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Welsh Government

Welsh Government
Consultation Document

A Litter and Fly-tipping Free Wales

Litter and Fly-tipping Prevention Plan
for Wales

Date of issue: **28 January 2021**

Action required: Responses by **22 April 2021**



Overview

Littering and fly-tipping are unacceptable. By addressing these issues we can reduce our impact on the environment, ease the financial pressure on taxpayers, encourage pride of place amongst communities and help achieve our aim of establishing a circular economy in Wales. This Plan sets out the actions we believe can achieve this and we would welcome your views on these.

How to respond

You can respond to this consultation by answering the questions on the form available at www.gov.wales/consultations. You can also submit responses and provide comments by post or email. Contact details are below.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

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<https://llyw.cymru/ymgyngoriadau>

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Data Protection Officer:
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The contact details for the Information Commissioner's Office are:

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Ministerial Foreword

Litter and fly-tipping have become all too familiar sights in Wales, whether it be waste dumped in our beautiful countryside, litter strewn on our streets or plastic washed up on our beaches. There are no excuses for this type of behaviour. I believe everyone has a role in preventing it, from those who manufacture and sell the items being thrown away, to those who do the littering and fly-tipping. Our ambition is for a litter and fly-tipping free Wales.

Littering and fly-tipping are key concerns for our communities. They can pose a threat to humans and wildlife, damage our natural environment and spoil our enjoyment of our towns and countryside. A depleted natural environment blighted by litter and fly-tipping impacts not only on our long-term health and wellbeing, but also on our ability to grow our economy. They can affect both the tourism and inward investment potential of an area, as well as the value of its homes. Fly-tipping undermines legitimate waste businesses, with illegal operators avoiding waste disposal costs and undercutting those who abide by the law.

Throughout the COVID-19 pandemic, many people have rediscovered, reconnected and gained a greater appreciation for their local areas. Initially, communities benefited from reduced littering as people stayed at home. However, as restrictions eased, littering and fly-tipping became prominent in our streets and greenspaces again. We also witnessed an increase in other environmental offences such as dog fouling. Unfortunately, this demonstrated the behaviour of a few can have a significant impact on the enjoyment of many.

I want to maintain and build on the pride which has grown amongst our communities in Wales and support those who are working hard to bring about positive change in their local areas. It is this passion and dedication we wish to draw upon when delivering our programme of work. The people of Wales have a key role in ensuring the success of action needed to tackle littering and fly-tipping.

This consultation seeks views on our Litter and Fly-tipping Prevention Plan. We want to enable a strategic approach to taking preventative, collaborative and consistent action, across all sectors, to reduce the health and environmental impacts of litter and fly-tipping. The Plan has been informed by a wide range of partners, drawing upon their experience and expertise at both a local and national level.



Proposed actions in the Plan will help ensure wider benefits for the people of Wales. For example, reducing the amount of public money Local Authorities have to spend on cleansing services will mean more can be spent on other areas, such as health and education. Cleaner green and blue spaces will encourage people to become more active, helping to improve their sense of wellbeing and in turn contribute to a healthier population.

A litter and fly-tipping free Wales will encourage more visitors to enjoy all the natural beauty Wales has to offer and encourage inward investment, which in turn will help local economies to prosper. I believe integrating our activities across all sectors, fully involving everyone at all levels and ensuring we all take responsibility, will ensure we become a cleaner and exemplar nation. I look forward to receiving your views on this consultation.

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

Lesley Griffiths MS
Minister for Environment, Energy & Rural Affairs

Introduction

1. Our ambition is for a litter and fly-tipping free Wales, where everyone takes pride in and ownership of their local environment. Whilst this is an ambitious goal, we believe by everyone working together to implement and develop the actions included in this Plan, we can bring about the positive changes needed to tackle these problems.
2. We recognise changing people's behaviour can take time and that some actions in this Plan may take longer than others to complete. Therefore, as part of this consultation process, we are keen to hear your views on which actions you believe should be a priority and whether there are additional actions we need to include.
3. We want this plan to be an evolving one, changing over time to reflect new and emerging issues. We also believe this Plan should be accessible to all, with the actions owned and delivered by everyone, not just the Welsh Government.
4. The sections below provide an overview of the current position in Wales, the measures we have introduced to address these issues and what we believe needs to happen next.

Littering and Fly-tipping in Wales

Litter levels

5. Litter levels in Wales are currently monitored using the [All Wales Local Environmental Audit and Management System \(LEAMS\)](#). This involves visual surveys of randomly selected streets in each Local Authority across Wales. [Keep Wales Tidy](#) publishes this street cleanliness data annually, on behalf of the Welsh Government.
6. In 2018-19, it was reported 96% of the 3,216 streets surveyed across Wales were found to be grade B and above. These are streets considered by members of the public to have an acceptable level of cleanliness. This figure has been broadly consistent over recent years and would suggest that, for the most part, streets across Wales are relatively clear of litter. However, despite these positive results, we acknowledge this may not be experience for everyone and this is often reflected in the complaints we receive from the public.
7. The [Marine Conservation Society](#) also gathers data on marine litter via their annual beach clean surveys. In 2020 over, 3,000 metres of Welsh beach was cleaned and surveyed. An average of 238 litter items were found per 100 metres of Welsh coastline, with small plastic pieces remaining the most common form of litter with an average of 92 pieces being found per 100 metres of beach surveyed.

Fly-tipping levels

8. Local Authorities submit their fly-tipping data on a quarterly basis to [WasteDataFlow](#), an online data gathering system. This information will include details on the size and nature of the fly-tipping incident, the cost of dealing with it and any enforcement action undertaken. The data is then quality checked by [Fly-tipping Action Wales](#) and published annually on the Welsh Government [website](#). To assist in this recording process some Local Authorities use the Welsh Government funded GPS mapping system, [FlyMapper](#) and this enables additional spatial and visual data to be gathered on fly-tipping incidents.
9. In recent years, we have worked closely with Fly-tipping Action Wales and Local Authorities to improve the quality of the data that is submitted, to help understand the scale of the problem in Wales. The number of incidents reported in Wales over the past four years have remained relatively static with the data for 2018-19 reporting just over 35,000 incidents. However, it should be noted this data is predominantly of incidents recorded on Local Authority land and, therefore, does not capture the majority of incidents that have occurred on private land.

