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The Rt Hon Emma Reynolds MP, Secretary of State for
Environment, Food and Rural Affairs
Department of Environment, Food and Rural Affairs
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Cc: Mary Creagh MP, Parliamentary Under Secretary, Defra

28 October 2025

Dear Secretary of State

Serious and organised waste crime

As you will know, in September and October 2025, the Environment and Climate Change Committee took evidence regarding waste crime in England, with a focus on serious and organised waste crime. We are grateful to Nature Minister Mary Creagh MP for coming before us to give evidence on 17 September.

It is our considered view that waste crime is critically under-prioritised despite its significant environmental, economic and social costs. We are deeply concerned about the demonstrable inadequacy of the current approach to tackling waste crime.

We have heard credible evidence of numerous specific examples of the failure of the Environment Agency to:

1. pursue repeated reports of serious waste crime;
2. effectively utilise the powers available to it to stop the mass, illegal dumping of waste; and
3. bring effective, timely and successful prosecutions against the perpetrators of serious and organised waste crime.

Witnesses expressed concerns regarding the effectiveness of the Environment Agency's practices, the amount of funding available for it to tackle waste crime, and how it uses the funding available to it.

We are unimpressed with the lack of interest shown by the police in fulfilling their role by bringing to bear their expertise in tackling serious and organised waste crime, which is a subset of, and gateway to, other forms of serious and organised crime including drugs and money laundering and was described as "the new narcotics" by the former CEO of the Environment Agency.

Furthermore, we note with concern that waste crime costs the English economy in the region of £1 billion every year and highlight that each pound spent on fighting it can generate £5 in benefit.

Transitioning to a circular economy has been emphasised by the Government and Environment Agency as key to eliminating waste crime. We welcome and support your commitment to the circular use of resources. However, urgent interim action is also needed to address the immediate harms waste crime poses.

Regrettably, we have not been able to establish the exact cause(s) of the failures to prevent and effectively prosecute waste crime, but it is difficult to conclude that incompetence at the Environment Agency has not been a factor. What is your evaluation of the failures?

To ensure that waste crime is no longer a low-risk, high-reward avenue for those involved in serious and organised crime, the Government must urgently commission an independent review of the current approach. The undertaking of that review must not delay the delivery of our recommendations for immediate action. The Government must develop interim targets and comprehensive indicators for waste crime; support the development of a single point of contact for waste crime; deliver long-overdue regulatory reforms; review the rules preventing the Environment Agency from using its environmental permit income-funded resources to support its response to waste crime; maintain the additional funding it has provided to the Environment Agency in 2025/26; and review and mitigate the risks presented by any transition to a single rate of landfill tax.

We set out our key findings and recommendations below, with further detail and analysis of the evidence provided in the appendix.

Conclusions

1. Over 38 million tonnes of waste, enough to fill Wembley Stadium 35 times, is believed to be illegally managed at some point in the waste management chain each year. However, waste crime is substantially underreported and its true scale remains unknown.
2. What we do know, however, is that criminality is endemic in the waste sector. It is widely acknowledged that there is little chance of criminals being brought to justice for committing waste offences – the record of successful prosecutions and other penalties is woeful. Organised crime groups, including those involved in drugs, firearms, money laundering and modern slavery, are well-established in the sector. They are attracted to the low-risk opportunity to make large sums of money and commit crimes from coordinated fly-tipping to illegal exports and landfill tax fraud.
3. The previous Government set a target of eliminating waste crime by 2043 but the metrics being used to monitor progress towards the target do not capture all types of waste crime, such as unauthorised waste carriers, illegal exports and producer responsibility offences.
4. This failure to tackle waste crime is leading to serious environmental, economic and social consequences. Waste crime is estimated to cost England's economy over £1 billion every year, pollutes our environment with harmful matter, blights communities, burdens local authorities and landowners with clean-up costs, and is undermining the Government's economic and environmental agendas.

5. The Environment Agency's Joint Unit for Waste Crime, a multi-agency taskforce established five years ago to lead efforts to tackle serious and organised waste crime appears ineffective. It does not know how many convictions its work has led to, and inter-agency intelligence sharing and collaboration remain inconsistent. Reports of serious criminality are passed between agencies without any of them taking ownership and gaps remain around the engagement of local authorities, which deal with the majority of fly-tipping and will often be the first port of call for members of the public. Whether waste crime is taken seriously by police forces and whether effective local partnerships are formed appear to be dependent on the efforts of local police and crime commissioners.
6. The Environment Agency is slow to respond to even the most flagrant and serious illegality, while the environment and communities suffer. The fact that the illegal dumping in Hoad's Wood – discussed on page 10 – was not a priority for immediate enforcement and that six sites of similar or greater size exist today points to a fundamentally broken system. Even when convictions are obtained, the penalties criminals receive do not match their profits and are insufficient to deter future offending.
7. The Environment Agency is heavy-handedly regulating permitted waste sites and pursuing their operators for infractions that pale into insignificance compared to some of the serious and organised waste crime occurring outside the regulatory framework, while grant-in-aid-funded local environmental crime teams dealing with outright criminality are significantly under-resourced. The Environment Agency is prevented from using environmental permit income to tackle outright criminality, but it should be able to flex its resources to safeguard the environment, reputable businesses and communities by preventing regulated activities from being undertaken outside regulatory oversight.
8. No one has ever been convicted of landfill tax fraud, despite there being a tax gap (the difference between what is paid and theoretically owed) of 22%. HMRC pursues civil enforcement approaches to address landfill tax non-payment and the misdescription of waste. Landfill tax fraud has been effectively decriminalised.
9. The Treasury's proposed removal of the lower rate of landfill tax would remove most opportunities to evade the tax by misdescribing waste. However, we are concerned that it may drive the abandonment of landfills, which would then need to be remediated at the public's expense, and may further incentivise other forms of waste crime.
10. The proposed reforms to the waste carriers, brokers and dealers regime and permit exemptions and the introduction of mandatory digital waste tracking are positive steps, but they have been in gestation for at least seven years. These should be delivered without further delay. However, these reforms alone will not solve this issue and will not prevent parallel, unregulated systems from emerging unless they are enforced by an effective, efficient and well-resourced regulator. This underscores our overarching recommendation below, that the approach to tackling waste crime must be independently reviewed.

