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Consultation – summary of responses

A Fly-tipping Free Wales



June 2013

Summary of consultation 'A Fly-tipping Free Wales'

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Summary of consultation responses to 'A Fly-tipping Free Wales'

1 Introduction

Welsh Government consulted on 'A Fly-tipping Free Wales' to help us to shape our next phase of tackling fly-tipping. We recognise that a truly collaborative approach is needed to deal with the causes of fly-tipping. We believe that we have the opportunity to be exemplary in effectively tackling fly-tipping and want to work together with stakeholders to co-design and co-deliver future actions. The consultation ran from 26 November 2012 to the 28 February 2013, the consultation document was available from our website.

The consultation set out our new vision for:

A future for Wales that is free from the unacceptable social, economic and environmental harm caused by fly-tipping. A future in which we all work together to take responsibility for our waste and to take pride in our communities.

The consultation identified some high level outcomes that will give direction to counter future fly-tipping across Wales. These include:

- all key organisations in Wales commit to eliminating fly-tipping, a commitment that is embedded in their strategies and day to day operations;
- fly-tipping is widely understood as being socially unacceptable;
- it becomes easier for people to deal with their waste responsibly; and
- anyone who fly-tips is caught and punished appropriately .

2 Overview of responses

A total of 41 consultation responses were received. The breakdown of responses by sector is provided below. A list of the organisations that responded to the consultation is provided in Appendix 1.

Category of Respondents	Number of Respondents
Private Individual (P)	3
Local Authority (LA)	19
Trade Body (TB)	4
Professional Body (PB)	2
Public Body (PuB)	1
Union (U)	2
Third Sector (TS)	6
Private Sector (PS)	3
Town and Community Councils (T&CC)	1

Stakeholders were asked to answer the following questions.

Question 1 - Do you agree with the vision set out in the introduction of the position paper?

Question 2 - Do you have any further case studies of good practice you would like to share?

Question 3 - Do you agree fly-tipping is a problem in Wales Do you have any further examples of how it affects wider public services and communities?

Question 4 - Do you have any comments on the lessons learnt in section 10 of the position paper, or have you any additional lessons learned that you would like to share?

Question 5 - Do you have any comments on the outcomes and how these can be delivered?

Question 6 - Would you like to be involved in developing the actions needed to achieve these outcomes?

Below there is a breakdown of the consultation responses that agreed, or otherwise, with the proposals for each question. These figures only include the responses that

directly answered each question. Where stakeholders did not answer a particular question; stated that they did not have any views on it; or it was unclear from the response provided whether they supported the proposal or not; they have not been included within the figures. There is also a summary of the main issues raised under each question and, where appropriate, a list of further points raised. Examples of case studies and specific actions suggested to achieve outcomes are included in the appendices.

3 Executive Summary

41 responses were received to the consultation 'A Fly-tipping Free Wales'. Of those that gave a direct response 97% agreed with the vision outlined in the consultation.

A future for Wales that is free from the unacceptable social, economic and environmental harm caused by fly-tipping. A future in which we all work together to take responsibility for our waste and to take pride in our communities.

Many examples of good practice were submitted. These detailed varied examples of how working in partnership can help to reduce levels of fly-tipping within our communities.

All agreed that fly-tipping in Wales is a problem. The outcomes put forward in the consultation were endorsed. 2 additional outcomes were suggested:

- 1 A cross cutting outcome that makes clear the desire to bring about improvements in the most deprived communities.
- 2 An outcome that highlights the importance of empowering local communities to tackle fly-tipping.

A range of ideas for delivering the outcomes were suggested. These are complemented by the ideas that were generated in the 'A Fly-tipping Free Wales' conference held on the 26 November 2012. This information can be found in Appendix 4 and 5.

97% of people who responded to the consultation would be happy to be involved in developing the actions needed to achieve the outcomes.

4 Analysis of Responses

4.1 Question 1 – Do you agree with the vision set out in the introduction of the position paper?

Overview

41 responses were received to the consultation. A total of 29 responses directly addressed question 1. 28 of these agreed with the proposed vision.

‘A future for Wales that is free from the unacceptable social, economic and environmental harm caused by fly-tipping. A future in which we all work together to take responsibility for our waste and to take pride in our communities.’

The respondent who did not agree with the vision felt that it was *‘naive to believe we can achieve zero fly-tipping incidents in Wales’*.

The supportive responses welcomed the ambition and strong commitment to tackling fly-tipping. Most stressed the importance of working in partnership to tackle the issue. Comment was made on the difficult economic circumstances we are currently in and the impact this may have on the ability of local authorities to deal with incidents.

4.2 Question 2 – Do you have any further case studies of good practice you would like to share.

A number of organisations provided case studies of good practice. These are detailed in Appendix 2.

4.3 Question 3 - Do you agree fly-tipping is a problem in Wales? Do you have any further examples of how it affects wider public services and communities?

Overview

We received 27 direct responses to this question. All of these agreed that fly-tipping was a problem in Wales. The respondents who did not directly answer the question all indicated in their responses to other questions that fly-tipping was a real problem for the people of Wales. A summary of comments received is set out below.

Reporting

The limitations of the Flycapture database were highlighted. The need for better quality data on fly-tipping particularly on private land was mentioned by a number of respondents.

Underreporting of incidents was also felt to be an issue that needs to be addressed.

Private Land

The difficulty of dealing with fly-tipping on private land was mentioned by a number of respondents.

Inconsistencies in the way different local authorities deal with fly-tipping on private land leads to frustration for private landowners. It was suggested that there needs to be a consistent approach across Wales.

Private landowners bearing the full cost of clearing up incidents of fly-tipping on their land was seen as unfair by some. Conversely concern was raised by one local authority about the potential increase in costs if they were required to deal with fly-tipping on private land. They also mentioned the impact that this would have on their recycling targets.