Impacts of Litter and Fly-tipping in Wales

10. Litter and fly-tipping are a blight on our communities. They pose a threat to humans and wildlife, can damage our environment and spoil our enjoyment of our towns and countryside. Poor local environmental quality can also have a negative impact on people's mental health and wellbeing, with such anti-social behaviour often resulting in an area appearing run-down and neglected. This can result in further anti-social behaviour or crimes that are even more serious. These type of offences often disproportionately affect deprived communities.
11. Whilst the true financial cost of these environmental offences can be difficult to quantify, data collected in 2018/19 from Local Authorities indicates nearly [£2 million](#) was spent on clearing fly-tipping incidents and over [£53 million](#) was spent on street cleansing operations. Clearing litter and fly-tipping from our road networks is also expensive as traffic flow needs to be controlled to ensure safety for those undertaking the clearance. It is estimated removing this type of litter costs [£2 million](#) a year to clear.
12. It should be noted these figures often do not include the cost incurred by private landowners or housing associations in removing waste from their land.

13. Fly-tipping can undermine legitimate waste businesses, with illegal waste operators avoiding waste disposal costs and undercutting those who abide by the law. Many fly-tipping hotspots are also subject to arson attacks at an average cost of around [£2,000](#) per call out for the Fire and Rescue Services. These are just two of the economic costs of fly-tipping that are often overlooked.
14. Such costs can prove to be a significant financial burden for all those involved in clearing and investigating environmental offences. In the case of Local Authorities, this is ultimately taxpayer money. This money could be allocated elsewhere, for example, social care or education.
15. The cumulative impact of litter and fly-tipping on our environment can be difficult to record. Some materials such as plastic are now being found to affect whole ecosystems rather than single locations or organisms. Dumping green and garden waste can also be harmful. For example, there have been incidents where farm animals' health was put risk from eating decomposing grass cuttings.
16. There are wider economic and social impacts as well. The presence of large amounts of litter and fly-tipping in our countryside, towns and cities and along our coastlines can have a negative visual impact. This can deter tourists from visiting and businesses investing, impacting our local economies. The loss of recyclable or reusable materials also detracts from our aims of establishing a circular economy in Wales.

Welsh Government Action

Delivering local solutions for local problems

17. Over the past two decades, Welsh Government has predominately taken a localised approach to tackling littering and fly-tipping in Wales. Whilst some specific projects have operated at an all Wales level, such as our household waste [duty of care campaign](#), our focus has been on supporting communities to address environmental issues at a local level.
18. To help achieve this we have provided grant funding to a range of organisations including all 22 Local Authorities in Wales, community groups, Third Sector organisations such as Keep Wales Tidy and bodies such as Natural Resources Wales. This funding has supported a variety of projects and programmes across Wales, from developing of educational materials to bringing neglected community spaces back into beneficial use.

19. By adopting this approach, our aim has been to empower communities to take greater ownership of their local area and encourage people to develop a greater sense of pride in the places where they live and work. We believe this has led to more long-term, sustainable solutions being developed amongst the communities we have supported.
20. We have also strived to ensure community groups and organisations become self-sufficient, helping them to continue operating after any grant funding has ended. The large number of groups who have applied for our funding over the years, and even those who have become established without direct financial support, illustrates there is clear appetite amongst our citizens to bring about a positive change at a local level.
21. Adopting a community focused approach has undoubtedly been successful in Wales, however, influencing large-scale behaviour change has proven difficult. This often requires a consistent and coherent approach to be delivered on a national level. It can also make it difficult for both local and national government to respond quickly to emerging, wide-scale littering and fly-tipping issues. A recent example of this is the increase of problems witnessed following the easing of COVID-19 lockdown restrictions during the summer months of 2020.

Partnership working

22. We have also looked to build strong partnerships with others. We recognise no one organisation can tackle these issues in isolation. Only by working together can we make a real difference to the lives of the people of Wales. Those who litter or fly-tip often do not care about who owns the land or who will have to pay to clear it up. This means finding solutions to the problem needs to involve a wide range of sectors and not just public bodies.
23. A successful example of this approach is the Fly-tipping Action Wales initiative, which is coordinated by Natural Resource Wales. They work closely with statutory organisations, voluntary organisations, businesses, landowners and community groups across Wales. The initiative aims to bridge the gap between these partners and ensure strategic priorities are linked to action on the ground. To help achieve this they have established fly-tipping forums which have allowed partners to share best practice and enable them to address issues at a local level.
24. Another example is our Litter Advisory Group, a multi-disciplinary expert group whose membership includes the Welsh Local Government Association, One Voice Wales, the Marine Conversation Society, the Welsh Retail Consortium and Cardiff University. This group has been instrumental in the development of this Plan and we intend to utilise their expertise to provide oversight of the Plan's progress.

Policies and strategies

25. The state of our natural resources is the most crucial legacy we will leave for future generations. To create a more prosperous and resilient future for Wales we must sustainably manage our land, air and water. We believe everyone in Wales should enjoy and be supported by a clean, healthy and safe environment and this aim is at the heart of this Plan. We also have a global responsibility to reduce the environmental impact from our consumption and production of materials. Through implementing the actions in this Plan, we will help deliver on the goals of the [Well-being of Future Generations \(Wales\) Act 2015](#).
26. This Plan has been developed to deliver, enhance and complement a number of existing Welsh Government aims and strategies. An overview of these are provided below.

Marine Litter Action Plan for Wales (MLAP)

27. A significant amount of marine litter originates inland and reaches our seas via our rivers or from direct littering on our beaches. This Plan complements the work of the [Marine Litter Action Plan \(MLAP\)](#). Members of the Clean Sea Partnership are represented on our Litter Advisory Group. It also encourages partners and businesses to sign up to a voluntary pledge to change how they handle plastic and waste.
28. The MLAP has prevention as its core principle and supports our vision of clean, healthy, safe, productive and biologically diverse seas. We believe some of the actions included in the MLAP can be integrated into our work programme. However, there are a number of specific marine related issues which warrant a standalone plan. For example, the MLAP looks to address fishing gear litter, something which falls outside the scope of a terrestrial focussed Plan.

