



HOUSE OF LORDS

Environment and Climate Change Committee

Corrected oral evidence: Waste crime

Wednesday 17 September 2025

11 am

Watch the meeting

Members present: Baroness Sheehan (The Chair); Lord Duncan of Springbank; Lord Jay of Ewelme; Lord Layard; The Earl of Leicester; Lord Mancroft; Lord Rooker; Earl Russell; Lord Trees; Baroness Whitaker.

Evidence Session No. 4

Heard in Public

Questions 56 - 70

Witnesses

[I](#): Mary Creagh, Parliamentary Under-Secretary of State (Minister for Nature), Defra; Emma Bourne, Director for Circular Economy, Defra.

Examination of witnesses

Mary Creagh and Emma Bourne.

Q56 The Chair: I welcome our second panel to today's session. We are very privileged to have with us today the honourable Mary Creagh, Minister for Nature, and Emma Bourne, director for the circular economy at Defra. Thank you both for making the time to be with us today. We hope that we will be able to try to unravel some of the conundrums of waste crime that we heard laid out in the earlier session.

I turn to my first question. On 3 September, Dan Cooke from the Chartered Institution of Wastes Management told the committee that, "There is no evidence ... of the level and scale of criminality decreasing over the last 10 years. There is increasing and clear evidence of increased incident numbers and of organised criminality operating in the sector." My first question to you, Minister, is how likely is it that the existing government target of seeking to eliminate waste crime by 2043 will be achieved?

Mary Creagh: Thank you very much, Chair, and let me say how wonderful it is to be in front of this committee this morning. I commend you on your excellent chairing so far and say that it is a real privilege to be here as the Minister for Nature and the Circular Economy. The previous Government set a target to eliminate waste crime by 2043 and obviously that is now being looked at as part of our rapid review of the Environmental Improvement Plan. We intend to publish the revised EIP later in 2025, and a key part of that is going to be creating the so-called circular economy.

We have already set in train the reforms through EPR—extended producer responsibility—simpler recycling and a deposit return scheme that means that every material now has a value, which should reduce the amount of waste and packaging going into the economy. With the Circular Economy Taskforce, we are also looking at the big picture. People want to know what happens with their bins, but we also need to think about whole economy change, so that is construction, agri-food, waste electricals, transport, textiles and building materials. All these things contribute hundreds of thousands of tonnes each year, some of which is diverted into the illegal economy. If everything has a value, there is less incentive to just pay someone £20 to take it away because someone will pay you £20 to come and collect it because it has a value.

It is about whole-system change. The first year, when I came in, was about getting these big change reforms through statutory instruments. The legislation had been promised since 2017 and I was determined to see them through and they are now taking place. Simpler recycling comes in to all local authorities from next April and the deposit return scheme in October 2027. That is the beginning of the change. I am sure we will talk later about the other changes to tighten the waste regulations.

We are tackling this on a whole-economy level but we are also putting a laser focus on these waste crime sites. I now get monthly updates from the Environment Agency about sites of concern and I have a lot of meetings on what they are doing to tackle them.

Q57 The Chair: Thank you very much for that response. I would be very appreciative if you could keep the responses just a little tighter because time will be short.

We are talking about waste crime. The circular economy is enormous in terms of taking things such as sofas, mattresses and fly-tipping out of the equation. That will be important. We are going to concentrate on serious waste crime today, but I want to understand how the circular economy will fit into that and whether the Government will be able to use their waste strategy to eliminate things such as steel slag, concrete and construction materials. Those are the big-ticket items that waste criminals feed on.

Minister, you have not, with all due respect, answered the question of whether 2043 is achievable. If it is not and if it will be a challenge, that would be good to understand. Nevertheless, how are you tracking progress against the target? We have heard that regulated waste and unpermitted waste is treated very differently because there are different funding streams and different processes attached to them. I want to try to tease out that difference, because that seems to relate to some of the issues around tackling waste crime that we have heard so much about.

Mary Creagh: We have increased the Environment Agency's budget for waste crime enforcement by over 50% this year, so it is now at £15.6 million. As a result, the number of full-time people working on that has risen to 43¹. We have put money in because we are concerned that, over the past 15 years, it has cost the UK £1 billion per year. We estimate the landfill tax gap to be around £150 million a year, so around 23% is not being properly paid. We have also seen fly-tipping skyrocket by one-fifth while the number of prosecutions has fallen by the same amount since 2018-19. We know the difficulties that Covid presented and the difficulties in the court, but the trend lines were going in the wrong direction. Our Government are attempting a reset.

