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Consultation – summary of responses

A Fly-tipping Free Wales – Our strategy for tackling fly-tipping



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Summary of consultation (Phase 2) '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 the draft strategy 'A Fly-tipping Free Wales,' the purpose of which is to help shape the next phase of action to tackle fly-tipping in Wales. 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 3 June 2014 to the 29 August 2014. 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 28 responses to the consultation 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)	2
Local Authority (LA)	8
Housing Association (HA)	3
Professional Body (PB)	1
Public Body (PuB)	9
Union (U)	1
Third Sector (TS)	1
Private Sector (PS)	1
Town and Community Councils (T&CC)	2

Stakeholders were asked to answer the following questions.

Question 1 – Do you think this strategy will help tackle fly-tipping in Wales?

Question 2 – Do you agree with the proposed actions under each section of the strategy?

Question 3 – Do you have any further actions you would like to see included and why?

Question 4 – Do you have any further comments on how the outcomes can be delivered?

Question 5 – Would you like to be involved in the working groups to help deliver the actions needed to achieve the outcomes?

Below is a breakdown of the consultation responses 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.

See Appendix 2 for the summary of the comments from respondents.

3 Executive Summary

28 responses were received to the second phase of consultation 'A Fly-tipping Free Wales'. Of those that gave a direct response 89% agreed that the strategy will help tackle fly-tipping in Wales and endorsed the vision of:

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.

All agreed that fly-tipping in Wales is currently a problem. The outcomes put forward in the consultation were generally endorsed with 89% agreeing with the proposed actions.

Overall the responses supported the proposed actions in the draft strategy with some additional actions suggested. The most common action highlighted by respondents was the need to make the investigation of fly-tipping a statutory duty.

79% of people who responded to the consultation indicated that they would be happy to be involved in the fly-tipping working groups.

4 Analysis of Responses

Question 1 – Do you think this strategy will help tackle fly-tipping in Wales?

Overview

Out of the 28 responses received to consultation 27 responses directly addressed question 1. 25 of these agreed that this strategy will help to tackle fly-tipping in Wales.

The respondents who did not agree disputed the *Flycapture* figures showing that, year on year, incidents of fly-tipping in Wales are falling.

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. Many respondents commented on the difficult economic circumstances we are facing and the impact this may have on the ability of local authorities to deal with incidents. The majority of respondents stated that if the strategy is to be implemented fully additional resources will need to be made available.

Question 2 – Do you agree with the proposed actions under each section of the strategy?

Overview

25 respondents broadly agreed with the proposed actions in the strategy. However, 18 of the 25 direct responses felt that it was important to allocate resources to these actions to ensure that they were met.

Question 3 - Do you have any further actions you would like to see included and why?

Overview

We received 28 direct responses to this question. All of these agreed that fly-tipping was a problem in Wales. Many of the responses either reiterated or expanded on the existing draft actions. A summary of comments received is set out below:

Reporting

The limitations of the current *Flycapture* database were highlighted. The need for better quality data on fly-tipping, particularly on private land, was mentioned by a number of respondents. It was also recommended that fly-tipping on land owned by housing associations should be included in the current *Flycapture* statistics. Many respondents felt that private land should be included in the *FlyMapper* initiative.

A number of respondents stated that more information should be given to the public and businesses on how to report fly-tipping incidents. It was recommended that the Natural Resources Wales hotline should be promoted. It was also suggested that an 'eyes and ears' media campaign should be launched encouraging the public to report incidents.

It was felt that the number fly-tipping investigations and prosecutions should be regularly assessed and monitored and meaningful performance indicators put in place.

Private Land

The difficulty of dealing with fly-tipping on private land was mentioned by a number of respondents. They felt that incidents on public and private land should be treated in the same manner.

Private landowners bearing the full cost of clearing up incidents of fly-tipping on their land was seen as unfair by some landowners and farming unions. A number of respondents sought help for landowners to report, remove and dispose of their waste.

It was also felt that more advice and guidance should be given to landowners through channels such as '*Gwlad*', Welsh Government and Natural Resources Wales.

Funding

Funding was once again seen as an issue throughout the consultation. Local authorities raised the issue of having sufficient resources to deal with fly-tipping. It was felt that financial pressures may have an effect on the level of fly-tipping.