Circular Economy Strategy

29. Our 2019 [study](#) into the composition of litter waste in Wales found 61% of all the litter waste by weight collected and analysed could have been recycled using existing recycling systems either at home, bring banks or at recycling centres. This accounted for an estimated 15,683 tonnes of recyclable litter material over the year. This is a significant amount of potentially valuable resources being lost from the system by either entering the environment as litter or being sent to landfill via litterbins.
30. Preventing this “leakage” of materials will, therefore, help support our broader waste reduction and resource efficiency aims included in our Circular Economy Strategy, [Beyond Recycling](#). Through tackling littering and fly-tipping we believe we can help create a Wales where resources are kept in use for as long as possible and waste is avoided and that this is part of our modern culture.

COVID-19, Green Recovery and Climate Crisis

31. By contributing towards this shift to a more circular economy, this Plan will also support our green recovery as we come out of the COVID-19 pandemic. Tackling our unsustainable production and consumption of single use items and unnecessary packaging will help improve public health, our resource efficiency, decrease our use of natural resources and reduce our environmental impact.

A Fly-tipping Free Wales

32. We have decided to integrate our previous fly-tipping strategy, "[A fly-tipping Free Wales](#)", with our ambition to tackle littering in one Plan. We recognise there is a stronger criminal element associated with fly-tipping compared to littering and it also poses a number of unique challenges. This Plan, will therefore, highlight where differing approaches are required to tackle fly-tipping and littering. However, we believe the actions and themes needed to address both issues are broadly aligned. In delivering this Plan, we will also continue to support the Fly-tipping Action Wales programme and liaise with its partners to help develop our fly-tipping policies.
33. The Plan sets out proposals for a strategic framework from which our partner organisations can operate, ensuring we are all working together on both a local and national level to deliver the same goals. A co-ordinated approach will enable the delivery of consistent messages and actions on an all Wales level, helping people to understand what they need to do and why.

Question 1: Do you agree litter and fly-tipping should be covered under one plan? If not, please provide a reason for your answer.

Legislation

34. Local Authorities have a statutory duty under [Section 89](#) of the Environmental Protection Act 1990 (EPA 1990) to ensure, so far as is practicable, that their land is kept clear of litter and refuse. This includes public roads but excludes motorways and sections of the A55(T) that are classed as special roads as these are the responsibility of the Welsh Government.
35. The duty also extends to other bodies which include educational institutions (universities, publically funded colleges and schools), certain Crown Authorities and certain transport operators (for example operators of railway stations and tracks). How these bodies comply with this duty is established in our Code of Practice on Litter and Refuse (CoPLAR) guidance.

36. Householders and businesses also have a duty under the EPA 1990 to ensure their waste is disposed of correctly ([Section 34](#)). A [code of practice](#) has been developed to provide guidance on how these requirements can be met. For example, a householder will need to check whether the person they have given their waste to is authorised to do so (they have a waste carrier license).
37. Under EPA 1990, both littering ([Section 87](#)) and fly-tipping ([Section 33](#)) are criminal offences. This means Local Authorities and Natural Resources Wales are able to undertake a range of enforcement actions on those who have committed an offence. This includes the issuing of fixed penalties or taking them to court if the offence is deemed severe enough or it is for a repeat offence.
38. It should be noted, since this legislation was introduced, a number of changes and amendments have been made. These have been made via the following pieces of legislation:
- [Anti-social Behaviour Act 2003](#)
 - [Clean Neighbourhoods and Environment Act 2005](#)
 - [Anti-social Behaviour, Crime and Policing Act 2014](#)
 - [The Unauthorised Deposit of Waste \(Fixed Penalties\) \(Wales\) Regulations 2017](#)
 - [The Household Waste Duty of Care \(Fixed Penalties\) Regulations 2019](#)
39. We are supportive of enforcement action and experience has shown the public generally welcomes its use provided it is done sensibly, is enforced even-handedly and is seen as a response to genuine problems. To ensure this is the case, we have issued [guidance](#) to Local Authorities on the use of fixed penalties and the Sentencing Council has provided [guidelines](#) for environmental offences in relation to the courts.
40. Whilst enforcement action is important, we believe it should not operate in isolation. It should form part of a more holistic approach which integrates prevention, collaboration and partnership working.

The Five Key Litter and Fly-tipping Prevention Themes

41. In developing this Plan with our partners, we have identified five key themes we believe are essential in delivering a litter and fly-tipping free Wales. This will help shape our programme of work going forward. These themes are outlined in the figure below.



Question 2: Do you agree with themes we have chosen? Do you think they will help us achieve our ambitions? If no, what other themes do you think need to be included?

Theme 1 – Waste Reduction (WR)

42. One approach to prevent littering and fly-tipping is to remove or reduce the opportunity for it to occur in the first place. This can be achieved in a number of ways. For example, by reducing the amount of packaging used for a product it is possible to limit amount of material that needs to be thrown away or potentially littered.
43. It is also possible to reduce the number of items that need to be disposed of after just one use by encouraging people to buy reusable products or by making it easier for people to repair an item. It is this type of preventative approach we intend to place at heart of our policy and legislation making process.