Recommendations

1. Our overarching recommendation is that ***the response to waste crime, from prevention and reporting to prosecution, must be subject to a root and branch review conducted independently of the Department for Environment, Food and***

Rural Affairs, the Environment Agency and HMRC. This review must consider the extent and effectiveness of integrated working among the Environment Agency, HMRC, National Crime Agency, policing and local authorities. This must also incorporate an investigation into the intelligence received and action taken in relation to the egregious events at Hoad's Wood (a Site of Special Scientific Interest) and the six other similarly large illegal waste sites of which the Environment Agency is aware, with a clear roadmap to how further such transgressions will be prevented. Given the urgency, this review must be completed and the Government to have responded at the latest by May 2027.

- 2. In relation to targets for waste crime, the Department for Environment, Food and Rural Affairs should develop interim targets with a comprehensive set of metrics to measure progress, which should be published quarterly.**
- 3. To end the merry-go-round of reporting experienced by the public and enable reports to be responded to promptly, the Government must work with the Environment Agency to establish a single telephone number and web portal which can receive and, in accordance with a clear decision-tree, triage and disseminate reports of waste crime regardless of their type or source.**
- 4. The Joint Unit for Waste Crime should take immediate further steps to improve collaboration between bodies with responsibility for waste crime at the local level (especially policing, including regional organised crime units, and local government), particularly in respect of the handling of reports and sharing of intelligence, and to increase territorial police forces' and regional organised crime units' understanding of the severity of waste crime and its connections with other forms of serious and organised crime. The opportunities to develop stronger relationships with local authorities presented by local government reform and additional capacity in the Environment Agency's local area teams should be seized.**
- 5. The Environment Agency's allocated capacity to disrupt and investigate waste crime committed outside regulated operations has been insufficient and it has been prevented from diverting resources from its regulatory work to crime enforcement by the Treasury's rules on managing public money. Those rules, their application and their consequences should be reviewed by the Department for Environment, Food and Rural Affairs and the Treasury as a priority, and the welcome additional funding provided to the regulator in 2025/26 should be maintained. The Environment Agency should implement its proposed waste crime levy.**
- 6. The Government must fully assess the risks that landfill tax reform will increase other forms of waste crime and lead to the abandonment of landfill sites before any decision is taken by the Treasury; and, if there is to be a transition to a single rate, appropriate mitigations to reduce these risks must be set out and put in place from the beginning of the transition period.**
- 7. We welcome the Government's proposed reforms to the carriers, brokers and dealers regulations and waste permit exemptions. The regulations for the changes should be laid before Parliament by April 2026.**

8. *The Government should ensure phase 1 of the implementation of mandatory digital waste tracking is delivered on time and provide funding to enable the expansion of digital waste tracking to waste carriers from 2027.*

We would be grateful for a response by 9 December setting out the actions you intend to take.

Yours sincerely

Baroness Sheehan

Chair of the Environment and Climate Change Committee

Appendix A

The scale of waste crime

1. We heard that “waste crime in the UK is increasing in both scale and sophistication, with serious implications for local authorities, landowners, rural communities, and businesses.”¹
2. While the true scale of waste crime is not known,² approximately 20% of waste is believed to be managed illegally and 20% of organisations in the waste industry are believed to handle waste illegally.³
3. In the three years to March 2025, the Environment Agency (EA) received over 24,000 reports of waste crime, comprising 11,036 reports of illegal burning of waste, 10,811 of illegal waste sites, 2,131 of fly-tipping, 481 of waste carrier offences and 166 of unauthorised waste management activities.⁴ However, Steve Molyneux, Deputy Director of Waste & Resources at the EA, told us, “only about 27% of waste crime may be reported”.⁵
4. The involvement of organised crime groups in the waste sector is long established and they are believed to commit 35% of waste crime.⁶ Sam Corp, Head of Regulation at the Environmental Services Association, told us:

“right across the piece we are seeing evidence of the more serious organised elements. Even at the small fly-tipping level, which is normally what you might consider a one-man band—a cowboy operator—we are seeing connections within networks of criminals that are organising fly-tipping. Then we are obviously seeing at the other end of the scale large-scale—potentially multi-million pound—frauds in terms of landfill taxes carried out at one or two sites.”⁷

¹ Written evidence from Biffa ([WCI0009](#))

² [Q 18](#) (Dan Cooke); written evidence from Air & Space Evidence ([WCI0001](#))

³ Environment Agency, [National waste crime survey: 2025 results and findings](#), 23 July 2025, figure 1 and page 14

⁴ Written evidence from the Environment Agency ([WCI0020](#))

⁵ [Q 40](#) (Steve Molyneux)

⁶ Department for Environment, Food & Rural Affairs, [Serious and organised waste crime: 2018 review](#), 14 November 2018; Environment Agency, [National waste crime survey: 2025 results and findings](#), 23 July 2025, page 23

⁷ [Q 5](#) (Sam Corp)

5. Waste crime is profitable due to opportunities to avoid the costs incurred by legitimate businesses, often including landfill tax, with a low probability of detection or punishment, and low penalties.⁸ Illegally disposing of a single articulated lorry's load of waste can avoid £2,500 of costs.⁹ Mr Molyneux explained "the economics of dealing with waste are 180 degrees away from a normal economic transaction. The money goes with the waste, so you pay somebody to take your waste away... The waste sector, probably above and beyond any other sector that the EA regulates, can be open to criminal opportunity because of that profit incentive."¹⁰