Funding

Funding was seen as an issue throughout the consultation. It was mentioned that funding used to clear fly-tipping could be better spent elsewhere and the true cost of dealing with fly-tipping is very difficult to measure. Local authorities raised the issue of having sufficient resources to deal with fly-tipping.

One respondent highlighted that in the current financial climate, and in a time of cut backs within local authorities, the need to combat fly tipping must not be seen as non-essential. However, we need to work together with communities and use what resources we have wisely.

Main Impacts

Fly-tipping impacts on both urban and rural areas. It was felt that it has an impact on amenity value and tourism, quality of life, health, inward investment and community pride. These impacts are not currently quantified. It was also noted that the decline in incidents over recent years should not mask the fact that fly-tipping is still a real problem in many deprived communities.

In 2010 Keep Wales Tidy undertook a survey of 621 people across Wales. 61% said that fly-tipping had a negative impact on the look and feel of a local area, whilst 20% said that they regularly saw fly-tipping in their local area.

Other Comments

- Culprits are not being actively pursued when evidence exists.

- We should work with newly appointed Police Commissioners.
- Landfill tax has caused an increase in fly-tipping and also increased the cost to private landowners disposing of fly-tipping.
- Fly-tipping on and around large social housing estates is a problem, particularly as many of these are no longer under local authority control. It is suggested that a “voluntary protocol” with major social housing landlords could help.
- The dangers posed to livestock, including the health and welfare issues that can result from encountering waste while grazing in fields and on common land, are not addressed.
- Shopping trolleys are a continual problem. Is it time to review and update guidance and re-engage with those businesses that provide trolleys for customer usage?
- Fly-tipping onto railway land can cause problems with services and servicing of railway tracks. In turn this affects visitors and commuters.
- Fly-tipping of waste in rear lanes or open spaces can cause access problems, not only to local residents, but emergency services.
- Fires that occur from waste being dumped on common land are not only dangerous to animals and farmers by affecting grazing and access, but walkers and emergency services and they also destroy local flora and fauna.
- Areas that are left ‘uncared for’ become ‘no go areas’ which leads to antisocial behaviour, affects the community, affects the perception by others, of the community and can stretch emergency services.

4.4 Question 4 - Do you have any comments on the lessons learnt in section 10 of the position paper, or have you any additional lessons learned that you would like to share?

Overview

30 direct responses were received to this question. A summary of the responses is provided below.

Partnership approach

A partnership approach is seen as key to tackling fly-tipping by the respondents to this question. Mention was made of the success of the Fly-tipping Action Wales partnership and suggestions made for other partnerships that could help to achieve

the vision of zero fly-tipping. These included Community Safety Partnerships, Town and Community Councils, Environment Agency Landowner Partnership Project.

Engagement with schools, colleges and young people together with encouraging communities to value their environment is also seen as being key.

One respondent mentioned that a partnership approach at local government level can only be achieved where there is parity in funding, resources and stance on enforcement. Similarly another respondent discussed that local government officers aren't just required to investigate fly-tipping but have a number of responsibilities that they must balance.

Understanding the scale and nature of the problem

It was highlighted by a number of respondents that much research has already been carried out and we should seek to utilise this in developing the way forward. For example, the Environment Agency Landowner Partnership project; a private landowner's project that was run by DEFRA in 2009; and Keep Wales Tidy's policy paper on Litter and Fly-tipping on Private Land. The Carnegie Trust provided a detailed list of lessons that they had learnt from undertaking projects with local communities. These are detailed in Appendix 3.

Respondents to this question supported the intention to understand the scale of the issue, particularly on private land. Organisations that work with private landowners stressed the need to proactively work with and support landowners to encourage reporting. Underreporting is currently a problem as landowners are concerned that they will be held responsible for any tipping on their land.

Local authority respondents reported that many Enforcement teams across Wales spend a considerable amount of time dealing with fly-tipping on private land but little recognition is given for this and there is limited support for land owners. However others felt that the response to fly-tipping on private land across Wales was variable and that this is something that will need to be addressed.

Education

Education is seen as important by a number of respondents. A number of new approaches for getting the anti fly-tipping message across were suggested, these are detailed below.

It was suggested that householders need to be encouraged to think of waste as a resource: putting the resource and infrastructure in place to support this is important. The public need help in making this link and, ultimately, there need to be tangible community benefits resulting from the sustainable management of household waste. One way of beginning to tackle this could be to link the anti fly-tipping message up with existing local authority waste education campaigns.

More ingenious approaches, such as time-banking, are required to engage local communities. Getting the community involved in schemes that help to address anti-

social behaviours such as littering and fly-tipping, whilst providing tangible financial rewards (such as vouchers which could be exchanged locally) could be one option.

It was suggested that if communities can be empowered to improve the quality of their local environments, and the link between community benefit and the sustainable management of post-consumer waste is clearly made, then the fly-tipping of household waste should cease to be an issue. Furthermore, if individuals were engaged in proactively protecting their environment and this could be linked to rewards for information leading to the prosecution of fly-tippers, then local-policing (self-regulation) would take place. It was suggested that this should start to relieve the existing burden on public services created by fly-tipping.

Waste provision

In answering this question 2 respondents cited the inflexibility of Civic Amenity sites as contributing towards fly-tipping. More flexible use of these sites was recommended, removing the rules that prevented householders that were trying to dispose of their waste correctly from doing so.

It was also highlighted that the pressures on Councils to reach recycling targets may actually do more harm than good in some cases, exacerbating the fly-tipping problem.

Adequate provision of sites was also thought to be a contributory factor in some areas. One respondent from North Wales stated that provision of facilities was adequate but it would be helpful if certain collections, such as furniture, were offered for free.

Specific mention was made of the need to deal with problem of waste left by students at the end of term. Allowing private landowners to use sites to dispose of fly-tipped waste was also raised.

