



The Scottish Parliament  
Pàrlamaid na h-Alba

Jo Farrell  
Chief Constable  
Police Scotland  
Tulliallan Castle  
Kincardine, Alloa  
FK10 4BE

**Net Zero, Energy and Transport  
Committee**  
c/o Clerk to the Committee  
Room T3.40  
The Scottish Parliament  
Edinburgh  
EH99 1SP

By email only

[netzero.committee@parliament.scot](mailto:netzero.committee@parliament.scot)

21 November 2023

Dear Chief Constable,

### **Enforcement of Flytipping Offences**

The Net Zero, Energy and Transport Committee is currently considering the [Circular Economy \(Scotland\) Bill](#). This is new legislation brought forward by the Scottish Government which seeks to tackle a range of issues, including waste crime.

Included in the Bill are measures which the Scottish Government says will support efforts to tackle the problem of flytipping. Our consideration of the Bill so far has highlighted challenges faced by enforcement agencies with regards to tackling the problem of illegal waste carriers committing flytipping offences.

We have already taken evidence from the Scottish Environment Protection Agency (SEPA) at our [meeting on 3 October](#) where this issue was discussed at some length. We will also be hearing from local authority and other waste management witnesses at an upcoming evidence session on 21 November where we expect this issue to be a strong focus.

The Committee is looking to ascertain practical information about how incidents of flytipping across Scotland are being monitored and enforced by respective enforcement bodies, and how roles and responsibilities are divided and understood across relevant enforcement bodies.


We are conscious that due to the nature of this issue there may be limitations in the detail you may be able to share with us. However, it would be helpful for our Committee in investigating this issue if you could provide any relevant information regarding the following—

1. What role does Police Scotland play in investigating alleged flytipping offences?

- a. In these cases what engagement would take place between other enforcement agencies such as local authorities and SEPA to coordinate a response?
2. Does Police Scotland have a dedicated resource for investigating waste crime or does this fall under a wider operation of Police Scotland?
3. What evidence thresholds need to be met before cases are referred to the Crown Office and Procurator Fiscal Service and what are the challenges in meeting these thresholds?
4. What data is collected by Police Scotland with regards to incidents of flytipping and how do you share data between enforcement authorities and with SEPA?
  - a. Do these data reveal increasing or decreasing trends in the occurrence of waste crime such as flytipping?
5. What proactive operations does Police Scotland undertake to tackle waste crime?
6. To what extent is Police Scotland aware that flytipping is carried out as part of organised crime, or is linked to other forms of organised crime?
  - a. Do you have any information on what proportion of flytipping is estimated to be organised crime?
7. How does Police Scotland work with other police forces in the UK to investigate and share intelligence on organised waste crime?

To ensure this information can be considered by the Committee as part of our formal evidence taking on the Bill, it would be helpful if a response could be provided by Thursday 30 November.

Yours sincerely,



Edward Mountain MSP  
Convener  
**Net Zero, Energy and Transport Committee**