



HERTFORDSHIRE
CONSTABULARY

NORTH HERTFORDSHIRE
DISTRICT COUNCIL



Making your streets safer and your neighbourhood a more pleasant place to live

Preventing the illegal dumping of waste (fly-tipping). A guide to householders.

Important Information

As a householder you have a duty of care under Section 34 of the Environmental Protection Act 1990, to give your waste to an authorised person.

What is 'Duty of Care'?

'It shall be the duty of the occupier of any domestic property to take all such measures available to him as are reasonable in the circumstances to secure that any transfer by him of household waste produced on the property is only to an authorised person or to a person for authorised transport purposes'.

If you are a householder and you are passing waste onto someone who is not the dustman or the local Council, you are now under an obligation to check that the person you are handing your waste to is authorised to take it. An authorised person is someone who has a permit issued by the Environment Agency.

As a householder, you must ensure that the person removing your waste has a permit. If your waste is found fly-tipped and is tracked back to you, you may be prosecuted for failing to comply with the duty imposed under Section 34 of the Environmental Protection Act 1990 by giving your waste to a person who is not a registered permit holder.

You can check if someone is authorised with your local Environment Agency office on **03708 506 506** or you can check online at www.gov.uk/access-the-public-register-for-environmental-information

What reasonable steps should I take to comply with the 'Duty of Care' obligation?

- Ask to see their waste carrier permit which is issued by the Environment Agency. Take a photocopy or photograph it, if able to do so.
- Ask for their waste carrier number and contact the Environment Agency directly on **03708 506 506** and ask for a free instant waste carrier validation check. Alternatively you can check online on the Environment Agency website as noted overleaf.
- Once you have verified the intended contractor is a registered waste carrier before they leave your property to dispose of your waste, you must ensure that you receive a transfer notice or receipt.
- Make a note of their vehicle registration mark and vehicle details, if able to do so.

Someone who is found guilty of a 'Duty of Care' offence can face a fine not exceeding the statutory maximum at the Magistrates Court and a fine at the Crown Court.

Who do I contact to report fly-tipping?

If you witness fly-tipping actually taking place call the Police on 999 and give as much detail as possible.

If you discover fly-tipped waste after the event, call North Hertfordshire District Council on 01462 474000.

Someone who fly-tips may be liable to prosecution and could face a fine not exceeding £50,000, or a term not exceeding 12 months imprisonment or both at the Magistrates Court.

In the Crown Court the term of imprisonment not exceeding five years or a fine, or both.

Who should I contact for further information?

You can contact us at:

**North Hertfordshire District Council District Council Offices,
Gernon Road, Letchworth Garden City, Hertfordshire SG6 3JF
01462 474000 service@north-herts.gov.uk www.north-herts.gov.uk**

Bulky Waste may be taken by your Local Council. For further details or to organise a Bulky Waste Collection, contact **Veolia on 0800 328 6023** who operate this service on our behalf. Domestic waste and recycling sites can be found at Blackhorse Road, Letchworth, SG6 1HB and Beverley Close (off York Way), Royston, SG8 5HF. Further sites can be found at www.hertsdirect.org/services/envplan/waste/wasteaware