Government targets and monitoring

6. The previous Government published a Resources and Waste Strategy in 2018, which set out how the Department for Environment, Food and Rural Affairs (Defra) and the EA would work towards meeting the target in the 25 Year Environment Plan (2018) of "seeking to eliminate waste crime and illegal waste sites over the lifetime of this Plan, prioritising those of highest risk".¹¹ Defra uses three indicators to measure progress:
- illegal waste sites – the number of active illegal waste sites and active high-risk waste sites and the number of those stopped;
 - waste fly-tipped – incidents identified and cleared by local authorities by size, types of waste, and local authority enforcement actions; and
 - littering – local authority street cleaning costs per household.¹²
7. Since the introduction of the strategy, the number of known active illegal waste sites has decreased, fly-tipping dealt with by local authorities has increased, and the cost of street cleaning has increased.¹³ However, these indicators fail to capture many forms of waste crime, including unauthorised waste carriers, illegal exports and producer responsibility offences, and the proportion of waste believed to be managed illegally has not changed significantly since the National Waste Crime Survey was launched in 2021.¹⁴
8. We received evidence from a company using satellite technology to identify illegal waste sites which it says would help improve the EA's understanding of the true scale of waste crime.¹⁵
9. When asked whether the 2043 target was likely to be met, the Minister for Nature responded by saying that the target was "being looked at as part of [the Government's] rapid review of the Environmental Improvement Plan [EIP]. We intend to publish the

⁸ [QQ 2 \(Dan Cooke\)](#), [9 \(Dan Cooke and Donald Macphail\)](#); [Q 26](#) (Matthew Scott, Dr Anna Willetts); written evidence from Biffa ([WCI0009](#)), National Rural Crime Network ([WCI0004](#)) and David Sidwick ([WCI0007](#)); Environment Agency, [National waste crime survey: 2025 results and findings](#), 23 July 2025, table 5

⁹ [Q 9](#) (Donald Macphail)

¹⁰ [Q 37](#) (Steve Molyneux)

¹¹ Department for Environment, Food & Rural Affairs, [Resources and Waste Strategy \(2018\)](#), 18 December 2018; Department for Environment, Food & Rural Affairs, [At a glance: summary of targets in our 25 year environment plan](#), 17 February 2023

¹² Department for Environment, Food & Rural Affairs, [Monitoring progress 4th edition Resources and Waste Strategy](#), 8 May 2024

¹³ Department for Environment, Food & Rural Affairs, [Monitoring progress 4th edition Resources and Waste Strategy](#), 8 May 2024

¹⁴ Environment Agency, [National waste crime survey: 2025 results and findings](#), 23 July 2025, figure 1 and page 14

¹⁵ Written evidence from Air & Space Evidence ([WCI0001](#))

revised EIP later in 2025, and a key part of that is going to be creating the so-called circular economy.”¹⁶ She added that interim targets were needed.¹⁷

Waste crime’s impacts

10. We heard that illegally disposed waste is polluting the ground, waterways and aquifers, sometimes with hazardous matter, presenting a risk of harm to humans and nature.¹⁸ For example, in Hoad’s Wood (a site of special scientific interest), where 30,000 tonnes of waste was illegally dumped, hazardous materials including asbestos and heavy metals have been found; leachate has pooled; and hazardous and flammable hydrogen sulphide gases have been detected.¹⁹
11. Waste crime is believed to cost the economy £1 billion annually in clean-up and enforcement costs and lost revenues to legitimate businesses and the Exchequer – the amount of unpaid landfill tax is believed to be £150 million (22%) – however, the true economic cost may be greater.²⁰ The undercutting of, and diversion of business from, the legitimate sector is discouraging investment in the more effective management of resources promoted by Government policy.²¹
12. In addition to spoiling rural and urban environments for their residents and visitors,²² the presence of waste crime can lead to communities feeling unsafe and prevent waste crime being reported due to fear of retaliation by waste-criminals who are often involved in violence and other forms of serious crime.²³
13. We also heard that the organised crime groups engaging in waste crime are using their profits from it to support their other offending,²⁴ which includes offences such as drugs, firearms and modern slavery.²⁵ Biffa told us some criminals also use waste companies to launder their money.²⁶

Tackling waste crime

14. Responsibility for tackling waste crime is primarily shared between the EA (waste industry regulation and serious waste crime enforcement, including hazardous and large-scale illegal dumping and fly-tipping over 20 tonnes), police (crime prevention and enforcement), local authorities (small scale fly-tipping) and His Majesty’s Revenue and Customs (HMRC) (landfill tax).

¹⁶ [Q 56](#) (Minister Mary Creagh)

¹⁷ [Q 63](#) (Minister Mary Creagh)

¹⁸ [Q 6](#) (Dan Cooke); written evidence from Country Land and Business Association (CLA) ([WCI0002](#)), Keep Britain Tidy ([WCI0006](#)) and Rescue Hoad’s Wood ([WCI0003](#)).

¹⁹ Written evidence from Rescue Hoad’s Wood ([WCI0003](#))

²⁰ Environmental Services Association, [Counting the Cost of UK Waste Crime](#), 2021; HM Revenue & Customs, [6. Tax gaps: Other taxes](#), 19 June 2025; [Q 7](#) (Dan Cooke)

²¹ [OO 2 and 7](#)

²² Written evidence from Keep Britain Tidy ([WCI0006](#)), Rescue Hoad’s Wood ([WCI0003](#)) and CLA ([WCI0002](#))

²³ Written evidence from Biffa ([WCI0009](#)), CLA ([WCI0002](#)), Rescue Hoad’s Wood ([WCI0003](#)) and Yvette Austin ([WCI0005](#)); [Q 38](#) (Phil Davies)

²⁴ Written evidence from National Rural Crime Network ([WCI0004](#))

²⁵ Written evidence from National Rural Crime Network ([WCI0004](#)); [Q 15](#) (Sam Corp); [Q 26](#) (Dr Anna Willetts)

²⁶ Written evidence from Biffa ([WCI0009](#))

15. The most recent National Waste Crime Survey found 27% of farming, landowning and industry stakeholders reported their most recently experienced waste crime incident to the EA, 59% to their local authority and 21% to the police. 23% did not report it.²⁷

