



TRADESMAN LEARNS COSTLY LESSON.

WHAT HAPPENED?	A tradesman employed by a householder to remove and dispose of waste following house renovation work passed it onto a third party to get rid of it. The waste was subsequently fly-tipped. The tradesman failed to ensure the material was disposed of responsibly, and therefore failed in his duty of care.
OUTCOME	The tradesman was fined in excess of £5000. Fly-tipping is illegal, anti-social and can harm the environment. In 2014/15, the estimated cost of clearance of fly-tipping to local authorities in England was £50 million and the cost of fly-tipping on private land was between £50 - £150 million.
CONTEXT	Fly-tipping is a criminal offence. At a Magistrates Court you can be fined up to £50,000 and / or 6 months in prison per offence. At Crown Court fines can be unlimited with the maximum imprisonment term rising to 5 years.
WHAT SHOULD HAVE BEEN DONE DIFFERENTLY?	When you employ someone to take your waste away you still have a responsibility to take all reasonable steps to ensure that the waste is managed correctly and legally throughout its complete journey to disposal or recovery. You can do this by: checking that the person who takes the waste is authorised to do so carrying out more detailed checks if you suspect the waste is not being handled in line with the duty of care. For example you could request evidence that your waste has arrived at the intended destination and the waste has been accurately described. It is also advisable to obtain a receipt with the full details of the person taking the waste, along with the registration number of the vehicle used to transport the waste.