Providing adequate facilities for builders to dispose and recycle of their waste was also mentioned as an issue that should be considered. One respondent felt that small and medium sized construction companies should be able to tip their waste for free. It was felt that in the long term this would save money. More information should be made available for these companies to enable them to recycle and deal with their waste sustainably.

An intelligence led approach to enforcement

There was support from 6 respondents in building a consistent enforcement capability across Wales. National guidance would be welcomed by these respondents. Conversely 1 respondent felt that individual Councils should have a choice on enforcement issues and should not always have to be part of a partnership project unless specific to a national initiative. Other respondents did not express a view on this issue.

Some mentioned the difficulty in undertaking enforcement activity and suggestions were made that Fixed Penalty Notices could be utilised for some fly-tipping incidents.

Work to fully inform magistrates so that fly-tippers are punished appropriately was also supported.

Whilst some respondents wanted to see more enforcement taking place across Wales, one respondent suggested that it would be better to spend more resource on understanding why people feel a need to fly-tip and addressing this issue. Enforcement could then be targeted at the source of the waste i.e. spot checks at construction sites and more stop and search of vehicles carrying waste.

4.5 Question 5 – Do you have any comments on the outcomes and how these can be delivered?

Overview

28 direct responses were received to this question. Of these responses, 2 suggested additions to the outcomes. Others agreed with the outcomes but some mentioned that for the outcomes to be achieved sufficient resources needed to be made available.

A number of detailed actions for achieving the outcomes were suggested, these are shown in Appendix 4.

Suggested additional outcomes

It is suggested that a cross-cutting outcome is added which makes it clear that within each outcome there is a desire to bring about significant improvements in the most deprived communities, and to reduce inequalities between different local areas in the extent to which they experience fly-tipping.

A new outcome entitled, 'Local communities are empowered to play a leading role in tackling fly-tipping', was also suggested.

Comment was also made that the outcomes seem to be targeted at "Authority" bodies. The role that community sector organisations and community councils could play in helping to tackle the issue of fly-tipping should also be explored. For example, Cylch CRC represents community reuse organisations across Wales, which collect unwanted electrical items, furniture, textiles, bric-a-brac etc. for community benefit. Partnerships with the Third Sector to deliver these kinds of services should be promoted as they encourage communities to understand the relationship between "waste" and community benefit. They also help to prevent unwanted items from becoming waste in the first place.

4.6 Question 6 - Would you like to be involved in developing the actions needed to achieve these outcomes?

Overview

29 people responded directly to this question. Of those that responded 28 were happy to help the Welsh Government to develop the actions that will be needed to achieve zero fly-tipping in Wales.

Organisations from the public/private and voluntary sector that offered their help are recorded below;

Canal and Rivers Trust, Carnegie Trust, Chartered Institute of Waste Management, Chartered Institute of Environmental Health, Construction Skills Wales, Countryside Landowners Association, Countryside Alliance, Cylch, Natural Resources Wales, Farmers Union Wales, Grays Waste Management, Institute of Civil Engineers, Keep Wales Tidy, National Farmers Union Wales and North Wales Association of Town and Larger Community Councils. Blaenau Gwent, Caerphilly, Cardiff, Carmarthenshire, Ceredigion, Conwy, Gwynedd, Isle of Anglesey, Merthyr, Rhondda Cynon Taff, Swansea, Torfaen and the Vale of Glamorgan local authorities.

5 Welsh Government Response

Welsh Government would like to thank all respondents for their time in taking part in the consultation. The response to the consultation was good with 40 responses from a wide range of bodies.

We are pleased that over 97% of the respondents agreed with the vision and outcomes outlined in the consultation. This provides us with an excellent start in meeting the challenge of tackled fly-tipping in Wales. With regard to the one respondent who commented that the proposed vision for 'a fly-tipping free Wales' was "naïve" we highlight that the Welsh Government wants to be ambitious and commit with all partner organisations and communities to co-design and co-deliver clear outcomes and actions to stop the blight of fly-tipping across Wales. We must aim high if we want to achieve a truly sustainable solution to this issue.

We welcome the supportive responses and the number of organisations prepared to be involved in developing the actions needed to achieve the outcomes and will make available the examples of 'good practice' and 'lessons learned' shared in the responses.

To further explore and develop the ideas proposed in the consultation responses the Welsh Government will hold a series of workshops to discuss these ideas with a range of stakeholders. Where appropriate these ideas will then be developed into actions that will form the basis of a new fly-tipping strategy for Wales. We will work closely with both stakeholders and Fly-tipping Action Wales to develop actions targeted at delivering the outcomes described in the consultation.

We have noted the additional outcomes suggested in two of the consultation responses and will ensure that these are discussed in the working groups once they have been established.

Next steps:

- Hold a number of workshops with key stakeholders across Wales to help develop a new fly-tipping strategy for Wales.
- Establish working groups to deliver detailed actions to achieve the outcomes agreed.
- Develop a new fly-tipping strategy, and consult on this in early 2014.

Appendix 1

List of Respondents to the Consultation

A1 Skips (PS)	Farmers Union Wales (U)
Blaenau Gwent County Borough Council (Local authority - LA)	Federation of Master Builders (TB)
Bridgend County Borough Council (LA)	Grays Waste Management (PS)
Caerphilly County Borough Council (LA)	Gwynedd County Borough Council (LA)
Canal and Rivers Trust (TS)	Institute of Civil Engineers (TB)
Carmarthenshire County Council (LA)	Isle of Anglesey x 2 (LA)
Carnegie Trust (TS)	Keep Wales Tidy (TS)
Ceredigion County Borough Council (LA)	Merthyr County Borough Council (LA)
Chartered Institute of Environmental Health (PB)	National Farmers Union Wales (U)
Chartered Institute of Waste Management (PB)	Newport County Borough Council (LA)
CITB Construction Skills Wales (TS)	North Wales Association of Town and Larger Community Councils (T&CC)
City and County of Cardiff (LA)	Pembrokeshire County Borough Council (LA)
City and County of Swansea (LA)	Private Individual x 3 (P)
Conwy County Borough Council (LA)	Rhondda Cynon Taff County Borough Council (LA)
Countryside Landowners Association (TB)	Solutia (PS)
Countryside Alliance (TB)	Torfaen County Borough Council x2 (LA)
Cylch (TS)	Vale of Glamorgan County Borough Council (LA)
Environment Agency Wales (PuB)	Wales Heads of Environmental Health (TB)