Q58 The Chair: Excellent. That is good to hear. I just turn to Emma Bourne: what are the implications of failing to eliminate waste crime for the Government's wider ambitions for the environment and climate? This is key and central and we have touched on it a little bit.

Emma Bourne: Thank you very much for the invitation to speak today, echoing the Minister's comments. The Minister has set out the scale of the challenge we face and the importance of rising to that challenge economically, environmentally and socially. I think we see all waste crime as lost resources from our economy. Every material has value and if that material is not being disposed of correctly and, even worse, if that material is being disposed of illegally, it is not recirculating into our

¹ Note by the witness: risen by 43.

economy and being reused and repurposed. That is the golden thread between the importance of tackling waste crime and the wider circular economy objectives. It goes without saying that there are also significant environmental implications for waste crime depending on the very nature of that crime. Environment Agency colleagues have outlined some of those examples and you touched on Hoad's Wood as a good example of that. Therefore, tackling waste crime is important to the wider environmental objectives that we are seeking to achieve. Socially—and this is a really important part of it, which you touched on in the previous session—this is a blight on communities. Ensuring that we do not lose sight of the people and communities in this equation is an important part of our objective in achieving these goals.

The Chair: When will people be able to have someone pay them to take their sofas and mattresses away?

Emma Bourne: That is a question that we are exploring with the Circular Economy Taskforce as the Minister outlined. We are taking a whole-economy view, looking at all the different opportunities to drive circularity. One of the priority sectors that the Circular Economy Taskforce has focused on is textiles, which includes questions around sofas and mattresses. They have taken a broad view of textiles in that scope. As the previous Secretary of State and the Minister have outlined, our intention is to publish that circular economy strategy and those road maps in the autumn for consultation.

The Chair: I just want to be very clear that what we are looking at today is how we will tackle the issue that faces us today. It is good to hear what future intentions are but you have tools at your disposal today to tackle waste crime and serious organised waste crime. Why those tools are not being utilised is also important to us.

Q59 **Lord Rooker:** Good morning; thanks for coming. Before I ask a very straightforward, simple question about mandatory digital waste tracking, I have two supplementaries, to which you can give me one-word answers. In relation to your previous answer, does textiles include carpets?

Mary Creagh: Yes.

Emma Bourne: Yes.

Lord Rooker: Okay, the answer is yes; that is fine. I am pleased about that. Secondly, in preparation for this session, have you had a chance to watch the evidence we had last week from two police and crime commissioners?

Mary Creagh: No—apologies.

Lord Rooker: Can I suggest you do? It would be very helpful. I need to ask you about the implementation of mandatory digital waste tracking. How is it progressing? It seems to have taken years of planning. It is seven years away, and we still do not have a pilot going or about to get

going. It seems quite important to track where the waste is starting from, not just where it is mid-journey. That is part of the problem in a way. Sometimes it is only mid-journey. It is about working out where it starts at the beginning of its journey. How is progress on that so far?

Mary Creagh: I think we inherited a broken waste system: paper-based records, Oscar the dead dog registered as a carrier. It is a system that is paper-based, ripe for exploitation by criminals and for accidental error to come in, which may look like fraud but may be genuine error. The lack of digital record-keeping in the industry is exploited by organised criminals. They undercut legitimate businesses through mishandling waste, misdescribing it, illegal exports and fly-tipping. The new system is about replacing paper-based methods and creating a level playing field.

Implementation has been delayed to make sure that the new system, when it goes live, is fit for purpose and is useable by industry, and industry asked for more time to prepare. It will be phased in from spring 2026 in waste receiving sites and then it is planned to expand to other waste carriers in 2027, subject to further funding. We are testing the development system right now with users and we are grateful to those companies that have volunteered—the early adopters—and are helping us to create the best system possible.

Lord Rooker: What reason did they give for wanting more time?

Emma Bourne: This is a very complex system, as you have been exploring through your sessions, in terms of the movement of different types of waste and the processes involved. We now have over 400 businesses involved in that user group, which are supporting the development of the system and will be involved in the testing. Making sure that we have a system that genuinely levels the playing field, works for those legitimate operators and has the efficient interfaces with their existing systems is a real priority for us.

Part of what we are trying to do here is to make it difficult for the illegitimate operators to hide, but ensure that the legitimate operators can thrive and that we are creating a successful context for business. That has been about working with them to make sure the system is as effective as possible. We have had positive feedback about the user research, the reset moment and, therefore, their ability to be involved at a large scale in the testing and phased rollout over the next few months. We have been listening.