Where we are now

44. Wales is already a country where re-use and waste prevention is widespread. A growing number of Welsh communities are being awarded “[Plastic Free](#)” status for their efforts in reducing the use of single use plastics and the concept of the sharing economy is beginning to spread across the country, for example there are a wide range of initiatives established to collect [surplus food](#). The establishment of [Refill](#) stations across the country is helping to reduce the need for single use plastic bottles and re-use shops and Third Sector schemes are diverting items from landfill or being dumped. Local businesses themselves are also becoming more proactive in reducing and preventing waste. Schools and other community groups are also leading coordinated action on litter. We support these types of initiatives as they prevent waste and reduce the opportunity for these items to be littered or fly-tipped.
45. We recognise there are still areas where we need to make improvements. For example, annual fly-tipping data obtained from Local Authorities indicates over 70% of incidents involve household waste. This suggests more needs to be done to ensure people are able to dispose of their unwanted items easily and legally. Many of these discarded items have important value to our economy and can be re-used or reprocessed into making more of the goods and products that we need.
46. We are taking steps to tackle littered single use plastic items and this includes legislation with the UK Government and Northern Ireland Executive to introduce of a Deposit Return Scheme for drinks containers. In addition, we are working with all UK administrations on an Extended Producer Responsibility scheme for packaging.
47. We intend to review the existing regulations for the single use carrier bag charge to reduce the increase in use of plastic “Bags for Life”.

Where we want to be

48. We welcome the emerging shift in consumer culture and growing environmental awareness, however we want to go further in Wales. We want to work with businesses and manufacturers, to help design out litter and fly-tipping at source, regardless of material and to develop innovative solutions right at the beginning of the process.
49. We want to make sure people transition away from single use items to reusable or more environmentally sustainable options by limiting their presence on the market.
50. We want to actively promote schemes and initiatives which help householders and businesses in Wales reduce the quantity of the waste they generate. This could be through the reuse of products or by extending their lifespan through repair. This will help reduce the opportunities for waste being littered or fly-tipped.
51. Everybody in Wales should be able to, and know how to, store and dispose of their waste safely, legally and responsibly. There is no excuse for fly-tipping waste.

Waste Reduction (WR) - What we need to do

Aim	Ref Code	Activity	Owner	Timescale/ Additional information
Reduce the amount of littered single use items in Wales	WR(1)	Develop a phased approach to tackling single use plastic products found commonly littered in the environment.	Welsh Government	Ongoing
	WR(2)	We will obtain powers to enable charges to be introduced for single use plastic items .	Welsh Government	Early 2021 Draft UK Environment Bill (Section 61)
	WR(3)	We will commission and publish research to identify the best interventions for problematic single use plastic items such as wet wipes, sanitary products and cigarette filters.	Welsh Government	Early 2021
	WR(4)	We will work with Welsh businesses and manufacturers to develop innovative and sustainable alternatives to single use plastic .	Welsh Government/ Business and Manufacturing Sectors	Ongoing

	WR(5)	We will introduce a Deposit Return Scheme to help reduce the amount of drinks containers being littered .	Welsh Government/ Local Authorities/ Welsh Local Government Association/ Businesses	2023/ 2024 Draft UK Environment Bill (Section 51)
	WR(6)	We will work internally with other departments, including tourism & culture to ensure Welsh Government sponsored or funded events include provisions to prevent or reduce littering of single use items.	Welsh Government	Ongoing
	WR(7)	We will work with partner organisations and communities to identify measures to address the various issues associated with dog fouling, for example the inappropriate disposal of dog fouling bags.	Welsh Government/ Local Authorities/ Town & Community Councils/ Keep Wales Tidy/ Others	Ongoing
	WR(8)	We will commission and publish further research to help inform what changes are required to the existing Welsh single use carrier bag.	Welsh Government/ Business and Retail Sector	2020/21 Research into the sale and use of carrier bags in Wales (2019)

Take action to encourage greater reuse of products/ items in Wales	WR(9)	We will consult on and introduce new carrier bag regulations in Wales.	Welsh Government /Business and Retail Sector	2022/23 Single Use Carrier Bag Charge (Wales) Regulations 2010
	WR(10)	We will continue to support projects which promote the reuse/ repair of products.	Welsh Government/ Businesses/ Third Sector	Ongoing Example: Refill Wales
Work with businesses and manufacturers to “design out” litter at source	WR(11)	We will introduce an Extended Producer Responsibility Scheme which will help incentivise more environmentally friendly packaging and provide potential funding for anti-littering measures.	Welsh Government/ Businesses/ Manufacturing Sector	2023/2024 Beyond Recycling/ Circular Economy Strategy

Question 3: Do you agree with the suggested actions in the waste reduction theme? If not, please provide reasons.

Question 4: Do you think other actions should be included under the waste reduction theme to achieve the aims of the Plan? If yes, please provide relevant information and evidence.

Theme 2 – Evidence, Monitoring & Evaluation (EME)

52. Our aim is to develop a robust evidence base to enable us to better understand why littering and fly-tipping occurs in the first place, alongside monitoring and evaluating the success of this Plan. As different behaviours will require distinct types of interventions, gathering this evidence will allow us to develop the most effective actions to tackle these issues.

Where we are now

53. As previously noted, littering levels are currently monitored by the LEAMs surveys in Wales. Whilst these reports are useful, they do have limitations. For example, they do not capture litter levels along road verges, in parks and in the marine or riverine environment. They essentially provide a snapshot of the littering levels on streets on a certain date and time. They also do not appear to match public perceptions about litter levels. For example, in 2019 a short survey on littering carried out by Keep Wales Tidy, found over 80% of the 701 people who responded either strongly agreed or agreed that litter was a serious problem in their area.
54. To help understand what items are being littered across Wales, we have also undertaken a detailed [study](#) on the composition of the waste collected by Local Authorities from litterbins and street cleansing activities. This found that putrescible waste, this is waste such as food and dog excrement, was the most commonly found material, by weight, in litterbins. For waste collected from litter picks, paper and card, by weight, were the most commonly found materials. When the study counted each item individually, paper and card items were found to be the most common in both litterbin and litter pick waste, followed by plastic film. However, as with the litter surveys, this information also has its limitations and only provides a snapshot of the issue. Given the nature of litter and the wide range of variables involved, it is unlikely we will ever obtain a complete picture of the problem.
55. We recognise with advances in technology and the increased usage of mobile devices, there may be opportunities to improve the way we capture data. This could include mapping litter spatially and linking into other types of data sets, for example, data collected from community litter picks.

Fly-tipping

56. As previously noted Local Authorities submit their data on a quarterly basis and whilst guidance is provided on how this information should be recorded, the actual method of recording this can vary. For example, some Local Authorities may use internal IT platforms to record their reported fly-tipping incidents, whilst others will use the Welsh Government funded GPS [FlyMapper](#) system.
57. We continue to work closely with Fly-tipping Action Wales and Local Authorities to help standardise the approach to data gathering in Wales.