LA – Local authority PB – Professional Body

PuB – Public Body

P – Private individual PS – Private Sector

PS – Private Sector

T&CC – Town and Community Councils

TS – Third Sector

U - Union

Appendix 2

Case Studies of Good Practice

1 Caerphilly County Borough Council

Local solutions to local problems

In Caerphilly we have been fully supported by the members and Chief executive and we have a set of dedicated officers (waste enforcement and EHO's) who try their hardest to stem the flow by reducing fly tipping in economically challenging times. We believe we are making progress and the trend here is continuing downwards. Dealing with a local issue directly and perusing individuals whether they are commercial activities or householders as far as the legislation will allow, we believe takes the message directly to the communities that it will not be tolerated.

Here the Local Authority staff have excellent local knowledge and intelligence and are best placed to provide a rapid response for investigation and enforcement. We work hard on highlighting the householder's duty of care to our residents using press releases and the social networks to emphasise that the responsibility lies with the individual. We also take action against anyone where an evidence trail leads us back to a domestic dwelling. Obviously our main prerogative is to intercept the individual who has committed the offence and we will use any evidence we can to achieve this aim.

We actively use the media and social networks including the council's newslines, twitter and face book to name and shame individuals we have prosecuted. This has had a real effect in the areas where we have the greatest problems and has led to a positive deterrent effect, encouraging residents to ask the right questions of those persons seeking to provide a waste clearance service.

Many of the illicit tipping issues we have dealt with have escalated as a result -of the growth in the number of scrap metal collectors. It is disappointing to say they are scrap metal dealers in the morning but often become fly tippers in the afternoon. These individuals are ideally situated to exploit the public by taking their waste away at what appear to very competitive rates. Our news line articles emphasise this very fact and that if it is too good to be true it is probably illegal.

Our message is clear - do the right thing

Working with Gwent Police

To combat this problem we have been proactive with our police colleagues in their stop operations for metal theft related issues such as operation ignite. We will accompany the police officers and once the metal checks are done we issue duty of

care documentation requests for any other waste that is on the vehicle. This emphasises to these individuals the need to dispose of their waste legally at proper sites and in a clearly transparent and subsequently auditable way. Non-provision of documentation is pursued through the court system without exception with 4 cases in the last 12 months.

A clear message is being given to a targeted audience that they have responsibilities and if they do not abide by them we exist to take firm yet proportionate action against them.

Another way we have moved this forward proactively is the establishment of a pilot project with our colleagues in Gwent Police. At the moment we are running a joint funded initiative with the police for a dedicated police officer working 3 days per week on "the forgotten landscape" His main role is to patrol some of our most picturesque, historical and environmentally protected areas on the main ridgelines within the County Borough bordering Torfaen Newport and Blaenau Gwent. In addition to funding we provide a council 4x4 vehicle over the weekend periods. He deals with off road motor bikers and four by fours. In addition he is also on the look out for illicit tipping and acts as a liaison point for incidents. This pilot working is well received by the public and we would suggest should be seen as an example of good practice. Since his role commenced we have seen a significant decrease in illicit tipping in the area he covers. Also we have been able to call upon him when we need to interview individuals who have failed to attend when we have written to them as a result of illicit tips investigated across the County Borough. His work with us has been invaluable and has filled a void in our enforcement portfolio and assists with early intervention. Importantly he is also available to facilitate the interview of individuals where there are possibly involved in incidents. His presences together with his powers of arrest are very persuasive in ensuring that people present themselves for interview

Decline in fly-tipping

Fly capture figures for Caerphilly for 2011/2012 saw a 40% reduction in incidents. This is as a result of our robust enforcement response to incidents where witness statements or evidence is pursued as far as is possible and in many cases results in prosecution.

2 Canal and Rivers Trust (C&RT)

Working with Local Authorities and recording incidents on private land

The C&RT began reporting all its recorded fly-tipping incidents to the EA in April 2009 as part of the Private Land Project pilot and, although the Pilot ended in October 2010, we have continued to report on a monthly basis. Some of the data that we report to the EA is in the Flycapture format but we also provide all the data in

a spreadsheet format (including grid references) which (unlike Flycapture) allows the incidents to be mapped.

Examples of where we are working with others to prevent/deal with fly-tipping incidents include:

- Local Authorities investigating fly-tipping on C&RT land – we have agreed with Pennine Lancashire Association of Chief Executives that the councils (Blackburn, Burnley, Pendle, Hyndburn) will investigate fly-tipping on our land. C&RT still clear the fly-tipping but the local authorities have taken people in for interview etc. as they recognise we do not have the powers or expertise to do this.
- We have found that there is benefit in working with local authorities to produce joint letters to send to householders / businesses in problem areas or to those suspected of fly-tipping - it adds weight.
- Some local authorities allow C&RT access to their Household Waste Recycling Centre's or transfer stations to dispose of fly-tipping (sometimes this is free of charge but usually we are charged a minimal fee). This is a huge help particularly as we have situations whereby we are driving past these sites (carrying articles such as a waste fridge that has been dumped on our land) to our own sites (where storage space is limited) until we can instruct a waste contractor to collect it.
- We attend Environmental Crime Forum meetings with LA's, landowners & EA in Lancashire – this gives us the opportunity to develop strong working partnerships that are key i.e. sharing of knowledge and being able to identify who the key people are locally who can help with fly-tipping issues.
- We have been able to organise fly-tipping clearance events with the local authority and C&RT volunteers working together.
- Pendle Borough Council has provided training for our bankstaff on what to do when they discover a fly-tip to determine whether there is evidence that the council needs to see before they clear it – this is really beneficial and it gives Pendle some assurance that we will only bother them if there is a real case so they take our reports seriously
- Some local authorities provide C&RT with 'No fly-tipping' signs for us to install.