It was suggested that existing funds and resources may need to be re-allocated if we are to reduce the barriers to getting rid of waste.

Main Impacts

The impact of fly-tipping on amenity value and tourism, quality of life, health, inward investment and community pride is 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.

Other Comments

- Closer focus on local issues.
- Research the perceived reasons why people fly-tip (cost/transport).
- Reward scheme for disposing of waste responsibly.
- Research the link between adopted alley ways and fly-tipping.
- Promote 'producer responsibility' schemes for manufacturers.
- Introduce an exemption from a waste licence for construction businesses.

Question 4 - Do you have any comments on how the outcomes can be delivered?

Overview

26 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. There was mention of the success of the *Fly-tipping Action Wales* partnership and a suggestion was made for local authority officers to take more of a leading role in this initiative.

Once again, respondents emphasised the need to engage with private landowners and work towards a formal agreement on fly-tipping between Natural Resources Wales, local authorities and private landowners.

A number of respondents, from local authorities and community councils, suggested that we should build links with social landlords and attend their local forums. Engagement with schools and closer ties with the *Eco-Schools* scheme was also seen as important.

It was felt that we should also work closely with the Environment Agency and local authorities in England on cross border issues.

One respondent mentioned that a partnership approach at local government level can only be achieved where there is consistency over all 22 local authorities.

Finally, it was highlighted that it is important that we work with the Police Service. One respondent stated that they would like to see increased involvement from the Police, especially at the local level, in investigating and prosecuting fly-tippers.

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 that we should seek to use this in developing the way forward. For example, one respondent recommended that we should look at Dr Freya St John's research into illegal environmental behaviour commissioned by the University of Kent.

The majority of respondents supported the actions referring to research in the strategy. It was felt that further research needs to be developed on the perceived reasons why people fly-tip.

It was seen as important that we share any research findings, either from ourselves or external organisations, with our partners.

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 and this could be part of the proposed national agreement between the regulatory authorities and private landowners.

Education

Education and advice was seen as important by a number of respondents. It was generally felt that it should be delivered at all levels including vocational colleges and primary and secondary schools.

It was agreed that education should be undertaken at a local or 'grass roots' level. We should aim our 'duty of care' message at businesses and at the sections of society that potentially have the biggest effect on fly-tipping.

It was also suggested that in addition to, and to complement, education at a local level we should also deliver a high level strategic communications plan.

Waste provision

A number of respondents cited the inflexibility of civic amenity sites as contributing towards fly-tipping. More flexible use of these sites was recommended. It was suggested that the many rules and regulations preventing householders from disposing of their waste at these sites should be relaxed. In short, these sites should become more user friendly.

Providing adequate facilities for builders and other businesses to dispose and recycle their waste was also mentioned as an issue that should be considered.

One respondent suggested that local authorities should share waste sites to make it easier for the public to use.

Two respondents stated that it was financial gain and lack of awareness and not the level of waste provision that was a main cause of fly-tipping. They claimed that it was social and not infrastructure problems that could lead to fly-tipping.

Enforcement

There was general support for building a consistent enforcement capability across Wales. National guidance would be welcomed by these respondents and all were in favour of an all Wales training package. It was felt that the ultimate aim is to ensure that all 22 local authorities are performing at a similar level.

One respondent suggested that we should identify areas where offending rates are low and target these areas with additional resources.

Once again, it was recommended that Fixed Penalty Notices could be used for specific fly-tipping incidents.

Work to fully inform magistrates so that fly-tippers are punished appropriately was also supported. It was suggested that we should undertake a review of the recently issued sentencing guidelines to see if they are having an effect and that proportionate fines and penalties are now being levied.

Other suggestions included the automatic revocation of waste carrier licences if the licence holder is convicted of fly-tipping.

Question 5 – Would you like to be involved in the working groups to help deliver the actions needed to achieve the outcomes?

Overview

22 out of the 28 responses stated that they would like to be involved in the working groups.

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

- Carmarthenshire, Neath Port Talbot, Caerphilly, Bridgend, Vale of Glamorgan, Blaenau Gwent, Ceredigion, Monmouthshire local authorities,
- St Dogmaels and Wentlooge Community Councils
- Bron Afon, Clwyd Alyn, Cartrefi Cymundol Housing Associations
- Nation Farmers Union Cymru, Country Land and Business Association (Cymru)
- National Fly-tipping Prevention Group

- Keep Wales Tidy, Dwr Cymru/Welsh Water, One Voice Wales, Canal and Rivers Trust

- South Wales Fire and Rescue Service.