This will enable the effective targeting of resources and allow us to demonstrate whether current practices are impacting fly-tipping levels.

Where we want to be

58. We want to develop a mechanism which will allow us to gather evidence on the sources, types and locations of different littered materials. This will not only allow us to identify the scale and nature of the problem but also enable us to develop interventions that will prevent it from occurring in the first place.
59. How the public perceives their surrounding local environment and the impact littering and fly-tipping can directly affect a person's wellbeing. By having a greater understanding of how this interaction can influence people's behaviour and attitudes, it will help us to refine our policies and target resources.
60. We want to ensure we are effectively recording fly-tipping incidents on both private and public land. This data would be collected spatially and used by partner organisations to help coordinate action against fly-tipping.

Evidence, Monitoring & Evaluation (EME) - What we need to do

Aim	Ref Code	Activity	Owner	Timescale (Additional Information)
Better understand the sources, levels and impact of littering and fly-tipping in Wales	EME(1)	We will establish a Task & Finish Group to evaluate the existing evidence base, identify international best practice and to present a range of potential options for improving how littering is reported in Wales.	Welsh Government/ Local Authorities/ Keep Wales Tidy / Other Partners	Early 2021
	EME(2)	We will work with Fly-tipping Action Wales and Local Authorities to improve fly-tipping data recording and reporting in Wales.	Welsh Government/ Fly-tipping Action Wales/ Local Authorities	Ongoing
	EME(3)	We will work with other land managers, owners and businesses to improve the recording and reporting of littering and fly-tipping on private land.	Welsh Government/ Business/ Land Owners & managers/ Local Authorities	Ongoing
	EME(4)	Develop a common data standard to enable the spatial mapping of fly-tipping in Wales.	Welsh Government/ Welsh Local Government Association / Local Authorities/ Natural Resources Wales/	2022

			Private Landowners	
	EME(5)	We will continue to support data training programmes for Local Authorities.	Welsh Government/ Local Authorities/ Fly-tipping Action Wales/ Keep Wales Tidy	Ongoing
Evaluate the success of our Litter & Fly-tipping Prevention Plan	EME(6)	Review existing indicators/ performance measures/ reporting requirements for litter and fly-tipping in Wales to develop a monitoring baseline.	Welsh Government/ Welsh Local Government Association / Local Authorities / Keep Wales Tidy / Natural Resources Wales /	2021
	EME(7)	Develop a reporting dashboard to help evaluate the progress being made with implementation of the Plan.	Welsh Government/ Welsh Local Government Association / Local Authorities / Keep Wales Tidy / Natural Resources Wales / Others	2021

Question 5: Do you agree with the suggested actions in the waste evidence, monitoring and evaluation theme? If not, please provide reasons.

Question 6: Do you think other actions should be included under the waste evidence, monitoring and evaluation theme to achieve the aims of the Plan? If yes, please provide relevant information and evidence.

Theme 3 – Education and Behaviour Change (EBC)

61. Whilst Government can set a framework for bringing about positive behaviour change amongst society, it ultimately requires action by everyone to ensure widespread and long lasting success. We need everyone, from individual citizens to local communities to small businesses to global leaders, to play their part.
62. We also recognise that whilst it is important children are taught from an early age about the negative impacts of litter and fly-tipping, education should not stop there and everyone needs to understand the damage their irresponsible actions can have on the environment and their wider community.

Where we are now

63. The environment has become ever more important to the public, especially in light of concerns over plastic pollution and media reporting of increased littering and fly-tipping associated with the COVID-19 lockdowns. To improve awareness of the environmental, social and economic impacts of these activities we continue to develop our communication messaging across a range of platforms. This has included social media campaigns on the littering of single use facemasks and TV and radio messaging aimed at encouraging people to take greater responsibility for their household waste. However, we recognise there are opportunities to develop our campaigns further.
64. In relation to education, over 90% of schools in Wales are part of the Eco-schools programme and this teaches children about a wide range of environmental issues. This educational and pupil-led, real-world programme ensures schools, young people, families and the wider community are involved in hands-on environmental projects. We also continue to support environmental organisations and charities to work closely with schools and young people.
65. We believe the [Well-being of Future Generations \(Wales\) Act 2015](#) provides us with a strong platform from which to develop and communicate our vision of what a sustainable Wales could look like. The Welsh Government has already used a number of methods to change behaviours in Wales, most notably the introduction of the single use carrier bag charge which led to a drastic reduction in their use and raised awareness of their environmental impact.
66. We continue to learn from these experiences and the experiences of others around the world who have introduced measures in an attempt to change irresponsible environmental behaviours. However, it should be noted these measures are often not “one size fits all” and what has worked elsewhere may not have the same effect in Wales. This is why we will continue to trial and explore different measures to help identify solutions that will work for Wales.

Where we want to be

67. We want to develop a pan-Wales approach to allow for greater coherence in messaging, drawing upon existing evidence and techniques. This will ensure citizens are aware of the impacts created by littering and fly-tipping, how to deal with their waste responsibly and help them change their behaviours accordingly.
68. We want to remove any barriers which may prevent people from doing the right thing and make it easier for people to behave responsibly.
69. We will look to develop and build upon the existing teaching tools available to schools to ensure positive environmental behaviours are considered the “norm” amongst the next generation.
70. We want to develop stronger links with young people to ensure they are able to engage and shape our policies. An example of an active interest in this area of work can be found in the Youth Parliament’s *Reduce, Reuse, Recycle* consultation [report](#).
71. In addition to working with communities and the Third Sector, we also recognise the need to engage and work with those in the private sector. We want to develop consistent working relationships across a wide range of sectors and levels in Wales. This will not only allow us to identify and share examples of good practice, it will also enable us to provide people with the necessary tools and support to encourage wider positive environmental behaviour.

