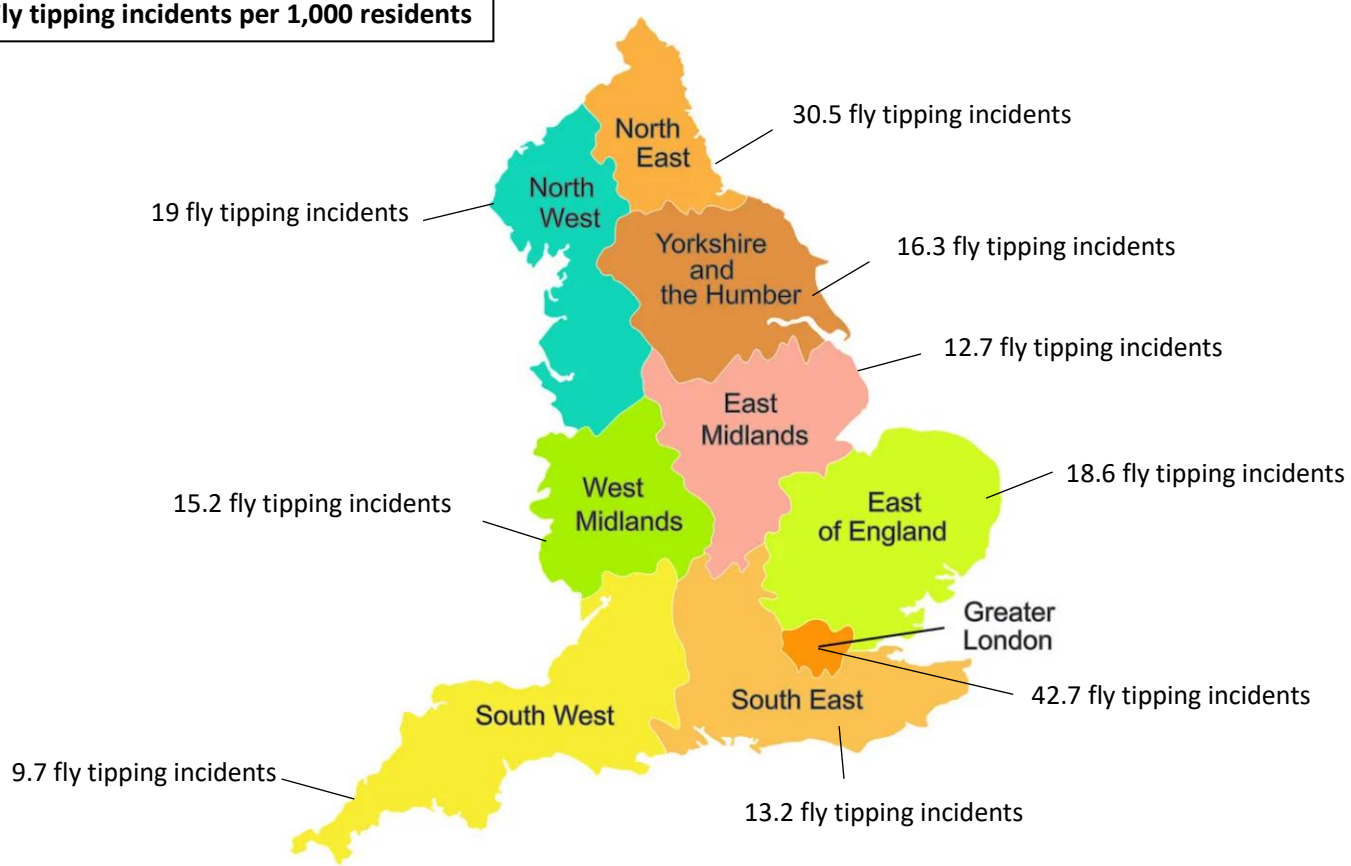
While fly-tipping is punishable by fines (up to £50,000 or 12 months imprisonment if convicted in a Magistrates' Court, and an unlimited fine and up to 5 years imprisonment if convicted in a Crown

Court) the courts very rarely impose high fines. 83% of court-imposed fines for fly tipping in England in the past six years were below £500. Since 2007-08, there have been only four fines levied above £50,000. Just 1,313 fines were issued last year – these equated to around £2.50 per offender.