Mary Creagh: All UK nations have to lay secondary legislation to mandate the use of the service by receiving site operators from 2026 so there is a legislative hurdle as well.

The Earl of Leicester: How will you phase it in for the illegitimate operators?

Mary Creagh: The aim is that they will not be using it—that is the point. The legitimate operators have their own digital processes, so we are trying to work with them and take the best of what they have done and

developed while not putting the smaller legitimate operators out of business. Everybody who wants to be a waste carrier or receiver will have to be on this system. They will have to show a number of processes.

The Earl of Leicester: But they are not at the moment. There are illegitimate operators who are not on paper-based systems.

Mary Creagh: What this will do is help with the misdescription of waste. You heard in the previous session about landfill tax being misdescribed—the steel slag that is presented as soil and £5 a tonne. Because it is a long chain, the person may be paying the £126 a tonne for mixed waste but then, further down the chain, it may end up being described as soil and someone has made £120 profit—and that could be on a mass scale. It is about this end-to-end tracking so that we can see from the beginning to the end where it is going.

The Earl of Leicester: Are you confident that it will work?

Mary Creagh: Yes.

Emma Bourne: Given the level of industry involvement in that testing process, I have a high degree of confidence they will support us to make it work. They have a significant commercial interest in helping us to do so. Just to build on the Minister's answer, this is about empowering the regulators with the information and data they need to find and see the illegitimate operators. At the moment, the complexity and arcane nature of the system makes it easier to hide. As I think Mr Molyneux alluded to, there is no silver bullet and I do not want to overclaim the benefits of digital waste tracking, but I think that it can be a powerful tool in the mix of other tools in tackling this problem.

Mary Creagh: The problem is that waste has been a Cinderella service. It has never been a priority for government funding. There are always much more glamorous things to spend government money on, and it is amazing that we do not have a digital system already.

The Chair: Lord Rooker, I will come back to you but I know that Earl Russell and Lord Duncan have supplementaries on this issue.

Q60 **Earl Russell:** Very briefly. Welcome, Minister and thank you. I am pleased that digital waste tracking brokerage is moving forward. It is a shame that it has been delayed until April 2027, but I fully get the need to work with industry. My impression is they support this. What I am hearing is that, by April 2027, it will be in across all the devolved regions and will require SIs.

I just ask you two very quick questions. In terms of everybody's understanding of digital waste tracking, will registered waste vehicles also be tracked under this system? Can you also just say a word about how this helps you fight organised crime?

Emma Bourne: As the Minister alluded to, in the first phase we are focusing on the receivers, so that is the scrapyards and landfill sites.

Then, once we have delivered that first phase, we will move to the carriers. This staged approach is about ensuring that we do this in a deliverable way, which is why I alluded to my confidence in delivery. That is the point. We are in the scoping phase of that and working with industry to work out what the best design is, so that will be a live question for us in the design phase.

Mary Creagh: We are doing extra things to deal with the carriers so there are a couple more things for carriers, brokers and dealers where they will need to have a certificate of competency. There may be a question on that later, so I do not want to jump the gun.

Earl Russell: Can you confirm that it will be mandatory for all waste carriers, and that that is the intention?

Emma Bourne: That is the intention, yes. As the Minister said, that is subject to confirmation of the ongoing funding.

Q61 **The Chair:** Just on this question about carriers, it is really important that the licensed carriers, the legitimate carriers, are visibly so. Then householders, for example, can look and say, "That is your registration number. Can I take a note of it, because I have a duty of care to make sure that this goes to the right place?" Will that be a priority, because it is not at the moment?

Mary Creagh: In April, we announced plans to reform the waste carrier, broker and dealer regime, so we are moving away from—

The Chair: A quick answer will do.

Mary Creagh: Yes, it is going to be a permitted activity, so there will be no Oscar the dog.

The Chair: Are they going to be very visible?

Mary Creagh: Yes, we are going to introduce background checks for operators and tougher penalties for those who break the law.

The Chair: That is not visible. What about a licence plate, something like for a taxi?

Mary Creagh: They will need to have their registration number on all advertised literature, so all the Facebook ads—

The Chair: On the vehicle?

Mary Creagh: We cannot do it on the vehicle—we did challenge on this. I do not know why they cannot do it on the vehicle, but I think Emma can tell us.

Emma Bourne: Often, they will just change the vehicle. The permit number will be required on all advertising, including online advertising. We have established in collaboration with the regulators—

The Chair: Will ad hoc traffic checks be a key part of it?