Education and Behaviour Change (EBC) - What we need to do

Actions	Ref Code	Activity	Owner	Timescale (Further Information)
Develop a national approach to anti-litter and fly-tipping campaigns	EBC(1)	To help standardise messages and approaches we will bring together best practice and guidance to share with partners, including the tourism sector.	Welsh Government/ Businesses/ 3 rd Sector/ Local Authorities/ Community & Town Councils/ Visit Wales/ Natural Resources Wales/ Other land managers	Ongoing
	EBC(2)	We will develop, with partners, a national awareness raising campaign for littering .	Welsh Government/ Businesses/ 3 rd Sector/ Local Authorities/ Community & Town Councils/ Visit Wales Natural Resources Wales/ Other land managers/ Youth Parliament/ Youth organisations	Spring 2021
	EBC(3)	We will continue to support specific fly-tipping campaigns, for example Household Waste Duty of Care.	Fly-tipping Action Wales/ Natural Resources Wales/ Local Authorities	Ongoing Example: Your Duty To Care

	EBC(4)	We will continue to work with young people to identify suitable communication platforms to improve engagement and help instil positive environmental behaviours at an early stage.	Welsh Government/ Third Sector/ Youth Parliament/ Others	Ongoing
For everyone in Wales to work together to reduce littering and fly-tipping	EBC(5)	Work with businesses to develop targeted initiatives aimed at prevention, awareness and behaviour change. A particular focus will be on smoking related litter .	Welsh Government/ Local Authorities/ Keep Wales Tidy/ Natural Resources Wales/ Fly-tipping Action Wales/ Businesses	Ongoing
	EBC(6)	Gather evidence and trial specific behaviour change measures to help address roadside litter (including litter from fast food outlets).	Welsh Government/ Businesses/ Local Authorities/ Keep Wales Tidy	2021
	EBC(7)	Work with Town councils, Business Wales and Business Improvement Districts (BIDs) to develop guidance on maintaining cleanliness outside of premises.	Welsh Government/ Local Authorities, Town & Community Councils/ Business Wales and Business Improvement Districts/ Businesses	2021/22
	EBC(8)	Explore regional partnerships for collaboration based on spatial pathways i.e. rivers, canals, roads and rail.	Welsh Government/ Duty Bodies/ Local Authorities/ Business/	Ongoing

			Third Sector/ Other Landowners	Marine litter research and spatial pathways
	EBC(9)	Continue to support community led action. For example, Surfers Against Sewerage Plastic Free Communities network, Keep Wales Tidy and other volunteer action.	Welsh Government/ Third Sector/ Community & Town Councils/ Local Authorities	Ongoing
	EBC(10)	Work with the construction industry and landlords to explore opportunities for reducing fly-tipping associated with these sectors.	Welsh Government/ Fly-tipping Action Wales / Construction Industry/ Landlords/ Housing Associations	Ongoing
	EBC(11)	Work with organisations and communities to support transformation projects in areas impacted by littering and fly-tipping .	Welsh Government/ Local Authorities/ Community & Town Councils/ Fly-tipping Action Wales / Keep Wales Tidy/ Third Sector/ Communities/ Businesses/ Others	Ongoing
	EBC(12)	We will work with the water and sewerage industry in Wales to better understand the impacts of sewerage litter and preventive action to mitigate this.	Welsh Government/ Welsh Water Companies	Ongoing

To ensure everyone understands the impacts of littering and fly-tipping	EBC(13)	Develop a high quality, bilingual online portal of tools and resources for teachers.	Welsh Government/ Local Authorities/ Third Sector	Ongoing
	EBC(14)	Continue to work with the education sector to improve environmental awareness amongst young people in Wales.	Welsh Government/ Local Authorities/ Community & Town Councils Education/ Third Sector/ Businesses	Ongoing
	EBC(15)	Explore opportunities to extend existing environmental education resources to other providers in Wales.	Welsh Government/ Universities/ Colleges/ other Higher Education providers	Ongoing
Ensure prevention is at the heart of any anti-litter/ fly-tipping project or programme	EBC(16)	Ensure prevention is a key consideration in advice and guidance when funding anti-litter and fly-tipping projects/ schemes.	Welsh Government	Ongoing
	EBC(17)	We will work internally with other departments, including environment, local government, education, tourism & culture marine & fisheries and transport, to ensure a consistent approach is taken to preventing littering and fly-tipping .	Welsh Government	Ongoing

Question 7: Do you agree with the suggested actions in the education and behavioural change theme? If not, please provide reasons.

Question 8: Do you think other actions should be included under the education and behavioural change theme to achieve the aims of the Plan? If yes, please provide relevant information and evidence.

Theme 4 - Effective Enforcement (EE)

72. We acknowledge a large proportion of the population does the right thing and dispose of their rubbish responsibly. However, despite the efforts of Local Authorities, environmental charities and communities across Wales, some people persist in committing environmental crimes such as littering, dog fouling and fly-tipping. We believe there are no excuses for this and we are willing to enhance the existing enforcement regime to help deal with those who continue to flout the law.

Where we are

73. We have introduced a number of laws which have enabled enforcement authorities to take action against those who litter and fly-tip. This has been supported through the provision of [guidance](#) on the use of fixed penalties to ensure any enforcement regime is carried out effectively and proportionately. We have also supported enforcement action undertaken by Local Authorities through our grant funding and work closely with organisations such as Natural Resource Wales and Keep Wales Tidy to help share good practice. We continue to promote the need for enforcement action to form part of a more holistic approach that integrates prevention, collaboration and partnership working rather than working in isolation.

74. However, the implementation and operation of any enforcement regime is ultimately the responsibility of individual Local Authorities. Consequently, the amount of resources and funding invested in this type of action can vary. For example, some Local Authorities operate a Zero Tolerance, proactive enforcement approach, whilst others focus more on education campaigns and awareness raising. We are keen to support all Local Authorities regardless of their approach.

75. When it comes to fly-tipping, taking enforcement action can be particularly challenging, as it is a difficult crime to detect if pro-active surveillance is not undertaken. Fly-tippers often operate under the cover of darkness and usually leave little traceable evidence behind at the crime scene. We acknowledge the level of resources and expertise available to individual Local Authority enforcement teams is a contributory factor in the low number of prosecutions currently reported in Wales.