3 Carnegie Trust

Pride in Place – Tackling Incivilities, Llwynhendy, Llanelli

In September 2012 we published *Pride in Place: Tackling Incivilities*. In this report we highlighted the impact that local environmental problems such as fly-tipping, litter, waste, vandalism and graffiti can have on quality of life for individuals and neighbourhoods. We set out how a community-led approach – with the right support from public bodies, charities and funders – to tackling these problems could lead to significant improvements in the future. Our report included a series of 8 best practice case studies from around the UK. One of our case studies was the Llwynhendy Growing Spaces project in Llanelli, where the local community took action to clear up a piece of derelict land which had become a prime site for fly-tipping and transformed it into a set of community allotments.

Further information on our work is available on our website www.carnegieuktrust.org.uk. Incivilities' project we have found that:

- deprived urban communities are clearly disproportionately affected by local environmental problems such as fly-tipping;
- a poor local environment is not only a symptom of poverty – it can also be a cause, as data shows that neighbourhoods which are blighted by environmental problems are unlikely to have the motivation to address the wide range of other social and economic challenges facing them;
- citizens living in deprived communities are less likely to have sufficient 'bridging capital' to the external information and decision-making structures which can have a significant impact upon the quality of their local environment;
- the current pressures on public finances have naturally resulted in greater competition for resources and in these circumstances there is a danger of deprived areas losing out to more affluent areas 'with sharp elbows'.

As such, we believe it is essential that the Welsh Government's strategy to tackle fly-tipping has a clear focus on the particular needs of deprived areas, and we are very pleased that this is recognised in the strategy vision.

The vision set out by the Welsh Government also highlights the importance of empowering citizens to improve their local environment, and it recognises that many people currently feel disengaged from decision-making structures and "unable to participate in decision making and influence the environmental challenges they face". Looking to the future, the vision statement makes reference to "a truly collaborative approach"; a move towards "greater community involvement and empowerment"; and the desire to "co-design and co-deliver future actions".

Again, we are very supportive of this type of approach. The evidence from our Tackling Incivilities research is that local communities can play a highly effective role in tackling the environmental problems – including fly-tipping – affecting their area. We found that where citizens were supported and empowered to address these problems then this often leads to the community taking ‘ownership’ of the issue. This means that not only are problems such as fly-tipping waste cleared up in the short-term, but that the likelihood of these problems recurring in the future is significantly reduced. Furthermore, our research also found that where communities are properly supported to tackle local environmental problems then this can also lead to improvements in community cohesion – with citizens inspired to undertake further community action in the future, helping to bring a range of other social, economic and environmental improvements.

4 Ceredigion County Borough Council

In Ceredigion, close links have been established between the Council’s Environmental Control section (Environmental Services & Housing Department) and Partnerships & Operations group within the Engineering Services section of the Highways Property & Works Department. Regular and frequent street scene meetings are held on a monthly basis to carry out aims and objectives of the Council’s Community Pride Framework. The Community pride coordinator takes full advantage of funding made available through Tidy towns and LEQ initiatives to combat fly-tipping and other aspects of enviro-crime. A number of LEQ (Local Environmental projects) have improved tracts of land that were previously prone to fly-tipping. Examples include: clearance of land in Cardigan for development of allotments, community action days on Housing Association land, and regular/frequent litter clearance work with assistance from Tidy Towns Groups and other volunteers.

Working with private landowners

In Ceredigion, clearance work is carried out in partnership with landowners and assistance is offered if the land owner can by agreement take steps to place such waste at a convenient and safe collection point near a public highway. The process is however subject to specific conditions, and landowners must erect warning signs and take steps to improve security through fencing etc. or to carry out other works to restrict access to potential fly-tippers in problem hot-spots.

5 Countryside Landowners Association (CLA)

Fly-tipping on private land

The CLA in England is working with Suffolk County Council and the Suffolk Waste Crime Partnership to take forward a similar collaborative partnership approach and as part of this work are also exploring a whether a ticketing scheme might be a viable way of getting fly-tipped waste on private land more easily to local tips. This approach will look at what sort of cost sharing might be appropriate.

6 Cylch

Zero Waste Presteinge

Though it is not a direct example of fly-tipping, there is evidence from the Zero Waste Presteinge initiative, which shows that a well-run source-separated recycling collection system, (that has the backing of the local community and which is linked to a proactive, person focused public education campaign) actually leads to a situation where overall household waste generated is actually reduced. As the greatest proportion of fly-tipped material is household waste, it makes sense that tackling fly-tipping should be related to the provision of community-focused sustainable waste management solutions.

7 Grays Waste Management

Commercial bring sites

We have opened a commercial "bring site" in Penrhyndeudraeth (Gwynedd) and have a second one planned on Anglesey at Mona - we allow business to weigh-in waste and tip with us, recyclable materials are free and they pay for 'cost to dispose' wastes.