The Joint Unit for Waste Crime

16. The Environment Agency's Joint Unit for Waste Crime (JUWC) was established in 2020 to coordinate partnership working to tackle serious and organised waste crime, following a review into serious and organised crime in the waste sector.²⁸ It brings together the EA, HMRC, devolved environmental regulators and revenue authorities, policing, the National Fire Chiefs Council and the National Crime Agency. It also has two waste industry partners: the Environmental Services Association and Chartered Institution for Wastes Management.²⁹
17. The JUWC aims to disrupt serious and organised waste crime through a range of approaches going beyond the direct prosecution of waste offences, including intelligence sharing and disruption,³⁰ an approach endorsed by the police and crime commissioners from whom we heard evidence.³¹
18. Since its establishment, the JUWC has led or supported 129 operations, shared over 1,300 intelligence logs with police forces, worked with over 136 organisations and delivered 355 multi-agency days of action, resulting in 186 arrests. It has also delivered training on environmental crime to over 3,000 staff in other agencies over the last four years.³² However, as some of the subsequent prosecutions were brought by agencies other than the EA (as they related to non-environmental offences, such as drug dealing or possession of stolen property), the JUWC does not know how many convictions had been obtained as a result of its work,³³ suggesting its data sharing may not be fully reciprocated.
19. Richard Las CBE, Chief Investigation Officer and Fraud Investigation Service Director, told us that the establishment of the JUWC had enabled a huge improvement in the “real-time exchange of information and intelligence”,³⁴ with HMRC and the JUWC having shared over 1,800 pieces of intelligence since the latter was established.³⁵
20. Matthew Scott, Police and Crime Commissioner for Kent, did not believe that the JUWC was working as well as it could be and told us:

“where you have lots of different agencies with different powers and different reporting mechanisms, there is almost like a Bermuda Triangle of intelligence; the police have intelligence that this person is involved in this organised crime group, the EA believes this person is involved in this, and local councils believe that they are

²⁷ Environment Agency, [National waste crime survey: 2025 results and findings](#) 23 July 2025, figure 7

²⁸ [Q 36](#) (Phil Davies); Department for Environment, Food & Rural Affairs, [Serious and organised waste crime: 2018 review](#), 14 November 2018

²⁹ Joint Unit for Waste Crime, [Joint Unit for Waste Crime \(JUWC\)](#)

³⁰ [Q 40](#) (Phil Davies)

³¹ For example, [Q 28](#) (Matthew Scott and David Sidwick).

³² [Q 48](#) (Phil Davies)

³³ [Q 38](#) (Phil Davies)

³⁴ [Q 39](#) (Richard Las)

³⁵ Written evidence from the Environment Agency ([WCI0020](#))

involved in that. However, there is not sufficient joining up of all three, so everything falls through the middle and just disappears. We are missing opportunities in that respect by not having the joined-up working to tackle them.”³⁶

He added that public bodies, particularly local authorities, may lack the data-sharing arrangements or vetted staff required for them to share intelligence and attend regional tasking meetings.³⁷ Mr Corp also told us that local authorities may not be set up to identify the features of organised criminality within fly-tipping.³⁸

21. Phil Davies, Manager of the Joint Unit for Waste Crime at the Environment Agency, told us that it had not been possible to establish a single gateway into England’s 317 local authorities but EA officers at local level liaise with local authorities and feed their intelligence into the EA.³⁹

Law enforcement partners

22. We heard that waste crime is not given sufficient attention by many police forces.⁴⁰ David Sidwick, Police and Crime Commissioner for Dorset, told us that, under the risk assessment approach used by police forces, waste crime was unlikely to score as highly as the other forms of crime dealt with by the police unless other features of serious and organised crime were identified, such as evidence of modern slavery, drugs or violence.⁴¹ However, we also heard that when the police did get involved in the investigation of waste crime, they often uncovered other serious offending.⁴²
23. The National Crime Agency and police are JUWC partners. When we approached the National Police Chiefs Council, National College of Policing and National Crime Agency regarding them giving evidence to our inquiry, we were informed that none of them could provide a witness with sufficient understanding of the issues under consideration.
24. The National Crime Agency, which leads on the overall law enforcement system response to serious and organised crime, has latterly written to us explaining that waste crime is not a strategic priority threat for the Agency. However, it does keep track of the issue and will contribute to efforts led by partners when certain thresholds are met or investigate waste crime itself when its adoption threshold is met, for example when it overlaps with one of the Agency’s strategic priority threats, such as illegal drugs, fraud or economic crime, with a sufficient level of complexity and harm.⁴³

Environment Agency enforcement

25. The EA has 14 principal local operational areas, each with an environmental crime team, and a national environmental crime unit housing JUWC, Economic Crime Unit, Major Investigations Team, Financial Investigations Team and a disclosure unit.⁴⁴ A local

³⁶ [Q 26](#) (Matthew Scott)

³⁷ [Q 35](#) (Matthew Scott); written evidence from Matthew Scott ([WCI0013](#))

³⁸ [Q 8](#) (Sam Corp)

³⁹ [Q 49](#) (Phil Davies)

⁴⁰ [Q 15](#) (Dan Cooke), [Q 32](#) (Matthew Scott); written evidence from Biffa ([WCI0009](#)) and CLA ([WCI0002](#)).

