

Subject: Large-scale fly-tipping
Date: Wednesday, 26 September 2018 at 15:04:45 British Summer Time
From: Peter Silverman - Clean Highways
To: Claire Moriarty - Permanent Secretary DEFRA
CC: Neil Parish MP - Chair Environment Select Committee, Tom Brake, GWYNNE, Andrew
BCC: Colin Fernandez
Category: Fly-tipping, DEFRA, MPs
Attachments: Defra to Tom Brake 13_08_18.pdf

Dear Ms Moriarty,

Please refer to my e-mail to you below of 21st May.

I am disappointed that I have not received a reply in spite of the fact that MPs Tom Brake and Andrew Gwynne wrote to you on the 20th and 25th July respectively progressing a response.

Tom has forwarded me the attached reply from your office of 13th August. It says that the Environment Agency are treating my e-mail as a Freedom of Information request.

However, it did not, as far as I can see, contain any request for information. If the EA have treated it as such then they have not dealt with it in the regulatory 20 working days as I have had no response from them either.

It is now 5 months since I wrote to Chris Preston at DEFRA drawing his attention to [this post on my web site](#) which demonstrates the wide gulf between what Parliament has been told about the EA's role in combating large scale fly-tipping and the reality demonstrated by my analysis of the published information.

A reply would be appreciated.

Kind regards

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From: Peter Silverman - Clean Highways <petersilverman@cleanhighways.co.uk>
Date: Monday, 21 May 2018 at 15:30
To: Claire Moriarty - Permanent Secretary DEFRA <claire.moriarty@defra.gsi.gov.uk>
Cc: Neil Parish MP - Chair Environment Select Committee <neil.parish.mp@parliament.uk>
Subject: Large-scale fly-tipping

In March I was called out by ITV News to this [massive fly-tipping incident in Enfield](#). I was told that all of the material had been dumped late at night by multiple lorries over a 3 or 4 day period. Access was via the end of a residential street. The land was overlooked by other residential property and was adjacent to a playground.

What perplexed me was why anyone would participate in such an atrocity when:

They risked an unlimited fine and up to 5 years in prison.

The Environment Agency, who are responsible for investigating such large scale fly-tipping, has specialist teams who work in partnership with local councils, the police and HMRC to tackle waste crime.

The number of incidents of large scale fly-tipping dealt with in 2016 by the Environment Agency was more than 200.

Surely the risk would be just too great. I decided to look into the statistics I had previously requested from your department and do some further research.

This showed that in 2017 the EA only prosecuted:

Three cases which were definitely for fly-tipping. Two of these were for the same incident with combined fines of £75,000. In the other case the fine was only £900.

There were two other cases where I was not able to determine whether or not they were for fly-tipping or for other offences under EPA S33 (1). The fines in each case were £850 and £1,600.

So it looks as if the Environment Agency only took one incident of very large scale fly-tipping through to prosecution in 2017.

This would seem to be why gangs perpetrating crimes such as the Enfield incident can act with impunity.

On 10th April I wrote to your Deputy Director, Chris Preston, and asked him to check [my analysis which can be seen here](#). He has not yet come back to me.

Do you agree with (a) my analysis and (b) my conclusion?

I look forward to hearing from you.

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