



Flycapture News

Contents Edition 8 – February 2008

Welcome	1
Feedback.....	2
Late Data and Amendments.....	2
XML/CSV Submission	2
Geographical Information Systems (GIS).....	2
Update	2
Flycapture In Wales	3
North Wales Fly Tipping Forum	3
Football Ground Advertising	3
Successes.....	4
Custodial and ASBO for Scotland.....	4
Custodial sentence for Leeds	4
Paying the Price for Dumping Waste.....	5
Tagged.. For fly-tipping 16 tons in just 1 night!	6
"Flycapture News" – so what do you think?	6

Welcome

Welcome to the latest edition, 8, of your newsletter, Flycapture News. It is pleasing to report that monthly figures are staying above 90% in England and Wales. Whilst not as high a figures as we would really like there is increased reporting to screen 2. Again I appeal to those in Scotland and Northern Ireland canvass your compatriots and get everybody signed up!

Feedback

Whilst our standard paragraph is at the end of this newsletter asking for feedback we need to know if this is really what you want. Please do email and say what you think even if this is what you want.

Late Data and Amendments

In the last issue we thanked all those who we contacted and then provided missing data for year 2006/07. This year can we be proactive, if you know you are missing data on the system and you do have it, forward it to us. By entering now we can avoid the end of year panic! If you have missing data or indeed amendments please email to flycapture@environment-agency.gov.uk, it can then be entered onto the system. To enable you to provide data in the best manner there are Report Templates in the 'Other Documents' folder.

XML/CSV Submission

A number of authorities currently make submissions to Flycapture using XML/CSV submissions. Fly tipping data from an authorities' database system is extracted and directly transferred into Flycapture without the added step of adding it manually to the system. Authorities using the method have said it has helped them streamline the processes involved in data gathering for Flycapture. The requirements are on the Environment Agency web page, this link will take you there; http://www.environment-agency.gov.uk/commondata/acrobat/xml_678459.pdf If you do change to this system can you please email flycapture@environment-agency.gov.uk and let us know.

Geographical Information Systems (GIS)

We are keen to hear from authorities who are using GIS to monitor fly tipping incidents. Information on the IT systems being used, handheld recorders, processes involved and how they are helping in the fight against fly tippers.

Please email: flytipping@defra.gsi.gov.uk

If you have any comments or current issues please feel free to contact me via email at: john.darling@defra.gsi.gov.uk

Update

Shortly there will be some small changes to the system which you will notice when completing your submission. Currently if you do not make your submission to screen 1 by the 17th of the month you will receive a reminder email. This will be extended to include screen 2 also. If you have not made a submission to screen 2, even if you have completed screen1, you will receive the reminder. There will be changes in the size and costs section. The unit cost for a single black bag incident has been set to £7. This should give a truer indication of the cost of single black bag fly tips. Also when entering 'Tipper Lorry Load' and 'Significant Multi Loads' if you enter the cost as zero an error message will be generated. The message will remind you that you have not entered a cost and ask you to do so.

A country filter is being added to the email function. Therefore in future we will be able to target emails at the correct groups.

Flycapture In Wales

From the Joint Initiatives a report from Wales

North Wales Fly Tipping Forum

The Wentlooge Levels, which run along the coastal land between Newport and Cardiff, are designated as a Site of Special Scientific Interest. They are a haven for plants and wildlife. Unfortunately, over the years the area has been plagued by repeated fly-tipping.

The Pride in Our Communities project together with Newport and Cardiff Local authorities have now jointly funded a post to fight the fly-tippers.

Susana Fernandez has recently taken up this new position as Enforcement Officer for the Wentlooge Levels. Susana will be working closely with the Local Authorities, Gwent and South Wales Police and local residents and businesses.



Susana said: 'I will be investigating fly-tipping incidents and taking enforcement action against offenders. By working together with local organisations and the community I aim to make improvements to the area that will benefit everyone. This is a good example of how we are working in partnership to make things better.'

Football Ground Advertising

Pride in Our Communities and the BREW team has recently placed advertising boards at the Bangor, Wrexham and Chester football grounds.



The aim of the advert is to warn flytippers "We are watching them" through the Environmental Crimewatch project. It is hoped that flytipping will be reduced as part of this advertising campaign.

These boards will be in place for the 2007/2008 football season. Adverts will also be placed in the football programmes through out the season.

Successes

Custodial and ASBO for Scotland

A man pleaded guilty to 5 out of 8 charges and received a 4 month custodial sentence.

North Lanarkshire Council, in partnership with Glasgow City Council and SEPA, had undertaken significant surveillance operations to address the problem of waste tyres within both the North Lanarkshire and Glasgow City areas. From initial investigation it became apparent that the defendant was responsible for a significant percentage of waste tyres illegally dumped within these areas. Prior to this case being taken by the Fiscal, both Glasgow City Council and North Lanarkshire Council had already achieved successful convictions against the defendant for the illegal deposit of waste tyres. Despite these convictions and Glasgow City Council obtaining an ASBO preventing a repeat of such actions within the boundary of Glasgow City Council, the defendant continued to deposit tyres illegally. As a consequence of this, both Councils targeted the actions of the defendant and several further cases demonstrating their continuing to engage in this illegal activity were submitted to the Fiscal service.