Emma Bourne: That will be an operational decision for the regulators but, yes, they will have a wide range of powers within their existing permit—

The Chair: I find it absolutely incredible that we cannot, at a glance, see a truck carrying waste and look to see whether it is legitimate or not.

Earl Russell: Can we not just bring in new legislation to cover that need to openly display that they are a legitimate carrier?

Mary Creagh: These are questions that I asked, because I agree. We have legislation that says you can only do it in this way—well, how do you know if they are registered? Some of the big companies will change their trucks every four or five years and it is a minor cost to put it on so we will go back to look at that. I think there is legislation in draft now.

Emma Bourne: Yes, and the Environment Agency do stop vehicles and can track vehicle movements through the automated number plate recognition system. It has the powers to do so and it does use them. Through these reforms, we are trying to ensure that you are within that permitting system. At the moment, we have large numbers of those moving waste who are not even in that system; when they are, the EA can use those powers.

The Chair: I understand. I am looking at it from the point of view of a householder, because this is not clear to me at all. It is something that I think the Government need to revisit.

Q62 **Lord Duncan of Springbank:** I have a very quick question. From all the evidence we have taken so far it sounds like an utter mess—genuinely a mess, and confusing. The organised crime element seems to morph into new organised crime, and the best that the enforcement officers can do is to annoy the organised criminals, rather than deter or ultimately stop them. It is very hard to measure the scale of organised crime because there a substantial amount seems to be simply not reported. There is a mix-up between those who are not conforming to the rules but want to versus those who are active organised criminals. So the statistics look, at best, distorted and, at worst, simply useless. The changes you are bringing in could make a difference, but I have no idea how we can tell.

Mary Creagh: Well, the measure of success for me will be whether, when I walk through Coventry East, there are beds and sofas dumped on Clements Street, as there have been almost every week since I was elected.

Lord Duncan of Springbank: But that is due to it costing money to have those things picked up. That would be an easy thing for you to change, but the bigger picture around the organised crime question is where I am trying to drill down.

Mary Creagh: Often the organised crime starts with the fly-tipping on Clements Street. It is a long tail and it is about understanding what it looks like—it is by its nature covert. There are the fires that are going on in Warwickshire at illegal waste sites, which the Environment Agency is dealing with. People report these things, I report them back to the Environment Agency and action is taken. Often, what looks like a dumped sofa can be the thread that leads you to much bigger criminal activity, which is why some of the processes and investigations take a while. It is also about following the money.

Lord Duncan of Springbank: But we are sometimes talking about five years, at the end of which there is no guarantee of any prosecution. After five years, those organised crime gangs have morphed into new entities, moved on and found new sites. We were using the analogy earlier of squeezing a balloon. Unless the balloon pops, all you are doing is moving the air around and squeezing it in a different part. I am not clear what it is that you are doing now that changes the paradigm.

Mary Creagh: We are making collecting waste a permitted activity. We are introducing a digital system for all movements of waste over the next two years. We are trying to get to a redesign of the materials world where the incentives to take stuff and misdescribe it are removed because everything will have a value and people will therefore want to work with legitimate operators.

The issue of sofas, carpets and mattresses is hard and complex because of the flame retardants that are in them. They are safe when they are in our homes, but the moment they sit outside our homes they are hazardous waste. The flame retardants are an issue across government. They are coming out of baby cots and pushchairs in October. There is more work to be done there.

The Chair: Indeed, they are so damaging for the environment when they leach into it because of the PFAS involved.

Mary Creagh: They are damaging for us as people, when we breathe it all in.

The Chair: Absolutely, yes, and for ecosystems.

Q63 **Baroness Whitaker:** I want to ask about resourcing for enforcement by the Environment Agency. Your 50% increase is of course extremely welcome. Are you confident that it will buy enough improvement to reach your target, and are you assisting the Environment Agency with its prioritisation of these new resources?

Mary Creagh: We have, as you say, a 50% increase. The Environment Agency has £15.6 million for waste crime enforcement this year. We have given it an extra £5.5 million to reflect that this is a priority and that we are determined to clean up the country. The Joint Unit for Waste Crime has doubled. Front-line criminal enforcement has increased to about 43 people. This is important. The focus that my officials and I are bringing to this is bearing fruit.

You asked previously about the waste crime levy proposal. We have been working across government on that with Treasury officials. The EA has a consultation and we want this novel way of funding waste crime enforcement to be absolutely financially and legally watertight.