Our research also revealed some important regional differences on fly tipping enforcement. The North East, the North West, and Yorkshire and the Humber, which see significantly more fly tipping than the South West and South East (relative to population size) have experienced the largest decline in enforcement of all regions, with total activity falling by 30% in these areas since 2015-16. Conversely, the South East and South West, which enjoy the lowest relative fly tipping levels of all regions, have seen a +10% increase in enforcement activity over this period.



Fly tipping incidents per 1,000 residents



FLY TIPPING – WHAT DO VOTERS THINK?

Below we explore specifically the attitudes of voters residing in the UK's so-called 'Red Wall' and 'Blue Wall', terms used to describe two sets of electorally important constituencies which will have a bearing on the outcome of the next General Election.

The Red Wall, synonymous with the sweeping Conservative victory at the 2019 General Election, remains an important part of the electoral landscape for both the Labour and Conservative parties. While many voters broke from Labour for the first time in 2019, polling indicates that they may be re-evaluating their decision to vote Conservative.^{xiii}

Blue Wall seats in the south of England, which have until recently been considered traditional Conservative strongholds, are also showing signs of political realignment. The Liberal Democrat wins in the Chesham and Amersham, North Shropshire, and Tiverton and Honiton by-elections indicate that the Conservative party will need to work hard to retain the support of voters in these constituencies at the next General Election. In short, these voters – and what they think – matter.

Voters in the Blue Wall

Unchecked UK polling across 43 Blue Wall constituencies finds that, for voters in these seats, fly tipping is a very real issue. Survey participants ranked fly tipping as their area of highest concern out of seven issues affecting their local community; scoring it higher than air pollution, loss of green space, river pollution, housing development, the impact of farming practices, and loss of wildlife.^{xiv}

72% of voters in the Blue Wall said that they are very or moderately concerned about fly tipping. Conservative voters registered the highest level of concern about fly tipping, with 76% stating they are very or moderately worried about the issue. When asked about enforcement, Blue Wall voters showed strong support (65%) for reversing funding cuts to environmental regulatory bodies so that they can properly enforce the law, with just 7% opposing these measures. 68% of Blue Wall Conservative voters supported this measure.

A recent quantitative and qualitative survey carried out by 38 Degrees and Unchecked UK across 100 constituencies showed strong support for measures to address fly tipping among voters in the 'Blue Wall', with many echoing this participant's call for stronger enforcement: *"It is just common sense to have strong enforcement. Without strong standards and enforcement people will cheat and fly tip."* (Survey participant, Worthing West).

Voters in the Red Wall

Unchecked UK's qualitative research with first-time Conservative voters in former 'Red Wall' constituencies finds that the commitment to strong rules runs deep.^{xv} In the words of one focus group participant: *"If you live in a civilised society which has regulations, and they're policed properly, and everyone adheres to them, then we'll all get on. If you break the rules, you should suffer the consequences."* These voters are proud of Britain's high standards and see strong rules as part of what makes Britain great. In the words of another participant: *"I believe you need rules and regulations for most things in life...so that we stay proud of being British."*

Our recent survey, carried out in partnership with 38 Degrees, found that participants located within 'Red Wall' areas feel let down by local and national government on fly tipping, with many echoing the view of this participant: *"I don't see enough being done by councils or government to try and enforce and stop [fly tipping]. People seem to get away with it and it is not fair."* Margaret, Barrow in Furness.

CONCLUSION

Fly tipping is a blight upon our countryside and streets, our towns and cities. From mattress mountains left in rural beauty spots, to fly tipping ‘slums’ cropping up in towns; when fly tipping happens, we all lose out. Many councils are doing great work to tackle the issue in their locality, but, as we have shown, the problem continues to worsen across the country.