⁴¹ [Q 33](#) (David Sidwick)

⁴² [Q 15](#) (Donald Macphail, Sam Corp)

⁴³ Written evidence from the National Crime Agency (NCA) ([WCI0018](#))

⁴⁴ [Q 37](#) (Steve Molyneux)

environmental crime team typically contains between four and 10 officers.⁴⁵ There are local regulatory teams for each area plus national ones which administer nationwide regulatory schemes.⁴⁶

26. The EA uses radar to detect buried waste, drones and light detection and ranging (LiDAR) for site inspections, automation tools that accelerate investigations (by as much as a factor of eight) and has introduced machine learning and artificial intelligence tools to further strengthen enforcement. Since May 2024, over 5,000 drone flights have been conducted.⁴⁷
27. In the three years to March 2024, the EA brought 194 successful prosecutions, accepted 84 enforcement undertakings totalling £2.8 million, and secured 30 Proceeds of Crime Act orders totalling approximately £4.4 million.⁴⁸ In the same period, it stopped 1,691 illegal waste sites,⁴⁹ taking approximately five months to do so on average.⁵⁰
28. In the three years to March 2025, the EA received over 24,000 reports of waste crime and opened 320 criminal investigations (210 of which are still active). The EA achieved the following outcomes in the three years to March 2025.⁵¹

April 2022- March 2025	Illegal Waste Offence	Permit Breach	TOTAL
Advice and Guidance Letter	892	145	1037
Caution	5	1	6
Civil Sanction- Enforcement Undertaking	11	3	14
Fixed Penalty Notice	8	0	8
Local Enforcement Position ⁵²	24	1	25
Local Enforcement Position - Refused	5	1	6
No Further Action	483	103	586
Notice	52	43	95
Partner Led Sanction	30	0	30
Prevention & Disruption	19	3	22
Prosecution	94	62	156
Warning Letter	598	87	685
TOTAL	2221	449	2670

⁴⁵ [Q 45](#) (Steve Molyneux)

⁴⁶ [Q 37](#) (Steve Molyneux)

⁴⁷ Written evidence from the Environment Agency ([WCI0020](#))

⁴⁸ [QQ 38, 40](#) (Steve Molyneux); written evidence from the Environment Agency ([WCI0020](#))

⁴⁹ Written evidence from the Environment Agency ([WCI0020](#))

⁵⁰ [Q 47](#) (Steve Molyneux)

⁵¹ Written evidence from the Environment Agency ([WCI0020](#))

⁵² A Local Enforcement Position (LEP) is a temporary measure used by the Environment Agency to allow activities to take place outside of an existing permit. LEPs set out the conditions under which those activities can take place.

29. In 2024, the EA launched an Economic Crime Unit to disrupt waste crime finances by freezing bank accounts, seizing assets and investigating money laundering linked to waste crime. It has secured 30 Proceeds of Crime Act orders worth £2.64m.⁵³
30. Mr Molyneux told us that the EA prioritises both its regulatory activity and enforcement action based on the level of risk presented by an activity or incident.⁵⁴ The EA uses the College of Policing National Decision Model and Management of Risk in Law Enforcement framework to assess the threat, risk and harm identified in intelligence relating to more-complex illegal waste sites.⁵⁵ However, we heard that the EA and its partners can be slow or reluctant to respond to illegality, including large and clearly illegal sites.⁵⁶

Box 1: The Hoad's Wood example

In Hoad's Wood in Kent, several acres of trees were cleared in 2020, which was reported to the authorities, and, between 2020 and 2023, over 30,000 tonnes of household and construction waste was dumped in the Site of Special Scientific Interest. The Environment Agency did not obtain a restriction order until January 2024 and the taxpayer funded clean-up operation is expected to cost up to £15 million, equivalent to the Environment Agency's entire annual budget for waste crime.⁵⁷ Since June 2024 (five months after the restriction), at the request of the Environment Agency staff leading the criminal investigation, the JUWC has been supporting intelligence gathering in relation to the case;⁵⁸ it is unclear why it only became involved at that late stage. In February 2025, three men were arrested by Kent Police in connection with the incident.⁵⁹

The Police and Crime Commissioner for Kent, Matthew Scott, told us:

“the delay in some of these cases is about the merry-go-round of reporting. Members of the public are not sure who to report it to, so they will report it to the borough council, which will tell them to report it to the police, who will tell them to report it to the Environment Agency, which will tell them to report it to the council, which will tell them to report it to the police. They will just keep going round and round and round, and no one cares. They just want someone to grip it and get on with it. Take the details, pass it on to the right agency and sort it out among themselves.”⁶⁰

When we put the suggestion of a single point of a contact for waste crime to Emma Bourne CBE, Director for Circular Economy, Defra, she told us that Crimestoppers

⁵³ Written evidence from the Environment Agency ([WCI0020](#))

⁵⁴ [QQ 40, 45](#) (Steve Molyneux)

⁵⁵ Written evidence from the Environment Agency ([WCI0020](#))

⁵⁶ Written evidence from Rescue Hoad's Wood ([WCI0003](#)) and Samantha Riggs ([WCI0017](#)); [QQ 10 \(Dan Cooke\)](#), [16 \(Sam Corp\)](#), [19 \(Donald Macphail, Dan Cooke\)](#); [Q 30](#) (Dr Anna Willetts)

⁵⁷ Written evidence from Rescue Hoad's Wood ([WCI0003](#)); BBC, [Hoads Wood: Contractors appointed to clear ancient woodland waste](#), 12 November 2024

⁵⁸ Written evidence from the Joint Unit for Waste Crime ([WCI0021](#))

⁵⁹ Environment Agency, [Three men arrested in connection with Hoads Wood illegal waste dumping](#), 6 February 2025

⁶⁰ [Q 30](#) (Matthew Scott)

fulfils that role.⁶¹ However, Crimestoppers' website clearly states that it cannot receive reports of fly-tipping.⁶²

Regarding Hoad's Wood, the Minister told us: "There was no recognised landowner. The land had been sold off to lots of different people... There was a paralysis between who was responsible and who was accountable."⁶³ However, we have received written evidence from Dr Anna Willetts, from the UK Environmental Law Association, stating that not being able to identify the owner of the site of an illegal waste operation does not prevent the EA from exercising its powers to restrict access to, and the importation of waste onto, such a site.⁶⁴

Mr Davies told us that the JUWC had improved its joint working with its local partners in Kent.⁶⁵ Nevertheless, nationally there are currently six illegal waste sites estimated to contain quantities of waste the same or larger than at Hoad's Wood.⁶⁶