Baroness Whitaker: On that, when will the government response arrive?

Mary Creagh: They consulted on a 10% levy, which would bring in £3 million of additional income a year and would increase waste enforcement by about 30%. They are based on existing subsidies. I am unclear about when we are hoping to respond.

Emma Bourne: We are following the normal process with the Treasury at the moment to confirm that. It is a live issue and will be as soon as possible.

Baroness Whitaker: You did not quite answer the question of whether you are on target with these new resources.

Mary Creagh: We need interim targets. It is no good saying that we hope it will be done in 25 years. I am keen that, as part of the Environmental Improvement Plan, we look at realistic, smart, specific, measurable and achievable targets. We are working across government as part of our Environmental Improvement Plan to look at what goes on in other areas of the economy—particularly the NHS, which has developed metrics not around waste crime but about the circularity stuff—to give us confidence about how we can build towards a more resource-efficient economy.

Emma Bourne: To build on that, as other witnesses have echoed, the resources are important but they have to sit in the context of the other reforms. They will not be enough alone. We have to deliver on digital waste tracking. We have to deliver the carrier, broker and dealer reforms that the Minister described. We have to look at the waste permit exemptions and also look at the sites and how we tighten that up. At every point of the system, we are looking at how we can make it as difficult as possible to be an organised criminal and we will need to keep doing that.

To allude to Lord Duncan's question, this will continue to evolve. Serious organised criminals in waste are the same as every other serious organised criminal. They are clever and they will find ways—that is how they are organised. We will need to keep evolving. That is what we are doing here; we are looking holistically across the system and saying, "How can we make sure we are putting the tools and foundations in place at multiple points to address this issue?" The resources are important, but they need to sit alongside the wider reforms.

Baroness Whitaker: That is impressive. As part of your control of this diverse ecology, will you be looking at the prioritisation of the Environment Agency in its enforcement?

Emma Bourne: The Environment Agency is an independent regulator and so it sets its own prioritisation in the structures that the previous witness described, but the Secretary of State and other Ministers work closely with the senior leaders of those organisations to make sure that they are reflective of ministerial priorities.

Mary Creagh: We need to target resources on things that are easy to do and things that have the biggest impact. That is where we have started.

Q64 **Baroness Whitaker:** Finally, on this question of the waste permit income not being available for waste crime enforcement, in which I see the not very hidden hand of the Treasury—I might be wrong—but can you do something about that? Can you get the whole money into whatever you think is best?

Mary Creagh: This is why there is the consultation on the levy. Treasury rules say that we can use that income only for compliance; we cannot use it for enforcement and to track down the criminals. Sometimes I share the committee's impatience, as a householder and as a citizen, that the rules say this, but it is important that we operate within the rules. This is a neat solution and if it comes in, as I hope it will, it will make a real difference. It will certainly increase its budget considerably.

Baroness Whitaker: You will not need legislation?

Mary Creagh: I am not clear whether we will need legislation. It might need to go in a Finance Bill but I do not know.

Emma Bourne: We already have legislation that governs the determination of the levy. We are exercising the powers within existing legislation.

Q65 **Lord Jay of Ewelme:** I just go back to a previous question. Minister, you said that when you see a mattress on Clements Street, you can ring the Environment Agency. Is there a case for having one phone number that any of us can ring when we see waste in the hedgerows or wherever it is? At the moment, an awful lot of people see it but think that someone has probably rung someone and carry on.

Mary Creagh: The fly-tipping on Clements Street is the responsibility of Coventry City Council, not the Environment Agency area team, which stretches right the way across the West Midlands.

Lord Jay of Ewelme: That is why I asked if it would be good if there was one number. Is it the Environment Agency, the local authority or the police? If you do not know who to ring, you do not—you just drive on.

Mary Creagh: When I was driving down the M1 and I saw people on a flatbed van unloading their vehicle, I rang 999 because it was a crime in progress. I said, "Fly-tipping is occurring between Junctions 12 and 13", and I left it with the police. If you see somebody doing it, it is a crime in progress and that is the appropriate number. If it has happened overnight, you report it to your local authority.

Your question has a fair challenge. How do we get a signal at the centre of where and what is happening? When I was in Northumberland, I was talking to the chief of police up there about fly-tipping on farmers' land and he said it was an organised crime group from Durham. The local police officers know their local patches. Working with the local council and the local police is a good way for the Environment Agency to do that. I hope this extra funding will allow it to do more of that proactive work and to get on the front foot ahead of it rather than be constantly in reaction mode.