5 Welsh Government Response

Welsh Government would like to thank all respondents for their time in taking part in the second phase of the consultation. The response was good with 28 responses from a wide range of bodies.

We are pleased that over 89% of the respondents agreed that the strategy would significantly help to tackle fly-tipping.

The Welsh Government is planning for a better Wales by doing things the right way for our future generations. Tackling the issue of fly-tipping in Wales is an important step in achieving this goal, a goal that requires coordinated action by all partner organisations and communities across Wales. The final strategy has been developed in close consultation with our stakeholders and through the workshops held to discuss and develop the strategy.

We have noted the additional actions suggested in the consultation responses regarding improving reporting for the final strategy:

- We have amended the actions to include further development of the *Flymapper* system and recording incidents on public and private land;
- We have also included an action to monitor the levels of investigations and prosecutions; and
- We will investigate appropriate national performance indicators.

We recognise that with budgets reducing funding is an issue. We will work with our partners to explore where existing resources may be re-allocated and continue to identify best practice.

There is a great deal of support for building a consistent approach to enforcement in Wales. We will investigate making the investigation of fly-tipping a statutory duty for local authorities and investigate introducing a Fixed Penalty Notice for fly-tipping incidents.

We welcome the supportive responses and the number of organisations prepared to be involved in developing the actions and delivering the outcomes through the working groups. We will establish the community and waste provision working groups and continue to work with the existing enforcement and private land working groups and we will work through the detail in some of the actions suggested in the consultation responses in these working groups.

Next steps:

- Publish 'A Fly-tipping Free Wales – Our strategy for tackling fly-tipping'.
- Establish the community and waste provision working groups.

Appendix 1

List of Respondents to the Consultation

All Wales Pollution Expert Panel (PuB)	Fly-tipping Action Wales (PuB)
Blaenau Gwent County Borough Council (LA)	Keep Wales Tidy (PuB)
Bridgend Local Service Board (PuB)	Monmouthshire County Council (LA)
Bron Afon Community Housing (HA)	National Farmers Union Cymru (U)
Caerphilly County Borough Council (LA)	National Fly-tipping Prevention Group (PuB)
Caerphilly County Borough Council (Environmental Health) (LA)	Neath Port Talbot County Borough Council (LA)
Canal & River Trust (PuB)	One Voice Wales (TS)
Carmarthenshire County Council (LA)	South Wales Fire & Rescue Service (PuB)
Cartrefi Cymunedol Gwynedd (HA)	St Dogmaels Community Council (T & CC)
Chartered Institute of Waste Management Cymru (PB)	UK Environmental Law Association
Clarkson, Lynda (P)	Vale of Glamorgan Council (L A)
Clwyd Alyn Housing Association (HA)	Welsh Water/Dwr Cymru (PS)
Country Land and Business Association (Cymru) (PuB)	Wentlooge Community Council (T&CC)
Cyngor Sir Ceredigion (LA)	Williams, Christopher (P)

HA – Housing Association

LA – Local authority

PB – Professional Body

PuB – Public Body

P – Private individual

PS – Private Sector

T&CC – Town and Community Councils

TS – Third Sector

U – Union

Appendix 2

Summary Table of Responses

Name	Key Points
Housing Associations	
Clwyd Alyn Cartrefi Cymunedol Bron Afon	<ul style="list-style-type: none"> • Closer focus on local issues • Financial pressures may have an effect on fly-tipping. Need to re-allocate resources if we are to reduce the barriers to getting rid of waste – reduce cost of removing bulky items. Make it easier! • Research the perceived reasons why people fly-tip (cost/transport) • Research the link between adopted alley ways and the increase in fly-tipping • Housing Associations would like to be included in fly-tipping statistics • Reward Scheme for disposing waste responsibly • Engage with local landlord forums
General Public	
	<ul style="list-style-type: none"> • Allow businesses to use Civic Amenity sites • Join forces with Green Schools scheme • Make it easier for public to use local tips • Reinstate local dedicated police officers • Standard national rates for skip companies – more level playing field
Community Councils	
St Dogmaels Wentlooge	<ul style="list-style-type: none"> • On the spot fines – fixed penalty notices • More information on how to report incidents • Promote schemes from Manufacturers to replace old items – producer responsibility • Closer partnership working with registered social landlords