Investigating and prosecuting criminality

31. In 2022, the then Chief Executive of the Environment Agency, Sir James Bevan, said:

"One of the best ways to [prevent waste crime] is to change how criminals calculate the odds, by imposing much tougher penalties on them if caught. We would like to see much bigger fines (at present many serious criminals treat these as business expenses) and more use of confiscation of criminals' assets. But in particular we would like to see more and longer prison sentences, which really concentrate the criminal mind."⁶⁷

We heard similar views from our witnesses⁶⁸ and National Waste Crime Survey respondents consider prison sentences to be the most effective deterrent available.⁶⁹

32. We heard that criminal penalties do not reflect the seriousness of waste offences and are proving insufficient to deter serious and organised waste crime.⁷⁰ Three main theories have been offered:

- the maximum or minimum penalties available are too low;⁷¹

⁶¹ [Q 65](#) (Emma Bourne)

⁶² Crimestoppers, [Giving information anonymously](#)

⁶³ [Q 66](#) (Minister Mary Creagh)

⁶⁴ Written evidence from Dr Anna Willetts ([WCI0016](#))

⁶⁵ [Q 48](#)

⁶⁶ Written evidence from the Environment Agency ([WCI0020](#))

⁶⁷ Environment Agency and Sir James Bevan, [Crackdown on waste crime: Time to stop trashing our future](#), 12 April 2022

⁶⁸ For example, [Q 13](#) (Dan Cooke), [Q 28](#) (Matthew Scott) and written evidence from Biffa ([WCI0009](#)) and Keep Britain Tidy ([WCI0006](#)).

⁶⁹ Environment Agency, [National waste crime survey: 2025 results and findings](#), 23 July 2025, figure 8

⁷⁰ Written evidence from Biffa ([WCI0009](#)), David Sidwick ([WCI0007](#)) and CLA ([WCI0002](#)); [Q 13](#) (Dan Cooke); [Q 28](#) (Matthew Scott, David Sidwick)

⁷¹ Written evidence from David Sidwick ([WCI0007](#)), National Rural Crime Network ([WCI0004](#)) and Keep Britain Tidy ([WCI0006](#)); [Q 28](#) (David Sidwick)

- the courts are giving low penalties because they do not appreciate the severity of waste crime or because of deficient sentencing guidelines;⁷² and
- the EA is ineffective at investigating and prosecuting waste offences and its officers can lack understanding of their powers and how to present strong cases.⁷³

33. On the first point, Dr Willetts told us that the penalties available “include a potential for unlimited fines, for director disqualification, for custodial sentences, and, as you mentioned earlier, proceeds of crime... These measures are all there.”⁷⁴

34. On the second and third points, she said: “The courts have to be able to use [the penalties], and the way they use them is by the prosecution giving them the information. If they are not given that information or they are given the wrong information, they can sentence only on the basis of what they are provided with.”⁷⁵ Mr Molyneux noted, however: “Some people who are brought in front of them are small businesses or individuals who may not have the capacity to pay significant fines. The courts will not issue fines to people who do not have the capacity to pay them.”⁷⁶ However, we were told by Dr Willetts that the EA does not always conduct financial investigations to verify what defendants claim to be their financial positions.⁷⁷

35. Waste crime can be highly complex and difficult to investigate and prosecute,⁷⁸ but we heard an example of the EA taking five years to bring charges against a person for illegally dumping a large amount of waste, despite the victim paying for a private investigator,⁷⁹ and have been sent further examples of prosecutions taking similar lengths of time to reach the courts or collapsing due to investigative or prosecutorial failings.⁸⁰

36. On the third point, Mr Molyneux told us that the EA “would not take a case to court if the quality of the evidence would not stand up in court”, in line with prosecutorial best practice, and noted that the EA had invested in their disclosure team to enhance the way in which they handle evidence.⁸¹

37. We also heard that the EA could do more to investigate and prosecute waste producers whose waste ends up being illegally managed, as well as promote their duty of care.⁸² Donald Macphail, Chief Operating Officer, Treatment and Hazardous Waste, UK at Veolia told us: “I think the reality is that if it is a breach and you are passing your waste to someone who does not care, you should be seeing some of the penalty of that coming back to you.”⁸³ Publicity campaigns have been suggested to raise householder and business awareness of their duties of care regarding their waste and how they can

⁷² Written evidence from CLA ([WCI0002](#)), Biffa ([WCI0009](#)), David Sidwick ([WCI0007](#)) and Keep Britain Tidy ([WCI0006](#)); [Q 13](#) (Dan Cooke); [Q 28](#) (David Sidwick)

⁷³ [Q 14](#) (Sam Corp); [Q 28](#) (Dr Anna Willetts); written evidence from Samantha Riggs ([WCI0017](#))

⁷⁴ [Q 28](#) (Dr Anna Willetts)

⁷⁵ [Q 28](#) (Dr Anna Willetts)

⁷⁶ [Q 50](#) (Steve Molyneux)

⁷⁷ [Q 28](#) (Dr Anna Willetts)

⁷⁸ [Q 17](#) (Donald Macphail); written evidence from Dr Anna Willetts ([WCI0016](#))

⁷⁹ [Q 17](#) (Donald Macphail)

⁸⁰ Written evidence from Dr Anna Willetts ([WCI0016](#))

⁸¹ [Q 51](#) (Steve Molyneux)

⁸² [Q 21](#) (Donald Macphail); written evidence from Samantha Riggs ([WCI0017](#)), Keep Britain Tidy ([WCI0006](#)), and Biffa ([WCI0009](#)).