Lord Jay of Ewelme: I do see that, but I am thinking from the point of view of the individual who happens to be driving past and wants to know what to do, rather than doing nothing. If he or she could ring one number, it might help.

Emma Bourne: Crimestoppers plays an important role and the Environment Agency actively promotes Crimestoppers as, if you like, the single phone number that you can ring, exactly as you describe. It has strong relationships with all the different agencies that the Minister described. I am sure that there is maybe more that we could do more to promote that, but that partnership with Crimestoppers has played a valuable role for regulators.

The Chair: Earl Russell, is it important?

Q66 **Earl Russell:** I will be brief. I recognise everything you say about how it is not just resources but everything in the space. I recognise the extra money you have put in. However, the total amount of £15.6 million is less than the clear-up of Hoad's Wood. Is this stuff not absolutely vital? Does it not need more resources? The JUWC has 18 people, but this is a billion-pound industry—the new narcotics. Do we need this legislation to come in and the change to the Treasury rules? This stuff is urgent.

Mary Creagh: Of course. When I was Shadow Secretary of State from 2010 to 2013, people were telling me about producer export responsibility notes and frauds there with people misdescribing waste and sending car engines over to China and different places. This is not new, but the volume might have increased and the nature might have changed. Of course, there has not been much new policy over the past 15 years, apart from the responsibility on householders, which is almost impossible for responsible householders to exercise. In the absence of policy, the criminals have moved in. We are now moving at pace to take action on every area.

Your point about Hoad's Wood is absolutely well made. There was no recognised landowner. The land had been sold off to lots of different people, possibly on a taxation basis, for tax benefit purposes. This was all under the previous Government. There was a paralysis between who was responsible and who was accountable.

There is a definitions problem. What is a large dump? It might start as a small dump but then, after thousands of lorry loads, it becomes a large

dump. When does it become an EA problem as opposed to a county council problem? All these are moot points.

The Chair: That is why the JUWC was set up. Lord Mancroft, quickly.

Lord Mancroft: I have a quick question. When you called the police from your car, what happened?

Mary Creagh: I drove down the motorway, so I do not know. I did not stop to see. I reported it and the highways police may well have gone out and done something.

Lord Mancroft: Maybe not. Who knows?

Lord Duncan of Springbank: You did not follow that up at all?

Mary Creagh: No, because it was a 999 call and it was Bedfordshire or Hertfordshire. I was not clear which county I was in.

Q67 **Lord Layard:** Could you say a little more about exemptions from permits for people engaged in this industry? We are expecting a reform of the system to be announced. When can we expect that?

Mary Creagh: We want to do the reform of the waste exemptions alongside the carrier, broker and dealer reform. We see them as a twin set of reforms. They have been in the pipeline for the past seven years and are eagerly awaited by the waste industry. We will remove three exemptions on the permitting regime: end-of-life vehicles; mechanically treating end-of-life tyres; and the recovery of scrap metal because we know the scrap metal sector has issues. Then we are changing conditions in seven other areas around waste wood, burning of vegetation at the place of production and so on, with different rules around storage to deal with some of the big fires and issues that we have seen.

We want record-keeping requirements for all waste exemption holders and we are imposing limits and controls on how the exemptions can be managed at one site. We are drafting the legislation and we hope to table it alongside the carrier, broker and dealer reform soon. I would like to see it—am I allowed to say?

Emma Bourne: You can say what you like, Minister.

Mary Creagh: I would like to see it done early in the new year so that it is ready by April and we can start it from October. That is my ideal.

Emma Bourne: It is active work at the moment.

The Chair: April 2026?

Mary Creagh: Yes, April 2026, so that it is ready to come into force six months later. There is always the six-month delay, which is deeply annoying.

Q68 **Lord Trees:** You have partly answered my question, which is: how well

will the department work, or how well has it worked, with the Treasury on landfill tax reform? It is immediately striking that there are only two levels and they are a million miles apart. That sounds like a good incentive for people to misdescribe their load. How have you been working with the Treasury to ensure that any changes will improve the situation, not make it worse? We know that the more you tax, the less the tax take often is.

Mary Creagh: It is important to say, first of all, that the landfill tax has achieved what it set out to do when it was brought in in 1996, which was to reduce the amount of local authority waste sent to landfill. It has reduced it by 90%. That has been a good thing.

Lord Trees: Sorry to interrupt, but has it not incentivised the criminal elements to take advantage? Is this another side to the coin?