What we want to achieve

76. We want to ensure enforcement activity is applied consistently and fairly across Wales, with citizens confident the approach being taken is helping to deter and reduce littering and fly-tipping offences.

77. We want to support the sharing of expertise, resources and information amongst Local Authorities. We propose to do this by obtaining new legislative powers, developing guidance and building upon the close

working relationships we have already established with a wide range of partners.

78. We will support the establishment of a fly-tipping intelligence-sharing database for Wales and ensure repeat offenders are dealt with appropriately.
79. We will also explore opportunities for enhancing or supporting the fly-tipping enforcement capabilities in all Local Authorities in Wales. This will include for offences committed on common or private land.
80. We want anyone who is caught fly-tipping to be punished appropriately and for this information to be effectively communicated to help deter future offences.

Effective Enforcement (EE) - What we need to do

Aims	Ref Code	Activity	Owner	Timescale (Additional Information)
Develop an effective and consistent approach to enforcement across Wales	EE(1)	Review existing enforcement capabilities across Wales and the current fixed penalty amounts available for littering and fly-tipping offences with a view to increase levels if needed.	Welsh Government/ Welsh Local Government Association/ Local Authorities	Early 2021
	EE(2)	Seek agreement for all LAs to move voluntarily to a consistent approach to littering enforcement across Wales.	Welsh Government / Welsh Local Government Association / Local Authorities	Early 2021
	EE(3)	Obtain powers to enable statutory guidance to be developed on the use of enforcement powers for littering .	Welsh Government	Early 2021 Draft UK Environment Bill (Section 65)
	EE(4)	Introduce regulations in Wales requiring Local Authorities to have regard to statutory litter enforcement guidance.	Welsh Government	Subject to Ministerial agreement

	EE(5)	Explore the introduction of legislation to help reduce littering from vehicles.	Welsh Government/ Local Authorities	2021
	EE(6)	Explore the use of innovative solutions to help improve litter and fly-tipping enforcement action across Wales, for example using new technology.	Welsh Government/ Local Authorities/ Business/ Natural Resources Wales	Ongoing
	EE(7)	Explore proposals to help support fly-tipping enforcement action across Wales including undertaking action on private land.	Welsh Government/ Local Authorities/ Natural Resources Wales/ Fly-tipping Action Wales	2021/22
	EE(8)	Work with UK Government to gather evidence on current prosecution outcomes of fly-tipping offences in England and Wales to determine whether additional measures are needed.	Welsh Government/ UK Government	Early 2021
	EE(9)	Support the establishment of an intelligence sharing database for fly-tipping in Wales.	Welsh Government/ Fly-tipping Action Wales / Welsh Local Government Association / Local Authorities	2021/22

	EE(10)	Continue to support the sharing of expertise, resource and best practice amongst partner organisations through Working/ Groups/ Forums.	Welsh Government/ Welsh Local Government Association / Local Authorities/ Fly-tipping Action Wales / Third Sector	Ongoing
	EE(11)	Work with partners (in particular Local Authorities) to improve the communication of successful enforcement action taken against those who have been found guilty of environmental crimes such as fly-tipping .	Welsh Government/ Local Authorities/ Welsh Local Government Association/ Natural Resources Wales	Ongoing
	EE(12)	Seek to develop a standardised national training package for enforcement officers. We will investigate if this can be accredited to a recognised standard.	Welsh Government/ Fly-tipping Action Wales / Local Authorities	Ongoing

Question 9: Do you agree with the suggested actions in the effective enforcement theme? If not, please provide reasons.

Question 10: Do you think other actions should be included under the effective enforcement theme to achieve the aims of the Plan? If yes, please provide relevant information and evidence.

Theme 5 – Efficient Operational Delivery (EOD)

81. Waste attracts waste. The provision and maintenance of bins, clearing and investigation of environmental crimes such as fly-tipping can be costly. We believe these are essential services which must be provided. However, preventing the illegal disposal of waste from occurring in the first place is the ultimate aim of this strategy.

Where we are

82. With increasing pressures on public finances, Local Authorities, duty bodies and Town and Community Town Councils are having to do more with fewer resources. Even when traditional interventions are introduced, they can be costly to maintain or manage. For example, installing more litterbins will mean regular emptying, cleaning and maintenance. However, with improvements to existing infrastructure, the use of innovative technologies and effective use of spatial data, we believe there are opportunities for existing resources to be better utilised.

83. One way Local Authorities and Community & Town Councils have looked to mitigate against any resource shortfalls is by working closely with local communities and environmental charities. This has included activities like awareness raising, the organisation of litter picks and supporting community events. We acknowledge the hard work undertaken by these volunteers and will continue to support this activity across Wales. We also recognise there can be operational challenges associated with this and these need to be considered as part of the Plan's implementation. For example, there are often costs incurred by Local Authorities when they collect and dispose waste gathered from clean-up events.

84. A particularly problematic and expensive issue is the operational challenges posed by roadside litter and fly-tipping. Responsibility for clearing this waste is dependent on the location. For example, the Welsh Government's Trunk Road Agencies are responsible for clearing on the M4, M48, A48(M) and a certain section of the A55. However, issues at all roadside locations are often the same, for instance lanes will sometimes need to be closed to access the waste. As part of proposed actions under this Plan, we want to address these challenges as a priority.

85. We recognise the current Fly-tipping Protocol requires updating and revision. This will help remove any existing uncertainties as to who is responsible for dealing with the wide range of fly-tipping incidents that occur across Wales.

What we want to achieve

86. To help ensure these services continue, we will focus our actions on delivery across the whole of Wales, not just in urban areas. This will include Local Authority land and other duty bodies (including transport operators such as railway stations and tracks), our watercourses and private land.
87. To help develop resilient and cohesive communities, we believe it is important to prevent litter and fly-tipping. To achieve this we want to build upon existing community programmes and seek to develop new ones to help foster an environment where it is socially unacceptable to engage in such negative behaviours.
88. We will work with Local Authorities, other landowners and other interested parties, for example, Housing Associations and Community and Town Councils, to explore how issues they face can be addressed through improvements to existing or new infrastructure. This could be achieved through Town Centre regeneration projects.
89. To ensure this strand of litter and fly-tipping prevention does not result in unnecessary loss of reusable materials, we will work with Local Authorities to identify how best to capture and transfer this material back into the system.
90. We want to work with partners to identify effective measures of preventing and removing litter from our road network in Wales.