⁸³ [Q 21](#) (Donald Macphail)

discharge them, as well as of waste crime in general and the mechanisms for reporting it.⁸⁴

Balancing regulation and crime enforcement

38. Industry stakeholders told us that, despite being insufficiently resourced to tackle waste crime, the EA heavily regulates responsible operators.⁸⁵ Dr Willetts illustrated the point, telling us:

“So when we say to the Environment Agency, ‘You have sent eight officers to my client’s site on a Friday afternoon because you think the wood is in the wrong place’, and my client says, ‘Down the road there is somebody burning tyres’, the Agency says, ‘Well, they do not have a permit. We do not regulate them. We cannot deal with them.’”⁸⁶

39. Mr Molyneux told us that the EA focuses its regulatory efforts on the “poorest performers”⁸⁷ and reserves “prosecution for the worst offenders and the worst offences.”⁸⁸ However, written evidence from Dr Anna Willetts, a criminal defence solicitor, and Samantha Riggs, a criminal defence barrister, contained a number of examples of the EA bringing prosecutions for relatively minor regulatory offences – such as where there has been no harm or significant risk of harm to the environment – at disproportionate cost.⁸⁹

40. When asked about the potential to use permit income to fund waste crime enforcement, Mr Molyneux explained “[Regulated operators] pay a fee for permits that need to be regulated against. Managing public money rules means that they pay for a service and we need to invest in that service. That money is ring-fenced through managing public money rules for regulating the regulated sector.”⁹⁰ When pressed, Mr Molyneux conceded “It is a source of frustration that there is not an element of flexibility.”⁹¹

Landfill tax reform

41. While landfill tax has helped significantly to reduce the amount of waste sent to landfill,⁹² it has increased the financial incentive to commit waste crime and attracted organised crime to the waste sector.⁹³

42. HMRC has never successfully prosecuted a landfill tax fraud case. Richard Las of HMRC told us that they were addressing waste misdescription⁹⁴ through the use of civil interventions (approximately £316 million in additional yield generated in 2024/25) and using civil powers to investigate and resolve non-payment of landfill tax.⁹⁵

⁸⁴ Written evidence from Biffa ([WCI0009](#)), CLA ([WCI0002](#)) and Keep Britain Tidy ([WCI0006](#)).

⁸⁵ [Q 12](#) (Sam Corp), [Q 30](#) (Dr Anna Willetts)

⁸⁶ [Q 30](#) (Dr Anna Willetts)

⁸⁷ [Q 45](#) (Steve Molyneux)

⁸⁸ [Q 40](#) (Steve Molyneux)

⁸⁹ Written evidence from Dr Anna Willetts ([WCI0016](#)) and Samantha Riggs ([WCI0017](#))

⁹⁰ [Q 45](#) (Steve Molyneux)

⁹¹ [Q 46](#) (Steve Molyneux)

⁹² [Q 68](#) (Minister Mary Creagh)

⁹³ HM Revenue & Customs, [Environmental Taxes Bulletin Tables](#), 27 June 2025

⁹⁴ The false description of landfilled waste as a type to which the lower rate of landfill tax applies.

⁹⁵ [Q 39](#) (Richard Las)

43. Landfill tax is charged at two rates: the standard of £126.05 per tonne, which applies to most wastes; and the lower of £4.05 per tonne, which applies to inert materials including rocks, soils, ceramics and minerals. The significant disparity between the two rates creates an opportunity for criminals to misdescribe waste as being subject to the lower rate.
44. The Treasury has consulted on landfill tax reforms including unifying the two rates by applying an escalator to the lower until they converge in 2030 and increasing the rate applicable to unpermitted landfill sites to 200% of the standard rate from 2026.⁹⁶ Mr Corp told us that transitioning to a single rate of landfill tax “would certainly have a massive impact in terms of reducing misdescription and the landfill tax fraud side of things... But it would have some adverse consequences.” He referred to “a fear that you may cut off landfill tax fraud but you might increase other forms of criminal behaviour such as straightforward illegal waste sites and illegal disposals, so some people do not even bother going to the landfill in the first place.”⁹⁷
45. Mr Macphail told us that “[the] tax change may be the final death knell for the few remaining sites that are open, apart from maybe a few hazardous waste sites... That is where there is potential for some to be offloaded to less scrupulous operators.”⁹⁸ And later:
- “If [landfilled materials go] into quarry restoration or landfill restoration, there is no tax due... There is no point in doing all this, as Sam hinted at, if it just moves it all into a restoration project in a former quarry that has not been properly regulated. These other sites will not be as well-regulated as the current landfill sites.”⁹⁹
46. Dan Cooke, Director of Policy, Communications and External Affairs at the Chartered Institution of Wastes Management, added that while the operators of landfills were required to enter into financial bonds sufficient to cover the environmental remediation of the site as a condition of obtaining a permit, those bonds would be inadequate to cover the environmental risk if an operator had claimed to be handling only inert material but had been misdescribing waste.¹⁰⁰

Regulatory reforms

47. The Minister told us: “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.”¹⁰¹ Mrs Bourne told us that there are four pillars of reform in

⁹⁶ HM Treasury, [Consultation on Reform of Landfill Tax in England and Northern Ireland](#), 2 May 2025, para 2.1

⁹⁷ [Q 12](#) (Sam Corp)

⁹⁸ [Q 9](#) (Donald Macphail)

⁹⁹ [Q 12](#) (Donald Macphail)

¹⁰⁰ [Q 11](#) (Dan Cooke)

¹⁰¹ [Q 59](#) (Minister Mary Creagh)

relation to waste crime: digital waste tracking, greater investment, carrier brokers and dealers¹⁰² reform and waste permit exemptions¹⁰³ reform.¹⁰⁴

48. On the reforms, Mr Corp said:

“we think that combined [carriers, brokers and dealers reform, waste permit exemption reform and digital waste tracking] will have a noticeable impact on tackling waste crime if they are implemented properly. Crucially, it depends on how well they are resourced in terms of the regulator’s role in regulating the new regime... a lot of these, were first proposed in the 2018 Resources and Waste Strategy.”¹⁰⁵

49. The Minister told us that Defra intends to lay the regulations for carriers, brokers and dealers and waste permit exemption reforms before Parliament by April 2026 in order for them to become operational by October 2026.¹⁰⁶