North Lanarkshire Council obtained an Anti Social Behaviour Order on conviction applying the following restrictions:

- To prohibit the defendant from assisting or directly undertaking the unlawful dumping, offloading or otherwise depositing tyres, fridge freezers, batteries or other controlled waste as defined in the Environmental Protection Act 1990, Section 75, anywhere within Scotland.
- To prohibit the defendant from engaging in or being involved in transporting, managing, recycling or disposing of waste tyres within Scotland. Said order to last for an indefinite time.
- To prohibit the defendant from travelling in or being present in any vehicle transporting, carrying or containing more than 4 tyres within Scotland. Said order to last for an indefinite time.

This conviction and the resulting penalties was a significant success for both Councils and reflected the considerable effort and time expended on targeting a serial fly tipper. The case also signifies a change in how courts view such repeated offences as this was the first custodial sentence achieved for fly tipping in Scotland and the first national ASBO for any environmental offence. It also demonstrates the alternative enforcement strategies that shall now be utilised by Local Authorities in pursuing such individuals.

Custodial sentence for Leeds

A man was given two concurrent 4 month prison sentences (both suspended for one year) a £500 fine, and a community order consisting of a condition of residence for 1 year after being found guilty of 2 incidents contravening section 33 of The Environmental Protection Act 1990.



Having first been witnessed fly tipping builders waste down a secluded lane early one morning in June 2006, he was again witnessed depositing and burning controlled waste in a second incident in September 2006. This was in the middle of a residential

area and on both occasions the defendant was using a vehicle owned by his friend and employer.

As well as the successful prosecution against the defendant, work undertaken by the Leeds City Council Enforcement Team resulted in the defendant's employer also being prosecuted despite claim's that he was unaware of the defendant's actions in June 06, and believing that he wasn't doing anything wrong by helping the defendant in organising the deposit and burning in September 06. The Magistrates ruled that the defendant's employer had not exercised due diligence and was fined £1000 under section 33 of the EPA 90 for the June incident, and similarly fined £600 for the offence in September 06. Hammond was also ordered to pay costs of £1100, amounting to a total fine of £2700.

When sentencing the defendant, the Magistrates said that the sentence of imprisonment was due to the fact that the offences were so serious that this was the most appropriate way of dealing with them. This is one of a number of cases where the Courts feel that imposing a prison sentence is just and proportionate to the offence. Another case saw a Leeds man being imprisoned for 3 months whilst fines imposed have topped £15,000.

These severe punishments have assisted the Leeds Enforcement Team in reducing the number of incidents of flytipping in Leeds by 21% in the same period last year (April – June). In addition, the number of enforcement actions undertaken has increased by 454%.

Paying the Price for Dumping Waste

A Faringdon Man has been fined £200 after admitting dumping waste at Grove Railway Bridge.

The 38 year old pleaded guilty at Didcot Magistrates' Court in August 2007 to fly-tipping a large quantity of domestic waste in hedgerows on either side of Denchworth Road on 29 December 2006.

The waste, which had been dumped in an area of open unspoiled countryside, included nine refuse sacks surrounded by Christmas wrapping paper, bubble wrap, empty beer cans, polystyrene packing and empty food containers. The windy conditions on that day also meant that items of rubbish were being whipped up and scattered over fields in the area.

The defendant was caught following an inspection made by a Vale of White Horse District Council Environment Warden who noticed the waste when out on his rounds. An interview was then carried out with an individual who had been mentioned in correspondence left at the scene who identified the defendant as a potential suspect.

The defendant was interviewed under caution in January when he admitted dumping the waste, and was brought before Didcot Magistrates for sentencing. He was fined £200, however the Magistrate indicated that had it not been for the defendant's guilty plea and current financial situation the fine would have been a lot higher. He was also ordered to pay a further £300 in costs.

Cllr Angela Lawrence, Executive Member with Portfolio Responsibility for Environmental Health, said: "Fly-tipping is a very anti-social act and it is incredibly sad to think that anyone would want to blight the countryside by dumping their rubbish there. To make matters worse there is a recycling centre only a short drive away from the defendant's house at Stanford in the Vale. When individuals dump waste like this they show a complete disregard for both the countryside and the cost of clearing the mess up."

Tagged.. For fly-tipping 16 tons in just 1 night!

A builder was given a 4-month curfew.

A cowboy builder has been electronically tagged - after he dumped 16 tons of rubbish in one load.

The man cannot go out between 8pm and 8am - the hours favored by fly-tippers - and must wear the tag so police can keep a check on his movements.

He is one of the first fly-tippers to be given a curfew for the crime.

The 52 year old, dumped the building rubbish outside a village church under cover of darkness one night.

But council officials sifted through the debris, which included soil, wood and rubble, and found building site plans and architects' drawings. They showed developments in Liverpool and South London where he had worked.

The man admitted dumping the rubbish on a service road in front of St Andrew's Church in Kingswood, near Reigate, Surrey, last November. The four-month curfew means he cannot leave his home during the designated times without police knowing about it. The man of Mitcham, Surrey, was ordered to pay £1,900 costs. Magistrates told him he had narrowly escaped a jail sentence.

"Flycapture News" – so what do you think?

Thank you for reading "Flycapture News" right to the end. We would like to take this opportunity to thank everyone who has contributed to this Edition. This newsletter is for and by the users of Flycapture, so if you have any comments, please let us know. We look forward to hearing from you for our next edition, anything you would like to say or share is welcome.

Please send in your contributions for the next Edition to Lisa Faulkner by end of March 2008. lisa.faulkner@environment-agency.gov.uk

Please email this edition of "Flycapture News" on to a colleague if you think they may find the content useful.

Flycapture News is the voice of the Flycapture User Group, Editor – D F Crombie, Technical Advisor, Flycapture. fergus.crombie@environment-agency.gov.uk