Mary Creagh: If you look at the tables in the landfill tax—I have asked for the figures for how many thousands of tonnes go in which place, under the £126 versus under the £4 or £5—you can see how behaviour has changed over the past 10 years. It is a revelation. I am very happy to share those with the committee because I think putting them in your final report would show the scale of the challenge that we have seen.

Obviously, it has been devolved in Scotland since 2015 and in Wales since 2018, therefore we are just looking at England and Northern Ireland. The consultation on the landfill tax closed on 21 July and we are engaging with a number of stakeholders. We have had 400 consultation responses and we are dealing with them across government departments to look at what we will do.

Q69 **The Earl of Leicester:** I must talk about my register of interests: I am a landowner in Norfolk, and illegal waste has sometimes been fly-tipped on that land. I am also a business owner, and we create waste in construction, agriculture and tourism activity. We recycle a great deal of our waste and have a stated aim to reduce it by 10% a year, which we are managing to achieve through recycling.

My question is: why are landowners and occupiers being held responsible for cleaning up illegally fly-tipped waste on their land and the related costs? As an example, a farmer in Hertfordshire who had more than 200 tonnes of waste illegally dumped on his land was quoted £40,000 to have it cleared. That was through no fault of his own.

Mary Creagh: I totally recognise the burden that clearing up fly-tipped waste places on landowners, but it is a generally long-established policy that central government does not compensate individuals for non-violent crime of which they are victims. Where we are able to prosecute those responsible for dumping or abandoning, we can get a court order to enable that to take place. We have a fly-tipping prevention group that works across local authorities. I was out in Hertfordshire looking at some of the farmland and hot spots. There was signage, use of drones and use of CCTV. One farmer told me that he had managed to block the person in with vehicles until the police arrived—it was down a nice, quiet little lane.

I am not recommending DIY law enforcement, but it is not possible for the Government to compensate landowners for this crime, although we appreciate the cost and the burden it poses.

The Earl of Leicester: It is also perversely possible for Government or local authorities to prosecute a landowner who has not been able, for whatever reason, to remove waste.

Mary Creagh: Where people are a victim of crime, we would obviously not be seeking to prosecute them. We would be looking to work with them to talk about how the waste could be removed.

If you look at a waste site—and I have visited them—there is often a mixed set of materials, some of which has value. We are working with the NFU and the National Fly-Tipping Prevention Group. Some local authorities are using drones or mobile CCTV. The big disincentive is if people think that they are being watched. We all have cameras on our dashboards and cameras on our phones—we can all do more. It is about making the criminals, and the would-be criminals, feel that they are being watched. Psychologically, that seems to be the most powerful disincentive.

The Chair: To me, there seems to be a real sense of injustice about this and I think we need to focus far more on prevention. It seems that the victims of the crimes are being penalised and, from our perspective, from the evidence that we have seen, they are being penalised for a failure of the regulatory authorities to carry out the job that they are being asked to do, which is to stop waste crime and get fly-tipping under control.

Penalising the victims produces a perverse incentive because, from a lay man's position—I would put myself in that category—it seems to disincentivise the Environment Agency and other regulators, the police force and so on, from taking responsibility. We saw this very clearly in the case of Hoad's Wood.

Mary Creagh: There was no landowner there to prosecute.

The Chair: There was no landowner there; that is absolutely the case, but the public were not able to get any of the regulatory authorities to take responsibility in a timely manner. We now have a £15 million clean-up operation that the Environment Agency is responsible for.

There are some real questions raised in this inquiry about where the buck stops. At the moment, it seems to be far too easy to pass it from one regulator to another—starting with the local authority and the police. They have not even submitted evidence to this inquiry, which is so disappointing given their key and central role in all of this. That is something that we may need to take up with the Government. There is a real issue of serious organised criminals acting with impunity.

Mary Creagh: That was under the previous Government. Would it be different if it happened today? There are more people to take action, but often these places are out of sight and out of mind. I am absolutely clear

that these are crimes that matter. They matter deeply to local people and they require a system-scale change, which is what we are trying to do.

I would argue, if we are having a Socratic dialogue, that if you compensate landowners for the cost of removing fly-tipping, there will be someone along next week to dump again. That is the issue. We have landowners allowing waste to be dumped on their land, setting it on fire and then saying that they were a victim—who is a victim and who is an illegal waste site operator? It is for the Environment Agency, as a regulator, to distinguish between those two things, and I think that is where the principle of non-compensation comes from.