8 Keep Wales Tidy

Streetscene Quality Indicator

Over the past year Keep Wales Tidy has been commissioned by Newport City Homes to monitor the cleanliness of their estate in Pillgwenlly, using our newly developed Streetscene Quality Indicator. A baseline survey, undertaken in January 2012 showed that fly-tipping was widespread on the estate, (present on 25% of transects.) Shortly after this first survey was undertaken, the Housing

Association employed a caretaker for the estate. By the second survey, in March 2012, the fly-tipping had reduced drastically, as it had been collected by the caretaker. However, this led to residents seeing the caretaker as a means of disposing of their waste, so the caretaker stopped collecting the waste, which resulted in a small increase in fly-tipping by the third survey, in September 2012. By the final survey, in January 2013, fly-tipping had dropped again to 10.7% of transects. Surveyors saw stickers on fly-tipped bags which asked that the waste be removed or the perpetrator could face a Fixed Penalty Notice or prosecution. Anti-fly-tipping signage was also noted and we were told that the residents had been talked to about fly-tipping to raise awareness of the issue. It appears that these measures have been effective in reducing fly-tipping on the estate.

In 2011, in partnership with Barry College, Keep Wales Tidy developed a new Street Quality Indicator (SQI) survey. It is a visual inspection of streets and their surrounding area which considers 15 different indicators, weighted according to the public's perception of each issue. The SQI survey was piloted in four local authorities in 2011 and surveys have been commissioned by Newport City Homes and Swansea Improvement District to monitor change in the areas they manage.

Tidy Towns

Through our Tidy Towns community work we regularly undertake projects with a focus on fly-tipping. Projects range from clearance to transforming areas blighted by fly-tipping back into assets for community use; and from local campaigns to installing preventative measures. Please see examples below.

Example 1: Fairwater Stream Clearance, Cwmbran, Torfaen

This was a large scale partnership event where Keep Wales Tidy, McDonalds (Cwmbran), Co-Star Partnership, Bron Afon Housing and Croesyceiliog Comprehensive School joined forces to remove fly-tipped waste from the stream and restore it for the benefit of wildlife.

Four large blockages were removed from the stream; two of which were four feet high dams of waste which had formed waterfalls. In total, 34 participants collected 2.25 tonnes of waste which included sofas, carpets, bikes, traffic cones as well as general litter, bottles and cans.

Example 2: Waste Amnesty and Community Clean-up, Monmouthshire

This project involved Keep Wales Tidy, Monmouthshire Community Housing and Monmouthshire County Council (both waste and recycling departments) to improve the environment of 6 areas by running a programme of waste amnesty and clean-up events.

In each area, partners and volunteers litter picked and cleaned up dumped items from local public spaces. In addition, each area was provided with 2 or 3 skips which were monitored. Residents were able to bring out unwanted items that they may have had difficulty getting to recycling centres themselves. Reusable items were held to one side and many were taken away by other residents, and those that were still left were taken to a charity shop. All the skips were filled which amounted to an estimated 24.8 tons of waste, which included rubbish picked up in the clean ups or brought by residents. Some of the latter may have otherwise ended up being left inappropriately in the community. 30 partners and volunteers spent 186 person hours on the project during the events.

During the events, council staff were able to promote the council's recycling and rubbish collection services. Electrical items were held back and collected later in bulk by arrangement with Keep Wales Tidy's electrical goods collection service.

Appendix 3

Lessons Learnt from the Carnegie Trust

- When environmental problems occur in a local area then this problem can often be deeply entrenched, and change difficult to initiate. A 'spark' or tipping point is therefore required. This can come from within the community – or it can be stimulated from the outside by a public agency or the voluntary sector. Examples of how this might be done include: asking the community what action they would like to be taken; or organising a competition to give local people the opportunity to come up with ideas about how the area could be improved.
- Successful community-led initiatives to tackle local environmental problems such as fly-tipping tend to have a broad spectrum of support from across the local community – this can lead to greater impact and make the achievements of the project more sustainable in the longer-term. Public bodies have an important partnership role to play in helping to stimulate interest and engagement from a large number of community members, for example by securing publicity for activities via websites, newsletters and the local media.
- Inspirational community leaders play a critical role in the success of environmental projects which are delivered by or in partnership with the local community. Policymakers must ensure that these leaders are given the encouragement and support that they need to be able to carry out this role.
- Local businesses can also play an important role in helping to tackle environmental problems in a community, including fly-tipping. Such problems are often detrimental to their business and they have a strong interest in helping to eradicate these. For example, businesses may take responsibility for dealing with fly-tipping in areas near their premises, or they might work with community groups and public agencies to offer their skills and resources and help to deliver change.
- Community projects addressing deep-rooted local environmental problems often grow and develop over a number of years. It is important that policymakers recognise this and support communities appropriately. Projects should not be pushed to achieve too much too soon, but should be encouraged to be flexible, creative and aware of opportunities that emerge. Small, one-off projects can lead to wider benefits than the limited activities that they carry out – for example by developing new connections in a community which may lead to more significant activities being undertaken in the future.

- Some degree of external funding is usually needed to support a successful community project – even if the project is devised, delivered and owned entirely by the local community. Small grants to communities can often deliver an impressive return on investment in the drive to tackle local environmental problems such as fly-tipping – as local groups commit significant volunteer time free of charge, and often raise additional resources via fundraising activities and membership schemes. The Welsh Government has provided welcome financial support to community-led environmental projects through its pioneering Tidy Towns initiative, which has offered £350,000 of grants in 2012-13 to community projects across Wales and which will be continuing in 2013-14. We would encourage the Welsh Government to consider how it can continue to make access to these vital financial resources available to local communities beyond 2014.
- Developing a community project to tackle environmental problems such as fly-tipping often requires a wide range of different skills – including skills in carrying out safe clean ups; designing attractive new community spaces; financial skills; project planning; leadership; and community engagement. In some cases local community members will already possess many of these skills – but in others, public agencies have a significant partnership role to play in building capacity amongst local groups.
- Local projects benefit from being able to capture and report on what they have achieved. Gathering and presenting this information can provide them with evidence to help secure future funding, and can inspire and encourage current and potential project volunteers. When working in partnership with communities, policymakers should ensure that sufficient time and resources are set aside to allow citizens to take part in this type of reflection process.