Mandatory digital waste tracking

50. Defra is developing a UK-wide digital waste tracking system, which will eventually be mandatory for all waste carriers and receivers, to replace the current system of paper transfer notes. The first phase of implementation – waste receiving sites – is expected in spring 2026 followed, subject to further funding, by the second phase – waste carriers – in 2027.¹⁰⁷ Mr Molyneux told us that this would help develop a full picture of what waste is being generated, where waste went and help shrink the space in which criminals can operate.”¹⁰⁸

51. Mr Cooke told the Committee that “digital waste tracking is complex, but should provide the baseload data and intelligence on waste loads, and that is a good example of technology that will evolve. That will enable the use of AI, for example, to start tracking material flows far more effectively [...]”¹⁰⁹

52. Mr Macphail told the Committee, “if [digital waste tracking] is done by the responsible sectors of the industry and others do not do it, the regulators need to grasp the nettle

¹⁰² Anyone who transports, buys and sells or arranges for others to buy, sell or dispose of waste must register with the Environment Agency as a carrier, broker or dealer, as appropriate. The regime lacks background checks and has long been vulnerable to exploitation or outright avoidance. (The Guardian (George Monbiot), [Britain through the looking glass: my dead goldfish is now a registered waste disposer](#), 24 December 2021; The Conversation (Ray Purdy), [Waste crime: how online advertising platforms are facilitating illegal dumping](#), 7 February 2023; Department for Environment, Food & Rural Affairs, [Serious and organised waste crime: 2018 review](#), 14 November 2018)

¹⁰³ Exemptions from environmental permitting are available for certain low-risk waste management activities. Many exemptions must be registered with the Environment Agency. As of 2024, there were over 416,000 exemptions registered in England. (Southwest Environmental Limited, [How Many Waste Exemptions are Registered in England?](#), February 2025) Waste operators commonly register multiple exemptions at a single site, often alongside permitted activity. Defra says this is common at sites where illegal activity is discovered. (Environment Agency, [Waste exemption charges](#), 11 August 2025)

¹⁰⁴ [Q 69](#)

¹⁰⁵ [Q 20](#) (Sam Corp)

¹⁰⁶ [Q 26](#)

¹⁰⁷ [Q 59](#) (Minister Mary Creagh, Emma Bourne)

¹⁰⁸ [Q 42](#) (Steve Molyneux)

¹⁰⁹ [Q 22](#) (Sam Corp)

very quickly and if that means government intervention to make sure that is dealt with, then so be it.”¹¹⁰

Resourcing to tackle waste crime

53. Many stakeholders told us that the EA and its partners are insufficiently resourced to tackle waste crime effectively.¹¹¹ Mr Scott told us that he understands there to be just 5.5 full-time equivalent investigators covering the area from Dorset to Dover.¹¹² In contrast, we heard of eight EA officers participating in an inspection of a regulated site.¹¹³

54. The EA’s baseline budget to tackle waste crime is £10 million – and has been so since April 2018.¹¹⁴ A further £5.6 million has been provided by the Government in 2025/26.¹¹⁵ This is enabling the recruitment of over 100 additional, mostly operational, full-time equivalent staff, including an increase in the JUWC’s staffing from 7 to 18 officers.¹¹⁶

55. Mr Macphail told us:

“I have to say that we are probably unique in that we are one of the few industries that is asking for more regulation and asking for more enforcement, because we are broadly supportive of the regulators. We think they are doing a good job, but they maybe do not have quite enough people and they do not have enough chance to react and have sufficient training all the time.”¹¹⁷

Similarly, Mr Corp told us: “Even if we bring in new regimes and new enforcement tools, it is imperative that the regulator actually has the resources to be able to properly regulate and enforce them.”¹¹⁸

56. An impact evaluation of additional funding provided in 2014/15 and 2015/16 for the EA to target illegal waste sites, misdescription and illegal exports found that every £1 spent tackling waste crime generates approximately £5 in tax income, business for legitimate operators and avoided environmental and social harm.¹¹⁹

Waste crime levy

57. The EA has consulted on the introduction of a 10% levy on the annual subsistence fees for waste permits to fund its waste crime enforcement. This is expected to generate £3.2 million.¹²⁰

¹¹⁰ [Q 20](#) (Donald Macphail)

¹¹¹ [Q 11](#) (Sam Corp) and written evidence from Biffa ([WCI0009](#)).

¹¹² Written evidence from Matthew Scott ([WCI0013](#))

¹¹³ [Q 30](#) (Dr Anna Willetts)

¹¹⁴ Written evidence submitted to the Environment, Food and Rural Affairs Committee inquiry into Plastic waste ([PW0066](#))

¹¹⁵ HC Written Answer, [67896](#), Session 2024-26

¹¹⁶ [Q 48](#) (Phil Davies)

¹¹⁷ [Q 16](#) (Donald Macphail)

¹¹⁸ [Q 16](#) (Sam Corp)

¹¹⁹ Environment Agency, [Waste crime interventions and evaluation](#), 1 December 2017

¹²⁰ Environment Agency, [Environment Agency charge proposals for waste crime and hourly rates](#), 1 July 2025

58. Mr Cooke and Mr Corp told us that the waste sector supports the levy but wants to see an evaluation of its effectiveness.¹²¹

Appendix B

Members' interests

Committee Members' registered interests may be examined in the online Register of Lords' Interests at www.parliament.uk/hlregister.

For this letter, Members declared the following interests:

Baroness Sheehan (Chair)

No relevant interests declared

Lord Ashcombe

No relevant interests declared

Lord Duncan of Springbank

No relevant interests declared

Lord Jay of Ewelme

No relevant interests declared

Lord Krebs

No relevant interests declared

Lord Layard

No relevant interests declared

Earl of Leicester

Landowner in Norfolk, onto which illegal waste has sometimes been fly-tipped

¹²¹ [Q 20](#) (Dan Cooke, Sam Corp)

Lord Lennie

No relevant interests declared

Lord Mancroft

No relevant interests declared

Lord Rooker

No relevant interests declared

Earl Russell

Board Member and Director, The Water Retail Company Limited

Lord Trees

No relevant interests declared

Baroness Whitaker

Residence in a national park