Private Landowners	
CLA Cymru NFU Cymru	<ul style="list-style-type: none"> • Waste facilities should be more user friendly – a more flexible approach • Fly-tipping incidents on public and private land should be treated in the same manner • Ensure that all private land is included on the national database • <i>FlyMapper</i> should include private land • Practical actions to help farmers – reporting, removing and disposing • Develop a system between local authorities and private landowners • More information should be made available to farmers – Gwlad, WG, NRW
Local Authorities	
Neath Port Talbot Caerphilly Bridgend Vale of Glamorgan Blaenau Gwent Ceredigion Caerphilly (Environmental Health) Monmouthshire Carmarthenshire	<ul style="list-style-type: none"> • Data collection (<i>FlyMapper</i>) has to be a statutory duty • Investigation needs to be a statutory duty • National training package is needed • Amend current legislation to allow FPN's for fly-tipping offences • Fly-tipping Protocol needs to be amended – private landowners to be included • Undertake a review of the new sentencing powers • Automatic revocation of waste carrier licences if convicted of fly-tipping • Authorities should share services – e.g. waste sites • Promote the NRW incident hotline • Develop an 'eyes and ears' reporting campaign • Sufficient resources need to be made available to implement the strategy • Develop a formal working relationship between relationship between NRW, LA's and landowners • Identify areas where offending rates are high and detection rates are low and target these areas with additional resources • Independent audit of Flycapture • Make the collection of data on <i>FlyMapper</i> a statutory duty • Use local landlord forums

	<ul style="list-style-type: none"> • Detection rates of incidents should be regularly assessed • Introduce appropriate National Performance indicators • The DVLA is a key partner. Should be made clear within the Strategy • Increased education on Duty of Care which needs to be targeted at the grass roots level • We need to ensure that all 22 local authorities perform at the same level
All Wales Pollution Panel	<ul style="list-style-type: none"> • Investigation needs to be statutory • Investigation needs to be a statutory duty • National training package is needed • Amend current legislation to allow FPN's for fly-tipping offences • Fly-tipping Protocol needs to be amended – private landowners to be included
South Wales Fire & Rescue Service	<ul style="list-style-type: none"> • Include Registered Local Landlords (RSL) as partners
Canal & Rivers Trust	<ul style="list-style-type: none"> • Provide regular updates on progress and consider the possibility of annual meeting • Work with EA and local authorities in England to address cross border issues • Increased resources to deal with specific issues or to accelerate the delivery of the actions
One Voice Wales	<ul style="list-style-type: none"> • No additional actions
UK Environmental Law Association	<ul style="list-style-type: none"> • Develop a strategic communications plan • Are there enough resources to take the strategy forward? • Should link with other strategies – Future Generations Bill, Environment Bill
Dŵr Cymru	<ul style="list-style-type: none"> • More investigatory support for private landowners • More clarity about the responsibility for fly-tipping – Protocol • Introduce an exemption from waste charges for construction businesses • Look at Dr Freya St John's research on fly-tipping • FlyMapper should be introduced in England
Keep Wales Tidy	<ul style="list-style-type: none"> • Support from all levels of the Police • Greater consistency required – especially enforcement

	<ul style="list-style-type: none"> • More waste facilities in the areas where they are most needed • Greater emphasis on private land
Fly-tipping Action Wales	<ul style="list-style-type: none"> • A greater emphasis on education and changing behaviour • Education to be delivered at all levels • Target businesses that have a direct effect on fly-tipping
CIWM	<ul style="list-style-type: none"> • In general, financial gain and lack of awareness and not lack of facilities contribute to fly-tipping • Additional resources should be made available if fly-tipping becomes a statutory duty • CIWM would be interested in assisting with national training package for enforcement officers • More local authority officer leads • Closer partnership working with social landlords
National Fly-tipping Prevention Group	<ul style="list-style-type: none"> • Make available research findings from actions • Private landowners in NFTPFG might help with working groups • Regular review of actions • Cross border working