Appendix 4

Suggestions for delivering outcomes

	Outcome 1 – All key organisations in Wales commit to eliminating fly-tipping, a commitment that is embedded in their strategies and day to day operations.
1	<p>The Local Environment Agency/Ceredigion County Council Fly-tipping matrix is a good example of good practice/partnership working, where responsibilities of each authority are well defined. In view however of diminishing resources and budget pressures, however, there should be a mechanism to deal with disputes through referral to a decision making board. We should indicate that no disputes have been reported in Ceredigion to date since the introduction of the matrix</p> <p>Another respondent suggested that Fly-tipping protocols need to clarify roles and responsibilities between organisations, needs to be very specific.</p>
2	<p>The Valleys Regional Park Initiative ('Taclu Tipio Cymru') should be extended to other parts of Wales in order to strengthen links required to tackle fly-tipping in Wales. An intelligence led investigation system is considered to be necessary throughout Wales. Local knowledge and involvement of Community Councils would be beneficial in identifying fly-tip hot spots.</p>
3	<p>Better link between Welsh Government and Natural Resources Wales and the Legal system to have consistency – National Agreement.</p>
4	<p>Too many groups not enough action. Too many groups being funded by Welsh Government to carry out, in some cases, the same work. Clarity required as to who is funded and what their role and responsibilities are. How are they monitored what are their targets/accountabilities? Do we know whether or not there is duplication of work?</p> <p>Better evaluation of incentives carried out by projects funded by Welsh Government.</p> <p>Need a coordinated approach to dealing with fly-tipping on private land across Wales.</p>
5	<p>There is a need to build a consistent enforcement regime across Wales that is supported by ring-fenced revenue for this very subject. This should be supported by each local authority being given a statutory duty to address illicit</p>

	<p>tipping at a local level and not in an ad hoc manner based on available revenue. National performance indicators were also suggested.</p> <p>Versus the following comment;</p> <p>Although there is an understanding that it should be One Voice for Wales, it is felt that individual Councils should have a choice on enforcement issues and should not always have the partnership logo etc unless specific to a national initiative.</p> <p>Make Fly-tipping removal a statutory duty for local authorities.</p>
	<p>Outcome 2 – Fly-tipping is widely understood as being socially unacceptable.</p>
6	Education – Let people know what they should do if they witness fly-tipping.
7	Advertisements such as the Fly Tipping Wales should be advertised as an All Wales initiative not just some areas e.g. Valleys.
8	Making the general public aware that there is evidence of fly tipping in their local community. Sometimes the fly tips have been cleared and the adjoining households are not even aware of the problem. Sending out letters and postcards to the local community can only make reporting structures better.
9	Utilise public service employees who work out and about to know what to look for and report incidents of fly-tipping.
10	All LA's should use their monthly newsletters and the local press to publicise the responsibilities of home owners and small businesses and the penalties of employing people to dispose of rubbish from their properties incorrectly.
11	Encourage residents to report fly-tipping through a free phone number.
12	Good Practice guides on tackling fly-tipping e.g. IACC Environmental Crime Postcards.
13	Support waste amnesty campaigns.
14	Better education about duty of care starting in schools.
15	A high level TV advert national anti-fly – tipping and littering campaign would be beneficial.
16	Encourage large scale businesses to take responsibility in encouraging people to get rid of their waste responsibly. For example, DIY and furniture stores should make the need for responsible waste disposal as part and package of a sale of a new kitchen, a sofa or tins of paint for example.

	Outcome 3 – It becomes easier for people to deal with their waste responsibly.
17	The need for proper waste disposal arrangements could be highlighted and enforced by Building Regulations Officers as part of their normal inspection duties. Waste management responsibilities of those responsible for large developments could be expanded to cover smaller building contractors in this way.
18	Promotion of the availability and use of Civic Amenity sites for cheap disposal of 'difficult wastes' handled by commercial and non-commercial entities would be beneficial (Especially true for disposal of asbestos cement products).
19	It should be cheaper for the criminal to dispose of the waste legally than illegally. More emphasis should be placed on the fact that fly tipping is a criminal act and that prison can be a consequence of that act.
20	Promotion of low cost schemes offered by County Councils and other private organisations to collect bulky household discards in a consistent manner across Wales should be encouraged to reduce the potential for fly-tipping. Some respondents also suggested that these services should be free.
21	Lists of sites that can take businesses waste; including inert waste should be easily available as should information on who is a registered waste carrier. Suggestion that registered waste carriers should display their number on their vehicles.
22	If possible incentives should be introduced to encourage people to take the waste to legal disposal sites. This could be based on incentives to recycle. Discount vouchers for people who used registered waste carriers was also suggested.
	Outcome 4 – Anyone who fly-tips is caught and punished appropriately.
23	Amend 33 of the Environmental Protection Act (1990) in order to remove the potential for landowners to be prosecuted purely because they have not removed waste that has been tipped on their land. This is not only self evidently unfair, but also acts as a disincentive to report fly tipping. A removal would help reduce landowner fears of prosecution for something outside of their control and should be done in tandem with introducing a system that allows fly-tipped waste to be more easily accepted at local tips without charge.
24	Strengthen the duty to enforce fly-tipping on private land.
25	More use should be made of covert surveillance in hotspot areas.