Efficient Operational Delivery (EOD) - What we need to do

Actions	Ref Code	Activity	Owner	Timescale/ Additional Information
Support the timely and cost effective removal of litter and fly-tipping across Wales	EOD(1)	Review and update the existing Code of Practice on Litter and Refuse (COPLAR) guidance with a view to identifying opportunities to improve cleansing activities.	Welsh Government/ Local Authorities/ Duty Bodies	2021
	EOD(2)	Work with other duty bodies to ensure they are aware of their legal obligations in managing their land.	Welsh Government/ Duty Bodies (for example Educational institutions, certain transport bodies)	Ongoing Section 89 Environmental Protection Act
	EOD(3)	Continue to provide support to communities to help manage and maintain their local environment.	Welsh Government/ Local Authorities/ Community & Town Councils/ Third Sector/ Communities	Ongoing
	EOD(4)	Work with partners to identify innovative, cost effective measures to prevent and remove roadside litter and fly-tipping .	Welsh Government/ Trunk Road Agencies/ Local Authorities	Ongoing (See also enforcement and behavioural change sections)

Ensure effective collaboration between partner organisations	EOD(5)	Update the existing Fly-tipping protocol and ensure adoption by Natural Resources Wales and Local Authorities.	Natural Resources Wales/ Welsh Local Government Association / Local Authorities/ Private Land Owners	2021/22
	EOD(6)	Work with partners to support existing education/ training programmes and to identify gaps/ opportunities for new ones.	Welsh Government/ Local Authorities/ Community & Town Councils/ Third Sector/ Businesses	Ongoing
	EOD(7)	Identify and share examples of best practice in relation to the use of technology in the clearing and investigating of fly-tipping incidents.	Welsh Government/ Welsh Local Government Association / Local Authorities	Ongoing
Improve opportunities for capturing recyclable materials	EOD(8)	Identify opportunities for improving “on-the-go” recycling provision across Wales.	Welsh Government/ Welsh Local Government Association / Local Authorities/ Community & Town Councils/ Third Sector	Ongoing
	EOD(9)	Work with community groups and Local Authorities to improve separation of recyclable litter at source (including beach litter picks).	Welsh Government/ Welsh Local Government Association / Local Authorities/ Community & Town	Ongoing

			Councils/ Third Sector	
	EOD(10)	Explore options/ trials to improve access to recycling facilities e.g. mobile Household Waste Recycling Centres.	Welsh Government/ Welsh Local Government Association / Local Authorities/ Community & Town Councils/ Third Sector	Ongoing
Ensure waste collection services do not contribute to littering and fly-tipping	EOD(11)	Work with Local Authorities to identify and promote examples of good practice and consistency.	Welsh Government/ Welsh Local Government Association / Local Authorities	Ongoing
	EOD(12)	Develop new and innovative solutions to reduce the escape of litter from litterbins.	Welsh Government/ Welsh Local Government Association / Local Authorities/ Town & Community Councils	Ongoing
	EOD (13)	Work with Housing Associations and Local Authorities to identify best practice on designing/ improving shared waste storage areas in resident buildings with multiple occupancy.	Welsh Government/ Welsh Local Government Association / Local Authorities/ Town & Community Councils/ Housing Associations	Ongoing

Question 11: Do you agree with the suggested actions in the efficient operational delivery theme? If not, please provide reasons.

Question 12: Do you think other actions should be included under the efficient operational delivery theme to achieve the aims of the Plan? If yes, please provide relevant information and evidence.

Question 13: Our Litter & Fly-tipping Prevention Plan includes a number of actions. Which ones do you think should be a priority? Please give reasons.

Annex A - Consultation response form

Your name:

Organisation (if applicable):

E-mail/telephone number:

Your address:

Our Litter & Fly-tipping plan

1. Do you agree that litter and fly-tipping should be covered under one plan? If not, please provide a reason for your answer.
2. Do you agree with themes we have chosen? Do you think they will help us achieve our ambitions? If not, what other themes do you think need to be included?
3. Do you agree with the suggested actions in the waste reduction theme? If not, please provide reasons.
4. Do you think other actions should be included under the waste reduction theme to achieve the aims of the Plan? If yes, please provide relevant information and evidence.
5. Do you agree with the suggested actions in the waste evidence, monitoring and evaluation theme? If not, please provide reasons.
6. Do you think other actions should be included under the waste evidence, monitoring and evaluation theme to achieve the aims of the Plan? If yes, please provide relevant information and evidence.
7. Do you agree with the suggested actions in the education and behaviour change theme? If not, please provide reasons.
8. Do you think other actions should be included under the education and behaviour change theme to achieve the aims of the Plan? If yes, please provide relevant information and evidence.
9. Do you agree with the suggested actions in the effective enforcement theme? If not, please provide reasons.
10. Do you think other actions should be included under the effective enforcement theme to achieve the aims of the Plan? If yes, please provide relevant information and evidence.
11. Do you agree with the suggested actions in the efficient operational delivery theme? If not, please provide reasons.

12. Do you think other actions should be included under the efficient operational delivery theme to achieve the aims of the Plan? If yes, please provide relevant information and evidence.
13. Our Litter & Fly-tipping Prevention Plan includes a number of actions. Which ones do you think should be a priority? Please give reasons.

Welsh language questions

We would like to know your views on the potential impacts our Litter & Fly-tipping Prevention Plan would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

14. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?
15. Please also explain how you believe the proposed Litter & Fly-tipping Prevention Plan could be formulated or changed so as to have positive effects, or increased positive effects, on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Other comments

16. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Responses to consultations are likely to be made public, on the internet or in a report. **If you would prefer your response to remain anonymous, please indicate here:**