The British public, from swing voters in the Red Wall, to traditional Conservative voters in the Blue Wall, care about this problem. For all the welcome political rhetoric on local regeneration, for many people, when it comes to their day-to-day lives, this is not borne out in reality. Addressing fly tipping as part of a suite of measures aimed at tackling regional inequality and investing in Britain’s towns would send a clear signal to voters; that they – and their local communities – matter.

Such moves could also generate real economic benefits. Studies show, for example, that proper enforcement of fly tipping can yield significant social return on investment, with over £3 of benefits generated directly to the public purse for every £1 spent dealing with waste crime.^{xvi}

Tackling the fly tipping problem must be part of efforts to strengthen Britain’s standing as a prosperous, enjoyable place to work and live. We urge politicians and decision makers from all parties to outline their plans to adopt a zero tolerance approach to fly tipping, as part of their efforts to invest in local communities, address regional inequalities, and uphold high British standards.

Find out more about our work: www.unchecked.uk

REFERENCES

ⁱ Researchers have found that even when other contributory factors to mental health conditions are taken into account, those who reported the highest incidence of environmental incivilities, were more likely to report anxiety, depression, and poor health than those with more positive views on this aspect of their local environment (See

https://d1ssu070pg2v9i.cloudfront.net/pex/pex_carnegie2021/2012/09/09205334/pub1455011643.pdf) Another study found that even with the introduction of new community resources, the severity of depression in littered communities remained stable or increased (See Curry - Neighborhood Disorder and Depression: Multi-level Relationships at Three Levels of Aggregation. Digital Commons Network (2004). A further in the United States found that patients who communicated a more negative perception of neighbourhood characteristics displayed more depressive symptoms (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5318302/>)

ⁱⁱ For example: https://www.cheshireeast.gov.uk/council_and_democracy/council_information/media_hub/media_releases/fly-tipping-down-as-'cleaner-crewe'-project-takes-effect.aspx; <https://www.keepbritaintidy.org/news/better-streets-reducing-fly-tipping-67-newham>; <https://www.dsposal.uk/articles/war-on-fly-tipping>

ⁱⁱⁱ <https://www.unchecked.uk/wp-content/uploads/2020/11/The-UKs-Enforcement-Gap-2020.pdf>

^{iv}

<http://sciencesearch.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=20941&FromSearch=Y&Publisher=1&SearchText=EV04101&SortString=ProjectCode&SortOrder=Asc&Paging=10#Description>

^v <https://unchecked.uk/research/a-view-from-the-blue-wall/>

^{vi} <http://www.brightblue.org.uk/wp-content/uploads/2021/07/Nature-positive.pdf>

^{vii} See, for example, <http://redwall.unchecked.uk/our-research/swing-voters-attitude-to-food-regulation/>

^{viii}

<http://sciencesearch.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=20941&FromSearch=Y&Publisher=1&SearchText=EV04101&SortString=ProjectCode&SortOrder=Asc&Paging=10#Description>

^{ix} https://www.esauk.org/application/files/4515/3589/6453/ESAET_Waste_Crime_Tackling_Britains_Dirty_Secret_LIVE.pdf

^x <https://www.gov.uk/government/statistics/fly-tipping-in-england/fly-tipping-statistics-for-england-2020-to-2021>

^{xi} Note that, in all likelihood, this is a significant underestimate, as many incidents take place on private land, or go unreported

^{xii} <https://www.zerowastescotland.org.uk/sites/default/files/Scotland%27s%20Litter%20Problem%20-%20Full%20Final%20Report.pdf>

^{xiii} See, for example, <https://www.jlpartners.co.uk/red-wall-wave-4> and <https://yougov.co.uk/topics/politics/articles-reports/2022/05/28/yougov-mrp-boris-johnson-set-lose-seat-labour-swee>

^{xiv} <https://unchecked.uk/research/a-view-from-the-blue-wall/>

^{xv} <https://redwall.unchecked.uk/our-research/>

^{xvi} http://www.esauk.org/application/files/4515/3589/6453/ESAET_Waste_Crime_Tackling_Britains_Dirty_Secret_LIVE.pdf