

## Update on Fly- Tipping Old Rectory Lane

Following my recent article on Fly Tipping in Old rectory Lane I have reproduced the latest e-mail from one of Bucks County Council's (BCC) Waste Enforcement Officers with whom I am in regular contact. The Officer is engaged in a "process" as outlined below to obtain the landowner's consent to remove the waste.

The bottom line is that if the waste is not removed in a timely manner then an enforcement order can then be served on the landowner which may result in the Council removing the waste and recovering the costs from the landowner.

You will note that details of at least 5 businesses have been linked to the waste and these are under active investigation. Tracing the origin of waste loads is becoming routine for BCC so make sure your waste carrier has a licence.

"BCC officers met the land owner on site at Old Rectory Lane, Denham (22 May 2018) and walked over the entire site listing dumped wastes and loosely mapping their locations. A total of between 95 and 125 loads of the equivalent size of a Ford Transit tipper truck were listed as dumped – it is not possible to be more precise due to the spreading of some of the loads on deposit. It is not clear exactly what proportion of these loads were dumped during the 2017 encampment and how many were dumped in 2018, but the officer estimate suggests that more were deposited in 2017 than 2018 (approx. 60:40).

The waste was seen to comprise mainly mixed non-hazardous waste from building work. A small number (at least 6) of refrigeration white goods were noted together with lorry tyres (up to 6 loads). Single loads of gas bottles and fire extinguishers were examined at the bottom of the field – **these containers were individually examined and none was found to have any contents.**

The details (loads and locations) were provided for the land owner's use in approaching waste contractors. Facilitating contact with waste companies may help in the clean-up process and contact details for companies with experience of clearing similar dumping have been provided for the landowner by BCC officers.

Two of the loads dumped in 2018 have been fully investigated by BCC and two businesses have been reported for consideration of service of summonses regarding alleged failure in Duty of Care (s.34 Environmental Protection Act 1990). Any cases prosecuted by BCC will see an application made to the court for a contribution towards the land owner's clean-up costs – while this will only be small recompense, it again is aimed at helping the land owner's situation. Details from three other loads (including one where the deposit of the waste was witnessed by BCC officers) have been forwarded with witness statements to the Environment Agency for their investigations. Again, while there is overlap, the Environment Agency usually leads investigations against dumping on this scale which is known as 'waste crime' rather than simple roadside fly-tipping...

There will be an ongoing discussion process between the land owner and BCC regarding the removal of waste. The land owner gave assurances (22 May) regarding the clean-up explaining both the importance of the land to his family and the restrictions on his finances and available time which may impede the clean-up from his point of view. It was explained to him that while the County Council wishes to work with him in this process, there is a 'bottom line' regarding the removal of the waste which will see BCC enforcement action being taken if the site is not cleaned up in a timely manner."

We now have BCC's full attention on this problem and I will continue to provide updates.

Cllr. Dr Julia Walsh

Stay vigilant and report fly-tipping!