26	Consider using restorative measures more widely.
27	Encourage name and shame cultures.
28	Joint working between enforcement teams and economic teams, for example, offenders should not be given grant funding for setting up businesses, or at least be provided with less financial assistance.
29	Review flycapture, take Fixed Penalty notices out of flycapture.
30	Look into the possibility of engaging the dog fouling/fly tipping/littering offences under the Neighbourhood Watch Schemes? Local intelligence etc.
31	Introduce fixed penalty notices for fly-tipping.
31a	Include/clarify, incorrectly placed domestic waste, as part of the description for flytipping. Bags out at the wrong time, wrong day etc. cause problems not only with litter but make an area look uncared for.
	Cross Cutting Solutions
32	<p>Proposed solution for dealing with fly-tipping on private land;</p> <p>1. Record and Report Details</p> <p>Underpinning any solution is the requirement to prove that the waste is the result of fly tipping. The simplest way of doing this is to require the private landowner to take a photo of the waste and report the details of the fly tip to their Local Authority, perhaps via a simple standard e-reporting portal for fly tipped waste that generates a record similar to that of the Fly Capture database.</p> <p>2. Landowner Transport 'Household' Waste to Civic Amenity Site for free disposal</p> <p>Small volumes of household-type waste are suitable for disposal at these sites. Landowners transporting fly tipped waste should not be subject to the requirement to register with the Environment Agency (NRW) as a waste carrier. Where possible, the landowner should be encouraged to separate the waste into recyclable materials to limit the quantity sent to landfill. Only fly tipped waste reported to the Local Authority would benefit from the free disposal. The e-reporting portal could generate an automatic 'tracking number' for display on entering the waste site (this would also replace the need to exchange a Waste Transfer Note).</p> <p>3. Landowner contacts Environment Agency for large or hazardous wastes</p> <p>Large volume (>one lorry load), hazardous or polluting fly tips should be</p>

reported to the Environment Agency (NRW) to investigate and clear.

4. Local Authority or Environment Agency to provide best practice guidance

Guidance on prevention to be given to landowner to prevent repeat occurrences, this could take various forms depending on the resources available at the Local Authority/EA (this guidance is already being developed by the National Fly Tipping Prevention Group). This should be made widely available together with a central contact phone or e mail address.

This solution: Shares the cost between landowner and local authority, since landowners are required to transport the waste to a site to benefit from the free disposal; Limits the regulatory burden on the landowner and regulator by removing the need to register as waste carriers or generate Waste Transfer Notes; Helps generate an accurate picture of the extent of the problem in an area, since landowners are required to report in order to benefit from the free disposal; Can be used to assess progress towards achieving a reduction in fly tipping in local areas, since fly tipping on both public and private land are collected for official statistics; Maintains the existing protocol between the EA and Local Authorities; and Is adaptable to fit the type of facilities and the resources available at a local level.

Appendix 5

Actions suggested at 'A Fly-tipping Free Wales' conference held on the 26th November 2012 at the Swalec Stadium in Cardiff.

4 workshops were held at the conference. The workshops were centred on the 4 outcomes detailed in the consultation document. The following lists the actions that attendees thought would ensure that the outcomes are delivered.

	<p>Outcome 1 – All key organisations in Wales commit to eliminating fly-tipping, a commitment that is embedded in their strategies and day to day operations.</p>
C1	Include indicators into sustainable development white paper – could include fly-tipping.
C2	Awareness raising at high level – WG, LA's, not preaching to the converted.
C3	More statutory drivers performance indicators for all organisations.
C4	Encourage people to challenge and support, support for people who challenge.
C5	Encourage partnerships and links.
C6	Partnership working for information sharing. Involve others such as Dept of Work and Pensions, Housing depts./associations and police.
C7	Resources commitment.
C8	Get it into the single integrated plans – community strategies.
C9	Breaking down internal barriers within the same organisation to stop empire building.
	<p>Outcome 2 – Fly-tipping is widely understood as being socially unacceptable.</p>
C10	Challenge social norms – Pride in community.
C11	Long term gain/extra education.
C12	Having champions within your area.
C13	Tackle language barriers.
C14	Business – information with rates reminders. Educate Duty of Care, raise awareness that its a criminal offence, strong education in the community.
C15	Change perception of whose rubbish it is.
C16	Offering rewards and incentives.
C17	Stronger education within community.
C18	Publicity campaign, campaigns at different levels. Different media and communication routes, tackle language barriers.
C19	Making it easy for people to know where to go to report and get rid of waste.

C20	Increase access to waste information.
C21	Education: Make it easier via knowledge and social responsibility.
C22	Positive perception of the crime. Publicise the conviction and make people aware that LA is tackling the crime.
	Outcome 3 – It becomes easier for people to deal with their waste responsibly.
C23	Sites to recycle all possible wastes.
C24	Where is waste going, enforcement at planning stage.
C25	Have community skips and mobile CA sites.
C26	More frequent waste collections.
C27	Cheaper to dispose of waste.
C28	Set collection dates for bulky domestic items.
C29	Greater flexibility for commercial users to use facilities.
C30	Have community skips and mobile CA sites.
C31	Have CA sites open for longer and increase in number.
C32	Increase types of waste that can be collected at the kerbside.
C33	Better partnership with the waste collection industry and Local Authorities access for private commercial waste. Make it easier for people to dispose of their waste.
	Outcome 4 – Anyone who fly-tips is caught and punished appropriately.
C34	Registered waste carrier system needs a re think.
C35	Need to gather data on private and public land to get fullest picture. Better focus on intelligence led gathering for enforcement and sharing data to get evidence based strategic solutions.
C36	Less red tape for enforcement action.
C37	Name and Shame.
C38	Individual waste carrying licenses.
C39	Scoping exercise to identify barriers within individual LAs to securing a successful prosecution.
C40	CCTV in hotspot areas.
C41	Revocation of a waste carriers licence and vehicle seizure following a conviction.
C42	Give the court what they want/need.
C43	Use of anti-social behaviour orders.
C44	Waste carrier registration per vehicle not person.
C45	Other sentencing options i.e. disqualification/points on licence.
C46	Community payback.
C47	Appropriate fine for the crime – Take vehicle/proceeds of Crime.
C48	Inform DWP and HMRC of undisclosed earning from the activity.
C49	Efficient investigations.
C50	Correct reporting mechanisms T.D.P. VRN - to – LA.
C51	Previous convictions disclosure as norm pre-sentence stage.
C52	LA taking the lead and funding a dedicated police officer to patrol.