The Chair: We started with the circular economy and the Government's wish to try to close this off and recognise that waste has a value. This will subvert your agenda unless waste crime is grabbed hold of. There does not seem to me to be an appreciation of that. If you have this avenue or outlet for the materials that we need to recycle, it will not help to achieve a circular economy at all.

Emma Bourne: To reassure the committee, there absolutely is an appreciation of the importance of this to overall system change. I describe this as the threat to circularity, alongside litter and fly-tipping. We have set out the four big pillars of reform: digital waste tracking, greater investment, the carrier, broker and dealer reforms and the waste permit exemptions. Alongside those, in relation to the specific point on landowners, is the focus on prevention. This is probably where the acute focus on prevention is most valuable.

There are responsible landowners like yourself who are trying to do the right thing and to prevent waste, and we need to work with those landowners. That is why the National Fly-Tipping Prevention Group includes the National Farmers' Union, the Campaign to Protect Rural England and the Countryside Alliance. We are trying to work with them to understand what is working and how we can help landowners to adopt best practice, share it and support it as much as possible. We are at the early intervention point rather than the remediation point for that particular challenge.

The Chair: I will hand back to the Earl of Leicester now to say a few words. Minister, if you would like to wind up.

Q70 **The Earl of Leicester:** Minister, it was great that we noticed you coming in and listening to the majority of the evidence in the previous session. It was good to hear that. However, I think a lot of us found that we have heard evidence of the failings of the Environment Agency, that it is aiming to stop the organised crime—which is 35% of the waste—but there are more and more chiefs flying a desk and fewer and fewer enforcement officers out on the ground. Frankly, it is when the people see enforcement officers going to crimes in progress—even though it might be a small-time criminal dumping a load of rubbish—that they think, "Right, something is being done". Would you agree?

It will be a big task to change the culture of the Environment Agency and organisations like that to say, "No, get people on the ground. Let us not have all you people in your ivory towers flying a desk and talking about intelligence", because we have seen and we have heard that it is not getting the convictions.

Mary Creagh: I would like to defend the Environment Agency. They are good people doing a very difficult job—

The Earl of Leicester: I am sure they are good people.

Mary Creagh: When they are going in, they do it in stab vests and there are police officers with them. We have banned single-use vapes. We have given £10 million to trading standards authorities to go in and proactively work with the illegal tobacco merchants and all the people selling them illegally. It is not like you go in wearing a suit.

The Earl of Leicester: I am well aware of how they work.

Mary Creagh: In those raids they are finding arms, knives and drugs. It may start with a single-use vape being illegally sold on a high street but, underneath that, there is a long chain of criminals. Following the money is not something that you can do in a raid. You have to do it through computers; you have to look at Companies House documents and you have to see the police intelligence profile. Sometimes the best way of disrupting the activity is to shut down the company and to prosecute those directors, and sometimes it may take one or two years for it to come to prosecution. Obviously, we have a huge backlog in the courts as well, which I am deeply frustrated about.

I also just want to defend officials. There have been arrests in the Hoad's Wood case and, therefore, we cannot talk about what is going on there, but we have had fires burning in Bradford for weeks. We have had tyres on fire. It is happening all over the country. It is affecting every city, every town, every country lane—it is everywhere. What are the easy big things to tackle? What will have the most impact? We are tackling it from the high street right the way back to those big illegal dump sites, and we are tackling all the accidental and deliberate misdescription in between.

The Earl of Leicester: So is all this extra money that you have quite rightly found going to the top? It will not go to extra enforcement officers.

Mary Creagh: I do not know how it is being spent. We can write to you on that, maybe.

Emma Bourne: The additional money is—

The Chair: I can see the Minister looking at the clock. Very quickly, please.

The Earl of Leicester: We need to have the answer.

Emma Bourne: It is paying for around 40 additional staff, and that is not just in the Environment Agency. The additional resources are going into the joint unit, spanning that multi-agency spectrum. It is not just the 18 enforcement staff in the Environment Agency, as our Environment Agency colleagues described; that is a partnership, and we are boosting the overall unit resourcing by a little over 40 full-time staff.

The Chair: Thank you very much. Minister, you mentioned that you might be willing to write to us to lay out how personnel are deployed, those in offices and those out on the streets doing operations. That would be very welcome. Thank you very much to you both for your time. It is very much appreciated, and we fully understand your good intentions.

Mary Creagh: Thank you very much. I look forward to the committee's report because you have taken evidence that I am sure will be of great interest to me and my officials. I am looking forward to reading your report when it comes out.

The Chair: Excellent. Thank you very much. The committee will now move into private session.