

Moi

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'Ystyr tipio anghyfreithlon yw gadael gwastraff ar dir yn anghyfreithlon. Gall tipio anghyfreithlon lygru'r amgylchedd, niweidio iechyd dynol a difetha'n mwynhad o'n trefi a'n cefn gwlad.'

'Fly-tipping is the illegal dumping of waste on to land. It can pollute the environment, be harmful to human health and spoils our enjoyment of our towns and countryside.'

Title	Waste & Street Services Fly Tipping Policy
Purpose	The purpose of this document is to describe the current legislative context and operational procedures for dealing with fly tipping in the County.
Owner	Carl Touhig
Approved by	Policy Working Group Select Committee??
Date	Date that this document was approved
Version Number	0.1
Status	Draft awaiting approval
Review Frequency	Annual review
Next review date	12 months from committee approval
Consultation	Highways/Planning

Definition

'Fly tipping is the illegal deposit of waste on land contrary to Section 33(1)(a) of the [Environmental Protection Act 1990](#). The types of waste fly tipped range from 'black bag' waste to large deposits of materials such as industrial waste, tyres, construction material and liquid waste.'

How much waste does there need to be for it to be Fly Tipping?

The minimum size of illegal deposit of waste that constitutes a Fly Tipping incident is a single black bag such that it cannot be dealt with by a manual street sweeper, and where it has not been put out for household waste collection, whether on the correct collection day or not.

The council is only responsible for collecting fly tipping on Monmouthshire County Council owned land and public highways.

Land owners have a legal duty to keep land clear if it is publically accessible and the Council will endeavour to progress any cases of fly tipping on private land to the land owners where possible.

Target Performance

Monmouthshire County Council target for clearance of fly tipping is five working days upon receipt of a fly tipping report. Reports can be made by phone or in person to one of the local contact centres, via the County Council website using the report a problem tab or using the My Monmouthshire App. Our operatives will investigate the report, and if confirmed, clear away any waste. If the report is not confirmed as a Fly Tipping for which the council has responsibility the person reporting will be notified via the My Monmouthshire App, and the Council will make efforts to contact the landowner.

Investigations and Prosecutions

Reports of fly tipping will be investigated automatically where there is sufficient evidence to do so for example, where black bags are present; where the fly tipping is reported as a large load; where the report highlights evidence of names or addresses within the waste; or where the complainant indicates that they know who committed the offence.

Monitoring Data Collection, Reporting and Statistics

The County Council collects data on the number of confirmed fly tipping incidents, the type of fly tipping, the approximate size and weights of individual fly tipping and performance against the 5 day clearance target. Data is submitted to the Welsh Government on a quarterly basis along with information on investigations and prosecutions. See Appendix 1 for WG reporting classes

Communication with Complainant

A record of each incident is recorded and stored on the MyMonmouthshire database. If the report is made by a registered person who have provided an email address, they will receive automatic updates on progress of the complaint.. Other complainants can request updates in person at a contact centre or by phone using the unique fly tipping reference given when the report was made.

Appendix 1: Fly Tipping size and class reporting classifications required by Welsh Government

Size categories	
SBB	Single Black Bag
SI	Singe Item
CB	Car Boot Load
SV	Small Van
T	Transit
TL	Tipper Lorry
SML	Significant Multiple Loads

Class categories
Animal carcass
Green
Vehicle parts
White goods
Other electrical
Tyres
Asbestos
Clinical
Construction / demolition / excavation
Black bags - commercial
Black bags - domestic
Chemical drums - oil or fuel
Other household waste
Other commercial waste
Other (unidentified)

Appendix 2 Non-standard types of waste

Abandoned Cars

Abandoned cars are dealt with by Environmental Health Department. Where an owner can be traced, the owner will be required to arrange collection and/or disposal. Where no owner can be traced, the County Council will employ a salvage company to collect and dispose of the vehicle. If the vehicle is causing restriction on the Highway, our Highways department will work with us to resolve the issues whilst we investigate and meet the timescales for collections.

Asbestos

Small quantities of low risk asbestos are collected and disposed of by EPA crews. Where large quantities or high risk asbestos is present in fly tipping, the County Council employ specialist asbestos clearance and disposal contractors to collect and dispose of this type of waste.

Dead Animals

If a dead animal is causing a road safety hazard on a highway under our control, the County Council will organize collection and disposal. For other cases of dead animals reported to the County Council the following applies:

Dead wildlife:

All animals die at some point and the remains of wild animals are resource for a wide range of other wildlife. Unless a dead wild animal, for example: a deer, is causing a road safety hazard, the County Council does not collect or dispose of dead wildlife.

Dead wild animals are not classed as fly tipping.

Domestic Livestock, horses (and other equines), dogs and cats:

There are a number of regulations related to animals that affect how they should be treated including with regard to their disposal after death. Animals are treated in accordance to these regulations:

Where it is possible to identify an owner of an animal, for example, livestock ear tags, or collar tags. The owner will be contacted and given the opportunity to collect and dispose of the animal within two days. Where the owner is unable to do this or the animal is causing a road safety or health hazard, the County Council will arrange collection and disposal and attempt to recover the costs from the owner

Where it is not possible to easily¹ identify the owner of the animal, the County Council will arrange collection and disposal.

Disposal of animal carcasses will be via incinerator services or hunt kennels where these facilities are registered to accept animal carcasses or via a registered Knacker Man

¹ For identification purposes, animals will be checked for visual identification only, such as ear tags, tattoos or tags attached to collars if present.

Other pets and exotic animals.

The County Council will take advice in the event of receiving a report of a dead exotic animals and other pets.

